

BROMSGROVE DISTRICT COUNCIL

CABINET

2nd JUNE 2010

PROPOSED BROMSGROVE MEMORIAL/TRIBUTE

Responsible Portfolio Holder	Geoff Denaro
Responsible Head of Service	Jayne Pickering
Non-Key Decision	

1. SUMMARY

- 1.1 This report seeks Cabinet approval to grant a license on the Amphlett Hall, site in Crown Close, to the THANKSS Charity (To Honour and Acknowledge those Killed and Still Serving). This license would be for the erection of a memorial/tribute and appropriate rights of way for services and remembrance. The licence would be subject to the usual probity and audit checks and conditions related to the charity.

2. RECOMMENDATION

- 2.1 Cabinet is asked to -
- 2.1.1 agree in principle to developing a memorial/tribute in the Town Centre, on the Amphlett Hall site to honour all the armed services;
- 2.1.2 agree to the grant of a licence at land at Amphlett Hall, to the THANKSS charity, subject to the charity being registered and producing a business case to demonstrate the viability of the project;
- 2.1.3 agree that the portfolio holder for community and the section 151 officer be delegated to approve the detailed business case and design, together with monitoring the delivery of the project.

3. BACKGROUND

- 3.1 Currently, there is no dedicated memorial, in a public open space, to all the armed services. While there are 33 memorials around the town they are often on private sites or inside buildings. There is no acknowledged central memorial.
- 3.2 To address this position a working group has been set up by the Chairman of the Council to look at options to erect a central memorial/tribute. The Council has now been approached by the fledgling charity THANKSS to help in the development of a memorial/tribute.

- 3.3 The development of a memorial/tribute will take two to three years but critical to success is a site. Specifically an agreed site will help raise funding for the project.
- 3.4 THANKSS has been set up as the charity to deliver the project. It will be registered as a charity in the spring of 2010. The mission of the charity is to set up a three phase project to raise funds for the memorial/tribute, build it, and then put in place arrangements for the ongoing maintenance of the memorial/tribute.
- 3.5 The Council's support for the project is critical to demonstrate to prospective funders the civic commitment to the project.
- 3.6 The prospective land that has been identified is in the town centre on the Amphlett Hall site beside the old council house building as shown on appendix one.
- 3.7 This project is still in its infancy and there are a number of checks that would need to be in place to safeguard the Council's position, specifically
- THANKSS achieving its charity status
 - The production of a business plan to deliver the three stages of the project
 - The monitoring of the project by the Council's Section 151 Officer to ensure probity
 - Consent of the Church Commissioners for the project to proceed
- 3.8 On planning considerations the proposed memorial/tribute will be sited on an area of Open Space within the Town Centre Conservation Area. Although planning permission will be required, the memorial/tribute will add an element of visual focus and would not appear out of character with the area given that the Burma Star Association war memorial already sits with the same area. However the design and specific siting will be the subject of negotiation with the THANKSS Charity.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial costs associated with the project but it will need to have a detailed business case and progress will need to be measured to ensure it achieves the agreed outcomes.
- 4.2 It is proposed that future maintenance costs be funded from existing budgets relating to grass cutting and street cleansing. This will be assessed as part of the design review to ensure minimal ongoing maintenance costs are required. In addition insurance will be addressed as part of the liability insurance once the design has been agreed.

- 4.3 The intended site for the memorial/tribute is on Open Space Land and as such cannot be developed commercially.

5. LEGAL IMPLICATIONS

- 5.1 This land was purchased in 1899 from the Ecclesiastical Commissioners for England and the 1899 Conveyance imposed a covenant that the land would be used as “an open space and public recreation ground and for no other purpose whatever except with the previous consent in writing of the Ecclesiastical Commissioners”.
- 5.2 There is nothing to prevent the Council from disposing of part of the land but the restriction on use would continue to affect the land disposed of and any subsequent owner would need to satisfy themselves that their use of the land did not breach the use restrictions or alternatively obtain the consent of the Church Commissioners for that use.
- 5.3 As previously stated there is of course already a war memorial on the site. The Burma Star Memorial which was erected around 1982 authorising the Trustees of the Burma Star Association to erect the memorial on Council land. The Licence was for a period of 21 years to continue thereafter on a yearly basis until terminated but it was actually surrendered in 1987 when the Council agreed to maintain the memorial at its own expense.
- 5.4 To ensure full disclosure on the proposed project the Church Commissioners have been contacted to seek their views. We are still awaiting their response.

6. COUNCIL OBJECTIVES

- 6.1 This report links to the Council priority on community leadership

7. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

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

- THANKSS fails to get registered as a charity
- THANKSS is unable to deliver a viable business case
- Consultation with the Church Commissioners for their support

- 7.2 These risks are being managed as follows:

- Delegating the detailed management and monitoring of the project to the Section 151 Officer to confirm THANKSS charity registration and to validate and monitor the delivery of the business case

8. CUSTOMER IMPLICATIONS

8.1 The erection of a dedicated memorial to the armed services will give a focus point for the community to acknowledge the dedication of the services and give a site to reflect and worship.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no specific equalities issues arising from this report.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no specific value for money implications arising from this report.

11. CLIMATE CHANGE AND CARBON IMPLICATIONS

11.1 There are no climate change issues affecting this report

12. OTHER IMPLICATIONS

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

13. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Joint Chief Executive	Yes
Executive Director - Partnerships and Projects	Yes
Executive Director - Services	Yes
Assistant Chief Executive	Yes

Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	Yes
Head of Street Scene	Yes
Corporate Procurement Team	Yes

14. WARDS AFFECTED

All wards.
Memorial/tribute will be sited in St Johns Ward

15. APPENDICES

None

16. BACKGROUND PAPERS

None

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