

# Executive Committee

Tuesday, 14 July 2015

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## MINUTES

### Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair) and Councillors Juliet Brunner, Brandon Clayton, John Fisher, Mark Shurmer, Yvonne Smith and Debbie Taylor

### Also Present:

Councillors Joe Baker, Natalie Brookes and Wanda King (for Minute No. 16).

### Officers:

Jess Bayley, Kevin Dicks, Clare Flanagan, Sue Hanley, Sam Morgan, Dean Piper, Steve Singleton and Amanda de Warr

### Committee Services Officer:

Debbie Parker-Jones

## 11. APOLOGIES

An apology for absence was received from Councillor Pat Witherspoon.

## 12. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 13. LEADER'S ANNOUNCEMENTS

### Agenda running order

As there were market traders present for the Redditch Outdoor Market item it was agreed that the Market report be considered first on the agenda, followed by the additional urgent Combined Authority report, the LGBT Task Group report and then the remainder of the reports as printed in the agenda.

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Chair

## Deferred report – Finance Monitoring Outturn 2014/15

As Members had already been advised by the S151 Officer, a decision had been taken to defer the Finance Monitoring Outturn 2014/15 report at agenda item 10. This was due to the fact that the outturn position would change as a result of the accounts being finalised.

## Additional Papers

Two sets of Additional Papers had been circulated. These contained a report on Devolution and Economic growth – Options for a Combined Authority, and Minute extracts from the 7th July 2015 meeting of the Overview and Scrutiny Committee relating to the LGBT Task Group report, Future Management of Redditch Outdoor Market and Review of the Operation of Leisure Services.

The Combined Authority report, which was not a Key Decision, was an urgent additional item to the published agenda. This had been accepted for consideration as immediate approval was required for the Leader and Chief Executive to enter into discussions on behalf of the Council on a possible combined authority and devolution options, in order for proposals to be considered by the Council at the earliest opportunity. It was noted that Members could resolve on the delegation which was being sought in the report.

## LGBT Task Group – additional comments sheet

An additional comments sheet, which was to form part of the LGBT Task Group's presentation, was also being circulated for Members' attention.

## 9th June 2015 Overview and Scrutiny Committee Recommendation

Members were asked to note that there was one recommendation for consideration at Minute No. 6 (Overview and Scrutiny Recommendation Tracker) of the 9th June 2015 minutes, relating to landscaping data.

## Work Programme

It was noted that the following reports which were due to be considered at the meeting had been deferred to a later date:

- Equal Opportunity Policy;
- Reorganisation and Change Policy;
- Economic Priorities for Redditch; and
- Tower at site of former Methodist Church, Headless Cross.

The Disposal of Matchborough West Community Centre report had been withdrawn as the position with this had changed and the Centre was no longer being considered for disposal.

#### 14. MINUTES

**RESOLVED that**

**the minutes of the meeting of the Executive Committee held on 9th June 2015 be agreed as a correct record and signed by the Chair.**

#### 15. DEVOLUTION AND ECONOMIC GROWTH - OPTIONS FOR A COMBINED AUTHORITY

As detailed under Leader's Announcements, Members received an urgent report for consideration on Devolution and Economic Growth – Options for a Combined Authority. The report, which was not a key Decision, was urgent as the Committee's approval was being sought to delegate authority to the Leader and Chief Executive to enter into discussions on behalf of the Council on a possible combined authority and devolution options, in order for proposals to be considered by the Council at the earliest opportunity.

The report was not seeking a decision as to membership of a Combined Authority at this stage, but simply delegation to allow the relevant parties to enter into discussions on behalf of the Council. A decision on membership would be a matter for full Council to determine at a later stage.

Officers apologised for the lateness of the report and explained that the combined authority agenda was rapidly evolving. Members were advised of the background to the report together with the initial "Asks" (objectives) which the Council might wish to achieve by working with other local authorities through a combined authority. Transport was highlighted a key issue for the town, including devolved control over the Highways Agency and Network Rail capital investment programmes and their surplus local assets.

Discussions needed to be entered into with other local authorities and the Government to establish how the Council's Strategic Purposes might be achieved through membership of one or more combined authorities. A West Midlands Combined Authority and/or a Worcestershire Combined Authority were the potential options being considered which the Council could be part of, with the West Midlands Combined Authority proposal currently being at a more advanced stage.

The West Midlands Combined Authority was working to a very tight timescale, with the aim being for this to be up and running by April 2016. Depending on voting rights, membership of more than one combined authority was permitted and clarification was currently being sought as to exactly when districts would have to make a decision on any membership(s).

Members agreed that it was in the best interests of the town for the Council to have a presence at the discussions, in order to be able to ask questions and ascertain what was on offer for Redditch. It was agreed that the Chief Executive would email Members every couple of weeks to provide them with an update as to the position and any key discussions which had taken place.

### **RESOLVED that**

**authority be delegated to the Leader and Chief Executive to enter into discussions on behalf of the Council on a possible Combined Authority and devolution options so that proposals can be considered by the Council at the earliest opportunity.**

### **16. PROVISION OF SUPPORT NETWORKS FOR THE LGBT COMMUNITY TASK GROUP - FINAL REPORT**

Councillor Joe Baker, Chair of the Provision of Support Networks for the LGBT Community Task Group, provided a presentation on the Task Group's final report. He was accompanied by Councillor Natalie Brookes who also took part in the review.

In addition to the Task Group's report which appeared in the agenda papers, Members also had before them the minute and recommendations of the Overview and Scrutiny Committee's meeting on 7th July 2015, which had been circulated as Additional Papers, together with an additional comments sheet which was tabled by Councillor Baker at the meeting. A display had also been provided by the Task Group as an example of the positive aspects that could be incorporated into any future LGBT History Month.

Councillor Baker gave a detailed presentation to Members on issues faced by the LGBT community, and provided the Task Group's reasoning behind each of the six recommendations contained in the report and the positive results which could be achieved from their implementation. In doing so he expressed thanks to his fellow members of the Task Group for their hard work and support in producing the report, and to members of staff and external parties for their help and assistance during the course of the review.

Councillor Baker went on to highlight the 'Items to Note' as detailed in the report, which related to homophobic Hate Crimes and Incidents and the Morton Stanley Festival.

Having looked into the implications of the recommendations which directly impacted on the Borough Council, Members noted that a minor budget of approximately £200 only would be required for the hire of the 'Room Upstairs' at the Palace Theatre and arranging to have a stand at the Morton Stanley Festival, which Members did not envisage any difficulties with. The fine detail contained within the report in relation to the Borough Council's proposed support, at Recommendation 4, of any groups that were to produce a leaflet advertising the support networks available for the LGBT community in Redditch was noted.

In a response to Member questions/comments, Councillor Baker stated that in his role as County Councillor he hoped to drive forward Recommendation 2. This proposed that Worcestershire County Council take part in the Stonewall Education Equality Index, and also that the County Council encourage schools to take part in the Stonewall School Champions Programme and/or use the Birmingham LGBT Schools Toolkit, the latter of which Councillor Baker advised was free to download. The Chief Executive stated that, from an Officer perspective, the Senior Management Team fully supported these recommendations and were happy to work alongside Members in recommending these to the County Council. It was agreed that the Leader would write to the County Council Leader supporting the recommendations which had gained cross-party support at both Overview and Scrutiny and the Executive.

In relation to Recommendation 3 and the proposal for there to be greater celebration of the positive history of the LGBT community during the annual LGBT History Month, Councillor Baker stated that there was a wide range of skills within the LGBT community and that if he were asked to give any assistance or advice in this regard then he would be more than happy to do so.

The Committee wholeheartedly supported and endorsed the recommendations before them and thanked the Task Group for an excellent report and presentation. Members stated that this was an informative and valuable piece of work, which had provided them with an insight into both the LGBT community and the problems encountered by its members on a daily basis.

## **RESOLVED that**

- 1) Redditch Borough Council should participate in the Stonewall Workplace Equality Index every year (*Recommendation 1*);**

- 2) in the long-term Redditch Borough Council should commit to introducing a budget to support LGBT History Month (*Recommendation 3a*);
- 3) Redditch Borough Council should support any groups that produce a leaflet advertising the support networks available to the LGBT Community by allowing such leaflets to be made available for residents to collect in public venues, such as Redditch Town Hall, and making this information available to view on relevant web pages of the Council's website (*Recommendation 4a*); and
- 4) the specific mental health needs of the LGBT community should be addressed in equalities training provided to frontline Council staff. This should be covered in one of the equalities briefing sessions that the policy team is due to deliver in forthcoming months (*Recommendation 5*); and

RESOLVED to note the following recommendations to partner organisations:

- 1) Worcestershire County Council should take part in the Stonewall Education Equality Index. Worcestershire County Council should also encourage schools to take part in the Stonewall School Champions Programme and/or to use the Birmingham LGBT Schools Toolkit (*Recommendation 2 – recommendation to Worcestershire County Council*);
- 2) there should be a greater celebration of the positive history of the LGBT community during the annual LGBT History Month celebrations with a focus on the specific theme in each given year. This should include holding events at the Palace Theatre (*Recommendation 3 – recommendation to Worcestershire LGBT Hate Crime Forum and LGBT Support Services Redditch*);
- 3) a leaflet advertising the support networks available for the LGBT community in Redditch should be produced (*Recommendation 4 to LGBT Support Services Redditch*); and
- 4) local partners should help to promote the following to members of the LGBT community, including on the Redditch and Bromsgrove Wellbeing website:

- a) **Gay and bisexual men are eligible for free Hepatitis B vaccinations available at the Arrowside Sexual Health clinic.**
- b) **Lesbian and bisexual women are entitled and should be encouraged to attend cervical screening tests. (Recommendation 6 to the Redditch Community Wellbeing Trust).**

## 17. OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the minutes of the meetings of the Overview and Scrutiny Committee held on 9th and 24th June 2015, together with (under Additional Papers) extracts of the minutes of the Overview and Scrutiny Committee's consideration at its meeting on 7th July 2015 of the following reports:

- Provision of Support Networks for the LGBT Community Task Group;
- Future Management of Redditch Outdoor Market – Pre-Scrutiny; and
- Review of the Operation of Leisure Services – Pre-Scrutiny.

### 9th June 2015

As detailed under Leader's Announcements, it was noted that there was one recommendation arising from the 9th June 2015 minutes at Minute No. 6 (Overview and Scrutiny Recommendation Tracker) relating to landscaping data.

### **RESOLVED that**

- 1) **the minutes of the meeting of the Overview and Scrutiny Committee held on 9th June 2015 be received and noted; and**
- 2) **Officers no longer be required to provide landscaping data for each ward on an annual basis to elected Members, as proposed in the fourth recommendation from the Landscaping Task Group in April 2014.**

### 24th June 2015

It was noted that there were no recommendations to consider.

### **RESOLVED that**

**the minutes of the meeting of the Overview and Scrutiny Committee held on 24th June 2015 be received and noted.**

## Minute extracts of 7th July 2015

The minute extracts and recommendations arising from the meeting of the Overview and Scrutiny Committee held on 7th July 2015 were considered along with the relevant agenda items, details of which are recorded as follows:

- Provision of Support Networks for the LGBT Community Task Group – Minute No.16 refers;
- Future Management of Redditch Outdoor Market – Pre-Scrutiny – Minute No.18 refers; and
- Review of the Operation of Leisure Services – Pre-Scrutiny – Minute No.22 refers.

### **18. FUTURE MANAGEMENT OF REDDITCH OUTDOOR MARKET**

The Committee considered a report on the future management of Redditch Outdoor Market. Members also considered with the report the minute and recommendation of the Overview and Scrutiny Committee's meeting on 7th July 2015, which had been circulated as Additional Papers, in relation to the pre-scrutiny of this report.

Officers presented the report, which was seeking authority to undertake a procurement process in order to select an external provider for future management of the market. Whilst the proposal was to seek to appoint an external contractor to manage the market, the management of that contract would still be undertaken by North Worcestershire Economic Development and Regeneration (NWedr) and the contract would be between Redditch Borough Council, Wyre Forest District Council (as host authority for the NWedr Shared Service) and the contractor.

The Portfolio Holder for Planning, Regeneration, Economy and Transport spoke on the process and advised that a briefing meeting had taken place the previous week with market traders. He explained that, following on from recommendations which had been brought forward on the market following a cross-party Overview and Scrutiny Task Group investigation carried out in 2013/14, the aim was to create a more vibrant market and to build/improve upon the current running of the market in order to increase its popularity.

No decisions had been made at this stage as to how the Market would operate in the future, including the number of trading days. This would be dependent on responses received from interested parties as part of the procurement process. Members noted the contents of two letters which had been sent to the Executive Committee from market traders' representatives. The possibility referred to in one of the letters of the market traders running the



market as a co-operative was welcomed by Members as part of the tendering process.

Members considered the three Delivery Options detailed in the report and agreed that Option 3, involving private management and operation of the market, was the preferred option. The operator paying the Council an annual fee during the contract period for the right to operate the market provided a guaranteed income for the Council, and this option should see improved diversity and vibrancy of the market and town centre.

Whilst all Members agreed that it would be in the best interests of the market for this to be managed and operated by an external provider, some Members felt that the public should be consulted in this regard. An amendment was moved to include such consultation. The amendment was not supported as it was noted that public consultation had been carried out as part of the original Overview and Scrutiny investigation, in addition to which the public could also make known their views whilst the process continued over the months ahead.

#### **RESOLVED that**

- 1) authority be given to undertake a procurement process in order to select an external provider in respect of the management of Redditch Outdoor Market for an initial term of 5 years with an option to renew for a further term of between 2 and 5 years;**
- 2) the delegation in relation to the direct management of the market contained in the Collaboration Agreement relating to the provision of Economic Development and Regeneration Services be amended to reflect the decision at 1);**
- 3) the conduct of a procurement and contracting process to select and appoint a contractor to manage Redditch Outdoor Market be delegated to Wyre Forest District Council, in consultation with the Chief Executive and the Portfolio Holder for Planning, Regeneration, Economy and Transport;**
- 4) delegated authority be granted to the Head of Legal, Equalities and Democratic Services to amend the Collaboration Agreement referred to at 2); and**
- 5) the representations/issues and the proposed response of two letters sent to the Executive Committee be noted.**

**19. RISK BASED VERIFICATION**

Members received a report advising on the new approach for verifying Housing Benefit and Council Tax Claims, and were asked to agree for recommendation to full Council the Risk Based Verification Policy.

Officers explained that whilst Risk Based Verification was a voluntary scheme, there was a mandatory requirement for the Council to have a Risk Based Verification Policy. Since the Department for Work and Pensions had adopted a risk based verification approach in 2011 a large proportion of councils were also using this approach, with great success.

Officers saw a number of opportunities with adopting a risk based verification approach, which included reducing waste, reducing demand and the freeing-up of resources to deal with high risk categories with more complex needs.

The IT software which was needed was already contained within the Council's existing IT system and any costs associated with enabling the software, which were expected to be minimal, would be funded through reserves allocated for Council Tax Support and Housing Benefits administration.

**RECOMMENDED that**

**the Risk Based Verification Policy, as appended to the report, be approved.**

**20. FUTURE ARRANGEMENTS FOR WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE AND WORCESTERSHIRE REGULATORY SERVICES**

The Committee received a report which set out proposals for changes to the Worcestershire Shared Services Partnership which were due to come into effect in April 2016, together with changes to the management structure which would be implemented straight away.

It was noted that the recommendations in the report had been amended from those contained in the Worcestershire Regulatory Services (WRS) Report attached at Appendix 1 to the covering report, to reflect the decision of the Joint Committee following consideration of the report in June, and to add a recommendation for the delegation of Council and Executive functions to the new Joint Committee when established.

The Portfolio Holder for Corporate Management spoke on the background to the report, which had included a major Overview and Scrutiny investigation in 2014. Members supported the proposed new arrangements for governance, which involved the dissolution of the existing joint committee, establishment of a new partnership and for future services to Worcestershire County Council to be provided by WRS under a service level agreement.

Officers advised that Bromsgrove District Council was, and would continue to be, the host authority for WRS, with responsibility for employing the staff and providing financial and legal support to the service.

**The Executive Committee noted the contents of the report and it was**

**RECOMMENDED that**

- 1) the current Worcestershire Shared Services Partnership be dissolved by mutual agreement on 31st March 2016;**
- 2) a new Worcestershire Shared Services Partnership comprising of the six district councils be created on 1st April 2016 in accordance with the terms set out in Appendix 2 to the report (as amended); and that the composition of partner authority member representatives on the Joint Committee be reviewed after a period of one year;**
- 3) the new Worcestershire Shared Services Partnership enter into a service level agreement with Worcestershire County Council for the provision of Trading Standards services in accordance with terms to be agreed by the Acting Head of Worcestershire Regulatory Services; and**
- 4) the Council's functions in relation to Environmental Health and Licensing (other than those functions which cannot be delegated) be delegated to the new joint committee in place from 1st April 2016 in accordance with Section 101 of the Local Government Act 1972 and Section 20 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 (as amended); and**

**RESOLVED that**

- 5) those Executive functions in relation to the administration and operational activities of Worcestershire Regulatory Services be delegated to the**

**new joint committee in place from 1st April 2016, in accordance with section 101 of the Local government Act 1972 and Section 20 of the Local Authorities (Arrangements for the Discharge of Functions)(England) Regulations 2000 (as amended).**

**21. FINANCE MONITORING OUTTURN 2014/15**

As detailed under Leader's Announcements, Members had been advised by the S151 Officer the previous week that a decision had been taken to defer the Finance Monitoring Outturn 2014/15 report. This was due to the fact that the outturn position would change as a result of the accounts being finalised.

**RESOLVED that**

**the position be noted.**

**22. REVIEW OF OPERATION OF LEISURE SERVICES**

The Committee considered a report which provided Members with the findings of an externally commissioned options appraisal of potential management options for the delivery of leisure and cultural facilities and services. The report provided Members with an overview/assessment of the options appraisal and identified additional work which might be required. Members also had before them the minute and recommendation of the Overview and Scrutiny Committee's meeting of 7th July 2015, which had been circulated as Additional Papers, in relation to the pre-scrutiny of this report.

Officers presented the report and in doing so tabled the following revised recommendation at 3 (a) to the report:

"Release of balances in 2015/16 of £150,000 to offset the income budget that has been allocated in the Medium Term Financial Plan. This will therefore remove the £150,000 projected savings in 2015/16 (reference 3.9)."

Accompanying this was a statement from the S151 Officer advising that as a result of the financial statements being delayed the outturn monitoring statement had been withdrawn. Whilst the accounts that had been submitted to Grant Thornton detailed a £819,000 underspend to budget, the S151 appreciated that the breakdown of this was not included in the agenda papers. In order therefore to ensure that sufficient funds were available to meet the £150,000 shortfall, the S151 Officer proposed that recommendation 3 (a) of the printed report be revised to state that the £150,000 be released from balances in 2015/16. The balances would then be more than replenished with the underspend for 2014/15 to offset this transfer.

Officers highlighted the key issues of the report, including the various financial implications detailed. The report had followed on from an Overview and Scrutiny Committee Task Group report in 2013 which had reviewed the Abbey Stadium, the findings of which were considered by the Executive Committee in June 2014. In acknowledgement of the Task Group's work and exploration of opportunities to make efficiencies/savings, the Strategic Management Team had directed the Head of Leisure & Cultural Services to commission an external options appraisal. There had been significant delays in the production of the final report, mainly due to collation and production of the financial and service information required to support the appraisal, with the final draft appraisal having been received in January 2015.

Officers emphasized that the options appraisal before Members was not a comprehensive business case, with further work on producing a business case likely to cost an estimated £25,000 to £30,000. There were limitations with the options appraisal and whilst it was the view of Officers that this provided Members with sufficient information on which to make a decision at this stage, there would be a significant amount of further work involved with any model which was chosen.

There had been a regrettable time lapse since the original proposal as Officers had raised a number of questions on the options appraisal. Management had also considered changes which had taken place in the market place since the initial brief and stated that other delivery models were available. There were a number of alternative options which could be considered, including outsourcing part the service and possible opportunities around the establishment of a Local Authority Trading Company. Officers had considered that in the best interest of the Council Members should have a wider understanding of the possible options in view of the fast-moving leisure services market. The health and well-being of the people of Redditch was a vital factor to be considered, and transformation work was currently being carried out at the Council's Sports Centres to gain a greater and more detailed understanding of what it was the Council should be prioritising and focusing delivery upon.

A huge amount of information had also been provided by Officers to the Overview and Scrutiny Committee. Officers confirmed that in response to a query raised by the Overview and Scrutiny Committee, should Members agree that further work was required it was anticipated that the information referred to at paragraph 3.27 of the report could be made available to the Executive Committee within 3 months.

Members felt that it was important to ensure that the best solutions for delivering an improved service were identified, with a good range of options for the people of Redditch needing to be looked at. The revised recommendation put forward by Officers addressed the immediate financial issue.

**Members agreed that further work was required prior to a decision on the future delivery of leisure and cultural services and it was**

**RECOMMENDED that**

- 1) **there be a release of balances in 2015/16 of £150,000 to offset the income budget that has been allocated in the Medium Term Financial Plan. This will therefore remove the £150,000 projected savings in 2015/16 (reference paragraph 3.9 of the report); and**

**RESOLVED that**

- 2) **the transformation work which has commenced be completed to gain a greater user/customer perspective to influence preferred delivery model(s) (reference paragraph 3.26 of the report); and**
- 3) **Officers report back to the Executive Committee at the earliest opportunity with a timescale for delivery of any additional work with any associated costs.**

**23. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.**

There were no additional referrals for the Committee to consider.

**24. ADVISORY PANELS - UPDATE REPORT**

**RESOLVED that**

**the report and update be noted.**

The Meeting commenced at 7.00 pm  
and closed at 9.15 pm

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Chair