

additional papers 1

Executive Committee

Wed 18th Nov
2009
7.00 pm

Committee Room 2
Town Hall
Redditch



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If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact

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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

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Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



Executive Committee

18th November 2009

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	C Gandy (Chair)	W Hartnett
	M Braley (Vice-Chair)	N Hicks
	P Anderson	C MacMillan
	J Brunner	M Shurmer
	B Clayton	

<p>5. Chargeable Waste Collection - Business Case</p> <p>(Pages 1 - 2)</p> <p>Head of Environment</p>	<p>To consider the Business Case for a Chargeable Waste Collection.</p> <p>(Report of the Overview and Scrutiny Committee attached)</p> <p>All Wards</p>
<p>6. Community Ownership or Management of Assets - Policy and Procedure</p> <p>(Pages 3 - 40)</p> <p>Head of Legal, Democratic and Property Services</p>	<p>To consider the adoption of a policy and procedure for community ownership or management of assets.</p> <p>(Report attached)</p> <p>(No Specific Ward Relevance)</p>
<p>9. Benefits Improvement Plan - Quarterly Monitoring - July to September 2009</p> <p>(Pages 41 - 68)</p> <p>Head of Financial Revenues and Benefit Services</p>	<p>To advise Members of actual performance during Quarter 2 of the Improvement Plan.</p> <p>(Report attached. Colour copies available on the website.)</p> <p>All Wards</p>
<p>12. Church Hill Centre - Redevelopment Update</p> <p>(Pages 69 - 72)</p> <p>Head of Legal, Democratic and Property Services</p>	<p>To update Members on the numbers of "Expressions of Interest" expressed to the Council at the first stage.</p> <p>(Report attached)</p> <p>(Church Hill Ward)</p>

**20. Core Strategy
Development Plan
Document - Development
Options**

(Pages 73 - 82)

Acting Head of Planning
and Building Control

To seek approval for consultation to be carried out between 1st February and 15th March 2010 jointly between Redditch Borough Council and Bromsgrove District Council.

(Report attached)

All Wards

Executive Committee

No Direct Ward Relevance
18th November 2009

'OPT-IN' CHARGEABLE GARDEN WASTE COLLECTION – BUSINESS CASE - RECOMMENDATION FROM THE OVERVIEW AND SCRUTINY COMMITTEE

(Report of the Overview and Scrutiny Committee)

1. Purpose of Report

To enable Members to consider a recommendation from the Overview and Scrutiny Committee regarding the revised 'opt-in' chargeable garden waste report.

2. Recommendations

The Overview and Scrutiny Committee **RECOMMENDS** that

- 1) the Executive Committee approves Officers proposals to introduce an 'opt-in' chargeable garden waste collection;**
- 2) the Executive Committee agrees to implement this scheme initially in the pilot area suggested by Officers;**
- 3) the Executive Committee endorses recommendation 7a that 'the amendment of the Council's current collection policy relating to garden waste in grey bins be considered to coincide with the start of the new service to prevent garden waste being placed in grey bins in the pilot area; and**
- 4) the Executive Committee approves recommendation 8a that 'the amendment of the Council's collection policy relating to the sale of orange sacks be considered to coincide with the start of the new service to prevent waste, including garden waste being disposed of in orange sacks in the pilot area.**

Report

3. Background

On Wednesday 4th November, the Overview and Scrutiny Committee received a presentation from Officers detailing proposals for the Council to introduce an optional chargeable garden waste collection. Officers outlined the proposals for the additional service to Members. They explained that the service would be optional for residents and that two options were being considered for introducing the service. The first option involved undertaking a pilot in one area

of the Borough while the second option would be to deliver the service on a Borough wide basis.

The Committee considered the eight recommendations and one resolution that were to be presented to the Executive Committee at their meeting on 18th November. Members voted in favour of introducing the scheme, however there was a split vote with four Members voting for and three Members voting against the scheme. All Members agreed that the collection be introduced in a pilot area initially rather than throughout the Borough. They also requested that the Council pursue recommendation 7a and 8a rather than recommendation 7b and 8b in the Officers' report.

4. Conclusion

Based on the information contained within this report the Overview and Scrutiny Committee request that the Executive Committee give due consideration to their recommendation.

6. Background Papers

Business Case for the Collection of chargeable garden waste in Redditch

PowerPoint presentation slides presented to Members at the meeting of the Overview and Scrutiny Committee on 4th November 2009.

7. Author of Report

The author of this report is Ivor Westmore (Member and Committee Support Services Manager), who can be contacted on extension 3269 (e-mail: ivor.westmore@redditchbc.gov.uk) for more information.



Executive Committee

All Ward Relevance

18th November 2009

COMMUNITY MANAGEMENT AND OWNERSHIP OF ASSETS PROPOSED POLICY & PROCEDURE

(Report of the Head of Legal, Democratic & Property Services)

1. Summary of Proposals

To consider adoption of a Policy and Procedure on Community Management and Ownership of Assets to provide a consistent approach across Worcestershire.

2. Recommendations

The Committee is asked to RECOMMEND that

- 1) the proposed Policy and Procedure on Community Management and Ownership of Assets be adopted;

and to RESOLVE that

- 2) the intention to seek the endorsement of this Policy by other Councils in the Project Team be noted;
- 3) the views of Worcestershire Infrastructure Consortium and the response of the Project Team on this Policy be noted; and
- 4) the intention to review the Policy in the light of operational experience be noted

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

- 3.1 There are no direct financial implications arising out of this report. Any financial implications arising out of any bids for community management and ownership of Council assets would be considered at a later stage, as part of the proposed procedure.

Legal

- 3.2 Under Section 123 of the Local Government Act 1972 the Council has the power to dispose of its land in any manner it wishes. However, the Council should not dispose of land it holds, otherwise

than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained, unless the Council has Secretary of State consent to the disposal.

- 3.3 The Secretary of State has given a number of General Consents for disposals of land for less than the best consideration. If a proposed disposal does not fall within these General Consents, specific consent is required. The specific consent of relevance to the proposed Policy is set out in paragraph 2 of the draft Policy.

Policy

- 3.4 This policy represents new Policy for the Council.

Risk

- 3.5 The aim of the Policy and procedure is to minimise the risks to which the Council is exposed when considering transfers of ownership or management of public buildings to the community. Having a Policy which is clear and transparent will help to ensure that the Council deals with any requests for transfer of assets to community use in a consistent and fair manner.

Sustainability / Environmental

- 3.6 The sustainability of any particular building will be considered in accordance with the Council's Asset Management Strategy on a regular basis. The costs associated with any future maintenance liabilities will be taken into account in making any decision on whether or not to transfer an asset into community ownership or management.

Report

4. Background

- 4.1 The White Paper Strong and Prosperous Communities set out a clear direction to enable local people and local communities to have more influence and power to improve their lives by giving people a bigger stake in the future of their areas. The Government has seen community management and ownership of assets as one mechanism by which communities can be empowered
- 4.2 In May 2007 Making Assets Work - The Quirk Review of Community Management and Ownership of Public Assets was published. The Review was commissioned by Department of Communities and Local Government (DCLG) to examine the barriers which may exist

preventing communities from managing and owning assets. It recommends ways to create an environment to encourage more community management and ownership of assets.

4.3 The Quirk Review reached 3 principal conclusions:

- a) Any sale or transfer of public assets to community ownership and management needs to realise social or community benefits without jeopardising wider public interest concerns and without community bodies becoming overly burdened with asset management
- b) The benefits of community management and ownership of public assets can outweigh the risks and often the opportunity costs in appropriate circumstances – a rational and thorough consideration of these risks and opportunity costs is required
- c) There are risks but they can be minimised and managed by drawing on the experience of others and by all parties working together. This needs political will, managerial imagination and a more business focused approach from the public and community sectors.

4.4 The government's response to the Quirk report *Opening the Transfer Window: The Government's Response to the Quirk Review of Community Management and Ownership of Public Assets* (CLG, 2007), set out some specific actions to be delivered as part of a co-ordinated implementation plan. The emphasis of the report was to promote a change in culture rather than introducing more legislation through the publication of new guidance. It also emphasised providing access to expert advice, promoting possibilities and disseminating good practice, largely through the work of the Asset Transfer Unit. Nationally there has been emphasis on assets being transferred at less than best consideration as a means of empowering local communities.

4.5 In response the County and Districts' Chief Executives' Group commissioned a project to consider the legal and financial implications for councils in Worcestershire in responding to communities' requests for community asset transfer and to consider whether the process and criteria used in decision-making and the range of options available to community organisations could be standardised across Worcestershire councils.

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- 4.6 The Project Group has had representation from:
- a) Worcestershire County Council (including representatives from Legal, Financial and Property Services and the Voluntary Sector Unit)
 - b) Bromsgrove District Council
 - c) Redditch Borough Council
 - d) Worcester City Council
 - e) Wychavon District Council.

Wyre Forest District Council, although not part of the Project Group, have also now agreed to sign up to the Draft Policy produced by this project. The aim is for Councils to have signed off the Policy and related Appendices by the end of 2009.

- 4.7 The Project Group have sought to pursue a balanced and measured approach to the development of this work. Whilst aware of the national drivers and of the benefits of asset transfer, the Group have also been mindful of the need to balance the benefits of asset transfer that may be accrued to a particular community of geography or interest with the opportunity costs (i.e. what must be foregone to enable the transfer to proceed) and wider needs and concerns of all of Worcestershire's communities.
- 4.8 The Project Group recognised that there was already a significant body of practice in Worcestershire on which to build. The Group shared best practice and learnt from experience across the Councils of previous examples of asset transfer and sale in Worcestershire. The Group also undertook detailed process mapping work to examine the current "As Is" position across the Councils in responding to requests from community organisations to manage or own council assets. The processes were then re-engineered to provide a consistent framework across the Councils involved.

5. Key Issues

- 5.1 The Councils have worked together to produce a draft Community Management and Ownership of Assets Policy. The policy covers scenarios where the management / ownership of a building, or piece of land is required by a Voluntary or Community Sector (VCS) organisation in order to promote a particular community benefit.

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- 5.2 It does not refer to the letting or leasing of rooms within Council owned or managed premises. These arrangements are covered in a different way across a range of services.
- 5.3 The policy recognises that asset transfer may cover a spectrum of arrangements ranging from:
1. Licence to occupy
 2. Short / medium term lease
 3. Long lease
 4. Freehold (i.e. sale)
- 5.4 The draft policy proposes that the Councils will deal with all proposals for asset transfer on a case-by-case basis, but with a common methodology. Each case will be considered on its merits – and the most appropriate form of disposal will be explored with the organisation, always having regard to the business case presented and the Council's responsibility to manage its property assets for the benefit of all of Worcestershire's communities
- 5.5 Where it is agreed that sale of an asset is the preferred option, in most cases, this sale will be at the market value for the asset taking account of planning potential and market conditions. Where necessary and appropriate the parties may agree to jointly or separately use an independent professionally qualified Valuer.
- 5.6 The Council recognises however that it can demonstrate its support for asset transfer in a variety of ways. For example, the Council can support transfer by dealing with VCS organisations on a one to one basis (negotiated sales should not be assumed as being at less than market value), or by bearing the costs of retaining an asset for a defined period of time to enable an organisation to finalise its business case.
- 5.7 The policy recognises that the asset transfer decision is essentially a choice between:
- Retention of the asset
- a) The expenditure on other services or priorities made possible as a result of a purely 'commercial' disposal;
 - b) The benefits generated by the transfer of the asset to the community.

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In assessing proposals for asset transfer the Council will want to carefully consider the **relative risks and benefits** of these options.

- 5.8 In order to make this assessment a clear business case is required. In recognition of the responsibilities that asset management and ownership confers on an organisation eligibility criteria have been suggested which provide that the organisation must have a legal status, and that at an early stage a Council Service has indicated its "in principle" support for the proposal as supporting corporate, community strategy or LAA priorities.
- 5.9 A two stage business case is introduced (as set out in Appendix One of the Policy). Part A sets out the information required to enable an initial assessment. Straightforward requests can be processed via Property Services with appropriate involvement from service units, local councillors, Portfolio Holder and the VCS Unit.
- 5.10 Where issues are more complex (for example higher value asset, continued revenue support is required, a change of use of premises is required, high level of partner / funder interest) or the sale of an asset is required then a further more detailed business case is requested. This is reviewed by an Assessment Panel, which will conduct a review of the business case, including a financial assessment and a judgement on the robustness of the organisations governance and the sustainability of the proposal. Appendix 4 of the Policy provides a "checklist" against which to assess the business case. Other tools are also available and these can be added in to the checklist as the work develops.
- 5.11 The local Councillors and the Portfolio Holder will be involved in this process, which brings relevant expertise and opinion into one place to take a "council wide" view of the application. A simplified, indicative map of the process is attached as Appendix 2 of the draft Policy.
- 5.12 Councils will also need to be clear of the potential benefits that relate to the proposals that they are considering. Appendix 3 of the Draft Policy sets out some "model" criteria which set out the sorts of considerations that will guide Council decision making. These will not all be appropriate in every case and can be weighted as appropriate to the circumstances on a case by case basis.
- 5.13 The Project Group sought the views of the Worcestershire Infrastructure Consortium (WIC) on the Draft Policy and Appendices. The WIC is a consortia of 12 organisations that provide infrastructure support (e.g. governance, funding, quality assurance etc) across the County.

- 5.14 A number of changes were made to the draft documentation in response to the feedback received from WIC. They are of the view that the policy covers the response to requests by community organisations to manage or own assets.
- 5.15 WIC would prefer to see more pro-active consideration of how assets that are defined as surplus might be utilised for community benefit. WIC are also concerned as to how the Voluntary and Community Sector will be made aware of assets that may be available.
- 5.16 The Project Group is of the view that the draft policy does not preclude Councils who wish to do so from taking a more pro-active approach to community asset transfer depending on their local circumstances. The draft policy is explicit in making clear the essential choice that Councils face between potential benefit derived to communities of geography or interest from asset transfer and the risks and opportunity costs involved, with the expenditure on other services or priorities made possible as a result of a purely 'commercial' disposal. Asset disposal on the open market enable councils to take forward local priorities, and implement its policies and priorities by maximising the value obtained for its assets. The Councils must balance the benefits of asset transfer with other drivers, including the requirement to achieve efficiency savings. The Project Group believes that the draft policy as it stands strikes the right balance, enabling Councils to respond effectively to evidenced community needs.
- 5.17 However the Project Group acknowledges the point that organisations will want to be aware of which assets may be available. The Worcestershire County Council website already offers the Property Register. This facility identifies County Council property for let or sale. There is the facility to register interest in properties that are due for disposal and search surplus properties. The Project Group have agreed to investigate the feasibility of extending the register to include those District Councils who have signed up to the Policy through the Worcestershire Enhanced Two Tier process Property workstream.
- 5.18 In recognition of the need to learn from experience, "pilot" this approach and documentation and keep in touch with the national agenda it is proposed to review the documentation in the light of operational experience and in any case to have a "light touch" review after 6 months and a more formal process after the first year. This proposal also meets a further point raised by WIC to review the policy in light of operation.

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6. Other Implications

- Asset Management - As identified in the report and draft policy.
- Community Safety - Use and ownership by communities of public assets can have a positive impact on community safety.
- Human Resources - Any transfers of assets to community ownership would be carried out within existing resources.
- Social Exclusion - None identified.

7. Lessons Learnt

The Council has had mixed successes in the past in dealing with community ownership and management of assets. Having a clear and transparent policy and procedure will help to ensure that the risks associated with any such transfers is identified, considered and managed appropriately.

8. Background Papers

Making Assets Work - The Quirk Review of Community Management and Ownership of Public Assets

Opening the Transfer Window - Governments Response to the Quirk Review of Community Management and Ownership of Public Assets (CLG, 2007)

9. Consultation

This report has been prepared in consultation with relevant Borough Council Officers and colleagues in the Project Group.

10. Author of Report

The author of this report is Sue Mullins (Head of Legal, Democratic & Property Services), who can be contacted on extension 3210 (e-mail: sue.mullins@redditchbc.gov.uk) for more information.

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11. Appendices

Appendix 1 – Draft Policy, including the following four appendices:

Framework Business Plan

Process for Consideration of requests

“Model” criteria for asset transfer

Assessment of proposal for asset transfer

DRAFT ASSET TRANSFER POLICY – REDDITCH BOROUGH COUNCIL

1. Why have an asset transfer policy?

1.1 The purpose of this policy is to set a transparent framework to enable the assessment of all requests from Voluntary and Community Sector (VCS)¹ organisations to manage or own Council assets. An asset is land or buildings in the ownership of the Local Authority.

1.2 The Council recognises the potential benefits that assets can bring to the community, to the organisation proposing the asset transfer and to the Council. Changing ownership or management of an asset potentially offers opportunities to extend the use of a building or piece of land, increasing its value in relation to the numbers of people that benefit and the range of opportunities it offers. It may offer additional opportunities to secure resources within an area, attract inward investment and to empower local citizens and communities.

1.3 This policy seeks to balance the particular benefits of any proposal from a VCS organisation to manage or own an asset, against the wider benefits to the community of Redditch through the expenditure on other services or priorities made possible as a result of a 'commercial' disposal. When making its decision the Council will seek to balance community benefit, the risks involved in any such transfer and the opportunity costs i.e. what will have to be foregone to enable the transfer to proceed.

2. The legal position

2.1 Section 123 of the Local Government Act 1972 imposes a legal obligation not to dispose of land (other than tenancies of seven years or under) for consideration "less than the best that can reasonably be obtained" – unless the Secretary of State gives consent to such a disposal at undervalue. The Courts have taken a restrictive interpretation of "consideration", effectively requiring it to have commercial value of some form to the Council in question. The General Disposal Consent 2003 relaxes the situation by giving blanket general consent of the Secretary of State to under value disposals, subject to certain pre-conditions clearly linked back to the well-being powers in the LGA 2000:

- The Council "considers that the purpose for which the land is to be disposed is likely to contribute to the achievement" of any or all of the promotion or improvement of the economic,

¹ The definition of the VCS used by the Home Office is: "Registered charities, as well as non-charitable, non-profit organisations, associations and self-help groups and community groups. Must involve some aspect of voluntary activity, though many are also professional organisations with paid staff, some of which are of considerable size. Community organisations tend to be focused on particular localities or groups within the community; many are dependent entirely or almost entirely on voluntary activity." This policy does not apply to land for affordable housing or to private educational institutions or government led charities (e.g nhs institutions)

social or environmental well-being of the whole or any part of its area, or of all or any persons resident or present in its area

- The undervalue is no more than £2m.

2.2 The consent gives authorities autonomy to carry out their statutory duties and functions and to fulfil such other objectives as they consider to be necessary or desirable but authorities must remain aware of the need to fulfil their fiduciary duty in a way which is accountable to local people. None of the above removes the Council's discretion in deciding whether or not to dispose of an asset in the first place.

3. What does "transfer" mean?

3.1 This policy covers scenarios where the management / ownership of a building, or piece of land is required by a VCS organisation in order to promote a particular community benefit (see 4. below). It does not refer to the letting or leasing of rooms within Council owned or managed premises. These arrangements are covered in different ways by a range of Council services.

3.2 The Council recognises that asset transfer may cover a spectrum of arrangements ranging from:

- Licence to occupy
- Short / medium term lease
- Long lease
- Freehold (i.e. sale)

3.3 The Council will deal with all proposals for asset transfer on a case-by-case basis.

Each case will be considered on its merits – and the most appropriate form of disposal will be explored with the organisation, always having regard to the business case presented and the Council's responsibility to manage its property assets for the benefit of all Redditch communities

3.4 Where it is agreed that sale of an asset is the preferred option in most cases this sale will be at the market value for the asset taking account of planning potential and market conditions. Where necessary and appropriate the District Valuers' Service may be asked to provide an independent valuation.

3.5 The Council recognises however that it can demonstrate its support for asset transfer in a variety of ways. For example the Council can support transfer by dealing with VCS organisations

on a one to one basis (negotiated sales should not be assumed as being at less than market value), or by bearing the costs of retaining an asset for a defined period of time to enable an organisation to finalise its business case.

4. What factors will the Council consider when assessing requests for asset transfer?

4.1. The asset transfer decision is essentially a choice between:

- Retention of the asset
- The expenditure on other services or priorities made possible as a result of a 'commercial' disposal
- The benefits generated by the transfer of the asset to the community

4.2 In assessing proposals for asset transfer the Council will want to carefully consider the **relative risks and benefits** of these options.

4.3 Critical to the success of any transfer is having a clear **rationale** for the proposal. The Council will need to have a clear understanding of the community benefits of any proposal and how these will be measured before it will consider the release of an asset for community transfer. This will need to be clearly articulated as part of the business case.

4.4 The Council recognises that communities may be geographical or communities of interest. In some cases there may be tensions between the two. The Council will look for evidence of positive engagement with local geographical communities, but accepts that in some cases a further balance may be between the interest group involved and local support for a proposal. Any proposal which involved a change of planning use would still need to go through the proper planning process.

4.5 The Council will want to establish a clear **link between the proposal and its priorities** as expressed in the Corporate Plan, the Local Area Agreement and the Sustainable Community Strategy. In order to demonstrate this link the Council will usually expect that the proposal has the support of the appropriate service unit and that this support is provided as a written statement as part of the Business Case.

4.6 The Council will need to see **evidence** that the organisation proposing the transfer is **effectively managed**, and has the appropriate structures in place to ensure the **good governance** and long term **sustainability** of the organisation.

4.7 The Council will require a **robust business case**, which demonstrates the ability of the recipient to manage the asset effectively, including an assessment of the financial and organisational capacity of the organisation.

4.8 The Council has prepared a framework business case, which sets out the information that will be required in order to assess the proposal. This is attached as Appendix One.

5. What process will the Council use to assess requests?

5.1 The Council has developed a process for considering applications from VCS organisations to lease or own Council assets.

5.2 A simplified, indicative process map is attached as Appendix Two. The Council reserves the right to vary this process from time to time in response to the nature of the request being made.

5.3 The Council has developed a set of model criteria against which it will assess the benefits of any asset transfer proposal. These criteria will be weighted as appropriate, dependent upon the asset under consideration and any other appropriate weighting criteria that the Council may wish to apply. The model criteria are attached as Appendix Three.

5.4 A key element of the assessment will be an appraisal of the business case, including the identified risks and statements about mitigation of such risks. The Council will want to see evidence that the proposal is sustainable in the long term both in financial terms and in the organisations capacity to sustain its proposals in the face of turnover of volunteers or staff.

5.5 The Council has used best practice tools to develop a “checklist” approach to this assessment. This is attached as Appendix Four.

5.6 Ultimately however the decision on whether to proceed will be based on a judgement by the Council of the relative benefits to the community of the options set out in 4.1. above.

6. Ongoing monitoring of transferred assets

6.1. Where an asset is disposed of at less than full market value, or where a leasehold has been negotiated, it is likely that some form of on-going monitoring will be necessary.

6.2. This is because the articulation of social benefit is likely to be a *prediction* of future uses. The Council will be seeking to ensure that the asset is used on an ongoing basis for the benefits that were critical to the agreement of the transfer and that the interests of the wider community are safeguarded for the future.

6.3. There are a range of methods available by which this can be achieved, for example through “expectations” documents or Service Level Agreements. The terms of the lease or freehold may

include clauses that would safeguard the future use of the asset from the perspective of the community and the Council to achieve the benefits envisaged.

**THIS POLICY AND RELATED APPENDICES HAVE BEEN ADOPTED BY THE FOLLOWING
WORCESTERSHIRE COUNCIL'S:**

**DRAFT APPENDIX ONE – BUSINESS PLAN FOR ORGANISATIONS WISHING TO OWN /
MANAGE COUNCIL ASSETS²**

Note at a later stage this information will be converted into an application form - using tick boxes wherever possible.

INTRODUCTION

Community ownership or management of assets

Any asset transfer decision is essentially a choice between:

- Retention of the asset by the Council
- The expenditure on other services or priorities made possible as a result of a 'commercial' disposal
- The benefits generated by the transfer of the asset to the community

In assessing proposals for asset transfer the Council will want to carefully consider the relative risks and benefits of these options. Critical to the success of any transfer is having a clear rationale for the proposal. The Council will need to have a clear understanding of the community benefits of any proposal and how these will be measured before it will consider the release of an asset for community transfer. This will be expressed through the business case.

The business case is being requested in two parts:-

PART A – will enable an initial assessment of your request

PART B - will provide further detail once the initial assessment has been made

Eligibility Criteria

Applications will only be considered from:

- **Organisations which have legal status** (e.g. registered charity, incorporated company, community interest company, industrial and providence society etc). **Please provide evidence of your standing**
- **Organisations which can demonstrate IN PRINCIPLE support for their proposals from a relevant *Council Directorate* – please provide evidence of this support** which should include an explanation of how the proposals fits with the Councils Corporate Plan ,the LAA or Worcestershire's Sustainable Community Strategy

**YOU SHOULD ONLY COMPLETE THIS FORM IF YOU MEET THE ELIGIBILITY CRITERIA
OUTLINED ABOVE.**

² This information forms one part of the Councils policy on Community Ownership and Management of Assets and you can find further information about the policy [here](#). (hyperlink).

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**NOTE – IF YOU DO NOT MEET THE ELIGIBILITY CRITERIA ABOVE PLEASE CONTACT
WORCESTERSHIRE INFRASTRUCTURE CONSORTIUM**

Xx – ADD DETAILS

PART A

A.1. Goals and objectives of this proposal. Please provide:

- A.1.1. A clear statement of what your organisation is seeking to achieve for its community – what is the need that this asset will meet
- A.1.2. A statement setting out the demand for the proposal, and the links that your organisation has in the local area or to the interest group putting forward the proposal
- A.1.3. An explanation as to why the asset is necessary to the achievement of those objectives
- A.1.4. An explanation of the alternatives that have been explored (e.g. shared use of another building, joining up with another facility or organisation in the locality etc.)
- A.1.5. A statement of the expected benefits to the community if the proposal is successfully realised – what will be different

A.2. Ownership or management of asset

- A.2.1. Please provide clarification of which option (i.e. acquisition or licence / lease of premises) and why. If you have a particular asset in mind please state here.
- A.2.2. Please state any advice you have sought at this stage from professionals in respect of this proposal (e.g. legal advice, advice on building or refurbishment work, feasibility study). It is accepted that you may wish to take further advice later in the process

A.3. Timescale (note at a later stage this is likely to be evidenced by a detailed underpinning project plan)

- A.3.1. When is the asset needed?
- A.3.2. What flexibility is there around this timetable?
- A.3.3. What lead in time is necessary?
- A.3.4. How long will it be from asset transfer to an “up and running” community facility

A.4. Information about your organisation. Please state:

- A.4.1. How long has your organisation been running?
- A.4.2. Do members of your group have any specific skills that will help with your proposal?
- A.4.3. What are the financial and audit arrangements for your organisation? (please append a full notes version of the annual accounts for each of the last three financial years)
- A.4.4. What Quality System (if any) is used by your organisation? (please provide evidence if applicable)
- A.4.5. Please provide a copy of your organisations latest Annual Report

A.5. Professional Experience

- A.5.1. Do you currently receive, or have you at any time during the last 3 years received, any funding from any *Council in Worcestershire*?
- A.5.2. If you have answered Yes please give details of any *strategic grant/ contract that you receive (i.e. not "one off" grants for specific events or activities)*
 - Purpose of Grant/Contract
 - Period of Grant/Contract
 - Annual Value
 - Council contact person
- A.5.3. Other than Council funding over the last three years please detail your other:

- Sources of funding
- Purposes for which funding is received
- Periods of funding
- Annual Value
- Contact person from funding organisation

(NOTE if all of the above information is clearly detailed in your Annual Accounts or Annual Report please refer to the relevant sections e.g. page number, and provide only the additional details)

- A.5.4. Has any Contract or Service Agreement or Service Level Agreement which you had with a public body or any Grant Funding you received from a public body, been terminated before expiry or suspended during the last three years?
- A.5.5. If you have answered Yes please give details.
- Name of public body
 - Type of Service
 - Start and End Dates
 - Annual Volume and/or Value
- A.5.6. Are there any current pending, outstanding or potential claims against your Organisation which will/would be heard in a Court or Tribunal? If so what are they, what stage have they reached and what have been the outcomes.

A.6. Capital cost

- A.6.1. If you have a specific asset in mind please tell us your understanding of the scale and nature of the capital costs involved in your proposal
- A.6.2. Please identify the funding sources for your proposal
- A.6.3. Please clarify whether the asset will be used as collateral

A.7. Revenue costs

- A.7.1. If you have a specific asset in mind please tell us your understanding of the scale and nature of the revenue costs involved in your proposal
- A.7.2. Please clarify how these costs are to be funded

A.8. Other resource needs

- A.8.1. What other resources are needed to make the proposal a success, and how might they be secured? (NOTE - Resources might include: People / particular skills or knowledge / professional input, IT)

A.9. Sustainability

- A.9.1. What are the long-term prospects for the proposal?
- A.9.2. How will it be sustained beyond the input of current individuals?

A.10. Initial Risk analysis

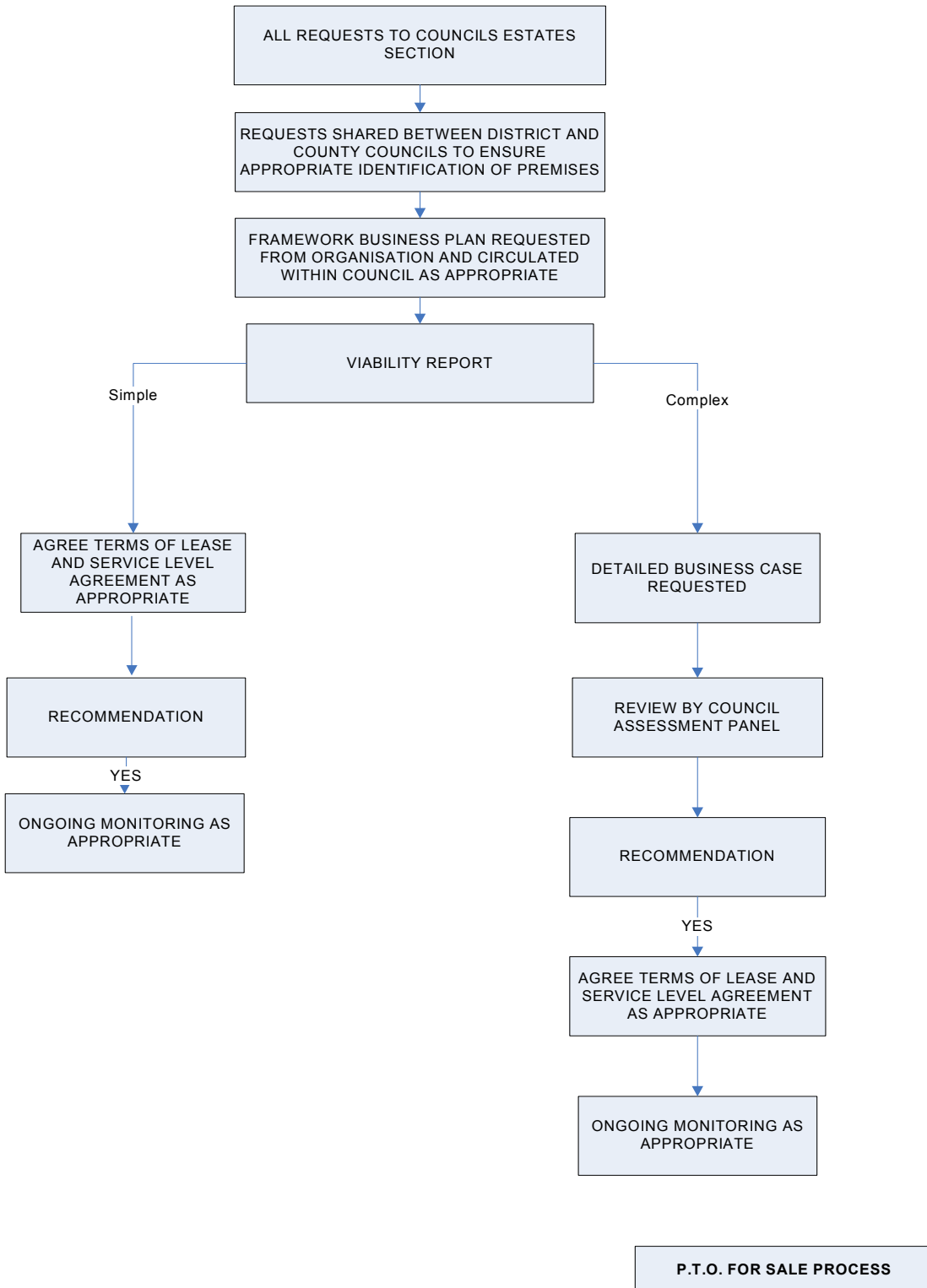
- A.10.1. What is your initial assessment of the risks to successful implementation of the proposal and its subsequent success?
- A.10.2. What steps have / will be taken to mitigate those risks?

ADDITIONAL INFORMATION

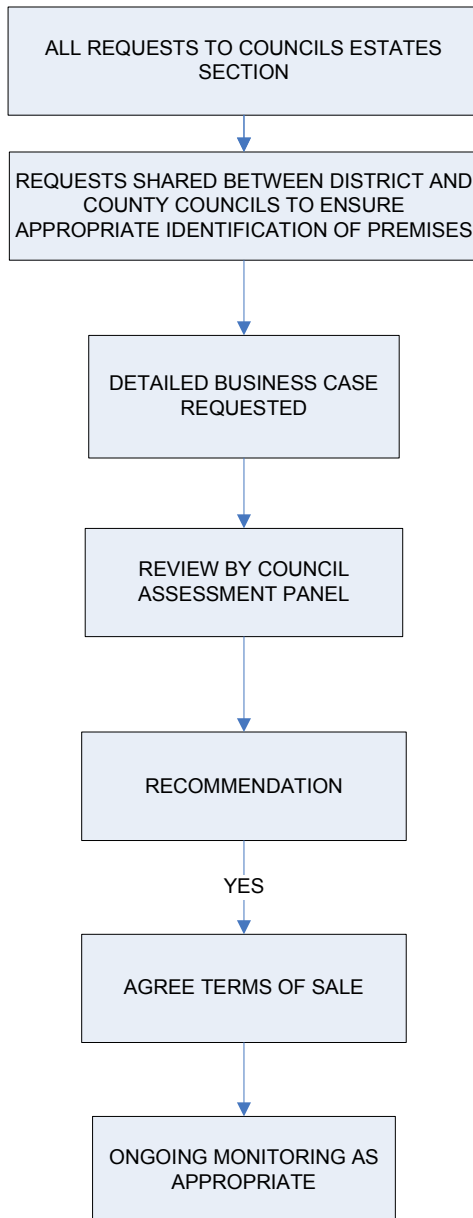
In addition to your answers to the questions above please ensure you have provided the following:

- Supporting statements from Council Service / Directorate
- Written constitution or evidence of legal structure
- Full notes version of Annual accounts (for each of the last 3 years)
- Annual Report
- Evidence of Quality System (if applicable)
- Understanding of costs – Revenue and Capital

APPENDIX TWO – OUTLINE OF PROCESS USED BY XX COUNCIL TO CONSIDER REQUESTS BY VCS ORGANISATIONS TO LEASE OR OWN ASSETS



APPENDIX TWO - PROCESS USED BY XX COUNCIL TO CONSIDER
REQUESTS BY VCS ORGANISATIONS TO OWN ASSETS



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DRAFT - APPENDIX THREE – “MODEL” CRITERIA TO CONSIDER THE CASE FOR ASSET TRANSFER

1. Model Criteria against which requests can be considered

The Table below sets out “model” criteria³ which Councils can consider as appropriate in response to a request from a VCS organisation to manage / own a Council asset.

Not all of the criteria will be relevant in every circumstance.

Councils may wish to weight the criteria or utilise additional criteria in response to particular circumstances, they provide a guide to councils and VCS organisations of the sorts of considerations that will guide council decision making.

“MODEL” CRITERIA
Community empowerment
Create a more direct connection between the asset and local people
Enable the local community to respond to local issues
Strengthen local identity
Provide a means for local citizens and groups to access additional resources
Area wide benefits
Complement existing services or activity in the locality or other potential asset transfers.
Potential to establish a ‘hub’ of activity with benefits ‘greater than the sum of parts’.
Fill a gap in provision locally
Promote a sustainable third sector
Improve capacity/sustainability of an organisation (e.g. by being able to borrow against the asset, or create a revenue stream from the asset)
Enable organisation to leverage in additional funding or resources not available to them / Council without the asset
Add value by creating opportunities for individual organisations to work together, for example using the asset as a ‘hub’.
Economic development and social enterprise
Bring additional investment into the area
Improve existing economic activity within the local area
Encourage social enterprise
Improvements to local services
Improve or safeguard a service that would otherwise be lost

³ Criteria based upon work done for CLG on benefits of community ownership and management of assets.

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Present an opportunity to deliver specific council and /or partner priorities (e.g. from the Corporate Plan, Community Strategy or LAA)

Increase access to local services (and more likely to be used than private or public facility)
--

Value for money

Present an opportunity for a 'non-operational' asset to be used

Represent the best use of the asset, particularly in the medium to long-term.

Create efficiency savings

DRAFT - APPENDIX FOUR - CHECKLIST – ASSESSMENT OF PROPOSAL FOR ASSET TRANSFER

INTRODUCTION

This document follows the information requested from organisations requesting asset transfer as part of the framework business case.

It is intended to be used as part of the Assessment Panel Review process.

Its purpose is threefold:

- To act as a checklist against which to assess the business case
- To act as a mechanism to “sift” proposals, identify gaps and further work
- As a specific tool to differentiate between competing bids, which can be “scored” if necessary

NOTE IN ALL CASES YOU SHOULD PROVIDE EVIDENCE TO SUBSTANTIATE THE JUDGEMENTS BEING MADE

ELIGIBILITY CRITERIA

E.1 Legal Status of the Organisation

Recognised legal entity. e.g. Registered Company Ltd by Guarantee or Community – evidence supplied

Community Interest Company – evidence supplied

Registered Charity – evidence supplied

Industrial and Providence Society – evidence supplied

Other legal structure – evidence supplied

E.2 Organisation can demonstrate support IN PRINCIPLE for proposal from a Council Directorate

The organisation has in principle support from a Council Directorate AND a clear and convincing explanation of the links to the SCS and *Corporate Plan* has been offered (NOTE we are NOT asking the supporting Directorate to determine use of the asset – rather to comment on the proposal, and how it supports their objectives)

IF THE ABOVE CRITERIA HAVE NOT BEEN MET END ASSESSMENT HERE AND REFER ORGANISATION TO WORCESTERSHIRE INFRASTRUCTURE CONSORTIUM

A1. Goal and objectives of this proposal

A1.1. Has the organisation offered a clear statement of what it is seeking to achieve for its community – what is the need the asset will meet?

No explanation of need offered

Need explained but no evidence supplied to back up explanation

Need explained and backed up by qualitative evidence (e.g. consultation outcomes)

Need explained and backed up by quantitative evidence

Need explained and backed up by qualitative and quantitative evidence

A1.2. Has the organisation offered a clear statement of demand for the proposal and the links that the organisation has to the local area or to the interest group putting forward the proposal

Demand has not been evidenced

At consultation stage with the community – still gathering evidence

Demand for proposals has been evidenced but the evidence is unconvincing

Demand for proposals has been evidenced and the evidence is convincing

A1.3. Has the organisation offered a clear explanation of why the asset is necessary to the achievement of the objectives?

An explanation has not been offered

An explanation has been offered but the role of the asset in respect of the objectives is not clear

A clear explanation of the role of the asset in respect of the objectives has been presented

A1.4. Has the organisation offered an explanation of the alternatives to asset transfer that have been explored (e.g. shared use of another building, joining up with an other facility or organisation etc. Should demonstrate that the organisation is aware of other activity going on in the area)

An explanation of the alternatives explored has not been offered

An explanation of the alternatives explored has been offered but the reason that the alternatives have been rejected is unclear, unconvincing or incomplete

A clear and convincing explanation of the alternatives explored and why these are not suitable has been presented

A1.5. Has the organisation offered a statement of the expected benefits to the community if the proposal is successfully realised – what will be different

An explanation of the expected benefits has not been offered
 An explanation of the expected benefits has been offered, but the expected outcomes are not clear
 A clear and convincing explanation of the expected benefits has been offered

A.2. Ownership or management of asset

A.2.1. Has the organisation clarified of whether ownership or leasehold is sought and why

NOTE – THE ORGANISATION MAY HAVE STATED HERE A PARTICULAR ASSET THEY HAVE IN MIND

There is no clarity about whether the organisation wishes to own or manage an asset
 The organisation has stated whether they wish to manage or own an asset – but the implications of this have not been clearly thought through
 The organisation has stated the asset which they wish to manage / own
 There is some evidence that the organisation has considered the responsibilities and liabilities that arise from ownership / management of this asset – but there are gaps (please state what these are)
 The organisation has clearly considered the management / ownership arrangements for this asset and has understood the responsibilities and liabilities involved.

A.2.2 Has the organisation sought advice at this stage from professionals in respect of this proposal (e.g. legal advice, advice on building or refurbishment work, feasibility study). It is accepted that the organisation may wish to take further advice later in the process

The organisation has not received professional advice in respect of this proposal at this stage
 There is some evidence that the organisation has sought advice on some aspects of the proposal
 The organisation has outlined the advice they will take at a later stage in the proposals development
 The organisation has sought and received relevant professional advice in respect of this proposal

A.3. Timescale

Has the organisation offered an explanation of the likely timescale for the project? (A.3.1 – A.3.4 NOTE to be evidenced by a detailed underpinning project plan at Stage B)

An explanation of the timescales for this project has not been offered

An explanation of the timescales for this project has been offered, but this does not seem realistic or achievable

A clear explanation of the timescales for this project has been offered that appears achievable and realistic

A.4. Information about the organisation

A.4.1. How long has the organisation been running?

The organisation has been running for 1 – 3 years

The organisation has been running for between 3 – 7 years

The organisation has been running for longer than 7 years

A.4.2. Has the organisation highlighted any specific skills in their group that will help with the proposal

The organisation has not highlighted any specific skills that may help with the proposal

The organisation has highlighted some members of their group with relevant skills

The organisation has a range of relevant skills within their group

There are a range of skills represented on their management arrangements

A.4.3. Has the organisation explained the financial audit arrangements?

NOTE the organisation should have provided full notes version of the annual accounts for each of the last three financial years

The organisation has no external audit arrangements

Smaller organisations not subject to a statutory requirement can provide evidence of an independent examination of their accounts

The organisation has an annual external audit

The organisation has had a qualification on its accounts in the last 3 years

The organisation has had unqualified accounts for the last 3 years

A.4.4. Does the organisation use a Quality System?

No organisational QA standard used or applied for

Organisation is working towards membership of recognised organisational standard (e.g. Pqasso, CM 'Visible' standard, DTA 'Healthcheck' complemented by the Code of Good Governance⁴)

Organisation has achieved recognised organisational QA standard complemented by the Code of Good Governance in last 12 months

Organisation has been successfully operating organisational QA standard complemented by the Code of Good Governance for between 1 and 5 years

⁴ An assessment by WCC V&CS Unit concluded that each of these quality assessments would require robust governance arrangements to be in place to qualify for the kite mark. If coupled with the Code of Good Governance they may be considered robust.

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Organisation has been successfully operating to a recognised organisational QA standard complemented by the Code of Good Governance for at least 5 years

A.4.5. Has the organisation provided a copy of their latest Annual Report

The Annual report has not been enclosed

The Annual report has been enclosed, but does not provide evidence to support the statements made in A.5 below

The Annual Report has been provided and the content supports the statements made in A.5. below

A.5. Professional Experience

A.5.1. Does the organisation currently receive, or have they at any time during the last 3 years received, any funding from any *Council in Worcestershire*?

A.5.2. If answered Yes has the organisation provided details of any *strategic grant/ contract (i.e. not "one off" grants for specific events or activities)*

The organisation has not received any grant funding from *XX Council* in the last three years

The organisation has received grant funding from *XX Council* in the last three years, but this ceased in *XX* (you may wish to ask for further information from the appropriate service)

The organisation currently receives grant funding from *XX Council* (you may wish to ask for further information from the appropriate service)

A.5.3. Other than Council funding has the organisation over the last three years received and provided details of other :

- Sources of funding
- Purposes for which funding is received
- Periods of funding
- Annual Value
- Contact person from funding organisation

(NOTE if all of the above information is clearly detailed in the Annual Accounts or Annual Report the organisation should have signposted the relevant sections e.g. page number, and provided only the additional details)

The organisation has no track record of delivering services or activities

The organisation has a track record of delivering services, but not at a level that is commensurate with the proposal to manage / own this asset

The organisation has a track record of delivering services at a level that is commensurate with the proposal to manage / own this asset

A.5.4. Has any Contract or Service Agreement or Service Level Agreement that the organisation had with a public body or any Grant Funding received from a public body, been terminated before expiry or suspended over the last three years and A.5.5 If Yes please give details

The organisation has not had any funding terminated or suspended over the last three years

The organisation has had funding terminated or suspended, but a satisfactory explanation has been offered

The organisation has had funding terminated or suspended, and no satisfactory explanation has been offered

A.5.6. Are there any current pending, outstanding or potential claims against the Organisation which will/would be heard in a Court or Tribunal?

No

Yes – the claim is still pending

Yes – the claim is still pending but the organisation has already taken remedial action in response to the claim

Yes - the claim has been determined against the organisation and as a result the organisation has taken remedial action

Yes – the claim was determined against the organisation but no evidence has been offered of remedial action taken in response

**A.6. Capital cost
(Sections A.6.1 – A.6.5)**

The organisation has not considered capital costs and/or funding

The organisation has given some consideration to capital expenditure but has not identified sources of funding or whether they intend to use the asset as collateral

The organisation has considered capital expenditure requirements, has identified funding sources and anticipates using the asset as collateral to secure funding

**A.7. Revenue costs
(Sections A.7.1 – A.7.2)**

The organisation has not considered ongoing revenue costs

The organisation has given some consideration to revenue expenditure but has not clarified how these are to be funded

The organisation has considered revenue expenditure and is clear how these costs will be funded

A.8. Other resource needs

A.8.1. What other resources are needed to make the proposal a success, and how might they be secured? (NOTE - Resources might include: People /particular skills or knowledge / professional input, IT)

The organisation has not considered further resource needs

The organisation has given some consideration to further resource needs but the following gaps have been identified (please state what these are)

The organisation has considered the further resources required to enable transfer and for steady state needs

A.9. Sustainability

A.9. 1. Has the organisation considered the long term prospects for the proposal?

The organisation has not considered how the proposal will be sustained in the long term

The organisation has given some consideration to how the proposal will be sustained for the longer term, but the following gaps have been identified (please state what these are)

The organisation has a clear plan for the long term sustainability of this proposal

A.9.2. Has the organisation considered how it will be sustained beyond the involvement of the current individuals?

The organisation has not considered how the proposal will be sustained beyond the involvement of the current individuals

The organisation has given some consideration to how the proposal will be sustained beyond the involvement of the current individuals, (for example succession planning, training for future management committee members, involvement / mentoring schemes, or partnership with local business or organisation) but the plans are not comprehensive or convincing

The organisation has clear and convincing plans for the sustainability of this proposal beyond the involvement of the current individuals

A.10. Initial Risk analysis

A.10.1. Has the organisation made an initial assessment of risks to successful implementation of the proposal and its subsequent success and 10.2 the steps to been taken to mitigate those risks?

The organisation has not carried out an initial risk assessment

The organisation has carried out a risk assessment, but the proposals to mitigate risk are inadequate and the following gaps have been identified (please state what these are)

The organisation has carried out a satisfactory risk assessment at this stage with clear proposals to mitigate risk

SUPPORTING INFORMATION FOR PART A

- Supporting statements from Council Service / Directorate
- Written constitution or evidence of legal structure
- Full notes version of Annual accounts (for each of the last 3 years)
- Annual Report
- Evidence of Quality System (if applicable)
- Professional advice or Feasibility Studies (if applicable)
- Understanding of costs – Revenue and Capital

FEEDBACK RESULTS TO THE ORGANISATION – IF NECESSARY GO TO PART B. BELOW

PART B – ADDITIONAL INFORMATION

B.1. Goals and objectives of this proposal.

B.1.1. Has the organisation provide evidence of engagement with the local geographical community and summary of the outcomes of this⁵ (please append any supporting information e.g. community consultation outcomes)

Local engagement has not been evidenced
Local engagement has not been evidenced, but there is local opposition to the proposals

Local engagement has been evidenced and there is local support for the proposals

Although there is not local support for the proposal there is clear evidence of demand for this proposal from the community of interest and this on balance outweighs local opposition

B.1.2. Has the organisation provided a statement of any expected negative impacts for the community if the proposal is successfully realised

⁵ ⁵ The Council recognises that communities may be geographical or communities of interest. In some cases there may be tensions between the two. The Council will look for evidence of positive engagement with local geographical communities, but accepts that in some cases a further balance may be between the interest group involved and local support for a proposal.

The proposal does not identify any expected negative impacts for the community if it is successfully realised – however the Assessment Review Panel has identified potential negative impacts (please state what these are)
 Negative impacts for the community are identified, but no information is offered about how these impacts may be mitigated
 Negative impacts for the community are identified but information is given about how these impacts may be mitigated

B.2. – Performance Targets

B.2.1. Has the organisation provided a statement of key performance targets and reporting mechanisms

No key performance targets have been identified
 Benefits have been identified but these have not been defined in a way to enable measurement (i.e. no clear targets have been set)
 Clear performance targets have been identified, but how progress against these is reported is not clear
 Measurable performance targets have been developed, and reporting arrangements are clear

B.3. Further information about the organisation

B.3.1. Has the organisation provided an explanation of the roles and responsibilities of the management body?

An explanation of roles and responsibilities of management committee members has not been offered
 An explanation has been offered but the roles and responsibilities of management committee members is not clear or relevant skills appear to be missing
 A convincing explanation of the governance arrangements, roles and responsibilities of members of the management body and specific skills has been offered

B.3.2. Has the organisation provided a structure chart showing roles and lines of accountability (including if relevant numbers of staff employed and lines of staff management and accountability)

A structure chart is not enclosed
 A structure chart is enclosed, but roles and accountabilities are not clear
 A structure chart is enclosed and details number of staff and lines of staff management and accountability
 A structure chart is enclosed but it is not clear that the staffing structure is suitable for this proposal

A structure chart is enclosed and demonstrates clear lines of staff and management roles and accountability

B.4. Ownership or management of asset

B.4.1. Has the organisation understood its responsibilities/liabilities if it were to acquire or lease these premises

The organisation does not have a clear understanding of responsibilities / liabilities if they were to acquire / lease the premises

The organisation has understanding of responsibilities / liabilities if they were to acquire / lease the premises but the following gaps have been identified (please state what these are)

The organisation has a clear and comprehensive understanding of their responsibilities / liabilities if they were to acquire / lease the premises

B.4.2. Has the organisation offered an explanation of how they propose to manage this asset on a day-to-day basis? NOTE may have provided a management plan

An explanation of how the asset will be managed on a day-to –day basis has not been offered

An explanation has been offered, but the management arrangements are not clear

A clear and convincing explanation of how the asset will be managed on a day-to –day basis has been presented

B.4.3. Has the organisation described the scope of any advice that they have sought and received from professionals in respect of this proposal (e.g. legal and financial advice)

B.4.4. Has the organisation chosen to append any advice you have received in respect of building or refurbishment work – e.g. feasibility study (it is the organisations choice)

The organisation has not described the scope of any professional advice they have received in respect of this proposal

There is some evidence that the organisation has sought advice on some aspects of the proposal – but the Assessment Review Panel has identified gaps (please state what these are)

The organisation has sought and received relevant professional advice in respect of this proposal

The organisation has chosen to appended advice that they have received in respect of this proposal but the Assessment Review Panel has identified gaps (please state what these are)

The advice received seems comprehensive and convincing

B.5. Capital Costs

B5.1. Has the organisation provided a costed plan for the acquisition (on sale or leasehold basis as appropriate) of this asset?

B5.2. Has the organisation demonstrated their understanding of the costs of repair/improvement/conversion to suit new purpose?

B5.3. Has the organisation included associated professional fees?

B5.4. Has the organisation provided a clear funding plan showing how they propose to meet these costs

NOTE the information should build on answers provided in Part A

The organisation has not considered capital costs and/or funding

The organisation has given some consideration to capital expenditure (which include professional fees) but has not developed costed and funded plans

The organisation has considered capital expenditure requirements (which include professional fees), has developed costed plans and anticipates using the asset as collateral to secure funding

The organisation has considered capital expenditure requirements (which include professional fees), has developed costed plans and has developed a detailed and secure funding plan

B.6. Revenue costs

B.6.1. Has the organisation identified the costs of activities to be conducted in the asset

B.6.2. Has the organisation identified the costs of activities to be conducted in the asset

B.6.3. Has the organisation provided cash flow forecasts

NOTE the information should build on answers provided in Part A

The organisation has given some consideration to revenue expenditure but has not developed detailed and funded budgets

The organisation has considered revenue expenditure in detail but has not developed funding plans

The organisation has developed cash flow forecasts but these are not realistic / convincing

The organisation has considered revenue expenditure and developed detailed and realistic expenditure and income budgets

B.7. Other resource needs

B.7.1. Has the organisation anticipated a difference between short term needs (asset transfer and development) and steady state needs? If so have they identified how these resources will be secured (NOTE - Resources might include:

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- People
- Particular skills or knowledge /professional input
- IT)

The organisation has identified further resources needed to enable asset transfer – but has not considered steady state needs

The organisation has not anticipated any difference between steady state and short term needs

The organisation has anticipated a difference between steady state and short term needs but the Assessment Review Panel has identified the following gaps (please state what these are)

The organisation has anticipated a difference between steady state and short term needs and has clear plans for dealing with this

B.8. Project Plan (Timescales) NOTE THE ORGANISATION WILL HAVE PROVIDED AN EXPLANATION OF TIMESCALES IN STAGE A – THIS SHOULD NOW BE DEVELOPED INTO A DETAILED PROJECT PLAN

B.8.1. Has the organisation provided a project plan for key stages of this proposal

B.8.2. Has the organisation identified any flexibility around this timetable?

An explanation of the timescales for this project has not been offered

An explanation of the timescales for this project has been offered, but this does not seem realistic or achievable

A clear explanation of the timescales for this project has been offered that appears achievable and realistic

B.9. Support from partners

B.9.1. Has the organisation secured further support for proposals from within XX Council

The organisation has not secured the further support of *XX Council* for this proposal

The organisation has secured a written statement of support of *XX Council Service / Directorate* for this proposal

B.9.2. Has the organisation secured the involvement of partners and B.9.3. what assurance has been secured that such partnership arrangements are sound and dependable?

The involvement of partners is not required for this proposal

The organisation has not secured the involvement of partners in this proposal
 The organisation has secured the involvement of partners in this proposal,
 and this has been verified in writing by the partner organisations
 The organisation has secured the involvement of partners in this proposal,
 and this involvement has been set out in a formal agreement between the
 parties

B.10. Further Risk analysis

**B.10.1. Has the organisation provided further detail of risk analysis and
 B.10.2. The steps that have / will be taken to mitigate those risks?**

The organisation has not carried out a further risk assessment
 The organisation has carried out a further risk assessment, but the proposals
 to mitigate risk are inadequate and the Assessment Panel review has
 identified the following gaps (please state what these are)
 The organisation has carried out a satisfactory risk assessment with clear
 proposals to mitigate risk

NOTE – The Assessment Review Panel should consult the CLG Guide:
[Managing Risk in Asset Transfer](#)

Additional Information

**The Assessment Review Panel will want to consider the additional
 information requested:-**

- Community Consultation outcomes (if available)
- Structure Chart
- Asset management plan (if available)
- Evidence of Quality System (if applicable)
- Full notes version of Annual accounts (for each of the last 3 years)
- Project Plan (in support of section 5 – Timescales)
- Professional advice or Feasibility Studies (if applicable)
- Financial Plans
- Supporting statements from Council Service / Directorate (if available)
- Supporting documentation re partnership working (if applicable)

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No Specific Ward Relevance

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BENEFITS IMPROVEMENT PLAN – QUARTERLY MONITORING – JULY – SEPTEMBER 2009

(Report of the Head of Financial, Revenues and Benefits Services)

1. Summary of Proposals

To advise members on progress during the first quarter against the Benefits Service Improvement Plan and to identify any further action required to enable the successful delivery of the Plan.

2. Recommendations

The Committee is asked to RESOLVE that

1) subject to any comments, the report be noted,

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

3.1 The financial implications are included in the report.

Legal

3.2 There are no specific legal imp

Policy

3.3 There are no specific policy implications

Risk

3.4 Without adequate performance monitoring arrangements there is a risk that the planned/required improvements in the Benefits Service will not be achieved. In addition without an effective recovery procedures for overallowed Housing Benefit the Council will forego the ability to pursue debt recovery procedures with a consequential loss of income to the Council.

Sustainability / Environmental

3.5 There are no specific sustainability / environmental / climate change implications.

Report

4. Background

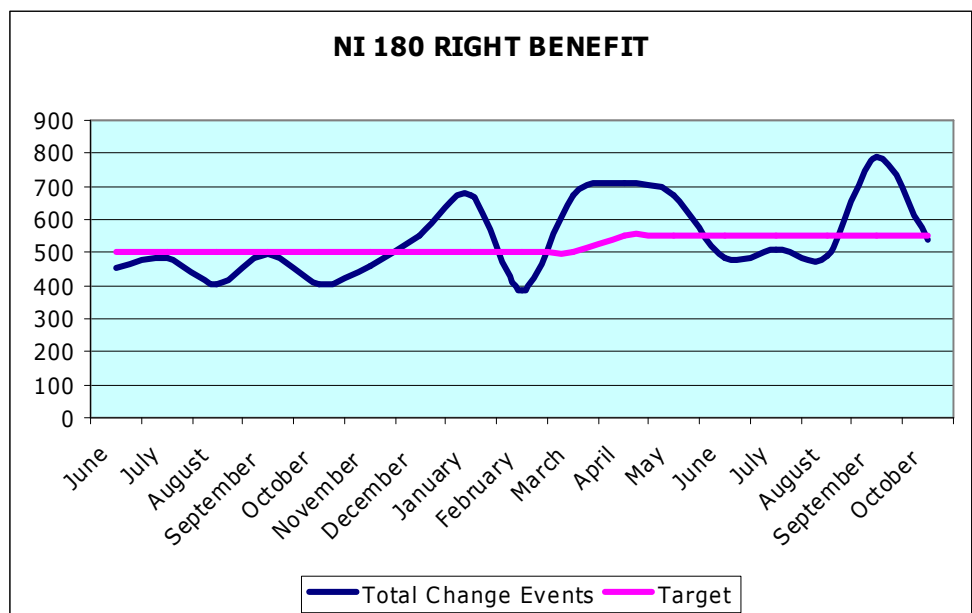
- 4.1 The Benefits Service Improvement Plan was developed in response to the Audit Commission Inspection in 2008/09.
- 4.2. Work is progressing towards the aims of the improvement plan. The Performance Development Team (PDT) from the Department for Work and Pensions has been working with the Benefits Service to help implement the recommendations from the Audit Commission inspection. In particular they are looking at helping to improve overpayment recovery, devise a Take Up Strategy, improve access to the service and performance management.

5. Key Issues

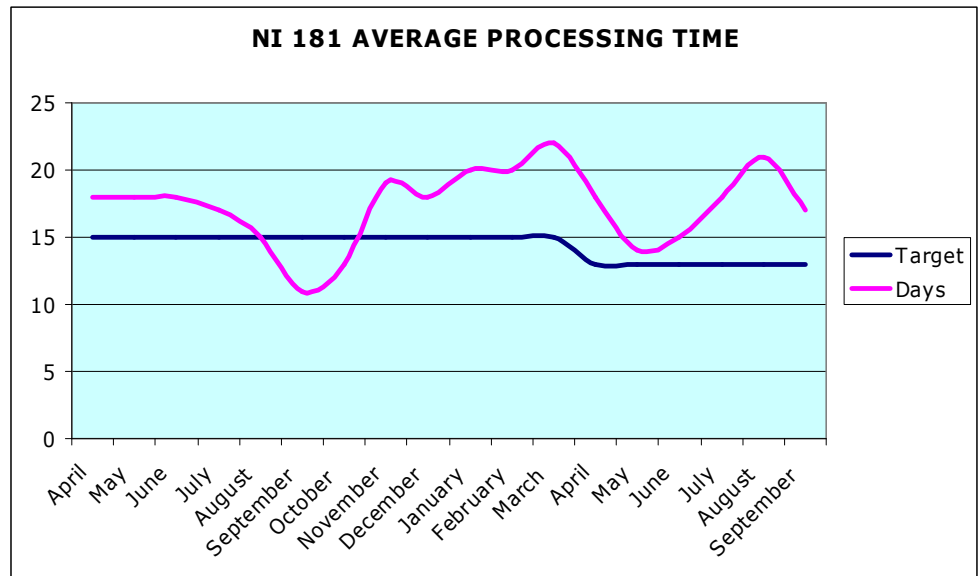
Claims Performance

- 5.1. There are two national Indicators for the Benefits Service.

NI 180 Right Benefit – this measures the number of change events identified and actioned – a target of identifying 550 changes each month has been set and the service is set to meet this target.



NI 181 Right Time – this is a measure of the average number of days taken to process new claims and changes in circumstances. An average of 13 days was set as a target and this has proved difficult to achieve. Claim numbers remained high and performance dipped over the holiday period. The average processing time for claims during the quarter was 18 days.



5.2. Local Indicator

Additionally the percentage of new claims where a decision is made within 14 days is also monitored. A target of 80% has been set for the current year and the average performance for the second quarter was 85%.

5.3. Case-load and Claims received

The number of claims being received continued its recent downwards trend despite a small increase in September. The live case-load has levelled off and peaked at 7821 claims – an increase of more than 1000 compared to twelve months ago. This increased work load has impacted on the Services performance and in particular the number of changes being made to claims has increased as claimants move in and out of temporary work. A total of 6736 claims (new claims and changes to existing claims) were assessed during the quarter and 46% of these claims were assessed within 7 days. 5% of the claims took longer than 50 days to assess, this is usually because we have been waiting for information but occasionally the processing software reports an incorrect date which inflates the number of days taken. The day count starts when the claim is requested or the change reported.

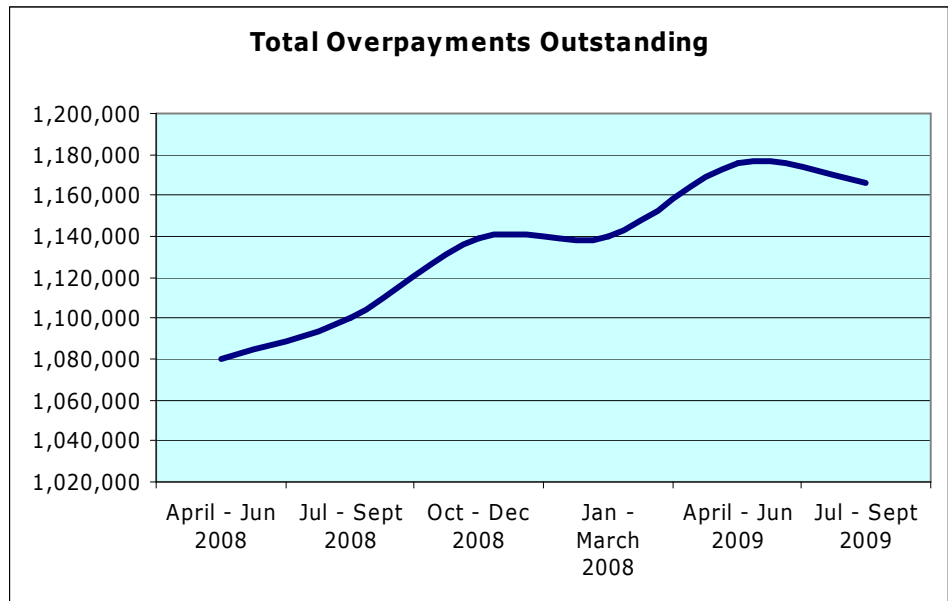
Overpayment Recovery

- 5.4 The total amount of outstanding overpaid Housing Benefit at the start of the second quarter showed a reduction compared to the start of the previous quarter at £1,166,218. However an additional £181,661 in overpaid Housing Benefit was identified and £119,320 recovered during the quarter. A total of £76,047 was recovered from ongoing Housing Benefit and a further £43,273 via the Income recovery

Executive Committee

18th November 2009

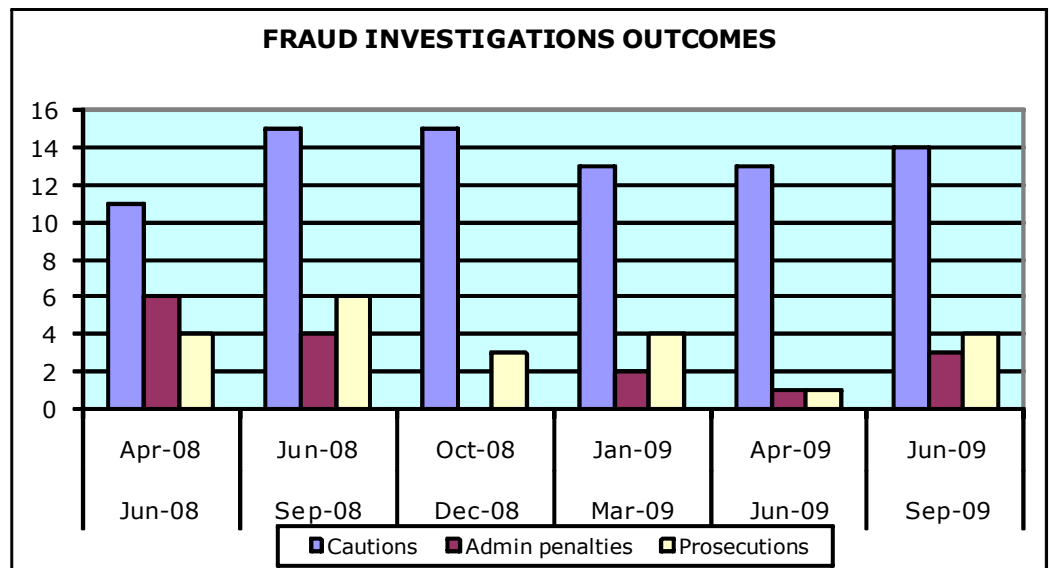
Team. Overpayments of £10,679 were written off in the quarter. Following Executive approval a Job Description and Person Specification have been written for the new Overpayment recovery post and interviews are planned for the week commencing the 30th November 2009 with an aim to transfer the agreed debts from the Income Recovery Team in January 2010.



- 5.5. Local Authority Error overpayments continue to remain below the financial threshold and remain on target to receive 100% subsidy again. At the end of September 2009 overpayments totalling £32,679 had been identified as being caused by Local Authority Error – this is only 0.20% of qualifying expenditure (these are payments for which 100% subsidy is received) – the threshold to receive 100% subsidy is 0.48%. Total gross expenditure on Benefit payments at the end of September was £17,653,940 and the total qualifying expenditure as £16,533,841.

Benefits investigations

- 5.6. The Investigations Team continued to perform well and issued 14 sanctions, 3 Administrative Penalties and 4 prosecutions. Additionally the Verification Officers carried out 305 home visits which led to 30 claims having their benefit increased and 102 claims having their benefit decreased.



Appeals

- 5.7 There has been an increase in the number of appeals received. In order to improve the turnaround time for Appeals and to cope with the increased volume an additional officer has been undertaking appeals work. This has allowed new appeals to be looked at earlier and enabled the Appeals Officer to concentrate on submissions to the tribunal. The One Stop Shop have also been given additional guidance on the process to help to correctly identify formal appeals rather than including all requests that we look again at claim decisions as appeals – this has helped reduce the number of appeals.

Take-Up Strategy

- 5.8. A draft Take-Up strategy has been prepared to help local people maximise their income. Consultation is taking place with stakeholders such as the Job Centre Plus, Age Concern and Citizens Advice Bureau. The DWP Performance Development Team is continuing to assist the Benefits Service on this strategy. The recent Child Benefit disregard and pensioner capital threshold increase have been promoted and several community events have been attended to offer advice to local people.

Improvement Plan

- 5.9. The latest position regarding the Benefits Improvement Plan has been included at Appendix 1.

Executive Committee

18th November 2009

6. Other Implications

Asset Management - None

Community Safety - None

Human Resources - None

Social Exclusion - None

7. Lessons Learnt

- 7.1 The Performance Development Team are as useful source of learning for the Benefits Service.

8. Background Papers

Audit Commission inspection report.

9. Consultation

This report has been prepared in consultation with relevant Borough Council Officers

10. Author of Report

The author of this report is Teresa Kristunas (Head of Financial, Revenues and Benefits Services), who can be contacted on extension 3295 (e-mail: teresa.kristunas@redditchbc.gov.uk) for more information.

11. Appendices

Appendix 1 – Position Statement – Benefits Service Improvement Plan April – June 2009

APPENDIX 1

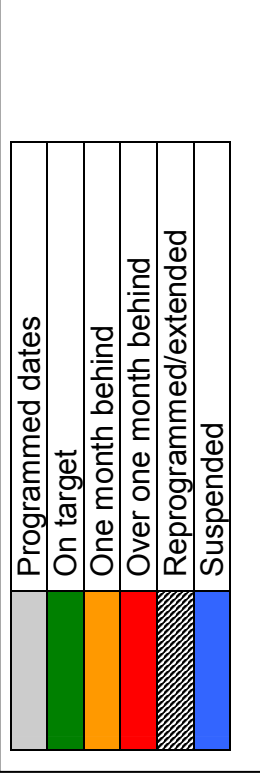
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To produce and deliver on an Improvement Plan for the Benefits Service that delivers a Benefits Service that is responsive to customer needs

Monthly Progress Update

Owner : Head of Finance, Revenues & Benefits

Date: 7 September 2009



Ref.	Action	Lead	Month												Comment / Corrective Action				
			Mar	Feb	Jan	Dec	Nov	Oct	Sep	Aug	July	June	May	April					
25.1 (R1)	Improve the management and collection of all Housing Benefit overpayments. Approval to combine recovery of overpaid HB in the HB section with the creation of a new post dedicated to this role. Ongoing Performance Development Team support to develop procedures. Target date January 2010 for transfer of debts from Income Recovery.																		
R1a	Reviewing the roles and responsibilities for recovery.	David Taylor/ Jane Bough																	Complete
R1b	Ensure that the resources needed are made available.	David Taylor/ Jane Bough																	Job Description, Person Specification and advert written – SMT approval received – waiting on Union and re-deployment checks before advert placed – scheduled date for interview week commencing 30/11/09

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Suspended

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R1c	Reviewing debts and improving procedures for recovery, monitoring and management.	David Taylor/ Jane Bough													18/1/09 PDT discussing procedures and best practice in readiness for new post and transfer of recovery to HB section.
R1d	Review the write off policies and procedure.	David Riley													Ongoing process expanded from revenues only review to encompass all services. Draft policy being prepared with a February 2010 implementation target.
R1e	Effective prevention work to reduce overpayments arising, particularly LA Error overpayment.	David Taylor													Complete weekly measures in place to monitor – monthly reporting.
R1f	Improve information sent to customers so that underlying entitlement can be established.	Sandra Maddox													Complete -Customer letter updated, reminder to staff made, new Overpayment post to check that all debtors have had underlying entitlement applied
R1g	Need for an embedded mechanism to ensure that all debtors already on the sundry debtors system can be identified if they reclaim benefit.	Vicki Lewis David Taylor													Partially Complete - Report already written to identify invoices where HB reclaimed. Needs to be embedded.

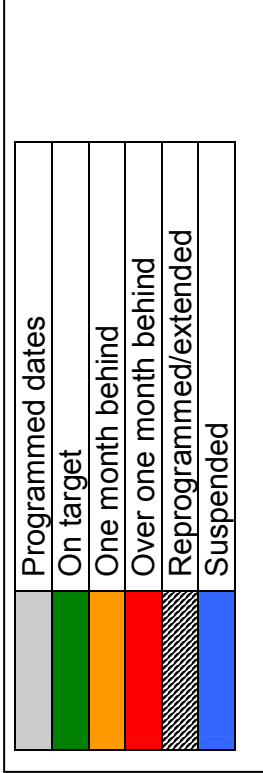
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Ref.	Action	Lead	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Comment / Corrective Action
R3c	Develop relationship with Registered Social Landlords (RSL's) including verification.	David Taylor				Green	Green	Green	Green	Hatched	Hatched				First meeting held, next meeting to be held Jan 10. SLA for Redditch co-op Housing to become a designated office being drafted – they will e-mail evidence and use e-form. Work yet to commence on this area.
R3d	Understanding and addressing the needs of disabled persons and vulnerable groups.	David Taylor				Green			Orange						
R3e	Promote the appointments system and home visits facility.	David Taylor/ Lynn Jones				Orange	Red								Complete - Information about appointments and home visits to be included in advert in next Redditch matters and raised with RSL group.

25.4 (R4) **Ensure challenging service standards and performance targets are in place, that are relevant to customers needs.** Service Plan in place. Action plans for the delivery of service standards delayed. Consultation with stakeholders started and customers to be involved via survey and/or participation group ready for inclusion in next years plans.

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R4f	Greater transparency of performance will enable Councillors' challenge to be more effective which can help drive further improvement.	David Taylor/Teresa Kristunas													Benefit performance data more available. Regular feedback on performance. Complete?
R4g	Relate service costs directly to the outcomes and performance delivered, establishing whether improving value for money is being achieved.	Teresa Kristunas													Work commencing to identify service costs.
25.5 (R5)	Performance Improvement .														

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R6b	Service Plan to be supported by a detailed action plan that identifies key activities, responsibilities and measures of success that can be recognised by customers. These should address problem areas and have specific and measurable targets, linked to staff objectives.	David Taylor													Action plans delayed – however performance appraisals have been undertaken linking to service priorities and recent work has been undertaken to promote payment of HB into bank account. May be best to link to new year service plan.
R6c	Involve staff in setting future priorities and objectives for the Service, to shape the immediate future of the Service.	David Taylor/Teresa Kristunas													Staff will be involved in setting new priorities and objectives for 2010 – dependant upon service plan development cycle.

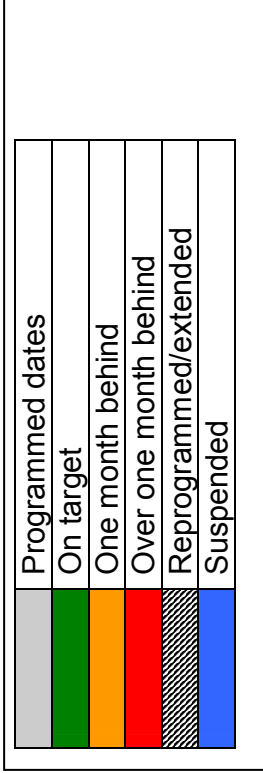
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R6d	The Service should specifically acknowledge how it will support and contribute to the priorities of the Worcestershire LAA; reducing the proportion of children in poverty, increasing the number of vulnerable people who are supported to maintain independent living and successful new claims generated for Pension Credit, Attendance Allowance and Disability Living Allowance.	David Taylor/Teresa Kristunas													New Service plan can be more directly linked to these themes. New Income Maximisation Officer posts to help with new claims for AA and DLA and Child Tax Credit. Child Benefit disregard in Oct 09 will increase numbers of families entitled to HB/CTB – complete when new service plan and Take-up strategy finalised?
25.7 (R7)	Performance Management Data in support of performance targets for individual members of staff still being compiled – Performance Development Team (PDT) supporting.														Performance
R7a	The Overview and Scrutiny Committee is not sufficiently involved in overseeing the management of performance. There should be a greater emphasis on performance analysis against existing policies and obligations rather than future policy development. Increase the role of the Portfolio Holder in performance management	David Taylor/Teresa Kristunas													O and S to consider? There is now regular feedback on performance and the portfolio holder has an increased role through new performance management framework. Complete?

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R7b	Improve Performance management arrangements at service level. Introduce staff performance appraisals and individual or team targets for processing staff. Measure productivity systematically. Embed new performance management.	David Taylor			On target	On target	On target	On target	On target						Time set aside during November visit of PDT for work to be completed. Data being analysed to set individual targets – feedback already given to processing staff on their current performance.
R7c	Limited up to date management information is available to senior managers and Councillors to assess variations in performance	David Taylor/Teresa Kristunas				On target	On target	On target							Complete
R7d	Introduce regular reporting of current performance to customers against either the corporate Customer Service Standards or the Service targets.	David Taylor/ Lynn Jones				On target	On target	On target	Over one month behind	Over one month behind	Over one month behind				Delays getting information onto new website and getting information to OSS. Website to be updated with more recent information and a further meeting to be arranged with Lynn Jones to enable OSS to show performance data.

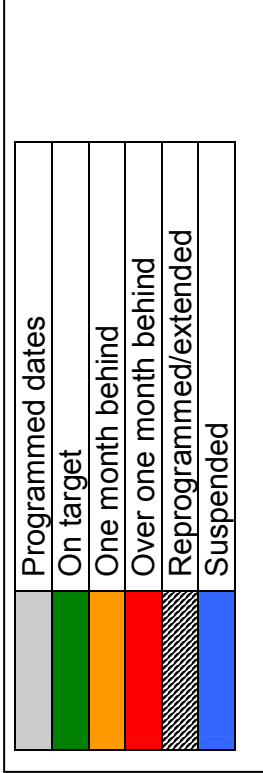
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R7e	Ensure future demand and the potential impact of take-up campaigns and external economic circumstances are regularly evaluated to support future planning and resource management. Map demand to identify peaks and troughs to ensure adequate processes are in place to forecast future demand	David Taylor													Basic monitoring already under way – County unemployment data analysed to help predict future demand. Expected small increase following November legislation changes and nationally predicted that numbers will increase again over the winter.
R7f	There are not yet robust, formally adopted SMART (specific, measurable, attainable, resourced and time-based) plans in place to give clear structure to the delivery of improvement.	Teresa Kristunas													Complete
25.8 (R8)	Customer Information		On target – not due till later in the year.												

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R8a	Information provided is not easy for customers to understand and does not help claimants to provide all of the evidence required, leading to excessive appeals and reconsiderations. Customers are providing evidence after the decision date which is resulting in a change to the decision.	David Taylor													Not due until May 2010
R8b	Increase understanding of the reasons for the high number of unsuccessful and defective (incomplete) claims	David Taylor													PDT helping compile Performance Management framework to include a measure to identify defective claim rate.
25.9 (R9)	Customer led Improvement		On target – not due till later in the year.												
R9a	The Service does not systematically measure customer satisfaction on an ongoing basis.	David Taylor													Customer satisfaction survey to be carried out in November – linked to R9c could be carried out at same time. Potential to add survey to end of e-claim form.

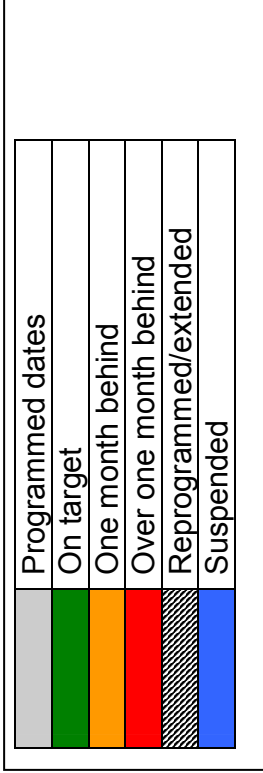
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R9b	The Service cannot clearly demonstrate that it has delivered significant improvements in outcomes for service users.	David Taylor/Teresa Kristunas													Not due until May 2010
R9c	Introduce a formal mechanism to use customer feedback as part of the service planning used to improve the Service. E.g. fast-tracking in One Stop Shop. The changes should clearly demonstrate what impact they have had.	David Taylor/ Lynn Jones													Initial survey supported implementation of electronic claims forms – follow up survey planned to be included in service plans. Need to introduce formal feedback system.
R9d	A benefits realisation methodology should be applied to demonstrate Think Lean improvements are proportionate to the resources used and lead to outcomes for the customer as a direct result.	David Taylor/ Karen Jones													NVQ being undertaken to apply lean techniques to evidence gathering – will record outcomes for customers.
25.10 (R10)	Customer Access Benefits appointments system and visits to be promoted in Redditch Matters and posters. Registered Social landlords advised of appointments system and home visits. Area to be identified in One Stop Shop for Benefit promotion.														Registered Social landlords

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R10a	Improve telephone access. Calls put on hold or not answered at all. Customer service staff unable to contact Benefits quickly to ask for detailed advice. There is no systematic monitoring of abandoned calls.	David Taylor/ Lynn Jones													Basic monitoring underway – looking into improved reporting from system.
R10b	The appointments system in the Benefits Service is not operating effectively and it is difficult for users of the One Stop Shop to meet face to face with benefits assessors.	David Taylor/ Lynn Jones													Staff taking part in NVQ in Business Change Management – starting end of Sept. member form OSS also included – will look at problem and identify best solution. SLA to be re-drafted to cover this issue. NVQ will be completed by end of November – meeting to be arranged with Lynn Jones to progress.
R10c	Leaflets and forms are not readily available in the One Stop Shops. Customers have to request them.	David Taylor/ Lynn Jones													Area in OSS for Benefits to have posters and leaflets yet to be identified. To be addressed by further meeting with Lynn Jones.

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R10d	Benefits Service has not yet identified its hard to reach groups. Not due till July 2010.	David Taylor													Not due until July 2010
R10e	The Service has not formally assessed whether all users have fair and equal access to the Service and its policies.	David Taylor													Linked to completion of Equalities Impact Assessment. New e-claim form will have ethnicity monitoring reports included.
R10f	Some vulnerable claimants are receiving a slower service than other claimants.	David Taylor													Work not yet started to identify claims and understand what caused delays.
25.11 (R11)	Value for Money Work ongoing. Some comparators obtained continuing to source others.														
R11a	Demonstrate improved outcomes that have arisen from actively exploring opportunities to work in partnership to deliver financial efficiencies	David Taylor/Teresa Kristunas													Shared Service
R11b	The Benefits Services' net cost per head of population is lower than average and satisfaction is higher than average, but processing times are slow when compared to its statistical nearest neighbours.	David Taylor/Teresa Kristunas													DWP still not published performance data to enable bench marking.

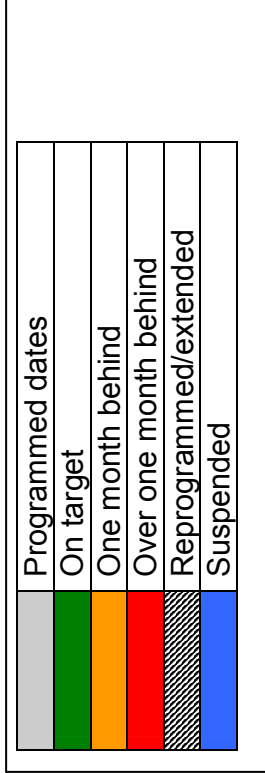
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R12a	Develop a training plan that gives clear details of the cost of training, what the objective of the training is, or how its effectiveness will be determined. Create a transparent and prioritised system for identifying individuals who need particular training.	Kerry Herbert / Sandra Maddox/ Shona Knight													To be looked at later in year ready for new year. On-line software to identify training needs in place – training plan for year devised – need to pull together into a plan with expected outcomes.
25.13 (R13)	System and System Reports	Local Authority error on target – only partial improvement on other areas due to capacity. Due later in year.													
R13a	Improve data assurance in the process for compiling the performance indicators.	David Taylor /Sandra Maddox													Review of roles within team to help check data – capacity issue – intended to move processing officer into Controls team to support this area.

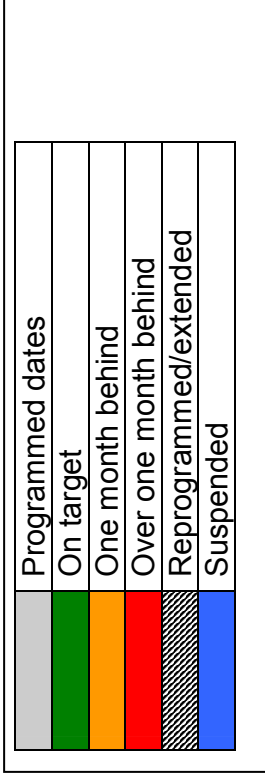
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Ref.	Action	Lead	Month	Comment / Corrective Action
R13b	Improve HB/CTB Subsidy Claim processes. Introduce testing of software releases and regular testing of claim accuracy during the year to ensure that subsidy calculation is accurate.	David Taylor /Ian Sprott	May	
			June	
			July	
			Aug	
			Sep	
			Oct	
			Nov	
			Dec	
			Jan	
			Feb	
			Mar	
				LA error on target and tested – only limited improvement elsewhere but reconciliation spreadsheet compiled for 2008/09 claim. Capacity issue to be looked at as part of review of how teams organised within the service. Audit Commission have requested further checking so still some issues but they advise that due to new audit methodology more likely to pick up an error which requires further testing.

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R13c	IBS and Anite are not being used to best effect.	David Taylor / Micki Lewis	June	Not due until 2010 but any areas identified for quick wins implemented – NVQ project to improve Anite letter requesting further information – standardised paragraphs to same time and ask for same information. Investigating input of forms directly into processing software to avoid typing in names and addresses etc.
			July	
			Aug	
			Sep	
			Oct	
			Nov	
			Dec	
			Jan	
			Feb	
			Mar	

Executive Committee

Church Hill

18th November 2009

CHURCH HILL DISTRICT CENTRE – REDEVELOPMENT UPDATE

(Report of the Head of Legal, Democratic and Property Services)

1. Summary of Proposals

To inform Members of the progress of this scheme to date and to request funding to enable the completion of the market testing process.

2. Recommendations

The Committee is asked to **RESOLVE** that

1) progress on the scheme be noted; and

to **RECOMMEND** that

2) additional revenue funding of £2,360 be approved to progress the scheme for the year 2009/10 up to and including reporting on the outcomes of the market testing exercise.

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

3.1 To enable the outcomes of the market testing to be reported to Members, there is a need for further funding of £2360 for 2009/10 to cover staffing costs.

Legal

3.2 The Council is required to dispose of any interest in land including leases for the best consideration possible under Section 123 of the Local Government Act 1972.

Policy

3.3 The current policy of this Council is to work up a scheme that achieves total redevelopment of the Church Hill District Centre as approved by the Council in December 2006.

Risk

- 3.4 There are a number of risks associated with this scheme if it cannot be made financially attractive to developers. However if marketing the scheme shows that it is not currently viable, then the Council can always defer the project at that stage to avoid any additional spending.

Sustainability / Environmental

- 3.5 No sustainability / environmental implications have been identified.

Report**4. Background**

- 4.1 Following approval of the policy to pursue redevelopment, considerable public consultation took place and this culminated in the production of a Supplementary Planning Document which forms the policy basis for redevelopment of the Centre.
- 4.2 Following the decision of the Executive Committee on 12th August 2009 to proceed with the market testing on the viability of the redevelopment scheme, Officers consulted with the Council's Procurement Adviser and Head of Legal, Democratic and Property Services. It was determined that to ensure that the Council avoided any risk of challenge on the procurement process to redevelop Church Hill should be advertised in the Official Journal of the European Union (OJEU). This is the publication in which all contracts from the public sector which are valued above a certain financial threshold according to EU legislation must be published.
- 4.3 The Church Hill Centre Members Panel met on 9th September 2009 and agreed the above marketing proposal to replace the earlier suggestion of an industry day. It should be noted that if the scheme does proceed to stage 2, then there will be an opportunity at a later date to discuss the merits of any developers individual scheme with these developers that have successfully completed stage 1 (i.e. the PQQ).

5. Key Issues

- 5.1 The OJEU notice was placed on 12th October with the requirement that developers wishing to express an interest must complete a Pre Qualification Questionnaire (PQQ) to be returned to the Council by Noon on 18th November 2009. Additional marketing also then commenced on 17th October 2009, with the same requirement to return the PQQ on the same day.

- 5.2 Because of the timing of the OJEU notice return date, it will not be possible to include within this report an indication of the response. It is therefore proposed that an oral update will be given by Officers at the meeting on 18th November 2009, giving the number of PQQ's completed and returned by 18th November 2009. The full report on the suitability of the developers submitting PQQS for this project will then be presented to Council on 7th December 2009 when Council will be asked if it wishes to proceed to the next stage. The report will also set out the financial implications of proceeding with the project.
- 5.3 A further meeting of the Church Hill Centre Member Panel will be held between 18th November and 7th December 2009.

6. Other Implications

- Asset Management - The redevelopment is in accordance with the current Asset Management Plan and was appraised using good asset management practice guidelines.
- Community Safety - The redevelopment scheme will seek to reduce anti-social behaviour, and be built in accordance with the principle of 'Secure by Design'.
- Human Resources - Continued staff time on this project with revenue consequences, with additional Officer time required in Legal Services.
- Social Exclusion - The proposal will encourage social inclusion, public participation and consultation has also achieved this.

7. Lessons Learnt

Marketing of the scheme has been delayed due to financial and property market fluctuations. These are outside the control of the Council, and could not, therefore have been predicted.

8. Background Papers

Papers held within Property Services, some of which are exempt (confidential).

9. Consultation

There has been consultation with relevant Officers in the preparation of this report.

Executive

Committee

18th November 2009

10. Author of Report

Any queries in respect of this report should be directed to Rob Kindon (Property Services Manager), who can be contacted on extension 3303 (e-mail: rob.kindon@redditchbc.gov.uk) for more information.

11. Appendices

None.

Executive Committee

All Ward Relevance

18th November 2009

CORE STRATEGY DEVELOPMENT PLAN DOCUMENT DEVELOPMENT OPTIONS JOINT CONSULTATION WITH BROMSGROVE DISTRICT COUNCIL

(Report of the Acting Head of Planning and Building Control)

1. Summary of Proposals

The purpose of this report is to seek approval for consultation to be carried out between 1st February and 15th March 2010 on 'Core Strategy Development Options'. The consultation would be held jointly between Redditch Borough Council and Bromsgrove District Council. The consultation document will present options for development within Redditch Borough's boundaries and the options for development in Bromsgrove District, adjacent to Redditch Borough to meet Redditch's growth needs up to 2026.

It is envisaged that there would be three development options presented for development within Redditch Borough's boundaries. These include one suggested preferred option which is using existing commitments, the three identified Areas of Development Restraint, the Land to the Rear of the Alexandra Hospital and two parcels of Green Belt land to the North West of the Borough (Foxydiate and Brockhill).

The two alternative options which work carried out to date suggests are less sustainable are:

1. Extending the Webheath ADR into the South West Redditch Green Belt;
2. A new settlement located in the South West Redditch Green Belt.

Options for development in Bromsgrove District to meet Redditch's needs are likely to cover the arc between the A448 and the A435, adjacent to the Redditch boundary.

2. Recommendations

The Committee is asked to RECOMMEND that

1. **A six week consultation period from 1st February to 15th March 2010 to be held jointly with Bromsgrove District Council be approved for the purposes of consulting on the Development Options to meet Redditch's growth needs up to 2026.**

-
- 2. Authority be delegated to the Acting Development Plans Manager in consultation with the relevant Portfolio Holder and the leaders of all political parties to agree the nature and contents of the consultation publicity material.**
- 3. Financial, Legal, Policy, Risk and Sustainability Implications**
- Financial
- 3.1 The costs of the proposed joint consultation period can be met within the Council's existing approved budgets. However, there will be costs associated with preparing a jointly agreed evidence base associated with determining the location of cross-boundary growth. Recent advice from the Government Office for the West Midlands states that there should be evidence that the proposed development in Bromsgrove to meet the needs of Redditch can be delivered and also how it will relate to Redditch. At the time of writing this report, the agenda for this committee meeting also includes a report concerning Capital and Revenue Bids in which revenue bids are made for both 2009/10 and 2010/11 for the purposes of completing this joint evidence base.
- Legal
- 3.2 Redditch Borough Council is required, under the Planning and Compulsory Purchase Act 2004 (as amended), to produce a Core Strategy. Sustainability Appraisal is also necessary as part of this document preparation in line with the requirements of the Strategic Environmental Assessment Directive.
- Policy
- 3.3 The Core Strategy Development Plan Document (DPD) will eventually replace many policies within the Borough of Redditch Local Plan No.3. It will be the first Development Plan Document to be produced as part of Redditch Borough's Local Development Framework (LDF) and forms part of the development plan for the area. The West Midlands Regional Spatial Strategy sets the regional planning framework and also forms part of the development plan for Redditch Borough.
- Risk
- 3.4 The Council is at risk of not being able to progress its Core Strategy DPD without having this consultation period. Section 5 'Key Issues' outlines further the risk associated with not progressing the Core Strategy.

Sustainability / Environmental

- 3.5 The three Development Options within Redditch Borough will be subject to a Sustainability Appraisal process. The suggested preferred option would be deemed the most sustainable option for Redditch Borough's future development needs.

Report**4. Background**

- 4.1 The West Midlands Regional Spatial Strategy (WMRSS) provides the framework for the Redditch Borough Council Core Strategy Development Plan Document. The WMRSS Phase Two Revision Preferred Option Document (December 2007) allocated a provisional 3,300 dwellings to be delivered in Redditch Borough up to 2026 and 3,300 dwellings to be delivered adjacent to Redditch town in Bromsgrove and/or Stratford-on-Avon Districts. The WMRSS Preferred Option Document also allocated 51 Ha of employment land to be delivered up to 2026.
- 4.2 The Redditch Preferred Draft Core Strategy Development Plan Document used these provisional figures to determine its development strategy. However only capacity for 2,243 dwellings could be identified within Redditch and this formed the basis of the Redditch Borough Council submission to the Examination in Public for the WMRSS.
- 4.3 The Panel Report for the Examination in Public of the WMRSS Preferred Option Document was released on 28 September 2009 and recommends that 7,000 dwellings are delivered to meet Redditch's growth needs up to 2026. Around 4,000 of these dwellings are to be delivered within Redditch Borough and around 3,000 in Bromsgrove District, adjacent to the Redditch boundary. The employment targets remain broadly similar to those published in the Preferred Option, with the indicative long-term requirements being 68 hectares. The Panel Report specifies that 37hecatres will be provided cross-boundary, of which at least 8 hectares will be provided within Stratford-on-Avon District west of the A435.
- 4.4 This increase in residential targets requires the Council to consult on development options that have not previously been consulted on. Therefore a period of consultation is needed on where this 7,000 dwellings and other development would be best located.
- 4.5 The figure of 4,000 dwellings that need to be provided within the Redditch Boundary is higher than that originally presented in the RSS Preferred Option document. It has always been the case that

the development capacity within the Borough is significantly limited as the urban area abuts the administrative boundary.

- 4.6 The Strategic Housing Land Availability Assessment forms part of the evidence base of the Core Strategy. The SHLAA provides information on the opportunities that exist to meet the need and demand for housing and indicates whether sufficient land is potentially available to meet the levels and growth proposed for Redditch Borough in the WMRSS. The SHLAA published in March 2009 only considered the urban area of Redditch and identified a capacity of 2,243 dwellings in the urban area. The SHLAA is reviewed annually and the next version is due to be published in April 2010. The review is likely to result in a reduced capacity in the urban area due to a recalculated windfall allowance and some sites being considered no longer suitable. However, as the RSS Panel Report has concluded that 4,000 dwellings need to be provided within the Redditch Boundary, it is necessary to reconsider potential development areas that were previously ruled out by various Evidence Base studies including the WYG Study into the Future Growth Implications of Redditch (January 2009). The WYG study recommended that Redditch's ADRs were not as preferable to development in Bromsgrove District, however the implications of the WMRSS Panel Report are that these ADR need to be re-evaluated as well as some parcels of Green Belt within the Borough. The SHLAA review will therefore also assess the capacity of the three Areas of Development Restraint, two areas of Green Belt and land to the rear of the Alexandra Hospital. The land to the rear of the Alex has previously been consulted on for employment uses as detailed in the Preferred Draft Core Strategy but it is now considered that it would be more suitable for a mix of uses including residential. Therefore, although the capacity in the urban area is likely to reduce, the overall capacity for residential development across the Borough that will be presented in the next version of the SHLAA is likely to be significantly higher than the 2,243 currently identified.
- 4.7 The WMRSS Panel Report states that the remaining 3,000 dwellings needed to meet Redditch's growth needs up to 2026 should be located in Bromsgrove District adjacent to the Redditch boundary. Previously, the WMRSS Preferred Option stated that dwellings to be provided cross-boundary could be located in Bromsgrove and/or Stratford-on-Avon Districts. The Council's have now received direction from the WMRSS Panel Report that the 3,000 dwellings should be located in Bromsgrove District adjacent to the Redditch boundary; therefore consultation on the possible locations for this development is required.
- 4.8 . Although this development is required to meet the needs of Redditch up to 2026, as it is to be located in Bromsgrove District, the potential locations have to be determined through Bromsgrove District's Core

Strategy process. However, both authorities have received advice from the Government Office for the West Midlands that when the Core Strategies are examined, the Inspectors will look for evidence of co-operation between the authorities. Officers from both authorities have been working collaboratively and, to provide the required evidence of this, are recommending that consultation on the options for meeting Redditch's growth needs up to 2026 be carried out jointly.

- 4.9 The development options put forward within Redditch will concentrate on meeting the 4,000 dwellings required as the location of employment land within the Borough has been consulted upon through previous stages of the Core Strategy process. The locations for Redditch related development in Bromsgrove will, however, consider both housing and employment.
- 4.10 The material for this joint consultation is not yet available due to the short time period since the WMRSS Panel Report was published. However, Officers are requesting that the joint consultation period is held as soon as possible so as not to cause an inappropriate level of slippage from the timetable of production for the Core Strategy as set out in Local Development Scheme No.3.

5. Key Issues

- 5.1 There are likely to be three options for locating development within Redditch Borough's boundaries which are:
- a) Extend the Webheath Area of Development Restraint into the southwest Redditch Green Belt.
 - b) New settlement in the southwest Redditch Green Belt
 - c) Urban Extensions - ADR development and 2 Green Belt areas at North Redditch and Land to the Rear of the Alexandra Hospital
- 5.2 Each of the three options for development will be tested against a Sustainability Appraisal framework. The results from work carried out by Redditch Officers to date indicate that options 1 and 2 would not be as preferable as option 3 for the following reasons:
- i) The South West Redditch Green Belt is considered to have landscape of a high value and sensitive nature and extending the development here would result in the loss of this.
 - ii) There are prominent ridges in this area which would make development visible from a considerable distance. The

topography would also limit the type of development that could be accommodated in this area.

- iii) Development in the South West Redditch Green Belt is considered unsustainable as a significant amount foul drainage improvement would be needed.
 - iv) There is a general lack of community facilities within the area and it is remote from the Town centre, railway station and other amenities.
 - v) The existing roads in the area are inadequate to serve large scale development. A significant amount of new transport infrastructure would be necessary and would be a further intrusion in the area.
- 5.3 The work carried out by Officers to date suggests that option 3 is the most preferable because some of the sites included in this option assist in achieving the vision of the Core Strategy. For example, by helping to facilitate the Abbey Stadium redevelopment, by helping to improve the vitality and viability of the Town Centre, by achieving a balance between housing and employment, and because the sites are adjacent to the existing urban area.
- 5.4 Options for the location of Redditch related development within Bromsgrove are likely to be to the north and west of the Redditch Boundary between the A448 and A441.
- 5.5 This consultation provides an essential step in progressing the Core Strategy. If this consultation period is not approved to commence on the 1st February this could result in an inappropriate level of slippage from the timetable for the production for the Core Strategy set out in Local Development Scheme No.3. There may be a possibility that the Council will not receive Housing and Planning Delivery Grant if production of the Core Strategy is delayed.
- 5.6 It is also essential to continue with the development of the Core Strategy as this provides the overarching framework for other necessary planning policy documents including Site Allocations and Policies DPD and Supplementary Planning Documents. This document also provides a necessary framework for development control decisions on planning applications.
- 5.7 Community Infrastructure Levy is a tool that collects monies for various community infrastructure projects relating to planning applications. The CIL needs to hook on to a policy within the Core Strategy and should the Core Strategy be delayed the Council's ability to collect contributions towards community infrastructure projects could also be hindered.

- 5.8 The Core Strategy provides the opportunity to resolve issues such as Town Centre improvements, District Centre enhancements and the Abbey Stadium redevelopment. The Core Strategy policies could trigger the receipt of Section 106 monies and any delay in the Core Strategy preparation could also impact upon the resolution of the aforementioned issues.
- 5.9 The Core Strategy is the key planning policy document that the council is working on; many other councils have progressed and adopted their core strategies with the help and support of Government Agencies. It would not be advisable to stall production of the Core Strategy as this is against Government advice and contradictory to particular guidance from GOWM to both Redditch and Bromsgrove.
- 5.10 If the period of consultation on Development Options is not approved, there may be significant sustainability issues. This risks the soundness of the Core Strategy and is in conflict with the SEA Directive and the implementation of Directive 2001/42/EC on The Assessment of the Effects of Certain Plans and Programs on the Environment. It is essential that all options to be presented within the Publication version of the Core Strategy are tested through the Sustainability Appraisal process prior to Publication. If options are not tested prior to Publication this may risk the soundness of the Core Strategy.
- 5.11 Both Bromsgrove and Redditch Councils have approved a Joint Planning Board to progress a joint approach to deal with cross boundary issues. It is intended that the consultation material will be considered by the Joint Planning Board and the final versions will be agreed in consultation with the Leaders of both Councils.

6. Other Implications

Asset Management	-	None
Community Safety	-	None
Human Resources	-	None
Social Exclusion	-	None

7. Lessons Learnt

- 7.1 The Council will be required to produce other DPDs in the future. The production of this DPD has been influenced by significant changes such as the publication of the WMRSS Panel Report. In

order that significant changes, such as this, do not adversely impact upon the production of future DPDs Officers consider that presenting a broader range of options at earlier stages of DPD production which encompass the possibility of significant changes could reduce the need for additional periods of consultation.

8. Background Papers

West Midlands Regional Spatial Strategy Phase Two Revision Draft Preferred Option (December 2007).

West Midlands Regional Spatial Strategy Phase Two Revision Report of the Panel (September 2009).

Redditch Borough Council Preferred Draft Core Strategy Document 31st Oct 08 – 8th May 09.

9. Consultation

- 9.1 This report has been prepared in consultation with relevant Borough Council Officers.
- 9.2 Other consultees have included landowners of some of the sites that are to be consulted on.

10. Author of Report

The author of this report is Alexa Williams, who can be contacted on extension 3376 (e-mail: alexa.williams@redditchbc.go.uk) for more information.

11. Appendices

There are none

12. Key

ADR (Area of Development Restraint) – an area of land safeguarded for consideration for possible long-term development needs. Areas are excluded from the Green Belt.

Core Strategy – this is the principal Development Plan Document (DPD) within the Local Development Framework (LDF). Among other things, it sets the Key Vision, objectives and policies for the future development of the area.

DPD (Development Plan Document) - planning policy documents that a local planning authority must prepare, and which have to be subject to rigorous procedures of community involvement,

consultation and examination. They are the documents contained within a Local Development Framework. All planning applications should be determined in accordance with the DPDs unless there are material considerations that indicate otherwise.

LDS (Local Development Scheme) – sets out the programme for developing the Local Development Documents.

WMRSS (West Midlands Regional Spatial Strategy) - sets the regional context for planning and shows how a region should look in 15-20 years time and possibly longer. It identifies the scale and distribution of new housing in the region, indicates areas for regeneration, expansion or sub-regional planning and specifies priorities for the environment, transport, housing, infrastructure, economic development, agriculture, minerals and waste treatment and disposal. The RSS forms part of the Development Plan for the area.

