

To: Leader and Members of the Executive Board
(Councillors M Stanley, Davis, Fox, Hayfield, Lewis, May, Moore, Morson, B Moss, Phillips, Simpson, Smith, Sweet, Watkins and Winter)

For the information of other Members of the Council

For general enquiries please contact David Harris, Democratic Services Manager, on 01827 719222 or via e-mail - davidharris@northwarks.gov.uk.

For enquiries about specific reports please contact the officer named in the reports.

The agenda and reports are available in large print and electronic accessible formats if requested.

EXECUTIVE BOARD AGENDA

27 JUNE 2011

The Executive Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Monday 27 June 2011 at 6.30pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Declarations of Personal or Prejudicial Interests**

(Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Hayfield, May, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors

Davis (Atherstone), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury), Morson (Dordon), Phillips (Kingsbury), M Stanley (Polesworth) and Winter (Dordon) are deemed to be declared at this meeting).

- 4 **Minutes of the Meeting of the Board held on 7 February 2011** - copy herewith to be agreed as a correct record and signed by the Chairman.
- 5 **Requests for discussion of En Bloc items.**

PART A – ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 6 **Capital Programme - 2010/11 Final Position** - Report of the Assistant Director (Finance and Human Resources)

Summary

The purpose of this report is to update Members on the final position of the 2010/11 Capital Programme and to highlight those schemes which have not progressed as quickly as expected and which are recommended to be carried forward into the 2011/12 Capital Programme.

The Contact Officer for this report is Sue Garner (719374)

- 7 **Annual Governance Statement 2010/11** - Report of the Deputy Chief Executive

Summary

The Annual Governance Statement sets out the arrangements the Council has put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. These ensure that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and accounted for and is used economically, efficiently and effectively.

The Contact Officer for this report is Sue Garner (719374)

- 8 **Financial Statements 2010/11** - Report of the Deputy Chief Executive

Summary

The Annual Financial Statements have to be signed by the Responsible Financial Officer (RFO) by the end of June 2011. This report highlights the position on the General Fund and Housing Revenue Account, compared with the estimate position previously reported.

The accounts have not yet been audited, and may need some adjustment following the completion of the audit later in the year. The audited Statements will be presented at the September meeting of the Executive Board.

The Contact Officer for this report is Sue Garner (719374)

9 **Council Constitution, Priorities and Corporate Plan – Implications arising from the 2011 Elections** – Report of the Chief Executive.

Summary

The purpose of this report is to consider potential changes to the Council's Constitution, Priorities and Corporate Plan following the Elections in May 2011, to authorise the Special Sub-Group to review these issues and to a further report being brought to next Executive Board meeting recommending changes and the action necessary to achieve them including any consequential financial implications.

The Contact Officer for this report is Jerry Hutchinson (719200).

10 **Planning Travellers Sites – Consultation Paper** – Report of the Head of Development Control

Summary

This report relates to the Government's consultation paper outlining its draft planning policy to replace existing advice on the provision of gypsy and traveller sites.

The Contact Officers for this report is Jeff Brown (719310) and Dorothy Barratt (719250).

**PART B – ITEMS FOR EN BLOC DECISIONS
(YELLOW PAPERS)**

11 **HS2 (High Speed Rail Route)** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report gives an update on work for HS2 and seeks authorisation to submit a response as part of the current consultation process.

The Contact Officer for this report is Dorothy Barratt (719250).

- 12 **Meetings Timetable 2011/12** – Report of the Chief Executive.

Summary

The purpose of this report is to approve amendments to the timetable of meetings for 2011/12.

The Contact Officer for this report is David Harris (719222).

- 13 **Local Development Framework Sub-Committee/North Warwickshire Community Partnership** – Report of the Chief Executive.

Summary

The purpose of this report is to consider the membership of the Local Development Framework Sub-Committee for the ensuing year. In addition Members will be asked to note a change by the Labour Group of its representation on the North Warwickshire Community Partnership.

The Contact Officer for this report is David Harris (719222).

- 14 **Budgetary Control Report 2011/12 Period Ended 31 May 2011** - Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2011 to 31 May 2011. The 2011/2012 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 15 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2010 – March 2011** – Report of the Chief Executive and the Deputy Chief Executive

Summary

This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Executive Board for April 2010 to March 2011.

The Contact Officer for this report is Robert Beggs (719238).

- 16 **Capital Accounts 2010/11**- Report of the Deputy Chief Executive

Summary

The capital accounts for 2010/11 have been prepared. This report shows expenditure for the year, together with the methods of funding used.

The Contact Officer for this report is Sue Garner (719374)

17 **Earmarked Reserves 2011/12** - Report of the Deputy Chief Executive

Summary

The Council holds a number of reserves to meet future expenditure, other than the General Fund and Housing Revenue Fund. This report informs Members of the balances on these reserves at 31 March 2011, subject to audit, and updates the proposed use of reserves in 2011/12.

The Contact Officer for this report is Sue Garner (719374)

18 **Future of Local Public Audit** – Report of the Deputy Chief Executive.

Summary

The Department of Communities and Local Government (DCLG) has issued a consultation paper regarding proposed revised arrangements for the audit of local authorities. This report outlines the proposals and a possible response to the consultation.

The Contact Officer for this report is Chris Brewer (719259).

19 **Partnership Landscapes – Consultation by Warwickshire County Council** – Report of the Chief Executive

Summary

The purpose of this report is to seek formal endorsement to the response already sent to the County Council by the Chief Executive in order to meet the County Council's consultation deadline.

The Contact Officer for this report is Jerry Hutchinson (719200)

20 **Membership of West Midlands Councils** - Report of the Chief Executive.

Summary

The purpose of this report is to recommend that the Council retains its Membership of the West Midlands Councils (formerly West Midlands

LGA) following the request for a further report at the Board's meeting on 7 February 2011.

The Contact Officer for this report is Jerry Hutchinson (719200)

- 21 **Environmental Health Proper Officer Powers in the Constitution** - Report of the Assistant Chief Executive and Solicitor to the Council.

Summary

This report seeks Member approval to update the Constitution of the Council to reflect recent changes in Environmental Health legislation.

The Contact Officer for this report is Steve Maxey (719438).

- 22 **Sub-regional Update** - Report of the Assistant Chief Executive and Solicitor to the Council.

Summary

This report brings members up to date on work at the sub-regional level and seeks approval for officers to work collaboratively with other authorities in the Coventry and Warwickshire sub-region to prepare a sub-regional strategy.

The Contact Officer for this report is Dorothy Barratt (719250)

- 23 **Consultation Responses - Interim Planning Policy Statement** - Report of the Assistant Chief Executive and Solicitor to the Council.

Summary

This report relates to the consultation on the Interim Planning Policy Statement.

The Contact Officer for this report is Dorothy Barratt (719250).

**PART C - EXEMPT INFORMATION
(GOLD PAPERS)**

- 24 **Exclusion of the Public and Press**

Recommendation:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

- 25 **Minutes of the meeting of the Special Sub-Group held on 18 April 2011** – copy herewith to be received and noted.

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

7 February 2011

Present: Councillor Hayfield in the Chair

Councillors Bowden, Fox, Lewis, May, Moore, B Moss, Phillips, Simpson, Smith, Swann, Sweet and Zgraja

53 **Declarations of Personal or Prejudicial Interest.**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Hayfield, May, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), Phillips (Kingsbury) and Zgraja (Over Whitacre) were deemed to be declared at this meeting.

54 **Minutes of the meeting of the Board held on 29 November 2010.**

The minutes of the meeting of the Board held on 29 November 2010, copies having been circulated, were approved as a correct record and signed by the Chairman.

55 **Corporate Plan 2011/12**

The Chief Executive presented the Corporate Plan for 2011/12. Members were also asked to agree the 2011/12 Forward Work Plan for the Assistant Chief Executive and Solicitor to the Council.

Recommended:

- a **That the Corporate Plan, as set out in Appendix A to the report, be agreed, subject to any further amendments which may be needed as a result of the adoption of the 2011-12 budget;**
- b **That the Chief Executive be given delegated authority to finalise the format of the Plan; and**
- c **That the Service Plan for the Assistant Chief Executive & Solicitor to the Council, as set out in Appendix B to the report, be agreed.**

56 **Capital Strategy**

The Assistant Director (Finance and Human Resources) presented an update on the Capital Strategy and the Board was asked to agree the suggested course of action.

Recommended:

That the Capital Strategy, attached as Appendix A to the report of the Assistant Director (Finance and Human Resources), be approved.

57 **The Proposed 3 Year Capital Programme**

Management Team put forward proposals for the Three Year Capital Programme and outlined the availability of capital resources.

Recommended:

- a **That the Revised Capital Programme for 2010/11 as set out in Appendix A be adopted;**
- b **That the additional schemes shown in Appendix C for provisional inclusion in the 3 Year Capital Programme be noted;**
- c **That the 3 Year Capital Programme for the period 2011/12 to 2013/14 as set out in Appendix E be adopted and referred to the Resources Portfolio Group; and**
- d **That the prudential indicators set out in Appendix H, subject to any changes that may be required as a result of decisions taken during this evening's meeting, be approved.**

58 **General Fund Fees and Charges 2011 – 2012**

The Assistant Chief Executive and Solicitor to the Council reported on proposed fees and charges for 2011/12 and the Board were asked to agree a suggested course of action.

Recommended

That the schedule of fees and charges for 2010/11, set out in the report of the Assistant Chief Executive and Solicitor to the Council, be accepted.

59 **General Fund Revenue Estimates 2011 – 2012**

The Director of Resources reported on the revised budget for 2010/11 and an estimate of expenditure for 2011/12, together with forward commitments for 2012/13 and 2013/14.

Recommended:

- a **That the revised budget for 2010/11 be accepted; and**
- b **That the Estimates of Expenditure for 2011/12, as submitted, be included in the budget to be brought before the meeting for consideration under Minute No. 60.**

60 **General Fund Revenue Estimates 2011 – 2012 and Setting the Council Tax 2011 – 2012**

The Director of Resources set out the proposed General Fund Revenue Estimate for 2011/12, and the options available when setting the 2011/12 Council Tax for the Borough in the context of the Authority's Revenue Support Grant settlement, and the effect on General Fund balances. He also reported on the revised settlement figures.

Recommended:

- a **That the total amount of growth to be included within the 2011/12 budget estimates be noted;**
- b **That the savings of £489,145 shown in Appendix 3 be approved;**
- c **That the proposed savings recommended by service boards be approved;**
- d **That the revised estimate for the year 2010/11 and the revenue estimates for 2011/12 be approved;**
- e **That the preferred Council Tax option for 2011/12 be 0% and referred to the meeting of the Council on 23 February 2011 for approval;**
- f **That the comments of the Deputy Chief Executive on the minimum acceptable level of general reserves be noted;**
- g **That schedule of Earmarked Reserves set out in Appendix 5 be referred to the Resources Portfolio Group for consideration;**

- h That the manpower estimates for the year 2011/12 are approved; and**
- i That the Council Tax resolution be forwarded to the Council for consideration.**

61 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2010 – December 2010.

The Chief Executive and the Deputy Chief Executive informed Members of the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Executive Board for the third quarter of 2010/11 from April to December 2010.

Resolved:

That the report be noted.

62 West Midlands Councils - Constitution

The Chief Executive reported on changes to the Constitution of the West Midlands Councils (formerly West Midlands LGA). The Board was asked to consider the revised Constitution and authorise the Deputy Chief Executive, in consultation with the Leader of the Council, to settle past pension liabilities.

Recommended:

- a That consideration of the revised Constitution of West Midlands Councils be deferred and a further report be submitted to a future meeting of the Board; and**
- b That the Deputy Chief Executive, in consultation with the Leader of the Council, be authorised to settle past pension liabilities.**

63 The Future of Planning Policy

The Assistant Chief Executive and Solicitor to the Council reported on proposed changes to the planning regime and the Board was asked to agree a suggested work programme. In addition a draft letter to the two MPs representing North Warwickshire expressing concern about the changes to the planning system was circulated.

Recommended:

- a That the report be noted;**

- b. That the draft letter to the Borough's MPs on this Council's concerns about the changes to the planning system be sent;**
- c. That a Sub-Committee of the Executive Board be set up to replace the existing LDF Advisory Panel, consisting of 5 Members to be nominated by the Leader of the Council and 3 Members nominated by the Leader of the Opposition; and**
- d. That this Sub-Committee proposes draft terms of reference for the next Executive Board meeting.**

64 Local Investment Plan – to Deliver Affordable Housing

The Board was invited to endorse a Local Investment Plan to deliver affordable housing. The Plan had been considered and agreed by the Resources Board.

Recommended:

That the Local Investment Plan be endorsed.

C Hayfield
Chairman

Agenda Item No 6

Executive Board

27 June 2011

**Report of the Assistant Director
(Finance and Human Resources)**

**Capital Programme - 2010/11
Final Position**

1 Summary

- 1.1 The purpose of this report is to update Members on the final position of the 2010/11 Capital Programme and to highlight those schemes which have not progressed as quickly as expected and which are recommended to be carried forward into the 2011/12 Capital Programme.

Recommendation to the Council

- a That the Board notes the level of expenditure incurred (both actual and committed) to the end of March 2011 against the 2010/11 Revised Capital Programme;**
- b That the Board notes the schemes which have not progressed as expected during the year; and**
- c That both the committed expenditure and schemes which have not progressed during the year be agreed as slippage to be carried forward into the 2011/12 Capital Programme.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Councillors Forwood and Lea have been informally consulted and any response will be verbally updated at the meeting.

3 The Current Position

- 3.1 The Council's Revised Capital Programme for 2010/11, approved by this Board in February 2011, is set out in Appendix A. Also showing is the actual level of expenditure incurred on each scheme as at the end of March 2011.

...

- 3.2 The Appendix shows that the current level of actual expenditure incurred amounts to £4,506,559 against a revised programme total of £5,720,310, an initial under-spend of £1,213,751.

4 Outcomes from Capital Expenditure

- 4.1 The £4.5m spent on capital schemes in 2010/11 has achieved a substantial level of outcomes, and some of these are highlighted in the following paragraphs.
- 4.2 In terms of housing capital expenditure, the Council met the Decent Homes Bronze Standard during the year as expected. The Lovell's partnership contract to carry out the housing improvements started in July 2008 and the customer satisfaction levels are high with the works carried out. Key elements such as kitchens, bathrooms, boilers, roofing, windows and doors have been replaced during the year. Adaptations to a number of houses were made which has enabled disabled tenants to continue living in their current Council property and improvements were made to 3 Community Centres situated on housing estates; at Hudson Avenue, Coleshill, Drayton Court, Hartshill and Arden Forest, to enable their maintained use by tenants for social activities. During the year, 21 new homes were built and let to council tenants, with the 4 remaining properties in progress with an expected completion date of July 2011.
- 4.3 Projects were carried out at Ridge Lane, Baddesley Ensor and Old Arley to install new play equipment and make improvements to those play area, which have been received well by the local residents. A significant amount of new equipment has also been purchased at Atherstone Leisure Complex and Coleshill Leisure Centre to overhaul the gym areas.
- 4.4 There have been some improvements in the Council's technology, with some upgrades of infrastructure and improvements put in place for backing up and recovery of information and systems. In addition, some hardware and software has been replaced / upgraded including the purchase of new personal computer's and a server upgrade.
- 4.5 In terms of housing grants to the private sector, further improvements at 65 properties for disabled facility adaptations have been completed in 2010/11, along with 18 properties that have benefited from Decent Homes improvement schemes. The project to install ground source heating at houses in Hill Top, Arley was progressed during the year. This will allow the tenants of these houses to have lower energy costs and it is hoped that some monitoring of the effect of these heating systems can be undertaken to see the impact on fuel bills.
- 4.6 A refuse vehicle was replaced during the year, as was the council's road sweeper and two mowers.
- 4.7 Over 138 lifelines and 126 pendants have been purchased to replace aging units in the homes of those who qualify for the Borough Care system, to ensure a consistent level of service.

- 4.8 The actual costs on the renewal of play areas, the purchase of leisure equipment and the purchase of the refuse vehicle have significantly exceeded the available budget provision in 2010/11. The additional expenditure has been funded from grants and contributions received for play areas and the refuse vehicle, and from earmarked reserves built up to fund the leisure equipment. Budget provision for the sweeper and mowers had been included in the revenue budget, as the original intention was to lease replacement vehicles. Following a financial evaluation of available options, it was decided to purchase them outright, as this is a more cost effective option.

5 Committed Spend in 2010/11

- 5.1 Of the capital programme under-spend of £1,343,501, there are commitments of £561,054 which will be required in 2011/12 to fulfil contracts let or to continue the progress of on going schemes. These amounts are shown in column (4) of Appendix A.

6 Schemes / Expenditure Delayed

- 6.1 Some schemes have been delayed until a decision has been taken on the Accommodation project, although there is still a need for capital expenditure (shown in column (5) of appendix A). This includes the allocations for a new telephone system and switch gear, as it would be more practical to carry out the work required when other work on the building is being undertaken. Similarly, only essential work has been undertaken on the electrical installation. This is to ensure that resources are used as effectively as possible. Expenditure on Disability Discrimination Act work has also been limited, in case some of the resources available are needed for work at the Council House in the future.
- 6.2 The allocation for the Arcade has not yet been used, as there was some uncertainty over whether it would remain in Council ownership. However the need for work on the building still exists. Officers are also requesting that the allocation approved for the Leisure Booking System is carried forward, to allow a full business case to be evaluated.
- 6.3 There is a small balance on the allocation for funding Disabled Facility Grants, and a larger balance on the allocation for private sector Decent Homes Standard work. Officers have requested to carry these amounts forward, to enable demand in 2011/12 to be met.

7 Report Implications

7.1 Finance and Value for Money Implications

- 7.1.1 The actual level of expenditure incurred up to the end of March 2011 amounts to £4,506,559, which is £1,213,751 below the full year budget. However, of the capital programme under-spend, there are commitments of £561,054 which will be required in 2011/12 to fulfil contracts let or to continue the progress of on going schemes. In addition, Members are also requested to

carry forward schemes totalling £770,510, where expenditure has been delayed in 2010/11.

7.2 Sustainability Implications

7.2.1 Expenditure incurred as part of the Council's Capital Programme enables the Council to continue to deliver a range of services to the people of North Warwickshire which contributes towards improving the quality of life for the communities of North Warwickshire.

7.3 Risk Management Implications

7.3.1 If the financial provision requested is not carried forward, the achievement of some of the Council's objectives may be at risk.

7.4 Equalities Implications

7.4.1 The Council is required to ensure that as far as it is reasonably practicable, it has taken appropriate steps to ensure compliance with the provisions of the DDA. Failure to do so could result in limiting access to services provided from our buildings and facilities by disabled people and give rise to challenge.

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Management Team	Board Report - Proposed 3 Year Capital Programme	Feb 11

Expenditure Proposals	(1) 2010/11 Revised Budget	(2) Actuals as at end March 2011	(3) Variance to Revised Budget	(4) Committed Variance to cfwd into 2011/12	(5) Schemes to be carried forward into 2011/12
HRA Assets					
Lovells contract:					
Kitchens and bathrooms	182,410	164,178	(18,232)		
Windows and Doors	141,650	188,855	47,205		
Picadilly	2,500	2,540	40		
Gas heating	79,520	91,577	12,057		
Gas Supplies	-	2,046	2,046		
Electrics	224,000	84,353	(139,647)		
Community Centres	125,000	120,087	(4,913)		
Door Entry Scheme	20,350	-	(20,350)		
Asbestos	9,000	22,347	13,347		
Roofing	140,000	78,510	(61,490)	61,490	
Prelims	6,000	6,252	252		
Profit and Overheads	52,040	24,558	(27,482)		
Contingency	227,110	-	(227,110)		
Other contracts:					
Chimney Stacks	-	8,097	8,097		
Aerials	4,950	2,839	(2,111)		
External Works	38,000	59,719	21,719		
Housing Staffing	170,000	132,841	(37,159)		
Disabled Facility Adaptations (C/H)	203,000	179,299	(23,701)		
New housebuild programme	2,222,120	1,932,501	(289,619)	289,619	
Garage Refurbishments	12,000	20,716	8,716		
Coleshill Shops	20,000	-	(20,000)	20,000	
Purchase 3a Church Walk	57,000	57,000	-		
HRA TOTAL	3,936,650	3,178,314	(758,336)	371,109	-
GENERAL FUND Assets					
DDA	204,220	2,975	(201,245)		201,245
Renewal of Play Areas	8,390	184,243	175,853		
The Council House Electrical Installation	30,000	7,995	(22,005)		22,005
Other Council Electrical Installations	15,000	8,510	(6,490)		6,490
WDP	10,000	9,350	(650)		
Leisure Equipment PSC	20,000	167,415	147,415		
ALC - Glulam Beams	-	(27)	(27)		
Memorial Hall Car Park	4,000	3,600	(400)		
Accommodation Project	13,590	18,667	5,077		
Improve Arcade	193,000	-	(193,000)		193,000
ICT Infrastructure Development	20,000	18,636	(1,364)		
ICT hardware & software purchase	40,000	36,221	(3,779)		
ICT Operating System Upgrade	6,080	5,568	(512)		
ICT EDRMS	8,600	2,455	(6,145)	6,145	
Leisure Booking System	50,000	-	(50,000)		50,000
IT Exchange Upgrade	30,000	-	(30,000)		
IT back up	-	32,275	32,275		
New telephone system	65,000	-	(65,000)		65,000
New switch gear	55,000	-	(55,000)		55,000
Capital Salaries - Management	54,000	52,983	(1,018)		
Decent Homes Assistance-Temp Officer	30,210	30,421	211		
Decent Homes (Private Sector)	221,620	53,850	(167,770)		167,770
Home Safety Check Scheme	7,500	7,211	(289)		
Ground Source Heating	51,560	51,562	2		
Refuse Vehicles	-	129,750	129,750		
Sweeper	-	12,450	12,450		
Mowers	-	41,750	41,750		
Disabled Facilities Grants-Private Sector	566,290	422,447	(143,843)	133,800	10,000
Home Improvement Agency	11,600	11,600	-		
Comm Support - New Control system	50,000	-	(50,000)	50,000	
Comm Supp - Lifelines	18,000	16,339	(1,661)		
Total	5,720,310	4,506,559	(1,213,751)	561,054	770,510

Agenda Item No 7

Executive Board

27 June 2011

**Report of the
Deputy Chief Executive**

**Annual Governance Statement
2010/11**

1 Summary

- 1.1 The Annual Governance Statement sets out the arrangements the Council has put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. These ensure that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and accounted for and is used economically, efficiently and effectively.

Recommendation to the Council

- a That the Annual Governance Statement for 2010/11, attached as Appendix A, is approved; and**
- b That the improvement plan, attached as Appendix B, is approved and progress against the plan is reported to Board.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 None.

3 Background

- 3.1 The Council has approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is available on our website. This statement explains how the Council has complied with the code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003, as amended by the Accounts and Audit (Amendment) (England) Regulations 2006, in relation to the publication of a statement on internal control.
- 3.2 The Council has also reviewed the Chartered Institute of Public Finance Association (CIPFA) Statement on the Role of the Chief Financial Officer in Local Government (2010), to ensure its financial management arrangements conform to the governance requirements of the CIPFA Standard.

4 **Review of the Effectiveness of Internal Audit**

4.1 The Council has a system of Internal Control, to which the internal audit system contributes significantly. The internal audit section is responsible for the provision of much of the system, although some responsibilities are carried out by others. Fraud work is carried out within the Revenues and Benefits Division and through external consultants (CEAC), and a specialist contractor is used for IT audits. All of these also contribute to internal audit within the Authority.

4.2 The position of the Council against the CIPFA Code of Practice for Internal Audit was assessed as part of the 2006/07 Statement of Internal Control, and has been revisited on an annual basis since then. Steps have been taken to improve the internal audit function over the last couple of years, and all actions identified as part of the assessment have been implemented.

5 **2010/11 Annual Governance Statement**

... 5.1 The Statement (Appendix A) presented to Members this evening for approval sets out how the Council meets the following principles:

- Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area;
- Members and Officers working together to achieve a common purpose with clearly defined functions and roles;
- Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Developing the capacity and capability of Members and Officers to be effective; and
- Engaging with local people and other stakeholders to ensure robust public accountability.

5.2 Members are kept informed throughout the year about the various areas that make up the system of internal control. Much of this information comes through Board reports. All Boards receive progress reports on the service areas that come within their remit. Higher level reports include progress against the Corporate Plan and budgetary control reports. However, other more detailed reports are used to deal with specific areas, such as Treasury Management performance and progress on improving play areas. Progress against the 2010/11 Corporate Governance Action Plan is shown in Appendix B.

...

- 5.3 Responsibility of monitoring against corporate activity has also been assigned to individual boards, for example, progress against the Human Resources Strategy is considered by Resources Board, whilst the Executive Board considers the outcomes of the work of the external auditors.
- 5.4 Where appropriate, all Members are involved in major reviews. Other means are also used to monitor the activity of the Council, such as the Leaders' Liaison Group, and the Standards Committee. In addition, Members are involved in areas such as appeals, and can ensure that agreed policies are being adhered to.
- 5.5 In reviewing the corporate governance arrangements, a number of areas have been highlighted for further action. These are summarised in the action plan, attached as Appendix C.
- ...
- 5.6 Once approved by this Board, the Statement will need to be signed by the Leader of the Council and the Chief Executive.

6 Report Implications

6.1 Finance and Value for Money Implications

- 6.1.1 The governance arrangements put in place by the Council ensure that its financial position is safeguarded and that only approved expenditure is incurred on behalf of the Council and income is only generated for goods and services it actually provides.

6.2 Legal and Human Rights Implications

- 6.2.1 The governance arrangements put in place by the Council ensure that its legal position is safeguarded, it complies with relevant laws and regulations and that expenditure is lawful.

6.3 Environment and Sustainability Implications

- 6.3.1 As part of the Council's governance arrangements, there is a requirement for Officers and Members to consider the environmental impacts and sustainability of decisions taken.

6.4 Human Resources Implications

- 6.4.1 There are systems in place which ensure that health and safety considerations are taken into account, along with legal requirements. The Council also has a number of policies which set out expected standards of behaviour for both Officers and Members.

6.5 Risk Management Implications

6.5.1 The Council manages its risks by having good internal control mechanisms in place. The improvements identified in the statement for the future will strengthen these mechanisms.

6.6 Equalities Implications

6.6.1 As part of the Council's governance arrangements, there is a requirement for Officers and Members to consider the equalities implications of decisions taken.

6.7 Links to Council's Priorities

6.7.1 The governance arrangements ensure that the achievement of the Council's priorities is monitored on a regular basis, and action taken where this is appropriate.

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL

Annual Governance Statement

North Warwickshire Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

The Council has approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is available on our website. This statement explains how the Council has complied with the code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003 as amended by the Accounts and Audit (Amendment) (England) Regulations 2006 in relation to the publication of a statement on internal control.

The Council has also reviewed the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010), and is satisfied that its financial management arrangements conform to the governance requirements of the CIPFA Standard.

The purpose of the governance framework

The governance framework comprises the systems and processes, and culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risks at a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance statement has been in place at North Warwickshire Borough Council for the year ended 31 March 2011 and up to the date of approval of the statement of accounts.

The governance framework

The Council assesses the needs of the area through the Sustainable Community Strategy process and work with the North Warwickshire Community Partnership. Full consultation is carried out with stakeholders, as part of the annual review. This Community Strategy is used to inform the Council's Corporate Plan, which provides clear links on how the achievement of Council priorities assists in the delivery of community objectives. Other mechanisms are also

used and an example of these is the range of partnerships across Warwickshire, which is playing an increasing part in influencing the work of the Council. As consultation is part of these mechanisms, and as these are ongoing, they also require the Council to be accountable for the actions they have taken over time.

The Corporate Plan is approved before the start of each year and identifies the headline targets for the coming year, which are supported by greater detail within individual service plans. During the year progress against these targets is collected and reported to senior managers, Management Team and to service boards, along with performance indicator information. A final position is collated at the year of the year, which is again reported to Members and is also published on the Council's website. The Council also has comprehensive forecasting and budgeting procedures. Periodic and annual review of financial reports, indicate financial performance against forecasts for all of the Council's spending. Summary information is also published.

As well as monitoring achievement of identified outcomes, the Council wants to ensure that an acceptable quality of service is provided. It ensures this in a number of ways: obtaining user feedback, through independent inspection and audit and through Value for Money reviews. However this does not prevent the Council from looking for efficiencies on an ongoing basis, and these have been demonstrated through the efficiency returns required by the government. During 2010/11, the Council has used Lean System reviews to re-examine the provision of a number of service areas in Housing and Streetscape.

The Council ensures that it is operating efficiently by specifying the different roles and responsibilities of both Councillors and Officers. The remit of each decision making Board is set down in the constitution, along with the roles of individual Councillors. The Council does not have an Audit Committee, but instead divides the core functions between the Executive Board and the Resources Board. The constitution also outlines the responsibilities of senior officers, and areas where they have been given delegated powers. Employee contracts include job descriptions, and these give the detail of individual roles, for all employees. The Council uses an appraisal system to set specific targets for individual staff on an annual basis. These targets reflect their Division's targets in the Corporate Plan and the Divisional Service Plan and are subject to a six monthly review. A more cost effective service is provided by appropriately trained staff and the appraisal system is also used to assess the training and development needs of individual employees, and ensure that they have the skills and abilities to carry out the tasks required. Where a shortfall is identified, this is addressed through the annual training plan. The Council uses a workforce plan to plan more rigorously for future staffing requirements. This projects future service needs and the workforce that would be needed for their delivery. The Plan was updated during 2010/11.

As the Council looks at revised ways of working and increasing its use of partnerships in the provision of services, it agrees the roles and responsibilities of those involved during the 'set up' stage. For major partnerships these are formalised in a legal agreement. This ensures that services are still managed and governed appropriately, whether the Council provides them directly or through others.

The Council expects its Members and officers to maintain appropriate standards of conduct and behaviour. These are set down in codes of conduct, standing orders, financial regulations, policies and processes, which are regularly reviewed. Compliance is monitored on an ongoing basis, and supplemented by information through the complaints and complements procedure and confidential reporting policy. To assist with monitoring, a register of interests is maintained for both Members and officers. Non compliance by employees is dealt with through the Council's disciplinary procedure and by Members by the Standards Committee.

There are risks involved with the provision of any services, so the Council uses a system of risk management to minimise and manage the risks it faces. It does this by identifying both strategic and operational risks, looking at existing controls in place to reduce these, and amending these or bringing in new controls where this is beneficial. Risk management is led by the Deputy Chief Executive, and uses a cross divisional group to promote and co-ordinate risk management across the Council. Members have been involved in identifying the main risks the Council faces. The system also involves an annual review of risks in their areas by senior managers, with some checking carried out throughout the year by the Internal Audit section.

Board meetings are open to the public, except where personal or confidential matters are being disclosed. All areas of work go through the Board system, with the majority of work discussed in 'open session'. Reports to Board cover a standard format, to ensure that all reports contain sufficient information and options to allow for robust and well informed decision making. All implications that need to be considered, such as legal, financial, risk management and so on, are covered. Where possible, the implications are checked by staff with professional knowledge. This ensures that Members have sufficient and suitable information for decision making, and also ensure compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful.

The Council accounts for its decisions through the information it publishes. It also is subject to scrutiny through a variety of means: self scrutiny through Value for Money reviews and its Scrutiny Board, internal and external audit work, central and regional inspection agencies and reviews by service users. The Council is also accountable to the public and local groups and uses consultation to assess whether it is meeting local expectations. The Council has a consultation strategy, and will vary the methods used for consulting with the public depending on the subject matter, and the target audience. Through this mechanism valuable information is received on the decisions that the Council has taken, and is used to feed into future objectives.

Review of effectiveness

North Warwickshire Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework, including the system of internal control. The review of its effectiveness is informed by the work of managers within the Authority who have responsibility for the development and maintenance of the governance environment, work carried out by Internal Audit, and also by comments made by the external auditors and other review agencies and inspectorates. Data obtained from Experion, feedback received through Gov Metric and the results of user surveys are also used to assess the effectiveness of the Council's governance arrangements.

To ensure that the governance framework remains effective, senior officers and Members have reviewed individual elements of the framework. The use of Portfolio Groups has been reviewed, along with how they have worked in practice. As a result it has been recognised that different portfolios require varying levels of involvement and meeting frequencies. Members have also chosen to set up a Member advisory sub-committee to assist in the development of the Local Development Framework. In addition to the above, some other work has been undertaken by the Council's statutory officers, leading to a revision of the Financial Regulations, the Constitution, Risk Management Strategy and the Treasury Management Strategy. The Procurement and Commissioning Strategy was also updated.

Revised arrangements implemented for Scrutiny during 2009/10 have started to evolve. One Board instead of the two previously used, has reduced areas of overlap. The revised arrangements include the use of task and finish groups to look at a number of key issues,

with reviews focusing on whether specified corporate plan targets are improving the experiences of Borough residents. An example of this is the re-development of play areas.

The work undertaken by Internal Audit has enabled the Audit Manager to conclude that the Council has a range of appropriate strategies, policies, procedures and protocols to address the corporate governance agenda. Progress has been made with the implementation of the Corporate Governance Action Plan approved last year, although some areas still require completion. The section continued to coordinate work under the National Fraud Initiative, ensuring that all areas are followed up. Specialist fraud consultants and external IT auditors have been used to supplement the work carried out by the section, enabling greater assurance to be placed on the results. CEAC, the fraud specialists, have also carried out some awareness sessions for staff and Members.

The risk management strategy used by the Council has been reviewed during the year, as it is subject to annual review to ensure it remains effective. The risk management process operated by the Council has continued throughout the year, including the completion of Annual Statements of Assurance by all senior managers.

Our review of the effectiveness of the system of internal financial control is informed by the work of managers within the Council, the work of the Internal Auditors and by our external auditors, PricewaterhouseCoopers, in their annual audit letter and other reports. Executive Board consider the annual audit letter.

The external auditors used to assess the Council's Use of Resources on an annual basis. The last known result assessed the Council as performing adequately (level 2). Although a 2009/10 review was carried out during 2010/11, the assessment was not completed, as the government have chosen to stop this process.

Following a lot of progress made as a result of the Housing Inspectorate's inspection of the Council's housing service, the Council have continued to achieve further improvements. This has been reflected in the improved satisfaction ratings from tenants.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Resources Board, Scrutiny Board, Chief Executive, Director of Resources, Director of Community and Environment, Assistant Chief Executive and Solicitor to the Council, Assistant Directors, Auditor Manager, PricewaterhouseCoopers, CEAC, Housing Inspectors and Audit Commission, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

Significant governance issues

A number of actions have been taken during the last year to improve the Council's governance arrangements, including:

- Delivery of the financial targets within the financial strategy, and additional work undertaken to manage the impact of the economic downturn
- Continued implementation of the Risk Management Strategy
- A Health and Safety week, to promote the importance and management of health and safety issues
- Review of the Building Control partnership with Nuneaton and Bedworth Borough Council
- A full review of the Treasury Management Policy, together with implementation of amendments to some procedures
- The Child Protection Policy was revised and circulated, with briefings provided

- A fundamental review of response repairs for council housing was undertaken, to assess the value for money of the service
- Information technology was implemented to help with intruder detection and log file management
- Routine weekly and quarterly play area safety inspections were undertaken by grounds maintenance staff, with annual independent inspections undertaken by the Child Accident Prevention Trust
- A flood warning system was implemented at Fillongley, that allows preventative measures to be taken in the event of high water levels

Further actions will be taken in 2011/12, including:

- Continued review of Human Resources policies, with the provision of briefing sessions for staff and unions on new/revised policies
- The implementation of a computerised risk assessment system for Health and Safety risks
- Delivery of the financial targets within the financial strategy
- Further work on the business continuity plan and disaster recovery
- Preparation of a tree management strategy and procurement of tree management software
- Co-ordination and continuation of WSCB child protection level 1 training for Borough Council staff
- Considering the issues associated with the next phase of PCI DSS compliance due in 2012 and identifying a way forward with the owners of the payments process and systems
- The introduction of flexible warranting with other Warwickshire Authorities and Coventry City Council, to enable their staff to work in North Warwickshire in the event of an environmental emergency.

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed:.....
Leader & Chief Executive
On behalf of North Warwickshire Borough Council

APPENDIX B

CORPORATE GOVERNANCE ACTION PLAN 2010/11

Action	Responsible Officer	Date Due	Progress
Review the operation of the revised Scrutiny arrangements	ACE & StC	December 2010	Completed
Review the consultation strategy	ACE & StC	December 2010	Postponed to assess any new requirements
Monitor the action plan of the Environmental Impact Group	ACE & StC	January 2011	C&E Board monitored progress against the action plan
Risk Management training for Officers	AD (F&HR)	February 2011	Delayed until 2011/12
Delivery of targets within the financial strategy	DoR	Feb 2011	Completed
Produce and implement a training plan for Members	ACE & StC AD (F&HR) SH - P	March 2011	Planning and Scrutiny training undertaken during the year
Carry out agreed VFM studies	AD's / Service Heads	March 2011	Housing and Streetscape studies completed
Update the Workforce Plan	AD (F&HR) / AD's / SH's	March 2011	In progress

APPENDIX C

CORPORATE GOVERNANCE ACTION PLAN 2011/12

Action	Responsible Officer	Date Due	Progress
Review, and where appropriate, make interim arrangements to revise the Council's priorities and key actions	CE	September 2011	
Review the Council's constitutional arrangements relating to Boards including the role of Portfolio Groups and Portfolio Holders.	ACE & StC	September 2011	
Obtain the views of the Independent Remuneration Panel on Members' Allowances, for any proposed changes to Member roles	AD (F&HR)	September 2011	
Review the consultation strategy	ACE & StC	December 2011	
Delivery of targets within the financial strategy	DCE	Feb 2012	
Risk Management training for Officers	AD (F&HR)	March 2012	
Update and deliver the training plan for Members	ACE & StC AD (F&HR) SH – P	March 2012	
Carry out agreed VFM work	AD's / Service Heads	March 2012	
Update the Workforce Plan	AD (F&HR) / AD's / SH's	March 2012	

Agenda Item No 8

Executive Board

27 June 2011

Report of the Deputy Chief Executive

Financial Statements 2010/11

1 Summary

- 1.1 The Annual Financial Statements have to be signed by the Responsible Financial Officer (RFO) by the end of June 2011. This report highlights the position on the General Fund and Housing Revenue Account, compared with the estimate position previously reported.
- 1.2 The accounts have not yet been audited, and may need some adjustment following the completion of the audit later in the year. The audited Statements will be presented at the September meeting of the Executive Board.

Recommendation to the Board

That the position on the General Fund and Housing Revenue Account at 31 March 2011 be noted.

2 Introduction

- 2.1 The publication of the Financial Statements is a statutory requirement, with a statutory timetable. For the 2010/11 financial year, the Authority is required to prepare its accounts by 30 June and to publish them by 30 September.
- 2.2 In line with previous years, the Council's external auditors, PricewaterhouseCoopers plan to audit the Financial Statements during August, to allow them to present their conclusions in the annual audit letter which will come to the September meeting of the Board.
- 2.3 The accounts are closed on the best information available at the end of March, which in some instances requires the use of estimates. As the auditors are required to look at transactions that have taken place since the end of the year, and in some instances agree adjustments to the Statements, the Statements are expected to change following the audit.

3 Changes in the 2010/11 Financial Statements

- 3.1 Local authorities are required to prepare their financial statements for 2010/11 in line with International Financial Reporting Standards (IFRS). In presentational terms, whilst the main statements are in the same format as in

previous years, a Movement in Reserves Statement has now been included. Additionally there are a number of new notes to the statements.

- 3.2 IFRS requires some areas to be accounted for differently. For this authority, those areas include government grants, some leases, some asset classifications, the depreciation of assets and the short term accumulated absences of staff. The 2009/10 figures needed to be restated to enable comparison of 2010/11 with the previous year, with the exception of the depreciation of assets. For this, the policy change only needs to be implemented from 1 April 2010.
- 3.3 Given the changes to the Financial Statements needed under IFRS, and the changes to the regulatory framework around the issue of the Statements, they will be brought to the September meeting of the Board, after they have been audited. However some detail on the financial position of the Council at 31 March 2011 is given below for Members information.

4 **2010/11 Activity**

4.1 **General Fund Revenue Account**

4.1.1 The original budget for the General Fund set in February 2010 anticipated a small contribution into balances of £17,310. Despite reductions in some areas of income, a revised budget was approved in February 2011, which anticipated an increased contribution into balances of £614,380. The main reasons for the increased contribution were detailed in the 'General Fund Revenue Estimates 2011/12 – Summary' report to Resources Board. They included: a significant reduction in employee costs, an increase in the recovery of housing benefit overpayments, an underspend on concessionary fares, a reduction in the cost of the kerbside recycling contract, additional investment income from beneficial cashflow and a reduction in the investment income needing to be paid over to the Housing Revenue Account. All of these reductions more than covered the loss of service income for leisure centres, planning control, cesspool emptying and refuse collection, and the requirement to set aside a contingency amount to cover a potential financial liability for the West Midlands Leader Board.

4.1.2 The actual position on the General Fund at the end of the financial year was better than that anticipated in the revised estimate. The opportunity has been taken to put £240,000 into the earmarked reserve held for future capital spending. Even after this transfer, a contribution of £847,000 has been made into the General Fund balance. The main improvements from the revised estimate are:

- Additional salary vacancies, lower recruitment costs and a reduction in the use of agency staff.

(£89,000)

- Contingency funds included within the revised estimate were not required. (£68,000)
- Area based grant which was not included within the estimates was received in the year. (£39,000)
- Additional investment income was generated, as a result of the continued improved cash flow position. (£35,000)
- Additional income was obtained from legal costs as part of council tax collection, as well as reduced costs for the bailiff service used in recovery action. There was also greater recovery of benefits that had been overpaid. (£37,100)
- There was an underspend on parks and playing fields, due in part to a staff vacancy within Leisure and community Development. (£32,000)
- Underspends on consultation activity, support to parishes, community development activity, the democratic process, bank charges, audit fees and staff welfare. (£90,000)

4.1.3 In addition to the movements highlighted above, there have been a number of movements into and out of earmarked reserves. These movements allow timing issues to be dealt with, for example, if grant income is received late in the year, the expenditure will not take place until the following year. It also allows some services, such as Building Maintenance, to operate as a fund where this is more practical.

4.1.4 It was not possible to spend the approved budget in some budget areas, due to either lack of some staff capacity, or because preparatory work was needed. This affected areas such as: the Leader project, the Green Space Strategy, a range of community development schemes and energy saving initiatives. Earmarked reserves have been used to ensure that the schemes can be completed in the current year.

4.2 **Housing Revenue Account (HRA)**

4.2.1 The original budget for the HRA set in February 2010 anticipated a small surplus in the year of £7,160. However, this was revised in the budget approved in February 2011, which anticipated a deficit of £42,970. The reasons for this change were detailed in the estimate report, with the main change being the increase in payment to Communities and Local Government (CLG) following a reduction in the interest rate used in the capital element of the calculation of the notional surplus.

- 4.2.2 The actual position on the HRA is better than anticipated in the revised budget, with a surplus of £177,132 put into balances. Expenditure on capital is lower than estimated, as no repayment has been made for prudential debt, until further work on self financing has been completed. Leaving these funds in general balances ensures the funding is available for repayment in 2011/12 if needed.
- 4.2.3 The HRA holds a separate Housing Repairs Fund. This is used to cover the costs of day-to-day repairs and maintenance, including any deficit on the operation of Housing Direct Works (HDW). HDW achieved a surplus of £15,877 during the year, which has gone back into the Repairs Fund. The balance at the end of the year amounted to £113,252, which is available for the coming year.

5 Report Implications

5.1 Finance and Value for Money Implications

- 5.1.1 The actual position reported for both the General Fund and Housing Revenue Account for 2010/11 impacts upon future years. The General Fund is better than predicted when setting the 2011/12 budget. However, significant pressures for increased costs in future years continue. Although the Council has a number of additional reserves, these are earmarked for particular purposes. Savings will still be needed in order to preserve the level of general balances, whilst at the same time maintaining the quality of services and coping with additional responsibilities.
- 5.1.2 The position on the Housing Revenue Account is better than predicted when setting the 2011/12 budget, which is beneficial given the move to self financing in April 2012.

5.2 Environment and Sustainability Implications

- 5.2.1 The Council has remained within its overall budgets for the 2010/11 year. This will assist in allowing the Council to manage its expected shortfall in resources, and minimise disruption to essential services.

5.3 Risk Management Implications

- 5.3.1 The risks of unanticipated changes affecting the financial position of the Council are minimised by the use of the budget strategy, as well as continual assessment, monitoring and reporting of any new financial impact affecting the Council

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
Executive Board	Sue Garner	General Fund Budget and Setting the Council Tax 2011/12	February 2010
Resources Board	Nigel Lane	Housing Revenue Account Estimates 2011/12	February 2010

Agenda Item No 9

Executive Board

27 June 2011

Report of the Chief Executive

**Council Constitution Priorities and
Corporate Plan – Implications
arising from the 2011 Elections**

1 Summary

- 1.1 The purpose of this report is to consider potential changes to the Council's Constitution, Priorities and Corporate Plan following the Elections in May 2011, to authorise the Special Sub-Group to review these issues and to a further report being brought to next Executive Board meeting recommending changes and the action necessary to achieve them including any consequential financial implications.

Recommendation to the Council

- a That the Special Sub-Group be authorised:-**
- i) to review and where appropriate make interim arrangements to revise the Council's Priorities and Key Actions;**
 - ii) to review the Council's constitutional arrangements relating to Boards including the role of Portfolio Groups and Portfolio Holders;**
 - iii) in the event of there being any proposed changes arising from (ii) to request the Independent Panel on Members' Allowances to review and report on the implications of these changes on the Members' Allowances Scheme; and**
- b That following the review a further report be brought to the next Executive Board meeting recommending changes to the Council's Constitution, Priorities and Corporate Plan including any consequential financial implications**

2 Background

- 2.1 The Council's Priorities and Key Actions were adopted by the Council at its meeting on 23 February 2011. The Constitution and Membership of Boards together with Portfolio Holders were agreed at the Annual Council Meeting.

- 2.2 At the Meeting, the Leader of the Council set out the intention of the new Administration to review both Constitutional arrangements in relation to Boards and particularly Portfolios and Portfolio Groups and also to review the Council's Priorities and Key Actions.
- 2.3 It is clearly important to carry out this review to reflect the priorities of the new Administration as soon as possible.
- 2.4 Consequently I intend to discuss these issues with the Leader of the Council and to report to the Special Sub-Group in the light of these discussions with a view
 - a) to making any necessary temporary arrangements to current work streams and;
 - b) to presenting a report to the next meeting of the Executive Board recommending any changes to the Constitution, Priorities and the Corporate Plan together with any consequential financial implications.

3 Report Implications

- 3.1 Any that arise will be set out in reports to the Special Sub-Group and the Executive Board.

The Contact Officer for this report is Jerry Hutchinson (719200).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000
Section 97

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 10

Executive Board

27 June 2011

Report of the
Head of Development Control

Planning for Travellers Site –
Consultation Paper

1 Summary

- 1.1 This report relates to the Government's consultation paper outlining its draft planning policy to replace existing advice on the provision of gypsy and traveller sites.

Recommendation to the Council

- a That the Council considers its own land holdings to assess whether it has sites that might be appropriate for Gypsies and Travellers; and
- b That a further report be brought back to members on the possible opportunities.

2 Background

- 2.1 Planning & Development Board considered the consultation on 20th June 2011. The report is attached as Appendix A. Officers will update Members of any comments made at that meeting.

3 Implications for North Warwickshire

- 3.1 Members attention is drawn to section 4 of the Planning & Development report and in particular paragraph 4.4 – “the Council could proactively look at its own land holdings and assess if any sites would be appropriate as Gypsy and Traveller sites.” It is recommended that the Council is proactive and look at opportunities that could help deliver sites in the short to medium term. A further report will be brought to Members with the outcome of this work.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 The provision and delivery of these sites will attract income under the New Homes Bonus Scheme.

4.2 Environment and Sustainability Implications

- 4.2.1 The draft paper explicitly requires Local Planning Authorities to identify and permit sites that are in sustainable locations and where environmental

implications can be mitigated or lessened. The overall approach to Green Belt development remains.

4.3 Equalities Implications

4.3.1 One of the purposes of this consultation paper is to address a perceived imbalance of approach in the planning system between the provision of housing accommodation for the settled community and that for the travelling community.

4.4 Links to Council's Priorities

4.4.1 The paper reflects the Council's priority to protect the Borough's rural character and to ensure that decent housing accommodation is made available and where appropriate, affordable, for all of its residents.

The Contact Officers for this report are Jeff Brown (719310) and Dorothy Barratt (719250)

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	Planning for Traveller Sites	April 2011

Agenda Item No 5

Planning and Development Board

20 June 2011

Report of the
Head of Development Control

Planning for Travellers Site –
Consultation Paper

1 Summary

- 1.1 The Government has published a consultation paper outlining its draft planning policy to replace existing advice on the provision of gypsy and traveller sites. This report describes its content and implications for North Warwickshire.

Recommendation to the Board

- a That the Government be requested to extend the six month period to ensure a five year pitch supply, to 12 months from the final date of adoption of the new Advice Note; and**
- b That the Board recommends to the Executive Board that it look at the Council's own land holdings to assess whether it has sites that might be appropriate for Gypsies and Travellers**

2 Background

- 2.1 One of the first actions of the Government in 2010 was to announce a review of existing advice in respect of the identification and provision of new sites for gypsies and travellers through the planning system. That review was founded on its objectives of abolishing Regional Spatial Strategies, which presently provide targets for traveller provision for respective Local Planning Authorities, and secondly to enable Local Planning Authorities to react more effectively against unauthorised developments, particularly because it was perceived that the travellers housing needs were treated more favourably than other sections of the community.
- 2.2 A draft Planning Policy Statement has now been published for consultation. The final Statement, once agreed, will replace Circulars 1/2006 (Planning for Gypsy and Traveller Caravan Sites) and 4/2007 (Planning for Travelling Show People).

3 The Draft Policy

- 3.1 As Members are aware, the current provision of traveller sites is to be provided through the targets set by the Regional Spatial Strategies. Given the Government's overall approach to enable Local Planning Authorities to plan for and to provide housing requirements based on "local" understanding and local evidence, it comes as no surprise that the main thrust of the draft Policy

is to enable each Planning Authority to adopt its own targets. It is therefore promoting a plan-led approach based on evidence of local need and requirement within Core Strategies or subsequent Development Plan Documents, "DPD's", which will set out this provision. These targets however will have to be evidence based; shown to be based on consultation with the travelling community itself and shown to have been arrived at in consultation with neighbouring Local Authorities. In order that travellers and show-people's sites are treated in the same way as sites for other housing, their provision will also become eligible for the New Homes Bonus Scheme such that local infrastructure provision can be enhanced for the whole community. Additionally the Government's National Affordable Housing Programme for 2011-15 has £60m set aside to fund the provision of traveller sites. Finally, provision will, as with housing for the settled community, have to show a fifteen year rolling supply of land in order to accommodate local growth. However, attention is drawn to the Paper's requirement for an immediate increase in site delivery to accommodate present under-provision.

3.2 In order to strengthen measures to tackle unauthorised developments, the Government is bringing forward measures in its Localism Bill to limit the opportunities for retrospective planning permission wherever they might occur. In particular they will allow only an enforcement appeal or a retrospective application to be made for a development, not both. The Bill will also enable fines to be increased for Breaches of Planning Conditions and further consideration is being given strengthening the use of Temporary Stop Notices. Further reports will be brought to Board in due course on these suggested measures.

3.3 The main points in the consultation papers are:

- i) The current planning definition of "gypsies and travellers" and "travelling show people" is to remain, as this is now founded in case-law.
- ii) Local Planning Authorities will become responsible themselves for determining how to meet traveller site provision, through forward planning and projection, and based on "robust evidence of local need in the light of historical demand".
- iii) Evidence to date is that Local Planning Authorities have not delivered an increase in the number of traveller and show people's site in appropriate locations with planning permission to address under-provision in the next few years. It is therefore proposed to ask that Local Planning Authorities plan for an immediate five-year supply of traveller sites.
- iv) The draft policy makes it clear that if an Authority does not have a five year supply, then applications for temporary planning permissions should be "treated favourably". This wording will then align with how Authorities are asked to deal with other housing applications.
- v) The current Circular 1/2006 says that traveller sites in the Green Belt should "normally" be treated as inappropriate development, whereas in

its Planning Policy Guidance Note on Green Belts, Government advice is that all new housing developments are inappropriate. It is proposed to remove this difference of approach towards inappropriate development, by removing reference to “normally” in its new draft policy.

- vi) Engagement at an early stage with the travelling community is seen as essential as similar pre-planning consultation is regularly now occurring with the settled community on developing Core Strategies.

3.4 The draft Policy document is attached at Appendix A such that Members can read the full paper. Attention is drawn to the following points:

- i) Policy A sets out the requirement to consult and to establish a robust evidence base, including critical monitoring on planning decisions
- ii) Policy B sets out the requirement to have at least a 15 year supply of sites, and specifically to deliver sites within the first five years. It also sets out the need for cross-authority co-operation. The identification of land for these sites has to be in sustainable locations, with access to facilities and services, and to enable the travellers’ life-style to be accommodated.
- iii) Policy C says that sites in rural areas should not “dominate” a community.
- iv) Policy D states that Rural Exceptions Sites should include provision for travellers’ sites where viable and practical.
- v) Policy E includes the reference to inappropriate development.
- vi) Policy H provides a list of criteria for an Authority to consider when a planning application is submitted. Amongst these are the existing provision and need, and a clear indication that it should treat applications from travellers with no local connections in the same way as those for local applicants. The Policy then continues by giving guidance on the types of site that should be considered favourably.
- vii) The final paragraph – 26 – explicitly refers to what happens if an Authority can not demonstrate a five year supply within six months of adoption of the new draft Policy.

4 Implications for North Warwickshire

4.1 The Council has recently adopted an Interim Policy Statement (“IPS”) to provide overall strategic planning policy guidance during the uncertain period between the proposed abolition of the Regional Spatial Strategy and the adoption of its own Core Strategy. The IPS says that, “The Borough Council

will work to prepare a Gypsy and Traveller Development Plan Document following the preparation of the Core Strategy”.

- 4.2 The draft Core Strategy is now proceeding towards publication for consultation purposes this Autumn. For the purposes of responding to the current traveller’s consultation paper, the Board is advised that the evidence base to be used in the Core Strategy is that prepared at the time of dealing with the Regional Spatial Strategy. This was produced in consultation with the travelling community. It was based on the 2008 South Staffordshire and Northern Warwickshire Gypsy and Traveller Accommodation Assessment, as supplemented by the West Midlands Interim Policy Statement on the Provision of New Accommodation for Gypsies, Travellers and Travelling Show People 2010. These Assessments are based on cross-Authority working. This provides relevant and up to date evidence which can be taken forward with confidence. This evidence indicates that there is a need for an additional 16 residential pitches in North Warwickshire, and 5 transit caravan pitches up to 2017, with no evidence of a requirement for travelling show people. Post 2017, the requirement is a compound 3% increase each year which equates to 10 additional pitches up to 2026.
- 4.3 It is not the purpose of this report to take this further. In light of the consultation paper it is important for the Board to be aware that the robust evidence base already exists, and for it to be aware of the scale of future provision. With this understanding, and with the preparation of the Core Strategy in hand, the Council can generally accommodate the approach set out in this draft policy, if it is finally agreed.
- 4.4 There are two key implications that the Board should be aware of at the present time, given this evidence base and in the light of the Government’s new draft policy statement. These relate to the fifteen year horizon, and to the immediate five year provision. The fifteen year requirement is for 26 new sites by 2026. These sites are not yet identified. Sites will therefore have to be allocated through the forthcoming Core Strategy and its associated DPD’s, or granted planning permission through applications yet to be submitted. Furthermore, there is not an immediate five year supply, and thus there will be a need to address this shortfall. In addition, the Council could proactively look at its own land holdings and assess if any sites would be appropriate as Gypsy and Traveller sites.
- 4.5 Further reports will be brought to the Board as work on the Core Strategy and its associated Documents is undertaken. It is also important too that the Board is aware of the overall background as and when planning applications are brought forward for its determination.

5 Report Implications

5.1 Finance and Value for Money Implications

- 5.1.1 The provision and delivery of these sites will attract income under the New Homes Bonus Scheme.

5.2 Environment and Sustainability Implications

5.2.1 The draft paper explicitly requires Local Planning Authorities to identify and permit sites that are in sustainable locations and where environmental implications can be mitigated or lessened. The overall approach to Green Belt development remains.

5.3 Equalities Implications

5.3.1 One of the purposes of this consultation paper is to address a perceived imbalance of approach in the planning system between the provision of housing accommodation for the settled community and that for the travelling community.

5.4 Links to Council's Priorities

5.4.1 The paper reflects the Council's priority to protect the Borough's rural character and to ensure that decent housing accommodation is made available and where appropriate, affordable, for all of its residents.

The Contact Officers for this report are Jeff Brown (719310) and Dorothy Barratt (719250)

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	Planning for Traveller Sites	April 2011

Annex A Planning for traveller sites

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Policy G: Major development projects

Development management

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Transitional arrangements

Annex A: Definitions

Introduction

Application of this planning policy statement

1. Planning policy statements set out the Government's national policies on different aspects of spatial planning in England. This document sets out planning policies for planning for traveller sites. These policies complement but do not replace or override other national planning policies and should be read alongside other relevant statements of national planning policy.
2. The plan making policies in this Statement should be taken into account by the Mayor of London in relation to the spatial development strategy for London, and by local planning authorities in the preparation of their development plan. The preparation of development plans should not be delayed to take the policies in this statement into account.
3. The policies in this Statement are a material consideration which must be taken into account in development management decisions, where relevant¹. The development management policies in the statement can be applied directly by the decision maker when determining planning applications. It is only necessary for the development plan to reformulate development management policies in this Statement² if there are specific factors justifying variation of these policies.

The government's objectives for traveller³ sites

4. The Government's overarching objective is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.
5. To help achieve the above objectives the Government's objectives for planning in respect of traveller sites are to:
 - enable local planning authorities to make their own assessment of need for the purposes of planning
 - ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
 - encourage local planning authorities to plan for sites over a reasonable timescale
 - protect Green Belt from development

¹ See section 38(6) of the *Planning and Compulsory Purchase Act 2004*.

² See paragraph 4.31-4.32 of *Planning Policy Statement 12: Local Spatial Planning*.

³ See Annex A for the definition of traveller for the purposes of this Statement.

Draft Planning Policy Statement

- promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- reduce the number of unauthorised developments and encampments and make enforcement more effective
- ensure that the development plan includes fair, realistic and inclusive policies
- increase the number of traveller sites, in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- reduce tensions between settled and traveller communities in plan making and planning decisions
- enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- have due regard to the protection of local amenity and local environment

Using evidence

Policy A: using evidence to plan positively and manage development

6. In assembling the evidence base necessary to support their planning approach, local planning authorities should:
 - a) pay particular attention to early and effective community engagement with both settled and traveller communities
 - b) co-operate with travellers, their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan in the light of historical demand; and
 - c) use a robust evidence base to establish need to inform the preparation of the development plan and make planning decisions
7. Local planning authorities should, to inform policy development, monitor and critically analyse decisions on applications for sites for travellers compared to those of applications for other types of residential development and other types of caravan site.

Plan making policies

Policy B: planning for traveller sites

8. Local planning authorities should set pitch and plot targets⁴ which address the likely permanent and transit site accommodation needs of travellers in the light of historical demand.
9. Local planning authorities should, in producing their development plan:
 - a) set out their policies and strategies for delivering their locally set targets, including identifying specific sites that will enable continuous delivery of sites for at least 15 years from the date of adoption
 - b) identify sufficient specific deliverable sites to deliver site need in the first five years (to be considered deliverable, sites should, at the point of adoption of the relevant policy: be available – the site is available now; be suitable – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities; be achievable – there is a reasonable prospect that housing will be delivered on the site within five years)
 - c) in determining how much land is required, not include sites for which they have granted planning permission unless they can demonstrate, based upon robust evidence, that the sites are developable and are likely to contribute to delivering locally set targets at the point envisaged
 - d) allow for provision to be made for other family members who may not themselves physically move their own accommodation onto the site
 - e) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area
 - f) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density
 - g) protect local amenity and environment
10. Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward.
11. Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:
 - a) promote peaceful and integrated co-existence between the site and the local community

⁴ See Annex A for definitions of 'pitch' and 'plot'.

Draft Planning Policy Statement

- b) promote easier access to health services
- c) ensure that children can attend school on a regular basis
- d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment
- e) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; and
- f) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability

Policy C: sites in rural areas and the countryside

12. When assessing the suitability of sites in rural or semi-rural settings, local authorities should ensure that the scale of such sites does not dominate the nearest settled community.

Policy D: rural exception sites

13. If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical; should consider allocating and releasing sites solely for affordable traveller sites, including using a Rural Exception Site Policy for traveller sites that should also be used to manage applications. A Rural Exception Site Policy enables small sites to be used, specifically for affordable traveller sites, in small rural communities⁵, that would not normally be used for traveller sites. Rural exception sites should only be used for affordable traveller sites in perpetuity. A Rural Exception Site Policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.

Policy E: traveller sites in green belt

14. There is a general presumption against inappropriate development within Green Belts. Traveller sites in the Green Belt are inappropriate development, within the meaning of Planning Policy Guidance 2: *Green Belts*.
15. Detailed Green Belt boundaries defined in adopted development plans or earlier approved plans should be altered only exceptionally. If a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and

⁵ Small rural settlements have been designated for enfranchisement and right to acquire purposes (under Section 17 of the *Housing Act 1996*) by SI 1997/620-25 inclusive and 1999/1307.

Draft Planning Policy Statement

not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.

Policy F: mixed planning use traveller sites

16. Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practicable.
17. Local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards to allow residential accommodation and space for storage of equipment.
18. Local planning authorities should not permit mixed use on rural exception sites.

Policy G: major development projects

19. Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site. Local planning authorities are entitled to expect the applicant to identify and provide an alternative site, providing the development on the original site is authorised.

Development management policies

Policy H: determining planning applications for traveller sites

20. Local planning authorities should consider the following issues when considering planning applications for traveller sites:
 - a) the existing level of local provision and need for sites
 - b) the availability (or lack) of alternative accommodation for the applicants
 - c) other personal circumstances of the applicant
 - d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
 - e) that they should determine applications for sites from any travellers and not just those with local connections

Draft Planning Policy Statement

21. If local planning authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, they should consider whether granting permission would undermine achievement of their policy objectives.
22. Local planning authorities should strictly limit new development in open countryside that is away from existing settlements or outside areas allocated in the development plan. However, they should recognise that some rural areas may be acceptable for some forms of traveller sites. Local authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.
23. Local planning authorities should look favourably upon applications that:
 - a) involve the development of previously developed (brownfield), untidy or derelict land
 - b) are well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
 - c) ensure adequate landscaping and play areas for children
 - d) do not enclose a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community
24. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:
 - a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
 - b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)
 - c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site
25. Local planning authorities should determine applications for sites from any travellers and not just those with local connections.

Transitional arrangements

26. This planning policy statement comes into effect immediately. From [the date six months after date policy comes into effect], if a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, it should consider favourably applications for the grant of a temporary planning permission⁶.

⁶ Policy on the use of temporary permissions is set out in *Circular 11/1995 The Use of Conditions in Planning Permission*.

Annex A: definitions

1. For the purposes of this planning policy statement "gypsies and travellers" means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. For the purposes of this planning policy statement, "travelling showpeople" means:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.

3. For the purposes of this planning policy statement, "travellers" means "gypsies and travellers" and "travelling showpeople" as defined above.
4. For the purposes of this planning policy statement, "pitch" means a pitch on a "gypsy and traveller" site and "plot" means a pitch on a "travelling showpeople" site (often called a "yard"). This terminology differentiates between residential pitches for "gypsies and travellers" and mixed-use plots for "travelling showpeople", which may/will need to incorporate space or to be split to allow for the storage of equipment.

Agenda Item No 11

Executive Board

27 June 2011

Report of the Assistant Chief Executive and Solicitor to the Council

HS2 (High Speed Rail Route)

1 Summary

- 1.1 This report gives an update on work for HS2 and seeks authorisation to submit a response as part of the current consultation process.

Recommendation to Council

That delegated power be given to the Assistant Chief Executive and Solicitor to the Council in consultation with the HS2 Spokesperson (Councillor Ferro) and Opposition Spokesperson (Councillor May) to respond to the Government's consultation on the preferred route of HS2.

2 HS2 Consultation

- 2.1 As members will be aware consultation is currently being carried out by Department of Transport and HS2 Ltd on the National Strategy for Rail and the Preferred Route for the first phase of HS2. The deadline for comments is 29 July 2011.
- 2.2 The Borough Council has been working with the various North Warwickshire Action Groups and organised a series of Shadow Road shows. The ones carried out to date have been successful and have allowed a wide spectrum of Borough residents to know and understand the consultation process. In addition an article has been placed in North Talk.
- 2.3 At the national level the local authorities along the route have joined forces and created a group called 51M (The expected cost to each constituency in the country of building HS2). This group submitted a comprehensive paper to the Transport Select Committee and they are now working on a response to the national consultation. The Borough Council is a partner local authority and as such is working to develop this joint response. At the time of writing this report a draft submission is not yet available. It is therefore requested that delegated authority be given to the Assistant Chief Executive and Solicitor to the Council, in consultation with the HS2 Spokesperson and Opposition Spokesperson, to respond to the Government's consultation on the preferred route of HS2.
- 2.4 The content of the response will cover the following matters:
- Business case
 - Strategy of High Speed Rail

- Classic Rail enhancements
 - Line of Route Consultation
 - Freight Issues
 - Appraisal of Sustainability (impact on Natural & Historic Environment including Habitats)
 - Visual and noise issues
 - Contaminated sites along the route
 - Agricultural impact, particularly loss of high grade agricultural land and severance of farmland
 - HS2 Route alignments and maintenance facilities & construction sites
 - Impacts on realigning road and rail routes
 - Other transport implications
 - Hydrology and flood issues
 - Legal issues
 - Mitigation
- 2.5 Officers have also been working with officers from Warwickshire County Council Warwick District Council and Stratford District Council. Additional items from this group would cover
- Impact on publicly held land holdings and property
 - Emergency services – impacts of route and construction

3 **Report Implications**

3.1 **Environment and Sustainability Implications**

- 3.1.1 A Sustainability Appraisal accompanies the consultation but does not cover the issues in detail and will be part of the consultation response.

The Contact Officer for this report is Dorothy Barratt (719250).

Agenda Item No 12

Executive Board

27 June 2011

Report of the Chief Executive

Meetings Timetable 2011/12

1 Summary

- 1.1 The purpose of this report is to approve amendments to the timetable of meetings for 2011/12.

Recommendation to the Council

That the amended timetable of meetings for 2011/12 as submitted at Appendix A to the Chief Executive's report be approved.

2 Report

- 2.1 Most Members will be aware that in December last year the timetable of meetings for 2011/12 was agreed.

- 2.2 It has subsequently become apparent that it would assist administrative arrangements in connection with the preparation of Council Tax bills if the Council meeting in late February 2012 was a week earlier. The Council meeting for late February 2012 is currently set for Wednesday 29 February and it is proposed to move the meeting to Wednesday 22 February 2012.

- 2.3 The proposed amendment to the date for the Council meeting has a knock-on effect for a small number of other meetings

- Resources 30 January (from 6 February)
- Executive 6 February (from 13 February)
- Planning and Development 13 February (from 20 February)
- Scrutiny 14 February (from 21 February)

- 2.4 It should be noted that on Monday 30 January Licensing Committee will start at 5.00pm and Resources Board 6.30pm.

- ... 2.5 The amended timetable is set out at Appendix A.

3 Report Implications

- 3.1 There are no report implications.

The Contact Officer for this report is David Harris (719222).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
None			

**NORTH WARWICKSHIRE BOROUGH COUNCIL
REVISED MEETINGS TIMETABLE – 2011/12**

	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12
1													
2	B HOL								B HOL			RES	
3						CEB							
4													
5	ELECTIONS				RES			SB					
6		LIC/RES				AF (E)				EXB		B HOL	
7													B HOL
8													
9												B HOL	
10						RES							
11			RES										
12			AF (S)		PLAN								
13		CEB			EXB	AF (W)				PLAN			
14			AF (N)				PLAN	COUNCIL		SB			
15				PLAN									
16									PLAN			PLAN	COUNCIL
17						PLAN							
18	COUNCIL		PLAN										
19					SB			PLAN			PLAN		
20		PLAN				AF (N)							
21			AF (E)				RES						
22										COUNCIL			
23	PLAN								CEB			EXB	
24													
25													
26								B HOL			CEB		
27		EXB				AF (S)		B HOL					
28			AF (W)		COUNCIL		EXB						
29		COUNCIL		B HOL									
30	B HOL								LIC/RES			SB	
31													

EXB - Executive Board
 RES - Resources Board
 CEB - Community and Environment Board
 PLAN - Planning and Development Board

AF (N) - Area Forum North
 AF (S) - Area Forum South
 AF (E) - Area Forum East
 AF (W) - Area Forum West

SB - Scrutiny Board
 LIC - Licensing Committee

Agenda Item No 13

Executive Board

27 June 2011

Report of the Chief Executive

Local Development Framework Sub-Committee/North Warwickshire Community Partnership

1 Summary

- 1.1 The purpose of this report is to consider the membership of the Local Development Framework Sub-Committee for the ensuing year.
- 1.2 In addition Members will be asked to note a change by the Labour Group of its representation on the North Warwickshire Community Partnership.

Recommendation to the Council

- a That membership of the Local Development Framework Sub-Committee comprise Councillors Sweet, L Dirveiks, Phillips, Winter, May, Simpson and Smith; and**
- b That the change of representation from Councillor A Stanley to Councillor M Stanley on the North Warwickshire Community Partnership be noted.**

2 Local Development Framework Sub-Committee

- 2.1 Most Members will be aware that earlier in the year the Council approved the establishment of Local Development Framework Sub-Committee.
- 2.2 The Board is invited to consider membership of the Sub-Committee for the municipal year.
- 2.3 It is proposed that membership comprise Councillors Sweet, L Dirveiks, Phillips, Winter, May, Simpson and Smith.

3 North Warwickshire Community Partnership

- 3.1 The Board is asked to note a change of representation from Councillor A Stanley to Councillor M Stanley on the North Warwickshire Community Partnership.

4 Report Implications

- 4.1 There are no report implications.

The Contact Officer for this report is David Harris (719222).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
None			

Agenda Item No 14

Executive Board

27 June 2011

Report of the Assistant Director (Finance and Human Resources)

Budgetary Control Report 2011/12 Period Ended 31 May 2011

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2011 to 31 May 2011. The 2011/2012 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to Council

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Both Councillors' Forwood and Lea have been consulted regarding this report. Any comments received will be reported verbally to the Board.

3 Report

3.1 Introduction

- 3.1.1 Under the Best Value Accounting Code of Practice (BVACOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services.

4 Overall Position

- 4.1 Net controllable expenditure for those services that report to the Executive Board as at 31 May 2011 is £69,559 compared with a profiled budgetary position of £71,424 an under spend of £1,865 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period.

- 4.2 Where possible, the budget to date figure has been calculated with some allowance for seasonal variations, in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

5 **Emergency Planning**

- 5.1 A general under spend to date on the professional fees budget covering bought in services.

6 **Risks to the Budget**

- 6.1 The key risks to the budgetary position of the Council from services under the control of this Board are:
- The current level of budget within Emergency Planning is sufficient to carry out the anticipated workload; however any major local emergency would require additional expenditure.
 - Budget provision does not currently exist for production of and delivery of a third edition of 'North Talk' and currently it depends on finding external funding each year.

7 **Estimated Out-turn**

- 7.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. There is insufficient information at this point to warrant any change in the original estimate of £558,510.
- 7.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board, and may change as the financial year progresses. Members will be updated in future reports of any changes to the forecast out turn.

8 **Report Implications**

8.1 **Finance and Value for Money Implications**

- 8.1.1 The Council's budgeted contribution from General Fund balances for the 2011/12 financial year is £419,378. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board for comment.

8.2 **Environment and Sustainability Implications**

- 8.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

North Warwickshire Borough Council

Executive Board

Budgetary Control Report 2011/2012 as at 31 May 2011

Description	Approved Budget 2011/2012	Profiled Budget May 2011	Actual May 2011	Variance	Comments
Housing Strategic Service Review	32,750	5,285	5,285	-	
Corporate Communications LEADER	25,000	0	0	-	
Corporate Communications	87,150	12,505	12,505	-	
Community Strategy	149,900	19,173	18,890	(283)	
Communication Group	1,920	50	50	-	
Emergency Planning	53,570	8,729	7,113	(1,616)	See para 5.1
N.Warks Local Development Framework	196,080	25,481	25,514	33	
Support to Parishes	12,140	202	202	-	
Total Expenditure	558,510	71,424	69,559	(1,865)	

Agenda Item No 15

Executive Board

27 June 2011

Report of the Chief Executive and the Deputy Chief Executive

Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - March 2011

1 Summary

- 1.1 This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Executive Board for April 2010 to March 2011.

Recommendation to the Board

That Members consider the performance achieved and highlight any areas for further investigation.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 The Portfolio Holder and Shadow Portfolio Holder for Resources, Councillors Forwood and Lea have been sent a copy of this report and any comments received will be reported to the Board.

3 Background

- 3.1 This report shows the end of year position with the achievement of the Corporate Plan and Performance Indicator targets for 2010/11. The report updates the progress achieved shown in quarterly reports to each Board during 2010/11.

4 Progress achieved during 2010/11

- 4.1 Attached at Appendices A and B are reports outlining the progress achieved for all the Corporate Plan targets and the performance with the national and local performance indicators during April to March 2010/11 for the Executive Board.

- 4.2 Members will recall the use of a traffic light indicator for the monitoring of the performance achieved.

Red – target not achieved
Green – target achieved.

5 Performance Indicators

- 5.1 The figures for the national and local performance indicators are subject to review by internal and external audit and should be considered as draft figures at this stage.

6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 96% of the Corporate Plan targets and 52% of the performance indicator targets have been achieved. The report shows that individual targets that have been classified as red, amber or green. Individual comments from the relevant division have been included where appropriate. The table below shows the following status in terms of the traffic light indicator status:

Corporate Plan

Status	Quarter 4 Number	Percentage
Green	24	96%
Red	1	4%
Total	25	100%

Performance Indicators

Status	Quarter 4 Number	Percentage
Green	15	52%
Red	14	48%
Total	29	100%

7 Summary

- 7.1 Members may wish to identify any areas that require further consideration where targets are not currently being achieved.

8 Report Implications

8.1 Safer Communities Implications

- 8.1.1 The community safety performance indicators are included in the report.

8.2 Legal and Human Rights Implications

- 8.2.1 The national indicators were specified by the Secretary of State for Communities and Local Government. They have now been ended and will be replaced by a single list of data returns to Central Government from April 2011.

8.3 Environment and Sustainability Implications

8.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community. There are a number of targets and indicators included which contribute towards the priorities of the sustainable community strategy including financial inclusion, core strategy, community safety and affordable housing.

8.4 Risk Management Implications

8.4.1 Effective performance monitoring will enable the Council to minimise associated risks with the failure to achieve targets and deliver services at the required performance level.

8.5 Equality Implications

8.5.1 There are a number of equality related targets and indicators including achieving the equality framework, domestic abuse, race equality, hate crime, and financial inclusion highlighted in the report.

8.6 Links to Council's Priorities

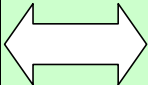

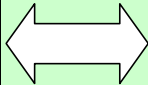
8.6.1 There are a number of targets and performance indicators contributing towards the priorities of enhancing community involvement and access to services, protecting and improving our environment, defending and improving our countryside and rural heritage, to tackle crime, improving housing and making best use of our resources.

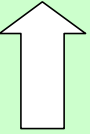
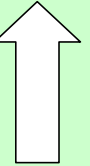
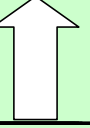

The Contact Officer for this report is Robert Beggs (719238).




Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
National Indicators for Local Authorities and Local Authority Partnerships	Department for Communities and Local Government	Statutory Guidance	February 2008

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
8	Apr-10	Working with four local communities to assist in the implementation of Parish Plan priorities	Executive Board	AD (L&CD)	Simon Powell	Community Life		The Borough Council has determined not to fund WRCC in respect of its work on the development of new Parish Plans. Contact has been made with five communities (Atherstone, Austrey, Curdworth, Fillongley and Hartshill), however, to offer support and assistance in the implementation of existing Parish Plan priorities. Responses are awaited from the communities involved. A joint response by NWBC and WCC has recently been submitted to the Austrey Parish Plan group, detailing work currently being undertaken in relation to the actions identified therein.	Green	
11	Apr-10	Reaching the 'Achieving' level of the new Equality Framework to ensure more equal outcomes and service provision for all of our communities by March 2011 and promoting understanding of how the democratic process of the Council works	Executive Board	ACE&SC	Robert Beggs	Community Life		Draft self assessment for the Achieving level prepared. The Coalition government are carrying out a review of the specific public sector duties as set out in the Equality Act 2010. The equality framework will no longer be a formal requirement for assessment. The specific duties will influence the equality objectives and priorities for 2012.	Green	
12	Apr-10	Review with the County Council and other partners how best to develop an overall financial inclusion strategy with partners that addresses Narrowing the Gap objectives as outlined in the Local Area Agreement by March 2011	Executive Board	ACE (CS)	Bob Trahern	Community Life		The adoption of a countywide FI plan has been adopted although actions detailed within it have been subject of a review following the decision of the Government to significantly reduce funding initially awarded via LPSA2 to a number of third sector partners to provide debt advice, savings advice and benefit maximisation services. This money was essential to deliver on this objective and has only recently been resolved meaning that this activity will continue up to 30 September 2012. Work on how to continue to provide support on a significantly reduced budget and how to address wider Child Poverty strategy commitments have also been ongoing with key third sector partners in conjunction with the County Council and a coordinated level of proactive work will be undertaken during the summer of 2011. This will see us continue to promote key financial inclusion activities under the BOB project which has been hugely successful.	Green	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
24	Apr-10	Submit a report to the Planning and Development Board by March 2011 detailing the implications of the Localism Bill and including a revised Core Strategy timetable	Executive Board	ACE&SC	Dorothy Barratt	Housing		A report is being taken to Executive Board on 7th February. It is recommended that a Draft Brough -wide Plan is prepared by October 2011	Green	
33	Apr-10	Working with partners at the sub regional level to gather information and then develop a financial plan for financial contributions linked to development. At the same time gathering information locally and develop a robust financial plan for inclusion in the LDF process by February 2011 including a Supplementary Planning Document on contributions for Open Space provision within the LDF process by February 2011	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work continuing to be gathered although there may be implications from abolition of RSS and work on Core Strategy that may impact on the implementation.	Green	
43	Apr-10	To ensure design advice is given at pre-application stages in appropriate cases and to introduce a system of post development visits. Continue to use the design champion	Executive Board / Planning & Development Board	ACE&SC	Jeff Brown	Countryside & Heritage	DCE	Design Champion involved in pre-application discussions and post development visits now taking place. Partnership Plan in place for 2010/11 which includes all the strategic priorities. Analysis of youth related violence has been carried out to inform the actions. Challenging reduction targets were set to sustain the crime and disorder reductions. The March performance report shows some red status for most serious violent crime, robbery and violent crime. Serious acquisitive crime, anti social behaviour, business crime and criminal damage have all reduced although some targets have not been achieved. Violent crime has increased by 15% (+ 74 crimes). Some of the increases are only by a relatively small margin and the significant reductions achieved over recent years need to be taken into account. Partnership is now preparing a revised plan for 2011/12 taking into account the year end levels. Changes in partners structures and resources will have a bearing on the future interventions to be in place.	Green	
63	Apr-10	Contributing towards the achievement of the partnership plan 2008 – 2011 actions and targets for the 2010/11 strategic priorities of reducing violent crime including domestic abuse, youth related and alcohol related; reducing anti-social behaviour- alcohol related and damage to vehicles; reducing serious acquisitive crime- especially domestic burglary and theft from vehicles; and improving public perceptions and public confidence	Executive Board	CE / AD (L&CD)	Robert Beggs	Safer Communities			Green	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
64	Apr-10	Working with partner agencies to ensure the delivery of relevant actions arising through Safer neighbourhood PACT processes and reporting progress to each Area Fora meeting	Executive Board	CE / AD (L&CD)	Robert Beggs	Safer Communities		The Safer neighbourhood priorities continue to agreed at Area Forums and partnership responses are prepared. The multi agency problem solving approach followed has been successful through out the year. Feedback from local community representatives and local members is very positive . The April round of Area Forums has agreed priorities including nuisance motorcycles, anti social behaviour and reducing domestic burglary.	Green	
65	Apr-10	Improving public confidence in accordance with the Warwickshire strategy and action plan	Executive Board	CE / AD (L&CD)	Robert Beggs	Safer Communities		Community Safety Days have been set up across the borough and recent ones have included New Arley and Corley. Days of Action responses have been arranged to address issues identified. New Arley event helped address community concerns following recent arson incidents. The Corley event identified a number of issues including security at Corley Services , street lighting, and speeding. feedback also shows a high proportion of people feeling safe. Additional event held at New Arley following further incidents of arson.	Green	
67	Apr-10	Subject to the outcome of the Warwickshire strategic review of domestic abuse services supporting the provision of locally based support services for domestic abuse to help improve the take up of support services and to reduce the number of repeat victims in accordance with the targets in the LAA Safer Block action plan	Executive Board	CE / AD (H)	Robert Beggs	Safer Communities		Local support service continues to be provided for 20 hours per week through Warwickshire Domestic Violence Support Services. During quarters 1 and 2 51 referrals have been received. 13 of which are receiving on going support. The 4th quarter has seen the busiest reporting period. The referrals are presenting with complex issues and some housing needs. the outreach service has assisted 103 women with 241 known children involved. Updated awareness raising and contacts with GP's has been revisited in this quarter. Outcome from the Warwickshire strategic review has prepared a model for the provision of support services which is subject to consultation currently. The funding for the model is still subject to confirmation following a reduction in LPSA2 reward monies.	Green	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
68	Apr-10	Providing a home security survey and security measures to all victims of domestic burglary and vulnerable people to reduce the level of burglaries and repeat victimisation	Executive Board	CE	Robert Beggs	Safer Communities		The Capital funding for this scheme has been fully committed from previous years allocations. Options for continuing referral service need to be identified. Domestic burglaries increased from 219 to 220 . Some provision for victims and close near neighbours is being sourced through the county council community safety team.	Red	↓
69	Apr-10	Achieving a further 3% cashable savings	Executive Board	DCE / AD (F&HR)	Sue Garner	Resources		Efficiencies have been identified which meet the target, provided these are maintained to the end of the year.	Green	↔
70	Apr-10	Achieving the savings required by the budget strategy	Executive Board	DCE / AD (F&HR)	Sue Garner	Resources		A proportion of the savings target for 2011/12 has been found. Work to establish further savings is progressing.	Green	↔
71	Apr-10	Generating sufficient capital funding to deal with the council's capital priorities over the medium term	Executive Board	DCE / AD (F&HR) / AD (S)	Sue Garner	Resources		Work is in progress.	Green	↔
72	Apr-10	To Completing the review of the business case for joint or shared working in Human Resources and Legal	Executive Board	MT / AD (F&HR)	Sue Garner	Resources		Work on legal services has been completed. Some new working arrangements have been agreed, and these will be put in place. Shared working on HR has not progressed as anticipated, however the service will be reviewed later in the year.	Green	↔
77	Apr-10	Progressing the Value for Money Strategy, including completing existing and commissioning three further Value for Money reviews to be completed by March 2011	Executive Board	DCE / AD's	Chris Brewer	Resources		A new VFM Action Plan for 2010/11 was approved by the Exec Board in June which the Efficiency Working Party is working through and the VFM reviews are progressing with a view to being completed by March 2011.	Green	↑
78	Apr-10	Identifying six relatively under performing service areas and agree an improvement plan for approval by the Scrutiny Board by July 2010	Scrutiny Board	ACE&SC / AD's	Steve Maxey	Resources		A report was taken on this issue to the Scrutiny Board. Member resolved to finish the existing scrutiny reviews before starting any further ones.	Green	↑
81	Apr-10	Subject to the agreement of the Emergency Planning SLA deliver actions within it	Executive Board	CE	Robert Beggs	Resources		County Council EPU which has committed 20 days out of 30. January update shows estimated 20 days of work will be completed by agreement. A number of training and exercise events have been held recently.	Green	↑
82	Apr-10	Exploring feasibility of supporting implementation of "resident flood warden" schemes for areas at risk of flooding in order to reduce the impact of flooding events by enabling communities to react in a more timely manner by March 2011	Executive Board	CE	Robert Beggs	Resources		Funding for property flood prevention measures received from the government for a targeted scheme at Fillongley. Some model options were developed with assistance from Warwick DC. Tenders for Specific flood defense measures were set up in December and have been implemented by 31st March 11. Early warning system set up with local residents and co-ordinators.	Green	↑

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
83	Apr-10	Making information available to the public in line with the Warn and Inform duty of the Civil Contingencies Act and increase the linked National Indicator 37 score to above 18.7% (the top quartile benchmark for 2008). This will help increase the resilience of our communities in the event of an emergency by March 2011	Executive Board	CE	Robert Beggs	Resources		Information about Emergency Planning preparations are being promoted through North Talk and on the website. A test exercise at Kingsbury recently was promoted to local residents. The national indicator has now been deleted from the set.	Green	↑
84	Apr-10	Maintaining the Corporate Business Continuity Plan and Divisional Plans to help ensure the Council can continue to deliver critical functions during disruptive events by March 2011	Executive Board	CE	Robert Beggs	Resources		Corporate Business Continuity Plan prepared with some minor amendments required following recent structural changes Divisional plans prepared with approval by Management Team subject to the changes above. Programme of reviews for reporting to Management Team in place. Work underway to update a Disaster Recovery Plan and to inform the business continuity plans.	Green	↑
85	Apr-10	Agreeing and implementing a contingency office location to ensure the delivery of critical services can continue in the event of the loss of The Council House and Old Bank House by 30 th June 2010	Executive Board	CE	Robert Beggs	Resources		An agreement has been prepared for the use of Kings House in Bedworth through the County Council. The legal agreement is now in place and a protocol for use and access to the building is being prepared by the County Council EPU. Potential joint arrangements with the County Council EPU have been discussed to share battle boxes.	Green	↑
86	Apr-10	major emergency planning exercise to test and identify lessons to improve how well public agencies across the county work together to support communities in responding to major emergencies	Executive Board	CE	Robert Beggs	Resources		Exercise Phoenix was carried out in November to help test strategic responses to an emergency. Tactical training event also held on a Warwickshire basis.	Green	↑
87	Apr-10	Supporting the testing of the Kingsbury Oil Complex Off-site Major Emergency Plan	Executive Board	CE	Robert Beggs	Resources		Test exercise with Warwickshire Fire and Rescue Service carried out to check the supply of water to the Oil Terminal carried out in June. Strategic training event included aspects of the Kingsbury COMAH plan.	Green	↑
88	Apr-10	Continuing internal programme of training and exercising in Major Emergency Plan and Corporate Business Continuity Plan to enhance staff knowledge and enhance the Council's response by carrying out an exercise by March 2011	Executive Board	CE	Robert Beggs	Resources		Work programme with the County Council EPU includes training and exercising with dates arranged. Call out cascade test carried out in November. Warwickshire Tactical Training held in December. Exercise Phoenix Strategic exercise held in December.	Green	↑

Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board
Chief Executive's Division													
BVPI 7	The percentage of electoral registration form As returned. :	Chief Executive	Democratic Services	High	95%	Not available	N/A	95.10%	Green	↔		A	Executive Board
New	To respond to all complaints and requests for service within three working days	Chief Executive	Env Health (C, L &HP)	High	99%	New	N/A	99%	Green	↔		Q	Executive Board
New	Did the Council meet the HSE Section 18 Standard on Enforcement by 31/3/11?	Chief Executive	Env Health (C, L &HP)	-	Yes	New	N/A	Yes	Green	↔	providing evidence that the Council has in place adequate arrangements for enforcing the health and safety at work act	A	Executive Board
New	To inspect 37 wholesale/warehouse premises based on a risk assessment using current knowledge, history and accident reports to identify those posing the greatest potential risk.	Chief Executive	Env Health (C, L &HP)	High	37	New	N/A	21	Red	↓	Shortfall due to staff resources diverted to pollution team because of maternity leave and sickness and into food work to try and achieve that target.	Q	Executive Board
NI 154	Net additional homes provided	Chief Executive	Forward Planning	High	150	93	560	117	Red	↓	The figures are better than last year but still lower target reflecting the poor state of the market.	A	Executive Board
NI 155	Number of affordable homes delivered (gross)	Chief Executive	Forward Planning	High	60	47	130	37	Red	↓	This figure is disappointing considering the work that has gone in to delivering affordable housing and the partnership work with Housing colleagues, RSL's and the HCA.	A	Executive Board
NI 159	Supply of ready to develop housing sites	Chief Executive	Forward Planning	High	100%	110%	N/A	112.11%	Green	↑	To have a five year supply is to have 100% of housing target against the emerging RSS to be available. A higher percentage is therefore good and shows that sites are available and so in line with Government advice.	A	Executive Board
NI 197	Improved local biodiversity - active management of local sites	Chief Executive	Forward Planning	High	29%	32%	County Submit	34%	Green	↑	Figures supplied from WCC	A	Executive Board
BVPI 200a	Did the local planning authority submit the Local Development Scheme (LDS) by 28th March 2005 and thereafter maintain a 3-year rolling programme? :	Chief Executive	Forward Planning	-	Yes	Yes	N/A	No	Red	↑	With the changes in the planning system the LDS was not reviewed as expected within 2010/11. This will be done within the next year.	A	Executive Board
BVPI 200b	Has the local planning authority met the milestones which the current Local Development Scheme (LDS) sets out? :	Chief Executive	Forward Planning	-	Yes	No	N/A	No	Red	↑	The work on the Core Strategy is now progressing	A	Executive Board
BVPI 219	Percentage of conservation areas in the local authority area with an up-to-date character appraisal. :	Chief Executive	Forward Planning	High	30%	20%	48.30%	20%	Red	→	No change from last year	A	Executive Board

Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board
BVPI 106	Percentage of new homes built on previously developed land. :	Chief Executive	Forward Planning	High	80%	97.9%	93.1%*	99.05%	Green	↑	Future targets have been reduced as the currently high figures of previously developed land will trail off once the Core Strategy sites begin to come through as many of these are greenfield.	A	Executive Board
NI 188	Adapting to climate change	Chief Executive	Policy Support	High	Level 3	Level 1	Level 1	Level 1	Red	↔	Initial assessment undertaken by the Climate Change & Environment Group of the Warwickshire LAA. Then verified within Policy Support to check county-wide assessment is valid for NWBC and make appropriate additions / amendments. National Indicator is now deleted. The Council still has an internal climate change group which is working to achieve our Climate Change strategy and action plan.	A	Executive Board
BVPI 2a	The level (if any) of "the Equality Framework for local government", to which the authority conforms. :	Chief Executive	Policy Support	-	Achieving	Altered indicator	N/A	Achieving	Green	↑	Draft self assessment for the Achieving level prepared. The Coalition government are carrying out a review of the specific public sector duties as set out in the Equality Act 2010. The equality framework will no longer be a formal requirement for assessment. The specific duties will influence the equality objectives and priorities for 2012.	Q	Executive Board
BVPI 2b	The duty to promote race equality. : Does the authority have a Race Equality Scheme (REC) in place?	Chief Executive	Policy Support	High	78%	73%	84%*	78%	Green	↑	Race Equality Scheme is part of our proposed Single Equality Scheme. Further progress to be achieved in line with the requirements of the Equality Bill. Equality implications integrated within our TRIM board reporting process.	Q	Executive Board





Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board
BVPI 5a	The number of complaints to an Ombudsman classified as : Maladministration.	Chief Executive	Policy Support	Low	0	0	N/A	0	Green	↔	A total of 8 enquiries or complaints were received by the Ombudsman in 2010/11. Of these 4 cases were investigated and 2 were determined as no maladministration and 2 subject to discretion or outside jurisdiction.	A	Executive Board
BVPI 5b	The number of complaints to an Ombudsman classified as : Local Settlement.	Chief Executive	Policy Support	Low	0	1	N/A	0	Green	↑	as above	A	Executive Board
BVPI 126	Domestic burglaries per 1,000 households, and percentage detected :	Chief Executive	Policy Support	Low	8.15	8.38	4.6*	8.19	Green	↓	Small increase in domestic burglaries from 219 to 220. The last quarter saw particular increases to take the level over our target. Partnership prevention work supported and Police daily tasking work being effective.	Q	Executive Board
BVPI 127	Violent crime per year, 1,000 population in the Local Authority area. :	Chief Executive	Policy Support	Low	8.03	8.07	10.5*	9.24	Red	↓	Violent crime increased from 498 to 572. Some of the increase is due to changes in how assaults are recorded. Analysis has shown that our profile for violent crime includes a significant amount of domestic related incidents, youth related incidents and on street related. Measures are in place to address all the key elements and a recent example includes the revoking of a licensed premise in Atherstone. Numbers are relatively low despite the increase in this year.	Q	Executive Board

Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board
BVPI 128	The number of vehicle crimes per year, per 1,000 population in the Local Authority area. :	Chief Executive	Policy Support	Low	10.51	10.68	5.5*	10.40	Green	↑	Reductions achieved in vehicle crime overall despite theft from vehicles increasing from 477 to 494. Partnership crime prevention measures in place at hot spot locations and targeted policing operations carried out whenever possible.	Q	Executive Board
New	The number of hate crimes recorded by the authority per 100,000 population. :	Chief Executive	Policy Support	Low	0	New	N/A	1	Green	↔	Target set at 0 as no baseline available. System set up to help encourage reporting of incidents.	Q	Executive Board
New	The percentage of hate crimes that resulted in further action. :	Chief Executive	Policy Support	High	100%	New	100%	100%	Green	↔		Q	Executive Board
NI 15 (new)	Serious Violent Crime	Chief Executive	Policy Support	Low	0.43	0.43	N/A	0.63	Red	↓	The increase relates in part to some changes in the recording of incidents. However the profile of the incidents have shown them to be individual without any emerging trends or features to focus activity on. Crimes increased from 27 to 39.	Q	Executive Board
NI 16 (new)	Serious Acquisitive Crime	Chief Executive	Policy Support	Low	14.13	14.62	N/A	14.49	Red	↑	This indicator is a grouping of domestic burglaries, robbery and vehicle crimes. Thefts from vehicles were the most significant increases in 2010/11 increasing from 477 to 494.	Q	Executive Board
NI 20 (new)	Assault with Injury Crime Rate	Chief Executive	Policy Support	Low	3.75	3.75	N/A	4.39	Red	↓	This indicator is a proxy measures for alcohol related violent offences. The increase is in some part to changes in recording practices. Figures for 2010/11 were 272 compared to 233 in 2009/10 a 17% increase.	Q	Executive Board

Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board
NI 32 (new)	Repeat incidents of domestic violence	Chief Executive	Policy Support	Low	13%	13%	N/A	8%	Green		The reduction is a positive position especially considering the promotion of the Warwickshire Against Abuse campaign and the level of domestic abuse included within our violent crime incidents. The figures show that there were 36 North Warwickshire incidents discussed at the MARAC in the 2010/11 financial year and three of these were repeats (8.3%).	Q	Executive Board
NI 47 (new)	People killed or seriously injured in road traffic accidents	Chief Executive	Policy Support	Low	50	50	N/A	54	Red		Final figures not yet confirmed as they are still waiting for a few reports to come through. As it stands the April 2010 - March 2011 figure for North Warwickshire is 54, which is an 8% increase on the 50 recorded in 2009/10.	Q	Executive Board
PS PI 03	% of Council employees trained in fairness and diversity	Chief Executive	Policy Support	High	100%	New	N/A	89%	Red		1 training session not able to be set up. 39 employees to be included in the 2011/12 programme.	A	Executive Board
PS PI 04	% of services that report equality profile of their service outcomes as part of their service delivery plans	Chief Executive	Policy Support	High	100%	New	N/A	80%	Red		Board reports have Equality implications detailed as part of the report where there are specific implications then Assessments are carried out to identify positive and particularly negative outcomes where further analysis may be needed. 12 reports out of 15 completed EIA's. The three outstanding to be completed in 2011/12 programme.	Q	Executive Board

Agenda Item No 16

Executive Board

27 June 2011

Report of the Deputy Chief Executive

Capital Accounts 2010/11

1 Summary

- 1.1 The capital accounts for 2010/11 have been prepared. This report shows expenditure for the year, together with the methods of funding used.

Recommendation to the Council

That the methods of funding to meet capital expenditure incurred in 2010/11 be approved.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Councillors Forwood and Lea have been informally consulted and any response will be verbally updated at the meeting.

3 Capital Expenditure and Financing

- 3.1 Capital expenditure incurred by the Council in 2010/11 totalled £4,406,003. In addition, an amount of expenditure relating to 2009/10, totalling £152,842, remained un-funded from the previous financial year. The method by which these amounts have been financed is shown in Appendix A. The Authority has used a variety of sources, including both supported and prudential borrowing, capital receipts, capital and revenue grants, the major repairs allowance, revenue and earmarked reserves. Capital creditors 2010/11 are amounts relating to the 2010/11 financial year, which were not paid before the year end and therefore will not be financed until 2011/12. In preparing the funding statement, the effect on resources has been taken into account, and this is explained below.

- 3.2 In order to maximise the resources available to the Council, all supported borrowing awarded to North Warwickshire, and the majority of capital grants received from the Department for Communities and Local Government towards private sector housing and disabled facilities grants, have been used within the financial year. A number of other sources of funding were used,

which include: income from earmarked reserves previously approved by Members, revenue contributions to capital expenditure, and the Major Repairs Allowance.

- 3.3 In general terms, capital reserves have been used before capital receipts, as this increases the funding flexibility available for future years. It has been necessary to use some capital receipts to fund some of the programme in 2010/11. In line with the Capital Strategy approved by this Board in February, some prudential borrowing has been undertaken by the Housing Revenue Account to fund the costs of building new council houses which are not covered by capital grant.
- 3.4 The accounts of the Authority will not be audited until August. Any adjustments to the funding statement will be reported to this Board following the conclusion of the audit.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The funding of the 2010/11 programme is consistent with the strategy approved by the Council, to use some housing receipts for General Fund schemes, to finance one Housing Revenue Account scheme by borrowing and to maximise the resources available for the overall programme.

4.1.2 The Council currently holds usable capital receipts of £2,993,797. Grant funding and reserves of £1,502,796 remain largely to be used for the housing new build, the private sector housing programme, and the future replacement of play areas and other assets. In addition, £1,057,133 is held within the Major Repairs Reserve for future spending on maintaining the council's housing stock. All of these funds have been earmarked to finance the Council's long-term capital programme.

4.2 Environment and Sustainability Implications

4.2.1 The Council invests in new and existing assets to enable the provision of services to continue to be delivered to the people of North Warwickshire.

4.3 Links to Council's Priorities

4.3.1 The proposed funding arrangements contribute towards the Council's priority of maximising its resources.

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

EXPENDITURE FOR CAPITAL PURPOSES & METHOD OF FUNDING 2010/11

Description	2009-10 Creditors	2010-11 Spending	TOTAL	Prudential Borrowing	Supported Borrowing & Regional Hsg Pot	Hsg Receipts	Gen Fund Receipts	Grants and Cont'ns	Major Repairs Allowance	Revenue Cont'n GF	Revenue Cont'n HRA	Earmarked Reserves	Capital Creditors 2010/11	TOTAL
Memorial Hall Wall		3,600.00	3,600.00							3,600.00				3,600.00
Infrastructure	-	3,600.00	3,600.00	-	-	-	-	-	-	3,600.00	-	-	-	3,600.00
Swimming Pool	1,466.03	- 27.01	1,439.02							1,439.02				1,439.02
Operational Assets	1,466.03	- 27.01	1,439.02	-	-	-	-	-	-	1,439.02	-	-	-	1,439.02
Computers	3,400.00	127,615.78	131,015.78	-	-	26,912.68	25,994.64	-	-	66,896.11	-	11,212.35	-	131,015.78
Equipment	-	367,996.79	367,996.79	-	-	33,141.77	-	101,530.00	-	-	-	137,075.39	96,249.63	367,996.79
vehicles		183,950.00	183,950.00			20,200.00		129,750.00					34,000.00	183,950.00
Vehicles & Equipment Total	3,400.00	679,562.57	682,962.57	-	-	80,254.45	25,994.64	231,280.00	-	66,896.11	-	148,287.74	130,249.63	682,962.57
G.F. CAPITAL ASSET TOTAL	4,866.03	683,135.56	688,001.59	-	-	80,254.45	25,994.64	231,280.00	-	71,935.13	-	148,287.74	130,249.63	688,001.59
CHARGES	61,595.97	577,091.20	638,687.17	-	155,644.03	150,618.14	-	251,100.00	-	-	-	-	81,325.00	638,687.17
Existing Stock	67,624.74	1,153,999.94	1,221,624.68	-	400,000.00	-	-	-	675,162.60	-	64,815.49	-	81,646.59	1,221,624.68
New build	18,755.00	1,934,591.78	1,953,346.78	924,381.52				1,027,788.28					1,176.98	1,953,346.78
Purchase of 3a		57,184.51	57,184.51								57,184.51			57,184.51
COUNCIL DWELLINGS	86,379.74	3,145,776.23	3,232,155.97	924,381.52	400,000.00	-	-	1,027,788.28	675,162.60	-	122,000.00	-	82,823.57	3,232,155.97
GRAND TOTAL	152,841.74	4,406,002.99	4,558,844.73	924,381.52	555,644.03	230,872.59	25,994.64	1,510,168.28	675,162.60	71,935.13	122,000.00	148,287.74	294,398.20	4,558,844.73

Agenda Item No 17

Executive Board

27 June 2011

**Report of the
Deputy Chief Executive**

Earmarked Reserves 2011/12

1 Summary

- 1.1 The Council holds a number of reserves to meet future expenditure, other than the General Fund and Housing Revenue Fund. This report informs Members of the balances on these reserves at 31 March 2011, subject to audit, and updates the proposed use of reserves in 2011/12.

Recommendation to the Council

To approve the reserves held at 31 March 2011 and the planned use of reserves in 2011/12.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Councillors Forwood and Lea have been informally consulted and any response will be verbally updated at the meeting.

3 The Purpose of Holding Reserves and Funds

- 3.1 The Council holds a number of reserves that have been earmarked for specific revenue and capital purposes and at 31 March 2011 these totalled £5.732 million. These reserves are held for a number of purposes, and in broad terms can be split into the following categories:

- External funding which has been received for specific activities, which has not been spent in the year of receipt;
- Growth approved, which has not yet been spent;
- Resources set aside as contingency sums;
- Resources set aside for general capital spending or the replacement of specific assets; and

- Funding earmarked for other reasons, such as timing differences, to smooth expenditure between years, or to progress specific projects.

... Appendix A sets out in more detail the purpose and amount of these reserves held.

4 **Movement on Revenue Reserves in 2010/11**

- 4.1 During 2010/11, expenditure of £4.611 million was funded from revenue reserves, whilst income of £5.573 million went into reserves. In Appendix A the reserves are grouped into the categories highlighted in paragraph 3.1, and each of these categories is dealt with below.
- 4.2 The major use of 'reserves holding external funding for specific activities' related to the use of Planning Delivery Grant to cover existing staff commitments. Some other spending related to work around benefit take up and financial inclusion, the progression of community development schemes, homelessness and work on maintaining open space at Dosthill. Grant and other external funding going into these reserves amounted to £181,671 at the end of the year, with the majority relating to funding obtained for benefit work and community initiatives. Other funding set aside related to risk management work and the establishment of local nature reserves.
- 4.3 There was little use of reserves from 'approved growth not yet spent'. Demand for further work on parish plans has not materialised to date, and work relating to the Borough Care service is still at the review stage. However work was undertaken at Fillongley to resolve land drainage issues. During the year, income was put into a reserve for use in providing match funding for bids to be made under the Leader project. Changes to the Leader process has delayed the preparation of bids.
- 4.4 There has been limited movement on contingency sums held within reserves. There has been a small amount of funding used from the concessionary fares and contaminated land contingencies. As a result of a change in VAT regulations, there is a possibility that some service users may apply to the Council for a refund of VAT in relation to the land charge service. Some funding has been received from central government towards these potential claims.
- 4.5 Within 'Other reserves', spending amounted to £3.310 million. Of this £2.897 million related to spending on repairs and maintenance on the Council's housing stock. Other significant spending related to the resolution of an electricity bill, grounds maintenance, allotments, play areas and leisure equipment. A further use of reserves related to timing differences on the payment and use of refuse vehicles. Contributions into these reserves amounted to £3.040 million in total. Again the largest element of this related to the annual contribution of £2.835 million going into the Housing Repairs Fund. Other amounts set aside into reserves related to repayments into the New Initiatives from services, funding for Area Forum Projects where a

commitment has been given to local community groups, and contributions into the sickness, building maintenance and training funds.

5 Movement on Capital Reserves in 2010/11

- 5.1 During the year, income of £2.285 million went into reserves held for capital purposes. The majority of this, £1.732 million, related to the Major Repairs Allowance. Grant funding of £0.123 million was received from the regional housing pot, for use in improving private sector properties. The opportunity has been taken to set aside some of the under spend from the General Fund for future capital projects. Approved funding has also been set aside from revenue for the future replacement of General Fund assets.
- 5.2 Within the year reserves of £0.993 million were used, with £0.675 million from the Major Repairs Allowance used to maintain council housing and £0.156 million funding from the Regional Housing Pot for private sector properties. Other use related to reserves that had previously been set aside from revenue to fund capital schemes.

6 Proposed Use of Reserves in 2011/12

- 6.1 The use of some reserves in the current year is unknown, due to uncertainty over the outcome and timing of some projects, for example, the work on environmental issues and the Business Improvement District.
- 6.2 However, the main expenditure expected to be funded from reserves in the current year is indicated below:
- Expenditure on the Council's housing stock, using the Housing Repairs Reserve (revenue)
 - Projects will be progressed where specific funding has been received, eg homelessness, planning delivery grant and the maintenance of land assets
 - The training reserve held for Member training may be needed to supplement the annual budget provision, depending on the development programme compiled
 - Funding set aside for grounds maintenance will be used to progress the Green Space Strategy action plan, including work on areas such as allotments and nature
 - Some reserves held for community projects, such as the BOB bus, health and wellbeing and crime prevention will be utilised.
 - Specialist employment advice and external investigators will be used, if necessary, to progress Human Resources issues

- Work on the Local Development Framework will progress in line with the approved timetable
- The insurance and sickness reserves will be used as and when they are needed
- Capital reserves will be used to support the agreed capital programme
- Bids on community schemes will be made to the Leader project during the year

7 Assessment of Risk when Establishing Earmarked Reserves

7.1 For the majority of earmarked reserves, there is little or no risk to the financial standing of the Council. Those established to manage the receipt of grant are generally clear-cut, as expenditure is matched very specifically to the income available. It has been recognised that an exception to this is Planning Delivery Grant, due to the Council's decision to commit to ongoing expenditure before actual amounts of grant were known. However, this is being managed with grant retained towards future commitments, and some reduction in staffing having already taken place.

7.2 Reserves set up to manage timing differences similarly lead to little risk. Funds set aside for expected shortfalls are used to manage the risk to the base budget and are estimated using the best available information and with a view to the anticipated timeframe involved. For example, the VAT reserve held would cover the VAT that could not be recovered, should the Authority exceed its exempt limit, for one year. This would allow corrective action to be taken in a planned way.

7.3 The use of the HR reserve is monitored throughout the year, due to some significant spend in the past. However there has been no use of this reserve in 2010/11. The reserve held to cover loss of benefit subsidy has been retained in case it is required following the settlement of the 2010/11 claim.

8 Report Implications

8.1 Finance and Value for Money Implications

8.1.1 Although the Council holds a number of additional reserves, these are earmarked for particular purposes. Some resources have been set aside to deal with new initiatives, but these will only provide one-off funding for schemes.

8.2 Safer Communities Implications

8.2.1 Funds held will contribute to meeting the objectives of the Council's Crime and Disorder Strategy.

8.3 Environment and Sustainability Implications

8.3.1 These funds contribute to the ongoing provision of Council services, but are one-off contributions to meet the costs of expenditure incurred.

8.4 Risk Management Implications

8.4.1 The Council assesses the risks involved in setting up any earmarked reserves, and agrees action, where appropriate.

8.5 Links to Council's Priorities

8.5.1 The use of reserves assists the Council on maximising its use of resources.

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

EARMARKED RESERVES FOR REVENUE PURPOSES

EXTERNAL FUNDING RECEIVED FOR SPECIFIC ACTIVITIES

Purpose of Reserve	Balance March 2010 £000	Cont'n to Reserve	Use of Reserve	Balance March 2011 £000
Community and Economic Development Projects – funding received for sport, art, health, crime and disorder, economic development and other community projects.	262	69	38	293
Planning Delivery Grant – Grant received from the government towards the provision of the planning service, which is earmarked to fund ongoing staff commitments.	196		156	40
Homelessness – towards homeless schemes within the Borough	75		4	71
Flood Recovery – to be used for the alleviation of flood damage	6		1	5
Environmental Sustainability - received towards work on climate change	55			55
Smoke Free Projects – to assist the implementation of smoke free legislation	21			21
Risk Management – an amount received from Zurich Municipal for risk management initiatives	23	20	4	39
Benefits – for benefits initiatives and to promote anti fraud campaigns	176	58	72	162
Maintenance of Assets – commuted sums received towards the maintenance of open space	37		6	31
RIEP grant – to be used for system review work	-	7		7
Local Nature Reserve – funding to progress the establishment for Local Reserves	-	27	-	27
Other – a third edition of North Talk and funding for the Building Control Partnership	9		1	8
TOTAL	860	181	282	759

APPROVED GROWTH NOT YET SPENT

Purpose of Reserve	Balance March 2010 £000	Contribution to Reserve	Use of Reserve	Balance March 2011 £000
Leader Project – match funding set aside for use once the project is underway	25	25		50
Borough Care - one-off funding approved for the expansion of the service, not yet used.	35			35
Parish Plans - support to enable parishes to produce their own plans. Progress on this scheme has been slower than anticipated.	25			25
Environmental Issues – approved funding which hasn't yet been used, due to lack of capacity / the need to identify a specific agenda	40			40
Business Improvement Districts - Funding set aside to cover a Business Improvement District scheme, if there is sufficient interest from the business community.	17			17
Other – approved for land drainage work, flexible working and a wellness centre.	22		12	10
TOTAL	164	25	12	177

CONTINGENCIES

Purpose of Reserve	Balance March 2010 £000	Contribution to Reserve	Use of Reserve	Balance March 2011 £000
Contaminated Land – in the event that the Council has to deal with contaminated land issues, there is no provision in the base budget. This contingency would enable some work to take place.	69		9	60
VAT – If the Council goes above its de minimis level, it will not be able to reclaim all its VAT. The reserve has meant that provision is not needed in the annual revenue budget.	50			50
Emergency Planning – under-spends against the annual budget have been set aside to build up a small contingency.	7	7		14
Benefits – this provides cover in case the Council has to repay a proportion of the grant income received towards benefit payments.	133			133
Concessionary Fares – in case the outcome of the judicial review is unfavourable.	83		5	78
Land Charge Refunds – following a change in VAT rules, there may be a requirement to repay some VAT to residents.	-	35		35
TOTAL	342	42	14	370

OTHER

Purpose of Reserve	Balance March 2010 £000	Contribution to Reserve	Use of Reserve	Balance March 2011 £000
Local Development Framework –Planning fee income rose significantly in 2006/07 to support additional spending on planning and the Local Development Framework, in place of the PDG grant previously received. Some of this income was set aside to cover future expenditure. A revised grant scheme from 2008/09 onwards, rewards the Council for having completed specified pieces of work, and this has enabled the contribution in the year.	441		2	439
Housing Repairs Fund – The Council undertakes general repairs and maintenance on its housing stock and this fund contributes to the costs of these repairs.	176	2,835	2,897	114
New Initiatives – This reserve is to provide ‘pump priming’ for the initial costs that arise from new initiatives, which will ultimately reduce existing costs. Savings achieved will be used to repay the contribution from the reserve, so that other services will have similar opportunities to implement new schemes.	267	63	63	267
Community and Economic Development Schemes - funding set aside for social inclusion schemes involving sport, art and health. Also to be used to complete Crime and Disorder initiatives such as Communities Against Drugs.	45		20	25
Green Space Strategy – Some funding set aside to enable tree works and a review of the grounds maintenance service. The remainder to progress actions identified within the Green Space Strategy action plan.	211	33	69	175
Leasing – Leases for a number of vehicles were only finalised after the vehicles were already in use. This meant that charges included within the revenue account in the first year of operation covered a different period to the actual leasing payment made. The difference was set-aside in this reserve, to cover the outstanding costs at the end of the lease, arising from the timing difference.	124		85	39
Maintenance of Council Assets – the Council has to carry out revenue repairs and maintenance on an ongoing basis to its property, vehicles and other facilities. Funds have been set aside to provide funding for unexpected and non-regular repairs.	45	20	5	60
Cover for Frozen Posts – in light of the current financial strategy, the decision was taken to freeze vacant posts, unless services could demonstrate the need for immediate replacement. However if the decision to freeze posts causes unexpected issues, there may be a need to bring in at least temporary cover.	122		3	119
Purpose of Reserve	Balance March	Contribution to Reserve	Use of Reserve	Balance March

	2010 £000			2011 £000
Audit – As the Authority does not have the capacity in house to cover computer audit work, provision has been set aside to allow the employment of external auditors. In addition, the reserve includes provision to cover current audit arrangements where payments are still outstanding.	38			38
Training – The maintenance of this reserve has allowed fluctuations in annual training to be managed, so that training and development is provided when required rather than when funding is available.	56	12		68
Consultation – There is continuing pressure to consult with residents of the Borough and service users. The requirement to consult varies from year to year and the reserve allows fluctuations between years to be managed, without affecting other revenue spending.	43			43
Amenity Cleaning – Additional provision approved for this service has not been spent to date, and has been set-aside to cover future work.	49			49
Electricity – to allow the increase needed in the base budget for utility costs to be introduced over a period of time	71		71	-
Senior Management Restructure – to fund one-off costs arising from the restructure.	33			33
Recycling – to cover additional costs that may arise from some recycling activities	43			43
Human Resources – funding to cover the cost of employment law specialists and external investigators is needed on an ad hoc basis.	50			50
Area Forums – Funds held by area forums, which have not yet been allocated.	6	45		51
Insurance – to cover the additional excess costs borne by the Council, as a result of increasing the levels, to take advantage of lower premiums	40			40
Miscellaneous – This covers a number of small reserves which do not fall into the other categories, including the sickness fund, flexible working, clean neighbourhoods	160	32	55	137
Housing Act Advances – income set aside to cover the costs of administering housing act advances over the full life of the mortgages approved	55		40	15
TOTAL	2,075	3,040	3,310	1,805

EARMARKED RESERVES FOR CAPITAL PURPOSES

CAPITAL SPENDING / ASSET REPLACEMENT

Purpose of Reserve	Balance March 2010 £000	Contribution to Reserve	Use of Reserve	Balance March 2011 £000
GF Capital – this reserve is used to fund capital expenditure on General Fund schemes, eg works on Council buildings or the replacement of software.	617	330	6	941
Play Area Replacement – revenue funding is set aside each year, to ensure there are sufficient resources to replace the refurbished play areas in the future	103	37		140
Equipment Replacement - This sum has been earmarked for the future replacement of PCs, leisure equipment and CCTV equipment.	165	36	106	95
Vehicle Replacement – some funding has been set aside for the replacement of the refuse vehicles originally purchased by WCC	60	15		75
Pool Reserve (Lottery) – as part of the award of lottery funding towards the refurbishment of Atherstone Pool, the Council agreed to set aside some funds on an annual basis towards the replacement of the plant within the facility	86	12		98
Regional Housing Pot – external funding has been received from the Government Office towards housing schemes within the Borough, such as Decent Homes work on private sector properties	248	123	156	215
Housing Software - additional funding was approved for further modules on the IBS system and for choice based lettings software	50		50	-
Major Repairs Reserve – The Government has made a Major Repairs Allowance available to the Council which is ring fenced to fund capital expenditure on the Council's Housing Stock.	-	1,732	675	1,057
TOTAL	1,329	2,285	993	2,621

Agenda Item No 18

Executive Board

27 June 2011

Report of the Deputy Chief Executive

Future of Local Public Audit

1 Summary

- 1.1 The Department of Communities and Local Government (DCLG) has issued a consultation paper regarding proposed revised arrangements for the audit of local authorities. This report outlines the proposals and a possible response to the consultation.

Recommendation to the Council

That the attached response is approved.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Councillors Forwood and Lea have been sent a copy of the report.

3 Introduction

- 3.1 On 13 August 2010 the Secretary of State for Communities and Local Government announced plans to disband the Audit Commission, to transfer the work of the Audit Commission's in-house practice to the private sector. Local authorities would be free to appoint their own independent external auditors.

- 3.2 The Government has now issued a consultation paper on how a new audit framework would work. Responses to the consultation are required by 30 June 2011. A copy of the consultation can be found at www.communities.gov.uk/publications/localgovernment/localpublicauditconsult
A proposed response is attached at Appendix B.

4 The Role of Audit

- 4.1 Audit is the review of financial statements resulting in the publication of an independent opinion on whether those statements have been prepared in accordance with proper accounting practices and present a true and fair view.
- 4.2 Audit plays a key role in ensuring that those responsible for handling public money are held accountable for the use of that money and provides assurance on Councils' arrangement for managing their finances properly.

4.3 The current system for the audit of local authorities is overseen by the Audit Commission, who set standards, monitor quality and appoint auditors to individual Councils.

5 Design Principles

5.1 In proposing a new framework for local public audit, the Government has followed the following design principles:

- **Localism and decentralisation** – freeing up local public bodies, subject to appropriate safeguards, to appoint their own independent external auditors from a more competitive and open market, while ensuring a proportionate approach for smaller bodies
- **Transparency** – ensuring that the results of audit work are easily accessible to the public, helping local people to hold councils and other local public bodies to account for local spending decisions
- **Lower audit fees** – achieving a reduction in the overall cost of audit
- **High standards of auditing** – ensuring that there is effective and transparent regulation of public audit and conformity to the principles of public audit.

5.2 The consultation recognises that these principles are not widely independent, e.g. there is a relationship between the quality and scope of audit and the level of audit fees. The Government wishes to find the right balance to ensure an effective, robust, quality audit for local bodies, while keeping fees as low as possible.

6 Proposals for New Audit Framework

6.1 The Government believes the current arrangements of having a single organisation as regulator, commissioner and provider of local audit services are too centralised and provide a potential conflict of interest.

6.2 The proposal is that the National Audit Office (NAO) would prepare the codes of audit practice which prescribe how auditors should carry out their functions.

6.3 Registration of audit firms and auditors and monitoring and enforcement of audit standards would be undertaken by the accountancy professional bodies under the supervision of the Financial Reporting Council. The costs of undertaking this work would be passed on to audit firms and be reflected in fees.

6.4 Local authorities would appoint their own auditors with the decisions made by full Council taking into account advice from an independently chaired Audit Committee.

6.5 In order to enable authorities to work together, legislation will provide for joint procurement and joint audit committees.

6.6 The Government is proposing that each authority's Audit Committee should have a majority of members independent of the authority. A suggested structure of the audit committee is attached at Appendix A.

7 **Role of the Audit Committee**

7.1 The consultation paper seeks views on the role of the Audit Committee and presents two options:

7.1.2 Option One

The Committee could provide advice to the council on the engagement and resignation or removal of the auditor. It would then be for the Council to decide whether or not the Committee has any other function or duty.

7.1.3 Option Two

There would be a more detailed mandatory role of the Audit Committee, which could include:

- Providing advice on the procurement and selection of an auditor
- Setting a policy on the provision of non-audit work by the auditor
- Seeking assurances that action is being taken on issues identified at audit
- Considering auditor's reports
- Ensuring there is an effective relationship between internal and external audit
- Reviewing the financial statements, external auditors' opinion/conclusions and monitor arrangements in response to them
- Providing advice to the Council on the quality of service they are receiving
- Reporting annually to full council on their activities.

8. **Public Involvement**

8.1 The Government wants local people to be able to hold their authority accountable for the appointment. They envisage that details of firms expressing an interest in the work could be placed on the website and the audit committee could consider any representations made when providing advice to the Council.

8.2 Post appointment, the public would be able to make representation at any time to the Audit Committee and the committee would provide advice to the Council on the issue.

9 **Failure to Appoint an Auditor**

9.1 The Secretary of State is proposing two options:

- (1) To direct an authority to appoint an auditor
- (2) To make the appointment

10 **Rotation of Audit Firms**

- 10.1 It is proposed that following initial appointment of an audit firm, a further competitive appointment would be required within 5 years. The Council could re-appoint the same firm, but a different firm would need to be appointed at the end of the second 5 year period.

11 **Resignation or Removal of an Auditor**

- 11.1 If an auditor wished to resign, it is envisaged he should give 28 days written notice of his intention to the audit committee and the local authority. The authority would then make a written response, which it should send with the auditor's written notice to its members and the audit committee. The auditor would then be required to deposit a statement explaining the reasons for the resignation, which would be published on the Council's website.
- 11.2 As far as removal of the auditor is concerned, it is proposed that council would give 28 days written notice of its intention to the audit committee and the auditor and then put a resolution to remove its auditor to either a public meeting or full council meeting. The auditor would have the right to make a written response, which should be sent to all Members and the Audit Committee and to speak at the meeting. A representative of the Audit Committee should also be able to speak at the meeting.

12 **Scope of Audit Work**

- 12.1 Currently public sector bodies are subject to audit with a wider scope than in the private sector, including value for money and legality issues. The consultation paper presents four options for the scope of the audit of Councils.

12.1.2 Option One

The scope of audit could be reduced to be more in line with that for companies, with no assessment of value for money. The auditor would:

- Give an **opinion** on whether the financial statements give a true and fair view of the audited body's financial position and of its income and expenditure; and
- Review and report on as appropriate, other information published with the financial statements, including the statement on internal control/annual governance statement, the remuneration report and the whole of government accounting summarisation schedules.

- 12.1.3 This option would reduce the information available to local citizens on how local bodies are spending their money or on whether bodies are securing value for money.

12.1.4 Option Two

As under the current system, the auditor would:

- Give an **opinion** on whether the financial statements give a true and fair view of the audited body's financial position and of its income and expenditure; and
- Provide a **conclusion** as to whether it has the proper arrangements in place to secure value for money (based on locally defined policy priorities) having regard to specified criteria (including financial resilience and regulatory and propriety)
- Review, and report on as appropriate, other information published with the financial statements, including the statement on internal control/annual governance statement, the remuneration report and the whole of government accounting summarisation schedules

12.1.5 This option would maintain the current scope of audit. However, this option would not provide any additional information to local citizens on how local public bodies are spending their money or on whether bodies are securing value for money.

12.1.6 Option Three

The auditor would give an opinion on the financial statements and would provide conclusions on:

- Compliance with relevant laws and regulations and the council's governance and control regime
- The future financial sustainability of the council
- The achievement of economy, efficiency and effectiveness within the council.

12.1.7 Option Four

All authorities could be required to produce an annual report setting out the arrangement in place to secure value for money, whether they had achieved economy, efficiency and effectiveness, regulatory, propriety and financial resilience. The auditor would be required to:

- Give an opinion on the financial statements
- Review the audited bodies annual report
- Provide reasonable assurance on the annual report

13 **Report Implications**

13.1 **Finance and Value for Money Implications**

13.1.1 The Council currently pay £135,000 for external audit. Under these proposals it is anticipated that audit costs may reduce.

The Contact Officer for this report is Chris Brewer (719259).

Local Government Act 1972 Section 100D, as substituted by the Local Government Act,
2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Structure of Audit Committees

We envisage that in the new system, an audit committee could be structured in the following way:

- The chair should be independent of the local public body. The vice-chair would also be independent, to allow for the possible absence of the chair.
- The elected members on the audit committee should be non-executive, non-cabinet members, sourced from the audited body and at least one should have recent and relevant financial experience (it is recommended that a third of members have recent and relevant financial experience where possible).
- There should be a majority of members of the committee who were independent of the local public body.

Independent Members of the Committee

When choosing an independent member of the committee, a person can only be considered for the position if:

- He or she has not been a member nor an officer of the local authority/public body within five years before the date of the appointment
- Is not a member nor an officer of that or any other relevant authority
- Is not a relative nor a close friend of a member or an officer of the body/authority
- Has applied for the appointment
- Has been approved by a majority of the members of the council
- The position has been advertised in at least one newspaper distributed in the local area and in other similar publications or websites that the body/local authority considered appropriate.

North Warwickshire Borough Council

Deputy Chief Executive

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Your ref :

Our ref : CJB/PJW/Local Audit Consultation

Date : 7 June 2011

Luke Scofield
Department of Communities & Local Government
Zone 3/G6
Eland House
Bressenden Place
London
SW1E 5DM

Dear Sir

Response to Future of Local Audit Consultation

The Borough Council has considered the above consultation paper and has the following comments:

The council support the four design principles of localism, transparency, cost reduction and high auditing standards.

The proposals to split the former roles of the Audit Commission between the National Audit Office and the professional bodies under the supervision of the Financial Reporting Council seems sensible.

The council does not see the need for the overly bureaucratic approach to appointing an auditor, especially the need for an independently chaired audit committee to undertake this role. We feel it may, in practice, be difficult to recruit the necessary independent individuals to serve on the audit committee. The external audit fee for this council is £135,000 p.a. and should reduce significantly with the demise of inspection and greater competition. This is a small contract compared to most other council contracts, requiring a full council decision seems "over the top". The procurement, selection and appointment processes should be no different to any other contract with the lead officer (the Section 151 officer) giving advice to the relevant Board of the authority.

However, if an audit committee is to be established, the council would prefer Option 1.

The council can see no tangible benefit in involving the public in the appointment of external auditors. The public is unlikely to be interested in routine appointment, is inexperienced in such procurements and unlikely to add value. We cannot see why the appointment of external auditors should be treated any differently to any other contract.

Should any authority fail to appoint an auditor, then we feel the appropriate option is for the Secretary of State to direct an authority to appoint an auditor rather than to impose one.

The council supports the proposal to rotate the auditor after a second five year period.

As far as scope of work is concerned, the council believes Option 2 provides the best balance between cost of audit and outputs and reflects current practice. The council would not support any mandatory requirement to produce an annual report as suggested in Option 4. This should be at a council's discretion. Authorities have been through periods of publishing annual reports and Best Value Performance reports, which have received little local interest and would add significant cost to authorities.

Yours faithfully

Chris Brewer
Deputy Chief Executive

Agenda Item No 19

Executive Board

27 June 2011

Report of the Chief Executive

Partnership Landscapes – Consultation by Warwickshire County Council

1 Summary

- 1.1 The purpose of this report is to seek formal endorsement to the response already sent to the County Council by the Chief Executive in order to meet the County Council's consultation deadline.

Recommendation to the Council

That the response sent to the County Council by the Chief Executive and set out in Appendix B to this report be agreed.

2 Introduction

- 2.1 Shortly before the May Election the County Council sent a Consultation document on their proposals for changing partnership arrangements in the County. The County Council will be formally considering this matter at the full Council meeting on 28 June 2011, but requested a response by 27 May.

- 2.2 This caused some difficulties for District Councils in view of the Election period and Members will recall that I sent a copy of the document to all Borough Councillors on 19 May setting out the key issues in the report. My email of 19 May and the attached County Council report comprise the Appendix A to this report.

...

- 2.3 In the light of the responses that I had received by 27 May I sent an initial response to the County Council setting out a number of concerns but did so on the basis that I would not have any formal Council view until 27 June, the day before the County Council's meeting. That response comprises Appendix B to this report.

...

- 2.4 Members are asked to endorse the response on behalf of the Borough Council.

3. Consultation

3.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

3.1.1 All Members were given the opportunity to comment on the Document. Councillors M Stanley and Hayfield were consulted on the initial response.

4 Report

4.1 Report Implications

4.1.1 None to report at this stage

The Contact Officer for this report is Jerry Hutchinson (719200).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

ChiefExec

From: ChiefExec
Sent: 19 May 2011 18:02
To: %All Borough Councillors
Cc: *Management Team
Subject: Warwickshire County Council Cabinet Report - Partnership Landscapes

MESSAGE FROM JERRY HUTCHINSON

Dear Councillor

I attach a copy of a report which was considered by the County Council's Cabinet on 14 April 2011 and was subsequently sent to a number of the County Council's partners for comment by 27 May, in advance of its consideration at the full County Council meeting on 28 June.

I have contacted the County Council to explain that the timing of their consultation across an Election period does cause some difficulties with our committee cycle and that we will not be able to meet the 27 May deadline.

It is my intention to prepare a response in report form which I will send to the County in time for their 28 June meeting, but on the basis that Borough Council Members will be considering the report at the Executive Board meeting on 27 June and may wish to amend it or add further comments.

I would draw your attention to a number of key issues:-

The report recommends the dissolution of the Council's Area Committees - Members may have a view on this, but it should be remembered that they are County Council Committees.

The County intends to strengthen the role of what they refer to as Locality and Community Forums, but which are known in North Warwickshire as Area Forums. The County Council says that this is where their primary commitment is at sub-County level. Members may wish to look at this section (6.1) in some detail as it suggests a number of potential changes and also includes a number of options for managing and allocating Community Forum grants as set out at Appendix 2.

Section 6.2 sets out some suggestions for Warwickshire County Council area arrangements and Section 6.3 deals with District level partnership arrangements.

This is an area which is likely to be of particular concern in North Warwickshire as we have a successful Local Strategic Partnership which has streamlined structures and a number of key priorities.

Also mentioned at 6.3.3 is a proposal to continue discussions aimed at 'streamlining our county and local community safety partnership structures'. It should be remembered that, at the present time, North Warwickshire has a statutory Crime & Disorder Partnership.

Section 6.4 talks about a County or, possibly, sub-regional 'Strategic Alliance' to replace the existing Public Service Board.

The rest of section 6 looks at reviewing and streamlining the number of County-wide themed partnerships.

Section 6.6 deals with sub-regional structures, including the Local Enterprise Partnership.

At this stage, I thought that it was important to get the document out to Members, highlighting some key areas and it would be helpful to have any initial comments that you may have.

I shall work on a draft response with senior managers over the next few weeks and circulate this to Members in time for the Borough Council to respond to the County Council prior to their meeting on 28 June.

It should be remembered that, whilst the County Council is proposing a blueprint, whilst some of these areas are within their gift, others are a matter for partnership agreement.

Jerry

(Karen)

Partnership Landscapes

Report for Consultation

1 INTRODUCTION

1.1 Warwickshire County Council is reviewing its 'generic' partnership arrangements. This review is intended to refer to those sub-regional, county, district and local level groupings which currently address the broad sphere of our partnership activities and will not refer to our more formal contractual partnerships.

1.2 The context for this review includes:

- The need to respond to the government's policy agenda, both in terms of specific developments (eg the emergence of the Local Enterprise Partnerships, Health Reform, Police Reform and Education Reforms) and in terms of more general policy direction (eg the 'Big Society' agenda)
- The publication of the Localism Bill which is a vehicle for measures that will strengthen the capacity of communities and individuals to find local solutions to local problems
- The impact of cuts across the public sector and the need for partnerships to focus more closely on sharing resources effectively to address local priorities and concerns and produce outcomes
- Following on from the Portfolio Holder's recent seminars on community leadership, the need, firstly to further empower elected members as community leaders within their local communities and, secondly, to encourage an effective partnership approach at area and locality levels that will respond to local circumstances
- The need to find efficiencies, to streamline and to reduce the bureaucracy of our current area and partnership arrangements.

1.3 The Government's agenda for Local Authorities is set out in the Localism Bill, which aims to give power back to people and communities through 'six essential actions':

- Lifting the burden of bureaucracy
- Empowering communities to do things their way
- Increasing local control of public finance
- Diversifying the supply of public services
- Opening up government to public scrutiny
- Strengthening accountability to local people

1.4 The specific impact of this on Local Authorities will include:

- A need for greater transparency and new duties to publish information
- An increased role for independent providers in delivering services - including mutuals, social enterprises and charities
- More services controlled at local level – including Parish Councils
- The right for communities to challenge in-house delivery, apply to take over services and/or buy assets

2 OUR COMMITMENT

- 2.1 WCC would wish to restate its commitment to working in partnership, both sub-regionally and locally, based on two core beliefs:
- We believe that the achievement of all of our key outcomes (the wellbeing of older people, the safety of our communities, the minimisation of waste, economic development, educational standards and the protection of our environment) can only be achieved with significant and well coordinated work from many partner agencies
 - We believe that 'transformational' efficiencies can be gained from closer collaboration across the public (and private) sector, both in relation to front line delivery and to a range of support functions.
- 2.2 We are committed to making a success of the changes affecting the Health Service; the Police Service and to working through the new Coventry and Warwickshire Local Enterprise Partnerships (LEP) to share resources, capacity and expertise.
- 2.3 We also acknowledge that some partnership arrangements are still required by statute, but these are also currently under review.

3 OUR PRINCIPLES

- 3.1 We believe that our approach to partnership working should be based on the following principles:
- That the delivery of community outcomes should be the central focus of all partnership arrangements
 - That form should follow clearly defined function - ie that our arrangements be configured around answers to the key questions: what do we want to achieve, who do we need to work with and what's the best structure to enable us to manage delivery?
 - That 'Big Society' principles of citizen focus, engagement and empowerment should be at the heart of any future arrangements and that this includes our ongoing commitment to locality working
 - That efficiency, effectiveness, impact, value for money and sustainability must be evidenced from partnership working at all levels - in relation to all functions we should 'do it once only'
 - That our arrangements should be flexible and 'future proofed' as far as possible
 - That our arrangements should be regularly monitored and formally reviewed at least once every two years with reports made to the relevant portfolio holder.

4 GENERIC ROLES AND FUNCTIONS OF PARTNERSHIPS

- 4.1 In determining what we want for our partnership arrangements, we will need to be clear about what the roles and functions are of the sub-regional, county, district and local groups within these proposed arrangements.
- 4.2 The list below outlines some broad functions of partnerships, not all of which can co-exist comfortably together of course. Our partnership governance toolkit gives more detail on the various types of partnership (see the main toolkit document for more detail).

In general terms these functions include:

- Strategy making - providing a forum for partner organisations to make / agree strategy and to determine common outcomes and joint priorities for the area
- Commissioning of programmes of work to deliver those outcomes
- Decision making - where governance arrangements allow
- Networking - providing a forum for partners to communicate and consult with each other, to share understanding of the overall agenda, each other's particular agendas, concerns etc
- Scrutiny - a forum for scrutiny of delivery of services of a range of partners against agreed outcome measures
- Negotiation - a forum for strategic negotiation around key developments, eg sharing accommodation or back office functions
- Accountability - providing a forum for performance management – monitoring and unblocking in relation to commissioned programmes
- Delivery
- Engagement - a forum for communication, engagement / empowerment of the local community.

5 EMERGING STRATEGY FOR LOCALISM AND THE BIG SOCIETY

- 5.1 Key elements of our emerging strategy on localism and the big society are set out in the Corporate Business Plan which was approved by Council on 15th February.

Our vision for the Big Society is encapsulated as:

“Our work to Get Closer to Communities will support the development of well-organised, compassionate and thriving communities that determine their own priorities and achieve them efficiently and effectively. With diminishing resources it is ever more important that communities help themselves. We will work to develop a 'Big Society' that aims for the following:

Helping communities to help themselves – so that individuals and communities are supported to help themselves through local community action.

Transparency and engagement – so that people are well-informed and can influence local services.

Accessible and responsive services – so that services are designed and delivered closer to communities.

Help where it's most needed – so that resources are targeted to the individuals, families and communities most in need.”

5.2 The first of the seven ambitions contained within the Corporate Business Plan includes the aims to:

- Work with partners to expand Community Forums as the means to engage with local residents in the context of localisation of council services and including engagement with the Police
- Encourage transfer of public services to communities and the voluntary sector
- Encourage volunteering across the County
- Improve access to services through our One Front Door project
- Improve resident satisfaction with services and their role in shaping services

5.3 A set of draft outcomes for our locality / big society work is included as Appendix 1.

6 OUR PROPOSALS

Our partnership arrangements currently exist at sub-regional, county, district and locality level. We acknowledge both that some form of arrangement may continue to be necessary at each of these levels and that any reshaping of these arrangements will need to be discussed with partners.

However, in order to respond to the issues raised above we are proposing a new approach as set out below.

6.1 Locality level

6.1.1 We confirm that our primary commitment at sub-county level is to our locality working arrangements.

It is proposed that 30 Localities and Community Forums remain in place and are further developed in line with the recommendations of the recent review, to ensure that there are consistent standards of good practice across the county.

6.1.2 We will resource the localities accordingly, devolving our current area committee grants (alongside available community grants funds from elsewhere in the County Council / District and Borough Councils) to locality level to give teeth to the delivery of the 'Big Society' within our communities.

6.1.3 The Forums have been developed and delivered on the basis that they provide a regular opportunity for the public to raise suggestions and issues of concern with the key public sector service organisations (Police / Police

Authority, Health, District / Borough Councils, Town/ Parish Councils (where applicable) and the County Council).

Every effort has been made to ensure that the forums respond to community issues (bottom-up engagement) as opposed to agendas and discussions being dominated by the current issues that are of concern to the organisations (top-down engagement). It is important that we ensure that this approach is preserved into the future.

6.1.4 The current functions of the Community Forums include:

- Determining local policing priorities
- Helping the Council and its partners to shape major proposals affecting the area and advising the Council and Cabinet about the implications for the area of its objectives, plans, and policies (including making available the opportunity for involving the public in the tough decisions faced by the public sector)
- Developing and helping to implement 'light touch' locality plans
- Providing a forum to gain the views of local communities and to encourage discussion and debate of matters of particular relevance to the area
- Empowering communities to help themselves

The Forums have also become a means whereby communities are informed and consulted about changes in service delivery and given the opportunity to express their views and, in one case, consider the possibility of taking on responsibility for service delivery.

6.1.5 It is suggested that, in the light of the changes proposed in several Bills or White Papers, the following functions could be added:

- Either allocating or advising local County Councillors on the allocation of community grants and any other devolved funding to local projects and initiatives
- Being consulted on other significant proposals affecting the local community
- Being consulted on expressions of interest exercised under the new 'community right to challenge' (i.e. interest in running local public services)
- Strengthening the link between local schools, their communities and other public sector services
- Providing a community based sounding board for the Local Health Involvement Network and, from April 2012, local Healthwatch
- Providing a community based sounding board for the Police and Crime Commissioner (from May 2012).

If Cabinet recommend a new model to Council a detailed Scheme of Delegation will be attached to the report to Council.

6.1.6 Forum membership should remain fluid and made up primarily of members of the public, led by Councillors exercising their community leadership role.

6.2 Warwickshire County Council Area Arrangements

- 6.2.1 Warwickshire's area arrangements have been considered within our discussions on the partnership landscape. This is a separate but related matter. It is clear that the role of the Area Committees has changed and over time and that now is an opportune moment to consider a fresh approach.

It is therefore suggested that **Area Committees are dissolved** and that their power to award community grants is transferred to the community forums or to local County Councillors in consultation with Community Forums.

Their remaining formal powers should be moved either to Cabinet, to individual portfolio holders, or to other relevant member bodies (for example Regulatory) or to officers.

If Cabinet recommend a new model to Council a detailed Scheme of Delegation will be attached to the report to Council.

Appendix 2 sets out a model for the allocation of funds to community forums, together with proposed operating mechanisms and criteria for use. The final version will require amendment to reflect whether it is the local County Councillors or the forums which is making the decision.

- 6.2.2 If members wish to continue with some form of area structure, it is suggested that we establish informal **Area Panels**, the role and purpose of which will need to be discussed further with members.

They would meet at least once and up to 4 times a year and their roles might include:

- Focusing on the delivery of the County Council's Vision and corporate priorities in their area, to consider broad area wide issues (e.g. health, roads, educational achievement)
- To be a means of engaging local members in consultation on major developments with local implications, e.g. the mast site or infrastructure developments
- To contribute to the assessment of needs for the local area and to ensure that WCC understands issues of concern to the public at area and locality level.
- Consideration of area wide issues such as the transport capital spending proposals

The Panels would not be formal Committees and would not have any decision-making role.

6.3 District Level Partnership Arrangements

- 6.3.1 We are aware that the current Local Strategic Partnerships (LSPs) operate in very different ways across the county and that the level of District / Borough commitment to the current arrangements also varies.

We accept that there may be different solutions in different areas. We also accept that, the commitment of countywide organisations other than the County Council is of critical importance to their success and is currently both variable and under review.

- 6.3.2 We are aware that some of the LSPs have already taken action to streamline their structures and to identify a reduced number of priorities. We propose that we should open positive discussions with our local partners, based on the premise that we regard many of our current structures as over-complex, unsustainable and offering limited value for money. We believe that we should review what we do, stop doing anything which does not clearly add value and consider whether our current activities could be supported more efficiently.

We should aim for significantly less bureaucratic and more flexible and responsive arrangements.

- 6.3.3 In addition, we should continue with discussions aimed at streamlining our county and local community safety partnership structures. These discussions will need to take full account of the likely impact of the introduction of the Police and Crime Commissioner.

6.4 County level 'Strategic Alliance'

- 6.4.1 Subject to current discussions about sub-regional partnership arrangements, it is suggested that we could replace the Warwickshire Partnership (the Public Service Board) with a new 'Strategic Alliance'. This would be a much less formal and bureaucratic body than its predecessor, not bound by formal reporting processes or accountability mechanisms.

- 6.4.2 Its primary roles would be to be a networking and strategy making forum. It would:

- Bring together the organisations in the county that are responsible for the delivery of quality public services and ensure there is a sound, shared understanding of the 'context / environment' and of both the common and service specific agendas
- Agree a vision for the county, our shared strategic outcomes and priority 'activities' - preferably a small tightly-focused number of things to which each of the partners need to contribute (e.g. economic recovery, educational attainment etc)
- Agree key values and principles to underpin our shared work, eg the extent to which we wish to focus on disadvantage or 'harm'.

It would need mechanisms to ensure that it understands the concerns of both the public and stakeholders. These should be defined within our developing consultation strategy and could include: a consultative forum held twice a year, clear web-based consultative mechanisms and well defined channels of communication with other levels of the partnership landscape.

It would not be a forum for performance and programme management.

6.4.3 Its modus operandi would be:

- It should meet 3 or 4 times a year
- Its style would be inclusive, challenging, and positive
- Its agendas would be open and flexible and there would be an emphasis on learning, not 'reporting'
- Its relationships with thematic partnership groupings at county level would be a 'partnership of equals' rather than a commissioning / accountability based relationship
- A limited number of officers would facilitate the group, but it would be member dominated - chairing arrangements should also be flexible

6.4.4 Members would include:

- Leaders of all councils in Warwickshire
- Chair of the Police Authority (or, from 2012, the Police and Crime Commissioner)
- Chair of NHS Warwickshire (or, later, Chair of Health and Wellbeing Board)
- Chair of the Local Enterprise Partnership

This membership would obviously need to be reviewed if the Strategic Alliance is established sub-regionally rather than at county level.

6.5 County level themed partnerships

- 6.5.1 There would remain two thematic countywide partnerships for Children and Community Safety. These may develop differently as changing statute or regulation dictate (change is anticipated, but as yet undefined, for each of these).

It is likely that Health related partnership arrangement may be needed at both sub-regional and county level – and these will be subject of further discussion. The Health and Wellbeing Board, which will be managed as a committee of the County Council is now being established in shadow form.

- 6.5.2 These thematic groups would be influenced by (and influence) the Strategic Alliance. They would be asked to ensure that the key priorities identified by the Strategic Alliance would underpin their work – but would not be held to account by it. Accountability would remain as it is now - ie to the individual partners' internal arrangements.

6.5.3 Scrutiny functions are also likely to be changing in the light of new statutory / regulatory requirements, certainly for both Health and Community Safety. This is an area in which further debate is needed.

6.5.4 County Themed Partnerships

In addition to any prescribed statutory roles, the primary roles of the themed partnerships would be:

- Strategy development within the theme and agreement of desired outcomes and joint priorities
- Providing an overarching commissioning framework and then commissioning of programmes of work to deliver the agreed outcomes
- Ensuring appropriate liaison with locality arrangements and the promotion / commissioning of a range of services for local communities
- Decision making - where governance arrangements allow
- Performance management of the commissioned programmes
- Managing any joint funding or pooled budgets
- Maintaining and strengthening links with key service providers and with the other themed partnerships to ensure consistent / holistic commissioning where possible.

Each themed partnership will again need to ensure that it has a mechanism which allows it to understand community concerns and facilitate community engagement.

6.5.5 **The modus operandi** of these groups would vary according to need, meeting as appropriate. We would not propose formal bureaucratic linkages between these groups and the Strategic Alliance but they will need to be able to make connections both across the other theme groups and with the Strategic Alliance.

6.5.6 **Members would be** senior managers from the relevant partner organisations (including the voluntary sector where appropriate). They should have the ability to make commitments on behalf of their organisations and to marshal resources to deliver the agreed outcomes. In some theme groups, core membership may be prescribed by statute and regulations.

6.6 Sub-regional level

6.6.1 Chief Officers and Leaders

The Chief Executive and Leader are engaged in discussions at sub-regional level which are aimed at improving and rationalising our partnerships at this level and which take into account the development of the Local Enterprise Partnership (LEP) and changes in the governance of Health. The outcomes of these discussions will be brought forward at a later date.

6.6.2 Local Enterprise Partnership

The Local Enterprise Partnership (LEP), which will be business led, is based on Coventry and Warwickshire.

The exact role, focus and modus operandi of the LEP Board is clearly something for development by the Board. Generally, the role of the Board will be to provide an overall vision and strategic direction for the sub-regional economy, and seek to help stimulate stronger growth and increase the amount of private sector employment in the area.

The functions of the LEP include:

- Setting out key investment priorities
- Coordinating proposals and bids
- Supporting high growth businesses
- Making representation on the development of national planning policy
- Becoming involved in the delivery of other national priorities such as digital infrastructure
- Working with relevant further and higher education bodies and local training providers to determine the local skills agenda and help local people into jobs

6.6.3 Place Based Budgeting

Place based or community budgets are being pioneered in 16 areas and will be made available across the country by 2013. They will be available to address complex areas of work, where a number of partners are already deploying resources. They are intended to enable organisations to develop more integrated, innovative, effective and value for money service solutions.

Placed based budgets could be proposed at any of the sub-regional, County, District or Locality level partnerships.

It is proposed that WCC puts in place mechanisms to ensure that we are able to take full advantage of opportunities which may arise in the coming months and that we work with partners to pursue any potential funding streams.

DRAFT OUTCOMES FOR OUR LOCALITY / BIG SOCIETY WORK

1. Services are organised around 'place' as much as 'function'.
2. Local Service Managers are empowered to tailor local services to meet local demand working collaboratively with Front-line Councillors, other local stakeholders and services including Safer Neighbourhood Police Teams, schools, GPs, voluntary and community organisations and Town or Parish Councils.
3. Community Forums meet across the County every three months to agree community priorities & review progress. These are vibrant and well-attended meetings, and act as a catalyst for community action.
4. Local communities are well-informed around possible changes to local public services, and there is a co-ordinated and transparent programme of consultation and engagement activity.
5. Local people are supported to get involved in community activity – and unnecessary red tape is removed.
6. There is a rationalisation of customer forums and citizens panels across the County. Those that do exist are focussed, effective, and appropriately resourced.
7. The Council opens up its decision-making processes to public scrutiny, for instance through a citizen's jury.
8. People are using social media to discuss local community issues, and the Council engages with this.
9. Multi-disciplinary local community partnership teams provide an effective link between local communities and public services

10. 'Community hubs' are supported to deliver a range of local services.
11. There is a thriving local market of social enterprises and voluntary organisations through which the public can access services.
12. People feel a renewed sense of 'neighbourhood' and know how to get involved in local community activity.
13. Involvement in community activity by County Council staff is encouraged, supported, and seen as a natural part of our public service ethos.
14. Neighbourhood maps of public and community assets are available, and there is informed discussion around the best use of public assets.
15. The Council explores new ways of delivering services to enable greater community involvement and entrepreneurship.

Recommended Approach to Managing Community Forum Grants

1. Introduction

- 1.1 This paper sets out a suggested approach to running a community grants scheme through the 30 Community Forums
- 1.2 The purpose of the scheme will be to support projects in each Community Forum area which meet local community needs, which help communities to help themselves, and which address priorities agreed through the Community Forum.
- 1.3 It is intended that these arrangements would be consistent across the County. Any local variations to the scheme should be agreed by the Strategic Director for Communities.

2. Allocations

- 2.1 Officers have developed four options for the allocation of grants to Community Forum areas. These are:

Option One
Equal allocation across all Community Forum areas

Option Two
Allocation based on population of each Forum area

Option Three
Allocation based on 50% population and 50% deprivation of each Forum area

Option Four
Allocation based on 50% population and 50% deprivation of each Forum area, with £6,000 minimum per forum area

- 2.2 Population of each locality area has been calculated using the Office for National Statistics 2009 mid-year estimates.

Deprivation 'scores' have been calculated using the 2007 Indices of Multiple Deprivation (IMD), produced by Communities and Local Government (based on an aggregation of data for each Super Output Area). The IMD takes into account the following factors: Income; Employment; Health and Disability; Education, Skills & Training; Access to Housing & Services; Crime; The Living Environment.

2.3 Using these criteria, the options would result in allocations as follows:

Community Forum	Option 1	Option 2	Option 3	Option 4
North Warks - East	£10,000	£8,200	£13,800	£13,100
North Warks - North	£10,000	£9,700	£13,000	£12,500
North Warks - South	£10,000	£8,700	£12,600	£12,100
North Warks - West	£10,000	£8,200	£11,000	£10,900
Abbey & Wem Brook	£10,000	£9,400	£14,600	£13,800
Arbury & Stockingford	£10,000	£11,700	£13,200	£12,600
Bede & Poplar	£10,000	£9,800	£12,900	£12,300
Bedworth North & West	£10,000	£10,600	£11,700	£11,400
Camp Hill & Galley Common	£10,000	£8,600	£11,300	£11,000
Weddington & St Nicolas	£10,000	£9,000	£7,500	£8,000
Whitestone & Bulkington	£10,000	£9,400	£9,000	£9,200
Brownsover, Benn & Newbold	£10,000	£11,700	£13,000	£12,400
Dunchurch Division	£10,000	£4,300	£5,100	£6,000
Earl Craven	£10,000	£6,700	£7,300	£7,800
Eastlands & Hillmorton	£10,000	£8,000	£7,300	£7,800
Fosse	£10,000	£5,000	£6,800	£7,400
Rugby Town West	£10,000	£16,800	£13,400	£12,800
Alcester & Bidford	£10,000	£11,900	£9,900	£9,900
Shipston	£10,000	£10,500	£8,600	£8,900
Southam & Feldon	£10,000	£9,800	£7,500	£7,900
Stratford	£10,000	£14,800	£10,000	£10,000
Studley & Henley	£10,000	£10,800	£9,100	£9,200
Wellesbourne & Kineton	£10,000	£8,800	£8,000	£8,300
Kenilworth	£10,000	£14,300	£8,300	£8,600
North Leamington	£10,000	£16,300	£12,000	£11,600
South Leamington	£10,000	£11,100	£12,300	£11,900
Warwick	£10,000	£16,800	£11,700	£11,400
Warwick Rural East	£10,000	£5,600	£5,700	£6,500
Warwick Rural West	£10,000	£8,200	£7,300	£7,800
Whitnash	£10,000	£5,600	£6,200	£6,900
Total	£300,000	£300,000	£300,000	£300,000

3. Administration

3.1 Administration of the scheme will be through the County Council's Localities and Communities Team, or as otherwise agreed with District Council colleagues. We propose to undertake an options appraisal for the future administration of grants, including the option of contracting to this to an external provider.

4. Application Process

4.1 Grants will be allocated through an open application process, which will be promoted through both local and County-wide channels

4.2 Community Forums may want to 'commission' or encourage specific projects

to come forwards and these will be considered alongside any other bids received.

4.3 The application form will be consistent across the County.

4.4 There will a single application round each year, with decisions in the autumn.

5. Decision-making

5.1 Funds will either be formally delegated either to local County Councillor(s) in consultation with the Community Forum or will be allocated according to the decisions of the Community Forums.

5.2 In making decisions, Members and Community Forums will be supported by officers from the Localities and Communities Team who will liaise with other teams as appropriate in the assessment of projects.

6. Applications to more than one Community Forum

6.1 Groups can apply to deliver similar projects in more than one Community Forum area and can submit projects which require a grant from more than one Community Forum area.

7. Eligibility and Criteria

7.1 All projects must...

- ✓ provide opportunities for local people or develop the capacity of local people to meet community needs
- ✓ meet evidenced local need
- ✓ provide lasting benefit
- ✓ spend the grant within 12 months of its award

7.2 The following will not be eligible...

- × Any costs incurred before the grant is awarded
- × The practice or promotion of religion
- × Profit-making organisations
- × Projects whose main area of benefit is outside the Community Forum area(s)
- × Projects which will require on-going funding from the Community Forum pot.

7.3 Local County Councillor(s) Community Forum will be able to:

- Set a maximum award for applicants
- Set specific priorities for applicants to address
- Agree a budget for small projects which do not require the full application process (see paragraph 10)

8. Additional Funds

- 8.1. The Council may arrange to supplement the County Council's contribution to the scheme in each Forum area with contribution from other potential funders such as District Councils, Town Councils, local Trust Funds, and other public and private agencies. Where appropriate, the Council will consider flexibilities in the operation of the scheme to enable this.

9. Scoring

Officers will score projects using the following points system:

Criteria	Evidence	Points
Community Benefit	Addresses priorities identified by the Community Forum	4
	Supports the priorities of the County Council (and/or other funders)	2
	Addresses specific needs evidenced by the applicant	2
	Benefits a disadvantaged neighbourhood or section of the community	4
	Complements and links to existing community services	2
Community Involvement	Local residents have been involved in developing the proposal	4
	Local residents will be involved in delivering the project	4
Quality	The project provides value for money	2
	The proposal is well thought-out and clear	2
Sustainability	The project will have a lasting benefit which does not require further funds from the Community Forum.	4
Additional benefits	The project will bring additional benefits identified by the applicant (such as bringing more funding into the area)	2
		30

10. Budget for small-scale activity

- 10.1 The local County Councillors for each Community Forum area should be able to approve (on the recommendation of the Area Manager) awards of £500 or under, outside of the formal application process, up to a maximum of £1,000 per Forum. These awards could be for:
- new initiatives and/or small pieces of equipment where this addresses an agreed community priority
 - activities directly run by the Community Forum.

10.2 These awards should be published on the web-site and reported to the Community Forum

11. Payments

11.1 Payments will generally be made in advance of expenditure, unless there is good reason to delay payment. Groups will need to provide proof of expenditure within 12 months, or they will be required to return the grant.

12. Review

12.1 It is proposed that the operation of the scheme is reviewed following the first round of awards in order to inform the delivery from 2012.

13. Population levels and Deprivation scores

	Population	Deprivation score
North Warwickshire - East	14,598	20.21
North Warwickshire - North	17,296	15.42
North Warwickshire - South	15,462	16.14
North Warwickshire - West	14,565	13.18
Abbey & Wem Brook	16,827	35.5
Arbury & Stockingford	20,784	24.83
Bede & Poplar	17,397	27.81
Bedworth North & West	18,861	21.39
Camp Hill & Galley Common	15,245	24.35
Weddington & St Nicolas	16,102	8.57
Whitestone & Bulkington	16,745	13.45
Brownsover, Benn & Newbold	20,864	19.13
Dunchurch Division	7,589	8.02
Earl Craven	11,942	10.73
Eastlands & Hillmorton	14,222	8.78
Fosse	8,819	11.63
Rugby Town West	29,906	13.47
Alcester & Bidford	21,144	11.29
Shipston	18,770	9.59
Southam & Feldon	17,484	7.76
Stratford	26,357	8.91
Studley & Henley	19,343	10.33
Wellesbourne & Kineton	15,768	9.58
Kenilworth	25,532	6.38
North Leamington	29,089	13.69
South Leamington	19,811	20.06
Warwick	30,009	12.55
Warwick Rural East	10,006	8.89
Warwick Rural West	14,573	10.34
Whitnash	9,963	10.06

ChiefExec

From: ChiefExec
Sent: 07 June 2011 17:37
To: 'nickgower-johnson@warwickshire.gov.uk'; 'markryder@warwickshire.gov.uk'
Subject: Initial Response to Partnership Landscape Document

MESSAGE FROM JERRY HUTCHINSON

Dear Nick & Mark

I refer to previous correspondence in connection with the above and below is the provisional response from North Warwickshire Borough Council, which I am sending in order to meet your deadline.

As I have explained in previous correspondence, I will not be able to get this signed-off until the Council's Executive Board meets on 27 June 2011, but I have consulted leading Members on its content.

If I can help you further, please let me know.

Jerry

(Karen)

I refer to the Partnership Landscaping report and to a number of exchanges of correspondence, including your email dated 26 May sent on behalf of Mark Ryder.

The first point to make is that the timing of this consultation is particularly unfortunate as the report which effectively would, if agreed, set a blueprint for partnership working was sent out just 2 weeks before an all out Council election for North Warwickshire and, consequently, in the election purdah period. The Annual Council meeting to form the new administration did not then take place until 18 May and, consequently, there was no way that a formal response was ever going to be put together by your deadline.

Whilst it is important that partnership arrangements are regularly reviewed, the manner that this has been done in this case does cause some major concerns for North Warwickshire Borough Council and, I suspect, other partners.

In setting up partnership arrangements, the starting point would normally be to identify the outcomes that partners are collectively trying to achieve and then set up structures to achieve them.

The report appears to set a blueprint for how the County Council would want to work in partnership and there seems to have been little, if any, consultation during the formulation of the framework set out in the report.

It appears to have been put together largely on the basis of how the County Council would wish to do business and, whilst this may be appropriate in relation to Area Committees and distribution of County Council Grant funding, it seems less if at all

appropriate for how partnership arrangements should be set up and run in different parts of the County.

In relation to the specific sections of the report and to the questions set out in Mark Ryder's email of 26 May I would make the following comments :-

Section 6.1 Locality Level - as you know, the Area Forum arrangements in North Warwickshire were set up by North Warwickshire Borough Council in partnership with the County Council as part of its new democratic arrangements in 2002. More recently, the County Council has taken this concept and rolled it out to the rest of the County in partnership with other District colleagues.

As these arrangements are now nearly 10 years old in North Warwickshire, it does make sense to review them, but this starting point should be to agree with partners the objectives that we need to achieve together and then the best structure for achieving it. Whilst the "localities" that comprise the various Fora clearly are not localities in the true sense of the word, it may well be that they are administratively convenient for the Local Authorities. Nevertheless, it might be worth seeking the views of other partners as to whether they make sense for them. The report also works on the assumption that there needs to be a standardised approach to the way these Fora work and this seems to me to be highly questionable in such a diverse County. Just in North Warwickshire, our 4 Area Fora have developed in very different ways to suit local communities and I'm sure that this must be the case across the County. Whilst we agree that it is a good time to refresh local arrangements with the County Council and other partners, the outcome must surely be to develop a forum that meets and can deliver the needs of the particular "locality".

We have particular concerns about the weight put in paragraph 6.1.3 on the role of the Fora in obtaining public feedback. Whilst they do play a role, they are only one method of achieving such feedback. It must always be remembered that they tend to be largely unrepresentative and can never be the only means of providing "bottom up" engagement. Whilst the number of public does vary from forum to forum and is often dependent upon the topics on the agenda, the regular attendance when Public Sector representatives including Town and Parish Councils are taken out is often very small.

As far as section 6.1.4 to 6.1.6 are concerned, these form a useful starting point for discussion with partners about what is appropriate for particular localities and no doubt these will change over time as we all learn lessons.

Our view is that the method by which Community Grant Funding is allocated should be in accordance with Community based and Council priorities. In this respect, an equal split would be unfair. Instead, a population based formula that also takes account of deprivation as set out in option 3 seems most appropriate and would be our preferred option.

In terms of the administration of those grants, we would make the following comments:-

Contracting out the administration of Community Grants could be a mistake. Many (potential) applicants require the skills and experience of Community based workers in order to most appropriately meet local needs and submit corresponding grant applications. Administration, therefore, needs to be retained as close as possible to communities (and possibly undertaken by a community based organisation).

A single application round each year does not represent a community based focused approach, although it may suit the administrative convenience of the awarding body. Not all community based organisations work on a 12 month cycle. Many groups require a more responsive approach to grant funding (which is why in North Warwickshire the Council has always retained a minimum of 2 cycles each year).

In terms of the decision making on grant applications, we feel that more thought needs to be given to the Fora having the decision making role suggested in view of the comments that have already been made about the unrepresentative nature of the members of the public attending.

In relation to "eligibility and criteria", applicants of organisations should be fully constituted and have their own bank account. The list leading to ineligibility should include the running costs of established groups and the cost incurred in either meeting the statutory responsibility or a planning condition.

Within the proposed scoring system, we do have some concerns about the number of points to be awarded to projects that address priorities identified by community Fora with questionable public representation.

We feel that this whole section should be the subject of more detailed discussion with other partners. In relation to the proposal to dissolve the Council's Area Committees, it seems to us that this is entirely an administrative matter for the County Council to make its own decision on and this applies also to the proposal in relation to Area Panels.

As far as section 6.3 onwards is concerned, we would make the following comments:-

We agree that Local Strategic Partnerships work in different ways across the County and this harks back to our earlier comments about the need for community Fora to do the same!

In North Warwickshire, we have a highly successful local strategic partnership which has recently streamlined to look at 3 key priorities agreed by all partners and it is making real progress. It is vital that all partners, including the County Council, keep their commitment both to the objectives and the mechanisms that we have set up for delivering them.

As far as Community Safety Partnerships are concerned, these are agreed by statute, and in North Warwickshire have the support of partners, including the police, as an effective way of tackling crime and, whilst we are more than happy to review the effectiveness of current arrangements and their relevance to any changes brought about by the introduction of Police and Crime Commissioners, the starting point here should also be effectiveness to achieve outcomes rather than assuming that streamlining is an effective answer in itself.

Section 6.4 - the "County level Strategic Alliance" - it is important that we learn lessons from the cumbersome mechanism set up by the Government office to deal with Local Area Agreements. I would suggest that proposals are put together by a group comprising representatives of the key partners and then consulted upon to get some real buy-in. The starting point should be that the partnership agrees outcomes based on a "bottom up" approach. It should be for that partnership group to agree modus operandi and recommend membership.

Section 6.5 was a little confusing in that there is reference to two thematic County-wide partnerships in section 6.5.1 and then a separate reference to theme partnerships in 6.5.4 and it is unclear whether these are partnerships in addition to Children and Community Safety or whether they are additional roles for the two groups, in addition to their statutory ones.

As with everything else, the aims should be to not have bodies meeting for the sake of it, but to agree what objectives partners need to do together and to create structures accordingly.

A general point in relation to County level and/or sub-regional partnerships is the significant lack of representation from Districts, particularly in relation to the LEP and Health. The County Council cannot represent Districts in relation to most planning functions nor to many areas of health. The County has no input into many of these services, and there is a grave danger of democratic deficit if one District is left in the invidious position of having to be the only voice on such fundamental topics and this needs addressing as part of this review.

In summary, North Warwickshire Borough Council agrees that the time is ripe for a review of "Partnership Landscapes". It takes the view that the arrangements for County Area Committees and Panels is entirely a matter for the County Council. It is also for the County Council to determine the methodology for grant distribution, although it is hoped that the points made about the appropriate option (in our view option 3) and mechanisms are taken into account.

As far as partnership arrangements at Community, District, County and Sub-Regional level are concerned, we feel that these should be discussed and agreed with partners and not imposed as a "one size fits all" blueprint.

Agenda Item No 20

Executive Board

27 June 2011

**Membership of West Midlands
Councils**

Report of the Chief Executive

1 Summary

- 1.1 The purpose of this report is to recommend that the Council retains its Membership of the West Midlands Councils (formerly West Midlands LGA) following the request for a further report at the Board's meeting on 7 February 2011.

Recommendation to the Council

That the Council remains in membership of West Midlands Councils.

2 Background

- 2.1 Members will recall that at its meeting on 7 February 2011 I reported on the Constitution of West Midlands Councils (WMC) and sought authority for the Deputy Chief Executive to be authorised to settle past pension liabilities.
- 2.2 Whilst Members agreed to grant the delegation requested in the report, I was asked to report further on our continued membership of the Organisation.
- 2.3 WMC is an organisation which has effectively replaced the former West Midlands LGA (WMLGA). WMLGA's functions and staffing were reviewed for a number of reasons, including the need for all public organisations to reduce their budgets, the abolition of the Regional Assembly, the closure of the Government Office for the West Midlands and the imminent abolition of Advantage West Midlands.
- 2.4 During 2010 West Midlands Authorities including this Council agreed that there was still the need for a reduced Regional presence and WMC was formed with the officer core being downsized to focus on its traditional Employers/HR role together with managing some European funding issues but on a much smaller scale. Subscriptions were also reduced at the same time from £13,035 in 2010/11 to £7,821 in 2011/12. A new Constitution has also been agreed, with this Council as a small Shire District being entitled to 1 vote and being represented by the Leader or named substitute.

2.5 Because of the decision of Members in February to review the Council's position, I have given provisional notice for the Council to terminate its membership at the end of the current financial year as one year's notice has to be given. This is a "holding" notice which can be revoked if Members decide to continue with membership.

3 **Role of West Midlands Councils**

3.1 Full details of the purpose and objectives and services provided by West Midlands Councils are set out in the document comprising the Appendix to this report.

3.2 For this Council, in terms of governance, it provides an opportunity for Leaders to meet to agree a joint approach where appropriate to key issues within the Region. This includes its role as an organisation which can deal with the retained Government presence at Regional level in terms of the Civil Service which, although significantly reduced, has a key role in a number of areas particularly related to Planning.

3.3 It also retains a small number of staff (down from over 60 to 17). Some of these provide useful information and intelligence on key issues and European matters. In addition the Employers services which have been of particular importance to this Council over a number of years have been retained. As a small Local Authority the employment advice and support has been and continues to be particularly useful. Examples include:-

- providing information on pay and employment conditions elsewhere in the region (and nationally);
- free training on employment legislation;
- providing pay briefings including seeking input on national pay negotiations;
- using the regional recruitment portal for all our vacancies;
- providing specific high level advice on individual cases, including:-acting as the HR advisor to the Member Panel in a senior officer disciplinary case where the in-house team had been involved in the investigation; carrying out reviews of the senior officer pay structure, both periodically and in response to restructuring; providing additional HR advice around specific redundancy issues and providing advice on a discrimination/dismissal redundancy claim.

4 **Conclusion**

4.1 Whilst it is important that all aspects of the Council's budget are kept under review, it is recommended that the Membership of West Midlands Councils at the significantly reduced membership cost should be retained

5 Consultation

5.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

5.1.1 Chair and Shadow Portfolio Holders have been consulted

6 Report Implications

6.1 Financial Implications

6.1.1 In responding to our provisional Notice of Termination, West Midlands Councils indicated that should we leave the organisation, we will be liable to pay an amount representing our share of responsibility towards liabilities incurred by WMC on behalf of member authorities including contingent staff liabilities. This is in addition to the past pension liabilities issue dealt with in the previous report. The exact amount for which we would be liable would be the subject of an assessment by Independent Auditors, but is expected to be in the region of one year's subscription, i.e. circa £8,000.

6.2 Human Resources Implications

6.2.1 Termination of the Council's membership would result in the loss of the expertise and services currently provided by the Employer Services Unit as outlined in paragraph 3.3 of this report.

The Contact Officer for this report is Jerry Hutchinson (719200).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

WEST MIDLANDS COUNCILS – February 2011

West Midlands Councils (WMC) is a Member led organisation comprising all 33 local authorities within the West Midlands. The revised Constitution considered by Leaders in January 2011 identifies the following purpose and objectives:-

Purpose - To support, represent and promote the collective interests of the local authorities in the West Midlands area and the communities they serve.

Objectives -

- To provide a resource to enable, facilitate and coordinate regional, sub regional and local activity, where collective working will add value.
- To provide value added services to member organisations in support of organisational development and improvement activities.
- To provide a focus for local authority activity and engagement to deliver against priorities set by West Midlands Councils.

The new organisation was developed by Elected Members in the period June to November 2010, in response to the new Government's agenda and the withdrawal of funding for activities associated with the former Regional Assembly previously hosted by WMLGA and WMLB the predecessor bodies to WMC. A chronology of key decisions is included in appendix 1.

All 33 local authorities are represented by their Leaders on the Full Council, which is advised by a Member Steering Group with representatives from each of the six sub regions – Birmingham; Coventry, Solihull and Warwickshire; Black Country; Worcestershire; Herefordshire, Telford & Wrekin, and Shropshire; and Staffordshire and Stoke – plus a representative from each of the three main political parties. The Chief Executives' Task Force is the senior officer group of WMC and is responsible for advising Leaders on matters of strategic importance.

Political Imperative for West Midlands Councils

There has been a West Midlands local government body for the last 30 years. In designing the new organisation, Leaders agreed to provide 'safe space' to meet and discuss critical issues of the day on a cross party or single party basis, and to develop and discuss new approaches and share experiences/concerns/challenges e.g. making Localism work, new public health responsibilities, changes to planning legislation, elected mayors and police commissioners etc.

WMC can provide 'cover' for tricky issues to be raised with Government or others that would otherwise draw unwanted attention to a single/small authority.

Whilst individual authorities have their own priorities and challenges, many of these are shared with neighbouring authorities or sub regions. If they choose to, the West Midlands authorities are able to work together with WMC to articulate these shared priorities / challenges. Leaders worked

on the principle that if there is no champion for the 'bit in the middle of the country' then there is a danger that the 'articulate south' or the 'organised north' get the prizes.

Following a number of years of campaigning by the West Midlands and other regions the LGA now invites a regional representative on to the LGA Executive. Elected Members have fought long and hard for that opportunity.

Government has retained a small but significant civil servant cohort with a regional role, with accountability to Westminster:- Homes and Communities Agency – Affordable Homes Programme, RDA Assets and Gypsies and Travellers Grant etc; Planning – there will be a very small planning team to support CLG; ERDF – regionally based CLG team; Transport – 2 strategic posts likely to be with Highways Agency regional office and BIS Local. In addition there will need to be strong political input into the new Local Management Committee to be established to manage the ERDF programme and influence the next programme from 2014 onwards. WMC will want to keep a 'strategic eye' on the Whitehall outposts.

Services and Staffing

WMC is now supported by a small 'core' secretariat of just 12.6 fte staff based in Birmingham, with 4 working in Brussels supporting the West Midlands in Europe partnership. (See appendix 2 for Organisation Chart); During 2010/11 and following the withdrawal of CLG funding and 40% reduction in Local Authority subscriptions, 45 staff either left the organisation or were made redundant.

Strategic Co-ordination (4 fte in Birmingham and 4 in Brussels) - Providing information and intelligence for Leaders, CXs and senior officers on the 'key issues' e.g. Localism Bill, Public Health, Police and Social Responsibility Bill, Govt activities delivered at the WM regional level, High Speed 2, etc via newsletter, member and officer meetings, plus light touch 'cross LEP' working. An effective interface with EU institutions (focused on maximising funding coming into the region), including governance and management of the operation based in Brussels and redefining new regional arrangements for managing ERDF. Please see Work Programme in appendix 4.

Employers Services ('Core' team of 4fte plus 'self funding' People & Leadership Team of 5.6 fte) Supporting Councils in their role as employers through both a representative, networking and co-ordinating role and direct service/support provision, delivered through a mix of subscription based and consultancy arrangements, with a surplus income target for 2011/12 of in excess of £110,000. In addition, the People and Leadership team provide substantial and wide ranging resourcing and development services and products (e.g. WMJobs), which now operate on a wholly commercial trading and contracting basis. Please see Service Statement in appendix 4.

Corporate and Commercial Services The small corporate team of 4.6fte is responsible for providing all financial and corporate support, enabling WMC to operate as a self sufficient, independent organisation working within a multi partner environment and through a range of traded services and externally funded, partnership based projects and programmes. In addition, the team are responsible for managing the Partnership Centre facilities and maximising income generation through the provision of services to 'tenants' and partners.

Finances

A draft budget for 2011-12 was approved by WMC in September 2010 which delivered a 40% reduction in subscription levels but showed a deficit of £215k in respect of the premises now unoccupied but remaining as a liability. It was agreed that this deficit would be met in the final quarter of the year by either a further payment from authorities, or a combination of use of reserves and a smaller payment from authorities. The Member Steering Group will be advising on the appropriate solution in terms of overall sound business management at the end of 2011.

A slightly revised version of the 2011-12 budget (see appendix 3) to reflect further known changes will be presented for Member approval in March, but the deficit remains the same.

Appendix 1 - Downsizing Regional Structure – Chronology of ‘key’ decisions

Summarised below are the member decisions taken in respect by West Midlands Local Government Association (WMLGA), West Midlands Leaders Board (WMLB) and West Midlands Councils (WMC) from July 2009 to January 2011. All member meetings were supported by advice from the Chief Executives Task Force (CXTF).

The papers from each Full Council meeting are available [here](#). The decision notes of each meeting can be found in the papers for the subsequent meeting.

July 2009 - WMLGA changed its name and Constitution to form the WMLB. The impetus for this came from the requirements of the Local Democracy, Economic Development and Construction Act 2009, which required each region to establish a Leaders Board.

WMLB continued to fulfil the role of the regional employers’ organisation, manage a range of functions on behalf of the sector, and act as a representative body for local government. The political focus was on working with AWM around the economic and infrastructure issues at the heart of proposals for a Strategy for the West Midlands.

At the time WMLB provided oversight of a myriad of project based external funding streams, and had two main sources of income i.e. Local Authority Subscriptions, paid by all 33 councils and CLG grant funding of £1.9m, for work on the Single Integrated Regional Strategy with AWM and partners.

June 2010 – WMLB considered the implications for the organisation of the Coalition Government’s announcement that Regional Strategies were to be scrapped. Accordingly, Leaders Boards were notified that the current year grant funding from CLG (for WMLB) would be withdrawn with immediate ‘mid year’ effect.

Members considered 3 options; A – complete dissolution and wind up, B – a small core secretariat or C – disaggregation of any retained functions.

Members agreed to retain a regional body to access funding and co-ordinate sub-regional working and delegated decision-making on implementation to a task and finish group consisting of Council Leader representation from each of the six sub regions together with representatives of the Political Groups.

July 2010 – Member Task and Finish Group considered the detail of a range of issues associated with the downsizing to a small core team including staff consultation, future redundancies, revised staff work programme, subscription levels, employing body, member allowances, funded projects hosted and/or managed by WMLB and liabilities associated with properties in Birmingham and Brussels.

August 2010 - Member Task and Finish Group further considered the above issues and the respective implications for the budget for 2010/11 and 2011/12. The name of the new

organisation was agreed as West Midlands Councils (WMC).

September 2010 – Member Task and Finish Group considered detailed reports on revised governance structures, budgets for 2010/11 and 2011/12, new staff structures, high level work programme, staff redundancy costs, pension liabilities, options for moving to a new host employer (Birmingham or Staffordshire), downsizing the staff complement at the Brussels office and releasing AWM from all future WMIE liabilities in return for full payment of their 2010/11 grant funding of £415,000.

September 2010 – West Midlands Councils (Full Council) discussed a detailed report from the Member Task and Finish Group. The headline decisions were:-

- Formally renaming the organisation as West Midlands Councils
- Agree the staffing structure (Appendix 2).
- WMC to cease to operate as an employing body by 31/3/2011 and Birmingham City Council become the host employer of retained staff and provide the host CEO role.
- All member councils to settle the 'past pension' liabilities of WMC with the determination of the methods of settlement of liabilities subject to further discussion through a working group comprising the Chairman and senior officers representing Metropolitan and Non Metropolitan Authorities.
- WMC continue to operate from the Partnership Centre to the end of the lease in November 2013; with the secretariat actively seeking new co-location partners and marketing the Training & Meeting Centre as a venue for hire.
- The proposed member steering group to review the position on necessary financial matters going forward, including the use of reserves in 2011-12 to meet the 2/3 of premises liability falling upon authorities.
- Approval of Financial Statements for 2009-10 on the basis of WMC as a going concern, and approval of a Revised Budget for 2010-11 reflecting the impact of funding changes and use of reserves to meet severance costs, a draft Budget for 2011-12 based on a 40% reduction in authority subscription levels and the budget only covering 33% of premises costs.
- CXTF to develop a revised Constitution for WMC including voting structure and future liability sharing arrangements, and terms of reference for the Member Steering Group, European Advisory Panel and, Chief Executives' Task Force, together with a role description for the WMC Lead CEO.
- WMC release AWM from any further commitment to the Brussels office following the payment of their £415,308 contribution for 2010-11 and to retain a further downsized operation in Brussels, managing the liabilities down to the end of the premises lease.
- Agree in principle to develop a new bid for ERDF funds for 2011-13 for the EUConnects project as a key element of the European Service offer using contributions from member councils.
- Approved a 'Service Statement' for the Employers Service and a 'high level' Work Programme for the Strategic Co-ordination / European Services Teams (see Appendix 4).

November 2010 – Member Steering Group – developed recommendations for Full Council on 18 January 2011 in respect of; WMC constitution, voting and liabilities; proposals for settlement of past pensions liabilities; terms of reference (as above) and the re-integration of the IEWM People

and Leadership Team within the Employers Services Team (at no cost to WMC).

January 2011 – West Midlands Councils Full Council Meeting - discussed a series of reports relating to the above, with the following decisions taken:-

- The proposed Constitution be referred back to the Members Steering Group to consider alternative proposals that amendments to the Constitution and/or motions for dissolution be passed by a '2/3rds majority of the votes of those present at a meeting'.
- Each constituent Council makes appropriate arrangements to secure formal endorsement of that Constitution when finalised and provide written confirmation of such to WMC.

On the matters relating to past pensions liabilities;

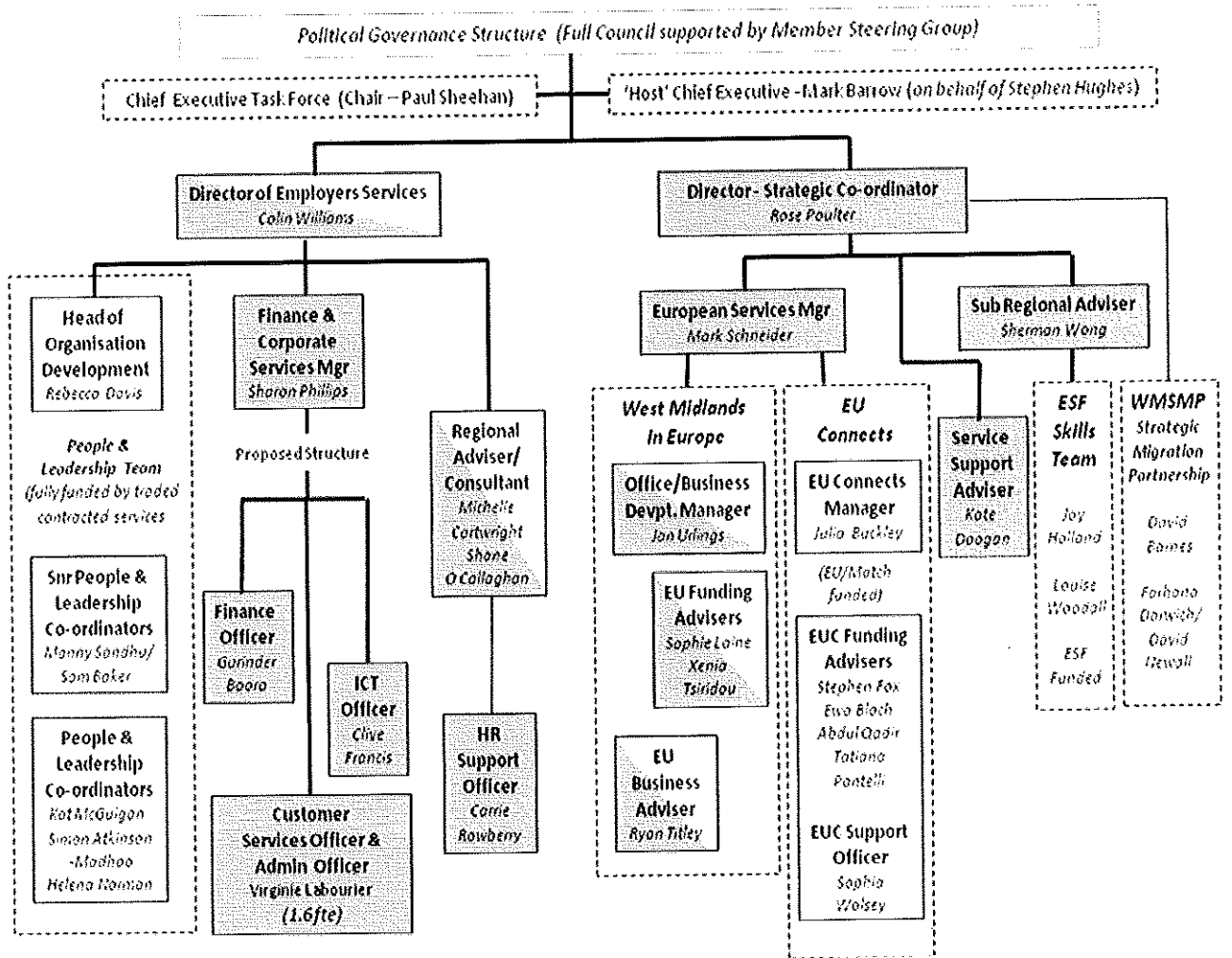
- With regard to Shropshire Council, it was agreed that their share of past pension liability should reflect the current Constitution i.e. representing 5/115ths of the overall sum.
- Noted and confirmed that each of the 7 Metropolitan Authorities have already indicated to WMPF that they wish to take advantage of the opportunity to transfer their share of the pension liability (representing 50% overall) to their existing fund deficit within the West Midlands Fund. For each Council, this will enable the sum to be taken into account in overall actuarial assessments and met over the 25 year period alongside all other pension liabilities. No cash payments will be required.
- Agreed two options available to the 26 Councils not in membership of the West Midlands Fund. These are as follows:- **Option A** - To make a single payment in full settlement to the West Midlands Pension Fund based on the share of the final actuarial assessment as at 31st March (to be paid on invoice during 2011/12 following a further and final actuarial review in May / June 2011), or; **Option B** Elect to remain a party to a continuing Admission Agreement, which will recover the liability (i.e. relevant share thereof) over a period of 25 years in line with all other scheduled bodies.

Agree that prior to the end of March and subject to relevant draft legal agreements being finalised, each Local Authority will be asked to provisionally identify which of the above options it wishes to exercise and notify WMC accordingly in order for the necessary arrangements to be put in place.

Appendix 2

Staffing Chart

West Midlands Councils – Organisation Structure - February 2011 (Subscription funded posts shaded)



Appendix 3

WMC Revised Budget 2011-12

<u>EXPENDITURE</u>	MSG approved Budget 11-12	Revised Budget For approval March
Staffing		
Secretariat Salaries	661,758	723,839
Pension Contributions Ex Ees	49,498	49,498
Staff Travel & Subsistence	6,000	6,000
	<u>717,256</u>	<u>779,337</u>
Premises & Operating Costs		
Rent/Rates for Premises/parking	117,466	117,601
Remaining premises cost as LA Liability	215,000	215,000
Power/Cleaning/Security/Maint etc	31,000	32,400
Copying	15,000	24,000
Post	5,000	4,000
Phones, Mobiles and Fax	9,000	10,000
Stationery	4,500	4,000
Meetings/Hospitality	4,000	2,000
Subscriptions	3,000	3,000
ICT System & Equipment	18,891	17,709
Audit, Payroll, Banking	11,000	11,000
	<u>433,857</u>	<u>440,710</u>
Work Programmes		
Publications & Marketing	0	0
WMIE Subscription	0	0
European Services	2,000	2,000
EUCnects	0	0
UK Employer Networks	500	500
	<u>2,500</u>	<u>2,500</u>
Total	<u>1,153,613</u>	<u>1,222,547</u>
<u>INCOME</u>		
LA Subscriptions (-40% on 10-11)	754,002	754,002
APS Subscriptions	0	2,700
Training & Consultancy (surplus)	100,000	117,385
Venue Hire	5,000	10,000
Management Fees/Corp SLAs	63,005	113,010
Employment Mgmt Fees	4,607	7,450
Staff Recharges	11,106	0
Bank Interest	893	3,000
Total	<u>938,613</u>	<u>1,007,547</u>
Surplus/Deficit	-215,000	-215,000
Non Premises	0	0
Deficit for LAs premises	215,000	215,000

Appendix 4
High Level Work Programme and Service Statement

Strategic Co-ordination Unit High level Work Plan

The Team will focus on two specific areas of activity:-

- Securing European Funding for local government and partners to support economic growth, innovation, research and investment across the West Midlands and bespoke to the characteristics and needs of the sub-regions.
- Working with local authorities to identify, prioritise and co-ordinate activity which improves cross boundary complementarity and secures greater influence, autonomy and devolution of functions, public funding and decision-making to sub regions and councils.

The above will be underpinned by:-

- Contextualisation of the work of individual authorities and sub regional partnerships– to facilitate increased complementarity and tangible mutual benefits from co-ordinated action to avoid harmful consequences arising from unintended competitive bidding or not ‘talking to the neighbours’.
- Horizon Scanning - Provide EU/Government/agency ‘watch’ for opportunities of benefit to local authorities. E.g. following up the Coalition Agreement of a ‘National Planning Framework’ and understanding what this means for local plans/core strategies and local democratic oversight of planning matters.
- Accountability - Oversight of Government Agencies to ensure delivery of agreed priorities and investment targets as they impact on local authorities.

Following initial discussions with members and officers, the following programme of work was agreed with a focus on the following big and topical issues.

1. Europe – securing EU funding for local authorities and West Midlands partners. Ensure maximum use is made of ERDF resources and EU Connects (subject to the continuation of existing service).
 - a. Actions: Development of a coherent set of services that fully meet the needs of the region and sub-region while taking into account the different funding models of the Brussels (selling of services) and Birmingham (ERDF supported free services) offices.

- b. **Outputs:** the development of a fully integrated West Midlands European Service based in Brussels and Birmingham that meets the needs of local government and its partners.
 - c. **Outcomes:** additional EU funds for local authorities and partners. This will include an increase in the number of European funding proposals submitted as well as an increase in the successful proposals.
- 2. **Develop a business plan for the Brussels office of the West Midlands European Service to secure viability beyond March 2011.**
 - a. **Actions:** widespread consultation with relevant and appropriate organisations including Local Authorities, Universities, Chambers of Commerce, larger businesses to identify the European needs and requirements regionally and sub-regionally.
 - b. **Outputs:** The production of business plan with financial targets until October 2012 ensuring that liabilities are reduced and that there is a future for the office after October 2012. These targets will be based upon income from European projects, services provided to relevant organisations (universities, chambers of commerce, businesses, research organisations and local authorities), rental agreements, renting of meeting rooms and the use of hot desk facilities.
 - c. **Outcomes:** the continued existence of a viable and financially sustainable Brussels office that provides European focused support and services that fully met the needs of organisations with the West Midlands and that increase the level of successful European funding.
- 3. **Birmingham Office of the West Midlands European Service formerly EU Connects – develop Phase 3 proposal subject to securing match funding.**
 - a. **Actions:** consult with relevant organisations (local authorities, universities, chambers of commerce, research organisations, FE colleges, businesses etc.) regionally and sub-regionally to identify the needs and gaps in service provision in terms of the development and submission of European funding proposals. The identification of appropriate sources of match funding for the ERDF grant.
 - b. **Outputs:** The submission of a proposal in autumn 2010 that meets the European needs of relevant organisations at a regional and sub-regional level.
 - c. **Outcomes:** The delivery of ERDF supported service from April 2011 to March 2013 that helps increase the level of the success in terms of securing European funding at a regional and sub-regional level.
- 4. **Public Health and Social Care – where requested coordination/facilitation activity to support local authorities / sub regions in relation to the very significant health and social care agenda.**
 - a. **Actions - Facilitate the early engagement with the new NHS Regional Director of Commissioning and Regional Director of Provision, who will have responsibility for leading the establishment of regional bridging functions / activity. Facilitate early**

engagement with the Commission on the Funding or Care and Support. Develop engagement with existing health networks e.g. Directors of Public Health. Facilitate the lead Chief Executive for Health Kim Ryley and the lead Member for Health Cllr Steve Eling to develop the direction of WMC activity in this area.

- b. Outputs – Support cross authority/agency working over transition period to secure agreed outcomes.
 - c. Outcomes – Effective co-ordination of public health and social care across public services. Support the introduction of the new public health agenda within local authorities.
5. Sub Regional Partnerships (and LEPs) - support and assist local authorities and sub regional partnerships to work on cross boundary issues and activities.
 - a. Actions – support to CETF to secure co-ordination across sub regions.
 - b. Outputs – Self supporting officer groups to take forward agreed activities including Planning, Economic Development, Environment.
 - c. Outcomes – Outward looking, effective and confident sub regions.
6. 'LEPs' – if required by the LEPs explore/facilitate the opportunity to work across LEP boundaries on matters of shared importance, where there is efficiency through economies of scale or a clear need for specific expertise or capacity.
 - a. Actions - tbd
 - b. Outputs - tbd
 - c. Outcomes - tbd
7. Relationship with Business Representative Agencies – develop an effective working relationship with Business Representative organisations to support local authorities direct liaison with strategic businesses and the business community.
 - a. Actions – ongoing contacts with key business representative organisations. Explore opportunities for WMC and Business round table events on agreed issues of strategic importance e.g. delivering Business Support
 - b. Outputs – Shared think pieces on key issues to inform local authorities and sub regions
 - c. Outcomes – Improving and effective relationships and shared understanding between local government and business
8. Democratic Services – refresh member governance arrangements. Supporting lead Members on LGA matters requiring cross authority input.

- a. Actions – Arrange meetings and preparation of reports to West Midlands Councils. Co-ordinate briefings for Members attending LGA meetings
 - b. Outputs – New arrangements in place by January 2011.
 - c. Outcomes – to provide a strong, coherent voice for local government and to promote the West Midlands on those issues that are important to local government.
9. Providing a setting for discussion and meetings for local government Leaders and Chief Executives in the West Midlands.
10. Communications – keeping local authorities up dated on key issues via maintenance of WMC web site, regular Newsletter and bespoke emails.
11. Measuring Success (Economic Growth, Diversification, Jobs and Improved Quality of Life) – work with local authorities and sub regions to secure a collective agreement on how we measure progress and success, including success of the LEPs.
- a. Actions - Support Birmingham CC as lead body to explore the data, analysis and intelligence requirements of local authorities, sub regions and emerging Local Enterprise Partnerships (LEPS)
 - b. Outputs - proposal to explore the data, analysis and intelligence requirements of local authorities, sub regions and emerging Local Enterprise Partnerships (LEPS) to better inform their individual and collective response to the question: How do we measure success in Economic Growth, Diversification, Jobs and Improved Quality of Life in the West Midlands?
 - c. Outcomes - Implementation of agreed proposal(s) by March 2011, tailored to meet the needs and capacity of individual local authorities.
12. West Midlands Renewable Energy Capacity Study – host body for DECC funded regional project to help to standardise existing regional and sub regional renewable energy capacity studies. It will also provide an evidence base for those sub regions and on technologies where renewable energy capacity studies do not currently exist.
- a. Actions - commission the Study on behalf of the West Midlands Climate Change Office and local authorities. Environment Officers Group to provide strategic steer.
 - b. Outputs - Consultants report for dissemination by March 2011.
 - c. Outcomes - A consistent low carbon / renewable energy evidence base across the West Midlands. The Study will help to standardise existing regional and sub regional renewable energy capacity studies. It will also provide an evidence base for those sub regions and on technologies where renewable energy capacity studies do not currently exist. A technical baseline that will help inform the development of local carbon emissions reduction targets and renewable energy targets. Identification of opportunities for decentralised energy.

13. Transition / Strengthening Sub-Regional Working – light touch review of whether any of the roles performed or the activities currently undertaken by regional bodies should be taken forward/transferred as part of strengthening the sub regional partnerships/LEPs, for example WM Enterprise Board, WM Rural Affairs Forum, etc, to help facilitate an orderly and effective transition from regional arrangements and responsibilities to sub-regional and local control.

- a. Actions: light touch audit of regional bodies, roles and funding, (opportunity for AWM/GO to provide capacity for this work). Ascertain views of sub regional partnerships on value and viability of devolving existing roles and activities from regional bodies.
- b. Outputs: identify the viability and benefits of which regional roles could/should be taken forward at the sub regionally level. Clarity on asset and liability transfer to local authorities and successor arrangements.
- c. Outcomes: orderly and effective transition from regional arrangements and responsibilities to stronger sub-regional and local control.

14. Manage Hosted Projects – In addition and working with the Corporate Service Team, the Co-ordination Team will provide oversight and or wind up of Independently Funded Projects which are a legacy of WM Regional Assembly and/or WMLB. Each has its own work programme. The current 2010 – 11 budget state of play in respect to legacy projects is summarised as follows:-

- a) Living Well WM - £1,484,746 (Big Lottery funded to end February 2011)
- b) Strategic Migration Partnership - £225,045 (UK Border & Immigration Agency funded to 31st March 2012)
- c) EUConnects - £507,368 (ERDF funded with match from WMLB and AWM to 31st March 2011)
- d) Open Project - £108,067 (EU Funded to 31st January 2011)
- e) ESF Co-Financing Plan - £142,102 (ESF funded via SFA to July 2011 at present)
- f) Forestry and Rural Work Programme - £79,200 (Partner funded to 31st January 2011)

This work programme is by no means exhaustive, but does reflect some of the big issues of the day, where co-ordination and sharing of thoughts, views and papers from local authorities and sub regional partnerships, plus where appropriate the development of a West Midlands-wide perspective or action, will be deemed essential by authorities.

Service Statement

Introduction

The Employers Services team within West Midlands Councils exists to provide dedicated support to our 33 subscribing Local Authorities. In fulfilling the longstanding role of the regional employers organisation, the team will;

- provide a range of 'core' and consultancy services covering employment advice and support;
- provide access to a range of learning and organisational development opportunities;
- facilitate networking across local authorities in relation to HR and people management;
- represent the views of the constituent local authorities and act as an interface with the national employers and other relevant bodies, and;
- provide the role of Provincial Employers Secretary in relation to employment related disputes and maintain positive relationships with relevant regional trade unions.

Core Service Delivery - A Regional Shared Service

The following represents the range of 'core' services provided and available through our key client base representatives i.e. leading elected members (Leaders and Portfolio Holders), Chief Executives and Chief Officers, Heads of HR and Organisational Development and their teams. These services are funded from the subscriptions paid by local authorities to West Midlands Councils.

Resource Base

From October 2010, the Employers Services Team comprises of;

Colin Williams - Director of Employers Services - 07785 727306;
c.williams@wmcouncils.gov.uk

Michelle Cartwright - Regional HR Adviser / Consultant - 07771 373202
m.cartwright@wmcouncils.gov.uk

Shane O'Callaghan - Regional HR Adviser / Consultant - 07717 580526
s.ocallaghan@wmcouncils.gov.uk

Carie Rowberry - HR Information Officer - 0121 678 1057
c.rowberry@wmcouncils.gov.uk

The team will deploy a range of experienced Associate Consultants and work in partnership with other regional and national employer bodies to deliver the full range of services

Service Statement continued....

Employment advice helpline	Accessible through our telephone advice line or our new dedicated single e-mail enquiry service, the team will ensure a responsive service to local authority representatives on any matters relating to employment law and terms and conditions of service.
HR Information and Resources	In addition to providing a web based FAQ consolidating common issues from the above, we will provide an enhanced HR Bulletin service, delivered through e-mail updates offering practical interpretation of emerging employment law and case law developments direct to nominated service users. We will also provide and maintain a secure 'online' HR forum to enable benchmarking and sharing of information and intelligence, incorporating a 'policy library'.
'In house' advice and support	The team will be available for 'in house' consultation, advice and support as requested on a range of employment related matters e.g. sensitive matters of discipline and grievance; organisational and senior management pay reviews (including independent advice to remuneration panels); job evaluation and equal pay issues; advice on executive recruitment (see below for details of transition to 'consultancy activity').
Networking Support	The team will facilitate and host where appropriate quarterly meetings of the HR & OD community (currently defined as the Strategic HR Authorities Group; PPPMA/HR Officers Group; Learning and Development Network, and; Workforce Planning Network) and based on demand will also facilitate a regional member development network.
Dispute Resolution	Providing conciliation services on collective industrial dispute matters both directly to local authorities and through the role as Provincial Employers Secretary.
Collective representation	Representing the collective views and interests of constituent local authorities through a formal and informal 'two way' dialogue with the relevant bodies within the Local Government Group, including the Local Government employers (LGE), LG Improvement and Development (LGID) and supporting lead elected members at meetings of the National Association of Regional Employers (and its European equivalent PPE/CEEP).
Project Development	Working alongside local, regional and national colleagues we will play both lead and facilitative roles in the development of services to constituent local authorities e.g. the continued development of an on line pay benchmarking service and continued promotion and support to the development of the WMJobs Portal and West Midlands Coaching Pool.

Consultancy Services

In order to minimise the costs of the above 'core' service and its impact on local authority subscriptions, the team is required to achieve a surplus income target in excess of £100,000 per annum. This demands that based on the maintenance of discounted 'day rates' to constituent local authorities, the retained front line professional staff are engaged in fee earning activity for in excess of 40% of available working days. This will demand that we look to secure consultancy work outside of the region and across the wider local government family, for which fully commercial rates will be charged.

This necessitates an operational protocol which defines that **all advisory and in house support work** (excluding matters referred to the Joint Secretaries and advice to elected members on sensitive employment matters) **which requires a minimum of at least one whole day on an individual matter will be chargeable as consultancy activity.**

The range of HR consultancy services available builds on those areas set out above in 'in house support and advice' and includes;

- the provision of longer term HR project support to individual local authorities;
- interim HR management support (part and full time basis);
- undertaking of major investigations and providing advice and support to officer and member panels;
- client support and direct delivery of senior management recruitment support;
- facilitation and support in respect of Chief Executive and elected member appraisal and personal development reviews.

We will continue to provide access to a range of member development initiatives and programmes delivered through a strategic alliance with an experienced partner organisation, including supporting and delivering assessments against the West Midlands Member Development Charter.

We can;

- deliver a range of in-house training and development interventions to meet local authorities requirements at all employee levels, covering areas such as management development, personal development, customer care and many more. Please refer to www.wmcouncils.gov.uk for details of the variety of individual programmes and courses that can be delivered
- deliver the programmes within individual local authorities, on a sub regional / regional basis or hosted within our own training and meeting centre in the heart of Birmingham
- provide best value by maximising the number of delegates at the appropriate local level, with fees at a negotiated consultancy 'day rate' rather than on an individual delegate basis
- deliver programmes bespoke to individual organisational needs, alongside the more established programmes listed on our website

In addition to the above, all of our training is practically designed to ensure that delegates can return to the workplace with the skills gained and implement them, thus adding an immediate return on investment.

Service Statement continued....

Our Commitments & Service Standards

In delivering our services we will;

- listen and respond to the collective needs and priorities of our constituent local authorities;
- seek to maintain the highest professional standards of across all services that we directly deliver or commission;
- protect confidentiality and apply highest levels of integrity in dealing directly with clients, and;
- seek and respond to constructive feedback in a positive way.

Key measures against which our service can be evaluated include;

- ensuring the employment advice line service is available every normal working day;
- meeting our commitment to provide (at least initial) responses to the e-mail helpline within a 24 hour period;
- providing timely and user friendly e-mail alerts summarising key employment law developments and communication / consultations from the national employers and other bodies;
- achieving our individual and collective income targets;
- effectively servicing and supporting our range of networks against an agreed schedule of meetings;

Performance Reporting and Evaluation

In order to demonstrate our levels of activity and achievement we will provide quarterly reports to Chief Executives (or their nominees), Heads of HR and lead members of West Midlands Councils. This will include;

- Analysis of transactional data against authority types from our employment advisory services
- Updates on consultancy engagements and levels of training and development activity, together with income monitoring against agreed targets
- Summaries of network meetings held and actions agreed / outcomes
- Progress and achievements against agreed development projects

We will undertake an electronic annual client satisfaction survey on an annual basis from September 2011 seeking views from service users on the quality and effectiveness of our services, the extent to which they are perceived to add value and our achievements against our stated standards.

Our recent anonymous HR Customer Survey in respect of our employment support services (82% response rate) showed that:

- 95% rated our events as good or excellent;
- 90% classed the HR Bulletin as good or excellent
- 86% of respondents stated the sector specific and pragmatism associated with the advice given was a key driver to use the service;
- 82% classed the advisory service as good or excellent;
- 81% rated us as good or excellent in representing their views nationally;
- Over 50% of authorities use our advisory services on a weekly or at least fortnightly basis;

Agenda Item No 21

Executive Board

27 June 2011

**Report of the Assistant Chief Executive
and Solicitor to the Council**

**Environmental Health Proper
Officer Powers in the Constitution**

1 Summary

- 1.1 This report seeks Member approval to update the Constitution of the Council to reflect recent changes in Environmental Health legislation.

<p>Recommendation to the Council</p> <p>That the changes to the Constitution detailed in the report and Appendices be approved.</p>

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Relates to all Portfolios and Wards.

3 Report

- 3.1 There have been a number of recent legislative changes within the Environmental Health area. As a result it is necessary to amend the Proper Officer provisions in the constitution to ensure that our work in this area is authorised.

4 Report Implications

4.1 Legal and Human Rights Implications

- 4.1.1 A failure to properly delegate work to officers may result in their work being unlawful and the failure in Court of enforcement action.

The Contact Officer for this report is Steve Maxey (719438).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

PROPER OFFICER POWERS

A CHIEF EXECUTIVE

Legislation	Function
1. Local Government Act 1972 - Section 39	To act as Electoral Registration Officer
2. Local Government Act 1972 - Section 83(1) to (4)	To witness and receive Declarations and Acceptances of office
3. Local Government Act 1972 - Section 84	To receive resignations of office
4. Local Government Act 1972 - Section 88(2)	To convene meetings to fill casual vacancies in the office of Mayor
5. Local Government Act 1972 - Section 89(1)(b)	To receive notice of casual vacancy for a Councillor
6. Local Government Act 1972 - Section 248	Keeping the Roll of Freemen of the Borough
7. Local Government Act 1972 - Schedule 12 Paragraph 4(2)(b) Paragraph 4(3)	Summons to Council Meetings Receipt of notices of address to which summons to meetings may be sent
8. Local Government Act 1972 - Sections 100B; 100C; 100D; and 100F, as inserted by Section 1 of the Local Government (Access to Information) Act 1985	
Section 100B(2)	Circulation of Reports and Agendas
Section 100B(7)(c)	Supply of papers to the press
Section 100C(2)	Summary of minutes concerning exempt business
Section 100D(1)(a)	Compilation of list of background papers
Section 100D(5)(a)	Identification of background papers
Section 100F(2)	Identification of documents which are not open to inspection by Members of the Council

(The powers listed at A1 to A7 may, in the absence of the Chief Executive, be exercised by the Solicitor to the Council. The powers listed under A8 may, in the absence of the Chief Executive, be exercised by the Assistant Chief Executive).

9. Local Government Finance Act 1988 Section 116 Convening of meetings to consider reports made under Section 114 of the Act, including notification of meetings to the District Auditor.
10. Local Government and Housing Act 1989 Proper Officer for the purposes of the Act.

B ASSISTANT CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL

1. Ordnance Survey Act 1841, as amended by Section 191 of the Local Government Act 1972 For the certification of boundaries
2. Local Government Act 1972 – Section 229(5) Certification of Photographic copies of documents
3. Local Government Act 1972 – Section 234(1) and (2) Authentication of Documents
4. Local Government Act 1972 – Section 236(9) and (10) Transmission of copies of byelaws
5. Local Government Act 1972 – Section 238 Certification of byelaws
6. Local Government Act 1972 Schedule 14 (Paragraph 25(7)) Certification of Resolutions
7. Local Government Act 1972 Schedule 6 – Paragraph 1 To act as Deputy to the Electoral Registration Officer
8. Local Government Act 1972 Section Deposit of documents 225(1)
9. Proper Officer powers in relation to any reference in any enactment passed before or during the 1971/72 session of Parliament (other than the Local Government Act 1972) or in an instrument made before 26 October 1972 to the Medical Officer of Health or to the Public Health Inspector of a Council which by virtue of any provision of the Local Government Act 1972 was to be construed as a reference to the Proper Officer of the Council.
10. Local Government Act 1972 – Schedule 14 – Paragraph 13 Sections of the Public Health Act, 1936 relating to infectious diseases and affected premises, and filthy and verminous premises.

11. Environmental Protection Act 1990 – Discharge of functions imposed or conferred under the Section for dealing with stray dogs.
Section 149(1)
12. Public Health (Control of Disease) Act 1984 – Sections 24, 31, 32, 59, 61 and 62. Control of notifiable disease, food poisoning, authentication of documents, and powers of entry including the right to take persona and equipment with him
13. Public Health Act 1961 – Section 37 Disinfestation or destruction of verminous articles
14. The Health Protection (Local Authority Powers) Regulations 2010 – Service of Notices
15. The Health Protection (Part 2A Orders) Regulations 2010 – make applications for Part 2A Orders

NB

- (i). The powers listed at 9,10, 11,12, 13, 14 and 15 may, in the absence of the Assistant Chief Executive and Solicitor be exercised by either of the Environmental Health Managers.
 - (ii). In relation to Statutory Notices served under the provisions of all relevant legislation for which the Assistant Chief Executive and Solicitor to the Council is the Proper Officer, the power to sign such Notices may, in his absence, be exercised by the Environmental Health Managers.
16. To authorize Medical Officers of the Primary Care Trust, the Health Protection Agency (or any successor bodies) to act as Proper Officers for and on behalf of the Council as identified to the Assistant Chief Executive and Solicitor to the Council from time to time in matters arising under:-

Public Health Act 1936 – Sections 84 and 85 – filthy and verminous premises

National Assistance Act 1948 – removal of persons living in insanitary conditions

Public Health (Control of Diseases) Act 1984 – certificate to enable Magistrates to order the removal of a dead body and burial

Public Health (Infectious Diseases) Regulations 1968

The Health Protections (Notification) Regulations 2010

17. Criminal Justice and Police Act 2001 – Closure Notices

C DEPUTY CHIEF EXECUTIVE

1. Local Government Act 1972 – Section 115(2) Receipt of money due from Officers
2. Local Government Act 1972 – Section 146(1)(a) and (b) Declarations and Certificates with regard to securities
3. Local Government Act 1972 – Section 151 Administration of the Council's financial affairs
4. Local Government Act 1972 – Section 228(3) Accounts to be open for inspection
5. Local Government Finance Act 1988 – Section 114 Requirement to make reports concerning unlawful expenditure

(The power listed under C3 and C5 will, in the absence of the Deputy Chief Executive, be exercised by the Assistant Director (Finance and Human Resources)).

D ASSISTANT DIRECTOR (CORPORATE SERVICES)

- 1 Local Government Act 1972 – Section 212(1) and (2) Registrar of Local Land Charges

AUTHORISED OFFICER POWERS

A ASSISTANT CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL

1. Authorised Officer powers for the purposes of the hackney carriage provisions contained in the Town Police Clauses Act 1847; and for the purposes of the hackney carriage and private hire provisions contained in Part II of the Local Government (Miscellaneous Provisions) Act 1976.
2. Authorised Officer powers for the purposes of Sections 14-17 of the Local Government (Miscellaneous Provisions) Act 1982; the Public Health (Control of Diseases) Act 1984; Licensing Act 2003 Authorised Officer Powers.

B ALL QUALIFIED ENVIRONMENTAL HEALTH OFFICERS, THE SENIOR POLLUTION CONTROL OFFICER, THE POLLUTION CONTROL OFFICERS AND THE FOOD SAFETY OFFICERS WITHIN THE DIVISIONS OF THE ASSISTANT CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL AND THE ASSISTANT DIRECTOR (HOUSING)

Authorised Officer powers for the purposes of the regulatory functions contained in the following Acts, including all Orders and Regulations made thereunder:

The Public Health Acts 1936-68
The Public Health (Recurring Nuisances) Act 1969
The Housing Act 1985
The Housing Act 1996
The Housing Act 2004
The Housing Grants, Construction and Regeneration Act 1996
The Building Act 1984
The Food and Environment Protection Act 1985
The Prevention of Damage by Pests Act 1949
The Clean Air Act 1993
The Control of Pollution Act 1974
The Pet Animals Act 1951
The Animal Boarding Establishments Act 1963
The Riding Establishments Acts 1964-1970
The Breeding of Dogs Act 1973
The Water Act 1945
The Slaughter of Poultry Act 1967
The Slaughterhouses Act 1974
The Local Government (Miscellaneous Provisions) Acts 1976 and 1982
The Scrap Metal Dealers Act 1964
The Civic Amenities Act 1967
The Refuse Disposal (Amenity) Act 1978
The Caravan Sites Act 1968
The Caravan Sites and Control of Development Act 1960
The Public Health (Control of Disease) Act 1984
The Dangerous Wild Animals Act 1976
The Health and Safety at Work Etc Act 1974
The Animal Health Act 1981
The Disease of Animals Acts 1950-1975
The Environmental Protection Act 1990

*The Food Safety Act 1990

The Environment Act 1995

The Pollution Prevention and Control Act 1999

The Licensing Act 2003 Part 3 Section 13 Responsible Authority

*The Student Environmental Health Officer is also an Authorised Officer but restricted to the purposes of powers of entry, sampling and inspection only.

C THE TECHNICIANS, TECHNICAL ASSISTANTS AND THE STUDENT ENVIRONMENTAL HEALTH OFFICER WITHIN THE DIVISIONS OF THE ASSISTANT CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL AND THE ASSISTANT DIRECTOR (HOUSING)

Authorised Officer powers, restricted to powers of entry for the purpose of inspection and investigation only, in relation to the environmental health functions contained in the Acts listed at B above, including all Orders and Regulations made thereunder.

D ALL ENVIRONMENTAL HEALTH OFFICERS AND BUILDING INSPECTORS

Authorised Officer powers for the purposes of the Building Act 1984

E THE ENVIRONMENTAL HEALTH MANAGERS ALL ENVIRONMENTAL HEALTH OFFICERS AND THE FOOD SAFETY OFFICERS

Authorised Officer powers under the following:

The European Communities Act 1972 and all Regulations made under it

Food and Environmental Protection Act 1985 and all Regulations made under it

Food Safety Act 1990 and all Regulations made under it

Water Industry Act 1991

The Food (Jelly Confectionary) (Emergency Control) (England) Regulations 2002

The Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) Regulations 2005

The Food Hygiene (England) Regulations 2006

The TSE (England) Regulations 2006

The Contaminants in Food (England) Regulations 2007

The Official Feed and Food Controls (England) Regulations 2007

Private Water Supplies Regulations 2009

The Sunbeds (Regulation) Act 2010

The Trade in Animals and Related Products Regulations 2011

Save that any Food Safety Officer or Environmental Health Officer of less than two years' experience in food safety is not authorised under the following:

Food Hygiene (England) Regulations 2006 – Regs 8, 9 and 27

Food Safety Act 1990 – Sections 9 and 12

Authorised officer powers for all of the above legislation is also granted for Technical Assistants and Student Environmental Health Officers but restricted to powers of entry for the purposes of inspection and investigation only

F HOLDERS OF ALL ENVIRONMENTAL HEALTH OFFICER POSTS, THE SENIOR POLLUTION CONTROL OFFICER, THE POLLUTION CONTROL OFFICER POSTS, AND OTHER TECHNICAL POSTS IN THE DIVISIONS OF THE ASSISTANT CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL AND THE ASSISTANT DIRECTOR (HOUSING)

Authorised Officers in relation to relevant parts of the Environmental Protection Act 1990, with the exception of Part I.

NB The holder of the post of Student Environmental Health Officer is also an Authorised Officer but restricted to the purposes of powers of entry, examination and investigation only.

g ALL OFFICERS OF THE DIVISIONS OF THE ASSISTANT CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL AND THE ASSISTANT DIRECTOR (HOUSING)

Authorised Officers to seize dogs, under Section 5 of the Dangerous Dogs Act 1991.

K REFUSE COLLECTION AND RECYCLING MANAGER, TRANSPORT AND STREETScape MANAGER AND WORKSHOP FOREMAN

Authorised Officers under the Council's Off Street Parking Places Orders to remove or reposition vehicles parking in the Market Square, Atherstone, and at other car parks covered by the Orders.

L LICENSING ENFORCEMENT OFFICERS

Authorised to carry out all aspects of the Council's duties and responsibilities (including licensing access to premises) under the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976 and 1982; The Town Police Clauses Act 1847 and the Transport Act 1985, The Licensing Act 2003 and the Gambling Act 2005, including all Orders and Regulations made thereunder.

Authorised for the purposes of inspection and enforcement under the relevant provisions of the

- The Pet Animals Act 1951
- The Animal Boarding Establishments Act 1963
- The Riding Establishments Act 1964 and 1970
- The Breeding of Dogs Act 1973
- The Dangerous Wild Animals Act 1976

- House to House Collections Act 1939
- Lotteries and Amusements Act 1976
- Regulations made by the Council in respect of Street Collections under the Charitable Collections (Transitional Provisions) Order
- The Environmental Protection Act 1990
- The Clean Neighbourhoods Act 2005
- The Dogs (Fouling of Land) Act 196
- The Anti-Social Behaviour Act 2003

M ALL ENVIRONMENTAL HEALTH OFFICERS, FOOD SAFETY OFFICERS, SENIOR POLLUTION CONTROL OFFICERS, POLLUTION CONTROL OFFICERS AND ENVIRONMENTAL HEALTH MANAGERS

Authorised officers under the Licensing Act 2003 – Sections 59 and 63 for Responsible Authority response.

N LICENSING ENFORCEMENT OFFICERS, SENIOR ENVIRONMENTAL HEALTH AND POLLUTION OFFICERS, ENVIRONMENTAL HEALTH OFFICERS, FOOD SAFETY OFFICERS, POLLUTION CONTROL OFFICERS, TECHNICAL ASSISTANTS AND ENVIRONMENTAL HEALTH MANAGERS

Authority under the Health Act 2006 and associated regulations to issue Fixed Penalty Notices in respect of the Smoke Free legislation.

O ENVIRONMENTAL HEALTH MANAGERS, SENIOR ENVIRONMENTAL HEALTH OFFICER, SENIOR POLLUTION CONTROL OFFICER, POLLUTION CONTROL OFFICERS AND ENVIRONMENTAL HEALTH OFFICERS.

Authority to carry out all aspects of the Council's duties and responsibilities under the relevant provisions of the Environmental Damage (Prevention and Remediation) Regulations 2009.

P THE HEAD OF DEVELOPMENT CONTROL, THE PRINCIPAL PLANNING OFFICER AND THE SENIOR DEVELOPMENT CONTROL OFFICERS.

These postholders have authority to sign delegated decisions in respect of planning and related applications.

Agenda Item No 22

Executive Board

27 June 2011

Report of the Assistant Chief Executive and Solicitor to the Council

Sub-regional Update

1 Summary

- 1.1 This report brings members up to date on work at the sub-regional level and seeks approval for officers to work collaboratively with other authorities in the Coventry and Warwickshire sub-region to prepare a sub-regional strategy.

Recommendation to Council

- a That approval be given for officers to work with other sub-regional authorities, including the Local Enterprise Partnership to progress a sub-regional strategy; and**
- b That the Draft sub-regional strategy be brought back to the LDF Sub-Committee and Board for consideration.**

2 Introduction

- 2.1 This report brings members up to date on a range of initiatives that are being carried out at the sub-regional level and these can be divided into:
- Local Enterprise Partnerships.
 - Enterprise Zones
 - Regional Growth Fund bid

3 Local Enterprise Partnerships

- 3.1 As Members are aware the Coventry and Warwickshire Local Enterprise Partnership has been set up with a formal Board and an Executive Delivery Board. In addition, there are now a number of sub-groups:
- Access to Finance
 - Planning and Property
 - Skills and Employability
 - Automotive and High Tech Manufacturing
 - Transport
 - Farming and Rural Business
 - Low Carbon
 - IT and Media
 - Tourism
 - Voluntary Sector
 - Business Leaders and Stakeholder Council

Full information, including agendas and minutes from these groups can be found on the Coventry and Warwickshire LEP website – www.cwlep.com

- ...
- 3.2 The CWLEP has now agreed a five year strategy (2011-2016) which is attached as Appendix A. This outlines the work that the CWLEP wants to see delivered. As part of the five year strategy one of the outcomes that is listed is a Growth Strategy.
 - 3.3 Members will recall as part of the Regional Spatial Strategy there was a section covering the Coventry and Warwickshire area outlining how the growth in this sub-region would be taken forward. This essentially relied upon the growth being concentrated in a north / south corridor from Warwick through Coventry up to Nuneaton and Bedworth with growth in Rugby due to its relationship and close proximity to Milton Keynes. Both Stratford and North Warwickshire would then cater for their own needs rather than growth beyond this.
 - 3.4 The sub-region were working together to develop this strategy further before the announcement of the impending abolition of the RSS. Since then authorities have been waiting to see what if any requirement there would be for joint working, especially in relation to the development of a Sub Regional Spatial Strategy, and also what level of growth would be required.
 - 3.5 This agreement of how growth will be delivered in the sub-region does impact on North Warwickshire because of the view that North Warwickshire caters for its own local needs and not for wider growth. Growth was targeted at the regeneration of the north / south corridor and especially Coventry and Nuneaton and Bedworth.
 - 3.6 Part of the national LEP agenda is to stimulate growth. Within the CWLEP five year strategy there is a reference to the writing of a "Growth Statement". They say, however, in their Board minutes, that they see this as mutually exclusive from a sub-regional strategy. It is your officers opinion that as growth and planning are inextricably linked that a Growth Statement can not be divorced from a Sub Regional Strategy as they should say the same things about what type of growth and where growth should be located. It is therefore recommended that officers work with other local authorities, as well as the LEP Planning and Construction Sub Group, to develop a sub-regional spatial strategy. This Strategy is then brought back to members through the LDF Sub-committee and then Board for consideration.

4 **Enterprise Zones**

- 4.1 Government has re-introduced Enterprise Zones. Eleven were initially announced in the budget with more being bid for through the LEPs. The uplift in business rates (the additional amount payable as a result of the new development) would be given to the relevant LEP. This would give them funding to finance some of the initiatives in their delivery plans.
 - 4.2 The LEPs were required to submit to DCLG (Department of Communities & Local Government) an expression of interest. In Coventry and Warwickshire
- ...

three sites were initially put forward and the letter to CLG is attached as Appendix B. The Coventry Airport site is being developed into a full bid which must be with CLG by the end of June. Some of the development will be in the Green Belt and thus require the release of Green Belt land.

- 4.3 In Leicester and Leicestershire LEP area their expression of interest included MIRA on the A5. Members will be aware a planning application has been submitted to this Council for improvements to the A5 and an application to Hinckley and Bosworth for a MIRA Technology Park.
- 4.4 Government will access the proposals from July and then announce the successful bids in early autumn. Planning authorities will need to establish local development orders by March 2012 to cover the zones and Government will work with the successful partnerships to agree the specific package required to address the local economic challenges.

5 Regional Growth Fund Bid

- 5.1 Members will recall that MIRA submitted a bid for Regional Growth Fund money in the first round earlier this year. That bid was unsuccessful. They wish to submit a bid for the second round by the deadline of 1 July 2011. This bid would again seek funding for road improvements to initially access the site. Officers again will be assisting with this application but with the proviso that any application would be subject to the grant of planning permission.

6 Report Implications

6.1 Financial Implications

- 6.1.1 There are no direct financial implications from this report. Officer time will be required to develop the sub-regional strategy.

The Contact Officer for this report is Dorothy Barratt (719250).

Agenda Item No 23

Executive Board

27 June 2011

**Report of the Assistant Chief Executive
and Solicitor to the Council**

**Consultation Responses - Interim
Planning Policy Statement**

1 Summary

1.1 This report relates to the consultation on the Interim Planning Policy Statement.

Recommendation to Council

That the Interim Planning Policy Statement be agreed and adopted.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

2.1.1 A copy of the report, attached as Appendix A, was discussed and agreed by the LDF Sub-Committee on Wednesday 23 March 2011, Planning & Development Board 11 April 2011 and Full Council 27 April 2011.

3 Introduction

3.1 The attached report was agreed by Full Council on 27th April. However due to the cancellation of the Executive Board on 23rd April this report has not been considered by this Board. Therefore the report is brought to Members for their consideration and endorsement.

4 Report Implications

4.1 Environment and Sustainability Implications

4.1.1 The Interim Policy Statement sets out how the Council will consider development proposals. Included within the statement there are some key local issues that the Council considers are priorities that in the absence of an adopted Core Strategy that should be highlighted. These include Quality of the Natural Environment, Affordable Housing, Rural Services, Local Employment, Quality of Development and Climate Change. The development policies influence and contribute towards the provision of sustainable communities and also directly to aims and priorities of the North Warwickshire Sustainable Communities Strategy 2009 – 2026.

The Contact Officer for this report is Dorothy Barratt (719250).

Agenda Item No 7

Local Development Framework Sub-Committee

23 March 2011

Report of the Assistant Chief Executive and Solicitor to the Council

Consultation Responses - Interim Planning Policy Statement, Design Briefs & Affordable Housing Addendum to SPD

1 Summary

- 1.1 This report outlines the consultation responses to a number of documents – Interim Planning Policy Statement; Design Briefs for Holly Lane & Britannia Mill; and, Affordable Housing Addendum.

Recommendation to Executive Board

That the Interim Planning Policy Statement be agreed and adopted.

Recommendation to Planning & Development Board

- a That the Interim Planning Policy Statement be agreed and adopted by the Executive Board;**
- b That the Design Briefs be agreed and adopted; and**
- c That the Affordable Housing Addendum be agreed and adopted.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 A copy of the report has been sent to Councillor Simpson.

3 Introduction

- 3.1 As Members will recall the consultation period came to a close on 28 February on the following documents:
- Interim Planning Policy Statement
 - Design Brief – Holly Lane
 - Design Brief – Britannia Mill
 - Affordable Housing Addendum to the Affordable Housing SPD

... 3.2 A number of responses have been received and these are summarised in Appendix A. Along side the summaries a suggested response has been made by officers. The final documents reflect these suggested changes and are reproduced in Appendix B.
...

3.3 Subject to Board approval these will now planning considerations when dealing with planning applications.

4 Report Implications

4.1 Environment and Sustainability Implications

4.1.1 The Interim Policy Statement sets out how the Council will consider development proposals. Included within the statement there are some key local issues that the Council considers are priorities that in the absence of an adopted Core Strategy that should be highlighted. These include Quality of the Natural Environment, Affordable Housing, Rural Services, Local Employment, Quality of Development and Climate Change. The development policies influence and contribute towards the provision of sustainable communities and also directly to aims and priorities of the North Warwickshire Sustainable Communities Strategy 2009 – 2026.

The Contact Officer for this report is Dorothy Barratt (719250).

Comments on Affordable Housing
Supplementary Planning Document Addendum

REF NO	NAME	ORGANISATION	SUPPORT	COMMENTS	OUR COMMENTS
AH1	Fred Andress	Planning Issues Ltd	NO	If economic viability is an issue, the appropriate contribution towards affordable housing must be determined and agreed at the time planning permission is granted for a single phased development i.e. before the development has been implemented (or in the case of a large phased development, before a particular phase of a development has commenced. A developer and his lender needs certainty in respect of return for risk before a commitment will be made to undertake a development. Any option which involves an economic reappraisal after commencement to determine a higher contribution is not practical or acceptable and is likely to be contrary to B5 of circular 05/05 in that it would be used as a means of securing for the local community a share in the profits of development, i.e. as a means of securing a "betterment levy" .	Affordable housing is a key priority and in non-recession times we would be able to seek an appropriate contribution to the provision of affordable housing. The policy states that we will look at viability and it is considered by preparing this paper that we are giving developers the certainty of our stance. However developers can not expect to avoid the actual policy requirement of providing affordable housing if the scheme is actually a lot more profitable than envisaged at the time of the granting of the planning permission.
AH2	Ciaran Power	WCC		<p>Confirm if the policy relates to the reduction in the level of affordable only or if this could result in the reduction in other financial contributions sought (e.g education etc). If the reduction relate solely to affordable housing perhaps this could be stated more explicitly for the avoidance of doubt.</p> <p>Also the option of postponing contributions suggest that in cases where viability is an issue but there does not appear to be any explicit limitation on the circumstances which might justify a reduction.</p> <p>The policy envisages that calculation of a contribution might be postponed until final realised market values are known. If the policy relates to all types of contribution (Education etc) then this approach</p>	This statement only refers to affordable housing and is an addendum to the Affordable Housing SPD. Noted.
AH3	Diane Clarke	Network Rail		<p>Developments over 50 dwellings, near a railway station should be given Section 106 contributions for enhancements to the railway station - which in turn relates to PPG13 which targets developments as close to public transport as possible</p>	This issue will be considered as part of other LDF work.
AH4	James Kitchen	Environment Agency		No Comments	
AH5	Mike Pearson	Tweeddale		Requirement for 40% affordable housing on site will need to be reviewed - a maximum of 30% as a target would appear to be more realistic	This is a policy change and not relevant to this SPD. This addendum and the policy already allows flexibility however the need for affordable housing in the Borough would actually require a much higher figure.

Comments on Affordable Housing
Supplementary Planning Document Addendum

AH6	Landspeed Affordable Homes Ltd	NO	<p>In the context of extant consents we are generally supportive of the Council's flexible approach in an attempt to secure delivery of a consented scheme save that consideration needs to be given to whether or not any re-appraisal can be successfully undertaken at the completion of a development. The operation and mechanism for such an obligation must be rigorously considered before incorporation into any legal document. For new housing applications we feel that the 40% affordable provision should always be achievable unless the scheme viability reduces the land value to below that of a sites existing use or alternative use. It is the landowner that bears the financial impact of affordable housing the Council should not be held to ransom simply because a landowner wants a specific price without viable justification. There should be some benefit to a landowner to pursue a housing scheme over an alternative use and we would propose that the Council adopt a benchmark differential that would need to be respected.</p>	Noted
			<p>By way of example if a commercial scheme derives a land value of £1M the pursuit of a residential application would be beneficial to the landowner/applicant if the land value was 10% higher. This then establishes a benchmark for viability negotiations and the level of affordable housing. The section detailing need in category 4 settlements states that 'the undertaking of a formal housing needs survey maybe seen as placing too great a financial and administrative burden...' we categorically disagree with this statement as Experience has proven that very detailed and comprehensive surveys can be undertaken at affordable, realistic, cost. We have already discussed this with officers We also feel very strongly that the addendum has failed to take the opportunity to review and update the parameters and requirements detailed within the Affordable Housing SPD (June 2008) not least the changes to tenure (definitions and type) and the new HCA Investment Framework. Furthermore we feel that the restriction of 100% affordable housing schemes to proposals of no more than 10units is unnecessarily restrictive given that affordable housing now embraces a range of tenure options to meet increasing local needs. Finally whilst the SPD recognises that there is not specific rural exception policy we feel this is</p>	Noted
AH7	Kate Brazier	Newton Regis, Seckington and No Mans Heath PC	YES	

Comments on Affordable Housing
Supplementary Planning Document Addendum

AH8	Nick Groves	Boyer Planning	YES	Addendum sets out a clear framework in which negotiations will be considered. Councils recognition for the need for a flexible approach is of relevance and of paramount importance in ensuring that sufficient development occurs in the Borough to meet local needs and assist the council in meeting its housing targets	Noted
AH9	Bob Sharples	Sport England	YES		

Interim Planning Policy Statement

March 2011

1 ***Introduction***

- 1.1 This Statement sets out the Borough Council's policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council will consider development proposals. The Government has announced that consultation will take place on further changes and so this Interim Statement will need to be kept under review.

2 ***The Development Plan***

- 2.1 The Development Plan for North Warwickshire consists of:
- Regional Spatial Strategy (Government has indicated that the RSS will be abolished and this proposal is included in the current Decentralisation and Localism Bill 2010)
 - saved policies from the Warwickshire Structure Plan 1996-2011 ("Structure Plan")
 - saved policies from the North Warwickshire Local Plan 2006 ("Local Plan")
 - saved policies from the Minerals Local Plan; and,
 - saved policies from the Waste Local Plan.
- Appendix A has the full list of saved policies.

3 ***Other Material Considerations***

- 3.1 In addition to the Development Plan there are other documents that the Council will take account of as material considerations when considering proposals for development. These include national planning statements / guidance, as well as documents the Borough Council has prepared. This includes the following:

Adopted Supplementary Planning Guidance:

- A Guide for the Design of Householder Developments (2003)
- A Guide for Shop front Design (2003)
- A Guide for the Design of Lighting Schemes (2003)
- Supplementary Planning Guidance for Water Orton (2003)
- Father Hudson's Development Brief (2005)

Adopted Supplementary Planning Documents:

- Affordable Housing SPD (2008)
- Creation of the Affordable Housing SPD

Supplementary Planning Documents:

- Draft Open Space, Sport & Recreation (in progress)
- Design Briefs for Local Plan Allocated sites
 - Site at Father Hudson's Society, Coleshill
 - Site at Britannia Mill, Atherstone
 - Site at Birch Coppice, Dordon
 - Site at Holly Lane, Atherstone

Interim Planning Policy Statement March 2011

3.2 In addition although the Regional Spatial Strategy is in the process of being abolished, “evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case”. (Source: *letter from Eric Pickles*)

4 ***Plan Period***

4.1 The Borough Council will use the plan period 2006 to 2026. Targets and evidence will be aligned to these dates wherever possible. This will be reviewed once the potential adoption of the Core Strategy is known to ensure at least a 15 year plan-period.

5 ***Key Local Issues***

5.1 There are some key local issues that the Council considers are priorities that in the absence of an adopted Core Strategy should be highlighted:

5.2 Quality of the Natural Environment: The enhancement and protection of the natural environment is a key priority for the Borough Council. As a rural area with major growth areas surrounding the Borough its rural character is important to keep and improve.

5.3 Affordable Housing: The provision of locally affordable housing continues to be a key issue that will be pursued through the relevant saved local plan policies as well as the Local Investment Plan.

5.4 Rural Services: The Council sees the viability and vitality of its settlements as key to maintaining thriving communities in this rural Borough and will be pursued through the relevant saved local plan policies

5.5 Local Employment: Low education attainment and low aspirations are issues that are reflected in the key priorities from the Sustainable Community Plan. Improving the skills and aspirations of the local area will be a key driver.

5.6 Quality of Development: The saved policies from the Local Plan do require quality developments but developers have often found this hard to express and then deliver. The Council places emphasis on developments contributing to the local distinctiveness of this rural area and ensuring that developments are built to the highest quality in terms of its design; are of an appropriate scale for a rural area; creating soft urban edges and providing high quality landscaping. Ensuring materials used in schemes are sustainable is also important and is linked to the next key issue.

5.7 Climate Change: The previous issue and this one are inter-linked. Looking after the resources we have and ensuring their long-term sustainability is very important. Developments should be of the highest energy saving and lowest energy consumption possible looking to use BREAM standards, the Code for

Interim Planning Policy Statement March 2011

Sustainable Homes, renewable sources of energy, energy efficient materials in all developments.

- 5.8 Targets: It is now up to the Borough Council to decide what figures it is going to use. The amount of housing numbers and employment land that the Borough should provide in terms of targets are discussed below. The only determining factor is that there must be evidence, which is up to date, to support the figures.
- 5.9 The Distribution of Development: Development within the Borough will continue to be distributed based on the saved Core Policy CP2.

6 *Housing*

- 6.1 There are sources of household projections/ information. These range from the Housing Market Assessment as well as household projections. Around September / October national household projections should be published with more detailed information being made available in spring 2011. These will update the 2004 and 2006 Household projection figures. The 2011 Census will also provide some information but this will not be available until later in 2011. The Housing Market Assessment (2008) looked at both the affordable and market housing areas. For North Warwickshire the Housing Market Assessment indicated a figure of 4,000 by 2029. The annual requirement would thus be 174 per annum. To bring the date in line with the RSS (2026) the amount of housing required would be just below 3500.
- 6.2 The Preferred Option of the RSS gave a housing target of 3,000 new homes (up to 2026). This figure came about due to collaborative work with other authorities from the Coventry, Solihull Warwickshire sub-region. The thrust of the strategy was for the regeneration of Coventry, allowing for growth in a north / south corridor (Nuneaton to Warwick) and to protect the rural north and south of the County with more limited growth. Joint working is continuing with partners from the sub-region and the Council would wish to continue to give its support for a sub-regional strategy that accepts the need to protect and improve the rural nature of the Borough, balanced with an approach of catering for local needs.
- 6.3 The Borough Council will continue to work with sub-regional partners so the Borough's housing requirement will remain as 3000 for the period up to 2026.

7 *Employment*

- 7.1 The Preferred Option of the RSS gave the Borough an employment target of 33 hectares of new employment land (up to 2021), with a rolling five year requirement of 11 hectares. This was based on a calculation whereby the amount of housing numbers and employment land were linked. The housing requirement of 3,000 dwellings was divided in to five yearly segments to give

Interim Planning Policy Statement March 2011

a 5 year requirement of 750 dwellings for which a supporting employment need of 11 hectares of employment land were equated. Therefore up to 2021 (three 5 year periods) the requirement was 33 hectares. It was recommended in the Panel report, following the Examination in Public, that the Borough's new employment land would be increased to 44 hectares so that the plan period would be the same for both housing and employment (i.e. 4 x five year periods = 2026). There is no further update information that could be used to evidence a higher or lower figure at the present time.

- 7.2 The Borough Council wants to reflect the key priorities from the Sustainable Community Strategy in considering future development. Therefore in terms of the type of employment land an emphasis will be placed on B1 / B2 including highly skilled businesses, catering for local needs to assist in the delivery of jobs for the current and aspirational skill levels of the locality.
- 7.3 The Borough's employment land requirement will remain as 44 hectares for the period up to 2026. The Council will prioritise the delivery of employment land that delivers a full range of skills.

8 ***Other issues***

8.1 *Regional Logistics Sites (RLS)*

- 8.1.1 Although the abolition of the RSS means that there are now technically no "regional" logistic sites, the evidence that underpinned the RLS policy, PA9, and its proposed revision, including the Panel Report and the Regional Logistic Sites Studies, point to a large requirement for the West Midlands region.
- 8.1.2 The Council, in its evidence to the RSS Inquiry, stated its opposition to the level and need of further RLS provision. However the Panel Report stated that 40 hectares at Birch Coppice and 20 hectares at Hams Hall should be considered as part of the baseline figure for the West Midlands and no further requirement was placed on North Warwickshire to provide any further sites.
- 8.1.3 This need for further RLS provision was a material consideration when considering the planning application for the further development of Birch Coppice. On 16th August 2010 the Council decided to approve the planning application for a 40 hectare expansion at Birch Coppice.
- 8.1.4 Given the abolition of the RSS and the Government policy of returning control over planning matters to District/Borough Council, the Council considers that it has now made adequate RLS provision within the Borough and that no further provision is necessary, particularly given the policy detailed below on the importance of Green Belt land. In addition, to encourage local job opportunities and improve local skills the Council would consider changes from B8 to B1/ B2 uses, where appropriate.

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8.2 Green Belt

8.2.1 As the Local Plan states, sustainable development is the primary planning policy in North Warwickshire. Development restraint will help protect and enhance the Borough as an area of pleasant countryside with Market Towns and local service centres by preventing the incursion of nearby urban areas. This will benefit those who currently live in, work in and visit the Borough and future generations and ensure that development more appropriate to urban areas goes there.

8.2.2 The Council in this interim planning statement wishes to restate its commitment to the Green Belt in pursuit of these aims and attaches the upmost importance to the prevention of inappropriate development in the Green Belt unless very special circumstances exist. It supports the five objectives of the Green Belt, but, in particular, sees the prevention of urban sprawl as important.

8.3 Gypsy and Travellers

8.3.1 The Borough Council will work to prepare a Gypsy and Traveller Development Plan Document following the preparation of the Core Strategy

8.4 Transport Issues

8.4.1 The Government has announced a potential route of a High Speed Railway line (HS2) linking London to Birmingham and beyond. The Borough Council will work with other affected authorities to ensure that information is given and available to local communities. A report will be considered by the Council once the formal route has been announced for consultation. Once the route has formally been announced the route will be safeguarded.

8.5 Cross Border Issues

8.5.1 Cross border issues will arise and the Council will expect evidence of the need for the development and a demonstration that the development can not be delivered elsewhere. Until national policy on this becomes clearer the Council will give less weight to proposals, the need for which originates outside of the Borough, and that this will be particularly so if those proposals conflict with its view on the Green Belt, housing and employment provision.

9 Future Work Programme

9.1 In view of the changes currently taking place a new work programme through the Local Development Scheme will be brought forward.

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Appendix A

Saved Policies

Policies saved from Local Plan (adopted July 2006)

2	LOCAL PLAN STRATEGY
<i>CP1</i>	Social & Economic Regeneration
<i>CP2</i>	Development Distribution
<i>CP3</i>	Natural & Historic Environment
<i>CP5</i>	Development in Towns and Villages
<i>CP6</i>	Local Services & Facilities
<i>CP8</i>	Affordable Housing
<i>CP10</i>	Agriculture & the Rural Economy
<i>CP11</i>	Quality of Development
<i>CP12</i>	Implementation
3	NATURAL & BUILT ENVIRONMENT POLICIES
<i>ENV1</i>	Protection & Enhancement of Natural Landscape
<i>ENV3</i>	Nature Conservation
<i>ENV4</i>	Trees and Hedgerows
<i>ENV5</i>	Open Space
<i>ENV6</i>	Land Resources
<i>ENV7</i>	Development of Existing Employment Land outside Defined Development Boundaries
<i>ENV8</i>	Water Resources
<i>ENV9</i>	Air Quality
<i>ENV10</i>	Energy Generation & Energy Conservation
<i>ENV11</i>	Neighbour Amenities
<i>ENV12</i>	Urban Design
<i>ENV13</i>	Building Design
<i>ENV14</i>	Access Design
<i>ENV15</i>	Heritage Conservation, Enhancement and Interpretation
<i>ENV16</i>	Listed Buildings, non Listed Buildings of Local Historic Value and Sites of Archaeological Importance (including Scheduled Ancient Monuments)
<i>ENV17</i>	Telecommunications
4	HOUSING POLICIES
<i>HSG1</i>	Housing Land Allocations & Proposals
<i>HSG2</i>	Affordable Housing
<i>HSG3</i>	Housing Outside Development Boundaries
<i>HSG4</i>	Densities
<i>HSG5</i>	Special Needs Accommodation
5	ECONOMY POLICIES
<i>ECON1</i>	Industrial Sites
<i>ECON2</i>	Employment Land
<i>ECON3</i>	Protection of Existing Employment Sites & Buildings within Development Boundaries

Interim Planning Policy Statement March 2011

<i>ECON4</i>	Managed Workspace / Starter Units
<i>ECON5</i>	Facilities relating to the Settlement Hierarchy
<i>ECON6</i>	Site at Station Street including Former Hat Factory, Atherstone
<i>ECON7</i>	Agricultural and Forestry Buildings & Structures
<i>ECON8</i>	Farm Diversification
<i>ECON9</i>	Re-Use of Rural Buildings
<i>ECON10</i>	Tourism & Heritage Sites & Canal Corridors
<i>ECON11</i>	Hotels & Guest Houses
<i>ECON12</i>	Services & Facilities in Category 3 & 4 Settlements
6	COMMUNITY FACILITIES POLICIES
<i>COM1</i>	New Community Facilities
<i>COM2</i>	Protection of Land & Buildings used for Existing Community Facilities in the Main Towns & Market Town
<i>COM3</i>	Safeguarding Educational Establishments
7	TRANSPORT POLICIES
<i>TPT1</i>	Transport Considerations in New Development
<i>TPT2</i>	Traffic Management & Travel Safety
<i>TPT3</i>	Access and Sustainable Travel and Transport
<i>TPT4</i>	Public Transport Improvements & New Facilities
<i>TPT5</i>	Promoting Sustainable Freight Movement & Safeguarding Future Freight Opportunities
<i>TPT6</i>	Vehicle Parking
<i>TPT7</i>	Airport Parking

Policies saved from Minerals Local Plan for Warwickshire (adopted February 1995)

M1	Areas of Search and Preferred Areas.
M4	Sand and Gravel Extraction in the context of Landbanks
M5	Sterilisation of Mineral Reserves
M6	Considerations and Constraints affecting Minerals Extraction
M7	Mitigation and Planning Conditions/Agreements
M9	Restoration of Mineral Workings
M10	Monitoring of Mineral Sites

Policies saved from Waste Local Plan for Warwickshire (adopted August 1999)

1	General Land Use
3	Landfilling
5	Incinerators
6	Materials Recycling Facilities
9	Large Scale Composting
13	Proposed Facilities

Interim Planning Policy Statement March 2011

Policies saved from Warwickshire Structure Plan (adopted August 2001)

<i>GD7</i>	Previously developed sites
<i>I2</i>	Industrial Land provision
<i>T10</i>	Developer contributions
<i>TC2</i>	Hierarchy of Town Centres
<i>T7</i>	Public Transport

Design Brief for Development Proposals

Land off Holly Lane, Atherstone



North Warwickshire
Borough Council

March 2011

Contents

- 1 Introduction
- 2 The Site
- 3 Key Principles
- 4 Appendices

1 Introduction

- 1.1 This land is allocated for industrial development by saved policy ECON2 of the North Warwickshire Local Plan 2006. It is a vacant, rectangular 6.9 hectare piece of land on an established industrial estate. The Policy enables its use either for expansion by an existing occupier on that estate or by smaller industrial units.

2.0 The Site

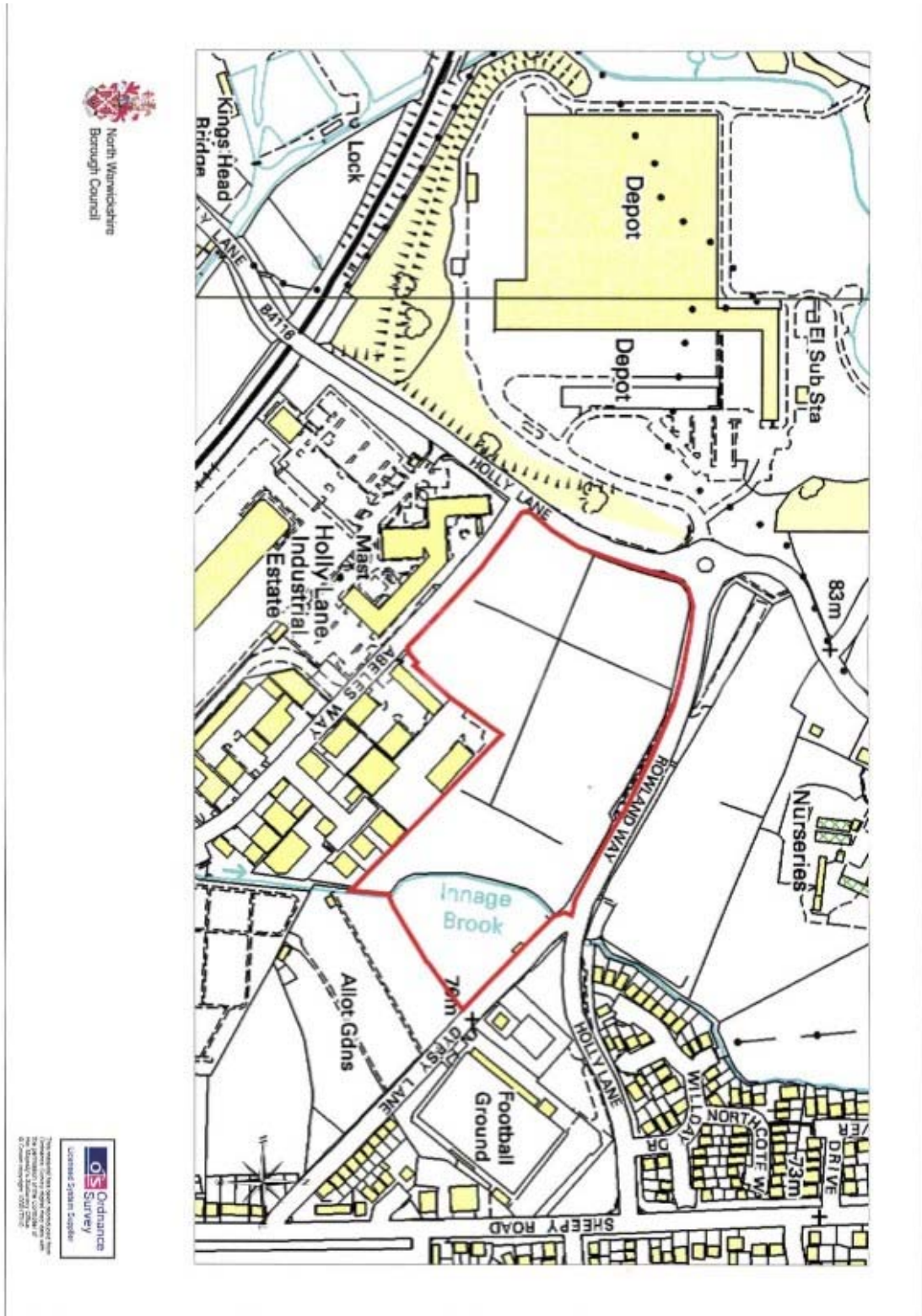
- 2.1 The site faces the main industrial site roads of Holly Lane and Rowland Way on two sides, and a smaller cul-de-sac, Abeles Way, on a third. There are office buildings, warehouse units and industrial premises in the surrounding area. The land is relatively flat with no on-site trees.. It is an area of semi-improved grassland. The site itself is on the edge of the estate and has views over the surrounding countryside. It lies in the Anker Valley. The site and its surroundings are illustrated on the attached plan (Appendix 1)

3.0 Key Principles

- 3.1 The overriding principle in the development of this site is to ensure high quality in the design and appearance of the built form, whilst ensuring that it retains an open and green feel given the proximity of the countryside.
- 3.2 The key principles for this site are the same for whichever of either of the two forms of development enabled by the Policy comes forward.
 - ❖ The development shall be a frontage development to both Holly Lane and Rowland Way
 - ❖ A Green Infrastructure Plan for the site will be include:
 - An assessment and mitigation or compensation for the loss of the semi-improved grassland.
 - An Assessment of the hedgerows on site in accordance with the Hedgerows Regulations.

- A landscaping belt around these two frontages incorporating hedgerows, as well as improving the Innage Brook corridor.
- ❖ The built form shall not exceed the height of existing surrounding developments
- ❖ It shall be brick built and/or metal clad to match facing materials already used on the existing estate.
- ❖ Vehicular access shall be obtained from Rowland Way
- ❖ All car parking/delivery and turning areas shall be within the site behind the built frontage
- ❖ The development shall enable pedestrian/cycle access through to Abeles Way and thus to the town centre.

3.0 Appendix 1 – Site Plan



Design Brief for Development Proposals

The Britannia Works Site, Coleshill Road, Atherstone



**North Warwickshire
Borough Council**

March 2011

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 - Appendix C – Site Plan Indicating Existing Building Heights

1 Introduction

- 1.1 This site is identified by saved policy HSG 1 of the North Warwickshire Local Plan 2006, as being one suitable for residential use. This Brief describes the site and its setting before identifying the key principles that the Council will follow in the assessment of prospective development proposals, and then in the subsequent determination of planning applications.

2 The Site

- 2.1 This is 0.4 hectares of land on the east side of the Coleshill Road, about 800 metres from Atherstone town centre and immediately south of the Coventry Canal. It presently houses the industrial premises of the former hat making factory – Staffords – and has remained vacant for some time since that factory closed. The recently completed Warwickshire Historic Landscape Characterisation identified the site as the only site in North Warwickshire of its type.- pre 1880's Industrial Complex (HWA2116).
- 2.2 The site is in a residential area, bounded to the south by Richmond Road, a short cul-de-sac of terraced properties, and to the north, on the other side of the canal, by semi detached inter war housing. This is at a much lower level than the development site.
- 2.3 The site is highly developed with buildings set around a central yard, and wholly hard surfaced. The scale of the present built form is three storey and industrial in character

3 Background

- 3.1 The town became famous for its hatting industry and this was the last surviving working factory, until its closure in 1999. The site is made up of what was originally two separate mills – one fronting the Coleshill Road and the second fronting the canal with access off Richmond Road. The dates of the buildings vary across the site from the early 19th Century on the Coleshill Road frontage, to the early 20th Century within the bulk of the site to the rear.
- 3.2 The frontage building is included as a grade 2 building in the Schedule of Listed Buildings. This is due to its historical significance as part of the local traditional hatting industry, and because it reflects the appearance and character both internally and externally of an industrial building constructed in the early 19th Century.
- 3.3 The site is physically constrained by the canal; its sole vehicular access being from Richmond Road, and the amount of building currently on the site.
- 3.4 These features are illustrated in a series of illustrations at Appendices A to C.

4 Development Plan Background

- 4.1 The relevant part of the Development Plan to this site is the North Warwickshire Local Plan, adopted in 2006. The Plan seeks the residential redevelopment of the site, and a figure of 56 units is identified. The Council will consider an alternative use for the main frontage Listed Building on the Coleshill Road if it can be shown to be a more sympathetic use to its retention and conversion. In particular the Council will seek preservation of part of this building as a local heritage centre accessed by the public.
- 4.2 The Council recognises that the provision of a minimum of 40% of the housing on the site being “affordable” dwellings will be challenging. The Council will consider a lower provision subject to the receipt of the appropriate robust evidence base in the form of a financial viability appraisal.

5 Key Principles

- 5.1 The overriding principle in the redevelopment of this site is to secure the future of the Listed Building and to create a high quality residential development which reflects the industrial heritage of the site and its canal side frontage.
- 5.2 The whole site is taken to be the curtilage of the Listed Building. Any demolitions will need to be supported by evidence in line with Government policy in PPS5.

5.3 The key principles for the site's redevelopment are:

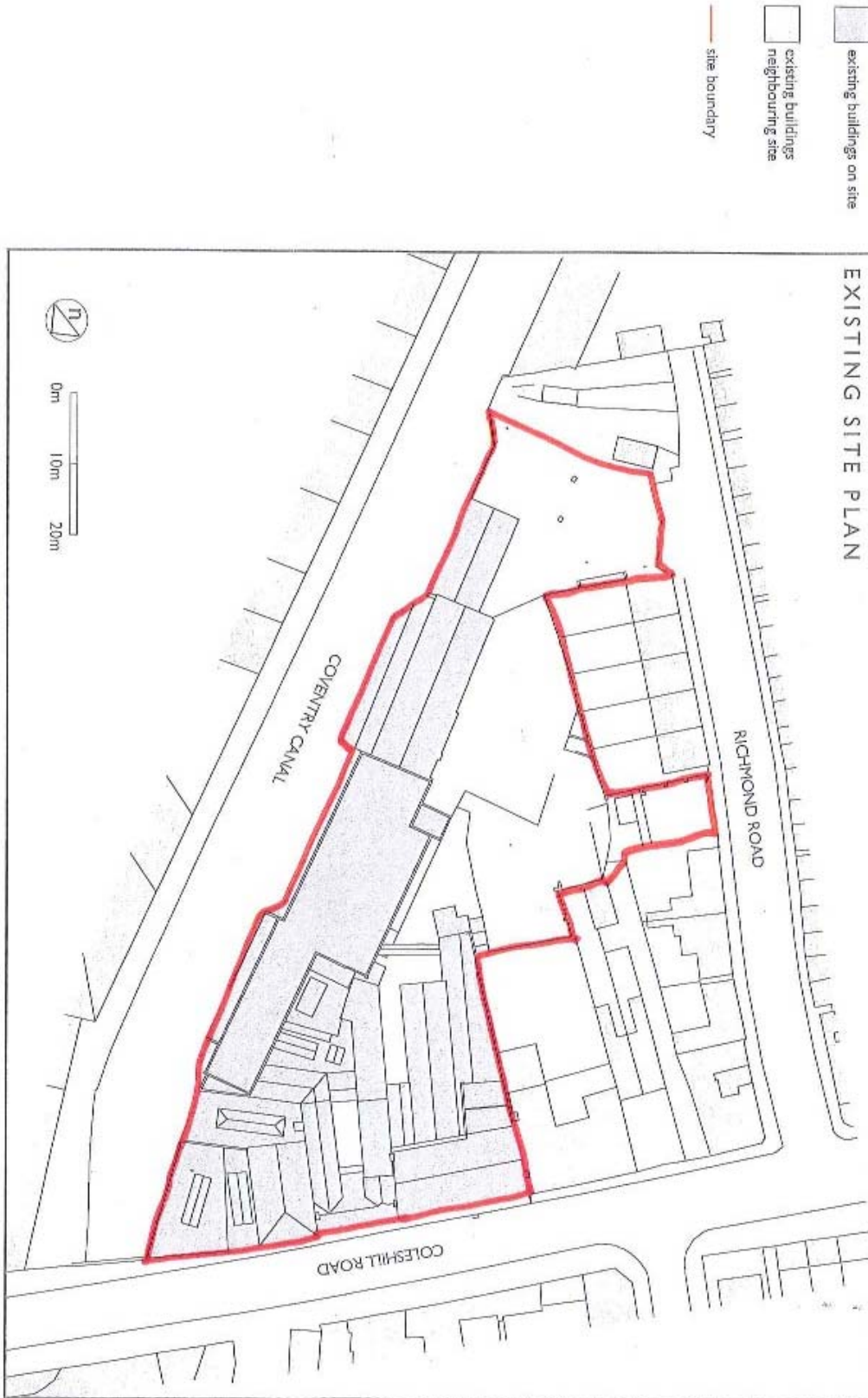
- The retention of the Listed Building on the Coleshill Road frontage.
- The repair and refurbishment of this Building will take place prior to occupation of any new build on the site.
- Vehicular access will be from Richmond Road
- Any new built form shall retain a strong focus on developing a canal side frontage, with the scale reflecting the taller Listed Building at its western end reducing to two storey in scale at its eastern end
- The design and appearance of any new build shall reflect in part, the industrial background of the site.
- Public access to parts of the canal frontage will be expected.
- Public access to the Listed Building will be expected through retention of part of it as a local heritage centre.
- Biodiversity enhancements will be included in any landscape proposals.

6 Other Issues






- 6.1 Due to the previous industrial uses on the site development may cause containments to be mobilised so posing a risk of pollution. A desk study will be required, conceptual model and assessment of risk to be submitted. This is to demonstrate that the risk to controlled waters has been understood and can be addressed through appropriate measures.
- 6.2 An assessment in line with PPS5 will be required prior to the submission of a planning application to cover both upstanding and below ground heritage assets. Any application should be accompanied by a mitigation strategy.

7 Appendices

Appendix A – Existing Site Plan

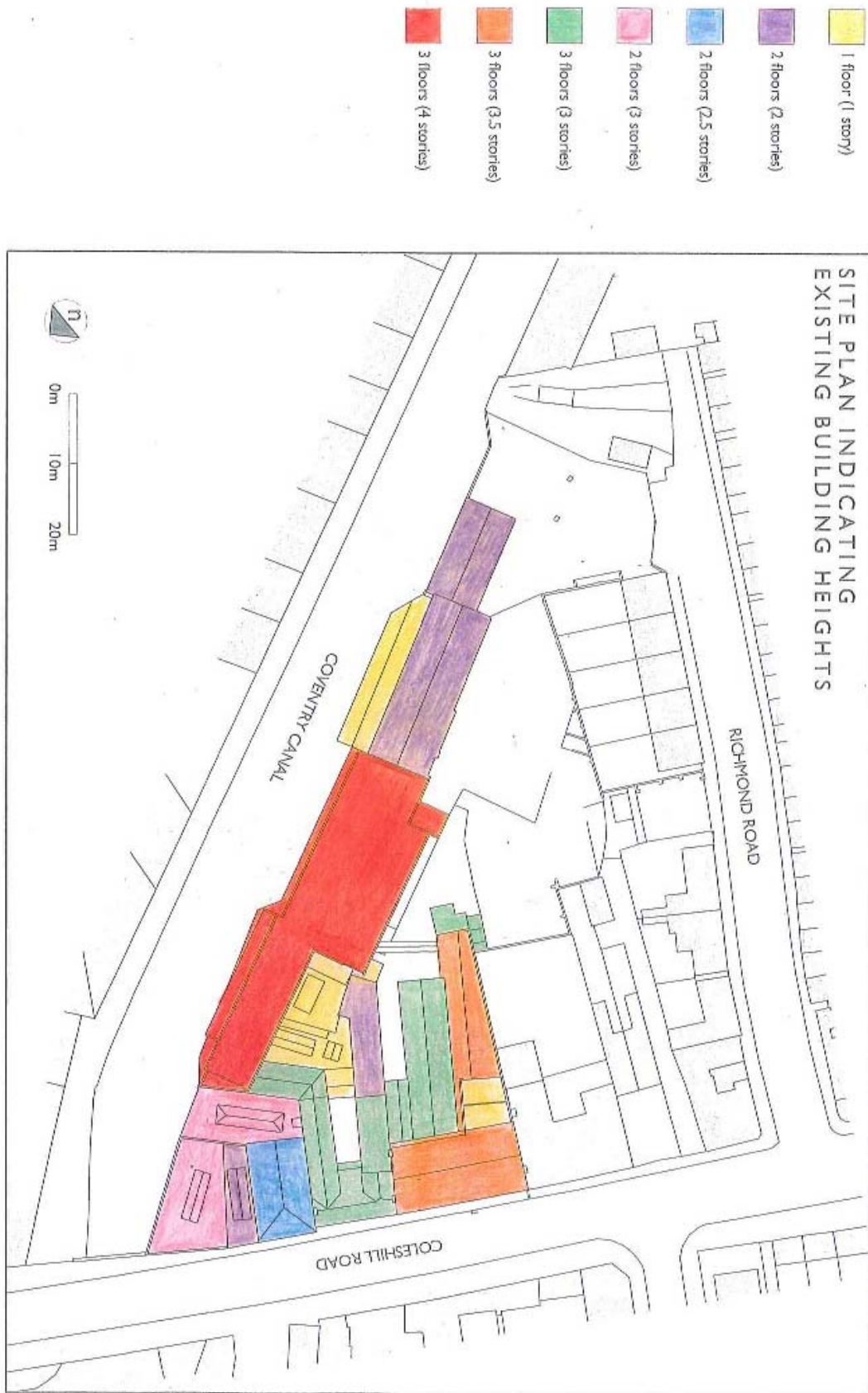


Appendix B – Site Plan Indicating Approximate Building Ages

-  early/mid 19th Century
-  mid 19th Century
-  late 19th Century
-  late 19th/early 20th Century
-  early 20th Century



Appendix C – Site Plan Indicating Existing Building Heights



North Warwickshire Borough Council

Affordable Housing Supplementary Planning Document June 2008

ADDENDUM – March 2011



S106 Obligation Re-negotiation

This Addendum to the Affordable Housing Supplementary Planning Document (SPD), based on the Practice Note (November 2010), sets out the Council's approach to such requests, and to the Council's approach to affordable provision on new sites during this downturn.

The Practise Note is intended to assist, and to offer guidance to land owners and prospective developers in preparing the evidence base when proposing a new project or in seeking to renegotiate an existing planning permission. It will thus be taken to be material planning consideration.

Any Financial Appraisal for a new project or re-appraisal for re-submission or review of an extant S106 should start from the Council's Policy to achieve 40% affordable housing on-site. It is for the developer to provide the case for lower provision and to show that the Obligation itself is preventing implementation of the permission.

A number of options should be provided, clearly showing an assessment of what level of Affordable Housing the site proposal could actually achieve. Options that need to be considered in the case of developers seeking renegotiation of financial contributions include:

- A phased approach to the payment of the already agreed contribution over the life of the project
- An initial payment at commencement, but payment of the balance only at final occupation.
- An initial nominal payment at commencement but a re-evaluation of the development project just prior to final occupation, seeking a new contribution based on final realised market values.
- Postponement of any contribution until an evaluation at the time of final occupation based on final realised market values.

Options that should be considered in the case of developers seeking renegotiations of affordable housing provision already agreed for a site, or for seeking affordable provision on new sites, include:

- a phased approach to the provision of affordable housing throughout the life of the development
- all affordable provision to be made just prior to final occupation of the site
- a phased approach but with the provision at each phase based on a re-evaluation, built in at each phase in the life of the project
- A combination of a lower level of affordable provision on site, but with a compensatory off-site contribution to make up the provision so as to meet policy requirements.
- Agreement of a lower level of provision on site, but at completion, a further appraisal being undertaken to establish an off-site contribution based on final realised market values.

The Council will seek to apply a flexible approach in any negotiations and decisions relating to renegotiations on S106 Affordable housing requirements and/or new proposals requiring

Affordable Housing to reflect changing economic circumstances, subject to clear evidence arising from a robust assessment of the need to reduce the requirements and/or contribution.

Identifying and Evidencing Affordable Housing Need in Category 4 Settlements requirements

The main detailed Policy HSG2 includes a requirement that affordable Housing in Category 4 settlements (i.e. those with a development boundary but not classed as Local Service Centres) will only be permitted “where a need has been identified following systematic analysis involving the local community concerned landowners and housing providers.

In order to apply a more flexible approach to determining the need for Affordable Housing for smaller housing sites of 4 dwellings or less, (and where the undertaking of a Formal Housing Needs Survey may be seen as placing too great a financial and administrative burden, discouraging smaller sites to come forward), the “systematic analysis” required by Policy can be satisfied by using existing information held by the Borough Council, other Agencies and Registered Social Landlords. The Council will still expect local consultation to be undertaken, but the existence of up-to-date information held by the Borough Council and other Agencies will be held to be a material consideration, establishing the Affordable Housing Need for that Parish.

Where the available information indicates a local need greater than 4 dwellings, only a maximum of 4 will be permitted without the undertaking of a Formal Housing Needs Survey.

Where the available information indicates a local need of less than 4 dwellings, only that number identified will be permitted.

For example: On a site capable of accommodating 4 units, but where the available local evidence only indicates a need for 2, then only 2 affordable units would be permitted. Any application seeking additional housing would have to undertake a Formal Housing Needs survey to provide the additional evidence to support the planning application.

The list below shows the Category 4 settlements to which the new approach to Housing Needs surveys and evidence for proposals of 4 dwellings or less will apply.

Ansley
Austrey
Curdworth
Fillongley
Hurley
Newton Regis
Piccadilly
Shuttington
Shustoke
Warton
Whitacre Heath
Wood End

Agenda Item No 24

Executive Board

27 June 2011

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 25

Minutes of the Special Sub-Group held on 18 April 2011 - Report of the Chief Executive.

Paragraph 3 – disclosure of the business and financial affairs of other organisations.

The Contact Officer for this report is David Harris (719222).