

BOROUGH OF TELFORD & WREKIN

Minutes of a meeting of the Borough of Telford & Wrekin held on Thursday, 12 September, 2013 at 6.30 p.m. at The Place, Oakengates, Telford.

PRESENT:

Councillors S. Bentley, K.T. Blundell, F.M. Bould, S.P. Burrell, E.J. Carter, E.A. Clare, D.G. Davies (Speaker), S. Davies, N.A. Dugmore, A.J. Eade, A.R.H. England, N.A.M. England, R.C. Evans, I.T.W. Fletcher, V.A. Fletcher, G.M. Green, K.R. Guy, M.B. Hosken, A.S. Jhawar, A. Lawrence, J. Loveridge, C.N. Mason, A.A. Mackenzie, A.D. McClements, W.A.M. McClements, A.A. Meredith, J.C. Minor, C.P.R. Mollett, L.A. Murray (Mayor), R.A. Overton, F.R. Picken, J. Pinter, G.C.W. Reynolds, S.A.W. Reynolds, H. Rhodes, K.S. Sahota (Leader), R.G. Scammell, J.M. Seymour, R.J. Sloan, C.F. Smith, A.J. Stanton, B.J. Thompson, K.L. Tomlinson, W.L. Tomlinson, C.R. Turley, P.R. Watling and D.R.W. White.

29. MINUTES OF THE COUNCIL

RESOLVED – that the minutes of the Council Meeting held on 11 July 2013, be confirmed and signed by the Mayor.

30. APOLOGIES FOR ABSENCE

Councillors Keith Austin, Clive Elliott, Jayne Greenaway, Tracy Hope, Mike Ion, Terry Kiernan and Malcolm Smith,

31. DECLARATIONS OF INTEREST

Councillors Derek White, Veronica Fletcher and John Minor, as members of the Joint Health Scrutiny Committee, declared an interest in agenda item 14 (i) the motion on 24 hour A & E facilities at the Princess Royal Hospital. Councillor Rae Evans also declared an interest in agenda item 14 (i). The Speaker noted that all four members would not take part in or vote on the debate on this motion.

32 . LEADER'S REPORT & ANNOUNCEMENTS

Councillor Kuldip Sahota. Leader of the council, drew members' attention to a number of significant issues. £50m of budget cuts had already been achieved with a further £22m required. The council faced stark challenges. Every effort would be made to protect front line services but due to the huge scale of cuts this could not be promised.

- Plans for a Solar Farm to generate £5m over 20 years
- House building programme currently undertaking a feasibility study
- T Party and T Live events highly successful with 12,000 people attending
- Street Pastors thanked for their vital support
- 14m invested in Borough roads once Town centre box road completed
- Residents thanked for their patience during the recent significant road repairs in the Borough

- Good news from Denso who were taking on 140 staff
- Business winning council activities continuing

33. MAYOR'S ANNOUNCEMENTS

a) Announcements

Members received the report of Mayoral engagements undertaken since the last meeting of the council on 10 July 2013. The Mayor, Councillor Leon Murray, told the meeting that he was grateful to be serving the Borough and was enjoying his role as Mayor. He drew members' attention to a number of highly successful recent engagements around the Borough. The Mayor paid tribute to the excellent support received from Emma Price, Member Services Officer and told members that he would be holding a Caribbean evening in preference to the traditional Mayor's Ball. He hoped that all members would support his Mayoral events.

b) Corporate Health & Safety Award

The Mayor presented Steve Carter, Duty Officer, Neighbourhood & Leisure services, with a Corporate Health & Safety Award. The award was to recognise Health and Safety improvements resulting from Steve's excellent work in the management of Lifeguard training.

34. PUBLIC QUESTIONS

No valid questions received.

35. SUPPORTING FAIRTRADE IN TELFORD & WREKIN – PROGRESS REPORT

Councillor Gilly Reynolds presented the report of the Managing Director which noted progress over the past year. The report also recommended continued support for the Telford & Wrekin Fairtrade Alliance and the endorsement of the Council's renewed Fairtrade resolution which was set out in the report. The recommendations were seconded by councillor Veronica Fletcher.

Sylvia Ruxton from The Bridges gave a short presentation on the work being done with local schools.

RESOLVED:-

- (i) That the progress achieved over the last 12 months be noted.**
- (ii) That the council continues to support the Telford & Wrekin Fairtrade Alliance and continues to work towards its goals for achieving Fairtrade Borough status.**

- (iii) **Members are asked to endorse the Council's renewed Fair Trade Resolution as set out in section 6.2 of the report**

36. CABINET DECISIONS MADE SINCE THE LAST MEETING OF THE COUNCIL

Members received the report on the Cabinet decisions made since the last meeting of the Council on 10 July 2013.

In response to a question on item 2.1.5 of the report, relating to acquisition of land at Donnington Wood and Snedshill, Councillor Charles Smith, Cabinet Member: Housing, Development & Borough Towns confirmed that full planning permission would be sought for this site.

37. RECOMMENDATION FROM CABINET

- a) Financial Monitoring 2013/14

Councillor Bill McClements, Cabinet Member: Finance & Enterprise, presented the report of the Assistant Director: Finance, Audit & Information Governance which sought approval for changes to the capital programme.

Following a vote it was:

RESOLVED – that changes to the Capital programme shown in section 1 of the report be approved

38. RECOMMENDATIONS FROM BOARDS AND COMMITTEES

- (a) 18 July Council Constitution Committee

Joint Health Overview & Scrutiny Committees

Councillor Charles Smith, Vice- Chairman of Council Constitution Committee, presented the recommendations from the meeting held on 18 July 2013 in relation to revisions to the voting scheme for Co-opted members, procedures to establish future committees and consequent changes to the constitution.

RESOLVED : –

- (i) **To approve the voting Scheme for the Co-opted Members of the Joint HOSC as set out in Appendix 1 and the consequent changes to the Constitution as set out in Appendix 2**
- (ii) **To approve the procedure to establish future Joint Health Overview and Scrutiny Committees as set out in section 5 of this report and the consequent changes to the constitution set out in Appendix 2.**

b) 24 July 2013 Planning Committee

Councillor John Minor, Chairman of Planning Committee, presented the recommendations from the meeting held on 24 July 2013 in relation to reducing the time allocated for speaking at Planning Committee to a maximum of 3 minutes.

RESOLVED - That the scheme for Public Speaking at Planning Committee be amended to reduce the time allocated to each category of speaker to a maximum of 3 minutes

39. UPDATE ON BOROUGH BOUNDARY REVIEW

Councillor Rob Sloan, Chairman of the Boundary Review Committee, presented an update on progress of the review of ward boundaries by the Local Government Boundary Commission (LGBCE). The Commission had published draft proposals which were open to public consultation until 9 September. The council's response to the draft recommendations had been completed and returned to LGBCE.

On the whole, much of the council's initial proposal had been accepted and included in the draft proposals. There were, however, some areas of concern. The council's proposals for a Lawley ward had not been adopted; Councillor Sloan felt that this was a missed opportunity. The council still believed that a Lawley ward was feasible but the creation of such a ward now seemed unlikely as this would require disassembling a large part of the draft proposals.

The other main area of contention had been the proposal for a 2 member Shawbirch ward which would include Admaston and Eyton. The council's response had been strongly opposed to this proposal, favouring an alternative of 2 single member wards for Shawbirch and Admaston and Bratton. The response had also proposed that the Preston area should remain in Church Aston & Lilleshall whilst Eyton should remain in Ercall Magna and not move to Hadley & Leegomery ward.

40 MINUTES OF BOARDS AND COMMITTEES

Council noted the resolved minutes of Boards and Committees:

Budget & Finance Scrutiny Committee	2 July
CYP Scrutiny	6 June
Health & Wellbeing Board	17 July
Planning Committee	3 & 24 July and 14 August
Scrutiny Management Board	12 July
Standards Committee	10 July

41. QUESTIONS

The following Questions were asked in accordance with Council Procedure Rule 10:

1 Councillor Eric Carter asked the following question of Councillor Shaun Davies
Cabinet Member: Neighbourhood Services & Employment and Skills
An article in the Shropshire Star on Wednesday 28 August, quoting Councillor Davies, referred to planned improvements in Dawley. Is this the same Borough town on which the previous Conservative administration delivered a massive regeneration of the High Street, car parks and the proposal to build the new Phoenix school, which is now nearing completion?

Councillor Davies replied that the article related to a report produced by Dawley Town council. In response Councillor Carter asked if Councillor Davies would acknowledge the £8.4m spent by the previous administration on Dawley and why had it taken so long to move towards reopening the market facility?

In response, Councillor Davies said there had been a number of problems with the previous regeneration plan, particularly in relation to parking. With regard to the market, this was not within the remit of the council. This would require Department of Transport support. The MP for Telford had lodged a petition which lobbied for the return of the market to Dawley High street

2 Councillor Andrew Eade asked the following question of Councillor Shaun Davies, Cabinet Member: Neighbourhood Services, Employment & Skills
Was an economic impact assessment done to consider the potential effect on Wellington that the shambolic and disorganised road repairs would have on traders in the town?

In response Councillor Davies noted that research had indicated that for every £1 invested in highways maintenance there was a return of the equivalent of £1.50 to the local economy.

Councillor Eade asked whether compensation would be made available to traders who had lost income during the road repair work. Councillor Davies replied that he understood that it might be possible to apply for business rate relief

3 Councillor Kevin Guy asked the following question of Councillor Bill McClements, Cabinet Member: Finance & Enterprise.

Could the Cabinet member for Finance & Enterprise give us an update on progress to resolve the long running funding issues in Adult Care , resulting from dramatic cuts in continuing healthcare expenditure by the NHS in Telford & Wrekin?

Councillor McClements replied that there had been numerous meetings between the council and the Clinical Commissioning Group (CCG). Council funding had reduced from £13.9m to only £3.8m in 2011. The government was encouraging councils and the NHS to have joint services. There was still a great amount of work to do.

4 Councillor Nigel Dugmore asked the following question of Councillor Charles Smith, Cabinet member for Housing, Development & Borough Town Development. What is Telford & Wrekin council's policy on fracking (shale gas extraction) ?

Councillor Smith replied that he was not aware of any applications or proposals for survey work related to fracking within Telford & Wrekin at the present time. Any company wanting to conduct exploratory drilling in the UK has first to obtain a licence from the Department for Energy and Climate Change. It would also need permits from the Health and Safety Executive and the Environment Agency and would also have to apply for planning permission. The Local Planning Authority would have to consider local issues such as impacts on the landscape and traffic, as well as whether there would be a need for an Environmental Impact Assessment (EIA). If a company considered proceeding with commercial operations it would need to submit further planning applications to allow a permanent operation.

Councillor Dugmore asked whether the full Shaping Places document would contain a Minerals plan? Councillor Smith confirmed that yes it would at the appropriate time.

5 Councillor Nigel Dugmore asked the following question of Councillor Charles Smith, Cabinet member for Housing, Development & Borough Town Development. How many empty dwelling management orders has Telford & Wrekin council issued and implemented since they came in to being in 2004?

Councillor Smith replied that the answer was none. The council adopted a more productive approach by working with people to get properties back in to occupation.

Councillor Dugmore believed that latest figures showed 396 dwellings being empty for 6 months or more and asked if it would not use empty dwelling management orders to bring them back in to occupation?

Councillor Smith replied that teams were working proactively and that the council believed in working with people to resolve these issues.

6 Councillor Stephen

Bentley asked the following question of Councillor Charles Smith, Cabinet member for Housing, Development & Borough Town Development.

Now that this Authority has endorsed the strategy and options contained within Shaping Places how does he intend to ensure that Neighbourhood / Community Plans are to be respected within Shaping Places and ancillary planning documents?

Councillor Smith replied that Neighbourhood Plans were subject to referendum and that the council would be required to take them in to account.

7 Councillor Miles Hosken asked the following question of Councillor Hilda Rhodes, Cabinet Member for Customer Services, Libraries & Transport.

Would the cabinet member agree that the proposal to move a great number of cases from localised magistrates courts to Kidderminster will penalise people living in Telford and Wrekin and its rural areas. Not only by distance but financially. Giving reason to think that this will increase the number of people pleading guilty and also an insidious reason to reduce driving licences. Would she accept that we have reason to object?

Councillor Rhodes replied that consultation on this matter had closed earlier in September and that contested and motorway offences would still be heard locally. She believed that Councillor Hosken should lobby the government with his objections.

28. NOTICES OF MOTION

- a) Councillor Kuldeep Sahota moved, in accordance with Council procedure rule 11, the following motion:

“This Council is committed to campaigning for the retention of a full 24 hour Accident & Emergency Service at the Princess Royal Hospital”.

The motion was seconded by Councillor Richard Overton.

Councillor Sahota noted that Telford was the main population centre in the area, showing strong growth over 20 years and further predicted growth. The area was a housing growth hotspot with the capacity to accommodate further growth. The town of Telford needed a dedicated 24 hour Accident & Emergency unit in order to support the health needs of the Borough.

Councillor Richard Overton told the meeting that communities need hospitals and that the issue had arisen again because hospitals and the health economy were receiving reduced funding. He called for cross party support for the motion.

Councillor Andrew Eade, Leader of the main opposition group, called for a joint campaign to send a clear message that consideration of removing a full Accident & Emergency service was entirely unacceptable. Councillor Shaun Davies believed that all political groups should join to fight any plans to reduce Accident & Emergency cover. A clear message should be sent to the Health Minister telling him that he must intervene in this matter. Councillor Arnold England asked where the evidence was that might suggest retaining two full sites at Telford and Shrewsbury was unsustainable.

A number of other members spoke on the motion, support was unanimous for the motion. Most members believed a cross party concerted campaign should be launched to defend against any reductions to the services in Telford.

RESOLVED – that the motion be approved

- b) Councillor Stephen Bentley moved, in accordance with Council procedure rule 11, the following motion:

“That this Authority welcomes the successful trial of visual and sound recording of full council meetings, and urges members of the community to exercise their right to record and film all other meetings which are open to members of the public”.

The motion was seconded by Councillor Andrew Eade.

Councillor Charles Smith moved the following amendment deleting all words after ‘full council meetings’ and replacing with ‘and subject to the council’s Filming and Transparency policy, the council therefore extends the Visual and Sound Recording policy to all council meetings which are open to the public.’

The amended motion was seconded and duly read:

“That this Authority welcomes the successful trial of visual and sound recording of full council meetings, and subject to the council’s Filming and Transparency policy, the council therefore extends the Visual and Sound Recording policy to all council meetings which are open to the public.”

Following a brief debate the amendment was voted upon and carried, a further debate ensued on the substantive motion which was also voted upon and approved.

RESOLVED – that the motion, as amended, be approved

c) Councillor Stephen Bentley moved, in accordance with Council procedure rule 11, the following motion:

“This Council welcomes the action by the Prime Minister and H. M. Government to introduce laws that tackle the use of the internet for procurement of sexual images involving children and minors”.

The motion was seconded by Councillor Nigel Dugmore

RESOLVED – that the motion be approved

The meeting ended at 8.32 pm

Mayor:

Date:

MAYORAL ENGAGEMENTS
2nd September 2013 – 10th November 2013

September	2nd	M	Official Opening of Bangla Pride at Market Street Oakengates
	4th	M	Freshers' Fair at New College, King Street, Wellington
	5th	M	Charity Dinner at the Dhaka Indian Restaurant, Tan Bank Wellington
	6th	M	Lieutenancy Reception and Dinner at Davenport House, Worfield, Bridgnorth
	7th	M	T Live Concert in QEII Fields, Trust Arena, Telford Town Park
	9th	M	Opening of TSB, Telford Branch, The Border, Telford Town Centre
	10th	M	Opening of TSB, Wellington Branch, Walker Street, Wellington
		M	Wellington Town Council presentation event at Wellington Town Council Offices, Larkin Way, Wellington
	11th	M	Conferment of Awards from the University of Wolverhampton, Wolverhampton Grand Theatre, Lichfield Street, Wolverhampton
		M	Working Together in Telford & Wrekin Event at Oakengates Theatre, The Place, Oakengates
	12th	M	Launch of the new TU Clothing Range at Sainsburys, Telford Bridge Retail Park, Telford
	13th	M	Chancellor's Graduation Dinner, Millennium City Buildings, University of Wolverhampton
	14th	M	Nuneaton & District Junior Swimming League at Wolverhampton Central Baths, Bath Avenue, Wolverhampton
		M	Miss Saigon – Schools Edition – at Oakengates Theatre, The Place, Oakengates

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- 18th** **M** Citizenship Ceremony at The Registry Office, Wellington
- M** Madeley Rest Room Annual Tea Party at Church Street, Madeley
- 19th** **M** Charity Cheque Presentation at Dhaka Restaurant, Tan Bank, Wellington
- 20th** **M** Charity Lunchtime Organ Concert at Wellington Methodist Church, Wellington
- 21st** **M** World Heritage Festival at The Wharfage, Ironbridge
- 22nd** **M** Battle of Britain Service at St Georges Parish Church, St Georges
- 23rd** **M** Apprentice Forum at Oakengates Theatre at The Place, Oakengates
- 27th** **M** McMillan Coffee Mornings at Addenbrooke House, Telford
- M** Macmillan Coffee Morning Event, Foster Carers at Ramada Hotel (formerly Grays), Telford
- M** Craft & Chat Lunch for Macmillan at Wellington Methodist Church, Wellington
- M** Reviive Store Opening at Trench Road, Trench, Telford
- M** Flower Festival Opening at St Mary the Virgin, Jackfield, Telford
- 28th** **M** Wellington Literary Festival Civic Reception at The Studio, Graham Building, Wrekin College, Wellington
- 29th** **M** Parading of the new Oakengates & District RBL Standard at the Salvation Army Citadel, Oakengates, Telford
- October** **1st** **M** Sanctuary Housing Life Skills Event at Hartshorne Court, Dawley

B

- 2nd** **M** Opening of the Institute of Revenues Rating & Valuation (IRRV) Annual Conference & Exhibition at the Telford International Centre, Telford
- M** Hot Shots Award Ceremony at Oakengates Theatre at The Place, Oakengates
- M** Amber Rose O’Sullivan Art Exhibition at The Plough Inn, Shifnal
- 3rd** **M** Institute of Revenues Rating & Valuation (IRRV) Performance Awards Gala Dinner at Ludlow Suite, Telford International Centre, Telford
- 4th** **M** No Panic Conference and 20th Anniversary Gala Dinner at the Park Inn, Telford
- 5th** **M** Wrekin Lions Charter Night at the Whitehouse Hotel, Wellington
- 11th** **M** Fairtrade Trolley Visits to Granville House, St Georges, Donnington and Whitechapel House, Telford
- M** Breast Cancer Awareness Day at Chopping Block, Duke Street, Wellington
- M** High Sheriff of Shropshire Charity Lecture Evening at Enginuity, Coalbrookdale, Ironbridge
- 12th** **M** TADLOP performance of The Wizard of Oz at Oakengates Theatre at The Place, Oakengates
- 14th** **M** Shakespeare Schools Festival at The Gallery Bar, Oakengates Theatre at The Place, Oakengates
- 16th** **M** Black History Month event at the Land Registry Office, Parkside Court, Telford
- DM** Citizenship Ceremony at The Registry Office, Wellington
- 17th** **M** Opening of Telford Employability Skills Solutions at Hazeldine house, Telford

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- 23rd** **M** Black History Month event at NACRO, Bagley Drive, The Brooklands, Wellington, Telford
- 26th** **DM** Rights & Fairness Telford Black History Month Event at Brookside Community Centre, Telford
- DM** Shropshire RBL Festival of Remembrance at The Abbey, Shrewsbury
- 28th** **DM** Special General Meeting of the Community Foundation for Shropshire & Telford at the Shrewsbury Room, Shirehall, Shrewsbury
- 29th** **DM** Relate Annual General Meeting at the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury
- November** **2nd** **M** St George's Church Annual Autumn Fair at St Georges Sports & Social Club, St Georges, Telford
- 4th** **M** Cafe Go New Menu Promotions at Darby House, Telford
- 5th** **M** Opening of Telford & Wrekin Citizens Advice Bureau Office at Tan Bank, Wellington
- 7th** **M** West Midlands Ambulance Service Awards at the Moat House, Stoke-on-Trent
- 9th** **M** Synchronised Swimming Masters Championships at Thomas Telford School, Telford
- M** Diwali Celebrations at Hadley Cultural Centre, off Britannia Way, Hadley, Telford
- 10th** **M** Remembrance Day Parade & Service at Castle Farm Community Centre, Hadley, Telford
- M** Festival of Remembrance, Oakengates Theatre at The Place, Oakengates, Telford

TELFORD & WREKIN COUNCIL

COUNCIL – 21st November 2013

REPORT OF CABINET – FOR INFORMATION ONLY

MATTERS DETERMINED BY THE CABINET

1.0 INTRODUCTION

This report sets out those matters determined by the Cabinet at its meetings on 19th September 2013 and 17th October 2013.

2.0 CABINET BUSINESS

Matters that have been determined by Cabinet are listed below:

2.1 19th September 2013

- 2.1.1 Solar Farm
- 2.1.2 Bringing Empty Properties Back Into Use and Tackling Rogue Landlords
- 2.1.3 Homelessness Strategy
- 2.1.4 Youth Justice Plan
- 2.1.5 West Mercia Adoption Project
- 2.1.6 Building Schools for the Future – Approval to Enter into an Early Works Agreement at Telford Co-operative Academy on the Site of the Oakengates Leisure Centre
- 2.1.7 Designation of a Neighbourhood Plan Area for Ercall Magna
- 2.1.8 Scrap Metal Dealers Act 2013
- 2.1.9 Provision of Community Meals – Frozen Meals Services

2.2 17th October 2013

- 2.2.1 Financial Monitoring 2013/14
- 2.2.2 Development of the Marches Local Enterprise Partnership EU Investment Strategy, Strategic Economic Plan and Growth Deal

3.0 DELEGATION OF POWERS GRANTED BY THE CABINET

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Bringing Empty Properties Back Into Use and Tackling Rogue Landlords	Home Improvement Agency Team Leader	In consultation with the Cabinet Member: Housing, Development & Borough Towns, to serve an Empty Dwelling Management Order, Compulsory Purchase Order and/or instigate an Enforced Sales Procedure.

C

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Homelessness Strategy	<p>Assistant Director: Development, Business & Employment</p> <p>Assistant Director: Development, Business & Employment</p> <p>Assistant Director: Development, Business & Employment</p> <p>Assistant Director: Law, Democracy & Public Protection</p>	<p>In consultation with the Cabinet Member for Housing, Development & Borough Towns that all property related functions relating to homelessness be transferred to the Development, Business & Employment Service area and that delegated powers for making decisions relating to the property currently owned or leased for the purpose of providing temporary accommodation (as shown at Appendix 1 of the report).</p> <p>In consultation with the Cabinet Member: Housing, Development & Borough Towns to enter into, and award, any contracts necessary for the delivery of the Phase 1 works as outlined in the report.</p> <p>For the disposal and acquisition of properties in order to deliver the Homelessness Strategy.</p> <p>To execute all legal documentation necessary to give effect to the resolutions above.</p>
Building Schools For the Future – Approval to Enter Into an Early Works Agreement at Telford Co-Operative Academy on the Site of the Oakengates Leisure Centre	Assistant Director: Education & Parenting	In consultation with the Cabinet Member: Children, Young People & Families, to enter into an Early Works Agreement with Shepherd Construction Ltd on the Telford Co-operative Academy site, prior to signing of the main Design and Build contract, allowing enabling works to be undertaken to provide revenue income from the proposed 3G synthetic pitch and to facilitate the opening of the new school building in September 2015.

C

<p>Scrap Metal Dealers Act 2013</p>	<p>Principal Licensing Officer</p> <p>Principal Licensing Officer</p>	<p>To grant, refuse, vary or revoke licences and to impose licence conditions.</p> <p>Following consultation with the Cabinet Member for Public Health and Public Protection, to establish a policy in respect of determining applications and an appropriate procedure for dealing with representations</p>
<p>Solar Farm</p>	<p>Managing Director</p> <p>Assistant Director: Law, Democracy & Public Protection</p>	<p>In consultation with the Cabinet Member for Finance & Enterprise and the Cabinet Member for Neighbourhood Services, Employment & Skills that subject to planning permission being granted to procure the design, build and operation contract(s) for the solar farm.</p> <p>To execute all legal documentation necessary to give effect to the recommendations contained in the report.</p>
<p>Provision of Community Meals – Frozen Meals Service</p>	<p>Assistant Director: Care & Support</p> <p>Assistant Director: Law, Democracy & Public Protection</p>	<p>In consultation with the Cabinet Member for Adult Social Care to award a contract for a term of three years (with an option to extend for up to a maximum of a further two years subject to satisfactory performance and pricing) for the provision of frozen meals services in accordance with the Council's Constitution and Contract Procedure Rules, such contract being subject to the terms and conditions recommended by the Assistant Director: Law, Democracy & Public Protection.</p> <p>To execute all documentation required to give effect to any agreement reached pursuant to the resolutions above.</p>

C

<p>Development of the Marches Local Enterprise Partnership EU Investment Strategy, Strategic Economic Plan and Growth Deal</p>	<p>Director: Development, Business & Customer Services</p> <p>Director: Development, Business & Customer Services</p>	<p>In consultation with the Cabinet Member: Finance & Enterprise, to undertake all steps to progress development, agreement and submission of the Marches EU Investment Strategy, the Marches Strategic Economic Plan and the Marches Deal.</p> <p>In consultation with the Leader, to take decisions on behalf of the Council at the Marches LEP Board or its advisory and sub-groups, and that in the absence of the Director, this delegation be granted to his designated representative, in consultation with the Cabinet Member: Finance & Enterprise, except where the decisions involves a change in Council policy or variation from the approved Council budget</p>
<p>LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY & DIVERSITY WARD IMPLICATIONS</p>	<p>As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council</p>	

WEST MERCIA YOUTH OFFENDING SERVICE

YOUTH JUSTICE PLAN 2013/14



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1. INTRODUCTION

West Mercia Youth Offending Service was established on the 1st October 2012 and replaced the previous Shropshire, Telford and Wrekin Youth Offending Service and the Worcestershire and Herefordshire Youth Offending Service following a review of how youth justice services were provided across the West Mercia area.

The result of the review, the West Mercia model, is fundamentally more than a simple merger of the two previous services to bring about a single service. The new service is based on a core Youth Offending Service, hosted by West Mercia Probation Trust on behalf of the four Local Authorities, supported by commissioned non-core activities.

The core services are basically court facing services and the assessment, planning interventions, monitoring and review functions, along with victim liaison and support of Community Panel Members. All other services, previously delivered by the Youth Offending Services have been defined as non-core and are subject to a commissioning process. The commissioning process is ongoing and the new delivery arrangements for the non-core activities are due to be identified by October 2013. Until then the non-core activities are being delivered by an interim provider services arm of the West Mercia Youth Offending Service.

The hosting arrangement by the Probation Trust opens the opportunity for developing a flexible and more integrated approach to work with young adult offenders between the two services. The current arbitrary change of agency at 18 coincides with the peak age of offending, and often young people at this transition point are in need of greater support than has been traditionally able to be offered by the Probation Trust.

Although established on 1st October 2012, the service is still in transition from the previous structural arrangements to the single service with moves to new accommodation, implementation of a single ICT system and the adoption of a new and single case management system being progressed into 2013/14. This year, will, therefore be one in which the transition is completed and the benefits from the new arrangement are realised.

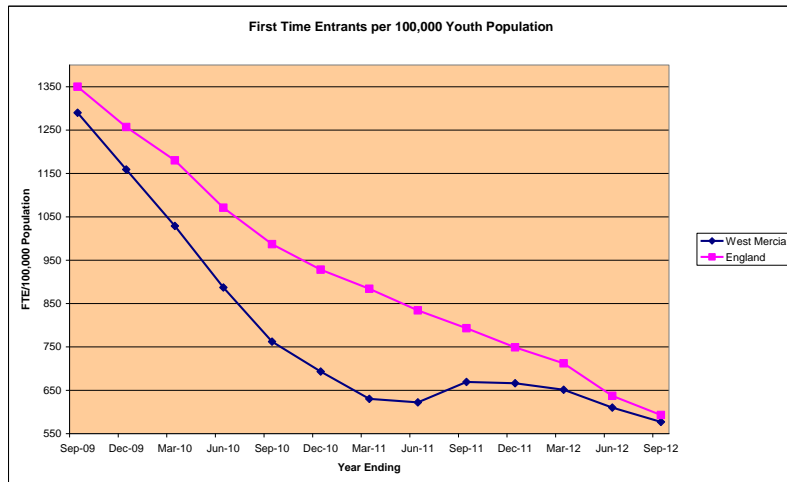
2. PERFORMANCE REVIEW

Youth Justice Partnerships are subject to three national indicators;

- First Time Entrants (FTE) to the Youth Justice System
- Use of Custody
- Re-Offending

1 First Time Entrants to the Youth Justice System (FTEs)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.

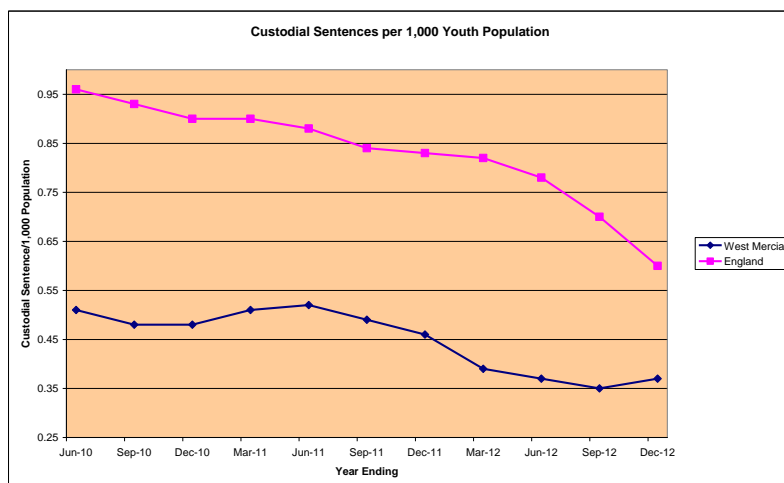


The number of FTEs across West Mercia for the year ending September 2012 was 577, which was lower than for England (593) and compares favourably with the two previous Youth Offending Services YOT family groups (statistical neighbour groups), where the Shropshire, Telford and Wrekin (STW) family group performance was 610 and the Worcestershire and Herefordshire (W&H) family group performance was 580.

The percentage reduction in FTEs in West Mercia over the three year period between the year ending September 2009 and the year ending September 2012 was -55.3% compared to -56.1% for England. The three year reduction for West Mercia compares favourably with the reductions for the two family groups, where the reduction for the STW family group was -52.7% and the W&H family group was -48.7%.

2. Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. West Mercia has, historically, had a low rate of custodial sentences. A lower figure denotes good performance.



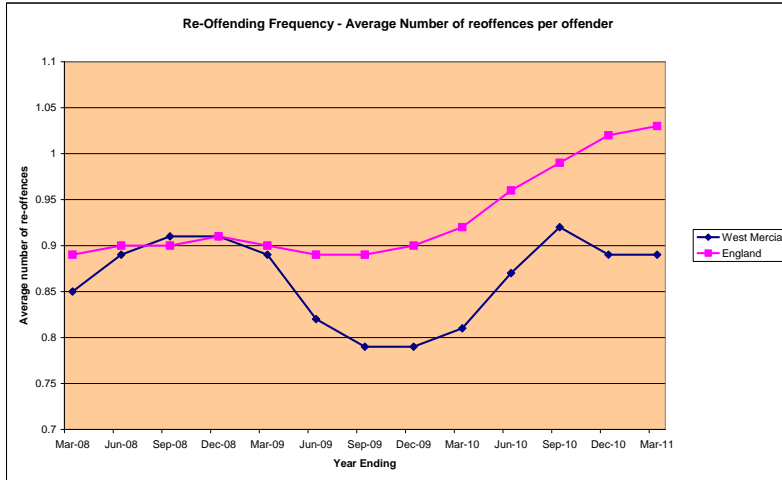
For the year ending December 2012 the use of custody rate for West Mercia was 0.37 against the rate for England of 0.60, West Mercia performance is, therefore significantly better than the national performance and in line with the YOS family groups performance of 0.39 for the STW group and 0.35 for the W&H group.

Over the two year period of the year ending December 2012 and the year ending December 2010 the rate has reduced from 0.48 to 0.37, a reduction of -22.9% compared to a reduction of -20.4% over the same period for both YOS family groups.

The fall in custodial sentences was from 57 in the year ending December 2010 to 43 in the year ending December 2012, a reduction of -24.6%.

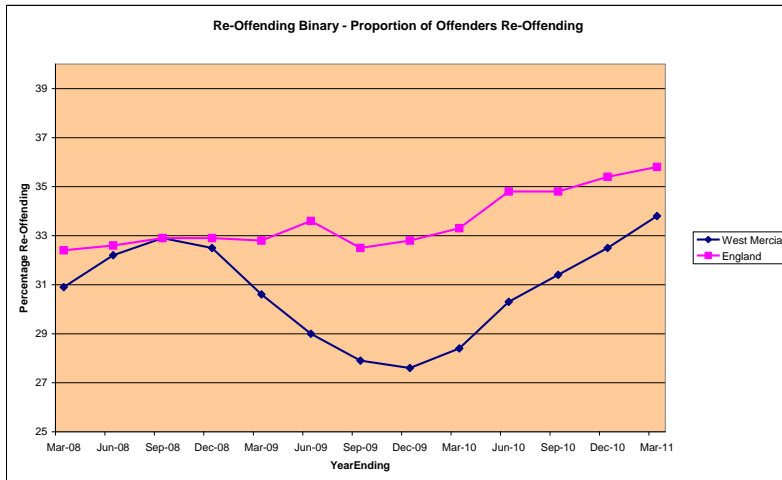
3. Re-Offending

There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011. In both measures a lower figure denotes good performance.



For the year ending March 2011 the frequency measure performance for West Mercia was 0.89, compared to national performance 1.03. The range of performance across YOTs in England for the same period is 0.55 to 1.83. The West Mercia performance compares favourably with the performance of the family groups of the previous services where the STW family group performance is 0.96 and the W&H family group performance is 0.94.

A comparison over the three year period of the year ending March 2008 and the year ending March 2011, shows a small increase in the rate from 0.85 to 0.89 an increase of 4.4%, however the graph shows an increase in the 2011 rate to 0.91 in the year ending Dec 2008 followed by a decrease until the year ending December 2009, then a increase peaking at 0.92 in the year ending September 2010.



The increase in the frequency rate for England over the same period is more significant from 0.89 to 1.03, an increase of 15.7%. The West Mercia increase is also less significant than for the family groups over the same period, with an increase of 11.4% in the STW family group and an 11.9% increase in the W&H family group.

The binary measure performance for the year ending March 2011 for West Mercia is 33.8% compared with national performance of 35.8%. The West Mercia performance for this period is in line with the performance for the family groups of 33.9% for the STW family group and 33.6% for the W&H family group. The range of performance for YOTs across England is 24.2% to 52.2%.

A comparison over the three year period of the year ending March 2008 and the year ending March 2011, shows increase in the rate from 30.9% to 33.8% an increase of 2.9 percentage points. The graph reveals a similar pattern of performance over time as for the frequency measure. An increase over this three year period is reflected both nationally, an increase of 3.4 percentage points, and within the family groups with a 2.8 percentage point increase for the STW family group and a 3.0 percentage point increase for the W&H family group.

It has been recognised by the Youth Justice Board (YJB) that although significant progress, nationally, has been made for reducing first time entrants and reducing custody, the re-offending measure remains an area of concern. There is, currently, little research into the reasons for the decreases in the performance but it is thought that a large part of this may be down to the differences in the characteristics of more recent cohorts to the previous cohorts due to very significant decreases in first time entrants and the development of informal disposals for minor offences.

The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in re-offending performance and look at how YOTs can be supported in addressing reducing re-offending. Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

3. RESOURCES

The Youth Offending Service has a complex budget structure comprising of partner agency cash, seconded staff and in kind contributions and the Youth Justice Grant from the Youth Justice Board for England and Wales. The table below outlines the agreed contributions for 2013/14. The figures in the table are the total contribution, which include cash contributions, the cost of seconded staff and any costed services provided in kind.

Agency	Contribution £
West Mercia Police	361,291
West Mercia Probation Trust	310,115
Worcestershire County Council	799,943
Herefordshire Council ¹	276,150
Telford and Wrekin Council	375,920
Shropshire Council	329,598
Health – Worcestershire	98,060
Health – Herefordshire	38,554
Health – Shropshire and Telford and Wrekin	78,578
Youth Justice Board	1,526,822
Police and Crime Commissioner ²	179,100
Total Youth Offending Service Income	4,374,131
Worcestershire County Council Early Help ³	180,000
Total Income	4,554,131

As part of the YOS review and establishment of the West Mercia service a target was set of achieving an overall saving of 20%, from a 2011/12 baseline, by 2015. The draft budget for 13/14 of £4,374,131 represents a 9% saving from 12/13 and a 16% saving from 11/12 baseline. These figures include the Youth Justice Grant.

Further savings are to be achieved through the commissioning process, to be completed during 13/14 and from non-pay costs, in particular from the rationalising of the use of buildings, with plans for the co-location of YOS teams with other services being progressed early on in 2013/14.

¹ Includes a £19,475 contribution from the reserves account

² Two ring fenced time limited (13/14) grants to provide substance misuse services and for the development of the revised out of court disposal framework

³ Ring fenced grant for the provision of Worcestershire YISP, currently managed by the Youth Offending Service

4. STRUCTURE AND GOVERNANCE

The West Mercia Youth Offending Service comprises five multi-agency service delivery teams, aligned to the Local Authority areas (two teams in Worcestershire) to deliver the core service. The core service has been defined as court facing services including the preparation of pre-sentence reports and remand management, and case management which includes assessment, planning interventions, the management of risk, monitoring and review of intervention plans and where necessary the enforcement of court orders. A central services team supports the service providing data management, quality assurance and commissioning support functions. The co-ordination of Referral Order work, including the recruitment, training and support of Community Panel Members is also a function of the core service as well as the co-ordination of work with victims and the service's engagement with partnerships and other agencies.

There are 60 full time equivalent posts in the core service, and the area based teams include Advanced Case Managers, Case Managers, Assistant Case Managers, Probation Officers, Health Workers, Police Officers, Victim Liaison Officers and Administrators.

Activities that have been previously delivered from within the previous two Youth Offending Services but which do not have to be directly delivered by a YOS have been defined as non-core services. These activities include reparation, intensive supervision and surveillance, bail supervision, programmes and activities, substance misuse interventions, ETE support and parenting interventions. These services are subject to a commissioning process which is due to be completed by October 2013. Until the commissioning process has been concluded these services are being provided by the YOS from an interim provider services team.

The YOS is managed on behalf of the Local Authorities and the YOS partnership by West Mercia Probation Trust. Day to day management of the Head of Service is provided by the Chief Executive of the Probation Trust and the Youth Offending Service is accountable to the YOS Management Board.

The Board is currently chaired by the Director of Children Services for Worcestershire County Council and this is initially for a two year period, until October 2014.

The Membership of the Board at 1st April 2013 is outlined in the table below:

Agency	Representative	Role
Worcestershire County Council	Gail Quinton	Director for Children Services
Shropshire Council	Karen Bradshaw	Director for Children Services
Telford and Wrekin Council	Laura Johnston	Director for Children Services
Herefordshire Council	Jo Davidson	Director for People Services
West Mercia Probation Trust	David Chantler	Chief Executive
West Mercia Police	Gareth Morgan	Assistant Chief Constable
Local Area Team – NHS England	Becki Hipkins	Project Manager

In addition to the members a Youth Justice Board regional representative attends meetings in an advisory capacity

The Board has adopted the following purpose and underlying principles:

Purpose

- To focus collaborative multi-agency effort on work to improve outcomes for Young Offenders by offering an exemplary service, with timely interventions and strong links and partnership across all local services including Children's Services, criminal justice and community safety sectors.
- To set strategic direction for the Youth Offending Service across West Mercia and agree and review local youth justice planning
- To provide support and challenge to the West Mercia YOS on operational performance.

Underpinning Principles

- To demonstrate effective leadership, support and challenge to the West Mercia YOS.
- To ensure that the YOS is compliant with relevant national standards, including Youth Justice Board and local arrangements, and deals with exceptions/risks appropriately
- To ensure available resources are used efficiently to run an effective YOS.
- To ensure that Local Authorities jointly and singly manage the agreement with the host agency (WMPT).
- To provide the necessary governance to effectively steer the delivery of the service

The changes to the health commissioning landscape that were implemented on 1st April 2013 have complicated health representation in the governance arrangements, and it is not feasible for a representative from each commissioning body to sit as a member of the YOS Management Board. To ensure adequate representation the Board has established a health sub-group comprising of health commissioners for each of the local areas. The chair of the group is the Management Board health representative, a manager from a Local Area Team of NHS England, with responsibility for offender health.

NHS England are currently reviewing mental health diversion schemes for both adult and youth offenders and during 2013 will be developing a service specification for schemes to be operationalised during 2014 as part of a cross governmental programme.

For 2013/14 the Board has established a reference group to analyse issues relating to Looked After Children and Care Leavers who are in the Youth Justice System.

The Management Board will ensure that, where relevant, commissioning across partner agencies take account of the needs of young people in or at risk of entering the youth justice system, and where appropriate explore joint commissioning arrangements.

Priorities for 2013/14

The Management Board have agreed five main service priorities with three key areas of focus for each of the priorities for 2013/14.

In setting the priorities for 13/14 the Management Board has ensured that these support three of the four strategic aims of the West Mercia Police and Crime Plan. The YOS will directly contribute to objective 5 of the Police and Crime Plan, to reduce re-offending and bring offenders to account, under which two of the success measures are the YOS First Time Entrant and Re-offending Indicators.

The priorities and key areas of focus are outlined in the table below.

Priority		Key Areas of Focus	
1	Reduce Youth Offending and Protecting Communities from Harm	1a	Looked After Children and Care Leavers
		1b	Diversion
		1c	Restorative Processes
2	Finishing the Job	2a	Commissioning
		2b	Facilities and Enabling Services
		2c	Transitions
3	Get Connected, Stay Connected	3a	Pathways and Protocols
		3b	Information Sharing
		3c	How we become more included
4	Enabling staff to deliver now and into the future	4a	Training Strategy and Plan
		4b	Communication and Engagement
		4c	Management oversight
5	Know the Right Thing	5a	Performance and Quality Assurance Frameworks
		5b	Using intelligence to inform our and others service delivery
		5c	Putting the right policies, procedures and guidance in place

The priorities are outlined in more detail in section 5 of this plan

5. PRIORITIES FOR 2013/14

1 Reduce Youth Offending and Protecting Communities from Harm

The YOS is committed to ensuring that the risks posed by and to young people in the youth justice system are minimised through robust assessment and risk management. The service has adopted new safeguarding and management of risk policies and revised case management guidance is due for implementation in the first quarter of 2013/14. Key areas of focus under this priority for 2013/14 are looked after children and care leavers, diversion and restorative approaches.

1a Looked after children and care leavers

Looked after children (LAC) and care leavers who are in the youth justice system have been identified as a particularly vulnerable subset of both the LAC population and the youth offending population. LAC form a significant proportion of young people on YOS case loads across the West Mercia area teams. There is also a significant proportion of LAC from other Local Authorities who are temporarily placed in Shropshire and in Herefordshire and managed by the YOS. An operational reference group, as a sub-group of the Management Board, is being established in 13/14, comprising of representatives of the social care services and the YOS to analyse the joint issues and develop joint working in relation to LAC and care leavers.

1b Diversion

On the 1st April 2013 a new out of court disposal framework was implemented replacing the previous reprimand and final warning system. A priority will be the establishing the joint decision making process required under the new framework and ensuring the delivery of intervention programmes in support of Youth Cautions and Conditional Cautions. Diversion from custody is another area of focus particularly in respect of remands to the secure estate. The commissioning process will ensure the development of robust and credible community based alternatives to secure remands.

1c Restorative Approaches

The YOS has good reparation services and victim liaison arrangements. Despite this the proportion of victims participating in direct restorative processes remains low. In 13/14 the YOS will develop a new victim and restorative justice strategy,

continue to implement the restorative justice training for Panel Members and staff and develop restorative approaches within the new out of court disposal framework.

2 Finishing the Job

Although West Mercia YOS was established on 1st October 2012, at 1st April 2013 the service is still in transition from the previous YOS arrangements across West Mercia to the single service. In order to complete the transition the three key areas of focus identified are commissioning, facilities and enabling services and transitions.

2a Commissioning

The evaluation of specifications and service re-design stages of the commissioning process for non-core activities will be completed in the first two quarters of 13/14, with implementation of any new arrangements for service delivery completed by the end of the year.

2b Facilities and Enabling Services

There are three main outstanding areas of implementation under this area of focus to be progressed in 13/14, firstly accommodation moves from current premises into co-location arrangements with other services, secondly implementing a single ICT system for West Mercia YOS and thirdly merging the two case management system data sets and upgrading the case management system.

2c Transitions

West Mercia Probation Trust hosting the YOS provides an opportunity to develop a flexible and more integrated approach to work with young adult offenders between the two services. In 13/14, working with YSS, a third sector organisation who have been managing a Barrow Cadbury Trust funded T2A (Transition to Adulthood) project in West Mercia, and the Probation Trust a plan for more integrated working across the 15 to 20 year age group will be developed.

3. Get Connected, Stay Connected

One of the aims of the service review was to ensure that there is greater integrated working between the YOS and other children and family services with the shared aim of improving outcomes for young people in the youth justice system. Key areas of focus for this priority in 13/14 are pathways and protocols, information sharing and how the YOS becomes more included.

3a Pathways and Protocols

In 13/14 defined pathways will be agreed for young offenders to obtain timely and appropriate services with key agencies. These pathways will be underpinned by joint protocols.

3b Information Sharing

Ensuring that relevant information is shared between agencies is essential for undertaking accurate assessments, managing risk and ensuring that young people receive the right services. In 13/14 the information sharing agreements with key agencies will be reviewed. The first agreement to be reviewed will be with West Mercia Police in relation to the information exchanges required for the new out of court disposal joint decision arrangements.

3c How we become more included

Promoting greater integrated and joint working between the YOS and other services is a key area of focus. Initially in 13/14 this will be focused, in particular, on the work to be undertaken on joint issues with LAC and care leavers and also in ensuring linkages with the Troubled Families and Early Help developments in each of the Local Authorities.

4. Enabling staff to deliver now and into the future

This priority is concerned with ensuring that staff have the right training, knowledge and support to deliver quality services for children and young people. Key areas for focus for 13/14 are training, communication and engagement and management oversight.

4a Training Strategy and Plan

During the re-structuring that took place during quarters 3 and 4 of 2012/13, some staff changed roles, and a priority for 13/14 is to develop a service training strategy and plan, and to bring together the two previous service's training records into a single database.

4b Communication and Engagement

In 13/14 the service will put in place a staff communication and engagement strategy to ensure that staff are regularly provided with information they need to undertake their work and ensure their involvement in developing the service.

4c Management Oversight

As part of the planning for inspections the service will define those activities where management oversight is required, and how that management oversight is achieved, ensuring this is consistent across the service.

5. Know the Right Thing

Knowing the right thing is about ensuring that the YOS, the Management Board and other agencies have the information required to develop services and improve the outcomes for children and young people in the youth justice system and those at risk of entering the youth justice system.

5a Performance and Quality Assurance Frameworks

The service will, in 13/14 develop a performance framework which will measure outcomes and outputs that are identified as priorities across West Mercia, in addition to the national indicators. A single quality assurance framework will be developed to ensure consistency across the service, and drive improvements in service delivery.

5b Using intelligence to inform ours and others service delivery

A priority for 13/14 will be trying to understand what is driving the downward trend in the re-offending performance and planning to improve this area of performance and improving the outcomes for young people in the youth justice system.

5c Putting the right policies, procedures and guidance in place

In the first two quarters of 13/14 there will be a systematic review of YOS policies and procedures to ensure that these reflect the revised national standards, recent legislation and policy changes and are consistent across the service.

6. ACTION PLAN

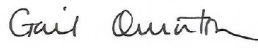
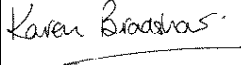



Action	Key Priority & Area of Focus	Owner	Timescale
Establishment of and agreement of work plan for the LAC and Care Leavers operational reference group	1a & 3c	HS	Q1
Develop of OoCD framework which addresses needs of young people and their families	1b	TM (T)	Q1
Agreeing data sharing arrangements with early help services to enable FTE monitoring	1b & 5b	CM/TM (PS)	Q3
Agree pathways into services to support young people subject to the OoCD framework	1b & 3a	CM/TM (PS)	Q3
Development of a YOS RJ Strategy and Plan	1c	TM (H)	Q2
Agreeing process of victim liaison at the pre-court stage of the YJS	1c & 1b	TM (H)	Q1
Complete the evaluation and services redesign stages of the commissioning process for non core activities	2a	CM	Q1 & Q2
Implementation of commissioning process decisions	2a	CM	Q3 & Q4
Movement of Shropshire and Telford Teams to new accommodation arrangements	2b	CM	Q1
Agree accommodation arrangements for Worcestershire Teams	2b	CM	Q1
Agree co-location arrangements for Herefordshire Team	2b	CM	Q2
Agreement and implementation of ICT hosting arrangements for WM YOS	2b	CM/HS	Q1 & Q2
Implementation of ChildView Youth Justice (Case Management System)	2b	CM/HS	Q3
Agreeing plan for transition to adulthood arrangements	2c	HS	Q2
Review and revise pathways into universal and targeted services	3a	CM/TM (S)	Q3
Underpin pathways into universal and targeted services with joint protocols	3a	CM/TM (S)	Q3
Review process of receiving victim details	3b & 1c	CM (H)	Q2
Putting an information sharing agreement in place with WMP in respect of the OoCD framework	3b & 1b	HS	Q1
Review of how governance structure can include other key stakeholders	3c	HS	Q4
Ensure links between local teams and the authorities troubled families programmes	3c	CM	Q4
Development of training strategy and plan	4a	CM/HS	Q2

Action	Key Priority & Area of Focus	Owner	Timescale
Training to be commissioned on intervention planning to include sequencing and inclusion of protective factors	4a	HS	Q2
Training to be commissioned for risk assessment and planning	4a	HS	Q2
Audit of staff understanding and training in safeguarding and addressing deficits	4a	TM (SW)	Q2
Complete the RJ training for staff and volunteers	4a	CM	Q1 & Q2
Development of a service wide RJ/Victims service development group	4b & 1c	TM (H)	Q2
Implementation of regular auditing of Assets and timeliness of reviews	4c & 5a	HS	Q1
Implementation of detailed risk management guidance	4c & 5c	TM (NW)/TM (T)	Q2
Implementation of regular auditing of risk assessment and risk plan	4c & 5c	CM	Q2
Develop and agree a performance framework	5a	CM	Q2
Develop and agree a quality assurance framework	5a	CM	Q2
Monitor completion and results of young peoples feedback	5a & 5b	HS	Q2
Develop QA process for MAPPA L1 meetings	5a	CM	Q2
Agree a tool and process for evaluating programmes of intervention	5a	CM	Q3
Identify data schedule and develop mechanisms to share key information with stakeholders	5b	HS/CM	Q3
Undertake analysis into the characteristics of the re-offending cohort	5b	TM (T)	Q1
Review and revise remand management guidance	5c	HS	Q2
Review and revise current DY0 processes	5c	TM (T)/TM (H)	Q1
Implement revised case management guidance	5c	TM (T)/TM (NW)	Q1
Develop of recording guidance to support implementation of ChildView YJ and ensure outcome data is recorded	5b & 4b	CM	Q3

Key to owners:

HS	Head of Service
CM	Commissioning, Performance and QA Manager
TM (H)	Team Manager, Herefordshire
TM (S)	Team Manager, Shropshire
TM (T)	Team Manager, Telford
TM (NW)	Team Manager, North Worcs
TM (SW)	Team Manager, South Worcs
TM (PS)	Team Manager, Provider Services

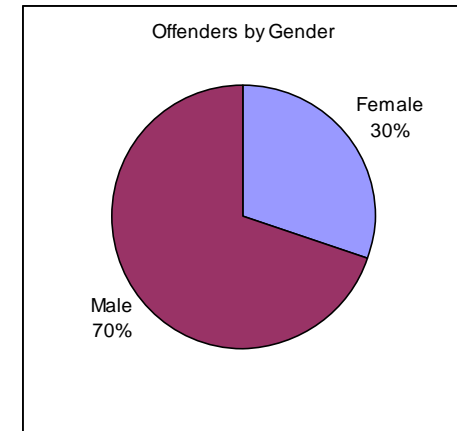
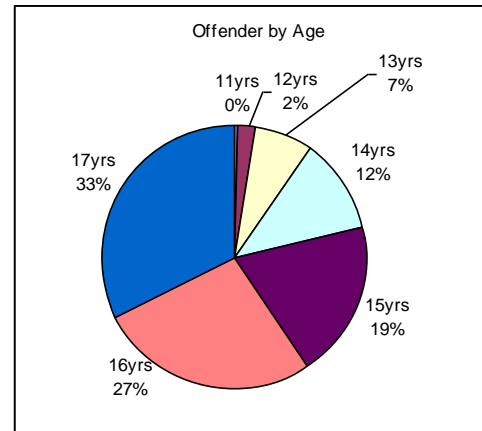
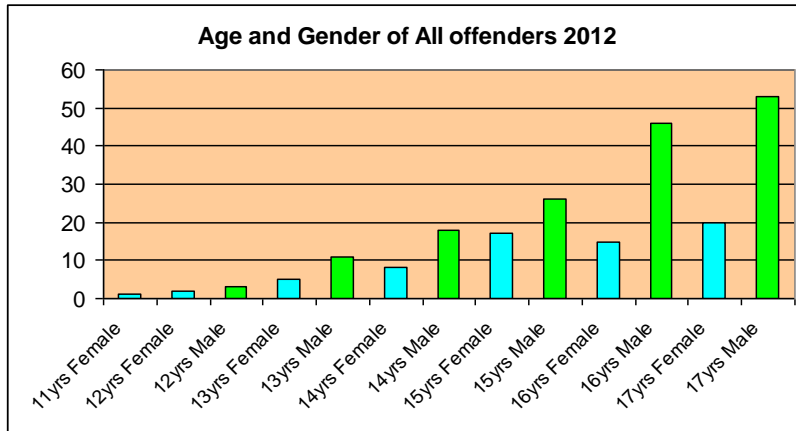
7 MANAGEMENT BOARD APPROVAL

Agency	Agency	Signature	Date
Gail Quinton	Worcestershire County Council		01.05.13
Karen Bradshaw	Shropshire Council		01.05.13
Laura Johnston	Telford and Wrekin Council		01.05.13
Jo Davidson	Herefordshire Council		01.05.13
David Chantler	West Mercia Probation Trust		01.05.13
Gareth Morgan	West Mercia Police		01.05.13
Becki Hipkins	NHS England		01.05.13

APPENDIX 1 - AREA PROFILE – HEREFORDSHIRE

Youth Offending Population – all Young People

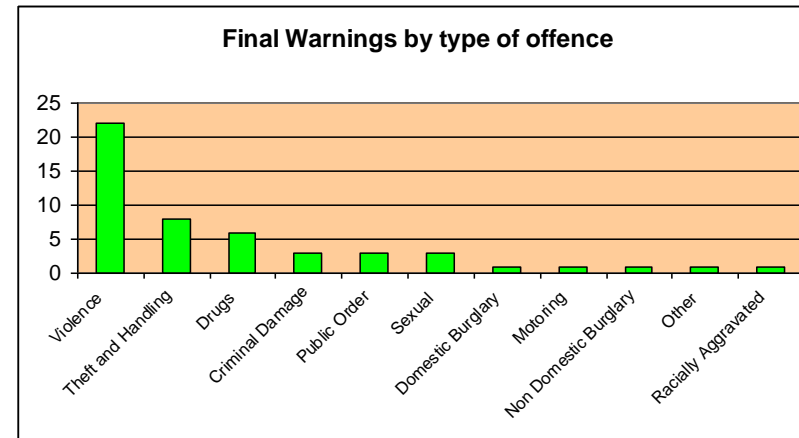
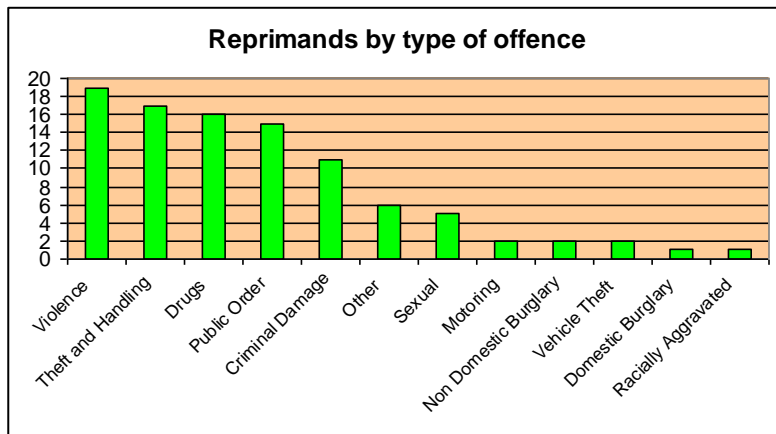
There are 17,224 young people aged 10 to 17 in Herefordshire. In 2012 there were 275 youth justice sanctions (reprimands, final warnings or convictions) made on Herefordshire young people. A total of 225 individual young people accounted for these 275 outcomes, 1.3% of the youth population.



Of the 225 young people entering or in the youth justice system in 2012, 70% were male. The majority, 79%, were aged 15 to 17 years. The peak age of offending for both young males and females was 17 years.

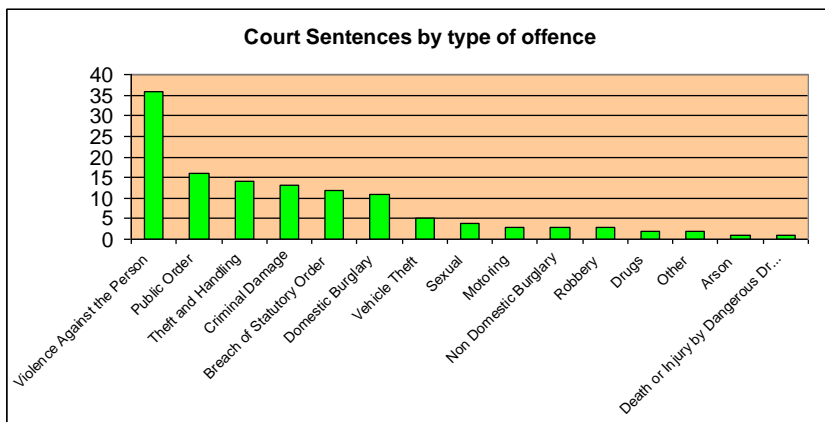
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 127 pre-court disposals made on Herefordshire young people, 97 of these were Reprimands and 50 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 24 (48%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 20%, followed by theft and handling, 18%, drug offences, 16%, public order offences, 15% and criminal damage 11%. These five offence categories accounting for 80% of the reprimands but also 84% of all final warnings. Violence against the person accounted for 44% of all Final Warnings.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 99 Herefordshire young people accounted for 126 court outcomes. Orders requiring YOS interventions (Referral Orders, YROs and Custodial sentences) accounted for 89 of the 126 court outcomes.

The majority, 71% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for a third (33%) of young people receiving a court sentence.

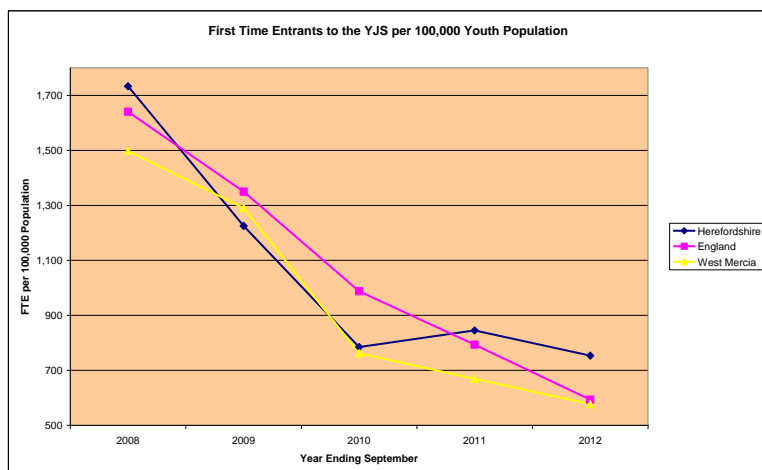
The most frequently occurring primary offence for court sentences was violence against the person, accounting for 29% of all outcomes. Public order offences was the next frequently occurring offences, 13%,

followed by theft and handling, 11% and criminal damage 10%. These four categories of offences accounted for 63% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction).



In the year ending September 2012 there were 753 first time entrants per 100,000 youth population in Herefordshire, representing a reduction of -56.6% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

At 753 Herefordshire has the highest rate of FTEs across West Mercia, the next highest rate being 554. The reason for the higher rate is currently unknown and will be investigated during 13/14.

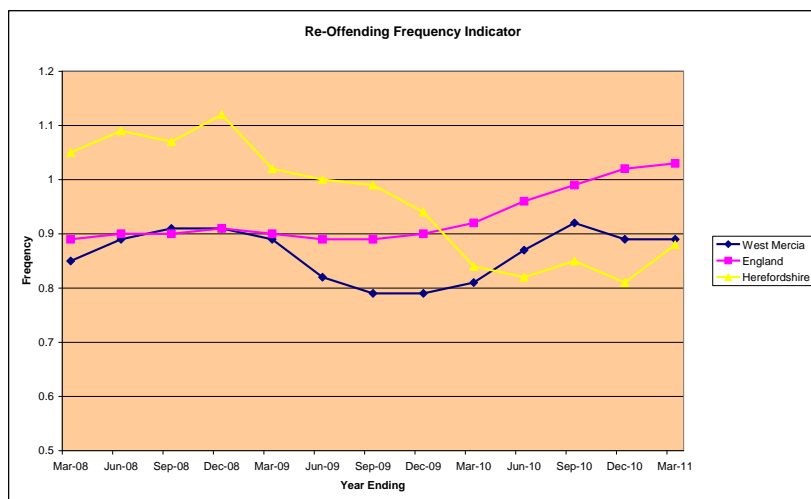
(ii) Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. Herefordshire has, historically, had a low rate of custodial sentences.

There were 7 custodial sentences during 2012, equating to a rate of 0.4 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 5.5% of all court outcomes in Herefordshire, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending

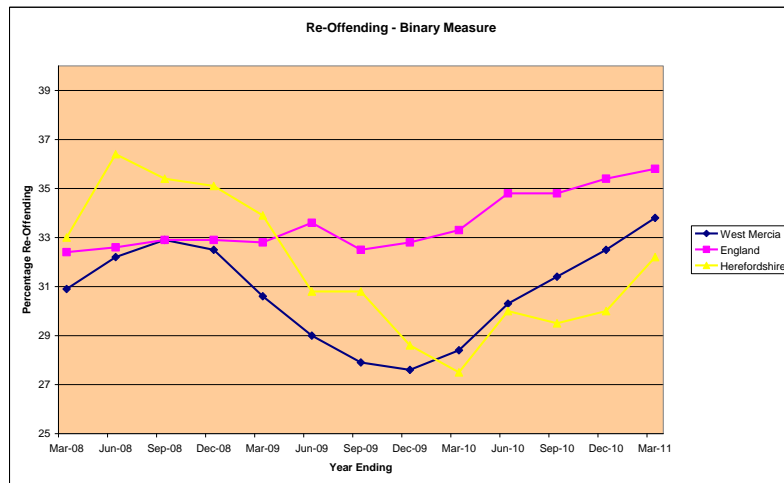
There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.



The frequency measure performance for Herefordshire for the year ending March 2011 is 0.88, compared to the West Mercia performance of 0.89 and national performance of 1.03. Herefordshire is, therefore, performing slightly better than for West Mercia and significantly better than the national performance. Herefordshire is showing improved performance for the year ending March 2011 from the year ending March 2008 of a reduction of -16.1%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.

For the year ending March 2011 the binary measure for Herefordshire is 32.2% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Herefordshire is showing a slight improvement in performance from 33.0% to 32.2%, a reduction of 0.8 percentage points or a reduction of -

2.4%, whereas West Mercia and England are both showing an increase over the same period. It should be noted, however, that although Herefordshire is showing better performance than both West Mercia and England, the binary measure percentage has been increasing since the year ending March 2010.



The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Herefordshire % in ETE	West Mercia % in ETE
Young People of School Age	89%	83%
Young People above School Age	56%	62%
Overall Performance	72%	70%

The performance for Herefordshire for school age young people is better than for West Mercia, but slightly worse for young people above school age. Figures for the first 3 quarters of 2012/13 show worsening performance. Education, training and employment has been adopted as an local performance indicator and is due to be a focus of

scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

It should be noted that those young people of school age not in full time education (11%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

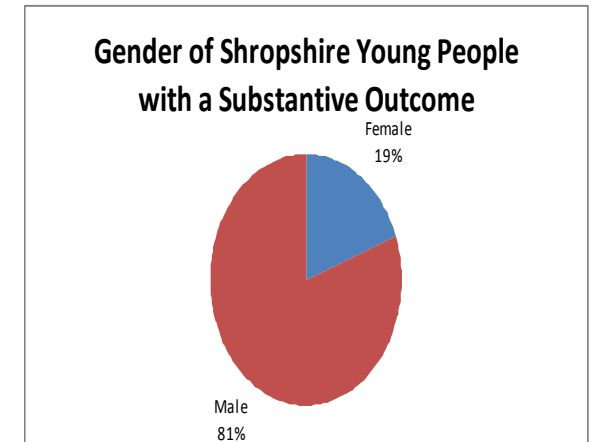
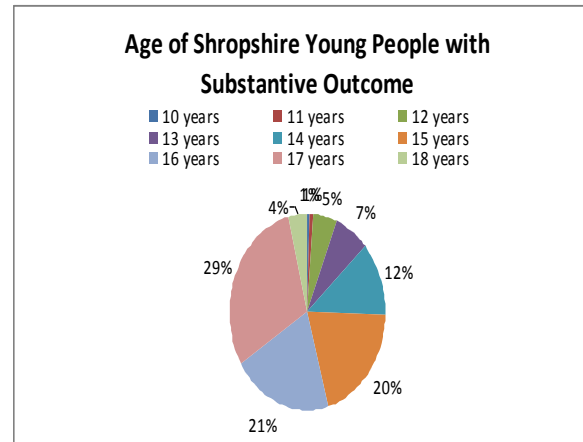
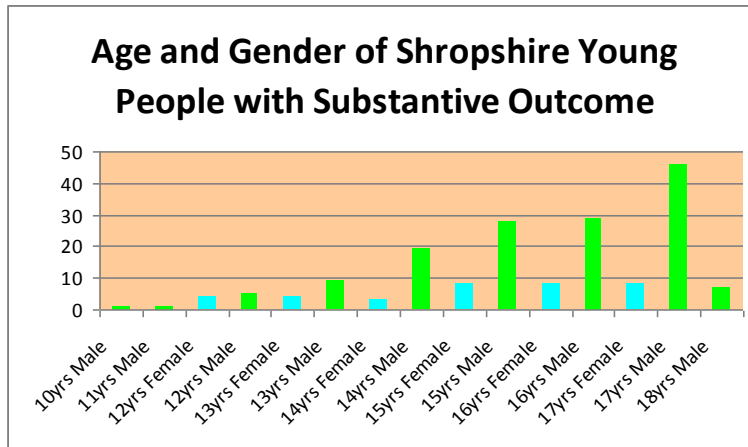
On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the Herefordshire YOS Team, 26.7% were looked after children. At this point in time 15% of the case load were LAC from other areas temporarily placed in Herefordshire. The proportion of Herefordshire LAC aged 10 to 17 who were under the supervision of the YOS at this time was 6.9%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

APPENDIX 2 - AREA PROFILE – SHROPSHIRE

Youth Offending Population – all Young People

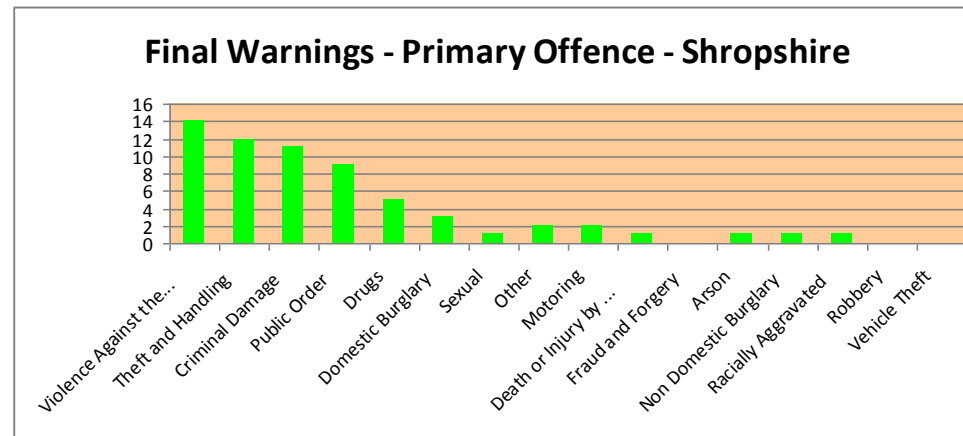
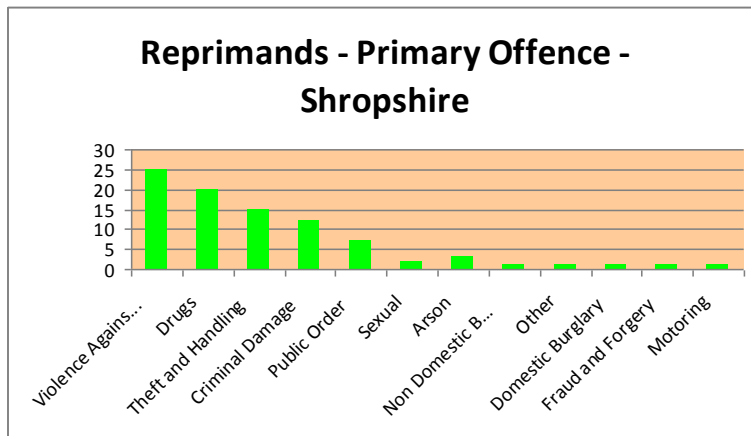
There are 29,933 young people aged 10 to 17 in Shropshire. In 2012 there were 236 youth justice sanctions (reprimands, final warnings or convictions) made on Shropshire young people. A total of 180 individual young people accounted for these 236 outcomes, 0.78% of the youth population.



Of the 180 young people entering or in the youth justice system in 2012, 81% were male. The majority, 70%, were aged 15 to 17 years. The peak age of offending for young males was 17 years and females 16 years.

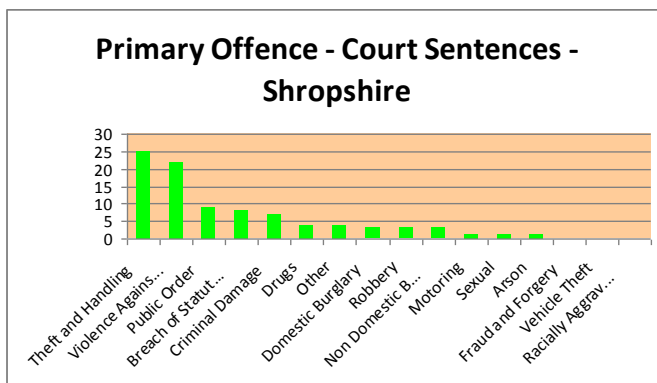
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 152 pre-court disposals made on Shropshire young people, 89 of these were Reprimands and 63 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 14 (22%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 28%, followed drug offences, 22%, theft and handling, 17%, criminal damage, 14% and public order offences 8%. These five offence categories accounting for 89% of the reprimands and also 51% of all final warnings. Violence against the person accounted for 22% of all Final Warnings.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 57 young people in Shropshire accounted for 91 court outcomes. Orders requiring YOS interventions (Reparation Orders, Referral Orders, YROs and Custodial sentences) accounted for 70 of the 91 court outcomes.

The majority, 80% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for just under half (46%) of young people receiving a court sentence.

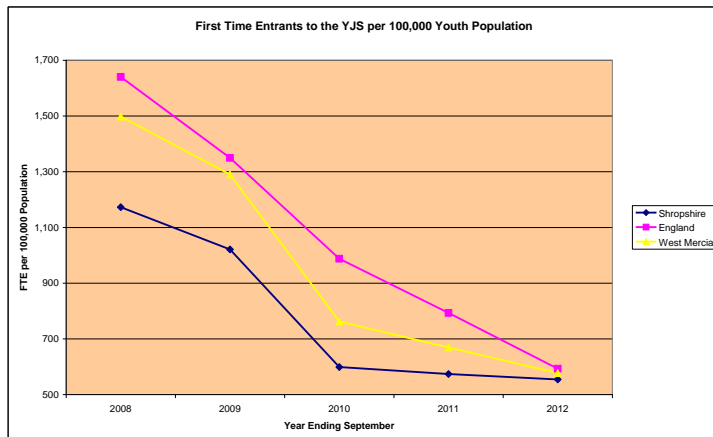
The most frequently occurring primary offence for court sentences was theft and handling, accounting for 28% of all outcomes. violence against the person were the next frequently occurring offences, 24%, followed by public order offences,

10%, breach of a statutory order, 9% and criminal damage 8%. These five categories of offences accounted for 79% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants (FTE)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.



In the year ending September 2012 there were 554 first time entrants per 100,000 youth population in Shropshire, representing a reduction of -52.8% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

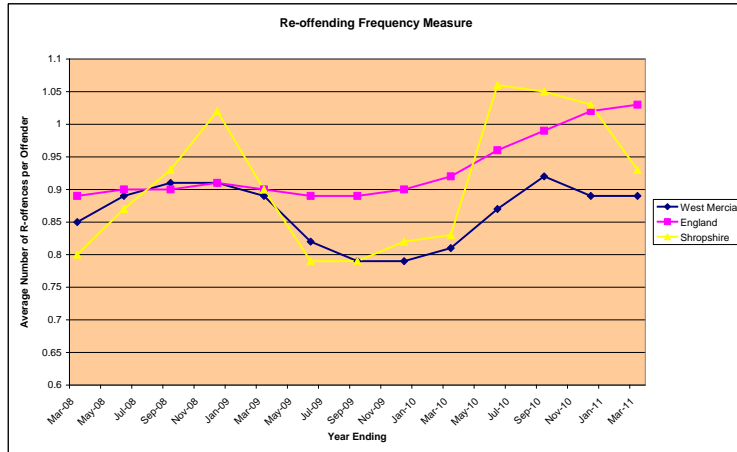
The FTE rate for Shropshire of 554 is better than for West Mercia, 577 and for England at 593.

(ii) Use of Custody

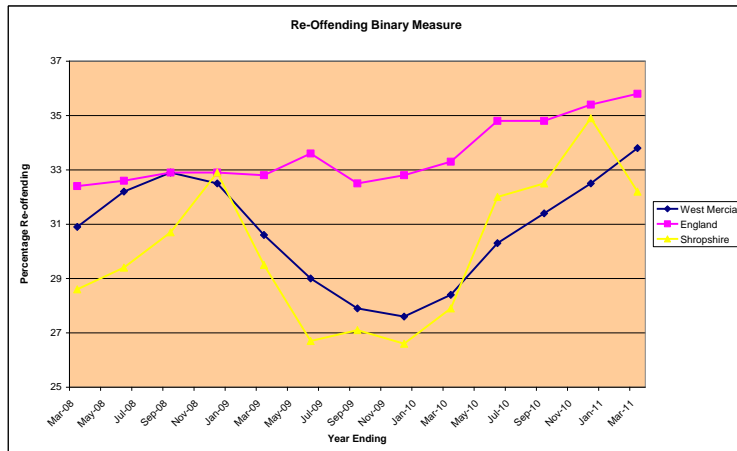
The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. A lower figure denotes good performance. Shropshire has, historically, had a low rate of custodial sentences.

There were 7 custodial sentences during 2012, equating to a rate of 0.23 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 7.2% of all court outcomes in Shropshire, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending



There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.



The frequency measure performance for Shropshire for the year ending March 2011 is 0.93, compared to the West Mercia performance of 0.89 and national performance of 1.03. Shropshire is, therefore, performing slightly worse than for West Mercia but significantly better the national performance. Shropshire is showing slight decrease in performance for the year ending March 2011 from the year ending March 2008 of a increase in the frequency rate of 16.2%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.

For the year ending March 2011 the binary measure for Shropshire is 32.2% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Shropshire is showing a slight decrease in performance from 28.6% to 32.2%, an increase of 3.6 percentage points. West Mercia and England are both showing an increase over the same period of 2.9 percentage points for West Mercia and 3.4 percentage points for England. The performance trend in Shropshire follows the general trend nationally and for West Mercia over the period 2008 to 2011.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Shropshire % in ETE	West Mercia % in ETE
Young People of School Age	87%	83%
Young People above School Age	71%	62%
Overall Performance	77%	70%

The performance for Shropshire for all young people is better than for West Mercia. Figures for the first 3 quarters of 2012/13 show worsening performance. Education, training and employment has been adopted as a local performance indicator and is due to be a focus of scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

It should be noted that those young people of school age not in full time education (13%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

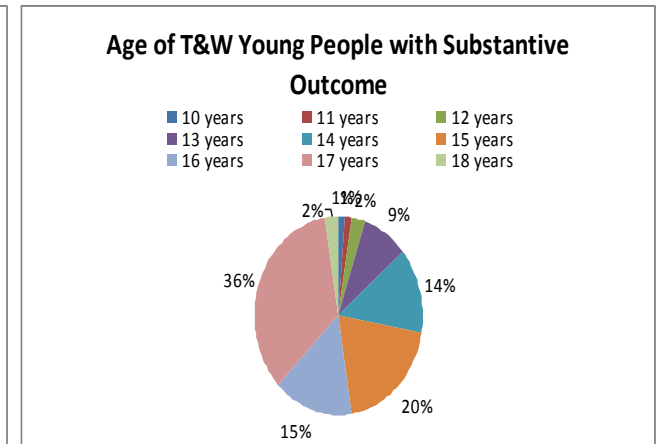
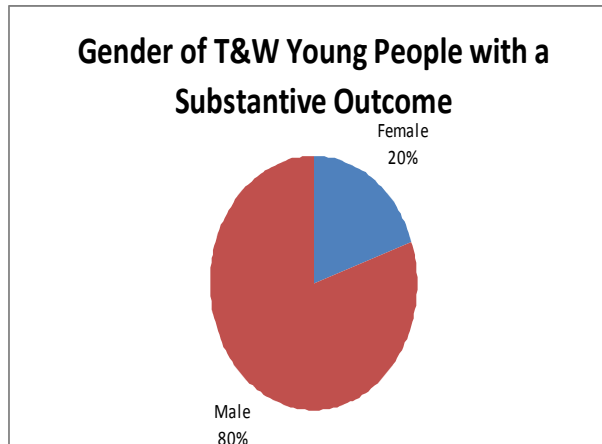
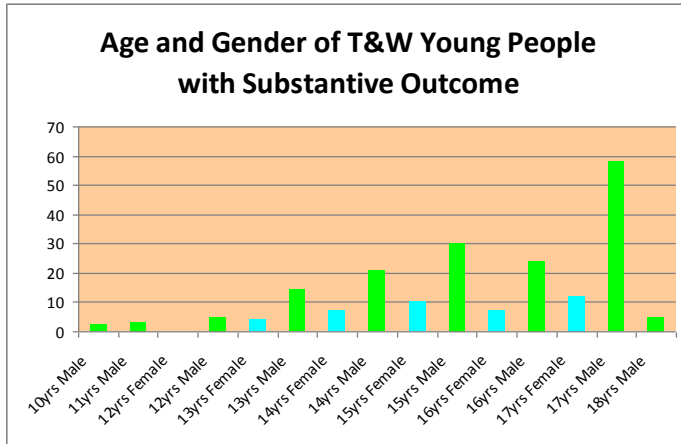
On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the YOS Team in Shropshire, 50.3% were looked after children. At this point in time 23.3% of the case load were LAC from other areas temporarily placed in Shropshire. The proportion of Shropshire LAC aged 10 to 17 who were under the supervision of the YOS at this time was 15.2%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

APPENDIX 3 - AREA PROFILE – TELFORD AND WREKIN

Youth Offending Population – all Young People

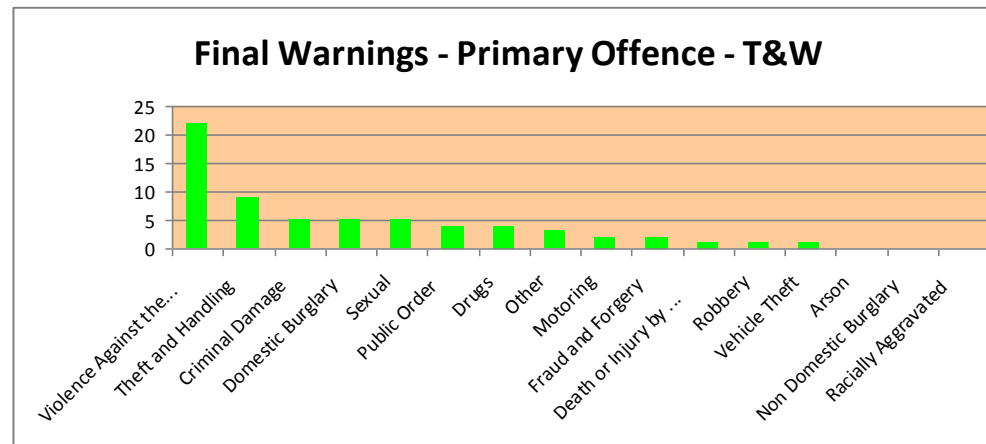
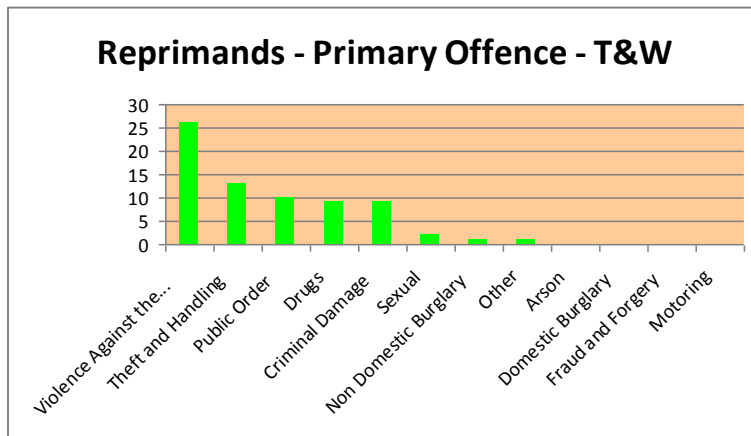
There are 17,525 young people aged 10 to 17 in Telford and Wrekin. In 2012 there were 254 youth justice sanctions (reprimands, final warnings or convictions) made on Telford and Wrekin young people. A total of 202 individual young people accounted for these 254 outcomes, 1.15% of the youth population.



Of the 202 young people entering or in the youth justice system in 2012, 80% were male. The majority, 60%, were aged 15 to 17 years. The peak age of offending for young males was 17 years and females 17 years.

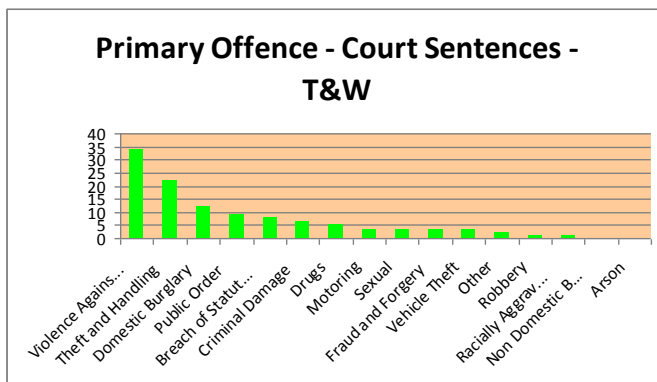
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 135 pre-court disposals made on Telford and Wrekin young people, 71 of these were Reprimands and 64 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 20 (31%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 37%, theft and handling, 18%, public order offences, 14% drug offences 13% and criminal damage, 13%. These five offence categories accounting for 95% of the reprimands and also 69% of all final warnings. Violence against the person accounted for 34% of all Final Warnings and domestic burglary and sexual offences for 8% each.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 81 Telford and Wrekin young people accounted for 119 court outcomes. Orders requiring YOS interventions (Reparation Orders, Referral Orders, YROs and Custodial sentences) accounted for 101 of the 119 court outcomes.

The majority, 83% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for just over a third (38%) of young people receiving a court sentence.

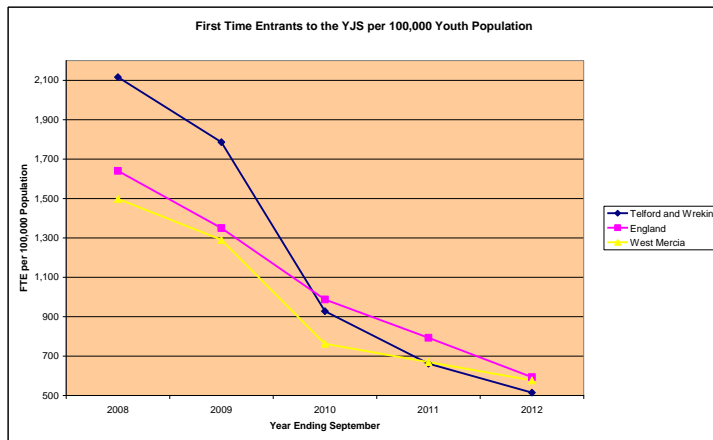
The most frequently occurring primary offence for court sentences was violence against the person, accounting for 30% of all outcomes. Theft and handling

offences were the next frequently occurring offences, 19%, followed by domestic burglary, 11%, public order, 8% and breach of a statutory order 7%. These five categories of offences accounted for 75% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants (FTE)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.



In the year ending September 2012 there were 515 first time entrants per 100,000 youth population in Telford and Wrekin, representing a reduction of -75.7% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

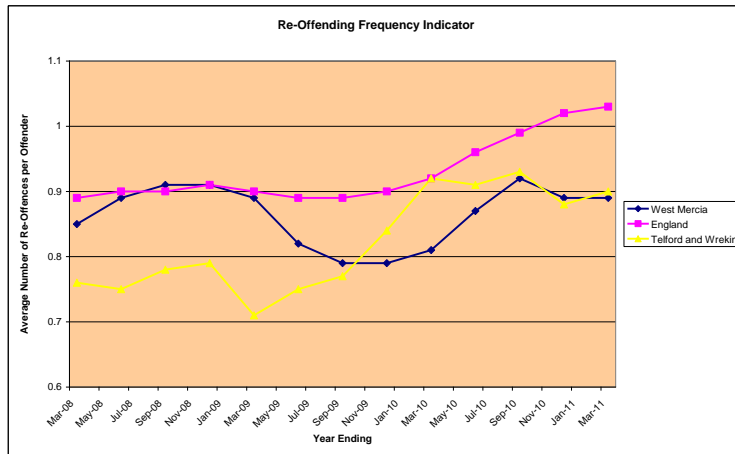
The FTE rate for Telford and Wrekin of 515 is better than for West Mercia, 577 and for England at 593.

(ii) Use of Custody

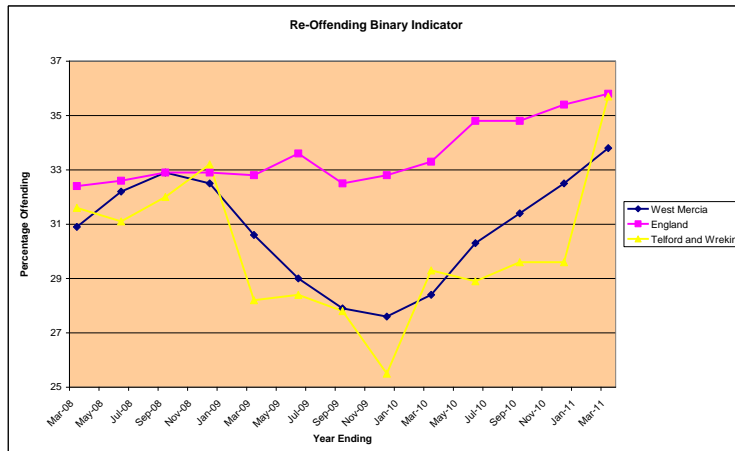
The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. A lower figure denotes good performance. Telford and Wrekin has, historically, had a low rate of custodial sentences.

There were 7 custodial sentences during 2012, equating to a rate of 0.40 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 5.8% of all court outcomes in Telford and Wrekin, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending



There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.



The frequency measure performance for Telford and Wrekin for the year ending March 2011 is 0.90, compared to the West Mercia performance of 0.89 and national performance of 1.03. Telford and Wrekin is, therefore, performing slightly worse than West Mercia but significantly better than the national performance. Telford and Wrekin is showing a decrease in performance for the year ending March 2011 from the year ending March 2008 of an increase in the frequency rate of 18%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.

For the year ending March 2011 the binary measure for Telford and Wrekin is 35.7% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Telford and Wrekin is showing a decrease in performance from 31.6% to 35.8%, an increase of 4.2 percentage points. West Mercia and England are both showing an increase over the same period of 2.9 percentage points for West Mercia and 3.4 percentage points for England. The performance trend in Telford and Wrekin follows the general trend nationally and for West Mercia over the period 2008 to 2011.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Telford and Wrekin % in ETE	West Mercia % in ETE
Young People of School Age	79%	83%
Young People above School Age	64%	62%
Overall Performance	69%	70%

The performance for Telford and Wrekin for all young people is slightly lower than for West Mercia. Figures for the first 3 quarters of 2012/13 show an increase in overall performance. Education, training and employment has been adopted as a local performance indicator and is due to be a focus of scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

It should be noted that those young people of school age not in full time education (21%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

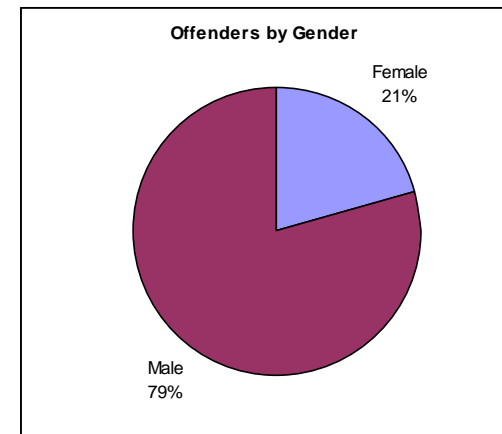
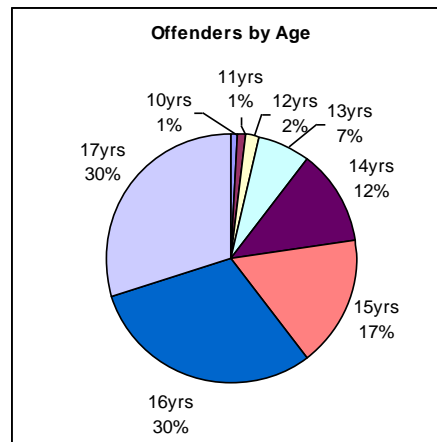
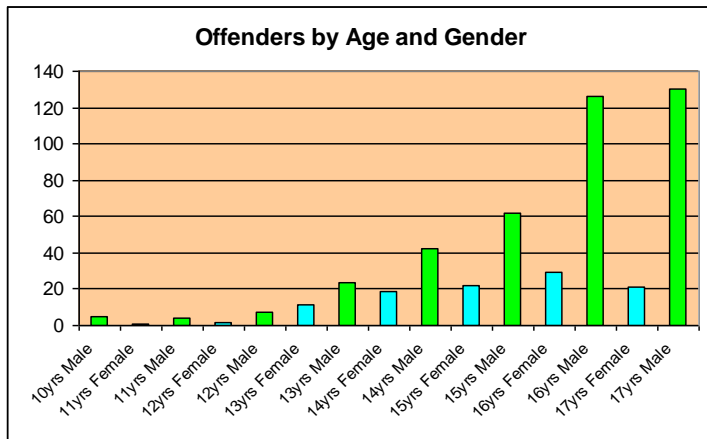
On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the YOS Team in Telford and Wrekin, 28% were looked after children. At this point in time 8% of the case load were LAC from other areas temporarily placed in Telford and Wrekin. The proportion of Telford and Wrekin LAC aged 10 to 17 who were under the supervision of the YOS at this time was 9.1%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

APPENDIX 4 - AREA PROFILE – WORCESTERSHIRE

Youth Offending Population – all Young People

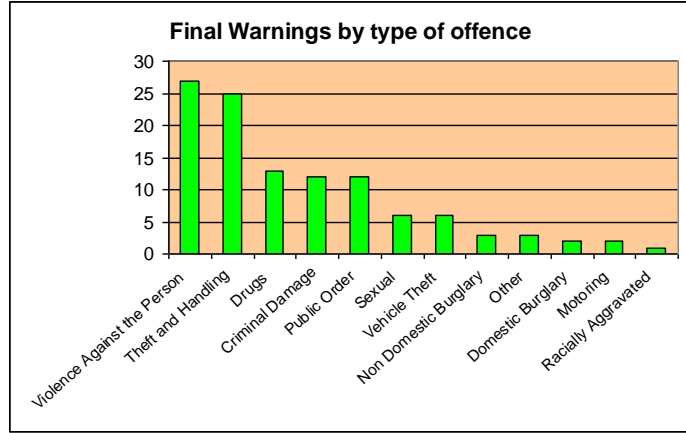
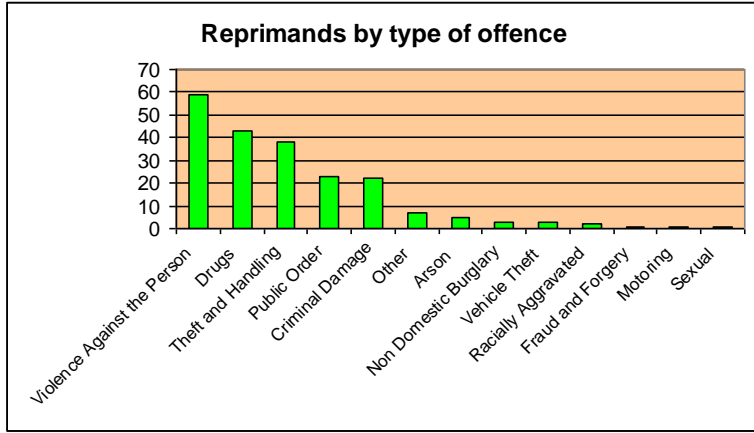
There are 53,835 young people aged 10 to 17 in Worcestershire. In 2012 there were 661 youth justice sanctions (reprimands, final warnings or convictions) made on Worcestershire young people. A total of 505 individual young people accounted for these 661 outcomes, 0.93% of the youth population.



Of the 505 young people entering or in the youth justice system in 2012, 79% were male. The majority, 77%, were aged 15 to 17 years. The peak age of offending for both young males was 17 year and females 16 years.

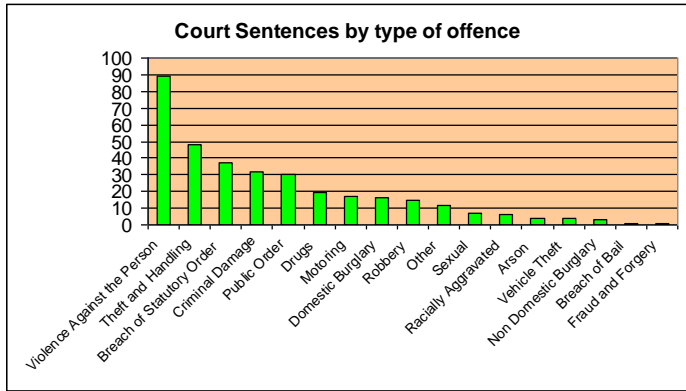
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 320 pre-court disposals made on Worcestershire young people, 208 of these were Reprimands and 112 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 22 (20%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 28%, followed drug offences, 21%, theft and handling, 18%, public order offences, 11% and criminal damage 11%. These five offence categories accounting for 89% of the reprimands and also 80% of all final warnings. Violence against the person accounted for 24% of all Final Warnings.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 239 in Worcestershire young people accounted for 341 court outcomes. Orders requiring YOS interventions (Reparation Orders, Referral Orders, YROs and Custodial sentences) accounted for 256 of the 341 court outcomes.

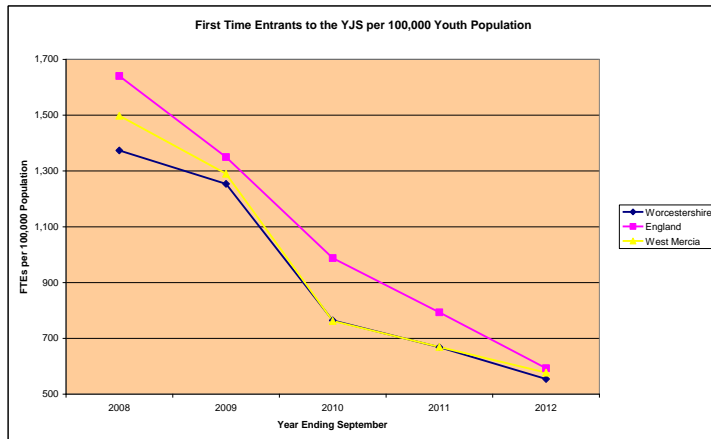
The majority, 75% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for approximately a third (34%) of young people receiving a court sentence.

The most frequently occurring primary offence for court sentences was violence against the person, accounting for 26% of all outcomes. Theft and handling offences were the next frequently occurring offences, 14%, followed by breach of statutory orders, 11%, criminal damage, 9% and public order 9%. These five categories of offences accounted for 69% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants (FTE)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.



In the year ending September 2012 there were 554 first time entrants per 100,000 youth population in Worcestershire, representing a reduction of -59.6% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

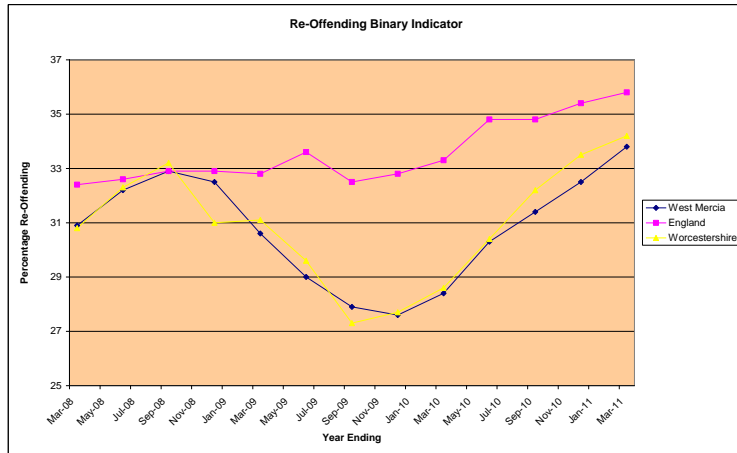
The FTE rate for Worcestershire of 544 is better than for West Mercia, 577 and for England at 593.

(ii) Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. A lower figure denotes good performance. Worcestershire has, historically, had a low rate of custodial sentences.

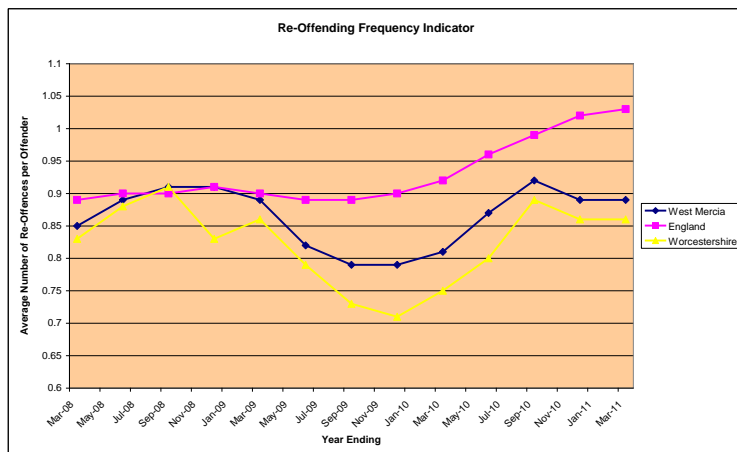
There were 23 custodial sentences during 2012, equating to a rate of 0.43 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 6.7% of all court outcomes in Worcestershire, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending



There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.

The frequency measure performance for Worcestershire for the year ending March 2011 is 0.86, compared to the West Mercia performance of 0.89 and national performance of 1.03. Worcestershire is, therefore, performing slightly better than for West Mercia but significantly better the national performance. Worcestershire is showing slight decrease in performance for the year ending March 2011 from the year ending March 2008 of an increase in the frequency rate of 4.7%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.



For the year ending March 2011 the binary measure for Worcestershire is 34.2% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Worcestershire is showing a slight decrease in performance from 30.8% to 34.2%, an increase of 3.4 percentage points. West Mercia and England are both showing an increase over the same period of 2.9 percentage points for West Mercia and 3.4 percentage points for England. The performance trend in Worcestershire follows the general trend nationally and for West Mercia over the period 2008 to 2011.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Worcestershire % in ETE	West Mercia % in ETE
Young People of School Age	80%	83%
Young People above School Age	59%	62%
Overall Performance	68%	70%

The performance for Worcestershire for all young people is slightly worse than for West Mercia. Figures for the first 3 quarters of 2012/13 show worsening performance. Education, training and employment has been adopted as a local performance indicator and is due to be a focus of scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

It should be noted that those young people of school age not in full time education (20%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the YOS Teams in Worcestershire, 13.9% were looked after children. At this point in time 2% of the case load were LAC from other areas temporarily placed in Worcestershire. The proportion of Worcestershire LAC aged 10 to 17 who were under the supervision of the YOS at this time was 5.1%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

TELFORD & WREKIN COUNCIL**COUNCIL – 21 NOVEMBER 2013****2013/14 FINANCIAL MONITORING REPORT****REPORT OF THE ASSISTANT DIRECTOR: FINANCE, AUDIT & INFORMATION GOVERNANCE (CHIEF FINANCIAL OFFICER)****LEAD CABINET MEMBER: CLLR BILL McCLEMENTS****PART A) – SUMMARY REPORT****1.0 SUMMARY OF KEY ISSUES**

1.1 The Financial Monitoring report to Cabinet in October showed overall revenue spending projected to be within approved budgets and provided an update on progress on capital programme spending. The report also highlighted some new capital allocations, slippage and virements and which require formal approval by Full Council.

1.2 SUMMARY

The detailed approvals required by Council are:

New Allocations		
	13/14 £	Comment
Improve Local People's Prospects through Education & Skills Training		
Redhill Demountable	5,000	School Contribution
Ensure that Neighbourhoods are Safe, Clean and Well Maintained		
Dawley	50,000	Capital receipts
Jiggers Bank Stabilisation	270,000	HCA grants
Jiggers Bank Stabilisation	100,000	Prudential
Box Road	-40,000	Revenue
Box Road	40,000	Grant
Regenerate Neighbourhoods in Need to Ensure that Local People have access to Hsg		
Brookside	-155,000	Funding changed from capital receipts to external funding
Brookside	155,000	Funding changed from capital receipts to external funding
Housing – travellers sites	1,735,227	Grant Funded
Housing – travellers sites	374,280	Prudential
Housing – empty homes strategy	150,000	Capital receipts – report approved at Cabinet 19/9/13
Protect & Support our Vulnerable Children & Adults		
Disabled facilities grant	4,717	Grant

Virements		
	13/14 £	Comment
Ensure that Neighbourhoods are Safe, Clean and Well Maintained		
Wellington Cemetery	21,356	Prudential
Wellington Civic	15,500	Prudential
Managing the Organisation		
Asset Mgt Plan – capital mtce	(15,500)	Prudential
Improve the Health & Wellbeing of our Communities		
Playbuilder	(7,271)	Prudential
Parks & Play	(14,085)	Prudential

Slippage			
Scheme	13/14 £	14/15 £	Comment
Ensure That Neighbourhoods are Safe, Clean and Well Maintained			
Malinslee Local Centre	(30,740)	30,740	Prudential - to 2014/15
Malinslee Local Centre	30,740	(30,740)	Capital Receipt - to 2014/15
Protect & Support our Vulnerable Children & Adults			
Adults & Children ICT Social Care Review	-200,000	200,000	Prudential - to 2014/15
Extra-Care (TMC)	-200,000	200,000	Prudential - to 2014/15
Regenerate Neighbourhoods in Need to Ensure that Local People have access to Housing			
Housing Strategy and enabling	-100,000	100,000	Prudential - to 2014/15
Brookside	-600,000	600,000	Prudential - to 2014/15
Housing	-100,000	100,000	Prudential - to 2014/15
Hadley Local Centre Phase 1 & 2	-584,574	584,574	Grant - to 2014/15
Hadley Local Centre Phase 1 & 2	-285,189	285,189	Prudential - to 2014/15
Woodside	-10,199	10,199	Prudential - to 2014/15
Woodside Local Centre	-24,610	24,610	Prudential - to 2014/15
Woodside Local Centre	-10,575	10,575	Capital Receipts - to 2014/15
Woodside Local Centre	-214,439	214,439	Capital Receipts - to 2014/15
Sutton Hill	-75,237	75,237	Prudential - to 2014/15
Sutton Hill Local Centre	-56,428	56,428	Prudential - to 2014/15
Sutton Hill Local Centre	-1,205	1,205	Prudential - to 2014/15
Protect & Support Jobs as a Business Support, Business Winning Council			
Town Centre	-1,735,000	1,735,000	Capital Receipt - to 2014/15
Managing the Organisation			
Impact of WMS Revenue Sale Receipt received in 12/13 on 13/14 receipts requirement	850,387		Capital Receipts
Impact of WMS Revenue Sale Receipt received in 12/13 on	-850,387		Prudential borrowing

13/14 prudential borrowing			
Impact of lower than anticipated capital receipts in 13/14	-29,109,726		Capital Receipts
Impact of lower than anticipated capital receipts in 13/14	29,109,726		Prudential borrowing
Increased use of capital receipts in 14/15 due to receipts re-phased from 13/14		29,094,576	Capital Receipts
Reduced use of prudential borrowing in 14/15 due to receipts re-phased from 13/14		-29,094,576	Prudential borrowing
Improve Local People's Prospects through Education and Skills Training			
Newport Infant - internal adaptation to classroom	-150,000	150,000	Grant Funded
Meadows primary	-16,000	16,000	Prudential
Meadows primary	-44,550	44,550	External Funding
Meadows primary	-239,450	239,450	Grant Funded
Total	-4,647,456	4,647,456	
	15/16	16/17	
	£	£	
Managing the Organisation			
Changes to the phasing of capital receipts	5,371,150		Capital Receipts
Changes to the phasing of capital receipts	-5,371,150		Prudential borrowing
Changes to the phasing of capital receipts		-5,356,000	Capital Receipts
Changes to the phasing of capital receipts		5,356,000	Prudential borrowing
Total	0	0	

2.0 RECOMMENDATIONS

2.1 Members are asked to approve the changes to the capital programme shown in section 1 above.

3.0 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Delivery of all priority objectives depend on the effective use of available resources.
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY	The capital programme will be immediately updated to reflect the new approvals.	

DATE		
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	Financial impacts arising from this report will be reflected in future financial monitoring reports and built in to the final service and financial planning strategy for 2013/14 and beyond
LEGAL ISSUES	No	None directly arising from this report. The S151 Officer has a statutory duty to monitor income and expenditure and take action if overspends /shortfalls emerge.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	
IMPACT ON SPECIFIC WARDS	No	Borough Wide

4.0 PREVIOUS MINUTES

- 07/03/13 – Full Council, Service & Financial Planning Strategy
- 17/10/13 – Cabinet, 2013/14 Financial Monitoring

PART B) – ADDITIONAL INFORMATION

There is no additional information.

5.0 BACKGROUND PAPERS

2013/14 Budget Strategy / Financial Ledger reports

Report Prepared by:

Ken Clarke, Assistant Director: Finance, Audit & I.G. (C.F.O.) – 01952 383100; Pauline Harris, Finance Manager – 01952 383701

TELFORD & WREKIN COUNCIL

COUNCIL – 21ST NOVEMBER 2013

REVIEW AND UPDATE TO THE SPEAK UP POLICY

REPORT OF THE ASSISTANT DIRECTOR FINANCE, AUDIT & INFORMATION GOVERNANCE

1 PURPOSE

- 1.1 To obtain approval from the Audit Committee for the updates to the Speak Up Policy.

2 RECOMMENDATIONS

- 2.1 That Council approve the revised Speak Up Policy incorporating the changes as outlined in paragraphs 5.1 to 5.3**

3 SUMMARY

- 3.1 The Audit Committee in January 2012 approved a revised Speak Up Policy and according to the Audit Committee terms of reference it is due for review every 2 years. However this review has been brought forward due to revised legal requirements becoming effective from June 2013. This earlier review has also provided an opportunity to update the policy to reflect organisational changes.
- 3.2 Following agreement the policy is promoted on posters around Council buildings and through a leaflet which is on the intranet and which forms part of the induction for new employees.

4 PREVIOUS MINUTES

- 4.1 Standards and Audit Committee 29th January 2008
Audit Committee 31st January 2012

5 INFORMATION

- 5.1 The main changes are changes to references in respect to “referrals in good faith” to referrals “in the public interest”. The other two legal changes outlined in June 2013 were already incorporated into the Council’s policy.
- 5.2 The policy has always outlined that although confidentiality will endeavour to be maintained there maybe investigative, disciplinary or legal reasons why this is not possible.
- 5.3 Having recognised the revised legal requirements the current review and update has confirmed that the policy is still fit for purpose and that there have been additional minor changes to reflect changes in respect to restructures, senior management arrangements and service name changes.
- 5.4 A revised version of the updated “Speak Up Policy” is attached to this report.
- 5.5 The Council will continue to protect all those providing information under this policy but will take appropriate action against those making malicious or vexatious allegations.

6 OTHER CONSIDERATIONS

AREA	COMMENTS
Equal Opportunities	The policy supports the Council's policies of equality and diversity. All appropriate concerns will be treated equally.
Environmental Impact	Any concerns raised of an environmental nature will be investigated to ensure that the Councils sustainability and environmental policies have not been breached.
Legal Implications	The policy, although not a legal requirement, reflects good practice. Paragraph 4.3 of the policy document confirms that the operation of the policy will be in accordance with all relevant legislation.
Links with Corporate Priorities/Community Ambitions	The Co-operative Council values of fairness, honesty, consistency and transparency means that high standards and practices should be followed. This policy allows concerns to be raised to ensure these values are maintained.
Financial Implications	There are no financial implications arising from this policy as any costs associated with its implementation are contained within existing budgets.
Opportunities and Risks	This policy mitigates the reputation risk to the Council of adverse publicity by providing channels for concerns to be raised internally and addressed rather than publicised outside the Council prior to proper investigation
Ward Implications	None

7 BACKGROUND PAPERS

Speak Up Policy 2011

Anti-Fraud & Corruption Policy 2013

Information from other Local Authorities and Public Concern at Work

Report Prepared by: **Jenny Marriott, Audit & Information Governance Manager:**
Telephone: 383101
Email: jenny.marriott@telford.gov.uk

TELFORD & WREKIN COUNCIL

SPEAK UP POLICY AUGUST 2013

1. INTRODUCTION

- 1.1 Employees, members, volunteers, school governors, partners, contractors and suppliers¹ are often the first to realise that there maybe something wrong within the Council. However, they may not express their concerns because they may feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances, they may feel it easier to ignore their concerns rather than report what may just be a suspicion of malpractice.
- 1.2 The Council prides itself on having an open and honest culture and is committed to the highest possible standards of probity, accountability and transparency. In line with that commitment we encourage people raising concerns about any aspects of the Council's work to come forward and voice those concerns internally. The Council will take steps to try and minimise any difficulties experienced as a result of raising a concern (see paragraphs 4.7 and 5.3).
- 1.3 This policy supports the Council's Anti-Fraud and Corruption policy and makes it clear that concerns can be raised without fear of reprisals. It is intended to encourage and enable people raising concerns to raise them within the Council, irrespective of seniority, rank or status, rather than overlooking a problem or reporting the matter externally.
- 1.4 This policy operates alongside other specific "Whistleblowing" investigation procedures developed for example in Child Protection.

2. WHO DOES THIS POLICY APPLY TO?

- 2.1. The Council's Speak Up Policy applies equally to all of the following groups:
- Council employees (including part time and temporary staff).
 - Agency staff working for the Council.
 - Members
 - School governors
 - Council contractors and suppliers.
 - Organisations working with the Council under partnership arrangements.
 - Volunteers

3. AIMS OF THIS POLICY

- 3.1 This policy is intended to provide you with an avenue to raise concerns **within** the Council. The policy aims to:
- * Encourage you to feel confident in raising concerns and to question and act upon concerns about malpractice
 - * Encourage you to raise these concerns as soon as they arise so that appropriate action can be taken
 - * Provide avenues for you to raise those concerns within the Council and receive feedback on any action taken;

¹ Defined for the rest of this policy as "people raising concerns".

- * Allows you to take the matter further if you are dissatisfied with the Council's response; and
- * Reassure you that we will endeavour to protect you from reprisals or victimisation for speaking up in the public interest.

3.2 There are existing procedures in place to enable employees to lodge a grievance relating to their employment. As Local Government employees, each member of staff has a responsibility to report wrongdoing using the procedures designed to manage such information. It is important that employees recognise the distinction between work related issues and those external to their employment. Whilst the Speak Up process can be used to raise possible wrongdoing outside the employees immediate work area, it should not be used to promote particular campaigns. Similarly, if the process is activated employees should not publicise allegations to other elected members or officers as this may restrict investigation or be viewed as a malicious act.

3.3 If your concern relates to any internal procedure or act which affects your employment directly, then this should be raised through the Council's grievance procedure.

4. AREAS COVERED BY THE POLICY

4.1 This policy is intended to cover concerns that fall outside the scope of other procedures as outlined in 1.4, 3.2 and 3.3. The types of concerns include:

- * Conduct which is an offence or a breach of the law
- * A failure to comply with a statutory or legal obligation (e.g. Race Relations (Amendment) Act, Data Protection Act etc.)
- * Improper unauthorised use of public funds or other funds
- * A miscarriage of justice
- * Maladministration, misconduct or malpractice
- * Endangering of an individuals health and safety
- * Damage to the environment
- * Possible fraud and corruption
- * Sexual, physical or verbal abuse of clients/pupils
- * Any other unethical conduct or improper conduct (including bullying or harassment).
- * evasion of data/information security procedures
- * Discrimination of any kind
- * Deliberate concealment of any of the above

4.2 The overriding concern should be that it would be in the public interest for malpractice to be corrected and, if appropriate, sanctions applied. Therefore, you can report any concerns that you have about any aspect of service provision or the conduct of officers or members of the Council or others acting on behalf of the Council under the Speak Up Policy. This may be about something that:

- Makes you feel uncomfortable in terms of known/established standards or the standards you have experienced and believe the Council subscribes to.
- Is against the Council's Constitution and policies.
- Amounts to improper conduct.

4.3 The policy is subject to any relevant legislation (including the Public Interest Disclosure Act 1998) and specifically will operate within the requirements of the Data Protection Act 1998, the Human Rights Act 1998, and the Regulation of Investigatory Powers Act 2000.

4.4 This policy provides a general outline of the governing legislation in this area for guidance purposes only and should not be regarded as a complete or authoritative statement of the law.

5. HOW TO RAISE A CONCERN

5.1 Employees, volunteers and partners should raise concerns within the Council with either:-

- Your Line Manager/Service Delivery Manager/appropriate member of the Senior Management Team
- Your Head of Establishment or Headteacher
- The Audit and Information Governance Manager
- the Council's Monitoring Officer²
- Trade Union representative

5.2 School Governors should raise concerns with the Director of Children and Family Services, Assistant Director: Education & Corporate Parenting, the Audit and Information Governance Manager or the Monitoring Officer.

5.3 Contractors and suppliers should raise concerns with the Strategic Procurement Specialist, Audit & Information Governance Manager or the Monitoring Officer.

5.4 Members' should raise concerns with the Monitoring Officer. If the concern is in respect to the action of a member under the Code of Conduct for Members, the concern raised maybe referred to the Standards Committee.

5.5 If the concern is in respect to professional conduct then the personnel outlined in 5.1, 5.2 and 5.3 should be contacted, as appropriate.

5.6 If the concern is connected with your direct line manager/supervisor your People Services Officer will, if appropriate, be able to provide advice as to whom to direct your concerns.

5.7 Concerns are better raised in writing³. You will need to set out the background and history of the concern giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet an appropriate officer. The appropriate officer will make notes of any conversations with you in order that, if required, a proper investigation can be undertaken.

5.8 Alternatively, you can leave a message on the 24 hour Audit & Information Governance answer phone (telephone number 383115). This service is confidential. You will not be asked to give your name if you do not wish to. This answer phone is kept in the Audit & Information Governance Office and messages are checked by specified Audit staff.

5.9 The earlier you inform us of your concern and the more detail you give us; the easier it will be for action to be taken.

5.10 At this stage you are not expected to prove the allegation but you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

5.11 Advice and guidance on how matters of concern may be pursued can be obtained from:

² The Council's Monitoring Officer is the Assistant Director: Law, Democracy & Public Protection

³ This can be written or by e-mail. If using e-mail you must consider the security and confidentiality aspects of this method.

- * Your line manager, headteacher
- * People Services
- * Audit & Information Governance
- * Trade union/professional association
- * The Council's Monitoring Officer

5.12 You may prefer, in order to protect yourself or to maintain your anonymity, to invite your trade union or representative to raise a matter on your behalf. Your representative may be required to obtain additional information from you in order that a proper investigation can be undertaken.

5.13 Whilst anonymous allegations will be considered and action taken where appropriate, it is much more difficult to properly investigate matters raised anonymously. The Speak Up Policy is designed to protect those raising genuinely held concerns and the policy encourages them to identify themselves. Obviously, feedback relating to any investigation which has been undertaken can only be provided where contact details are known.

6. HOW THE COUNCIL WILL RESPOND

6.1 The action taken by the Council will depend on the nature of the concern. The matters raised may:

- * Be investigated internally by an appropriately skilled and experienced officer, knowledgeable in the area concerned e.g. Manager, Audit & Information Governance, Benefits Investigation Team, People Services, the Council's Monitoring Officer;
- * Be referred to the Police;
- * Be referred to the external Auditor or Ombudsman;
- * Form the subject of an independent inquiry.

6.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

6.3 Some concerns may be resolved by agreed action without the need for further investigation.

6.4 Within ten working days of a concern being received (excluding anonymous concerns), the individual with whom you raised the matter will confirm in writing:

- a) Acknowledging that the concern has been received;
- b) Indicating how it is proposed to deal with the matter;
- c) Confirmation that further investigations will take place and an estimate as to how long it will take to provide a final response; and
- d) If the matter is not to be investigated the reason why.

6.5 The level of contact between the officer(s) considering the issues and yourself will depend upon the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be requested from you. We will attempt to do this in as discreet a manner as possible.

6.6 When any meeting is arranged, you have the right, if you wish, to be accompanied by a trade union or other representative. The meeting can be off site, if requested.

- 6.7 The Council will take steps to minimise any difficulties, which you may experience as a result of raising a concern and provide any appropriate support including the Council's confidential Counselling Service. For instance, if you are required to give evidence in disciplinary or criminal proceedings, the Council will advise you about the procedure. Within internal proceedings you will have the option of asking someone else to represent you.
- 6.8 The Council accepts that you need to be assured that the issues you have raised have been properly dealt with. We will therefore try, subject to any legal constraints, to keep you informed in connection with the outcome of any investigation. In addition you will be informed as to any action taken to rectify working practices where irregularities have been identified as a consequence of an investigation.
- 6.9 You may withdraw from the process at any stage, although your involvement may still be required in certain circumstances such as ongoing disciplinary or legal proceedings relating to the matter concerned. If you do wish to withdraw you or your representative must inform the person with whom you raised the initial concern and the investigating officer. You will be requested to provide a reason/(s) for your withdrawal.
- 6.10 If you withdraw from the process on-going investigations into the issues arising from your concern may continue dependent on the nature of the issues and the results of the investigation findings at that time.
- 6.11 The person against whom the concern has been raised will be informed following the initial investigations if it is considered that there is an issue to be investigated further, subject to current HR procedures. This person will be supported in an appropriate manner and will be informed, as appropriate, of the progress of the investigation.

7. SAFEGUARDS

Harassment or Victimisation

- 7.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible. The Council will not tolerate harassment or victimisation as outlined in its "Dignity at Work Policy" and will take action to protect you when you raise a concern in the public interest.
- 7.2 This does not mean that if you are already the subject of disciplinary, capability or redundancy procedures, that those procedures will be halted as a result of speaking up. Equally any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you. There will be no come back if a disclosure has been made in the public interest and the individual reasonably believes that the information disclosed is substantially true. Individuals will be listened to and, where necessary, given support.

Confidentiality

- 7.3 The Council will endeavour to maintain confidentiality where possible, but this cannot be guaranteed. Depending on the nature of the concern in order to undertake proper investigation confidential information may have to be shared with a third party, including the party or parties subject of the concern. You will be informed if this is necessary.
- 7.4 In addition, depending on the nature of the concern the police or a regulator may need to be involved. Any statement made by you may be required as part of the evidence in internal or

external proceedings and there may be circumstances where this could be submitted anonymously, if requested.

Anonymous Allegations

- 7.5 The best way to raise a concern is openly and this policy encourages you to put your name to your concern. Generally we would recommend that concerns are not raised anonymously because:
- It is harder to investigate the concern effectively if follow up questions cannot be asked; and
 - It is easier for the Council to provide appropriate support, and if appropriate to get protection under the Public Interest Disclosure Act 1998, if the concern is raised openly.
- 7.6 However, concerns which are expressed anonymously will be considered.
- 7.7 In such circumstances the Council will take the following factors into account when establishing the scope and depth of the investigation:-
- * The seriousness of the issues raised;
 - * The credibility of the concern; and
 - * The likelihood of confirming the allegation from recognised sources and information available.

Untrue Allegations

- 7.8 If you make an allegation which you reasonably believe to be in the public interest, but it is not confirmed by the investigation, no action will be taken against you.
- 7.9 If, however, as an employee, volunteer or partner you make malicious or vexatious allegations, action (including disciplinary⁴) may be taken against you.
- 7.10 Malicious or vexatious allegations made by contractors and suppliers will be dealt with by the appropriate member of the Senior Management Team and Procurement, in conjunction with the Council's Legal Advisors.
- 7.11 Malicious or vexatious allegations made by an elected member will be considered by the Monitoring Officer and will be dealt with under the appropriate procedures.
- 7.12 In addition, where an allegation is not confirmed, the employee(s) against whom the concern was raised will be supported by their manager and/or Human Resources. The employee(s) will also be able to use the Council's confidential Counselling Service if they wish to do so.

8. HOW THE MATTER CAN BE TAKEN FURTHER

- 8.1 This policy is intended to provide you with a mechanism by which you can raise your concerns **within** the Council. The Council hopes you will be satisfied with the response you receive. If you are not satisfied with the response you receive you should contact the Managing Director with the reasons why.

⁴ If disciplinary action is taken then dependent upon the circumstances of the malicious/vexatious allegation a charge of gross misconduct may be deemed appropriate.

8.2 If you feel it is right to take the matter outside the Council you should be aware of not disclosing confidential information⁵. The following are possible contact points:

- * Your local Council member (if you are an employee or volunteer and live in the area of the Council) – if you are not sure who it is, you can contact Member Services on 380110 or use the Council's internet site.(www.telford.gov.uk)
- * The external auditor (KPMG) on 0121 335 2440
- * Relevant professional bodies or regulatory organisations
- * The Ombudsman – 0300 061 0614 (www.lgo.org.uk)
- * The Health & Safety Executive
- * Your solicitor
- * The Police
- * Public Concern at Work* - 020 7404 6609 (whistle@pcaw.org.uk)
- * Trade Union/Professional Association – details are available from People Services

* - Public Concern at Work is an independent charity which provides free advice for persons who wish to express concern about fraud and other serious malpractice.

9. THE RESPONSIBLE OFFICER

- 9.1 The Managing Director has overall responsibility for the maintenance and operation of this policy and will report, as necessary, through the Audit Committee, to the Council.
- 9.2 Other useful contacts with respect to this policy are the Audit and Information Governance Manager, Monitoring Officer, your People Services officer and your Trade Union or other representative.

⁵ Advice can be obtained from Information Governance or the Monitoring Officer.

TELFORD & WREKIN COUNCIL

COUNCIL CONSTITUTION COMMITTEE – 7TH NOVEMBER 2013

PROPOSED CHANGES TO THE CONSTITUTION AND CONSTITUTION REVIEW UPDATE

REPORT OF THE ASSISTANT DIRECTOR: LAW, DEMOCRACY AND PUBLIC PROTECTION

1. SUMMARY OF MAIN PROPOSALS

The Committee is asked to consider making recommendations to full Council to approve amendments to the Constitution regarding public speaking at the Health and Wellbeing Board, changes to the Audit Committee terms of reference and updates to the functions of the Chief Financial Officer and Rules of Procedure (Policy Framework and Budget Procedure Rules and Financial Regulations).

Progress is also continuing with the full review of the Constitution that began earlier in the year.

2 RECOMMENDATIONS

2.1 That members:-

2.1.1 Recommend the approval of the amendments with effect from the full Council meeting on 21st November 2013 as follows:-

2.1.1.1 The terms of reference of the Health and Wellbeing Board as included at Appendix 1a;

2.1.1.2 The terms of reference of the Audit Committee as included at Appendix 2;

2.1.1.3 The Functions of the Chief Financial Officer and Procedure Rules (Policy Framework and Budget procedure Rules and Financial Regulations) as included at Appendix 3;

2.2 That members note the progress on the full review of the constitution as set out at paragraph 4.4 of this report.

3 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	The proposals for the Health and Wellbeing Board will contribute towards improving the health and wellbeing of our communities and address health inequalities
	Will the proposals impact on specific groups of people?	
	No	The Health and Wellbeing Board proposals will benefit the whole of the community.
TARGET COMPLETION/DELIVERY DATE	Health and Wellbeing Board and Audit Committee changes can be implemented if approved by full Council at the next meeting on 21 st November 2013. The full review of the constitution aims to be completed and in place for the commencement of the municipal year 2015/16.	

FINANCIAL/VALUE FOR MONEY IMPACT	Yes	There are no direct financial implications from the review of terms of reference for the Health & Well Being Board. The size of venue for holding the meetings will need to be considered if the meetings are opened up for public speaking as a larger venue is likely to be required. There may be a charge associated with hiring a venue if a “free” room can not be secured. There is currently no central budget in respect of room hire for meetings. The administration of the Health & Wellbeing Board will have resource implications for the Democratic Services Team; however it is anticipated that this will be met from existing staffing structures. MLB 10.10.13
LEGAL ISSUES	Yes	Section 194 of the Health and Social Care Act 2012 requires the Council to establish a Health and Wellbeing Board as a formal committee of the Council. Accordingly the conduct and procedure of the board must comply with the appropriate statutory requirements. The changes proposed at Appendix 1a are required to ensure that public speaking can be introduced in accordance with those requirements. Any changes to the constitution agreed by this committee need to be formally approved by full Council before come into force.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Public speaking at Health and Wellbeing Board provides an opportunity for greater public engagement with this significant new responsibility taken on by the Council. The procedure set out at appendix 1b is to ensure that there is a fair and proportionate process in place for all stakeholders.
IMPACT ON SPECIFIC WARDS	No	Borough-wide impact

4 **INFORMATION**

4.1 Health and Wellbeing Board

4.1.1 Since the first meeting of the Health and Wellbeing Board (‘the Board’) on 15th May 2013 there has been a lot of public interest from local volunteer groups, interest groups and provider organisations. However, the current procedure rules make it difficult for the Board to hear from these groups and the public. Allowing local groups/individuals to speak at the Board would help to achieve principles such as accessibility and engagement whilst also giving Board members more information on local health issues.

4.1.2 On 17th July 2013 the Board agreed (subject to the approval of this Committee and full Council) to amend its procedure rules and allow public speaking for individuals and local community/volunteer groups to ask questions or raise issues for discussion. Attached at Appendix 1a are the terms of reference for the Board with the proposed amendment to allow public speaking. This Committee is asked to review the amendment and, if acceptable, recommend to full Council that the amendment is made to the constitution.

- 4.1.3 To assist, attached at Appendix 1b, is the draft public speaking procedure which has been prepared by Officers and which can be used if Council provide approval for the change. The procedure has been drafted in a similar style to other public speaking procedures for Council meetings to ensure continuity but has some specific rules to fit in with this particular Board.
- 4.1.4 Further, the Board moved out of its 'shadow', state in May this year and accordingly there are further changes to update the terms of reference. These are also shown at Appendix 1a.
- 4.1.5 One technical point in the Board's terms of reference has been raised by one of the Clinical Commissioning Group (CCG) members of the Board. In order to not restrict membership of the board from the CGG, the Committee are also asked to consider the amendment to the title of the CCG membership as it appears as Appendix 1a.
- 4.2 Audit Committee
- 4.2.1 The Audit Committee terms of reference require updating to reflect the role of the Audit Committee under its governance responsibilities in respect to the oversight of the Commercial Board. The proposed changes are set out at Appendix 2.
- 4.3 Functions of the Chief Financial Officer and Rules of Procedure (Policy Framework & Budget Procedure Rules and Financial Regulations)
- 4.3.1 The key changes made include:
- Date by which Cabinet will publish its budget proposals changed from the end of December to the end of January – to allow for late announcement of settlement figures from Central Government;
 - Points added to emphasise that all reports to Cabinet must have a financial comment, completed by Finance, and that Finance Staff are given adequate time to do this;
 - Limits included for approval of grants which give added assurance and transparency. Previously, all grants had to be approved by the relevant SMT Lead and Finance Manager. Changes are:
 - Where the value is £10,000 or less approval should be given by the relevant Assistant Director
 - Where the value exceeds £10,000 but is less than £50,000 approval should be by SMT
 - Where the value exceeds £50,000 the relevant Cabinet Member and Assistant Director should give approval
- Also re-emphasising that financial implications, such as match funding, should be identified prior to submission and approval of bids.
- Approval of Virements – section re-written and simplified so that it is in-line with the Council's structure and Financial Management System (Agresso) and processes. References to "within" and "between" Services have been deleted as it was felt that these were ambiguous. Thresholds for Cabinet and Council approval remain the same. Changes are:
- Approval is required where there is a proposed change to the use of budgets in terms of services being delivered, subject to the limits set out in the table below

Limit	Approved By	
Virements less than £50,000	Service Delivery Manager and Finance Manager	All virements must <ul style="list-style-type: none"> • be within the overall policy framework; • not involve an increasing commitment in future years, which cannot be contained within existing approved budget allocations
Virements £50,000 or more but less than £250,000	Cabinet	
Over £250,000	Full Council	

Where Cabinet and Full Council approval is required then the appropriate Assistant Director and CFO approval must also be gained as part of the process.

- Taxation – section expanded to highlight that the tax implications of business decisions must be fully understood and considered. Further change that Managers need to check the employment status of anyone engaged in their Service Area so that tax is correctly accounted for.
- Authorised Signatories – table bringing together all authorisations plus the inclusion of the limits within the Financial Management system (Agresso).
- Internal Audit – to fully reflect the requirements of the new Public Sector Internal Audit Standards effective from April 2013.
- Income and Debtors – update and clarification of write-off levels.

4.4 Constitution Review Update

4.4.1 On 16th April 2013 this Committee considered updates to a number of sections of the constitution as part of an overall review. The aim of the review is to make the constitution more accessible and to make oversight and review more efficient.

4.4.2 Whilst the 16th April report addressed some sections, many remained to be reviewed. Accordingly a small working group consisting of Councillor Charles Smith, Councillor Ian Fletcher, the Legal Services Manager and other officers dealing with specific sections, have continued to review the remaining sections. Three meetings of this group have reviewed sections including the contract procedure rules, finance procedure rules and the scheme of delegations (this section has a lot of further work to be undertaken). More of these meetings are being set up and the aim is to ensure that the constitution will have been reviewed in full with a new complete draft for consideration by September 2014. This is an involved process and a considerable period of time will be spent to complete this work. Although it has been decided that it would be too complicated to incorporate large amendments in a piecemeal fashion some amendments maybe required before then but the aim is to provide a ‘new’ constitution as a complete document. Officers will continue to keep this Committee up to date with developments and any interim changes required.

5 IMPACT ASSESSMENT – ADDITIONAL INFORMATION

No additional information required.

6 PREVIOUS MINUTES

Full Council – 2nd May 2013, 92

Council Constitution Committee – 16th April 2013, CCC - 15

Health and Wellbeing Board – 17th July 2013, HWB-22

7 BACKGROUND PAPERS

None

Report prepared by Matthew Cumberbatch, Legal Services Manager, Telephone: 01952 383255

Jenny Marriott, Audit & IG Manager, telephone 01952 383101

TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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The Committee has the responsibility on behalf of the Council in respect of public health and health and wellbeing responsibilities within the Borough.

TERMS OF REFERENCE

1. The HWB is responsible for guiding and overseeing:
 - 1.1. The ongoing development of the joint strategic needs assessment (JSNA)
 - 1.2. Developing a high-level joint health and wellbeing strategy (JHWBS), based upon the findings of the JSNA
 - 1.3. The establishment of sound joint commissioning arrangements
 - 1.4. The development of HealthWatch forum for public and patient engagement and involvement
 - 1.5. ~~The transfer of~~ Public Health responsibilities and arrangements ~~into~~ the local authority
2. The HWB will provide a key forum for public accountability of NHS, social care for adults and children and other commissioned services that the HWB agrees are directly related to health and wellbeing in Telford and Wrekin.
3. The HWB has a duty to encourage integrated working between local health, social care and health-related commissioners.
4. The HWB will have a link to the overarching Telford and Wrekin Local Strategic Partnership but will also very much function in its own right. The HWB will work closely with the Children, Young People and Families Board, Safer Community Board, in addition to the existing adult ~~and children's~~ partnership boards, in order to ensure the focus on the improved health and wellbeing outcomes for the whole population of Telford and Wrekin.
5. The HWB will lead on the development of a Telford and Wrekin Joint Health and Wellbeing Strategy (JHWBS) for residents which drives health improvement, plans to deliver this strategy and keeps the implementation of these plans under review.
6. Through the JHWBS, the HWB will oversee a commissioning programme of service and/or pathway redesign to better meet the needs of patients and service users and to deliver improved outcomes. Successful delivery of this will be dependent on the HWB developing effective management mechanisms with both primary care and secondary care providers where relevant or appropriate.
7. The HWB will link into the Local Strategic Partnership, Strategic Boards and associated Partnership Boards, making recommendations to Full Council, NHS ~~England Commissioning Board~~, and the Clinical Commissioning Group Board, as appropriate.

TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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8. The ew HWB will analyse the priorities for deployment of health and care resources in the area based on information collected through the JSNA and other sources.
9. The HWB will consider options and opportunities to maximise the impact of aligning the deployment of resources of the health and care agencies in the area on agreed priorities. This will include the joint commissioning of health and social care services for children, families, and adults in Telford and Wrekin, to meet identified needs and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.
10. The HWB will oversee the development of this proposed joint commissioning activity, ensuring any proposed activity is aligned with local priorities and levels of need and is undertaken within available resources. To consider options for joint commissioning and procurement between relevant organisations to support this work.
11. The HWB will oversee all areas of health and social care commissioning activity for people of all ages, to ensure that commissioning priorities are in line with those set through analysis of the JSNA and the local JHWBS. This commissioning activity includes all local services commissioned by Telford and Wrekin CCG, Telford and Wrekin Council, Joint Commissioning CCG/Council, [Public Health England](#) and NHS [England Commissioning Board](#), which could include local: specialised services; secondary dental care; general dental services; GP services; general ophthalmic services; pharmaceutical services; any services for the Armed forces or Offenders; and other primary care.
- ~~12. The HWB will consider options for the development of HealthWatch and establish relevant joint working groups in order to undertake this work, ensuring that appropriate engagement and involvement with existing patient and service user involvement groups takes place.~~
- ~~13. The HWB will consider appropriate arrangements for the transfer of Public Health responsibilities to Telford and Wrekin Council, and to propose and consider relevant governance and organisational structures to support this work.~~
- ~~14.~~12. The HWB will keep under review, the financial and organisational implications of joint and integrated working across health and social care services, ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.
- ~~15.~~13. The HWB will identify and act upon changes that may be required following any new guidance ~~in relation to the~~ ~~to establish a formal~~ Health and Wellbeing Board.
- ~~16.~~14. The HWB will propose recommendations, as appropriate to:

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TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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~~16.1.14.1.~~ Telford and Wrekin Council's Full Council

~~16.2.14.2.~~ NHS ~~England~~Commissioning Board

~~16.3.14.3.~~ Telford and Wrekin Clinical Commissioning Group Board

~~17.15.~~ The HWB will ensure that the HWB works to promote the achievement of the objectives of the organisations represented on the Board, including the ~~establishment of the~~ Council's ~~new~~ health improvement responsibilities.

General

~~18.16.~~ Annually at the first meeting after the Annual Council Meeting consider its terms of reference

TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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PROCEDURE

General

1. Unless specifically provided for in these Terms of Reference the Council Procedure Rules govern the way that committees operate but these may be varied or suspended¹ at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.

Membership

2. Members of the HWB will comprise representatives from the Clinical Commissioning Group, Telford & Wrekin Council, Healthwatch and NHS [England Local Area Team Commissioning Board](#). The core members are:
 - 2.1. Cabinet Member responsible for wider Health ~~S~~services ~~and Deputy Leader TWC~~ (Chair HWB)
 - 2.2. Cabinet Member for Adult and Social Care
 - 2.3. Cabinet Member for Children, Young People and Families
 - 2.4. Cabinet Member for Leisure and Wellbeing
 - 2.5. Director responsible for Adult Social Care
 - 2.6. Director responsible for Children's Services
 - 2.7. Director of Public Health
 - 2.8. ~~Local Area Team~~ NHS [England Local Area Team Commissioning Board](#) representative
 - 2.9. Chair of Telford and Wrekin Clinical Commissioning Group (CCG) (Vice Chair HWB)
 - 2.10. Non Executive Director from Clinical Commissioning Group
 - 2.11. ~~Accountable Chief Operating~~ Officer Clinical Commissioning Group
 - 2.12. Representative of local Healthwatch
 - 2.13. Each opposition Group with 4 or more elected members shall have one place on the Health and Wellbeing Board with voting rights.
 - 2.14. Such other persons, or representatives of such other persons, as the Local Authority thinks appropriate
3. Attendance and support from such other persons, according to the agenda, including:
 - 3.1. Assistant Directors responsible for Commissioning (AD Care & Support for Adults plus AD Family & Cohesion for Children)
 - ~~3.2.~~ ~~Assistant Director: Social Care Specialist~~
 - ~~3.3.3.2.~~ Director of Commissioning, CCG

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¹ With the exception of paragraph 12

TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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4. This reflects the statutory minimum membership in the Health and Social Care Act 2012.
5. The members of the Board will be advised and supported by officers from the local authority and CCG.
6. Members agree to share all relevant information and data, to allow performance, and other joint working arrangements, to be properly monitored and managed.

Disqualification for Membership

7. Any person who would be disqualified from being able to stand for election as a councillor will be disqualified from being a member of a committee or sub-committee of a local authority. The regulations state that these disqualifications will be retained for HWB, but the regulations will ensure the disqualifications do not apply to HWB in so far as they cover disqualifications in respect of members of the board holding any paid employment or office in the local authority – this allows the Directors of Adult Social Services, Children’s Services and Public Health to be formal members of the HWB.
8. The following disqualifications will be retained for members of the HWB:
 - 8.1. Being the subject of a bankruptcy restrictions order or interim order
 - 8.2. Having been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine

Voting Rights

9. All Members of the HWB will be able to vote alongside the elected representatives. This applies to any additional board members appointed in addition to the statutory membership set out in the Health and Social Care Act 2012.

Meetings

10. The Health and Wellbeing Board will meet bi-monthly. Dates and times of meetings will be agreed and published in advance.
11. Agendas and supporting papers will be issued at least five clear days before each meeting and action notes will be produced, confirmed as a true record of the meeting and signed by the Chair.
12. Members of the public, and press will have access to the meetings. A Protocol will be developed and agreed by HWB.
- 12-13. There will be a public speaking section at each Health and Wellbeing Board meeting. A procedure for public speaking at the Health and Wellbeing Board is in place and is

TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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[available on the Council's website or by contacting Democratic Services.](#)

Quorum

~~13.14.~~ Quorum of one quarter is required, cross section of partners represented, (the minimum number of members that need to be in attendance before decisions can be taken). Business shall not be transacted at a meeting of any Council Committee unless at least one quarter of the whole number of the Committee is present.

Code of Conduct and Declaration of Interest

~~14.15.~~ The HWB will adopt the Council's code of conduct. Any interests in item(s) on the agenda should be declared at the start of the meeting.

Access to Information/Transparency Provisions

~~15.16.~~ Meetings of the HWB will be held in public, although the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.

~~16.17.~~ The agenda and papers for meetings of the Board, except for any documents that may disclose confidential or exempt information, will be made available for public inspection five days before the meeting.

Reporting Mechanisms/Accountability

~~17.18.~~ The HWB, as a Committee of the Council, will report to Full Council.

~~18.19.~~ The HWB will regularly update the Telford and Wrekin Local Strategic Partnership with its progress and specific contributions to achieving the vision and priorities of Telford and Wrekin.

~~19.20.~~ The actions of the HWB will be subject to independent scrutiny by the relevant members of the Overview and Scrutiny Committee of the Council.

~~20.21.~~ The Board will review its structure, membership and activities in response to any further guidance.

Establishment of Sub-Committees

~~v2~~ Health & Wellbeing Board [170713050413](#)

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TELFORD & WREKIN HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

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~~21.22.~~ The HWB will be able to establish sub-committees and delegate functions to them.

Scrutiny

~~22.23.~~ Health scrutiny function and powers will be delegated by Full Council to the relevant Scrutiny Committee and the power of referral to the Secretary of State is also delegated to ~~the relevant~~ Scrutiny Committee. ~~The relevant~~ Scrutiny Committee will notify Full Council of an intention to refer a matter to the Secretary of State before a referral is made.

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AUDIT COMMITTEE

TERMS OF REFERENCE

Internal Audit

1. The approval (but not direction) of, and monitoring of, progress against, the internal audit charter and plan.
2. Review summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary.
3. To be able to call senior officers and appropriate members to account for relevant issues within the remit of the Committee – governance (including information governance), internal audit, risk management, statement of accounts and external audit.
4. The Committee will not receive detailed information on investigations relating to individuals. The general governance principles and control issues may be discussed, in confidential session if applicable, at an appropriate time, to protect the identity of individuals and so as not to prejudice any action being taken by the Council.

External Audit

5. Review and agree the External Auditors annual plan, including the annual audit fee and receive regular update reports on progress.
6. To consider the reports of external auditor.
7. Meet privately with the external auditor once a year, if required.
8. Ensure that there are effective relationships between external and internal audit that the value of the combined internal and external audit process is maximised.

Governance

9. Consider the effectiveness of the Council's governance processes and their compliance with legislation and best practice including:
 - a) the Council's Code of Corporate Governance;
 - b) the Council's information security framework;
 - c) oversight of the Commercial Board;
 - de) the management of opportunities and risks; and
 - ee) other corporate governance arrangements.
10. Be responsible for the review and approval of the authority's Annual Governance Statement ensuring that it properly reflects the governance, control and risk environment and any actions required to improve it. Following approval, it should accompany the Accounts.

Treasury Management

11. To review and monitor the Council's Treasury Management arrangements including Treasury policies, procedures and the management of the associated risks and make recommendations to the Cabinet as appropriate.

Statement of Accounts

12. Review and approve the Statement of Accounts, external auditor's opinion and reports on them to members and monitor management action in response to the issues raised by external audit.

Fraud & Corruption

13. To approve the Anti-Fraud and Corruption Policy and to recommend its adoption by the Council, and to monitor its operation. The policy will be reviewed at least once every two years.

14. To approve the Speak Up Policy (*'whistle blowing'*) and to recommend its adoption by the Council, and to monitor its operation. This policy will be reviewed at least once every two years.

Complaints

Recognising that Complaints/Compliments are a Cabinet function, the Committee should:-

15. Review the Annual Complaints Report and seek assurances that the Council is improving in response to complaints raised.

General

16. The meetings will follow the principles of scrutiny, i.e. no party whip will be applied and a constructive, evidence based approach will be used.

17. To ensure that adequate training is received by the members of the committee on the areas covered by these terms of reference.

18. To ensure that any sensitive or confidential information obtained as a result of membership of the Committee is treated as confidential.

19. Annually review their effectiveness and their terms of reference.

PROCEDURE

As a general rule the Council

Part 2 – Articles of the Constitution – Officers (Article 12)

FUNCTIONS OF THE CHIEF FINANCIAL OFFICER

The Assistant Director: Finance, Audit & Information Governance will be designated as the Chief Financial Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Financial Officer will report to the full Council [or to the Leader and Cabinet Executive in relation to a Cabinet function] and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Ensuring all reports to Cabinet include a financial comment and financial implications associated with the recommendations are clearly identified.** The CFO, or officer designated by him, must be given adequate notice to prepare this comment before the initial draft is considered by Senior Management Team.
- (c) **Administration of financial affairs.** The Chief Financial Officer will have responsibility for the administration of the financial affairs of the Council.
- (d) **Contributing to corporate management.** The Chief Financial Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (e) **Providing advice.** The Chief Financial Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity, policy framework and budget issues to all Councillors and will support and advise Councillors and officers in their respective roles.
- (f) **Give financial information.** The Chief Financial Officer will provide financial information to the media, members of the public and the community.
- (g) **Supporting the Audit Committee.** The Chief financial Officer will contribute to the promotion and maintenance of high standards of governance, audit, probity and propriety, risk management and the approval of the statement of accounts through provision of support to the Audit Committee.

Part 4 – Rules of Procedure

Policy Framework and Budget Procedure Rules

THE FRAMEWORK FOR CABINET DECISIONS

The Council will be responsible for the adoption of its budget and policy framework as set out in Article 4. Once a budget or a policy framework is in place, it will be the responsibility of the Leader and Cabinet Executive to implement it.

PROCESS FOR DEVELOPING THE FRAMEWORK

The Council is responsible for the adoption of the budget and policy framework. The process by which the budget and policy framework shall be developed is:

- (a) Before the end of January each year the Leader and Cabinet Executive will publicise its policy and budget proposals, together with a timetable for taking final proposals to the Council and arrangements for consultation. There will be a minimum 4 week consultation period.
- (b) During the consultation period:
 - (i) the Leader and Cabinet Executive's proposals shall be referred to the relevant Scrutiny Committee for further consideration.
 - (ii) a range of consultation activities will take place with the community and stakeholders so that they can feed their views into the process
 - (iii) the Leader and Cabinet Executive's proposals shall be available to Opposition Groups for consideration. It is the responsibility of Opposition Groups to plan their own work programme so that they are able to respond to the proposals within the consultation period.
- (c) Any budget proposals proposed by Opposition Groups must be presented to the relevant Scrutiny Committee and Chief Financial Officer prior to Cabinet presenting their proposals to Full Council. This may be during the consultation period.
- (d) Having considered the results of consultation and any reports of the Scrutiny Committee and Opposition Groups, the Cabinet, if it considers it appropriate, may amend its proposals
- (e) The Cabinet will submit its final proposals to Council before the 11th March each year for adoption. It will also report to Council on how it has taken into account consultation feedback.
- (f) The Council will consider the proposals of the Leader and Cabinet Executive in accordance with its normal rules of procedure.
- (g) The Council shall at that meeting make its final decision on the matter on the basis of a simple majority. The decision shall be made public in accordance with Article 4, and shall be implemented immediately

- (h) Any other changes to the budget and policy framework are reserved to the Council.

DECISIONS OUTSIDE THE POLICY FRAMEWORK OR BUDGET

- (a) Subject to the provisions of paragraph 5 (virement) the Leader, Cabinet, other members of the Cabinet, and any officers, committees of the Council, area committees or joint arrangements discharging Cabinet functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by full Council, then that decision may only be taken by the Council, subject to 4 below.
- (b) If the Leader, Cabinet, other members of the Cabinet, and any officers, committees of the Council, area committees or joint arrangements discharging Cabinet functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Financial Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (urgent decisions outside the budget and policy framework) shall apply.

URGENT DECISIONS OUTSIDE POLICY FRAMEWORK OR BUDGET

- (a) The Leader, Cabinet, other members of the Cabinet, and any officers, committees of the Council, area committees or joint arrangements discharging Cabinet functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
 - i) if it is not practical to convene a quorate meeting of the full Council; and
 - ii) if the Chairman of the appropriate Scrutiny Committee agrees that the decision needs to be taken as a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of full Council and the Chairman of the Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chairman of the Scrutiny Committee, the consent of the Mayor, and in the absence of both, the Deputy Mayor will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

VIREMENT

Virement between budget heads is an integral and important feature of budgetary control. It allows service providers to adapt to service changes within Council policy. The details of virement can be found in Financial Procedures Rules in Part 4 of the Constitution.

CALL-IN OF DECISIONS OUTSIDE THE POLICY FRAMEWORK OR BUDGET

- (a) Where a Scrutiny Committee is of the opinion that a Leader and Cabinet Executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and/or Chief Financial Officer.

- (b) In respect of functions which are the responsibility of the Leader and Cabinet Executive, the Monitoring Officer's report and/or Chief Financial Officer's report shall be submitted to the decision-taker with a copy to every member of the Council. Regardless of whether the decision is delegated or not, the decision-taker must meet to decide what action to take in respect of the Monitoring Officer's and/or the Chief Financial Officer's report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Financial Officer conclude that the decision was a departure, and to the Scrutiny Committee if the Monitoring Officer or the Chief Financial Officer conclude that the decision was not a departure.

- (c) If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Financial Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 10 working days of the request by the Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Financial Officer. The Council may either:
 - i) endorse a decision or proposal of the decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way;
 - Or**
 - ii) amend the Council's financial regulations or policy concerned to encompass the decision or proposal of the decision taker and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way;
 - Or**
 - iii) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the decision-taker to reconsider the matter in accordance with the advice of either the Monitoring Officer/Chief Financial Officer

Financial Regulations

Index Point	Description
1	Status of Financial Regulations
2	Responsibilities
3	Financial Planning
4	Accounting Systems, Financial Records and Returns
5	Financial Management and Control – Revenue
6	Financial Management and Control – Capital
7	Taxation and Leasing
8	Controlled Stationery and Authorised Signatories
9	Internal Audit
10	Risk Management
11	Information Security
12	Public Accountability – Responsibilities
13	Purchasing Arrangements Works/Goods/Services – Requisitions, Authorisation, Goods Received and Payments
14	Corporate Credit Cards and the Government Procurement Card (GPC)
15	Income and Debtors
16	Banking Arrangements
17	Payments to Employees
18	Imprests
19	Insurance
20	Security and Control of Assets
21	Inventories
22	Land & Buildings
23	Treasury Management
24	Unofficial and Voluntary Funds

1. Status of Financial Regulations

- 1.1 Financial Regulations are part of the Council's control environment providing a framework for managing the authority's financial affairs and contributing to good corporate governance, internal control and the management of risks.
- 1.2 The Financial Regulations apply to all officers and members of the Council and anyone acting on behalf of the Council. They also apply to any partnerships or bodies that the Council is a member of and for which the Council is the accountable body. Where the Council is not the accountable body then the lead Council officer is responsible for ensuring propriety and proper processes are followed so that the Council's reputation is not at risk.
- 1.3 It is the responsibility of Assistant Directors to ensure that all staff in their service areas are aware of their responsibilities according to the Financial Regulations and comply with them.
- 1.4 Specific positions and/or officers are named in the regulations and it is their responsibility to ensure compliance. However, named officers can delegate their authority to another appropriate officer as long as this delegation has been recorded.

- 1.5 Where the Leader and Cabinet Executive have been named in Regulations it will be their responsibility to ensure compliance. The Leader and Cabinet Executive can delegate such responsibility to one of its Cabinet members as set out in the Constitution.
- 1.6 All members and officers have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised and provides value for money.
- 1.7 Financial Regulations are set out in self-contained sections, each covering a specific area of control. Each section provides a contact point for further information or clarification. Where appropriate the Regulations are supported by detailed procedure notes which can be accessed on the intranet.
- 1.8 These Financial Regulations cover all areas of Council activity with the exception of schools which have their own set of regulations as part of the Local Management of schools (LMS) Scheme.
- 1.9 Failure to comply with Financial Regulations, or procedures issued under them, may lead to disciplinary action for employees and an investigation by the Chief Financial Officer. For Members any issues will be investigated by the Monitoring Officer.

2. Responsibilities

- 2.1 Section 151 of the Local Government Act (LGA) 1972 places a duty on the Council to make arrangements for the proper administration of its financial affairs, including the appointment of a Chief Finance Officer.
- 2.2 Section 114 of the Local Government Finance Act (LGFA) 1988 requires the Chief Financial Officer to report to the Council if the authority, one of its committees, the Leader and Cabinet Executive or one of its officers:
 - Has made – or is about to make – a decision which has or would result in unlawful expenditure;
 - Has taken, or is about to take, an unlawful action which has or would result in a loss or deficiency to the authority; or
 - Is about to make an unlawful entry in the Council's accounts.

Section 114 of the LGFA 1988 also requires the Chief Financial Officer to nominate a properly qualified member of staff to deputise, should the Chief Financial Officer be unable to perform the duties under Section 114 personally.

* **The Council** – means the full Council who provide the political and strategic direction of the authority. They approve the policies of the authority, including relevant strategies and the budget.

* **The Leader and Cabinet Executive** – means the Leader of the Council and the Cabinet members, who propose to Council policy and budget strategies.

* **Chief Financial Officer (CFO) Responsibilities (s151/s114)** – these have been allocated to the Assistant Director: Finance, Audit & Information Governance and include:

- provision of financial advice for service delivery, strategic planning and policy making across the authority;

- provision of advice on the optimum use of available resources on the management of capital and revenue budgets;
- provision of financial management information;
- preparation of statutory and other accounts, associated grant claims and supporting records;
- provision of an effective internal audit function and assistance to management in providing safe and efficient financial arrangements;
- provision of effective financial management systems and procedures
- provision of effective income collection and payments systems;
- advising on treasury, investment and cash-flow management; and
- advising on the safe custody of assets and insurance.

* **The Assistant Director Finance, Audit and Information Governance** has delegated responsibility under the Accounts and Audit (England) Regulations 2011 to maintain an adequate and effective Internal Audit service. The Assistant Director Finance, Audit and Information Governance has the ability to report directly, without fear or favour, to any level within the organisation or to the External Auditor.

* **Senior Management Team (SMT) (Managing Director, Directors and Assistant Directors)** are responsible for ensuring that Assistant Directors provide services that meet the Council's overall policy objectives. This includes ensuring compliance by Assistant Directors with the Council's governance arrangements including Financial Regulations and Contract Procedure Rules.

* **The Managing Director** is responsible for leading on corporate governance issues throughout the Council.

* **The Finance Managers** will act as deputy Section 151 Officer

* **Assistant Directors** are responsible for ensuring the delivery of services by their respective Delivery Units. This includes ensuring compliance by Delivery Managers with Financial Regulations and Contract Procedure Rules within their service areas.

* **Delivery Managers** (this definition includes Service Delivery Managers, Group Managers and/or Team Leader with budget and staff responsibilities) are responsible for the day to day provision of services and the management of the associated budget. This includes ensuring that all staff comply with Financial Regulations and Contract Procedure Rules in performance of their duties.

2.3 Financial Training

2.3.1 CFO to provide relevant training that is sufficient to enable Executive members and appropriate officers to fulfil their respective roles (recognising the resource constraints on finance/service area staff and members) in respect to:

- Financial planning and management;
- Information governance and information security; and
- Governance and fraud prevention.

3. Financial Planning

3.1 The Council is responsible for approving the budget, various plans and policies, which will be proposed by the Leader and Cabinet Executive. This will include the policy framework, the budget (including the capital programme) and the Council Plan. See Budget and Policy Framework Procedure Rules within the Constitution.

3.2 Service & Financial Planning Strategy

The Chief Financial Officer shall, within the general direction of the Leader and Cabinet Executive produce a draft Service & Financial Planning Strategy taking into account the projected resources available

CONTACT: Assistant Director – Finance, Audit & Information Governance

4. Accounting Systems, Financial Records and Returns

4.1 Proper accounting records are one of the ways in which the Council discharges its responsibility for stewardship of public resources. The Council has a statutory responsibility to prepare annual accounts which are subject to internal and external audit.

4.2 The Chief Financial Officer should ensure that there is a proper retention policy for financial documents which all officers must follow.

4.3 The CFO is responsible for determining the accounting systems and procedures adopted by the Council. No variations shall be made to accounting records and procedures without the written agreement of the CFO. In particular Assistant Directors should confer with the CFO before introducing or amending any books, forms, records, administrative procedures or computerised systems used in conjunction with accounting for cash, income, expenditure, stores and financial transactions generally.

4.4 Assistant Directors are responsible for ensuring the completion and submission of Grant applications and financial returns. The Chief Financial Officer/Managing Director/Audit & IG Manager should have adequate notice to request appropriate explanations or information as may be required prior to signing and the AD forwarding to the relevant government department or agency.

CONTACT: Corporate Finance Manager

5. Financial Management and Control – Revenue**5.1 Preparation and Approval of Budget**

- 5.1.1 The Council will approve the overall spending plans of the Council.
- 5.1.2 The revenue estimates shall be determined by the CFO in consultation with Assistant Directors within the general guidelines of the Leader and Cabinet Executive and relevant professional requirements. Estimates shall be prepared annually before the start of the financial year and revised, if the CFO considers appropriate, during the course of the year.
- 5.1.3 Once the council's budget for the year has been approved the Assistant Directors and Delivery Managers can authorise expenditure within the limits agreed subject to the separate rules on virement.
- 5.1.5 The Delivery Managers must exercise financial control including monitoring income and expenditure on a regular basis. Once approved, responsibility for budgets rests with the relevant Delivery Manager and Assistant Director.

5.2 Budgetary Control

- 5.2.1 The corporate finance information system determined by the CFO is the Council's prime accounting record. It provides the mechanism for Assistant Directors and Delivery Managers to monitor and control their budgets.
- 5.2.2 Assistant Directors and Delivery Managers are required to monitor their budgets regularly during the year and take immediate action as necessary. If it is considered that a particular budget head requires increasing, virement must be sought before any overspending occurs (see Virement section). Under no circumstances should expenditure be incurred without appropriate provision being put in place first.
- 5.2.3 Regular financial updates will be taken to the Leader and Cabinet Executive.
- 5.2.4 Generally all Council budgets are prepared on a cash limited (outturn) price base. This means that no supplementary estimates will be provided for inflation or other increases once budgets have been approved, except in exceptional circumstances.
- 5.2.5 All reports to Senior Management Team (SMT) or Members must be passed to Finance to identify any financial implications and should be made available to those staff in reasonable time before due for submission.

5.3 Supplementary Estimates

- 5.3.1 The Council sets budgets for gross expenditure and income in the context of a cash limit. No additional expenditure or commitments are permitted once the budget has been approved without prior approval from the relevant Assistant Director and Chief Financial Officer. In exceptional circumstances this may not be possible and if this is the case, a report should be taken to Full Council outlining the reasons and seeking approval for additional spend and funding.

5.4 Grants

5.4.1 Applications for grant bids must be approved and be considered by Senior Officers, as detailed below, to ensure they align with the Council's key priorities and that any financial implications, such as a requirement for match funding, are identified:

- Where the value is £10,000 or less approval should be given by the relevant Assistant Director
- Where the value exceeds £10,000 but is less than £50,000 approval should be by SMT
- Where the value exceeds £50,000 the relevant Cabinet Member and Assistant Director should give approval

In all cases, grant bids must be approved by the relevant Finance Manager prior to submission.

5.4.2 Acceptance of grant terms must also be approved by the relevant Assistant Director and a Finance Manager.

5.4.3 All grant claims must be certified by a Finance Manager subject to the conditions of the grant awarding body. In addition where certification is required by Internal Audit adequate notice should be given to enable this work to be undertaken.

5.4.4 Assistant Directors are responsible for ensuring adequate records, financial and otherwise, have been maintained for all externally funded schemes subject to audit by the European Commission or grant awarding bodies

5.5 Virement

5.5.1 Virement between budget heads is an integral and important feature of budgetary control. It provides Senior Managers with the flexibility to adapt expenditure patterns which they consider appropriate in meeting changing locally determined service needs and objectives consistent with Council policy.

5.5.2 Virement may be necessary for several reasons. For example:

- unforeseen cost increases,
- demand for a particular service, in line with existing policies, exceeding estimates,
- a local requirement to provide a different service from that anticipated when the budget was set, or
- utilising efficiency or other savings.

5.5.3 Except where allowed under the scheme of virement only the Council can approve changes to the budget it has previously agreed.

5.5.4 Approval is required where there is a proposed change to the use of budgets in terms of services being delivered, subject to the limits set out in the table below,

Limit	Approved By	
Virements less than £50,000	Service Delivery Manager and Finance Manager	All virements must <ul style="list-style-type: none"> • be within the overall policy framework; • not involve an increasing commitment in future years, which cannot be contained within existing approved budget allocations
Virements £50,000 or more but less than £250,000	Cabinet	
Over £250,000	Full Council	

5.5.5 Assistant Directors/Service Delivery Managers should notify the relevant Finance Manager of all proposed virements in their area so that the correct approvals are gained and the budget and financial system are updated.

CONTACT: Corporate Finance Manager

5.6 Reserves & Balances and the Robustness of Estimates

5.6.1 The budget report will contain a comment by the CFO (Chief Financial Officer) on the robustness of the estimates and the adequacy of reserves, in accordance with the requirements of the Local Government Act 2003 and CIPFA guidance. The CFO must also be satisfied that the decisions taken on balances and reserves represent proper stewardship of public funds.

5.6.2 Specifically, the budget report will include a statement on the adequacy of general reserves and provisions for the forthcoming year, linked to the medium term financial strategy.

5.6.3 An annual review of earmarked reserves will be undertaken as part of the budget preparation process and a statement will be presented to Council alongside the budget report.

5.6.4 The level and purpose of reserves and balances held must be clearly defined and justified by Assistant Directors. Further regular reviews should be undertaken to ensure continuing relevance and adequacy.

5.6.5 There is no statutory minimum level of reserves required. This will be a matter of local judgement determined by the CFO but following relevant national guidance.

CONTACT: Corporate Finance Manager

6. Financial Management and Control – Capital

- 6.1 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the authority, such as land, buildings and major items of plant and equipment or vehicles. Capital assets shape the way services are delivered for the long-term and create financial commitments for the future in the form of financing costs and revenue running costs. Capital resources can only be used to fund capital expenditure, unless a specific capital direction has been granted by the Secretary of State.
- 6.2 The Council will comply with the requirements of CIPFA’s Prudential Code for Capital Finance in Local Authorities and will set and monitor a range of Prudential Indicators accordingly to ensure that borrowing is affordable, prudent and sustainable.
- 6.3 The Council will determine the capital programme for the Authority after considering: overall Corporate Priorities, the Council’s Asset Management Plan, the Transport Asset Management Plan, the Capital Strategy; availability of funding; affordability and ongoing revenue implications.
- 6.4 The capital programme shall focus on the medium term service & financial planning period; the total cost and phasing of each approved scheme shall be identified along with the proposed source(s) of funding. The overall Service & Financial Planning Strategy will reflect the revenue implications of the capital programme.
- 6.5 The CFO shall determine the method of funding for each capital scheme within the context of the various capital resources available.
- 6.6 All proposed investments should be subject to a financial appraisal which takes into account the full costs of using the capital resources.
- 6.7 The CFO shall ensure that an effective monitoring system is in place during the year to control capital expenditure and funding. Delivery Managers are responsible for the delivery of capital projects. Assistant Directors are responsible for notifying the CFO if it seems likely that there will be a significant variation in spending on a scheme and any changes to budgeted capital receipts.
- 6.8 Virements,, can be approved by those designated below, subject to the limits shown, if there is no significant impact on the delivery of individual elements of the capital programme and/or on the overall capital strategy.
- (a) Up to £50,000 (**LIMIT G**) – CFO in consultation with the relevant Assistant Director
 - (b) Over £50,000 up to £250,000 (**LIMIT K**) – Leader and Cabinet Executive approval required
 - (c) Over £250,000 (**LIMIT R**) – the Council.
- 6.9 Supplementary Capital Estimates
Any changes to the capital programme, including new capital approvals, must be approved by Full Council.

CONTACT: Corporate Finance Manager

7. Taxation and Leasing

Taxation

- 7.1 Like all organisations, the Council is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers and members to be aware of their roles and responsibilities.
- 7.2 It is the responsibility of Assistant Directors to ensure compliance with all tax regulations relating to their Delivery Units. This will include Income Tax, National Insurance, V.A.T. and tax accounted for under C.I.S. If in doubt, Assistant Directors should consult with the CFO. Delivery Units will be liable for any costs, including any penalties and interest charged for incorrect tax treatment.
- 7.3 Each year the Council has to demonstrate that it has not breached the partially exempt VAT threshold. If the threshold is exceeded there are significant financial implications for the Council which include having to repay VAT previously claimed back from Revenues & Customs. It is therefore important that the tax implications of business decisions are fully understood and Assistant Directors and Delivery Managers must ensure that taxation is considered as part of their every day operations and in particular when service changes are proposed.
- 7.4 Assistant Directors and Service Delivery Managers must check the employment status of anyone engaged in their Service Area to ensure that tax is correctly calculated. This is particularly relevant to self-employed consultants or “contractors”. Where an individual is deemed to be an employee of the Council they must be paid through payroll.
- 7.5 All officers have a responsibility to ensure that tax is correctly accounted for so that the risk of financial penalty is minimised and tax paid to Revenues & Customs is correct.
- 7.6 The Council’s Taxation Officer will provide guidance in relation to taxation.

Leasing

- 7.4 Leasing is a method of financing the acquisition of certain types of capital assets and allows the cost to be spread over several financial years through annual rentals. It is a specialised area of finance with complex legal and financial agreements. Leasing arrangements may only therefore, be entered into by the CFO or his designated officer. Normal contract procedures should be followed in relation to leasing arrangements.
- 7.5 Detailed guidance on leasing issues is incorporated within specific procedure notes on the Intranet.

CONTACT: Corporate Finance Manager

8. Authorised Levels and Controlled Stationery

8.1 The CFO will set (and review in consultation with the Monitoring officer) authorisation levels for officers in respect to expenditure. The current levels are:-

What	Who	Limits
Authorising Orders and invoices	Requisitioners	Up to £100
	Team Leaders/Group Managers/Specialists	£100 - £19,999
	SDM's	£20,000 - £49,999
	SDM plus AD's	£50,000 - £99,999
	AD's plus Director/MD or another specified	Over £100,000
Authorising use of the imprest account	CFO	All
Awarding and signing contracts	SDMs ADs AD: Law, Democracy and Public Protection	Up to £50,000 £50,000 and over £ EU Procurement level and contracts under seal
Travel and subsistence claims Timesheets and Overtime Claims	Team Leader/Group Managers and below	SDM
	SDM	AD
	AD	Director
	Director	Managing Director
	Managing Director	Monitoring Officer
	Members	CFO

8.2 All cheques and other controlled stationery, including receipt books, invoices, and Electronic Fund Transfer (E.F.T.) forms may only be ordered by the CFO or an authorised representative who shall make proper arrangements for their safekeeping.

8.3 Only authorised signatories may commit the Council to expenditure, including electronically, in line with relevant procedure notes by:

- Authorising Orders
- Certifying expenses claims
- Authorising petty cash purchase
- Certifying timesheets and overtime claims
- Signing and awarding contracts (see also Section 7, Contract Procedure Rules)
- Over certain limits more than one officer should be involved in the authorising process.

8.4 Assistant Directors are responsible for informing the CFO of any changes to authorised signatories and the responsibilities of officers.

CONTACT:

For authorised signatories: Finance Officers

For controlled stationery: ICT Asset & Documentation Team

9. Internal Audit

9.1 The Chief Financial Officer (CFO) under section 114 of the LGFA 1988 and the Accounts and Audit (England) Regulations 2011 has a statutory responsibility for the overall financial administration of the Council's affairs. Section 6 of the Accounts and Audit (England) Regulations 2011, says that the authority "*must undertake an adequate and effective internal audit of its accounting records and of its system of internal control in accordance with the proper practices in relation to internal control.*"..The Chief Financial Officer shall, therefore, in accordance with relevant legislation arrange for a continuous and current internal audit of all areas of Council activities.

9.2 The relevant Internal Audit Standard setters for Local Government are CIPFA and they have endorsed the UK Public Sector Internal Audit Standards (The Public Sector Internal Audit Standards are based on the mandatory elements of the Institute of Internal Auditors (IIA) International Professional Practices Framework. Internal Audit will operate to these Standards and any other relevant guidance. The definition of Internal Auditing within the Standards is:

Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

9.3 As the definition outlines Internal Audit has a key role to play in independently reviewing the effectiveness of the Council's entire control environment in respect to the processes for governance, risk management and control. It contributes an objective opinion to the Council's Annual Governance Statement.

9.4 The existence of a continuous internal audit service does not in any way diminish the responsibility of SMT for the delivery of priorities and Assistant Directors for the management of the Delivery Units under their control and their responsibilities in respect to risk management and the systems of internal control.

9.5 The Audit & Information Governance (IG) Manager is the Council's Chief Audit Executive as defined under the Standards and is the Chief Internal Auditor as defined in CIPFA's Statement on the Role of the Chief Internal Auditor who reports to the CFO and should ensure that Internal Audit remains independent in its planning and operation. The Audit & IG Manager should be responsible for maintaining periodic audit plans which have due regard to the key priorities and associated risks of the authority, the objectives and risks for each

service area in delivering their services and the requirements of the external auditor. The plan will deliver work to provide reasonable assurance to the Council based on the resources available. The Audit & IG Manager must report to the s151 officer or the Audit Committee if there are insufficient resources or limitations in the scope of their work to provide reasonable assurance or a service consistent with the definition of Internal Audit in paragraph 9.2.

9.6 It is the responsibility of Audit & IG to review, evaluate and report

- upon the soundness and adequacy of financial and other records and the processes for governance, risk management and control within the Council to provide their assurance for the Annual Governance Statement;
- the extent to which the Council's assets and interests are accounted for and safeguarded from losses of all kinds arising from:
 - fraud and other offences
 - waste and inefficient administration, poor value for money or other cause
 - the suitability and reliability of financial and other management data developed within the organisation.
- The soundness and adequacy of the data quality systems operating to collect and report on performance information

9.7 The Chief Finance Officer's authorised Audit & IG representatives shall be empowered to:

- enter at all reasonable times any Council premises or land
- have access to all Council and partner records (includes business e-mail and internet records), documentation and correspondence relating to any financial and/or other transactions or other business of the Council, its employees or members, as considered necessary by the CFO, Monitoring Officer or Audit & IG Manager.
- have access to records belonging to third parties such as contractors or partners when required

- require and receive such explanations as are regarded necessary concerning any matter under examination from any employee, member, partner or third party.
 - require any employee or member of the Council or any partner/third party to account for cash, stores or any other Council property which is under his/her control or possession on behalf of the Council.
- 9.8 All work carried out shall have due regard for the requirements of the access to information legislation (e.g. Data Protection Act 1998, Freedom of Information Act 2000, etc.) and the Human Rights Act 1998, together with any other relevant legislation current at the time of the audit.
- 9.9 Delivery Managers should agree the draft report and indicate the actions they propose within one month of receipt of the draft report. Assistant Directors and Delivery Managers are responsible for implementing the agreed recommendations within Audit & IG reports within an appropriate timescale.
- 9.10 Failure to implement statutory, policy or financial regulation recommendations within the agreed timetables may be referred to the Chief Finance Officer and the appropriate members, following consultation with the appropriate Assistant Director.
- 9.11 Internal Audit has specific fraud related responsibilities which are set out in the corporate Anti-Fraud & Corruption Policy. It is the duty of any Officer or Member to follow the corporate Anti-Fraud and Corruption Policy. Any officer or member who suspects that an irregularity involving cash, materials or any other property of the Council may have occurred must inform the Assistant Director or report the matter directly to the Audit & IG Manager or Section 151 Officer. Confidentiality, wherever possible, will be respected in any dealings on such matters. The Section 151 Officer shall report to the Managing Director, the relevant Assistant Director, Director and Cabinet or a specific member of the Cabinet and the Leader, if appropriate, any matter of a significant nature.
- 9.12 Any decision to refer a matter as outlined in paragraph 9.11 to the Police is to be taken by the Audit & IG Manager after informing the Council's Section 151 Officer or their representative. Where a Member is involved the Managing Director, Monitoring Officer and where appropriate, the External Auditor, will be consulted. Where Police advice is sought but it is not intended that any criminal prosecution shall take place, the Audit & IG Manager shall ensure that the anonymity of the individual(s) concerned shall be maintained at all times.
- 9.13 Internal Audit will define and manage consultancy assignments as set out in the PSIAS.

9.14 The Audit & IG Manager reports to the Audit Committee as defined in their terms of reference. This includes the following information:

- a) the Internal Audit plan and Charter;
- b) quarterly reports summarising the internal audit work undertaken and any key findings; and
- c) an Annual Report which provides Internal Audit assurance for the Annual Governance Statement.

9.15 The Audit & IG Manager and CFO have the authority to report, as appropriate, on any matter, without fear or favour, to all levels of the Council. This can include reporting directly to the Managing Director, Leader or any Cabinet Executive (including the lead Member for Governance), Chairman of the Audit Committee, SMT, the Monitoring Officer or the Council's External Auditors.

CONTACT: Audit & IG Manager

10.0 Risk Management

10.1 The Deputy Leader is the lead member for Governance for the Council, including risk management.

10.2 The Managing Director is the lead officer in respect to Governance which incorporates risk management. The Managing Director is responsible for the development, co-ordination and maintenance of the Council's Risk management processes which form part of the Service Planning process. However it is the responsibility of all employees and members to ensure that the Council's risks are properly managed.

10.3 SMT will:

- (a) regularly review the Council's strategic risks
- (b) report to the Cabinet on an exception basis when significant risk management issues arise
- (c) keep the Deputy Leader updated on their reviews of strategic risks

10.4 The Leader and Cabinet Executive will:

- (a) receive the exception reports on significant risk management issues arising during the year; and
- (b) agree the Annual Governance Statement.

10.5 The Audit & IG Manager will keep the Audit Committee informed of any issues arising from the risk management activities of the Council and exception reports presented to Cabinet. This will enable the Audit Committee to independently review the Council's risk management processes as set out in their terms of reference.

- 10.6 SMT is responsible for the management of risks within the services, projects and priorities that they lead. AD's are also responsible for ensuring that a proper risk assessment is undertaken for all new activities, projects, changes to services or partnership arrangements and that where required controls are implemented or revised to manage these new/revised risks.
- 10.7 Each Assistant Director submitting a report to the Leader and Cabinet Executive, the Council or one of the Council's committees must ensure that any opportunities or risks arising from the proposed action or decision are clearly included in the impact assessment contained in the report.

11.0 Information Security

- 11.1 The CFO is the Council's designated Senior Information Risk Owner and is responsible for ensuring that there is a proper information governance framework in place.
- 11.2 The SIRO is responsible for approving all Information Sharing agreements.
- 11.3 SMT is responsible for ensuring compliance with the Council's Information Governance framework.
- 11.4 AD's are the owners of the information within their service areas and this information encompasses information stored on computers, transmitted across networks including the internet, printed out or written down or spoken in conversation.
- 11.5 SMT must ensure compliance with the Corporate Information Security Policy to ensure:
- Confidentiality of information
 - Integrity of information
 - Availability of information
 - Proper retention of information
 - All software installed is appropriate for business use and is properly licensed.
- 11.6 AD's must ensure appropriate Data Protection Registrations are in place for their service areas. This includes compliance with the regulation of information relating to individuals including obtaining, holding, using and the disclosure of individual's information.

CONTACT: Audit & IG Manager

12. Public Accountability – Responsibilities

- 12.1 Members and officers have a Code of Conduct and rules on Gifts and Hospitality which they must comply with.
- 12.2 Members and officers must not:
- a) Accept any bribe or personal inducement in connection with council business
 - b) Use Council property, assets, materials or information for other than the purposes of Council business.
 - c) Subordinate their duty to the Council to their private interest or put themselves in a position where their duty and private interests conflict.
- 12.3 All members and officers must adhere to the Council's Anti Fraud and Corruption Policy and report any suspected irregularities to the CFO.

- 12.4 SMT – the Managing Director, Directors and Assistant Directors are responsible for leading and demonstrating good governance and ensuring that the Council’s Governance Statement is a true reflection of the Council’s governance arrangements.

13. Purchasing Arrangements

General:

- 13.1 These Financial Regulations should be considered in conjunction with the relevant parts of Contract Procedure Rules relating to contracts. Assistant Directors must ensure that any purchasing contracts comply with Contract Procedure Rules, related guidance, statutory requirements and European directives.

Financial Thresholds & Limits

- 13.2 All contracts must adhere to the contract thresholds set out in the Contract Procedure Rules in Conducting a Purchase.

Works/Goods/Services

Requisitions, Authorisation, Goods Received, Payments

- 13.3 Every officer and member of the authority has a responsibility to declare any links or personal interests which they may have with purchasers or suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Council. Officers should declare any such interest to their Assistant Director or relevant Director as soon as they become aware of such an interest. Members are responsible for amending their own entries in the Register of Interests held by Member Services as soon as they become aware of such an interest.
- 13.4 Official Orders are to be issued only by officers authorised by Assistant Directors. Authorised officers are responsible for authorising orders within their control and in particular for ensuring that the expenditure is necessary, legal and within the approved estimates or covered by a special financial provision.
- 13.5 The CFO should be notified of all officers authorised by Assistant Directors to authorise official orders.
- 13.6 Official orders shall be issued for all work, goods or services to be supplied to the Council; this must be in the form of an electronic order generated by the approved Corporate Procurement System, unless the Government Procurement card is used (see section 13 below). Authorising officers must be able to demonstrate that the work, goods or services are required in order to provide Council Services. Orders should not be raised for supplies of utilities, periodic payments such as rent or rates, or for purchases made through imprest accounts. When ordering from an individual their status must be confirmed using the HMRC Employment status toolkit prior to raising the order.
- 13.7 Telephone orders may be used in exceptional circumstances but when this happens they must be confirmed using an electronic emergency order.
- 13.8 All orders must be governed by the Authority’s standard terms and conditions; these must not be varied without the prior approval of the Assistant Director: Development, Business and Housing and Legal Services.

- 13.9 Official orders must not be raised for any personal or private purchases, nor should personal or private use be made of Council contracts.
- 13.10 Assistant Directors and Service Delivery Managers shall separate the responsibilities for raising requisitions, authorisation of requisitions and receipt of goods, so that 2 different officers are involved.
- 13.11 Goods and services should be checked on receipt to ensure they are in accordance with the order and a Goods Receipt Note raised on the FMS system. Discrepancies should be dealt with as agreed procedures.
- 13.12 All payments, apart from the authorised use of imprest accounts (see Financial Regulation 18); due from Service Delivery Units and chargeable against their budgets shall be made in such manner as outlined by the CFO. Apart from payments from cheque imprest accounts the normal method of payment of money due from the Council shall be by BACS or other instrument drawn on the Council's bank account by the CFO. The use of direct debit and credit shall require the prior agreement of the CFO.
- 13.13 All invoices will be received by the Purchase Ledger team unless otherwise agreed. Once received the invoices will be scanned into the system and matched to the order and goods received note, where they exist. Mismatches will be resolved as per the agreed procedures.
- 13.14 Payments to construction contractors on account of contracts shall be made only on a certificate issued by a relevant member of SMT or other officer or external consultant nominated in writing for this purpose. This certificate shall show the total amount of the contract, the value of the work executed to date, retention money, amount paid to date and the amount now certified.
- 13.15 Any interest charged to the Council in respect of late payment under the Late Payment of Commercial Debts (Interest) Act 1998 will be passed on to the Delivery Unit that ordered the goods/services.
- 13.16 The Audit & IG Manager and Employment Services Manager shall examine accounts to the extent considered necessary and shall be entitled to make such enquiries and to receive such explanations as may be required.
- 13.17 Detailed guidance on Requisitions, authorisation, orders, good received notes and payments can be found within specific procedure notes on the Intranet.

CONTACT: Strategic Procurement Manager or Employment Services Manager

14. Corporate Credit Cards and the Government Procurement Card (GPC)

- 14.1 Usage is restricted to the following
- Corporate Credit Cards: The Leader and Directors may have corporate credit cards. The CFO also has a card which can be used by other Council officers following strict guidance and authorisation procedures.
 - Government Procurement-Cards – as part of the process operated by Purchase Ledger and the Corporate Procurement Unit

- 14.2 Corporate Credit Cards: there are strict guidelines and procedures associated with the use of corporate credit cards which clearly state card holder responsibilities and allowed expenditure. The cardholder is responsible to account for all expenditure that is incurred on their card. Expenditure must be for business purposes only and VAT receipts must be provided for each transaction. There are set limits for expenditure against the Corporate Credit Card Account which must not be exceeded. The CFO will approve any additional cardholders.
- 14.3 GPC – the GPC process is in place to enable purchases by telephone, face-to-face or via the internet to streamline the procurement of low value, high volume transactions. Users will be authorised by their Delivery Manager and the process controlled by the GPC coordinator in the Corporate Procurement Team. Each card will have set limits for expenditure which must not be exceeded. Each user receives specific guidance on usage and their responsibilities. The GPC process negates the need for a traditional order; instead the user maintains a monthly log of expenditure, which is validated against the statement issued by the supplying bank. The cardholder is responsible for all expenditure on their card, which is set out in an acceptable use policy. The account will be settled by Direct Debit on a monthly basis.

CONTACT:

Corporate Finance for further advice and guidance on the Corporate Credit Cards
 Corporate Procurement for further advice on the Government Procurement Cards

15. Income and debtors

- 15.1 ADs and SDMs must ensure that all income due to the Council is identified, collected, receipted (and recorded and securely retained prior to banking) and properly banked. They should, wherever possible seek pre-payment for goods and services; otherwise income collection should be by the most cost effective procedures.
- 15.2 AD's and SDM's are responsible for ensuring that there are proper refund procedures and that appropriate approval is recorded.
- 15.3 ADs and SDMs must monitor outstanding debt on a regular basis and, as far as possible, ensure transparent separation between those responsible for the identification of debt and those responsible for its collection.
- 15.4 The Council does not accept the discharge of a debt other than by payment in full other than in respect of write-offs, as below:-

What	Who
Value up to the level of Revenues Court costs - £80	R&B Senior Officer/1 st Line Supervisor
Revenues Court Costs to £999.99	R&B Team Leader
£1,000 to £9,999.99	Revenues & Benefits SDM
£10,000 to £24,999.99	AD – Finance Audit & IG
Where the debtor has been declared insolvent or bankrupt and all monies due in dividend has been received or, if the debtor is a company where it has ceased trading or is insolvent	CFO
A debt of more than £25,000 which is not subject to insolvency or bankruptcy proceedings	Leader/Cabinet

- 15.4 Money held on behalf of the Council shall not be used to cash cheques for members, employees or third parties.
- 15.5 All income over £100,000 coming in to the Council must be notified by the AD/ SDM to the CFO as must contracts and leases that involve the receipt of such sums.

- 15.7 ADs will review charges made for services provided within their service delivery areas at least annually.

CONTACT: CFO

16. Banking Arrangements

- 16.1 All arrangements with the Council's bankers must be made or approved by the Chief Financial Officer who shall be authorised to operate such bank accounts, including giro bank accounts as required.
- 16.2 Cheques drawn on the Council's banking account shall bear the facsimile signature of the Chief Financial Officer or be signed by him/her or such other identified senior officers as he/she may from time to time designate in writing.
- 16.3 The CFO shall maintain a list of identified senior officers who may on his/her behalf give instructions to the Council's banker and countersign cheques. These designated senior officers must countersign cheques for amounts of £50,000 or more (LIMIT G). 15.4 Standing order and direct debit payments may only be established by the CFO or such other identified senior officers as he/she may from time to time designate in writing.

CONTACT: Corporate Finance Manager

17. Payments to Employees

- 17.1 The Council's Pay Policy Statement must be adhered to in respect to all payments to employees.
- 17.2 ADs must ensure that the CFO is notified of all matters affecting the payment of employees and members as soon as possible after there has been a change made that will affect any employee/member.
- 17.3 Any pay records shall be in a form agreed by the CFO.
- 17.4 No payment will be made to a person deemed to be an employee other than through the normal payroll procedure. AD's and SDM's should confirm before engagement the employment status of self employed consultants or "contractors" and clarify their payment mechanism with the CFO. Office Holders should also be engaged through payroll as they are subject to PAYE.
- 17.5 All claims (travel, subsistence, overtime, additional hours etc) should be submitted within 3 months.
- 17.6 There are special rules on foreign travel available separately.

CONTACT: Employment Services Manager or People Services Manager

18. Imprests

- 18.1 The CFO in consultation with appropriate Assistant Directors may make imprest advances to officers for the purposes of paying minor items of expenditure and any other items as may be approved by him/her.

- 18.2 The CFO reserves the right to withdraw imprest facilities from officers if it is deemed that they are being used inappropriately, the expenditure limit is exceeded, or the facility is rarely used.
- 18.3 The accounts should be maintained on an imprest basis using standard Council imprest stationery and recording procedures for this purpose. All officers should maintain a record of their receipts and payments in a form and manner prescribed by the CFO.
- 18.4 No income received on behalf of the Council may be paid into an imprest account but must be banked or paid into the Council as in section 15 of these regulations.
- 18.5 The imprest account should be continually kept in balance and records submitted as required by the CFO at regular intervals for examination and the reimbursement of expenditure.
- 18.6 The officer responsible for an imprest account shall, if requested, give the CFO a certificate confirming the amount held. Upon leaving the Council or at the request of the CFO the responsible officer shall repay to the Council the balance of the imprest held.
- 18.7 Cheque imprest accounts should not be allowed to go overdrawn. The Delivery Unit concerned will be responsible for all bank charges, interest payments and administration charges if this occurs as a result of failure to submit reimbursement claims or if they are submitted too late in order that timely processing can take place.
- 18.8 Imprest should not be used to pay or reimburse employees, or to purchase items from which they will benefit
- 18.9 Detailed guidance on Imprest and Petty Cash Accounts is incorporated within specific procedure notes which are included on the Intranet.

CONTACT: Corporate Finance Manager

19. Insurance

- 19.1 The CFO will be responsible for the Council's insurance. Only the officer identified by the CFO may obtain insurance cover on behalf of the Council.
- 19.2 Assistant Directors are responsible for ensuring that all new activities or assets that may introduce an insurable risk to the Council are notified to the Insurance Manager.
- 19.3 Assistant Directors must assess the risks associated with their services and notify the Insurance Team Leader of any changes to risk exposure.
- 19.4 As soon as officers are aware of any loss, liability or damage-causing event that may give rise to a claim of any kind against the Council they must notify the Insurance Manager who will take the appropriate action to safeguard the Council's position.
- 19.5 Appropriate officers will co-operate at all times with the investigations of the Insurance Manager into any claims and will supply all information upon request. It is imperative that officers comply with the timescales for investigating claims. Failure could directly affect the authority's ability to defend a claim or could result in financial penalties being imposed on the authority/Delivery Unit.

- 19.6 The appropriate officer will make an annual declaration of any claims or events likely to give rise to a claim not yet reported to the CFO.
- 19.7 It is the responsibility of the Delivery Manager to ensure that all third parties using the Council's buildings are appropriately insured and that Contractors employed by the Council hold appropriate and valid insurance.

CONTACT: Insurance Team Leader

20. Security and Control of Assets

20.1 Stocks and Stores

- 20.1.1 Assistant Directors are responsible for determining an efficient stock holding policy to ensure stock levels are not in excess of normal requirements.
- 20.1.2 The Assistant Director shall supply the CFO with such information relating to stores with a value exceeding £1,000 as may be required for the accounting, costing and financial records of the Council.
- 20.1.3 Assistant Directors shall ensure periodic test examinations of stocks and shall ensure that all stocks are checked at least twice a year, and that a return of stocks in hand at the 31st March is certified.
- 20.1.4 After each stock check a return should be completed indicating any differences between actual and recorded stock. Where, after thorough investigation, differences cannot be reconciled, then the necessary adjustment should be made to the stores accounts. Adjustments to the accounts should be clearly identified and appropriately authorised. Copies of all adjustments should be available for inspection by Audit Services. If the adjustments account exceeds £10,000 (LIMIT B) in any year, the CFO shall report the circumstances to the lead member on the Cabinet responsible Resources and Service Delivery, together with explanations for the surplus/deficit.
- 20.1.5 Assistant Directors should ensure that any material surpluses or obsolete stock are disposed of in line with agreed Council procedure. All disposals should be recorded and the records should be available for inspection.

21. Inventories

- 21.1 Inventories shall be maintained by all Delivery Units of all Council assets, including ICT (see 21.2.2). The CFO shall define the extent to which the assets of the Council shall be recorded and the form in which inventories shall be kept.
- 21.2 A corporate inventory for all ICT assets shall be maintained by the Assistant Director Customer and People Services and as such all items will be clearly identified and labelled. Delivery Managers should not arrange relocation or disposal without appropriate notification to the Assistant Director Customer and People Services.
- 21.3 All leased equipment should be clearly identified and labelled. The labelling should indicate that the item should not be sold (as it does not belong to the authority).
- 21.4 The Council's assets shall not be removed from Council premises except in accordance with the ordinary course of the Council's business unless specifically approved by the Assistant

Director. Council property shall only be used for the Council's purposes unless specific instructions are issued by the appropriate Assistant Director. The Assistant Director shall be responsible for ensuring that any such agreements are recorded. Attractive and portable items such as computers, cameras, TVs, video recorders and playback/recording equipment should be identified with security markings as belonging to the Council.

- 21.5 All disposals will be in line with agreed Council procedures and E.U. directives. In addition, special procedures are in place to deal with the disposal of leased equipment – any queries should be referred to the Finance Manager (Capital and Treasury).
- 21.6 Delivery Managers are responsible for carrying out an inventory check at least once a year and ensuring that all items are accounted for. All discrepancies must be reported to their Finance Manager.
- 21.7 Detailed guidance on Inventories and Disposal of Assets is incorporated within specific procedure notes which are included on the Intranet.

22. Land and Buildings

- 22.1 The Assistant Director Development, Business & Housing shall be responsible for the Asset Management Plan and maintain or make arrangements for the maintenance of a terrier of all properties owned or rented by the Council.
- 22.2 The terrier should record:
- the date of acquisition or appropriation
 - Council authority
 - the holding Board
 - purpose for which held
 - location, extent and plan reference
 - purchasing details
 - particulars of nature of interest and rent payable
 - particulars of tenancies granted

CONTACTS

Stocks and Stores, Appropriate Finance Manager Inventories, Audit & IG Manager
Land and Buildings, Assistant Director Customer and People Services

23. Treasury Management

- 23.1 The Chief Financial Officer shall arrange all borrowing of monies, and make all arrangements concerning the investment or utilisation of capital monies or other funds.
- 23.2 In exercising the function, the Chief Financial Officer should comply with the contents of CIPFA's 'Code for Treasury Management in Local Authorities'.
- 23.3 The Council shall adopt a Treasury Policy Statement and an annual Treasury Management Strategy. The responsibility for their implementation and monitoring will be delegated to the Leader and Cabinet Executive.
- 23.4 The Chief Financial Officer shall report (at least half yearly) to the Audit Committee on the activities of the Treasury Management function and on the use of delegated Treasury Management powers.

23.5 The Audit Committee through their terms of reference (rather than the Budget & Finance Scrutiny Committee) will scrutinise the Councils Treasury management arrangements as set out in best practice guidance. The Chief Financial Officer will provide appropriate information to enable them to fulfil this role.

CONTACT: Corporate Finance Manager

24. Unofficial and Voluntary Funds

24.1 An unofficial or voluntary fund is defined as any fund, other than an official fund for the Council, which is controlled wholly or in part by an officer by reason of his or her employment by the Council.

24.2 Staff should seek approval from the appropriate Assistant Director before establishing an unofficial fund.

24.3 The Assistant Director shall maintain a register of all such funds. The register will include the following details for each fund:

- The name of the 'Responsible Officer', as defined in the procedure notes on Voluntary and Unofficial Funds, responsible for the day to day running of the fund;
- The accounting period (which should generally be 1st April to 31st March);
- Bank account details; and
- Cheque signatories.

24.4 Assistant Directors shall ensure that all such funds are audited by suitably qualified auditors and are submitted within 6 months of the end of the accounting period to the Council and any other parties (i.e. clients, sponsors, charitable bodies) with an interest in the fund.

24.5 The CFO reserves the right to inspect all documentation relating to unofficial funds and seeks such explanations that are necessary to ensure they are being appropriately managed.

CONTACT: Corporate Finance Manager

AUDIT COMMITTEE

Minutes of a meeting of the Audit Committee held on Tuesday, 17th September 2013 at 6.00 pm in Meeting Room 7, Ground Floor, Darby House, Telford

PRESENT: Councillors R Sloan (Chair), K Austin, D Davies, I T W Fletcher, A Lawrence, S A W Reynolds,

Officers: K Clarke (Assistant Director: Finance, Audit & Information Governance), J Marriott (Audit & Information Governance Manager), P Harris (Finance Manager), B Morris (Finance Manager) A Astley (Assistant Director: Customers and People), K Turner (Assistant Director: Development, Business and Employment), J Dunn (Service Delivery Manager: Regeneration and Investment) and J Clarke (Democratic Services Support Officer).

IN ATTENDANCE:

H Garrett – KPMG
R Williams – Invited Member of Budget & Finance Scrutiny Committee
Cllr Gill Green

AUC-14 MINUTES

RESOLVED – that the minutes of the meeting of the Audit Committee held on 26th June 2013 be confirmed and signed by the Chairman.

AUC-15 APOLOGIES FOR ABSENCE

Cllr W L Tomlinson
Cllr G Reynolds – Invited Member of Budget & Finance Scrutiny Committee

AUC-16 DECLARATIONS OF INTEREST

None

AUC-17 ANNUAL GOVERNANCE REPORT 2012/13

H Garrett from KPMG presented the Annual Governance Report 2012/13.

The report summarised the key messages identified during the audit of the Council's financial statements for year end 31st March 2013 together with the assessment of the Authority's arrangements to secure value for money (VFM) in the Council's use of its resources.

Based on the work undertaken it was anticipated that an unqualified audit opinion would be issued by the 30th September 2013.

The audit identified 1 adjustment with a total value of £0.4m which related to an error with the prior period re-statement which arose from a change in the accounting policy for schools who acquired trust status. There was no impact on the General Fund balance as a result of this amendment.

KPMG had noted an improvement in the quality of the accounts together with the supporting papers. Officers of the Council dealt efficiently with the audit queries and the audit process was completed within the planned timescales.

There were some slight weaknesses in respect of individual financial systems which impacted on the audit:

- Year end cash book reconciliation – a small variance between the cash book and general ledger which resulted from a formula error in the working papers. The reconciliation also included a line for “over/under banking” which had unreconciled differences – these amounted to £3k
- The Fixed Asset Register identified that the Authority’s reconciliation of its Fixed Assets Register to the General Ledger as at 31st March 2013 was not clearly documented and did not reconcile with the general ledger. KPMG therefore had to amend their audit strategy and complete additional substantive work at year end.

KPMG’s VFM conclusion was that the Council had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

A discussion took place including:

- £0.4m adjustment with regard to trust schools
- Best Practice with regard to draft Statement of Accounts

The report would sit with the Statement of Accounts.

RESOLVED – that the report be noted.

AUC-18 2012/13 STATEMENT OF ACCOUNTS

The Finance Manager presented the Statement of Accounts for 2012/13 for which the Audit Committee had delegated authority to approve.

The audit had gone well and the Council were expected to receive an unqualified opinion.

The agreed changes had been incorporated into the report and the out-turn at the end of June showed an underspend of £0.06m which remained unchanged. No changes had impacted on the General Fund Balance.

Presentational changes to the Statement of Accounts could be found at 5.3 of the report and detailed £402K of changes.

A discussion took place around the Statement of Account and it was suggested that the use of pie charts to display the information continued and that they gave a comprehensive visual impact.

It was hoped that the Statement of Accounts would be available on the Council’s website by the end of September 2013.

The Assistant Director: Finance, Audit and Information Governance thanked KPMG’s Audit Team for a very smooth, although challenging, audit which had been undertaken in the best possible way. This was supported by the Chair together with the members of the Audit Committee.

RESOLVED – that:

- a) the 2012/13 Statement of Accounts be approved;

- b) delegated authority to the Assistant Director: Finance, Audit & Information Governance to make any presentational changes required to the Statement of Accounts prior to publication be granted.**

AUC-19 CUSTOMER FEEDBACK PERFORMANCE 1ST APRIL 2012 – 31ST MARCH 2013

The Assistant Director: Customers and People gave a report on customer feedback performance from the 1st April 2012 until 31st March 2013.

There had been a relatively small number of complaints registered compared to the number of services provided by the Council on a daily basis and against the backdrop of having delivered £42m of savings over the last 3 years and the loss of 1,000 posts. Complaints were considered to be a good form of customer feedback and were used as a form of feedback and as a learning tool to continually help improve the delivery of services.

An increase in compliments had been received by front line services from 411 during 2011/12 to 506 during 2012/13.

Complaints had risen from 738 to 1,116 during the reporting period which was an increase of 51%. The largest increase in complaints was regarding the refuse provider whose complaints had gone up from 73 in 2011/12 to 262 during the reporting period. Robust discussions were being held with the contractor as part of the monitoring of the service in order to secure improvements in service delivery. Of the 697 complaints made regarding this service 62% had elements of concern that were partly or fully upheld. From 1st April 2013, following consultation with customers, the target response rate had been increased to 15 days. During the reporting period 78% of the Stage 1 complaints had been responded to within the 10 day period.

The other main area of increase was in relation to the Revenues and Benefits Service. The impact of the current economic climate and a major increase in workloads had slowed the decision making which had resulted in increased calls to the contact centre and customers experiencing delays with calls being answered. Additional resources had since been moved into Revenues, Benefits and Customer Services to help with the increase in demand following the launch of the Government's Welfare Reforms and this had resulted in an overall improvement in customer services for the first part of the new monitoring period. Less than half of the customer complaints had been upheld. There had been some instances of a delay in the Summonses being sent out and where customers had already paid the summonses were withdrawn, the fees removed and an apology given.

There had been a small number of complaints from Leisure customers following the opening of the new Leisure Centres at Abraham Darby and Wellington Civic. These were considered to be "teething problems" which had now been addressed.

Adult and Children's Statutory Complaints had seen a decrease from the previous year and 31% of the complaints had elements that were upheld. The average time taken overall to respond to Adult statutory complaints was 39.5 which was unacceptable. Children's Statutory complaints had 22% of elements upheld and were responded to within 10 working days. A further 25% were responded to within 20 working days giving an average response time of 17.5 days. These figures needed to improve dramatically over the next 3 years.

Freedom of Information enquiries had dropped from 909 in 2011/12 to 862 during the reporting period. This was still a huge pull on officer time and resources although 90% of the

enquiries had been replied to on time. The public were still using FOI requests inappropriately.

Member enquiries logged through the Customer Quality Team had decreased during the reporting period from 319 during 2011/12 to 239. It was important that Members logged their enquiries through Customer Quality in order that response times could be monitored and the correct procedures followed.

MP enquiries had increased from 133 to 146 during the reporting period. Only 57% of responses to MP enquiries were received within 10 days. The Managing Director was unhappy with these response times and this was being monitored on a monthly basis.

Parish Enquiries had increased from 1,271 to 1,538. The Council had received positive feedback from the Parish and Town Councils.

There had been no findings of mal-administration by the Ombudsman during the reporting period.

A discussion took place including:

- The changes within the Council and staff reductions
- Quality of responses to MP enquiries and members requested more further analysis of the MP's enquiries
- The monitoring of outsourced services
- Re-design of the Council website and the introduction of self-service functionality

An update would be brought to the January 2014 Audit Committee.

RESOLVED – that the report be noted.

AUC-20 AUDIT COMMITTEE ANNUAL REPORT 2012/13

The Audit & Information Governance Manager presented the annual Audit Committee Report for 2012/13.

The work of the Audit Committee included:

- raising awareness on the need for governance (including risk management) and internal control including the implementation of both internal and external audit recommendations
- increasing public confidence in the objectivity and fairness of financial and other reporting
- reinforcing the importance and independence of internal and external audit
- providing additional assurance through a process of independent and objective review by a cross party group of elected Members including challenging Cabinet Members and Senior Officers

Other work undertaken by the Committee could be found at Appendix A to the report.

As the key assurance Committee of the Council it was accepted best practice that an Annual Report was presented to the Council on the operations of the Committee during the municipal year. The structure of the report was based on the terms of reference and included a summary of the business conducted by the Committee during the period.

There were 4 meetings of the Audit Committee in 2012/13 compared to 5 in 2011/12 and 6 in 2010/11. The reduction was due to removing the November meeting as part of the Council's continuing efficiency agenda and did not appear to have affected the effectiveness of the Committee.

During the 2013/14 municipal year the meetings of the Audit Committee would be further reduced to 3 per year. Additional meetings during the 2013/14 period may need to be called as the Committee had a large agenda to cover.. A training programme had been drafted to in order to help the Committee to become more effective.

A discussion took place including:

- The reduction of the meeting to 3 per year during the 2013/14 municipal year
- Training Sessions
- Timing of Audit Committee meetings

RESOLVED – that the report be noted.

AUC-21 DRAFT TRAINING PROGRAMME 13/14 FOR AUDIT COMMITTEE MEMBERS

The Audit & Information Governance Manager presented a report on the draft Training Programme for Audit Committee Members for the 13/14 municipal year.

The results from the skills survey undertaking in May/June 2013 had now been collated and a draft Training Programme drawn up which would be delivered during 2013/14.

Five topics had been suggested:

- Audited Accounts
- General legislation, rules and regulatory frameworks governing the Council
- Information Governance Framework
- Treasury Management
- Anti-Fraud & Corruption Policy

A discussion took place including:

- When the training sessions would take place
- Times of the training sessions
- Content of the training sessions
- Budgets for external Member training

The Statement of Accounts training had taken place prior to this meeting and the Treasury Management Training had been scheduled to take place prior to the meeting in January 2014.

It was suggested that the future dates of training could be November, January or February and that the training could start at 5.30pm due to Members' work commitments.

The constitution was currently being re-written so it was suggested that this training would be held once the document had been finalised.

RESOLVED – that following the incorporation of the changes listed above that the Training Programme be approved.

AUC-22 INTERNAL AUDIT AND INFORMATION GOVERNANCE UPDATE REPORT 2013/14

The Audit & Information Governance Manager presented the annual Internal Audit and Information Governance update report.

Internal Audit

The report provided information on the work of Internal Audit from 1st April – 30th June 2013 and gave a progress update on previous audit reports.

The key focus for quarter 1 had been the commencement of the work from the 13/14 annual plan and some audits which were carried forward from 2012/13.

Appended to the report were a list of final reports issued in quarter 1 together with budgeted time, actual time and percentage variances, a list of work undertaken for quarter one for a period of 1 day or more, previous graded report from July 2011 to March 2013 showing their current status and the summary of amber reports issued in quarter 1.

There were 3 amber reports issued during quarter 1:

- Temporary Accommodation
- Electronic Client Record
- John Fletcher Primary School

Management action plans to implement the recommendations had been agreed following the audits and Internal Audit would follow up on the planned work but were confident that the management would implement the remaining recommendation to provide appropriate assurance and improve the controls and grading.

There were five original amber reports that remained amber as at 30th June 2013. Follow ups had taken place on Corporate Parenting which had now moved to green and Arthog had now moved to yellow. The Life Cycle review was currently underway and Newport Infants School and the Car Parking Review were due to take place during September 2013.

Following the attendance of the Assistant Director: Adult Care & Support at the March 2013 Audit Committee it was agreed that a further Abacus follow up would be re-scheduled to August 2013 with an update to the Audit Committee if required. Due to a further delay with regard to implementation, it was suggested that an update by the Assistant Director be received at the January 2014 Audit Committee meeting.

A discussion took place regarding the Temporary Accommodation – Family & Cohesion (12/13) Audit and it was suggested that the Assistant Director attend at a future meeting of the Audit Committee, if no further progress was made.

Information Governance

The work programme was progressing well, although task 10 on Appendix E to the report had been slightly delayed due to the late receipt of guidance from the Information Commissioners office. Following receipt of the guidance the revised completion date for the review was now the end of December 2013.

The Council had received 333 FOI / EIR requests for the period 1/4/13 – 31/7/13 with 297 requests being responded to. The remaining 36 requests were not due to be responded to during the reporting period.

During the reporting period the Council had received 23 Subject Access Requests with the response rate of 89%. One request was on hold pending receipt of information/identification. On average it took 26 days to respond to each request.

Confirmed data breaches during the period were 29. The majority of the breaches were information sent accidentally to the wrong recipient and Information Governance were working hard with the service areas where breaches had occurred in order to improve procedures. The appropriate disciplinary action was taken where necessary.

RESOLVED – that the report be noted.

AUC-23 REVIEW AND UPDATE TO THE SPEAK UP POLICY

The Audit & Information Governance Manager gave an update on the Speak up Policy.

A revised Speak Up Policy had been approved in January 2012 according to the Terms of Reference; however, due to revised legal requirements becoming effective from June 2013, the Policy had been updated. The main changes were:

- “referrals in good faith” would be changed to “referrals in the public interest”
- Due to organisational changes

The revised Speak Up Policy could be found at Appendix A to the report.

The Council would continue to protect those providing information under the Policy but would take action against anyone who made malicious or vexatious allegations.

Once the Speak Up Policy had been agreed by Council then the updated leaflets would be put onto the intranet and the revised Policy circulated to staff.

RESOLVED – that

- a) the revised Speak Up Policy incorporating the changes outlined in paragraphs 5.1 to 5.3 be approved; and**
- b) the Speak Up Policy be recommended for adoption by the Council.**

AUC-24 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED – that the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

AUC-25 CAPITAL RECEIPTS UPDATE

The Chair welcomed the Members of the Budget & Finance Scrutiny Committee who had been invited to attend the meeting.

The Assistant Director: Development, Business and Employment, together with the Service Delivery Manager for Regeneration and Investment, gave a verbal update on capital receipts.

The disposals of assets were at different stages:

- Sold and funds received
- Completion
- Sold Subject to Contract
- Currently being advertised for sale
- Seeking Planning Permission

Due to current market conditions, disposal of some of the assets were proving to be more difficult than others, although a revised schedule for disposal of assets had been drawn up covering 2013/14, 2014/15 and 2015/16. This schedule was subject to further change in response to market trends and was regularly reviewed. As additional sites were identified for disposal they were added to the disposal programme but the overall income target was maintained to reduce reliance on any one receipt. There appeared to be an improvement in market conditions which it was hoped would be reflected in values and the timeliness of disposals. Regular monthly meetings took place to look at timing for the disposal of assets noting that there were instances where an earlier disposal for a lower capital receipt was favourable in some circumstances.

A discussion took place including:

- Shortfalls
- New builds
- Market prices

RESOLVED – that the information be noted.

The meeting ended at 7.56 p.m.

Chairman:

Date:

BOUNDARY REVIEW COMMITTEE

Minutes of a meeting of the Boundary Review Committee held on Wednesday 4th September 2013 at 6.00 pm in Room 2.3, Addenbrooke House, Telford

PRESENT: Councillors R Sloan (Chair), K Blundell, S Davies, A Eade, A McClements and R Overton

IN ATTENDANCE: J Eatough (Assistant Director: Law, Democracy & Public Protection), P Griffiths (Democratic Services Manager) and P Smith (Democratic Services Team Leader).

BRC-05 MINUTES

RESOLVED – That the minutes of the meeting held on 2 July 2013 be confirmed and signed by the Chair.

BRC-06 APOLOGIES FOR ABSENCE

Councillor N Dugmore

BRC-07 DECLARATIONS OF INTEREST

None.

BRC-08 THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND – ELECTORAL REVIEW OF TELFORD & WREKIN BOROUGH COUNCIL

At its meeting on 11 July 2013, full Council gave authority to the Committee to finalise the response to the Local Government Boundary Commission's draft recommendations for changes to the ward boundaries in the Borough – a copy of which was attached to the agenda. A report of the Assistant Director: Law, Democracy & Public Protection was tabled, which set out the suggested basis for the Council's final submission to the Boundary Commission. The deadline for representations to be submitted was 9th September 2013.

The Democratic Services Manager advised that the suggested response reflected the views and comments previously expressed by the Committee in relation to specific wards and areas. Where there was disagreement with the Commission's recommendations, the reasons were included in the response.

In relation to the Boundary Commission's draft recommendation for Wrockwardine and Shawbirch, Members reiterated their opposition to the proposal for a two member Shawbirch ward which would take in Admaston, Bratton and Eyton. The suggested alternative for a Shawbirch single member ward and an Admaston & Bratton single member ward, while retaining Eyton in Edgmond and Ercall Magna ward, was considered to be more consistent in distinguishing between urban and rural wards/areas. It was reported that Wellington Town Council, on a cross-party basis, had also taken a similar view.

In addition to the comments contained in the tabled report, reference was made to concerns in the St Georges area relating to the St Georges Cricket Club and adjacent Park Close being included in the Priorslee ward. In relation to the Boundary Commission's proposals for the Lawley area, the Committee reiterated their disappointment that a separate Lawley ward had not been proposed. It was suggested that the final submission should be strengthened to emphasise the Council's view that the draft recommendation does not reflect the changing nature of Lawley as a rapidly expanding community.

RESOLVED –

- (a) that the suggested response of the Council to the Boundary Commission's draft recommendations, as set out in the report, be approved, subject to:
- for St Georges and Priorslee, the eastern boundary of the St Georges ward should be extended to include St Georges Cricket Club and Park Close, as this would better reflect local community views and identity with the cricket club;
 - a strengthening of the responses in relation to the draft recommendations for Shawbirch & Admaston, and for the Lawley area.
- (b) that the wording of the final response be circulated to the Committee members for endorsement, prior to submission to the Local Government Boundary Commission for England by 9 September.

The meeting ended at 6.19 p.m.

Chairman:

Date:

BOUNDARY REVIEW COMMITTEE

Minutes of a meeting of the Boundary Review Committee held on Thursday 26th September 2013 at 6.00 pm in Darby House, Lawn Central, Telford

PRESENT: Councillors RSloan (Chair), K Blundell, S Davies, A Eade and R Overton

IN ATTENDANCE: P Griffiths (Democratic Services Manager) and P Smith (Democratic Services Team Leader).
A number of residents from Lilleshall were also in attendance.

BRC-09 MINUTES

RESOLVED – that the minutes of the meeting held on 4 September 2013 be confirmed and signed by the Chair.

BRC-10 APOLOGIES FOR ABSENCE

Councillors N Dugmore and A McClements

BRC-11 DECLARATIONS OF INTEREST

None.

BRC-12 COMMUNITY GOVERNANCE REVIEW – LILLESBALL, DONNINGTON & MUXTON PARISH: TERMS OF REFERENCE

The Committee received the report of the Assistant Director: Law, Democracy & Public Protection concerning the terms of reference for a Community Governance Review (CGR). The CGR had been triggered following the submission of a valid petition calling for a separate parish to be formed for the Lilleshall ward of Lilleshall, Donnington & Muxton Parish Council.

The Chair reported that he would allow the lead petitioner – Mr P Hawkins – and the Chair of the Lilleshall, Donnington & Muxton Parish Council – Mr A Baker – to speak for up to five minutes each. This was to allow the Committee an opportunity to hear views from the local community about the petition and any representations relevant to the proposed terms of reference.

Mr Hawkins referred to his submission that was appended to the report. It was stated that there was clear support within the Lilleshall Ward for a review for the purpose of considering forming a separate Parish for the ward. A review of the whole Lilleshall, Donnington & Muxton parish had not been requested, and if the Review was widened, it would fundamentally alter the basis of the request and would not reflect the wishes of the petitioners. It was also important that the Review's findings were based on sound evidence.

Mr Baker stated that the existing Parish Council had served the area well over the last 70 years, and that there were no new circumstances that justified another

Community Governance Review only two or three years after the last one. He read out a number of comments that had been made by local people who were against a separate parish council for Lilleshall. It was felt that, like the previous CGR, the Review could not take place without considering the likely impact a separate parish for Lilleshall would have on the rest of the existing Parish. The Parish Council had organised a public meeting in Lilleshall on 14 October for the issues to be fully discussed.

The Democratic Services Manager then presented the draft Terms of Reference document that was appended to the report. In effect, the document set out the Council's policies for the conduct of the Review. It reflected the legislative framework against which the Review must operate, as well as providing background information to help to allow electors and other interested organisations to make informed submissions. The Council had a duty to ensure that community governance within the area under review met the 'Community of Identity' test, and should:

- Reflect the identities and interests of the community of that area;
- Be effective and convenient;
- Take into account any other, non-parish, arrangements for the purposes of community representation or community engagement in the area.

The draft Terms of Reference also set out the consultation strategy and timetable for the Review. The Council would endeavour to ensure that the consultation process was straightforward and cost effective, but all parties needed to recognise that the Council was under severe budget constraints and had fewer resources than at the time of the last CGR for the area. The Committee also needed to be mindful of the current review of Ward boundaries by the Local Government Boundary Commission, the outcome of which might impact on this CGR.

In response to Members' questions regarding the scope of the Terms of Reference, the Democratic Services Manager advised that, like the previous CGR for the area, it was unlikely that Lilleshall could be reviewed in isolation without considering the impact that a separate Lilleshall parish might have on the other Wards in the existing parish – eg: council tax income. However, the CGR was unlikely to be formally widened to cover the other Wards unless a valid petition was received for a separate Muxton or Donnington parish council. The Committee were mindful of the strong views that had been expressed on either side of the debate in Lilleshall, and there was a discussion on the merits of holding some form of non-binding referendum that would gauge the views of local residents. The cost of such an exercise was an issue, and it was suggested that a ballot based on a single straightforward question would be effective. Numbered ballot papers could be delivered to all local residents on the electoral register, with ballot boxes placed in a couple of locations in the ward. It was recognised that care would need to be taken on the wording of the question to be asked, and that interested parties should be consulted on that.

RESOLVED –

- (a) **that the Terms of Reference document, as appended to the report, be adopted and published, subject to the inclusion of a provision for a direct consultation exercise - with the Assistant Director: Law, Democracy & Public Protection being authorised, in consultation with**

the Chair of the Boundary Review Committee, to finalise the details of the consultation following further discussions with the appropriate community representatives;

- (b) that the Assistant Director: Law, Democracy & Public Protection be appointed as the 'Proper Officer' for the purposes of the Review.**

The meeting ended at 6.19p.m.

Chairman:

Date:

**BUDGET & FINANCE SCRUTINY COMMITTEE, JOINT MEETING WITH
CO-OPERATIVE & COMMUNITIES SCRUTINY COMMITTEE**

**Minutes of a meeting of the Budget & Finance Scrutiny Committee held at
6.30pm on Tuesday, 3rd September 2013 in Meeting Room 3, Darby House,
Telford.**

PRESENT: Councillors S. Reynolds (Chair), N. Dugmore, R. Evans, A. Jhawar, A. Lawrence, A. McClements, C. Mollett, J. Pinter, G. Reynolds, J. Seymour, J. Thompson, K. Tomlinson and Co-optee R. Williams.

Also attending: Cllr. W. McClements (part), Cabinet Member Finance & Enterprise; Cllr. H. Rhodes, Cabinet Member Customer Services, Libraries & Transport; A. Astley, Assistant Director Customer & People Services; L. Higgins, Benefit Service Delivery Manager; S. Jones, Scrutiny Officer.

BFSC-14 MINUTES

RESOLVED – that the minutes of the meetings of the Budget & Finance Scrutiny Committee held on 2nd July 2013 be confirmed and signed by the Chairman.

BFSC-15 APOLOGIES FOR ABSENCE

Cllrs. K. Austin, S. Bentley, N. England, K. Guy and co-optees J. Ellis and F. Robinson.

BFSC-16 DECLARATIONS OF INTEREST

The Chair reminded members that members who were private landlords had declared an interest and abstained when the Local Council Tax Scheme proposal had been to Full Council. It was unlikely that the discussion at this meeting would include issues relating to private landlords but relevant members should be mindful of the eventuality.

BFSC-17 WELFARE BENEFIT REFORM UPDATE

The Chair invited remarks from Cllr. W. McClements as he had to leave the meeting early for a prior engagement. Cllr. McClements said Discretionary Housing Payments were on budget and the Crisis Assistance was below budget so the current budget position was quite positive.

The Assistant Director (AD) welcomed the opportunity to return to scrutiny following members' earlier engagement in the development of the welfare benefit reform policies. Some issues would need to go back to Cabinet and the hope was to seek scrutiny support for the recommendations. The Benefit Service Delivery Manager (SDM) then gave a detailed presentation on the impact of policies:

1. Council Tax Support

- Council Tax Benefit (CTB) had been abolished and local authorities given discretion to design their own local Council Tax Support (CTS) scheme from April 2013 i.e. moving from a standardised national system to one with local variations.
- There was a projected £3.1m shortfall between the amount paid out in CTB in Telford and Wrekin and the amount paid to the authority for payment of CTS. The whole deficit had to be realised from the 10,742 working age claimants because pension age claimants were protected under national rules. Locally, people with a severe disability or in receipt of war disablement payments were also protected. The CTS was ratified by Council on 22nd November.
- The five main changes were:
 - Blanket 21% reduction in support for working age non-protected customers
 - Savings consideration reduced from £16k to £6k
 - Minimum £2.50 payment award
 - Abolition of second adult rebate (inequitable and low numbers affected)
 - Maximum period of backdated payments reduced from 6 months to 1 monthThere had been extensive consultation before final proposals were presented.
- The CTS scheme also allocated £65k to assist people unable to pay because of genuine financial hardship. As of 31st August there had been 175 applications; 168 had been approved; £9,850 (15.15%) of the budget had been committed. The main reason for non-approval was where customers had applied for both CTS assistance and Discretionary Housing Payment (DHP), and where one form of assistance was sufficient, awards tended to be made from DHP which is ring-fenced national funding to conserve the Council-funded CTS money.
- The number of summonses issued in July 2013 had increased by 918 compared to the same month last year. Summonses are issued for debt of £70 or more. Because of the small amounts collectable it could take a few months to accrue this level of debt so the picture was only starting to emerge.
- The reduction in CTS, and increase in properties liable for Council Tax, meant the amount of collectable Council Tax had increased by £5m overall. An additional £1.7m had been collected compared to the same point last year. Collection rates were showing a downward trend (April 2013 was 0.21% behind last year; August was 0.99% behind last year). So, although collection rates were down, more had been collected in real terms.
 - Cllr. W. McClements asked what the collection rate would be if all the first time Council Tax payers were taken out. The figures were not to hand at the meeting, but the SDM said that new payers accounted for the majority of the dip in collection rates.
 - Cllr. W. McClements reminded members that £600k provision had been made for bad debt and if the rate dipped it would eat into this. The AD assured members this would be monitored - all correspondence sent to customers was aimed at stopping summonses by encouraging customers to contact the

Council, and if a summons was issued it triggers action to agree repayment of the debt. It was too soon to speculate about how many people genuinely would not pay and this would be monitored over the coming months.

- Cllr. Seymour asked what proportion of the non-collection related to empty properties. The SDM did not have the figures to hand but said this did not seem to be a significant problem or trend, and the removal of discount from empty properties accounted for part of the additional £5m collectable CT.
- Cllr. A. McClements wanted to know how many actual summonses had been issued in July 2012 and 2013 to put the increase in context. The AD said this could be provided by the Revenues Service Delivery Manager after the meeting.
- The team had pro-actively telephoned people affected by the reduction and a range of flexible payment options were offered to encourage people to pay. A big Direct Debit campaign had been reasonably successful. Text reminders were being tried with an encouraging message to “please talk to us”. People identified as genuinely struggling were helped with top-up applications.
- DCLG had confirmed there would be no further transitional funding so it was likely that authorities which had not reduced CTS in year 1 would do in year 2. This was born out be feedback from authorities at a recent conference in London. Telford & Wrekin had not applied for the transitional grant because it left too great a deficit.
- Schemes introduced by authorities in year 1 fell into 4 categories:
 - Scheme 1: No change - no flat-rate cash cut (28%)
 - Scheme 2: Moderate change - flat-rate cash cut of 8.5% (33%)
 - Scheme 3: Large increase - flat-rate cash cut of 20% (14%)
 - Scheme 4: Severe increase - flat-rate cash cut >20% plus other significant change (21%)

This showed just under $\frac{3}{4}$ of authorities had introduced a less generous CTS scheme than the previous national scheme. The AD said that some authorities in Schemes 1-3 were struggling and looking at further reductions to survive.

- Cllr. S. Reynolds asked about feedback from other authorities on the impact of CTS. The SDM said that where known, none had seen a drastic reduction in collection rates and that collection was generally of an acceptable level which was similar to the picture in Telford & Wrekin. Cllr. A. McClements asked if there were any differences by type of authority and the SDM said there were no noticeable patterns.
- Cllr. W. McClements remarked that if the vast majority of non-payers were new payers then we would need to wait to see how the picture panned out. The AD said there was a need to change the culture so people got used to paying something. Cllr. W. McClements said he felt the 0.99% additional drop in the collection rate sounded reassuring and the AD agreed that this was better than had been expected. It was possibly helped by the fact that the Council had used encouragement and not taken a heavy-handed approach to first time payers.

- The CTS scheme for 2014/15 had to be ratified by Council in January 2014. Any proposed changes would require another formal consultation. Conclusions were still being drawn, but at this early stage it was felt that the level of reduction introduced was acceptable. The welfare benefit reforms would take time to bed in, and changes to housing benefit would have an impact, but on balance it was felt the safest option was not to make any changes to the scheme but allow it to remain in place for 2014/15 to bed in. A recommendation would be taken to Policy Review to retain the existing scheme with no change.
 - Cllr. W. McClements told members that work was also being done to look at how assistance could be cross-fertilised between areas to maximise resources. The AD said the Crisis Assistance fund was not ring-fenced so if the budget was under-spent it could be used to help other areas.
 - Cllr. A. McClements said that scrutiny had been concerned about the risk of over-spend of the Crisis Assistance fund. The AD felt that it had been a good decision to pass responsibility for crisis assistance to local authorities because they are in a better position to manage it more effectively.
 - The AD said that it would be helpful the recommendation to have support from scrutiny when it comes to Cabinet.
 - Cllr. Lawrence asked whether the funding for CTS would reduce in future years and Cllr. W. McClements replied that it would be reduced by a % rate and the reduction would need to be absorbed by the scheme. The AD pointed out that after a general election there may be changes to national policies in terms of protections and entitlements of pensioners.

Cllr. W. McClements left the meeting.

2. Discretionary Housing Payments

- DHP is funded annually by the Department of Work & Pensions (DWP). Funding is ring-fenced and under-spend goes back to DWP. The fund is to assist people at risk of serious financial hardship or loss of their home by topping-up housing benefit.
- DWP had increased funding for Telford & Wrekin from £102k for 2012/13 to £356,911 for 2013/14 to allow for the welfare reforms. The people most likely to need DHP were those affected by the social sector size criteria (“bedroom tax”).
- 2,613 households in Telford and Wrekin were affected by the bed-room tax, a very high % compared to other authorities, so this was a particular issue locally. Of these households:
 - 2,136 had one spare room and would lose an average £13pw (£56pm)
 - 477 had 2 or more spare rooms and would lose an average of £24pw (£104pm)
 - 1,463 (56%) of all affected households are only entitled to a one bedroom property.
 £2.5m less would be paid in housing benefit in the borough because of the

bedroom tax.

- A key change was the length of awards. In the past, top-ups tended to be short-term, but this year there were people who could not find a solution quickly (e.g. finding one-bedroom accommodation) and they may need to be awarded DHP for up to 12 months.
- The DHP Policy was approved by Cabinet in February 2013. The local policy included consideration of DHP for:
 - up to 3 months before the birth of a child if the spare room is needed for the child
 - longer term awards for under-occupation where suitable alternative accommodation cannot be found because of disability or illness
 - up to 3 months for foster carers between placements or longer during a placement if the shortfall cannot be found.
- DWP then introduced national concessions in March for:
 - disabled children unable to share a room
 - adults with a dependent in the armed services on operations but not in barracks
 - up to 52 weeks for foster carers with a foster child in the house or between placements.

These cases would be subsidised from DWP mainstream benefit funding and not by local authority DHP awards.

- There was a discussion and some concern about the fact that concessions were made for dependants in the armed services on active duty but not in barracks. Cllr. Seymour said it made sense to disallow rooms if the dependent had chosen to leave home and live in barracks.
- Cllrs. S. Reynolds and Tomlinson asked about concessions for children at university. The SDM clarified that if the intention of the student was to reside at home during the holidays and to reside at home after finishing the course, the extra room is allowed. If the student does not intend to return home during the holidays and does not intend to reside at home at the end of the course, the extra room is disallowed. In reality, this is difficult to police.
- In 2012/13 there were 462 DHP applications and £105k had been awarded. Since April 2013 there had been 660 applications, mostly in April. Officers had anticipated a huge increase, but even so the deluge swept them off their feet! There was an initial back-log but all applications had now been dealt with. £128k of the £356k budget had been committed which was about right at this point, and with two thirds of the pot remaining it was felt manageable within budget over the year. Applications had slowed to around 10 per week. Of the 660 applications, 523 had been successful and 137 refused.
 - Cllr. Seymour asked whether after the initial spike in April the monthly total had been consistently lower. The SDM confirmed this was the case, and although the numbers were higher than in previous years they were still considered manageable within budget.

- Cllr. Dugmore asked how 10 applications per week compared to last year and the SDM said last year there had been about half the number so numbers were high.
- Cllr. Tomlinson asked why the trend had increased and the SDM said 83% of applications were from people affected by the bedroom tax.
- Cllr. Tomlinson asked what the service's expectations had been and the SDM said it had been an unknown – they had expected an increase but just not so many so early on – and this could be due to social landlords encouraging tenants to apply up-front. Cllr. Dugmore said the publicity campaign could have had an impact and Cllr. S. Reynolds pointed out that the high percentage of people in the borough affected by the bedroom tax would increase numbers. The SDM agreed that there had been a lot of promotion to encourage applications and clearly people had listened. The AD emphasised that there were tight eligibility criteria and the team make consistent decisions so people were dealt with fairly. She assured members that applications were not refused for budget reasons – they were only refused if the applicant did not meet the criteria or the team was satisfied they could afford to make up the benefit shortfall themselves.
- Cllr. S. Reynolds asked what checks were done on applicants. The SDM explained that applicants must provide a detailed breakdown of income and expenditure. The team analyses this in detail to see where money is spent and what it is spent on – fuel, food, mobile phone contracts etc. The first step is to proactively help the person manage their budget, for example seeing if savings could be made on mobile phone or cable TV contracts, better value food, branded goods etc. If they are then still unable to afford their rent, they may be awarded DHP. Sometimes there was a solution but it could not be implemented straightaway in which case the applicant may be awarded a short-term top-up until they could put budget savings in place e.g. termination of contracts.
- Cllr. A. McClements wanted to know if a similar spike was expected next April. The SDM said that awards go across year-end so applicants would not need to re-apply for the new financial year and with numbers settling down it was unlikely they would see a similar spike next year.
- Cllr. Lawrence wanted to know how people had responded to assessments and decisions. The SDM said that people had reacted surprisingly well. Concerns about aggressive behaviour had not materialised. The assessment is honest and tough and they make no bones about it - and if people cannot afford to stay in their house they are told they will have to move. Most people accept the changes as sensible.
- Cllr. Tomlinson wanted to know if most applicants were visited. The SDM said that up until April everyone had been visited, but post-April there were too many applications to visit everyone so they had spoken to people on the telephone. These were long and detailed conversations to get to the heart of matters. Now the team was on top of the back-log, they had more capacity make home

visits especially if people were re-applying.

- 409 of the 523 successful applications had been short-term awards (3-6 months).
 - 36% were to give customers a chance to look for suitably sized accommodation
 - 37% were to allow people to adjust their finances
 - 17% were customers actively pursuing work to enable them to fund the shortfall
 - The remainder were for a variety of reasons

Based on FOI requests, “Insider Housing” magazine found Telford & Wrekin had the highest percentage increase in DHP of all English authorities. Many of the initial short-term awards were starting to expire and we were now starting to see re-applications from people who had not been able to find suitable smaller accommodation. This information was shared with the Housing Strategy Team (Assistant Directors of Family & Cohesion Services and Development, Business & Housing) to inform planning decisions.

- Data from Wrekin Housing Trust to the end of July showed that of around 2500 tenants affected by the bedroom tax 265 had moved into other homes. There were around 20,000 households registered on Choose Your Home with around 1,000 properties becoming vacant each year. There were around 550 more WHT tenants in arrears than at the start of April, equivalent to around £90k so there was clearly a problem with tenants not paying rent. To re-house all WHT households affected needing a one-bedroom property would take 10 years based on current vacancy rates, and this did not take account of new tenants coming on stream.
 - Cllr. S. Reynolds wanted to know if there had been any evictions. There had not been any yet, but by September there may be. No matter how much people want to move, they can’t because there is nowhere for them to move to. In Telford and Wrekin it would take 10 years churn to get people into the right sized accommodation, in Shropshire it would take about 3 years, which showed this is a particular problem for Telford & Wrekin.
 - Cllr. Tomlinson asked whether the government had considered policy variations for different authorities. The SDM said the Council had lobbied government on local parameters and that one size does not fit all but there were no known plans to change national policy.
 - Cllr. Tomlinson had heard about cases where she thought people had been declared bankrupt so they did not have to pay back-dated arrears unless they found a job and she felt this was a disincentive to finding work. The SDM could not respond as the particulars of the cases were unclear, but said that as far as he knew if a person was declared bankrupt, bad debt was written off, but he thought it was unlikely that people on benefits could claim bankruptcy. In any case, the danger would be that landlords (e.g. WHT) need to collect rent and if it is written off then the landlord could go bankrupt.
 - Cllr. Dugmore felt that WHT and other RSLs should be encouraged to build more one bedroom properties, but he did not see planning applications for smaller properties coming forward. The SDM said RSLs tended to have a strategy of building family homes which did not support the welfare reforms. The AD said there could be a business opportunity here and the RSLs as

commercial operators would see this but it may take time for development to come through. Cllr. Thompson said a lot of smaller properties had been auctioned off by RSLs in the past, but he thought they should retain them for people affected by the welfare reforms to move into. The SDM said perhaps the benefit changes would influence RSLs in a different direction. Cllr. Tomlinson said she had heard one RSL say that a high concentration of one bedroom properties in one area could create problems and they had moved to family homes.

- Cllr. Seymour knew of a resident who wanted to move from a 3-bed to a 2-bed house because of the reduced subsidy, but they had not been able to move because of the shortage of 2 bed properties. She felt the greatest demand now seemed to be for 2 bed properties and the demand for 3 bed properties had reduced. The SDM said that some authorities had reported having larger family homes which they were unable to fill, but this hadn't happened here. WHT's rent arrears policy was that tenants in arrears are not moved while they are in arrears which means that the arrears grow. Members expressed consternation about this.
- Cllr. Seymour wanted to know if RSLs were doing all they could to direct people to support before arrears build up. The SDM said that WHT certainly did and many of the referrals in April had come from them. WHT was very proactive in safeguarding tenants. The other RSLs were also proactive, although they had comparatively fewer tenants.
- 148 families in the borough were affected by the overall benefit cap. The DHP policy did not include top-ups for shortfalls from the benefit cap because government considered these families to have significant income and a decision had been made that the local DHP policy should not undermine government intentions. Visits had been made to the majority of families, and officers were satisfied that the majority had sufficient income to meet the shortfall in benefit, with the exception of 2 families who were genuinely in need and at risk of homelessness. Exceptional short-term awards have been granted to the 2 families and this will be reflected in the report to Cabinet. The AD emphasised that the exceptional cases involved children and had the families been made homeless the cost to the Council would potentially be much higher and the impact on the children greater.
 - Cllrs. S. Reynolds and McClements both said that children safeguarding issues must be considered and the AD said Council policy was to keep children safely at home.
- Overall, the DHP policy was felt to be working well and the budget manageable.

3. Local Crisis and Resettlement Assistance

- The Local Crisis and Resettlement Assistance Policy (LCRA) had started on 2nd April following the abolition by DWP of the Crisis Loans and Community Care Grant elements of the Social Fund. This was a new responsibility and policy for the Council so there had been some nervousness because it was an “unknown”.

- DWP had awarded £448k programme funding to Telford & Wrekin for 2013/14. This was a reduction on what had been paid out in the borough through the Social Fund although it was generally acknowledged that the Social Fund had been open to abuse. £88k had been ring-fenced as a contingency to support partners and the remaining £400k was profiled over the 12 months.
- To the end of July there had been 329 applications and 238 awards had been made. Officers were managing the budget tightly and only approving expenditure for those most in need.
 - Cllr. S. Reynolds wanted to know if the scheme had remained cashless. The SDM said it definitely had. If people were in genuine need, appropriate assistance is provided but not one single cash payment had been made. Around a third of applications had been withdrawn early on when they had been probed. Some applications had been pursued until people found out that they would not get cash and had then withdrawn. Some did not go forward because a better or more sustainable solution had been found e.g. working with Jobcentre Plus to unlock sanctions, although that could be quite difficult.
- Key assistance included gas and electricity meter credits, fridges, cookers, beds and washing machines. Vouchers were issued for small amounts (£10-£30) for gas and electricity credit to tide people over until their next benefit payment. Vouchers could be e-mailed to a local library or collected from the Council office and had a 2 hour life so the person had to take it to a newsagent within the time limit and with proof of ID. This limited opportunities to sell the vouchers on. Good quality, good value used furniture and white goods were provided whenever possible. There were four main suppliers (Chairs & Spares, Bailey's Reuse, AW Appliances and Reviive) but they were only able to meet about two thirds of the demand, so around one third of goods were procured new from the best value retailers – Argos was the cheapest. New goods were only provided as a last resort. Beds and mattresses were provided new for quality and hygiene reasons.
 - Cllr. Lawrence asked whether the Council could buy in bulk from suppliers and store goods until they were needed. The SDM said there had been discussions with Chairs & Spares about whether goods could be kept solely for the Council but it was difficult because they could not cut off supply to the public. Cllr. Lawrence said he thought there must be a way for the Council to build up its own stock and hold in reserve to cut costs. The SDM said there were also issues with electrical appliances needing to be tested and approved, and Cllr. Lawrence said that goods could be bought PAC tested and that they could be supplied as part of the Crisis Assistance scheme or sold on. The AD said that once the scheme had been up and running for a while, they could have a look at this, and the SDM said that they had had no idea what demand would be at the start of the scheme.
 - Cllr. Tomlinson said there were a lot of working, re-usable items (fridges etc.) taken to the tip and suggested it may be worth looking at this – for example having a collection service and spreading the message by word of mouth. The SDM said Reviive has a collection service and also had a contract with WHT for

property clearance (tinned food was donated to the Food Bank) so perhaps they could do something. There were some serviceable items that people just wouldn't take, even in crisis, like non-flat screen TVs. Cllr. Tomlinson suggested more could be done to promote donations.

- Some items had been provided which were not within the initial scope of the policy, such as clothing, bus tickets, house removal, carpets, a vacuum cleaner and skip hire.
 - Members questioned the justification for providing some of these items, and officers gave some scenarios to explain the circumstances which members agreed were all valid reasons and brought home the very human stories behind the black and white information.
- A decision had been made not to include food parcels within the remit of the scheme because it would replicate the work of the Crisis Network and Food Banks which were managed by the CAB. The Food Banks sourced mainly from voluntary donations but the Council had contributed £281 for essentials like nappies and baby food if there was a shortage of donations. £19k of the contingency budget for partners had been committed as a contribution to the Food Bank Co-ordinator post. To date, the Crisis Network had provided food parcels to 1,699 households which was phenomenal, and had helped reduced demand on the Council.
 - Cllr. Tomlinson said she had received a letter from the Food Bank asking for the £1000 community chest funding to be donated to the Food Bank and she wanted to know if this was a sign that they were struggling to meet demand. The AD said perhaps they were looking at getting charity status to enable them to apply for funding, and the SDM said so far the Food Bank has survived on donations and perhaps this was a sign that they were proactively preparing for the future in case donations dried up.
 - Cllr. Seymour wanted to know what checks were done on people asking for food parcels and whether the CAB had similar checks to the Council. The SDM said he could not say definitely but his understanding was that there were no criteria. Cllr. McClements said the Co-operative & Communities Scrutiny Committee was interested in scoping some work with the Crisis Network / Food Bank / Credit Union to see if there was anything useful for scrutiny to look at. Cllr. G. Reynolds clarified that from a meeting with the manager of the Crisis Network, her understanding was that there were no checks for the first parcel, but if the person re-visited they were signposted to the CAB to do checks.
- There had been no demand for the emergency out of hours service, fronted by the Council's Emergency Duty Team, even over the bank holiday, so the service had reverted back to the standard Monday-Friday, 8.30am-5.15pm. Arrangements for over Christmas were being considered.
 - Cllr. Tomlinson pointed out that this may change if there was a bad winter and people were affected by the cold. The SDM said that they had forecast greater demand in the winter so the budget profile had been weighted to the colder

months and they would review whether demand moved to weekends or evenings/ nights. The AD said there was already an out of hours service for children, and they would monitor to keep an eye on this.

- Cllr. Tomlinson said she was concerned about people who were ill or old and frail and the SDM said they had anticipated an increase in demand and bigger payments over the winter months because vulnerable people may need round the clock heating.
- A number of other Council areas supporting vulnerable people purchased personal items for people in crisis or at risk and where it was expedient for the Council to do this. Work was being done with each of these teams to align policies and consolidate procurement through the LCRA scheme. This would make this type of spending easier to control and monitor and would release the funding currently spent by service areas to invest elsewhere or save.

This concluded the presentation and the Chair thanked officers for a comprehensive report. There were then a number of questions and comments as follows:

- Cllr. Seymour asked about the level of crisis assistance funding in the future and the AD replied that the grant had been allocated for two years (2013/14-2014/15) but we don't know what funding there will be for the third year and there was no certainty.
- Cllr. A. McClements said it had been an excellent presentation. She felt success was due to getting out and talking to people. She reminded members that the two scrutiny committees had worked together on the development of the policies, and their work had been nominated for a Good Scrutiny Award. As part of that review she had met the Chief Executive of the Wrekin Housing Trust who had given good feedback on the partnership working between the Council and the Trust.
- Cllr. A. McClements proposed that the Committees support the recommendation that the CTS scheme remain in place for 2014/15. She gave her thanks to officers and said they seemed to have thought through so many things that other people may not have thought about and she felt the report was good news and she was confident that people were being supported.
- Cllr. Tomlinson asked about the impact on staff capacity and morale. The SDM said workload was something they had no control over but one of the biggest impacts was the emotional toll. The team were working with people in really genuine need and this had an emotional impact.
- Cllr. Tomlinson asked how staff were supported with this. The AD did regular floor walks, and the SDM had regular meetings with the team. Some staff were comfortable dealing with customers face to face in First Point and others were more comfortable supporting people on the telephone, so managers try to facilitate staff preferences and skills. The SDM said the team was small – only 6 staff – and they had to make some difficult decisions, but the team was absolutely fantastic and they had embraced change and taken it to their hearts and they worked incredibly hard to help people and were very creative in finding solutions.

- Cllr. Dugmore said he found it very reassuring that officers knew their brief so well.
- The Chair referred to Cllr. A. McClements proposal that the Committees support the service's recommendation to Policy Review and Cabinet and sought members' agreement. All members were in agreement, but Cllr. Seymour said that if the situation changed the Scrutiny Committees would like to be alerted. The Chair agreed there should be a further update to scrutiny and the AD suggested a good time would be at the end of the financial year and she would be happy to share an update then.

Cllr. Rhodes, the Assistant Director and Service Delivery Manager left the meeting.

The Chair then confirmed again with all members that they agreed with supporting the recommendation for the retention of the CTS scheme and asked members who disagreed to make their views known, and all members affirmed support. It was agreed that the Scrutiny Officer would draft a response to be circulated to members for approval.

Cllr. McClements reminded members of the Co-operative & Communities Scrutiny Committee that a meeting would be convened shortly to consider the report and recommendations on the review of the Employee Commission and Co-operative Values and to discuss further work related to the welfare reforms, possibly around the credit unions. Members of the Co-operative & Communities Scrutiny Committee then left the meeting.

RESOLVED: - that the Committees support the recommendation to Policy Review and Cabinet of the retention of the Council Tax Support scheme subject to approval of the final wording of the response to be drafted by the Scrutiny Officer.

BFSC-18 WORK PROGRAMME AND CHAIR'S UPDATE

Members of the Budget & Finance Scrutiny Committee remained for the final item.

The Chair updated members on items for the work programme:

- Members had been invited to the Audit Committee meeting for the item on Capital Receipts at 6.00pm on 17th September. The item would be held in exempt session. Members were asked to submit questions in advance by Friday, 6th September so officers could address them in the report at the meeting. This was to focus the discussion not to stifle debate and members would be able to ask any questions on the day. Mr. Williams said he would not know what questions he would ask until he heard the information presented at the meeting.
- Cllr. Evans' meeting with Jonathan Eatough, Assistant Director Law, Democracy & Public Protection about Single Status had been delayed until 4th September.
- The July Cabinet Financial Monitoring Report had been circulated. Members should consider the report and forward suggestions of issues for the Committee to

look at.

- The Committee had been told that reports on generating commercial income would go to Cabinet in September. The Scrutiny Officer would forward relevant reports for members to identify issues for scrutiny.
- The next meeting would be on 22nd October to receive and update on the Cost Improvement Plan. Outstanding information from the June meeting would be requested again for this meeting. The Securing Permanency reports would be circulated quarterly for information and the next was due in September and would be circulated as soon as available.
- Dates had been circulated to members for meetings in December-February for scrutiny of the budget proposals. Some adjustments may need to be made nearer the time depending on the dates of Cabinet meetings and the Chair asked members to be flexible. The Chair suggested holding an informal meeting when the proposals were published for the committee to agree lines of questioning and which cabinet and officers they wanted to meet during the process and there was general agreement for the idea.

The meeting ended at 8.25pm.

Chair:.....

Date:.....

CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

Minutes of a meeting of the Children and Young People Scrutiny Committee held on Thursday, 15th August 2013, held at 6.00pm in Meeting Room 3, Darby House, Telford.

PRESENT: Councillors M. Ion (Chair), G. Green, J. Loveridge, A. Mackenzie, J. Pinter, C. Turley and Co-optees A. Atkinson, S. Rayner and M. Ward.

Attending: Karen Perry, Assistant Director Children's Safeguarding; Clive Jones, Assistant Director Family & Cohesion Services; Richard Smith, Access & Enablement Manager; Chloe de Poix, Participation Worker for Children in Care; Stephanie Jones, Scrutiny Officer.

CYPSC-6 MINUTES

RESOLVED – that the minutes of the meeting of the Children & Young People Scrutiny Committee held on 6th June 2013 be confirmed and signed by the Chair.

CYPSC-7 APOLOGIES FOR ABSENCE

Cllr. T. Hope, Co-optees Mr. S. Ali, Mr, R. Aveley

CYPSC-8 DECLARATIONS OF INTEREST

None

CYPSC-9 UPDATE ON THE OFSTED ACTION PLAN (SAFEGUARDING AND LOOKED AFTER CHILDREN)

A sub-item on the Leaving Care Grant (LCG) had been incorporated into this item and was discussed first. Members considered the briefing note circulated as Appendix B3, and additional information about the notional value of the grant assuming increases in line with Council Tax increases and a breakdown of the cohort aged 16 in July 2013 was tabled.

The Access & Enablement Manager made the following points:

- The authority had carried out a major restructure of operational teams in adult and children's services in 2011. The 16+ Team had moved from children's services to the Transition team in adult services, becoming the Transition and Leaving Care Team in Access & Enablement within Care & Support – the rationale being that all pathways lead to adult or family cohesion services (or the community).
- The initial move had been "lift and shift", so a fundamental review was being carried out focussed on outcomes and reducing costs, including commissioning

- processes, and separate pathways were being created for separate young people.
- In 2012 Edward Timpson (Children’s Minister) had written to all Directors of Children Services urging them to increase the leaving care grant (Setting up Home Allowance) to £2,000. Nationally the allowance varied between £800 and £3,000 and regionally Telford & Wrekin at £1,000 was one of the lowest.
 - Internally there was support for increasing the grant but within a structured approach to administration, outcomes and taking the views of the Care Council (VOICE) into account. VOICE had done a significant amount of work on this and was described in the briefing note.
 - There was currently no policy for administering the grant. It was paid on an individual basis at the discretion of Personal Advisors and Social Workers.
 - A strong message needed to be generated that the grant is tied to setting up home and VOICE had recommended that it should be renamed the “Setting up Home” grant.
 - VOICE had looked at the cost of setting up home and had requested that the grant be increased to £2,000 including a £250-300 buffer for emergencies. They had also suggested that payment of the grant should be tied to formal training on enabling independent living and linked to reaching milestones in levels of independent living.

Members then made comments and asked questions as follows:

- Cllr. Mackenzie wanted to know if the young people had any supervision and training before leaving care e.g. money management, housekeeping, and whether there was a policy for ensuring care leavers have suitable accommodation in a suitable location. The Chair said these were important points and the committee could come back to them, but asked that the discussion focus specifically on the Leaving Care Grant.
- Cllr. Green said there had been a lack of clarity about the grant for some years. The Manager agreed that there had been a lot of discretion used in the past and that the current financial position had helped to focus thoughts.
- The Chair wanted to know if the grant was mandatory or discretionary. The Manager explained that all care leavers have an entitlement to the grant under leaving care legislation, but the amount is discretionary and not all young people get the grant because entitlement is linked to setting up home. If a young person is moving into furnished accommodation, or remains in a residential home or with foster carers, they do not get the grant.
- The Chair asked how the number of care leavers who would receive the grant is projected – for example, there were 40 children in foster care who would be aged 16/17 in July 2013 so he wanted to know if they would all be entitled to the grant. The Manager said that while young people are in foster care their needs are being met so they would not get any grant, but they would be entitled to it if they left the foster home and went into unfurnished accommodation. Young people are not encouraged to leave foster homes – this is against the “Staying Put” strategy.

- The Chair expressed strong concern about a number of issues: that there was a lack of clarity over entitlement and the process for who gets the grant and who doesn't, and that the amount available in Telford & Wrekin was at the lower end regionally. The Participation Worker said that the latest available information was that 95 authorities had increased the grant to £2,000 or more since October 2012.
- Cllr. Ion said he understood that the budget needed tightening but was concerned that there was a lack of clarity about the budget for the grant, how it is spent and the lack of accountability, especially when there are rising numbers of children in care. The Assistant Director for Children's Safeguarding pointed out that although there had been an upward trend, the number had fallen this month.
- The Manager agreed there was not a structured approach, but assured Members that no young person had been disadvantaged as a result. There was a need for a more transparent process for supporting children in care right through from 13/14 to 25, and the Council was taking a strategic approach to this to eliminate the silo working which had existed in the past. He said a more formal process was needed for the LCG, including building in accountability for the young people in receipt of the grant for its use. We know where we are now, and will work with Care Council and operational staff to reach a policy.
- Cllr. Green said that as an elected member, if a member of the public asked her how the grant worked, she would not be able to explain it and this needed to be rectified. She did not know how many young people had got the grant in the past and how many had not. The Chair requested data for the last 7 years on how many young people had been entitled to the grant, how many had got it and how much they had got, how many hadn't go it and why. The Manager said this could be provided although it may be difficult because spending could be allocated against many different cost codes, but from his point of view the priority was looking forwards and not backwards. The Chair said he understood it may take some work, but the Committee would like this historic data.
- Cllr. Pinter said that the briefing note did not clarify what the grant is used for, and the Participation Worker said that the Care Council had agreed that the name "Leaving Care Grant" did not make it clear what the grant is for and had recommended changing the name to the "Starting Up Home" grant to make it clearer. The Manager said this would make it clearer that young people are not entitled to the grant while care is still in place.
- Cllr. Pinter queried the Care Council's recommendation that 2 years' worth of TV licences should come from the grant, and the Participation Worker explained that this already happens and is what the young people wanted.
- The Chair felt there was a principle involved - elected members have no more important priority than their responsibility as corporate parents, and as an authority Telford & Wrekin should not be below minimum national standards. The discussion had highlighted the fact that the grant had not been reviewed for 6-7 years, that there was no policy, that there was no budget allocation and that Telford

& Wrekin was at the lower reaches compared to other authorities nationally and regionally and this can be a recommendation of the scrutiny Committee.

- Members asked for clarification on the decision making timetable and the Manager said the aim was to take report to the senior management team in September with a recommendation to uplift the grant to £2,000 with a caveat that the policy has been agreed by children and adult services, and by the children and young people in care. The policy would include a mechanism for tying the grant to levels of independence. The Participation Worker said that the young people had been very clear about this and they wanted protocols around support.
- The Chair again emphasised the fact that Telford & Wrekin was not in line with other authorities and was 50% below many of them and that Telford & Wrekin young people should not be worse off than young people in neighbouring authorities.
- Mr. Rayner said that the grant should be coupled with the adoption of a Care Leavers' Charter, as recommended by Edward Timpson, and wanted to know what was happening in Telford & Wrekin about this. The Participation Worker said the Care Council had reviewed the Charter proposed nationally and did not want to adopt it in its current form – they thought it was too patronising. They had decided to review the Charter alongside the Pledge (the Council's Pledge to children and young people in care) and to incorporate the main principles of the Care Leavers' Charter into the Pledge. This would be drafted for consultation. Members requested a copy of the draft Pledge when it is released for consultation.

When there were no further questions the Manager and Participation Worker left the meeting.

Members moved on to consider the Children's Services Improvement Plan (the action plan to address Ofsted's recommendations from the inspection of Safeguarding and Looked After Children) circulated as Appendix B1 and the summary report circulated as Appendix B2.

The Assistant Director Children's Safeguarding (AD) opened with some comments. Ofsted had inspected the Safeguarding and Looked After Children services in June 2012. The Ofsted report and improvement plan had been presented to scrutiny in November 2012 and the fostering report in May 2013. Virtually all the actions had been delivered and would now be monitored to check they are making a difference. The new Ofsted regime would be introduced in November, and when Ofsted next returned in future they will check the recommendations have been addressed and were making a difference. The summary report highlighted the actions that were behind schedule and the AD provided some of the context for these:

- R22: "Life Story" work is complex in terms of the right person supporting the child (e.g. social worker, carer) to enable them to understand why they are in care, and to keep a record of the child's life including collecting information from before they came into care. The Life Stories are a good way of helping the child to talk about what has happened, their life now and their care experience and what is good and

what is bad. Just as parents collect photographs or mementos or information for their own children, the life stories are an important personal record for the children in care.

- R10/11: these relate to emotional wellbeing. The right staff and support need to be in place to ensure placement stability and prevent breakdown - emotional damage can present at different times and stages of life and could require CAMHS support. A Placement Stability team is under development (with a CAHMS lead post for looked after children) and in September a shadow panel will analyse past cases to review the effectiveness of support to feed into the new service model. Some young people may need hospitalisation under the Mental Health Act and there were still capacity and response issues which were being taken forward with commissioners and providers.
- R14: The ways that young people's views are recorded had been improved and ICT were working on the system - this was a technical issue – so reports could be run off and audited. The Single Assessment template had been delayed until national guidelines were published but had now been developed. The single assessment replaced the Initial + more detailed Core Assessment which the social workers have been looking forward to. During August this was being piloted in one team and would be rolled out fully in October.

Members then made comments and asked questions as follows:

- The Chair said that there had clearly been a lot of progress and congratulated officers on getting to where they were. He wanted to know if a self-assessment was done now, whether they would still judge services as “adequate” or would they be “good” and what they were telling the Cabinet member about this. The AD said that we would not yet quite be at a “good” assessment. Under the new Ofsted framework “adequate” had been replaced by “requiring improvement”.
- The Chair wanted to know what the biggest barrier to achieving an improved judgement was and the AD Children's Safeguarding said it would be the *pace* of driving a number of changes at once. The AD Family & Cohesion Services agreed some things had taken time, but a number of actions were being driven forward and really picking up pace. The workforce development strategy had taken staff through a culture change, but the Early Help offer was now moving forward with partners and was moving quickly. There was a strong focus on commissioning which was now being joined up with partners. Ofsted were interested in monitoring the impact of changes and a lot of work was going into this, for example the development of a Dashboard for Early Help. The AD Children's Safeguarding said that many of the issues that had contributed to the “adequate” rating had now been fixed. A key area of work had been the redesign of the social work service which impacted on a number of recommendations. A new model of working had been put in place in the children in care team based around small groups sharing case load information so all children had a qualified social worker and cover if their social worker was away. There was already anecdotal evidence of how the children were benefitting.

- The Chair said it was very helpful to hear from the officers because they could provide context and texture around the issues and actions which was important for members to understand, and that they had clearly done a huge amount of work. The AD Children's Safeguarding said that in future some examples could possibly be provided to scrutiny about the difference that had been made for the children although confidentiality must be maintained.
- Mr. Atkinson asked about Priority 8 (provide effective transition from being in care to independent living). He knew a counsellor working in another authority area who counselled many young people moving to independence and said that the vast majority felt at sea and needed more support. He wanted to know how officers felt Telford & Wrekin was performing in this area. The AD said that in Telford & Wrekin work was done with children from years 5/6 upwards to support them through school moves and moving onto higher education or independence. At any one time there were half a dozen or so care leavers at university and the Council had worked hand-in-hand with the young people to support their educational attainment. Funding was provided to help support them at university and we make sure they have accommodation during the holidays. There are some successes, but more can be done. NEETs were a problem, especially amongst care leavers so we haven't got it right yet. Mr. Atkinson was pleased accommodation during holidays had been thought about but suggested that support needs to be proactive. The Chair agreed that NEETs were a key issue to be tackled and asked if there was a causal relationship with the LCG. The AD said there was no established causal link between the leaving care grant and NEETs. Many young people remain with their foster carers throughout FE. If the grant is increased this could be an incentive to young people to set up on their own rather than being with foster carers, and without the carer's support they could be more likely to become NEET and the LCG needs to be understood in this context, and the importance of providing training programmes and support as well as financial assistance.

When there were no further questions the Chair thanked the officers present for their reports and honest appraisal and said it was important to get the texture behind the action plan. He also thanked the Service Improvement Manager in her absence for the good summary report.

CYPSC-10 CABINET RESPONSE TO SCRUTINY RECOMMENDATIONS ON THE CARE PLACEMENT STRATEGY

The Chair said that the Committee had spent a lot of time on the review of the care placement strategy and had produced a thorough report. The report and recommendations had been presented to Cabinet on 27th June and the Cabinet member had provided a response which was agreed by Cabinet as circulated as Appendix C1. In addition to this information, the following points were discussed:

- R1: Democratic Services would drive the publication of members not undergoing corporate parenting training. The Scrutiny Officer would take this up.

- R2a: Members **requested** a copy of the new template for recording visits. The AD said this there had been difficulties using this to record on the system but the headings were used as an aide memoire so the information is captured and recorded.
- R2b: It was **agreed** a report on the return interviews would come to scrutiny in September.
- R3a: The recommendation was “partially agreed” because it had been agreed that the IROs need to be independent, but that scrutiny was not the right place for them, and they had been moved to the Education & Skills service in July. The service had been bolstered to make it more robust. There were 4.4 FTE permanent IROs, plus a temporary 12 month post had been created to deal with capacity issues. A Fostering Reviewing Officer post had also been created, responsible for reviewing external fostering agencies as well as conducting each internal foster carer’s annual review.
- R3b: It was **agreed** a report on the IROs would come to scrutiny in November.
- R4: The AD Family & Cohesion Services gave an update on the Jigsaw care contract. Better Care Keys had been appointed as the provider from the procurement exercise and had taken over the contract in August. The new provider had been well ahead of other bidders in terms of quality and price. Savings had been made on weekly unit costs compared to the previous contract: For example assuming full occupancy for one house the Council would save £2,909 per week £151k p.a. The saving will be greater when we take up the option of using a second house. The contract was running in the first house and Ofsted would be carrying out an inspection, and the second house was in the process of being set up.
 - ❖ R4a: The Chair said the response seemed to suggest that scrutiny had recommended procuring alone, but scrutiny had meant that the number of providers on the regional framework could be reduced. The AD said that there would be savings from the regional framework contract but they also needed to be mindful of the need to drive down costs locally so all options would be considered and nothing ruled out.
 - ❖ R4b: It was **agreed** that an update report would come to scrutiny in January.
- R5a: This had been accepted
- R5b: This had been partially accepted because it was felt that there was too much information to report in this level of detail every time. However, members do need to be assured that the costs are accurate, so the detailed method of calculation would be shared with scrutiny, but costs would then be reported as a single figure. The new methodology was being used – the model was developed by the West Midlands Strategic Commissioning Group which had identified best practice for fostering services. The calculation included costs for staffing from administration to management and overheads including central charges. Detailed information

had been taken from the Agresso financial system and broken down to arrive at a weekly unit cost. Applying the new methodology, the average weekly unit cost of internal foster care had increased by about £20, from about £430 to £450.

- R6a: The Chair asked where we were up to with identifying the children's home care providers. The AD said they had been identified and we know where they are and the Police also had this information.
- R6b: A provider conference had been organised for 9th October and all children's care home providers and independent fostering agencies had been invited. Members were given a copy of the programme. The aim was to ensure the providers understand how to access services to support the children in their care e.g. alcohol and drug abuse services, CAMHS. Information will be collected from the providers which will help address commissioning intentions. The regional framework contracts were used for volume placements, but some of the providers may be able to offer individual specialist placements. The police and health providers were involved with the conference. It was **agreed** that a report would be provided to scrutiny about the providers, how many and where they are, and an update on the conference at a future meeting.

The Assistant Director Family & Cohesion Services reminded members that in addition to the LCG, children in care and care leavers are also able to claim an education bursary of £1,200 for Further Education (formerly EMA) to help with books, equipment, travel, lunch etc.

RESOLVED: That the items agreed during the discussion be added to the work programme.

CYPSC-11 LGA SAFEGUARDING CHILDREN PEER REVIEW

This item was deferred until the next meeting on 23rd September to allow the Cabinet Member for Children, Young People & Families and the Director of Children & Family Services to attend.

CYPSC-12 CHAIR'S UPDATE

The Chair thanked members who had attended the working group meeting on 28th June about the provision of primary school places. Further evidence would be taken at the next meeting. This was a national concern and members needed to be satisfied that there would be adequate primary capacity in Telford and Wrekin.

The Chair suggested some areas which he felt needed further clarification:

- The borough is a growth area with significant planned housing development – members need to be confident that the planning projection data is accurate and satisfied that there will be sufficient places.
- The Projection Guide is very complicated and members may want further clarification.

- The Net Capacity Assessment Method, which drives the PAN, dates from 2001 and it was not clear if it had been updated or whether there were alternative methodologies. Ms. Ward said from her experience and knowledge as a primary school governor that it was a very complicated process but that the School Organisation Services Manager was very good and had run the department efficiently for a long time and had handled predicted growth and absorbed it well using this methodology – it was working at the moment.
- The heads had said it was not clear to them how the PAN is calculated and how decisions are driven – scrutiny has a role in ensuring that practitioners understand the process. Mr. Atkinson agreed the committee needed to understand the process and to make sure that practitioners understand the process.
- The relationship between expansion and quality was not clear – capacity may be managed efficiently, but were standards being driven up? Ms. Ward said the PANs were very sensitive but they were essential to prevent a free for all. As a scenario, if a good school is expanded to bursting point, it could be to the detriment of another school locally which is improving but just can't attract pupils. Mr. Atkinson said we should be cautious about using popularity as a criterion for expansion because it can be so transitory.
- Concerns raised by heads about attendance at Appeals meetings compared to Shropshire.

It was agreed that members should forward suggestions of issues to explore and who to take evidence from at the next meeting to the Scrutiny Officer.

There was a further discussion about the Leaving Care Grant and it was agreed that the Committee would make a recommendation to increase the grant to £2,000 contingent on the development of a robust Policy and protocols. The Scrutiny Officer would draft wording and circulate to members for approval.

RECOMMENDED

That the Leaving Care Grant be increased to £2,000 contingent on the development of a robust Policy and protocols (wording subject to approval by Members following the meeting).

The meeting ended at 7.25pm.

Chairman:.....

Date:.....

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

Minutes of the meeting of the Health and Adult Care Scrutiny Committee held on 12th August 2013 in Meeting Room 3, Darby House, Lawn Central, TF3 4JA

PRESENT:

Councillors D. White (Chair), F. Bold , R. Evans V. Fletcher , J. Greenaway, A. Meredith, J. Minor, Co-optees R. Shaw, J. Gulliver, D. Davies and R. Perkins.

Also Present: Cllr. A. England, Cabinet Member Adult Social Care, P. Taylor (Interim Director Adult Care, Heath and Wellbeing), K. Kalinowski (Assistant Director Care and Support), C. Heaven (Shropshire and Telford and Wrekin Age UK) and F. Bottrill (Scrutiny Group Specialist)

HACSC-50 MINUTES

RESOLVED - The minutes of the previous meetings of the Health and Adult Care Scrutiny Committee held on 3rd May 2013 be agreed as an accurate reflection of the meetings and signed by the Chairman subject to the deletion of 'to' page 3, paragraph 11, line 3.

HACSC-51 APOLOGIES FOR ABSENCE

None

HACSC-52 DECLARATIONS OF INTEREST

Cllr. R. Evans declared her employment in a social care provider organisation that has contracts with the Local Authority.

HACSC-53 RESPONSE TO THE SCRUTINY REVIEW OF CONTINUING HEALTHCARE

The Chair invited Cllr. A. England, Cabinet Member for Adult Social Care, to give a verbal response to the Scrutiny Committee's report on Continuing Healthcare (CHC).

Cllr. England made some initial comments on the report setting out the reduction in the level of CHC funding and the impact that this has had on the Local Authority's Adult Care budget. He noted the approach that the Scrutiny Committee had taken in looking

at the quality of the assessment process. He highlighted the findings of the report that set out that the local interpretation of the assessment process was unfair and that in some cases care provision was not meeting the needs of individuals. He commented that he would like further evidence of this. He also commented on the finding of the Committee that it would be impossible to produce a single document that would explain to patients and their families what care the patient being assessed would need and how this related to CHC funding. Cllr. England said that this reflects the complexity of the system. He added that the assessment process has to be fair and it should not be based on patients who 'shout the loudest' getting the most support.

Cllr. England commented on the findings of the Committee that the Council is not meeting the full cost of people's needs. He responded that private Care Homes make a profit but he recognised that there are not-for-profit care home providers. He was glad that the report identified the implication for the Adult Social Care Budget which has resulted in additional costs of £8 million. If this continued there is a risk that the threshold for eligibility for local authority funded care could be raised to critical.

The Chair requested that the Cabinet Member respond to the recommendations in the report. He added that the Committee also had concerns regarding people who are self funding and the appeals process. C. Heaven confirmed that the appeals they had supported over the last 3 years had not been successful and that a patient who appealed last month was still waiting to hear. Cllr. England responded that he wanted to ensure that the Committee understood the difficult issues and the Interim Director for Adult Care, Health and Wellbeing suggested he could update the Committee on the work that has been undertaken with the Clinical Commissioning Group.

Cllr. England provided the following response to the recommendations in the Scrutiny Report:

Recommendation 1

The CCG put systems in place to ensure that all patients and their families are appropriately involved in the assessment process. The CCG must ensure that the assessment is patient centred and that the assessment is carried out in a caring and compassionate manner in line with the Francis Report.

CCG to respond to this recommendation

Recommendation 2

All patients who are assessed using the Initial Check List and their families should be given written information about independent advice and advocacy services with specialist knowledge of CHC BEFORE the checklist is initiated. The information should provide the contact details for the advocacy services

CCG to respond to this recommendation

Recommendation 3

This advocacy service must be adequately resourced to respond in a timely manner and provide the necessary support to individuals and their families throughout the CHC process. The Committee recommend that the CCG contribute toward the cost of this service in line with the National Framework Practice Guidance (p.98)

Accepted: The Council currently funds advocacy services and patients and their families going through the CHC process can access these. The issue of advocacy services for CHC was discussed at the CHC workshop on 20 June with the CCG and this has been built into the follow up action plan. This will be carried out jointly with the CCG

Recommendation 4

The Multi-disciplinary working can only be delivered through a successful partnership approach both at organisational level and practitioner level where all the people involved in the care of an individual feel that their views are valued. The views of all professionals in the MDT must be evidenced in the decision making process.

Accepted: The Local Authority would like to work with the CCG towards a more integrated assessment approach. A joint Steering Group is being set up (first meeting in September) and will take forward an action plan following the joint externally facilitated workshop on 20 June.

Recommendation 5

All the organisations involved in the care of an individual being assessed for CHC must be included in the Personal Details section of the DST (p. 53 of the draft Operational Arrangement Document). All these organisations must be contacted to provide evidence for the assessment including mental health services.

CCG to respond to this recommendation

Recommendation 6

Joint training is undertaken (including role play) ensuring that all professionals from the different organisations involved in CHC understand the full implications of the decisions that are made from the perspective of the patient, their colleagues from other organisations and the implications for wider health and social care economy.

Accepted: The Local Authority CHC Team Leader has and continues to carry out training for LA staff to raise awareness of CHC following the recent revision of the

framework. Training has also been undertaken with Care Homes in partnership with SPIC. There is also a commitment for follow up joint training as discussed at workshop as part of the action plan

Recommendation 7

Domiciliary care providers and their care staff are involved in this training so that they can engage in the CHC process to contact the relevant professionals to request and contribute to a check list and contribute towards the Full Assessment.

Accepted; This is included in the training as set out above. It is hoped in future training will be delivered jointly with the CCG

Recommendation 8

The CCG record and monitor the number of people who have an Initial Check List and the outcome of this i.e. how many of these are referred for a Full Assessment.

Accepted :The CCG have responded that this information is collated in a database which is already in place. The Local Authority is looking to see what information it can record on Care First, our client record system, but this would only include people known to us and not self funders .

Recommendation 9

All staff who carry out the Initial Check List must be appropriately qualified professionals and have had training on how to carry out the assessment, what information to provide to patients and their families and how to promote the advocacy support that is available. The information provided to patients should include health care and financial implications for patients and their families in the event of the range of outcomes of the assessment process.

CCG to respond to this recommendation

Recommendation 10

The CCG should work with the Hospital Trust to review the Integrated Health Assessment Form which incorporates the CHC Checklist to ensure that all information is clinically appropriate – of specific concern is the current instruction that patients who have not had previous cognitive impairment and have suffered a stroke must not be referred to mental health services.

CCG to respond to this recommendation

Recommendation 11

That as part of the agreement of the Operational Arrangements document the CCG, Local Authority and other partners agree to a local protocol on the interpretation of the revised Decision Support Tool guidance on the eligibility of patients who do not have a Priority Need but do have needs that meet indicative guidance set out on p.14 and 15 of the revised guidance.

Partially Accepted: The Local Authority has agreed with the CCG to work to the national guidance in establishing a primary health need. Therefore a local protocol should not be necessary as the detail is sufficient in the national guidance. Processes for local implication are being agreed e.g. Disputes Process. The Local Authority is committed to working with the CCG to provide the assurance to the Scrutiny Committee that the Indicative Guidance is being implemented appropriately.

Recommendation 12

The CCG should work with partner organisations including the Local Authority, SPIC, the Community Health Trust, the Hospital Trust, Age UK and other advocacy services to establish a panel that will consider the MDT assessment and make recommendations to the CCG regarding CHC eligibility. The terms of reference and operation of the panel should be reviewed annually to ensure that it is adding value to the process.

CCG to respond to this recommendation

Recommendation 13

The CCG and Local Authority work together to agree a dispute process as set out in the National Framework (p. 136) and jointly monitor the number and outcome of the assessments disputed by the Local Authority

Accepted : This recommendation has already been agreed and implemented.

Recommendation 14

As part of the Operational Arrangements document the CCG must include information on the re-assessment process. This must include a local policy on the interpretation of the principle of well managed needs as set out in the 2012 Department of Health Framework (p. 61) agreed by the CCG, Local Authority, Community Health Trust, SaTH, SPIC and the local advocacy services.

Partially Accepted: The Local Authority has agreed with the CCG to work to the national guidance in establishing the well managed need. Therefore a local protocol is not necessary. The Local Authority will work with the CCG to seek evidence that the National Guidance on well managed need is being implemented appropriately.

Recommendation 15

The CCG records and monitors the number of appeals / review and their outcomes.

CCG to respond to this recommendation

Recommendation 16

All patients and their family / representatives should be offered independent advice and advocacy before and during the appeal / review process. Patients should also be made aware of independent legal advice available e.g. free 15 minute appointments with a solicitor through Age UK and other specialist legal advice.

CCG to respond to this recommendation

Recommendation 17

The CCG ensures that it is adhering to the Framework when the patient or their family dispute the outcome of a re-assessment where funding is withdrawn.

CCG to respond to this recommendation

Recommendation 18

The Membership of the appeal panel should reflect the good practice established by the regional appeal panel (previously at the SHA) which included an independent chair. All communication from the Panel should come from the independent Chair.

CCG to respond to this recommendation

Recommendation 19

The Committee has not made any specific recommendations regarding the level of CHC funding as the funding inequality is a product of the failings in the CHC assessment process.

CCG to respond to this recommendation

Recommendation 20

The CCG and Local Authority work together to explore the option of Joint Funding Packages for patients who are not eligible for CHC in line with the National Framework.

Accepted: This has been agreed with the CCG and an initial meeting to establish appropriate policies and procedures was held in July.

Recommendation 21

The Committee does however recommend that the number of CHC cases, the level of funding and the number of jointly funded care packages made following a CHC assessment and the total funding contributions by partner organisations is reported quarterly to the Health and Wellbeing Board.

Accepted: The Local Authority will work with the CCG to bring this information to the Health and Wellbeing Board.

Recommendation 22

The Local Authority should ensure that any staff who report bullying or harassment are appropriately supported – this should include policies and procedures to cover partnership arrangements.

Accepted: The Local Authority has put in place training for staff so that they understand more fully their roles and responsibilities when representing the needs of their client at an MDT meeting.

The CHC Team leader also provides support in specific cases.

The dispute process is in place and staff are informed how they can use this.

The Council does have policies and procedures to support staff who are feeling stress as a result of bullying and harassment through a range of mechanisms.

Further discussion with People Services around procedures to raise issues with partner organisations.

Councillor England asked for clarification of the comments made in the Scrutiny Report in relation to bullying. Paul Taylor stated that at no time had any staff formally raised concerns in relation to bullying or such allegations.

Recommendation 23

In line with the Framework (p. 21) should the Initial Check List or full assessment identify a carer they should be informed of their right to a carer's assessment and advised to contact the Local Authority or, with their permission, refer them for this purpose.

Accepted: The Local Authority, as a matter of course, will inform a carer of their right to an assessment.

The Local Authority are committed to working with partner organisations to ensure this happens through out the assessment process.

Recommendation 24

Further work is carried out to clarify the number of patients assessed as eligible for CHC funding and receiving CHC funding and the age profile of people receiving CHC funding.

Recommendation 25

The Operational Procedure Document that was presented to the Scrutiny Committee is an opportunity for the CCG to have genuine dialogue with partner organisations. The Committee recommend that the concerns expressed by the local authority regarding this document are taken into account and that SPIC and Age UK and other advocacy organisations are also given the opportunity to comment on the Operational Procedures for CHC.

Reject

The Local Authority has agreed with the CCG to work to the national guidance as it is sufficiently detailed to be adhered to without the need for local guidance. Local processes are being agreed. The Local Authority will work with other organisations to monitor whether National Guidance is being implemented appropriately.

The Chair asked the K. Kalinowski, Assistant Director for Care and Support if she had anything to add.

K. Kalinowski responded that a Joint Workshop had taken place on the 20th June, facilitated by the Department of Health CHC Lead and the Association of Directors of Adult Services CHC Lead. The draft action plan is being drawn up and can be shared with Scrutiny. A Joint Group will oversee the implementation of this action plan and joint training will be essential. Within the Local Authority we have carried out training

for our staff and it is hoped that this will be done jointly in the future. The Joint steering Group has been established and will meet in September. This will be jointly chaired by the Assistant Director for Adult Services and the CCG's Executive Nurse Lead for Quality and Safety.

The Interim Director for Adult Care, Health and Wellbeing, added that there are discussions with the Chief Operating Officer and Chair of the CCG regarding the ongoing transfer of funds. It had been acknowledged that the Council had previously not been funding enough and after the rate of CHC funding had reduced the PCT had recognised the financial pressures this created for the Local Authority and had transferred funds. The CCG has agreed to passport £2.4 million funds to benefit the council. He recognised that the issues for patients and service users are different since NHS care is free at the point of delivery while the Local Authority does not fund care for people with over around £23k disposable capital. For 2012/13 the cost for self funders was £2.4 million. The CCG have continued to recognise the need to passport money to the Local Authority in 2014 but there needs to be further discussion regarding the number of people in the CHC system – the CCG and Local Authority have different views on this. We need to have an open dialogue about this and the impact if decisions regarding CHC.

The Chair commented that the CHC Guidance issued by the Department of Health in 2012 was much clearer. He added that the issue with the CCG transferring one-off funds was that this could change in the future. The Committee want to see the National Guidance implemented correctly. The guidance is open to local interpretation and the Committee concluded that it was not being interpreted fairly. If there is a primary health need – there must be a fair assessment and the care must be funded by the NHS. The Committee want the Council and CCG to work together to resolve this.

The Interim Director for Adult Care, Health and Wellbeing added that there has been agreement to adhere to the National framework. There has been disagreement in the past but we have agreed to work together in the future and there will need to be some compromise on both sides. We need to be clear what the processes are and it was recognised that it can be difficult for people to be clear what is the roles of the NHS and Local Authority social care.

The Chair responded that there has to be a fair system and that this should include jointly funded packages of care.

The Assistant Director for Care and Support agreed that Joint Care packages should be a matter of routine. There was a meeting in early July to take this forward.

The Interim Director for Adult Care, Health and Wellbeing clarified that the legislation

is clear that if there is a primary health need the NHS meets the cost of health and social care needs. If a person is not eligible for CHC there may be other health needs that the NHS should meet above the Registered Nursing Care contribution. There is no national system for care in a non nursing home setting e.g. at home nursing input above and beyond district nursing.

The Chair commented on the specialist care provided by care staff in nursing homes e.g dementia care.

Cllr. England agreed that it is important to provide continuity of care.

Cllr. Minor asked if there was anything in the National Framework that can be used to refuse care? He added that the current position seems to be “ them and us” and there is something wrong of Age UK have not won an appeal for 2 years.

The Interim Director for Adult Care, Health and Wellbeing responded that the CHC and Continuing Care legislation sets out who should fund the care, but neither legislation sets out the level of care – this has to be a judgement of need. There are difficulties for both organisations with their respective budgets.

The Chair said that there were a number of solicitors who were involved in challenging decisions and that this was something the Committee were very concerned about.

Cllr. Fletcher said that the Committee had not got information on the specifics on the different levels of funding and how this is decided.

The Interim Director for Adult Care, Health and Wellbeing responded that he can provide the numbers for continuing healthcare and continuing care.

These figures were confirmed following the meeting. The national figures for 2013/14 quarters have not been released yet.

- Continuing Healthcare (funded by T&W CCG): 56 people (as at 3 March 2013), equivalent to 15 per 50,000 head of population, compared to England average of 52 per 50,000 and Shropshire CCG 64 per 50,000 of their population
- Continuing Community Care (funded by T&W Council): 2060 people (as at July 2013)

It was recognised that we need to do more work with the CCG to agree the number of people who should be in the CHC system. National Figures show that we should be nearer 150.

J. Gulliver stressed the importance of dementia training in hospital. She had been in the hospital that morning and was told by a nurse that it was not happening.

The Interim Director for Adult Care, Health and Wellbeing highlighted that CHC does not apply to people in a hospital setting. When long stay hospitals closed more people were supported in the community.

The Chair added that it is important to recognise that people have different care needs and this includes religious requirements that should be provided in different settings.

The Interim Director for Adult Care, Health and Wellbeing responded that the legislation determines the funding responsibility – but the level of care is determined within the budget.

R. Shaw commented that the Department of Health Framework Guidance for CHC was better.

The Chair asked if the CCG representative would like to comment on their response. This was declined as she was attending as a member of the public.

Cllr. Fletcher said she was concerned that the CCG response says that the Scrutiny Committee had been biased. She confirmed that in her view the Committee has looked at this issue objectively.

The Chair said the Committee had identified that there had been a change in the level of funding – something had changes. The evidence presented to the Committee showed that the assessment process was unfair. The Committee did not have a set aim for this review.

Cllr. Fletcher said that she had met someone recently who did not know about CHC and was funding his own care.

R. Perkins said the Committee were looking for a balanced approach. The Committee had heard that people were not given the opportunity to contribute to the assessment.

Cllr Minor said that it is important to consult people. With information technology it is possible for people to get together through facebook, twitter. He gave the example of Stafford Hospital where local campaigns have made a difference.

The Chair said that we have a good relationship with the NHS. The NHS is in a process of change and the Committee has called the Local Authority and NHS to work together. The Chair said he was sure that they will work together to resolve this.

The Assistant Director of Adult Care, Health and Wellbeing said that there is a lot of good joint working between the Local Authority and CCG. This has been recognised by the Peer Challenge that has recently been carried out. People who are not receiving CHC are continuing to receive care funded by the Local Authority unless they are self funding. It is our view that very few people are not receiving the care they need. CHC impacts on our budget and the Local Authority will get to the point where we can't fund everyone so we do not bankrupt the Council.

Cllr. England said that the Council must work with the CCG and the Health and Wellbeing Board has a role in bringing health and social care together. He saw this as very positive and as an Elected Members his role is to question and challenge.

The Chair said that he had been involved in Scrutiny for a long time and that the Council is very lucky to have this CCG in Telford and Wrekin. The Council and Local Authority must continue to work together and Scrutiny will continue to ask questions.

The Scrutiny Group Specialist said that the responses to the Scrutiny report discussed at this meeting were initial responses from both organisations. A formal joint response has been requested from the Health and Wellbeing Board and this will be submitted to the Committee following the Health and Wellbeing Board meeting in September.

Cllr. England asked who will be presenting the response from the Health and Wellbeing Board?

The Interim Director for Adult Care, Health and Wellbeing responded that he has been tasked to work with the Chief Operating Officer of the CCG to bring a joint response to the Health and Wellbeing Board. It is also important to make sure that the voice for self funders is being heard. He explained that the Care and Support Bill, which is expected to take effect from 2015 will give Local Authorities responsibility for everyone in the care system – this does not mean that everyone will be funded. There will be a maximum amount that individuals will have to pay for their care.

The Cabinet Member for Adult Social Care, Interim Director for Adult Care, Health and Wellbeing and the Assistant Director, Care and Support left the meeting.

The Committee confirmed the views expressed by the Chair regarding the CHC report.

Cllr. Fletcher commented that the CCG response stated that legal advice had been sought. She asked if the Scrutiny Committee should seek legal advice?

The Chair responded that it would not be necessary.

HACSC-54 SHROPSHIRE AND TELFORD AND WREKIN SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2012/13

The Chair informed the Committee that this item had been deferred to the next meeting.

HAC SC- 55 HEALTH AND ADULT CARE SCRUTINY COMMITTEE WORK PROGRAMME

The Scrutiny Group Specialist outlined the work programme for the Scrutiny Committee.

Review of the Meals on Wheels / Community Meals Service

The meeting with the RVS volunteers had taken place and interviews with service users will be arranged.

Autism Strategy – it was agreed that a report on the autism strategy should come to the Committee in October

Mental Health – The Joint HOSC has decided to look at the provision of Mental health services. The South Staffordshire and Shropshire Healthcare Foundation Trust will be invited to the September meeting of the Joint HOSC.

Transfer of Public Health – the new Director of Public Health has been appointed and will be invited to future meeting of the Committee.

It was reported that the capacity of the Scrutiny Group Specialist to support this work will be affected by the work load of the Joint HOSC.

Cllr. Fletcher suggested that the Committee should scrutinise the cost of the new hospital at Ludlow and how this is being funded.

The Chair responded that this will be incorporated in the work of the Joint HOSC.

HAC SC- 56 CHAIR'S UPDATE

The Chair updated the Committee on the work of the Joint Health Overview and Scrutiny Committee with Shropshire Council and the outcome of the meeting held on the 8th August 2012. The Chair reported that he and the Shropshire Chair of this Committee has held meetings with the Hospital Trust, CCGs and NHS England Area

Team regarding the concerns about services at the Princess Royal Hospital and the Royal Shrewsbury Hospital. The Trust faces a number of issues:

- Low patient satisfaction
- Capacity issues at SaTH
- Ability of Trust to meet targets
- Concerns about sustainability of A&E services
- Staff survey – low morale and difficulty recruiting in key areas
- Financial issues resulting from requirement to make efficiency savings and duplication of services across both sites.

These issues are in the public domain and there are discussions taking place but as Chairs of the Joint HOSC they were concerned that no solutions for the longer term problems has been put forward. If these issues are not resolved important services may be lost by the Trust or it could be taken over. It important that the discussion about the future of hospital services is debated in public. The Joint HOSC Chairs held a meeting with representatives from the Clinical Commissioning Groups, Shrewsbury and Telford Hospital NHs Trust, Community HealthTrust, both Local Authority Cabinet Members for Adult Services and Chairs of the Health and Wellbeing Boards and the NHs England Area Team. At this meeting the Chairs expressed their concern and set out their expectations for the Joint HOSC meeting on the 8th August. The NHS organisations attended this meeting and set out the issues that the health organisations face and the need for change. The Hospital Trust was open about the problems they face. The Joint HOSC recognised that the services are not sustainable as their are currently configured. This has started the debate about the future of services, including A&E and the Joint HOSC recognised that all options must be considered. As far as he was aware, this is the first time that a Joint HOSC has taken this proactive approach to start a public debate about hospital services and there is no guarantee what the outcome of this process will be. The local NHS organisations have been asked to plan the public consultation. The role of the Joint HOSC is not to develop the solutions but to ask the questions. The Chair explained that it had not been possible in the timescales to update this Committee before now. He asked if the Committee support the approach taken by the Joint HOSC Chairs and the work undertaken by the Joint HOSC.

J. Gulliver commented that one issue that need to be addressed is that Walk in centres are referring patients to A&E

R. Perkins commented that access to GP is an issue and if people cannot get an appointment they will go to A&E.

The Chair said that doctors in Primary Care should perform minor surgery rather than

referring to A&E.

R. Perkins said it is important to educate the general population about how to use the NHS.

Cllr. Minor congratulated the Chair on the work the Joint HOSC Chairs had undertaken.

The Chair said that the Joint HOSC recognised that services need to be consolidated. As Chair he will not allow the discussions at the Joint HOSC to become politicised. Some people will have to travel further to get the best service – but it is not acceptable that the current situation where there are two understaffed and disorganised hospitals. The Joint HOSC has started this process and at the meeting on the 8th August it was set out that any decisions about the future reconfiguration of services will be made within 12 months.

Cllr. Fletcher commented on the need to locate children's services with other specialities.

Cllr. Greenaway said that it is important to look at the bigger picture if there is a risk of losing services. She asked who will manage the consultation and how this information will be recorded.

The Scrutiny Group Specialist responded that it is usually the Commissioners who are responsible for managing the consultation on changes to NHS reconfigurations.

The Chair added that the consultation will not be restricted to hospital services but will include community hospitals as well. All health professionals, the CCGs and the Health and Wellbeing Boards will have to be involved.

Cllr. Greenaway said that any consultation will involve a lot of responses which will include anecdotal evidence. This is an important part of the consultation.

Cllr. Fletcher said that the option to build a new hospital had been discussed in the media.

The Chair said that this was unlikely given the funding that would be required – but at this stage nothing should be ruled out.

The Scrutiny Group Specialist said that the Joint HOSC had responded to the recommendations of the Francis Report and was being proactive in addressing concerns about local services.

R. Perkins supported the work of the Joint HOSC and the timescales discussed.

The Committee supported the work of the Joint HOSC and the Joint HOSC Chairmen.

The Meeting ended at 17.33pm

Chairman:

Date:

HEALTH AND WELLBEING BOARD

Minutes of a meeting of the Health and Wellbeing Board held on Wednesday 18th September 2013 at 2.00pm at the Business Development Centre, Stafford Park 4, Telford TF3 3BA.

PRESENT: Cllr R Overton (Chair) (Telford and Wrekin Council), Dr M Innes (Vice-Chair) (Clinical Commissioning Group), Cllr E Clare (Telford and Wrekin Council), P Taylor (Telford and Wrekin Council), Cllr A England (Telford and Wrekin Council), Cllr P Watling (Telford and Wrekin Council), Cllr G Green (Telford and Wrekin Council), D Harrison (Clinical Commissioning Group), L Johnston (Telford and Wrekin Council), Cllr J Seymour (Telford and Wrekin Council), D Wickham (NHS England Shropshire and Staffordshire Area Team), Helen Onions (Telford and Wrekin Council), D Saunders (HealthwatchTelford and Wrekin)

Also Present: H Swindlehurst (Clinical Commissioning Group), Fran Beck (Clinical Commissioning Group)

Officers: J Eatough (Assistant Director: Law, Democracy and Public Protection), M Cumberbatch (Legal Services), S Norwood (Commissioning Specialist), V Pike (Health Improvement Commissioner), D Robson (Service Delivery Specialist for Adult Safeguarding), K Roberts (Commissioning Group Specialist), C Hall-Salter (Partnership and Planning Manager) and J Clarke (Democratic Services Officer).

The Chair welcomed everyone to the meeting and announced that there would be a change in the advertised Agenda and that Item 8 - Children and Adolescent Mental Health Service - would be the first item of business following declarations of interest.

HWB-23 MINUTES

RESOLVED – that the notes of the meeting of the Health and Wellbeing Board held on 17th July 2013 be confirmed and signed by the Chair.

HWB-24 APOLOGIES FOR ABSENCE

D Evans (Clinical Commissioning Group).

HWB-25 DECLARATIONS OF INTEREST

None

HWB-26 CHILDREN AND ADOLESCENT MENTAL HEALTH SERVICE

F Beck and H Swindlehurst gave an update on the Child and Adolescent Mental Health Service (CAMHS).

The Mental Health Service has assessed very few children who were diagnosed with mental health problems. The main results were:

- Eating disorders
- Depression
- Schizophrenia

It was reported that there were a lot of children with serious emotional problems who were vulnerable and may have had disturbed early years, may be looked after children or young

offenders. These children were not mentally ill, but had needs. There needed to be a comprehensive range of services in order to deal with the wide range of wellbeing and mental health issues of children and young people. Where children were very unwell and had early manifestations of mental health, there may be a need for a specialist bed.

CAMHS needed to interface with other services across the range ie the Local Authority, schools and GPs. There were specialist services to undertake any detailed work although Shropshire Community Trust were currently working to improve this element of the service.

There had been concerns raised with regard to waiting times and service delivery. The current position with regards to numbers exceeding the waiting list (as at August 2013) was:

- Priority 1 Patients – NIL
- Priority 2 Patients – 2
- Priority 3 Patients – 3

CAMHS were working on their data and due to inaccuracies the actual numbers could be worse. This would put CAMHS in a slightly worse position, although it would give a more accurate account of where it currently stood.

CAMHS was currently working alongside SHROPCOM and South Staffordshire & Shropshire NHS Trusts and through a collaborative approach was optimistic for a solution.

A discussion took place including:

- Pathway of care
- Waiting times
- Outcome measures
- Urgent care
- Benchmarking
- Family Connect
- Partnership working
- Difficulties of accessing CAMHS
- PODs (Parents Opening Doors) Workshop
- Joined up services ie CAMHS/Care/Court System
- Labelling
- Waiting times for the 4 tier service
- Support of Young People as they leave the system – the need for good transition arrangements

A question was raised regarding the most up to date figures which were:

- Priority 1 Patients – Nil
- Priority 2 Patients - 17 (although there were case reasons for these figures)
- Priority 3 Patients – 26

There would be an update on the position at a future meeting of the HWB.

RESOLVED – that the report be noted.

HWB-27 TELFORD AND WREKIN CLINICAL COMMISSIONING GROUP UPDATE INCLUDING CALL TO ACTION

Dr M Innes presented the Clinical Commissioning Group's update which included the Call to Action.

NHS 111 Service

Following the decision of NHS Direct that it was not in a position to continue as the provider of the 111 service contingency plans had been put in place locally. West Midlands Ambulance Service had been commissioned to provide this service for Telford and Wrekin CCG until March 2015. Shropdoc would continue to provide the Out of Hours service.

In order to take forward the procurement exercise a local Project Board had been established with Shropshire CCG and had recently held its first meeting. During the period up to March 2015 there would be regular reports from the Project Board to the CCG Governing Board and to HWB.

A discussion took place including:

- Public confidence in the 111 system and adverse press
- Tender for out of hours service
- National campaign to promote the new 111 service

Maternity Review

There was a review of maternity services taking place and this was currently out to consultation. All stakeholders involved with maternity care were being asked to comment. Public information could be found at <http://www.telfordccg.nhs.uk/maternity-services>. The review was not about where maternity provision was, but about the new model of delivering the service.

A discussion took place including:

- Consultation with maternity practitioners and midwives
- Public facing questionnaire
- Update on engagement and results to be brought back to HWB at a future date

Call to Action

A presentation was given regarding the "Call for Action" which was appended to the Report as B1 and B2.

RESOLVED – that the report and presentation be noted.

HWB-28 TELFORD AND WREKIN COUNCIL UPDATE

The Interim Director of Health, Wellbeing & Care gave an update to the Board on key developments impacting on Adult Social Care with particular reference to the findings of the recent Peer Challenge and the current financial pressures facing the service.

A local Peer Challenge programme had been developed following the previous inspection regime being abolished. Telford & Wrekin Council had volunteered to be a pilot Local

Authority within the region and would be instrumental in shaping the format for future peer challenges.

The outcomes of the Peer Challenge were:

- a more personal approach
- each individual would know their personal budget
- changes in the way that community care facilities were delivered
- offer choice in the way support was provided and identify this early in the process
- more choice and control
- change the way community care was delivered

Actions relating to the Challenge findings would be incorporated within the existing Personalisation Transformation Plan and the Financial Improvement Plan.

The Peer Challenge highlighted the difficult financial situation facing both the Council and Adult Social Care. The Council would receive 33% less funding between 2010/11 to 2014/15 although Adult Social Care is expected to deliver its proportion of savings. However, due to current demands the service is projected to have an overspend of £4m at the end of the financial year. There was currently an unprecedented demand for services and the average cost per person was increasing. It was believed that savings could be made by reducing the unit price the Council paid for care. During 2014-2016 further saving of £6.5m would be required and the reductions in the amount of care provided and the number of people who received support would have to be introduced now, together with increased contribution from wider partners.

A further report would be brought back to HWB once the Financial Improvement Plan had been agreed and had taken into consideration the projected overspend and savings required in the next two years. This would be a very challenging time and resources needed to be prioritised and addressed collectively.

A discussion took place including:

- The strengths highlighted by the Peer Challenge
- Performance within the areas of work
- Overspend and reduction of budgets
- Challenging funding positions of all NHS Bodies
- Need to bring together the commissioning intentions of the NHS and Local Authority
- NHS Early Intervention
- NHS call to action and the fallback on adult care
- Personal budgets - not "one size fits all"
- Preventative care and early intervention to save costs later
- Look at supporting less costly care solutions
- Working together to protect and sustain services

RESOLVED – that

- a) the findings of the Peer Challenge Team and the Council's response be noted;**
- b) the financial challenges facing the Council and the impact they could have on the local health and social care system be noted.**

HWB-29 JOINT HEALTH AND WELLBEING STRATEGY: PERFORMANCE AND PARTNERSHIP PROGRESS UPDATE

The Interim Assistant Director: Health and Wellbeing gave an update on the partnership developments to drive delivery of the HWB's strategy priorities. She also gave progress on developing integrated approaches to commissioning between partners for "Early Help" and "Co-operative Commissioning".

The report talked about how the best outcomes were delivered and how to make it happen.

Asset Mapping workshops had taken place in order to engage stakeholders in discussion around the priorities. Workshops on emotional health and wellbeing were held in both August and early September. A workshop would take place on 26th September to discuss the priority of excess weight and for the drug and alcohol strategy a workshop in mid September/early October.

With regard to developing the Co-operative Commissioning Approach a group from the HWB met with key officers on the 18th August to develop proposals for collaborative commissioning across children, family, adult and health services in the Borough. The commissioning framework was used during the smoking cessation services procurement exercise to understand and map key functions together with roles and responsibilities across the HWB partnership. A set of principles were agreed together with commissioning groups, details of which could be found on page 5 of the report.

A discussion took place including:

- Early partnerships
- Workshops

RESOLVED – that

- a) the development of an operational and strategic commissioning group be supported; and**
- b) the continued development of the Early Help Partnership approach be supported.**

HWB-30 FOCUS ON HWB PRIORITIES

Reducing Teenage Pregnancy

The Interim Assistant Director: Health and Wellbeing presented a report on reducing the number of teenage pregnancies which included:

- performance in relation to reducing the under 18 conception rate
- a summary of progress of the Teenage Pregnancy and Sexual Health Strategic Partnership Board
- an update on sexual health services

During 2011 there were 126 conceptions amongst women under the age of 18 years within Telford and Wrekin. This equated to 37.4 per 1,000 population and the lowest rate recorded since 1992. However, the rate remained significantly higher than the national average for England which was 30.7 per 1,000 population.

The multi-agency Teenage Pregnancy Strategic Partnership Board had been re-launched and now included a broader sexual health remit. An asset mapping workshop had been held in July 2013 and was attended by 35 stakeholders across a number of partner agencies. Key areas for local improvement were identified as:

- use of social media as a way of communicating with young people
- link sexual health services to other local services ie Children's Centres
- sex education within schools
- share best practice
- support young parents
- support for parents to have the confidence to talk to their children about sex and relationships
- training and development for professionals on key teenage pregnancy/sexual health messages

Although the rates were going in the right direction and this was good news, there was still a lot of work to be done.

A discussion took place including:

- New ways of working
- Young Parents not necessarily bad parents
- Wider consultation in conjunction with a young apprentice talking to young parents
- Young People's website

RESOLVED – that

- a) the Board acknowledge the recent developments towards delivery of the teenage pregnancy priority; and**
- b) the report be noted.**

Reduce the Number of People who smoke

The Interim Assistant Director: Health and Wellbeing presented a report regarding a new strategic approach for tobacco control in Telford and Wrekin which was currently in development. The main elements of the strategy were:

- High quality, innovative stop smoking services delivered by new providers
- Reconvening the local tobacco control network across HWB partners
- Undertaking Ash CLear self assessment for tobacco control with partners
- Development of an action plan to reduce smoking in pregnancy
- Supporting national campaigns ie Stoptober, harm reduction and second hand smoke

Following a competitive tender process the Council had recently awarded a one year contract for stop smoking services to two new providers. There had, unfortunately, been a gap in service in Telford & Wrekin with no stop smoking services operating. The new contracts commenced in September and smokers identified as wanting to quit during August were now being followed up. The new services were now being established with GP practices and pharmacies and were also being marketed and communicated to the public. The implementation of the service development plans was also taking place.

Stop4Life was an experienced NHS funded stop smoking service who already provided this service to Councils within Staffordshire, Stoke on Trent, Coventry, Warwickshire and Worcestershire. The service model included:

- Proactive Community Outreach
- Primary Care sub-contracting arrangements
- Workplace service
- Online/Telephone support / home visits

The contract for Pregnancy Services was awarded to North 51 who would support 150 pregnant women to quit and give follow up support for 6 months through their Quit51 service.

The Council currently had a contract with Shrewsbury and Telford Hospitals NHS Trust (SaTH) which delivered stop smoking services in hospitals and supported both in and out patients.

A discussion took place including:

- Private contractors
- Gap in service
- Availability in Pharmacies
- Prevention specific work with Young People
- Tobacco Partnership
- The de-normalisation of smoking

RESOLVED – that the recent developments for the smoking priority, in particular the award of stop smoking service contracts and the outline of the developing strategic approach being taken for tobacco control, be noted.

HWB-31 WINTERBOURNE CONCORDAT

The Service Delivery Specialist for Adult Safeguarding presented a report following the national effort to respond effectively to the incidents at Winterbourne View.

A review group had been set up to take stock of the local position with regard to out of area placements and to plan the way forward locally for the challenges which had arisen following these revelations.

As Shropshire was also carrying out similar work there was a strong argument for collaborating across the Telford and Shropshire areas and pooling resources. The joint group had been meeting since December 2012 with agreed terms of reference and representation from:

- Telford and Wrekin Council
- Shropshire Council
- Telford and Wrekin CCG
- Shropshire CCG
- South Staffordshire and Shropshire Healthcare Foundation Trust
- Shropshire Partners in Care
- Taking Part
- Healthwatch

The group was seeking to construct an effective response on behalf of the agencies in our locality and rethink the approach to the care of people with learning disabilities. It was hoped that the practice of placing people in far away locations would be abandoned due to the risks it posed with infrequent monitoring and loss of contact.

There had been over 70 actions from the Winterbourne Concordat although not all applied to Telford and Wrekin.

A cohort of 29 had been classified following the guidelines. Telford and Wrekin needed to ensure that the residents who lived outside the locality benefitted from regular reviews regarding the appropriate care and that their return to the locality was promoted. The pathway included a presumption that people would return to the local area. This had to be undertaken carefully as the placements would be considered to be “home” for the residents. Safeguards needed to be in place in order for them to be guaranteed a high quality of life. Eleven of the cohort were subject to the Mental Health Act and deemed to pose a risk to themselves or others. These residents were dealt with under a separate category as they demonstrated the most challenging needs. There had been two of the cohort that had moved back to the Telford and Wrekin area and further moves had been planned for September. There was now a 6 monthly review cycle in place.

Concerns had been raised regarding whether the appropriate advocacy was provided, but this was difficult to ensure when the residents were placed a long way away.

The challenge was to work with the CCG and look holistically at the support of individuals. Partnership work with Shropshire and a link to autism and joint self-assessments would also be of benefit.

A discussion took place including:

- Advocacy
- Safeguarding
- Size of homes – ie 5 residents or less
- The relocation of residents back to Telford and Wrekin in a slow, controlled way
- Avoid relocating people out of the area
- Funding
- Lessons learnt
- Good practice

RESOLVED – that

- a) the work which was being undertaken in seeking to implement locally the plans and requirements set out at a national level and to bring about the changes needed to ensure that the occurrence at Winterbourne View are not repeated, be endorsed;**
- b) the multi-agency and multi-disciplinary nature of this task be recognised;**
- c) a further update on progress be brought to the Board.**

The meeting ended at 4.08p.m.

Chairman:

Date:

HOUSING, ECONOMY & INFRASTRUCTURE SCRUTINY COMMITTEE

Minutes of a meeting of the Housing, Economy & Infrastructure Scrutiny Committee held on Friday, 1st November 2013 at 10.00am in the Large Meeting Room, Wellington Library, Wellington, Telford.

PRESENT: Councillors C. Turley (Chair), E. Carter, C. Mason.

Also attending: Cllr. C. Smith, Cabinet Member Housing, Development & Borough Towns Development; T. Keever, Home Improvement Team Leader; S. Jones, Scrutiny Officer.

HEISC-5 APOLOGIES FOR ABSENCE

Cllrs. S. Bentley, C. Mollett, R. Sloan, J. Thompson, K. Tomlinson and Co-optees D. Johnson and S. Reynolds.

HEISC-6 DECLARATIONS OF INTEREST

None

HEISC-7 REVIEW OF EMPTY PROPERTIES AND ROGUE LANDLORDS

The Chair said the purpose of the meeting was to discuss and ask questions about the September Cabinet report on Empty Properties and Rogue Landlords, the information gathered to date by scrutiny and to plan further scrutiny work.

The Home Improvement Team Leader summarised the Cabinet report and made the following points:

- There were around 400 long-term (6 months +) empties in the borough – this was a rolling number as properties come in and out of occupation.
- The report set out a number of recommendations for Cabinet
 - capital allocation of £150k to help bring empties in Sutton Hill back to use
 - the establishment of a Landlord Accreditation Scheme
 - delegated authority to officer to serve Empty Dwelling Management Orders (EDMO) or Compulsory Purchase Orders (CPO)
 - use of Enforced Sales Procedure on empties where there is a minimum £1,000 outstanding debt.
- The report listed some of the main reasons why properties were empty, often for personal reasons which could be very emotional. The HIA first response was always support and encouragement. Since publication of the report, there had been some positive feedback to letters sent to owners of empties. A few owners said they were pleased that the HIA had contacted them because they had not known what to do or where to go for help – one was the owner of a long-term

empty. The HIA was working with them to support and encourage them, but there was no magic wand – bringing empties back to use could be difficult and complex and take a very long time. Cllr. Mason said any progress was good, and Cllr. Carter said he was pleased the Council was trying to deal with these issues.

- The Landlord Accreditation Scheme was described in the report. This would be a voluntary scheme. The aim was to raise standards, support good landlords and connect Council services and tenants with accredited landlords. It was also about educating tenants, getting tenant feedback and having a database of accredited landlords for tenants to use. The work would be done jointly with the Housing Options team who deal with tenants, and the HIA who deal with the property element. Cllr. Carter asked how rogue landlords were identified and the Team Leader said it was usually from tenants.
- In terms of financial assistance owners could access Empty Homes loans of £5k-£15k for repairs to bring properties to the Decent Homes standard for renting out at affordable rents. The Council could either refer owners direct or carry out a schedule of works in support of the owner's application.
- The HIA linked into the Housing Action Team (HAT) and other Council services to co-ordinate appropriate support and action. The first course of action was always encouragement – there are often emotional reasons why an owner has left a property empty - but the HAT can use enforcement powers (serve Section 215 notices) or Enforced Sales. EDMOs or CPOs would only be used as a last resort because of the complexity and cost.
- It was key for the Council to bring the empties back to use to generate income from the New Homes Bonus. The New Homes Bonus is paid on new homes and empties which have been turned around. The amount is calculated from Council Tax Base data submitted to DCLG each October (the number of taxable properties plus new properties minus empties). For each property brought back to use the Council would receive around £1100 per year for 6 years.

A number of points were raised and discussed:

- Cllr. Carter raised an issue with a property in his ward which belonged to a housing association but the tenant was not looking after the property and the overgrown garden was affecting private neighbours. Cllr. Mason said the walkabouts in his ward with housing association staff were useful for spotting these kinds of problems. The Team Leader said members should report this sort of issue because the Home Improvement Agency may be able to work with other departments and use enforcement powers.
- The Team Leader suggested a useful issue for scrutiny would be to look at how to prioritise the empties for work. Cllr. Carter said the focus should be on empties which are easy to get back to use in order to maximise financial gain. The Team Leader said there needed to be a balance between properties which were the easiest to get back to use and those which cause the most blight to neighbourhoods. She emphasised again that it was not easy to get properties back to use and it would take time.
- Cllr. Carter asked about Rough Park House and Cllr. Smith said the building was listed and of historic value but the owner was absent and it was being looked at. Wrekin Housing Trust was looking to build around it. The Chair said this had been

discussed at the last meeting and there was information in the minutes.

- The Chair pointed out that the number of empties by ward in Appendix A of the Cabinet report was a snap shot in time and would change.
- The Chair asked members if they had any questions about the Targeted Work Flow chart in Appendix 2 but there were none.
- Cllr. Carter welcomed the work that was taking place and felt it was important because one empty property could blight a whole neighbourhood.
- The Chair said he understood that the work was still in the early stages but that the team had come a long way in 4 months.
- Cllr. Mason asked specifically what had been achieved so far and whether there were any examples of empties that had been brought back to use. The Team Leader said none had been brought back yet but gave examples of two properties which had been blights but repairs were in progress so that they were getting ready to come back to use or to come to market. Cllr. Mason said it would be good for the public to know that the Council was doing something.
- Cllr. Carter requested updates to come to the Committee so members could monitor the flow of properties. Cllr. Smith said there would be a report to Cabinet every 12 months and that he held regular meetings with the Team Leader to monitor progress. He said the letter had pushed things into action. The Team Leader said it was not always easy to turn a property around - there was story behind every property and quite often there were emotional issues that had to be handled very sensitively so it was not a quick turnaround. Cllr. Carter said it could be difficult with houses in probate where there were multiple owners and the Team Leader agreed there was one such case in Sutton Hill now. Cllr. Smith said probate could take a long time. Cllr. Carter said the Council needed to be in a position of saying what it was doing and why.
- The Revenues service had inspected properties which had been empty and exempt from Council Tax until April 2013 to see if they were still empty because since the removal of the discount owners had no incentive to notify the Council that the property was empty. The Team Leader said this was good work, but it would not pick up all the empties and some had already been found that were not on the list. For this reason any work scrutiny could do on helping identify empties would be useful.
- The Chair drew members' attention to Appendix A3 which summarised the information gathered by the Committee including the Stockton scrutiny report and the Welsh Assembly report on the private rented sector. The Scrutiny Officer explained that the summary highlighted case studies of work in other authorities on bringing empty properties back into use and tackling rogue landlords and members may want to suggest ideas to the service area or look at some of the case studies in more detail to see whether they would benefit Telford & Wrekin.
- Cllr. Carter asked whether Manor Heights was included in the list of identified empty properties and Cllr. Smith said it was not but it was being worked on. The Team Leader said it highlighted some of the issues with empties – this was a massive building with massive issues which required a massive amount of investment to bring back to use. Cllr. Carter asked if any funding would be available via the Local Enterprise Partnership (LEP) and Cllr. Smith said this was being explored but the funding was tied up in such a way that it was difficult to unlock for residential projects. In future 40% of the new homes bonus would be

top sliced and allocated via the LEP and this would be looked at to see how funding could be accessed. Cllr. Carter suggested that all efforts should be made to see if funding for Manor Heights could be accessed via the LEP. Cllr. Smith said the Council did not have the money to CPO the building, and the other authorities in the LEP – Herefordshire and Shropshire - would need to approve investment decisions. Over £2m was needed to get the building back to use. Cllr. Carter said the Council should highlight the problem to DCLG and make a direct approach to Eric Pickles.

The Chair opened a discussion about scrutiny work in the light of the discussion, and whether the Terms of Reference and schedule of activity agreed at the last meeting needed to be revised. A number of ideas were put forward:

1. Contact Stockton for more information about the EDMOs - how they had worked and what they cost.
2. Incentives for landlord accreditation schemes. The Cabinet report set out a number of ideas, but it would be useful for scrutiny to look at how other authorities had incentivised landlords, and possibly the option of joining a regional or national scheme. It was agreed that an update from Sandwell would be useful.
3. How to raise awareness through local networks. The Chair updated members on his discussion with officers in the Community Engagement Team who had made a number of suggestions about potential links into communities, but also suggested members should consider their approach carefully so that they do not raise unrealistic expectations. Members agreed that scrutiny should look at how the Council can work with Town and Parish Councils on this issue and that members would visit Town and Parish Councils in the areas with the highest concentration of empties (e.g. Cuckoo Oak, Ketley and Oakengates) to discuss their ideas and views on how to work together. It was also agreed that members would visit resident or community groups in similar areas to discuss the issue.
4. The suggestion at the previous meeting to contact other organisations such as utility companies about sharing information about empty properties had not been progressed. It was agreed that Severn Trent would be approached to find out if this was possible.
5. There was a discussion about how the owners of empty flats above shops are identified. The Team Leader said the owner could be identified from the land register, but if there is no forwarding address there is no way of knowing where the owner is or how to contact them and Cllr. Carter agreed this had been a problem historically.
6. The Scrutiny Officer would chase up copies of the presentation material from the Shelter conference on Tackling Rogue Landlords.
7. As already discussed, it would be useful for scrutiny to look at criteria for prioritising empties – there were 400 properties and limited resources so there had to be some way of prioritising. The Scrutiny Officer reminded members that Stockton had

developed a score card and recommended a number of properties to focus on and this may be worth looking at.

8. The Terms of Reference would be amended to read 97% of empty properties are “privately owned”, rather than “owned by private landlords”. The activity schedule would be updated to take account of what had been agreed at the meeting.

RESOLVED:

That the scope of the scrutiny review of empty properties be updated and implemented as agreed in the meeting.

HEISC-8 WORK PROGRAMME AND CHAIR’S UPDATE

Members considered a suggestion from Cllr. Mason that the Committee should look at the introduction of 20mph speed limits outside schools. Members considered a statistics on the number of children injured in road accidents across the borough, and comparisons of accidents involving children outside three schools before and after the introduction of 20mph speed limits and the reasons for the accidents. This no accidents had been caused by speeding vehicles but a number of accidents had been caused by parked cars.

Members agreed that the suggestion should be adopted into the work programme, and incorporated into the review of Car Parking Enforcement as so many of the accidents related to parked cars.

The next meeting on 15th November was noted to consider the consultation process for the local plan Shaping Places.

The meeting ended at 11.25am.

Chairman:.....

Date:.....

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Wednesday 18th September 2013 at 6.00 pm at the Business Development Centre, Stafford Park, Telford, TF3 3BA

PRESENT

Councillors: C Mason (Chair), A Mackenzie, J Seymour, R Scammell, R Sloan, J Thompson and C Turley

Officers in attendance: J. Eatough – Assistant Director: Law, Democracy and Public Protection, J. Revell - Service Delivery Manager: Public Protection, T. Street – Solicitor, S. Fisher – Public Protection Team Leader, C. Phillips – Licensing Technical Officer and P. Smith - Democratic Services Team Leader

LC - 05 MINUTES

RESOLVED – that the minutes of the Licensing Committee meeting held on 26th June 2013 be confirmed and signed by the Chair.

LC - 06 APOLOGIES FOR ABSENCE

Councillor M Smith.

LC - 07 DECLARATIONS OF INTEREST

None.

LC – 08 REVIEW OF THE COUNCIL’S HACKNEY CARRIAGE AND PRIVATE HIRE CONDITIONS AND POLICIES

The Licensing Technical Officer presented the report of the Service Delivery Manager – Public Protection which outlined proposed amendments to licensing policies and a revised set of conditions for consultation with the taxi trade. An amendment was made to recommendation 2.1 in the report by deleting the word “adverse” and substituting with the word “material”.

A comprehensive review of the Council’s conditions of licence for Private Hire and Hackney Carriages had been undertaken as a result of a significant number of local operators and drivers now being licensed by other Councils, and the consequent loss of income to the Council. Meetings had been held with the trade to try and reach a consensus on what matters needed to be reviewed. Taking account of the opinions expressed, a revised set of conditions and amendment to policies had been formulated. The proposed changes to the current Licensing Policy and the Criminal Convictions Policy were of a minor administrative nature in order to reflect recent changes agreed by the Committee and changes in the Criminal Records Bureau. The opportunity had also been taken to make the licensing policies and conditions less wordy and easier to understand. All the proposed amendments to the policies and conditions of licence were highlighted in the appendices to the report.

In terms of the conditions of licence, the main issues for consultation were:

Hackney Carriage Conditions

- Condition 2.6 To increase the age limit for Hackney Carriages to 12 years.
- To amend the condition in respect of the 'exceptional condition criteria' and allow drivers one opportunity to rectify a major fault. If however, after a further compliance check the Hackney Carriage fails, then the vehicle will not be licensed any further.

Private Hire Vehicle Conditions

- Condition 3.5 To remove the current age entry limit of five years.
- Condition 8.1 To amend the current condition and to allow Private Hire Vehicles to advertise details of their operator, which will include business name, address & telephone number.
- Condition 3.3 To create a new set of conditions applicable to limousines.

Dual Driver Conditions

- Condition 4.1 To amend this condition to state that the Licence holder shall notify the Council in writing of any conviction, caution or charge recorded against him/her by any authority within 7 days of such a conviction, caution or charge being imposed

It was stressed that the main consideration of the Licensing Service had been to ensure that public safety remained paramount. It was considered that the issues being put forward for consultation would not compromise the safety of the public.

During the ensuing debate, clarification and reassurance was sought in relation to relaxation of the age limits for vehicles and to changes in the system of compliance/MOT checks/tests. In terms of age limits, the Public Protection Team Leader advised that it had reached the stage where most 10 year old vehicles were equipped with up-to-date safety features. Rigorous compliance checks also made the age of vehicles less of an issue. It was confirmed that the compliance/MOT tests would still be carried out by TWS. There was an issue that if licensees required a separate MOT certificate, TWS charged an extra £12 because the administration involved a different system. At present, it was a decision licensees had to make, but the Council had informed the local police that some licensed vehicles, while compliant, would not be recorded on the national MOT database.

Members expressed concern at the number of taxis operating in the Borough over which the Council had little control in terms of licensing and enforcement. The Chair advised that the Cabinet Member for Public Protection would be writing to the relevant Government minister to highlight the situation. The Committee recognised

the need to attract local operators and drivers to be licensed by Telford and Wrekin Council, subject to safeguards and effective monitoring.

RESOLVED -

- (a) that a revised set of conditions for hackney carriages, private hire operators, private hire vehicles and dual drivers be approved for an eight week consultation exercise;
- (b) that authority be delegated to the Principal Licensing Officer, in consultation with the Chair, to consider and determine the results of the consultation, but that the Committee receive a further report in the event of any material comments arising from the consultation;
- (c) that the amendments to the current Licensing Policy, as shown at Appendix B of the report, be approved;
- (d) that the minor amendments to the current Criminal Convictions Policy, as detailed in Appendix C of the report, be approved.

LC-09 DELEGATIONS IN RESPECT TO COMPLAINTS COMPENSATION PAYMENTS

The Assistant Director: Law, Democracy & Public Protection presented a report which sought delegation from the Committee to Assistant Directors for the authorisation of complaints compensation payments up to £5,000.

The Council could make payments to service users following upheld/partly upheld complaints made to the Council, Local Government Ombudsman (LGO) or under statutory complaints procedures in recognition of poor service, loss or inconvenience. In these cases, maladministration had not been ruled against the Council but it had been recognised that services could have been provided better or dealt with more efficiently. The recent re-examination of the terms of reference of the Committee concluded that they were not clear on these types of payments, and so retrospective approvals and future delegation was sought in order to regularise the position. Delegation was not being sought for any payments to be made where maladministration had been ruled against the Council.

Members requested that, if the delegation was granted, the Committee receive an annual information report detailing the compensation payments under £5,000 that have been made over the preceding 12 months.

RESOLVED -

- (a) that the complaints compensation payments already made be approved;
- (b) that authority be delegated to Assistant Directors to approve complaints compensation payments up to £5,000 from their service area budget.

The meeting closed at 7.00 pm.

Chairman:

Dated:

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 4 September 2013 at 6.00pm in the Walker Room, Meeting Point House, Telford

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, K R Guy (as substitute for J Loveridge), A S Jhawar, A A Meredith (as substitute for I T W Fletcher), C P R Mollett (as substitute for R T Kiernan), G C W Reynolds, S A W Reynolds and C R Turley.

ALSO PRESENT: Councillor J M Seymour

PC-026 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on 14 August 2013 be confirmed and signed by the Chairman.

PC-027 APOLOGIES FOR ABSENCE

Councillors I T W Fletcher, R T Kiernan and J Loveridge

PC-028 DECLARATIONS OF INTEREST

With reference to planning application TWC/2013/00508, Councillor A S Jhawar advised that he knew the applicant but stated that, in the circumstances, he would not be withdrawing from the meeting for that item.

PC-029 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-030 SITE VISITS

None.

PC-031 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2013/0448 and TWC/2013/0574.

(a) TWC/2013/0448 - The Nyth, Moss Road, Wrockwardine Wood, Telford, Shropshire, TF2 7BL

This was an application for full planning permission for the demolition of existing semi detached dwellings (The Nyth and Erindale) and the erection of 3no. terraced dwellings and 9no. apartments with associated car parking and amenity area.

This application had been deferred at the meeting of the Committee on 14 August 2013 to enable Officers to explore the possibility for conversion of the existing buildings with the Applicant. The main report explained the Applicant's assertion that restoration was not a commercially viable option. An update report was also tabled which detailed the assessment of the building made by the Council's Conservation Officer.

Members noted the character and importance of the building to the history of the development of the original settlements of Telford and Wrekin and balanced this against the comments of the Conservation Officer and the applicant's explanation regarding viability. Although the loss of the building was somewhat lamented, in the circumstances, Members felt they were not in a position to refuse the application. However, Members considered that there may be salvageable items of local historical significance within the building and asked that the applicant be approached to work with Ironbridge Gorge Museum Trust in this regard.

On being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0448 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £7,200 for recreational facilities; £27,252 for education facilities in the vicinity; and appropriate monitoring costs and further subject to the conditions set out in the report and an Informative for the applicant to allow Ironbridge Gorge Museum Trust to salvage items of local historical significance prior to demolition.

(b) TWC/2013/0508 - Unit 2-10, Sutton Road, Admaston, Telford, Shropshire, TF5 0AY

This was an application for the installation of a pedestrian access and staff parking. Similar applications at the site had previously been refused and this application sought to address the reasons for refusal. Councillor J M Seymour, Ward Member, had requested that the application be determined by the Planning Committee.

Mr M Goldstraw, representing Wrockwardine Parish Council spoke in opposition to the application expressing concern for the motives of the application, noting that the design could easily be converted into a double vehicular access in the future which was central to previous applications. The Parish Council expressed concerns regarding parking in the lay-by, sought reinstatement of the wall and grass verge and suggested that, if Members were minded to grant the application, a wait limit be imposed upon the lay-by.

Councillor J M Seymour, Ward Member, addressed the Committee to oppose the application, referring to the planning history at the site and highlighting the impact on neighbouring property and a Copper Beech Tree within the grounds of 19 Station Road. She expressed concern regarding the potential use of the lay-by as a loading bay and considered that the design was not in keeping with the area.

Mrs H Hunt, spoke on behalf of local residents to oppose the application, noting that the area was an eyesore following the applicant's conversion of the verge to hardcore and sought that the landscaping be reinstated. Local residents considered that the gates were inappropriate and uncharacteristic, questioned whether the access was genuinely needed and the applicant's motives for making the application. Concern was also expressed regarding parking in the lay-by and highway safety. She also drew attention to the affect on the visual amenity of 19 Station Road.

The applicant, Mr J Singh, spoke in support of the application. He considered that the open nature of the gates would provide security and prevent issues with young people gathering behind the wall or incidents of vandalism. It was proposed that the gates would be used for pedestrian access only and would be locked with keyholder status restricted to staff. He also considered that the proposals would tidy up the area.

The Planning Officer explained that the application had been submitted to address the previous reasons for refusal and noted that the potential for vehicle access was mitigated by proposed conditions. She suggested an amendment to proposed condition 3, to refer to "railing" rather than "gate". The Planning Officer advised that the Copper Beech Tree which had been referred to was not protected and reminded Members of permitted development rights.

Members carefully considered the report and comments made by the applicant, particularly regarding security, however, the Committee shared some of the concerns raised by local residents. Concern was expressed regarding protection for the neighbour's Copper Beech Tree, landscaping, use of the lay-by for loading/unloading and parking, vehicular access, and the open design and height of the gate and railings. Members did not consider that a solid boundary would be less secure, particularly if the access was locked. The Planning Officer noted Tree Preservation regulations and commented that the foundation for the wall was not sufficient to require a root protection condition. Members also raised concerns regarding the lack of enforcement which had taken place in respect to the applicant's previous actions at the site, but the Assistant Director: Planning Specialist clarified government guidance enforcement action should not be undertaken until the application had been determined.

On being put to the vote it was, by a majority,:

RESOLVED – that with respect to planning application TWC/2013/0508 the Development Management Manager be authorised to grant planning permission subject to satisfactory negotiation with the applicant regarding erection of a solid wall and pedestrian gate, landscaping and erection of bollards; and further subject to an approach to the Highways Officer to instigate parking restrictions and waiting limits on the lay-by; and further subject to appropriate conditions.

(c) TWC/2013/0574 - 45 Wrekin Avenue, Newport, Shropshire, TF10 7HQ

This was an application for the erection of a two storey dwelling and single detached garage with associated access. It was proposed to locate the dwelling on the side garden area of No.45 Wrekin Avenue. An update report was also tabled with comments from the Drainage Officer.

During the debate, one Member expressed some concern regarding the size of the plot but Members were generally supportive of the application and, on being put to the vote it was, by a majority,:

RESOLVED – that with respect to planning application TWC/2013/0574 planning permission be granted subject to the conditions as set out in the update report.

The meeting ended at 6.45pm

Chairman:

Date:

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 25 September 2013 at 6.00pm in the Auditorium, Abraham Darby Academy, Hill Top, Ironbridge Road, Madeley, Telford

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, V A Fletcher (as substitute for R T Kiernan), A S Jhawar, J Loveridge, C N Mason (as substitute for Councillor C R Turley), G C W Reynolds and S A W Reynolds

ALSO PRESENT:

PC-032 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on 4 September 2013 be confirmed and signed by the Chairman.

PC-033 APOLOGIES FOR ABSENCE

Councillors R T Kiernan and C R Turley

PC-034 DECLARATIONS OF INTEREST

Regarding planning application TWC/2013/0642, Cllr S A W Reynolds indicated that she was a Member of the Parish Council but she had not previously commented on the application.

PC-035 ANNOUNCEMENT

The Chairman advised the Committee that in order to accommodate business and determine applications in a timely manner, at least one additional meeting of the Planning Committee was required.

The Planning Officer made a presentation regarding changes in regulations relating to permitted development rights.

RESOLVED – that a meeting be held on Wednesday, 18 December 2013 at 6.00pm.

PC-036 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-037 SITE VISITS

RESOLVED – that a site visit takes place at 3.30pm on Wednesday, 16 October 2013 at land at Salthouse Road, Jackfield, Telford, TF8 7LP in respect of planning application TWC/2013/0618.

PC-038 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2013/0567, TWC/2013/0613 and TWC/2013/0642.

- (a) TWC/2013/0567 - Caravan And Camping Centre, Stadium Way, Hadley, Telford, Shropshire, TF1 5NN

This was an outline application for the erection of 14no dwellings with all matters reserved. An update report was tabled which provided additional comments from the Parks and Open Spaces Officer.

Members were generally welcoming of the application which it was felt would compliment current regeneration in the surrounding area. However, reassurance and clarification was sought about access, footpaths and the location of the play area. Councillor V A Fletcher particularly sought reassurance that highways contributions would be used to provide a safe pedestrian link from the development across Britannia Way to enable safe access to the children's play area. The Planning Officer confirmed the intention for spending highways contributions as set out in the report.

On being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0567 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £14,000 towards primary education provision, £8,400 (to be finalised and agreed) to Parks and Open Spaces and £5000 for highway improvements, financial and monitoring costs of £1000 plus £500 per schedule and further subject to the conditions set out in the update report (with authority to finalise conditions to be delegated to the Development Management Service Delivery Manager).

- (b) TWC/2013/0613 - Oakengates Leisure Centre, New Road, Wrockwardine Wood, Telford, TF2 7AB

This was a proposal for the construction of a multi-purpose synthetic sports pitch and storage area with fenced enclosure, erection of 8no. flood lights, erection of retaining wall, construction of new pedestrian and vehicular accesses and associated landscaping. An update report was tabled which provided a summary of comments from Sport England and the Parks and Open Spaces Officer.

Opinions of Members were polarised regarding the community benefit to be obtained from the shared facilities that this application presented, with some Members expressing concern that the proposed new school would commandeer what were currently public facilities. Some Members were also concerned regarding the protection of "Tree 36" as recommended by the Arboricultural Officer, noise and light

pollution. Comments were also made that the proposed hockey pitch, whilst suitable for school use, would not be suitable for league hockey matches.

The Planning Officer advised that a Community Use Agreement had been negotiated although she was not aware of the terms. The Assistant Director: Planning Specialist reminded Members that children were a very important part of the community and that the application represented the best opportunity to make the best use of education and recreation facilities.

The Planning Officer also explained that all trees on the site would be retained through conditioning, that the proposed bund was primarily to mitigate against noise rather than light pollution, and that a lighting scheme had been submitted; lighting would be checked by Officers in conjunction with the Pollution Control Officer. The pitch surface was decided by the Building Schools for the Future Team and Sport England considered it to be sufficient, considering the school and recreation provision across the Borough.

On being put to the vote it was, by a majority

RESOLVED – that with respect to planning application TWC/2013/0613 the Development Management Manager be authorised to grant planning permission subject to the conditions set out in the report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).

(c) TWC/2013/0679 - Harveys The Furniture Store, Unit 9, Telford Bridge Retail Park, Colliers Way, Old Park, Telford, Shropshire, TF3 4PB

This was an application for the installation of a mezzanine floor extension.

Members welcomed the application in terms of the Council's "business supporting, business winning" aims. Some concern was expressed regarding traffic management at the retail park but the Assistant Director: Planning Specialist advised this was the responsibility of the site owners.

On being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0679 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £10,422 towards strategic highway infrastructure and further subject to the conditions set out in the report.

PC-039 URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972

The Chairman of the meeting made the following statement:

"I am of the opinion that the following items of business should be dealt with as a matter of urgency at this meeting to avoid any unnecessary delay."

**PC-040 PLANNING APPLICATION TWC/2013/0642 - THE FOUNTAIN INN
CAR PARK, NEW ROAD, WROCKWARDINE WOOD, TELFORD,
SHROPSHIRE**

This was a full planning application for the erection of 2 semi-detached bungalows with associated amenity space and 3 parking spaces on the site of the car park to the former public house. Wrockwardine Wood and Trench Parish Council had requested that the application was determined by Planning Committee. An update report was tabled which set out an objection from Councillor E Carter.

Mr N Lassetter, the Applicant’s Agent, spoke in support of the application, clarifying parking provision. He also noted that by the time the development had been built it was likely that the Wrockwardine Wood Arts College site would be closed, reducing on road parking issues.

Members welcomed the provision of bungalows and were reassured by the Planning Officers comments that it would be unlikely that 2 storey buildings could be approved on this site due to issues of overlook. Members were also reassured by comments regarding parking and the Development Management Service Delivery Manager agreed to relay comments regarding traffic safety measures along New Road to the Highways Officers.

On being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0642 planning permission be granted subject to the conditions as set out in the update report.

The meeting ended at 7.02pm

Chairman:

Date:

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 16 October 2013 at 6.00pm in the Auditorium, Abraham Darby Academy, Hill Top, Ironbridge Road, Madeley, Telford

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, A S Jhawar, J Loveridge, G C W Reynolds, S A W Reynolds and C R Turley

PC-041 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on Wednesday, 25 September be confirmed and signed by the Chairman.

PC-042 APOLOGIES FOR ABSENCE

Councillor R T Kiernan.

PC-043 ANNOUNCEMENT

The Chairman advised the Committee that in order to accommodate business and determine applications in a timely manner, an additional meeting of the Planning Committee was required.

RESOLVED – that a meeting be held on Wednesday, 11 December 2013 at 6.00pm.

PC-044 DECLARATIONS OF INTEREST

Cllr C R Turley commented on his position regarding planning applications TWC/2013/0612 and TWC/2013/0618 but stated that, in the circumstances he would not be withdrawing from the meeting for either item.

PC-045 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-046 SITE VISITS

RESOLVED – that site visits take place in relation to the following applications on Wednesday, 6 November 2013:-

TWC/2013/0265 – The Mount, 1 Haygate Road Wellington Telford TF1 1QX – 4.00pm;
and

TWC/2013/0676 – Oakengates Leisure Centre, New Road, Wrockwardine Wood, Telford, TF2 7AB – 4.20pm (approx)

PC-047 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information

tabled at the meeting regarding planning applications TWC/2013/0592, TWC/2013/0606, TWC/2013/0612 and TWC/2013/0618.

- (a) TWC/2013/0592 - Former Ever Ready Factory, Hinkshay Road, Dawley, Telford, Shropshire

This was an outline planning application for up to 165 dwellings and associated open space and infrastructure with all matters reserved for consideration at a later stage. An update report was tabled which informed Members of further consultation responses and the applicant's representations relating to the proposed Section 106 Agreement regarding the timing and mechanism of the provision of viability information.

Members welcomed the proposals to develop this derelict site and provide an enhanced entrance into the Town Park, which would also compliment the wider regeneration of Dawley. The Planning Officer's standpoint regarding affordable housing and viability was supported.

RESOLVED – that with respect to planning application REFERENCE the Development Management Manager be authorised to grant outline planning permission subject to:-

- (A) **The landowner/applicants entering into a Section 106 agreement with the Council (terms to be agreed by the Service Delivery Manager of Development Management) relating to:**
- (i) **Provision of 38% of dwellings built in each Phase of development to be affordable;**
 - (ii) **A contribution of £100,000 toward the provision, maintenance or enhancement of play equipment or facilities near to the application site;**
 - (iii) **A contribution toward the provision of primary education of £405,036 based on a scheme of 165 dwellings and the housing mix provided;**
 - (iv) **The maintenance of informal open space to a detailed schedule of rates.**
 - (v) **Planning monitoring contribution.**
- (B) **The conditions set out in the main report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager)**
- (C) **Additional conditions as set out in the update report relating to Root Protection Area details and Protection of Hedgerows**

(b) TWC/2013/0606 - Land Off, Hadley Park West, Hadley, Telford, Shropshire

This was an outline planning application for up to 68 dwellings with all matters except access reserved for consideration at a later stage. An update report was tabled which detailed comments received from the Parks and Open Spaces Officer.

Members generally welcomed this application and were delighted that funding had been secured for enhancement to the canal locks which were a distinctive part of local heritage.

On being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0606 the Development Management Manager be authorised to grant planning permission subject to resolution of the matter regarding the Council's adoption costs in respect of the area of open space and to enable the Applicant an opportunity to review viability and further subject to the landowner/applicant entering into a Section 106 Agreement to provide 15% affordable housing and contributions of £16,100 towards highway improvements; £2000 towards monitoring of Travel Plan; £134,378 towards primary education provision; £600 per unit towards offsite play/recreation provision; £50,000 (indicative figure) towards maintenance of open space, and £100,000 towards canal enhancements, with £3500 monitoring costs, and further subject to the conditions set out in the report.

(c) TWC/2013/0612 - Telford Shopping Centre, Telford Town Centre, Telford, Shropshire

This was an outline application for the erection of a mixed use development comprising of Retail and Food and Beverage units (Use Classes A1-A4), Leisure (Use Class D2), Hotel (Use Class C1), reconfiguration of petrol filling station including the demolition of existing buildings and footbridges with associated landscaping, car parking, public realm and access and service arrangements

The Planning Officer presented a lengthy update report and Members were given some time to read the contents. The update report focussed mainly upon further representations received regarding provision of a bus station interchange and proposed alternative options following intensive discussions with the applicant and the main bus service operator (Arriva).

Mr V Rainsford, representing the Senior Citizen's Forum, highlighted the impact that the on-road facility initially proposed by the applicant would have upon elderly residents of the borough with regard to lengthy walking distances and lack of shelter. However, he reserved more detailed comments whilst negotiations continued.

Mr T Binnington, of the Applicant company, expressed the Applicant's support for regeneration of the area. He noted that the full details of the Masterplan would be worked up over a period of time but that it was important for the key principles to be

accepted at this stage. He felt that the Masterplan accorded with Council policy and had received public support at a recent exhibition.

The Planning Officer explained on-going negotiations regarding the provision of bus facilities, focussing on three schematic options: on road bus stations, refurbishment of existing facilities and a new facility situated on Brown Elm car park. In this regard, he advised Members that a Grampian condition was recommended as part of a Section 106 Agreement to ensure that development could not occur until a bus facility solution was in place. He also referred Members to the Car Parking Accumulation Study and the differing opinions between the applicant and Highways Officer as to the required number of spaces. He believed that the application fulfilled the requirements of the Central Telford Area Action Plan. He advised that discussions with the Highways Agency had resulted in the verbal removal of their Holding Direction, but that written confirmation was awaited.

Some Members sought assurance that the proposed Grampian condition was legally enforceable. The Development Management Service Delivery Manager assured Members that Grampian conditions were standard within the profession and the Legal Advisor indicated that they were often used by this Local Authority and that case law supported their enforceability. Some Members also sought assurances that a suitable bus facility would be available, commenting upon the practicalities of changing buses and pedestrian safety on the box road. In response, the Planning Officer indicated that Arriva were supportive of continued dialogue regarding the bus facility and that development would not occur until a solution that was fit for purpose was in place. He confirmed that with the reconfiguration of the box road to a two-way system, traffic flow and the character of the area would be substantially changed and, therefore, at-grade pedestrian crossings were preferred, subject to reserved matters applications and the Highways Officer's support regarding safety. However, the Planning Officer emphasised that the box road was not the subject of this planning application. With regard to questions on the potential for demolition within the red line, the Planning Officer indicated that the yellow boxes on the plan indicated new development on car parks, in particular the current Asda site would require redevelopment following the relocation of the supermarket. The Development Management Service Delivery Manager also pointed out that the Highway's Agency's "Holding Direction" did not constitute an objection but advised that the application could not be determined until it was withdrawn.

Members were supportive of the extensive investment into the Borough offered by this application and noting the Council's long-term ambitions for the town centre, welcomed the proposed reinvigoration of community identity and modernisation of facilities. Some Members welcomed the open dialogue between the applicant and the Council and were reassured by the Planning Officer's comments with regard to the bus facility and the legal advice regarding the proposed Grampian condition.

On being put to the vote, it was, by a majority

RESOLVED – that with respect to planning application TWC/2013/0612, subject to the Highways Agency withdrawing its Holding Direction, the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement to provide a

sum of monies comprising a maximum contribution of £1,503,679.60 for highway works (based on an agreed methodology); £163,000 Public Art; £50,000 for Travel Plan monitoring; £10,000 for planning/financial monitoring and incorporating a covenant that no development takes place within the development quarter comprising the area of the Bus Station until such time as the Council has approved details of replacement bus station and interchange facilities and these have been provided and further subject to the conditions set out in the report and additional conditions linking the permission to the Masterplan, car parking condition and Travel Plan condition directed by the Highways Agency as set out in the update report.

(d) TWC/2013/0618 - Land At Salthouse Road, Salthouse Road, Jackfield, Telford, TF8 7LP

The application sought approval for the stabilisation of 350m length of hillside and river bank including realignment and improvements to existing roadways, footpaths and accesses, creation of new car park, demolition of existing brick wall and associated felling of trees, regrading of land, landscaping works, diversion of overhead power lines and other utilities.

This was a cross boundary application with approximately 75% of the works falling within the administration boundary of Telford & Wrekin, and 25% within the administration of Shropshire Council. At its meeting on 8 October 2013, Shropshire Council's South Planning Committee had delegated authority to determine the whole application to Telford & Wrekin Council in accordance with Section 101(1) of the Local Government Act 1972.

Dr Jean Jones, the Ward Member for Shropshire Council's Broseley Ward addressed the Committee, complimenting the Council on securing funding for the works, and noting that residents' initial concerns with regard to the application had been somewhat allayed following consultation and discussions with Officers although she considered it important that residents retained a voice in liaison meetings. She welcomed the additional recommended conditions and thanked the Planning Officer for her work on the project.

Councillor Peter Smith, representing Broseley Town Council, expressed his support for the application and urged the Committee to approve the proposals. He noted that residents had initially been concerned by the proposals but appreciated Officers efforts to allay any apprehension during the course of consultation. He also sought regular meetings with stakeholders and a direct telephone line to the developer.

Graham Hollox, a Shropshire Resident, considered that the changes to the proposal outlined in the update were satisfactory and he commended the work of Officers to create a proposal that was satisfactory to all parties.

Mr N Rushton spoke on behalf of the Applicant, commenting upon the funding process, continued monitoring of the active landslide area and confirming that proposed conditions were satisfactory.

The Planning Officer referred to the site visit which had been undertaken in the afternoon, and also provided a photographic montage depicting the site including utilities above ground, proposed car parking sites, land failures at woodlands farm, water levels and areas for public realm improvements. She noted residents' initial concerns regarding the location of the compound and advised that a number of conditions had been proposed to mitigate concerns and that a restoration plan would be in place, with a standard 5 year maintenance plan which was over and above that requested. The Planning Officer drew Members' attention to the update report tabled which set out conditions agreed with Broseley Town Council. She also confirmed that points of clarification had been requested by the Environment Agency and that, whilst no objection had been raised, further discussions were necessary in this regard.

Members referred to the site visit which had taken place and considered that the stabilisation works were essential and consultation with residents was welcomed. The long term benefits to the area were highlighted and the proposals were fully supported. Comments were received regarding parking provision for residents of Calcutts Road following the works but it was noted that only temporary parking facilities had been requested as part of this application and more permanent facilities would need to be considered by Shropshire Council.

On being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0618, subject to Environment Agency comments, the Development Management Manager, in consultation with Shropshire Council, be authorised to grant planning permission subject to the conditions set out in the report.

The meeting ended at 7.53pm

Chairman:

Date: