

Executive Committee

Wed 28th Oct
2009
7.00 pm

Committee Room 2
Town Hall
Redditch



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

**Ivor Westmore
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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

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

Chair

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

Running Order

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

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

Decisions

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

Members of the Public

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

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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.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

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

OR

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

you have a personal interest.

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

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

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

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

and

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

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

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



Executive Committee

28th October 2009

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

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

<p>1. Apologies</p>	<p>To receive the apologies of any Member who is unable to attend this meeting.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p>3. Leader's Announcements</p>	<p>1. To give notice of any items for future meetings or for the Forward Plan, including any scheduled for this meeting, but now carried forward or deleted; and</p> <p>2 any other relevant announcements.</p> <p>(Oral report)</p>
<p>4. Minutes (Pages 1 - 22) Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Executive Committee held on 16th and 22nd September 2009</p> <p>(Minutes attached)</p>
<p>5. Budget Preparation Guidelines and Timetable (Pages 23 - 32) Head of Financial Revenues and Benefit Services</p>	<p>To set guidelines for the coming year's budgets.</p> <p>(Report attached)</p> <p>(No Specific Ward Relevance)</p>
<p>6. West Midlands Biodiversity Pledge (Pages 33 - 58) Head of Environment</p>	<p>To consider the recommendation that the Council sign up to the West Midlands Biodiversity Pledge.</p> <p>(Report attached)</p> <p>All Wards</p>

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<p>7. Corporate Plan - Phase 1 Head of Strategy and Partnerships</p>	<p>To consider the proposed priorities for Redditch Borough Council 2010 – 2013.</p> <p>(Report and Appendices 1 and 2 to follow) (The Corporate Strategy – Redditch Profile 2009 is available on the website.)</p> <p>(No Direct Ward Relevance)</p>
<p>8. Introductory Tenancies (Pages 59 - 64) Head of Housing and Community Services</p>	<p>To consider a proposal to introduce Introductory Tenancies.</p> <p>(Report attached)</p> <p>(No Specific Ward Relevance)</p>
<p>9. Overview and Scrutiny Committee (Pages 65 - 82) Chief Executive</p>	<p>To receive the minutes of the meeting of the Overview and Scrutiny Committee held on 23rd September and 1st October 2009</p> <p>There is a recommendation in the minutes of the meeting on 1st October; however this has already been considered and resolved upon by the Executive Committee.</p> <p>(Minutes attached)</p>
<p>10. Minutes / Referrals - Overview and Scrutiny Committee, Executive Panels, Neighbourhood Groups etc. Chief Executive</p>	<p>To receive and consider any outstanding minutes or referrals from the Overview and Scrutiny Committee, Executive Panels, Neighbourhood Groups, etc. since the last meeting of the Executive Committee, other than as detailed in the items above.</p>
<p>11. Advisory Panels - update report (Pages 83 - 86) Chief Executive</p>	<p>To consider, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels and similar bodies, which report via the Executive Committee.</p> <p>(Report attached)</p>
<p>12. Action Monitoring (Pages 87 - 90) Chief Executive</p>	<p>To consider an update on the actions arising from previous meetings of the Committee.</p> <p>(Report attached)</p>

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13. Exclusion of the Public	<p>It may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to the following items of business on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:</p> <p>“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 (<i>to be specified</i>) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</p>
14. Confidential Minutes / Referrals (if any)	<p>To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).</p>



Executive Committee

16th September 2009

Minutes

Present:

Councillor Carole Gandy (Chair), Councillor Michael Braley (Vice-Chair) and Councillors P Anderson, J Brunner, B Clayton, W Hartnett, N Hicks and M Shurmer

Officers:

R Cooke, M Davidson, I Gregory, L Hadley, S Hanley, R Kindon, T Kristunas, S Mullins, I Ranford, Jackie Smith, Jane Smith, J Staniland and P Wilkins

Committee Services Officer:

I Westmore

111. APOLOGIES

Apologies for absence were received on behalf of Councillor MacMillan.

112. DECLARATIONS OF INTEREST

There were no declarations of interest.

113. LEADER'S ANNOUNCEMENTS

The Chair advised that the following item of business, scheduled on the Forward Plan had been re-scheduled to a later meeting:

- Business Centres Review – Terms of Reference

She also advised that she had accepted the following matters as Urgent Business:

Item 14 – Advisory panels – Update Report

Item 17 – Development Opportunities – Dingleside and Ipsley

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Chair

114. WORCESTERSHIRE ENHANCED TWO TIER PROGRAMME

The Committee received a report that had been circulated to all District Councils in the County and which provided an update on the enhanced two-tier working agenda.

Officers stated that the shared services agenda with Bromsgrove District Council and the WETT programme were complementary and that each business case for a service was being considered on its merits. The Programme was most advanced in the area of regulatory services at the present time. Redditch Borough Council Officers were inputting significantly into the programme across the range of services.

RESOLVED that

the report be noted.

115. PRUDENTIAL INDICATORS

A report was received that set out the actual prudential indicators for 2008/09, within six months of the end of that financial year, as required.

The Prudential Code sought to ensure that the capital investment plans and treasury management decisions of the authority were prudent, affordable and sustainable.

It was noted that the financial climate over the previous year had been difficult with volatility in the rates of interest for borrowing and investing. However, it was confirmed that the Council's investment strategy was still generally producing a positive margin.

A number of matters were highlighted by Members. The future of the Major Repairs Allowance beyond 2011/12 was queried and Officers stated that this matter was still out for consultation. The steep drop-off in recent years in capital receipts was remarked upon but Officers were very much of the opinion that the zero estimate going forward was a realistic projection. The similar zero projection for Section 106 was also commented upon. Again, Officers confirmed that it would not be prudent at this stage to estimate a greater sum.

Councillor Braley enquired as to the maximum and minimum borrowing rates that had existed over the past 25 years and also the magnitude of the interest rate in 1979.

RESOLVED that

the report be noted.

116. COMPLAINTS POLICY - REVIEW

Officers presented a report that sought to review and refresh the existing Council Complaints Policy. From talking to the Council's customers through means such as the Community Forum it had become apparent that the process was difficult for service users to understand. It was therefore suggested that the process be streamlined by removing the first tier of the current Complaints Policy.

The format of the Complaints Appeals Panel was briefly discussed as there was a view expressed that the complainant may have a role to play. Officers clarified that the Panel meetings were specifically to consider internal issues of service delivery and were not designed to determine the rights and obligations of customers and Officers.

Members suggested that a clear explanation of the entire Complaints Procedure be included in the initial response sent to any complainant.

RECOMMENDED that

the Complaints Policy be amended so that 'Informal Complaints' are removed at Stage One of the Complaints Policy.

117. REDDITCH TOWN CENTRE STRATEGY

In early 2009 the Council had appointed a number of external consultants to deliver a Town Centre Strategy for Redditch. A report was received by the Committee that set out the priority projects and actions contained within the draft Strategy received from these external consultants. The detail and costs associated with any of the actions listed would be reported to future meetings of the Committee.

Members were generally very much in favour of the proposals contained within this initial report. It was accepted that perceptions of the Town Centre were not altogether positive within the region and the Council and its partners needed to have bold ideas and ambitions if they wished this situation to improve. It was acknowledged that the overall sums of money involved over a number of years would be substantial but many of the Council's

partners shared the Council's commitment to the aims underpinning the draft Strategy.

RECOMMENDED that

- 1) **the Town Centre Strategy as detailed in Appendix A to the report be endorsed; and**

RESOLVED that

- 2) **Officers be instructed to work on projects associated with implementing the Town Centre Strategy.**

118. DECENT HOMES CAPITAL PROGRAMME AND HOUSING ROOFING REPAIRS

Officers presented a report that set out requests for the reallocation of a part of the Decent Homes budget for 2007-12 and for additional revenue funding for essential roofing repairs.

There had been an overspend on roofing repairs during Year 2 of the Programme (last year) and, in addition, works in part of the town had identified that a number of roofs could no longer be sustained by reactive repairs and were in need of replacement. The money for the proposed programme of the replacement of roofs had been identified through negotiating savings with the Council's contractors given the current financial climate and the consequent downturn in costs for materials. The additional money required for the day to day roofing repairs was to be found from HRA reserves.

The Committee acknowledged that the additional spending was required given the poor condition of roofs to Council homes in some areas. There was broad agreement that spending on the envelopes of Council properties was a sensible and prudent long-term investment. The proposal to carry out comprehensive works including gutters, soffits and fascias whilst scaffolding was in place was welcomed by Members. There was discussion as to the possibility of incorporating contemporary technology such as alternative building materials and photo-voltaic cells into these new roofing schemes. Officers confirmed that they were actively exploring such opportunities where they arose but that there were generally significant additional and consequential costs arising from such enhancements. The biggest issue throughout the town was identified as the existence of substantial numbers of solid-walled properties.

RECOMMENDED that

- 1) approval be given for the reallocation of £200,000 funding from the Decent Homes capital budget to commence a programme of essential roof replacements;
- 2) £50,000 additional revenue funding for roofing repairs be approved from the HRA reserve for this year 2009/10 and 2010/11; and

RESOLVED that, if approved,

- 3) approval be given to incur up to the expenditure detailed in 1) above, in accordance with Standing Order 41; and
- 4) the contents of the report relating to budget spend for Year 2 of the programme (2008/9) and budget and programme of works for 2009/10, 2010/11 and 2011/12 be noted.

119. REDDITCH CREMATORIUM - CREMATOR REPLACEMENT AND BUILDING UPGRADES

Members considered a report advising them of requirements for a major infrastructure upgrade to the existing crematorium plant and buildings. The Committee welcomed the report and commended Officers on the service that was provided at the facility.

Officers were able to provide reassurance that disruption would be kept to a minimum during the course of the works. There was a need to be sensitive in the handing of this work and it was expected that local residents would be kept informed through press statements. It was hoped that the carrying out of the work would not result in any loss of revenue to the Council.

The recycling of the waste heat was considered to be a positive innovation and Members were pleased to hear that heat recovery from crematoria was not considered objectionable by the overwhelming majority of the public in surveys. It was also noted that the service was not intending to purchase a larger replacement cremator, thereby reducing the amount of waste heat produced in cremating all users.

RESOLVED that,
subject to the necessary budgetary approvals of the full Council, as detailed at recommendations 6) and 7) below,

- 1) a programme of replacement of and installation of one new cremator, complete with mercury abatement

equipment, at a current cost in the region of £575,000, be carried out;

- 2) a programme of civil works be undertaken to improve the public and staff areas of the crematorium buildings, at a cost of £380,000;
- 3) a defined study be carried out in relation to energy recovery and re-use for both internal and external purposes;
- 4) specialist and technical support be employed to assist the Bereavement Services Manager with the management and implementation of this project, at a cost of £32,500;
- 5) expenditure of up to the total sum approved by the Council, for the purposes defined in the report, be approved in accordance with Standing Order 41; and

RECOMMENDED that

- 6) the Council, if it is established that it is economically viable to recover waste energy and to re-use it for internal and external purposes, implement the recommended programmes for such re-use. Initial research indicates that internal re-use will be economically viable so a sum of £70,000 has been included in the Capital Programme for this aspect of the project.
- 7) up to £757,500 be allocated from the Capital Programme for the purposes indicated in the report; and
- 8) the Capital Programme be amended accordingly.

120. REDDITCH OPEN AIR MARKET - REGULATIONS 2009/10

Officers presented a revised version of the Redditch Open Air Market Regulations to the Committee. It was suggested that the previous Regulations, agreed in 2006, were no longer sufficient to support the efficient running of the Market.

The Committee welcomed the opportunity to more clearly define the rules on matters such as stall allocation, fees and methods of payment. It was noted that the revised Regulations had been agreed with the Market Traders.

RECOMMENDED that

- 1) **authority be delegated to the Head of Operations in consultation with the Portfolio Holder to agree the adoption date for the revised Market Regulations;**
- 2) **authority be delegated to the Head of Operations in consultation with the Portfolio Holder to make minor alterations or amendments to the Regulations for the operational benefit of the Market and its Traders; and**
- 3) **authority be delegated to the Head of Operations in consultation with the Portfolio Holder to finalise the hours of operation and any other relevant rules in the (document) following consideration of the planning application by the Planning Committee.**

121. ARROW VALLEY COUNTRYSIDE CENTRE - INSTALLATION OF BUS STOP

The Committee considered a report setting out a proposal for provision of a bus stop on Battens Drive and a connecting footpath to the Arrow Valley Countryside Centre. At this stage the proposed facility was basic and did not incorporate a shelter.

Both First Bus and Hardings were working with the Council at present to provide a service to this stop. The service was only intended to be off-peak although it could also be used as a park and ride stop in due course for events in the Park.

Members were pleased to note the progress that had been made on this scheme since it had first come through as a recommendation from the Overview and Scrutiny Committee. In that respect, it was suggested that due recognition be paid to other Councillors, including Councillors Thomas and Pearce, in facilitating the installation of this amenity.

RECOMMENDED that

- 1) **approval be given for the allocation of the sum of £10,245.00 for the provision of a bus stop and connecting footpath from Battens Drive to Arrow Valley Countryside Centre within the Capital Programme; and**

RESOLVED that, if approved,

- 2) **approval be given to incur up to the expenditure detailed above, in accordance with Standing Order 41.**

122. OVERVIEW AND SCRUTINY COMMITTEE

There were no minutes from the Overview and Scrutiny Committee to consider.

123. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS, NEIGHBOURHOOD GROUPS ETC.

There were no minutes or referrals under this item.

124. ADVISORY PANELS - UPDATE REPORT

RESOLVED that

the report be noted.

125. ACTION MONITORING

Members considered the report on the work of the Executive Committee's Advisory Panels and similar bodies.

126. EXCLUSION OF THE PUBLIC

RESOLVED 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 paragraphs 1, 2, 3 and 4 of Part 1 of Schedule 12 (A) of the said Act, as amended.

Dingleside and Ipsley – Development Opportunities (as detailed in minute 127 below)

Shared Services Business Case – CCTV / Lifeline (as detailed in minute 128 below)

Shared Services Business Case – ICT Services (as detailed in minute 129 below)

127. DEVELOPMENT OPPORTUNITIES - DINGLESIDE AND IPSLEY

The Committee received a report advising of the opportunities for the Council to progress disposal of two sites at Dingleside and Ipsley jointly with the adjoining owners. Site plans for both sites and

a draft Concordat between the Council and other parties for the Dingleside site were tabled at the meeting.

Officers reiterated that the decision to be made at this stage was one of declaring the land surplus and considering the sites for disposal and was not about determining future use. One of the other parties wished to have some comfort that redevelopment of the sites would be completed, hence the drawing up of a draft Concordat. The magnitude of any proceeds to the Council were still under negotiation.

Because of the nature of the land being disposed of, Members were keen to establish to what uses Section 106 and Section 77 monies were to be put. It was highlighted that the Section 77 element would be required to be spent primarily on school sports provision and possibly education related leisure assets. It was hoped that the Section 106 element would contribute to the funding of the Abbey Stadium redevelopment.

A Member requested that the advice from the Head of Legal, Democratic and Property Services that Members who were on both the Executive and Planning Committees would not be at risk of being conflicted out on grounds of predetermination as the issue at hand at this stage was merely one of declaring land surplus and authorising disposal be placed on record.

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to provisional terms of land disposals under negotiation, disclosure of which was not considered to be in the public's best interests.)

128. SHARED SERVICES BUSINESS CASE - CCTV / LIFELINE

A report was received that set out the business case for a shared CCTV and Lifeline service for Redditch Borough and Bromsgrove District Councils.

This had previously been identified as a medium term opportunity. There was the requirement for capital investment to establish a shared service at one site and this would in part be met through savings, including salaries. It was anticipated that there would be human resources implications in establishing a single unit based in Redditch. However, Members were reassured that the existing accommodation in Redditch was sufficient for the shared service.

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to an individual or which was likely to reveal the identity of an individual, the business affairs of the authority and contemplated consultations or negotiations in connection with labour relations matters between the authority and employees of the authority, disclosure of which was not considered to be in the public's best interests.)

129. SHARED SERVICES BUSINESS CASE - ICT

The Committee received a report that set out a case for a shared ICT service between Redditch Borough and Bromsgrove District Councils. It was proposed to host the shared service at Bromsgrove.

Officers explained that a key driver was an attempt to underpin the systems across both Councils by maximising the use of available resources. A skeleton staff would still be present at the Redditch site following the proposed merger.

Officers undertook to provide a response to a question from Councillor Anderson regarding the installation of fibre-optic cabling and whether this was still planned under the shared service.

It was noted that further work was to be carried out through the Shared Services Board into the savings that could be achieved through the sharing of this service through software licences, re-use of office space, etc.

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to an individual or which was likely to reveal the identity of an individual, the business affairs of the authority and contemplated consultations or negotiations in connection with labour relations matters between the authority and employees of the authority, disclosure of which was not considered to be in the public's best interests.)

The Meeting commenced at 7.00pm
and closed at 10.11pm.

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Chair

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



Executive Committee

22nd September 2009

MINUTES

Present:

Councillor Carole Gandy (Chair), Councillor Michael Braley (Vice-Chair) and Councillors P Anderson, J Brunner, B Clayton, W Hartnett, C MacMillan and M Shurmer

Also Present:

M Collins (Standards Committee)

Officers:

K Dicks, S Garratt, S Hanley, A Heighway, T Kristunas, S Mullins, Jackie Smith, J Staniland, A Walsh, K Watkins, L Bellaby and D Taylor

Committee Services Officer:

D Sunman

130. APOLOGIES

Apologies for absence were received on behalf of Councillor Hicks.

131. DECLARATIONS OF INTEREST

There were no declarations of interest.

132. LEADER'S ANNOUNCEMENTS

The Chair advised that she had accepted the following matters as Urgent Business:

Item 6 – Quarterly Performance Monitoring – Quarter 1 (April – June 2009)

Item 7 – Quarterly Monitoring of Formal Complaints – Quarter 1 (April – June 2009)

Item 8 – Abbey Stadium Sports Centre

.....
Chair

Executive Committee

133. **BENEFITS SERVICE IMPROVEMENT PLAN - QUARTERLY MONITORING REPORT**

The Committee received a report on progress against the Benefits Service Improvements Plan from April to June 2009.

Members were informed that the Benefits Service Improvement Plan had been developed in response to the Audit Commission's Inspection in 2008/09.

A Performance Development Team (PDT) of Officers from the Council's Benefits Team and the Department for Works and Pensions had been set up to progress the aims of the Improvement Plan.

Officers reported that the number of claims for Housing Benefit had reduced during the quarter when compared with previous periods. However, claims remained high and were from people who had not previously made claims.

Between April 2009 and the end of June 2009 1916 claims had been processed. Of these 1160 were processed within 14 days and only 64 claims took longer than 50 days to process.

The Committee were informed that overpayment recovery remained disappointing with an overall increase in debt outstanding and below target recovery rates. The PDT had concluded that the processes in place to recover over allowed benefit were satisfactory but that additional resources would be required to allow the rate of recovery to be improved.

Officers were requested to provide a supply of leaflets regarding claims for benefits for the Roadshows. Officers were also requested to prepare a press release regarding claims for benefit highlighting the calculator on the Council's website for those affected by the current economic climate.

RESOLVED that

- 1) **the report be noted; and**

RECOMMENDED that

- 2) **£15,000 be allocated from General Fund balances in 2009/10 to provide additional resources within the Benefits Service, as recommended by the Performance Development Team (PDT), to improve the recovery of over-allowed Housing Benefit; and**

Executive Committee

- 3) **the cost of an additional post for this purpose be included in the base budget from 1 April 2010.**

134. QUARTERLY BUDGET MONITORING - APRIL TO JUNE QUARTER

Members received a report that provided an overview of the budget, including the achievement of approved savings, for the quarter ending June 2009.

RESOLVED that

the report be noted.

135. QUARTERLY PERFORMANCE MONITORING, QUARTER 1, APRIL 2009 - JUNE 2009

The Committee considered a report that provided a view on aspects of the Council's overall performance for Quarter 1 of the 2009/10 financial year when compared to the same quarter in 2008/09.

Each Portfolio Holder made a report on their area of responsibility.

Officers reported that the total number of corporate performance indicators providing outturn data for Quarter 1 was 35. Of these, 21 showed improvement in performance, 9 showed a decline and 5 showed no change. Those that showed no change were at optimum performance and, therefore, impossible to improve.

Members noted the improved Performance Indicators in each Directorate as follows:

Deputy Chief Executive

NI 020, NI 155, NI 180, NI 181, BV 008, BV 174, BV 175, ET 015, HH 016

Environment and Planning

NI 157 (b), NI 182, NI 191, BV 012

Housing, Leisure and Customer Services

NI 156, WMO 003, WMO 004, WMO 008, WMO 010, BV 213, HIP 001, HIP 002

Members agreed that overall the report was positive and asked that staff be informed of their comments.

Officers were asked to change the order of columns in the Corporate Performance Exception Report relating to current information. Information on Recovery Plans and the pilot project on Smart Cards for Concessionary Fares was to be circulated with the minutes.

RESOLVED that

the update on key performance indicators for the period April to June 2009 be noted.

136. QUARTERLY MONITORING OF FORMAL COMPLAINTS AND COMPLIMENTS - QUARTER 1, APRIL-JUNE 2009

Members considered a report that provided a view on aspects of the Council's Formal Complaints Procedure and the number of compliments recorded for Quarter 1 of the 2009/10 financial year. The report also included the Ombudsman's 'Annual Review 2008/09'.

Officers reported that this was the first report of such information to the Committee.

RESOLVED that

the update on complaints and compliments for the period April to June 2009 be noted.

137. ABBEY STADIUM SPORTS CENTRE

Members received a report which detailed proposals for the long-term sustainability of the Abbey Stadium and Hewell Road Pool following deferral of the previous scheme by this Committee in January 2009.

Members were informed that a Leisure Contract Advisory Panel (LCAP) had been set up to work with Officers that would determine the best way forward. Further reports would be presented to the Executive Committee at relevant milestones.

RECOMMENDED that

- 1) the scheme as detailed in the present report be approved in its entirety and that Officers be authorised to progress it to completion, subject to reporting to Members at appropriate 'milestone' stages;**
- 2) the Council allocate funding, as detailed in the confidential Appendix to the report, to provide a new**

swimming pool and to sustain the current Abbey Stadium facility for a period of at least ten years; this approval to include the release of the consultants' fees detailed in the report as being necessary to progress the scheme; and

- 3) the Capital Programme be amended accordingly and revenue implications noted/approved; and**

RESOLVED that

- 4) expenditure of up to the sum allocated by the Council for the purposes stated in the report be approved in accordance with Standing Order 41.**

(During consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any further debate on the grounds that information would be revealed which would significantly affect the Council's ability to achieve the best solutions for the Borough in relation to the Abbey Stadium redevelopment.

There is nothing exempt, however, in this record of the proceedings.)

138. OVERVIEW AND SCRUTINY COMMITTEE

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 2nd September 2009 be received and noted.

139. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS, NEIGHBOURHOOD GROUPS ETC.

There were no minutes of referrals under this item.

140. EXCLUSION OF THE PUBLIC

RESOLVED 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 paragraph 3 of Part 1 of Schedule 12 (A) of the said Act, as amended.

Executive

Committee

22nd September 2009

**Abbey Stadium Sports Centre – (as detailed in Minute 137
above)**

The Meeting commenced at 7pm
and closed at 9:15pm

.....

Chair

Executive Committee

No Specific Ward Relevance

28th October 2009

BUDGET PREPARATION GUIDELINES and TIMETABLE - 2009/10 INITIAL ESTIMATES AND PROJECTIONS FOR 2011/12 and 2012/13

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

1. **Summary of Proposals**

The report presents to Members recommended guidelines for the preparation of the 2010/11 estimates and the projections for 2011/12 and 2012/13 for endorsement prior to their issue to budget holders.

2. **Recommendations**

The Committee is asked to RECOMMEND/RESOLVE that

- 1) **subject to any comments, the proposed Budget Preparation Guidelines and timetable, as detailed at Appendix 1 to the report, be approved.**

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

Financial

- 3.1 The Guidelines aim to contain future spending within the existing base budget

Legal

- 3.2 The Council is legally required to set a balanced budget. It therefore needs to consider inflationary and other pressures when preparing budget forecasts.

Policy

- 3.3 There are no specific policy implications.

Risk

- 3.4 If the Council fails to take into account inflationary and other pressures on its budgets then overspends could occur which impact on service delivery.

3.5 Sustainability / Environmental

There are no specific sustainability/environmental or climate change implications

Report

4. Background

Revenue Support Grant / Formula Spending Share

- 4.1 The 2007 Spending Review determined the basis for the financial settlements for the next three years. The increase in grant on a like-for-like basis for 2008/09 was £65,223 or 1.0%. The increase for 2009/10 was £31,969 or 0.5% and the proposed increase for 2010/11 is £32,129 or 0.5% (see table below).

Changes in Formula Grant 2008/09 – 2010/11

Adjusted Formula Grant 2007/08	Formula Grant 2008/09	Increase in Grant
£6,328,604	£6,393,827	£65,223
Adjusted Formula Grant 2008/09	Formula Grant 2009/10	Increase in Grant
£6,393,827	£6,425,796	£31,969
Adjusted Formula Grant 2009/10	Formula Grant 2010/11	Increase in Grant
£6,425,796	£6,457,925	£32,129

- 4.2 The government no longer provides assumed council tax figures. However, the Minister stated in 2007/08 that “the government expects council tax increases to be well below 5% in each of the next three years”. At the time of making this statement inflation was averaging around 4 per cent. Since March 2009 the Retail Price Index (RPI) has been negative. City analysts predict that RPI will remain negative until the end of 2009. RPI is expected to reach 2 per cent in the spring of 2010.

Efficiency Savings

- 4.3 The Chancellor in his budget speech in March 2007 announced that as part of the Comprehensive Spending Review 2007 (CSR07) that there would be a 3% efficiency savings across central and local government and that these would be net and cash-releasing.

Executive Committee

28th October 2009

-
- 4.4 The previous efficiency savings regime did not impact on formula grant allocations. However, the minimal increases in formula grant for the three years commencing 2008/09 have made savings inevitable.
- 4.5 The new set of national performance indicators for local authorities includes a value for money indicator (NI 179). Local authorities are required to report the total net value of ongoing cash-releasing value for money gains that have impacted since the start of the 2008/09 financial year. The whole public sector has been set a target of achieving at least 3% per annum value for money efficiency gains during the CSR07 period.
- 4.6 In the 2009 Budget the government announced that authorities will be expected to deliver increased efficiency gains from 2010/11, making the savings target for 2010/11 at least 4 per cent. The Chancellor stated that 'this money will be directly recycled with local authorities' budgets to be put towards front line services and keeping council tax down.

Interest Rates

- 4.7 Another significant change over the last 12 months has been interest rates. This time last year base rate was 5 per cent and the Council was able to invest at 6.45 per cent. Base rate is now 0.5 per cent and the rate for investments is around 1.25 per cent.

5. Key Issues

2010/11 Initial Estimates and Forecast for 2011/12 and 2012/13

- 5.1. The preparation of the 2009/10 budget will be based upon existing levels of service.
- 5.2. The suggested guidelines for 2010/11 – 2012/13 are attached as Appendix 1 for Members' consideration.

Inflation

- 5.3 For a number of years now price inflation only been applied in line with contractual obligations. There have been no other general increases for inflation. This practice obviously places its own pressures on service budgets.

6. Other Implications

Asset Management - None specific

Executive Committee

28th October 2009

Community Safety - None specific

Human Resources - None specific

Social Exclusion - None specific

7. **Lessons Learnt**

None.

8. **Background Papers**

Various papers within Financial Services Section.

9. **Consultation**

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

10. **Author of Report**

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

11. **Appendices**

Appendix 1 - Budget Preparation Guidelines and timetable - 2010/11 initial estimates and projections for 2011/12 and 2012/13

**BUDGET PREPARATION GUIDELINES and TIMETABLE – 2010/11
INITIAL ESTIMATES AND PROJECTIONS FOR 2011/12 and 2012/13**

The following guidelines must be adhered to in the preparation of the 2010/11 Initial Estimates and the projections for 2011/12 and 2012/13.

1. **General**

Support Service/Management Costs

- 1.1 The reallocation of support service/management costs will be calculated by Financial Services and incorporated into budgets as part of the estimates process - it may be necessary for the Head of Financial, Revenues and Benefits Services to make an assessment of the overall charge to be made to the Housing Revenue Account for rent setting purposes.

Capital Charges

- 1.2 Capital charges will be calculated by Financial Services and incorporated into budgets as part of the estimates process.

Inflation

- 1.3. Price inflation will be applied in line with contractual obligations, for example on the budgets for energy supplies where supplies have been re-tendered during the year. There will be no other general increases for inflation.

1.4. Bids

Any bids for additional budget provision to meet either one off or ongoing service needs will be collated by Financial Services for consideration by the Senior (SMT) and/or Corporate Management Team (CMT). The bids presented to SMT/CMT will be presented to Members for prioritisation and approval.

1.5. Financing Charges

Financing charges will be calculated by Financial Services based on the latest available projections at the time of preparing the estimates/forecasts.

2. 2010/11 Initial EstimatesApril 2010 Pay Award and Pensions

- 2.1 A contingency will be provided for the 2010 pay award equivalent to 1% of the pay bill.
- 2.2 The employer's contributions rate for 2010/11 is 21.6%.

Non-Domestic Rates (Council properties)

- 2.3. A revaluation of non-domestic properties is due from 1st April 2010. Estimates based on the proposals contained within the consultation paper will be provided by the Revenue Services Manager for all Council properties subject to Non-Domestic Rates.

Job Evaluation

- 2.4. Job Evaluation is due to be implemented from 1st April 2010. A provision will be included for the cost of Job Evaluation.

Single Management Team

- 2.5. Recruitment to the new management structure will not be completed until the earliest the 19th January 2010. It will therefore be necessary to include a provision for the estimated cost of implementation but this will be subject to a bid for capitalisation.

Fees and Charges

- 2.6. Fees and Charges increases should be subject to separate reports and should be reported to the December 2009 Executive Committee meeting. The income budgets for each Service area / Directorate should show an overall increase of at least 2%. Heads of Service/Service Managers to agree fees and charges proposals with Portfolio Holders.
- 2.7. Last January the basic rate of VAT was reduced from 17.5% to 15%. The rate is due to revert to 17.5% from 1st January 2010. In order to avoid the need to make more than one change to fees and charges all changes will be implemented from 1st January 2010 instead of 1st April 2010.

Inflation

- 2.8. Price inflation will be applied in line with contractual obligations. There will be no general increase for inflation.

Growth

- 2.9 Items which represent real growth in service areas will only be included in service budgets if they have previously been approved by members.

Grants and Subsidies

- 2.10 Only those grants and subsidies receivable in 2010/11 and notified by 31st December 2009 should be included in the draft budgets.
- 2.11 Any such income having ceased in 2009/10 must not be included in the 2010/11 estimates.
- 2.12 Where applications have been made for grants, etc., but no notification has been received, the matter must be referred to the relevant Group Accountant for guidance.

Other issues

- 2.13 Any specific issues relating to service areas where budget holders are uncertain as to the processes to be followed should initially be discussed with the appropriate Group Accountant or the Financial Services Manager who will provide the necessary guidance.

3. 2011/12 ProjectionsApril 2011 Pay Award and Pensions

- 3.1 The pay award due in April 2011 has yet to be negotiated. The Projections for 2011/12 will include a 1% provision.
- 3.2. The employer's contributions rate for 2011/12 is provisionally set at 22.3%. However, the next actuarial review is due on the 31st March 2010 and this will impact on the rate payable from 1st April 2011.

Inflation

- 3.2 There will be no general increase for inflation. Inflation will only be applied to meet contractual obligations.

Growth

- 3.3 Items which represent real growth in service areas will only be included in service budgets if they have previously been approved by Members.

Fees and Charges

- 3.4 The income budgets for each Service area / Directorate should show an overall increase of at least 2%.

4. **2012/13 Projections**

April 2012 Pay Award and Pensions

- 4.1 The pay award due in April 2011 has yet to be negotiated. The Projections for 2012/13 will include a 1% provision.
- 4.2. The employer's contributions rate for 2012/13 is provisionally set at 23.1%. However, the next actuarial review is due on the 31st March 2010.

Inflation

- 4.3 There will be no general increase for inflation. Inflation will only be applied to meet contractual obligations.

Growth

- 4.4. Items which represent real growth in service areas will only be included in service budgets if they have previously been approved by Members.

Fees and Charges

- 4.5. The income budgets for each Service area / Directorate should show an overall increase of at least 2%.

**BUDGET TIMETABLE
INITIAL ESTIMATES 2010/11 and FORECASTS 2011/12, 2012/13**

Date	Committee etc	Description
23 rd September 2009	SMT	Consideration of outline bids for 2010/11, 2011/12 and 2012/13
24 th September 2009	CMT	Budget Guidelines and Timetable
5 th October 2009	Financial Services Section/Budget Holders	Commence work on initial estimates for 2010/11 and forecasts for 2011/12 and 2012/12 OMS timesheets to be issued
15 th October 2009	Portfolio Holder Briefing	Budget Guidelines and Timetable
16 th October 2009	Officers	OMS timesheets to be returned to Financial Services Section
22 nd October 2009	CMT	Consideration of bids
23 rd October 2009	Finance Officers	Internal Service Unit (ISU) values to be provided to Group Accountant
28 th October 2009	Executive	Budget Guidelines and Timetable
November 2009	SMT/CMT	Prepare list of potential savings
4 th November 2009	O & S	Pre-Scrutiny of bids
5 th November 2009	Portfolio Holder Briefing	Consideration of bids
5 th November 2009	CMT	Fees and Charges
13 th November 2009	Group Accountant	OMS allocations to be available for inclusion in direct service estimates All other recharges to be available
18 th November 2009	Executive	Consideration of bids
25 th November 2009	O & S	Pre-Scrutiny of Fees and Charges
26 th November 2009	Portfolio Holder Briefing	Fees and Charges
3 rd December 2009	CMT	Consideration of potential savings
7 th December 2009	Council	Approval of Guidelines
9 th December 2009	Executive	Fees and Charges
17 th December 2009	CMT	Draft Initial Estimates and Forecasts Report Council Tax Base (for info)
17 th December 2009	Portfolio Holder Briefing	Consideration of potential savings
December 2009	DCLG	Confirmation of Formula Grant (no change expected)

Date	Committee etc	Description
6 th January 2009	Executive	Consideration of potential savings
14 th January 2010	Portfolio Holder Briefing	Draft Initial Estimates and Forecasts Report
27 th January 2010	Executive	Approval of Initial Estimates 2010/11 and Forecasts 2011/12 and 2012/13. Rent Setting for 2010/11 Approval of Council Tax Base
1 st February 2010	Council	Approval of savings for consultation (unless earlier Council meeting held)
3 rd February 2009	O & S	Pre-Scrutiny of Initial Estimates
22 nd February 2010	Exec/Council	2010/11 Budget Approval Council Tax Setting
29 th March 2009	Council	Approval of savings (unless able to approve at council tax setting meeting)

Executive Committee

No specific Ward Relevance

28 October 2009

The West Midlands Biodiversity Pledge

(Report of the Head of Environment)

1. Summary of Proposals

To inform Members of the West Midlands Biodiversity Pledge and our duties under the National Environment and Rural Communities Act 2006, and to seek approval to sign up to the West Midlands Biodiversity Pledge.

2. Recommendations

The Committee is asked to RECOMMEND that

Redditch Borough Council signs the West Midlands Biodiversity Pledge which will assist in meeting duties under the Natural Environment and Rural Communities Act (NERC) 2006.

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

Financial

- 3.1 None arising from this report. The Department for Environment, Food and Rural Affairs (DEFRA) Regulatory Impact Assessment for the Natural Environment and Rural Communities Act states; "there should be no significant net financial cost to public bodies and statutory undertakers as a result of extending the biodiversity duty. Many Local Authorities for example, already carry out the requirements of the duty to a large extent demonstrating that it will not be onerous. The duty will clarify existing requirements and encourage a culture change so that biodiversity becomes a natural part of policy and decision making".

Legal

- 3.2 In June 1992, the United Nations conference on The Environment and Development, "The Earth Summit" in Rio de Janeiro, considered methods of tackling some of the most serious of the worlds environmental and development problems. This resulted in the world wide agreement to take action in four key areas.
- a) To try to make a reduction in greenhouse gas emissions which are causing climate change.
 - b) To sustainably manage the worlds forests.

- c) To conserve biological diversity (biodiversity)
 - d) To form Agenda 21 – an action plan for the 21st Century.
- 3.3 Following The Earth Summit, the convention on Biological Diversity was signed by 153 countries including the UK Article 6A of this convention requires each contracting country to “develop national strategies, plans or programmes for the conservation and sustainable use of biological resources”.
- 3.4 This represented the first global commitment to conserving and sustaining biodiversity.
- 3.5 The UK Government was one of the first Governments to respond to the commitment of the convention and in January 1994, it produced Biodiversity: The UK Action Plan. At the same time, a consortium of voluntary conservation organisations produced “Biodiversity Challenge” a comprehensive look at the key habitats in the UK and the produced action plans for these.
- 3.6 The UK Government created a UK Biodiversity Steering Group to progress the plan using these two publications as guides. It produced its report “Meeting the Rio challenge” in December 1995. This report now contained comprehensive lists of priority habitats and species with 114 Habitat Action Plans and 116 Species Action Plans. The Governments response in May 1996 endorsed this approach taken in the report and this paved the way for much work to be carried out on a local basis, where it was now believed that the real delivery of biodiversity conservation would occur.
- 3.7 In 1997, “Biodiversity Challenge – Worcestershire”, was published. This set out the framework in which Worcestershire biodiversity planning and implementation would occur.
- 3.8 In 1999, “Biodiversity Action Plan for Worcestershire” was published as a strategic document that outlines how the most urgent priorities for wildlife conservation can be promoted in Worcestershire. The report contained Habitat Action Plans for 19 of Worcestershire’s key wildlife habitats, for example woodland, heath land, marshland and hedgerows and contained Species Action Plans for 20 of its species, such as Otter, Brown Hairstreak Butterfly and Slow Worms. These Habitat Action Plans (HAPS) and Species Action Plans (SAPS) were chosen for their threatened status or because important national strongholds occur in Worcestershire or for both reasons.
- 3.9 Later in that year, a series of District and Borough Action Plans were produced to help Councils identify the areas of their activity that have an impact on biodiversity and define how actions protect and enhance their local wildlife heritage.

Executive

Committee

28 October 2009

-
- 3.10 In 2002, a Biodiversity Action Plan was produced for Redditch. This included Habitat Action Plans for 14 key Worcestershire wildlife habitats, which happen to also occur in Redditch and contained Species Action Plans for 8 of Worcestershire's key species, which occur within the boundaries of Redditch.
- 3.11 In 2006, The Natural Environment and Rural Communities Act (NERC) introduced a biodiversity duty for all public authorities.
- 3.12 In 2007, biodiversity was introduced into the Performance Framework for Local Government. This is National Indicator 197, which measures the proportion of local wildlife sites (Special Wildlife Sites) under active conservation management. In Redditch there are currently 23 Special Wildlife Sites of which 9 occur on Redditch Borough Council owned land.

3.13 Policy

Within Redditch Borough Council's Local Plan Number 3 are a number of policies relating to biodiversity, these are:

- a) Policy B (NE).1 – Overarching Policy of Intent, concerned with the protection of biodiversity.
- b) Policy B (NE).1a – Trees, Woodland and Hedgerows.
- c) Policy B (NE).3 – Wildlife Corridors.
- d) Policy B (NE).10a – Sites of National Wildlife Importance.
- e) Policy B (NE).10b – Sites of Regional or Local Wildlife Importance.

Risk

- 3.14 Failing to implement the duty imposed by Section 40 of the Natural Environment and Rural Communities Act (2006) would be unlawful.
- 3.15 As already mentioned, guidance for Local Authorities on the discharge of its duty to conserve biodiversity was published by The Department of Environment, Food and Rural Affairs (DEFRA) in May 2007. This guideline indicates The Department of Environment, Food and Rural Affairs (DEFRA) intention to review progress in implementing the duty in 2009. Indicators that may be used in this review include looking at whether an Authority has:
- a) Examined opportunities to integrate biodiversity considerations into all relevant service areas and functions and taken steps to implement the opportunities identified;

-
- b) Managed its own sites in a way that is sensitive to biodiversity;
 - c) Made efforts to raise awareness of all staff and managers with regard to biodiversity issues;
 - d) Demonstrated a commitment and contribution to Biodiversity Action Plans where appropriate;
 - e) Demonstrated progress against key biodiversity indicators and targets for Biodiversity Action Programmes (BAP) listed priority habitats and species and Local Biodiversity Action Programmes (LBAP) listed species and habitats where appropriate.
- 3.16 Fifteen other Local Authorities in the West Midlands have already signed up to the pledge. For Redditch not to sign would cast an unreasonably negative light on the Borough Council's commitment to Biodiversity conservation.

Sustainability / Environmental

3.17

- a) By conserving biodiversity Redditch Borough Council is following one of the measures for tackling climate change. Protecting a wide range of habitats such as marshlands, meadows and woodland can help to prevent flooding.
- b) Protecting biodiversity protects the wider health of the environment. Trees and woodland absorb pollution, thus helping to clean the air.
- c) Protection of biodiversity contributes to health and well being. It is known that nature improves physical and mental health and is important for children's well being and social development.

Report

4. Background

- 4.1 The West Midlands Biodiversity Partnership and West Midlands Local Government Association are jointly promoting the West Midlands Biodiversity Pledge as a means of raising awareness of the duties imposed on Local Authorities in Section 40 of the Natural Environment and Rural Communities Act (2006) – commonly known as the Biodiversity Duty. All Local Authorities in the West Midlands Region have been invited to sign the pledge. Fifteen Local

- Authorities have already signed up to the pledge (by end of January 2009).
- 4.2 The intentions stated in the Biodiversity Pledge reflect closely the expectations placed on Local Authorities in the guidance on implementing the Biodiversity Duty produced by The Department of Environment, Food and Rural Affairs (DEFRA).
- 4.3 The Natural Environment and Rural Communities Act (2006) introduced a new duty on Local Authorities (and public bodies) to have regard to the purpose of conserving biodiversity in the discharge of their functions. Section 40(i) of the Act states that: "Every public authority must, in exercising its functions, have regard so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".
- 4.4 Local Authorities have a major role to play in conserving biodiversity through:
- a) Incorporating biodiversity into local policies, strategies and Local Area Agreements;
 - b) Planning and development control;
 - c) Protection, management and enhancement of biodiversity throughout the Local Authority estate;
 - d) Promotion of the benefits of biodiversity for health, recreational purposes and educational purposes.
- 4.5 The West Midlands Biodiversity Partnership is an umbrella organisation working to promote biodiversity conservation throughout the West Midlands. Its members come from the private, voluntary and public sectors, including the West Midlands Regional Assembly, West Midlands Local Government Association, the Wildlife Trusts, Natural England, the Environment Agency and others.

5. Key Issues

- 5.1 Biodiversity is a relatively new term derived from the words "biological diversity" by the entomologist Edward. O. Wilson. Biodiversity encompasses the whole variety of life. It covers everything from mosses to Oak trees and from flies to badgers. Biodiversity equates with what is properly known as wildlife, but also includes the wider meaning of the habitats that is the woodlands, meadows, heath lands, marshlands, rivers and ponds on which wildlife depends.

The natural world is more than just its living component. It is built on the underlying geology of rocks and land forms which themselves show great variation. The protection of our geological heritage is also very important.

- 5.2 By signing the pledge Redditch Borough Council will be acknowledging:
- a) That biodiversity and the natural environment play a vital role in enhancing wellbeing and quality of life.
 - b) The Council's duty under the Natural Environment and Rural Communities Act (2006) to have regard to the purpose of conserving biodiversity in carrying out its functions.
 - c) The social, health, environmental and economic benefits which come from biodiversity.
 - d) The opportunities for Local Government to lead the drive to conserve and enhance biodiversity at a local level.
- 5.3 Redditch Borough Council will also be committing itself to a range of activities relating to the conservation of biodiversity. The activities listed in the pledge match closely with those set out in the DEFRA Guidance for Local Authorities in implementing section 40 of the NERC Act 2006.
- 5.4 The Department of Environment, Food and Rural Affairs (DEFRA) Guidance mentions that biodiversity is hugely important in its own right and we have international responsibilities and national and local systems in place to enhance it. It plays a key role in underpinning local quality of life and giving a sense of place. Biodiversity offers opportunities for tourism, economic development, health promotion, sustainable communities and social cohesion.
- 5.5 Redditch Borough Council is already undertaking much of the activity highlighted in the Biodiversity Pledge:
- a) The Landscape and Countryside section (L&C Section) have for a number of years been managing the Council's open spaces in a way which supports, protects and enhances the biodiversity value of each site.
 - b) The L & C Section are managing several areas of the Arrow Valley Country Park under schemes known as Countryside Stewardship Schemes. These schemes are grant aided by DEFRA (The Department of Environment, Food and Rural Affairs). Here the land is being managed to maintain a

- number of wildflower meadows, some important scrubland, rejuvenate old hedgerows and de-silt old ponds.
- c) The L & C Section have been carefully managing important areas of woodland within the town, under a “Woodland Grant Scheme”, from the Forestry Authority. Grant aid is being brought in to help to increase wildlife within the woods.
 - d) Over the past four years work has gone on to greatly improve the biodiversity found at the Arrow Valley Lake by planting reed beds and other marginal vegetation around the edge of the lake, and around the islands. This has given rise to a great increase in bird populations found here, including the fourth largest heronry in Worcestershire.
 - e) Redditch Borough Council commissioned a Biodiversity Action Plan for Redditch in 2001. Included in this Biodiversity Action Plan is the fact that there are at least fourteen important habitats in Redditch which all have had an Action Plan drawn up. There are also eight protected animal species found within Redditch. These also have an Action Plan each.
 - f) Redditch Borough Council's Planning Department has been active in protecting important sites for wildlife, as developments have occurred. Redditch Borough Council's Local Plan number three, has a number of policies in place to protect biodiversity. These are included in the section “Better Environment, Natural Environment”. Policy B (NE) 1 is about protecting and enhancing biodiversity and the geological interest of the Borough. Policy B (NE) 1a is concerned with the protection of trees, woodland and hedgerows. Policy B (NE) 3 is about the protection of wildlife corridors. Policy B (NE) 10a is concerned with Sites of National Wildlife Importance. Policy B (NE) 10b looks at Sites of Regional or Local Wildlife Importance.
 - g) The Landscape and Countryside Section is an active partner in the Worcestershire Biodiversity Partnership and continue to partake in this forum, sending an officer to all the relevant meetings.
 - h) Redditch Borough Council has been working hard to manage and protect the 9 Special Wildlife Sites that occur on open space land which they manage.
 - i) Redditch Borough Council has secured Local Nature Reserve status (LNR) for five woodland sites and one meadow site which it manages.

- j) Redditch Borough Council land drainage engineers have recently re-installed a 75 metre stretch of streambed at Batchley which was previously culverted. By doing this to a stretch of Batchley Brook on Salters Lane, means that there has been a large biodiversity gain in terms of water plants and animals.

- 5.6 By signing up to the pledge, Redditch Borough Council would in effect be making a public demonstration of this commitment to a biodiversity duty under the 2006 The Department of Environment, Food and Rural Affairs Act (NERC).

6. Other Implications

- | | | |
|------------------|---|---|
| Asset Management | - | None. |
| Community Safety | - | This will add to the Council's objective of a Cleaner, Greener and Safer environment, in that good management of green spaces improves people's perceptions of the areas. |
| Human Resources | - | None |
| Social Exclusion | - | The enhancement of bio-diversity is for the benefit of all residents of Redditch as well as visitors. |

7. Lessons Learnt

- 7.1 Redditch Borough Council has been a leader in protecting, managing and promoting biodiversity. It has a track record regarding Supporting a Biodiversity Action Plan, declaring six sites as Local Nature Reserves, managing wild flower meadows under "Countryside Stewardship Schemes" and woodlands under "Woodland Grant Schemes". The signing of the West Midlands Biodiversity Pledge adds to this track record and will also help us to manage biodiversity in line with Government Policy.
- 7.2 It is known that The Department of Environment, Food and Rural Affairs (DEFRA) intend to review progress on implementing this duty in 2009. Indicators that may be used in this review match closely issues raised in the Biodiversity Pledge. It is likely that as part of the review, the Council will be asked to demonstrate key activities including the following:

- a) Increasing the profile of biodiversity across the Authority's functions.
- b) That add in the opportunity to integrate biodiversity considerations into all relevant service areas has been examined and steps taken to implement the opportunities identified.
- c) That Local Authority land holdings are managed in a way that is sensitive to biodiversity.
- d) A commitment and contribution to key local biodiversity initiatives such as the local Biodiversity Action Plan Partnership.
- e) Progress against any biodiversity indicator included in the Local Government performance framework.

8. Background Papers

- a) Evidence for local authorities on the implementation of the Natural Environment and Rural Communities Act (2006) (NERC) produced by The Department of Food, Farming and Rural Affairs, can be found at the following link:

<http://www.defra.gov.uk/wildlife-countryside/pdf/biodiversity/la-guid-english.pdf>

- b) Definitions for the National Indicators set out under the New Performance Framework for Local Authorities and Local Authority Partnerships can be found at:

<http://www.communities.gov.uk/publications/localgovernment/-finalnationalindicators>

9. Consultation

10. Author of Report

The author of this report is Peter Gondris (Green space Development and Biodiversity Officer), who can be contacted on extension 3022 (e-mail: peter.gondris@redditchbc.gov.uk) for more information.

11. Appendices

Appendix 1 – The West Midlands Biodiversity Pledge.

Appendix 2 - Biodiversity Duty – Guidance for Local Authorities
4th June 2007 – Gemma Roberts.

Appendix 3 - Local Authority Services and biodiversity - Your
Strategy Obligations. The Wildlife Trust Statutory.

Appendix 4 - Local Authorities who have agreed to sign.



The West Midlands BIODIVERSITY PLEDGE

We acknowledge:

- that biodiversity and the natural environment have a vital role to play in enhancing wellbeing and quality of life
- that biodiversity is under threat from climate change and other human-induced pressures
- our duty under the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity in carrying out our functions.

We welcome the:

- Social, health, environmental and economic benefits which come from biodiversity
- Opportunity for local government to lead the drive to conserve and enhance biodiversity at a local level.

We commit our Council to:

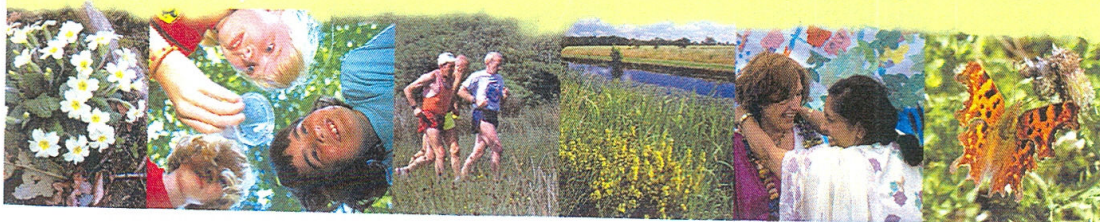
- Ensure the conservation of biodiversity is incorporated into all relevant corporate strategies, plans and programmes.
- Champion the benefits of biodiversity within local partnerships including Community Strategies and Local Area Agreements.
- Consider the impacts of climate change on biodiversity and review policies and actions to assist wildlife to adapt.
- Participate actively in Local Biodiversity Partnerships and assist with the delivery of Local Biodiversity Action Plans.
- Protect and enhance biodiversity within the planning system and deliver the key principles for biodiversity set out in national planning guidance.
- Seek to ensure that up-to-date biodiversity data is available and used appropriately and support the maintenance and development of Local Record Centres.
- Work in partnership with others to identify, protect and enhance Local Sites of Importance for Biodiversity, taking them into account within the planning and land management systems.
- Protect and enhance biodiversity within the local authority estate.
- Promote the social benefits of biodiversity in the delivery of public services and support access to nature and understanding of the natural world within formal and informal education and community engagement.
- Raise awareness of all staff, elected members, contractors and the general public with regard to biodiversity issues.

Signature

Name in type
(Local Authority) _____
Chief Executive

Date _____

Keith Austin
WMLGA
Lead Member for Environment



Biodiversity Duty - guidance for local authorities - LGIU Town Hall, Walter Stranz Square, Redditch, Worcestershire. B99 8AF
 Telephone: (01527) 64250 Facsimile: 1015
 Nearest Car Parking - Car Park 2

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 Revals*

LGIU Local Government Information Unit

Independent Intelligent Information

Biodiversity Duty - guidance for local authorities (LGiu)

4/6/2007

Author: Gemma Roberts

Reference No: PB 1489/07L

This covers: England and Wales

Overview

The Natural Environment and Rural Communities Act introduced a duty for all public authorities to have regard to the conservation of biodiversity from October 2006.

Local authorities have a key role to play in conserving biodiversity, through their role in:

- developing and influencing local policies and strategies
- planning and development control
- owning and managing their estates
- procurement
- education, awareness raising and advisory functions.

Conservation of biodiversity has wider impacts on creating sustainable communities.

Briefing in full

Background

Biodiversity includes all species of plants and animals and their complex ecosystems. The biodiversity in a local area can impact on quality of life, local distinctiveness and economic prosperity. It also has a role to play in a response to climate change, through flood management and provision of clean air and water.

The UK Biodiversity strategy is based on the need to prioritise important species and habitats at national and local levels with Biodiversity Action Plans (BAPs). BAPs provide guidance on action needed to support priority habitats and species, recognising that conserving biodiversity requires action to restore and enhance species populations and habitats, as well as to protect them.

The Natural Environment and Rural Communities Act introduced a duty for all public authorities to have regard to the conservation of biodiversity from October 2006.

New duty for local authorities

The Duty affects all public authorities and aims to raise the profile and visibility of biodiversity. Conservation of biodiversity requires a holistic approach, integrating it into a wide variety of activities. Local authorities will be expected to clarify existing biodiversity commitments and ensure biodiversity is recognised as a natural and integral part of policy and decision making.

The Guidance provides a diagram demonstrating the linkages between biodiversity conservation and local authority functions provided (in Appendix 5 - see links).

Local policies and strategies and biodiversity

Local authorities should recognise biodiversity as a strategic, cross-cutting theme. They should:

- Integrate biodiversity within corporate priorities and internal policy, through a Corporate Environmental or Sustainable Development Strategy - or consider developing an Environmental Management System.
- Make biodiversity a local priority through Local Strategic Partnerships, with objectives in Sustainable Community Strategies and targeted action in Local Area Agreements and Neighbourhood Renewal
- Make best use of the Local Biodiversity Action Planning (BAP) process, with selection, protection and management of local sites for nature conservation.

Management of local authority controlled buildings and land

Local authorities manage thousands of hectares of land from coastline and nature reserves to road verges and cemeteries – all supporting biodiversity. Management of these sites and buildings affects biodiversity as it provides important habitats. These sites and buildings can affect biodiversity indirectly by impacting on the environment through, for example, use of water, or production of air, noise and light pollution. The guidance suggests:

- First assess the current biodiversity resource with a site survey and audit, linked with the work of the local BAP.
- Consider how planning and maintenance of land and buildings can add to biodiversity, e.g. building design could provide roosting sites.
- Maintenance of local authority land needs to support biodiversity, for instance by timing removal of vegetation to avoid harming any breeding season and by planting local and native species
- Use sites as recreational and educational resource by the public, helping to raise public awareness of biodiversity issues.

The guidance addresses specific types of sites that may be owned by local authorities such as protected sites, school grounds, coastal sites and road verges.

Planning infrastructure and development

There are a number of positive and negative effects that plans for infrastructure and development can have on biodiversity. However, if biodiversity is recognised at key points within the planning process then the overall impact should be beneficial.

The principles for considering biodiversity are set out in national planning policy. In England refer to Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation, and in Wales it is within Planning Policy Wales, which sets all the land use planning policies. There are also requirements for some plans and proposals to have an environmental or sustainability appraisal.

Forward planning is emphasised to make sure all opportunities are maximised:

- Develop good baseline evidence of current biodiversity.

- Seek biodiversity enhancement in regional and local development plans.
- Identify sites that are locally important.
- Include biodiversity targets in monitoring reports for local development plans.

Biodiversity conservation should be given full and proper weight in planning decisions and development control. Planning conditions and obligations are useful tools for protecting and enhancing biodiversity.

Education advice and awareness

Education at school and in the community should include biodiversity where possible. Also, school grounds should be enhanced for biodiversity. This can be brought together with other environmental issues by adopting the Eco-schools programme.

Local authorities provide a range of advice to business, land owners and managers, developers and the public local authorities. In many cases this advice could include biodiversity, such as in the delivery of pest control services or when advising business on sustainable development.

Community engagement provides an opportunity to both deliver biodiversity projects and activities alongside community regeneration or neighbourhood empowerment initiatives. Blyth Valley Borough Council, for example, runs a project for people trying to overcome drug or alcohol addiction in which they take up volunteer work on biodiversity projects as part of their rehabilitation.

Raising community awareness of local biodiversity can help support specific initiatives and foster attitudes. This could be achieved by providing places where people can learn informally about biodiversity and communicating information through campaigns or education programmes.

Implementing the duty

Integrating biodiversity into existing services should mean that any additional costs are relatively minimal. The guidance does suggest ways of minimising any necessary costs, for example, identifying external funding or linking biodiversity to existing agendas.

All local authority staff and elected members are expected to be aware of this Duty and the role of biodiversity in their work. Raising the general awareness of biodiversity issues will be needed for everyone, as well as specific skills and training for certain services.

There is no obligation to measure progress as part of the Duty. Although, monitoring is encouraged as there are plans to review the impact of the Duty in 2009. It would also help local authorities to prioritise their actions. The guidance proposes a number of appropriate tools.

Comment

Biodiversity is often taken for granted, particularly small habitats in our local areas. Yet, whether it is a protected area or a road verge, they all have their role to play. Unfortunately, in the UK alone 100 species have been lost in the last century and many more are threatened at the local level. The Duty reinforces work that is already in place through Biodiversity Action Plans, but also emphasises that more needs to be done.

This Duty should not make biodiversity a burden. Instead it should be seen as an opportunity to integrate biodiversity into the way local authorities work. It is important to remember that action to improve biodiversity can reinforce other council objectives such as reducing health inequalities, economic development and regeneration.

Additional Information

Covers

- Wales
- Planning, Transport, Environmental sustainability
- Community planning and well-being
- Community involvement, Partnerships and LSPs, Voluntary sector

Question

[Send Feedback for this briefing](#)

Related links

- [Guidance for local authorities on implementing the Biodiversity Duty](#)

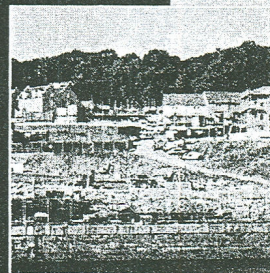
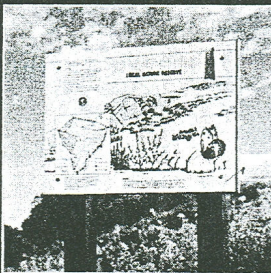
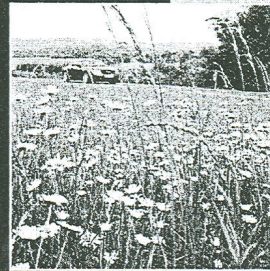
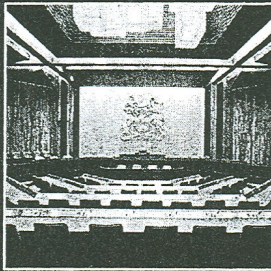
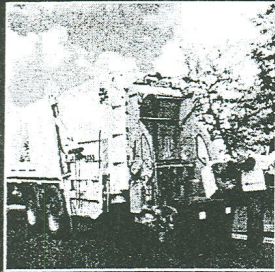
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Local Authority Services and Biodiversity

Your Statutory Obligations

Section 40: Natural Environment and Rural Communities Act 2006

"Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"



How can this leaflet help you?


This leaflet should act as a source of inspiration for how you can have clear regard for biodiversity in your work.

The centrefold illustration provides a 'bird's eye view' of where biodiversity conservation is relevant across a wide range of local authority services and functions.

Throughout the leaflet, practical examples show how a local authority can take effective action for

biodiversity conservation – drawing on different information sources and a vast amount of existing good practice. These examples are organised into four main sections, reflecting the themes presented in Defra's *Guidance for Local Authorities on Implementing the Biodiversity Duty* (2007).

This leaflet also emphasises that biodiversity is a truly cross-cutting issue and can contribute to the delivery of other local authority services and targets.



The NERC duty

Local authorities in England and Wales have a key role to play in the conservation of biodiversity and this is now recognised and formalised within Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, where:

“Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”

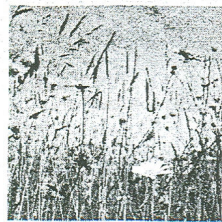
What does the duty mean for local authorities?

A local authority that is actively implementing the NERC duty will be able to show that:

- biodiversity conservation and enhancement is appropriately integrated throughout all departmental policies and activities
- all staff, managers and elected members understand how biodiversity issues relate to their own decisions and actions
- it provides sustained support to local biodiversity initiatives, such as Local Biodiversity Action Plans, Biological Records Centres and Local Site systems
- biodiversity, in particular species and habitats of principle importance, is properly protected and enhanced in line with statutory nature conservation obligations
- it has access to professional ecological expertise and up-to-date biodiversity information
- it reports on progress towards national and local biodiversity targets.

What is biodiversity?

Biodiversity is the variety of life on earth, and includes all species of plants and animals and the natural systems that support them. Biodiversity describes our natural wealth, which makes up the living landscape around us, sustains ecological systems and enhances our quality of life. It is an important component of the view from our window, the food we eat, the clothes we wear, the materials and medicines we use, and the functioning of natural systems and processes on which our lives depend. Given its enormous benefits, our responsibility to conserve biodiversity is unquestionable.



Biodiversity:

- is critical in our response to climate change adaptation and mitigation
- supports the ecosystem services that maintain air, soil and water quality and that reduce flooding and pollution
- provides opportunities for community engagement, volunteering and learning and can improve peoples' health and well-being
- signifies local character and distinctiveness, and offers opportunities to improve local areas through landscape-scale restoration and creation
- contributes to stronger local economies
- provides us with essential products and materials.

1 Local policies and strategies

Local authorities should consider and integrate biodiversity conservation throughout all their policies and strategies (for example waste, transport, education). Cross-departmental consultation, ecological expertise and the support of a wide range of partners will be crucial in achieving this. Of key importance is the Local Strategic Partnership. This covers all service areas and plays a significant role in the setting and implementation of the vision for the local area through the Sustainable Community Strategy and Local Area Agreement. Biodiversity is an essential component of these documents - informed by the Local Biodiversity Action Plan and the Local Site system partnerships.



Local Biodiversity Action Plans and partnerships

In partnership with Derbyshire Wildlife Trust and other local organisations, Chesterfield Borough Council has written and adopted a "Greenprint for Biodiversity" which translates UK and Local Biodiversity Action Plan targets and actions to a district level. The Council has a cross-departmental steering group for the Greenprint and has implemented a number of projects including a hedgerow survey and training for pest control officers on water vole conservation.

Each District Council in Staffordshire has a Local Area Agreement target for Biodiversity Action Plan habitat creation. Staffordshire Wildlife Trust was engaged in the development of the Agreement and is now working with each local authority to meet the targets.

Neighbourhood renewal

By working in partnership with Preston City Council, Central Lancashire Primary Care Trust and neighbourhood organisations, The Wildlife Trust for Lancashire, Manchester and North Merseyside has secured Neighbourhood Renewal Funds in Preston to deliver a community health programme. The project encourages people to use open spaces for exercise and relaxation and also improve these sites for biodiversity through volunteering.

Local Strategic Partnerships, Sustainable Community Strategies and Local Area Agreements

The Local Area Agreement in Wiltshire was the first to incorporate a specific environment block. It contains three areas: waste; biodiversity; and energy. Wiltshire Wildlife Trust has been actively engaged with the County Council and leads the environment block in collaboration with other organisations. This has drawn together all those involved in biodiversity work to agree their shared priorities and helped the County Council to enshrine them within its activities. These priorities include: using the planning process; Local Site system; community engagement processes; and the provision of high quality biological information to protect and enhance biodiversity.

A partnership including Dorset County Council, Dorset Area of Outstanding Natural Beauty and Dorset Wildlife Trust is working to deliver Local Area Agreement targets for grassland in Dorset. The Agreement aims to get Local Sites supporting unimproved grassland into good condition. Funding from the Agreement facilitates: survey work; site management statements; landowner liaison; and habitat enhancement work.



Integrating biodiversity into local authority activity

Local authorities have a duty to protect, manage and enhance **Sites of Special Scientific Interest (SSSIs)** under their ownership, and should be working towards Defra's Public Service Agreement target to bring them into favourable condition by 2010.

The grounds of many **cemeteries** can be sympathetically managed to also benefit a wide range of biodiversity.

Many council-owned **historic buildings** provide homes for important biodiversity, such as breeding birds and bats. All bats are legally protected against harm and disturbance.

Many linear **walking and cycling routes** (such as disused railway lines) also offer excellent opportunities for biodiversity conservation and enhancement.

In any potential sale of council property, **property services** must have regard for the implications on European Protected Species.

Building control must have regard for the presence of European Protected Species (e.g. bats) when considering Demolition Notices.

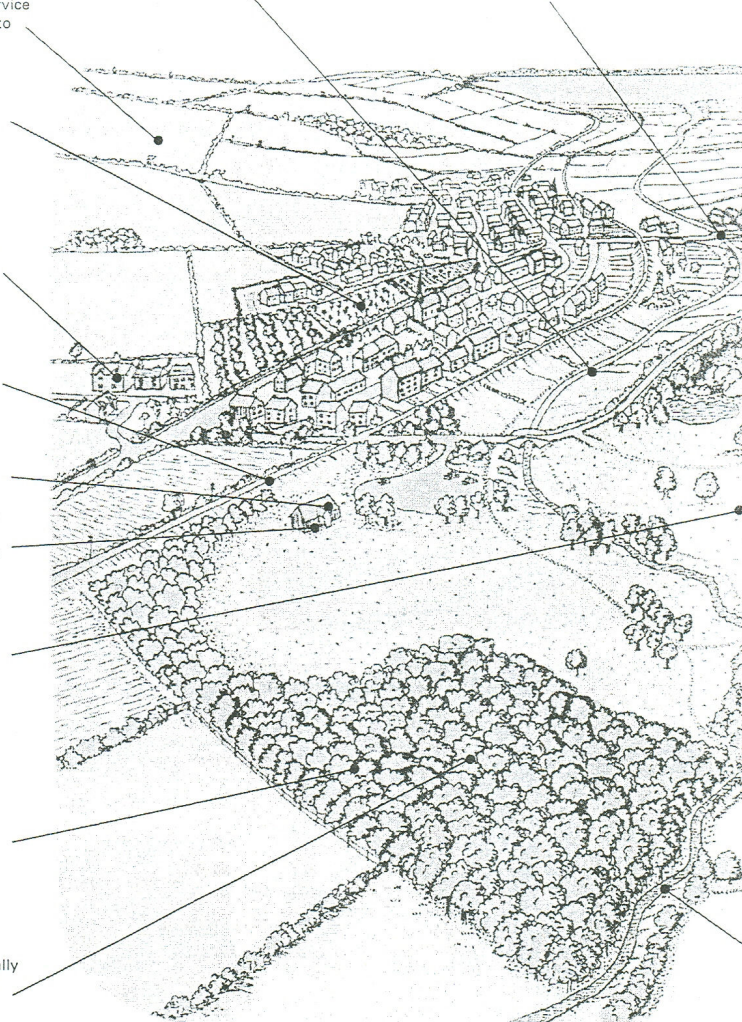
Parks and public open spaces offer excellent opportunities for biodiversity conservation and enhancement that can be easily enjoyed by local people. Management operations must also take account of protected species, such as great crested newts, in ponds.

Local authorities should provide leadership in establishing and maintaining partnerships to identify and manage **Local Wildlife/Geological Sites** – taking responsibility for their selection and protection, particularly within the planning process.

The authority has powers to formally declare and manage **Local Nature Reserves (LNRs)** for the benefit of both wildlife and people.

Under the Land Drainage Act 1994, the authority must have regard to biodiversity issues in all of its **land drainage functions**.

Bridges and structures often contain bats and breeding birds. Maintenance works to these must have regard for such species. The timing and/or method of works must take account of their presence.



Green Infrastructure is a term that describes the natural environment resource that supports people and wildlife. It comprises the network of protected sites, nature reserves, green spaces (including local parks, sports grounds, cemeteries, gardens, allotments, commons), linkages (including river and canal corridors and floodplains, roadside verges, hedges, railway embankments), ecologically functional landscapes and the wider countryside. Green Infrastructure can deliver essential ecological services to ensure we live within environmental limits; improve health and well-being through leisure and cultural experience; and help conserve biodiversity by creating and connecting important habitats. It should be incorporated and enhanced within land development, growth management and built infrastructure planning.

Beaches and shorelines are important for biodiversity and positive management of these areas can promote conservation and access. For sites with international designations, management operations must be assessed under Habitat Regulations.

Council-tenanted farms often include sites, habitats, features and species of particular biodiversity importance. These will benefit from targeted management – potentially helped by agri-environment grant payments.

Council-owned common land offers opportunities for biodiversity management and enhancement – potentially helped by agri-environment grant payments.

The margins of many **Civic Amenity Sites** (for instance in a disused quarry) may be managed to maximise their value for biodiversity.

Landscaping schemes associated with any council project offer opportunities to create new habitats and features of value for local wildlife.

Forward planning and development control play a vital part in shaping, protecting and enhancing the full range of biodiversity resources present in an authority's area.

Council buildings present opportunities for biodiversity enhancements – for instance installing bird and bat boxes, green roofs and walls and sympathetic management of grounds and open space.

The grounds of **residential care homes** can be landscaped and managed to maximise opportunities for a wide variety of biodiversity.

Highway verges can be managed to protect and enhance a wide variety of wildlife – including many rare and protected species.

Local authorities must have regard for the presence of breeding birds and European Protected Species (e.g. bats) when instructing **tree felling or surgery**.

School grounds managed for conservation purposes also provide excellent opportunities for 'outdoor learning' and the study of nature.

Careful consideration needs to be given to the indirect effect of **light pollution** and its impact on nocturnal species such as bats.

Wherever possible, local authorities should undertake positive management and restoration of **Biodiversity Action Plan** habitats. Management of trees and hedgerows must have regard for the nesting season and breeding birds.

Management of **Public Rights of Way** offers an opportunity for people to access and enjoy nature in their local area. Maintenance works of footpaths and bridleways must be timed to avoid harming protected species.

Making decisions about **procurement** should have regard for the biodiversity implications. For instance, using wood products for fencing and gates from sustainable sources and using peat-free compost.

2 Education, advice and awareness

Through their role in the provision of formal and informal education, advice to different sectors and by encouraging and facilitating community engagement, local authorities provide an essential and effective route through which to inspire people and increase understanding of biodiversity conservation issues.

Education

Nature Reserve visitor centres provide ways to inform and increase understanding of the natural environment. Huntingdonshire District Council owns Little Paxton Nature Reserve. Site wardens employed by the District Council offer community-focused informal education on the reserve, while The Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough provides more formal, curriculum-based education.

Advice

Nottinghamshire Wildlife Trust has a Service Level agreement with Rushcliffe Borough Council to provide management advice, education and biodiversity work to support the Council. The Agreement covers a number of local authority responsibilities including landowner liaison, creating Local Nature Reserves and preparing management plans.

Community outreach and volunteering

Thanet District Council recruits volunteer wardens to monitor coastal wildlife and help resolve local conflicts such as disturbance from dog-walking to the wintering birds along Thanet's coastline. The volunteers, trained in survey techniques by Kent Wildlife Trust, record biodiversity to provide up-to-date information on the distribution of species and habitats.

Tees Valley Wildlife Trust, in partnership with Middlesbrough Council and the Environment Agency, is reviewing nine stream corridors. Despite being in an urban area, the streams have good water vole populations and provide greenspaces for recreation. The Trust and local community are working together to enhance biodiversity along the corridors.

3 Ownership and management of land and buildings

As significant land and property owners, local authorities play an important role in maintaining and enhancing biodiversity. The appropriate management of statutory and non-statutory sites, other non-designated land (such as parks and school grounds) and buildings, provides extensive habitat for wildlife and creates opportunities to enhance the area for biodiversity and local communities.

Buildings

Kent Wildlife Trust manages Romney Marsh Visitor Centre on behalf of Shepway District Council. The Visitor Centre has been constructed using sustainable building principles and includes straw-bale walls, a green roof and wood-fired central heating.

Formally designated sites

Surrey Wildlife Trust undertakes all the countryside management on Surrey County Council's estate, covering more than 3,500 hectares of publicly accessible land. Approximately 70 per cent of the land is designated as a Site of Special Scientific Interest and includes one National Nature Reserve.

Informal sites, parks and open spaces

Gwent Wildlife Trust works with Monmouthshire County Council to manage Monmouth Cemetery. Older parts of the four hectare site are left un-mown as hay meadow, providing significant financial savings for the local authority and benefits for wildlife, including swathes of ox-eye daisies across the site.



In Brighton and Hove, a school grounds Biodiversity Action Plan has been produced. Sussex Wildlife Trust works with schools to implement the plan. Proposed projects include developing wildlife trails, green roofs for schools with tarmac playgrounds and planting orchards with Sussex varieties of apples. The work also links with Government initiatives such as 'Healthy Schools' and 'Learning Outside the Classroom'.

4 Planning, infrastructure and development

Planning is the spatial tool that integrates social, economic and environmental considerations. Forward planning and development control provide opportunities to: maintain and enhance biodiversity; improve quality of life; and adapt to climate change. National planning legislation and policies provide guidance to ensure that biodiversity protection and enhancement is taken into account in local and regional plans and decisions. These processes must be underpinned by high quality biodiversity information.

Gathering an evidence base

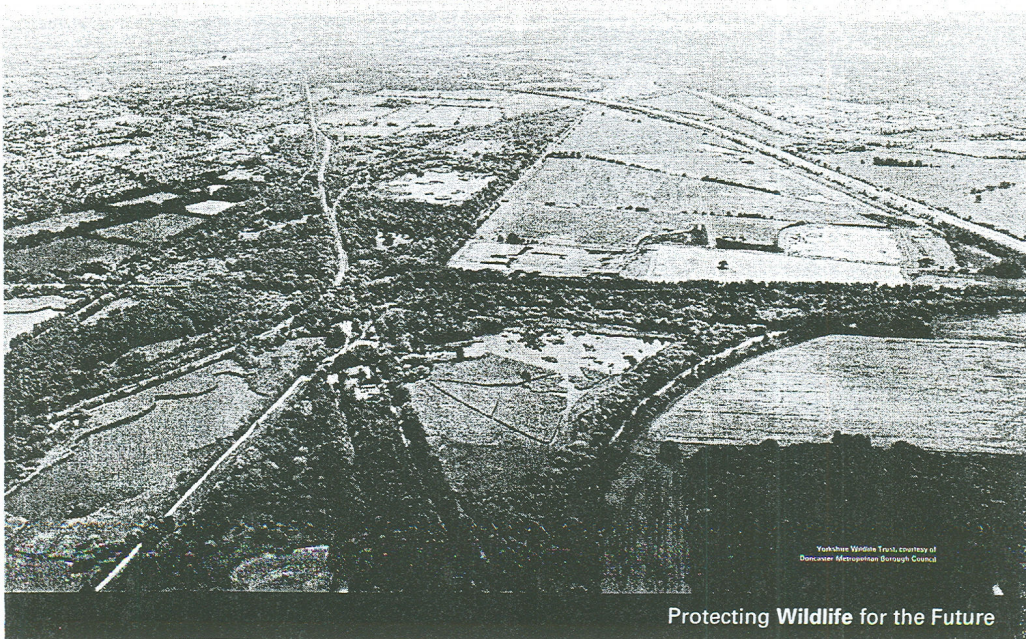
Somerset Environmental Records Centre provides biodiversity information to all Somerset local authorities through Service Level Agreements. Working in partnership, the Records Centre has built a rigorous evidence base on habitats and species through survey and monitoring programmes. The information is used for forward planning, land management, advisory work and sustainability appraisal.

Essex Wildlife Trust has a Service Level Agreement with Basildon District Council to provide annual mapping and assessment of Biodiversity Action Plan habitat and technical support at planning appeals that affect Local Wildlife Sites. The Trust has also produced an ecological network map consisting of key sites, core areas, threatened areas, enhancement areas and corridors to promote connectivity. The map is being implemented by the Council through a number of strategies and also provides a more coherent framework for habitat enhancement projects.



Biodiversity enhancement

Funded and hosted by Mansfield District Council, Nottinghamshire Wildlife Trust employed a project officer to develop a Green Infrastructure strategy to underpin the Council's Local Development Framework. As a result, a new council post was created for a Sustainability Officer to take the work forward. Nottinghamshire Wildlife Trust continues to provide advice through the steering group.



Yorkshire Wildlife Trust, courtesy of Doncaster Metropolitan Borough Council

Protecting **Wildlife** for the Future



The NERC duty and your Wildlife Trust

The Wildlife Trusts have considerable experience of working in partnership with local authorities, offering advice, expertise and delivery of practical projects. All of this support can be targeted at different levels according to local circumstances and the capacity of individual Trusts, and can be both strategic or project based.

By drawing on our experience, we can, in a variety of ways, help your authority respond to its obligations under the NERC biodiversity duty. We may be able to assist you in exploring new opportunities for biodiversity conservation and enhancement, and we will be happy to offer suggestions to avoid or minimise adverse effects on biodiversity.

In addition, we can act as a 'good neighbour' and advise in potentially sensitive situations if we believe council policies or actions are not in accordance with requirements under the duty. For further information: www.wildlifetrusts.org

Other sources of information

Association of Local Government Ecologists (ALGE) (2004) Increasing the Momentum: A Vision Statement for Biodiversity in Local Government www.alge.org.uk

Defra (2006) Guidance for Local Authorities on Implementing the Biodiversity Duty www.defra.gov.uk

Local Government Association (LGA) Greening Communities Campaign www.lga.gov.uk

The Wildlife Trusts' Biodiversity Benchmark

Why not commit your authority to work towards the Benchmark?

The Biodiversity Benchmark is a systematic management process that recognises continual biodiversity improvement. It enables any organisation which owns or manages land to assess its impact on the natural world, improve its environmental contribution and demonstrate its commitment to biodiversity. The Benchmark can help public authorities fulfil their NERC duty by clarifying existing biodiversity and environmental commitments and by helping to integrate biodiversity with policy and decision making.

The Biodiversity Benchmark process:

- helps identify relevant legislation and creates a framework to ensure compliance
- contributes to local partnerships by providing up-to-date ecological information and helping to deliver Local Biodiversity Action Plans
- develops targets to improve biodiversity performance and demonstrates a lead to the community and constituents
- is compatible with specification standards like ISO 14001 and EMAS which define the requirements for organisations' environmental management systems.

Local authorities can choose which category of Biodiversity Benchmark is most suitable for their needs – *single site*, *multiple site* or *whole organisation*; for more information contact your local Wildlife Trust or Wildlife Trust Consultancy or visit www.biodiversitybenchmark.org



The Wildlife Trusts

There are 47 local Wildlife Trusts across the whole of the UK, the Isle of Man and Alderney. We are working for an environment rich in wildlife for everyone. With 725,000 members, we are the largest UK voluntary organisation dedicated to conserving the full range of the UK's habitats and species.

Written by Mike Oxford, Katherine Hawkins, Rachel Hackett and John Everitt

Edited by Beth Keahn

Design and illustration: Landmark Design, Bristol

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Registered Charity no. 207238

Local Authorities who have agreed to sign

- Staffordshire County Council
- Worcestershire County Council
- Herefordshire Council
- Warwickshire County Council
- Lichfield District Council
- South Staffordshire District Council
- Staffordshire Moorlands District Council
- Newcastle Borough Council
- Warwick District Council
- Wychavon District Council
- Stafford Borough Council
- Cannock Chase District Council
- Peak District National Park
- Stoke City Council
- Malvern Hills District Council
- Tamworth Borough Council
- Wyre Forest District Council
- Telford & Wrekin Council
- Bromesgrove District Council
- East Staffordshire District Council
- Nuneaton & Bedworth Borough Council
- Rugby District Council

Executive Committee

All Wards

28th October 2009

INTRODUCTORY TENANCY SCHEME

(Report of the Head of Housing and Community Services)

1. Summary of Proposals

The Committee is asked to recommend the adoption of Introductory Tenancies for all new tenants with Redditch Borough Council.

An Introductory Tenancy is a temporary tenancy lasting initially for a twelve month period during which time the tenant is effectively on probation. If the Introductory Tenancy is conducted in a satisfactory manner then it will automatically become secure after twelve months. Existing secure tenants of the Local Authority will not be affected under these proposals.

Many Social Landlords who have adopted Introductory Tenancies and have found that it assists them to identify vulnerable clients who may be at risk of losing their tenancy earlier so they can be given help or support that they require. They are also effective in assisting the landlord to tackle persistent or serious antisocial behaviour more quickly without the victims having to give evidence in court.

2. Recommendations

The Committee is asked to **RECOMMEND** that

the Council adopts the use of Introductory Tenancies for all new tenants with effect from January 2010.

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

Financial

- 3.1 The costs of administering the scheme will be met within existing Housing Revenue Account (HRA) budgets. This will be achieved through use of existing members of the housing services team to manage the Introductory Tenancies. We anticipate that a low level of cases will require formal action. There will be a requirement to increase the number of visits undertaken by housing officers to tenants in their first year but it is anticipated that this will reduce the risk of greater costs in the long term by resolving breaches of tenancy earlier. Other local Authorities who have adopted introductory tenancy schemes report a reduction in possession proceedings and reduced costs overall.

Legal

- 3.2 Part V of the Housing Act 1996 confers upon Local Authorities the discretion to grant introductory tenancies to all new Local Authority tenants, with some exceptions which are: new tenancies granted to existing secure tenants (i.e. transfer), assured tenants of a registered social landlord and any new tenancy where one of the tenants was a secure tenant (i.e. where a joint tenancy is created between an existing secure tenant and a new tenant).
- 3.3 Advice has been sought from Legal Services on the process and procedures required to run a successful Introductory Tenancy Scheme.
- 3.4 Local Authorities can revoke the scheme at any time without prejudice to re-establish a new scheme in future. In the event that this occurs all introductory tenants would become Secure Tenants.
- 3.5 The Housing Act 1985 requires us to consult our tenants when implementing any changes to housing management which affect all or a group of tenants.

Policy

- 3.6 Redditch Borough Council has already demonstrated its commitment to Homeless Prevention through the introduction of the Housing Options Team following a Scrutiny Review. The Introductory Tenancy Scheme would provide more intensive management of new tenancies which would highlight potentially vulnerable clients so that they can be given the support required at an earlier stage. An Introductory Tenancy Scheme which allows the Council to terminate the tenancy where tenants consistently breach their conditions will assist the Council to deliver safer and more sustainable communities.

Risk

- 3.7 We have not identified any increased risks to Redditch Borough Council as a result of adopting an Introductory Tenancy Scheme. An Equalities Impact Assessment will be undertaken prior to the introduction of the scheme and an action plan developed to ensure that the needs of all new tenants are met. Failure to adopt an Introductory Tenancy Scheme would reduce the Council's ability to tackle antisocial behaviour, neighbour nuisance, rent arrears and other tenancy breaches and make it more difficult to support good tenants and deliver a Key Priority Safer Community.

Sustainability / Environmental

- 3.8 Introductory Tenancies would assist the Local Authority to tackle antisocial behaviour, neighbour nuisance, rent arrears and other tenancy breaches more quickly so that good tenants feel more supported and Redditch becomes a more pleasant place to live and work. Greater monitoring of new tenancies in the first year would ensure that those tenants who experience difficulties in managing their tenancies receive the help and assistance required to change their behaviour at an earlier stage. Introductory Tenancies are seen as good practice by the Audit Commission and key to encouraging vibrant and sustainable communities.

Report**4. Background**

- 4.1 Under Section 124(1) of the Housing Act 1996, a local housing authority was given the ability to elect to operate an Introductory Tenancy Scheme. An incentive for Social Landlords to introduce Introductory Tenancies is that it makes it easier for them to obtain vacant possession of a property where a new tenant has breached their tenancy conditions or is causing a nuisance or harassment to their neighbours.
- 4.2 Where a scheme is in use, every new tenancy for a Council property shall be an introductory tenancy, except in a few exceptions. A tenancy remains introductory until the end of a trial period of twelve months. At the end of the trial period, the tenancy shall become secure, unless the landlord has served notice to extend the period or end the tenancy.
- 4.3 Introductory tenants would have similar rights to secure tenants with the following exceptions:
- a) They would not have the right to take in lodgers;
 - b) They would not have the automatic right to improve their home;
 - c) They do not have the right to buy their home;
 - d) They do not have the right to exchange their home;
 - e) They do not have the same legal protection from eviction for breach of tenancy;
- 4.4 Introductory Tenancies like secure tenancies can only be terminated by obtaining a court order. Unlike secure tenancies the court must grant a possession order provided that the landlord has complied

with its policies and procedures. Before commencing possession procedures, the landlord must serve a valid notice on the tenant. There is no need for the landlord to prove grounds for possession, but the notice must set out the reasons for the decision to evict. The reasons must be lawful and they must not be irrational or in bad faith. Following receipt of the notice the tenant is entitled to request a review of the decision. This review must be conducted in accordance with the Introductory Tenancies (Review) Regulations 1997. The review must be undertaken by a person who was not involved in the decision to apply for an order of possession and decision must be given in writing.

- 4.5 The proposed Introductory Tenancy Scheme would require the Council to take a more proactive and intensive management approach during the first 12 months. We would be required to conduct more frequent visits to the property in the probationary period, make efforts to assist tenants to resolves difficulties managing their tenancies and be able to provide evidence that we have followed the correct procedures before we would be able to gain possession in court.
- 4.6 If Redditch Borough Council had doubts about the suitability of an Introductory Tenant, but insufficient grounds to terminate the tenancy within the first twelve months, a notice could also be served which would extend the introductory period for a further 6 months to allow further monitoring to be undertaken. An Introductory Tenant would also have the right to seek a review of the decision to extend the term of the Introductory Tenancy.

5. Key Issues

- 5.1 Introductory Tenancies would:
- a) Allow Redditch Borough Council to take action more quickly and easily when tackling anti-social behaviour, neighbour nuisance, rent arrears and other tenancy breaches.
 - b) Assist Redditch Borough Council to identify vulnerable tenants and tackle problems earlier so that appropriate advice and support can be given in order to equip them to sustain their tenancy in the longer term.
 - c) Ensure that secure tenancies are only offered to tenants who have kept to the terms of their tenancy agreements.
 - d) Benefit the Council's existing tenants and the wider community by offering a greater incentive for new Tenants to adhere to their tenancy conditions, helping our neighbourhoods to become safer and more enjoyable places to live.

Executive Committee

28th October 2009

- 5.2 The Tenant Satisfaction Survey that was undertaken in 2008 highlighted that tenants felt the support given to new and potentially vulnerable tenants required improvement. The Introductory Tenancy Scheme would require more visits to be undertaken in the first year, which would address this concern.
- 5.3 Consultation with existing tenants has demonstrated that they consider an Introductory Tenancy Scheme to be a positive step from the Council towards addressing antisocial behaviour or breaches of tenancy conditions.
- 5.4 There is an established procedure for Housing Reviews in which a first review is undertaken by a Senior Housing Officer (who was not involved in the original decision) and the second is undertaken by a Housing Appeals Committee consisting of elected Members. The existing terms of reference for the Committee would also allow reviews regarding Introductory Tenancies to be considered.
- 5.5 The Introductory Tenancy Scheme would apply to Council owned HRA properties let from the Housing Register and not temporary accommodation. Tenants of temporary accommodation are provided with that as a result of a homelessness duty and as such the tenure is not secure nor included within this scheme.

6. Other Implications

- | | | |
|------------------|---|---|
| Asset Management | - | None |
| Community Safety | - | Introductory Tenancies would assist us in tackling antisocial behaviour and reducing the fear of crime which negatively impacts upon tenants quality of life. |
| Human Resources | - | None. |
| Social Exclusion | - | Increased visits during the first 12 months of Introductory Tenancies would help to identify clients who may be at risk of social exclusion and sign post them to appropriate Support Agencies. |

7. Lessons Learnt

Executive Committee

28th October 2009

- 7.1 The introduction of Housing Options following a scrutiny review has highlighted the importance of early intervention in the prevention of homelessness. In adopting an Introductory Tenancy Scheme the Council would be introducing a more robust and stringent procedure for managing tenancies in the first year. This will result in a greater proportion of Housing Officer time being given to proactively engaging with and supporting new tenants, rather than enforcing tenancy conditions through legal processes.

8. Background Papers

Housing Act 1985

Housing Act 1996

Housing Act 2004

Introductory Tenancies (Review of Decisions to Extend a Trial Period) (England) Regulations (SI 2006/1077).

R .v Bracknell Forest Borough Council, ex p. McLellan (2001), the Court of Appeal

DoE Circular 02/97

9. Consultation

- 9.1 Guidance from the Department of the Environment (DoE) and the Local Government Association advises that it is good practice to consult with existing tenants regarding proposals to adopt an Introductory Tenancy Scheme especially where it forms part of a wider anti-social behaviour policy. In the case of R .v Bracknell Forest Borough Council, ex p. McLellan (2001), the Court of Appeal assumed that authorities were obliged to consult with existing tenants on such proposals.
- 9.2 We have undertaken consultation with all existing secure Council tenants about introducing Introductory Tenancies. The views of the Borough Tenants Panel, Community Forum and the Housing Advisory panel have also been taken into account when considering adopting the scheme.

10. Author of Report

The author of this report is Elise Hopkins, Housing Options Manager who can be contacted on extension 3510 (elise.hopkins@redditchbc.gov.uk) for more information.

11. Appendices

None.



Overview and Scrutiny Committee

Wednesday, 23rd
September, 2009

MINUTES

Present:

Councillor Phil Mould (Chair), Councillor David Smith (Vice-Chair) and Councillors K Banks, G Chance, R King, W Norton, J Pearce and D Taylor

Also Present:

Councillors P Anderson and B Clayton

Officers:

J Staniland, A Heighway, T Kristunas and S Mullins

Committee Services Officer:

J Bayley and H Saunders

65. APOLOGIES AND NAMED SUBSTITUTES

Apologies were received on behalf of Councillor Thomas.

66. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest or of any party whip.

67. MINUTES

RESOLVED that

the minutes of the meeting held on 2nd September 2009 be confirmed as a correct record and signed by the Chair.

68. ACTIONS LIST

There were no updates on actions contained within the Actions List.

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Chair

Overview and Scrutiny Committee

Wednesday, 23rd September, 2009

69. CALL-IN AND PRE-SCRUTINY

The Committee considered the current Forward Plan. The Chair explained that he had identified a number of items on the Forward Plan that the Committee could pre-scrutinise. He referred to the Feasibility Study for Garden Waste Collection report which was due to be considered by the Executive Committee on 28 October. He explained that this issue might be discussed at the all Member briefing regarding the Revised Waste Strategy on 1st October. However, if the Committee felt that more time should be dedicated to pre-scrutinising the issue, the Committee could do so at its meeting scheduled on 14th October.

The Chair noted that a report was due to be considered by the Executive Committee regarding the budget bids process. He suggested that the Committee should discuss this report at the meeting on 14th October. In addition, at the same meeting, the Chair also requested that pre-scrutiny be undertaken of the Corporate Plan Phase One report. Officers explained that this report contained a large amount of baseline information about Redditch which supported the evidence base for the Council's priorities. The report was a large document and paper copies would be costly to distribute to Members. Officers agreed to investigate alternative methods of distributing this report to Members.

Finally, the Chair suggested that the Street Naming Policy report also be pre-scrutinised before the report was considered by the Executive Committee on 18th August 2010.

There were no call-ins.

RESOLVED that

- 1) the Feasibility Study for Garden Waste Collection report be pre-scrutinised at a meeting of the Committee on 14 October;**
- 2) the Budget Bids and Preparation Guidelines report be pre-scrutinised at the same meeting;**
- 3) the Corporate Plan Phase One report be pre-scrutinised at the same meeting; and**
- 4) the Street Naming Policy be pre-scrutinised prior to consideration by the Executive Committee on 18th August 2010.**

Overview and Scrutiny Committee

Wednesday, 23rd September, 2009

70. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

The Committee considered the draft scoping documents for the proposed reviews of the Local Area Agreement and the Local Strategic Partnership. The Chair informed the Committee that both reviews had the potential to be lengthy. He felt that the Local Strategic Partnership review would be the most straightforward and therefore should be undertaken first.

Members noted that, subject to the approval of the Conservative Group Leader, it would be appropriate to appoint Councillor Norton as the Chair for the review of the Local Strategic Partnership.

RESOLVED that

- 1) the Local Strategic Partnership be scrutinised by a Task and Finish Group; and**
- 2) subject to the approval of the Conservative Group Leader, Councillor Norton be designated the Chair of this review.**

71. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee received reports in relation to current reviews.

- a) Dial-A-Ride – Chair, Councillor R King

Councillor King informed the Committee that the Group was behind schedule owing to a delay in obtaining information they had requested. However, they had received some of the requested information regarding usage of the Dial-a-Ride service at their previous meeting. A meeting was scheduled for the following evening where more information would be provided.

The Group had kept track of progress of the current bid for £20,000 funding for the service but as yet there had been no indication of whether the Council had been successful.

- b) Neighbourhood Groups – Chair, Councillor Banks

The Chair informed the Committee that the Group had finalised their initial proposals and were planning to consult

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with residents at the forthcoming Neighbourhood Group meetings over these proposals. Officers confirmed that both a representative from the Task and Finish Group and one of the Overview and Scrutiny Support Officers would be attending all Neighbourhood Group meetings to undertake this consultation.

RESOLVED that

the Task and Finish update reports be noted.

72. PORTFOLIO HOLDER FOR HOUSING, LOCAL ENVIRONMENT AND HEALTH - ANNUAL REPORT

The Chair welcomed Councillor Brandon Clayton, the Portfolio Holder for Housing, Local Environment and Health, to the meeting. Councillor Clayton presented his report in accordance with the questions set by the Committee.

- a) What are your plans for Redditch Borough Council's housing stock? Is it your intention to sell the stock?

Councillor Clayton explained that it was not his intention to sell the housing stock, rather, he intended to ensure that all Council owned housing would be brought up to the Decent Homes standards.

Members commented that they had encountered constituents who as part of the five year plan had been promised new kitchens and bathrooms but had experienced delays in these being installed. Councillor Clayton informed the Committee that initially, the figures in the five year plan had been incorrect and there was a £3.5 million shortfall from the plan. Some roads had also been missed from the Saffron system. As a consequence of this, some roads had experienced delays. However, this problem had been rectified. Members asked if they could be informed of what roads had been missed from the Saffron system.

Members questioned if Councillor Clayton had concerns regarding the long term financial viability of the housing stock. Councillor Clayton assured the Committee that the money was in place to deliver the plan up until its confirmed end in 2012.

- b) How do you rank the different elements of your portfolio?

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Councillor Clayton confirmed that his portfolio was large. However, he made certain that he dealt with all three elements that constituted his portfolio equally. No one portfolio area took precedence. However, from time to time, some areas needed to be prioritised and dealt with on a more urgent basis.

- c) What action are you taking to reduce the levels of teenage pregnancy in Redditch?

Councillor Clayton explained that he took this matter seriously. He was scheduled to meet with seven head teachers from schools in Redditch to discuss the issue. He was also meeting with relevant Primary Care Trust representatives based in the town at Arrow Vale Youth Centre, Kingsley Youth Centre and the NEW College. Councillor Clayton noted that the areas in Redditch which have the highest rate of teenage pregnancy were in the Central, Church Hill and Greenlands ward.

The Committee was pleased with the actions that were being taken by the Portfolio Holder on this issue. It was noted by Members that prevention was an important aspect of this work both with young people generally and with those who had already had their first child. The work that Sure Start had been undertaking with young mothers was highlighted as important in tackling this issue.

- d) What are your top three priority actions for reducing CO² emissions?

Councillor Clayton explained that one of the Council's targets was to reduce carbon emissions and work was currently being undertaken on a strategy to address this issue. In addition, a number of measures were being taken by the Council to help reduce carbon emissions. The Council had worked in partnership with Worcestershire County Council to deliver the Warmer Worcestershire project, which enabled residents to utilise a web based tool to establish the amount of heat that was lost from their house.

Councillor Clayton stated that he wanted to reduce the Town Hall's carbon footprint by 2% each year. He also wanted to work with Registered Social Landlords to increase the numbers of low carbon houses in the Borough. A project evaluating the impact of running electric cars for business use was also being undertaken by the Council.

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- e) What are you doing to increase the range of items covered by recycling? Can we have an update on the timescales involved in extending recycling coverage to a greater variety of plastics?

Councillor Clayton noted that the amount of waste collected for recycling had only increased by 2% during the last quarter which was less than expected. He informed Members that the Waste Strategy which contained further information regarding the disposal of waste and recycling for the County, would be provided at the extra Overview and Scrutiny Committee meeting on 1st October.

A new Material Recovery Facility (MRF) system was being built which would enable all Worcestershire local authorities to recycle a wider variety of materials including margarine tubs and waxed cardboard. Officers informed the Committee that it was important that the Council continually reviewed the amount of waste being recycled and going to landfill. The amount of waste that was currently being taken to landfill needed to be reduced otherwise the County Council was liable to face large penalties.

Members commented that the Shredder Man service which was in operation a couple of years previously, was an effective scheme. Members felt that it would be more cost effective to reinstate this scheme and also encourage people to compost as an alternative to introducing a garden waste collection scheme.

RESOLVED that

- 1) **Officers provide further information about the roads omitted from the SAFFRON system; and**
- 2) **the report be noted.**

73. QUARTERLY BUDGET REPORT - FIRST QUARTER

The Committee considered the first quarter budget report for 2009/10. Officers informed the Committee that the report contained information regarding both the achievement of savings for the year and also the outturn forecast for 2009/10.

Appendix 1 detailed information of the savings that had been approved by Members earlier in the year. Some of these savings required ongoing adjustments as they were related to reductions in

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vacant posts. It was also highlighted that a number of savings listed would require positive action from Officers in order for them to be achieved.

Officers informed the Committee that Appendices 2 and 3 contained further information regarding the projected outturn variances as at the end of the quarter. There had been a change in methodology in the way in which this information was presented. As a consequence, the projected variances to the year end were not included in the report. The Committee heard that the projected variances at the end of the first quarter were savings of £251,840 which also included the Housing Revenue Account.

RESOLVED that

the report be noted.

74. QUARTERLY PERFORMANCE REPORT - FIRST QUARTER

The Committee considered the first quarterly performance monitoring report.

Officers informed the Committee that recent national guidance had altered the way in which the Council's performance was to be reported. In the future, the Overview and Scrutiny Committee would receive performance monitoring information subsequently to it being considered by the Executive Committee. This was based on national best practice guidance from the audit Commission.

There were 198 National Indicators, of which, the Council reported on 60. With regards to the first quarter, Officers reported that there had been 35 indicators reported of which: 21 had demonstrated improvement; 9 had shown showed a decline; and 5 had stayed the same. When reporting on indicators, Officers were encouraged to include contextual information to provide some detail about the indicators.

Where performance had declined over a period of time, the newly formed Performance Management Group would ask relevant Officers to instigate a recovery plan to address areas of underperformance. The Policy Team also worked to identify areas of underperformance and raised these with relevant Officers.

Members enquired if it was possible for information to be gathered which would enable the Council's performance to be benchmarked against that of other local authorities. Officers confirmed that they were working closely with their counterparts in Worcestershire to

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develop a system that would enable comparisons to be made. It was noted that the introduction of the new performance monitoring framework would make this easier to achieve.

RESOLVED that

the report be noted.

75. POLICY FOR THE AWARD OF CONTRACTS TO VOLUNTARY AND COMMUNITY SECTOR ORGANISATIONS - PRE-SCRUTINY

Officers informed the Committee that this item had been tabled to enable the Committee to discuss the proposed additional policy for awarding contracts to the voluntary and community sector. Officers explained that this policy had been proposed by Councillor Anderson to address the 'Shopping' element of the Shopping, Investing and Giving system for Council funding of the Voluntary and Community Sector. This system had been proposed by the Third Sector Task and Finish Group and approved by full Council earlier in the year.

It was suggested that many Voluntary and Community Sector organisations would not have the same level of skills as the private sector to effectively engage in tendering processes and many organisations might need to undergo training to acquire these skills. Furthermore, the type of services that could be offered by the sector differed from that of privately run companies and as such should be dealt with differently by the Council. A decision had therefore been taken to postpone implementation of the Shopping element of the funding framework until these areas had been addressed.

Officers believed that Councillor Anderson's additional policy was not required as the points he had made were already covered in the Council's procurement procedures. They also raised concerns that if implemented Councillor Anderson's policy could be anti-competitive. As such, Officers suggested that the Policy for the Funding of Voluntary and Community Sector Organisations, which had been produced in accordance with the recommendations made by the Third Sector Task and Finish Group, should remain unchanged.

Councillor Anderson explained that the Council historically was poor at monitoring grants they awarded to Voluntary and Community Sector organisations and therefore it had been difficult to be certain about how funding had been spent. He felt that the most effective method for overcoming this issue was to enter into contractual

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arrangements with these organisations when providing them with funding.

Officers reminded the Committee that there was a subtle difference between awarding a grant and the procurement of a service. Awarding grants enabled the Council to provide money to an organisation so that it could undertake work that would correspond with the aims of the Council. Procurement enabled the Council to contract organisations to provide a service or a product in return for payment.

Having considered the information provided by Officers and Councillor Anderson the Committee agreed that they did not wish to endorse Councillor Anderson's proposed policy.

RECOMMENDED that

- 1) **the proposed policy for the Award of Contracts to Voluntary and Community Sector Organisations not be approved; and**
- 2) **the Policy for the Funding of Voluntary and Community Sector Organisations, which was approved by full Council on 22nd June 2009, remain unchanged.**

RESOLVED that

the report be noted.

76. PORTFOLIO HOLDER ANNUAL REPORT - QUESTIONS

The arrangements for the Portfolio Holder for Corporate Management's Annual Report were considered by the Committee. Members agreed a number of questions for the Portfolio Holder to address during his Annual Report (Appendix A).

77. REFERRALS

There were no referrals.

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78. WORK PROGRAMME

Members discussed the Committee's Work Programme. They noted that an additional meeting of the Committee was scheduled to take place on Thursday 1st October at 7pm to pre-scrutinise the revised Joint Municipal Waste Management Strategy.

RESOLVED that

the Work Programme be noted.

The Meeting commenced at 7.00 pm
and closed at 9.10 pm



Overview and Scrutiny Committee

1st October 2009

MINUTES

Present:

Councillor Phil Mould (Chair), and Councillors K Banks, G Chance, R King and D Taylor

Also Present:

Councillors P Anderson, M Braley, B Clayton, W Hartnett, W King and M Collins (Vice Chair – Standards Committee).

Officers:

G Revans and S Horrobin
M Bell and A Wardell (Bromsgrove District Council)

Committee Services Officer:

J Bayley and H Saunders

79. INTRODUCTIONS

The Chair welcomed all Members to the meeting and explained that the evening would comprise a number of presentations from Officers regarding the recently revised Joint Municipal Waste Management Strategy. He also welcomed and introduced Mike Bell, the Head of Street and Community and Anna Wardell, the Waste Policy and Promotions Manager, both from Bromsgrove District Council.

80. APOLOGIES AND NAMED SUBSTITUTES

Apologies were received on behalf of Councillors Gandy, Hunt, Norton, Pearce, Smith, and Thomas.

81. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest or of any party whip.

82. REVISED WASTE STRATEGY

The purpose of the evening was to provide further information to Members about the Joint Municipal Waste Management Strategy.

.....
Chair

Overview and Scrutiny Committee

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Members received a presentation which outlined the key revisions to the Strategy.

The strategy was originally published in 2004 with the intention to review and make revisions to it on a regular basis. The current review had begun in 2007. Public consultation had been undertaken as part of this review in early 2009 and a final draft of the strategy had been completed in August 2009. This final draft promoted the Waste Hierarchy which advocated, in the following order of priority, reducing, re-using, recycling, recovering and disposing of waste. Officers commended Bobbi Ashby, the Council's graphic designer for her excellent work in producing the design of the strategy.

Officers explained that the strategy was a joint strategy for both Worcestershire and Herefordshire and was programmed to run for thirty years until 2034. The current revision had been agreed in January 2009 by the Member Waste Resource Management Forum. The strategy had taken into account some of the key legislative drivers that impacted upon the ways in which local authorities disposed of waste. In particular, these included the Landfill Allowance Trading Scheme (LATS) and National Indicators for recycling and composting. LATS was a scheme designed to reduce the amount of waste being sent to landfill. The County Council was liable to large penalties through this scheme if it was not able to reduce waste. In the previous year, 197,000 tonnes of waste had been sent to landfill in Herefordshire and Worcestershire and it was predicted that by 2034, this would have risen to 250,000 tonnes. Worcestershire County Council was currently in the process of investigating residual waste treatment options.

The strategy set out the 'core services' which would provide the opportunity for materials to be collected but through a commingled collection of recyclables. The increase of waste prevention, recycling and composting could be achieved through either restricted collection frequency and / or a restricted container size. Any service that was not covered through the core services would be charged for to recover the cost of provision. This would include any possible garden waste collection that might be introduced.

Consultation had taken place on the strategy across the two counties through the use of focus groups and questionnaires. The focus group responses revealed that many participants wanted: more information about what happened to their recycling once it had been collected; more advice about the range of services; and improved consistency in collection across Councils. Results from the questionnaire revealed that: some participants were unclear

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about what they could recycle; over a third of people felt they could not compost at home as their garden was too small; and two thirds of people donated items to charity rather than throwing them away.

Members noted that they had observed onsite anaerobic digesters being used for waste management in Scandinavia. It was suggested that these could be integrated into new housing developments through the planning process. Officers explained that the use of anaerobic digesters had not been included in the strategy but it was something they could review and potentially incorporate into both the strategy and action plan for implementing the strategy.

Members noted that only one local business had been involved in the consultation process. They commented that more could be done to encourage businesses to address their recycling duties and to reduce their carbon footprint. Officers explained that the focus of the strategy was on municipal waste which consisted of household waste and that business waste was dealt with in a different way. However, it might be possible to incentivise businesses to increase their levels of recycling.

Members questioned whether it would be possible for more work to be undertaken with charities to increase the re-use of old furniture. Members suggested that furniture could be received by the waste disposal site with any re-usable items being passed on to local charities. Officers explained that Worcestershire County Council had been investigating the possibility of installing sheds on two of their sites that would enable them to accept and store furniture. Re-use of waste materials was discussed in greater detail later in the meeting.

83. ENVIROSORT - PRESENTATION

Members viewed a short video presentation which demonstrated a Materials Recovery Facility (MRF) in action. This revealed how commingled materials sent for recycling were sorted. The intention was to provide Members with an idea of how the new EnviroSort MRF facility, which was being built in Norton, would work once it was up and running.

Officers explained that this facility would enable a wider variety of waste materials to be recycled than was currently available. The additional types of waste which could be recycled using this facility included plastic bottles and containers, waxed cartons, and cardboard. Officers provided a pictorial overview of how the EnviroSort system would operate at Norton. It was explained that

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once the materials had been sorted they were sent to various processing centres across the UK. Only paper recycling was sent outside the UK to Sweden. It was envisaged that the new EnviroSort facility would be operational by the end of 2009 with Redditch residents being able to recycle the wider range of materials from January 2010 onwards.

Members expressed concerns about the potential for residual waste contamination of recyclable materials. Officers explained that a sorting process was in place to take out any residual waste before it was sent to the EnviroSort facility. In addition, each time a load for recycling was processed, a sample percentage of the load would be tested for contamination.

Members enquired if the EnviroSort facility had been designed to enable it to expand and incorporate future advances in recycling technology. Officers confirmed that this had been considered. It was also acknowledged that a possible increase in recycling and advances in technology might mean that the facility would need to be expanded or developed in the future.

84. CHARGEABLE GARDEN WASTE COLLECTIONS - PRESENTATION

Information was presented to Members regarding proposals to introduce a chargeable garden waste collection. These proposals were scheduled to be presented for the consideration of the Executive Committee in November.

Bromsgrove District Council had recently moved from a free garden waste collection to a service that residents had to pay for. This chargeable collection system had been introduced in 2009. Residents who chose to pay for the service were charged £30.00 per year. When the chargeable collection was first introduced in Bromsgrove a large number of complaints were received from residents and there was also some negative media coverage about the issue. Consequently, Officers had found that the numbers of people using the service had decreased, the tonnage had decreased but the average yield had risen.

Support from a variety of different teams within the Council including IT, Finance, Communications, and Customer Services was important in delivering the service. It was also crucial for the lead-in time of the process to begin as early as possible to enable all teams involved to provide support at the appropriate time. It was important that both Council Officers and Members were aware of the service and were able to promote it where possible. Ensuring

Overview and Scrutiny Committee

1st October 2009

that the correct information about rounds and routes was available would help to ensure that the correct information was given to the public.

Members questioned the maximum volume for a single collection. Officers confirmed that there would be a 240 litre bin available for residents who signed up for the collection. Residents would be charged a further £30.00 for the use of an extra bin.

Members discussed the potential to reintroduce the Shredder Man service. This service had been used by a number of residents in previous years. However, Officers advised that this service was expensive to provide and therefore did not necessarily represent an appropriate alternative to the chargeable garden waste collection service.

Some Members expressed the view that introducing a garden waste collection service would not be environmentally friendly because of the extra journeys this would generate, the increase in fuel, and the emissions this would create. Officers agreed with this point but noted that there was a good proportion of garden waste that currently ended up in landfill. By introducing a chargeable garden waste collection service, the costs could be covered but also the collection schedule could be kept manageable.

Members discussed the use of composting for disposing of garden waste. It was noted that not everyone had the space to be able to accommodate a compost bin. There was also a question over what to do with the end product once garden waste had been processed. It was suggested that residents participating in the chargeable garden waste collection could receive compost back in return for their garden waste. Officers explained that they had been investigating a possible disposal route for the garden waste. Some garden waste was sold from household waste sites that processed it and one potential disposal point had considered giving excess compost to local farmers.

85. PUBLICITY AND PROMOTION - PRESENTATION

The Waste Management Manager from Redditch Borough Council and the Waste Policy and Promotions Manager from Bromsgrove District Council presented Members with information about the promotion and publicity of waste services.

Officers explained that residents required information about their waste collection services. Herefordshire and Worcestershire had been awarded approximately £260,000 in Waste and Resources

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Action Programme (WRAP) funding which was to be used for publicity campaigns relating to the changes to recycling over forthcoming months. WRAP encouraged all authorities in receipt of this funding to undertake publicity campaigns that were consistent across the country by using their own branding and imagery. To do this, WRAP guided local authorities on the types of publicity materials they should use.

The Council was planning, using the WRAP funding, to introduce, amongst other methods, a new recycling guide for residents, bin stickers and 'teaser' newspaper adverts. The aim of the recycling guide was to provide: residents with information about what items they could recycle; further information about what happens to recycling once it has been collected, and information about what any recycled materials were made into once they had been processed. The Council were planning to deliver this guide to every household in the Borough by hand during December.

The Council was also planning to support a number of recycling campaigns, including the national 'love food, hate waste' campaign to encourage residents not to waste food. Members commented that this was a big issue that needed to be addressed and that the supermarkets also needed to be targeted. Supermarkets could be regarded as a contributor to this problem through the use of stringent sell-by dates and the prevalence of buy one get one free offers. Members commented that in future, local authorities might have to consider how food waste could be collected and creatively recycled.

Members questioned how effective the bin stickers would be at sticking to the inside of the bins. They commented that the stickers which had been used in the past had peeled away after a short period. Officers noted that the adhesive was quite strong and that one had been tested and so far had lasted for four months without peeling off.

86. RE-USE AND THE THIRD SECTOR

Officers presented a short presentation on the subject of the role that the third sector could play in the re-use of materials.

Officers explained that in recent years the emphasis from government had been on recycling rather than on re-using materials. However, in the waste hierarchy contained within the strategy, re-use was prioritised before recycling. The current re-use activity in Redditch included: charity shops; second hand shops; car

Overview and Scrutiny Committee

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boot sales; the website Freecycle; and the re-use centres such as Boomerang and New Start in Bromsgrove.

One of the aims contained within the strategy was to encourage local authorities to work more closely with the Third Sector to investigate opportunities for promoting the re-use of materials. Officers routinely signposted residents to the two local re-use centres when they phoned to request bulky waste collection. They suggested that to move further on this the Council could procure the services of a third sector organisation for bulky waste collections. For example, an organisation could be invited to identify items they were willing to collect for re-use. The organisation could take a fee for this service.

87. RECOMMENDATIONS (IF ANY)

Officers ended the evening by informing Members of the recommendations that they wished the Executive Committee to consider at their meeting on Wednesday 7th October 2009. The Overview and Scrutiny Committee agreed to endorse these recommendations.

RECOMMENDED that

- 1) the three recommendations contained within the Joint Municipal Waste Management Strategy (JMWMS) for Herefordshire and Worcestershire – First Review report be endorsed by the Executive Committee; and**

RESOLVED that

- 2) the proposals for a chargeable garden waste collection be considered further by the Committee at its meeting on 4th November 2009; and**
- 3) subject to the comments above, the reports delivered during this meeting be noted.**

The Meeting commenced at 7.00 pm
and closed at 9.30 pm

Executive Committee

No direct Ward relevance

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ADVISORY PANELS, WORKING GROUPS, ETC - UPDATE REPORT

(Report of Chief Executive)

1. Purpose of Report

To provide, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels, and similar bodies which report via the Executive Committee. At a meeting of the Committee in early 2009 it was agreed that Portfolio Holders review the present arrangements for their respective Advisory Panels and Working Parties and come to a conclusion as to whether they were still serving a purpose. The matter was to be discussed more generally at the next meeting of the Constitutional Review Working Party.

2. Recommendation

The Committee is asked to RESOLVE that

subject to Members' comments, the report be noted.

3. Updates

A. ADVISORY PANELS

	<u>Meeting :</u>	<u>Lead Members / Officers :</u> (Executive Members shown <u>underlined</u>)	<u>Position :</u> (Oral updates to be provided at the meeting by Lead Members or Officers, if no written update is available.)
1.	Climate Change Advisory Panel (formerly Environment Advisory Panel)	Chair <u>Cllr B Clayton</u> / Guy Revans.	Next meeting – 8th December 2009.
2.	Community Safety Advisory Panel	Chair <u>Cllr Brunner</u> / Vice-Chair Cllr Banks Angie Heighway	No meetings arranged at present.

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3.	Economic Advisory Panel	Chair <u>Cllr MacMillan</u> John Staniland / Georgina Harris	Last meeting – 12th October 2009.
4.	Housing Advisory Panel	Chair <u>Cllr B Clayton</u> / Vice-Chair Cllr Pearce Jackie Smith	Last meeting – 13th October 2009.
5.	Leisure Contracts Advisory Panel	Chair <u>Cllr Anderson</u> / Vice-Chair Cllr MacMillan Ken Watkins / Kevin Cook	Last meeting – 7th October 2009.
6.	Customer Services Advisory Panel	Chair <u>Cllr Braley</u> Jackie Smith / Jane Smith	Last meeting – 8th October 2009.
7.	Planning Advisory Panel	Chair <u>Cllr MacMillan</u> / Vice-Chair Cllr Chalk John Staniland / Ruth Bamford	Next meeting – 20th October 2009 at 5.30pm (Regional Spatial Strategy briefing for all Members) Other meetings arranged for 23rd November, 30th November, 10th December and 17th December 2009.

B. OTHER MEETINGS

8.	Constitutional Review Working Party	Chair Cllr MacMillan / Vice Chair <u>Cllr Braley</u> Steve Skinner	Next meeting – to be arranged.
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9.	Grants Panel	Chair Cllr Chance / Vice Chair <u>Cllr Braley</u> Angie Heighway	Last meeting – 17th September 2009.
10.	Independent Remuneration Panel	Independent Members / Chair Mr Andrew Powell	Next meeting – to be arranged. Currently working up proposals for 2010 Allowances Scheme.
11.	Member Development Steering Group	Chair <u>Cllr MacMillan</u> / Vice-Chair Cllr Brunner Steve Skinner / Trish Buckley	Next meeting – to be arranged.
12.	Procurement Steering Group	Chair <u>Cllr Braley</u> / Vice-Chair Cllr Hall Sue Hanley	Next meeting – 14th December 2009.
13.	Church Hill District Centre – Members' Panel	Chair <u>Cllr B Clayton</u> Rob Kindon / Jim Prendergrast	Last meeting – 9th September 2009.

4. Author of Report

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

5. Appendices

None.



Executive Committee

No direct Ward relevance

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ACTION MONITORING

(Report of the Chief Executive)

Portfolio Holder(s) / Responsible Officer	Action requested	Status
13th January 2009		
Cllr Gandy / Executive Committee	<p>Third Sector Task and Finish Group</p> <p>The Executive to consider the further work to be undertaken (detailed in recommendation 5) and come back with suggestions for further work in due course.</p>	Awaiting further consideration by relevant Members.
22nd April 2009		
Cllr MacMillan/ Ruth Bamford	<p>Action Monitoring – Economic Advisory Panel</p> <p>Economic Development Strategy - Visits to Redditch businesses being arranged.</p>	
1st July 2009		
Cllr Braley E Storer	<p>Corporate Sickness Statistics</p> <p>Members suggested minor amendments to the recording method for sickness absence, proposing that the “No Reason” category might be termed “Other” and that there be a more explicit breakdown of the work-related and non-work related absences due to “Bones, Joints and Fractures”.)</p>	

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22nd July 2009		
Cllr B Clayton/ L Tompkin	Council Flat Communal Cleaning Review - Final Report Officers to provide an estimated service charge for cleaning communal areas to be used when consulting residents.	
Cllr Braley/ A Marklew	Corporate Identity – Revisions Officers to investigate the cost implications of a change of logo.	
12th August 2009		
Cllr B Clayton / S Mullins	Church Hill District Centre – Redevelopment Update Officers undertook to provide a formal legal response to Members' questions in respect of the transfers of land to and from Worcestershire County Council.	
Cllr Braley / A Heighway	Quarterly Performance Monitoring April 2008 – March 2009 Officers undertook to provide Councillor Hicks with an explanation for the performance recorded in respect of Performance indicator BV205.	
Cllr Braley / E Storer	Corporate Sickness Statistics Officers undertook to investigate whether there were national statistics available to use as comparators to those generated locally within the authority.	

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16th September 2009		
Cllr M Braley / Jane Smith	Complaints Policy – Review Members suggested that a clear explanation of the entire Complaints Procedure be included in the initial response sent to any complainant	
Cllr B Clayton / S Mullins	Development Opportunities – Dingleside and Ipsley A Member requested that the advice from the Head of Legal, Democratic and Property Services that Members who were on both the Executive and Planning Committees would not be at risk of being conflicted out on grounds of predetermination as the issue at hand at this stage was merely one of declaring land surplus and authorising disposal be placed on record.	
22nd September 2009		
Cllr M Braley / T Kristunas / E Storer	Benefits Services Improvement Plan – Quarterly Report Officers undertook to provide a supply of leaflets regarding claims for benefits for use at the Roadshows. Officers also undertook to prepare a press release regarding claims for benefits highlighting the calculator on the Council's website for those affected by the current economic climate.	
All Portfolio Holders / A Heighway	Quarterly Performance Monitoring, Quarter 1 – April – June 2009 Members requested that the order of columns in the Corporate Performance Exception Report be amended. Officers undertook to circulate information on Recovery Plans and the pilot project on Smart Cards be circulated with the	

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	minutes.	
7th October 2009		
Cllr B Clayton / P Wilkins	<p>Disabled Facilities Grant and the Lifetime Grant</p> <p>1) It was suggested that an aspect of the work undertaken by the Occupational Therapists used by the Council be referred to the Overview and Scrutiny Committee for consideration.</p> <p>2) Officers undertook to check for Councillor Hicks as to whether the Council used second hand equipment to any extent.</p>	
Cllr C MacMillan / R Bamford / A Rutt	<p>Publication of Planning Applications – Consultation</p> <p>Officers were asked to consider a slight expansion of the circulation of notifications of planning applications should these new measures come into effect.</p>	
Cllr M Braley / J Bough	<p>Irrecoverable Debts</p> <p>It was noted that the Portfolio Holder had requested a briefing for Members on the processes involved in the recovery and write off of debts relating to the Council's property.</p>	
Cllr M Braley / R Kindon	<p>REDI Centre – Leasing Options</p> <p>Officers undertook to provide Councillor Hartnett with the capital value of the property following the meeting.</p>	
Note:	<i>No further debate should be held on the above matters or substantive decisions taken, without further report OR unless urgency requirements are met.</i>	Report period: 13/01/09 to 7/10/09