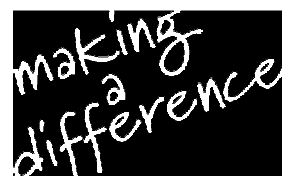


Council

Monday 27th January
2014
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council's Website:
www.redditchbc.gov.uk

**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
Ivor Westmore
Democratic Services**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 (Extn. 3269) Fax: (01527) 65216
e.mail: ivor.westmore@bromgroveandredditch.gov.uk**

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 Democratic Services 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 Democratic Services Officer.

Special Arrangements

If you have any particular needs, please contact the Democratic Services Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Democratic Services Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

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**.



Council

27th January 2014

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Wanda King (Mayor)	Carole Gandy
	Pat Witherspoon (Deputy Mayor)	Adam Griffin
	Joe Baker	Bill Hartnett
	Roger Bennett	Pattie Hill
	Rebecca Blake	Roger Hill
	Michael Braley	Gay Hopkins
	Andrew Brazier	Alan Mason
	Juliet Brunner	Phil Mould
	David Bush	Brenda Quinney
	Michael Chalk	Mark Shurmer
	Simon Chalk	Yvonne Smith
	Greg Chance	Luke Stephens
	Brandon Clayton	Debbie Taylor
	John Fisher	Derek Taylor
	Andrew Fry	

1. Welcome	The Mayor will open the meeting and welcome all present.
2. Apologies	To receive any apologies for absence on behalf of Council members.
3. Declarations of Interest	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
4. Minutes (Pages 1 - 6) Chief Executive	To confirm as a correct record the minutes of the meeting of the Council held on 9 th December 2013. (Minutes circulated in Minute Book 6 - 2013/14)
5. Announcements	To consider Announcements under Procedure Rule 10: a) Mayor's Announcements b) Leader's Announcements c) Chief Executive's Announcements. (Oral report)

10. Urgent Business - Record of Decisions

(Pages 67 - 68)

Chief Executive

To note the following decision taken in accordance with the Council's Urgency Procedures since the last ordinary meeting of the Council:

Agreement to not Defend Elements of the Reasons for Refusing a Planning Application at a Planning Appeal in order to Mitigate the Reputational and Financial Risk to the Council

(Chief Executive / Deputy Section 151 Officer)

Consideration was given to a proposal that the Council not defend the 'local' elements of the refusal reason for an application for outline planning permission which had been refused contrary to Officer recommendation and was the subject of an appeal at a Public Inquiry. Counsel had recommended that the Council not defend these two local elements in view of the evidence to support the Planning Authority's decision and the potential for a substantial costs award against the Council. A decision was needed urgently as costs were accruing on a daily basis and an early decision would lessen the financial liability on the Council.

RESOLVED that

the Council not defend the element of the refusal reason relating to additional traffic on the local road network and the lack of suitable infrastructure to support the development.

(Council Decision)

(Briefing Note attached)

11. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in her by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(This power should be exercised only in cases where there are genuinely special circumstances which require consideration of an item which has not previously been published on the Order of Business for the meeting.)

12. Exclusion of the Public

Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged it may be necessary to move the following resolution:

“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (*to be specified*) of Part 1 of Schedule 12 (A) of the said Act, as amended.”

[Subject to the “public interest” test, information relating to:

- **Para 1 – any individual;**
- **Para 2 – the identity of any individual;**
- **Para 3 – financial or business affairs;**
- **Para 4 – labour relations matters;**
- **Para 5 – legal professional privilege;**
- **Para 6 – a notice, order or direction;**
- **Para 7 – the prevention, investigation or prosecution of crime;**

may need to be considered as ‘exempt’.]

(Note: Anyone requiring copies of any previously circulated reports, or supplementary papers, should please contact Committee Services Officers in advance of the meeting.)



Council

9th December 2013

MINUTES

Present:

Councillor Wanda King (Mayor), Councillor Pat Witherspoon (Deputy Mayor) and Councillors Joe Baker, Roger Bennett, Rebecca Blake, Michael Braley, Andrew Brazier, Juliet Brunner, David Bush, Michael Chalk, Simon Chalk, Greg Chance, Brandon Clayton, John Fisher, Andrew Fry, Carole Gandy, Adam Griffin, Bill Hartnett, Pattie Hill, Roger Hill, Gay Hopkins, Alan Mason, Phil Mould, Brenda Quinney, Mark Shurmer, Yvonne Smith, Luke Stephens, Debbie Taylor and Derek Taylor

Officers:

A Baker, J Carradine, J Cooper, K Dicks, C Felton, S Jones and S Hanley

Committee Services Officer:

I Westmore

62. WELCOME

The Mayor opened the meeting and welcomed those present. Councillor Joe Baker was invited to give a reading on the theme of the meaning and spirit of Christmas.

63. APOLOGIES

There were no apologies for absence.

64. DECLARATIONS OF INTEREST

There were no declarations of interest.

65. MINUTES

RESOLVED that

the minutes of the meeting of the Council held on 14th October 2013 be confirmed as a correct record and signed by the Mayor.

.....
Chair

66. ANNOUNCEMENTS

- (a) The Mayor's communications and announcements were as follows:

i) Nelson Mandela

The Mayor led the Council in paying tribute to the former South African President Nelson Mandela who had died the previous week at the age of 95. The Mayor commented that Mr Mandela had truly been a very special man and an inspiration to many around the world.

The Leader of the Council, Councillor Bill Hartnett, added that this legend of a man had changed the world for good and that, as a mark of respect, the Borough Flag had been flown at half mast and a Book of Condolence initiated in the Town Hall to allow local residents and others to pay their respects. The Leader of the Minority Group, Councillor Juliet Brunner agreed with what had been stated previously and added that the death of Mr Mandela represented an enormous loss to the South African nation and to the world.

Other Members then went on to add their own personal reflections and tributes, commenting on the anti-Apartheid struggle of the 20th Century and on visits by a number of them to South Africa and to Robben Island, the place of Mr Mandela's incarceration. Mr Mandela's forgiveness and determination to eschew retribution was considered one of his greatest strengths.

Members observed a minute's silence as a mark of respect to the late Mr Mandela.

ii) White Ribbon Campaign

The Mayor was pleased to advise that the Council was supporting the White Ribbon campaign against domestic violence and sexual abuse for the third year running.

Councillor Rebecca Blake, Portfolio Holder for Community Safety, reflected on the activities which had been undertaken locally during the course of the campaign and invited those present to view artwork which was on display in the Chamber from victims and perpetrators of domestic violence and local students. The Leader of the Council then led other Members in expressing their thanks to those from the Council and its partner organisations for the contributions they had made to this campaign and highlighted the Human Resources Policy which was being put in place to support those employees who were affected by this issue. It was also acknowledged

- that the numbers of domestic violence incidents recorded nationally was still at a level which was unacceptably high.
- iii) Mayoral Functions
- The Mayor advised that since the last meeting of the Council she and the Deputy Mayor had attended a number of engagements including her own Skittles Evening in October, the Borough's Fireworks Display, the Armistice Day Parade and Laying of Wreaths, the County Harvest Service in Worcester, her Charity Quiz at the end of November, a service of Thanksgiving for Warrant Officer (Second Class) Ian Fisher at Lichfield Cathedral, the Blind Society Christmas Party, A Redditch Choral Society event and a Polish St Nicholas Day celebration at the Town Hall the previous day.
- iv) Forthcoming events
- The Mayor advised that forthcoming events included a meeting with Post Office staff, the Bromsgrove District Council Carol Concert, the Matchborough Youth Forum Christmas Lunch and a visit to the patients at the Alexandra Hospital on Christmas Day.
- (b) The Leader's announcements were as follows:
- i) Remembrance Sunday
- The Leader reported that this year's Remembrance Sunday had seen the largest turnout for quite a number of years, both amongst the members of the public and in the Parade itself.
- ii) 37th Signal Regiment Visit
- The Leader advised the Council that a very interesting trip had taken place to Ness Cliff Camp involving ten Members and two Officers to see the 37th Signal Regiment taking part in a training exercise.
- iii) National Children Take-Over Day
- The Leader reported on activities which had taken place as part of National Children Take-Over Day, including an event put on by West Mercia Police at Redditch Police Station.
- iv) Thanksgiving Service, Lichfield Cathedral
- The Leader advised that, as mentioned earlier in the meeting by the Mayor, the Council had been represented at the Thanksgiving Service for Warrant Officer (Second Class) Ian Fisher of the Mercian Regiment at Lichfield Cathedral.

v) Redditch Monopoly

The Council was informed that the Leader had attended the launch of the Redditch version of Monopoly and an example of the game was circulated at the meeting.

vi) Town Carol Service

The Leader advised that he and a number of other members had attended the Town Carol Service at St Stephen's Church the previous week, an event which had been well attended.

vii) Crematorium Open Day

The Leader advised that he had attended the recent Crematorium Open Day which had been a very successful event.

viii) Alexandra Hospital

The Leader reported on the latest developments on the future of services at the Alexandra Hospital. A meeting had taken place the previous week between the Leaders of the three local Councils, three local MPs and the Worcestershire Acute Hospitals Trust at which the Trust had advised that services at the Alex were indeed safe. Thanks were also extended to Ruth Bamford and her Local Plans team for helping to coordinate the response from the three Council Leaders to the Clinical Commissioning Group.

67. QUESTIONS ON NOTICE

No questions had been submitted.

68. MOTIONS ON NOTICE

A Notice of Motion had been submitted by the Leader, Councillor Bill Hartnett. The Motion was in respect of the admission of the 37th Signal Regiment based at Kohima House in Redditch to be Honorary Freemen of the Borough. This was seconded by Councillor Juliet Brunner.

Councillor Hartnett reminded Members of the Regiment's long association with the Town and that this Regiment, which comprised members of the Army Reserve, had seen active service in war zones in recent times. Through contact with the Commanding Officer it had been very apparent that the honour of the Freedom of the Borough would be a matter of tremendous pride to the Regiment as a whole.

Councillor Brunner was delighted to have the honour of seconding this particular motion. She commented that the Regiment was made up of ordinary men and women who gave their service on a voluntary basis but who were ever able and eager to support the regular armed forces.

Members unanimously

RESOLVED that

Redditch Borough Council wishes to place on record its appreciation of the voluntary service of men and women from the Borough who serve with the 37 Signal Regiment based at Kohima House in Redditch.

We propose to confer the Freedom of the Borough of Redditch on the 37 Signal Regiment and delegate authority to the Chief Executive following consultation with the Mayor and Group Leaders to notify the Commanding Officer of the Regiment of the Council's decision and seek her view, and in the event that her view is positive:

- **Make arrangements for a Special Meeting of the Council to confer the Freedom of the Borough;**
- **Utilise existing funds within the corporate civic budget up to £1,500 to cover the costs of the associated reception and production of two copies of a commemorative framed scroll;**
- **Make arrangements for a ceremonial parade to be held in the Borough on an appropriate date.**

69. EXECUTIVE COMMITTEE

The Council considered the minutes of the meetings of the Executive Committee held on 15th October, 12th November and 26th November 2013. It was noted that two of the three recommendations from the meeting on 15th October had been agreed through the Council's urgent Business procedures.

RESOLVED that

- 1) the minutes of the meeting of the Executive Committee held on 15th October 2013 be received and all recommendations adopted;**
- 2) the minutes of the meeting of the Executive Committee held on 12th November 2013 be received and all recommendations adopted; and**
- 3) the minutes of the meeting of the Executive Committee held on 26th November 2013 be received and all recommendations adopted.**

70. REGULATORY COMMITTEES

Members received the minutes of the meetings of a number of recent meetings of the Council's Regulatory Committees.

RESOLVED that

- 1) **the minutes of the meeting of the Audit and Governance Committee held on 26th September be received and adopted;**
- 2) **the minutes of the meeting of the Licensing Committee held on 11th November 2013 be received and adopted;**
- 3) **the minutes of the meeting of the Planning Committee held on 23rd October 2013 be received and adopted; and**
- 4) **the minutes of the meeting of the Standards Committee held on 24th October 2013 be received and adopted.**

71. URGENT BUSINESS - RECORD OF DECISIONS

The Council considered two decisions that had been taken under its urgency procedures in respect of firstly the Use of Housing Revenue Account Reserves to Fund Activity as a Syndicated Partner in the Government Mortgage Rescue Scheme within the Borough and, second, the Voluntary and Community Sector Grants Programme 2014/15.

RESOLVED that

the decision be noted.

72. URGENT BUSINESS - GENERAL (IF ANY)

There were no separate items of urgent business to consider at this meeting.

The Meeting commenced at 7.00 pm
and closed at 8.14 pm

.....
Chair

REDDITCH BOROUGH COUNCIL

COUNCIL

27th January 2014

94. QUARTERLY BUDGET MONITORING - 2ND QUARTER 2013/14

RECOMMENDED that

the 2013/14 Capital programme be increased by £55K to include Section 106 funded Town Centre Enhancements.

**EXECUTIVE
COMMITTEE**

10th December 2013

**FINANCE MONITORING REPORT 2013/14 - APRIL – SEPTEMBER
(QUARTER 2)**

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management.
Portfolio Holder Consulted	
Relevant Head of Service	Jayne Pickering
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non Key Decision	

1. SUMMARY OF PROPOSALS

This report details the Council's financial position for the period April to September 2013 (Quarter 2 – 2013/14).

2. RECOMMENDATIONS

The Executive Committee is asked **RESOLVE** that

- 1) **the current financial position on Revenue and Capital be noted, as detailed in the report; and**
- 2) **identified savings be used to offset the saving requirement that have not been fully identified, where available in discussion with Heads of Service**

RECOMMEND

- 3) **that the 2013/14 Capital Programme is increased by £55K to include Section 106 funded Town Centre Enhancements.**

3. KEY ISSUES

- 3.1 This report provides details of the financial information across the Council. The aim is to ensure Officers and Members can make informed and considered judgement of the overall position of the Council.

Financial Implications

- 3.2 The Council set a balanced budget in February 2013 for the financial year 2013/14. Within the budget were included savings of £550K which were not fully identified. These included savings relating to Shared Services, Transformation, and general vacancies with the Council.

**EXECUTIVE
COMMITTEE**

10th December 2013

**Revenue Budget summary Quarter 2 (April – September) 2013/14 –
Overall Council**

3.3 The current financial position for services delivered within the Borough is detailed in the table below.

3.4 Internal recharges have not been included in these figures to allow comparison for each service area.

3.5

Service Head	Budget 2013/14 £'000 (a)	Budget April - Sept £'000 (b)	Actual Spend April – Sept £'000 (c)	Variance to date April - Sept £'000 (c-b=d)	Projected Outturn 2013-14 £'000 (e)	Variance 2013-14 £'000 (e-a=f)	Ref to financial comment ary
Environmental Services	3,238	1,987	1,900	-87	3,034	-204	3.14
Community Services	2,274	843	858	15	2,295	21	3.17
Regulatory Services	568	281	276	-5	560	-8	
Leisure & Cultural Services	3,348	1,649	1,655	6	3,321	-27	3.8
Planning & Regeneration	1,810	769	779	10	1,827	17	3.9
Customer Services	576	291	235	-56	465	-111	3.11
Finance & Resources	5,097	-4,139	-4,187	-48	5,002	-95	3.12
Legal, Equalities & Democratic Services	892	437	464	27	882	-10	3.13
Business Transformation	1,139	655	634	-21	1,113	-26	3.10
Head of Housing Services (GF)	975	490	488	-2	970	-5	3.7

**EXECUTIVE
COMMITTEE**

10th December 2013

Corporate Services	903	469	445	-24	843	-60	3.16
SERVICE TOTAL	20,820	3,732	3,547	-185	20,312	-508	3.6
Savings to be found	-550	-275	-	275		550	3.15
Total for Quarter & Projected	20,270	3,457	3,547	90	20,312	42	

Financial Commentary

- 3.6 Savings of £508K had been projected towards the unidentified savings of £550K.
- 3.7 The Housing (general fund) savings are due to savings with the dispersed units.
- 3.8 Leisure Services Officers have identified net savings of £27k. This has been met by vacant posts across the service and reduction in dual use fees at Arrow Vale. Savings have also been found from re-designing processes within the Community Centres.
- 3.9 There is a shortfall in Building Control income for this financial year; this is due to this element of the business being in competition with the private sector for works.
- 3.10 The savings within Business Transformation are in relation to vacancies within the department. The majority of the projected outturn saving has been achieved by Quarter 2.
- 3.11 There are a number of staff vacancies in Customer services and also 2 members of staff are now being funded by the Housing Revenue Account following a Transformation trial. However the savings from this have partly been offset by an increase in debit/credit card charges and a reduction in funding from the Worcestershire Hub.
- 3.12 The variances with Finance & Resources are as follows:
- Human Resources – A reduction of £100K from the Training budget and savings of £20K on 2 vacant posts.
- Benefits – The variance to date is based on income received to date for Housing Benefit Subsidy payments.

**EXECUTIVE
COMMITTEE****10th December 2013**

Revenues – The saving is due to a reduction in staff hours.

- 3.13 The variances within Legal, Equalities & Democratic Services are predominantly due to the service review which has now taken place; the new structure came in to effect from 01/07/13. This quarter therefore includes redundancy costs; however a further small saving is expected for outturn. There are also small savings to date within the Members services from the Members training and expenses budgets.
- 3.14 The savings on Environmental Services are mainly due to vacant posts, and a reduction in contract prices. There is also an increase of income on Bereavement services.
- 3.15 A number of savings were identified at the budget setting process by Heads of Service; these have not affected the service delivered. Heads of Service have been able to apply these savings using a Transformation Methodology. The progress of these savings is being monitored by Finance and the Heads of Service, the total is £755k across the whole authority. There is an additional risk that if these savings are not achieved then this will increase the amount of unidentified savings.
- 3.16 Savings have been made within the PA and Directorate support section following the restructure £19k. Print room redundancy costs were not as high as anticipated due to redeployment £5K.
- 3.17 The overspend relates to an officer covering some of the duties of a Head of Service who is on long term sick

**EXECUTIVE
COMMITTEE**

10th December 2013

**Capital Budget summary Quarter 2 (April - September) 2013 /14 – Overall
Council**

Department	Revised Budget 2013 /14 £'000	Budget April – September £'000	Actual spend April – September £'000	Variance to date April – September £'000	Projecte d Outturn 2013/14 £'000	Projecte d Variance 2013/14 £'000
Environmental Services	4,192	1,826	1,807	-19	4,192	0
Community Services	886	886	162	-724	886	0
Regulatory Services	121	4	4	0	84	-37
Leisure & Cultural Services	429	5	5	0	79	-350
Planning and Regeneration	55	55	0	-55	55	0
Financial Services	584	292	0	-292	584	0
Property Services	370	185	23	-162	370	0
Housing	9,957	4,979	3,797	-1,182	8,415	-1,542
TOTAL	16,594	8,232	5,798	-2,434	14,665	-1,929

Capital Financial Commentary

- 3.18 The £55,000 capital budget for Planning & Regeneration is for a Section 106 funded project for Town Centre Enhancements.
- 3.19 The solar panel scheme is now complete with a capital saving of £4,450. Potential savings on other schemes will be reported at the third quarter.
- 3.20 Housing capital schemes are projecting underspend; changes to contracts for the solid wall insulation, a supplier has been appointed but works are unlikely to commence until after the winter. Likewise installation of cladding, and masonry works will not commence until after the winter. Final selection of the Environmental Enhancement schemes has begun, the chosen schemes will commence shortly, it is unlikely that the total budget will be spent within this financial year.

**EXECUTIVE
COMMITTEE**

10th December 2013

Treasury Management

- 3.21 The Council's Treasury Management Strategy has been developed in accordance with the Prudential Code for Capital Finance prudential indicators and is used to manage risks arising from financial instruments. Additionally treasury management practices are followed on a day to day basis.

Credit Risk

- 3.22 Credit risk arises from deposits with banks and financial institutions, as well as credit exposures to the Council's customers. Credit risk is minimised by use of a specified list of investment counterparty criteria and by limiting the amount invested with each institution. The Council receives credit rating details from its Treasury Management Advisers on a daily basis and any counterparty falling below the criteria is removed from the list.
- 3.23 At 30st September 2013, short-term investments comprise:

	30 th September 2013 £000
Deposits with Banks/Building Societies	1,400

Income from investments

- 3.24 An investment income target of £25k has been set for 2013/14 using a projected rate of return of 0.75% - 1.50%. During the past financial year, bank base rates have remained at 0.50% and current indications are projecting minimal upward movement for the short-term.
- 3.25 In the 6 months to 30 September, the Council earned income from investments of £7k. The Council is not likely to achieve the budgeted income due to a reduction in the rate now provided by the call account. It is probable that the £10k shortfall will be negated by the fall in borrowing costs.

General Fund Balances

- 3.26 The General Fund Balance as at the 31st March 2013 is £1m; a balanced budget was set in February 2013, should the unidentified

EXECUTIVE COMMITTEE

10th December 2013

savings not be achieved during the year or any unexpected expenditure occur this would be funded from Balances.

Legal Implications

3.27 No Legal implications have been identified.

Service/Operational Implications

3.28 Sound performance management and data quality are keys to achieving improved scores in the use of resources judgement. This performance report supports that aim.

Customer / Equalities and Diversity Implications

3.29 Performance Improvement is a Council objective.

4. RISK MANAGEMENT

Risk considerations are covered within the report.

5. APPENDICES

None

6. BACKGROUND PAPERS

None.

AUTHOR OF REPORT

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Tel: (01527) 64252 ext 3790

**EXECUTIVE
COMMITTEE**

14th January 2014

COUNCIL TAX BASE 2014/15

Relevant Portfolio Holder	Cllr. John Fisher, Corporate Management Portfolio Holder
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering, Director of Finance & Resources
Wards Affected	All Wards
Ward Councillor Consulted	Not Applicable
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To enable Members to set the Council Tax Base for 2014/15.

2. RECOMMENDATIONS**2.1 The Committee is asked to RECOMMEND that**

- 1) the calculation of the Council's Tax Base for the whole and parts of the area for 2014/15, as detailed in Appendix A to the report, be approved; and
- 2) in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the figures calculated by the Redditch Borough Council as its tax base for the whole area for the year 2014/15 be 24,656.96 and for the parts of the area listed below be:

Parish of Feckenham	364.78
Rest of Redditch	<u>24,292.18</u>
	<u>24,656.96</u>

3. KEY ISSUES**Financial Implications**

- 3.1 With the introduction of the Council Tax Support Scheme, the base has been calculated and adjusted by the estimated amount of Council Tax Support discounts awardable.
- 3.2 The Council Tax support is estimated using data as at 30th November 2013. Any changes to the amount payable will have a direct impact on the chargeable amount of Council Tax. The authority will receive a grant for the financial year for an estimated 90% of Council Tax

**EXECUTIVE
COMMITTEE**

14th January 2014

Support payable; this will be set and not varied with changes in the number of discounts awarded under the Council Tax Support.

Legal Implications

- 3.3 The Local Authorities (Calculation of Tax Base) Regulations 1992 require a billing authority to notify its major precepting bodies (and its Parishes, if required) of the Tax Base, for the whole or part of the area for the following financial year. The precepting bodies - Worcestershire County Council, West Mercia Police & Crime Commissioner and Hereford & Worcester Fire & Rescue Authority - need this information in order to calculate and notify the Borough Council of their precept requirements for 2014/15. This will enable tax setting resolutions to be finalised and bills to be produced early in March 2014.
- 3.4 The legislation also requires a billing authority to calculate the tax base for any "special areas" within its boundary. There are no such areas in the Redditch Borough.
- 3.5 It is necessary to outline the method by which these calculations have been carried out so that the Council can formally adopt them for the purposes of the 1992 Regulations.

Service/Operational Implications

- 3.6 In October 2013, form CTB1 was submitted to the Department for Communities and Local Government. This analyses the draft Valuation List of properties into the various bands and then provides further details of those properties which are subject to the full charge, those entitled to discounts and those which are exempt.
- 3.7 This report is a summary of that return updated to include any known changes since November. It also makes provision for anticipated changes which could arise for a variety of reasons such as appeals, new properties or properties falling off the list. An allowance of 1.00% has been made for non-collection of the tax.
- 3.8 The Council is required to set a Council Tax Base each year, this forms part of the process of setting the following year budget. Failure to do so will result in the Council not being a Well Managed Organisation.

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14th January 2014

Customer / Equalities and Diversity Implications

- 3.9 The Tax Base for 2014/15 has been calculated to be **24,656.96**. Once this has been agreed, the County Council, Police & Crime Commissioner and Fire Authority will be notified and the figures will be used in the setting of the Council Tax to be presented to the Executive Committee and approved by the Council on 24th February 2014.

4. RISK MANAGEMENT

There is no identified risk associated with the proposal contained in this report.

5. APPENDICES

Appendix A - Council Tax Base 2014/15

6. BACKGROUND PAPERS

CTB1 (October 2013) Return.

AUTHOR OF REPORT

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Appendix A - Council Tax Base 2014/15

		Changes in base	1% Non- collection	Tax base
Number of Band D equivalent dwellings:	30,849.44	-5,943.42	-249.06	24,656.96
Feckenham	403.67	-35.21	-3.68	364.78
Rest of the Borough	30,445.77	-5,908.21	-245.38	24,292.18

**EXECUTIVE
COMMITTEE**14th January 2014**LOCAL COUNCIL TAX SUPPORT SCHEME 2014/15**

Relevant Portfolio Holder	Cllr John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Amanda de Warr
Ward(s) Affected	All
Ward Councillor(s) Consulted	None Specific
Key Decision / Non-Key Decision	Non-Key Decision

1. SUMMARY OF PROPOSALS

- 1.1 Government changes to the benefits scheme in relation to Council Tax required the Council to introduce an annual Council Tax Support Scheme, from April 2013. This report summarises the results of the statutory public consultation on Redditch Borough Council's draft Council Tax Support Scheme ("the Scheme") 2014.
- 1.2 The report presents proposals to implement the Council Tax Support Scheme along with proposals for the implementation of a Hardship Fund to help support those most badly affected by the changes to support.

2. RECOMMENDATIONS

The Executive Committee is asked to RECOMMEND to Council that

- 1) the Scheme, as amended, be implemented, namely that entitlement to Council Tax support should be capped at 80% of Council Tax liability so that all working age claimants will pay a minimum of 20% towards their Council Tax Liability; and**
- 2) the implementation of the proposed Hardship Scheme be agreed.**

3. KEY ISSUES**Financial Implications**

- 3.1 From April 2013 the national scheme of Council Tax Benefit was replaced by locally agreed Council Tax Support schemes. Pensionable age claimants are protected but local billing authorities are tasked with determining the extent of support for working age claimants. As this is a discount rather than a benefit, the impact of the change to Council Tax Support was to reduce the tax base for the Council by the amount of any support given. This affected all organisations that raise a precept, including the Borough Council, major preceptors and the parish council. Compensation for the loss of council tax is paid for by the Government as Council Tax Support Grant to billing authorities and major preceptors. The Grant is equivalent to around 90% of previous council tax benefit costs.

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- 3.2 The cost of council tax benefits in Redditch was around £6.5m per year. The changes resulted in a 10% shortfall of around £650k which is split between the Borough Council (including the parish council) and our major preceptors, broadly in line with the proportion of council tax levied. As a result the County Council will take the largest share of the shortfall. The cost to the Borough was in the region of £91k (14%).
- 3.3 Also from April 2013, more discretion was given to billing authorities regarding discounts and exemptions for second and empty homes. The Borough Council reduced discounts on second homes from 10% to nil and reduced short term empty property exemptions from 100% to 50%. These changes are estimated to claw back in the region of £257k (£26k for RBC) of the overall funding gap.
- 3.4 The results of an initial round of consultation on proposals for changes to the Local Council Tax Support scheme were reported to Executive Committee on 12th November 2013
- 3.5 Executive Committee endorsed the proposal to cap entitlement to Council Tax Support at 80% of liability and resolved that a further period of consultation be entered in into.
- 3.6 The Council has received 46 responses to the latest consultation, which closed on 20th December 2013. Respondents were asked whether or not they supported the proposals.
- 3.7 A total of 37% of the respondents were in favour of changes to the scheme and 6.5% offered no opinion. 56.5% of responders did not support the proposed change.
- 3.8 The adoption of the draft scheme would meet the remainder of the funding gap in Council Tax Support. It would also ensure that for households with the same Council Tax liability there will be an equal cut to Council Tax Support in cash terms.
- 3.9 The impact of the changes, particularly on residents who are of low income and have not previously paid Council Tax will need to be assessed and those individuals offered support and advice on managing their finances. It is hoped that with the framework of personal support that is in place as part of the transformation of the service this will mitigate the impact on residents and reduce any potential shortfalls in income recovery.
- 3.10 There is also the potential to introduce a small discretionary hardship fund for a two year period if we introduce a scheme which meets the full funding gap.. Individual comments received in relation to both statutory consultations evidence a need to consider specific support for those most in need.

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- 3.11 As this is required to be a discretionary scheme, and in order to ensure that the fund can be used to help those in the most need, the scheme needs to be as flexible as possible within certain parameters. A copy of the proposed Council Tax Hardship Fund is attached at Appendix 1.
- 3.12 As part of the process for determining a person's application for support through the Hardship Fund officers would take into account the applicant's financial situation, and the impact that the shortfall is likely to have on them. Eligibility to apply for other local grants and benefits will also be considered.
- 3.13 The Council Tax Hardship Fund will be used for discretionary stand-alone payments, subject to an annual cash limit, in cases where the local authority considers that extra help with Council Tax liability is needed as a result of the Council Tax Discount scheme introduced from April 2014.
- 3.14 Only people who are working age and already in receipt of council tax discount will be permitted to make an application. The duration and level of the award will be determined individually for each application and when an award period comes to an end the claimant will be required to reapply at which time their circumstances will be reviewed. The award will only be used towards payment of Council Tax.
- 3.15 A simple application process is proposed, with claimants making a declaration that information they have provided is correct. When an application is approved the applicant will be issued with a revised Council Tax Bill and a covering letter to confirm the period and amount of award. If an application is not approved this will be advised by letter and the applicant given the opportunity to ask us to reconsider the decision.

Legal Implications

- 3.16 On 1 April 2013 Council Tax Benefit was abolished and replaced by a new scheme of Council Tax support called "Council Tax Support Schemes". Under s13A and Schedule 1A of the Local Government Finance Act 1992 (inserted by s10 Local Government Act 2012); each local authority was required to make a Council Tax Support Scheme specifying the reductions which are to apply to the amounts of council tax payable.
- 3.17 Statutory Instrument 2012/2885, "The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012" ensured that certain requirements prescribed by the Government were included in each Scheme (subsequently amended by S.I. 2012/3085)
- 3.18 The Authority must make any revisions to the Scheme no later than 31 January in the financial year preceding the one when it will take effect, so that it will be necessary for the Council's 2014/15 scheme to be in place by 31st January 2014.

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- 3.19 Failure to agree a new scheme would result in the current scheme continuing to apply and a subsequent funding gap would emerge for both the Borough Council and other preceptors, which could result in challenge from those organisations.
- 3.20 The Hardship Fund Policy will be published on the Council's website to ensure openness and transparency.

Service / Operational Implications

- 3.21 Income recovery and financial support officers will work to ensure that residents are supported through any changes to mitigate the impact on their own finances together with those of the Borough. Additional training will be provided to staff in budget management to support our residents in managing their finances.
- 3.22 There may be a requirement to make changes to software however this will be dependent on the revisions to the scheme that are finally approved.
- 3.23 Staff will be provided with training and guidance in relation to the Council Tax Hardship Fund and dealing with applications.
- 3.24 The provision of support through the Council Tax Hardship Fund is line with our purpose to help people to be financially independent. Staff will also consider other avenues of support to help the applicant back to financial independence.

Customer / Equalities and Diversity Implications

- 3.25 The changes will not disproportionately impact on those with special protected characteristics under the equality duty and the discretionary hardship fund will minimise any adverse impact caused.

4. RISK MANAGEMENT

- 4.1 Any changes to council tax support whilst increasing council tax income to the Council and our major preceptors will potentially have wide implications for our residents and therefore officers will ensure that support on managing finances and advice on other potential benefits is made available. In addition the income recovery team will continue to measure the arrears position to ensure that members are aware of the impact on income collected.

5. APPENDICES

Appendix 1 – Council Tax Hardship Fund – Draft Scheme.

6. BACKGROUND PAPERS

Held in Revenues Service

**EXECUTIVE
COMMITTEE**

14th January 2014

AUTHOR OF REPORT

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COUNCIL TAX SUPPORT SCHEME

Council Tax Hardship Fund Policy

CONTENTS

1. Background
2. Council Tax Hardship Fund and Equalities
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9. Duties of customer
10. Amount and duration of award
11. Payment of award
12. Overpayments
13. Notification of an award
14. Reconsidering decisions
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1. BACKGROUND

The Council Tax Hardship Fund has been set up by Redditch Borough Council to cover the shortfall between Council Tax liability and payments of Council Tax Support, in cases of exceptional hardship.

Every customer who is entitled to Council Tax Support and who has a shortfall is entitled to make a claim for help from the Fund.

The main features of the Fund are that:

- Hardship Fund awards are discretionary.
- Customers do not have a statutory right to an award.
- The Hardship Fund Policy is held within the main Council Tax Support scheme.
- Hardship Fund awards are not a payment of the main Council Tax Support scheme.
- It is a cash limited fund.
- Only working age customers can make an application.
- Only those in already in receipt of Council Tax Support can make an application.
- Redditch Borough Council may decide that a backdated award is appropriate; which could then settle council tax arrears. This would be the only circumstance where the Hardship Fund could be used to facilitate payment of Council Tax arrears accrued as a result of changes to Council Tax Support.

In addition to this fund there is a Discretionary Housing Payments scheme which covers the shortfall between rent and Housing Benefit.

2. COUNCIL TAX HARDSHIP FUND AND EQUALITIES

The creation of a Council Tax Hardship Fund facility meets Redditch Borough Council's obligations under the Equalities Act.

The Government has been clear that, in developing a local Council Tax Support scheme, vulnerable groups should be protected. Other than statutory protection for pensioners, the Government has not prescribed the other groups that local Councils should support. Redditch Borough Council has designed their Council Tax Support scheme to take account of the various statutes that currently protect vulnerable people.

We recognise the importance of protecting our most vulnerable customers and also the impact these changes have. We have created the Hardship Fund to ensure that we protect and support those most in need. The Hardship Fund is intended to help in cases of extreme financial hardship rather than support a lifestyle.

3. PURPOSE OF THIS POLICY

The purpose of this policy is to specify how Redditch Borough Council will operate the scheme, and to indicate some of the factors which will be considered when deciding if a Hardship Fund payment can be made.

Each case will be treated on its own merits and all customers will be treated fairly and equally in the accessibility to the Fund and also the decisions made with applications.

Where a customer is not claiming a Council Tax discount to which they may be entitled or a welfare benefit or additional financial assistance, they will be advised, and assisted in making a claim to maximise their income, before their claim for Hardship Funds will be decided.

4. STATEMENT OF OBJECTIVES

Redditch Borough Council will, through the operation of this policy, aim to:

- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to “bridge the gap” during this time.
- Support people in managing their finances.
- Help customers through personal crisis and difficult events that affect their finances.
- Aim to help prevent exceptional hardship.
- Support vulnerable young people in the transition to adult life.
- Help those who are trying to help themselves financially.
- Alleviate poverty.
- Sustain tenancies and prevention of homelessness.
- Keep families together.
- Encourage and support people to obtain and sustain employment.
- Give support to those who are financially vulnerable.

The Hardship Fund is a short-term emergency fund, awarded whilst the customer seeks alternative solutions.

It cannot be awarded for the following circumstances:

- Where full Council Tax liability is being met by Council Tax Support.
- For any other reason, other than to reduce Council Tax liability.
- Where the Council considers that there are unnecessary expenses or/debts which the customer has not taken reasonable steps to reduce.
- To reduce any Council Tax Support recoverable overpayment.
- To cover previous years Council Tax arrears.
- Where there is a shortfall caused by a Department for Work and Pensions sanction or suspension being applied because the customer has turned down work/interview/training opportunities.
- When Council Tax Support is suspended.

5. AWARDING AN EXCEPTIONAL HARDSHIP FUND PAYMENT

The Redditch Borough Council will decide whether or not to make a Hardship Fund award, and how much any award might be.

When making this decision the Redditch Borough Council will consider:

- The shortfall between Council Tax Support and Council Tax Liability.
- The steps taken by the customer to reduce their Council Tax Liability.

- Changing payment methods, re-profiling Council Tax instalments or setting alternative payment arrangements in order to make them affordable.
- To ensure that all discounts are granted.
- Steps taken by the customer to establish whether they are entitled to other welfare benefits.
- If a Discretionary Housing Payment has already been awarded to meet a shortfall in rent.
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the customer, their partner and any dependants and any other occupants of the customer's home.
- The difficulty experienced by the customer which prohibits them from being able to meet their Council Tax Liability, and the length of time this difficulty will exist.
- Shortfalls due to non-dependant deductions.
- The income and expenditure of the customer, their partner and any dependants or other occupants of the customer's home.
- How deemed reasonable expenditure exceeds income.
- That all income may be taken into account, including those which are disregarded when awarding Council Tax Support.
- Any savings or capital that might be held by the customer or their partner.
- Other debts outstanding for the customer and their partner.
- Whether the customer has already accessed or is engaging for assistance with budgeting and financial/debt management advice. A Hardship Fund award may not be made until the customer has accepted assistance either from the Council or third party, to enable them to manage their finances more effectively, including the termination of non-essential expenditure.
- The exceptional nature of the customer and/or their family's circumstances that impact on finances.
- The length of time they have lived in the property.
- The amount available in the Hardship Fund at the time of the application.
- The list is not exhaustive and other relevant factors and special circumstances will be considered.

An award from the Hardship Fund does not guarantee that a further award will be made at a later date, even if the customer's circumstances have not changed.

A Hardship Fund award may be less than the difference between the Council Tax Liability and the amount of Council Tax Support paid.

6. PUBLICITY

Redditch Borough Council will publicise the Fund and will work with interested parties to achieve this. A copy of this policy will be made available for inspection and will be published on the Council's website.

7. MAKING A CLAIM

A customer must make a claim for a Hardship Fund award by submitting an application to Redditch Borough Council. The application form can be obtained via the telephone, in person at one of the Council offices and/or the internet. Customers can get assistance with the completion of the form from the Revenues and Benefits Service, Customer Services or Housing Locality Teams at the Council.

The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council.

In most cases the person who claims the Hardship Fund award will be the person entitled to Council Tax Support. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

8. CHANGE IN CIRCUMSTANCES

Redditch Borough Council may revise an award from the Hardship Fund where the customer's circumstances have changed which either increases or reduces their Council Tax Support entitlement.

9. DUTIES OF CUSTOMER

A person claiming an Hardship Fund Payment is required to:

- Give the Council such information as it may require to make a decision.
- Tell the Council of any changes in circumstances that may be relevant to their on-going claim.
- Give the Council such other information as it may require in connection with their claim.

10. AMOUNT AND DURATION OF AWARD

Both the amount and the duration of the award are determined at the discretion of the Council and will be done on the basis of the evidence supplied and the circumstances of the claim.

- The start date will determined on individual circumstances of each case.
- The Hardship Fund will normally be awarded for a minimum of one week.
- The maximum length of the award will not exceed the end of the financial year in which the award is given.

11. PAYMENT OF AWARD

A Hardship Fund award will be made directly into the customer's Council Tax account, thus reducing the amount of Council Tax payable.

12. OVERPAYMENTS

Overpaid Hardship Fund awards will generally be recovered directly from the customers Council Tax account, thus increasing the amount of Council Tax due and payable.

13. NOTIFICATION OF AN AWARD

When an application is approved the applicant will be issued with a revised Council Tax Bill and a covering letter to confirm the period and amount of award

14. RECONSIDERING DECISIONS

If the customer disagrees with a decision in respect of an application for a Hardship Fund they will be given one calendar month to ask us to reconsider.

When we are asked to reconsider a decision the case will be passed to a Manager, who will review the reasons for the original decision and take into account any new information supplied. The customer will be informed in writing of the reviewed decision, and associated reasons for that decision.

There are no further appeal rights against a decision made on a Hardship Fund application.

15. FRAUD

Redditch Borough Council is committed to protecting public funds and ensure funds are awarded to the people who are rightfully eligible to them.

A customer who tries to fraudulently claim a Hardship Fund award by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

16. LEGISLATION

The Local Government Finance Act 2012 amends Section 13A of the Local Government Finance Act 1992 and sets out the requirement for Councils to develop and adopt a localised Council Tax Support Scheme. This Hardship Fund Policy forms part of this Scheme.

PUBLIC SERVICES NETWORK COMPLIANCE AT RBC

Relevant Portfolio Holder	Cllr John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole
Ward(s) Affected	N/A
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-Key Decision

1. PURPOSE

- 1.1 To update the Executive Committee on the requirement to achieve compliance with the Public Services Network (formerly known as the Government Secure eXtranet) and to seek approval for the release of funds for year 2013/14 to start achieving compliance in the current financial year. The Cabinet Office has made it clear that they expect to see the authority moving towards a position of compliance with immediate effect.
- 1.2 This is the first stage of the work required and further funding will be needed to achieve full compliance in 2014 and 2015. These additional financial implications will be included in the budget setting process for 2014/15.

2. RECOMMENDATIONS

The Executive Committee is requested to RECOMMEND that

- 1) an increase to the 2013/14 capital programme of £90k, to be funded from borrowing, be approved;**
- 2) the borrowing costs be released from balances in 2013/14 and be included as unavoidable pressures in the 2014/15 medium term financial plan; and**
- 3) the release of £39k from balances in 2013/14 to fund the associated revenue costs be approved.**

2 BACKGROUND

- 3.1 The Council is in the process of migrating its connection from the Government Secure eXtranet (GSX) to a new, secure, UK Government network, the Public Services Network (PSN). The same services it currently accesses through the GSX will be available through the PSN. The Cabinet Office 'own' and manage the PSN.
- 3.2 The Cabinet Office has issued a new set of conditions which all local authorities must adhere to in order to have continued access to the GSX whilst fully

migrating to the PSN. Unlike previous GSX compliance regimes, the Cabinet Office has taken a zero-tolerance approach to compliance, and is advising local authorities that they will lose their connection to the GSX and any future connection to the PSN should they not fully adhere to all PSN requirements.

- 3.3 The Council have been receiving electronic files from the Government Connect Secure Network (GCSX) for a number of years without any major problems or security breaches e.g.: DWP data relating to Benefits. During this time the Government became increasingly concerned about security holes and possible network breaches.
- 3.4 As previously mentioned the Cabinet Office have moved to a 'zero tolerance' position on compliance. This means that unless the Council can demonstrate that it has addressed the Government's concerns, they will cease our connection to the Public Services Network.
- 3.5 If the Council were to be disconnected this would prevent RBC from managing citizens benefits, transferring secure information with our partners such as the Police and the NHS, managing secure emails and access to secure government web sites. In addition it would prevent future plans to implement Individual Electoral Registration (IER) from June 2014.
- 3.6 However, the Cabinet Office announced a further shift in its PSN compliance regime on 4th October 2013. PSN compliance has proved challenging for many public sector organisations and the Cabinet Office has struggled to provide feedback on submissions within prescribed time limits. The latest announcement removes the immediate suspension risk for organisations whom the Cabinet Office considers are demonstrating a genuine appetite to achieve compliance.
- 3.7 It has been made clear that this is not a weakening of the stance taken by the Cabinet Office; all organisations will still need to move towards 100% compliance with PSN requirements, and the Cabinet Office has not removed the option of disconnecting from the PSN those organisations which are not compliant and do not demonstrate a clear willingness to become so. For this reason and following discussion with the Portfolio Holder, a release of funds in this financial year is required to continue to achieve PSN compliance.
- 3.8 The PSN requires that staff no longer use their own IT equipment to access PSN business systems or data from home. This means the council will now have to provide a PC or similar device for staff to use at home. A 'two factor' authentication device similar to those used by some banks will also be required.
- 3.9 The Cabinet Office have also confirmed that all staff using PSN applications must meet the Baseline Personnel Security Standard (BPSS) which will be covered by a Basic Disclosure Check (previously a CRB check).

4. KEY ISSUES**Financial Implications**

- 4.1 The schedule at Appendix 1 details the costs for 2013/14 associated with achieving compliance with the PSN. The analysis shows £90k capital funding required together with revenue costs of £39k. Whilst this report concentrates on the immediate requirement to demonstrate our commitment to achieving compliance it is important to note that the long term solution has further cost implications. These costs are based on **current PSN** requirements as determined by Central Government. However, these requirements change constantly so the financial implications may increase in future as the Cabinet Office continues to change the specification.
- 4.2 Several business applications and their servers are required to be upgraded to enable compliance. The costs for these are as yet unknown but will be included in the budget setting process for 2014/15. A number of systems will require upgrading or replacing to include; Haven (Leisure), IBS (Revenues and Benefits) and M3 (Environmental Services)

Legal Implications

- 4.3 There are implications regarding the Data Protection Act should staff not use the PSN to exchange private, confidential or sensitive information with our partners.

Service / Operational Implications

- 4.4 The longer term solution will require several changes to the way we operate including:
- PSN requires that all servers are updated to the latest security patches which in some cases are not compatible with current versions of business systems. Some of the business systems have not been upgraded for some years as there may not have been a business need to do so. However, the environment has changed as a result of PSN and this will have major cost implications
 - All Business Application servers will be required to have Microsoft Patches applied on a regular basis. Initially, this is a considerable piece of work for ICT and for departments while testing the patches. There will also be considerable amounts of 'down time' for the services whilst the work is completed. An on-going procedure for regular upgrading, testing and downtime will need to be put in place to ensure continued compliance.
 - Two factor authentication for any remote access to our network including Citrix, Secure Global Desktop and Ipads will be required.
 - All passwords will need to be a minimum of twelve characters in length.

Customer / Equalities and Diversity Implications

- 4.5 During the work to patch and upgrade the servers and applications there will be breaks in the availability of the technical systems which may impact on service delivery to the customer. Details of the scheduled works have been discussed with system administrators and Heads of Service. Regular communication briefs have been sent out to staff and placed on the ORB (intranet) and where possible, works are being carried out after hours or during weekends to minimise the impact on services. However, given the quantity of patches to be applied and the tight timescales, some work will have to be done during core hours.

5. RISK MANAGEMENT

- 5.1 The PSN compliance criteria change on a regular basis, depending on which representative from the Cabinet Office is involved. Consequently there is a risk that even if the Authority commits to the spend and business changes mentioned in this report, that it could still fail future compliance audits and require additional spend and further business changes to ensure PSN access.
- 5.2 There are significant risks to business if we do not achieve compliance particularly in relation to the Benefits Service and the Elections Service. Loss of our connection would also have a detrimental effect on data sharing between the Council and other public bodies e.g.: the Police, NHS etc.
- 5.3 The Council has been working with Cabinet Office Representatives for some months on an 'air-gap' solution that would have removed the need to apply security patches to all of the corporate servers. Only the servers contained within the 'air-gap' would have needed patches applying to them. A discussion on 11th September with a different person at the Cabinet Office made it clear that the only way the new Individual Electoral Registration (IER) information would be sent to Councils was via the PSN, effective from June 2014. This ended the 'air-gap' as a solution as Elections rely on data from several other servers which would need to be moved into the 'air-gap'. This would effectively bring large parts of our existing network in to the 'air-gap'. The need to patch all corporate servers has now become critical as a result. This work is now underway but will cause disruption to many of our services.
- 5.4 Assurances have been sought from the Cabinet Office that if we carry out the work as stated that we will achieve compliance, but, at the time of writing this report, no assurances have been received.
- 5.5 In order to help with the management of these risks the PSN Code of Connection compliance is being added to the Corporate Risk Register.

6. APPENDICES

Appendix 1 – PSN Budget Pressures RBC (this appendix is exempt)

7. BACKGROUND PAPERS

None

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Document is Restricted

Executive**Committee**

14 January 2014

POLLING DISTRICTS AND POLLING PLACES – REVIEW 2013/14

Relevant Portfolio Holder	Councillor J Fisher, Portfolio Holder - Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Head of Legal, Equalities and Democratic Services
Wards Affected	All Wards
Ward Councillors consulted	Yes
Not a Key Decision	

1. Purpose of Report

- 1.1 The report sets out the findings of the formal review of Polling Districts and Polling Places, as required under the Representation of the People Act 1983 and Electoral Registration and Administration Act 2013, and as based on Electoral Commission Guidance. The Review has to be conducted before 2015 to cover a 5-year period.
- 1.2 The recommendations below, and in the attached Appendix 1, set out Officers' proposals arising from the Review. If approved by the Council on 27 January, any amendments required to be made in respect of Polling Place arrangements for Elections, Referendums, Polls, and associated Electoral Registration arrangements, will have effect from the date of publication of the revised Register of Electors on 14 February 2014.
- 1.3 To meet statutory deadlines for publication of the new Register of Electors, for use in all elections to be held in the following 12 month period, decision of the full Council will be required by 27 January 2013 latest.

2. Recommendation

The Committee is asked to RECOMMEND that

- 1) a) the Polling District changes indicated on the Plan attached to this report at Appendix 4A be made to Brockhill Polling District (BYB) in the Batchley and Brockhill Ward, to generate a new Polling District (BYD), with effect from the date of publication of the next revised Register of Electors (14 February 2014);
- b) subject to a) above, the new Polling District (BYD) be named EITHER 'Lowans', OR 'Brockhill East';

(Note: selection of 'Lowans' would leave 'Brockhill East' free for later use further East, if necessary.)

Executive

Committee

14 January 2014

- c) in the case of 'Brockhill East' being selected at b) above, the current 'Brockhill' Polling District (BYB) be redesignated 'Brockhill West';
- 2) the Council designate the entire new Polling District 'BYD' as the Polling Place for the Polling District, until such time as planned new community facilities/school are built and available for this purpose and that, thereafter, they be the designated Polling Place;
- 3) further to 2) above, in the interim, authority be delegated to the (Acting) Returning Officer, in consultation with Leaders, Portfolio Holder and Ward Members, to confirm the precise location of the new portable unit(s) to provide Polling Places within the new 'BYD' Polling District;
- 4) In respect of Appendix 1 to the report ('Review Final Recommendations',)
- a) there be no change to existing arrangements, where indicated;
- b) *further recommendations to be determined in relation to options detailed in the Appendix in relation to:*
- Church Hill North Polling District (CHB) Church Hill Ward, St Peters Polling District (CCA) Crabbs Cross Ward, and Highfields Polling District (HOB) Headless Cross and Oakenshaw Ward); and*
- c) any decisions under b) above take effect from 14 February 2014;
- 5) a proposed new voluntary contract in respect of the use of private premises as Polling Places, as illustrated at Appendix 3 to the report, be endorsed and implemented with immediate effect.

3. KEY ISSUES

Financial Implications

- 3.1 Subject to the Council's final decisions (programmed for January), there may be some minor financial implications for the Council which arise directly from this report, at this time, but which can be contained within existing budgets.

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- 3.2 Apart from the many other disadvantages of using portable buildings as Polling Station venues, significant financial savings can be made if permanent buildings are used, as detailed elsewhere in the report (paragraph 3.10/3.11 refers).

Legal Implications

- 3.3 The subject Review has been undertaken as required under the Representation of the People Act 1983 and Electoral Administration Act 2013, and in accordance with relevant Electoral Commission Guidance.
- 3.4 a) Authority to set Polling District boundaries and to designate Polling Places rests with the full Council (Statutory elements of the Council's Constitution under the Local Government Act 2000).
- b) Decisions about the situation of Polling Stations within designated Polling Places are for the (Acting) Returning Officer. Arrangements must comply with relevant provisions of the Representation of the People Acts and Regulations and the Equality Act 2010.
- 3.5 "Relevant authorities" (such as Redditch BC) must
- "a) seek to ensure that all the electors in the Constituency have such reasonable facilities for voting as are practicable in the circumstances"; and
- "b) seek to ensure that, so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons. If it is necessary to use a place where the access is not ideal, then every reasonable adjustment must be undertaken to provide access for all electors."

Service / Operational Implications

- 3.6 Officers continue to attempt to identify polling station locations which improve both general accessibility and access for people with disabilities, but regret that this is not always possible to achieve, mainly because:
- a) available buildings are not in the ownership or under the control of the Council; and/or
- b) there are no suitable alternative premises available within the Polling District or Ward.

'Starting Points' for selection of Polling Places/ Stations

- 3.7 Polling Stations located within publicly funded premises (such as schools and local authority meeting rooms) are generally preferred as their availability can be relied upon and costs are low (the (Acting) Returning Officer has statutory powers to requisition such premises, which are generally well located and accessible). However, the schools themselves and pupils' parents are often understandably reluctant to accept their use as Polling Stations because of the impact of closures on their activities or on childcare.

If schools are designated, First Schools are normally selected because of reduced impact on important examination processes for older pupils.

- 3.8 Second choice for Polling Stations would be private venues. However these have the disadvantage of being more costly, as more commercial fees may be charged. The Returning Officer cannot guarantee their availability, as owners/managers of premises have the right to refuse hire at any time, without explanation.

For this reason Officers recommend the introduction of a new voluntary 'Contract' to endeavour to secure such premises more reliably and, in particular, to better secure 'succession' when/if management changes.

- 3.9 When there are no other appropriate alternatives, portable buildings may be used for Polling Stations. However, these are significantly more expensive than other premises and may often provide inadequate accommodation and accessibility for voters with disabilities.

- 3.10 As a rough guide, an average Portable Polling Station costs around £1,500 to hire, heat & light (installation of Portable Unit plus portable toilet / provision of power/generator, but costs would increase dramatically if a supplier other than the current one had to be used.) The equivalent average cost of private premises would be around £300 and premises provided via public funding charge only for additional heat, light and caretaking and therefore only around £100 each time.

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Key Issues

- A. Batchley & Brockhill Ward - Brockhill East Developments (proposed 'BYD' Polling District) (Appendix Plan 4A refers)
- 3.11 The considerable new developments (both current and projected) in the area of Brockhill East indicate a need for a further Polling Station. Although a school is eventually planned within the area, until such time as this is available a site for a new portable unit will need to be identified and Polling District boundaries reset between the current existing BYB (Brockhill) area and proposed new BYD (suggested name - 'Lowans' or 'Brockhill East') Polling District.
- 3.12 'BYD' Polling Station(s) would serve residents of both sides of Brockhill Lane and all current phases of development to the East of Brockhill Lane. Negotiations are taking place with the developers, Persimmon Homes, over suitable sites for Portable Units and outcomes will be reported to the Committee or full Council, dependent upon when initial agreement is reached on the location. In the interim, Officers recommend exceptional designation of the entire Polling District as 'Polling Place' which will enable later decisions to be readily taken, in consultation with Members, as to precise location of the temporary portable unit(s). (Recommendations 1), 2) and 3) above refer.)
- B. Central Ward – Smallwood Polling District (CEB) (Appendix Plan 4B refers)
- 3.13 Members noted last year that, as a result of a County Council review, Ipsley Youth House would no longer be available for use as a Polling Station for the Smallwood Polling District (CEB).
- 3.14 No suitable alternatives could be identified, so the Council agreed to use a Portable Building to be located on the Car Park adjacent to Youth House and Black Horse Public House.
- 3.15 Recent Council reports have indicated that former Council-owned premises in South Street may possibly become available once again for use, so Officers will maintain a watching brief and will report to Members further if this option becomes viable. In the interim there is no choice other than the continued use of the portable building.
- C. Church Hill Ward – Church Hill North Polling District (CHB) (Appendix Plan 4C refers)
- 3.16 Consultation with the current contacts at Abbeywood First School triggered a request that the Council cease use of the school as a Polling Place.

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- 3.17 If Members are minded to consider this request, Officers consider St Andrew's Church to offer suitable alternative premises (as indicated on the Plan attached to the report at Appendix 4C and included in the Display in the Town Hall Foyer). Minor savings could be made here, as the Church is already used as a Polling Place for Church Hill 'Marfield' Polling District (CHD). St Andrew's Church is located fairly close to the School and offers sufficient space and separate rooms to comfortably accommodate further polling stations.
- D. Church Hill Ward – Church Hill West Polling District (CHC)
(Appendix Plan 4D refers)
- 3.18 Officers have from time to time reported concerns with the current Polling Station at Marfield Barn premises, as they are hard to signpost and find for new voters, uncomfortable for Polling Station staff (cold, draughty and windows boarded up), and occasionally in the past in need of repair for the Health and Safety of those attending the Polling Station.
- 3.19 However, the premises are well located within the Polling District and substantially better options have yet to be identified. Officers have recently visited the site and report that, from the outside at least, the premises appeared to be in a better state of repair than when last inspected. No change is therefore proposed here.
- E. Crabbs Cross Ward – St Peters Polling District (CCA)
(Appendix Plan 4E refers)
- 3.20 Consultation with current premises' contacts triggered a request that the Council cease use of Crabbs Cross Academy (former Harry Taylor First School) as a Polling Place.
- 3.21 Entirely coincidentally an approach has been made by representatives of the Church of Jesus Christ and Latter Day Saints to offer their church premises as a Polling Place. Officers have visited the premises and find them eminently suitable.
- F. Crabbs Cross Ward – Callow Hill Polling District (CCC)
(Appendix Plan 4F refers)
- 3.22 Representations have been made by one resident of Milford Close, that electors from her area should be able to vote at the Gazebo, Foxholes Lane, rather than at the Windmill Community Centre, Ryegrass Lane, on the basis that it is easier to access the Gazebo on foot.
- 3.23 Officers have looked into this further and find that the two Polling Stations are almost exactly equidistant for anyone walking from the entrance to Milford Close (via an underpass under Windmill Drive

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near to the Bramley Cottage Public House) and, in the absence of any further representations from other residents, or local elected representatives, propose to make no change to present arrangements.

- 3.24 A prime consideration is that the Gazebo offers very limited and 'special' accommodation in terms of its use as a Polling Station, so unfortunately is not suited to serve any material increase in numbers. No change to Polling District Boundaries is therefore proposed.
- G. Headless Cross & Oakenshaw Ward - Highfields Polling District (HOB) (Appendix Plan 4B refers)
- 3.25 Members may recall that Methodist Church representatives gave notice that their Schoolroom would no longer be available for use as a Polling Station for the Highfields Polling District (HOB) after 2013.
- 3.26 In view of this, the Council agreed to locate a portable building on the Headless Cross shoppers' Car Park at 'the Green'.
- 3.27 As part of the current Review, Officers have investigated the possible use of the Rocklands Social Club Function Room and found it to be more than suitable for Polling Station use, more centrally located within the Polling District it would serve, and preferable in almost every respect to the proposed portable unit. The Club Secretary has confirmed his interest in making his premises available for this purpose.
- 3.28 In view of the east-west focus of the Polling District since last year's review, it is suggested that 'Birchfield' might now be a more descriptive name than the existing 'Highfields'.
- H. Lodge Park Ward – Holloway Polling District (LPB) (Appendix Plan 4H refers)
- 3.29 Some comments have been received about a degree of conflict of use of the communal room at Harry Taylor House with residents' needs. However no other viable Polling Place has been identified within this electoral area.
- 3.30 Comments have also been received about the possibility of improving the Polling Station entrance / exit arrangements for persons with disabilities by the Council providing a handrail. This matter is outside the strict remit of the review, but is being pursued separately with Housing Officers.

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- I. Lodge Park, Ward – St Georges Polling District (LPC)
(Appendix Plan 4I refers)
- 3.31 The Polling Station currently located at the Communal Room in Beoley Road serves a relatively small number of electors and Officers sometimes query its financial cost-benefit.
- However, local Members have requested that the Polling Station arrangements remain unchanged here in view of the age and disability profile of many electors which this station serves and its particular location within the Redditch Road network.
- J. Winyates Ward – Winyates West Polling District (WIB)
(Appendix Plan 4J refers)
- 3.32 Consultation with current premises' contacts at Roman Way First School has triggered a request that the Council cease use of the school as a Polling Place.
- 3.33 Officers have investigated the suitability of Winyates Barn in Fownhope Close/Winyates Centre as an alternative to the School and, although it could potentially serve as a Polling Place, it does have a range of disadvantages, particularly for persons arriving by car to vote, such as limited parking and less satisfactory access for persons with disabilities. It is also considerably less central to the Polling District which it serves than the School.
- K. Abbey Ward – Riverside and Papermill Polling Districts (ABA/ABB)
(Plan 4A shows the area below 'Bordesley Bridge' adj A441.)
- 3.34 Following the close of consultation at the end of November, it has been brought to the Election Team's notice that a development of some 200 dwellings has received Outline Consent for the site delineated by Birmingham Road, the Railway Line and Weights Lane in Bordesley.
- Once completed, this would trigger a need for review of the boundaries of two existing Polling Districts - Riverside and Papermill (ABA/ABB).
- 3.35 However, at this early stage, and without better knowledge of realistic timescales for the development, Officers recommend that this merely be noted and that further report be brought forward at an appropriate time – if and when necessary.

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Consultation

- 3.36 A very broad consultation exercise has taken place as required as part of this formal review. This included direct contact with local Political Party representatives and elected representatives – MP/MEP's; Borough Council and County Council Members, relevant Borough and County Council Officers and the local Police.
- 3.37 The consultation drew only limited interest and most responses were for no change to current arrangements. But all resultant comments have been reflected in the report, or else in the Summary of Responses at Appendix 1 to the report, as appropriate.
- 3.38 The (Acting) Returning Officer has a statutory obligation to respond to the consultation and her comments are incorporated in the Summary of Responses attached to the report at Appendix 1.
- 3.39 The consultation was a full open public exercise, but particularly targeted representatives of relevant interest groups, such as disability access and other disadvantaged minority groups. No responses have been received from any of these groups or their individual members to date.
- 3.40 A formal Public Notice at the beginning of the Review and subsequent press releases have been issued to local media organisations, triggering local newspaper and internet coverage.
- 3.41 Some responses raised matters beyond the scope of the review and therefore, although reflected in the Summary list, did not lead to further consideration within this report, or formal recommendations. However the points have been noted and may influence later processes as appropriate.

Customer / Equalities and Diversity Implications

- 3.42 The Council's Customer Care / Equalities policies directly cross-relate, particularly in relation to Access issues. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations.
- 3.43 Where possible Polling Station selection should also have due regard to increasing turnout.

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4. RISK MANAGEMENT

- 4.1 Any changes agreed must be likely to be sustainable for a reasonable number of years, as frequent changes of Polling Station are not helpful for electors and undermine their knowledge of, and confidence in, electoral systems.
- 4.2 Choice of Polling Place / Polling Station should not give rise to significant grounds of complaint which might put election results at risk of challenge.
- 4.3 In terms of Environmental risks, it is of course preferable that choice of Polling Station location can help minimise unnecessary additional journeys by car / motorised vehicles.
- 4.4 In terms of Human Resources risks, the (Acting) Returning Officer must provide adequate levels and standards of staffing to secure proper polling arrangements.

The (A)RO must also, of course, have regard to the duty of care to election employees, given the exceptional hours they are required to work (normally beyond European Working Time Directive limits) and sometimes intense pressures triggered by turnouts at Parliamentary ('General') Elections.

In this respect some Polling Stations fall below generally acceptable standards – Portable Polling Stations in particular. This provides a further incentive to seek to identify improved Polling Station premises whenever possible.

5. APPENDICES

1. Schedule of (Acting) Returning Officer responses, with options / recommendations for change / no change
2. Brockhill East - New Polling District justifications.
3. Proposed voluntary agreement for Polling Station Premises
4. Plans – Polling Districts / Polling Stations featured in report *(not attached - all displayed at the meeting)*
 - :
 - A. Brockhill East Developments / new BYD Polling District
 - B. Central Ward – Smallwood – Portable Building
 - C. Church Hill – Abbeywood First School / St Andrew's Church
 - D. Church Hill - Church Hill Meeting Rooms / Marlfield Barn
 - E. Crabbs Cross - Church of Jesus Christ & Latter Day Saints

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- F. Crabbs Cross / Callow Hill – The Gazebo
- G. Headless Cross - Rocklands Social Club
- H. Lodge Park – Harry Taylor House Communal Room
- I. Lodge Park - Beoley Road Communal Room
- J. Winyates Ward - Roman Way First School / Winyates Barn.

Note: Photographs and plans will be available/displayed at the meeting.

6. **Background Papers**

- Boundary Committee for England – Final recommendations on future Electoral Arrangements for Redditch, Worcestershire – dated July 2002
- Previously published Polling Stations Review reports / Minutes.
- Relevant Statutory provisions.
- Relevant correspondence on public file from consultees.

7. **Terms Used in report**

‘(Acting) Returning Officer’

Redditch Returning Officer, Mrs Sue Hanley, is designated (Acting) Returning Officer for Parliamentary Elections.

This is because the actual Returning Officer for a County Constituency, such as Redditch, is the High Sheriff for that County, which is a purely honorific title/role.

AUTHOR OF REPORT

Name : Susan Mould, Electoral Services Manager
E.mail : elections@bromsgroveandredditch.gov.uk .

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REVIEW OF REDDITCH POLLING DISTRICTS / POLLING PLACES – FINAL RECOMMENDATIONS

Ward	Polling Dist.	Polling Station.	Name	No Change	From *	Change	From *	(ACTING) RETURNING OFFICER'S / ELECTORAL OFFICERS' RECOMMENDATIONS
Abbey	Ward					Potential impact of planned new development off Weights Lane / Birmingham Road.	Planning Officers	No change at present time, but Officers to report further on possible revisions to Polling Districts ABA/ABB at a later stage if necessary.
	ABA	Abbeydale Club	Riverside					No change.
	ABB	Portable Unit Rush Lane, Church Hill.	Papermill					No change.
	ABC	Baptist Schoolroom	St Stephens					No change.
AB & Feck	Ward			None		None		
	AFA	Church Hall, Ch Rd.	Ast Bank					No change.
	AFB	Portable Unit, Banners Lane	Hunt End					No change.
	AFC	Feckenham Village Hall	St Johns					No change.
B & Brock	Ward			No change	1 Ward Cllr	Portakabins are unsuitable / inadequate	1 Resident	<i>(See below)</i>
	BYA	Batchley O S Shop	Birchensale					No change.
	BYB	Portable Unit Carthorse Lane	Brockhill / ** 'Brockhill West'?			Review boundaries on Eastern side, as part of creation of new Polling District, per below.	Officers RBC	No change of Polling Place, but review Polling District boundaries and naming, per BYD proposals below.

REVIEW OF REDDITCH POLLING DISTRICTS / POLLING PLACES – FINAL RECOMMENDATIONS

Ward	Polling Dist.	Polling Station.	Name	No Change	From *	Change	From *	(ACTING) RETURNING OFFICER'S / ELECTORAL OFFICERS' RECOMMENDATIONS
(B & Brock cont...)	BYC	Community Centre, Batchley	Foxlydiate					No change.
	'BYD'	NEW Portable Unit	'Lowans'? / '** 'Brockhill East'?	NEW		New Polling District Boundaries to be set.	Officers RBC	The Polling Place be a new portable unit(s) to be located at an appropriate site to serve the new developments *, within a new BYD Polling District, with boundaries as indicated on plan Appendix 4A (displayed at the meeting). Separate recommendations (in main report) refer.
Central	Ward							
	CEA	Bentley Close Communal Room	Musketts	No change	1 Resident			No change.
	CEB	Portable Unit Ipsley Street	Smallwood			Potential for move back to former Council-owned premises at 54 South Street (subject to separate Council decisions)	Officer proposal RBC/WCC	The present portable unit continue to be used as the Polling Place pending consideration of the possible availability of premises at 54 South Street.
	CEC	Southcrest Evangelical Chapel	Southcrest					No change.

REVIEW OF REDDITCH POLLING DISTRICTS / POLLING PLACES – FINAL RECOMMENDATIONS

Ward	Polling Dist.	Polling Station.	Name	No Change	From *	Change	From *	(ACTING) RETURNING OFFICER'S / ELECTORAL OFFICERS' RECOMMENDATIONS
Church Hill	Ward			No change	1 Co Councillor			
				No change	2x Ward Councillors			
	CHA	Church Hill Community Centre	Church Hill South					No change .
	CHB	Abbeywood 1 st School	Church Hill North			Request to cease use of school	School Governors	Consider relocation of Polling Station to St Andrew's Church.
	CHC	Marlfield Barn	Church Hill West			Concern re condition of premises	Officers RBC	No change, but maintain watching brief .
	CHD	St Andrew's Church	Marlfield					No change.
Crabbs X	Ward							
	CCA	Crabbs Cross Academy (former Harry Taylor 1st School)	St Peters			Request to cease use of school / Offer of alternative premises	Head Teacher Church of JC&LDS's	Consider relocating Polling Station to Church of Jesus Christ and Latter Day Saints, 321 Evesham Road, Crabbs Cross.
	CCB	Windmill Community Centre	Walkwood			Review Polling District boundaries / allocation of Polling Stations	1 Resident	No change.
	CCC	The Gazebo, Foxholes Lane	Callow Hill			Ditto - as above.	1 Resident	No change.

REVIEW OF REDDITCH POLLING DISTRICTS / POLLING PLACES – FINAL RECOMMENDATIONS

Ward	Polling Dist.	Polling Station.	Name	No Change	From *	Change	From *	(ACTING) RETURNING OFFICER'S / ELECTORAL OFFICERS' RECOMMENDATIONS
Greenlands	Ward			No change	1 Ward Councillor			
	GRA	St John's Church	Throckmorton					No change.
	GRB	Woodrow Community Centre	Woodrow	No change	Centre Contact			No change.
H C & O	Ward							
	HOA	Vaynor 1 st School	Vaynor					No change .
	HOB	Portable Unit, HX Car Park (Prev. Methodist Schoolroom,	Highfields / (Rename ? 'Birchfield'?)			Review use of Portable Building	Electoral Officers	Consider relocation to Rocklands Social Club Function Room, off Birchfield Road, Headless Cross and rename the Polling District 'Birchfield' (previously 'Highfields')
	HOC	Oakenshaw Community Centre	Oakenshaw N					No change.
	HOD	Portable Unit Grangers Lane	Oakenshaw S					No change.

REVIEW OF REDDITCH POLLING DISTRICTS / POLLING PLACES – FINAL RECOMMENDATIONS

Ward	Polling Dist.	Polling Station.	Name	No Change	From *	Change	From *	(ACTING) RETURNING OFFICER'S / ELECTORAL OFFICERS' RECOMMENDATIONS
Lodge Park	Ward			No change	2x Ward Councillors			
	LPA	Oak Hill 1 st School	Arrowcrest					No change.
	LPB	Communal Room, Harry Taylor House, Lakeside	Holloway	No change subject to comment	Local Resident, with disability.	Premises not ideal – impact on Residents / use of Fire exit - but no alternative?	Officer comment	No change. (But seek improvements for voters with disabilities, by provision of handrail at Polling Station entrance / exit. Review practical arrangements, cleaning etc.)
	LPC	Communal Room, Beoley Road West	St Georges	N/c subject to comment	2x. Ward Councillors			No change.
Matchboro'	Ward			No change	1 County Councillor			
	MBA	Matchborough Day Services, Clifton Close	Matchborough West					No change .
	MBB	Matchborough East Meeting Rooms	Matchborough East					No change.

REVIEW OF REDDITCH POLLING DISTRICTS / POLLING PLACES – FINAL RECOMMENDATIONS

Ward	Polling Dist.	Polling Station.	Name	No Change	From *	Change	From *	(ACTING) RETURNING OFFICER'S / ELECTORAL OFFICERS' RECOMMENDATIONS
West	Ward			None		None		
	WEA	Webheath Village Hall	Webheath					No change .
	WEB	Webheath Village Hall	Windmill					No change.
Winyates	Ward			No change	2x Ward Councillors			
				No change	1 County Councillor			
	WIA	Tenacres M Room	Winyates East					No change.
	WIB	Roman Way 1 st Sch	Winyates West			Request to cease use of school	Head Teacher	No change. (Explanation within report refers – Section 3J)
	WIC	Winyates Green Meeting Room	Winyates Green	No change	1 Resident			No change.

NOTES:

1. This table represents the situation at the close of consultation on the review and constitutes Officers' final comments/recommendations to the Council (via the Executive Committee).
2. A copy of background documentation and all relevant correspondence is available on deposit to view by request to the Electoral Services Manager:

email democracy@bromsgroveandredditch.gov.uk / tel: (015327) 881421

(Polling Districts/ Polling Places Review Final Summary 2013/14/sms/140102)

**Brockhill East Developments -
New Polling District 'justifications'**

A. Existing BYB Brockhill	Properties *	Electors *	Projected Electors
59 streets	1,511	2,374	(subject to B. below)
Totals:	1,511	2,374	2,700 + over 5 years

Notes: 1.* Details are as at October 2013 (pre-canvass) unless otherwise stated. Some new properties are unoccupied.

2. Current Polling Station(s): 1 or 2 Portable units - subject to projected turnout at particular elections - . located in Carhorse Lane

3. 1,500 – 1,800 electors are taken as general maximum working number per polling station (subject to other relevant considerations).

B. New BYD Polling District	Properties *	Electors *	Projected Electors
Almondsbury Close	14	17	
Brockhill Lane	17	30	
Burrington Close	44	1	
Cookridge Close	25	6	
Dovecote Close	41	0	
Elrington Close	24	0	
Fairweather Close	12	0	
Gretton Close	25	8	
Oversley Close	10	17	
Pink Green Lane	7	15	
Plumstead Close	11	21	
Robins Lane	13	29	
Wheelers Lane	59	113	
Further new developments	N/K	N/K	544+
Totals: 13 + streets	302	257	544 + in 2014

- Notes:**
1. Polling Station(s) proposed: 1 Portable unit initially, on a site to be determined, increasing as necessary, pro-rata to population growth; pending construction of planned new Community facilities.
 2. Provisions in the current report aim to provide ample scope for growth over a 5-year period - the statutory period for the present review.
 3. Substantial further new developments are understood to be anticipated further East of the present new developments.

C. Future BYB Brockhill (if BYD proposals are agreed)	Properties *	Electors *	No anticipated expansion, over 5-year period of review
46 streets	1,209	2,117	
Totals:	1,209	2,117	

Electoral Shared Services

Bromsgrove District Council and Redditch Borough Council

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APPENDIX 3

EXAMPLE

Contact / PersonResponsible#

#Polling StationVenue#

AGREEMENT

FOR THE PROVISION OF POLLING STATION PREMISES

I/We, the undersigned, hereby undertake

to make the agreed premises (as described below * and defined in the attached schedule) available for use as a Polling Station, as and when required for the statutory purposes of facilitating voting in respect of all Elections and Polls/Referenda which apply to the electoral area for which the premises are designated by Redditch Borough Council to serve.

[The (Acting) Returning Officer for his/her part hereby undertakes to provide, so far as circumstances permit, as much advance notice as possible of any required use of the premises, whilst emphasising that some Elections, etc. may sometimes unavoidably occur at very short notice, for example 'By-Elections', etc.]

In such circumstances as detailed above, I/we undertake to make the premises reliably available and cancel any conflicting uses.

These terms will be honoured until such time as I/we give notice of our intention to withdraw from the agreement, or unless affected by some 'force majeure' beyond my/our normal sphere of control. The normal period of notice shall be a minimum of six months, to allow a reasonable period for alternative arrangements to be made.

I/we also undertake to notify any person or body which succeeds me/us in the management or control of the subject premises in order to secure the ongoing availability of the premises.

For the <u>Premises Manager</u> / Contact:	<i>For the <u>Council</u>:</i>
Dated:	<i>Dated:</i>
Signed: (Name in capitals) Title / Representing * For	<i>Signed:</i> (Name in capitals) Title <i>For REDDITCH BOROUGH COUNCIL</i>

Webheath Planning AppealThe Planning Decision

At a meeting of the Planning Committee on 22 May 2013, an application for outline planning permission (Ref:2012/207/OUT) Land at Pumphouse Lane, Redditch, Worcestershire was refused contrary to officer recommendation, for the following reason:

The proposed development is considered to be **unsustainable** due to the resultant **additional traffic on the local road network**, the **lack of suitable infrastructure** to support the development and the **lack of contribution towards the wider highway network infrastructure**. As such, it would cause harm to the safety and amenity of the residents of the Webheath area and the town of Redditch as a whole, contrary to Policies CS6 and CS7 of the Borough of Redditch Local Plan No.3.

The Appeal

Following that decision, the Applicant lodged an appeal with the Planning Inspectorate (PINS) and requested that it be dealt with by Public Inquiry, which PINS accepted.

Inquiry dates have been set for 6 days in January 2014 (16-17 and 21-24) in the Council Chamber at Redditch Town Hall.

As the planning officer had recommended approval and was therefore unable defend the LPA's position at the Public Inquiry, a Planning Consultant was engaged to defend the Appeal on behalf of the Council. The Council's representatives have been working with the County Council in relation to the element of the refusal reason that relates to the lack of a contribution towards the provision of wider highway infrastructure.

The Webheath Action Group (WAG) has also applied to be a party to the Appeal and this has been granted by PINS.

As part of the preparations for the Public Inquiry, all sides are required to prepare (Rule 6) statements explaining their case and how they will defend it at the Inquiry. As part of this process, Counsel for the LPA (and the County Council), John Hobson QC, met with Council and County Council representatives on 4 December 2013.

At the outset of this conference meeting, the Council's planning consultant made it clear that in her opinion, of the three strands of the refusal reason as stated above, **two** have no technical evidence from any source (including the County Council in respect of the local road network) to support them and are therefore **undefensible**. Moreover, the consultant was explicit in her unwillingness to defend these reasons at the Inquiry. A discussion ensued regarding the (lack of) evidence to support these refusal reasons and the potential for a substantial costs award against the Council which culminated in Counsel advising that the LPA withdraw the 'local' elements of the refusal reason. Counsel agreed to prepare a further Opinion that very day, an extract of which is set out below.

- “4. Contrary to what the [Rule6] Statement asserts I understand that the Council has no such evidence available, and none that it can produce at the forthcoming inquiry. The Council's position in relation to these matters is therefore entirely unsustainable.
5. In these circumstances it is my strong advice that these reasons, and this paragraph, are now withdrawn. The Council should write to the Planning Inspectorate and to the Appellants indicating that the grounds are withdrawn and that the Council will be offering no evidence in respect of them.
6. Failure to produce cogent evidence in support of a reason for refusal is the most common basis on which costs are awarded. If the Council's position is not clarified and the reasons withdrawn, I consider that, in the circumstances of this case, an award of costs against the Council would be unavoidable.”

In light of the above, the Council's case would rest entirely on the County highway reason. At the time of the decision, the County Council advocated refusal if the wider highway network contribution was not agreed. The County Council is willing to defend their position but appear now to have softened their position and are prepared to reach an agreement with the Appellant on an acceptable sum of money to be received. It is possible that agreement might still be reached; if that is the case then clearly the County Council will have no further involvement with the Appeal.

Should this occur, the Council is entirely exposed with no case to put forward, with the consequent reputational and financial risks that this would entail.

Financial impacts

Should the Council continue in spite of this advice from the Planning Consultant and Counsel, then it is likely that the Planning Inspector would find that the Council had acted unreasonably and would most likely make an award of costs against the Council. This would mean that as well as meeting its own costs of defending the Appeal, the Council would also have to pay the costs incurred by the Appellant in fighting the Appeal. Essentially, the Council would foot the bill for the Appellant's planning agent, barrister, expert witnesses and compilation of supporting evidence by technical specialists for the Appellant. A conservative estimate of the costs of a full Public Inquiry in this matter would be in the region of £100,000.00.

On the basis of this advice the Chief Executive and the Head of Legal, Equalities and Democratic Services, under Article 14.3 of the Council's Constitution are of the view that, in order to protect the Council's interests, the LPA should no longer seek to defend the "local" elements of the refusal reason at Appeal.

By no longer seeking to defend part of the refusal reason and notifying the other parties in a timely manner, the costs liability faced by the Council could reduce significantly, because the Appellants would be put to less expense preparing its case and so would the Council, and the Inquiry would last a significantly shorter period of time, thus minimising costs in relation to attendance of experts and barristers.

On this basis the s151 Officer recommends that the Council does not continue the appeal and looks to mitigate the financial impact in the shortest time possible.

Urgency

The proofs of evidence for the Public Inquiry are due with PINS on Friday 20 December 2013, and therefore time is of the essence. The Appellant will be preparing their case now, with costs accruing on a daily basis so it is essential that a decision is taken as quickly as possible and the sooner the Council communicates its decision to the other parties the lesser the financial liability involved will be.

Council Decision

The recommendation is that an urgent decision will be taken by the Council not to defend the element of the refusal reason relating to additional traffic on the local road network and the lack of suitable infrastructure to support the development.