

Executive Committee

Wed 29th Sept
2010
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.
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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact
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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

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

Chair

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

Running Order

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

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

Decisions

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

Members of the Public

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

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

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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

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7.00 pm

Committee

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	Carole Gandy (Chair)	Malcolm Hall
	Michael Braley	Gay Hopkins
	Juliet Brunner	Jinny Pearce
	Greg Chance	Debbie Taylor
	Brandon Clayton	

1. Apologies	To receive the apologies of any Member who is unable to attend this meeting.
2. Declarations of Interest	To invite Councillors to declare any interests they may have in items on the agenda.
3. Leader's Announcements	<ol style="list-style-type: none">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; andany other relevant announcements. <p>(Oral report)</p>
4. Minutes Chief Executive	To confirm as a correct record the minutes of the meeting of the Executive Committee held on the 8th September 2010. (Minutes to follow)
5. Worcestershire Joint County and District Council's Scrutiny Report Summer Floods 2007 and other Land Drainage Matters (Pages 1 - 8) Head of Legal, Democratic and Property Services	To consider and approve the recommendations forwarded by the Joint Worcestershire Scrutiny into Flooding Task and Finish Group in February 2009 and any additional suggestions since proposed by relevant Officers from Redditch Borough Council regarding the practical and financial implications of these recommendations for the Council. (Report attached – Appendices available via the Council's Website and as a hard copy in Group Rooms) All Wards

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<p>6. Sub-Regional Choice Based Lettings</p> <p>(Pages 9 - 22)</p> <p>Head of Housing</p>	<p>To consider the Council joining a Sub-Regional Choice Based Lettings Scheme.</p> <p>(Report and referral report from the Overview and Scrutiny Committee attached)</p> <p>(No Specific Ward Relevance)</p>
<p>7. Administration of Charities</p> <p>(Pages 23 - 32)</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>To consider a report on the future administration of the Stanley, Skinner and Swann charities.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance)</p>
<p>8. Pitcheroak Golf Course - Operational Options</p> <p>Head of Leisure and Cultural Services</p>	<p>To consider a review of the operation of Pitcheroak Golf Course over the previous 18 months and the options for future provision.</p> <p>(Report to follow)</p> <p>(All Wards)</p>
<p>9. Arrow Valley Countryside Centre - Contractual Arrangements</p> <p>Head of Leisure and Cultural Services</p>	<p>To consider specific options for the contractual arrangements for the Arrow Valley Countryside Centre.</p> <p>(Report to follow – Appendix available via the Council's website and as a hard copy in Group Rooms)</p> <p>(All Wards)</p>
<p>10. Overview and Scrutiny Committee</p> <p>(Pages 33 - 42)</p> <p>Chief Executive</p>	<p>To receive the minutes of the meeting of the Overview and Scrutiny Committee held on the 25th August 2010.</p> <p>There are recommendations to consider.</p> <p>(Minutes attached)</p>
<p>11. Minutes / Referrals - Overview and Scrutiny Committee, Executive Panels, Neighbourhood Groups etc.</p> <p>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>12. Advisory Panels - update report (Pages 43 - 46) 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>13. Action Monitoring (Pages 47 - 50) Chief Executive</p>	<p>To consider an update on the actions arising from previous meetings of the Committee.</p> <p>(Report attached)</p>
<p>14. Urgent Business - Record of Decisions Chief Executive</p>	<p>To note the following recent decisions taken in accordance with SO36:</p> <ol style="list-style-type: none"><p><u>Prospective Tenant – Unit 27, Rubicon Business Centre</u> (Head of Planning and Regeneration)(Decision Reference 484)</p><p>The associated report contains exempt information as defined in Paragraph 3 of part 1 of Schedule 12a to the Local Government Act 1972, as amended.</p><p>The case for urgency was that the prospective tenant needed an early decision owing to their commitments.</p><p>(Decision required was a Executive Committee decision).</p><p>It was therefore RESOLVED that</p><p>Kingfisher FM be granted a licence agreement at a reduced rent as set out within the associated report for a period of 12 months for the reasons given in that report.</p><p><u>Discretionary Disabled Facilities Grant</u> (Head of Community Services)(Decision Reference 485)</p><p>This report contains exempt information as defined in Paragraphs 1 and 3 of part 1 of Schedule 12a to the Local Government Act 1972, as amended.</p><p>This adaptation is required to improve the health & well being of the householder. The next Executive Committee is not until September and this would cause a further delay in undertaking this adaptation. (Final authority for the decision</p>

on the Discretionary Disabled Facilities Grant would normally rest with the Executive. There was an additional recommendation, as set out below, to Council in respect of the Scheme of Delegation to Officers which was considered at the meeting of Council on 20th September 2010.)

It was therefore RESOLVED that

- 1) **a discretionary disabled facilities grant of up to £1,500 be awarded for the reasons given in the summary above; and**

RECOMMENDED that

- 2) **the Council's Scheme of Delegation to Officers be amended to provide the Head of Community Services with the authority to approve discretionary Disabled Facility Grants, in consultation with the Portfolio Holder for Housing, Local Environment and Health.**

15. Exclusion of the Public

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:

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

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<p>16. Redditch United Football Club Status</p> <p>(Pages 51 - 68)</p> <p>Head of Leisure and Cultural Services</p>	<p>To consider the financial status of Redditch Football Club and the impact on the Council's Revenue Account.</p> <p>[The report and appendices contain exempt information as defined in S.100 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). In view of this it is anticipated that discussion of these matters will take place after the exclusion of the public.]</p> <p>(Report attached)</p> <p>(All Wards)</p>
<p>17. Confidential Minutes / Referrals (if any)</p>	<p>To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).</p>

REDDITCH BOROUGH COUNCIL**EXECUTIVE
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**WORCESTERSHIRE JOINT COUNTY AND DISTRICT COUNCILS' SCRUTINY
REPORT SUMMER FLOODS 2007 AND OTHER LAND DRAINAGE MATTERS**

Relevant Portfolio Holder	Cllr Brandon Clayton
Relevant Head of Service	Guy Revans - Head of Leisure, Environment and Community Services
Key Decision	

1. SUMMARY OF PROPOSALS

To update Members on progress with regard to the Joint Scrutiny Report and other land drainage strategies, including an update on recent changes in legislation.

2. RECOMMENDATIONS

The Committee is asked to **RESOLVE** that

- 1) the Council's response to the Joint County and District Councils' Scrutiny Report into the Summer Floods 2007 be approved, including additional comments by officers listed in the report below;
- 2) the Council's policies on ditches be initially applied to Arterial Ditches only;
- 3) the Council considers its position in the light of the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010;
- 4) a report be prepared by Officers, as previously instructed by Members, setting out proposals for a joint North-Worcestershire Land Drainage Partnership in accordance with the above guidance.

3. BACKGROUND

- 3.1 Appendix 1 contains the joint report on behalf of the 6 District Councils which was presented to the County Council in its capacity as lead on the Local Resilience Forum.

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- 3.2 Appendix 2 sets out additional or amended comments in relation to Appendix 1 which Officers consider it appropriate for Members to deliberate in order to protect the position of Redditch.
- 3.3 Whilst working in connection with above, Officers brought forward formal policies (where none previously existed) on 17th June 2009 for the consideration of the Overview and Scrutiny Committee which covered a range of Land Drainage topics these were subsequently passed forward to the Executive Committee (12th August 2009) and formally ratified by Full Council on 26th October 2009.
- 3.2 Consequently, these policies have now been rolled out internally to other relevant departments and changes in certain working practices have already occurred.

4. KEY ISSUES

- 4.1 The Council has obligations, both as a major riparian landowner and also as a LDA, to both comply with and enforce the Land Drainage Act 1991 as well as the new legislation listed in section 6 below.
- 4.2 We have developed close working relationships with our Land Drainage partners and have also seen the completion of some high-profile enforcement actions.
- 4.3 Attached are Appendices 1 - 6, which sets out progress in a more detailed fashion for Members to consider. Examples of relevant areas are included where appropriate.

5. FINANCIAL IMPLICATIONS

- 5.1 The current operational arrangements are already fully funded, subject to a limited amount of emergency responses. The bulk of the approved policies merely direct how these funds and efforts are best utilised. In addition, when working in conjunction with other Council service units, works can be planned on a joint basis for the proper delivery of these objectives in an efficient and timely fashion.
- 5.2 The Flood and Water Management Act sets out raising fees for consenting of works to Ordinary Watercourses, if so delegated by the LLFA (WCC). Typically, these fees do not reflect the actual direct costs of consenting – currently the EA charges £50.00 per application. However, where these

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works are consented, they would not have a detrimental affect upon flood risks and therefore the actual costs of ensuring compliance are more than offset by savings in potential revenue and other emergency costs associated with any unapproved installations.

- 5.3 Also there is an obligation to designate features in addition to our existing culvert and similar records. Defra has already stated that any new obligations will be fully funded as set out in their fact sheets dated 28th July 2010 (Appendix 4).
- 5.4 WCC has already indicated that Redditch records are far more advanced and complete than other Districts, and consequently, as a part of the Worcestershire Land Drainage Technical Group, relevant officers have been invited to take a County-wide lead on this matter.
- 5.4 With respect to a possible collaboration with Bromsgrove and Wyre Forest District Councils, officers initially recommend that we 'pool' existing funded resources in an endeavour to deliver enhanced services without initial increased costs (see Appendix). Once experience of working within the new legislation occurs, Officers will be in a better position to more accurately forecast any medium or long term financial implications and to advise Members at a later date. Such interim arrangements could potentially extend to no later than 30th June 2012.

6. LEGAL IMPLICATIONS

The Council has a duty to comply with: -

- a) Environment Act 1990;
- b) Land Drainage Act 1991;
- c) Flood Risk Regulations 2009; and
- d) Flood and Water Management Act 2010

7. POLICY IMPLICATIONS

- 7.1 Land Drainage matters have been considered at previous committee meetings and Overview and Scrutiny has taken interest in scrutinising the issue in recent years. This has led to recommendations and decisions being made on the subject at the following meetings: -
- a) Overview and Scrutiny Committee, 18th March 2009;
 - b) Overview and Scrutiny Committee, 17th June 2009;

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- c) Executive Committee, 12th August 2009; and
- d) Council, 26th October 2009,

7.2 The conclusions reached by Members in relation to this report may form the basis of subsequent recommendations to both Executive Committee and Council for formal decisions.

8. COUNCIL OBJECTIVES

This item closely interfaces with all Council Objectives as new environmental powers are to be imposed, in addition to existing and enhanced enforcement responsibilities by the new Flood and Water Management Act 2010.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 The recommendations outlined in this report should help the Council to maintain and improve flood risk for the area which includes working with the LLFA, and in particular the preparation of Multi-Agency Flood Plans and Surface Water Management Plans.

9.2 These actions would also enhance our capacity to respond to possible varied climatic effects by collaborating with appropriate neighbouring authorities.

10. CUSTOMER IMPLICATIONS

10.1 The suggested actions would improve flood risk management and minimise the impact of any future flooding events. Improved Emergency Planning procedures will offer better protection against major events such as 20th July 2007.

10.2 There is a National Emergency Exercise planned for early 2011. Councils and other authorities are open to Defra scrutiny to see if there have been any improvements in potential responses post-2007.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

There are no equalities or diversity implications.

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12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 Initially, as set out in section 9 above, it is suggested that we monitor what improvements can be achieved for policy and enforcement through collaborative working, initially through the use of existing budgets only.

12.2 For operational matters, where collaboration either formally or informally is necessary, it remains the responsibility of a district to fully fund such operations within its own area. Also, certain skills will now need to be required by all organisations and Officers consider that by use of a shared resource, reduced impact will be possible.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 All current Land Drainage policies comply with Climate Change laws and regulations. We regularly review operational procedures to ensure the lowest possible carbon footprint dependant of course on weather effects.

13.2 New legislation confers additional powers on all relevant drainage authorities to incorporate environmental improvements including biodiversity and the maintenance or re-creation of water-based habitat allowing appropriate species of flora and fauna to thrive.

14. HUMAN RESOURCES IMPLICATIONS

14.1 Initially there should be no human resources implications as it is suggested that relevant officers from constituent partners form a collaborative team sharing common practices and policies for delivery on behalf of the LLFA.

14.2 Any additional operational resources will be procured externally by means of current Term Contracts supported by additional funding from other relevant partner authorities.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

There are no governance or performance management implications.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

There are no community safety implications.

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17. HEALTH INEQUALITIES IMPLICATIONS

There are no health or inequalities implications.

18. LESSONS LEARNT

Priorities are regularly reviewed in the light of any improvement schemes, climatic effects or changes in statutory duties and powers. Following the proposed National Emergency Exercise referred to in 10.2 above, there may be additional directions from both Defra and/or the LLFA.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

A possible district based river warden scheme is being considered for urban areas in conjunction with lengthmen for parishes in rural areas. This scheme, if pursued, will be developed in conjunction with relevant partners and referred to Members in advance for approval. It is envisaged that such functions would either be on a voluntary basis or where applicable, supported by the local Parishes and/or LLFA.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	Yes
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

21. WARDS AFFECTED

All Wards

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22. APPENDICES

Members are advised that although the Defra documents in Appendix 6 (Overview and Scrutiny Committee, 25th August 2010, Appendix 4) are titled, not all matters relating to local authority responsibilities are so listed.

- Appendix 1 "Progress on Flood 2007 Scrutiny Recommendations" by S Jordan (formerly Head of Environmental Services, Wychavon District Council) on behalf of all WLDP Members
- Appendix 2 Officers supplementary comments in respect of Appendix 1 on behalf of Redditch Borough Council.
- Appendix 3 (Appendix 1, O & S Committee, 25/08/10).
- Appendix 4 (Appendix 2, O & S Committee, 25/08/10).
- Appendix 5 (Appendix 3, O & S Committee, 25/08/10).
- Appendix 6 (Appendix 4, O & S Committee, 25/08/10).
- Appendix 7 (Appendix 5, O & S Committee, 25/08/10).

23. BACKGROUND PAPERS

None.

24. KEY

- Defra Department for Environment Food and Rural Affairs
- EA Environment Agency
- LDA Local Drainage Authority
- LLFA Lead Local Flood Authority
- WLDP Worcestershire Land Drainage Partnership.

AUTHOR OF REPORT

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REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE****29th September 2010**SUB-REGIONAL HOUSING ALLOCATIONS POLICY

Relevant Portfolio Holder	Councillor Brandon Clayton
Relevant Head of Service	Liz Tompkin
Key Decision	

1. SUMMARY OF PROPOSALS

The Committee is asked to consider if the current Housing Allocations Policy and Redditch Home Choice Scheme should be retained or whether Officers should continue to work towards adopting a common Housing Allocations Policy and Choice Based Lettings Scheme called 'Home Choice Plus' which would then be administered and reviewed in partnership with other Local Authority partners in the Sub-region.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

- 1) **the report be noted; and**
- 2) **Members consider the following options and determine which option to RECOMMEND :**
 - a) **Option 1 - retain the local Housing Allocations Policy and Redditch Home Choice System and review in accordance with the existing constitutional framework;**

OR

 - b) **Option 2 - the decision to join the Home Choice Plus be delayed until the outcome of the legal review into the scheme is known, but agrees to commit Officer resources to continue to work along side the existing members of the Sub-Regional Partnership. A further report will be brought to the Committee to report progress and make further recommendations.**

3. BACKGROUND

- 3.1 Communities and Local Government (CLG) set a target for all local authorities to introduce a Choice Based Lettings Scheme by 2010.
- 3.2 In response, Redditch Borough Council launched the Redditch Home Choice Scheme on 6th September 2007. The scheme was later reviewed

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and amended in 2008 and then 2009 based on customer and partner consultation. Surveys have demonstrated that there is a high level of satisfaction with the scheme in the local area.

- 3.3 In 2006 Wychavon District Council applied to the CLG for Grant funding to develop a Sub-regional Choice Based Lettings Scheme. As Redditch Borough Council and Warwick District Council had already developed their own Choice Based Lettings Schemes it was agreed that they would be looked at in the second phase of the project.
- 3.4 In 2008 phase 1 of the Sub-regional Choice Based Lettings Scheme now called 'Home Choice Plus' was implemented. The partners in phase 1 consisted of:
- a) Bromsgrove District Council
 - b) Malvern Hills District Council
 - c) Stratford-on-Avon District Council
 - d) Worcester City Council
 - e) Wychavon District Council
 - f) Wyre Forest District Council
- 3.5 The local authorities participating in the Home Choice Plus Scheme developed one common Allocations Policy.
- 3.6 Councils in phase 1 of the project do not have retained housing stock and lettings are managed via partner Registered Social Landlords.
- 3.7 The introduction of the Redditch Home Choice Scheme and Housing Options Team assisted the Local Authority to significantly reduce the number of Statutory Homeless Acceptances by allowing more households to find accommodation via the waiting list without making a Homeless Application.

4. KEY ISSUES

- 4.1 The benefits reported by existing Local Authorities in the Sub-regional scheme are that applicants only need to complete one application form to be considered across all the participating local authority areas.

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- 4.2 Consultation with Registered Social Landlords and Voluntary and Statutory Partners that work across more than one Sub-regional area suggests that they would welcome there being a common scheme for Housing Allocations as it would reduce their workloads and make the process of finding housing easier for customers seeking accommodation in more than one area.
- 4.3 In order to confirm that the Home Choice Plus Scheme was legally compliant a legal review of the scheme was commissioned following the publication of the Code of Guidance into Housing Allocations called Fair and Flexible. The conclusions of the legal review were scheduled to have been released in December 2009 but have not yet been finalised.
- 4.4 There are no doubts regarding the legality of the Redditch Home Choice Scheme.
- 4.5 Redditch Borough Council was granted permission by Phase 1 of the Home Choice Plus Partnership to attend their meetings and assist in reviewing the Home Choice Plus Allocations Policy in early 2010. The aim was to ensure that good practice from the Redditch Home Choice Scheme was incorporated into any changes made to the Home Choice Plus Scheme. Due to the legal review being delayed there was also a delay to the review of the Allocations Policy and this is yet to be finalised.
- 4.6 The Local Authorities in Phase 1 of the Home Choice Plus Partnership do not have retained housing stock. It is not clear what difficulties that might present to Redditch Borough Council should they decide to join up to the partnership. Council tenants currently benefit from lower rents than Housing Association tenants and Secure Tenancies as opposed to Assured Tenancies. The main concern is whether the existence of Secure Tenancies and the Right to Buy could result in increased households seeking housing in Redditch from other Local Authority areas. Phase 1 of the partnership is currently undertaking a piece of work which will establish the levels of migration between each of the Local Authority areas. The Housing Options Team at Redditch Borough Council is also currently working with its software developer to establish how much it would cost to identify whether Council properties are more popular to bidders than Housing Association properties to those bidding for properties through Redditch Home Choice.
- 4.7 There has been no local consultation in Redditch with the public in respect of joining Sub-regional Home Choice Plus Scheme. Council Officers were concerned that retrospective changes following the legal review might

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prove to be confusing for customers and also duplicate the required consultation work for Officers.

- 4.8 There are a number of differences between the Home Choice Plus Scheme and Redditch Home Choice Scheme. Officers have undertaken some work to establish what the impact might be to local people if the scheme was adopted in its current form. The findings suggest that overcrowding would increase and that the number of Homelessness Acceptances would also rise with less customers moving via Medical and Social Priority prior to reaching crisis point.
- 4.9 The Council is currently performing well in relation to Homelessness Acceptances and Temporary Accommodation. It is likely that that its performance would be negatively impacted by joining the Home Choice Plus Scheme in its current form.
- 4.10 The Redditch Home Choice Scheme currently prohibits allocations of housing to those who owe any debt to the Council including Council Tax, Sundry Debt, current and former Tenancy Arrears. The Home Choice Plus Scheme only prohibits allocations to those with current or former housing related debt. Adopting the current Home Choice Plus Scheme in its current form is likely to have an impact on the amount of debt recovered
- 4.11 Joining a Sub-regional scheme may be contradictory to latest guidance being released by Central Government. Recent announcements by the Housing Minister Grant Shapps suggest that Local Authorities will soon be given greater freedom and scope to produce lettings plans that are responsive to local needs and priorities (Inside Housing Magazine, 31 August 2010).
- 4.12 The Sub-regional Home Choice Plus Scheme has some features that Redditch Home Choice does not have such as the ability for customers to review property adverts and place bids using digital technology on their televisions and the use of SMS text.
- 4.13 Any changes to the Sub-regional Home Choice Plus Scheme would need to be agreed by each of the Local Authority Partners. In most cases this would require Members formerly agreeing to adopt the changes. It is unclear what would happen to the Sub-regional Scheme should some of the Local Authority partners fail to agree any changes proposed. There is a risk of the partnership failing and costs being incurred as a result.

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5. FINANCIAL IMPLICATIONS

5.1 Option 1

- a) The capital cost to develop the Redditch Home Choice Scheme has already been met in previous years.
- b) There are ongoing revenue costs of £17, 226 to cover the annual maintenance of the Housing Register, Choice Based Lettings and the Homelessness and Prevention Modules.
- c) £9,370.31 in Council Tax and Sundry Debt was collected from Customers at the point of Housing Allocation in the financial year 2009/10.
- d) If enhancements to the Redditch Home Choice Scheme were required in respect of Digital Technology or SMS Texting then these would cost approximately £3,500 in initial Capital Setup Costs. There would also be an ongoing revenue cost of approximately £3570 per year thereafter (which includes the cost of line rental).

5.2 Option 2

- a) There would be an initial Capital and Revenue Cost to the Council of approximately £15,000 to join the Sub-regional Home Choice Plus Scheme. A further £15,000 would be supplied via Communities and Local Government Grant 'match' funding. The cost includes the use of Digital Technology and SMS Text.
- b) If the Home Choice Plus Scheme was adopted there would also be a requirement to fund an additional Housing Options Officer from Council Revenue for six months during the implementation phase to ensure that customers are made aware of the changes and update to the new system. The cost of that would be approximately £14,068 for six months.
- c) An ongoing revenue cost would still be incurred to fund the maintenance of the Housing Register, Choice Based Lettings and Homelessness and Prevention Modules but it is anticipated that there would be a saving of approximately £2,500 per year to the Councils existing costs (as some of the costs are shared across all the Sub-regional partners).

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- d) If the revenue cost of Digital TV and SMS Text enhancements were also factored in then the total revenue saving to the Council of joining the scheme would be £6,070 per year.
- e) Adopting the existing Home Choice Plus Scheme would however have a negative impact on the amount of Council Tax and Sundry Debts recovered. It is anticipated that there would be a loss of approximately £9,370.31 per annum based on the 2009/10 recovery figures at the point of Housing Allocation.

6. LEGAL IMPLICATIONS

- 6.1 Section 167 (1) of the Housing Act 1996 requires each Local Authority to have a scheme for determining priorities in allocating housing accommodation.
- 6.2 The Redditch Home Choice Scheme and Allocations Policy are believed to meet the legal requirements of the Local Authority.
- 6.3 The Sub-regional partnership has commissioned a legal review of the 'Home Choice Plus Scheme' due to concerns regarding the schemes legality. In accordance with the Sub-regional time table the findings of that review were due to be reported in December 2009 but to date they remain outstanding.

7. POLICY IMPLICATIONS

- 7.1 The Conservative - Liberal Democrat Coalition Government elected in May 2010 has a very strong commitment to localised service delivery and this was featured in their Coalition Agreement. Recent announcements by the Housing Minister Grant Shapps suggest that Local Authorities will soon be given greater freedom and scope to produce lettings plans that are responsive to local needs and priorities (Inside Housing Magazine - 31st August 2010). A move towards a Sub-regional Housing Allocations Scheme might restrict the Council's ability to respond to the needs and wishes of local people.
- 7.2 Whilst the Allocation of Accommodation: Choice Based Lettings - Code of Guidance for Local Authorities published on 27th August 2008 does support the principal of Sub-Regional Choice Based Lettings Schemes it gives no legal requirement to join a Sub-regional scheme.

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8. COUNCIL OBJECTIVES

The Council is committed to ensuring that local people can access excellent housing and have a choice regarding where they live. The Home Choice Plus Scheme does provide the opportunity for the Council to work with partners in the rest of the Sub-region and to simplify the process of applying for housing across all the areas. The scheme may also deliver value for money savings in terms of revenue costs by reducing the annual maintenance costs of the system in the long term. It is possible that joining the Sub-regional scheme could inhibit the Councils ability to respond to the needs and priorities of local people with agreement for changes to the scheme needing to be universally adopted across the partnership. The length of time taken for the Sub-regional Partnership to agree changes to the scheme is far longer than the time taken to agree local changes to the Redditch Home Choice Scheme.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY
CONSIDERATIONS**

9.1 Risks if joining the Home Choice Plus Scheme currently include:

- a) Reduction in the Council's ability to respond to the needs of local people.
- b) Impact on the debt recovery rate of Council Tax and Sundry Debts.
- c) Incurring costs associated with litigation if the Home Choice Plus Scheme is deemed to be illegal.
- d) Impact on the performance regarding Homelessness Acceptances and Temporary Accommodation.
- e) Increased pressure on the Housing Options Team as a result of the need for updating systems / promotion of the new scheme / staff training / customer consultation.
- f) Increased capital and revenue costs during the implementation phase.
- g) Increased costs of disbanding the scheme or re-developing a local scheme if the Partnership failed.

9.2 Risks of not joining the Scheme at this stage include:

- a) Increased costs of approximately £15,000 (as a result of missing the opportunity to access CLG grant match funding) if the Council chose to join at a later date.
- b) Increased revenue costs associated with ongoing maintenance of the system.

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- c) Reduced options regarding shared services as a result of differences between allocation policies across the Sub-region.

10. CUSTOMER IMPLICATIONS

- 10.1 Redditch customers could benefit from the Sub-regional Home Choice Plus Scheme by being able to apply for all areas of the Sub region through one common application form. They may also benefit from efficiencies gained from partner agencies who work across more than one area of the sub-region such as Registered Social Landlords or Floating Support Services who would only need to use one Housing Scheme.
- 10.2 The Home Choice Plus Scheme currently allows customers to use SMS texting and Digital TV to access property information and place bids where as the Redditch Home Choice does not have these features currently.
- 10.3 The Redditch Home Choice Scheme could be enhanced to include Digital Technology or SMS for an additional cost as detailed in the financial section.
- 10.4 The ability to tailor the Allocations Policy to meet the needs of Local People could be inhibited as a result of joining the Sub-regional Scheme.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

Impact assessments have already been undertaken for the Redditch Home Choice Scheme and the Home Choice Plus Scheme. A further impact assessment on the local implications of adopting the Sub-regional Home Choice Scheme would be required prior to the final adoption of the scheme.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

In its current form the Sub-regional Scheme does not appear to save the Council money overall as the revenue savings are likely to be outweighed by a reduction in the Council's ability to recover Sundry and Council Tax debts. Details of all savings have been detailed in the financial section.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

There are no implications

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14. HUMAN RESOURCES IMPLICATIONS

There are staffing implications of joining the Sub-regional Home Choice Plus Scheme. The Housing Options Team would have additional work to undertake during the implementation of the Home Choice Plus scheme and additional revenue budgets would be required (as detailed in the financial implications section). Approximately 10% of the Housing Options Managers time is spent attending Home Choice Plus partnership meetings or working on the development of the Sub-regional Housing Scheme. If Members opt to keep the local allocations policy and not continue with the Sub-regional Scheme, that time will be redirected towards implementing the Housing Improvement Plan

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

The introduction of the Sub-regional Home Choice Plus Scheme in its current form is likely to have an impact on the Homelessness Acceptance figures. Some aspects of the Home Choice Plus Allocations Policy differ from those of the Redditch Home Choice Scheme and these are likely to result in more Homelessness Acceptances.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

There are no implications

17. HEALTH INEQUALITIES IMPLICATIONS

There are no implications

18. LESSONS LEARNT

There are no lessons learned

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

There was extensive consultation with Members, Partner Agencies and Local people during the development of the Redditch Home Choice Scheme and also by Phase 1 Partners prior to the introduction of the Home Choice Plus Scheme in their areas. There has been no customer consultation on the Sub-regional Home Choice Plus Scheme in the local area to date.

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Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (S151 Officer)	Yes
Executive Director - Leisure, Cultural, Environmental and Community Services	Yes
Executive Director - Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	Yes
Head of Service	Yes
Head of Resources	Yes
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	Yes

21. WARDS AFFECTED

All wards.

22. APPENDICES

Appendix 1 - Home Choice Plus Scheme – Allocations Policy
 Appendix 2 - Redditch Home Choice – Allocations Policy

23. BACKGROUND PAPERS

Allocation of Accommodation: Choice Based Lettings - Code of Guidance for Local Housing Authorities which was published on 27 August 2008.

R (Lin) v Barnet LBC [2006].

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AUTHOR OF REPORT

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REDDITCH BOROUGH COUNCIL**EXECUTIVE
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**SUB-REGIONAL HOUSING ALLOCATIONS POLICY – REFERRAL FROM
THE OVERVIEW AND SCRUTINY COMMITTEE**

Relevant Portfolio Holder	Councillor Brandon Clayton
Relevant Director	Executive Director of Planning and Regeneration, Regulatory and Housing Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

The Overview and Scrutiny Committee considered a presentation on Sub-Regional Housing Allocations at its meeting on 15th September. Members discussed a proposal that the Council join a Sub-Regional Scheme. The Committee took the view that the Council's interests may not be best served by entering into such an arrangement at the present time. The purpose of this report is to provide a summary of these comments for the consideration of the Executive Committee.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** that

- 1) **subject to noting Members' comments as detailed in paragraph 4, below, the Council retain the Local Housing Allocations Policy and Redditch Home Choice System and review in accordance with the existing constitutional framework; and**

RESOLVE that

- 2) **the Borough Tenants' Panel be provided with the opportunity to consider and comment upon the Sub-Regional Housing Allocations Policy report.**

3. BACKGROUND

Overview and Scrutiny plays an important role in policy development at the Council. Increasingly, the Overview and Scrutiny Committee is reviewing important strategies and policies relating to both key and non-key decisions that are scheduled for consideration by the Executive Committee and / or the Council. The aim of the Committee is to scrutinise the issue in detail and to help the Executive by: identifying areas for improvement, assessing

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the feasibility of proposed actions; and ultimately advising on the validity of proposed decisions.

4. KEY ISSUES

There were a number of key issues which led Members to the conclusion that the Council should retain the Local Housing Allocations Policy and Redditch Home Choice System at the present time. The key issues were that:

- it would not be in the interests of the Council's tenants and prospective tenants within the Borough in that it may reduce their chances of accessing housing locally;
- the Council's existing policies and practices were considered to have enhancements that were lacking in the Sub-Regional Scheme in that it included a needs based element.; and
- the Council retained its own housing stock and might, therefore attract tenants from out of the Borough who were interested in the possibility of right to buy.

AUTHOR OF REPORT

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ADMINISTRATION OF SMALL CHARITIES BY THE COUNCIL

Relevant Portfolio Holder	Cllr M Braley
Relevant Head of Service	Claire Felton Head of Legal Equalities & Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider the option of transferring the administration of three small Charities to the Worcestershire Community Foundation, with the assistance of the Community Foundation for Greater Manchester to effect the transfer.
- 1.2 And to consider transferring the sum of £129.62 in the Redditch Disaster Fund to the Mayor's Charity as suggested by Audit and Governance Committee on 20 April 2010.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** that :

- 1) **the administration of the Stanley, John Jordan Skinner and Caroline Swann Charities be transferred to the Worcestershire Community Foundation; and**
- 2) **Mr Colin Evans, Trust Transfer expert of the Community Foundation for Greater Manchester, be appointed to effect the transfer, and**
- 3) **the sum of £129.62 in the Redditch Disaster Fund be transferred to the Mayor's Charity**

3. BACKGROUND**CHARITIES**

- 3.1 The Council currently has responsibility for three small registered Charities, the "Stanley", "John Jordan Skinner" and "Caroline Swann" Charities, which were established many years ago by the Wills of residents for various charitable purposes, generally related to relief of poverty. Details are set out at Appendix 1.

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- 3.2 Some of the objectives are now obsolete (e.g. purchase of coal for distribution to the poor / relief for persons who are or were engaged in the needle, fish hook or fishing tackle industries) and, apart from the Stanley Charity where the Mayor is ex-officio Trustee, they have no current Trustees.
- 3.3 In January 2004 the Council supported a recommendation for the appointment of Trustees to these charities and the amendment of the Charities' objects, for the future management of the funds, but these appointments have lapsed and no amendment to the objects has been made. This was highlighted in Audit & Governance Committee Report in April 2010.
- 3.4 The Council maintains a separate account for these Charities and files returns with the Charity Commission but otherwise they are, effectively, dormant.
- 3.5 The Charities no longer qualify for registration with the Charity Commission due to their small size and the Charity Commission has referred the Council to Mr Colin Evans, a Trust Transfer expert with Greater Manchester Community Foundation, who works specifically with Local Authorities to help them make their dormant and inactive trusts more effective by transferring them to a local Community Foundation.
- 3.6 Community Foundations then administer and manage local grants that meet need in local areas. This relieves the local authority of the administrative burden of managing and reporting separate small trust funds that struggle to meet their charitable objectives and, by consolidation, provides a more substantial fund to apply the income to local causes. To date £15m in dormant local authority small trusts has been identified and transferred under this scheme.
- 3.7 There is a Community Foundation for Worcestershire. Further information is available at <http://www.worcscf.org.uk> and the Home Page is attached at Appendix 2.
- 3.8 As a result of preliminary discussion with Mr Evans, he has recommended that the Council transfer the funds of the 3 charities to the Worcestershire Community Foundation. It has a track record of working with many groups within the County and in Redditch, who will qualify to benefit from the annual income from the transferred assets.

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DISASTER FUND

- 3.9 A small sum was left to the Council under a legacy to be spent in the event of a disaster affecting Redditch. As long ago as 1081, it was proposed that the sum then in the account would be transferred to a charity but no action was taken.
- 3.10 It is entirely uneconomic to continue to administer this sum and it was suggested at the Audit and Governance Committee that it should be transferred to the Mayor's Charity, which was considered an appropriate Charity to receive it.

4. KEY ISSUES

- 4.1 Appointing new trustees and amending the obsolete objects of these dormant Trusts would be a lengthy process and would still leave the Council responsible for their administration. Individually, they are too small to be effective and even amalgamation of all three would not produce sufficient income to justify the administrative burden on the Council of continuing to manage them and there would be insufficient interest generated annually with which to do anything useful.
- 4.2 Urged by the Charity Commission, many local authorities have already transferred their Trust funds over to their local Community Foundation, to increase their efficiency through grant-making that meets need in the local area.
- 4.3 The Charity Commission has referred the Council to Mr Colin Evans, who works specifically with Local Authorities and who has an established process with the Charity Commission, to transfer their dormant and inactive trusts to a local Community Foundation.
- 4.4 To cover the cost of the process Mr Evans charges local authorities £50 per hour and has advised that there would be 3 – max 5 hours work to close and transfer the 3 RBC small Trusts to the local Community Foundation. This sum may be recoverable from the Charities but if not would be invoiced to the Council on completion of the transfer.
- 4.5 Mr Evans advises that, as it is usual for an Annual Impact Report to be produced by Community Foundations, the Council can receive details of how the assets have been invested and how the income generated has been used to support qualifying purposes.

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5. FINANCIAL IMPLICATIONS

- 5.1 It would be a costly process to appoint new Trustees and amend objects of these small Trusts, as previously proposed particularly considering the size of the Trusts.
- 5.2 The current cost associated with the administration of these dormant Trusts (maintaining bank accounts, producing annual data and notifying to the Charity Commission) will be saved.
- 5.3 The costs of closing and transferring the Trusts can be minimised by appointing Mr Evans of Manchester Community Foundation who has an established relationship and agreed process with the Charity Commission to achieve this aim.

6. LEGAL IMPLICATIONS

The Charity Acts 1993 and 2006

All of these 3 charities qualify as “small charities” within the definition of these Acts and are so small that they no longer need to be registered with the Charity Commission.

7. POLICY IMPLICATIONS

None identified: Administration of these small Charitable Trusts is not a core local government function nor part of the Council’s Service Business Plan.

8. COUNCIL OBJECTIVES

None.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

None.

10. CUSTOMER IMPLICATIONS

None.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

None.

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12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

It is uneconomic for the Council to continue to administer these small funds and the time and resources used do not produce any benefit to the Council.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

None.

14. HUMAN RESOURCES IMPLICATIONS

None.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

None.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

None.

17. HEALTH INEQUALITIES IMPLICATIONS

None.

18. LESSONS LEARNT

These small funds have lain dormant and are an administrative burden on the Council whilst providing no benefit to local residents as the original benefactors intended. There is now a resolution available which will relieve the Council of the administrative responsibility but at the same time ensuring that the funds are put to good use within the local area.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

- 19.1 The Council can contribute positively to the community by releasing the funds from these dormant Trusts to the local Community Foundation.

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19.2 Information about the Community Foundation's "Boost Initiative" to unlock inactive charitable assets to be applied to need in local communities is available at www.boostinitiative.org.uk.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	Yes
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	Yes
Head of Service	Yes
Head of Resources	Yes
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	Yes

21. WARDS AFFECTED

None.

22. APPENDICES

Appendix 1 Details of Charities.

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23. BACKGROUND PAPERS

Charities Act 1993

Charities Act 2006

Audit and Governance Committee 20 April 2010

AUTHOR OF REPORT

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The Charities are as follows:

1. The Stanley Charity, from a Will dated 30 July 1912.
Scheme approved and established by Charity Commission dated 28 May 1970. No: 240755.
Final A/c 08/09 Value £7,118.99

Objects: For the benefit of such poor persons residing in the Town, Urban District of Redditch or parish of Webheath "as are or have been engaged or employed in the needle, fish hooks and fishing tackle industries"

2. John Jordan Skinner Charity from a Will dated 12 July 1902
Scheme approved 16 August 1932. No: 239617.
Final A/c Value 08/09 £725.79

Objects: income to be spent on purchase of coal to be distributed to the poor of Redditch on 10 January each year without distinction of sect"

3. Caroline Swann, from Will proved on 4 May 1909.
Scheme approved 15 March 1910 and 27 March 1936 No: 239616.
Final A/c Value 08/09 £247.42

Objects: generally for the benefit of the poor of the town of Redditch, under one or more of the following headings – 1) subscriptions or donations in aid of funds of any Provident Club or Society established in or near the town for the supply of coal, clothing or other necessities; 2) Contributions towards the provision of Nurses for the sick and infirm; 3) the supply of clothes, linen, bedding, fuel, tools, medical or other aid in sickness, food or other articles in kind.



Overview and Scrutiny Committee

25th August 2010

MINUTES

Present:

Councillor Diane Thomas (Chair), Councillor Anita Clayton (Vice-Chair) and Councillors Peter Anderson, Bill Hartnett, Robin King, William Norton, Brenda Quinney, Mark Shurmer and Graham Vickery

Also Present:

Councillors Andrew Brazier and Derek Taylor.

Officers:

H Bennett, C John, J Pickering, S Skinner, J Staniland and C Wilson

Committee Services Officer:

J Bayley and J Smyth

65. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Kath Banks.

66. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

67. MINUTES

RESOLVED that

the minutes of the meetings of the Committee held on 22nd July and 4th August 2010 be confirmed as correct records and signed by the Chair.

68. ACTIONS LIST

The Committee considered the latest version of the Action List and specific mention was made about the following items:

.....
Chair

Overview and Scrutiny Committee

25th August 2010

a) Portfolio Holder Annual Reports – Action 6

Members were informed that all of the Portfolio Holders had been contacted and advised about the new procedures for the delivery of their Annual Reports before the Committee. It was also noted that dates had already been agreed for four of the six Portfolio Holders' attendances at future meetings.

b) Work Programme – Work experience opportunities for young people in Redditch Task and Finish Exercise – Action 8.3)

Members were informed that Councillor Gandy would be producing the required scoping document for consideration at the 21st September meeting of the Committee.

c) Future of Overview and Scrutiny Conference on 5th October 2010 – Action 9

Members noted that, owing to work commitments, Councillor R King would not be available to attend the conference as first planned. Instead, Councillor Quinney had agreed to attend and report back to the Committee.

RESOLVED that

the report be noted.

69. SCRUTINY OF THE FORWARD PLAN

Members considered whether any items on the Forward Plan, 1st September to 31st December 2010, were suitable for further scrutiny.

The Committee considered that the item on Contractual Arrangements for the Arrow Valley Countryside Centre would be of interest although, it was noted, the contract procurement process had already commenced and bids were being sought. Members were, however, still interested in receiving a report outlining the audit trail, consultation responses and progress to date prior to consideration by the Executive Committee in order to assess whether the contractual arrangements proposed met with the original specifications set by the Executive Committee.

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RESOLVED that

the Arrow Valley Countryside Centre – Contractual Arrangements report be subject to further scrutiny.

70. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

The Committee considered a draft scoping document in relation to the external refurbishment of housing stock in Woodrow. The proposer of the item, Councillor Graham Vickery, reiterated the points as detailed in the scoping document. In particular he expressed concerns that the appearance of the properties in Woodrow might impact on the wellbeing and quality of life of local residents.

Whilst acknowledging that the external décor of some housing stock in Woodrow was not good, Members questioned its choice as an area for external refurbishment as there were a number of residential areas across the town that would benefit from such work.

Councillor Vickery advised that he had chosen Woodrow as he was familiar with the condition of the properties in that location. However, he had no objection if any approved refurbishment scheme was expanded to cover other areas.

RESOLVED that

- 1) a Task and Finish Group be established to review the External Refurbishment of Housing Stock;**
- 2) Councillor Graham Vickery be appointed to Chair the Task and Finish Group;**
- 3) Officers liaise with Members over the appointment of the membership of the Task and Finish Group and the launch of the review.**

71. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee was informed that, subsequent to Councillor Hopkins' appointment to the Executive Committee, Councillor Roger Hill had been nominated to replace her as the Council's representative on the Joint Worcestershire Hub Scrutiny Task and Finish Group.

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Officers advised that the Task and Finish Group had reached a stage where they could draft their initial recommendations at the following meeting on 29th September. In view of this, and to ensure input from Redditch Borough Council Members, it was agreed that the Committee would discuss the content of a written submission at their following meeting on 15th September with a view to making recommendations for the Group's consideration on the 29th September,

RESOLVED that

- 1) Councillor Roger Hill be appointed as the Council's co-opted representative on the Joint Worcestershire Hub Task and Finish Group;**
- 2) the Committee discuss the matter in further detail at the following meeting on 15th September 2010 to produce a written submission for the consideration of the Joint Worcestershire Scrutiny Group on 29th September 2010; and**
- 3) the Committee's Work Programme be amended accordingly.**

72. CLIMATE CHANGE STRATEGY

(Mr Simon Oliver, a consultant on the Strategy, was in attendance and spoke to the Committee at the discretion of the Chair.)

The Committee considered a report which provided detailed information on a proposed Joint Climate Change Strategy for Bromsgrove District Council and Redditch Borough Council and the key issues facing both Councils in relation to reducing its own carbon emissions through best practice and encourage reductions in residents' homes, local businesses and transport. Officers' briefly reported on the aims of the strategy and advised that, whilst the Council had more work to do, it had done demonstrably well with the initiatives put in place to date, particularly in respect of energy consumption which had seen a reduction in carbon emissions of 8% in general terms, with the exception of mileage claims, which had increased by 5%, due in some part, to shared working arrangements with Bromsgrove.

Members made a number of suggestions for the Council to improve its own carbon emissions by reducing mileage claims by:

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- a) utilising public transport whenever possible and practical;
- b) encouraging car sharing, cycling and walking to work;
- c) providing bus passes for Officers travelling on Council business; and
- d) providing pool cars to restrict vehicle use.

Members also discussed actions that could be taken to encourage the wider population of the Borough to address climate change:

- a) promoting loft insulation;
- b) encouraging less wastage of water;
- c) encouraging cycling and walking to work;
- d) working with Bus Companies to provide better public transport systems;
- e) providing more green spaces;
- f) increasing town centre pedestrian areas;
- g) improving waste schemes such as the anaerobic design – an onsite waste treatment process that reduces the amount of waste to be removed and reduces the regularity of collections. This would be a relatively inexpensive system that could be incorporated into Local Plan policies for new developments; and
- h) supporting more renewable energy generation.

Members all agreed that the Council should do everything it could to adopt ambitious targets for the Climate Change Strategy by aiming high and leading by example.

Mr Simon Oliver, one of the Council's consultants on the strategy, advised Members on other initiatives and developments in relation to electric vehicles and their potential for reducing emissions in the future.

Members suggested that the strategy should incorporate an Executive Summary with an introduction preceding the Action Plan and further suggested that Officers might wish to consider producing a Powerpoint presentation to present the strategy on future occasions for ease of reference,

RESOLVED that

the report be noted; and

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RECOMMENDED that

- 1) **subject to noting Members' comments as detailed in the preamble above, the Joint Climate Change Strategy be adopted by the Council; and**
- 2) **the Council adopt highly ambitious targets for the Joint Climate Change Strategy, including a commitment for the installation of anaerobic digesters to be a condition for new build developments in the Redditch Local Plan.**

73. NEIGHBOURHOOD GROUPS TASK AND FINISH GROUP - MONITORING REPORT

The Committee received and noted, without comment, an implementation monitoring report on actions that had been taken and completed to date to implement the Neighbourhood Group Task and Finish Group's recommendations which had been approved in December 2009.

RESOLVED that

the report be noted.

74. DRAINAGE - UPDATE REPORT

The Committee received a report on progress in relation to the monitoring of ditches and other associated land drainage strategies, including an update on recent changes in legislation, some of which were still to be clarified. Members were informed that the Council had obligations to both comply with and enforce legislation and that close working relationships with other land drainage partners had resulted in a number of high profile enforcement actions. A detailed PowerPoint presentation, which illustrated the various points that required consideration, was provided for information with additional oral updates in response to Members' queries.

The potential for residential gardens to expand into open land that might previously have been the locations for drainage ditches was identified as a concern. Officers advised that any such occurrences were liable to be identified as part of the Planning Application consultation processes. Members also discussed potential problems that might arise with regards to ditches that were not in the control of drainage authorities such as those on land under the control of farmers. Members questioned what approach was

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adopted to deal with agencies and other landowners who built over drainage ditches. Officers reported that legislation was in place to deal with such matters with historical issues being more of a problem to resolve than issues resulting from new development.

Members expressed support for improved channel flows and reviewing existing balancing areas to maintain and improve capacity storage. The large number of ponds to be found in Redditch and their associated drainage issues was also highlighted, particularly those in Oakenshaw Woods and Southcrest, to which Officers advised that, while work had been done to alleviate some drainage issues, the outlets were outdated and in poor condition.

The Committee noted that, whilst the legislative changes had been instigated, Commencement Orders, instructions on when and how the new legislation was to be implemented by April 2011, was still awaited which had led to delays. Members were also informed that, whilst new legislation suggests that certain roles could be undertaken at a more local level, the County Council would have overall responsibility and powers to intervene if considered necessary. Officers were looking at a common approach with other Local Drainage Authorities, through the proposed Joint North Worcestershire Land Drainage Partnership, to collaborate on reviewing existing and future drainage implications to keep costs down.

RESOLVED that

the report be noted, and

RECOMMENDED that

- 1) the Council's policies on ditches be initially applied to Arterial Ditches only;**
- 2) the Council consider its position with regard to the implications of the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010; and**
- 3) a report be prepared by Officers, as previously instructed by Members, setting out proposals for a Joint North-Worcestershire Land Drainage Partnership, in accordance with the guidance provided in the documents referred to in recommendation 2 above.**

Overview and Scrutiny Committee

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75. BUDGET SCRUTINY - FEEDBACK FROM MEETING

The Committee was informed that, the Chair and Vice Chair had recently met with relevant Officers to discuss improving the Committee's budget scrutiny processes and in particular, the possibility of implementing the "Scrutiny Café" idea that had won Hertfordshire County Council the top award at the recent annual Scrutiny Awards Ceremony in London. As a result of these discussions, however, it had been agreed that the Hertfordshire model was more of an aspiration that the Committee could look at in more depth in the future.

Officers acknowledged that Members had had limited opportunity in the past to undertake budget scrutiny and were therefore proposing convening two budget scrutiny workshops in October and November (suitable dates to be organised) to which relevant Officers, Portfolio Holders and Scrutiny Members would be invited.

RESOLVED that

- 1) **the proposed budget scrutiny workshops, to be held in October and November and to be attended by relevant Officers and Portfolio Holders, be endorsed; and**
- 2) **the report be noted.**

76. REFERRALS

There were no referrals.

77. WORK PROGRAMME

Members considered the Committee's current Work Programme and noted the following updates:

a) Stratford District Council Visit

Stratford District Council had recently introduced a commissioning body model of Overview and Scrutiny. The Council was aware that Redditch Borough Council operated a similar model of scrutiny and had recently been commended for scrutiny work in the Centre for Public Scrutiny's (CfPS) Good Scrutiny Awards. Representatives from Stratford district had therefore approached Redditch with a request to attend and observe a meeting of the Redditch Overview and Scrutiny Committee in action. They had also asked to interview

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representatives of Redditch Borough about the council's Task and Finish Group process to learn about best practice. It was agreed that Stratford District Council's requests be granted and also that they be asked to provide questions to assist with preparing responses in advance of the meeting.

b) Scrutiny Skills Workshop – Worcestershire County Hall

Members were informed about a training opportunity at County Hall, where a Scrutiny Skills Workshop had been organised for the 5th October from 5.00 to 9.00pm. Officers advised that six places were available for Redditch Councillors interested in attending. It was noted that the newly appointed Overview and Scrutiny Officer, who was due to join Committee Services in September, was hoping to take up the one Scrutiny Officer places.

c) Town Centre Landscape Improvements Report

Members were advised that the Town Centre Landscape Improvements report, scheduled for the Committee's consideration on 21st September 2010, had been postponed until December 2010 / January 2011.

d) Redditch Health Action Plan

Members were advised that the Redditch Health Action Plan, scheduled for consideration on 15th September 2010, had been postponed with a new date to be agreed.

RESOLVED that

- 1) **the Chair, Councillor Thomas, and Councillors Banks and R King meet with the delegates from Stratford District Council to discuss Task and Finish Group processes;**
- 2) **Stratford District Council be asked to provide a list of questions in advance of the meeting to assist with preparation and responses; and**
- 3) **subject to any updates previously agreed during the course of the meeting, the Committee's Work Programme be noted.**

Overview and Scrutiny Committee

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The Meeting commenced at 7.05 pm
and closed at 9.10 pm

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CHAIR

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

29th September 2010

ADVISORY PANELS, WORKING GROUPS, ETC - UPDATE REPORT

Relevant Portfolio Holder	Cllr Michael Braley, Portfolio Holder for Corporate Management
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

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.

2. RECOMMENDATIONS

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> / Vice-Chair: Cllr Hopkins Guy Revans.	Next meeting – 16th November 2010.
2.	Economic Advisory Panel	Chair: <u>Cllr Pearce</u> / Vice-Chair: Cllr Braley John Staniland / Georgina Harris	Next meetings – 28th September / 2nd November 2010.

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3.	Housing Advisory Panel	Chair <u>Cllr B Clayton</u> / Vice-Chair Cllr Quinney Liz Tompkin	Last meeting – 22nd June 2010.
4.	Leisure Contracts Advisory Panel	Chair <u>Cllr Anderson</u> / Vice-Chair Cllr Hopkins Kevin Cook	Last meeting – 16th August 2010
5.	Planning Advisory Panel	Chair <u>Cllr Pearce</u> / Vice-Chair Cllr M Chalk John Staniland / Ruth Bamford	Next meetings – 22nd / 23rd September 2010

B. OTHER MEETINGS

6.	Constitutional Review Working Party	Chair <u>Cllr Gandy</u> / Vice Chair Cllr Braley Steve Skinner	Last meeting – 13th September 2010.
7.	Grants Panel	Chair / Vice Chair Cllr Braley Angie Heighway	Next meeting – to be arranged.
8.	Member Development Steering Group	Chair <u>Brunner</u> / Vice-Chair Cllr Braley Steve Skinner / Trish Buckley	Next meeting – 27th September 2010
9.	Procurement Steering Group	Chair <u>Cllr Braley</u> / Vice-Chair Cllr Hall Sue Hanley	Last meeting – 18th January 2010.

REDDITCH BOROUGH COUNCIL

EXECUTIVE COMMITTEE

29th September 2010

10.	Church Hill District Centre – Members' Panel	Chair <u>Cllr B Clayton</u> Jim Prendergrast	Last meeting - 24th August 2010
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22. APPENDICES

None.

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REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

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ACTION MONITORING

Portfolio Holder(s) / Responsible Officer	Action requested	Status
13th January 2009		
Cllr Gandy / Executive Committee	Third Sector Task and Finish Group 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.	Awaiting further consideration by relevant Members.
27th January 2010		
Cllr Gandy / A Heighway	Single Equalities Scheme Members requested that a report/action plan be submitted to a future meeting of the Committee or Council detailing what the Council, as Community Leader, expected to receive in terms of education provision for the Borough and its children and young people.	
3rd February 2010		
Cllr Braley / T Kristunas	Initial Estimates 2010/11 Officers to write, in the first instance, to Worcestershire County Council highlighting the increasing pressure on the Council's budgets for staff pensions.	

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

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Portfolio Holder(s) / Responsible Officer	Action requested	Status
16th June 2010		
M Braley / T Kristunas	<p>Quarterly Budget Monitoring – Quarter 4</p> <p>Officers undertook to provide:</p> <ol style="list-style-type: none"> 1. Councillor Chance with additional information regarding Item 8 Debit; and 2. all members of the Executive Committee a breakdown of amounts held in specific reserves from public donations. 	
M Braley / H Bennett / J Godwin / T Kristunas	<p>Quarterly Performance Monitoring – Quarter 4</p> <p>Officers undertook to provide:</p> <ol style="list-style-type: none"> 1. Councillor Chance with additional information on the percentage of Council Tax collected by the Authority in the year (BV009) and One Stop Shop: customer satisfaction (WMO 003) 	
8th September 2010		
M Braley / L Tompkin / T Kristunas	<p>Irrecoverable Debts</p> <p>Officers undertook to respond to Councillor Braley as to whether the damage inflicted upon void properties constituted criminal damage.</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 08/09/10

REDDITCH BOROUGH COUNCIL

EXECUTIVE COMMITTEE

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