

BROMSGROVE DISTRICT COUNCIL

CABINET

1st OCTOBER 2008

Longbridge Protocol

Responsible Holder	Portfolio	Mrs J. Dyer
Responsible Service	Head of	D. Hammond
Non-Key Decision		

1. SUMMARY

- 1.1 This report sets out the work done to date with regard to the setting up of a Steering Group, Working Group and Memorandum of Understanding with regard to the delivery of the Longbridge Area Action Plan

2. RECOMMENDATION

- 2.1. It is recommended that:

- 2.1.1. Members note the work done by the working group to date in relation to the delivery of the Longbridge Area Action Plan and the need for a working group and a steering group to be established as detailed in this report; and that
- 2.1.2. Members note the progress made in determining a memorandum of understanding between Birmingham City Council, Bromsgrove District Council and Worcestershire County Council and that the appropriate power be delegated to the Head of Legal Equalities and Democratic Services to finalise the this document.

3. BACKGROUND

- 3.1 The Longbridge Area Action Plan ("AAP") is a tripartite policy document prepared between Birmingham City Council ("BCC"), Bromsgrove District Council ("BDC") and Worcestershire County Council. It is the first in the country to involve such cross boundary working.
- 3.2. The AAP has already been agreed by all three Council's and it will deal with the biggest regeneration scheme in the West Midlands and will play a major role in supporting and restructuring the West Midlands Economy.
- 3.3. The AAP has reached an advanced stage in the process of adoption. The Examination in Public (EIP) will be held in mid October for about two weeks.

A pre-examination has already been held in August where initial issues have been discussed.

- 3.4. At this pre-examination meeting, the appointed inspector made it clear that she would like to see evidence of a working relationship between the three authorities to provide confidence in terms of delivery. In response, a draft working Memorandum of Understanding ("MOU") has been drawn up and circulated.
- 3.5. The Inspector has already listed a number of issues with regard to the AAP and these have been submitted to Birmingham City Council in advance of the October deadline for response. It is clear she is looking for evidence that all three authorities have a clear understanding of the roles that they play as Council's in the process and that there is an agreement to work together to achieve the higher level outcomes that have been identified as priorities within the AAP.
- 3.6. The point with this scheme is that the three authorities have agreed through the AAP to regenerate Longbridge. The authorities have agreed to work in key priority areas such as housing, employment as well as the wider context of arts development, youth provision, community activities, and so on and all of these are cross cutting in terms of Local Authority involvement be it Unitary as in the case of Birmingham, or District County as in our case.
- 3.7. Officers of the three authorities have agreed that in order to manage these projects and priorities that a working group needs to be established with equal representation from each Council. This group will assess planning applications in accordance with the AAP and form part of the overall planning process as a consultee.
- 3.8. A higher level group needs to be established to look at the priorities within the AAP and monitor whether they are meeting the performance targets set in relation to prioritising the priorities and to provide checks and balances in each Council's funding requirements.
- 3.9. The Memorandum of Understanding needs to be produced before October to set out how we intend to work together to achieve this.
- 3.10 It is proposed that these cross organisational groups be established and that the Executive Director (Partnerships and Projects) represent the authority on the higher level steering group and that Strategic Planning Manager represent the Council on the working group.
- 3.11 It is proposed that these officers report to the Cabinet on a regular basis providing members with up to date reports on the progress made towards the priorities within the AAP

3.12 Memorandum of Understanding

This document will set out the general framework of co-operation and understanding, and will be finalised before the close of the Examination in Public. It will need to incorporate a number of strategic functions for all three councils;

- Specific Contact details of key personnel
- Infrastructure Planning
- Setting up of Task Groups (e.g. Housing, Education, Highways, Health Social Care, Leisure and Tourism, Economy and Business, Community Safety)
- Mechanisms of operation and communications process
- Financial management/arrangements Section 106/278 contributions - who will be the custodian of these contributions until called upon (e.g. any one of the local authorities can hold the monies in a separately created Bank Account, or create a SPV for this purpose).

3.13 Progress has been made on drafting this joint document and further discussions and meetings are taking place to finalise an agreed protocol. It is proposed that the appropriate power be delegated to the Head of Legal Equalities and Democratic Services to complete this document.

3.14 Longbridge AAP Working Group ("Working Group")

3.15 A meeting took place between key representatives of the three local authorities on 8th September 2008 to work out how to progress matters. It was tentatively agreed that a Longbridge AAP Working Group would be established consisting of Key Personnel from each Council. This is the non decision making group that makes recommendations to planning committees as a consultee in the planning process.

3.17 The role of the working group is crucial to ensure that the appropriate part of the AAP is applied along with any section 106 benefits across the 3 council boundaries.

3.18 Longbridge AAP Steering Group ("Steering Group")

3.19 At the meeting on the 8th September it was agreed that there would be a need to create a high level strategic group that would manage the financial arrangements of the AAP together with fulfilling the role of managing the priorities and projects that occurred as a consequence of the AAP and contributions made by developers.

3.20 This group should consist of senior officers from all three organisations and would represent the interests of their organisation in relation the priorities that have been set within the AAP.

4. FINANCIAL IMPLICATIONS

- 4.1 It has been estimated that the Longbridge Area Action Plan will generate £35 million in community contributions although this figure may change pending the Examination In Public.

5. LEGAL IMPLICATIONS

- 5.1 The Memorandum of Understanding will form a legally binding agreement between the three authorities and detail the mechanism by which the organisations will manage the Area Action Plan.

6. COUNCIL OBJECTIVES

- 6.1. This development links through to the Councils Objective of Regeneration and Housing Priority

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are:

- Loss of Community infrastructure contributions

- 7.2 These risks are being managed as follows:

- Loss of income:

Risk Register: *Planning and Environment Services*

Key Objective Ref No: 6

Key Objective: *Effective, efficient and legally compliant Strategic Planning Service*

8. CUSTOMER IMPLICATIONS

- 8.1 The Area Action Plan regenerates a significantly large site and brings community benefits

9. EQUALITIES AND DIVERSITY IMPLICATIONS

- 9.1 None

10. VALUE FOR MONEY IMPLICATIONS

- 10.1 Joint working to maximise community benefits

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	No
Assistant Chief Executive	No
Head of Service	N/A
Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

Waseley, Hillside, Beacon

14. APPENDICES

None

15. BACKGROUND PAPERS

None

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