



BROMSGROVE DISTRICT COUNCIL

PARISH COUNCILS' FORUM

TUESDAY 23RD JUNE 2009
AT 6.00 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

Copies of the Parish Councils' Forum Agendas, Reports and Minutes are available on the Council's web-site at www.bromsgrove.gov.uk/pcf

AGENDA

1. Apologies for absence
2. Minutes of the last meeting of the Parish Councils' Forum held on 24th March 2009 (Pages 1 - 6)
3. Matters arising from the last meeting
 - **Training Programme on Ethical Governance issues**

At the meeting of the Standards Committee held on 31st March 2009, the Committee agreed to the establishment of a Training Programme on Ethical Governance issues. The work which will be necessary to implement the training programme will commence following the publication of the new Code of Conduct, and accompanying guidance, anticipated during July/August 2009.
4. Consultation on the Parish Council Charter / Concordat (Pages 7 - 26)
5. Progress Report on Draft Core Strategy (information to follow / report at meeting)

This item has been placed on the agenda for the meeting at the request of the Area Committee of CALC (County Association of Local Councils)

6. Electoral Services - Updates (Pages 27 - 30)
 - (i) Parish Council Casual Vacancies;
 - (ii) Summary of County Council Election Results (4th June 2009)
7. Joint Countywide Scrutiny Report on Flooding (Pages 31 - 48)

Presentation by Mr. P. Street, Executive Director - Partnerships and Projects

K DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

16th June 2009

Agenda Item 2

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PARISH COUNCILS' FORUM

TUESDAY, 24TH MARCH 2009

AT 6.30 P.M.

	<u>Representative(s)</u>	<u>Parish</u>
PRESENT:	Mr. J. Cypher	Alvechurch
	Mr. P. McHugh	
	Mrs. J. Jagger	Barnt Green
	Mr. R. Westbury	
	Mrs. C. Limm	Belbroughton
	Mr. C. R. Scurrall	
	Miss P. Harrison	Beoley
	Mr. B. Somner	
	Mrs. G. Lungley	Catshill and North Marlbrook
	Mr. G. F. Witcomb	
	Mr. B. Bridgewater	Cofton Hackett
	Mr. B. Hodgson	
	Mrs. C. Limm	Dodford with Grafton
	Mr. A. Rea	
	Mrs. R. Mullett	Hunnington
	Mrs. J. A. Casey	Lickey and Blackwell
	Mrs. J. King	
	Mr. K. Woolford	
	Mr. C. W. Bateman	Lickey End
	Mr. I. A. Hodgetts	Romsley
Mrs. R. Mullett		
Mr. P. Callaway	Stoke	
Mrs. H. Davies	Tutnall and Cobley	
Miss P. Harrison	Wythall	

Officers: Mr. H. Bennett (Chairman), Mrs. C. Felton, Mr. R. Savory and Mr. A. C. Stephens

17/08 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R. Hollingworth, and Mr. J. M. Bradley (Belbroughton Parish Council), Mr. K. Duncan (Cofton Hackett Parish Council), Mr. R. Harper (Dodford with Grafton Parish Council), Mr. M. Keary and Mr. K. Strawbridge (Stoke Parish Council) and Mr. L. J. Turner (Wythall Parish Council).

18/08 **MINUTES**

The minutes of the meeting of the Parish Councils' Forum held on 6th January 2009 were submitted.

RESOLVED that the minutes be approved as a correct record.

19/08 **MATTERS ARISING FROM THE LAST MEETING**

(a) Planning Consultations

Members commented on the procedures for the completion of a bid for funding under the National Lottery 'Award For All' scheme towards the provision, and stated that the process was rather complicated and long-winded. However, it was felt that the Forum was a useful means by which to share information about how individual bids were progressing.

Mr. Bennett added that the Council would also be able to give assistance and undertook to identify which officers would be best able to help formulate a potentially successful bid application.

(b) Public Speaking at Planning Committee

Members of the Forum welcomed the introduction of public speaking Specifically for the parish councils within the District at Planning Committee meetings.

In respect of the guidance leaflet entitled 'Public Speaking at Planning Committee Meetings', clarification was suggested to make clear that each party (objector, applicant, parish council and relevant Ward Member) had a period of three minutes each in which to speak. This was noted.

20/08 **TOWN CENTRE REGENERATION - PRESENTATION**

Mr. H. Bennett welcomed Mr. R. Savory, Bromsgrove Town Centre Regeneration Programme Manager, to the meeting and invited him to address the Forum on the proposals for the redevelopment of the town centre.

Mr. Savory explained that his job was, essentially, to regenerate and revitalise Bromsgrove Town Centre in order to achieve a vibrant and active shopping area, as part of Bromsgrove's role as a thriving market town. He outlined the partner agencies involved in the proposals, which included Worcestershire County Council, the Primary Care Trust, West Mercia Constabulary and the Fire and Rescue Authorities, as well as the District Council.

Mr. Savory stated that the four main strategic aims of the project were to provide a revitalised and attractive town centre; a thriving and diverse economy; new multi-agency public service facilities; and an improved transport infrastructure. He informed the Forum of the regeneration work undertaken so far, together with how the plans were being developed as a

consequence of the listing of the former Parkside Middle School Building, and also gave an update on the current position in respect of future proposals and possibilities.

Mr. Savory then responded to a number of questions from members of the Forum, and expanded on a number of the issues in connection with the proposals for a combined police, fire and ambulance ("blue light") centre; the refurbishment of the Market Street Toilet block; the former Parkside Middle School buildings; transportation within and around the town centre; and the enhancement of tourism opportunities within Bromsgrove.

In closing, Mr. Savory promised the Forum that he would ensure copies of the presentation slides would be circulated to members after the meeting, together with details relating to the Town Centre Consultation Survey and proposals for the refurbishment of the Market Street Toilet Facilities.

Mr. Bennett then thanked Mr. Savory for his informative and interesting presentation.

21/08 **DRAFT CONCORDAT**

Mr. Bennett explained that, following the previous meeting of the Forum where it had been intended for the draft Parish Charter to be circulated to the parish councils, together with the Parish Concordat, this had unfortunately been delayed. However, he assured the Forum that a consultation document would be circulated immediately following the meeting, responses to which would be considered and discussed at the next meeting on 23rd June 2009.

22/08 **LOCAL NEIGHBOURHOOD PARTNERSHIPS**

Mr. Bennett addressed the Forum and informed members that it was the intention of the Local Neighbourhood Partnerships initiative to avoid adhering to, what could be, restrictive and burdensome codes of practice in order to maintain an informality to the meetings and to ensure any strict guidelines and regulations would not hinder the decision making process. He stated that the Local Neighbourhood Partnerships have specific Terms of Reference, following consultations at related stakeholder meetings (made up of representatives from the County Council, parish councils, Local Strategic Partnership, etc., as well as District Council representatives) in order to guide the issues considered by the Partnerships.

Members asked a number of questions relating to the operation of, and support given to, the Local Neighbourhood Partnerships [LNP's]. Mr. Bennett explained that, when appointed, officers within his Policy team would support the LNP's. Mrs. C. Felton re-iterated Mr. Bennett's previous comments about ensuring a straightforward and proportionately balanced decision making process, unhindered by strict rules and regulations and added that, although some broad principles needed to be established for the LNP's, it was the Council's intention for the Partnerships to be able to have scope for a certain level of autonomy.

In conclusion, Mr. Bennett stated that the draft Terms of Reference can be circulated if required as they were not expected to change too much when considered by the Council's Cabinet in July 2009.

23/08 **DRAFT CORE STRATEGY: PLANNING FOR HOUSING BETWEEN ALVECHURCH AND REDDITCH**

Mr. Bennett informed the Forum that a written response had been prepared by an officer within the Planning Policy team. Having read out the response, he stated that a copy would be forwarded by email to the parish councils.

The written response clarified that the consultation relating to the Draft Core Strategy was separate from the West Midland Regional Spatial Strategy [WMRSS] phase 2 Revision consultation which expired in December 2008. It detailed the number of responses received in respect of the consultation, together with the sources of those responses. The document explained the next stages in the process, including the analysis of the representations received, which would then be referred to the Council's Local Government Framework Working Party in due course. It was anticipated that the final version of the Core Strategy would not be submitted to the Secretary of State until the outcome of the WMRSS Examination In Public is known, which may not be until next year.

Mr. Bennett responded to members questions which largely related to procedures in respect of the WMRSS Examination In Public and the allocation of housing for the Bromsgrove and Redditch districts, where the provision for Redditch may ultimately be focussed on land within the Bromsgrove district. He added that the Council's preference for its own allocation would be to incorporate it within the proposals for the town centre and concentrate that allocation around the centre of Bromsgrove.

Mr. Bennett concluded by stating that additional information about the WMRSS Examination In Public would be obtained and forwarded with the minutes of the meeting.

(NOTE:

Further information about the WMRSS Examination In Public can be obtained from:

- http://www.wmra.gov.uk/Planning_and_Regional_Spatial_Strategy/Planning_and_Regional_Spatial_Strategy.aspx; and
- http://www.planning-inspectorate.gov.uk/pins/rss/west_midlands_phase_two/index.htm

24/08 **BROMSGROVE RAILWAY STATION REDEVELOPMENT**

Mr. Bennett gave a brief update in respect of the proposals for the redevelopment of Bromsgrove railway station and explained that any reported shortfalls in funding had, hopefully, been negotiated around by the County Council, with a view to 'signing-off' the necessary agreements within the next few months.

He provided additional details about the proposals in terms of access arrangements, car parking, design of the station building and improvements to the transportation service infrastructure (that is, electrification of the main cross-city line, additional hourly train services and provision of a "hopper" bus service to and from the proposed 'gold standard' bus station in Bromsgrove Town Centre.

However, Mr. Bennett stated that the development of the railway station was still subject to obtaining planning permission although, under the Railway Act 1836, proposals for a new station may be considered as permitted development. In the meantime, this matter was being investigated, especially in view of the old legislation and the fact that the view of local residents may also need to be taken into account.

This was noted.

25/08 **PARISH COUNCIL CASUAL VACANCIES / ELECTIONS 2009**

Mrs. Felton explained that Mrs. S. Mould, Electoral Services Manager, had included the Parish Council Casual Vacancies details for information as the Electoral Services team were looking to strengthen the support and advice relationships between the District Council and the parish councils. She also referred to the timetable relating to the combined County and European Elections taking place on 4th June 2009 which was, again, included with the agenda for information.

Mrs Felton concluded by stating that any questions relating to parish council elections, casual vacancies or other electoral services matters can be directed to the Electoral Services team on 01527 881421, or email to elections@bromsgrove.gov.uk.

The meeting closed at 8.25 p.m.

Chairman

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REPORT TO THE PARISH COUNCILS' FORUM 23 JUNE 2009

Draft Parish Charter – Consultation Response

Note: - The Draft Parish Charter, attached to this report, has been reformatted and numbered for ease of reference. There have been no changes to the contents of the document.

1. Overview

The draft Parish Charter was circulated to all parishes.

Eight replies have been received from:-

1. Alvechurch
2. Barnt Green
3. Belbroughton
4. Catshill and North Marlbrook
5. Dodford with Grafton
6. Finstall
7. Hagley
8. Wythall

2. Executive Summary

One Council, Catshill and North Marlbrook, has resolved not to sign the Charter at present. Their specific concerns are to get advice from CALC on the County Charter; see what the consensus is across all parish councils in the district; and to see why Bromsgrove District Council has not signed the County Charter.

From the other seven responses there is broad support for the Charter subject to specific questions and comments including:-

1. finance
2. consultation timescales
3. devolution of services

These comments are covered in detail later in the report

3. Bromsgrove District Council Response

Bromsgrove District Council welcomes the positive responses from the parishes and recognises there is further detailed discussion needed to respond to the comments and questions raised.

From the feedback Barnt Green has proposed that a working group be set up to go through the detailed comments and report back to the Forum. Bromsgrove District Council supports this approach. As a way forward the following recommendation is proposed:-

Recommendation

In order to deliver the Charter it is proposed that

- a small, time limited, working group be set up consisting of Councillor Roger Hollingworth and officers from District Council (to include planning) plus three representatives of the parish councils and
- that the group report back to the Parish Forum on 22 September 2009.

4. General Comments

The following section is a composite of the detailed comments received and follows the numbering in the Draft Charter

1. Introduction

The Charter needs to start with a clear statement setting out the aims of the agreement and the benefits it intends to produce. This should then be supported by the separate chapters and could be added to as the working arrangements develop.

1.1 - will benefit from reference in the final sentence to the addition of “**and it will be subject to periodic review to gauge its success**”.

1.2 - in the second sentence it does not make clear how Bromsgrove District Council intends to work with the Parish Councils and by implication separately, with the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils. The nature of these working relationships needs to be specified more fully.

1.5 - makes reference to Part 2 and 3 of the Charter which needs to be detailed.

2. Core Statement of Agreement

2.1 - refers to “signing up to the document”. The process by which the District Council and parish councils do sign up needs to be specified as well as any intention about the numbers of parish councils signing to make the Charter effective. (Is it intended that all 20 parishes should sign?).

2.1.4 - within this section it refers to raising awareness among the staff of the respective councils about District and parish council roles. This will be important to ensure that the Charter is not merely living in the minds of Councillors but is taken forward in the everyday exchanges between the officers of the Councils signing up to it.

2.1.5 - refers to the important difference in the capabilities of parish councils to handle information and respond to consultation. Parish councils certainly do differ in these respects and this is already manifest in the way they are responding to the new arrangements recently introduced by Bromsgrove District Council in respect of development control functions (as set out in Appendix 3). This does call into question whether in that instance; there was proper recognition of difference prior to implementation of the new approach.

2.1.8 - introduces the monitoring role for the Parish Forum Meeting. Appendix 2 is where the terms of reference for that Forum needs to be detailed, specifically; the Terms of Reference need to be included and made available to Parish Councils for comment, given the significance that the Parish Forum will have under the Charter

2.3 – provision of papers to District Councillors – Does the wording need tightening up? Do District Councillors routinely want to receive all supporting papers (including all papers for committees)? Can the wording be amended as District Councillors can always request to see anything referred to in the agenda?

3. Consultation, Liaison and Engagement

3.1.3 - this section refers to a period of not less than 21 working days for any consultation that Bromsgrove District Council conducts with relevant parish councils. Given the already mentioned difference in parish councils capacities, and the cycle of meetings within parish councils (usually one council meeting per month maximum), wherever possible the lead time for a consultation exercise needs to be of at least one and a half calendar months.

3.1.6 – concern that this clause that it may be used and parishes are not given reasons for it being used. Parishes should be consulted under ‘private session’ with strict guidance on confidentiality if necessary

3.1.7 - refers to consultation being conducted in a way that will enable all parish councils to respond and makes recognition of the variation among them in IT support. Again the content of Appendix 3 on the planning function changes is relevant. While a time limit has been introduced in respect of making paper copies of planning applications and related documents available to parish councils, it needs to be clarified where any such time limit fits alongside the important sentiment in 3.1.7.

3.1.11 - signals the opportunity for a welcome full engagement with parish councils on key parish matters. Unfortunately the example of Parish Plans and the accompanying note on these plans refers to a situation where so far District Council engagement has not been too obvious. Indeed the Parish plans example is one where improved partnership working, achieved under this Charter, needs to be seen in practice. There should also be support from the District Council for parish councils that are seeking ‘Quality Status’. In this same section under the parts identifying parish councils contributions, parish councils must accept their responsibilities in responding to

consultations and attending workshops and briefing meetings as may be arranged by the District Council.

3.3.3 - need more clarification around the arrangements for agenda items being assembled for Parish Forum meetings. They were assembled chiefly via the Bromsgrove area meeting of the Worcestershire County Association of Local Councils. This arrangement does ensure that the agenda contains the items of priority significance to the Parish Councils in Bromsgrove.

4. Information and Communication

4.2.1 - identifies that Bromsgrove Council will increasingly use electronic means for information provision and encourages parish councils to equip themselves for this. This leads rather immediately to the need for a Bromsgrove wide initiative to ensure that parish councils have or plan to acquire (advised by Bromsgrove DC IT staff) cost effective information and communications technology. It would be helpful if the District Council were to lead a development project to promote parish councils' IT capability. (The recognised differences in parish councils' capabilities could therefore helpfully be reduced)

4.2.5 - refers to the use of plain language. There is a concern that much of the language of local authority planning is not of that kind. It would be helpful if documents relating to planning have a glossary explaining key terms or abbreviations.

4.2.6 - relates to the full understanding of parish councils by Bromsgrove District Officers and Members. This picks up on a point made earlier about the proper introduction of the Charter when adopted by all councils that "sign up".

4.2.8 - identifies the opportunities for parish councils to speak at certain committees and boards of the District Council. It may be necessary to clarify whether these speaking rights can apply to both Parish Councillors and Clerks as appropriate.

6. Local Neighbourhood Partnerships

The introduction of two LNP's was not without difficulties. Is there an assumption that LNP's will roll out across the entire District, or only in those areas where parish and non-parishes are seeking them? Preference is for the latter.

7. Devolution of Services

There is a need to clearly identify the financial arrangements and fairness in funding between the parished and non-parished areas.

7.1 – the section states that parishes may ask the District to devolve to them the running of services or may wish to fund services at a higher level than that

provided by the District (for example litter picking). The two situations are quite different but section 7.2 does not distinguish between them. There is a reference to financial arrangements being agreed but no statement of general principles. The County Charter states that fairness between parished and non-parished areas was a general principle as was the principle that finance should follow function.

10. Development Control

Village Design Statements are not included in the Draft Charter. The document mentions encouragement and support for Parish Plans but not in the development and recognition of Village Design Statements.

Appendix 3 – Development Control

Section should include a commitment from the District to work closely with parishes on enforcement issues.

Replies should be within 21 days not 14 – the same as others are allowed.

A comment on point 7, speaking at committee; a preference for five minutes not three in order to allow non-professional people a full opportunity to participate.

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Draft Parish Charter

**A Framework Document for working relations between
Bromsgrove District Council and Parish Councils in
its area**

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1. Introduction

- 1.1 Bromsgrove District Council and the Parish Councils located in its area have agreed to publish a charter which sets out how they aim to work together for the benefit of local people. This Charter is the result of discussions locally to establish a new way of working and to confirm existing good practice.
- 1.2 Bromsgrove District Council acknowledges that Parish Councils are the grass-roots level of local government. By working with them and the Area Committee of the Association of Local Councils, Bromsgrove District Council aims to act in partnership with local communities, while balancing the needs of the wider community.
- 1.3 In their role as democratically accountable bodies, Parish Councils offer a means of shaping the decisions that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, the Parish Councils recognise the strategic role of Bromsgrove District Council and the equitable distribution of services which it has to achieve.
- 1.4 *This Charter reflects the increasing importance attached by Central Government to partnership working and the development of Quality status for Parish Councils.*
- 1.5 *Part 2 of this Charter applies to all Parish Councils in the area. Part 3 applies to Quality Parish Councils only.*

2. Core Statement of Agreement

- 2.1 By signing up to this document, Bromsgrove District Council and Parish Councils collectively agree
 - 2.1.1 **to recognise** Local Councils alongside Bromsgrove District Council Ward Councillors as the grass roots level of local democracy and community leadership (*See Note: Parish Governance*)
 - 2.1.2 **to recognise** Bromsgrove District Council's lead role in developing strategic services and working partnerships with other service providers and units of local governance for the benefit of all communities of place and interest – and further to acknowledge the active participation of Bromsgrove District Council and Parish Councils' representatives in the Local Strategic Partnership for the area
 - 2.1.3 **to acknowledge** that Bromsgrove District Council will work in partnership with all Parish Councils to promote sustainable social, economic and environmental developments for the benefit of local communities
 - 2.1.4 **to raise** awareness among their staffs of the respective roles of the Councils signing up to this agreement
 - 2.1.5 **to respect** and take account of the different capabilities of Parish Councils to handle information and respond to consultations
 - 2.1.6 **to engage** in regular liaison about issues of common interest

2.1.7 to recognise the Government's encouragement for the concept of Quality Parishes

2.1.8 to monitor through the Parishes Forum Meeting the delivery of the principles and practices covered by this Charter

2.1.9 to respond in a helpful, timely and efficient manner to all communications from Parish Councils/ Bromsgrove District Council respectively.

2.2 Note: Parish governance

2.3 *Members of Bromsgrove District Council will attend meetings with the Parish Councils (or groups of such Councils) at a mutually agreed time to discuss matters of common interest, but the same limitations on available time (as described in Paragraph 11) apply. The District Council and Parish Councils agree to adopt the CALC Code of Practice relating to such attendance (Appendix 1). Parish Councils will send copies of their agendas and papers to Bromsgrove District Council upon request, but always to the District Council Ward Members and will invite the said Ward Members to attend the Parish Council meetings*

3. Consultation, Liaison and Engagement

3.1 Bromsgrove District Council will:

3.1.1 consult Parish Councils generally on all issues which are likely to affect their area or on which the view of the grass roots tier of local governance would be beneficial – these include:

- key corporate arrangements which materially affect the work of Parish Councils or the delivery of local services
- issues of strategic policy
- other issues of relevance to all or a number of Parish Councils

3.1.2 consult an individual Parish Council when a planned decision or action will have a direct and significant impact on that Parish Council or its area or inhabitants

3.1.3 allow not less than 21 working days for any such consultation

3.1.4 notify to Parish Councils the name of the relevant lead Officer to whom queries about the consultation may be addressed

3.1.5 undertake to provide sufficient information to enable a meaningful response

3.1.6 reserve the right exceptionally not to consult with Parish Councils where it would not be in the interests of the Council or its residents - this is most likely to be where commercially sensitive or other private information is involved. Occasionally, an urgent issue may arise which might prevent the usual consultation or at least curtail the consultation period to less than the minimum 21 working days. Where possible, Parish Councils will be given reasons.

- 3.1.7 **consult** in ways that enable all Parish Councils, with or without IT support, to have the opportunity to respond
- 3.1.8 **take full account** of all views offered by Parish Councils
- 3.1.9 **offer feedback** to Parish Councils (individually or collectively) on the outcomes of the issue on which consultation took place, **host** briefing sessions on major issues that are the subject of consultation, where it is practical to do so. (For administrative ease where there are several parish councils this will be done collectively through the Forum.)
- 3.1.10 **involve** Parish Councils in relevant workshop activity that helps to develop an overall approach to community leadership and the management of change
- 3.1.11 **promote** full engagement with Parish Councils on all key Parish issues including the development of Parish Plans (*see note: Parish Plans*)
- 3.1.12 **look for ways** in which Parish Councils might actively be engaged in the development of the Sustainable Community Strategy and other key strategic policies
- 3.1.13 **maintain** and publish a database of planned consultation activity so that Parish Councils may be aware and incorporate their considerations within their own work plans
- 3.1.14 **publish** agendas for the Council, Cabinet, Regulatory Committees, Overview and Scrutiny Committees and in advance to enable any Parish Council comments to be considered at the point of decision making
- 3.1.15 **schedule** and organise Parish Forum Meetings four times in each Council Year in order to achieve effective dialogue on particular issues of common interest (see terms of reference attached as Appendix 2 to this Charter)
- 3.1.16 **ensure** the attendance of the Chief Executive or his representative and relevant Senior Officers at each Parish Forum Meeting
- 3.1.17 **keep** its consultation procedures and practice under review
- 3.1.18 **maintain** an up-to-date list of Parish Councils' preferred points of contact.

3.2 **Note: Parish Plans**

- 3.2.1 *The District Council will encourage Parish Councils to produce Parish Plans and will provide advice and support where practicable.*
- 3.2.2 *The Council will publish separate guidance for how parish plans can be presented at the Local Strategic Partnership Board and considered by the Council's Cabinet. As previously discussed with Parish Councils the District Council would like to treat the Parish Plans as local information sources.*
- 3.2.3 *The District Council will take account of the proposals and priorities contained within Parish Plans in developing and implementing sustainable community strategies as they affect the Parish areas concerned, provided that each Parish Plan conforms to the District Council's policy framework and has been subjected to a rigorous Parish consultation and participation*

process which includes consultation with District Council Ward Members. Bromsgrove District Council will strengthen links between the Parish Council(s) in order to improve delivery of Parish priorities.

3.2.4 *Parish Councils are encouraged to precept adequately in order to fund the action plan developed through the Parish Plan process.*

3.3 Parish Councils will:

3.3.1 **endeavour** to take part in relevant consultations and to respond within the given timescales

3.3.2 **ensure** prompt responses to invitations from Bromsgrove District Council to attend workshops, briefing meetings etc.

3.3.3 **ensure** that agenda items for Parish Forum Meetings are notified to the Democratic Services team in accordance with the published lead-in times for agenda planning for those meetings

3.3.4 **consult** with District Council ward members on a regular basis.

4 Information and Communication

4.1 Effective working between Parish Councils and Bromsgrove District Council depends on clear information being available to all. To promote this and effective communication

4.2 Bromsgrove District Council will

4.2.1 **provide** information electronically wherever possible (including access to important Parish issues, e.g. highways works) and keep this information up-to-date

4.2.2 **encourage** all Parish Councils to equip themselves to receive information electronically

4.2.3 **provide** information in conventional formats where requested so as not to disadvantage those Parish Councils that do not have access to computers

4.2.4 **maintain** an up to date list of Members and Officers, their duties and their contact details

4.2.5 **use** plain language in all its communications and explain technical terms and acronyms

4.2.6 **ensure** there is a full understanding among Members and Officers of the role of Parish Councils and the importance of engagement with those Councils on all relevant matters

4.2.7 **provide** an acknowledgement of information requests within 5 working days with an indication of when the substantive response will be sent and

generally will apply its customer care standards to any correspondence or telephone calls from Parish Councils

- 4.2.8 **afford** Parish Councils the opportunity to speak at any meeting of the Planning, Overview and Scrutiny Boards for up to 3 minutes on any specific agenda item or on a general matter not featured on the agenda but relevant to the remit of the body.
- 4.3 Note: Parish Councils will have only the same legal rights as members of the public unless they are also members of the District Council. This means that although they have a right to attend meetings they have no right to speak or take part in meetings other than as explained above. Similarly, they can be excluded from a meeting if the Council has resolved to exclude the public because it is considered that publicity would prejudice the public interest by reason of the confidential nature of the business or for some other reason stated in the resolution and arising out of the business to be transacted.
- 4.4 Parish Councils will
 - 4.4.1 **provide**, and keep up to date, information to Bromsgrove District Council's Democratic Services Team about the Parish Council including the name and contact details of the Clerk and Chairperson
 - 4.4.2 **provide** an email address wherever possible
 - 4.4.3 **have the right** to initiate the Council's Complaints Procedure if they are dissatisfied with an action of Bromsgrove District Council, its response to a request for information or a failure to consult

5 Standards Committee

- 5.1 Bromsgrove District Council and the Parish Councils have adopted Codes of Conduct based on the national model Code of Conduct. Parish Councils will work with Bromsgrove District Council's Standards Committee to promote and maintain high standards of conduct, including the provision of Ethical Framework training.
- 5.2 The arrangements for the appointment of Parish Council representatives to serve on the Standards Committee are as set out in the Council's Constitution.

6 Local Neighbourhood Partnerships

- 6.1 Bromsgrove District Council has introduced the concept of Local Neighbourhood Partnerships. The partnerships are designed to provide a setting, where the three tiers of local government, local strategic partners and residents can work together on tackling local issues and improve resident's satisfaction. (The District Council held two stakeholder events in December 2008 and agreed that it will undertake further consultation with the parish councils on the sequencing of the proposed roll out of LNPs in future years.) The District Council expects to roll out two LNPs per year, in

consultation with parish councils. An annual consultation event will be held in December each year with representatives from each of the three tiers of local government to look at the specific issues of roll out in their areas and to learn lessons from the previous pilots.

- 6.2 Bromsgrove District Council will publish a terms of reference for the LNPs once approved by Cabinet in July 2009. A senior officer from Bromsgrove District Council will be attached to each LNP and a budget delegated to each LNP, based on the number of District Councillors in each LNP. The budget allocation will be £5,000 per District Councillor, making a total amount of £195,000 once the concept is rolled out completely.

7 Devolution of Services

- 7.1 Parish Councils may request Bromsgrove District Council to devolve to them the running of services or may wish to fund services to a higher level than that provided by Bromsgrove District Council.
- 7.2 Where any such requests are made, Bromsgrove District Council will consider this where it provides best value, taking account of quality, cost, Parish preferences and practicality. Bromsgrove District Council will also consider the service implications of the request and the effect of such arrangements on the cost and standards of the services offered elsewhere in the Council's area. Where such a request is not good value or practicable, Bromsgrove District Council will, in consultation with the Parish Council, explore alternative solutions to encourage more Parish-level input to services.
- 7.3 In the light of response to the request, the Parish Council will indicate whether it wishes to continue with its request. If so, Bromsgrove District Council will convene a formal meeting to discuss the issue with a view to making a recommendation to the Cabinet. The recommendation may be to refuse, grant or modify the Parish Council's request.
- 7.4 If, on its own initiative, Bromsgrove District Council wishes to propose to devolve services to Parish Councils, it will provide all necessary information as detailed above to enable the Parish Council(s) to reach a decision on the proposal. If there is agreement to proceed, Bromsgrove District Council will appoint a senior officer to advise on and oversee the transfer of responsibility, and to maintain liaison for a minimum period of twelve months.
- 7.5 Where a Parish Council takes on the provision of a certain service, the financial arrangements and partnership framework agreement will be agreed by Bromsgrove District Council and the relevant Parish Council.

8 Quality Parishes

- 8.1 Without affecting any of the commitments and agreements stated elsewhere in this Charter in respect of all Parish Councils, Bromsgrove District Council reaffirms that it will work with Parish Councils that have attained Quality Parish status in all of the ways described in this Charter. It will:

- 8.1.1 support any request from a Quality Parish in acting as an information or access point for Bromsgrove District services
- 8.1.2 give the Quality Parish the opportunity to put forward proposals to take on aspects of the delivery, management and monitoring of significantly larger scale services provided by Bromsgrove District Council.

9 Conflict Resolution

- 9.1 From time to time there may arise issues upon which Bromsgrove District Council and Parish Councils are initially unable to agree. In such cases, either the Bromsgrove District Council or the Parish Council(s) concerned may raise the item at a Parishes Forum Meeting. If it is not possible to identify a solution there, the Parish Forum may, with mutual consent, appoint a Joint Working Party to examine the issue in depth and to come up with recommendations.
- 9.2 The Forum Meeting will determine the servicing and administrative arrangements at the time it appoints a Joint Working Party.
- 9.3 Nothing in the above paragraph shall prevent Parish Councils from establishing their own Working Party at any time which may make and present recommendations direct to Bromsgrove District Council or through the Parish Forum.
- 9.4 Bromsgrove District Council, or its Cabinet, will consider any recommendations arising from a Joint Working Party or a Parish Councils' Working Party at the first appropriate opportunity. The Council will report its decision to the Parish Councils concerned.

10 Development Control

- 10.1 This Charter recognises the special rights and arrangements that exist for Parish Councils with regard to the development control process, which is required to be conducted in an open, fair and transparent manner.
- 10.2 Appendix 3 to this Charter sets out the working arrangements between Bromsgrove District Council and Parish Councils in the development control process.

11 Review and Operation of the Charter

- 11.1 The working and effectiveness of the Charter will be reviewed annually by the Parish Councils' Forum and the views of the District Council and of all Parish Councils in the District will be invited before the meeting at which the review takes place.

CALC CODE OF PRACTICE RE ATTENDANCE OF DISTRICT COUNCILLORS AT PARISH COUNCILS

Introduction

1. A good working relationship between Parish Councils and the Parish County and District (Principal) Councillors is essential if Parish service provision is to be delivered in an efficient and effective way.
2. The Parish Principal Councillors have a special and important role to play as links between Parish Councils and the other tiers of Parish government, and this should be recognised if the Parish Council is to obtain the maximum benefit from them. However, it is accepted that a balance needs to be struck which makes it clear that Parish Principal Councillors are not members of the Parish Council and that their participation at meetings is by invitation only.

The Legal Position

3. At meetings of Parish Councils, Principal Councillors have only the same legal rights as members of the public unless they are also members of the Parish Council. This means that although they have a right to attend meetings they have no right to speak or take part in meetings. Similarly, they can be excluded from a meeting if the Council has resolved to exclude the public because it is considered that publicity would prejudice the public interest by reason of the confidential nature of the business or for some other reason stated in the resolution and arising out of the business to be transacted.

Guiding Principles

4. For a Parish Council and Principal Councillor relationship to develop in a mutually beneficial way the following guiding principles should be adopted.

Invitation to attend

5. The Clerk should invite the Parish Principal Councillor(s) to attend all meetings of the Parish Council and the Annual Parish/Town Meeting. This could be achieved by the Parish Council adopting NALC Model Standing Order No. 74 which states: "*A Summons and Agenda for each meeting shall be sent, together with an invitation to attend, to Principal Councillors for the appropriate division or ward.*"

Opportunity to speak

6. The Parish Council agenda should provide an opportunity during the meeting for the Principal Councillors to present a report to the Parish Council and for the Council to question them. This can be achieved by including "County Councillor's Report and "District Councillor's Report" as items on the Agenda. The Principal Councillors will also be able to speak during any period set aside by the Parish Council for public participation. In addition, in view of their special role and depending on business being discussed, the Chairman of the Council may wish to invite the Principal Councillor(s) to speak during a meeting on a particular topic. This needs to be exercised carefully to avoid individual members of the public, who may also wish to speak on this topic, feeling they are being discriminated against unfairly.

Principal Councillor who is also a Parish Councillor:

7. If a Principal Councillor is also a member of the Parish Council (s)he is entitled to speak and vote on any business in the same way as any other member of the Council. However, it is good practice for them to remember that, because of their membership of a Parish Council, they are in fact in a different position from the rest of the Parish Council and should bear this in mind when debating issues.

Seating Arrangements

8. Seating arrangements for the Principal Councillors should be chosen carefully to avoid the impression being given that the Principal Councillors are members of the Parish Council. A position apart from the Parish Council and other members of the public is probably advisable; there is no necessity for the Principal Councillors to have to sit with other members of the public.

Correspondence:

9. The Clerk should send the Parish Principal Councillors copies of correspondence between the Parish Council and the Principal Councils. This could be achieved by the Parish Council adopting NALC Model Standing Order No. 71 (*check*) which states: "*Unless the Council otherwise orders, a copy of each letter ordered to be sent to a Principal Council shall be transmitted to the Principal Councillor for the division or ward as the case may require.*"

Principal Councillors' Reports This should be included in what the Parishes will do

10. Principal Councillors should, where possible:
 - attend Parish Council meetings in their division/ward when time permits;
 - prepare a brief report for each Parish Council meeting, to be made in person or relayed to the Clerk;
 - provide the Clerk with a copy of relevant correspondence *in the public domain* to the Councillors on Parish Council business;
 - advise the Parish Council when relevant Parish and strategic matters of interest are to be considered by the Principal Council in public session;
 - make an annual report to the Annual Parish Meeting.

Consultation and Collaboration

11. Principal Councillors should seek to ensure that the Council Charter is applied, and, in particular ensure that:
 - liaison between the three tiers of Parish government is improved;
 - Parish Councils are advised when opportunities occur for collaboration with the other tiers;
 - Principal Councils consult Parish Councils on relevant Parish and strategic matters.

APPENDIX 2

Terms of Reference for the Parish Council Forum

DEVELOPMENT CONTROL

(The following arrangements are agreed in respect of development control functions and the important partnership that exists between Bromsgrove District Council and all Parish Councils)

Bromsgrove District Council will conduct its development control process in an open, fair and transparent manner. In this context it will:

1. **consult** Parish Councils on applications for planning permission within their relevant administrative boundary under the Town and Country Planning Acts or other relevant legislation;
2. **make** available to each relevant Parish Council the facility to view such applications and plans and submit comments
3. **allow** 14 days for the submission of representations by Parish Councils in accordance with the requirements of the Town and Country Planning General(Procedure) Order 1995
4. **undertake** to report a summary of all such representations to the relevant committee determining the application and to ensure the representation is taken into account,

OR

5. **on Officer delegated decisions**, ensure the representation is placed before the Officer at the time the matter is determined
6. **make available via the Council's Web site** all planning decisions taken by Bromsgrove District Council.
7. **afford** Parish Councils the opportunity to speak at a Development Control meeting for up to 3 minutes on each proposal on the agenda that is within their Parish and on which the Parish Council has given notice of its wish to make representations, and in accordance with the terms of public speaking as published by Legal and Democratic services.
8. **endeavour** to make planning case officers available to attend Parish Council meetings, at the request of the Parish Council, to offer factual information or to clarify information about significant or highly controversial applications
9. **make** training places available to representatives of Parish Councillors and/or Parish Council Clerks to help in their understanding of the planning process and of matters that have a bearing on the determination of planning matters
10. **adopt** and adhere to a Planning Code of Conduct and in this respect apply the highest standards of integrity to the management and delivery of its development control and planning enforcement responsibilities.

Parish Councils will:

1. **reply** within 14 days in writing / e mail and or other electronic means such as the Bromsgrove District Council's Public Access facility to all planning applications within their Parish and which they have commented upon Council
2. **comment** on planning applications on planning grounds only and specify as fully as possible the reasons for any objection to, or support for, a particular application
3. **attend** meetings, briefings and training courses as appropriate in order to gain a fuller understanding of the planning process
4. **assist** Bromsgrove District Council in delivering its development control responsibilities with integrity and otherwise in accordance with the agreed Planning Code of Conduct.

BROMSGROVE DISTRICT COUNCIL

PARISH COUNCIL - CASUAL VACANCY SUMMARY 2009

Date of Notice	Parish	Co-Option / Election Outcome	Appointment Notification
2008 7 Oct	Lickey & Blackwell: Lickey Grange Ward	Co-Option	
2009 29 Jan	Barnt Green	Co-Option	Yes
9 Feb	Bournheath	Co-Option	
13 Feb	Stoke: Stoke Prior Ward	Co-Option	Yes
26 Feb	Bentley Paucefoot	Co-Option	Yes
27 Feb	Barnt Green	Co-Option	Yes
2 Mar	Hunnington	Co-Option	
21 April	Alvechurch: Rowney Green Ward	Co-Option	Yes
8 May	Lickey & Blackwell: Shepley Ward	Co-Option	
12 May	Stoke: Stoke Heath Ward	Co-Option	

9 June 2009

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BROMSGROVE DISTRICT COUNCIL

Summary of Results for the County Electoral Divisions within the District of Bromsgrove

Alvechurch Division

Names of Candidates	Party		
Margaret Ann ALLEN	Liberal Democrat	376	
Sylvia June Louise KINCHIN	British National Party	189	
George Henry LORD	The Conservative Party Candidate	1,165	ELECTED
Tim MARTIN	The Green Party	222	
Peter Joseph McHUGH	UK Independence Party	626	
Rory James SHANNON	The Labour Party Candidate	264	

Turnout: 39.8%

Beacon Division

Names of Candidates	Party		
Brian BRIDGEWATER	Independent	436	
Richard John DEEMING	The Conservative Party Candidate	1,110	
David DOLPHIN	British National Party	285	
Jill HARVEY	The Green Party	323	
Peter Michael McDONALD	The Labour Party Candidate	1,142	ELECTED
Dave McGRATH	Independent	592	

Turnout: 42.9%

Bromsgrove Central Division

Names of Candidates	Party		
Anthony Nigel BLAGG	The Conservative Party Candidate	1,207	ELECTED
Chris BLOORE	The Labour Party Candidate	928	
Rosemarie POWE	Green Party	442	
Donna Louise SMITH	British National Party	377	

Turnout: 38.8%

Bromsgrove East Division

Names of Candidates	Party		
Ros COOKE	The Labour Party Candidate	304	
Lynda DOLPHIN	British National Party	128	
Janet Elizabeth KING	Liberal Democrat	724	
Emma MOFFETT	The Conservative Party Candidate	1,415	ELECTED
Steven William MORSON	UK Independence Party	603	

Turnout: 41.7%

Bromsgrove South Division

Names of Candidates	Party		
Maddy BUNKER	The Conservative Party Candidate	934	ELECTED
Athol Leslie DEAKIN	Independent	557	
Chris McDONALD	The Labour Party Candidate	519	
Paul ROBERTS	The Green Party	353	
Dale RUTTER	British National Party	385	

Turnout: 32.7%

Bromsgrove West Division

Names of Candidates	Party		
Donald BATES	British National Party	321	
Mark Anthony FRANCE	Independent	321	
David Lawrence PARDOE	Independent	489	
Sean Patrick SHANNON	The Labour Party and Co-Operative Party Candidate	707	
Kit TAYLOR	The Conservative Party Candidate	714	ELECTED

Turnout: 33.0%

Clent Hills Division

Names of Candidates	Party		
Stanley William FRANCIS	Independent	763	
Maurice HARFORD	The Labour Party Candidate	302	
John Harvey LOYNES	Green Party	263	
Ed MOORE	The Conservative Party Candidate	2,078	ELECTED
Peter TOMKINSON	British National Party	233	

Turnout: 40.8%

Woodvale Division

Names of Candidates	Party		
Sheila Lynne BLAGG	The Conservative Party Candidate	1,245	ELECTED
George Stephen FLYNN	UK Independence Party	774	
Peter James HARVEY	The Green Party	351	
Martin Christopher KNIGHT	The Labour Party Candidate	527	
Elizabeth Jane WAINWRIGHT	British National Party	263	

Turnout: 36.3%

Wythall Division

Names of Candidates	Party		
Nigel LEWIS	British National Party	314	
Edward James MURRAY	The Labour Party Candidate	209	
Stephen Richard PETERS	Wythall Residents' Association	1,224	ELECTED
Wally STEWART	The Conservative Party Candidate	1,112	

Turnout: 37.8%

Overall turnout: 37.82%

Joint Countywide Flooding Scrutiny

Implications associated to Recommendations

Please note that the following recommendations relate specifically to the District Council. Therefore, in order to consider all recommendations within context, please refer to the Joint Countywide Scrutiny Report on Flooding (Appendix 1). A summary of findings and recommendations can be found in Section 10.

The recommendations have not been numbered within the main report, however, for ease of reference, they have been numbered in this document only. The paragraph reference (in brackets following each recommendation) refers to paragraphs contained within the Joint Countywide Scrutiny Report.

Recommendations 1 to 7 refer to the Local Resilience Forum (LRF) Partners

Recommendations 8 to 22 refer to County and District Councils

Recommendations 23 to 27 refer to Parish Councils

Recommendations 28 refer to the Joint Scrutiny Task Group

RECOMMENDATION 1:

The Group therefore recommend that partner organisations of the LRF should review how they communicate with each other, paying particular attention to the relationship between 24/7 organisations and non routinely 24/7 organisations. Protocols and procedures reflecting agreed ways of working should, in future, be included in the LRF communications plan, and widely communicated to ensure future clarity. Exactly who attends the LRF routinely and who attends Gold command in an emergency should be clearly identified from each member organisation. [paragraph 4.7]

Operational Implications:

The communication group of the Local Resilience Forum will need to devise a protocol and procedures for means of communication between the agencies that form part of the LRF and how they communicate with Parish Council's and voluntary sector bodies. The Council needs to be represented at these meetings.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council; the existing LRF already complies with the provisions of the Civil Contingencies Act 2004.

RECOMMENDATION 2:

The Group recommend that the LRF takes the opportunity as part of future training events to ensure that there is a full understanding of the role of its partner organisations and their relationship with each other. [paragraph 4.9]

Operational Implications:

Bromsgrove's emergency planning officer and other Council staff with key responsibilities in an emergency will need to attend training where a clear understanding about roles and responsibilities in an emergency of the various partner organisations can be established.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council.

RECOMMENDATION 3:

The Group recommend that local radio car/s should be physically stationed in close proximity to Silver Control so that updates on a situation can be delivered immediately where appropriate and ensure the broadcasting of consistent messages. As part of this the Group also recommend that the legitimate needs of other media organisations are not overlooked and that arrangements are also put in place to disseminate information provided to other appropriate media providers. [paragraph 4.19]

Operational Implications:

Bromsgrove's emergency planning officer and other Council staff with key responsibilities in an emergency will need to attend training where a clear understanding about roles and responsibilities in an emergency of the various partner organisations can be established.

In order to benefit from this form of communication it is important that Bromsgrove's emergency planning team have access to a radio. Furthermore, the communication officer needs to ensure that they convey an agreed and consistent message to local press as well as offering feedback to local radio.

Financial Implications:

There would need to be expenditure on the purchase of a radio to be stored in the emergency planning room, (estimated cost £200) there are no other direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council.

RECOMMENDATION 4:

The Group therefore recommend that the LRF review how it provides information to the public via the media, recognising the role of local radio in keeping the public informed and prioritising information to local radio in advance of the national media where appropriate. [paragraph 4.23]

Operational Implications:

Bromsgrove will need to review its emergency plan communication arrangements so that it is confident that it can provide information to the public via the media.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council.

RECOMMENDATION 5:

The Group also recommend that a system is developed, whereby each Category 1 Responder organisation can post relevant public information on (or linked to) a designated space on the same web-site, so that details of road closures, the location of rest centres, evacuations, public transport (for example) can be more easily checked by the public and other organisations. [paragraph 4.25]

Operational Implications:

Bromsgrove will need to ensure it has staff aware and trained in providing information to a 'same web-site' and that information on road closures and rest centres can be conveyed easily to the public.

Financial Implications:

There are implications for the provision of training and officer time to enter information on the 'same website'. It will also be necessary to make arrangements for this information to be collected.

Legal Implications:

There are no legal implications.

RECOMMENDATION 6:

The Group recommend that during a flooding emergency a single point of contact should be available to parishes to enable them to report local conditions (such as road conditions). Further, the LRF should consider the benefits and practicality of communicating with parish councils and how this might be included in the LRF Communications Plan. [paragraph 4.32]

Operational Implications:

The Joint Countywide Task Group Report on Flooding needs to form part of a parish forum agenda. The recommendations for parish's need to be considered in some detail and the idea of a flood warden or single point of contact in a parish will be proposed. Details of the contact will need to be included in the district council's emergency plan and the role of the contact developed and negotiated. Furthermore, parish councils will need to be provided with the emergency planning officer duty rota.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 7:

The Group recommend that in addition to the Highways Agency and Government talking to the major voluntary services, the LRF also be asked to consider in more detail, the production of plans to support people who become stranded on motorways. [paragraph 4.38].

Operational Implications:

Bromsgrove Compact group needs to be made aware of the Joint Countywide Task Group Report on Flooding and the role of the voluntary sector needs to be discussed. Methods of communication and the role of the voluntary and community sector should be incorporated into the district council's emergency plan.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 8:

The Group recommend that the further development of this approach (including their staffing and location) should form a key part of the County Council's response to any future emergency. To maximise their effectiveness 'hublets' would need to be established and fully operational as quickly as possible as an emergency develops. [paragraph 5.7]

Operational Implications:

The issue of 'hublets' needs to form an item for future development at County level. A protocol for staffing and establishing 'hublets' needs to be formulated and Bromsgrove needs to be involved in those negotiations. However, Bromsgrove CSC needs to brief staff on the concept of 'hublets' and establish arrangements for staffing and operating the 'hublet' in parts of the district in the event of an emergency. A procedure for setting up a 'hublet' and its operation will need to be formulated by CSC management.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 9:

The Group recommend that it should be made clear to Councillors how they will be briefed on a developing emergency and how Councillors can find out what is happening. [paragraph 5.10]

Operational Implications:

A section in the emergency plan is devoted to communicating with ward councillors. However, this needs to be strengthened and arrangements need to be introduced that guides the briefing of elected members and provides them with relevant points of contact in cases of emergency. A briefing for members on the emergency plan should be held and this should be repeated following elections so that newly elected members are aware of the emergency planning arrangements.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 10:

With this in mind (*i.e. recommendation 9 above*), the Group also recommend that all Councils review and update their emergency contact lists and that they be shared widely in a coordinated way. Furthermore, agreed arrangements should be put in place to ensure that such lists are regularly and routinely updated. [paragraph 5.11]

Operational Implications:

Bromsgrove District Council may want to circulate to all elected members its emergency planning officer duty rota and guidance on circumstances and conditions for contacting the duty officer.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 11:

Taking on board the spirit of the Pitt recommendation 66, the Group recommend that the County Council investigates the feasibility of introducing a system to enable customer contact centres to redirect callers where appropriate (such as to the Environment Agency for advice on what to do in a flood). [paragraph 5.15]

The Group recommend that structures for the provision of relevant information to the contact centres are drawn up and put in place as soon as possible. [paragraph 5.17]

Operational Implications:

Bromsgrove District Council has produced a leaflet providing advice on flooding. This leaflet contains contact details regarding other agencies. This leaflet will be reviewed annually in January when the emergency plan is reviewed. Copies of the flood advice leaflet have been passed to the CSC and the Depot, but it may prove useful to ensure relevant staff are aware of the leaflet and have access to copies.

Financial Implications:

There will be a cost for staff training, revising the flood leaflet and printing new copies. In addition there will be the cost of officer time.

Legal Implications:

There are no legal implications.

RECOMMENDATION 12:

In relation to creating a dedicated space on the same website with lists of contacts for each partner organisations such as for example, trading standards, the highways agency and the Chamber of Commerce [paragraph 4.25], the Group recommend that ways of achieving this be explored further with members of the Local Resilience Forum, led by the County Council's Emergency Planning and Communications Units. [paragraph 5.19]

The Group recommend that the Chamber of Commerce be invited to discuss further its offer to help local authorities maintain a list of useful numbers, including approved contractors with a variety of different skills (i.e. flooring, electrical, plumbing) to be called upon as required during or after an emergency. [paragraph 5.22]

Operational Implications:

Bromsgrove's emergency planning officer will contact companies on its approved contractors lists to request information as to whether they would be prepared to be called upon as required during or after an emergency. This will be pursued following consultation with the Chamber of Commerce.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 13:

The Group recommend that the County and each District Council ensure that suitably qualified officers in each district can take the lead responsibility for checking the condition of drainage assets (watercourse and ditches), feeding information to the drainage condition and assets map and sharing information with the Land Drainage Partnership. [paragraph 7.8]

(Note: Pitt recommends (No 19) that Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management. The Group are mindful of the potential resource implications but believe that additional resources should be sought from central Government to fund these extra posts. [paragraph 7.7].)

Operational Implications:

Bromsgrove District Council has established an officers' watercourses group that has widened its brief to include flooding. It has been collecting information on responsibilities for the checking the condition of drainage assets and drawing up a drainage condition and asset map. However, there is much work to do on this

and the Council has extremely limited resources to undertake this work. It is suggested that the Council needs to explore other ways to enhance its resources. This will be necessary if the map is to be completed and regularly updated and information is to be shared with the Land Drainage Partnership.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.)

Legal Implications:

There are no legal implications. It is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

RECOMMENDATION 14:

The Group recommend that each district council assess whether they have sufficient technical capability and if necessary ensure that a suitably qualified individual is available to advise District Planning Committees about drainage issues and flood risk implications for each development. [paragraph 7.37]

(Note: Pitt recommends (No 19) that Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management. The Group are mindful of the potential resource implications but believe that additional resources should be sought from central Government to fund these extra posts. [paragraph 7.7].)

Operational Implications:

Bromsgrove District Council has a drainage engineer, but the demands on this resource are considerable. The extent of information and evidence demanded may mean that there are insufficient resources to carry out the degree of work needed to advise District Planning Committees about drainage issues and flood risk implications for each development. However, given that there is a housing moratorium advice on developments is relatively limited. Furthermore, the District Council has only a single drainage engineer. This engineer has worked for the Council for a considerable period of time and has built up enormous knowledge of the district and its associated drainage issues. This knowledge is inadequately documented and is not widely disseminated. When the current drainage engineer retires and substantial amount of this knowledge will be lost. The Council has to consider succession planning and re-examine the role of drainage engineers in the context of the increased frequency of flooding.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.).

Legal Implications:

There are no legal implications. It is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

RECOMMENDATION 15:

The Group therefore recommend that all district councils should consider proactively making use of their powers to serve enforcement orders on landowners who do not comply with requests to maintain their ditches and/or water courses. [paragraph 7.48]

Operational Implications:

Bromsgrove District Council has held meetings with other district councils about enforcement. The Council needs to know who the land owner is or those with riparian responsibility before it can pursue enforcement. They need to receive a letter informing them of their responsibilities and giving them 28 days to carry out any necessary work. If the work is not carried out then the Council can serve notice. However, the Council have learnt that a campaign about the need to keep ditches and watercourses clear is necessary. Furthermore, those with responsibility for maintaining watercourses and ditches often need expert advice as maintenance is a complicated process with sometime unforeseen consequences. Bromsgrove District Council will need to produce written information on clearing ditches and watercourses and arrange advisory surgeries or workshops on maintenance. Where there is shared ownership of watercourses or ditches owners may need to be drawn together.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.). In addition a budget would need to be available to cover the cost of those cases where the land owner refused to co-operate with the enforcement notice and the Council therefore had to undertake the work via its own contractors. If the policy were to be pursued "proactively" this could result in a number of such interventions each year at estimated cost of £2000 to £3000 per incident. Past experience has shown that despite legal intervention it cannot be guaranteed that the monies spent on the works will be recovered in full

from the land owners. Officer time from the legal department would also be needed to support the process and undertake debt recovery work.

Legal Implications:

The relevant legal power to serve enforcement notices derives from the Land Drainage Act 1991. In the event that a notice is not complied with then the remedy available to the Council is to arrange for its own contractors to enter the land and complete the works, the cost of which is then charged back to the land owner. If the land owner fails to pay the costs as re-charged then legal action will be required to be taken to recover the debt on behalf of the Council

RECOMMENDATION 16:

The Group recommend that District Councils should develop an arrangement whereby if a riparian land owner can not afford or is unwilling to repair water courses, then under the Local Government Act 2000, they should carry out necessary work and where possible claim the cost of works back from the land owners or their estate. [paragraph 7.50]

Operational Implications:

This is an alternative legal basis for achieving the same outcome as under recommendation 15. There may, from time to time, be occasions when using these powers would be helpful. However, the same considerations as to the time and resources needed to recover unpaid debts will apply here as apply to recommendation 15. Bromsgrove District Council will examine this issue, but advice is that this is a difficult and time consuming process.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.). Were this to be adopted, a budget would also have to be set aside to cover the cost of the proposed works. Officer time from the legal department would also be needed to support the process and undertake debt recovery work.

Legal Implications:

As referred to above there is existing legislation namely the Land Drainage Act which enables local authorities to complete works and re-charge the cost to the land owners. This is the situation that is covered in recommendation 15 above. Recommendation 16 is talking about taking a slightly different legal approach by using the well being powers under the Local Government Act 2000. These powers allow local authorities to do anything that might achieve the promotion or improvement of the environmental and social well being of their area. In legal terms this remedy does not really achieve more than that which can already be achieved under the Land Drainage Act 1991 save that it could be used where

there was no formal enforcement action being taken for example, or if there was no intention to recover the costs and it was a case of carrying out some improvement works for the benefit of the community at large.

RECOMMENDATION 17:

The Group recommend that the flood risk map should be produced by the District Councils and held by the County Council for every parish and urban area affected by floods, showing which properties and roads had flooded and the extent and direction of flow of flood waters. The District Council should carry out the mapping, with assistance from parishes. Information needs to be fed in to the County Council, and shared with members of the Land Drainage Partnership. [paragraph 7.17]

The Group recognise that this could involve much work especially for larger parishes; therefore, areas most prone to flooding should be prioritised first. [paragraph 7.18]

The County Council should co-ordinate sharing of the information on GIS maps, working in collaboration and sharing information with the Environment Agency. [paragraph 7.19]

Operational Implications:

The current resources available to Bromsgrove District Council are such that these would have to be augmented by additional resources either to allow the land drainage engineer to undertake this work or so that external expertise could be commissioned to carry out this work under supervision from the land drainage engineer. Additional resources would be necessary even after prioritising areas according to their vulnerability to flooding.

Financial Implications:

The Council will need to consider commissioning a consultant. (Estimated costs £10,000)

Legal Implications:

There are no legal implications.

RECOMMENDATION 18:

A Lecturer in Physical Geography at the University of Worcester has recently carried out some research into predicting where flash floods might occur in the city due to surface water runoff during heavy rainfall. The conclusions appear promising and could be useful for raising public awareness.

The Group recommend that the Land Drainage Partnership considers this and other relevant research (as highlighted in the Pitt Review (Chapter 4) to find a practical cost effective way to model and map areas at risk from flash flooding. [paragraph 7.15].

Operational Implications:

The majority of homes affected by flooding in Bromsgrove is as a consequence of flash flooding. There is some recording of homes affected by such flooding and information has been assembled on the causes of the flooding. However, there has not been any systematic mapping nor modelling. In order to draw up a map and prepare models the Council's current land drainage resources would have to be augmented with further resources to carry out the work and prepared the map.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.)

Legal Implications:

There are no legal implications save that it is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

RECOMMENDATION 19:

The Group recommend that records of drainage maintenance carried out are also kept and routinely maintained and that, again, overall responsibility should rest with the County Council. [paragraph 7.20]

Operational Implications:

The officer watercourses group of the District Council has received some information on maintenance arrangements, but further work needs to be carried out to ensure this is in a systematic form.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 20:

The Group recommend that the County Council, in collaboration with the District Councils, should consider maintaining an inventory of local equipment held by local farmers which could be used in alleviating flooding and drainage problems either during a flooding event or as part of recovery [paragraph 7.27]

Operational Implications:

Information on local equipment held by local farmers which could be used to alleviate flooding and drainage problems is not held by the Council. The Council's current resources will not permit this work to be carried out in a short time scale. In order to assemble this information, the Council's current resources would have to be augmented by external support.

Financial Implications:

The Council will need to consider commissioning a consultant. (Estimated costs £10,000)

Legal Implications:

There are no legal implication relating to the task of collating an inventory; if it is intended that the equipment should be used in instances of flooding by the Council or other agencies there are legal issues which would have to be addressed as to the arrangements under which that use should take place together with possible health and safety issues.

RECOMMENDATION 21:

The Group recommend that the County and District Councils consider ways to improve advising both rural and urban householders of their drainage responsibilities, including details on the availability of grants as well as the consequences of non compliance. [paragraph 7.44]

Operational Implications:

Bromsgrove District Council will need to examine the feasibility of running a campaign that focuses on responsibilities for watercourses and ditches and the availability of grants and potential for penalties to be imposed. A campaign of this sort will inevitably generate new demands and calls for advice on managing watercourses and drainage. The Council's present level of resource in relation to land drainage would mean that it could not adequately respond to these additional expectations. The Council would have to recruit or engage additional resources.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.)

Legal Implications:

The Council is able to give general advice and guidance; it would not be in a position to give specific legal advice to private individuals.

RECOMMENDATION 22:

The Group recommend that the County and District Councils develop protocols for sharing appropriate staff resources during recovery work after emergencies where appropriate. [paragraph 8.35]

Operational Implications:

Bromsgrove District Council has limited resources to meet its own needs. However, approaches will be made to the County's emergency planning section to co-ordinate the preparation of an inter-district protocol.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

RECOMMENDATION 23:

One of the issues raised in the Pitt Review was the need for a door knocking flood warning system at a local level¹². Lists of vulnerable people should be kept along with named persons with responsibility for warning. We believe that parishes are best placed to carry out this kind of warning system in rural areas.

The Group therefore recommend that such a system should be explored further and incorporated into parish emergency plans where appropriate. [paragraph 5.29]

In urban or non-parished areas, the possibility of existing neighbourhood watch areas taking on responsibility for warning the vulnerable should be considered. [paragraph 5.30]

Operational Implications:

Bromsgrove District Council has contacted the Fire and Rescue Service about a register of vulnerable households in the district. This information has not been received, but efforts will be made to follow through the request. Information will be sought from the Council's Lifeline service on details they maintain of vulnerable households and a register will be constructed.

The issue of vulnerable households will be discussed at the Parish Forum and raised as an item at neighbourhood meetings and PACT meetings.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

Any personal data collected would have to be stored and used in accordance with the terms of the Data Protection Act.

RECOMMENDATION 24:

The Group recommend that the County Council's Emergency Planning Team assists with the development of a blue print or toolkit, providing more than just a skeleton, for other parishes' emergency plans, with the aim of encouraging parishes to create their own emergency plans for use in appropriate circumstances. [paragraph 5.33]

Operational Implications:

The County Council's Emergency Planning Team will be invited to attend a Parish Forum to assist Parish's with the development of a blue print or toolkit for parish's emergency plans. However, it may prove necessary for the District Council to organise a training session for parish council representatives on drawing up a parish emergency plan.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

The parishes affected would need to take their own legal advice from CALC on the legal implications of this recommendation.

RECOMMENDATION 25:

It was acknowledged though that all parishes were different and that in some parishes, turnover could be quite frequent, so ways of ensuring information and knowledge were passed on were important, such as perhaps a dedicated annual meeting. [paragraph 5.34]

Operational Implications:

Consideration needs to be given by Bromsgrove District Council to including an item on an annual basis related to emergency planning on its parish forum agenda.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

The parishes affected would need to take their own legal advice from CALC on the legal implications of this recommendation.

RECOMMENDATION 26:

The Group recommend that parishes which have formed their own flood groups, consider incorporating, promoting and deploying flood resistant products as part of the work of the group. [paragraph 6.15]

Operational Implications:

At a future meeting of the Parish Forum information and guidance will be provided on flood resistant products and the item will also be raised at PACT and neighbourhood meetings.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

Any parishes affected would need to take their own legal advice from CALC in order to establish the legal implications of promoting products in the way suggested.

RECOMMENDATION 27:

The Group recommend that consideration be given to a greater utilization of the local knowledge on road drainage and watercourses of Parish Lengthsman. Parish Lengthsman should be contacted wherever possible to advise the County Council drain clearance teams of main flooding problem areas. [paragraph 7.42]

Operational Implications:

The District Council will propose that parishes that have lengthsman use them to identify flooding problems in their parishes. This matter would be proposed at the Parish Council Forum

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

Those parishes that have lengthsman would need to take their own legal advice from CALC on any legal implications arising from this recommendation.

RECOMMENDATION 28:

It is clear that much good work has taken place during and after the flooding emergency. The Group have been impressed with how organisations are keen to improve any future response. In the absence of an overarching body being responsible for flooding issues the Group support Pitt's recommendations 90 and 91 which require upper tier local authorities to set up scrutiny committees to annually review arrangements for managing flood risk. The Group believe that this joint committee is best placed to carry out such a review at least after the first twelve months. The Group therefore recommend that this Joint Scrutiny Task Group be re-convened in 12 months time to review the outcomes from its findings and recommendations, as well as review progress on arrangements for managing flood risk. [paragraph 9.3]

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications save that as stated above it is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

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