

BOROUGH OF TELFORD & WREKIN

Minutes of the Annual Meeting of the Borough of Telford & Wrekin held on Thursday 21st May 2009 at 6.30 p.m. at 'The Place', Oakengates, Telford, Shropshire

PRESENT:

Councillors I.T.W. Fletcher (Speaker), D.G. Allen, G. Ashcroft, D.W.D Ashley (Deputy Speaker), R. Aveley, R.K. Austin, S. Bentley, K.T. Blundell, S.P. Burrell, E.J. Carter, R.G. Chaplin, E.A. Clare, G.J.L. Davies, N.A. Dugmore, A.J. Eade, J.A. Dixon, I.T.W. Fletcher, V.A. Fletcher, J.A. Francis, G.M. Green, E.J. Greenaway, R.E. Groom, Y.C. Hicks, P.A.E. Homer, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, T. Kiernan, A. Lawrence, L. Lomax, A.A. Mackenzie, C.N. Mason, A.D. McClements, A.A. Meredith, C. Mollett, R.A. Overton, F.R. Picken, H. Rhodes, K.S. Sahota, J.M. Seymour, C.F. Smith, M.J. Smith, A.J. Stanton, E.M. Swift, K.L. Tomlinson, W.L. Tomlinson, V. Tonks, R.M. Tyler, D.R.W. White, A.G.P. Williams, H.J. Williams and D.G. Wright.

1. WELCOME FROM SPEAKER

Following the procession of the Civic party the Speaker welcomed civic dignitaries, Members and invited guests to the Annual Meeting of the Borough of Telford & Wrekin.

2. DECLARATION

Councillor S.M. Kelly read the following declaration:

"Colleagues, aware of our responsibilities to promote democracy and the well-being of all local people, on behalf of the Council, I make this re-commitment to our office as elected representatives.

Elected to serve the public good, we recognise that public office is a privilege granted by the people and not a right.

We, elected representatives of the people of Telford & Wrekin, declare that we will, to the best of our ability, uphold the Council's constitution and serve the community above any private or personal interest."

Members signified their affirmation of the Declaration.

3. PRAYERS

Prayers were said by the Reverend David Lavender, Ecumenical Dean of Telford.

(The Speaker vacated the Chair in favour of the Deputy Speaker for the following agenda item).

4. ELECTION OF SPEAKER

It was moved by Councillor M.B. Hosken, seconded by Councillor J. A. Dixon that Councillor I.T.W. Fletcher be elected as Speaker of the Council. It was moved by Councillor R.K. Austin, seconded by Councillor C.F. Smith that Councillor H. Rhodes be elected as Speaker of the Council. A vote was taken and it was

RESOLVED – that Councillor I.T.W. Fletcher be elected as Speaker of the Council for the municipal year 2009-10.

5. APPOINTMENT OF DEPUTY SPEAKER

It was moved by Councillor A. A. Meredith, seconded by Councillor A.J. Stanton, that Councillor D.W.D. Ashley be elected as Deputy Speaker. It was moved by Councillor R.K. Austin and seconded by Councillor R.A. Overton that Councillor M.J. Smith be elected Deputy Speaker of the Council. A vote was taken and it was

RESOLVED – that Councillor D.W.D. Ashley be appointed as Deputy Speaker of the Council for the municipal year 2009-10.

6. APPOINTMENT OF LEADER

It was moved by Councillor J.M. Seymour, seconded by Councillor S.P. Burrell, that Councillor A.J. Eade be appointed as Leader of the Council. It was moved by Councillor C.F. Smith and seconded by Councillor R.A. Overton that Councillor R.K. Austin be appointed as Leader of the Council. A vote was taken and it was

RESOLVED – that Councillor A.J. Eade be appointed as Leader of the Council for the municipal year 2009-10.

7. APPOINTMENT OF DEPUTY LEADER

It was moved by Councillor A.J. Eade, seconded by Councillor S.P. Burrell that Councillor J.M. Seymour be appointed as Deputy Leader of the Council. It was moved by Councillor R.K. Austin and seconded by Councillor C.F. Smith that Councillor D.G. Allen be appointed as Deputy Leader of the Council. A vote was taken and it was

RESOLVED – that Councillor J.M. Seymour be appointed as Deputy Leader of the Council for the municipal year 2009/10.

8. APPOINTMENT OF MAYOR

It was moved by Councillor W.L. Tomlinson, seconded by Councillor V. Tonks, and

RESOLVED – that Councillor K.T. Blundell be appointed as Mayor of the Borough for the municipal year 2009/10

9. APPOINTMENT OF DEPUTY MAYOR

It was moved by Councillor R.K. Austin, seconded by Councillor P.A.E. Homer, that Councillor K.S. Sahota be appointed as Deputy Mayor. It was moved by Councillor A.G.P. Williams and seconded by Councillor G. Ashcroft that Councillor D.G. Allen be appointed as Deputy Mayor. A vote was taken and it was

RESOLVED – that Councillor D.G. Allen be appointed as Deputy Mayor of the Borough for the municipal year 2009/10.

(The Speaker vacated the Chair in favour of the Deputy Speaker for the following agenda item).

10. VOTE OF THANKS TO RETIRING MAYOR & MAYORESS

A vote of thanks to the retiring Mayor, Councillor R.E. Groom and Mrs. Christine Groom was proposed by Councillor G.M. Green and seconded by Councillor R.K. Austin. A number of other Members also paid tribute to the retiring Mayor & Mayoress for all their hard work in representing the Borough so ably over the past twelve months.

RESOLVED – that the Council recorded its thanks to the retiring Mayor, Councillor R.E. Groom, and to Mrs. Christine Groom for their service over the 2008-09 term of office.

11. REPLY TO VOTE OF THANKS

In response, the retiring Mayor thanked his wife, fellow Members and others for their support during the year. He told Members that his experiences had been many and varied during his term of office. He was proud of Telford & Wrekin and paid particular tribute to the creativity of the young people of the Borough. Meeting with servicemen and women had also been a source of great pride for him. In addition, he was pleased to inform Members that his Charity Appeal, 'Our Children our Future', had raised £8,000.

12. APOLOGY FOR ABSENCE

Councillor, U.E. Sambrook.

13. DECLARATIONS OF INTEREST

None.

14. MINUTES

RESOLVED - that the minutes of the Meeting of the Council held on 23rd April, 2009 be confirmed and signed by the Speaker.

15. ANNOUNCEMENTS

The Mayor thanked Members for their support in bestowing upon her the privilege of representing the Borough. She was proud to represent Telford's diverse and vibrant

community. In choosing her charity theme, the Mayor hoped to help provide action in the community to help eradicate the problems caused by long term illnesses and diseases associated with heart failure. The aim being to encourage participation in healthy activities by people across all ages, abilities and areas in the community and to seek to build a community that is physically and mentally 'Fit for the Future'.

16. APPOINTMENT OF CABINET

Two proposals for the appointment of Members to Cabinet were tabled. The first nominations were moved by Councillor A.J. Eade and seconded by Councillor J.M. Seymour. The second set of Cabinet nominations were withdrawn and it was:

RESOLVED – that the Membership of the Cabinet, as proposed by Councillor A.J. Eade and seconded by Councillor J.M. Seymour, be appointed for the municipal year 2009-10 as set out in Appendix 1 to these Minutes.

17. APPOINTMENT OF COMMITTEES, COMMISSIONS, BOARDS, ETC.

Two proposals for the appointment of Committees, Commissions and Boards, etc. in accordance with the political balance of the Council had been submitted. Proposals and nominations were moved by Councillor A.J. Eade and seconded by Councillor J.M. Seymour. Proposals and nominations were also moved by Councillor R.K. Austin and seconded by Councillor C.F. Smith. A vote was taken and it was

RESOLVED – that the internal bodies for the municipal year 2009/10, as proposed by Councillor A.J.Eade and seconded by Councillor J.M. Seymour, (including the appointment of Chairmen and Vice-Chairmen) be appointed as set out in Appendix 2 to these Minutes.

18. PROGRAMME OF ORDINARY MEETINGS OF THE COUNCIL

The programme of dates for ordinary meetings of the Council for 2009/10 would be as follows:

Thursday	25 June 2009
Wednesday	30 September 2009
Thursday	26 November 2009
Thursday	28 January 2010
Thursday	4 March 2010
Thursday	29 April 2010

Speaker:

Date:

The meeting ended at 8.03 p.m.

APPENDIX 1

Cabinet Member	Area of Responsibility
Cllr A.J. Eade	Leader plus Chief Executive's Unit
Cllr J.M. Seymour	Deputy Leader plus Adult & Consumer Care
Cllr A. Lawrence	Resources
Cllr S. Bentley	Environment
Cllr E.J. Carter	Regeneration
Cllr M.B. Hosken	Leisure, Arts & Culture, Libraries and Sport
Cllr S.P. Burrell	Children & Young People

Standards Committee	
<p>Cllr G. Ashcroft (TAWPA) Cllr R. Aveley (Con) Cllr V.A. Fletcher (Con) Cllr C. Mollett (Con) Cllr H. Rhodes (Lab) Cllr K.S. Sahota (Lab) Cllr U.E. Sambrook (Lab) Cllr A.J. Stanton (Con)</p> <p><u>Independent (Lay) Members</u> Mr A. Simpson Mr F. Beasland Mr B. Bayley Mr A. Selvaratnam</p> <p><u>Parish Council Members</u> Cllr D Edwards Cllr P Picken Cllr R. Wickson Cllr R. Williams</p>	

Audit Committee	
<p>Cllr G. Ashcroft (TAWPA) Cllr R.K. Austin (Lab) Cllr I.T.W. Fletcher (Con) – Vice Chairman Cllr L. Lomax (Lab) Cllr W.L. Tomlinson (Lib Dem) Cllr D. Wright (Con) - Chairman</p>	

Council Constitution Committee	
<p>Speaker – Chairman Council Leader Councillor Deputy Leader Labour Group Leader Independent Group Leader Liberal Democrat Group Leader TAWPA Group Leader Chairman of Scrutiny Leadership Board</p>	

Scrutiny Leadership Board

Members are appointed until May 2011

Cllr R. Aveley (Con)
Cllr J.A. Francis (Con)
Cllr A.A. Mackenzie (Lab)
Cllr A A Meredith (Con)
Cllr D.R.W. White (Lab) – Chairman
Cllr H.J. Williams (TAWPA)

Plans Board

Cllr R.G. Chaplin (Con)
Cllr N.A. Dugmore (Con) – Vice-Chairman
Cllr I.T.W. Fletcher (Con) – Chairman
Cllr J.A. Francis (Con)
Cllr G.M. Green (Ind)
Cllr F.R. Picken (Lab)
Cllr H. Rhodes (Lab)
Cllr M.J. Smith (Lab)

Cons Sub

Cllr R.Aveley
Cllr V.A. Fletcher
Cllr C. Mollett
Cllr R.M. Tyler

Lab Subs

Cllr E.A. Clare
Cllr Y.C. Hicks
Cllr C.F. Smith

Licensing Committee

Cllr R.G. Chaplin (Con)
Cllr G J L Davies (Ind)
Cllr V.A. Fletcher (Con) – Chairman
Cllr J.A. Francis (Con)
Cllr E.J. Greenaway (Con) – Vice-Chairman
Cllr Y.C. Hicks (Lab)
Cllr T.J. Hope (Con)
Cllr G.P. Hossell (Con)
Cllr T. Kiernan (Con)
Cllr A.A. Mackenzie (Lab)
Cllr C.N. Mason (Lab)
Cllr H. Rhodes (Lab)
Cllr C.F. Smith (Lab)
Cllr K.L. Tomlinson (Lib Dem)
Cllr A.G.P. Williams (TAWPA)

Appeals Committee

Cllr G.J.L. Davies (Ind)
Cllr V.A. Fletcher (Con) – Vice Chairman
Cllr S.M. Kelly (Con)
Cllr R.T. Kiernan (Con)
Cllr L. Lomax (Lab)
Cllr U.E. Sambrook (Lab)
Cllr E.M. Swift (Lab)
Cllr D. Wright (Con) – Chairman

Cons Sub

Cllr R.G. Chaplin
Cllr J.A. Dixon
Cllr J.A. Francis
Cllr C. Mollett

Lab Subs

Cllr C.N. Mason
Cllr C.F. Smith
Cllr M.J. Smith

Personnel Board

Cllr R.K. Austin (Lab)
Cllr A.J. Eade (Con) – Chairman
Cllr A. Lawrence (Con)
Cllr U.E. Sambrook (Lab)
Cllr J.M. Seymour (Con) – Vice Chairman
Cllr V. Tonks (TAWPA)

Cons Sub

Cllr S P Burrell
Cllr S. Bentley
Cllr E.J. Carter

Lab Subs

Cllr E.A. Clare
Cllr C.F. Smith

Employee JICF

Cllr R.K. Austin (Lab)
Cllr S.P. Burrell (Con)
Cllr A.J. Eade (Con) – Chairman
Cllr I.T.W. Fletcher (Con)
Cllr U.E. Sambrook (Lab)
Cllr J.M. Seymour (Con)
Cllr C.F. Smith (Lab)
Cllr K.L. Tomlinson (Lib Dem)

Cons Sub

Cllr S. Bentley
Cllr E.J. Carter
Cllr A. Lawrence

Lab Subs

Cllr E.A. Clare
Cllr J.C. Minor
Cllr R.A. Overton

Telford & Wrekin Parishes Forum	
<p>Cllr R. Aveley (Con) - Chairman Cllr V.A. Fletcher (Con) Cllr R.T. Kiernan (Con) Cllr C.N. Mason (Lab) Cllr A.D. McClements (Lab) Cllr A.A. Meredith (Con) Cllr J.C. Minor (Lab) Cllr K.L. Tomlinson (Lib Dem)</p>	<p><u>Cons Sub</u> Cllr R.G. Chaplin Cllr M.B. Hosken Cllr A.J. Stanton Cllr R.M. Tyler</p> <p><u>Lab Subs</u> Cllr R.K. Austin Cllr Y.C. Hicks Cllr U.E. Sambrook</p>

Combined Fire Authority	
<p>Cllr E.J. Greenaway (Con) Cllr S.M. Kelly (Con) Cllr R.T. Kiernan (Con) Cllr C.N. Mason (Lab) Cllr F.R. Picken (Lab) Cllr A.G.P. Williams (TAWPA)</p>	

Emergency Committee (for regulatory matters)	
<p>Speaker Chair of Relevant Board/Committee Deputy Speaker Cllr R.K. Austin *Cllr G.M. Green *Cllr W.L. Tomlinson *Cllr V. Tonks</p> <p>*N.B. The Committee consists of 5 seats. The Independent Group, Lib. Dem. Group and TAWPA Group will share one seat, and will therefore alternate their representation.</p>	<p><u>Cons Sub</u> Relevant Portfolio Cabinet Member</p> <p><u>Lab Sub</u> Cllr C.F. Smith</p>

Development Plan Steering Group	
<p>Cllr S. Bentley (Con) - Chairman Cllr E.J. Carter (Con) Cllr I.T.W. Fletcher (Con) Cllr G.M. Green (Ind) Cllr S.M. Kelly (Con) Cllr A.A. Mackenzie (Lab) Cllr H. Rhodes (Lab) Cllr C.F. Smith (Lab)</p>	

BOROUGH OF TELFORD & WREKIN

Minutes of a Special Meeting of the Borough of Telford & Wrekin held on Thursday, 21st May 2009 at 7.30 p.m. at 'The Place', Oakengates, Telford, Shropshire

19. HONORARY FREEMAN OF THE BOROUGH

The Special Meeting of the Council had been convened specifically for the purpose of admitting Mr. Peter Gibbons as an Honorary Freeman of the Borough, he being a person of distinction who was considered to have rendered eminent service to Telford & Wrekin.

Peter had amassed 52 years of public service to the people of Oakengates and Telford & Wrekin. He had served as a Councillor on Oakengates Urban District Council, Oakengates Town Council and Telford & Wrekin Council. He had also served as a member of the Board of Telford Development Corporation.

His admittance as an Honorary Freeman of the Borough was proposed by Councillor R.K. Austin and seconded by Councillor A.J. Eade.

Councillor Austin told Members that Peter Gibbons was respected at all levels and paid tribute to his 'selfless' contribution to public service. Councillor Eade told Members that Peter Gibbons had worked for good of the community and that the honour was richly deserved. A number of Members paid tribute to Peter's achievements and to his personal qualities. They thanked him for his contribution to the Borough.

It was unanimously

RESOLVED – that H.R. (Peter) Gibbons be admitted as an Honorary Freeman of the Borough of Telford & Wrekin

The meeting concluded at 8.25 p.m.

Chairman:

Date:

BOROUGH OF TELFORD & WREKIN

Minutes of an Extraordinary Meeting of the Borough of Telford & Wrekin held on Tuesday, 2 June 2009 at 7.00 pm at Civic Offices, Telford

PRESENT:

Councillors I.T.W. Fletcher (Speaker), D.G. Allen, G. Ashcroft, D.W.D Ashley (Deputy Speaker), R. Aveley, R.K. Austin, S. Bentley, K.T. Blundell, S.P. Burrell, E.J. Carter, R.G. Chaplin, E.A. Clare, G.J.L. Davies, N.A. Dugmore, A.J. Eade, J.A. Dixon, I.T.W. Fletcher, V.A. Fletcher, J.A. Francis, G.M. Green, E.J. Greenaway, R.E. Groom, Y.C. Hicks, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, T. Kiernan, A. Lawrence, A.A. Mackenzie, C.N. Mason, A.A. Meredith, C. Mollett, R.A. Overton, F.R. Picken, K.S. Sahota, J.M. Seymour, C.F. Smith, M.J. Smith, A.J. Stanton, E.M. Swift, W.L. Tomlinson, V. Tonks, R.M. Tyler, D.R.W. White, A.G.P. Williams, H.J. Williams and D.G. Wright.

20. APOLOGIES FOR ABSENCE

Councillors P.A.E. Homer, L. Lomax, A.D. McClements, H. Rhodes, U.E. Sambrook and K.L. Tomlinson.

21. DECLARATIONS OF INTEREST

None

22. FUTURE DIRECTION OF TELFORD

Councillors R.K. Austin, G.M. Green, D.G. Allen, E.A. Clare and C.F. Smith had, in accordance with Council Procedure Rule 3.1, requested an Extraordinary meeting. The contents of the request were:-

'This meeting is to discuss the single issue of the concerns expressed in an article on the front page of the Shropshire Star (local press) on Wednesday 12th May 2009 by a prominent businessman, Graham Wynn "Concern over Town Future" questioning the future direction of the future of Telford'.

'We being Members of Telford & Wrekin Council are concerned that leading business people have this view of the Council's position. This comes at what is a critical time for us all and indeed one that we ought to be as one, about the future direction of the town with business, industry, commerce and the general public as to the way forward.

We also believe that Council need to debate this as a matter of extreme urgency in order to alleviate such concerns as those that have been expressed and prevent the escalation of such views and perceptions'.

Councillor R.K. Austin, opening the debate, told Members that the Council must work in partnership with others to ensure the success of the local economy. He asked what was being done to address the perception of disengagement with the local business community. There needed to be a clear vision and

commitment for the future of Telford and the views of local people and the Council's partners should be taken in to account during this process.

Councillor G.M. Green felt that it was right for Council to debate the concerns of local business leaders. Councillor R. Aveley pointed out that one person did not represent the local business community; he felt that local businesses were happy with the Council. Councillor V. Tonks asked Members whose views were being represented by Mr. Wynne. Councillor E.A. Clare was disappointed that some Members were dismissive of the debate and felt that all Members should be talking to each other and moving forward together. Councillor E.J. Carter Cabinet Member: Regeneration explained that the Council would never neglect the business community and pointed to innovations such as the Enterprise HQ facility that supported local business people. He felt that local business people were happy with the work being done by the Council.

A number of Members raised concerns about the requirement for the meeting and were concerned about the cost of the meeting. Councillor R.A. Overton told Members that the Council were strategic partners and should be working with the business community. Councillor S.M. Kelly did not feel that an Extraordinary meeting should have been requested as the newspaper article leading to the debate lacked any substance. Councillor C.M. Smith told Members that the meeting had been called to debate how the town of Telford should go forward. He felt that all Members should be involved in shaping the future direction of Telford. Councillor A.A. Mackenzie felt that the business community had faith in Telford following the efforts made by the Council in previous years. Councillor W.L. Tomlinson told Members that the Council should focus more effort on keeping the Local Strategic Partnership and local businesses informed.

The Leader, Councillor A.J. Eade, responded by telling Members that he did not recognise some the perceived concerns raised by Councillor Austin. He pointed out that the Council had the support of the Shropshire Chamber of Commerce and local businesses. He added that his administration was working for the good of the whole community. He told Members that the satisfaction levels of the local community were vitally important. A consultation survey of 5000 local businesses was being prepared that would explore local priorities in the Borough. Councillor D.R.W. White raised concerns over a lack of consultation with the owners of the Town Centre and felt that press criticism was as a result of inadequate communication.

Summing up, Councillor R.K. Austin said that he wanted the Council to move forward together. He reminded Members that his administration had started a lot of the local regeneration work. In response to Members who had concerns over the cost of the meeting, he told Members that the democratic process had a cost but was worthwhile. He had raised the issue as it was potentially damaging to the town and to the Council.

The meeting ended at 8.19 pm

Speaker.....

Date

MAYORAL ENGAGEMENTS
22nd MAY 2009 – 16th JUNE 2009

- | | | | |
|------------------------|------------------------|---|---|
| May | 22nd | M&C | Attendance at Shropshire Army Cadet Force Evening Party |
| | 23rd | M&C | Attendance at Sainsburys' 140 th Birthday Celebration at Forge Retail Park to cut the birthday cake |
| | | DM | Attendance at Speech Day at Wrekin College |
| | 29th | M&C | Attendance at Wrekin Care Cooperative Limited Charity Ball and Auction |
| | 30th | M&C | Attendance at the Community Foundation for Shropshire & Telford Reception & Concert |
| June | 4th | M | Attendance at the British Heart Foundation Charity Shop in Wellington to promote a volunteer recruitment drive |
| | 5th | M | Attendance at the No Panic Conference 2009 |
| | 6th | M | Opening the Newport Skate Park and launching Bike Month |
| | | M&C | Presenting awards at the Club 2000 Annual Inter-Club Sports Day |
| | 10th | M&C | Attending the Official Opening of the Telford International Railfreight Park |
| | | M&C | Presenting the "Health Improvement Through Physical Activity Award" at the first Telford & Wrekin Sports Advisory Club Awards Evening |
| | 14th | M&C | Attendance at the RAF Cosford Air Show |
| | | DM | Marching in the Royal British Legion Dawley Branch Summer Parade |
| 15th | M | Opening the new Wellington Bus Station with the Mayor of Wellington, Councillor Barry Tillotson | |

TELFORD & WREKIN COUNCIL

COUNCIL MEETING – 25 JUNE 2009

APPOINTMENT OF CHIEF FINANCIAL OFFICER

REPORT OF THE HEAD OF LEGAL SERVICES

1.0 PURPOSE

- 1.1 To consider interim arrangements to meet the Council's statutory responsibility to appoint a Chief Financial Officer.

2.0 RECOMMENDATION

- 2.1 That the Interim Corporate Director: Resources be appointed with immediate effect as the Council's Chief Financial Officer, in accordance with Section 151 of the Local Government Act 1972, for the period that the substantive post-holder is seconded or until a permanent Corporate Director: Resources is appointed;
- 2.2 That the Head of Finance & Audit be appointed with immediate effect as the Council's Deputy Chief Financial Officer in accordance with Section 151 of the Local Government Act 1972, for the period that the substantive post-holder is seconded or until a permanent Corporate Director: Resources is appointed.

3.0 SUMMARY

- 3.1 Victor Brownlees, as Corporate Director: Resources, was appointed as the Council's Chief Financial Officer in June 2007. As Members are aware, he has been appointed as Interim Chief Executive pending the outcome of the recruitment of a new Chief Executive. Therefore, it is now necessary to appoint a Chief Financial Officer for an interim period while the substantive post-holder is seconded or until a permanent Corporate Director: Resources is appointed.

4.0 PREVIOUS MINUTES

- 4.1 Minute PR26, Policy and Resources Committee – 29 August 2001
Council Minute No. 47 – Council – 23 November 2006
Council Minute No. 23 – Council – 28 June 2007

5.0 INFORMATION

- 5.1 The Council is required by Section 151 of the Local Government Act 1972 to appoint a Chief Financial Officer. The functions of the Chief Financial Officer are set out in Article 12 of Part 2 of the Constitution, and include ensuring lawfulness and financial prudence of decision making, administration of financial affairs and contributing to the corporate management of the Council through the provision of professional financial advice.
- 5.2 The role of Chief Financial Officer is currently held by the Corporate Director: Resources. However, with effect from 22 May 2009 that post is temporarily vacant, as the postholder, Victor Brownlees, has taken up the duties of Interim Chief Executive. To cover the period of the vacancy, Paul Clifford has been appointed as Interim Corporate Director: Resources. It is, therefore, proposed that interim arrangements be agreed for the role of Chief Financial Officer to reflect the current staffing arrangements.
- 5.3 The Interim Corporate Director: Resources is a qualified accountant and is, therefore, appropriately qualified to hold the role of Chief Financial Officer.
- 5.4 The post of Head of Finance is currently nominated as deputy Chief Financial Officer. Following the appointment of the current Head of Finance, Paul Clifford, to the post of Interim Corporate Director: Resources, Ken Clarke has been appointed as Head of Finance & Audit. In line with current practice, it is recommended that he be nominated as Deputy Chief Financial Officer until substantive appointments have been made.

6.0 EQUALITY & DIVERSITY

The appointment of the Interim Corporate Director: Resources was made following a competitive and open process within the Council.

7.0 ENVIRONMENTAL IMPACT

There are no implications directly arising from this report

8.0 LEGAL COMMENT

Section 151 of the Local Government Act 1972 requires that every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs.

9.0 LINKS WITH CORPORATE PRIORITIES

Good management of its financial affairs forms part of Building a Modern, Effective Council.

10.0 OPPORTUNITIES AND RISK

The opportunities and risks associated with this decision have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

11.0 FINANCIAL IMPLICATIONS

The designated Chief Financial Officer plays an important role in the management of the authority's financial affairs, and in ensuring good corporate governance, internal control and the management of risks.

12.0 WARD IMPLICATIONS

None directly

13.0 BACKGROUND PAPERS

Local Government Act 1972
Council Constitution

**Report prepared by Phil Griffiths, Democratic Services Manager, Tel:
(01952) 383210**

TELFORD & WREKIN COUNCIL

COUNCIL – 25 JUNE 2009

REVIEW OF POLITICAL BALANCE

REPORT OF THE HEAD OF LEGAL SERVICES

1.0 PURPOSE

- 1.1 To inform Members of changes in the Council's political balance and the resulting changes to the allocation of seats on Committees and Boards.

2.0 RECOMMENDATIONS

- 2.1 That the change to the Council's political balance be noted;
- 2.2 That the corresponding changes in the allocation of seats on the Council's Committees/Boards be endorsed.

3.0 PREVIOUS MINUTES

Council – 5 March, 2009
Annual Council Meeting – 21 May 2009

4.0 INFORMATION

- 4.1 Following notification of the formation of a Liberal Democrat/Independents Group, the Council's political balance has been recalculated as follows:

Conservative	25 seats (46.30%)
Labour	18 seats (33.33%)
Lib Dem/Independent	7 seats (12.96%)
TAWPA	4 seats (7.41%)

- 4.2 The Regulations require main Committees/Boards to be balanced overall, which gives a total of 43 available seats. Given the current structure of the Council, the revised allocation of seats is as follows:

		CON	LAB	LD/IND	TAWPA
		(19.90)	(14.33)	(5.57)	(3.19)
		20	14	6	3
Scrutiny Leadership Board	6	3	2	1 (+1)	0 (-1)
Standards Committee	8	4	2 (-1)	1 (+1)	1
Audit Committee	6	2	2	1	1
Plans Board	8	4	3	1	0
Licensing Committee	15	7	5	2	1
Total	43	20	14	6	3

4.3 The application of the recalculation of the political balance will, therefore, result in the membership of the Scrutiny Leadership Board becoming 3 Conservative seats, 2 Labour seats and 1 Liberal Democrat/Independent seat. The TAWPA group will, however, be entitled to co-opt a member on to the Scrutiny Leadership Board. The membership of the Standards Committee is subject to one change – the Labour Group was slightly over-represented on the previous “best fit” political balance calculation, and, in order to more accurately reflect the current political proportionality, it loses one seat. This goes to the Liberal Democrat/Independent Group, which is entitled to one seat on the Standards Committee.

4.4 The Liberal Democrat/Independent Group retains the seats on Audit Committee, Plans Board & Licensing Committee that were allocated to members of the former Independent and Liberal Democrat Groups.

4.5 **Other Committees/Boards appointed by Council**

The following were appointed at Annual Council on 21 May 2009:

- Appeals Committee – 8 Members (4 Con, 3 Lab, 1 Ind)
- Personnel Board – 6 Members (3 Con, 2 Lab, 1 TAWPA)
- Employee JICF – 8 Members (4 Con, 3 Lab, 1 Liberal Democrat)
- Parishes Forum – 8 Members (4 Con, 3 Lab, 1 Liberal Democrat)
- Development Plan Steering Group – 8 Members (4 Con, 3 Lab, 1 Ind)
- Combined Fire Authority (CFA) – 6 Members (3 Con, 2 Lab, 1 TAWPA)

4.5.1 With 6 Member bodies (Personnel Board and CFA), there has been a 3-2-1 split between the three largest Groups. Applying that principle means that the Liberal Democrat/Independent Group (as the third largest group) are entitled to a seat, and will now be represented on these bodies instead of the TAWPA group.

4.5.2 For the remaining 8 Member bodies, the following is proposed:

Appeals Committee and Development Plan Steering Group – Liberal Democrat/Independent Group have the seat previously allocated to the Independent Group;

Employee JICF – TAWPA Group have the seat previously allocated to the Liberal Democrat Group.

Parish Forum – TAWPA Group have the seat previously allocated to the Liberal Democrat Group.

5.0 **OTHER INFORMATION**

Equality & Diversity	The business of the Council considers equality and diversity in an appropriate manner.
Environmental Impact	None arising directly from this report.
Legal Comment	Approval of the allocation of seats on Committees/Boards is a function exercisable by the Council.
Links with Corporate Priorities	The Council seeks to deliver its objectives of providing leadership, accountability and high standards in local democracy.
Opportunities & Risks	The opportunities and risks associated with these proposals have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.
Financial Implications	There are no financial implications arising from this report.
Ward Implications	Borough wide

Report prepared by Phil Smith, Senior Democratic Services Officer (01952-383211)

TELFORD & WREKIN COUNCIL

COUNCIL – 25TH JUNE 2009

AN UPDATED PARISH CHARTER FOR TELFORD & WREKIN

REPORT OF THE CHIEF EXECUTIVE

1.0 PURPOSE

1.1. To adopt the updated Parish Charter for Telford & Wrekin.

2.0 RECOMMENDATION

2.1 That the attached updated Parish Charter be formally adopted.

3.0 SUMMARY

3.1 Following extensive consultation and debate with Parish & Town Councils in Telford & Wrekin a refreshed and updated Parish Charter is in place. Telford & Wrekin Council, along with all Town and Parish Councils, is asked to formally adopt it.

4.0 INFORMATION

4.1 There has been a Parish Charter – a partnership agreement between Wrekin District Council/Telford & Wrekin Council - since 1993. Its purpose is to identify the commitments that each Council will make to ensure effective communication and co-ordination of activity for the benefit of the communities of Telford & Wrekin. It contains commitments, for example, from Telford & Wrekin Council to consult with Parish and Town Councils “on all issues on which the grass-roots tier of local governance would benefit”, and to “use plain language in all communications”. There are complementary commitments from Town & Parish Councils to “respond to consultations by Telford & Wrekin Council on any matter within the time-limit specified” and to “use plain language in all communications”. It is a two-way partnership agreement.

4.2 The Parish Charter has been reviewed 3 times. Firstly, in 1998, after Telford & Wrekin came into being as a unitary council, then in 2003 following publication by Government of the Quality Council Scheme. Finally it was reviewed after the 2007 election. Initial consultation began in the autumn of 2007. The two key issues raised during the initial round were that

- rural Parishes felt they received little focus from Telford & Wrekin Council, and

- some parts of Telford & Wrekin Council seemed unaware of the commitments in the Charter to communicate and co-operate effectively.

4.3 The first issue was met by the appointment of a Rural Locality Manager. The second issue will now be managed by a Charter joint-working group (with Parish and Telford & Wrekin representation) which will monitor performance against the commitments in the Charter and report in to quarterly meetings of the Parishes Forum.

4.4 The final review and refresh of the Charter has been led by representatives of Town and Parish Councils and the Wrekin Area Committee. Quarterly Parish Forum meetings will prove critical in driving and monitoring the effectiveness of partnership working between Parish and Town Councils and Telford & Wrekin Council into the future.

5.0 EQUALITY AND DIVERSITY

5.1 Telford & Wrekin Council has a duty to be equitable in the way it delivers its services. Local Councils are independent. Telford & Wrekin Council must be clear, however, that to be equitable an offer to one Council (subject to lessons learned from piloting) must also be open to all.

6.0 ENVIRONMENTAL IMPACT

6.1 Many of the issues that are important to Local Councils relate to care for the natural and the built environment (e.g. rights of way, roads maintenance, public transport, development control). Any improvements to communications and joint-working in caring for the environment will have a beneficial impact. Further development of joint-working on recycling and on measures to combat and adapt to climate change will also bring benefits.

7.0 LEGAL COMMENT

7.1 There are no legal implications arising directly out of this report.

8.0 LINKS WITH CORPORATE PRIORITIES

8.1 Given the power “to promote wellbeing” that is to be awarded to eligible Local Councils, there is the potential to make an impact on all the corporate priorities at the local level.

9.0 OPPORTUNITIES AND RISKS

9.1 The opportunities and risks associated with this Charter review have been identified and assessed. Arrangements will be put in place to

manage the risks and maximise the opportunities that have been identified.

10.0 FINANCIAL IMPLICATIONS

10.0 At present Telford & Wrekin Council's contribution to the Parish Charter is in the form of officer time.

11.0 WARD IMPLICATIONS

11.1 There is potential for changes in the way Telford & Wrekin communicates and works with Local Councils. In that respect there is the potential for there to be impact on all wards in the Borough.

Report prepared by George Kinnell, Community Policy Manager (ext 82134)



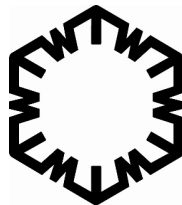
The Parish Charter

Serving the Communities of Telford & Wrekin
by working together!
26 Local Councils

Chetwynd	Chetwynd Aston & Woodcote
Church Aston	Dawley Hamlets
Edgmond	Ercall Magna
Great Dawley	Hadley & Leegomery
Hollinswood & Randlay	Ketley
Kynnersley	Lawley & Overdale
Lilleshall & Donnington	Little Wenlock
Madeley	Newport Town Council
Oakengates Town Council	Rodington
St Georges & Priorslee	Stirchley & Brookside
The Gorge	Tibberton & Cherrington
Waters Upton	Wellington Town Council
Wrockwardine	Wrockwardine Wood & Trench
Also representing: Eyton Parish Meeting	Preston Parish Meeting

and

Telford & Wrekin Council



Telford & Wrekin

C O U N C I L

MAY 2009

TELFORD & WREKIN PARISH CHARTER

INTRODUCTION

This Charter has been drafted to build on the already effective collaborative / partnership-working between Telford & Wrekin Council and the Parish and Town Councils (Local Councils) in the Borough. By signing up to this document, both Telford & Wrekin Council and Local Councils collectively agree to work together to promote sustainable, social economic and environmental developments for the benefit of all local communities whilst seeking not to compromise the quality of life of future generations.

1. The overall aim of the document is to improve relationships between the Unitary Council and the Local Councils in Telford & Wrekin, paying particular attention to improving consultation and communications about policies and decisions that affect communities.
2. There are 26 Local Councils within the Borough, and two Parish Meetings, all playing a valuable role in the fabric of local life. Parish and Town Councillors and Clerks possess unique knowledge that can help the planning and decision-making processes. It is recognised that Local Councils and Ward Members are the grass-roots of local democracy and community leadership.
3. This Charter will enable those Local Councils that wish to take on services or facilities, as a devolved function, to receive the necessary training, support and funding where appropriate.
4. This Charter has the full approval and commitment of Telford & Wrekin Council, the Local Councils of Telford & Wrekin and the Shropshire Association of Local Councils (SALC). Together they will engage in regular liaison about issues of common interest.
5. This Charter will be monitored and evaluated, through the Parish Forum and Wrekin Area Committee, with a view to making appropriate amendments as necessary. This is a living document.
6. Telford & Wrekin Council and all Local Councils agree to respond in a helpful, timely and efficient manner to all communications from Local Councils and Telford & Wrekin Council respectively.

TELFORD & WREKIN PARISH CHARTER

INDEX

Page 2	Introduction
Page 3	Index of Contents
Pages 4, 5,6 & 7	Telford & Wrekin Council's Commitments to Local Councils
Pages 8, 9 & 10	Parish & Town Council's Commitments to Telford & Wrekin Council
Page 11	Useful Contact Numbers
Pages 12 & 13	Appendices

GLOSSARY OF TERMS

TWC	Telford & Wrekin Council
SALC	Shropshire Association of Local Councils
WAC	Wrekin Area Committee of SALC
Local Councils	26 Parish & Town Councils and 2 Parish Meetings
SLCC	Society of Local Council Clerks
HR	Human Resources
IT	Information Technology

TELFORD & WREKIN COUNCIL'S COMMITMENTS TO THE PARISH & TOWN COUNCILS

1. Consultation, Liaison and Engagement

Telford & Wrekin Council recognises the importance and value of communication and in particular keeping Local Councils informed of issues affecting their own Parishes.

Telford & Wrekin Council will consult on all statutory matters: these are matters in which Telford & Wrekin Council has a statutory requirement to consult with Local Councils, for example amendments to Public Rights of Way and Planning Applications, taking into consideration statutory time limits.

Telford & Wrekin Council will receive a 'green card' from any Local Council wishing an application to be discussed at a Plans Board Meeting and will invite representations from Local Councils at that meeting, as per the Council's Constitution.

Non-statutory matters: these are matters in which there is no statutory requirement to consult but Telford & Wrekin Council recognises that the views of its stakeholders and partners (such as Local Councils) are essential to effective decision-making.

Telford & Wrekin Council will consult on all issues on which the grass-roots tier of local governance would benefit— including

- Key corporate arrangements which affect the work of Local Councils or the delivery of local services
- Issues of strategic policy
- Other issues of relevance to all or a number of Local Councils

Meaningful consultation will be **in advance** of any decision-making by officers or by the Cabinet, giving sufficient information and an acceptable amount of time will be agreed to allow Local Councils to give consideration to the matter.

There will be a named officer to whom queries regarding such consultations can be addressed and will take into account all the views offered by the Local Councils.

In the event of individual officers or Members taking decisions which are contrary to the expressed wishes of a Local Council, the Clerk should be informed and reasons given before a final decision is made.

Matters of strategic policy will be discussed directly with all Local Councils where the community or locality are likely to be affected by the outcome.

Following consultation, Local Councils will receive feedback on the outcomes.

A list of the different types of matters is set out in Appendix 1.

Liaison

Telford & Wrekin will host briefing sessions on major issues that are the subject of consultation and will promote full engagement on all key issues.

There will be a database of planned consultation activity so that Local Councils can incorporate them into their own work plans.

There will be procedures in place to ensure that the consultation practices are relevant and current at all times.

Telford & Wrekin Council, with Local Councils, will organise Parish Forum Meetings, for Chairmen (or nominated representatives) and Clerks to attend with Telford & Wrekin Councillors to discuss particular issues of common interest. There will be at least four such meetings in each Council Year. The Agenda will be set, in the main, by the Local Councils and distributed by Telford & Wrekin Council.

2. Information and Communication

Effective working between the Local Councils and Telford & Wrekin Council depends on clear information being available to all.

Telford & Wrekin Council will

- Maintain an up-to-date list of Members and Officers, their duties and contact details.
- Use plain language in all communications. The use of acronyms will be limited and when used, should include an explanation of their meaning
- Ensure there is a clear understanding of the role of Local Councils and the importance of engagement on relevant matters.
- Provide information electronically wherever possible and encourage all Local Councils to equip themselves to receive information in this way
- Provide an acknowledgement of information requests within 5 working days and respond within the Terms of the Customer Charter.

3. Local Governance

Telford & Wrekin staff will endeavour to make themselves available to Local Council Clerks and Councillors by phone or in meetings.

Ward Members will be encouraged to attend Local Council meetings in their Wards.

Wherever practicable and appropriate, special topic meetings will be arranged with relevant Local Councils.

4. Community Planning

Telford & Wrekin will ensure that Local Councils are consulted and involved in the substance and direction of community strategy as it affects the local communities represented, and that they have the opportunity to take an early and active part in the formulation of policy and service delivery. From time to time Telford & Wrekin may wish to consider initiatives for neighbourhood working – any such considerations will be developed with the Local Councils recognising the collective role that is shared in delivering local community leadership.

5. Practical Support & Ethics

Telford & Wrekin will offer assistance in identifying and helping to meet the training needs of Local Councils and work with Shropshire Association of Local Councils, Wrekin Area Committee and the Society of Local Council Clerks (SLCC), as training providers and administrators, within the National Training Strategy.

Telford & Wrekin Council will acknowledge and support wherever possible all Local Councils in developing their own projects. This will include the production of Parish Plans and applications for Quality Status.

Local Authority teams will be available to give assistance on Legal and HR matters, IT and website provision and others.

Appendix 2 gives an indication of the services available and the costs involved.

Telford & Wrekin will work with Councils to achieve Quality Status and will strengthen links with the Local Strategic Partnership in order to improve the delivery of local priorities. TWC will support any request to act as an information point for the Borough and will welcome dialogue regarding enhanced service and facility provision.

Telford & Wrekin Council and all Local Councils have adopted the Code Of Conduct based on the National Code of Local Government Conduct and will work with the Standards Committee to promote and maintain high standards of conduct at all times.

6. Delegation of Responsibility for Service Provision

Where a Local Council (or group of Local Councils) wish to take on delegated responsibility for the delivery, management or monitoring of services provided by TWC, it will discuss and support opportunities for devolution where this is lawful and represents best value (taking account of cost, quality, local preferences and practicability).

Where the provision of a service is devolved or transferred to a Local Council(s), the financial arrangements and partnership framework will be agreed by Telford & Wrekin with the relevant Local Council(s).

Telford & Wrekin will Endeavour to ensure that Parish & Town Councils receive sufficient information regarding any financial aspects of their work or devolved functions by the end of October in order that Local Councils can give consideration within their budget process.

Functions that may be offered to Parish and Town councils by Telford & Wrekin Council are covered in Appendix 3.

7. Information and Complaints

A Joint Project Group will be set up, with Member and Officer Representatives of the Unitary and Local Councils, to liaise between the Parish Forum, Wrekin Area Committee and Telford & Wrekin Council with regards to the effectiveness of the Charter.

Details of the roles and the relationship between the Parish Forum, Wrekin Area Committee, Telford & Wrekin Council and Local Councils is shown in Appendix 4 including the Joint Project Group.

Telford & Wrekin Council will acknowledge all written communications from local councils (including letters, faxes and emails) and provide a substantive reply to all written communications that need a reply as per the Customer Charter:

TWC will aim to resolve any breach of the Charter by early and constructive dialogue. If this has not been possible, a meeting between the Chairman and Clerk of the Local Council with the responsible Cabinet Member and Lead Officer of Telford & Wrekin Council will take place to discuss the issue and find a mutually acceptable resolution. If something goes wrong, the two Authorities will act quickly and efficiently to put it right, and if a resolution cannot be agreed, TWC will help customers to use its formal complaints procedure.

8. Equality of Opportunity

Telford & Wrekin Council is committed to eliminating discrimination in all its forms and providing equality of opportunity to all the communities it serves. Equality is at the heart of all that it does and believes in, and it will work to ensure that it promotes equality of opportunity and work towards the elimination of discrimination.

9. Review and Operation of the Charter

The commitment for this Charter to support the work of Telford & Wrekin Council and Parish & Town Councils across the Borough will be enhanced by the provision of suitable and adequate information and guidance to raise awareness within the Authorities.

This will be one of the roles of the Parish Forum, Wrekin Area Committee and the Joint Project Group. The document will initially be revised after a twelve-month period and again after two years. However, changes in functions or legislation may dictate that it be updated as and when required. It will also be renewed following any Local Government Elections.

PARISH AND TOWN COUNCIL COMMITMENTS TO TELFORD & WREKIN COUNCIL

1. Consultation, Liaison and Engagement

Local Councils will include correspondence for communication on the next available and appropriate agenda and respond within the agreed timescales. They will respond to consultations by Telford & Wrekin Council on any matter within the time limit specified. If, for any reason this is not possible, the Clerk will inform the relevant officer of the Borough and appropriate discussions will take place.

Local Councils, as the grass roots and closest to the communities, will be the eyes and ears for the Borough Authority. They will inform the relevant departments at Telford & Wrekin Council of any matter in need of attention (e.g. dangerous or fallen trees, potholes, kerbs, bollards and street lighting) at the earliest opportunity, using the Borough's Reporting Systems.

Local Councils may nominate snow wardens and tree wardens to work closely with the Borough to represent the communities with issues that they may or may not be aware of.

Local Councils will ensure that agenda items for the Parish Forum are notified in good time.

Local Councils may submit a 'green card' on an application where they consider a decision by Plans Board to be more appropriate. Local Councils will be invited to make representations to that meeting as per Telford & Wrekin Council's Constitution.

Clerks may meet together to discuss the implementation of their council decisions and share good practice. They may invite the relevant officers of Telford & Wrekin to join them if desired.

2. Information and Communication

Local Councils will

- Inform Telford & Wrekin of current Clerk's contact details, Councillors names and addresses and other relevant information at the earliest opportunity.
- Use plain language in all communications and avoid acronyms whenever possible. When unavoidable, an explanation of the meaning should be included.
- Provide information electronically wherever possible
- Respond within the directed timescales or inform the appropriate officer of reasons why this is not possible and agree a solution.
- Have the right to initiate the Council's Complaints Procedure if they are dissatisfied with an action of Telford & Wrekin Council

3. Local Governance

The Local Councils will inform the Borough Councillors of the dates of meetings as soon as they are set and will provide them with a copy of the Agenda for each formal meeting plus a copy of the last Council meeting's minutes, three clear days before the meeting on request. Any Local Council that requests an officer from Telford & Wrekin Council to attend a meeting should do so one month beforehand wherever possible, unless in a matter of an emergency. Where issues affect more than one Council, special topic meetings will be arranged and relevant Local Councils will be invited to attend.

Local Councils will provide a space on their meeting agenda for the Borough Councillors to provide a relevant report. It should be noted, however, that if the local council resolves to exclude the press and public for an item, this will include the Borough Councillor unless specifically invited to remain.

4. Community Planning

Local Councils may respond to community planning consultations and invitations to participate either individually or collectively.

Local Councils will welcome the opportunity to work with Telford & Wrekin on any policy or service delivery consideration, recognising the collective role that is shared in delivering local community leadership.

5. Practical Support & Ethics

Local Councils will attend training and information-sharing events whenever possible.

Local Councils will inform Telford & Wrekin of their strategic plan and projects for the future and discuss with relevant officers ways in which the two Councils can work together.

Local Councils and Telford & Wrekin Council have adopted the Code of Conduct based on the National Code of Local Government Conduct and will work with the Standards Committee to promote and maintain high standards of conduct at all times.

6. Delegation of Responsibility for Service Provision

Local Councils will work with Telford & Wrekin Council and consider any delegated responsibility in detail taking into consideration the cost, quality, local preferences and practicability at all times.

Local Councils will give consideration to financial matters raised by Telford & Wrekin Council within their budget process and will ensure that their precept request is received at Telford & Wrekin Council by the end of January.

7. Information and Complaints

A Joint Project Group will be set up, with Member and Officer representatives of the Unitary and Local Councils, to liaise between the Parish Forum, Wrekin Area Committee and Telford & Wrekin Council with regards to the effectiveness of the Charter.

Local Councils will respond to all communications within the requested timescales wherever possible.

Any breach of the Parish Charter or Customer Charter will be resolved by early dialogue.

If resolution is not possible, the Chairman and Clerk of the Local Council will attend a meeting with the Cabinet Member and Lead Officer of Telford & Wrekin Council in order to find a mutually acceptable resolution. If something goes wrong, the two authorities will act quickly and efficiently to put it right and reserve the right to use the formal complaints procedure if all else fails.

8. Equality of Opportunity

Local Councils are committed to eliminating discrimination in all its forms and will provide equality of opportunity to all the communities we serve. Equality is at the heart of all that we do and believe in and we will work to ensure that we promote equality of opportunity and work towards the elimination of discrimination.

9. Review and Operation of The Charter

The commitment for this Charter to support the work of TWC and PTC across the Borough will be enhanced by the provision of suitable and adequate information and guidance to raise awareness within the Authorities.

This will be one of the roles of the Parish Forum, Wrekin Area Committee and the Joint Project Group. The document will initially be revised after a twelve month period and again after two years. However, changes in functions or legislation may dictate that it be updated as and when required. It will also be renewed following any Local Government Elections.

COMMITMENT

“This Charter will evolve and develop if it is to remain relevant to the changing needs of all Councils and to respect the role that each play in serving their communities. It commits all parties to work together, to ensure that they are able to serve their communities to the best of their abilities.

Telford & Wrekin Council and Local Councils will train staff to ensure that they implement the aims and principles of the Charter.

Where a local Council wishes to work towards Quality Status and / or The Power of Well Being, Telford & Wrekin will offer support wherever possible.”

Signed by the Interim Chief Executive (on behalf of Corporate Directors and officers)

Signed by the Leader of the Council (on behalf of Members)

Signed by the Chairman and Clerk of each Local Council

Date

TELFORD & WREKIN COUNCIL CONTACT DETAILS

Council Direct For general council enquiries	01952 380000 contact@telford.gov.uk
Customer Quality Team	01952 382507
Emergency Out of Hours	0845 155 9955
Environmental Health	01952 381805
Environmental Maintenance	01952 384384
Highways Maintenance Roads and Footpaths	01952 384000 highways@telford.gov.uk
Parish Charter / Liaison Officer Caroline Oakes	01952 382136 caroline.oakes@telford.gov.uk
Wrekin Area Committee	01952 541939 or 07813 788094
Planning	01952 380380
Public Rights of Way	01952 384614
Trading Standards	01952 381999 tradingstandards@telford.gov.uk

Appendix 1

Issues that Telford & Wrekin Council will refer to Parish and Town Councils for information and/or consultation

Statutory	Non-statutory (and other consultations in which Parish or Town Councils are stakeholders)
<ul style="list-style-type: none"> • Bridge maintenance, closure and diversion • Pedestrian crossings • Public Rights of Way – proposals for permanent legal change • Regional Spatial Strategies that are likely to affect parishes • Roads new and improved, i.e. the need for them, their alignment and the standard of road under consideration (consultation from the earliest stages) • School closures • Traffic regulations (e.g. speed limits, waiting orders, weight restrictions, one-way streets, parking restrictions) • Waste and minerals proposals. These proposals and applications are subject to the provisions of specific regulations which will override the consultation provisions set out in this Charter • Waste and Minerals Local Development Framework. This is subject to the provisions of specific regulations which will override the consultation provisions set out in this Charter • Waste Management Strategy (this will include strategies jointly developed by the Borough Council for recycling and composting, and how biodegradable municipal waste will be diverted from landfill by new waste facilities) 	<ul style="list-style-type: none"> • Area Schools Reviews (invitation to public consultation meetings) • Changes to Children’s and Young People/Community and Adult Care services • Changes to on-street parking enforcement • Complaints procedure changes • Customer services standards • Derelict land reclamation and landscaping schemes • Design of Improvement Schemes (e.g. traffic calming, cycle routes, safety schemes) • Highway structural maintenance (e.g. surface dressings (tar and chippings), resurfacing, road closures) • Landscape projects • Libraries – mobile routes, opening hours, buildings issues • Local Transport Plan (invitation to stakeholder forums) • Opening, change of use and closure of Telford & Wrekin facilities in the area • Registration service changes • Winter maintenance (changes to treatment routes) <p>The list can be extended to represent individual Council’s plans</p>

Appendix 2

Where any local council(s) seek professional or technical advice from Telford & Wrekin Council, an initial interview (of up to one hour) will be free of charge. Thereafter, any costs will be discussed and agreed in advance.

Functions	Who to contact
Human Resources	John Harris
IT	Tom Greatorex
Legal Services	Matthew Cumberbatch
Salaries / payroll	Julie Pugh

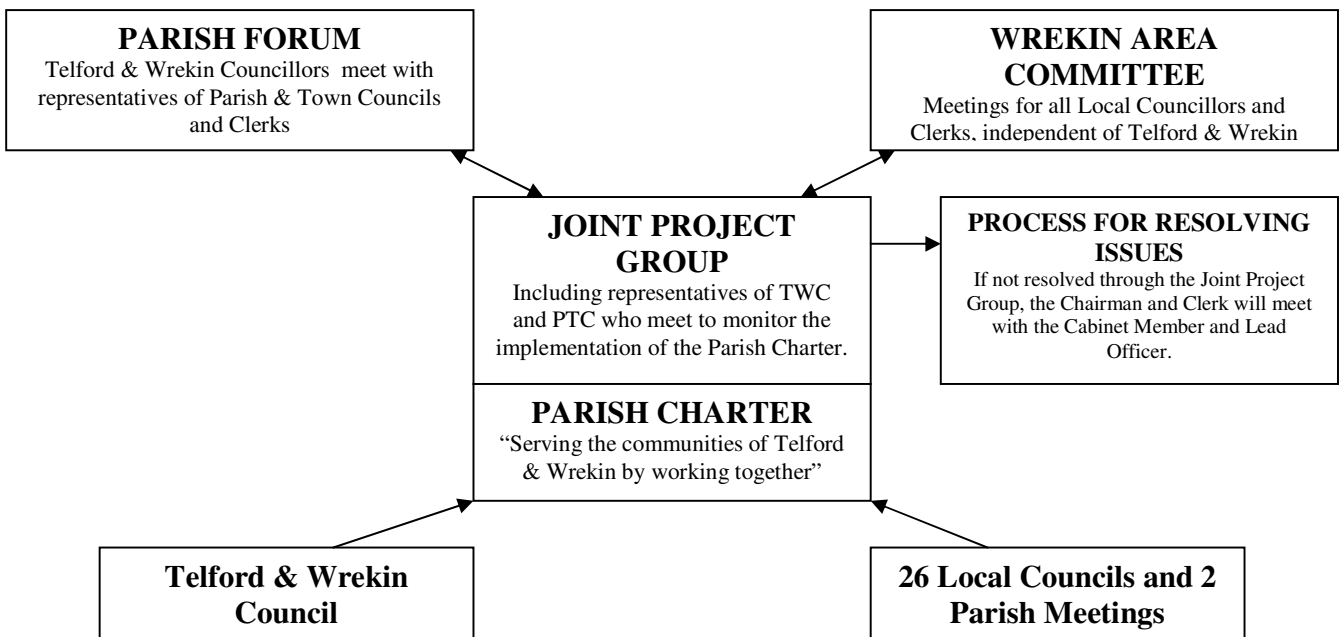
Appendix 3

Functions that may be offered to Parish and Town Councils following agreement between Telford & Wrekin Council and Parish/Town Council are

Functions:

- Recycling provisions
- Some road safety measures
- Minor repairs/erection of signs, litter picking
- Information access point provision
- Grass cutting
- One-stop shops

Appendix 4



TELFORD & WREKIN COUNCIL

COUNCIL – 25TH JUNE, 2009

REPORT OF CABINET – FOR INFORMATION ONLY

MATTERS DETERMINED BY THE CABINET

1.0 INTRODUCTION

This report provides sets out those matters determined by the Cabinet at its meetings on the 20th April, 11th May, 9th and 23rd June, 2009.

CABINET BUSINESS

Matters that have been determined by Cabinet are listed below:

2.1 20th April, 2009

2.1.1 Financial Monitoring 2008/09

2.2 11th May, 2009

2.2.1 Telecommunications Development – Supplementary Planning Document

2.2.2 Shop Fronts and Signage Design Guidance in Conservation Areas – Supplementary Planning Document.

2.2.3 Sustainable Procurement Policy

2.2.4 Report on the 6 Month Trial of the Revised Corporate Complaints Procedure – 1st September 2008 to 28th February 2009

2.2.5 Proposed Amendments to the Scheme of Delegation

2.2.6 Shropshire Hills AONB Management Plan Review

2.2.7 T.S.L.E.C. – Commercial Viability (exempt)

2.2.8 Telford Town Centre

2.3 9th June, 2009

2.3.1 Review of Charging Policy for Non-Residential Community Care Services for Adults

2.3.2 Private Sector Housing Strategy 2009/14 and Housing Assistance Policy 2009/11

2.2.3 Equality & Diversity Policy

2.2.4 Physical Activity Initiatives – Leisure Services

2.2.5 HCA Funding Commitment to Support Sutton Hill Phase 1 Delivery

2.2.6 Parenting Orders Functions – Delegated Powers

2.2.7 Annual Governance Statement 2008/09

2.2.8 Annual Report on Risk Management 2008/09

2.2.9 Review of Key Strategic Risk Register – May 2009

- 2.2.10 Playbuilder Funding from Department for Children, Schools & Families
- 2.2.11 Amendment and Extension of Local Nature Reserve – Granville Country Park
- 2.2.12 Transforming Telford 12 Month Monitoring Report
- 2.2.13 ICT Technical Strategy & Investment Programme
- 2.2.14 Customer Feedback Performance Annual Monitoring 2008/09
- 2.2.15 Stoney Hill Closed Landfill Site – Summary Report & Management Plan
- 2.2.16 Stoney Hill Closed Landfill Site – Summary Report & Management Plan (exempt)

2.4 23rd June, 2009

- 2.4.1 End of Year Financial and Performance Out-turns 2008-09
- 2.4.2 Priority Plans
- 2.4.3 Designated Public Places Order – Dawley
- 2.4.4 Developing a Use Led Organisation (ULO) in Telford & Wrekin
- 2.4.5 Representation on Outside Bodies 2009-10

4.0 DELEGATION OF POWERS GRANTED BY THE CABINET

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
6 Month Trial of the Revised Corporate Complaints Procedure – 1st September 2008 to 28th February 2009	Customer Service Business Manager and relevant service Director	Authorised to refer complaints to the Local Government Ombudsman if it is felt that the Council can add no further value following a stage 1 investigation
Proposed Amendments to the Scheme of Delegation	To appropriate officers within Adult & Consumer Care	As set out in Appendices 1 & 2 of the report
Telford Sports Learning & Enterprise Community	Special Programmes & External Funding Manager and the Head of Finance, after consultation with the Cabinet Members for Leisure and Resources	To submit the bids for external funding listed in paragraph 11 and Appendix 4.2 'Financial Model' papers of the report including submission to Sport England of the attached financial model and strategic business plan plus commercial viability study being undertaken by Sport Optima.
Priority Plans	Chief Executive or appropriate Corporate Director following consultation with the lead Cabinet Member	To make any final amendments and to approve publication
Private Sector Housing Strategy 2009/14 and Housing Assistance Policy 2009/11	Head of Prevention & Protection	To approve loans and equity release products under the Regulatory Reform (Housing Assistance)(England & Wales) Order 2002 and the Housing Grants, Construction and Regeneration Acts 1996

HCA Funding Commitment to Support Sutton Hill – Phase 1 Delivery	<p>Head of the Integrated Housing Project</p> <p>Head of Legal Services</p> <p>Head of the Integrated Housing Project, in consultation with the Cabinet Member for Regeneration,</p>	<p>Subject to the agreement of Council (<i>see Council agenda</i>) to negotiate and finalise the terms of a Funding Agreement with the HCA after consultation with the Cabinet Member for Regeneration.</p> <p>To execute the Funding Agreement once finalised;</p> <p>To approve and implement minor works programme schemes put forward by the appraisal group (as referred to in the draft Protocol at Appendix 2 of the report)</p>
Parenting Orders Functions – Delegations	<p>To appropriate officers within Children & Young People</p>	<p>As set out in Appendix 1 of the report.</p>
Amendment and extension of local Nature Reserve – Granville Country Park	<p>Head of Legal Services</p>	<p>To take steps, if necessary, to revoke the existing byelaws and reapply the byelaws to the whole site known as “Granville Country Park Local Nature Reserve”.</p>
LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY & DIVERSITY WARD IMPLICATIONS	<p>As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council</p>	

TELFORD & WREKIN COUNCIL

**CABINET – 9TH JUNE 2009
COUNCIL – 25TH JUNE 2009**

**HCA FUNDING COMMITMENT TO SUPPORT SUTTON HILL – PHASE 1
DELIVERY**

REPORT OF HEAD OF THE INTEGRATED HOUSING PROJECT

1.0 PURPOSE

- 1.1 To update members on the establishment of the Housing & Regeneration Partnership with the Homes & Communities Agency (HCA)
- 1.2 To seek approval to accept a “matched” contribution of up to £2.93m from the Homes & Communities Agency to support work on Sutton Hill Phase 1 Regeneration and to confirm that the Council’s funding shortfall will be met.
- 1.3 To establish a protocol for the assessment and approval of a programme of small works on the Sutton Hill estate, as part of the long-term regeneration of the estate

2.0 RECOMMENDATIONS

- 2.1 That Cabinet endorses the establishment of the Housing & Regeneration Partnership Board and the work carried out by the Board so far;
- 2.2 **TO RECOMMEND TO COUNCIL that it agrees to receive a “matched” contribution of up to £2.93m from the HCA towards Sutton Hill Regeneration and that to maximise the leverage of HCA funding into the area, the Council’s additional funding of £589k is approved as part of the accelerated Borough Towns/New Town estates regeneration programme;**
- 2.3 That subject to the agreement of full Council in 2.2 above, the Head of the Integrated Housing Project is delegated authority to negotiate and finalise the terms of a Funding Agreement with the HCA after consultation with the Cabinet Member for Regeneration, and the Head of Legal Services be delegated authority to execute the Funding Agreement once finalised;

2.4 That the Head of the Integrated Housing Project be granted delegated authority, in consultation with the Cabinet member for Regeneration, to approve and implement minor works programme schemes put forward by the appraisal group (as referred to in the protocol in Appendix 2).

3.0 SUMMARY

- 3.1 A Housing & Regeneration Partnership Board has been established with Telford & Wrekin Council (TWC), Homes & Communities Agency (HCA) and Advantage West Midlands (AWM) to drive forward the delivery of housing growth and housing led regeneration across the Borough. The Partnership has committed to establish a joint Local Investment Plan setting out shared priorities and financial commitments to housing delivery. A draft of the initial 3 Year Plan is anticipated in September 2009.
- 3.2 The Board has identified the South Telford former New Town estates as its top priority for housing-led regeneration, and is supporting the development of a project for the regeneration of Sutton Hill. The HCA want to make a contribution towards the re-development of Sutton Hill local centre on the basis of 50/50 matched funding of total scheme costs. TWC has already committed £2 million towards Phase 1 regeneration in Sutton Hill focusing on the Local Centre. In addition, the Council has recently spent or committed up to £648k on the Sutton Hill Project, of which £150k has been funded from the £2m capital allocation. This existing housing spend/commitment has been endorsed by HCA as eligible to be classed as matched funding. HCA have offered a “matched” commitment of £2.93M, thereby enabling work on the re-development of Sutton Hill local centre to be brought forward.
- 3.3 A Funding Agreement will be established with HCA setting this commitment within the wider context for the regeneration of Sutton Hill. Through the H&R Partnership Board and the forthcoming Local Investment Plan the partners will seek to identify a funding package to support subsequent phases of the regeneration plans.
- 3.4 Following consultation with Sutton Hill residents over the past year, it is recommended that an additional small budget is established to enable a number of minor environmental improvements to be achieved. A protocol will be agreed with residents and it is proposed that a small budget is allocated for 2009-10.

4.0 INFORMATION

Housing & Regeneration Partnership

- 4.1 The Housing & Regeneration Partnership was established in January 2009 and a Memorandum of Understanding was signed between TWC

and HCA on 12th March 2009 (Appendix 1). The Partnership Board has been established to manage the 'single conversation' between TWC and HCA and to ensure the alignment of the HCA's Strategic Development Programme and the Council's strategic priorities for housing and regeneration.

- 4.2 The Board also includes AWM and will actively engage with other key housing stakeholders, the Local Strategic Partnership and housing delivery bodies.
- 4.3 The Board is now working on a 3 Year Local Investment Plan (LIP) setting out shared priorities and financial commitments to housing growth and housing-led regeneration. The LIP will be set in the context of the new Housing & Regeneration Priority Plan.
- 4.4 The Council with HCA and AWM have identified 3 themes that will underpin the Priority Plan and LIP:

Housing Regeneration – focusing on South Telford and the Borough Towns

Growth – focusing on 'unblocking' existing commitments and establishing a medium/long term development and infrastructure framework

People – focusing on delivering the tenure, mix, location and phasing of development delivered through growth and regeneration to address the provision of affordable & accessible housing, homelessness and the improvement of existing housing stock

- 4.5 A key priority for the Board is the regeneration of Sutton Hill. The LIP will consider the delivery and financing of the long term strategy for Sutton Hill but the Board and HCA have recognised the urgency of progressing early interventions on the estate, in the form of a Phase 1 local centre scheme, as soon as possible.
- 4.6 Through the Partnership the HCA have offered a contribution of £2.93M to be matched by the Council to support the delivery of Phase 1. A Funding Agreement with HCA will underpin this initial contribution setting out the overall regeneration objectives and indicating how future phases will progressively deliver the regeneration of the estate. Future commitments by HCA towards Sutton Hill will be sought through the development of the Local Investment Plan.

Sutton Hill Housing

- 4.7 Since early 2008, the Council has been consulting widely with residents to better understand issues faced by people living on the Sutton Hill estate. This has identified significant issues with the quality, condition and mix of housing provision in Sutton Hill. It has also illustrated that the condition of the housing itself is only one of the infrastructure issues

that will need to be considered in developing sustainable solutions. Other issues include problems with drainage, poor quality retail provision in the local centre and, in common with other Radburn layouts, estate roads terminating in open parking courts with no connectivity across the estate and to the surrounding communities.

- 4.8 In January 2009 Cabinet approved proposals to undertake a master-planning exercise leading to the identification of options for technical consideration and stakeholder consultation. This work includes a stock options appraisal which has now been commissioned.

Sutton Hill Regeneration Phase 1 – Local Centre

4.10 While technical work to support long term plans for the Estate is progressed, there is an opportunity, as a first phase of the regeneration of Sutton Hill, to bring forward the comprehensive regeneration of the local centre. Work is progressing on design options which will be subject to consultation later in 2009.

- 4.11 It is recommended that further reports are presented to Cabinet as the design options are finalised.

Minor Works Programme

4.14 Amongst a wide range of issues considered over the past year has been the suggestion that a small budget be established to enable minor environmental improvements to be achieved on the estate. The nature and extent of these improvements has not been fully explored with residents, but they are likely to be primarily works associated with the environment, landscape and public spaces.

4.15 Attached to this report as Appendix 2 is a draft protocol for this programme, which would then be the subject of discussions with local residents. The key principles are;

- Approved schemes should not displace investment that statutory agencies would otherwise be required to carry out.
- Approved schemes should seek to benefit as many residents as possible.
- As far as is reasonably possible, approved schemes should not compromise the ability to effect future long-term change.
- Residents should be involved in identifying the potential schemes, assessing their suitability and making recommendations for those to be supported.
- Potential schemes will be encouraged to secure matched funding from other partners where possible.

4.16 For budgeting purposes, it is recommended that a sum of £30,000 is made available for this programme in 2009/10.

- 4.17 The protocol recommends that an Appraisal Group is established to invite scheme bids, to appraise submitted schemes and to recommend the schemes to be supported. The Appraisal Group would comprise members and residents and would be supported by officers supporting the Sutton Hill regeneration project.

5.0 LEGAL COMMENT

- 5.1 The Council has powers to accept the HCA funding and carry out the work mentioned in this report pursuant to Section 2 of the Local Government Act 2000 (the wellbeing powers). Use of these powers in this context is consistent with the Council's Community Strategy and the Secretary of State's Guidance about exercise of the wellbeing powers.
- 5.2 The Memorandum of Understanding between the Council and the HCA and the Terms of Reference for the Board record the objectives of the partners, and make it clear that whilst working collaboratively as the Integrated Housing & Regeneration Board, the parties will still seek their own internal approvals to funding and projects as work progresses.

6.0 OPPORTUNITIES AND RISKS

- 6.1 The finance proposals offer the opportunity to move forward Phase 1 of the regeneration of Sutton Hill and to undertake community consultation in the knowledge that additional finance is available to deliver on some immediate term improvements. This is important to build confidence within the community that change will be delivered.
- 6.2 However it is also important that expectations are not raised beyond what is achievable at this stage. There is a risk that this then undermines community confidence and partnership support for the delivery of the overall strategy.
- 6.3 The draft protocol must achieve transparency in the assessment and decision-making processes associated with the expenditure of public money. These risks will be mitigated through the careful drafting and application of this protocol.

7.0 FINANCIAL IMPLICATIONS

- 7.1 As highlighted in the main body of the report HCA are offering a 50:50 match funding commitment towards qualifying expenditure for the regeneration of Sutton Hill Local Centre. This is really good news for the area and in order to maximise the grant leverage they have confirmed that they will accept as match funding Council budgets that have already been spent/committed of circa £498k.

- 7.2 The estimated capital cost for Phase 1 regeneration is £5.519m, giving a total scheme cost of £6.017m. This includes the £30k proposed for the minor works scheme and feasibility works outlined in para 4.5.
- 7.3 HCA has approved a maximum funding contribution of £2.93m with the expectation that TWC provide a matched contribution. There is an existing approval within the 2008 – 2011 capital programme of £2m and TWC are able to include in the matched contribution £498k of spend already incurred in the regeneration of Sutton Hill. The table below outlines the budget and funding available.

Expenditure

	£'000
Existing ACC expenditure within	498
Scheme costs	5,269
Expenditure identified in 12 th Jan 2009 Cabinet Report	220
Early wins fund	<u>30</u>
Total	<u>6,017</u>

Funding

<u>BTW</u>	£'000
Existing ACC Funding	498
Approved capital funding	<u>2,000</u>
	<u>2,498</u>
<u>HCA Funding</u>	<u>2,930</u>
Shortfall	<u>589</u>

- 7.4 The Council shortfall to maximise the leverage of HCA funds amounts to £589k. This can be met from the package of accelerated works on the rolling programme of Borough Towns/New Town estates work which is being brought forward and funded from a mix of capital programme review and Treasury savings.
- 7.5 The scheme design requires the development of replacement retail provision, which is currently held within the PIP. One of the options for delivery may be through a private developer; however in the light of current market conditions the Council may seek to develop the units. The level and cost of such provision is not yet known and will be informed by the retail capacity study which is currently underway. However, the Council's interest through the PIP will have to be protected. A further report will be brought forward as appropriate.

8.0 ENVIRONMENTAL COMMENT

- 8.1 The proposals for Sutton Hill aim to achieve a long-term sustainable solution. This will deliver improvements to the quality, energy efficiency

and design of housing, create a sense of place within the local centre, address connectivity of estate roads enabling more effective public transport provision and provide opportunities for improvements to public realm and green spaces.

9.0 WARD IMPLICATIONS

9.1 The Sutton Hill Estate falls within the Cuckoo Oak Ward.

10.0 CONCLUSION

10.1 The establishment of the HCA and the new Partnership with TWC and AWM offer significant opportunities to align strategic and regeneration priorities and work collaboratively to finance key projects.

10.2 The immediate term combination of HCA and TWC funding will enable immediate environmental improvements to take place in consultation with the local community and move forward on the comprehensive regeneration of the Local Centre. This will build local confidence and partner commitment to the long term strategy for Sutton Hill.

10.3 The current recession has led to a significant reduction in construction development across the Borough. Through this funding a key development can move forward more quickly addressing not only the needs of Sutton Hill's residents but also providing immediate and longer term opportunities for local employment and support for the local economy.

Report prepared by Katherine Kynaston, Head of the Integrated Housing Project and Will Schofield, Regeneration Manager, Transforming Telford

APPENDIX 1

MEMORANDUM OF UNDERSTANDING - March 2009

TELFORD & WREKIN HOUSING & REGENERATION PARTNERSHIP BOARD

1. INTRODUCTION

Telford & Wrekin Council ("TWC") and the Homes & Communities Agency ("HCA") wish to begin the "single conversation" immediately in relation to housing and regeneration in the borough.

TWC and HCA wish to record key elements of the conversation through this non legally binding Memorandum of Understanding which will evolve as the conversation moves on, possibly into a local investment agreement to support delivery of the Local Investment Plan.

2. CO-OPERATION AND CONSENSUS

The "single conversation" ethos will permeate all of the work between TWC and HCA but in particular TWC and HCA will co-operate, negotiate and reach consensus through establishment of a Partnership Board. TWC and HCA will meet as a Partnership Board but will act under their own individual powers and subject to their own internal approval processes.

3. AIM OF THE PARTNERSHIP BOARD

The aim of the Partnership Board is to act as an advisory group to help secure **more and better housing, infrastructure, community asset and regeneration outcomes for the borough of Telford & Wrekin** (the "Outcomes") by working together than would otherwise be possible, and in order to achieve the Outcomes the Partnership Board will :

- agree the vision and strategy for housing and regeneration in the borough for the next 20 years
- agree a "local investment plan" as the basis for TWC and HCA's investment in these areas (to reflect the longer term vision and strategy)
- monitor actual investment and delivery performance against the local investment plan
- develop longer term proposals in the light of the local investment plan for HCA and TWC investment of land, capital, skills and people in a "joint venture" with an initial ethos of reinvestment of profits to achieve more Outcomes
- identify and address blocks to existing housing and regeneration projects which have been affected by the economic downturn
- agree the priority areas for action in the borough
- develop strategies to increase house building and completions
- develop strategies for bridging the housing affordability gap (mixed tenures)

- develop strategies for meeting demand for temporary and social housing and tackling homelessness
- maximise use of New Growth Point and grant funding to achieve the Outcomes
- promote and procure sustainable high quality development
- promote and where possible require development in accordance with the Building for Life standard
- work in partnership with Advantage West Midlands and others in order to help achieve the Outcomes
- collaborate with and engage others such as RSL's, developers and funders
- actively engage with the Local Strategic partnership and its partners
- use their statutory powers to achieve Outcomes
- support the "Act Local" initiative providing local employment opportunities and using local materials wherever possible
- bring together regeneration projects across different agencies to promote a "big bang" effect on Outcomes
- develop a joint communications strategy

through all of this the Partnership Board will:

- focus on **delivery**
- act **quickly**
- be creative and flexible in its approach, and
- **intervene**

4. TWC'S ROLE

TWC will (subject to Cabinet consideration and approval of proposals) ensure full alignment with the Partnership Board's Vision and Strategy and local investment plan

TWC will establish a project team and resources to support the Partnership Board and its work.

TWC will convene and provide admin for meetings of the Partnership Board and will be the linkage between members of the Partnership Board and other stakeholders. It will also act as programme manager for activity within the LIP

5. HCA'S ROLE

HCA will (subject to any necessary internal approvals) ensure that its Strategic Development Programme is fully aligned with the Partnership Board's Vision and Strategy and local investment plan.

HCA will provide technical and consultancy resources and will contribute to the project team to support the Partnership Board.

APPENDIX 2

Sutton Hill Minor Works Programme – Draft Protocol

1. Background

- 1.1 Telford & Wrekin Council has committed to deliver the long-term regeneration of the Sutton Hill estate. Working with a range of partners, the Council will bring forward a range of measures that will seek to ensure the long-term sustainability of the estate.
- 1.2 The Council has been consulting and proactively working with residents in connection with the regeneration of their estate since early 2008. The consultation acknowledges that many of the interventions through necessity will be medium to long-term. There may be a number of relatively small pieces of work that would be sensible to carry out ahead of the longer-term measures. This will be known as the Minor Works Programme.

2. Principles

- 2.1 There are a number of principles that will be adopted in the implementation of the Minor Works Programme;
- Approved schemes should not displace investment that statutory agencies would otherwise be required to carry out.
 - Approved schemes should seek to benefit as many residents as possible.
 - As far as is reasonably possible, approved schemes should not compromise the ability to effect future long-term change.
 - Residents should be involved in identifying the potential schemes, assessing their suitability and making recommendations for those to be supported.
 - Potential schemes will be encouraged to secure matched funding from other partners.

3. Methodology

- 3.1 It is not the intention to widely promote the availability of the Minor Works Programme, as this could generate a larger number of potential schemes and commit a larger amount of funding than would be sensible. However, there are already a number of issues that residents have raised over the past 12 months that could be suitable for inclusion in this programme.

Stage 1 - Identification of Potential Schemes

- 3.2 Potential schemes may be raised by residents via the local Project Office at the Sutton Hill Community Centre, or via members of the RUSH (Residents Upgrading Sutton Hill) residents group. Exceptionally, potential schemes may be suggested by officers working on or associated with the estate.

- 3.3 A pro-forma will be produced to ensure that basic information about the proposed scheme can be recorded. A Project Sponsor needs to be identified for each scheme. This person will be the primary contact point for queries about the proposal.
- 3.4 The Neighbourhood Co-ordinator (South) will receive the suggestions and will ensure that the scope and intent of the proposal is properly understood and described in the pro-forma.

Stage 2 – Initial Appraisal

- 3.5 The RUSH group, supported by Council officers, will meet to discuss the proposal(s) and to carry out an initial appraisal of each. The two ward members could be involved in this stage. This Appraisal Group will cover aspects such as;
- Is the proposal clear?
 - Who are the intended beneficiaries?
 - Could schemes of a similar nature be applied to other parts of the estate?
 - What is the overall “value for money” of the proposal?
 - How would the scheme be implemented?
 - How would the scheme be maintained, and by who?
- 3.6 Schemes that are appraised at Stage 2 may be initially approved (and go forward to Stage 3), rejected, or more information may be sought from the project sponsor. A record of the decisions taken and the reasons will be maintained. The Neighbourhood Co-ordinator (South) will advise each Project Sponsor of the outcome of the appraisal, together with the reasons.
- 3.7 All proposals should identify the future maintenance that will be required, and indicate how that maintenance should be carried out, and by who? Where the scheme comprises environmental or landscaping work, the view of the Council’s Environmental Maintenance team should be sought and included in the proposal.
- 3.8 The Council will generally wish to commission all the schemes that are approved. At this stage it is not intended to impose a ceiling on individual scheme values, though this may be reviewed in due course.

Stage 3 – Technical Appraisal

- 3.9 Some potential schemes will require a technical appraisal. These will be initiated by the Neighbourhood Co-ordinator (South) and will assess whether the scheme is technically possible, whether it will provide a detailed cost and determine whether there are any reasons why the scheme should not be implemented.
- 3.10 The outcome of the technical appraisal will be reported back to the Appraisal Group who will assess if the scheme should proceed on the basis of the additional information received.

- 3.11 Subject to the views of the Council's Cabinet, the Appraisal Group's recommendations could be presented to Cabinet for determination, or authority could be delegated to the Corporate Director of Environment & Regeneration, in consultation with the Cabinet Member for Regeneration.

Stage 4 - Implementing the Schemes

- 3.12 The Council will lead on the implementation of approved schemes. The Neighbourhood Co-ordinator (South) will be responsible for the overall co-ordination of the schemes, and will instruct appropriate agencies to undertake the works.

4. Monitoring the Schemes

- 4.1 It will be the responsibility of the Project Sponsor to assess the success of the scheme in achieving the intended outcomes, and to make this information known to the Appraisal Group. The Appraisal Group may wish to take account of the outcome of completed schemes in determining schemes to be approved in the future.

5. Publicising the Schemes

- 5.1 Though it is not the intention of the Council to proactively promote the availability of the Minor Works Programme, it will record and publicise those schemes that have been carried out. This will be led by the RUSH group with the support of the Neighbourhood Co-ordinator (South).

6. Funding

- 6.1 The Council has initially indicated that it will make a sum of £30,000 available to support the Minor Works Programme. Depending on the number of potential schemes that are submitted, and those that are approved and implemented.

ADDENDUM

TELFORD & WREKIN COUNCIL

**CABINET – 9TH JUNE 2009
COUNCIL - 25th JUNE 2009**

**HCA FUNDING COMMITMENT TO SUPPORT SUTTON HILL – PHASE 1
DELIVERY – ADDENDUM**

REPORT OF HEAD OF THE INTEGRATED HOUSING PROJECT

1.0 PURPOSE

- 1.1 To update the main report following a meeting of the Housing & Regeneration Partnership Board involving TWC and the Homes & Communities Agency (HCA) on 4th June 2009.

2.0 RECOMMENDATIONS

- 2.1 **That Cabinet endorses the progression of Phase 1 of Sutton Hill regeneration as an infrastructure-led project;**
- 2.2 **That Cabinet note the intention to complete and sign the Funding Agreement with HCA by 15th June.**

3.0 INFORMATION

- 3.1 The Housing & Regeneration Partnership met on 4th June 2009 and considered a progress report on Sutton Hill Phase 1 regeneration. In the light of the current housing downturn it was recommended that the scheme be progressed as an infrastructure led scheme. The Board supported this approach and approval is now sought from the Cabinet to take this forward. A detailed project plan will then be finalised on this basis allowing the development to move forward with public consultation anticipated on proposals in August/September.
- 3.2 At the Partnership Board, HCA requested that that Funding Agreement be signed as soon as possible giving certainty on the commitment of funds to their governing board which is due to meet in mid June.

TELFORD & WREKIN COUNCIL

**CABINET – 9TH JUNE 2009
COUNCIL - 25TH JUNE 2009**

**STONEY HILL CLOSED LANDFILL SITE – SUMMARY REPORT AND
MANAGEMENT PLAN**

REPORT OF HEAD OF MOBILITY & DEVELOPMENT

1.0 PURPOSE

- 1.1 To raise awareness of the issues relating to Stoney Hill closed landfill site and to present budget costs for further essential works for the site to improve the management of leachate and gas produced by the site for the protection of the local residents and the environment.
- 1.2 To seek approval for investment to address the issues raised in the report and to allow the Council to fulfil its obligations in line with its corporate priorities relating to the environment.

2.0 RECOMMENDATIONS

- 2.1 That Cabinet recommend to Council to allocate capital funding of around £444,500 over the next two years 2009/2010 and 2010/2011 to address the priority works as detailed in paragraph 5;
- 2.2 That Cabinet recommend to Council to allocate an additional £350,000 of capital funding to support an Invest to Save opportunity for the long term management of leachate at the site, should this option prove viable following further investigation;
- 2.3 That Cabinet recommend to Council that additional revenue funding is allocated to allow for the monitoring and management of the site as detailed in paragraph 5.7.

3.0 SUMMARY

The Site

- 3.1 Stoney Hill Landfill site is located off Jiggers Bank Roundabout in the west of Telford at the Junction of the A4169 (Ironbridge Bypass) and the A5223.

- 3.2 The report entitled 'Position Statement & Management Plan' dated May 2009, prepared by Chris Butler, Engineering Services, concludes that it is necessary for a capital investment of around £800k in Stoney Hill Landfill site (in addition to the routine on-going management and maintenance costs), to carry out essential work to meet the current environmental standards.

4.0 PREVIOUS MINUTES

None.

5.0 INFORMATION

Contamination Designation

- 5.1 Investigations and research through "Part 2A" has been completed to determine the impacts upon the environment and to humans. In accordance with Part 2A, as defined in Defra Circular 01/2006 and the criteria set out in the Environmental Protection Act (EPA) 1990, it is considered based upon the existing information that 'significant pollution linkages' **do not** exist with which to determine the site as contaminated land at the present time. However, it is the Council's opinion that the site is of such environmental importance that the following issues need to be addressed in a proactive manner:

1. A methodology needs to be adopted whereby the leachate levels within the landfill are lowered.
2. Implementation of the Site Management Plan dated May 2009.
3. The issue of excessive lateral gas migration from the landfill.
4. Replacement of the elevated flare by a ground flare in accordance with EA guidelines.

- 5.2 These and other management tasks have been included in the 'Position Statement & Management Plan' for the site. Each task has been set a priority status. The four tasks listed above have been assigned high priority status.

Five Year Management Plan:

- 5.3 Following a thorough review of the existing information, the findings of which are included in the 'Position statement & Management Plan' (currently DRAFT), Telford & Wrekin Council, consider that there are a number of issues relating to the landfill which need to be addressed.
- 5.4 Although the site is not to be designated under Part IIa of the EPA, it is important that those tasks listed in Appendix 1 (of this report) are carried out in a programmed manner to comply with other regulatory authorities requirements (i.e. Environmental Health and the Environment Agency). These tasks constitute the strategic tasks which

form the recommendation in the 'Position Statement & Management Plan' for the landfill site.

6.0 BACKGROUND

The Site:

- 6.1 Stoney Hill Landfill is a former open-cast coal working site which was issued a waste disposal licence in 1984 to accept controlled waste. The site was operated by Shropshire County Council in the period 1985 to 1991.
- 6.2 The types of controlled waste received included domestic, commercial, industrial, medical/surgical/ veterinary wastes, and "difficult wastes." Between 501 and 1000 BSE carcasses (with heads/spinal columns removed) were also deposited. Monsanto chemicals company tipped industrial chemical wastes under license, however there are also unsubstantiated allegations of illegal tipping of "unclassified chemicals sludge" by Monsanto.
- 6.3 The site passed to Telford & Wrekin Council on becoming a Unitary Authority in 1998. Engineering Services manage the site on behalf of Telford & Wrekin Council. The site is regulated by Environmental Health and the Environment Agency.

Landfill Infrastructure:

- 6.4 The site was originally controlled by a passively-vented gas system, although gas migration towards the two nearest properties was confirmed in 1992 and an active flare system was installed.
- 6.5 The current gas extraction system was installed in 1993 to address local gas migration and was considered the best available technique at the time. (This is the system now requiring replacement).
- 6.6 The current leachate extraction system pipework was upgraded in 2000 and the leachate tank replaced in 2006. The system now needs replacement to allow a greater volume of leachate to be extracted from the landfill.
- 6.7 Pumping trials were carried out in 2008 which confirmed that some, albeit minimal, drawdown of the leachate was feasible given the small pump size used. Bigger pumps and associated infrastructure are required to reduce the leachate levels to acceptable levels.

Current Site Management Regime:

- 6.8 **Leachate:** The site has five leachate extraction wells. Leachate is collected and tankered off-site for treatment and disposal. Current

leachate levels are too high and therefore these levels need to be reduced by increased pumping.

- 6.9 **Gas Collection:** The site features two surface-laid gas collection mains. Replacement of the easterly gas line in August 2007 has seen an improvement in the quality of the gas arriving at the flare. Replacement of the westerly line is therefore required.
- 6.10 **Flare:** The existing flare operates at too low a temperature to adequately destroy any volatile trace gases. This incomplete combustion of the gases, can cause trace gas production as a secondary concern. The flare needs to be replaced.

7.0 EQUALITY AND DIVERSITY

- 7.1 These proposals do not adversely affect any particular group in the community and would be of general benefit. Engineering Services are currently completing an Equality Impact Assessment for the site.

8.0 ENVIRONMENT IMPACT

- 8.1 Stoney Hill site has been assessed under part IIa of the EPA and has **not** been designated as contaminated land.
- 8.2 Mitigation measures dealing with gas migration from the landfill and elevated leachate levels within the landfill are high priority tasks. Additionally, the replacement of the gas flare is required.

9.0 LEGAL COMMENTS

- 9.1 When the site was transferred from Shropshire County Council to Telford & Wrekin Council, the Council provided an indemnity, effective from February 2004, in favour of the County Council in respect of any past, present or future claims. Liability for the site therefore rests with the Borough Council.
- 9.2 As landowner the Council has a duty of care in respect of those entering into our land and also in respect of neighbouring land. Therefore, even if the land is not to be designated under Part IIA Environmental Protection Act 1990 as contaminated land, the Council will still have a statutory and common law duty to ensure reasonable measures are put in place to minimise the risk to occupiers/visitors and neighbouring landowners.
- 9.3 If the current situation is not addressed (i.e. gas migration & elevated leachate), then it is possible that over a period of time, the necessary pollutant linkage will be formed and the site will be liable to be designated as contaminated land under Part IIA Environmental Protection Act 1990. Any such land must be entered onto a public

register and such designation may have a detrimental effect on land values in the neighbouring areas in addition to the impacts set out in 5.6.

- 9.4 If the pollution involves pollution of the ground water then the land will be designated a special site under the Contaminated Land (England) Regulations 2000 and enforcement in respect of the site will pass to the Environment Agency.
- 9.5 If at a point in the future, the land were to be designated as contaminated land, the Council would need to enter into a voluntary scheme of remediation. The scheme would be agreed by the Environmental Health Department unless the site was designated as a special site (i.e. if ground waters were polluted) whereby the scheme would have to be agreed by the Environment Agency.

10.0 LINKS WITH CORPORATE PRIORITIES

- 10.1 The issue impacts upon the corporate priority to promote a safe, clean and sustainable environment. Elements of the proposed works are required to comply with current Health & Safety Regulations.
- 10.2 A detailed assessment of the site has confirmed that significant investment is required over the next five years to meet environmental standards.

11.0 OPPORTUNITY AND RISKS

- 11.1 Stoney Hill Landfill site is included on the Environment Services portfolio risk register. The risk rating is reported as High (i.e. scores 9 on the risk matrix). It is anticipated that this rating can be reduced to 7 through the effective management of the site as detailed in the 'Position statement & Management Plan'.
- 11.2 Although not designated under Part IIa, there are a number of risks associated with the former landfill site.

These risks fall into the following groups:

- A. Impact upon the environment in the form of polluting ground waters and surface waters should the Authority not be capable of significantly lowering leachate levels within the landfill.
- B. Harm (or significant possibility of significant harm) to local residents by migration of gases.

12.0 FINANCIAL IMPLICATIONS

Capital

- 12.1 The delivery of the essential elements as described within this report will require a capital investment of around £444,500 over the next two years (2009/10 – 2010/2011). It is anticipated that approximately 50% of this spend will be in the current financial year 2009/10. No allocation has been made for this expenditure within the existing capital programme.

Invest to Save

- 12.2 The capital estimate above includes provision for the investigation and assessment of options for the long term management of leachate at the site. Should a viable option be identified it is proposed that a further capital investment of around £350,000 is made available over the next two years (2009/10 -2010/2011) for the installation of an automated leachate pumping system. This would generate a saving of £50,000 saving per annum in offsite tankering costs and a pay back period of 7 years on the capital investment.

Revenue

- 12.3 The proposed revenue costs are dependant upon the viability of the 'Invest to save' proposal. Should it be determined that pumping is not a viable option then the increased tankering costs needed to reduce the leachate levels would be £75,000 per annum making the overall running costs for the site to be of the order of £173,000 p.a. – an increase of £101,000 on the current revenue budget allocation.
- 12.4 However should the pumping option be a viable proposal then the revenue costs for the disposal of the leachate is estimated at this stage to be £25,000 per annum making the overall running costs of the site £123,000 per annum, and thus generating an 'invest to save' saving of £50,000 pa.
- 12.5 These do not include the costs of borrowing which at 9% equate to £9,000 pa per £100,000 borrowed.
- 12.6 No provision has been made within future budgets for the additional expenditure over the existing running costs of £72,000 per annum.

13.0 WARD IMPLICATIONS

- 13.1 Horsehay & Lightmoor ward, and Ironbridge Gorge ward are immediately affected. Responsibility for site management rests with the Environment & Regeneration Portfolio, whilst Adult Social Care Portfolio is the regulatory authority.

14.0 BACKGROUND PAPERS

- 14.1 A significant number of reports, letters etc. have been prepared for Stoney Hill Landfill Site. The key documents have all been included in full in the Stoney Hill Landfill 'Position Statement & Management Plan' prepared by Telford & Wrekin Council Engineering Services Department.

Recommendations in this report and the Management Report are based, in part, on discussions with and correspondence received from Environmental Health.

This report has been prepared by Engineering Services (Chris Butler, Neal Rushton, Declan Kearney) in their role as Site Managers (Telephone 01952 384855).

Appendix 1

Tasks 1 to 8 listed below constitute the strategic tasks which form the overall management plan for the landfill site.

Task 1: Lower Leachate Levels in the Landfill: Potential leachate disposal to Severn Trent's Foul water System:

A review of the method of disposal and possible need for pre-treatment to determine the way forward and to implement same.

Task 2: Lower Leachate Levels in the Landfill through continued disposal by tanker:

Task to be continuous until Task 1 is complete.

Task 3: Replace and modernise Gas Flare system:

The current gas flare does not meet current legislation and guidelines. The elevated flare needs to be replaced by a ground flare.

Task 4: Proposed Investigation Works:

Ground investigation works are necessary to address potential constraints outside the landfill site.

Task 5: Monitoring Installations and Leachate Pumps:

It is considered that an assessment of the current landfill installations is required in order to establish what instrumentation needs renewal, replacement or decommissioning and to action same.

Task 6: Data Collation – Chemical Analyses:

To produce a comprehensive database of chemical analysis results.

Task 7: Data Collation - Mine-entries:

To produce a comprehensive database of past mining records.

Task 8: Routine Telford & Wrekin Council On-Going Management:

Telford & Wrekin Council has a duty to manage Stoney Hill Landfill site indefinitely. This responsibility currently sits with Engineering Services. Adequate resources are needed for this function.

Budget costs for these works are presented in Section 5.7, i.e. Financial Implication.

TELFORD & WREKIN COUNCIL

CABINET - 23rd JUNE 2009
COUNCIL - 25th JUNE 2009

DESIGNATED PUBLIC PLACE ORDER (DPPO) - DAWLEY

REPORT OF THE CORPORATE DIRECTOR FOR ADULT & CONSUMER CARE

1.0 PURPOSE

- 1.1 To brief Cabinet Members, and provide a report to Full Council with the necessary information on which to consider the implementation of a Designated Public Places Order (DPPO) in Dawley (area shown in Appendix A).

2.0 RECOMMENDATIONS

That Council be RECOMMENDED:

- 2.1 **To confirm the introduction of a Designated Public Places Order in the area identified within the Dawley Magna ward, subject to a formal review process;**
- 2.2 **To take account of the legal process to be followed prior to the implementation of any DPPO.**

3.0 SUMMARY

- 3.1 Members have been asked to consider an approach to tackle alcohol-related anti-social behaviour in Dawley that builds on the positive work that has been undertaken to date through partnership work and sustained police activity in the area. If made, this Order will allow the Council to designate an area where restrictions on public drinking would apply. This would make it an offence for any person to drink alcohol after being required by a police officer (or CSO) not to do so. Such Orders can only be used in areas that have experienced persistent alcohol disorder or nuisance.

4.0 INFORMATION

- 4.1 A report was provided to Cabinet on the 23rd March 2009 which identified the grounds on which a DPPO could be made. Before any area can be designated a DPPO there must be evidence which indicates: i) there is an alcohol related nuisance or annoyance to the public in the proposed area; ii) that the problem will continue unless these powers are adopted; and iii) that there is a reasonable belief that the problem could be remedied by the use of these

powers. The legal requirements and associated guidance is contained in the Home Office document in Appendix B.

- 4.2 In gathering the evidence to support this process, crime statistics were reviewed by the police and council officers, using the Home Office threshold test of the previous 6 months data. Due to the consistent efforts of partners and police over the past 18 months, the crime and anti social behaviour (ASB) patterns have changed and alone do not support the implementation of a DPPO. However, the second strand of evidence relates to the views of residents and other relevant parties, and this has been the subject of extensive consultation.
- 4.3 As part of the statutory consultation process the Council is required to consult formally with the police for two reasons, firstly to canvass their views on the nature of the problem and the appropriateness of adopting DPPO powers, and secondly on issues of enforceability. The Police Chief Superintendent in his response highlighted that previous measures to address alcohol related anti social behaviour in Dawley had been successful, but there are evident differences between facts and perception. Should Council implement a DPPO, the police will support its enforcement, within their capacity to do so, subject to over-riding operational priorities.
- 4.4 The following were also consulted, with questionnaires issued to: residents within the proposed DPPO area, Great Dawley Parish Council, Dawley Hamlets; Lawley & Overdale; Madeley & Stirchley and Brookside; Licence holders /certificate holders in the designated area; owners/ occupiers of land that is proposed to be designated (DPPO). All statutory consultation requirements were met. The details of this are available in Appendix C. The responses indicate an overwhelming view by residents that a DPPO is desired, showing 94% strongly agree (response rate of 24% or 101). There was a 15% response rate (12) from businesses, but all agreed with the proposal to implement a DPPO. The consultation highlighted a fear of crime within the area and that residents, some businesses, community and other stakeholders including the local MP, consider the introduction of a DPPO will further improve the safety of the area, and have perceived benefits around wellbeing, and the local economy.
- 4.5 The Local Police Team for Dawley undertook 294 'face to face' interviews during April 2009, and the findings indicate that 'street drinking' is one of the major concerns for residents within the proposed DPPO area. This analysis bears out that whilst crime levels remain relatively low, the perception of alcohol related ASB problems is high. This survey is consistent with the findings from the public and statutory consultation process for the DPPO in that it is largely public perception, and not the actuality of alcohol related crime that fuels residents' concerns in Dawley.

- 4.6 If a DPPO is implemented by the Council statutory notices will be published in local papers, and signage erected at appropriate points within the proposed boundary. A protocol for responding to incidents would be established between the Community Safety Partnership and the police, informed by 'best practice' from other areas, and local operational requirements. The DPPO would be reviewed after 12 months of operating to establish evidence for its effectiveness in impacting on crime and ASB levels linked to street drinking, and also its impact on public reassurance and the perception of crime. It is important that the partnership work that has been undertaken to date, actively supported by local police, continues and itself is subject to review regarding its effectiveness. The key outcome measures will be improved public confidence, and perception, together with evidence of reduced levels of crime and ASB.
- 4.7 There are important lessons to be learned from the process of implementing a DPPO which must inform future policy. The impact of such measures needs to be fully evaluated, and their contribution to public safety and reassurance needs to be understood. The demands on police time and resources also needs to be part of any evaluation, as will the actual costs to the Council in consultation, press notices, signage and staff time.

5.0 EQUALITY AND DIVERSITY

- 5.1 The robust consultation process has ensured that any areas of concern around equality and diversity were raised in the process.

6.0 ENVIRONMENTAL IMPACT

- 6.1 Signage for DPPO restrictions will be clearly visible to members of the public.

7.0 LEGAL COMMENT

- 7.1 Section 13 of the Criminal Justice and Police Act 2001 gives local authorities the power to designate public areas as a designated public place. This enables local authorities to place restrictions on public drinking in an area to address nuisance or annoyance associated with the consumption of alcohol in a public place. The order gives police officers the discretion to require an individual to stop drinking anywhere in the designated area. These powers would not disrupt activities that do not constitute nuisance or annoying behaviour. There is detailed guidance outlining the process for making such an order. In order to make an order members must consider the evidence presented to them and conclude that:-

- there is an alcohol related nuisance or annoyance to the public in the proposed area;

- that the problem will continue unless these powers are adopted; and
- that there is a reasonable belief that the problem could be remedied by the use of these powers.

8.0 LINKS WITH CORPORATE PRIORITIES

- 8.1 Tackling Crime & Disorder, including anti-social behaviour and substance misuse has a direct and indirect impact on all the Council's Community Priorities.

9.0 OPPORTUNITIES AND RISKS

- 9.1 The opportunities and risks associated with this decision have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

10.0 FINANCIAL IMPLICATIONS

- 10.1 Costs associated with the implementation of Designated Public Places Orders arise mainly from the installation of signage, public notices, bins and officer time. It is estimated that the cost for signage and public notices in introducing the DPPO in Dawley will not be greater than £5k. This will be met from the dedicated budget (Alcohol and ASB). The actual costs to the Council and to the police need to be evaluated as part of the formal review of effectiveness.

11.0 WARD IMPLICATIONS

- 11.1 Dawley Regeneration Board is currently working with the Council and other parties to redevelop Paddock Mount and Dawley High Street under plans for regeneration. A Designated Public Places Order may have possible implications on this development.

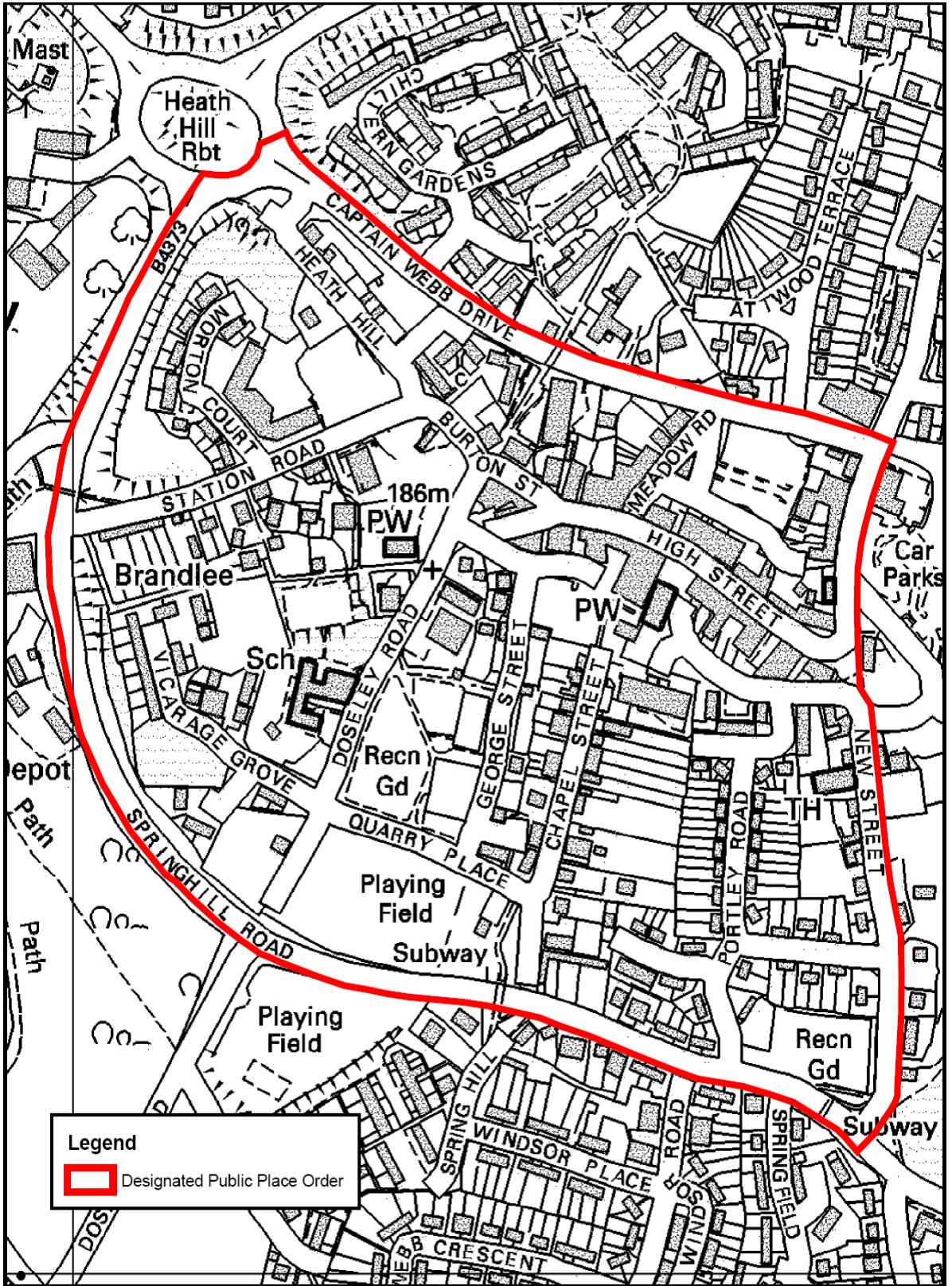
12.0 BACKGROUND PAPERS


- 12.1 Report to Cabinet, 23.3.09 – Cabinet minute CB 177

Report prepared by:

**Tom Currie - Safer Communities Strategic Manager
Telford & Wrekin Council
Tel: 01952 382101**

Appendix A



 Telford & Wrekin COUNCIL	Civic Offices Telford Shropshire TF3 4HD	Proposed Boundary for DPPO Dawley		Scale: 1:3,192	2
				Date: 16/03/2009	
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Appendix B

**GUIDANCE ON
DESIGNATED PUBLIC
PLACE ORDERS (DPPOs):
FOR LOCAL AUTHORITIES
IN ENGLAND AND WALES**



Home Office



Contents

Introduction	3
Purpose of the powers	3
Byelaws	3
The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007	4
Which authority has the power to make a DPPO?	4
Partnership working	4
The DPPO process	5
1) Evidence	5
2) Consultation	5
3) Publicity	6
4) Once an order is made	7
Timescales	7
Time lapses	7
Displacement	8
Extending a DPPO area	8
Borough-wide DPPOs	8
Managing objections	8
Evaluating DPPOs	8
Revocation of a DPPO	9
Portsmouth – an example of good practice	9
Enforcement	9
Breaches	10
Signs	10
Replacement signs – wording	11
Wording of a DPPO	11
Other alcohol powers	11
Future legislative changes	11

Guidance on Designated Public Place Orders (DPPOs): For local authorities in England and Wales

FAQs	11
List of DPPO areas	12
Contact details	12
Legislative provisions	13
Annexes	14
Annexes A–D: Wording for notices	14
Annex E: Portsmouth case study	18
Annex F: Sample leaflet	21

Introduction

This guide explains the powers given to local authorities in England and Wales to introduce Designated Public Place Orders (DPPOs). The provisions are contained in section 13 of the Criminal Justice and Police Act 2001 and section 26 of the Violent Crime Reduction Act 2006.

The purpose of this guide is to help you get the best out of DPPOs. If your local area has found its own effective system for using this power, then there is no need to consider making changes. Our aim is to ensure good practice from practitioners. The examples we give are merely suggestions that you may wish to try in your local area, particularly if DPPOs are new to you. We are not looking to replace existing local protocols.

This guidance is therefore not compulsory. It merely sets out examples of good practice which you may wish to follow in your local area. Legislative obligations mentioned here are, naturally, compulsory, and we have highlighted all references for your convenience.

Purpose of the powers

On 1 September 2001, sections 12–16 of the Criminal Justice and Police Act 2001 came into force. DPPO powers enable local authorities to designate places where restrictions on public drinking apply. However, they can only be used in areas that have experienced alcohol-related disorder or nuisance.

These powers are not intended to disrupt peaceful activities, for example families having a picnic in a park or on the beach with a glass of wine. While police officers have the discretion to require an individual to refrain from drinking regardless of behaviour, our advice is that it is not appropriate to challenge an individual consuming alcohol where that individual is not causing a problem. Bodies responsible for introducing and enforcing DPPOs must keep in mind section 13 of the Criminal Justice and Police Act 2001 which makes it clear that this power is to be used explicitly for addressing nuisance or annoyance associated with the consumption of alcohol in a public place.

It is important to note that these powers **do not** make it a criminal offence to consume alcohol within a designated area. An offence is committed if the individual refuses to comply with a constable's request to **refrain from drinking**. Those enforcing these powers must take care that they do not state (either verbally or via signage) that the consumption of alcohol in a designated area, in itself, constitutes a criminal offence.

Byelaws

By virtue of section 15 of the Criminal Justice and Police Act 2001, existing public drinking byelaws cease to have effect once an area is designated in accordance with section 13 of the 2001 Act. Any relevant local authority byelaw which was not replaced by a section 13 Designation Order has therefore lapsed by virtue of section 15 of the 2001 Act. Drinking byelaws that were not replaced by a DPPO ceased to have effect on 31 August 2006.

The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

Section 13 of the Criminal Justice and Police Act 2001 enabled local authorities to introduce Designated Public Place Orders (DPPO). The 2001 Act also ensured that pubs and clubs that have a premises licence to sell and supply alcohol under the Licensing Act 2003 could not be designated by a DPPO.

The Licensing Act 2003 brought the licensing arrangements for a range of activities under the same regime. So premises licensed for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshments hold the same, single authorisation. The Licensing Act 2003 Statutory Guidance also encourages local authorities to seek premises licences for public spaces in order to allow local community events such as open-air festivals, concerts and carnivals to take place without the need for each individual event organiser having to apply for a separate licence. This allows these various events to operate within the terms of licence.

An unintended consequence of this was that, where local authorities were granted a premises licence in respect of public spaces in order to hold regulated entertainment (and in some cases allow the sale of alcohol at certain times) these places could not be designated with a DPPO. This conflicted with local authority wishes to promote community events by licensing public spaces, while also intending to make use of DPPOs in tackling anti-social behaviour drinking.

This unintended problem was rectified by section 26 of the Violent Crime Reduction Act 2006, which came into force on 6 April 2007 amending the 2001 Act, to ensure that premises used by local authorities in this way will only be excluded from a DPPO in which they are located at times when alcohol is actually being sold/supplied and for 30 minutes thereafter. The 2006 Act also ensures that a premises for which a Temporary Event Notice (TEN) permits the supply of alcohol will also be excluded from a DPPO in which it is located for 30 minutes following the supply of alcohol, rather than 20 minutes as was previously the case.

Which authority has the power to make a DPPO?

The local authorities with the power to make a designation order under section 13 are:

- in England, unitary authorities and district councils so far as they are not unitary authorities; and
- in Wales, county councils or county borough councils.

In this context unitary authorities are defined as county councils (so far as they are councils for an area for which there are no district councils), district councils (in areas for which there are no county councils), London borough councils, the common council of the City of London (in its capacity as a local authority) and the council of the Isles of Scilly.

Partnership working

As with any decision to introduce a particular power to tackle anti-social behaviour in a local area, it is essential that you work with the relevant agencies within the Crime & Disorder Reduction Partnership (CDRP) – such as the police – from the start of the DPPO process. In particular, this is to ensure that when the order comes into force, the DPPO is monitored and the police have the resources to be able to enforce it.

The DPPO process

1. Evidence

The evidence you will require for a DPPO is that there is an alcohol related nuisance or annoyance to the public in the proposed area/s. You should make an assessment as to the likelihood that the problem will continue unless these powers are adopted. In addition, you must have a belief that the problem could be remedied by the use of these powers. Evidence should be based not just on information you have obtained, but also from the police and members of the local community who have reported incidents of alcohol-related anti-social behaviour or disorder.

Evidence of alcohol-related nuisance could for example include litter related to the consumption of alcohol (e.g. bottles and cans) as well as police information and residents' complaints.

2. Consultation

Before making an order you should consult with the chief officer of police overseeing the area in question. This is to seek the police's views on the nature of the problem and the appropriateness of adopting the powers. It is also in recognition that it will be the police who will have the responsibility for enforcing the resulting restrictions on public drinking.

You should also consult the following:

- the parish or community council covering all or part of the public place to be designated;
- the neighbouring police and local authorities, parish or community councils in cases where a designation order covers an area on the boundaries with that neighbouring authority. This is in order to assess the consequences of the designation order on the neighbouring authority (such as the possible displacement of anti-social public drinking problems) before the designation order is made; and
- any premises licence holder, club premises certificate holder or premises user (as appropriate), in relation to each premises in that place which may be affected by the designation. These are premises where:
 - (i) a premises licence granted under part 3 of the 2003 Act has effect;
 - (ii) a club premises certificate granted under part 4 of the 2003 Act has effect; or
 - (iii) a temporary event notice has been given so that premises may be used for a permitted temporary activity by virtue of part 5 of the 2003 Act.

You should also take reasonable steps to consult the owners or occupiers of the land proposed to be designated. Where residential areas are proposed to be included in the DPPO area, you should endeavour to consult with residents of those areas. Some councils have notified the local residents by means of a leaflet drop. You may also wish to consider holding residents' meetings. Some have carried out surveys of their residents and businesses to gauge their opinion on the proposal to introduce a DPPO and to identify any experience of alcohol-related anti-social behaviour or disorder. These data can add to the evidence base required before a DPPO is introduced.

When you consult any of the parties above, you should describe in writing the effect the order will have at particular times in relation to each category of premises (set out in section 3 (3) (b) of the 2007 Regulations) listed below:

- Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol (section 14(1)(a) of the Criminal Justice and Police Act 2001 (“the 2001 Act”) but where section 14(1)(b) of that Act does not apply). This provision covers licensed premises at all times of the day.
- Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol but only at times when it is being used for the sale or supply of alcohol or at times falling within 30 minutes after the end of a period during which it has been so used (section 14(1)(a) of the 2001 Act where section 14(1)(b) of that Act does apply). This provision covers licensed premises during the times of operation of the licence and 30 minutes thereafter – so for example they are not covered at times that they are not licensed to sell or supply alcohol.
- Premises in respect of which a club premises certificate has effect which certifies that the premises may be used by the club for the sale or supply of alcohol (section 14(1)(aa) of the 2001 Act). This provision covers clubs that have club premises certificates.
- A place within the curtilage of licensed premises or club premises (section 14(1)(b) of the 2001 Act). This provision covers any place within the enclosed area of licensed premises or club premises.
- Premises which by virtue of Part 5 of the Licensing Act 2005 may for the time being be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the last 30 minutes (section 14(1)(c) of the 2001 Act). This provision covers any premises for which there is a valid temporary event notice in force and for 30 minutes thereafter.
- A place where facilities or activities relating to the sale or consumption of alcohol are for the time being permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (section 14(1)(e) of the 2001 Act). This covers places in which the council has given permission for alcohol to be sold pursuant to section 115E of the Highways Act 1980.

3. Publicity

Before making an order, you should publish a notice in the local newspaper:

- identifying specifically or by description the place in question; setting out the effect the order will have on that place, particularly as regards certain times in relation to each category specified in section 3 (3) (b) of the 2007 Regulations;
- identifying any premises to which section 14 (1) (b) of the Act applies at the time the notice is published; and
- inviting representations as to whether or not an order should be made.

No order should be made until at least 28 days after the publication of the notice. Some local authorities have published the notice in a council publication that is delivered to all residences and businesses within the local authority boundaries. We believe this is an example of good practice as such a newsletter will most likely cover a larger proportion of the population. However, any publications in newsletters of this sort must be in addition to the notice in a local newspaper as this is a legal requirement.

4. Once an order is made

After making an order and before it takes effect, you should publish a further notice in the same local newspaper:

- identifying the place to which the order refers;
- setting out the effect the order will have on that place, particularly as regards certain times in relation to each category specified in section 3 (3) (b) of the 2007 Regulations;
- identifying any premises to which section 14 (1) (b) of the Act applies at the time the order takes effect; and
- indicating the date on which the order will take effect.

You should send a copy of the DPPO as soon as possible after the order is made to the following address:

Joanne French
Home Office
Alcohol Strategy Unit
4th Floor
Peel Building
2 Marsham Street
London
SW1P 4DF

Telephone number: 020 7035 0066

The Home Office will send you an acknowledgement to confirm receipt of the DPPO order. If you don't receive an acknowledgement within two weeks of sending your paperwork to the Home Office you should contact the Alcohol Strategy Unit to confirm whether or not it has been received.

Timescales

In respect of the length of time allowed for the consultation process, it is for you to decide what constitutes a reasonable consultation period. This might depend on how many premises licence holders and neighbouring local authorities may be affected by the proposed DPPO area. However, our advice is that a period of 4 to 6 weeks gives residents and others a fair opportunity to make representations.

The only statutory requirement in the regulations is that no order can be made until at least 28 days after the notice has been circulated in the local press. There are no other statutory timescales. However, you must consider what, in your view, is both fair and reasonable in terms of timescales for all other aspects of the DPPO process.

Time lapses

If you find that a significant amount of time has elapsed since you first consulted about introducing a DPPO, we would advise you to go back to the initial results of the consultation and review whether there is likely to have been any changes in your local area which might have had an effect on your decision to implement a DPPO.

You will need to:

- look at why the DPPO was not implemented at the time (was it due to resource issues or were there any valid objections?);

- assess whether any circumstances are different now, compared to when the consultation took place;
- revisit the evidence to see if the DPPO is still justified; and
- consider whether any objections are more valid now as compared to when the consultation took place.

Displacement

The creation of designated areas may well lead to anti-social drinking or nuisance being displaced into areas that have not been designated for this purpose. So, prior to designating an area, you should make an assessment of all the areas to where you reasonably believe that the nuisance or disorder could be displaced, ensuring that all those affected by the designation and possible displacement are appropriately consulted. It might be appropriate for you to designate a public area beyond that which is experiencing the immediate problems caused by anti-social drinking if the evidence suggests that the existing problem is likely to be displaced once the DPPO is in place.

Extending a DPPO area

In order to extend the area of a DPPO, a new order has to be produced. This is to ensure that the extended area is just and reasonable. The consultation and publicity processes will need to be re-visited for the new area.

Borough-wide DPPOs

Borough-wide DPPOs are not specifically prohibited in the legislation; however, we would advise caution, as, in order for the DPPO to be proportionate, you need to ensure that there is evidence of alcohol-related anti-social behaviour in each and every part of the borough. Any local authority considering a borough-wide DPPO will need to satisfy themselves that they can justify their decision by pointing to evidence of alcohol-related nuisance or annoyance in each and every part of their borough.

Managing objections

Any objections to a DPPO should be properly considered. Questions that you might wish to consider include:

- does the person/people making an objection have a valid reason?
- does further evidence of alcohol-related anti-social behaviour need to be obtained?

Objections to a DPPO will not necessarily result in its rejection. However, all objections should be thoroughly considered. It would be good practice for you to send a letter to the person objecting, explaining why their objection has been accepted/rejected. In cases where there have been a number of objections on the same or similar points, you may wish to explain more publicly the reasons for continuing with the DPPO. This could be through residents' meetings or an article in a council newsletter.

Evaluating DPPOs

There is no statutory requirement to review a DPPO. However, we would advise that they should be evaluated and reviewed as a matter of good practice. How often a DPPO should be evaluated is a decision for you to make. It would be good practice to review the DPPO at least every two years. The aim of an evaluation is to find out whether the DPPO has stopped/helped to reduce alcohol-related anti-social behaviour/disorder. If it has, is the DPPO still required? Does the area covered by the DPPO need to be reviewed?

The evaluation need not be a lengthy bureaucratic exercise. The policy leads responsible for implementing the DPPO would be advised to review the data on alcohol-related anti-social behaviour before the DPPO was in force, and compare it with more recent data, along with information from the police as to how often the DPPO has been enforced. A judgement can then be made as to the effectiveness of the DPPO in dealing with alcohol-related anti-social behaviour.

As part of the consultation with the police when a DPPO is originally being proposed, it is advisable that local authorities should make their own local agreement with the police about how data will be collected and/or disseminated on how often the DPPO powers are used. This will enable you to have the relevant information available when reviewing the effectiveness of the DPPO.

If it is judged that the DPPO has not proved effective at reducing alcohol-related anti-social behaviour, you will need to identify the reasons behind this before deciding on the next steps. It might be that the problems have been displaced, in which case you may wish to think about extending the area of the DPPO. Alternatively, it might be that the DPPO is not being enforced, in which case you will need to discuss with the police what steps can be taken to address this issue.

Revocation of a DPPO

Under section 13 (3) of the Criminal Justice and Police Act 2001, local authorities have the power to revoke a DPPO. However, the same processes of consultation and publicity will need to be observed when any revocation is being considered. Any local authority which revokes a DPPO must send a notice to the Home Office (at the address above) informing them that a DPPO has been revoked.

Portsmouth – an example of good practice

When Portsmouth Council decided to introduce a DPPO, they agreed a protocol with the police to provide guidance for both the public and the police as to how the DPPO would be enforced. The police and the local authority agreed that individuals with alcohol would not be approached and asked to stop drinking unless 1) they were engaged in anti-social behaviour or disorder; 2) the police were of the view that there was likely to be anti-social behaviour or disorder; or 3) complaints had been received from other members of the public. This approach allowed Portsmouth to target those individuals causing nuisance related to the consumption of alcohol while leaving undisturbed those who were not causing a nuisance.

The guidance from Portsmouth highlighted the importance of not alienating the public by challenging individuals not engaged in anti-social behaviour, and that the use of the power was a discretionary one on behalf of the police, and not a duty to challenge any individual with alcohol. The guidance produced by Portsmouth Council can be found at Annex E and is also available on the Crime Reduction website.

Enforcement

Section 12 of the Criminal Justice and Police Act 2001 provides the police with powers to deal with anti-social drinking in areas that have been designated for this purpose by the relevant local authority under section 13 of the Act. The police (and other accredited persons, under sections 41 and 42 and schedule 5 to the Police Reform Act) have the power to require a person in a DPPO area not to drink alcohol in that area where an officer reasonably believes that the person has, or intends to do so. In addition an officer has the power to ask that person to surrender the alcohol and any opened or sealed containers in their possession.

As Police Community Support Officers (PCSOs) and other accredited persons do not have the power of arrest in these circumstances, a police officer will need to be called if someone fails to comply with the request to refrain from drinking. It is not an offence to drink alcohol in a designated public place, but failure to comply with an officer's requirements in respect of public drinking or the surrender of alcohol without reasonable excuse is an arrestable offence.

Penalties for this offence include:

- penalty Notice for Disorder (PND) £50; or
- arrest and prosecution for a level 2 fine, maximum of £500.

Bail conditions can be used to stop the individual from drinking in the public place pending prosecution for the offence.

Accreditation of PCSOs and others is at the discretion of the Chief Constable of the police force concerned.

Breaches

There is no power to arrest someone who regularly consumes alcohol in a designated public place **unless** they fail to comply with an officer's request to stop when asked under section 12 of the Criminal Justice and Police Act 2001. However, the police can use a whole range of other powers to deal with regular public/street drinkers either by giving them a PND for being drunk or disorderly or by using Acceptable Behaviour Contracts (ABCs) and Anti-Social Behaviour Orders (ASBOs). Directions to Leave under Section 27 of the Violent Crime Reduction Act 2006 could also be used for up to 48 hours if appropriate.

Signs

It is for you to decide on how many signs are required to draw the public's attention to the effect of an order in a particular place. You may also wish to consider any specific local requirements when producing the signs such as having the wording of the sign in other languages. This will obviously be dependent on budgetary constraints.

Signs should not conflict with or obscure traffic signs – you should consult with the local highway authority. They should be placed at the approaches to designated areas and repeated within them.

We suggest avoiding the use of diagonal lines through bottles or glasses on signs as they may suggest some sort of prohibition or ban on alcohol itself. Signs should not suggest that the consumption of alcohol is a criminal offence.

Each sign erected should also indicate the effect the order will have at particular times in relation to each category specified in section 3 (3) (b) of the 2007 Regulations:

- premises falling under section 14 (1) (a) of the 2001 Act (places which are not designated public places) to which section 14 (1) (b) of the 2001 Act does not apply;
- premises falling under section 14 (1) (a) of the 2001 Act to which section 14 (1) (b) of the 2001 Act does apply;
- premises falling under section 14 (1) (aa) of the 2001 Act;
- premises falling under section 14 (1) (b) of the 2001 Act;

- premises falling under section 14 (1) (c) of the 2001 Act; and
- premises falling under section 14 (1) (e) of the 2001 Act.

A model sign can be found at Annex A.

Replacement signs – wording

If you are considering replacing a sign erected under the 2001 regulations, the wording **does not** need to reflect the amendments made in the 2007 Regulations.

Wording of a DPPO

The legal title is a Designated Public Place Order (DPPO). DPPOs are sometimes misleadingly referred to as Alcohol Free Zones, Drinking Control Areas and Drinking/Alcohol Ban Areas. This can be confusing to members of the public as the purpose of the legislation is not to ban alcohol in a public area, but to give police the powers to deal with anti-social drinking. You will need to take this into account when producing signs/literature for your DPPO. An example of good practice is a leaflet produced by Ipswich Borough Council (on the Crime Reduction website and reproduced at Annex F).

Other alcohol powers

There are a number of other powers that are available to deal with alcohol-related issues including the confiscation powers available under the Confiscation of Alcohol (Young Persons) Act 1997, Alcohol Disorder Zones, Directions to Leave and Dispersal Orders.

As there are a large number of powers available, you must consider which is the best suited to address any specific issues in your area. A guidance document is available which lists all of the alcohol powers: *A Practical Guide for Dealing with Alcohol Related Problems; What you need to know*. This document can be downloaded from the Crime Reduction website, or a hard copy is available from the address previously on p.7.

Future legislative changes

On 4 March 2008 the Culture Secretary announced that the maximum fine for breach of a DPPO would be increased to £2,500. No timescale for this has yet been announced.

There will also be further provisions relating to alcohol powers in the forthcoming Policing and Crime Bill. Information on the new provisions will be available on the Crime Reduction website in due course.

FAQs

Q Can local authorities introduce blanket restrictions on alcohol consumption or create Alcohol Free Zones?

A There are no provisions in the Criminal Justice and Police Act 2001 which allow the creation of Alcohol Free Zones or blanket restrictions of drinking in public. Before an area is proposed for designation, you must obtain some evidence that the area has alcohol-related anti-social behaviour or disorder associated with it. Any proposals for a comprehensive ban on public drinking would be considered disproportionate to the intended measures in the 2001 Act.

Q Does a DPPO lead to a universal ban on drinking in the open?

A No. Section 13 of the Criminal Justice and Police Act 2001 allows local authorities to designate public areas for the purposes of section 12 of the Act where they are satisfied that nuisance, annoyance or disorder have been associated with public drinking in that area. A universal ban on drinking in public would be considered disproportionate, and a DPPO should not be introduced for this purpose.

Q Can DPPOs be used for non-alcohol-related anti-social behaviour or disorder?

A No. DPPOs should only be used to tackle alcohol-related anti-social behaviour or disorder. Local agencies should consider using other anti-social tools and powers provided, for example Dispersal Orders, ASBOs and ABCs to tackle non-alcohol-related anti-social behaviour or disorder.

Q Are DPPOs indefinite?

A No. Like section 30 Dispersal Orders they can be reviewed while the order is in place. DPPOs can and should be revoked if they are no longer required.

List of DPPO areas

An alphabetical list of DPPO areas can be found on the Crime Reduction website:
www.crimereduction.homeoffice.gov.uk/alcoholorders/alcoholorders09.htm

Contact details for local authorities in relation to DPPOs

Home Office contacts

Joanne French
Tel: 020 7035 0066
E-mail: Joanne.French@homeoffice.gsi.gov.uk

Emma Lawrence
Tel: 020 7035 4671
E-mail: Emma.Lawrence8@homeoffice.gsi.gov.uk

Legislative provisions

Premises that are not designated as public places – Section 14 of the Criminal Justice and Police Act 2001, as amended by the Violent Crime Reduction Act 2006

- (1) A place is not a designated public place or a part of such a place if it is –
- (a) premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol;
 - (aa) premises in respect of which a club premises certificate has effect which certifies that the premises may be used by the club for the sale or supply of alcohol;
 - (b) a place within the curtilage of premises within paragraph (a) or (aa);
 - (c) premises which by virtue of Part 5 of the Licensing Act 2003 may for the time being be used for the supply of alcohol which, by virtue of that Part, could have been so used within the last [30] minutes;
 - (e) a place where facilities or activities relating to the sale or consumption of alcohol are for the time being permitted by virtue of permission granted under section 115E of the Highways Act 1980 (c66) (highway related uses).
- (1A) Subsection (1B) applies to premises falling within subsection (1) (a) if –
- (a) the premises is held by a local authority in whose area the premises or part of the premises is situated; or
 - (b) the premises licence is held by another person but the premises are occupied by such an authority or are managed by or on behalf of such an authority.
- (1B) Subsection (1) prevents premises to which this subsection applies from being, or being part of a designated place only –
- (a) at times when it is being used for the sale or supply of alcohol; and
 - (b) at times falling within 30 minutes after the end of a period during which it has been so used.
- (1C) “Premises Licence” and “Club Premises Certificate” have the same meaning as in the Licensing Act 2003.

Annex A

Model sign

This area has been designated under the
Local Authorities (Alcohol Consumption in Designated Public Places)
Regulations 2007



If you continue to drink alcohol in this area designated under section 13 of the Criminal Justice and Police Act 2001 when asked not to do so by a police officer or any other person designated to carry out this task under sections 41 and 42 of the Police Reform Act 2002, or fail to surrender any alcohol to a police officer in this area, you may be arrested and would be liable on conviction to a

Maximum fine of £500

- Each sign erected should also indicate the effect the order will have at particular times in relation to each category of premises specified in section 3 (3) (b) of the 2007 Regulations – please see Section 2 (Consultation).

Annex B

NOTICE TO PRESS – PROPOSED AREA TO BE IDENTIFIED (PRE MAKING AN ORDER)

Name of Local Authority

Local Authorities (Alcohol Consumption in Designated Public Places)

Regulations 2007

NOTICE IS HEREBY GIVEN THAT (Name of Local Authority) in exercise of its powers under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 proposes to make an order identifying the places detailed in the schedule below.

The Order allows a constable and other accredited persons under section 41, section 42 and schedule 5 to the Police Reform Act to require a person, in a designated place, not to drink alcohol in that place if the officer reasonably believes that a person has consumed or intends to do so, and to surrender the alcohol and any opened or sealed containers in the person's possession. Any person who fails without reasonable excuse to comply with a constable's request under this provision may commit an offence and be liable to prosecution.

[need to set out the effect the order will have at particular times in relation to each category of premises specified in regulation 3 (3) (b) – please see DPPO Process Section 2 – Consultation]

If you wish to make representations about the proposed Order you should send them in writing to the undersigned by (enclose date)

SCHEDULE

LAND DESIGNATED BY DESCRIPTION

[Insert Details of the place to be identified]

[Insert Name]

[Insert Name and Address of Local Authority]

[Insert Date]

Annex C

NOTICE TO PRESS – AREA IDENTIFIED IN THE ORDER

Name of Local Authority

**Local Authorities (Alcohol Consumption in Designated Public Places)
Regulations 2007**

NOTICE IS HEREBY GIVEN THAT (**Name of Local Authority**) in exercise of its powers under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 has made an order which shall come into effect on the (**insert date**) identifying places detailed in the schedule below as designated public places pursuant to the Criminal Justice and Police Act 2001 (as amended by the Violent Crime Reduction Act 2006).

The Order allows a police officer, police community support officer (where accredited under section 41, section 42 and schedule 5 to the Police Reform Act) and people accredited through a community safety accreditation scheme to control the consumption of alcohol within designated public places. If they believe that someone is consuming alcohol or intends to consume alcohol they can require them to stop or they can confiscate the alcohol.

Any person who fails without reasonable excuse to comply with an officer's request under this provision may commit an offence and may be issued with a penalty notice for disorder or may be liable to prosecution.

[need to set out the effect the order will have at particular times in relation to each category of premises specified in regulation 3 (3) (b) – please see DPPO Process Section 2 – Consultation]

SCHEDULE LAND DESIGNATED BY DESCRIPTION

[Insert Details of the place which has been identified in the Order]

[Insert Name]

[Insert Name and Address of Local Authority]

[Insert Date]

Annex D

SAMPLE – DESIGNATED PUBLIC PLACES ORDER

[Insert name of Council]

CRIMINAL JUSTICE AND POLICE ACT 2001

ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES [Insert name and number of Order]

The Council of [Insert name] (in this Order called “the Council”) hereby makes the following Order under Section 13(2) of the above Act:

1. The land described in the Schedule below and or shown on the map attached to this Order, being a public place in the area of the Council which is a public space in which the consumption of alcohol has been associated with disorder, nuisance or annoyance to member of the public or a section of the public, is hereby designated for the purposes of section 13 (2) of the above Act
2. This Order may be cited as Alcohol Consumption in Designated Public Places for the area of.....Order (No.....) 2008 and shall come in to force on *(insert date)*

SCHEDULE

List of roads/areas etc

Dated thisday of2008

The Common seal of the Council
was hereunto fixed in the presence of (seal)

Annex E

EXAMPLE OF GOOD PRACTICE GUIDANCE TO POLICE AND OTHERS ENFORCING THE DPPO

**Hampshire Constabulary
Portsmouth Basic Command Unit
Designated Public Places Order
Enforcement Guidance**

1. About this Guidance

Hampshire Constabulary is committed to working in partnership with Portsmouth City Council in supporting the Safer Portsmouth Partnership to deliver the Crime and Disorder Strategy. Key areas of the strategy are to reduce alcohol-related violent crime, disorder and anti-social behaviour and in doing so create a safer Portsmouth where residents and visitors feel reassured.

This guidance is primarily aimed at all operational police staff and other personnel within Portsmouth City boundary who are, or who may be in the future, authorised to stop members of the public consuming alcohol in public places.

It explains how Portsmouth BCU will approach the enforcement of legislation which governs Alcohol Consumption in Designated Public Places. The whole of Portsmouth City has, from 15 August 2005, been designated.

2. General Principles

Discretion

Discretion will be used in the exercise of the new powers which will be carefully monitored to ensure that they are being used appropriately.

Circumstances likely to warrant the use of these powers are where:

- There is current anti social behaviour or disorder
- There is a high likelihood of anti social behaviour or disorder
- Complaints have been received from members of the public concerning an on going or developing problem which may lead to the above

Anti-social behaviour is defined as any behaviour which causes or is likely to cause harassment, alarm or distress.

Street Drinkers

It has been agreed by partners that 'street drinkers' are informed about the new law by outreach workers. They are also being provided with information on treatment services. Officers should use sound judgement when dealing with individuals who are thought to be alcoholics or who may have mental health issues. They should deal with any person in this category in line with Force policy and base any use of the power on the above criteria.

Legislation

The legislation that governs the consumption of alcohol in public places, is provided by, Section 12 of the Criminal Justice and Police Act 2001 as amended by section 199 and schedule 7 of the Licensing Act 2003. (PNLD Ref H3882 and D9612/3/4)

The order covers all public places within Portsmouth City. **It does not cover private enclosed shopping precincts such as Cascades but does cover Gunwharf. It does not apply to licensed premises including outside drinking areas which form part of a licensed premises.**

Section 12(1) states that if a constable reasonably believes that a person is, or has been, consuming intoxicating liquor in a designated public place or intends to consume intoxicating liquor in such a place.

Section 12(2) The constable **MAY** require the person, not to consume within that place and surrender anything in his possession that the constable reasonably believes to be intoxicating liquor or a container for such liquor.

Section 12(3) A constable may dispose of anything surrendered to him under (2) above in a manner that he considers appropriate. The containers can be either sealed or unsealed, although it is anticipated that it would be rare to seize sealed containers from a compliant person.

Section 12(4) If a person fails to comply with the above requirement, they commit an offence.

Section 12(5) A constable who imposes a requirement under (2) above will inform the person that failure to comply, without reasonable excuse, with the requirement is an offence.

If an individual fails to comply with the request then they can be arrested, it is an arrestable offence.

EXAMPLE OF REQUEST TO STOP DRINKING:

"This is a designated public place in which I have reason to believe that you are/have been drinking intoxicating liquor. I require you to stop drinking and give me the container from which you are/have been drinking and any other containers (sealed or unsealed). I must inform you that failure to comply with my request, without reasonable excuse, is an offence for which you can be arrested."

IT IS NOT AN OFFENCE TO CONSUME ALCOHOL IN A PUBLIC PLACE UNLESS A PERSON HAS BEEN PROPERLY DIRECTED TO STOP.

Fixed Penalty

Where an offence has been committed it can be dealt with by way of a Penalty Notice for Disorder (PND) with the relevant fine being £50. It is important to remember that this PND can only be issued to offenders 16 years and over, the PND can also be issued on the street.

3. Implementation

Portsmouth City Council has erected signs which promote responsible drinking and inform the public that the area is subject to drinking control. The signs will be clearly visible on the approaches to the City and in areas likely to be most affected by alcohol-related incidents.

As stated above, the object of this order and policy is to prevent crime and disorder and the powers available can be used at the officer's discretion. It is important not to alienate the public. For example, it would be inappropriate to challenge individuals consuming alcohol whilst enjoying a quiet picnic on the beach or in one of the city parks.

This legislation does not affect the placing of tables and chairs outside licensed premises to allow consumption within that seating area, provided that they are properly licensed. Any incidents arising from the consumption of alcohol in these circumstances should be dealt with under the Licensing Act. If non urgent, such matters should be referred to the Licensing Departments of Portsmouth BCU and/or Portsmouth City Council. In urgent cases the advice of the Duty Inspector should be sought.

This order does not affect the power of the Police to seize and retain alcohol from young persons under the Confiscation of Alcohol (young persons) Act 1997.

Disposal of Alcohol

Officers should dispose of alcoholic drinks according to the existing procedures followed in respect of the Confiscation of Alcohol (Young Persons) Act 1997. A compliant adult would normally be asked to pour the alcoholic contents from any open container in their possession. Any debris should be disposed of by placing in the nearest bin. It would be rare to take possession of sealed containers from an adult in these circumstances unless there was a reasonable belief that the person will continue to drink in a public place.

Where a person is non-compliant an officer may find it necessary to seize the alcohol from a person and pour it away. An offence would have been committed in these circumstances and consideration should be given at that point to what penalty measures should be taken. In the event of an arrest being made, where practicable, unopened containers should be retained and shown to the custody officer and then discarded. No receipt will be given but a brief description of what has been seized will be recorded on the C12.

Officers should continue to exercise discretion in the finalising of such a case. Final disposal of the matter could result in no further action/informal warning, PND on the street, arrest with PND or summons/charge disposal. In any case a **C12 stop and account form MUST be completed**. The ASB and seizure of alcohol boxes should be ticked and blue copy forwarded to CSU at KF.

4. Impact of this Guidance

Consultation

Prior to the drinking control order being made, extensive public consultation took place. Portsmouth City Council members, community groups, licensees and trade bodies all supported its introduction.

Equality

The use of these powers by the police in these circumstances has been assessed to have a risk of affecting race or other community relations. This will be under continual review and based upon public feedback and the monitoring of stop and account records.

Monitoring

Along with our partners the Constabulary will continue to seek feedback from all sections of the community to ensure that these powers are being used appropriately. Police Officers and PCSOs are required to fill in a C12 stop and account form when exercising this power.

designated public place



**Drink responsibly
or the police could use
their powers to take
away your alcohol
and fine you**

Ipswich Borough Council is promoting responsible drinking to people who live, work or visit the town. As part of this campaign, the Council has introduced a Designated Public Places Order which will be effective from 1st December 2007.

What is responsible drinking?

Over 90% of the adult population drink and the majority do so without any problems, the majority of the time. Drinking alcohol is widely associated with socialising, relaxing and pleasure. Drinking within the recommended levels can even provide some health benefits.

The Government's Recommended Sensible Drinking levels are:

- a maximum intake of 2-3 units per day for women and 3-4 for men, with two alcohol-free days after heavy drinking, continued alcohol consumption at the upper level is not advised;
- that intake of up to two units a day can have a moderate protective effect against heart disease for men over 40 and post-menopausal women; and some groups such as pregnant women and those engaging in potentially dangerous activities (such as operating heavy machinery) should drink less or nothing at all.

Continued heavy drinking or binge drinking can cause problems for an individual's health. Where drinking is associated with criminally or anti-social behaviour, it has an impact on the individual, their family and the whole community.

What is a Designated Public Places Order?

The Criminal Justice and Police Act 2001 introduced the power for local authorities to designate public places in which it will become an offence to drink alcohol after being requested not to do so by a police officer. The police will have the power to require the surrender of alcohol and containers in these circumstances and those who fail to comply will be liable to arrest. The mechanism for such a ban is a 'Designated Public Places Order'.

Why has this been introduced?

The key aims for Ipswich are to:

- provide additional powers to police to deal with persistent street drinking and alcohol related anti-social behaviour;
- reduce disturbances in public places which are alcohol related;
- reduce drunkenness in public places;
- contribute to the range of actions which are being delivered to reduce alcohol misuse;

- reduce the numbers of street drinkers and hotspot areas through combining enforcement with outreach services.

How will this affect me?

This means that from December 2007 a Police Officer or a Police Community Support Officer may ask you to stop drinking in a public place if:

- you are creating disorder or behaving in an anti-social manner (while drinking alcohol or under the influence of alcohol);
- there is a likelihood of anti-social behaviour or disorder (while drinking or under the influence of alcohol);
- complaints have been received from the public concerning an ongoing or developing problem.

This order will not affect you if you are drinking responsibly in a public place

Helpful numbers

National Alcohol Helpline 0800 917 8282

Confidential advice and information on all aspects of alcohol. Calls are free.

Alcoholics Anonymous National Helpline 0845 769 7555

Calls charged at local rate.

NORCAS 01473 259382

Open access drug and alcohol service.

Anti-Social Behaviour 0800 138 6570

Free phone – reporting anti-social behaviour.

Suffolk Domestic Violence & Abuse 24hr Helpline 0800 783 5121

National Domestic Violence Helpline 0808 2000247

4YP 0845 310 8450

Information and support for young people.

Crime Stoppers 0800 555 111

Call anonymously with information about a crime.

Samaritans 0845 790 90 90

Confidential non-judgemental emotional support.



What will happen if I do not stop drinking alcohol?

If you continue to drink when asked not to your alcohol may be confiscated and disposed of by the officer.

What if I surrender my alcohol?

If you surrender your alcohol and do not continue to behave in an anti-social manner there will be no further action.

What will happen if I do not hand over my alcohol?

You may be arrested and convicted to a maximum fine of £500 or issued with a fixed penalty notice.

What will happen if I hand over my alcohol but continue to behave in an anti-social manner?

You may be arrested and convicted of a Public Order offence.

Our aim is to ensure that residents, businesses and visitors are able to enjoy the benefits of the vibrant Ipswich community. This should be without risk or fear of any nuisance or disorder caused by the behaviour of a few people intoxicated by alcohol in public.

Appendix C

“Dawley Designated Public Place Order”

April/May 2009 Survey

Full Report

Policy, Performance & Partnership Unit
Telford & Wrekin Council

www.telford.gov.uk/consultation

Dawley DPPO 2009

Background

The Police, Telford and Wrekin Council and other partners have for several months been tackling the issues relating to the misuse of alcohol in public places in the Dawley High Street and surrounding areas. Measures such as increased police activity, enhanced CCTV coverage and environmental improvements have been made, which have gone a long way to reducing the experiences of locals and visitors in having to deal with drunken misbehaviour in the vicinity of the Bandstand and Park areas.

A Designated Public Place Order (DPPO) has been proposed which, if approved, will make it an offence not to comply with a Police Officer's, or Community Support Officer's [CSO] request to cease drinking alcohol in the designated area, without reasonable excuse. The Police will have the power to confiscate and dispose of any alcohol and containers in the person's possession. However, failure to comply with a Police Officer, or CSO's request to cease drinking alcohol in that area, without reasonable excuse, would be an offence punishable by a Fixed Penalty Notice or fine.

The proposed Order would not prevent organised functions, or families having a picnic in the park where legitimate drinking of alcohol is taking place, or any official organised events that have been granted via normal legal procedures. If approved, this Order will NOT make it an offence to drink alcohol in a Designated Public Place, for law abiding citizens.

The restriction on public drinking will not apply to any premises or area covered by a permanent or occasional licence allowing the consumption or sale of alcohol, for example the premises of licensed houses, clubs, café's and restaurants and the curtilage of their premises.

The Communication and Consultation Process

A pre-press notice was released by Telford and Wrekin Council on 14th April 2009, and this appeared in the Shropshire Star on 16th April 2009.

Copies of the proposed order, accompanying maps and list of streets were available for inspection from 16th April 2009 at the:

- Main reception, Civic Offices, Telford Town Centre between normal office hours Monday to Friday
- Dawley Library between the hours of 10:00-13:00 and 14:00-17:00hrs Tuesday and Wednesday and 10:00-13:00 and 14:00 -17:00 Friday and 09:30 -13:00 on Saturdays

This draft order was also available via the Telford & Wrekin website at www.telford.gov.uk.

Copies of the draft order, map and lists of streets were posted on lamp posts throughout the area that would be covered by the DPPO and consultation packs were issued to all stakeholders (comprising residents, businesses, elected members and surrounding town and parish councils) in the locality.

Parish councillors and elected members from the wards and parishes surrounding, but not directly impacted, by the proposed DPPO were sent a letter detailing the propositions and invited to comment in writing directly back to the Safer Communities Strategic Manager.

A PACT meeting was publicised (local radio and newspaper) and held on the 6th May in Dawley at which Council and Police Officers were available for queries and to receive feedback on the proposal.

This report details the feedback received via the paper and on-line questionnaires.

Methodology

1. A paper based survey was posted to every household, commercial base, ward member, Dawley Town Council and surrounding Town Councils.
2. Included with the paper questionnaire was an explanatory letter and a freepost envelope.
3. The formal consultation period ran from 15th April to 15th May 2009.

Responses

A total of 512 consultation packs were issued and completed surveys were received from local stakeholders detailed as follows:

	No.s Issued	No.s Returned Undeliverable	No.s Received	Response Rate
Residents	425	5	101	24%
Businesses	82	3	12	15%
Councillors	3	0	3	100%
Parish Clerks	2	0	0	0%

The overall response rate to the survey was 23%.

Consultation packs were also made available in other forums and the responses were as follows:

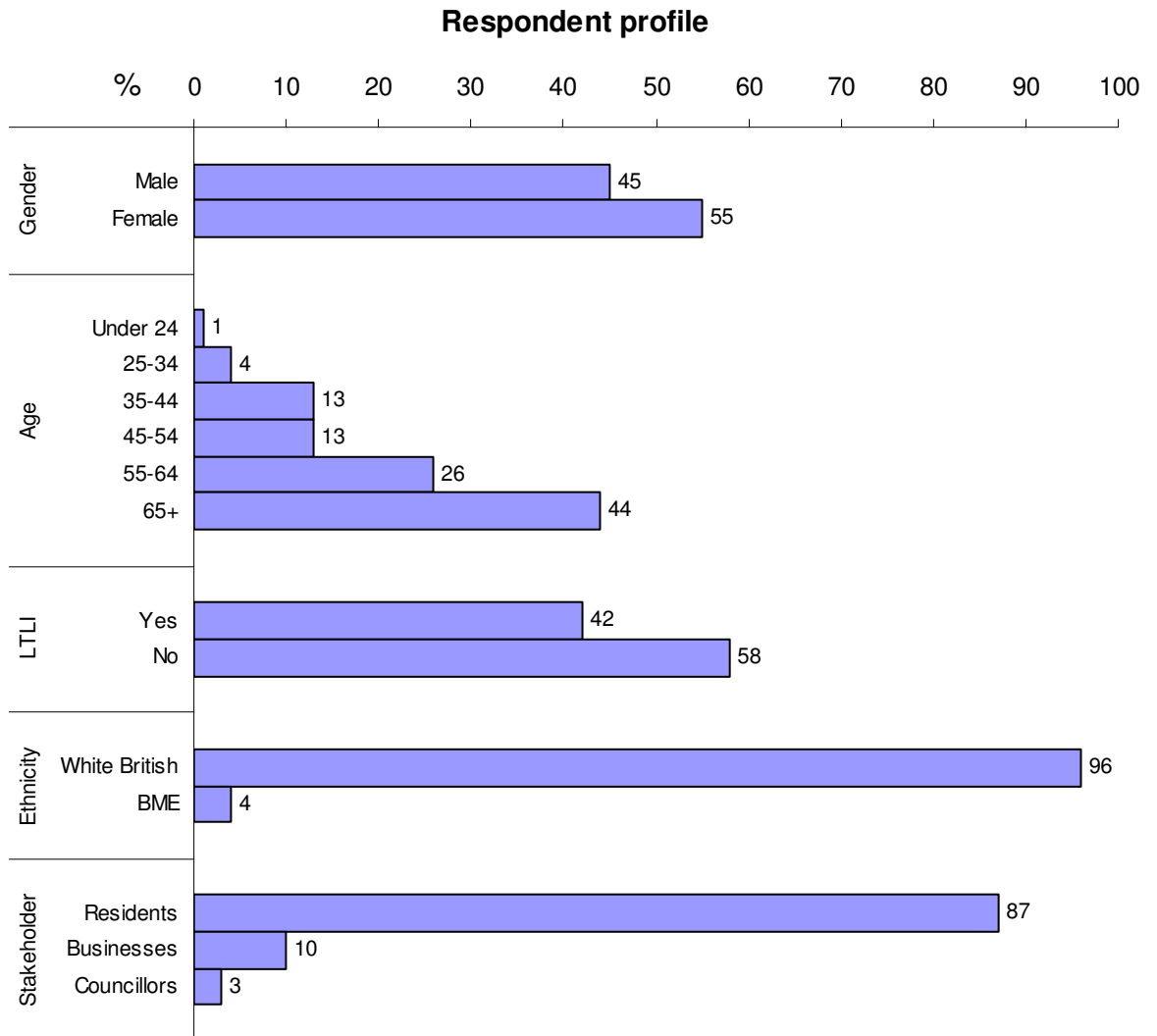
	Received
Web Survey	1

Dawley DPPO File	1
PACT Meeting	0

This report presents the combined responses from these surveys, and where statistically appropriate, sub-group analyses have been provided.

Profile of the respondents

Respondents were predominantly White British (96%), aged 55 plus (70%), with 44% aged 60 plus. 58% of respondents reported no long term illness that limits their daily activities.



Results

Alcohol Related Crime

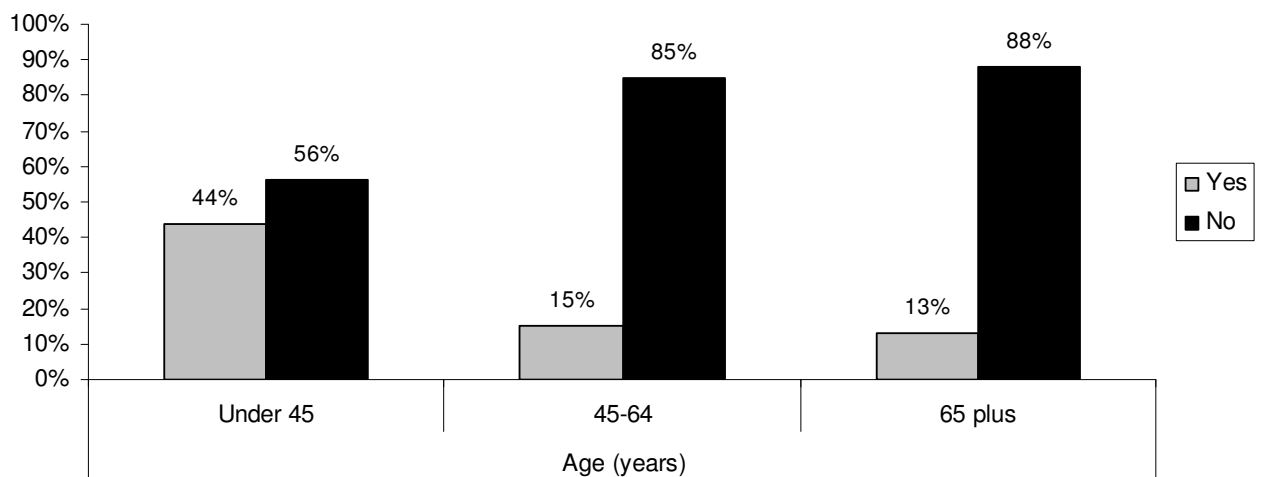
Respondents were asked if they, or anyone in their household, had been the victim of an alcohol related crime/incident in the last 6 months in the proposed area.

One in five respondents (19%) said, yes, they, or someone in their household, had been a victim of an alcohol related incident on the last 6 months in the proposed area. 81% of respondents said they had not.

Sub-group analysis

- 58% of business respondents said they, or someone in their household, had been a victim of an alcohol related incident on the last 6 months in the proposed area.
- 15% of residential respondents said they, or someone in their household, had been a victim of an alcohol related incident on the last 6 months in the proposed area.
- Males (21%) were slightly more likely than women (18%) to say they, or someone in their household, had been a victim of an alcohol related incident on the last 6 months in the proposed area.
- Younger respondents were more likely than older respondents to say they, or someone in their family, had been a victim of crime.

Respondents who have experienced alcohol related crime in the last 6 months in the proposed DPPO area.

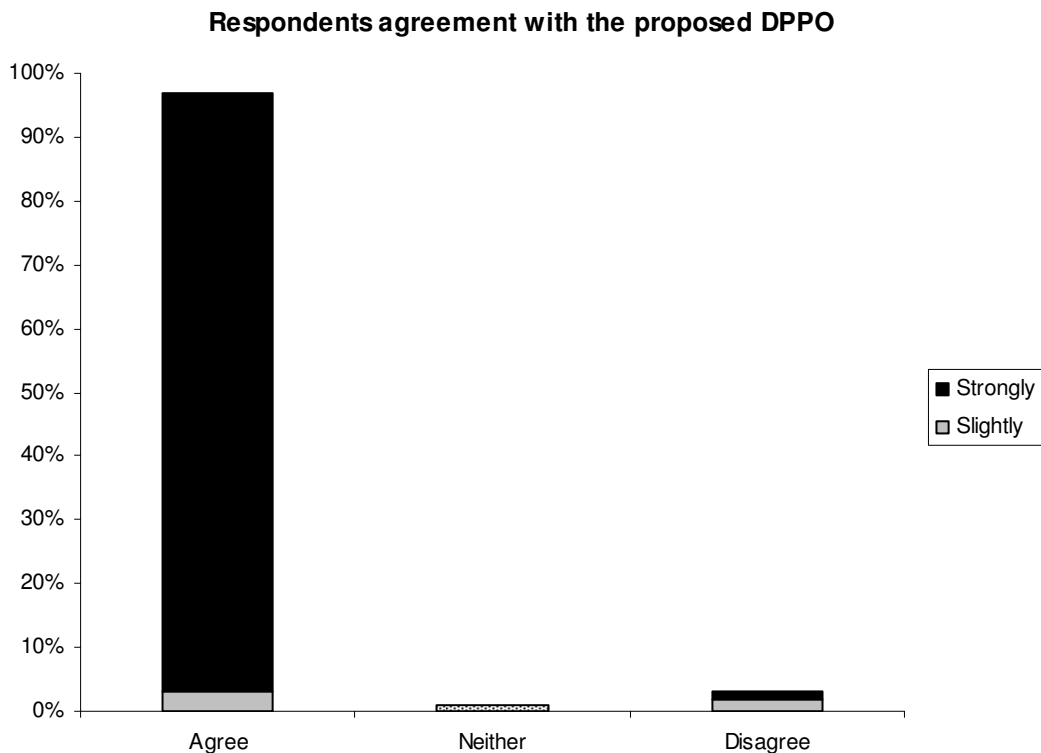


- There was little difference in responses between those respondents who indicated they had a long term limiting illness (LTLI) and those that don't. 19% of those with a LTLI said they had experienced alcohol related crime, 20% of those respondents without a LTLI said they had experienced alcohol related crime.

The DPPO Overall

Respondents were asked to consider the information provided in the survey pack and indicate the extent to which they agreed or disagreed with the proposed DPPO.

There was considerable support for the DPPO as described with 94% of respondents strongly agreeing with the proposal. Just 3% of respondents disagreed with the proposal.



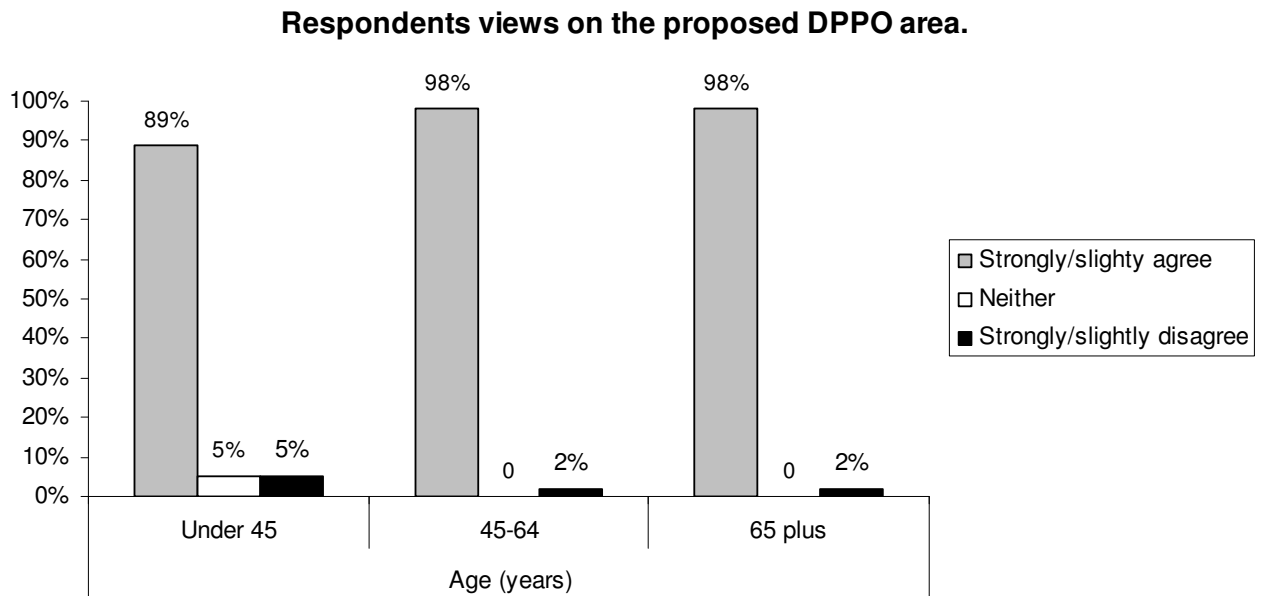
Q. Having considered the information provided, do you agree or disagree with the proposed DPPO?

Strongly agree	94%
Slightly agree	3%
Neither	1%
Slightly agree	2%
Strongly agree	1%
<i>Base</i>	<i>114</i>

Sub-group analysis

- 100% of business respondents strongly agreed with the proposed DPPO.
- 94% of residents strongly agreed with the proposed DPPO. 2% either strongly or slightly disagreed.
- 98% of males either strongly or slightly agreed with the proposed DPPO compared to 94% of women.
- 100% of respondents with a LTLI either strongly or slightly agreed with the proposal compared to 95% of respondents with no LTLI.

- Older respondents are more likely to agree with the proposed DPPO (98%).



Respondents were asked what they saw as the main benefits or drawbacks of the proposal.

Many of the respondents to the survey described the following **benefits** of the proposed DPPO:

- They said they would feel **safer**. Some residents **currently feel intimidated** as they go around their daily business in Dawley because of drink related anti-social behaviour as well as the presence of groups of youths and men drinking. They describe feeling this way during the day and some respondents feel unable to leave their house at night.
- It will **increase the number of shoppers** to the High Street. Some business owners feel that shoppers are reluctant to visit the area because they feel currently intimidated or unsafe.
- It will **reduce anti-social behaviour**. Respondents described a range of alcohol related activities ranging from swearing and excessive noise, to urinating in public places, to vandalism of residents cars and shop windows.
- It would send a **positive message** to children and young people that alcohol related anti-social behaviour will not be tolerated. Some residents were concerned about young children in particular being exposed to 'alcoholism'.

- There will be **fewer cans and less broken glass** littering private property, streets and the park
- It will improve **the reputation of Dawley**. Without it some respondents feel that regeneration work cannot succeed.

Respondents also outlined some **drawbacks** to the proposal:

- The **extent of the DPPO boundary**. Many respondents are concerned that the problems associated with alcohol related **disruption will move** to neighbouring areas and feel that the proposed boundary is not large enough.
- Some respondents made the point that the problems in Dawley were as much **drug related** as they were alcohol related and therefore the DPPO would not solve the issues that have been raised.
- **Enforcement** of the DPPO. There are some doubts as to how the DPPO will be enforced without additional police resources. A Councillor made the point that they would not want police resources to be moved from elsewhere in order to monitor Dawley.

Views on the proposed DPPO

Respondents were asked to provide **alternative actions** if they objected to the proposal. The suggestions made were to:

- Develop community projects aimed at 14-18 year olds, provide more facilities and activities for young people.
- Provide better meeting areas for young people
- Encourage better use of public spaces
- Make more provision for alcoholics and the homeless during the day who are unable to access hostels after 10am.
- Better enforce existing legislation and ensure a greater police/CSO presence.
- Move the drug and alcohol services away from residential properties and the shops.
- Fine those people selling alcohol to under age people, issues warnings to adults passing alcohol on to under age people.

Full verbatim comments can be found in appendix B to this report.



DAWLEY DESIGNATED PUBLIC PLACE ORDER

The enclosed letter and information describes the proposed Designated Public Place Order (DPPO) for Dawley High Street and surrounding areas (see map). With that in mind, we would like to hear your views on the proposed DPPO.

Q1 Having considered the information provided, do you agree or disagree with the proposed DPPO?

Strongly agree	Slightly agree	Neither agree nor disagree	Slightly disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q2 What do you see as the benefits or drawbacks of this proposal?

Q3 If you object to this proposal, do you have any suggestions for alternative action?

Q4 Have you, or anyone in your household, been the victim of an alcohol related crime/incident in the last 6 months in the proposed area?

Yes

No

If you have any other comments about the proposed DPPO, please tell us on a separate sheet.

About You

To help us understand the views of different groups of people, please answer the following questions about yourself. This information will be held in the strictest confidence.

Q5 Are you male or female?

Male

Female

Q6 How old are you?

Under 24.....	<input type="checkbox"/>	45-54	<input type="checkbox"/>
25-34	<input type="checkbox"/>	55-64	<input type="checkbox"/>
35-44	<input type="checkbox"/>	65 plus.....	<input type="checkbox"/>

Q7 Do you have any long-standing illness or disability that limits your daily activities?

Yes

No

Q8 Which of these groups do you consider you belong? (Please cross 'X' one box)

White British.....	<input type="checkbox"/>	Mixed White & Asian	<input type="checkbox"/>
White Irish	<input type="checkbox"/>	Any other Mixed background.....	<input type="checkbox"/>
Any other White background.....	<input type="checkbox"/>	Asian or Asian British Indian	<input type="checkbox"/>
Black or Black British Caribbean.....	<input type="checkbox"/>	Asian or Asian British Pakistani	<input type="checkbox"/>
Black or Black British African	<input type="checkbox"/>	Asian or Asian British Bangladeshi	<input type="checkbox"/>
Any other Black or Black British background.....	<input type="checkbox"/>	Any other Asian or Asian British background.....	<input type="checkbox"/>
Mixed White & Black Caribbean.....	<input type="checkbox"/>	Chinese	<input type="checkbox"/>
Mixed White & Black African	<input type="checkbox"/>	Other ethnic group.....	<input type="checkbox"/>

If other, please state

Thank you for completing this survey. Please return it to us in the freepost envelope provided by no later than 15 May 2009.

If you misplace your freepost envelope, or it is missing, please return this survey (no stamp required) to: **Policy, Performance & Partnership, Telford & Wrekin Council, FREEPOST SY1154, Telford, Shropshire. TF3 4ZZ**

Appendix B

Q2 What do you see as the benefits or drawbacks of this proposal?

Residents

- Benefits : More police activity
 - : Less young people drinking on the streets
 - : Less rowdy behaviour

- Drawbacks : The youngsters will find somewhere to go
 - : how will you implement it? Very difficult
- Having two small children it would make me feel a little more comfortable walking to the shops.
- Great news, but should be all of Telford.
- It will benefit us as it will lower the numbers of crime and disturbances.
- It would be less intimidating for pensioners shopping in the High Street.
- Agree with proposal in theory, however, may be only superficially solving the problem. What will happen in the areas not included? Youths will find alternative places?? Is not tackling the underlying problem - i.e. culture of drugs and alcohol, boredom, social problems etc.
- Hopefully it will keep all the idiots off the street, including all the drug users. Then it will be safer (hopefully) day and night and give the power back to the police.
- Better place to live for all!! About time!
- No drunks drinking in the bandstand waiting for the post office to open. Less mess (hopefully) to clean up.
- No drawbacks
- The strongest benefit is you have to be seen to be believed.
- Safer to walk about.
- Whilst you're doing this why not move the drug centre from the high street onto an industrial estate and try and clean up the high street properly. Drug dealing is just as a big issue as drinking.
- Benefits: Rid the high street of people drinking, particularly outside Corals. People drinking outside the big house at the end of the football pitch, near Vicarage Grove. Make it a nicer place for women and young girls. Very intimidating to walk past groups of men and teenagers drinking. Stop those people urinating in the car park by the British Legion. People drinking in the street does not conjure up the picture of a nice place. If we want to regenerate Dawley, we need to make it attractive.
- We would hear about less shouting in the middle and around the streets. Also to see people sitting in the middle of the street with cans of beer is quite a sight, especially for very young children - we seem to have more booze outlets in Dawley than ever which means more young people going into buy - top, bottom, middle of street. Let us get rid of the problem once and for all.
- It will be of great benefit if it makes it safer for people to go out especially at night. I certainly would not at the moment.
- Move unwanted low-life from the street. Who will enforce it? Police & CSO can not even enforce parking regulations - will this be another well intended failure??
- If youths that are causing a problem are moved on I am all for it, lots of problems with youths drinking and drug taking in the local shopping area - Tenants feel intimidated and will not go out alone after dusk.
- Yes it would be lovely to walk down the street without football games being played, adults and teenagers drinking, fighting, shouting abuse, but isnt it just geography? Where will they go if they cant use the park, church or street?

- As we live at the back of the Talbot Pub we feel we experience more than our fair share of drunken, rowdy and sometimes violent behaviour. So anything that helps to reduce the opportunity for that has got to be beneficial for us and the environment.
- Feel safer and be able to sleep at night.
- Safer for people to walk streets. Less intimidation for the elderly. Less litter (beer cans, bottles etc)
- A very good ideal 'but' as we seldom see any police in this area, where will the extra policing come from? A 'blanket' area of the whole Telford area should be brought in as offenders only need to move a few feet away to still be a problem, i.e. subway - Spring Hill - Blewshill.
- It would make the high street and surrounding area, cleaner, tidier and most people would feel safer and happier living and shopping in the proposed area. It should never have been allowed, in the first place, and I hope it will be here to stay.
- Control the behaviour of those people for whom an excess of alcohol can lead to aggression and intimidation of others. Children may see and copy adults who drink - they learn that drinking is acceptable no matter the consequences. The decline of the public houses which provided a control and restraint (social clubs) is also having an impact on this issue.
- Benefits of moving the problem from my road - drawback - some other families out of the boundary will now have the problem moved to them. This red line should surround Telford border.
- Will make the elderly feel more secure in the streets. It does feel a little intimidating to have to walk through a group of men drinking. This often occurs in the high street even during the day.
- We both feel that Dawley would benefit from this proposal. It would stop swearing, urinating against our property and general disorder by groups.
- I cannot foresee any drawbacks to the proposal, only benefits for the local community.
- Cleaner areas and less noise should ban footballs and cycling along High street.
- Cutting down on anti social behaviour
- As I am nearly 86 yrs old I will find it more safer when shopping in the high street
- Will feel free to walk in this area without any confrontation from drinkers. Cannot foresee drawbacks.
- No more cans and bottles on the pathways, or on my drive. I once saw an individual get off the bus on New Street with a can of beer in his hand and he just threw it outside someones house, this is unacceptable and I agree with the proposal.
- The drawback is they will just move. Drinking on the streets should not be allowed at all. Also pubs should go back to the old opening and closing times and supermarkets should comply with this. The police should have the power to move them on, not just request them to move. I am scared to come out of my house after 5pm. I feel like a prisoner. Also the Captain Webb House for the drug takers should be moved away from the High Street.
- The proposed DPPO will benefit the whole area by reducing the congregation of youths etc. Lessening the feeling of intimidation of elderly persons. It will also stop habitual drinkers from occupying public benches in the street & park and at times verbally abusing passers-by.
- The benefits will be stopping of foul mouthed jobs stutting down the High Street clutching cans of extra strong lager and intimidating ordinary decent citizens going about their business. Also the licencees of the Talbot Public House should insure their all day drinkers do not take glasses outside the pub when they go for their cigarette breaks. Hopefully new government legislation on stopping alcoholics benefit if they do not confront their drinking habits will also help.
- It should lesson anti social behaviour and vandalism

- Drinking cans of beer at 10.15am on Sunday mornings at AJ's shop Doseley Road, Dawley
- It would benefit the older generation by making them feel safer when out shopping or walking. Also setting an example to young children, knowing its not tolerated.
- The benefits would be that Dawley, and the High Street in particular, would be rid of a group that stands at the top of the junction of Meadow Road and High Street, using Corals the bookmakers most days. They drink in the street, use foul language and are intimidating to people using the road for access.
- Yes, well thought out, if it is a long term idea 'congratulations'
- Benefits are being able to walk around Dawley in peace and a pleasant atmosphere day and night.
- Benefits - Hopefully no drunks walking around with drinks, not sitting at the side of the Co-op in the day with drinks, as you walk passed with young children.
Drawbacks - can't see any.
- The benefits are we will not have groups of youths drinking in the High Street and that will make people feel safer
- Less problems involving drinking and violence in the streets.
- Hopefully there will be a reduction in vandalism and litter. The High Street will seem less intimidating to elderly or vulnerable people
- Men drinking cans of lager in Dawley High Street is a bad influence on children. Young adults need stopping drinking on parks and while walking around estates. The DPPO should help in stopping all these things, I just hope if Police are called they act.
- On the 11th of this month my car rear windscreen was smashed by drunken yobs chased away from the bank stand. So I agree totally with the ban on alcohol in public places.
- Sounds a reasonable idea. Do parents know what their children are doing or don't they care
- I do not think there are enough police about. I went to Dawley High Street Saturday afternoon at 3 o'clock. There was about 8 men all drinking and using bad words. I am 79 years old and felt intimidated.
- Only drawback is have you got the resources to endorse it. Will it be taken seriously. Clare is an excellent officer - but she can't be everywhere. I am glad you have said that family picnics will not be affected but who judges this - I have no children but myself/husband & friends all in our 30's in good jobs - will play tennis or frisbee in the park & eat & drink. Would we be classed as breaching this order - as we are not a 'family' as you put it in the proposed order.
- This will only work if all partners involved with the DPPO carry out a random check of all the areas surrounding Dawley High Street. A better use of the CCTV cameras will also be an advantage not just for this but for all other crimes being committed.
- Why do we need a DPPO when the police already have the power to arrest for drunk and disorderly. Reduce their area of policing to give a better service.
- Benefit - Locals won't have to tolerate presence & behaviour of a significant minority.
Drawback - It gives a bad impression of this area - it suggest that it is a bad place to live/work/visit (its not)
- Benefit young children by not seeing it. Also drinkers can be intimidating.
- It will stop gangs of youths congregating in and around Dawley. Elderly people will again feel safer walking in the High Street.
- More comfortable to do my shopping particularly in an afternoon. I think the proposals (which I do) are an excellent idea and should be implemented forthwith.
- It should make the proposed areas safer for people and the elderly.

- Maybe we will once again feel safe not only in the streets but also in our own homes at all times. Perhaps too it will encourage small businesses to open up again so that older people who cannot get into Telford Centre to do their shopping in Dawley without the fear of being mugged or worse. The police so far have tried their best to keep us all safe.
- The benefits are enormous. At one time I was afraid to go out at night time with drunken rowdies roaming the streets; these days I am as fearful to go out in the day as well. Extended licensing hours in pubs is largely (I feel) to blame for this. I believe the Police themselves have stated that a large proportion of their time is taken up by attending to binge drinkers out on the streets, which keeps police from tending to other problems relating to crime etc. Especially in the larger towns and cities. So much emphasis has been put on curbing smoking in public places (which needed controlling as well) but who ever heard of people smoking over their limits and then roaming out and attacking people etc? Drink is the real problem! Drink is ALCOHOL! which is a drug causing death and attacks of violence, rowdy behaviour etc bottles & cans all with the same drug within - same alcohol and it should be controlled the same as other drugs. In some other countries (I have heard) it is illegal to drink at all if one is driving and that should be the case in this country. there is no other way to solve it. And so, also, drinking on the streets (which is what this issue at present is about) not just in Dawley, but throughout the whole UK!
- I see no drawbacks, only a heightened sense of security
- Better environment
- Older people will feel more safe when doing shopping in street
- I think your proposal of police stopping people who drink too much from cans etc, most of the time, is a very good idea. Lots of people who have to leave their cars out all the time have had them badly damaged, especially outside the Christian Centre in Chapel Street and in previous years even set on fire in the main car park.
- It may stop the trouble arising from drink related trouble.
- Feel safer when in proposed area
- Be able to walk down/up the street without being scared or drunken people
- Benefit - peace of mind when out on your own.
Drawback - in this present climate kids will just ignore it.
Cure - instant prosecution (no cautions or kind words)
- The streets will be cleaner and the general public will be able to walk in safety. The general public will be able to walk their dogs without their dogs getting cut on broken glass and small children who do sometimes fall over will not be cut either and it also includes the elderly and frail.
- Benefits will be that when using the High Street and surrounding areas shown in red, we should not have to encounter groups of youths and adults gathered together sharing their drink. It would seem at present whilst the park is being improved that the gatherings are happening on the area used for football pitch adjacent to quarry place groups of drinkers seen daily at various times. Where do you expect them to go if public place order implemented as it will become a problem elsewhere.
- It may help stop young citizens buying alcohol from Dawley High Street so stop drunken misbehaviour in the vicinity of the bandstand and Chapel Street.
- Drinking in public places has no place in a family orientated society it brings crime to our streets bad behaviour caused by drink. Intimidation to the elderly and no respect for peoples property. Untold damage to our young people who will be one day the ruling generation.
- The proposal does not go far enough. It should be an offence to drink in the street. A total ban will remove much of the litter from the streets - but where the people start at the end of Meadow Road outside the bookmakers - Thanks you for the new bin - can we persuade them to use it.
- Benefits - might help to make it more pleasant for people to walk around better
Drawbacks - make some people more defiant and they will still drink on the street

and back roads, for instance from my window I still see them carrying and drinking from cans which I think are beer cans. I'm sorry if I am wrong.

- The boundary isn't quite large enough as doesn't cover subway pass off Quarry/Chapel Street. Children aren't exposed to alcoholism in a part/play area/shopping centre. Still allow appropriate alcohol use.
- It will stop unsocial behaviour in the High Street and surrounding areas. Lets hope it is policed better than the last crackdown in this area. (It seems it only lasted for 1 weekend)
- Cleaners streets, less intimidating
- Hopefully it will stop people behaving badly in this area. We can't even send our teenage sons to the shops because of the risk we see to them from people behaving in not very nice way.
- It will hopefully make those people who need to drink take it to their homes or go to the pub. There are plenty - Dawley High Street! It should also give people a better feeling of security if gangs are not gathered.
- To feel fairly safe through the centre of Dawley and park areas.
B) The drawbacks are that the problem will be moved elsewhere i.e. on to housing estates.
- It will be more pleasant walking around the area and people will feel safer.
- It would be advantageous to be able to walk to the park and not see groups of people consuming alcohol, acting unruly and abusive to people enjoying a local amenity.
- Will you just be moving the problem further away onto the estates and out of the designated area. Will there be more police or CSO officers in the area.

Businesses

- Benefits : Less criminal damage in the high street. Less smashed windows, which seems to be common. Drawbacks : none
- A feeling of safety and well being in and around the proposed area.
- It will clean the streets up and some people won't feel afraid to come to Dawley High Street
- I own a shop - the benefits would be great because people and our prospective customers won't feel intimidated by the anti-social behaviour caused by these drunks. They feel safe to walk in the streets.
- Hopefully it will make Dawley a nicer place to be!!
- The streets will become safer and local shops, residents will benefit. No drawbacks at all.
- Misbehaviour has reached the point that action is required, which can only be of benefit to locals and visitors.
- More customers will come shopping in Dawley.
- Hopefully less anti-social behaviour.
- Will contain, therefore allow greater supervision of customers
- Less crime.
- Benefits : No broken glass from bottles on the street. No cans and litter. Safer environment as people who have consumed alcohol may become aggressive.

Councillors

- Returning Dawley to a place where people want to be without fear of abuse or intimidation from drinkers on the street. Litter would decrease significantly and therefore danger from broken glass. With a DPPO we could start to repair the damage to Dawley's reputation, without it regeneration will not work!
- Benefits: Will give authorities power for on spot fines and take cans off youths on the streets. Drawbacks : Could push the nuisance/ annoyance members of the public or section there off, to move to either areas of Dawley not in DPPO or other areas of Telford.
- My understanding is that the police already have the power to deal with public order problems without needing a DPPO. The issue is one of resources, however I would not want police to be moved from other areas to monitor a DPPO in Dawley. A further concern is displacement - would the problem just move to another location?

Q3 If you object to this proposal, do you have any suggestions for alternative action?

Residents

- Better community projects, targeting 14-18 year olds. Problems appear to be worse since youth projects have been disbanded.
- The Dawley area does have a large population of elderly people, some very tolerant to the younger element, but many still not able to accept changes to their world where there is no discipline. Feel no moral issues and a lack of respect amongst themselves. Neither your world or theirs will happen until respect, discipline and moral standards start from ground roots and stricter punishment fits the crime.
- No objections
- I do not object
- Make more provisions for the alcoholics and homeless who have to be out of their hostels at 10am to wander the streets. Let the police deal with the yobs.
- Better / more frequent police/CSO patrols. Enforcement of existing legislation e.g. Criminal Justice Act. Improve the environment to encourage better use of public spaces.
- I have no objection
- Total ban on drinking in the street except on organised events with a licence.
- Regular policing on the streets. Better meeting areas for young people, more drug and drink groups away from the houses and shops.

Businesses

- None
- Include estates in Dawley, as groups of people still drink there. We do not object at all

Councillors

- No objections but an alternative could be fining people who sell cans or beer to under age persons or to warn the youths who pass on cans to 15/16 year olds that they could face a jail sentence. Some form of education programme.

- I assume that the problems mainly concern young people - more facilities and activities for young people would help.

TELFORD & WREKIN COUNCIL

COUNCIL – 25TH JUNE 2009

**FINANCIAL OUTTURN REPORT AND STATEMENT OF ACCOUNTS
2008/09**

REPORT OF THE INTERIM CORPORATE DIRECTOR: RESOURCES

1.0 PURPOSE

To inform Members of the final outturn position for Revenue and Capital for 2008/09.

2.0 RECOMMENDATIONS

Council is asked to agree the following recommendations:

- 2.1 Approve the 2008/09 Revenue outturn position, which is subject to audit by the Council's external auditors; and the related virements for 2008/09 and those for 2009/10, detailed in Appendix IV, together with the formal statement of accounts in Appendix VI;**
- 2.2 Approve the Capital outturn position and related supplementary estimates and slippage in Appendix V as summarised in the report; the £6m capital allocation detailed at 7.2 which provides additional investments in 2009/10 and the changes to the Borough Towns Programme set out in paragraph 7.3;**
- 2.3 Note performance against income targets;**
- 2.4 That the Terms of Reference of the Audit Committee be amended to allow the Committee to approve the Council's final, audited Statement of Accounts, as detailed in paragraph 3.4 of the report.**

3.0 SUMMARY

3.1 REVENUE

The gross revenue budget for 2008/09 was £366m – net budget for reporting purposes just over £117m. The revenue outturn position is within budget with a final net underspend of £368,000 (-0.31% of net budget) which is an improvement from the last monitoring report. Regular monitoring has been undertaken throughout the year and Portfolio Management Teams have worked hard to maintain outturn within budget. There have been a number of service pressures experienced in 2008/09, notably the cost of providing care to Looked After Children and Specialist Education, which together with the impact of the economic downturn have made it a challenging year. Benefits from treasury activities, reduced insurance premiums and

the unused element of the budgeted contingency have greatly assisted the overall position.

Within the overall position, provision has been made to meet the costs associated with the council's initial re-structure and a contribution to BSF project costs.

3.2 CAPITAL

Overall, capital expenditure ended the year under the final approved estimate, at £62.6m against an approved estimate of £77.6m.

3.3 INCOME MONITORING

Council Tax collection (£57m), Business Rates (£63m) and sales ledger income (£44m) all ended the year with collection rates below target. This is a clear impact of the economic downturn and comparisons with other Local Authorities indicate that similar issues are being experienced nationally.

3.4 GENERAL

The accounts have been completed to very tight timescales in order to meet the Accounts & Audit Regulations deadline of presenting the unaudited Statement of Accounts to Members before the end of June. It is proposed that the final, audited statement of accounts be brought back to the Audit Committee in September for approval. The current terms of reference of the Audit Committee include: "Review 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" and it is proposed that the terms of reference be amended to include the Approval of the Statement of Accounts.

3.5 Summaries of the outturn on revenue and capital along with major variations are shown as appendices.

4.0 PREVIOUS MINUTES

- 4.1** 06/03/08– Full Council, Service & Financial Planning Report
- 28/07/08 – Cabinet, 2008/09 Financial Monitoring
- 27/10/08 – Cabinet, 2008/09 Financial Monitoring
- 09/02/09 – Cabinet, 2008/09 Financial Monitoring
- 05/03/09 – Full Council, Service & Financial Planning Report
- 20/04/09 – Cabinet, 2008/09 Financial Monitoring
- 23/06/09 – Cabinet, Financial Outturn Report 2008/09

5.0 2008/09 REVENUE BUDGET

5.1 The Council had a gross revenue budget of £366m for 2008/09 and the final net revenue outturn position is as follows:

	£
Net Budget	117,061,000
Net Expenditure	116,692,851



Net Variance	-368,149
Percentage Net Variance	-0.31%

5.2 The net position by policy area is shown in Appendix I and the variations are summarised in the table below.

Portfolio	Service Variations	Council Wide/Non-Controllable Variations		Total
		Council Wide/Other	Asset Rents	
		£	£	
Children & Young People	2,684	0	-10,772	-8,088
Environment & Regeneration	-54,410	351,991	280,188	577,769
Adult & Consumer Care	-94,645	4,287	49,784	-40,574
Resources	-149,875	566,827	0	416,952
Chief Executive/Policy	3,934	13,867	0	17,801
Community Services	70,853	55,614	-15,334	111,133
Treasury Management	0	-2,289,008	0	-2,289,008
Council Wide Items	0	1,149,732	-303,866	845,866
	-221,459	-146,690	0	-368,149




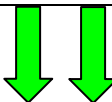



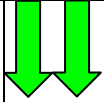
Some of these figures under 'council wide variations' will subsequently be adjusted to comply with FRS17 (accounting for Pensions regulations) in the formal statement of accounts. However these are notional amounts which do not impact on the overall bottom line or service variations.





5.3 Only the larger projected variances (those over £100k) are highlighted separately below by portfolio alongside a brief summary of each portfolio's position, while full detail on all variances over £50k is shown in Appendices II and III:


Key		
£0 to £100k	↑	 underspend
£100+to £250k	↑↑	 overspend
£250+to £500k	↑↑↑	
over £500k	↑↑↑↑	

Service Budgets (see Appendix II)

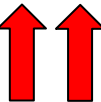





Portfolio	Projected Variation £m	
CHILDREN & YOUNG PEOPLE		
Overall the Portfolio has ended the year very close to budget with a small service overspend of £2,684 . Costs relating to Children & Families and Specialist Education have been the key pressure reported throughout the year. As planned, the Portfolio has used grant monies to support the overall position – providing an overall benefit of £1.030m. Optimising the use of grant funding		



is also part of the 2009/10 budget strategy which will be kept under review. Children & Families - At year end the overspend in relation to LAC was £0.476m which was a combination of the use of agency staff covering for vacant social worker posts and the types of placement required. If the trend continues this will be a key area of concern for 2009/10.	+0.476	
Specialist Education – Additional specialist support required in the Primary sector together with additional care for specific cases.	+0.949	
Catering – Increased costs were experienced during the year relating to higher nutritional standards set by Government and lower than anticipated take-up.	+0.170	
Insurance – reduced insurance costs following the 2008/09 tender.	-0.168	
Optimising the use of grant funding – Education and Children & Families	-1.030	
ENVIRONMENT & REGENERATION		
The Portfolio ended the year with a service underspend of £54,410.		
Street Lighting – the part year impact of 59.9% increase in energy costs gave rise to an overspend during the year.	+0.386	
Concessionary Travel – lower than anticipated take-up during 2008/09 - this level of underspend is unlikely to be ongoing, particularly with the extension of the scheme to 9am start.	-0.144	
Waste - £0.269m benefit arising from improved recycling which offsets £0.065m in relation to the waste procurement project.	-0.269 +0.065	
Planning & Development – there was a reduction in the number of major planning applications leading to a shortfall of planning fee income in 2008/09; this has been covered from a trading account reserve.	+0.178 -0.178	

Property Investment Portfolio Rentals – voids due to the economic downturn.	+0.232	
ADULT & CONSUMER CARE		
Overall the Portfolio is reporting a service underspend of £94,645 at year end.		
Care Packages –the key issue arising in 2008/09 was the cost of care packages relating to Adults with Learning Disabilities and Mental Health Clients with year end overspends of £0.215m and £0.303m respectively. Additional funding of £1.2m has been approved for 2009/10 to meet future provision and demand.	+0.322	
Older People/Mental Health/PSD – Assessment & Care Management – underspends arising from vacancies due to difficult recruitment conditions which exists nationally.	-0.444	
RESOURCES		
The Portfolio ended the year with a service underspend of £149,875 .		
Revenues & Benefits – optimising the use of grant income resulted in employee costs being lower than budgeted. The service was also able to put set aside balances to meet commitments in 2009/10.	-0.108 +0.135	
CHIEF EXEC./POLICY		
A small overspend of £3,934 was reported at year end.		
COMMUNITY SERVICES		
The Portfolio ended the year with a service overspend of £70,853 which will be met by controllable balances brought forward from 2007/08		
Income – a shortfall of income across various leisure sites was reported at year end, partly attributable to the recession.	+0.147	

Utility Costs – increased gas and electricity costs across Leisure centres, The Place and Libraries.	+0.171	
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COUNCIL WIDE AND OTHER NON-CONTROLLABLE BUDGETS (See appendix III)

Street Lighting – additional costs incurred due to changes in the Council's inventory of luminaries, calculated by Central Networks	+0.163m	
Housing & Council Tax Benefit – use of Bed & Breakfast accommodation for homelessness cases cost the Council £0.477m in unrecoverable subsidy in 2008/09, partly off-set by overpayments recovery. Actions to significantly reduce the need for B&B use are being implemented by Adult & Consumer Care. However, the current economic climate may lead to an increase in homelessness in the medium term and the overall position therefore needs close monitoring.	+0.291	
Asset & Property Management – part year loss of income arising from voids in the Property Investment Portfolio. Opportunities to relet are being reviewed.	+0.196	
Insurance – savings arising from the 2008/09 renewals process.	-0.431	
Business Transformation – cost of the business efficiency team – funding originally approved from the use of balances; now met from other council wide underspends identified.	+0.304	
Treasury – benefits from slower than anticipated cash flow together with investment opportunities taken at favourable interest rates and debt rescheduling activities (net of £1.2m set aside for the 2009/10 contingency and credit crunch initiatives). This includes £0.645m benefit from changes to the accounting treatment for the repayment of debt, which has been accepted in principle by KPMG but is still subject to agreement by the Audit Commission on a national basis.	-2.289	

Other Council Wide Items – includes the one-off costs associated with the Council restructure, and funds for the BSF project costs.	+0.973	
Land Charges – a shortfall in fee income due to a reduction in the number of searches exacerbated by the current economic climate.	+0.137	
Asset Rentals - These are technical charges to comply with accounting requirements which place a charge on services and have a reversing entry in the Asset Management Account – therefore there is no impact on the net revenue budget and accounts. .		

5.4 Formal approval is required for the revenue virements relating to the 2008/09 final outturn position, which are detailed in Appendix IV. There are also a number of 2009/10 virements relating to the disaggregation of Community Services budgets which are detailed in Appendix IV and require formal approval.

6.0 Reserves & Balances

6.1 The main General and Special Fund balances are £7.044m at 31st March 2009, which takes into account the approved use of balances of £0.230m. These form part of the overall balances of the Council which are presented in the Statement of Accounts. Subsequent to closedown the full risk based evaluation of all balances will be undertaken to determine an updated view of balances available for the budget strategy.

6.2 The majority of the controllable “in hand” service balances carried forward are committed for spending in 2009/10.

6.3 The position on the main General, Special Fund and Service Balances is:

	Corporate £'000	Service £'000	Total £'000
Balances at 1 st April 2008	7,127	1,015	8,142
In year service adjustments:			
Use of service balances		-133	-133
Repayment of Catering debt		+181	+181
use of corporate balances	-230		-230
Outturn Position against budget	+147	+221	+368
Balances at 31st March 2009	7,044	1,284	8,328

Service balances are shown net of the unfunded investment balance on catering – in line with the required treatment in the published accounts.

7.0 **2008/09 CAPITAL PROGRAMME**

The capital programme for 2008/09 was £77.6m; spend at year end totalled £62.6m giving an underspend of £15.0m, summarised in the table below

	2008/09 Approved Budget £m	2008/09 Expenditure To Date £m	%	Variation £m
Adult & Consumer Care	4.990	4.001	92%	(0.989)
Children & Young People	18.636	16.870	91%	(1.766)
Environment & Regeneration	47.775	38.051	80%	(9.724)
Community Services	2.833	1.960	69%	(0.873)
Resources/ Council Wide	3.392	1.718	51%	(1.674)
Total	77.626	62.600	81%	(15.026)

7.1 The main scheme delays/slippage to 2009/10 is shown below with detail included in Appendix V :

	£m
Growth Point Areas Funding	2.571
Town Centre	0.811
Local Transport Plan	1.344
Railfreight	2.474
TSLEC	1.353
ICT	2.164

7.2 As part of the Council's regeneration programme the following investment plans are being brought forward to 2009/10 – these will provide additional support to the local economy during the recession, together with additional funding to accelerate improvements to roads and footpaths across the borough.

In accordance with the Constitution, these are presented for formal Council approval.

Roads, footpaths & lighting – 2011/12 programme accelerated to 2009/10 to improve roads and footpaths across the borough. £m
3.000

Oakengates town centre – to support regeneration schemes which will help to address some of the key issues raised by local people in the major survey conducted last year 0.500

Ironbridge – additional funding for the Ironbridge Gorge area 0.500

Wellington – funding towards the transformation of Wellington’s Civic Quarter, taking on board suggestions from local people	0.500
Newport – to support regeneration proposals	0.500
Sutton Hill - additional match funding requirement to secure HCA funding for the regeneration of Sutton Hill local centre	0.590
Leegomery - required additions to the original scope of work for the development of Leegomery local centre	0.100
Hadley – feasibility study; working with Hadley & Leegomery Parish Council to investigate opportunities to regenerate the local centre	0.050
Contingency	0.260
Total	6.000

This will be funded from a combination of reviewing the overall capital programme spend and the benefits of treasury management savings from debt restructuring.

- 7.3 Following discussions with the Regeneration Partnerships, it has been suggested that the funds allocated to Borough Towns projects through the BTI Community Chest should instead be allocated proportionally to each of the Partnerships to be used in addition to the existing individual Partnership allocations. It is therefore proposed that the Borough Towns Programme is amended accordingly, to transfer the outstanding balance (which is approximately £170,000) to the individual partnerships and that the criteria for the BTI grants programme are amended as necessary. All of the Partnerships have indicated their support for this change.

8.0 CORPORATE INCOME MONITORING

- 8.1 The Council’s budget includes significant income streams which are regularly monitored to ensure they are on track to achieve stretch targets that have been set and so that remedial action can be taken at a very early stage. The three main areas are Council Tax, NNDR (business rates) and Sales Ledger. Year end information relating to these is provided below. It should be noted that the Council pursues outstanding debt vigorously, until all possible recovery avenues have been exhausted, but also prudently provides for bad debts in its accounts.

8.2 Council Tax

This is a national performance indicator which measures council tax collection during the year - the measure does not take account of debt that continues to be pursued and collected after the end of the financial year in which it became due. As a general rule the final collection figure for any financial year exceeds 99%.

Performance is cumulative during the year and expressed against the complete year's debit. Performance at the end of 2008/09 was:

2008/09 Target	2008/09 Outturn	2008/09 Variance	2007/08 Outturn
98.00%	97.7%	-0.3%	97.9%

Council Tax collection was 0.3% behind the year end target and 0.2% behind last years outturn figure. The national economic situation continues to have an effect on the collection of Council Tax, like Business Rates and Sales Ledger. This is likely to continue into the new financial year. We are working with customers to encourage the take up of discounts, exemptions, benefits and reliefs.

8.3 NNDR-Business Rates

The % of business rates for 2008/09 only, that should have been collected during the year. This target, as for council tax, ignores our continuing collection of earlier years' liabilities.

The measure does not take into account the debt that continues to be pursued and collected after the end of the financial year in which it became due. As a general rule the final collection figure for any financial year exceeds 99%.

2008/09 Target	2008/09 Outturn	2008/09 Variance	2007/08 Outturn
99.0%	98.3%	-0.7%	99.0%

NNDR collection ended the year below target, by 0.7%, and was 0.7% behind last years collection. The national economic situation continues to have an effect on the collection of business rates and it is likely to continue. The new legislative changes are in place from 1/4/9 to assist smaller business premises in the form of 100% empty property relief ongoing and small business rates relief for premises with rateable values below £15k.

We have written to all local businesses to inform them that Central Government announced on Tuesday 31st March 2009 that it is intending to bring forward regulations to enable businesses to defer payment of up to 60% of the increase in their 2009-10 business rate bills until 2010-11 and 2011-12, under certain circumstances. The related legislation is due over the next few months.

8.4 Sales Ledger

Recovery processes for other income due to the council vary between income billed by Social Services (just under £20m a year) and the rest, which is around £20m a year. Debt below 2 months old is classified as a normal credit period, the more we collect income at the point of delivery or customer service request in future rather than raising bills; the more we reduce collection costs and improve cash flow. Targets are set relating cumulative debt outstanding from all years to the current annual debit:

Age of debt	Target %	Mar 2009	
		£m	%
2-6 months	0.90	0.513	2.32
6-12 months	0.80	0.191	0.87
Over 12 months	1.10	0.230	1.04
Total	2.80	0.935	4.23

Overall outstanding Sales Ledger debt is 1.43% outside target, which is again a reflection of the current economic situation This also included some significant invoices which were paid soon after the year end.

Adult & Consumer Care - recovery of these debts – usually from vulnerable clients - has to be handled carefully and is often complex, which is the experience of many Local Authorities. In some cases, the amounts outstanding are secured by legal charges on property, which cannot be realised until properties are eventually sold.

	Target £000	Target %	Actual March £000	Actual March %
2-6 months	222	1.0%	89	0.4%
7-12 Months	136	0.6%	73	0.3%
> 12 months	646	2.9%	367	1.7%
	1,004	4.5%	529	2.4%

9.0 OTHER CONSIDERATIONS

Equality & Diversity

There are no implications directly arising from this report.

Environmental Impact

There are no implications directly arising from this report

Legal Comment

Regular financial monitoring forms part of the assurance for strong financial management. Section 28 of the Local Government Act 2003 makes it a statutory duty for Local Authorities to monitor their income and expenditure against budget, and to take action if overspends or shortfalls in income emerge.

Links with Corporate Priorities

Good financial monitoring forms part of building a Modern, Effective Council.

Opportunities & Risks

The opportunities and risks associated with the report have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

Financial Implications

The financial implications are fully detailed within the report.

Ward Implications

District Wide Implications

10.0 BACKGROUND PAPERS

2008/09 Budget Strategy / Financial Ledger reports

Report Prepared by: Paul Clifford, Head of Finance – 01952 383700;
Pauline Harris, Corporate Finance Manager - 01952 383701

Telford & Wrekin Council

Statement of Accounts

2008/09

Contents

	Page
Financial Statements	
• Explanatory Foreword	2
• Statement of Responsibilities	14
• Auditors' Report	21
• Statement of Accounting Policies	23
• Income and Expenditure Account	27
• Statement of Movement on General Fund Balance	28
• Statement of Total Recognised Gains and Losses	29
• Balance Sheet	30
• Cash Flow Statement	31
• Notes to the Core Financial Statements	32
• The Collection Fund Account	63
• Glossary	65

Telford & Wrekin Council

Statement of Accounts

2008/09

Financial Statements

Explanatory Foreword

1. INTRODUCTION

The Council's accounts for the year 2008/09 are set out in the remainder of the report. They consist of:-

- ... **The Income and Expenditure Account** - covering revenue income and expenditure during the year on all Council services;
- ... **The Statement of Movement on General Fund Balance** – which brings together recognised movements in and out of the General Fund Balance for the year in line with proper practice;
- ... **The Statement of Total Recognised Gains and Losses** - this statement brings together all the gains and losses of the council for the year;
- ... **The Balance Sheet** - which sets out the financial position of the Council on 31st March 2009;
- ... **The Cash Flow Statement** - which summarises the inflows and outflows of cash arising from both revenue and capital transactions with third parties;
- ... **The Notes to the Core Financial Statements** – which provide further information supporting the financial statements;
- ... **The Collection Fund** - the statutory account in which income from business rates, council tax and government grants is held temporarily, pending payment of precepting authorities;

These accounts are supported by the Statement of Responsibilities and the Statement of Accounting Policies, which follow this foreword plus various notes to the accounts which provide further detailed information on specific items.

2. FINANCIAL CONTEXT

2.1 Introduction

This section of the Statement of Accounts summarises the background to the Council's accounts for 2008/09. In particular it sets out

- An overview of the budget process for 2008/09
- Issues highlighted during 2008/09
- The final outturn for 2008/09
- A commentary on 2009/10
- A commentary on the Economic Climate

2.2 An Overview of the Budget 2008/09

The Council's 2008/09 budget was set in the context of a three year policy and planning strategy which covered the period 2008/09 to 2010/11. The budget is the financial expression of the Council's corporate and service priorities and plans compared with funding allocations. The Council is a relatively low-spending, high performing Local Authority which has a comparatively low level of Council Tax for its own services and the lowest for Unitary Services in the Midlands for both 2008/09 and 2009/10.

In December 2007 the Government announced the provisional 3 year settlement for 2008/09, 2009/10 and 2010/11. Capital allocations and Area Based Grant were also announced for the 3 year period. The Government's method of allocating resources between local authorities includes a mechanism designed to even out year-on-year volatility in the level of grant received by individual authorities – protecting grant losers and “damping” the effect of grant gains - Telford & Wrekin lost over £7.2m through this process in 2008/09.

Initial consideration of the Council's 2008/09 financial position took place at the Cabinet meeting in July 2007 and was followed by a high level strategy for consultation agreed at Cabinet in October 2007. Following the confirmation of the provisional Revenue Support Grant Settlement (RSG) in December 2007, detailed proposals were agreed for further consultation over the January 2008 and early February period. Overall the RSG settlement was generally favourable for Telford & Wrekin, reflecting well on the Council's lobbying for extra resources.

The final RSG settlement was announced in January 2008 and had reduced by £0.217m from the provisional settlement and a final budget strategy was approved at Council in March 2008 taking account of consultation responses.

The revenue cost of a package to fund service pressures and developments was entirely met from efficiency savings and provided additional investment including: an additional £1.07m ongoing revenue in Adult Social Care to provide care packages for vulnerable clients; £1m capital per annum for Housing provision; £1.5m capital to support the £8m land stability scheme in the Gorge; £0.500m p.a. to improve play areas and playgrounds across the borough; £2.2m p.a. to continue the roads, footpaths and street lighting improvement programme.

The Council agreed to use £1.23m from its balances to support the budget for 2008/09 and the Council Tax increase was an average of 4.3% for Council Services, with the average charge (Band B) for the Council's services being £818 per year.

The Council consulted extensively on the budget proposals for 2008/09 which included discussions with: special interest groups, the Education Community, the Health Service Community, the Voluntary Sector, Parish Councils, Partners, the general public, the Business Community as well as the Internal Value for Money Scrutiny Committee and in general feedback was supportive for the Council's approach towards the budget.

The Medium term planning projections for the council showed potentially a much tighter financial position for 2009/10 and a need to keep some flexibility to accommodate unknowns, such as the impact of the Single Status settlement. A mixture of efficiency savings and some service changes, phased in by the use of balances, were required to keep Council Tax increases in low single figures.

2.3 Issues Highlighted During 2008/09

A summary of the monitoring presented to Cabinet during 2008/09 is shown in the table below.

Portfolio	Forecast Over/(under) Spends (before FRS17)				Final £m		
	Qtr 1 £m	Qtr 2 £m	Qtr 3 £m	Qtr 4 £m	Service	Council Wide *	Total
Children & Young People	0.000	0.128	0.174	0.275	0.003	0.000	0.003
Environment & Regeneration	0.361	0.465	0.485	0.455	-0.054	0.352	0.298
Adult & Consumer Care	0.000	0.000	0.000	0.000	-0.095	0.004	-0.091
Resources	0.117	0.129	0.175	0.201	-0.150	0.567	0.417
Community Services	-0.001	0.047	0.010	0.008	0.071	0.055	0.126
Chief Exec/Policy	-0.015	0.008	0.025	0.017	0.004	0.014	0.018
Council Wide items	-0.962	-1.409	-1.210	-1.242	0.000	-1.139	-1.139
Total Variation	-0.500	-0.632	-0.341	-0.286	-0.221	-0.147	-0.368
Other Year End Adjustments:							
Planned Use of General Balances							0.230
Transfer to Service Balances/Reserves							0.222
Actual Use of General Balances							0.084
* At year end Council Wide Balances are treated corporately and service balances are carried forward							

The final outturn shown in the above table excludes asset rental variations, which are notional year end charges, to allow comparison.

The above table highlights the growing service pressures identified during the year, particularly on the Children & Families budget within Children & Young People, though this was offset by switching funding from other budgets at year end. Effective management action following regular monitoring resulted in a very positive outturn position for the Council overall.

During the year there were a number of issues that arose and a summary of these are covered below:

Service Items

Children & Young People

Overall the Portfolio ended the year very close to budget with **a small service overspend of £2,684**. Costs relating to Children & Families and Specialist Education were the key pressures reported throughout the year. As planned, the Portfolio used grant monies to support the overall position – providing an overall benefit of £1.030m. Optimising the use of grant funding is also part of the 2009/10 budget strategy which will be kept under review.

At year end the overspend in relation to Looked After Children was £0.476m which was a combination of the use of agency staff covering for vacant social worker posts and the types of placement required. If the trend continues this will be a key area of concern for 2009/10. Additional Specialist Education support required, resulted in an overspend of £0.949m at year end.

Environment and Regeneration

Environment & Regeneration ended the year with a **service underspend of £54,410**. There were a number of pressures experienced during 2008/09 including: increased street lighting energy costs and reduced property investment portfolio rental income. These were more than offset by savings elsewhere across the Portfolio, such as the benefits from increased recycling.

Adult & Consumer Care

Adult & Consumer Care ended the year with a **service underspend of £94,645**. The key pressure experienced during the year was the cost of care packages for Adults with Learning Disabilities and Mental Health clients - with a year end overspend of £0.215m and £0.303m respectively. These were met from other savings both within those services and across the rest of the Portfolio.

Resources

Resources ended the year with producing a **service underspend of £149,875**.

Community Services

The year end position showed a **service overspend of £70,853** which was met from controllable service balances brought forward from 2007/08. Two main pressures identified were: the increased cost of gas and electricity across Leisure Centres, The Place and Libraries; and a shortfall of income across various leisure sites, attributable to the recession.

Council Wide Items

Street Lighting

Additional costs were incurred during the year due to changes in the Council's street lighting inventory, calculated by Central Networks which gave rise to an overspend of £0.163m at year end.

Insurance

Corporate savings of £0.431m were achieved following the 2008/09 renewals process.

Treasury

A benefit of £2.289m from favourable cash flow together with investment opportunities taken at favourable interest rates and debt rescheduling activities was realised during the year.

Housing & Council Tax Benefit

The final net overspend at year end for Housing & Council Tax benefits is £0.291m which is a combination of increased use of bed and breakfast accommodation for homelessness cases (£0.477m lost subsidy), plus other benefits subsidy variations but offset by overpayment recovery.

Land Charges

A shortfall in fee income of £0.137m was reported at year end due to a reduction in the number of searches, exacerbated by the economic climate.

Single Status

Single Status is a National pay and conditions agreement for staff employed under NJC terms and conditions, who form a significant proportion of the Council's workforce. The agreement is effective from 1st April 2007, however the process is not yet complete and it has been necessary to include a provision against the potential costs in the 2008/09 accounts, as was the case last year. The value of 4% of the relevant paybill has been included for the 2 years: £4.3m for services outside Education/DSO funding; £3.1m for Education/DSO services. The 4% is based on average settlements made by other unitaries and was the percentage used for the 2008/09 budget process.

Provision for Re-structure Costs

As part of the Council's ongoing drive for efficiency, an initial restructuring process took place in 2008/09. This reduced the number of Portfolio Departments from 5 to 4 and will generate around £1m ongoing efficiency savings. A provision to meet the one-off severance costs associated with this re-structure was made in the 2008/09 accounts.

2.4 Final Outturn for 2008/09

Revenue

Final net service expenditure was £116.693m (as detailed below before transfers to reserves) compared to a budget of £117.061m, an underspend of £0.368m (or -0.31%).

Description	Budget £m	Outturn £m	Variation £m
Actual Spend Per Outturn (net of LABGI)	117.061	116.693	(0.368)
Funded by Council Tax, Revenue Support Grant and Non Domestic Rates	116.831	116.831	0.000
Transfers to Reserves and Service Balances			0.222
Budget Contribution from Balances			0.230
Total Movement in General Balances for year			0.084

This position can be reconciled with the formal Income and Expenditure Account as shown below.

Description	Expenditure £m	Income £m	Net Expenditure £m
Net Cost of Services	455.027	300.268	154.759
Trading Services	9.234	9.348	(0.114)
Pensions Adjustments under FRS17	(1.618)	0.000	(1.618)
Interest Payable and Similar Charges	7.308	0.000	7.308
Gains and Losses on Repurchase or Early Settlement of Borrowings (net)	0.000	0.390	(0.390)
Interest and Investment Income	0.000	8.511	(8.511)
Government Grants (including LABGI & ABG)	0.000	9.612	(9.612)
Remove Depreciation & Impairments, etc from Net Operating Cost	(34.643)	0.000	(34.643)
Minimum Revenue Provision	3.056	0.000	3.056
Net Movement on Reserves	6.458	0.000	6.458
Total	444.822	328.129	116.693

Included within the income shown above are government grants totalling £197.651m, which when added to the government support through Non Domestic Rates and Revenue Support Grant (£64.045m) give a total level of government support of £261.696m. See also Charts 1, 2 and 3 at the end of this section.

The outturn position has resulted in a general fund balance of £6.843m and a special fund balance of £0.200m (see Note 23 to the Core Financial Statements), giving a consolidated balance of £7.043m. The total for all reserves and revenue balances held by the authority is £33.77m which leaves the Council in a robust financial position to approach the next budget cycle.

Treasury Management

At the 31st March 2009 Investments stood at £142.9m which was an increase of £12m from the previous year. The strategy during the year was to take advantage of the higher interest rates and lock into a number of new investments at very favourable rates in advance of other investments maturing in the early part of 2009/10.

The level of borrowing at 31st March 2009 was £189.1m which was an increase of £18m from the previous year and was mainly to fund the capital expenditure during the year (£22m of capital expenditure was funded from borrowing).

The current strategy is to manage overall debt and investment levels down to reduce interest rate exposure in the uncertain period and this is already being implemented as opportunities arise.

The borrowing strategy was to take a pragmatic approach to the use of PWLB borrowing, spreading interest rate risk and take advantage of rate movements where appropriate. During the year the opportunity was taken to restructure the loans portfolio which generated discounts of £2.289m. From 1st April 2007 the accounting rules changed so that these discounts have to be spread over 10 years, resulting in a benefit of £0.229m to the revenue account in 2008/09.

The investment strategy for 2008/09 was to gain maximum benefit at minimum risk whilst achieving the best possible rate of return.

Financial Reporting Standard No 17 – Retirement Benefits

The objectives of FRS17 are to ensure that:

- financial statements reflect at fair value the assets and liabilities arising from an employer's retirement benefit obligations and any related funding;
- the operating costs of providing retirement benefits to employees are recognised in the accounting periods in which the benefits are earned by the employees, and the related finance costs and any other changes in the value of the assets and liabilities are recognised in the accounting periods in which they arise; and
- the financial statements contain adequate disclosure of the cost of providing retirement benefits and the related gains, losses, assets and liabilities.

The deficit on the pensions account has reduced during 2008/09 to £119.169m mainly due to actuarial gains, which was also aided by increased employer contributions. These latter increases will continue over the next 2 years; the next actuarial valuation is due in March 2010 and will provide an updated position for 2011/12.

Capital Accounting

Capital

The Council spent £62.600m on capital projects during the year as detailed in the table below.

Description	Approved Estimate £m	Outturn £m	Variation £m
Adult & Consumer Care	4.990	4.001	-0.989
Children & Young People	18.636	16.870	-1.766
Environment & Regeneration	47.775	38.051	-9.724
Community Services	2.833	1.960	-0.873
Resources / Council Wide	3.392	1.718	-1.674
Total	77.626	62.600	-15.026
Financed by			
Borrowing		22.101	
Capital Receipts		15.318	
Government Grants		24.032	
Revenue		0.372	
Other External Sources		0.777	
Total funding		62.600	

The Council has a 28 year PFI contract in place for the building and servicing of school and leisure facilities at Hadley Learning Community and JIGSAW (which provides Education, Health and Social Care packages) for £289m. The costs of the contract will be met from a combination of government support, school contributions and council support. The Council has approved a budget strategy which makes provision for its commitments. In 2008/09 the authority made payments of £9,245,770 in respect of this PFI contract with Interserve Limited. The authority is committed to making payments estimated at £9,071,500 pa (index linked starting point September 2006) until the contract expiry date of 2034.

2.5 2009/10 Commentary

The Council has a rolling three-year financial planning process. This was updated formally by reports to the Council's Cabinet in October, December and February. The decisions on the medium term budget strategy at 5th March 2009 Council, reflect the outcome of extensive consultation with a wide variety of stakeholders during the Autumn/Winter.

The provisional Revenue Support Grant settlement for 2009/10 was announced in December 2007, as part of a 3 year settlement. Figures were finalised in January 2009 and there was no change for the Council. As experienced in 2008/09 the Council again lost funding through the "damping" mechanism, with over £6m being diverted to other Local Authorities through this process in 2009/10 alone.

Nevertheless, the 2009/10 RSG settlement overall was positive for Telford and Wrekin. There is uncertainty around the 2011/12 grant settlement, the final year of the current three year planning period, as this won't be known until December 2010 when the Government announce the next 3 years settlement figures.

The finally agreed budget package included a savings package of £3.8m, Use of £0.950m general balances and a council tax increase of 2.5%.

Notable investments include:

- Adult & Consumer Care – elderly persons' services £1.2m additional revenue (addressing increasing client numbers and cost of care packages)
- Roads, Footpaths & Lighting - £2.2m p.a. capital investment for improvements
- Children & Families - £0.250m revenue re-invested to improve the service
- Borough Towns Initiative - £5.5m in 2009/10 rising to over £20m by 2010/11 but dependent on generation of matching capital receipts.
- Parks & Play Areas - £0.500m rolling programme of investment in local parks and the Town Park to enhance facilities across the borough
- South Telford Estates - £2m investment in Brookside and Sutton Hill local centres

The Council agreed to use £0.950m from its level of balances to support the budget for 2009/10. As a result, the Council Tax increased by around 2.5% for the Council's services, taking the average charge (Band B) to £838 per year (Band B is the typical band for Telford & Wrekin, Band D is £1,078). This represents a weekly increase of just under 40p before parish and town councils and the police and fire precepts are added.

Looking Ahead

The Council faces a period of unprecedented economic uncertainty which is already having an impact on local people and businesses. The 2009/10 budget strategy included funding for a range of Credit Crunch initiatives aimed to support the local community, and an additional £1m contingency. The strategy for council tax increases is a maximum 2.5% p.a. for the 3 year planning period.

2.6 The Economic Climate

There are significant uncertainties facing the Council from a combination of the global financial instability, the continuing UK recession and changing inflation levels. The Council has considered the impacts of this unprecedented economic climate and has responded in a range of ways through the final accounts process and the medium term financial strategy:

- **Treasury Investment Returns** – despite the volatility in markets, a considerable benefit was achieved in 2008/09 from active treasury management. Projected returns are already falling for 2009/10 and a decision was made as part of the budget strategy to use some of this benefit to create an additional £1m contingency against future uncertainties.
- **Treasury** – the Collapse of the Icelandic Banks – the Council did not have investments in Icelandic Banks in October 2008 when they collapsed. However, given the exceptional period of financial instability we have been experiencing, a review of treasury arrangements, in line with CIPFA and Audit Commission guidance, is underway which will further strengthen processes.
- **Value of Assets** – a comprehensive review of the Council's assets has been undertaken as part of the final accounts process to ensure that their value is reflected accurately on the balance sheet.
- **Service Impacts** – rising demands on key services, such as homelessness, housing benefits and social services are likely to be evident in 2009/10 together with negative impacts on income generated. The position will be closely monitored during the year.
- **Capital programme** – receipts from asset disposals are likely to be impacted and a review of the capital programme has been taking place to ensure that spend matches the available resources.
- **Credit Crunch Initiatives** - £0.700m investment was approved as part of the 2009/10 budget strategy to provide a range of support measures for the Community, including the establishment of an Advice Centre in Telford Library. Further, the Council introduced a policy of quicker payment of Supplier invoices in February 2008.
- **Reserves and Balances** – a risk review of the level of reserves and balances was undertaken as part of the 2009/10 Service & Financial Planning process to ensure adequate balances are retained to meet potential unforeseen expenditure. The Council had £34m reserves and balances at 31st March 2009. The risk review will be repeated as part of the 2010/11 budget process.
- **Value for Money / Efficiencies** – the Council has a staff re-structuring programme which so far has generated £1m ongoing savings. Value for Money and delivering efficiencies will continue to be a key focus in 2009/10.

4. FURTHER INFORMATION

Further information is contained in the Council's Annual Budget document, which is available from the Corporate Finance Unit, Civic Offices, Telford, (contact Bernard Morris on (01952) 383702).

In addition, interested members of the public have a statutory right to inspect the accounts before the audit is completed. The availability of the accounts for inspection is advertised in the local press.

Chart 1

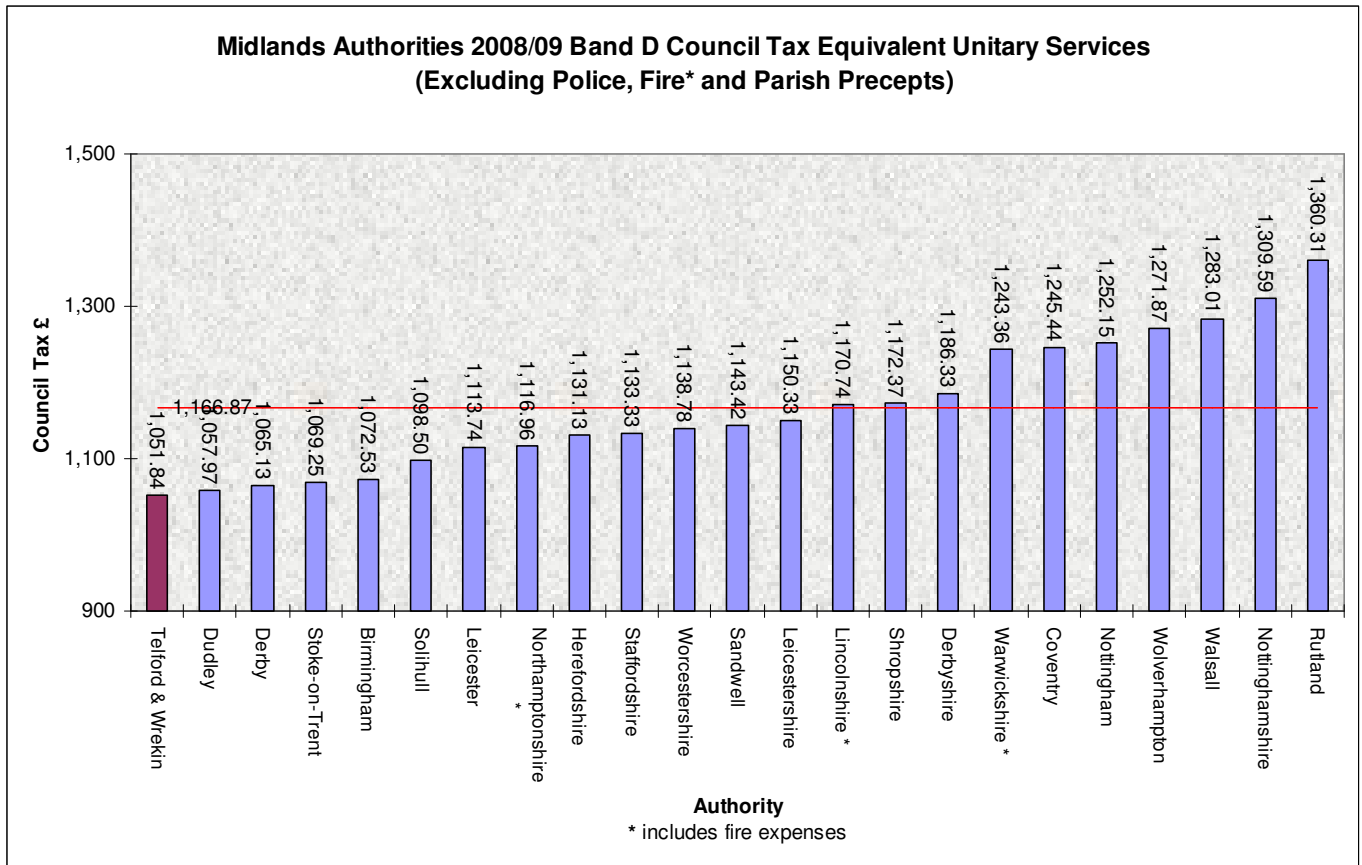


Chart 2

Net Revenue Expenditure by Main Service Area 2008/09
£m

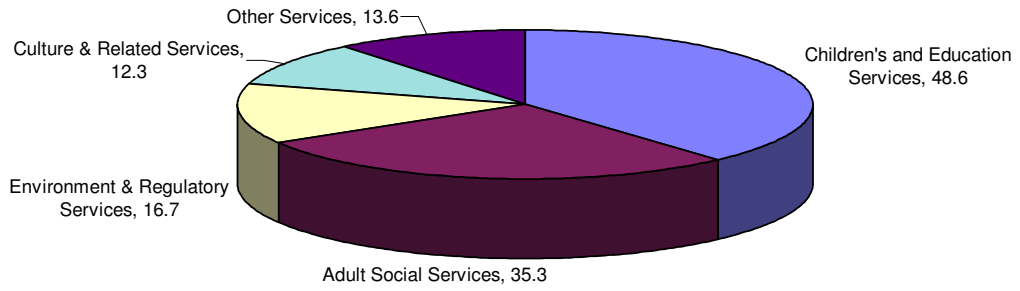


Chart 3

Sources of Finance 2008/09
£m

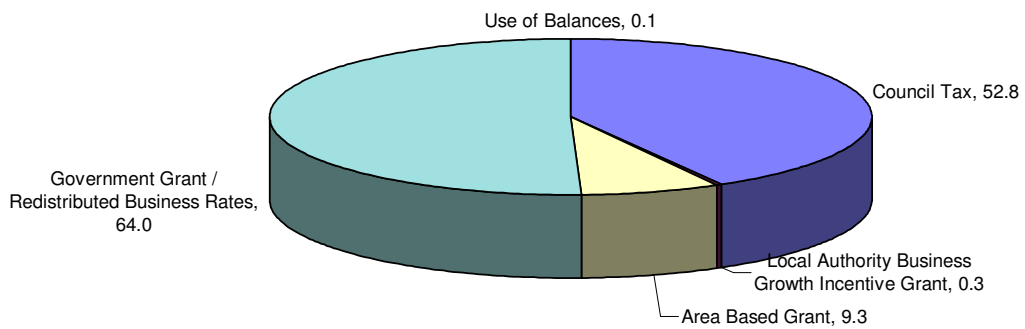


Chart 4

**Capital Expenditure 2008/09
(£m)**

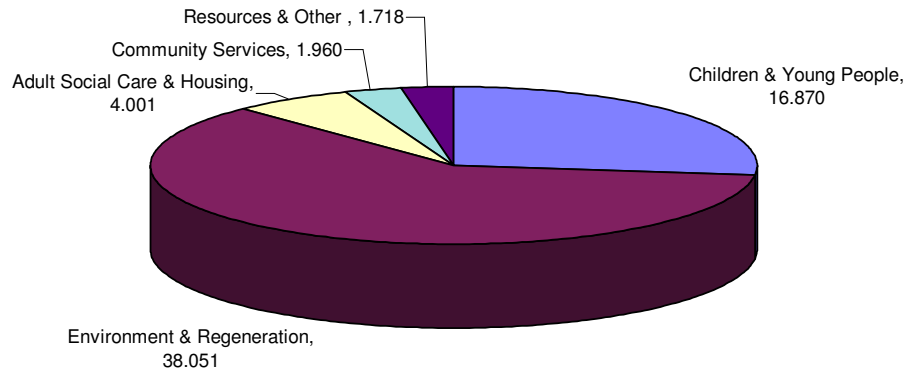
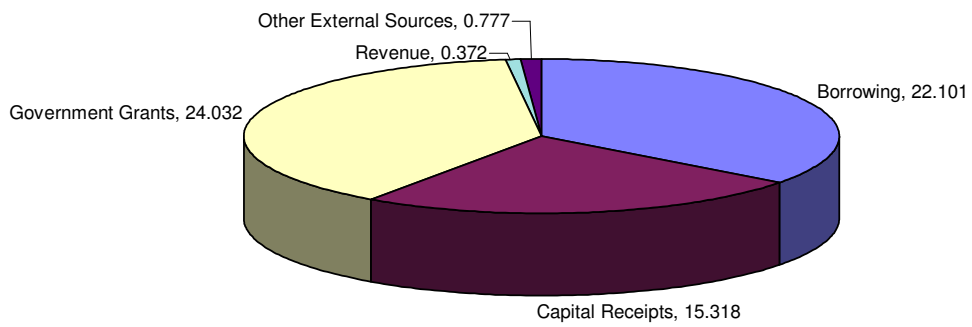


Chart 5

Sources of Capital funding 2008/09 (£m)



Statement Of Responsibilities

The Council's Responsibilities

The Council is required:

- to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In this Authority, that officer is the Corporate Director : Resources (Chief Finance Officer);
- to manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets.

The Chief Finance Officer's Responsibilities

The Chief Finance Officer is responsible for the preparation of the Authority's statement of accounts which, in terms of the CIPFA Code of Practice on Local Authority Accounting in Great Britain ('the Code of Practice') is required to present fairly the financial position of the Authority at the accounting date and its income and expenditure for the year ended 31st March 2009.

In preparing this statement of accounts, the Chief Finance Officer has:

- selected suitable accounting policies and then applied them consistently;
- made judgements and estimates that were reasonable and prudent;
- complied with the Code of Practice.

The Chief Finance Officer has also:

- kept proper accounting records which were up to date;
- taken reasonable steps for the prevention and detection of fraud and other irregularities.

CERTIFICATE OF THE CHIEF FINANCE OFFICER

I hereby certify that the Statement of Accounts on pages 2 to 64 complies with the requirements of the Accounts and Audit Regulations 2003.

Paul Clifford CPFA,

Interim Corporate Director : Resources

Dated : 25th June 2009

APPROVED BY COUNCIL

The Statement of Accounts was approved at a meeting of the Council on 25th June 2009

Councillor Ian Fletcher
Speaker of the Council
Dated : 25th June 2009

ANNUAL GOVERNANCE STATEMENT 2008/09

1. Standards of Governance

- 1.1 The Council expects all of its members, officers, partners and contractors to adhere to the highest standards of public service with particular reference to the formally adopted Codes of Conduct, Constitution, and policies of the Council as well as the applicable statutory requirements.

2. Scope of Responsibility

- 2.1 Telford & Wrekin Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively to secure continuous improvement.

- 2.2 To this end the Council has approved and adopted a local code of corporate governance which was updated during 2006 and again in May 2008 to ensure that it is consistent with the principles of the CIPFA/SOLACE (see glossary) Framework Delivering Good Governance in Local Government. Within this code and to meet its responsibilities, the Council (members and officers) are responsible for putting in place proper arrangements for the governance of its affairs including risk management and ensuring the effective exercise of its functions.

- 2.3 The Council continues to review its arrangements against best practice and implement changes to improve the governance framework (including the system of internal control) - see paragraph 5.

3. The Purpose of the Governance Framework

- 3.1 The governance framework comprises the systems and processes, and cultures and values, by which the Council is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services. The system of internal control is a significant

part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to:

- a) identify and prioritise the risks to the achievement of the Council's policies, aims and objectives;
- b) evaluate the likelihood of those risks being realised;
- c) evaluate the impact should they be realised; and
- d) manage them efficiently, effectively and economically.

- 3.2 The governance framework has been in place at the Council for the year ended 31st March 2009 and up to the date of approval of the annual report and statement of accounts.

4. The Governance Framework

- 4.1 The key elements of the systems and processes that comprise the authority's governance framework include:

- Vision 2026 – Transforming Telford & Wrekin: From New Town to Modern City, the Community Strategy, the Council's Priority Plans all outline the Council's ambitions and priorities based on stakeholder feedback and these inform the business planning process and business and personal targets;
- The Constitution (which includes the scheme of delegations, financial regulations and contract standing orders), Forward Plan and decision making processes;
- The Council's Information Governance Framework including data and information security policies and procedures;
- The Performance management framework and data quality systems. These provide regular monitoring reports to Directors, Cabinet and Scrutiny. There is also a Member Performance Champion who challenges Cabinet members and reports back to all Cabinet members;
- Legal Services ensure that the Council operates within existing legislation and is aware of and acts

- upon proposed changes to legislation;
 - The democratic decision making and accountability processes contained within the Constitution;
 - The Standards Committee, Audit Committee, scrutiny function and other regulatory committees;
 - The development of internal controls and checks within new systems and when existing systems are reviewed;
 - The Council's People Strategy (HR) supported by rigorous recruitment processes. These are followed up by induction training (which includes information on the constitution, key policies, procedures, laws and regulations appropriate to the post and experience of the post holder) and on going training and development in line with Investors in People;
 - Member and Officer Codes of Conduct and the Officer/member protocol underpin the standards of behaviour expected by members and officers;
 - Member development programme to ensure members are properly equipped and have the capacity to fulfil their roles;
 - The Council's communication and consultation strategies ensure that the local community knows what the Council is doing, receives feedback from them including the identification of their needs for incorporation into the Council's priorities;
 - The Cabinet Member for Resources is responsible for Corporate Governance and Risk Management and the key officer is the Corporate Director Resources. The corporate risk management function has integrated risk management into the service and financial planning process including the provision of appropriate awareness and training for officers and members;
 - Comprehensive budget strategy and robust budget monitoring process provides sound financial management and regular reporting of financial management information;
 - Internal audit review controls based on risk to provide assurance and recommendations for improvement;
 - Anti-fraud and Corruption, Speak Up and Prosecution policies support the council's governance processes and anti-fraud and corruption culture;
 - The Council's Partnership protocol and agreed governance and reporting arrangements for the Council's significant partnerships;
 - Projects are managed within the PRINCE 2 methodology, as appropriate, which includes risk identification and management. Projects use the Corporate Risk Management methodology as appropriate for the management and reporting of their risks.
- 5. Review of Effectiveness**
- 5.1 Telford & Wrekin Council has responsibility for conducting, at least annually, a review of the effectiveness of the governance arrangements including the system of internal control. The review of the effectiveness is informed by:-
- a) the senior managers within the authority who have responsibility for the development and maintenance of the governance environment;
 - b) the work of internal audit; and also
 - c) by comments made by the external auditors and other review agencies and inspectorates.
- 5.2 The Cabinet monitors the effectiveness of the governance framework through the consideration of regular performance, financial and risk management information reports from senior management. Individual Cabinet members receive regular feedback from the senior officers within their portfolios on the progress of objectives and the management of risks linked to their objectives. Issues of strategic and corporate importance are referred to the Cabinet.
- 5.3 During 2008/09 the Council's Scrutiny function was reviewed and new changes implemented from 1st January 2009. The Scrutiny function is overseen by the Scrutiny Leadership Board led by a member of the opposition. The Council's Scrutiny function continues to review the decision making process and areas of concern. The subjects for the areas of concern are informed from community consultation, direct feedback to members

- from within the community and the results of review and inspection (both external and internal).
- 5.4 Internal Audit plan their work on the outputs from the Council's risk management and performance management processes, external inspection reports, the requirements of the External Auditor, comments from senior management and their opinion of the current state of the governance arrangements and internal control system. During 2008/09 the Internal Audit team achieved 90% of their planned work (best practice is 90%) and this has been used with the relevant output from unplanned work to form their opinion on the systems of internal control.
- 5.5 Internal Audit report on a quarterly basis and annually to the Audit Committee. The Audit Committee has asked for additional information during the year and requested Heads of Service to attend to provide assurance on the implementation of recommendations. The Audit Committee has also reviewed the benchmarking process and information of Internal Audit.
- 5.6 The Audit Committee reviewed their effectiveness during January 2009 and has agreed to undertake further work prior to agreeing to appoint a co-optee.
- 5.7 The External Auditor (KPMG) during 2008 revisited the Corporate Performance Assessment (CPA) Use of Resources for the Council based on again more challenging criteria. The Use of Resources judgement includes sections on financial reporting, management and standing, internal control and value for money. The Council maintained an overall score of 3. The Council scored the top score of 4 for 4 of the sub sections (an improvement from 2007/08) – asset management, risk management, internal control and ethics and conduct. The Internal Control sub-section improved its score from 3 to top score of 4. Overall Internal Control therefore retained its top score of 4. These combined and improved results indicate continued and improved sound governance arrangements and systems of internal control.
- 5.8 The Council's performance management framework has well established systems and procedures which drive continuous improvement in performance. The External Auditor has reviewed the Data Quality arrangements and concluded that they were good and continuing to improve.
- 5.9 This Use of Resources assessment and other external assessments contributed to the Council being judged as 3 stars by the Comprehensive Performance Assessment process in March 2009.
- 5.10 The Council reviewed the Constitution in 2008/09. However further work is required to update the Constitution and this is included in the action Plan (Annex 1). This work involves reviewing the roles and responsibilities of members and officers within the Constitution.
- 5.11 In addition to reviewing the Code of Governance (see paragraph 2.2), during the year the Council has continued to review and put into place improved policies, management processes and reporting arrangements to enable it to satisfy itself that its approach to corporate governance is both adequate and effective in practice and that sound systems of internal control are operating. However there are still areas where improvements can be made and actions to address.
- 5.12 The Council takes Information Governance seriously and has taken significant steps to improve the security of its IT, Paper and Handling Processes to meet the compliance requirements for Data Handling in Government. Through the Council's enhanced internal controls, there have been no data losses or reportable breaches of privacy during 2008/09. All appeals against the Council's decisions with regard to access to information have been dealt with successfully under our internal appeals process. There are no Information Commissioner's Office investigations into the Council in relation to the Freedom of Information Act, Environmental Information Regulations or Data Protection Act. Planned 2009 infrastructure upgrades will further improve security and data handling as well as, establish a culture of security through continued IGS training and awareness programmes.
- 5.13 The Council has also reviewed its information security arrangements against ISO27001 and has drawn an action plan to address the key issues during 2009/10. The implementation of this action plan is referenced in Annex 1.

- 5.14 The annual review by Internal Audit of the key systems, corporate governance and risk management arrangements have reported that at the time of the reviews the internal control systems were operating subject to minor recommendations identified. Appropriate corporate actions are included in the action plan attached to this statement (Annex 1).
- An unqualified opinion was given from the audit of the final accounts 2007/08.
 - In the Use of Resources review 2008 (for the period 2007/08) undertaken by KPMG the Council maintained a score of 3 (top score 4 – see paragraph 5.7).
- 5.15 All Directors and Heads of Service have signed two assurance statements (half year and year end) confirming that governance framework has been operating within their areas of responsibility, subject to the actions outlined in Annex 1.
- 5.16 The system of internal audit has not changed and the Audit Committee agreed at its meeting in January 2009 to undertake an internal review of the effectiveness of the system of internal audit. The action plan from the previous review has been reviewed and updated. The outstanding improvement actions are included in the action plan to this statement.
- 5.17 In addition to the CPA assessment, the Council has again received a very positive Annual Audit & Inspection letter from the Audit Commission which included that:
- The Council has progressed in delivering the Council's ambitious plans for the regeneration of the borough, and improvement in most priority services although the Council's overall CPA rating this year has reduced from 4 stars to 3 stars.
 - In the corporate assessment under the new 'harder test' undertaken at the beginning of 2008 the Council scored 4 the highest possible rating.
 - In the Direction of Travel assessment in December 2008 the Council was assessed as 'improving well'. With the exception of children's services where the score reduced to adequate, all other services are now judged to be either good or excellent and overall performance continues to improve albeit at a slower rate than most other councils.
 - The Council continues to work well with partners to regenerate the borough and strengthen the local economy.
- 5.18 The Council's Children's Services were subject to their annual performance assessment in late 2008. Ofsted reported in January 2009 that "the Council's capacity to improve its services for children and young people is good, as is its management of these services."
- 5.19 We have been advised on the implications of the review of the effectiveness of the governance framework by the Cabinet, Standards Committee, Audit Committee, Scrutiny, senior managers, Internal Audit and external review, and plan to address weaknesses and ensure continuous improvement of the framework as outlined in the action plan attached as Annex 1.
- 5.20 The Audit Committee will continue to monitor the action plan during the year.

Victor Brownlees

Interim Chief Executive
Dated

Councillor Andrew Eade

Leader
Dated

Annex 1
ACTION PLAN FOR 2008/09 ANNUAL GOVERNANCE STATEMENT
(for implementation 2009/10)

No.	ACTION	Resp.	Comments	Date
1.	Corporate Business Continuity plan – a) review; and b) test.	CD ACC and Head of P&P	<p>Corporate Business Continuity Management Strategy approved Jan 2009. Priority 1 Services identified and awaiting final approval from Corporate Directors and Cabinet.</p> <p>Revised Corporate Continuity Plan and Service Area Recovery Plan Template under development – delayed as awaiting approval of Priority 1 Services.</p> <p>Training and Exercising to be undertaken once final approval achieved</p> <p>Working closely with ICT Infrastructure Project to ensure it supports the corporate & service continuity plans</p>	<p>30/09/09</p> <p>30/09/09</p> <p>30/09/09</p> <p>30/09/09</p>
2.	Revised ICT business continuity plan to be produced during 2008/09	Head of ICT	<p>The proposed infrastructure design incorporates a live data centre environment and a backup data centre environment for both corporate and education servers. These facilities are currently being developed and tested with a planned migration between June 2009 and March 2010.</p> <p>The Business Continuity Plan will be revised in line with these time scales and in accordance with the review of the Corporate Business Continuity plan, which has identified priority one applications.</p>	30/09/09
3.	Ensure that ICT infrastructure project supports the corporate & service continuity plans	Head of ICT	<p>Following the review of the designs produced by the supplier it was felt that the proposed designs would not meet the requirements of the Council and all work was stopped with the supplier. Designs were brought in house and commercial negotiations re-opened with the supplier to agree a way forward under the existing contract. This was completed in December 2009.</p> <p>In –house designs have been completed and the majority of the hardware has been supplied.</p> <p>A test environment will be built during April and May with Live migration of in scope applications planned between June 2009 and March 2010.</p> <p>All new server requirements will be incorporated into the new infrastructure during this period.</p>	30/09/09
4.	Catering - Implement the outstanding areas from the internal audit review and on-going system/processes update.	Head of BSF, Resources & Regeneration	<p>An assessment is currently being made as to the benefits of implementing a cashless system as part of the catering and cleaning service review. Assuming that this review confirms that the benefits are significant then we will seek savings from within the catering annual revenue budget to offset the cost. This has the added advantage of building in ongoing sustainability. Furthermore we have also bid for funding to support the project from the DCSF. We should hear within the next month if we have been successful with this bid. In the meantime we will continue to use the system procured from PCS ensuring that a contingency plan is in place in case the system should fail. Subject to the above a business case has been prepared in line with procedures for ICT procurement and a team is ready to procure an alternative system.</p>	Decision on way forward by 31/05/09 and implementation by Sept 09

No.	ACTION	Resp.	Comments	Date
5.	Develop and agree a corporate procedure for the appointment, induction and control of consultants.	Head of HR	CD's have approved a policy on the Use of Consultants together with agency staff and new contract arrangements re provision of agency staff is in place with training in progress for May/June 2009 launch. Communication of this policy and guidance on the use of consultants is still required.	30/09/09
6.	Undertake review of the effectiveness of the system of internal audit for 2008/09 and then 2009/10.	Audit & Risk Manager	Agreed approach with Audit Committee 27 th January 2009 based on draft guidance. To be completed for Audit Committee 16/06/09 2009/10 review to include a repeat of the Audit Committee Effectiveness Survey	16/06/09 31/05/10
7.	Review operation and effectiveness of the revised Scrutiny arrangements	Head of Finance & Audit	New arrangements effective from 01/01/09 and work programme has been agreed and is being delivered. Review of effectiveness will be undertaken during 2009/10	30/05/10
8.	Implement outstanding actions from the Ethics Survey action plan.	Head of Legal Services	Consider refresher training in Human Rights or briefing through the bulletin or breakfast interactive.	30/09/09
9.	Complete review of the Constitution	Head of Legal Services & Head of HR	Constitution needs to reviewed and updated in respect to updating the roles and responsibilities of members and officers.	30/09/09
10.	Undertake a repeat of the Ethics survey.	Audit & Risk Manager	Undertake survey. Analyse results, compare to previous survey and identify any improvements/ actions required.	31/12/09 31/03/10
11.	Undertake skills matrix work with the Audit Committee.	Audit & Risk Manager	Skills matrix to be agreed and completed. Skills matrix results analysed and Committee to decide if they need/want to appoint a co-optee	30/06/09 31/07/09
12.	Audit Committee to present an Annual Report 08/09 to Council.	Chair of the Audit Committee	Support will be provided by CD: Resources and the Audit & Risk Manager	30/09/09
13.	To implement the actions from the self assessment against ISO27001.	Heads of ICT & Information Governance	To implement the key actions (level 1) To implement other actions (level 2,3 & 4)	31/07/09 31/03/10

Auditors' Report

To be added before publication of accounts

Statement Of Accounting Policies

1. General

The accounts have been prepared in keeping with the Code of Practice on Local Authority Accounting in the United Kingdom 2008: A Statement of Recommended Practice (SORP), issued by the Chartered Institute of Public Finance and Accountancy (CIPFA). This is supported by a number of detailed accounting recommendations including the Application of Statements of Standard Accounting Practice (SSAPs) and Financial Reporting Statements (FRSs) to Local Authorities in Great Britain, approved by the Accounting Standards Board.

2. Concepts

These accounts have been prepared in accordance with the all pervading concepts of accruals and going concern, together with relevance, reliability, comparability, understandability and primacy of legal requirements as set out in the SORP.

3. Reserves

The Council maintains certain reserves to meet general, rather than specific, future expenditure. The purpose of the Council's reserves is explained in note 21 to the Core Financial Statements.

The current system of capital accounting also requires the maintenance of two accounts in the balance sheet:

- the revaluation reserve, which represents principally the balance of the upward revaluations of fixed assets and;
- the capital adjustment account, which represents amounts set aside from revenue resources or capital receipts to finance expenditure on fixed assets or for the repayment of external loans and certain other financing transactions.

4. Provisions

The Council sets aside provisions for specific future expenses which are likely, or certain, to be incurred, based on the best estimate available.

5. Fixed Assets

All expenditure on the acquisition, creation or enhancement of fixed assets is capitalised on an accruals basis in the accounts. Expenditure on fixed assets is capitalised, provided that the fixed asset yields benefits to the Authority and the services it provides for a period of more than one year. This excludes expenditure on routine repairs and maintenance of fixed assets, which is charged direct to service revenue accounts.

Fixed assets are valued on the basis recommended by CIPFA and in accordance with the Statements of Asset Valuation Principles and Guidance Notes issued by The Royal Institute of Chartered Surveyors (RICS). The Council, under de minimis, excludes assets from its register with a value below £50,000. Fixed assets are classified into the groupings required by the 2008 Code of Practice on Local Authority Accounting and valued on the following bases:

- land, operational properties and other operational assets are included in the balance sheet at the lower of net current replacement cost or net realisable value.
- non-operational assets, including investment properties and assets that are surplus to requirements, are included in the balance sheet at the lower of net current replacement cost or net realisable value. In the case of investment properties, this is normally open market value.
- infrastructure assets and community assets are included in the balance sheet at historical cost, net of depreciation.

Revaluations of fixed assets are planned at five yearly intervals, although material changes to asset valuations will be adjusted in the interim period, as they occur. Surpluses or deficits arising from revaluation are credited or debited to the revaluation reserve respectively as long as there is a sufficient balance on the reserve in respect of deficits, where there is an insufficient balance or a clear consumption of economic benefits deficits are charged to the income and expenditure account as impairments.

Assets acquired under finance leases are capitalised in the Authority's accounts, together with the liability to pay future rentals. Other assets previously acquired under advance and deferred purchase schemes are also recognised and included in the balance sheet.

Income from the disposal of fixed assets is accounted for on an accruals basis. Such income that is not reserved for the repayment of external loans and forms part of the capital financing account, and has not been used, is included in the balance sheet as useable capital receipts.

The Council entered into a PFI transaction in March 2006 for the provision of school and leisure facilities at Hadley Learning Community and JIGSAW for £289m.

Where the Council has entered into PFI contracts the accounting treatment accords with proper practice as determined by the SORP. This means the adoption of *Application Note F to Financial Reporting Standard 5: Reporting the substance of transactions (FRS 5)*, and also reference to *Treasury Taskforce Technical Note Number 1 (revised): How to account for PFI transactions*.

The balance of risks and rewards in relation to this transaction are borne by the PFI operator. Therefore, the assets to be provided under the PFI contract will not be included as fixed assets in the Council's Balance Sheet. The Council will revisit this accounting treatment periodically and if there are significant changes in the contract or in the risk profile of the transaction.

Unitary payments are paid to the operator, and PFI credits are received from the government as a specific annual grant. The Council has approved a budget strategy which makes provision for its commitments.

Expenditure on site clearance carried out prior to contract signature is capitalised as part of the Council's land value.

At 31-3-2009 there were 2 significant contracts in place. Railfreight £1.6m and Malinslee PCT Building £1.6m.

6. Depreciation

Depreciation is provided for on all fixed assets with a finite useful life (which can be determined at the time of acquisition or revaluation) according to the following policy:-

- newly acquired assets are depreciated from the start of the year, although assets in the course of construction are not depreciated until they are brought into use. No depreciation is applied in the year of disposal.
- depreciation is calculated using the straight-line method after allowing for the residual value of the asset and its estimated life.
- depreciation is not provided for on Investment Properties.

7. Charges to Revenue in respect of Fixed Assets

General fund service revenue accounts, central support services and statutory trading accounts are charged with a capital charge for all fixed assets used in the provision of services. The total charge covers the annual provision for depreciation and impairments. Where there is sufficient balance in the Revaluation Reserve, impairments are charged there, otherwise they are charged to the Revenue Account. The aggregate charge to individual services is determined on the basis of the capital employed in each service.

Amounts set aside from revenue for the repayment of external loans, to finance capital expenditure or as transfers to other earmarked reserves are disclosed separately as appropriations, on the face of the income and expenditure account, below net operating expenditure.

8. Deferred Charges

Deferred charges represent expenditure which may properly be capitalised, but which does not create tangible fixed assets. These are written off to the Income and Expenditure account in year.

9. Government Grants and Contributions

Where the acquisition of a fixed asset is financed either wholly or in part by a government grant or other contribution, the amount of the grant or contribution is credited initially to the government grants-deferred account. Amounts are released to the revenue account over the useful life of the asset to match the depreciation charged on the asset to which it relates.

Government grants and other contributions are accounted for on an accruals basis and recognised in the accounting statements when the conditions for their receipt have been complied with and there is reasonable assurance that the grant or contribution will be received.

10. Direct Revenue Financing of Capital Expenditure

We are permitted by law to finance unlimited amounts of expenditure for capital purposes through its revenue accounts. During 2008/09, the Council charged a small amount of expenditure for capital purposes to its Income and Expenditure Account.

11. Interest on surplus funds and balances

All interest earned on surplus cash or funds and balances is taken to the General Fund, except appropriate interest that is credited to the school balances, section 106 agreements, commuted sums, insurance provision (Ex Shropshire County Council) and certain Adult & Consumer Care balances.

12. Capital Receipts

Capital receipts from the disposal of assets are held in the useable capital receipts account until such time as they are used to finance other capital expenditure or to repay debt.

13. The Redemption of Debt

The Council makes provision for the repayment of debt in accordance with the Local Authorities (Capital Finance & Accounting) (England) (Amendment) Regulations 2008 and Explanatory Memorandum and Guidance.

The "Minimum Revenue Provision" (MRP) is calculated by setting aside 4% of the principal outstanding in relation to assets funded from government allocations. For assets funded from prudential borrowing, MRP is calculated on the basis of the life of the asset and the ultimate funding of that asset. MRP is not charged until the year after the asset comes into operation.

14. Leases

The Council accounts for leases as Finance Leases when substantially all the risks and rewards relating to the leased property transfer to the Council. Leases that do not meet this definition are accounted for as Operating Leases. The Council also operates as Lessor for its Property Investment Portfolio.

The use of leasing, together with the amount of rentals paid during the year and the undischarged obligation is explained in note 42 to the Core Financial Statements.

Rentals payable under operating leases are charged to revenue on an accruals basis.

The cost of assets acquired under operating leases and the related liability for future rentals payable are not included in the balance sheet.

15. Debtors and Creditors

The revenue accounts of the Council are maintained on an accruals basis in accordance with the Code of Accounting Practice and FRS 18. That is, sums due to or from the Council during the year are included whether or not the cash has actually been received or paid in the year.

16. Stocks

Stocks are valued in accordance with SSAP 9 at current value with an allowance made for obsolescent and slow-moving items.

17. Costs of Support Services

The revenue accounts for the various services include charges for the related support services, which are based on a mixture of service level agreements and agreed bases for charging. These are agreed annually and are based on agreed criteria. Support Services are fully allocated in line with CIPFA recommended practice.

18. Pensions

The Council participates in two formal pension schemes, the Local Government Pension Scheme, which is administered by Shropshire County Pension Fund, and the Teacher's Pension Scheme administered by the Teacher's Pension Authority.

The pension costs that are charged to the Council's accounts in respect of its employees are equal to the contributions paid to the funded pension scheme for these employees. Further costs arise in respect of certain pensions paid to retired employees on an unfunded basis.

These costs have been determined on the basis of contribution rates that are set to meet the liabilities of the Pension Fund, in accordance with relevant Government regulations.

In accordance with standard accounting practice for local authorities, the additional costs that it would have been necessary to provide for in the accounts for the period under SSAP 24 are disclosed by way of a note to the Core Financial Statements.

It should be noted that with effect from April 1993 arrangements have been set in place to ensure that 100% funding is achieved.

In accordance with Financial Reporting Standard No 17 – *Retirement Benefits* (FRS17) additional disclosures and transactions in relation to the assets, liabilities, income and expenditure related to pension schemes for employees are required. Valuation methods are in compliance with the 2008 SORP. There was a change to the 2008 SORP that required different valuation methods for assets and investments. When applied to the Council's share of the Pension Fund retrospectively, this

resulted in no material changes being required for prior years. The information is only necessary in relation to the Local Government Pension Scheme, as it is not possible to identify any authority's share of the assets and liabilities under the Teachers scheme.

The age profile of this Council's Local Government Pension Scheme is not currently rising significantly, so we should not see the current liabilities of the scheme rising significantly as the members approach retirement.

19. Investments

Investments are shown in the Balance Sheet at amortised cost. The council has some investments managed by external fund managers and these are held as fair value through profit or loss.

20. Estimation Techniques

Estimation techniques are methods adopted by the authority to arrive at an estimated monetary amount, corresponding to the measurement bases selected for assets, liabilities, gains, losses and changes in reserves. An accounting policy will specify the basis on which an item is to be measured; where there is uncertainty over the monetary amount corresponding to that basis, the amount will be arrived at using an estimation technique.

21. Post Balance Sheet Events

Where a material post balance sheet event occurs which

- Provides additional evidence relating to conditions existing at the balance sheet date ; or
- Indicates that application of the going concern concept to a material part of the authority is not appropriate;

Changes will be made in the amounts to be included in the statement of accounts.

Income and Expenditure Account

	2008/09 Gross Expenditure £'000	2008/09 Income £'000	2008/09 Net Expenditure £'000	2007/08 Net Expenditure £'000	Notes
SERVICE					
Children's and Education Services	191,007	142,400	48,607	31,956	1
Adult Social Services	60,586	25,263	35,323	31,479	
Environment & Regulatory Services	19,534	2,832	16,702	17,073	2
Cultural and Related Services	20,369	8,114	12,255	9,941	
Planning & Development	18,518	7,787	10,731	6,174	
Highways & Transportation	26,638	16,095	10,543	8,136	
Housing Services	59,588	56,215	3,373	2,997	
Court & Probation Services	352	5	347	240	
Contribution re Former County Council Debt	2,475	0	2,475	2,646	
Corporate & Democratic Core	4,300	0	4,300	4,431	
Central Services Provided to the Public	50,618	41,557	9,061	8,381	
Non Distributed Costs	1,042	0	1,042	3,666	
Net Cost of Services	455,027	300,268	154,759	127,120	
Loss/(Gain) on disposal of fixed assets			(492)	(1,356)	
Precepts of Parish Councils			2,809	2,696	
Surplus of Trading Undertakings			(114)	(1,664)	3
Interest Payable and Similar Charges			7,308	7,532	
Gains and Losses on the repurchase or early settlement of borrowing			(2,289)	(2,407)	
Interest and Investment Income			(8,511)	(6,738)	
Pensions Interest Cost and Expected Return on Assets			7,020	1,823	
Net Operating Expenditure			160,490	127,006	
Demands/Precepts on Collection Fund			(55,595)	(53,025)	
Area Based Grant			(9,343)	0	4
Local Authority Business Growth Incentive Grant			(269)	(1,270)	
Revenue Support Grant			(7,826)	(8,123)	
Non Domestic Rates			(56,219)	(48,405)	
(Surplus) or deficit for year			31,238	16,183	5

Statement of Movement on General Fund Balance

	2008/09 £'000	2007/08 £'000
(Surplus) or Deficit for the year on the Income and Expenditure Account	31,238	16,183
Net additional amount required by statute and non statutory proper practices to be debited or credited to the General Fund Balance for the year	(31,154)	(16,135)
Movement in General Fund Balance	84	48
Balance at beginning of year	(7,127)	(7,175)
Balance at end of year	(7,043)	(7,127)

Note of Reconciling Items for the Movement on General Fund Balance

	2008/09 £'000	2007/08 £'000
Amounts included in Income and Expenditure Account but required by statute to be excluded when determining the Movement on General Fund Balance		
Depreciation and Impairment of Fixed Assets	(54,371)	(29,991)
Government Grants Deferred Amortisation	18,774	17,030
Write downs of deferred charges to be financed from capital resources	(1,628)	(1,600)
(Loss)/Gain on disposal of fixed assets	3,074	1,356
Differences between amounts debited/credited to the Income & Expenditure Account and amounts payable/receivable to be recognised under statutory provisions relating to soft loans and premiums and discounts on early repayment of debt	1,899	2,245
Net charges made for retirement benefits in accordance with FRS 17	(19,362)	(15,837)
	(51,614)	(26,797)
Amounts not included in the Income and Expenditure Account but required by statute to be included when determining the Movement on General Fund Balance		
Minimum Revenue Provision	3,056	3,248
Employers Contributions to Pension Fund	10,724	9,344
	13,780	12,592
Transfers to or from the General Fund Balance required to be taken into account		
Net transfer to or from earmarked reserves	6,680	(1,930)
	6,680	(1,930)
Net additional amount required to be credited or debited to the General Fund balance for the year	(31,154)	(16,135)

Statement of Total Recognised Gains and Losses

This statement brings together all the gains and losses of the council for the year and shows the aggregate increase in its net worth. In addition to the surplus generated on the Income and Expenditure Account, this includes gains and losses relating to the revaluation of fixed assets and re measurement of the net liability to cover the cost of retirement benefits.

	2008/09 £'000	2007/08 £'000
(Surplus)/loss for the year on the income and expenditure account	31,238	<i>16,183</i>
(Surplus)/Loss arising on the revaluation of fixed assets	1,342	<i>(36,074)</i>
(Surplus)/Loss arising on the collection fund	(122)	<i>(183)</i>
(Surplus)/Deficit arising on the revaluation of available for sale financial assets	(125)	<i>(55)</i>
Other Adjustments	113	<i>2,991</i>
Actuarial (gains)/losses on pension fund assets and liabilities	(11,762)	<i>40,277</i>
Total recognised (gains)/losses for the year	20,684	<i>23,139</i>

Balance Sheet

	31 March 2009 £'000	31 March 2009 £'000	31 March 2008 £'000	Notes
Net Fixed Assets				6,7,8
Operational Assets				
Infrastructure	19,009		5,580	
Community Assets	100		100	
Operational Assets – Land & Buildings	169,703		170,358	
Vehicles, Plant, Furniture and Equipment	1,433		759	
Non-Operational - Assets under Construction	992		4,583	
Non-Operational - Investment Properties	57,350		70,975	
		248,587	252,355	
Long Term Investments		45,033	4,387	9,10
Long Term Debtors				
Mortgages	31		35	
Other	632	663	369	
			404	
Total Long Term Assets		294,283	257,146	
Current Assets				
Stocks and work in progress	443		395	
Debtors	28,231		22,955	16
Landfill Allowances Asset Account	0		0	2
Investments - (short term)	97,871		126,654	9,10
Cash and Bank	2,001		202	
		128,546	150,206	
Current Liabilities				
Provisions	(878)		(120)	17
Temporary borrowing	(64,099)		(5,572)	11
Liability to DEFRA for Landfill Usage	(0)		(0)	2
Creditors	(66,908)		(52,324)	18
Bank overdraft	(20)		(686)	
		(131,905)	(58,702)	
Total Net Current Assets/(Liabilities)		(3,359)	91,504	
Less Long Term Borrowing		(125,024)	(165,350)	10,11
Less Pensions Liability		(119,169)	(122,293)	14
Government Grants Deferred		(11,949)	(5,541)	
Total Assets Less Liabilities		34,782	55,466	
Represented by:				
Capital Adjustment Account		94,490	117,040	19
Revaluation Reserve		22,062	28,709	20
Financial Instruments Adjustment Account		2,084	185	
Available For Sale Financial Assets Reserve		167	42	
Deferred Capital Receipts		19	916	
Pensions Reserve		(119,169)	(122,293)	15
Reserves		21,585	15,020	21
Useable Capital Receipts		1,363	3,683	22
Revenue Balances				
General Fund	6,843		6,984	
General Fund – Landfill Allowances	0		0	2
Special Fund	200		143	23
Controllable Service Balance	1,284		1,015	
Schools Balances	3,340		3,630	24
Council Tax Collection Fund	514	12,181	392	
		34,782	55,466	

Cashflow Statement

	2008/09 £'000	2008/09 £'000	2007/08 £'000	Notes
Revenue activities				
<u>Cash Outflows</u>				
Cash paid to and on behalf of employees	162,140		150,175	
County/Parish Precepts	15,045		14,329	
Payment to NDR Pool	60,237		58,265	
Other operating cash payments	156,195		158,179	
Housing Benefit paid out	47,475		43,162	
		441,092	424,110	
<u>Cash Inflows</u>				
Rents (after rebates)	(53)		(79)	
Council Tax Income	(57,283)		(54,510)	
Non-Domestic rate receipts	(61,366)		(54,620)	
Payment from NDR Pool	(56,219)		(48,405)	
Revenue Support Grant	(7,826)		(8,123)	25
Dedicated Schools Grant	(94,710)		(93,936)	1
DWP Grants for Benefits	(61,090)		(53,240)	25
Other government grants	(43,466)		(43,723)	25
Cash received for goods and services	(21,482)		(20,189)	
Other operating cash receipts	(62,413)		(59,732)	
		(465,908)	(436,557)	
Net cash (inflow)/outflow from revenue activities		(24,816)	(12,447)	26
Servicing of finance				
<u>Cash Outflows</u>				
Interest paid	9,532		9,915	
Interest element of finance lease rental payments	76		95	
		9,608	10,010	
<u>Cash Inflows</u>				
Interest received		(2,318)	(2,021)	
Net cash outflow from servicing of finance		7,290	7,989	
Capital Activities				
<u>Cash Outflows</u>				
Purchase of fixed assets	71,802		47,597	
Other Capital cash payments	1,427		7,999	
		73,229	55,596	
<u>Cash Inflows</u>				
Sale of fixed assets	(23,330)		(21,817)	
Capital grants received	(27,647)		(25,795)	25
Other capital cash receipts	(827)		(5,254)	
		(51,804)	(52,866)	
Net cash (inflow)/outflow from Capital Activities		21,425	2,730	
Net cash (inflow)/outflow before financing		3,899	(1,728)	27
Management of Liquid Resources				
Net Increase/(Decrease) in Short Term Deposits	8,675		12,400	28
Net Increase/(Decrease) in Other Liquid Resources	3,115		(23,038)	
		11,790	(10,638)	
Financing				
<u>Cash Outflows</u>				
Repayments of amounts borrowed	232,125		308,141	
Capital element of finance lease rental payments	419		384	
		232,544	308,525	
<u>Cash Inflows</u>				
New loans raised	(30,000)		(67,000)	
New finance Leases	(372)		(0)	
New short term loans	(220,326)		(229,460)	
		(250,698)	(296,460)	
Net cash outflow/(inflow) from financing		(18,154)	12,065	29
(Increase)/decrease in cash and cash equivalents		(2,465)	(301)	30

Notes to the Core Financial Statements

1. Disclosure of deployment of Dedicated Schools Grant

The council's expenditure on schools is funded by grant monies provided by the Department for Children Schools and Families, the Dedicated Schools Grant (DSG). DSG is ring-fenced and can only be applied to meet expenditure properly included in the Schools Budget. The Schools Budget includes elements for a range of educational services provided on an authority-wide basis and for the Individual Schools Budget, which is divided into a budget share for each maintained school.

Details of the deployment of DSG receivable for 2008/09 are as follows:

Schools Budget Funded By Dedicated Schools Grant	Central Expenditure	Individual Schools Budget	Total
	£000	£000	£000
Final DSG for 2008/09			94,710
Brought forward from 2007/08			159
Carry forward to 2009/10 agreed in advance			0
Agreed budgeted distribution in 2008/09	11,280	83,589	94,869
Actual Central Expenditure	(11,227)		(11,227)
Actual ISB deployed to Schools		(83,612)	(83,612)
Local authority contribution for 2008/09	0	0	0
Carry Forward to 2009/10	53	(23)	30

2. Landfill Allowances Trading Scheme (LATS)

The Landfill Allowances Trading Scheme was introduced in 2005/06 by the Department for Environment Food and Rural Affairs (DEFRA). Each Local Authority is given a landfill allowance for each year and either has to buy additional allowances if they exceed their limit or can sell any surplus allowances or carry forward for use in later years. The scheme ended at 31st March 2009.

For 2007/08 the Council included in its accounts estimated usage of 39,741 tonnes and a balance carried forward of 41,989 tonnes. The final figure notified to the Council by DEFRA was usage of 40,324 tonnes and a balance carried forward of 41,406 tonnes. These have been adjusted in the 2008/09 accounts.

The values used for 2008/09 have been affected by the market for allowances which has been very low. As the scheme has now finished and we were unable to sell any of our allowances during 2008/09, allowances are valued at £0 per tonne.

For 2008/09 this authority was allocated an allowance of 44,631 tonnes (50,616 in 2007/08) (valued at £0) and used 35,151 tonnes (valued at £0) of the allowance. This resulted in 50,866 tonnes (valued at £0) of surplus allowances. As the scheme finished at 31/3/2009 no allowances could carry forward.

There is no impact on the income and expenditure account for 2008/09.

The impact on the balance sheet is as follows;

Liability to DEFRA for Landfill Usage

	2008/09	2007/08
Balance Brought Forward	0	<i>(696,078)</i>
Adjustment to previous year usage	0	<i>(32,508)</i>
Write out actual usage for previous year	0	<i>728,586</i>
Estimated usage for year	0	<i>(0)</i>
	<hr/>	<hr/>
Balance Carried Forward	0	<i>(0)</i>

Landfill Allowances Asset Account

	2008/09	2007/08
Balance Brought Forward	0	<i>1,288,015</i>
Adjustment to pricing of Brought Forward Balance	0	<i>(559,429)</i>
Less Confirmed usage for previous year	0	<i>(728,586)</i>
Allowance for Year	0	<i>0</i>
	<hr/>	<hr/>
Balance Carried Forward	0	<i>0</i>

3. Market Undertaking, Industrial Units and former DSO trading activities

The Council operates markets in the Town Centre, Oakengates, Madeley, Hadley, and Dawley, whose financial results were as follows:-

	2008/09 £'000	2007/08 £'000
Income from Stallholders' Rents and charges	13	10
Expenditure	(42)	(39)
(Deficit)/Surplus taken to General Fund	(29)	(29)

The Council also operates industrial units whose financial results were as follows:-

	2008/09 £'000	2007/08 £'000
Income from rents	8,648	8,507
Other income	687	735
Expenditure	(9,192)	(7,549)
(Deficit)/Surplus taken to General Fund	143	1,693
Total Trading Accounts	114	1,664

The council also operated former direct service organisation services as internal trading accounts, these are charged directly to services.

Trading Unit	Turnover £'000	Surplus / (Deficit) £'000
Commercial Catering	4,321	(39)
Building Cleaning	3,088	(28)
Total	7,409	(67)

4. Area Based Grant

Area Based Grant (ABG) replaced Local Area Agreement (LAA) Grant in 2008/09. Previously, LAA grant was treated as Service Income and therefore reduced the overall Net Cost of Services in the Income and Expenditure Account. However, ABG is different as it is non ring-fenced i.e. there are no conditions on its use. It is therefore not income which flows into the Net Cost of Services but instead is included alongside other general sources of funding, such as Government Revenue Support Grant and Council Tax income. The impact of this is that the Net Cost of Services for 2008/09 will appear higher than 2007/08 purely due to the introduction of this new grant. The total value of ABG received by the Council in 2008/09 was £9.343m.

5. Income & Expenditure Account Deficit.

For 2008/09 the accounts show a deficit on the Income and Expenditure Account of £31.238m. The actual use of General Fund Balances was £0.084m. To calculate the true movement in General Fund Balance the I&E deficit is adjusted for statutory items, which are detailed in the Statement of Movements on General Fund Balances and summarised below:

Deficit on Income & Expenditure Account	£31.238m
Less:	
Amounts included in the Income & Expenditure Account but which do not impact on the General Fund Balance	- £51.614m
Plus:	
Amounts not included in the Income & Expenditure Account but which do have an impact on the General Fund Balance	£13.780m
Changes in Reserves	£6.680m
Actual Use of General Fund Balances	£0.084m

6. Fixed Assets

Movements in fixed assets during the year were as follows:-

	Assets Under Construction	Infrastructure	Operational Assets		Non Operational Assets		Total
		Infra-structure	Other Land & Buildings	Vehicles Plant & Equipment	Community Assets	Investment Properties	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Gross book value as at 31 March 2008	4,583	6,475	187,107	1,361	100	70,975	270,601
Additions	1,552	22,592	39,552	2,506	0	5,599	71,801
Revaluations & Impairments	(5,143)	(8,703)	(28,737)	(1,557)	0	(17,615)	(61,755)
Disposals	0	0	(10,000)	0	0	(1,609)	(11,609)
Gross book value as at 31 March 2009	992	20,364	187,922	2,310	100	57,350	269,038
Depreciation at 31 March 2008	0	895	16,749	602	0	0	18,246
Charge for Year	0	460	2,940	275	0	0	3,675
Disposals	0	0	(1,470)	0	0	0	(1,470)
Total Depreciation	0	1,355	18,219	877	0	0	20,451
Net Book Value at 31 March 2009	992	19,009	169,703	1,433	100	57,350	248,587
<i>Net Book Value at 31 March 2008</i>	4,583	5,580	170,358	759	100	70,975	252,355

7. **Fixed Asset Valuation**

The freehold & leasehold properties that comprise the Authority's Property Portfolio have been valued at 31st March 2008 by an internal valuer – A. Fox, MRICS - on the basis below in accordance with the Statements of Asset Valuation Practice and Guidance Notes of The Royal Institution of Chartered Surveyors. Not all of the properties were inspected. This was neither practicable nor considered by the valuer to be necessary for the purpose of the valuation. Assets with a value of less than £50,000 are excluded from the register.

Plant and machinery are included in the valuation of the buildings where they form an integral part of the asset, for example swimming pool filtration equipment and specialist equipment at the Ice Rink. All other vehicles, plant, furniture and equipment are valued at historic cost, less depreciation, as a proxy for current value.

Properties regarded by the Authority as operational are valued on the basis of open market value for the existing use or, where this can not be assessed because there was no market for the asset, the depreciated replacement cost.

Properties regarded by the Authority as non-operational are valued on the basis of open market value.

Community assets acquired since the introduction of capital accounting are valued at cost. Other community assets are valued on a nominal basis. This list differs from the Context Sheet in the Council's Corporate Asset Management Plan, which only lists properties where the Council has a direct repairing liability.

Depreciation is provided for on all fixed assets with a finite useful life (which can be determined at the time of acquisition or revaluation) according to the following policy:-

- newly acquired assets are depreciated from the start of the year, although assets in the course of construction are not depreciated until they are brought into use. No depreciation is applied in the year of disposal.
- depreciation is calculated using the straight-line method after allowing for the residual value of the asset and its estimated life.
- depreciation is not provided for on Investment Properties.

8. **Information on Assets held**

Fixed assets owned by the Council include the following:-

	31-3-09 (Nos.)	31-3-08 (Nos.)
<u>Operational Assets</u>		
Hostels	4	4
Houses for Homeless	17	17
Offices	25	25
Depot and workshop	1	1
Community centres	13	13
Peoples' Centre	0	0
Business Dev't Centre	1	1
Parks and recreation	310.7 ha	217 Ha
Amenity Sites	3	3
Off-Street car parks	28	28
Bus Stations	4	4
Theatres	1	1
Cemeteries	3	3
Ice Rink	1	1
Leisure Centres	4	4
Swimming Pools	2	2
Changing Rooms/ Pavilions	12	13
Nursery Schools	1	1
Schools	53	57
Outdoor Activity Centre	1	1
Special Schools	4	4
Learning Communities	1	1
Joint Service Facility	1	1
First Point Centre	1	1
Pupil Referral Unit	3	3
Youth Centres	6	7
Libraries	8	8
Elderly Persons Homes	3	3
Toilets	11	12
Children's Centres	2	2
Children's Homes	1	2
Group Homes	23	23
Residential Homes	2	2
Training/Day Centres	7	7
Emergency Planning Cen	1	1
Traveller Sites	2	2
Allotments	10	11
Visitor Info Centre	1	1
Land associated with assets (ex parks)	596.5Ha	617 Ha
Other land holdings	111.8Ha	80 Ha
Caretakers bungalows	4	4
Ski Slope Centre	1	1
Play Areas	115	115
Golf Courses	73ha	73ha
School Playing Fields	12	13
<u>Non Operational Assets</u>		
Smallholdings	1	1
Offices	23	19
Retail	30	30
Industrial Estates	29	28
Misc Ground Rents	47	46
Sites For Disposal	48	48
Woodlands	4	5
Assets Under Construction	2	2
Sites for Regeneration	4	1
Misc Rents	50	50

9. Investments

In total our investments have increased by £12m. Investments are categorised as Long or Short term dependent on the type and maturity date. Supranational Bonds moved into temporary investments during 2008/09.

The Council has a number of long term investments in external organisations, totalling £45,033,333. The majority (£45.000m) relates to fixed term investments with banks. Long term investments have increased over the year due the conversion of some callable deposits into fixed term investments at advantageous rates. Investments are shown in the Balance Sheet at market value.

The council also has a number of short term investments totalling £97,871,142. These have reduced over the year as some callable deposits were converted into fixed term investments. The element of our investments that are managed by 3 fund managers is as follows;

	31 st March 2009	31 st March 2008
	£000	£000
Investec Asset Management	19,594	18,232
Invesco Asset Management	19,610	18,551
Morley	19,193	18,271
Total	58,397	55,054

The remainder of the investment sum is managed in house and includes a range of other investments such as callable deposits.

Summary of Investments

Category	31 st March 2009	31 st March 2008
	£000	£000
Long Term Investments		
Supranational Bonds	0	4,303
Fixed Term Deposits	45,000	0
Other	33	84
Total Long Term	45,033	4,387
Short Term Investments		
Supranational Bonds	4,199	0
Callable Deposits	20,000	50,000
Fixed Term Deposits	15,275	21,600
Fund Managers	58,397	55,054
Total Short Term	97,871	126,654
Total Investments	142,904	131,041

Fund Managers have been valued at "fair value through profit and loss", supranational bonds at fair value and all other investments are valued as "loans and receivables". See also note 10 on fair value.

10. Fair Value of Assets & Liabilities

Fair Value is defined as the amount for which an asset could be exchanged or a liability settled, assuming that the transaction was negotiated between parties knowledgeable about the market in which they are dealing and willing to buy/sell at an appropriate price, with no other motive in their negotiations other than to secure a fair price.

We have worked in conjunction with Sector our treasury advisors to produce the following portfolio valuation

	Nominal/ Principal	Fair Value
	£000	£000
Financial Assets		
Callable Deposits	30,000	34,562
Fixed Term Deposits	39,000	43,099
Cash	1,275	1,275
Flippable Range Accrual	10,000	10,066
Supranationals	4,199	4,199
Fund Managers	58,397	58,397
Other	33	33
	142,904	151,631
Financial Liabilities		
Money Market Loans (LOBO's)	55,000	55,414
Money Market Loans (Fixed Term)	64,098	64,129
PWLB Loans	70,024	79,079
	189,122	198,622

The assets and liabilities are shown in the balance sheet at Nominal/Principal cost. What the above table shows is that the fair value of our assets (investments) is greater than that shown on the balance sheet due mainly to accrued interest. Conversely, the fair value of our liabilities is more than the amount held on the balance sheet due mainly to the penalties we would incur if we wanted to redeem our liabilities early.

Methodology and Assumptions

The fair value of an instrument is determined by calculating the Net Present Value of future cashflows, which provides an estimate of the value of payments in the future in today's terms. This is the widely accepted valuation technique commonly used by the private sector.

The discount rate used in the NPV calculation should be equal to the current rate in relation to the same instrument from a comparable lender. This will be the rate applicable in the market on the date of valuation, for an instrument with the same duration i.e. equal to the outstanding period from valuation date to maturity. The structure and terms of the comparable instrument should be the same, although for complex structures it is sometimes difficult to obtain the rate for an instrument with identical features in an active market. In such cases, we have used the prevailing rate of a similar instrument with a published market rate, as the discount factor.

Complexities of the NPV calculation

It is unlikely that the future cash instalments of an instrument will fall in equal time periods from the date of valuation, and there is likely to be a "broken" period from the valuation date to the next instalment. This means that an adjustment needs to be made to each discount factor, in order to take account of the timing inequality.

Evaluation of PWLB debt

We have used the new borrowing rate, as opposed to the premature repayment rate as the discount factor for all PWLB borrowing. This is because the premature repayment rate includes a margin which represents the lender's profit as a result of rescheduling the loan, which is not included in the fair value calculation since any motivation other than securing a fair price should be ignored.

Inclusion of accrued interest

The purpose of the fair value disclosure is primarily to provide a comparison with the carrying value in the Balance Sheet. Since this will include accrued interest as at the Balance Sheet date, we have also included accrued interest in the fair value calculation. This figure will be calculated up to and including the valuation date.

Discount rates used in NPV calculation

The rates quoted in this valuation were obtained by Sector from the market on 31st March, using bid prices where applicable.

Assumptions:

It is noted that the following assumptions do not have a material effect on the fair value of the instrument:

- Interest is calculated using the most common market convention, ACT/365
- Where interest is paid/received every 6 months on a day basis, the value of interest is rounded to 2 equal instalments
- For fixed term deposits it is assumed that interest is received on maturity, or annually if duration is > 1 year
- We have not adjusted the interest value and date where a relevant date occurs on a non working day

Exposure to Risk

The authority's activities expose it to a variety of financial risks:

- credit risk – the possibility that other parties might fail to pay amounts due to the authority
- liquidity risk – the possibility that the authority might not have funds available to meet its commitments to make payments
- market risk – the possibility that financial loss might arise for the authority as a result of changes in such measures as interest rates and stock market movements.

The authority's overall risk management programme focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the resources available to fund services. Risk management on investments is carried out by a central treasury team, under policies approved by the council in the annual treasury management strategy. The council provides written principles for overall risk management, as well as written policies covering specific areas, such as interest rate risk, credit risk, and the investment of surplus cash.

Credit risk

Credit risk arises from deposits with banks and financial institutions, as well as credit exposures to the authority's customers. Deposits are not made with banks and financial institutions unless they are rated independently with a minimum short term rating of AA-, a minimum long term rating of F1+, a minimum support rating of 3, a minimum individual rating of C and a minimum sovereign rating of AA-. In conjunction with our treasury advisors these are overlaid with credit default swaps to produce a lending list governing both value and length of investment. The authority has a policy of not lending more than 20% of its surplus balances to one institution.

The following analysis summarises the authority's potential maximum exposure to credit risk, based on experience of default and uncollectability over the last five financial years, adjusted to reflect current market conditions.

	Amount at 31 March 2009 £000s	Historical experience of default %	Historical experience adjusted for market conditions at 31 March 2009 %	Estimated maximum exposure to default and uncollectability £000s
	A	B	C	A * C
Deposits with banks and financial institutions	80,275	0.00	0.00	0.00
Bonds	4,199	0.00	0.00	0.00
Fund Managers	58,397	0.00	0.00	0.00
Other	33	0.00	0.00	0.00
Total	142,904	0.00	0.00	0.00

The Council has not experienced any defaults with any of the above counterparty types in the last 10 years. No credit limits were exceeded during the reporting period and the authority does not expect any losses from non-performance by any of its counterparties in relation to deposits and bonds. At 31st March the Council had £5m invested with Irish Banks whose credit rating had fallen below the Council's lending criteria after the investments were placed, this was potentially at risk, both the investments matured during May and the £5m was repaid to the Council. Although the Council had investments with Icelandic banks during 2008/09 these had matured before the Icelandic banking crisis happened. The Council has a number of long term (greater than 1 year) investments, the majority of these are with UK banks that are within the UK Government Guarantee Scheme and pose no risk of default. The current market conditions are unprecedented and our position will be continually monitored.

Liquidity risk

As the authority has ready access to borrowings from the Public Works Loans Board, there is no significant risk that it will be unable to raise finance to meet its commitments under financial instruments. Instead, the risk is that the authority will be bound to replenish a significant proportion of its borrowings at a time of unfavourable interest rates. The strategy is to ensure that not more than 20% of loans are due to mature within any rolling three-year period through a combination of careful planning of new loans taken out and (where it is economic to do so) making early repayments.

The maturity analysis of financial liabilities is as follows:

	2008/09 £'000	2007/08 £'000
Maturing in 1-2 years	10,001	326
Maturing in 2-5 years	20,002	2
Maturing in 5-10 years	4	4
Maturing in more than 10 years	95,017	165,018
	125,024	165,350

All trade and other payables are due to be paid in less than one year.

Market risk

Interest rate risk

The authority is exposed to significant risk in terms of its exposure to interest rate movements on its borrowings and investments. Movements in interest rates have a complex impact on the authority. For instance, a rise in interest rates would have the following effects:

- borrowings at variable rates – the interest expense charged to the Income and Expenditure Account will rise
- borrowings at fixed rates – the fair value of the liabilities borrowings will fall
- investments at variable rates – the interest income credited to the Income and Expenditure Account will rise
- investments at fixed rates – the fair value of the assets will fall.

Borrowings are not carried at fair value, so nominal gains and losses on fixed rate borrowings would not impact on the Income and Expenditure Account or STRGL. However, changes in interest payable and receivable on variable rate borrowings and investments will be posted to the Income and Expenditure Account and affect the General Fund Balance £ for £. Movements in the fair value of fixed rate investments will be reflected in the STRGL.

The authority has a number of strategies for managing interest rate risk. Policy is to aim to keep a maximum of £0 of its net borrowings and investments in variable rate loans (i.e. variable rate borrowing will not exceed variable rate investments. During periods of falling interest rates, and where economic circumstances make it favourable, fixed rate loans will be repaid early to limit exposure to losses. The risk of loss is ameliorated by the fact that a proportion of government grant payable on financing costs will normally move with prevailing interest rates or the authority's cost of borrowing and provide compensation for a proportion of any higher costs.

The treasury management team has an active strategy for assessing interest rate exposure that feeds into the setting of the annual budget and which is used to update the budget quarterly during the year. This allows any adverse changes to be accommodated. The analysis will also advise whether new borrowing taken out is fixed or variable.

Price risk

The authority does not generally invest in equity shares and has no shareholdings. The authority is not consequently exposed to losses arising from movements in the prices of the shares.

Foreign exchange risk

The authority has no financial assets or liabilities denominated in foreign currencies and thus has no exposure to loss arising from movements in exchange rates.

Financial Instruments Adjustment Account – this account holds the accumulated difference between the financial costs included in the Income and Expenditure Account and the accumulated financing costs required in accordance with regulations to be charged to the General Fund balance.

The **Available-for-Sale Reserve** is a new revaluation reserve introduced to manage the fair value process for these financial assets. It is permitted to have a negative value provided that the losses posted to it are not impairment losses.

Fair Value through Profit and Loss – part of the council's investments are managed by 3 fund managers, and these are treated as fair value through profit and loss, as they are held to make profits through trading. The net gains or losses on these assets are as follows.

Fund Manager	Capital Gain (Loss) £000	Interest Gain £000	Total Gain (Loss) £000
Investec	351	1,076	1,427
Invesco	90	1,007	1,097
Morley	(35)	956	921
Total	406	3,039	3,445

11. Long Term Borrowing

Source of Loan	Range of Interest rates payable (%)			Total Outstanding at 31 March	
				2009 £'000	2008 £'000
Public Works Loan Board	2.69	-	8.875	70,024	110,024
Money Market Loans (LOBOs)	3.98	-	4.50	55,000	55,000
Morgan Grenfell		-		0	326
				125,024	165,350

An analysis of loans by maturity is:

	2008/09 £'000	2007/08 £'000
Maturing in 1-2 years	10,001	326
Maturing in 2-5 years	20,002	2
Maturing in 5-10 years	4	4
Maturing in more than 10 years	95,017	165,018
	125,024	165,350

The Morgan Grenfell loan relates to a deferred purchase agreement in respect of Hortonwood and the refurbishment of the former Depot into workshops and runs until 2009/10.

In 2008/09 a number of long term loans when rates were advantageous and these were replaced by shorter term PWLB loans at low interest rates and money markets loans at variable interest rates to take advantage of the fall in interest rates. The PWLB loans that were repaid generated discounts of £2.289m and a benefit of £0.229m for 2008/09.

	2008/09 £'000	2007/08 £'000
Total Long Term Borrowing	125,024	165,350
Temporary Borrowing	64,099	5,572
Total Borrowing	189,123	170,922

In total fixed and temporary borrowing increased by £18m, from £170.922m to £189.123m during the year.

See also note 10 on fair value.

12. Pension Costs

The Local Government Pension Scheme is a Defined Benefit Scheme and as such falls under FRS 17 and has resulted in transactions impacting on the Income and Expenditure Account as above. There are also further explanations and disclosures within Notes 13, 14, and 15 to the Core Financial Statements.

The Teacher's Pension Scheme is also a Defined Benefits Scheme but it is not possible to determine any authority's share in the assets and liabilities of the scheme. It therefore does not fall within FRS17. The disclosures below relate to those required under SSAP 24.

In 2008/09 the Council paid an employer's contribution of £6,741,097 (£6,776,650 in 2007/08) representing 14.1% of Teacher's pensionable pay into the Teachers Pension Authority. The scheme provides members with defined benefits related to pay and service. The contribution rate is determined by the Fund's Actuary based on quinquennial actuarial valuations, the last review being at 31st March 2005. Under Pension Regulations, contribution rates are set to meet 100% of the overall liabilities of the fund.

The Fund's Actuaries have advised that the pension costs that it would have been necessary to provide for the year in accordance with FRS 17, Accounting for pension costs are £6,741,097 (£7,077,834 in 2007/08) representing 14.1% of pensionable pay.

The Council also pays employer's contributions in relation to the Local Government Pension Scheme administered on our behalf by Shropshire County Council. These are disclosed in the Notes 13 - 15.

13. Pensions Accounting

In accordance with Financial Reporting Standard No 17 – *Retirement Benefits* (FRS17) the Council is required to disclose certain information concerning assets, liabilities, income and expenditure related to pension schemes for its employees. As explained in note 18 of the Accounting Policies, the Council participates in two formal schemes, the Local Government Pension Scheme, and the Teacher's Scheme. The Council is not required to record information related to the Teacher's Scheme as the assets and liabilities of the fund cannot be attributed to individual authorities. The Local Government Pension Scheme is administered by Shropshire County Council and is a funded defined benefit final salary scheme, meaning that the authority and employees pay contributions into a fund, calculated at a level intended to balance the pension liabilities with investment assets. Overall the deficit on the Council's share of has decreased by £3.1m; this has been as a result of actuarial gains.

The Council assets and liabilities related to the Local Government Pension Scheme operated by Shropshire County Council amounted to:

	2008/09	2007/08
	£000	£000
Present Value of Funded Benefit Obligations	(309,106)	(365,275)
Present Value of Unfunded Benefit Obligations	(8,498)	(9,965)
Total Present Value of Benefit Obligations	(317,604)	(375,240)
Fair Value of Pension Fund Assets	198,435	252,947
Surplus/(Deficit)	(119,169)	(122,293)

Change in Benefit Obligation during year.

	2008/09 £000	2007/08 £000
Benefit Obligation at Beginning of Year	(375,240)	(337,648)
Current Service Cost	(12,150)	(11,187)
Interest on Pension Liabilities	(22,993)	(18,368)
Member Contributions	(4,512)	(3,980)
Past Service Cost	(86)	(2,825)
Actuarial Gain or (Loss) on Liabilities	84,199	(11,389)
Curtailement Cost	(106)	(2)
Benefits / Transfers Paid	13,284	10,159
Surplus / (Deficit) at End of Year	<u>(317,604)</u>	<u>(375,240)</u>

Change in Plan Assets during year.

	2008/09 £000	2007/08 £000
Fair Value of Plan Assets at Beginning of Year	252,947	262,125
Expected Return on Plan Assets	15,973	16,545
Actuarial Gain or (Loss) on Assets	(72,437)	(28,888)
Employer Contributions	10,724	9,344
Member Contributions	4,512	3,980
Benefits / Transfers Paid	(13,284)	(10,159)
Surplus / (Deficit) at End of Year	<u>198,435</u>	<u>252,947</u>

Statement of Gains and Losses

	2008/09 £000	%	2007/08 £000	%
Actuarial Gain/(Loss)	(12,012)	<i>3.8% of liabilities</i>	(40,277)	<i>10.7% of liabilities</i>
Actual Return on Plan Assets	56,214		(6,244)	
Experience Gains/(Losses) On Assets	(72,187)	<i>36.4% of assets</i>	(28,860)	<i>11.4% of assets</i>
Experience Gains/(Losses) On Liabilities	0	<i>0.0% of liabilities</i>	5,956	<i>1.6% of liabilities</i>

Assets are valued at fair value, principally market value for investments, and consist of:

	2008/09		2007/08	
	£000	%	£000	%
Equity Investments	120,450	60.7%	164,921	65.2%
Government Bonds	28,972	14.6%	34,401	13.6%
Other Bonds	23,018	11.6%	30,354	12.0%
Property	11,708	5.9%	12,141	4.8%
Cash/Liquidity	4,762	2.4%	4,806	1.9%
Other	9,525	4.8%	6,324	2.5%
Total	198,435	100%	252,947	100%

Expected rate of return on assets:

	2008/09	2007/08
Equity Investments	7.5%	7.5%
Government Bonds	4.0%	4.6%
Other Bonds	6.0%	6.1%
Property	6.5%	6.5%
Cash/Liquidity	0.5%	5.3%
Other	7.5%	7.5%

Liabilities are valued on an actuarial basis using the projected unit method, which assesses the future liabilities of the fund discounted to their present value. The valuations are based on a valuation as of 31st March 2007 and updated for the following 24 months, by Mercer Human Resource Consulting, the independent actuaries to the fund. The next valuation is at 31.03.2010. The main assumptions used in the calculations are:

	2008/09	2007/08
- rate of inflation	3.3%	3.6%
- rate of increase in salaries	5.05%	5.4%
- rate of increase in pensions	3.3%	3.6%
- proportion of employees opting to take a commuted lump sum	50%	50%
- rate for discounting scheme liabilities	7.1%	6.1%
- longevity at 65 for current pensioners		
Male	21.2	21.1
Female	24.0	24.0
- longevity at 65 for future pensioners		
Male	22.2	22.2
Female	25.0	25.0

Changes to the pension scheme permit employees retiring on or after 6th April 2006 to take an increase in their lump sum payment on retirement in exchange for a reduction in their future annual pension. On the advice of our actuaries we have assumed that 50% of employees retiring will take advantage of this change to the pension scheme.

Scheme History

	2008/09	2007/08	2006/07	2005/06	2004/05
	£000	£000	£000	£000	£000
Present Value of Liabilities	(317,604)	(375,240)	(337,648)	(331,871)	(285,240)
Fair Value of Assets	198,435	252,947	262,125	246,250	194,247
Surplus/(Deficit) on scheme	(119,169)	(122,293)	(75,523)	(85,621)	(90,993)
Gains and Losses on Assets	36.4%	9.0%	(0.6)%	13.9%	2.4%
Gains and Losses on Liabilities	0.0%	0.0%	0.0%	0.0%	3.5%

14. Pensions Asset/Liability Account

	£'000		£'000
		Opening Balance	122,293
Return on Assets	15,973	Past Service Cost - Added Years	192
Payments to Pension fund	10,724	Current Service Cost	12,150
Actuarial Gains	11,762	Interest Cost	22,993
Balance carried forward	119,169		
	<u>157,628</u>		<u>157,628</u>

15. Pensions Reserve

	£'000		£'000
Opening Balance	122,293		
Added Years	192	Charging Pensions Cost Payable	10,724
Reversing Out FRS 17 items	19,170	Actuarial Gains	11,762
		Balance Carried Forward	119,169
	<u>141,655</u>		<u>141,655</u>

16. Debtors

	31 March 2009 £'000	31 March 2008 £'000
Amounts falling due in one year:		
Government Departments	6,189	5,885
General Debtors	23,492	17,905
Car Leasing to Employees	94	114
Collection Fund	4,253	4,976
	<u>34,028</u>	<u>28,880</u>
Provision for doubtful debts	(5,797)	(5,925)
Total	<u>28,231</u>	<u>22,955</u>

17. Provisions

	1 April 2008 £'000	Transfers/ Receipts in year £'000	Transfers/ Payments in year £'000	31 March 2009 £000
Restructure Costs	0	878	0	878
Other Provisions	120	0	120	0
Total	<u>120</u>	<u>878</u>	<u>120</u>	<u>878</u>
<i>2007/08</i>	<i>115</i>	<i>6</i>	<i>1</i>	<i>120</i>

As part of the Council's ongoing drive for efficiency, an initial restructuring process took place in 2008/09. This reduced the number of Portfolios from 5 to 4 and will generate around £1m ongoing efficiencies. A provision to meet the one off costs associated with the re-structure was made in the 2008/09 accounts.

18. Creditors

	31 March 2009 £'000	31 March 2008 £'000
Government Departments	15,273	7,379
Sundry Creditors	46,584	42,632
Receipts in advance	5,051	2,313
Total	66,908	52,324

19. Capital Adjustment Account

	2008/09 £'000	2007/08 £'000
Balance Brought Forward	117,040	124,077
Restatement and impairment of assets at 31 March	(48,091)	(24,802)
Disposal of fixed assets at book value	(6,512)	(5,960)
Capital receipts set aside	0	696
Government Grants Deferred Written Off	18,774	17,030
Capital financing - Capital receipts	15,318	7,596
MRP (less depreciation provision)	(411)	3
Less		
Write down of deferred charges	(1,628)	(1,600)
Balance Carried Forward	94,490	117,040

The capital accounting system requires a capital adjustment account. The account accumulates (on the debit side) the write-down of the historical cost of fixed assets as they are consumed by depreciation and impairments or written off on disposal. It accumulates (on the credit side) the resources that have been set aside to finance capital expenditure. The same process applies to capital expenditure that is only capital by statutory definition (deferred charges). The balance on the Account thus represents timing differences between the amount of the historical cost of fixed assets that has been consumed and the amount that has been financed in accordance with statutory requirements.

20. Revaluation Reserve

	2008/09 £'000	2007/08 £'000
Balance Brought Forward	28,709	0
Impairments	(17,898)	0
Revaluations	16,556	36,074
Disposals	(5,097)	(7,365)
Depreciation	(208)	0
Balance Carried Forward	22,062	28,709

The Revaluation Reserve records the accumulated gains on the fixed assets held by the authority arising from increases in value, as a result of inflation or other factors (to the extent that these gains have not been consumed by subsequent downward movements in value).

The reserve is also debited with amounts equal to the part of depreciation on assets that has been incurred only because the asset has been revalued. On disposal, the Revaluation Reserve balance for the asset disposed of is written out to the Capital Adjustment Account. The overall balance on the reserve thus represents the amount by which the current value of fixed assets carried on the balance sheet is greater because they are carried at revalued amounts rather than depreciated historical cost.

21. Reserves

Reserve	Purpose	1 April 2008 £'000	Transfers /Receipts in year £'000	Payments in year £'000	31 March 2009 £'000
Theft & Vandalism Fund	Self Insurance Fund - schools	343	93	15	421
Schools Stop Loss Reserve	Stop loss Insurance - self insurance to cover fire policy excesses on school buildings	938	400	1	1,337
Building Schools for the Future	Funding for up front costs associated with the Government's programme for replacing and refurbishing primary and secondary schools.	654	0	503	151
Building Schools for the Future	Funding contribution towards the BSF programme	0	2,905	0	2,905
Hadley PFI Sinking Fund	Fund is required to meet future commitments re unitary charge payments. The reserve is being built up to address future shortfalls as PFI credits will be received at a fixed rate, whilst our expenditure will increase in line with profiling and indexing.	2,491	8,962	9,358	2,095
CRA Sinking Fund	Intended to support future R&M costs on investment property	418	79	96	401
Property Investment Fund	Condition Liability Fund for PIP properties	495	118	183	430
Community Services Development Reserve	Reserve to fund invest to save schemes, development initiatives and general contingency for the Portfolio	368	17	379	6
S117 Provision	Provision for future liability as per S117 of the Mental Health Act	251	0	0	251
Personalisation Reserve	To assist with the implementation of the Social Care Personalisation Agenda	0	300	0	300
Supporting People	Balance of grant funding committed in the medium term financial strategy.	0	950	70	880
Purchasing Consortium dividend balance	West Mercia Suppliers trading organisation surplus dividend; committed to the medium term financial strategy	0	300	0	300
LABGI Grant Reserve	Local Authority Business Growth Incentive Grant committed to support the budget strategy	590	679	269	1,000

Reserve	Purpose	1 April 2008 £'000	Transfers /Receipts in year £'000	Payments in year £'000	31 March 2009 £'000
LPSA Grant Reserve	Performance reward grant committed towards LAA targets and to support the medium term financial strategy	542	979	542	979
ICT Technical Strategy Investment Fund	Reserve for development of the ICT contract agreement and the move to PC leasing	280	116	8	388
Connexions Reserve	Deferred income and reserve distribution from the former partnership	337	405	453	289
Insurance Stop Loss Reserve	Self Insurance Reserve (non education) as part of overall insurance strategy to keep premiums down	567	105	100	572
Self Insurance Fund	Fund to meet increased costs following the change in excess at the last insurance tender renewal process.	0	462	8	454
Actuarial Strain Reserve	Reserve created to help manage the impact of capitalised contributions to the pension fund following early retirements which are repaid by services from ongoing savings.	613	162	174	601
Capital Financing Reserve	Funds set aside cost of future capital programme.	137	564	0	701
Contingency /Invest to Save Reserve	Reserve created to meet unexpected items of expenditure on council wide priorities	1,200	0	200	1,000
Capacity Building	To recognise capacity issues within the organisation	211	200	0	411
Insurance Claims	Required to offset future claims as they arise	352	1	0	353
Future Kerbside Collection	To meet the costs of statutory obligations imposed by the Environment Agency in relation to Landfill	271	0	63	208
Planning Fees Holding Account	Trading equalisation account	0	292	0	292
Bad Debts Reserve	To meet unexpected bad debts	629	0	0	629
New Technology Reserve	Corporate reserve set aside to fund redevelopment of ICT systems.	418	0	0	418
Others under £250k		2,915	2,285	1,387	3,813
TOTAL		15,020	20,374	13,809	21,585
<i>2007/08</i>		<i>18,118</i>	14,245	17,343	<i>15,020</i>

22. Useable Capital Receipts Reserve

	2008/09 £'000	2007/08 £'000
Opening balance	3,683	0
Capital receipts received during year	12,998	11,976
Less		
Capital receipts set aside	0	(697)
Capital receipts used for financing during year	(15,318)	(7,596)
	1,363	3,683

The useable capital receipts reserve represents the capital receipts available to finance capital expenditure. The balance is already earmarked to fund an element of the committed capital programme.

23 Special Fund Revenue Account

	2008/09 Gross Expenditure £'000	2008/09 Income £'000	2008/09 Net Expenditure £'000	2007/08 Net Expenditure £'000
EXPENDITURE ON SERVICES				
Cemeteries	144	85	59	66
Highways – footway lighting	720	29	691	553
Total expenditure on services	864	114	750	619
INCOME				
Council Tax			(807)	(670)
(Surplus) or deficit for year			(57)	(51)
Special Fund				
Balance at beginning of the year			143	92
Surplus or (deficit) for year			57	51
Balance at end of year			200	143

The Special Fund covers the cost of providing footway lighting and cemetery services in the former unparished areas of the borough (excluding the parishes of Lawley & Overdale, Oakengates, St Georges & Priorslee and Wrockwardine Wood & Trench which have taken over responsibility for the footway lighting in their parishes). The above costs for footway lighting relate to the remaining parishes of Great Dawley, Dawley Hamlets, Hollinswood & Randlay, Madeley, Stirchley & Brookside, The Gorge and Wellington

24. School Balances

School balances do not form part of the Council's General Fund Balances. They are held separately and are solely for use by schools. The balances held are as follows:-

	31 st March 2009	31 st March 2008
	£000	£000
School Balances - Revenue	2,303	2,564
School Balances - Capital	1,037	1,066
Total School Balances	3,340	3,630

25. Analysis of Government Grants

	2008/09 £'000	2007/08 £'000
Revenue Support Grant / NDR	(7,826)	(8,123)
DWP Grants for Housing and Council Tax Benefits	(61,090)	(53,240)
Dedicated Schools Grant	(94,710)	(93,936)
Other Revenue Grants		
NNDR Cost of Collection Allowance	(4)	0
School Standards Grant	(16,272)	(13,927)
School Development Grant	(1,795)	0
Learning and Skills Council	(2,526)	0
Area Based Grant	(9,343)	0
Other	(13,526)	(29,796)
Total Other Revenue Grants	(43,466)	(43,723)
Total Revenue Grants	(207,092)	(199,022)
Capital Grants		
Improvement Grants	(698)	(494)
European Regional Development Fund	(5,329)	(1,928)
New Deal for Schools Standards Fund	(5,360)	(8,433)
Growth Points - DCLG	(2,610)	0
Department for Communities and Local Government - Various	(1,781)	(4,776)
PFI Credits	(5,858)	(5,858)
Other Capital Grants	(6,011)	(4,305)
Total Capital Grants	(27,647)	(25,794)

26. Reconciliation of Consolidated Deficit to Net Cash from Revenue Activities

	2008/09 £'000	2007/08 £'000
Surplus/(Deficit) on income & expenditure	84	48
Surplus/(Deficit) on collection fund	(149)	(223)
Net Surplus/(Deficit)	(65)	(175)
Interest	(7,290)	(7,989)
Non Cash Transactions		
MRP in excess of depreciation	619	(3)
Contribution to other Provisions, Reserves etc.	(7,939)	7,438
Contributions to capital	0	0
Payments made directly from Provisions, Reserves etc	(881)	(596)
Items on an accruals basis		
(Decrease)/increase in Stocks and Work in Progress	48	37
(Decrease)/increase in Debtors	5,276	1,825
Decrease/(increase) in Creditors	(14,584)	(12,984)
Net Cashflow from Revenues Activities	(24,816)	(12,447)

27. Reconciliation of the Movement in Cash and Equivalents to the Movement in Net Debt

	31 March 2008 £'000	Cash Flows £'000	Other Changes £'000	31 March 2009 £'000
Cash and Cash Equivalents (note 30)	(493)	2,465	0	1,972
Debt Outstanding (note 29)	(172,005)	(18,154)	0	(190,159)
Liquid Resources (note 28)	117,614	11,790	0	129,404
	(54,884)	(3,899)	0	(58,783)
			£'000	£'000
Increase/(Decrease) in Cash and Equivalents in the Period (note 30)			2,465	
Cash from Borrowing (note 29)			(18,154)	
Change in Value of Liquid Resources Other than Cash Purchases			0	
Cash from Sale of Liquid Resources (note 28)			11,790	
Increase/(Decrease) in Net Debt				(3,899)
Net Funds at 31 March 2008				(54,887)
Net Funds at 31 March 2009				(58,786)

28. Liquid Resources

The Council considers Liquid Resources to be:

- Current asset investments that are readily disposable (i.e. within 365 days), into known amounts of cash at or close to the amount of the investment, or traded in an active market, e.g. Gilts, Certificates of Deposit etc.
- Temporary investments of cash available within 365 days.

29. Analysis of Changes in Financing

	31 March 2009 £'000	31 March 2008 £'000	Movement £'000
Long Term Borrowing:			
– Public Works Loans Board	(70,024)	(110,025)	40,001
– Finance Company	(326)	(631)	305
– Money Market	(55,000)	(55,000)	0
Money Market (Short Term)	(63,772)	(5,266)	(58,506)
Finance Leases	(1,037)	(1,083)	46
	(190,159)	(172,005)	(18,154)

30. Analysis of Balances of Cash and Cash Equivalents

	31 March 2009 £'000	31 March 2008 £'000	Movement £'000
Cash at Bank	214	202	(12)
Bank Overdraft	1,767	(686)	(2,453)
	1,981	(484)	(2,465)

31. Publicity

Local Authorities have a variety of statutory powers, which enable them to produce and circulate publicity. Expenditure on publicity amounted to £1.131m in 2008/09.

	2008/09 £'000	2007/08 £'000
Recruitment Advertising	845	711
Other Advertising	224	263
Other Publicity	62	73
Total	1,131	1,047

32. Local Authority (Goods and Services) Act 1970

The Council is empowered by this Act to provide goods and services to other public bodies. Under this power the Council maintained street lighting on behalf of parish councils. Income from these services amounted to £137,062 and the related expenditure was £137,062 (*£118,014 in 2007/08*).

33. Minimum Revenue Provision

The net amount charged to revenue in compliance with the statutory requirement to set aside a minimum revenue provision for the repayment of external loans was £3,056,141 in 2008/09 (*£3,247,665 in 2007/08*).

34. Employee Remuneration

The number of employees whose remuneration, excluding pension contributions, was £50,000 or more, in bands of £10,000 were:

	<u>Number of Employees 2008/09</u>	<u>Number of Employees 2007/08</u>
£50,000 - £59,999	97	68
£60,000 - £69,999	16	18
£70,000 - £79,999	12	17
£80,000 - £89,999	13	9
£90,000 - £99,999	1	3
£100,000 - £109,999	3	2
£110,000 - £119,999	2	1
£120,000 - £129,999	1	0
£160,000 - £169,999	1	1
£210,000 - £219,999	1	0

The 2008/09 figures include 76 school based employees (58 in 2007/08). The 2008/09 figures include 5 employees (none in 2007/08) who were made redundant or retired during the year. Please note those bands with nil in both years have been excluded.

35. Members Allowances

Total allowances paid to members during 2008/09 amounted to £640,251 (*£583,922 in 2007/08*)

36. Building Control Account 2008/09

	Chargeable	Non- Chargeable	Total Building Control
	2008/09 £'000	2008/09 £'000	2008/09 £'000
<u>Expenditure</u>			
Employee Expenses	300	157	457
Supplies & Services	6	0	6
Support Services	113	65	178
	419	222	641
<u>Income</u>			
Building Regulation Charges	405	0	405
Misc. Income	0	0	0
	405	0	405
(Surplus)/Deficit	14	222	236
2007/08 (Surplus)/Deficit	0	196	196

37. Transactions with Related Parties

This Council is required to disclose material transactions with related parties – bodies or individuals that have the potential to control or influence the council or to be controlled or influenced by the council. Disclosure of these transactions allows readers to assess the extent to which the council might have been constrained in its ability to operate independently or might have secured the ability to limit another party's ability to bargain freely with the council.

Central Government

The government has effective control over the general operations of the council – it is responsible for providing the statutory framework within which the council operates, provides the majority of its funding in the form of grants and prescribes the terms of many of the transactions that the council has with other parties (e.g. housing benefits). Details of transactions with government departments are set out in Note 25 to the Core Financial Statements

Members and Officers

During the year transactions with related parties arose as follows:

Councillor Stephen Burrell – his company, Peace of Mind Homecare, provided services to the Council through service contracts and received £549,317 in 2008/09.

Councillor Joy Francis – receives government grant for 3 to 4 year olds for 2 nurseries that she runs. This grant is administered by the Council. For 2008/09 the total grant was £126,837.

Officer Dave Hanley – A Director of Fairshare Credit Union who receive an annual grant from the Council which amounted to £61,326 in 2008/09.

38. Pooled Budgets

During 2008/09 the Council was involved in the following pooled budgets in conjunction with Telford & Wrekin Primary Care Trust for improving life chances of all children, young people, adults and older people with learning difficulties and their families and for Integrated Community Equipment.

Pooled Budgets where Telford & Wrekin is the host.

Learning Disability Development Fund

	2008/09	2007/08
	£000	£000
Expenditure	157	151
Income	209	202

Delayed Discharges Pooled Budget

	2008/09	2007/08
	£000	£000
Expenditure	284	282
Income	284	282

Intermediate Care Pooled Budget

	2008/09	2007/08
	£000	£000
Expenditure	312	305
Income	312	305

Joint Commissioning Scheme

	2008/09	2007/08
	£000	£000
Expenditure	763	672
Income	813	748

Revolution Pooled Budget

	2008/09	2007/08
	£000	£000
Expenditure	130	112
Income	150	153

Pooled Budgets where Telford & Wrekin PCT is the host.

Integrated Community Equipment Services

	2008/09	2007/08
	£000	£000
Expenditure	79	78
Income	79	78

Substance Misuse

	2008/09	2007/08
	£000	£000
Expenditure	1,197	1,231
Income	1,254	1,256

39. Audit Costs

The Council's accounts have been audited by KPMG in 2007/08 and 2008/09. In 2008/09 the Council incurred the following fees relating to external audit and inspection:

	2008/09	2007/08
	£000	£000
Fees payable to the Audit Commission/KPMG with regard to external audit services	223	180
Fees payable to the Audit Commission/KPMG in respect of statutory inspection	127	6
Fees payable to the Audit Commission/KPMG for the certification of grant claims and returns	55	60
Fees payable in respect of other services provided by the appointed auditor	2	12

40. Deferred Charges

Deferred charges are created when expenditure, classified as capital expenditure with respect to capital controls, does not result in the creation of a fixed asset. During 2008/09 expenditure on deferred charges totalled £1,627,988 and grant receivable came to £698,000. However, none of this expenditure created a benefit to the Authority beyond the financial year in which it was incurred. Consequently, the net cost has been written off against the Capital Adjustment Account during the year.

41. Summary of Capital Expenditure and Sources of Finance

	2008/09	2007/08
	£'000	£'000
Opening Capital Financing Requirement	101,064	90,538
Capital Investment		
Operational Assets	56,656	39,494
Non Operational Assets	4,316	2,720
Deferred Charges	1,628	1,600
Leased Vehicles	113	931
Sources of Finance		
Capital Receipts	(15,454)	(8,400)
Government Grants and Other Contributions	(25,181)	(22,571)
Revenue Provision (NB: includes MRP)	(3,056)	(3,248)
Closing Capital Finance Requirement	120,086	101,064
Movement for Year	19,022	10,526
Explanation of movements in the year		
Increase in underlying need to borrow (supported by Government financial assistance)	5,615	5,570
Increase in underlying need to borrow (unsupported by Government financial assistance)	13,407	4,956
Increase/(decrease) in Capital Financing Requirement	19,022	10,526

The main items of capital expenditure during the year related to improving schools, roads, local housing improvement grants and ICT Broadband/VOIP/Business Transformation, Lloyds Land Stability, Railfreight, Woodside and Street Lighting.

At 31-3-2009 there were 2 significant contracts in place. Railfreight £1.6m and Malinslee PCT Building £1.6m.

The Council entered into a PFI transaction in March 2007 for the provision of school and leisure facilities at Hadley Learning Community and JIGSAW for £289m.

Where the Council has entered into PFI contracts the accounting treatment accords with proper practice as determined by the Accounting Standards Board. This means the adoption of *Application Note F to Financial Reporting Standard 5: Reporting the substance of transactions (FRS 5)*, and also reference to *Treasury Taskforce Technical Note Number 1 (revised): How to account for PFI transactions*.

The balance of risks and rewards in relation to this transaction are borne by the PFI operator. Therefore, the assets to be provided under the PFI contract will not be included as fixed assets in the Council's Balance Sheet. The Council will revisit this accounting treatment periodically and if there are significant changes in the contract or in the risk profile of the transaction.

Unitary payments are being paid to the operator, and PFI credits received from the government as a specific annual grant from 2007/08, when all of the buildings became operational. The Council has approved a budget strategy which makes provision for its future commitments. In 2008/09 the authority made payments of £9,245,770 in respect of this PFI contract with Interserve Limited. The authority is committed to making payments estimated at £9,071,500 pa (index linked starting point September 2006) until the contract expiry date of 2034.

For 2007/08 the Council has commenced the recognition of the asset on the balance sheet. A Long Term Debtor was created during 2006/07, that balance had increased to £324,896 as at 31.03.2009 and this will gradually build up towards the value of the assets at the end of the 28 year contract.

42. Obligations under Leases and Hire Purchase Agreements

Finance Leases

During 2008/09 the value of assets acquired under finance lease arrangements amounted to £372,535. Finance lease rentals of £519,530 were paid during the year. Total outstanding obligations net of financing costs at the end of the year were as follows:-

	Next Year £	2 to 5 years £	Over 5 years £	Total £
Outstanding Obligations	273,721	742,502	40,794	1,057,017

The aggregate amount of finance charges in respect of finance leases was £70,991 for 2008/09 (£95,212 for 2007/08)

Operating Leases

During 2008/09 the value of assets acquired under operating leases amounted to £56,472. Operating lease rentals of £231,907 were paid during the year. Total outstanding obligations at the end of the year were as follows:-

	Next Year £	2 to 5 years £	Over 5 years £	Total £
Outstanding Obligations	168,773	158,454	0	327,227

Hire Purchase Contracts

During 2008/09 no hire purchase payments were made to lessors. No new hire purchase agreements were entered into during the year and the total obligation outstanding at the end of the year was zero.

Building Leases

The Council owns a number of industrial units, commercial premises and offices throughout the borough. These are rented out at commercial rates. The rent income received from these properties for 2008/09 amounted to £8,648,000 (£8,507,000 for 2007/08). See also note 3 Trading Accounts.

43. Trust Funds

The Council acts as a Trustee for the Telford Trust, which provides the leisure facilities at Madeley Court Recreation Centre. The Trust is a separate legal entity whose full set of accounts are audited by independent auditors. In 2008/09 the accounts will be audited by Muras Baker Jones and we expect to receive an unqualified audit opinion. The 2007/08 figures have been re-stated to take account of an adjustment made by the auditors in the final Telford Trust accounts.

THE TELFORD TRUST

	2008/09 £	2007/08 £
Balance at 1st April	559,892	637,567
Income	980,668	952,929
Expenditure	(1,038,268)	(952,604)
Actuarial loss on defined benefit pension scheme	(31,000)	(78,000)
Balance at 31 March	471,292	559,892

The Council also operates a Common Good Fund which is used for various charitable purposes.

THE COMMON GOOD FUND	2008/09 £	2007/08 £
Balance at 1st April	8,600	8,600
Income	0	0
Expenditure	0	0
Balance at 31 March	8,600	8,600

44. Insurance Reserves

The Council has insurance provisions on its General Fund and specifically for Education.

The provisions are in existence for the following purposes:-

- to enable the Council to move towards an element of self insurance and risk management to mitigate premium increases.
- to provide for unbudgeted potentially significant increases in annual premiums and late premium adjustments in a volatile insurance market.
- to meet any potential liabilities resulting from the winding up of MMI.

An analysis of the provisions for 2008/09 indicates the following:-

	General Fund		Education	
	2008/09 £	2007/08 £	2008/09 £	2007/08 £
Balance b/f	567,380	646,771	937,667	903,353
Charges in the Year	(108,828)	(181,309)	(943)	(440,603)
Contributions	567,327	101,918	400,000	474,917
Balance c/f	1,025,879	567,380	1,336,724	937,667

The charges relate to additional premium costs and excesses and the contributions to interest. There are three general fund insurance provisions as follows:

	General Provision		Self
	2008/09 £	2007/08 £	Insurance 2008/09 £
Balance B/f	567,380	646,771	0
Charges In Year	(100,895)	(181,309)	(7,933)
Contributions	105,177	101,918	462,150
Balance c/f	571,662	567,380	454,217

For 2008/09 self-insurance relates to the first £100,000 of each and every loss for all non-Education property claims, £250,000 in relation to Education property claims and £10,000 in relation to Investment property claims and £20,000 on each public liability claim.

45. Single Status

Single Status is a National pay and conditions agreement for staff employed under NJC terms and conditions, which is a significant proportion of the Council's workforce. The agreement is effective from 1st April 2007, however the process is not yet complete and it has been necessary to include a provision against the potential costs in the 2008/09 accounts, as was the case last year. The value of 4% of the relevant paybill has been included for the 2 years: £4.3m for services outside Education/DSO funding; £3.1m for Education/DSO services. The 4% is based on

average settlements made by other unitaries and was the increased % used for the 2008/09 budget process.

46. West Mercia Supplies Purchasing Consortium

West Mercia Supplies (WMS) is a Purchasing Consortium that was established in 1987. It is constituted as a Joint Committee, Telford & Wrekin Council is one of four constituent authorities, the other three Councils are Worcestershire County Council, Herefordshire Council and Shropshire County Council.

Once again Telford & Wrekin Council has undertaken a review of the accounting treatment that should be applied to WMS within this Council, this involved working through the group accounts questions in the chart contained on page 272 of the Guidance Notes relating to The Statement of Recommended Practice on Local Authority Accounting, published by CIPFA (the SORP). As a result it was concluded that:

1. Telford & Wrekin Council has an interest in WMS, and,
2. WMS is not delivering a service or carrying on a trade or business of its own, therefore,
3. WMS is not an entity and no group relationship exists.

We concluded that WMS is not delivering a service or carrying on a trade or business of its own because WMS exists in order to provide joint procurement services to the four constituent authorities, that is why it was constituted as a Joint Committee. Also WMS carries out business primarily on behalf of the four constituent authorities, the trade that is undertaken with other customers is merely a means of making the organisation more efficient, e.g. improved purchasing power, increased turnover over which to spread fixed costs etc.

The chart referred to above on page 272 of the SORP guidance notes refers to further guidance, on page 266, concerning accounting for bodies in which a Council has an interest but which are not entities, this reads as follows:

"A reporting authority's investment in a structure with the appearance of a joint venture that is used only as a means for each participant to carry on its own business should account directly for its part of the assets, liabilities, income, expenditure and cash flows held within or arising from that structure."

Having regard for the above and also for the requirements of FRS9 (Associates and Joint Ventures) the overall conclusion is that WMS should be accounted for as a Joint Arrangement that is Not an Entity (JANE). However, having referred to the concept of materiality, which the SORP guidance notes, on page 25, defines as:

'Materiality is the final test of what information should be given in a particular set of financial statements.....materiality is a threshold quality ensuring that the information is of such significance as to justify its inclusion in the financial statements.'

An item of information is material to the financial statements if its misstatement or omission might reasonably be expected to influence assessments of the authority's stewardship, economic decisions, or comparisons with other entities, based upon those financial statements.....

Strict compliance with the SORP, both as to disclosure and accounting principles is not necessary where the amounts involved are not material to the fair presentation of the financial position and transactions of the authority and to the understanding of the Statement of Accounts by a reader."

The conclusion of the Council is that the exclusion of its share of WMS' assets, liabilities, income, expenditure and cash flows from the Council's own accounts will not be material to the fair presentation of the financial position and transactions of the Council and to the understanding of the Statement of Accounts by a reader.

However, in the interests of transparency and accountability the unaudited 2008/09 balances of WMS are included below, along with an analysis of this Council's share of those balances based on 20.34%. The WMS balance sheet has been provided by Worcestershire County Council, in their capacity as Section 151 Officer for West Mercia Supplies:

Extract of WMS 2008/09 Balance Sheet	£000	Telford & Wrekin's Share of WMS 2008/09 Balance Sheet £000
Fixed Assets (Net of Depreciation)		
Warehouse	2,500	508
Vehicles and Equipment	252	51
Current Assets		
Stock	2,630	535
Debtors	5,791	1,178
Cash	1,719	350
Current Liabilities		
Creditors	(4,402)	(895)
Liability Related to Defined Benefit Scheme	(2,707)	(551)
Total Assets less Liabilities	5,783	1,176
Financed By		
General Fund	(5,736)	(1,167)
Capital Assets Financed from Revenue	(75)	(15)
Capital Financing Account	(2,679)	(545)
Pensions Reserve	2,707	551
	(5,783)	(1,176)
Turnover	37,162	7,558

Collection Fund Account

	2008/09 £'000	2007/08 £'000	<i>Notes</i>
Income			
Income from Council Tax	56,580	54,004	1
Transfers from the Council's General Fund			
– Council Tax Benefits	11,594	10,774	
– Transitional Relief	(2)	(2)	
Income collectable from business ratepayers	60,896	57,155	2
	129,068	121,931	
Expenditure			
Precepts and demands from Unitary, Fire, Police Authority and Parish Councils	67,831	64,659	3
Business Rates			
– Payment to national pool	60,043	56,738	
– Costs of collection	220	223	
Bad and Doubtful Debts/Appeals			
– Write Offs	561	302	
– Provisions	264	(214)	
	128,919	121,708	
Movement on fund balance (Increase)/Decrease	(149)	(223)	

Notes To Collection Fund Accounts

1. Council Tax Base for 2008/09

	Number of Dwellings	Discounted Dwellings	Net Dwellings	Equivalent Band D Dwellings	2007/08 Equivalent Band D Dwellings
Band A	25,593	(3,457)	22,136	14,747	14,663
Band B	17,602	(1,919)	15,683	12,198	12,101
Band C	9,652	(919)	8,733	7,762	7,737
Band D	7,319	(262)	7,057	7,057	7,000
Band E	4,181	(255)	3,926	4,798	4,767
Band F	1,893	(100)	1,793	2,590	2,622
Band G	937	(52)	885	1,475	1,455
Band H	45	(13)	32	64	64
TOTAL	67,222	(6,977)	60,245	50,691	50,409
Adjustments for growth and losses				(507)	(504)
Taxbase for year				50,184	49,905
Average Council Tax for year				£1,351.64	£1,295.63
				2008/09 £'000	2007/08 £'000
Gross Yield				67,831	64,658
Less Benefits and Transitional Relief				(11,592)	(10,772)
Add increase in debit net of exemptions and relief's				341	118
				56,580	54,004

2. Income Collectable from Business Rate Payers

	2008/09 £'000	2008/09 £'000	2007/08 £'000
Effective non-domestic rateable value for year	142,515		143,745
Uniform Business Rate for year	46.2p		44.4p
Gross Yield for year		65,842	63,823
Less Reductions & Transitional Rate Relief		(4,946)	(6,668)
		60,896	57,155

The rateable value was £ 146,778,296 at 31.3.2009

3. Precepts on the Fund

	2008/09 £'000	2007/08 £'000
Telford & Wrekin Council	52,786	50,329
West Mercia Police Authority	8,303	7,869
Shropshire & Wrekin Fire Authority	3,934	3,765
Parish Councils	2,808	2,696
	67,831	64,659

4. Allocation of Fund Balance

	2008/09 £'000	2007/08 £'000
Telford & Wrekin Council	(514)	392
West Mercia Police Authority	(77)	58
Shropshire & Wrekin Fire Authority	(36)	28
	(627)	478

Glossary

Accounting Policies	The accounts are prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2007: A Statement of Recommended Practice, issued by the Chartered Institute of Public Finance & Accountancy and comply with the Statements of Standard Accounting Practice (SSAPs) and Financial Reporting Standards (FRS) approved by the Accounting Standards Board
ABG	Area Based Grant
Balances	See Reserves and Balances
Balance Sheet	A statement of recorded assets and liabilities at a given point in time i.e. 31 st March for Local Authorities
Best Value Performance Indicators (BVPI's)	A set of national performance indicators used to measure performance
Budget	The financial statement reflecting the Council's policies over a period of time i.e. what the Council is going to spend to provide services.
Capital Expenditure	Expenditure on items that have a life of more than one year, such as buildings, land, major equipment.
Capital Receipts	The proceeds from the disposal of land or buildings, or other assets. These can be used to finance new capital expenditure.
Capping	The Government has the power to tell Councils to set a lower budget requirement if it thinks the year on year increase is excessive
CIPFA CIPFA/SOLACE	The Chartered Institute of Public Finance and Accountancy CIPFA/SOLACE Delivering Good Governance in Local Government - Framework - CIPFA - the Chartered Institute of Public Finance and Accountancy, have worked with SOLACE - the Society of Local Authority Chief Executives and Senior Managers, to develop the good governance framework for local authorities based on the "The Good Governance Standards for Public Services" produced by the Office for Public Management.
Collection Fund	A separate statutory fund maintained by the Council, as billing authority, which records council tax and non-domestic rates collected, together with payments to precepting authorities (Police, Fire, Parishes), the national pool of non domestic rates and the Council's own General Fund.
Comprehensive Performance Assessment (CPA)	The Government's assessment of Local Authority performance, carried out by the Audit Commission. Authorities are rated 1 Star (minimum) to 4 Star (maximum rating)
Income & Expenditure Account (I&E)	Summarised income and expenditure during the year by service area
Council Tax	The main source of local taxation to local authorities. Council tax is levied on dwellings within the local authority area by the billing authority.
Creditors	Represent the amount that the Council owes other parties, shown on the balance sheet at year end
Debtors	Represents the amounts owed to the Council, shown on the balance sheet at year end

Deferred Charges	This is expenditure that is classified as capital although it does not result in the creation of a fixed asset. Examples of this are grants, advances and financial assistance to others, costs of stock issues, expenditure on properties not owned by the authority and amounts directed by the government.
Depreciation	The accounting term used to describe the write off of the reduction in value of a fixed asset due to wear and tear, passing of time
Dedicated Schools Grant (DSG)	Specific ring-fenced grant allocated by the Department for Children, Schools & Families for the funding of schools
Discounts	The benefit obtained from re-scheduling debt
Financial Reporting Standard 17	Accounting for Retirement Benefits – local authorities are required to reflect the true value of the assets and liabilities relating to the Pension Fund in their financial statements. This creates a notional amount in the balance sheet and does not impact on council tax.
Damping	A method that is intended to provide stability in Local Authority funding. A “floor” guarantees a minimum increase in funding year on year for each authority. The cost of providing this minimum funding guarantee is funded by scaling back grant increases across other authorities.
Landfill Allowance Trading Scheme (LATS)	Launched in 2005, a Government scheme which allocates tradable landfill allowances to waste disposal authorities, aimed at reducing the amount of biodegradable waste sent to landfill sites.
Leases	A method of funding expenditure by payment over a defined period of time. An operating lease is similar to renting, the ownership of the asset remains with the lessor and the transaction does not fall within the capital control system. Finance leases are more akin to borrowing and do fall within the capital system.
Local Area Agreement (LAA)	A Government initiative through which local authorities and partners deliver national outcomes in a way that reflects local priorities
Outturn	Actual Expenditure within a particular year
Pension Fund	An employee’s pension fund is maintained in order to make pension payments on retirement to participants. It is financed from contributions from the employing authority (The Council), the employee and investment returns.
Premia	A penalty payment that may be incurred when debt is repaid early
Private Finance Initiative (PFI)	A central government initiative which aims to increase the level of funding available for public services by attracting private sources of finance.
Provisions	Amounts set aside for liabilities or losses which are likely or certain to be incurred, but the amounts or the dates on which they will arise is uncertain
Public Works Loans Board (PWLB)	A government agency providing long and short term loans to local authorities at interest rates only slightly higher than those at which Government itself can borrow.

Revenue Expenditure	Expenditure on the day to day running costs of the Council, such as salaries, wages, utility costs, repairs and maintenance.
Revenue Support Grant (RSG)	The main Government grant given to Local Authorities to assist in paying for local services. The amount of RSG paid is calculated on the basis of a Formula Spending Share, also determined by Government.
Reserves & Balances	Amounts set aside to meet future expenditure. Every local authority must maintain general balances as a matter of prudence.
Section 117	Refers to the aftercare required to be provided under Section 117 of the Mental Health Act 1983
Section 137	Section 137 of the Local Government Act 1972 gives authorities the power to undertake a limited amount of spending on activities for which it has no specific powers but which it considers 'will bring benefit to the area, or any part of it or some of its inhabitants'
Section 151	Section 151 of the Local Government Act 1972 requires that Council's nominate an officer to be responsible for the proper administration of their financial affairs. For Telford & Wrekin this is the Corporate Director:Resources.
Special Fund Revenue Account	Included in the Income And Expenditure Account but specifically summarises the cost of providing some specific services that in some areas are provided by Parish Councils but in others are provided by the Council
STRGL	Statement of Total Realised Gains and Losses
Supranational Bonds	These are investments in Multilateral Development Bank Bonds which are very highly credit rated and safe bonds and are similar in nature to UK Government Gilts.
Trading Services	A service run in a commercial style and provides services that are mainly funded from fees and charges levied on users.
Variance	The difference between budgeted expenditure and actual outturn. Also referred to as an over or under spend.
Virement	A switch of resource from one budget head to another. The rules concerning virement are contained in the Financial Regulations.

TELFORD & WREKIN COUNCIL

COUNCIL – 25th JUNE 2009

TREASURY MANAGEMENT - REPORT ON 2008/09 OUTTURN AND 2009/10 TO DATE

REPORT OF THE HEAD OF FINANCE AND AUDIT

1.0 PURPOSE

To update members on the 2008/09 Treasury outturn and activities this year to date.

2. RECOMMENDATIONS

Members are asked to:-

- 2.1 note the contents of the report,**
- 2.2 note the Council's response to the Economic Climate,**
- 2.3 note the performance against Prudential Indicators.**

3. SUMMARY

The report updates members on the outcome of Treasury Management activities for 2008/09 and details the position for 2009/10 to date.

4. PREVIOUS MINUTES

Council 6th March 2008
Council 26th June 2008
Council 5th March 2009

5. BACKGROUND

Treasury Management in local government is regulated by the 2001 revision of the CIPFA Treasury Management in Public Services : Code of Practice (the Code). This Council has adopted the Code and fully complies with its requirements. The primary requirement of the Code is the formulation and agreement by full Council of a Treasury Policy Statement, which states the policies and objectives of its treasury management activities.

A requirement of the Council's Treasury Management Practices is the reporting to the Council of both the expected treasury activity for the forthcoming financial year (the annual treasury strategy statement) and subsequently the results of the Council's treasury management activities in that year (this annual treasury report).

6. 2008/09

The annual report is covered in paragraphs 7-16 and deals with: -

- 2008/09 Portfolio position;
- the borrowing strategy for 2008/09;
- the borrowing outturn for 2008/09;
- compliance with treasury limits;
- investments strategy for 2008/09;
- investments outturn for 2008/09;
- debt rescheduling;
- Shropshire County Council debt
- overall outturn position
- leasing

7. 2008/09 PORTFOLIO POSITION

The Council's treasury management position at the beginning and the end of the year was as follows: -

	31 March 2009		31 March 2008	
	Principal £m	Rate %	Principal £m	Rate %
Fixed Rate Borrowing	125.024	4.21	110.024	4.77
Variable Rate Borrowing	<u>64.099</u>	1.54	<u>60.898</u>	4.99
Total Debt	189.123	4.03	170.922	4.85
Investments - in-house	84.507	6.02	75.987	5.19
- with external managers	<u>58.397</u>	6.24	<u>55.054</u>	5.74
Total Investments	142.904	6.11	131.041	5.54
Net Indebtedness	<u>(46.219)</u>		<u>(39.881)</u>	

The main reasons for the changes over the year include;

- Investment opportunities were taken during the early part of the year to lock in at favourable interest rates in anticipation of investments maturing later in the year and during the early part of 2009/10, which have now happened.
- Temporary borrowing was maintained at around the level at the end of 2007/08 to take advantage of falling interest rates.
- Some PWLB was taken during 2008/09 but only in shorter maturities. Opportunities were taken to repay PWLB and generate discounts.

The Adopted Treasury Strategy was to:-

- Monitor potential rescheduling opportunities for borrowing.
- Reduce the volatility of investment returns while maintaining adequate flexibility in arrangements.
- As in previous years the overall Investment Strategy for 2008/09 was to gain maximum benefit at minimum risk whilst achieving as a minimum target the 7 day deposit rate.

8. COUNCIL'S RESPONSE TO ECONOMIC CLIMATE

- 8.1 2008/09 saw an unprecedented financial crisis across the world that had a major impact on world economies and financial institutions. It brought the world banking system to the brink of total collapse. The impact on the Council was to see the creditworthiness of previously highly rated financial institutions fall dramatically, the most notable of which being Icelandic Banks. The Council was fortunate in that the investments it did have in Icelandic Banks had matured before the crisis impacted. Other Local Authorities and the Audit Commission were not so fortunate and have investments in Icelandic Banks that are unlikely to be fully repaid.
- 8.2 The Council reacted to the crisis by tightening up its lending criteria to both reduce the length of new investments and to amend the criteria. The criteria we were using prior to the crisis included long term, short term and support ratings provided by Credit Rating Agencies. This was amended to include both individual ratings and sovereign ratings. This has since been further overlaid by monitoring credit default swaps, which when move outside a range give an indication of falling credit worthiness. Other actions we have taken include using the funds from maturing investments to reduce borrowing rather than re invest. We are also planning to review our fund managers to see how they best fit in with this new economic reality and whether we should withdraw funds to repay debt.
- 8.3 The Audit Commission issued a report entitle Risk and Return which examined Local Authorities investments with Icelandic Banks and singled several out for criticism. The Chartered Institute of Public Finance and Accountancy (CIPFA) have also issued guidance on Treasury Management in Local Authorities. We will be reviewing the guidance issued and how to respond to it over the coming months. One of the recommendations is to involve Members more in the process and we are considering how best to introduce this.

9. BORROWING 2008/09

- 9.1 Original Economic Projections
The Expectation for Interest Rates – When the budget was set for 2008/09 the “average” City view anticipated that Bank Rate would be stable in 2008/09 at 5.25% based on a balance of risks around rising inflationary pressures on the one hand and falling growth rates and concerns over the impact of the credit crunch on the other hand.
- 9.2 Outturn 2008/09
Interest Rates – 2008/09 was a year that can only be described as unparalleled and extraordinary. There were several major events during the financial year (including Lehmann brothers filing for bankruptcy on 15th September, Iceland taking control of its banks on 7th October, the UK Government making significant injections of cash into RBS, HBOS and Lloyds on 13th October and the announcement of the UK support package including Quantitative Easing) which resulted in considerable falls in base rate, PWLB short term rates and investment rates. The financial crisis, commonly known as the ‘credit crunch’, had a major

downward impact on the levels of interest rates around the world. Although interest rates initially fell sharply in the US they were followed, eventually, by the Bank of England.

On 1st April 2008 Bank Rate was 5% and the Bank of England was focused on fighting inflation. Market fears were that rates were going to be raised as CPI, the Government's preferred inflation target, was well above the 2% target (two years ahead). The money market yield curve reflected these concerns with one year deposits trading well above the 6% level. PWLB rates in both 5 and 10 years edged above Bank Rate during the summer as markets maintained the belief that inflation was the major concern of the monetary authorities. The money markets were reflecting some concerns about liquidity at this time and the spread between Bank Rate and 3 month LIBOR was greater than had historically been the case.

This phase continued throughout the summer until the 15th September when Lehman Brothers, a US investment bank, was allowed to file for bankruptcy in the total absence of any other institution being willing to buy it due to the perceived levels of toxic debt it had. This event caused a huge shock wave in world financial markets and threatened to completely destabilise them. As can be seen from the charts this also led to an immediate spike up in investment rates as markets grappled with the implications this might have on other financial institutions, their credit standing and indeed their viability. On 7th October the Icelandic government took control of their banks and this was followed a few days later by the UK government pumping a massive £37bn into three UK clearing banks, RBS/HBOS/Lloyds, as liquidity in the markets dried up. The Monetary Policy Committee meantime had reduced interest rates by 50bp on 9th October. This had little impact on 3 month LIBOR, however, as the spread, or 'disconnect' as it became known, against Bank Rate widened out. On the other hand the short end of the PWLB fell dramatically as investors, very concerned about their counterparty limits post the Icelandic banks' collapse, fled to the quality of Government debt forcing yields lower.

Market focus now shifted from inflation concerns to concerns about recession, depression and deflation. Although CPI was still well above target it was seen as no barrier to interest rates being cut further. The MPC duly delivered another cut in interest rates in November, this time by an unprecedented 1.5%. Investors continued to pour money into Government securities across the curve, at the front end because of credit concerns and the longer end because of the economic consequences reducing inflation, driving yields in 10 year PWLB temporarily below 4% and 5 years to around 3.5%. In December as the ramifications of the 'credit crunch' became increasingly clear the Bank of England cut interest rates to 2%-a drop this time of 1%. The whole interbank yield curve shifted downwards but the 'disconnect' at the short end remained very wide, negating to some degree the impact of the cuts in Bank Rate. 50 year PWLB rates dropped below 4% at the turn of the year, marking the low point, as it turned out, in this maturity.

The New Year of 2009 brought little relief to the prevailing sense of crisis and on 8th January the MPC reduced rates by 0.5% to 1.5%, a

record low. More Government support for the banking sector was announced on 19th January 2009. The debt markets had a sharp sell-off at this stage as they took fright at the amount of gilt issuance likely to be needed to finance the help provided to the banks. There was also discussion about further measures that could be introduced to kick start lending and economic activity. These included quantitative easing by the Bank of England, effectively printing money.

The UK budget brought increased debt issuance. In February 2009 the MPC adopted the traditional method of monetary easing by cutting interest rates again by 0.5% to 1%. Interbank rates drifted down with the spread in the 3 months still well above Bank Rate. In early March Lloyds Banking Group, which now included HBOS, took part in the Government's Asset Protection scheme. The MPC cut interest rates yet again to 0.5% and announced the quantitative easing scheme would start soon. This scheme would focus on buying up to £75bn of gilts in the 5-25 year maturity periods and £10 -15bn of corporate bonds. This led to a substantial rally in the gilt market, particularly in the 5 and 10 year parts of the curve, and PWLB rates fell accordingly. Finally at the end of March it was announced that the Dunfermline Building Society had run into difficulties and its depositors and good mortgages were taken over by Nationwide whilst the Treasury took on its doubtful loans.

The financial year ended with markets still badly disrupted, the real economy suffering from a lack of credit, short to medium term interest rates at record lows and a great deal of uncertainty as to how or when recovery would take place. Investment income returns have been badly hit but lower borrowing rates in short to medium periods had allowed indebted local authorities to benefit.

The Council has responded to this unprecedented crisis by amending its lending criteria to both reduce the length of new investments and to amend the criteria. The criteria we were using prior to the crisis included long term, short term and support ratings. This was amended to include individual ratings and sovereign ratings. This is further overlaid by monitoring credit default swaps, which when these move outside a range give an indication of falling credit worthiness.

Borrowing and Investment Rates in 2008/09

12-month bid rates: One year LIBID fluctuated between around 5.7% to 6.4% with two peaks driven by credit crunch fears in June and September. Bank Rate had been held at 5.0% until October 9 when the first of a series of major cuts caused 12 month LIBID in 2008/09 to be on a rapidly falling trend to the end of the financial year, reaching 1.85% at the end.

5 (and 10 year) gilt yields. These yields have been very volatile during the year. In April, they started at around 4.1% (4.4%) and peaked at around 5.5% (5.2%) during June before edging down again to around 4.4% (4.5%) in mid September. After Lehman's then collapsed, yields were on a generally falling trend although volatility was again pronounced with a mini peak in late January around 2.9% (3.0%) before finishing the year at around 2.3% (2.4%).

Longer-term interest rates – The PWLB 45-50 year rate started the year at 4.43% (25 year at 4.62%) and was then generally within a band of 4.3 - 4.6% (4.6% - 5.0%) until mid October when there was a spike up to 4.84% (5.08%) followed by a plunge down to 3.86% (4.03% late December) in early December. Further spikes of 4.84% (4.86%) and 4.72% (4.69%) occurred in late January and early February with the year closing out at 4.58% (4.28%). It was not uncommon to see rates fluctuating by 40-50 basis points within a few weeks during this year. This gave the Council some excellent opportunities for debt rescheduling.

Treasury Borrowing and Rescheduling –

The borrowing strategy for the current year has been to take a pragmatic approach to the use of PWLB borrowing, spreading interest rate risk and taking advantage of rate movements when appropriate.

A summary of the transactions for the year is shown below.

New Borrowing

The following new loans have been arranged during the year

Date	Action	Amount £m	Interest Rate
11/11/08	PWLB – 1.5 yrs	5.000	2.69%
11/11/08	PWLB – 2.0 yrs	5.000	2.87%
11/11/08	PWLB – 2.5 yrs	5.000	3.05%
11/11/08	PWLB – 3.5 yrs	5.000	3.38%
21/11/08	PWLB – 3.0 yrs	10.000	2.88%

PWLB Repayments & Discounts

The following loans were repaid at discount.

Date	Action	Amount £m	Impact on budget
11/11/08	Repaid - 4.30% loan	5.000	Discount £280,537
11/11/08	Repaid - 4.20% loan	5.000	Discount £352,166
11/11/08	Repaid - 4.35% loan	5.000	Discount £246,065
21/11/08	Repaid - 4.40% loan	5.000	Discount £162,288
21/11/08	Repaid - 4.45% loan	5.000	Discount £121,798
21/11/08	Repaid - 4.45% loan	5.000	Discount £122,016
28/01/09	Repaid - 4.25% loan	25.000	Discount £1,004,091
28/01/09	Repaid - 4.45% loan	8.000	Discount £0
28/01/09	Repaid - 4.45% loan	7.000	Discount £0

We took advantage of increases in PWLB rates and a negative yield curve to restructure the loans portfolio during the year. In total we have generated discounts of £2.289m. Under accounting rules these discounts have to be spread over 10 years, benefiting the revenue account by £0.229m in 2008/09 and ongoing. These repayments enabled the Council to switch into temporary borrowing at very low rates which is why the amount of borrowing maturing in less than 1 year has increased significantly in the table below. Some of this borrowing has since been repaid.

Temporary money market loans were used as usual to fund short term cash flow movements, in total £224m was raised over the year and rates ranged between 0.50% and 5.50%.

Interest rates were higher in the early part of the year but fell considerably after September. An analysis of the maturity structure of our debt is shown below.

Analysis of Debt Maturity as at 31st March

	2009		2008	
	£'000	%	£'000	%
Maturing in less than 1 year	64,099	33.9	5,572	3.3
Maturing in 1-2 years	10,001	5.3	326	0.2
Maturing in 2-5 years	20,002	10.6	2	0.0
Maturing in 5-10 years	4	0.0	4	0.0
Maturing in more than 10 years	<u>95,017</u>	50.2	<u>165,018</u>	96.5
	<u>189,123</u>	100.0	<u>170,922</u>	100.0

Debt Performance - As highlighted in section 7 the average debt portfolio rate has fallen considerably over the course of the year from 4.85% to 4.03%. This is due to a combination of the unprecedented falls in interest rates, the level of temporary borrowing within the portfolio and the opportunities taken by officers to restructure debt where possible.

10. COMPLIANCE WITH TREASURY LIMITS

During the financial year the Council operated within the Treasury Limits and Prudential Indicators set out in the Council's Treasury Policy Statement and annual Treasury Strategy Statement at all times. The outturn for the Prudential Indicators is shown in Appendix 1.

11. INVESTMENTS :2008/09

11.1 Strategy

Internally Managed Investments - The authority manages an element of its investments in-house and invests within the institutions complying with its counterparty limits and credit ratings. Some investments are short term related to cash flows and others include longer term investment instruments that benefited returns in 2008/09.

Externally Managed Investments - The authority employed Investec, Invesco and Morley to manage the remainder of its investments. Restrictions set out in the managers' contracts limit the institutions in which investments can be made and market risk is controlled by limiting the Fund's exposure to the gilts market and to any individual counterparty. Fund Managers were given a benchmark of 3 month LIBID, although Invesco also have an element of Gilts in their benchmark.

Supranational Bonds - In order to keep a spread of investment exposure and hence maintain reasonable stability in investment returns over the medium term, the Council has previously invested in bonds issued by the European Investment Bank, World Bank and GEFCO, maturing in 2009/10 which has enabled the Council to lock into an overall return of 5.84% (the gross redemption yield on the bonds). These bonds formed an investment of £4.1m at year end, have the highest credit quality and are 'AAA' rated by Fitch IBCA.

Investment Strategy - The agreed short term investment strategy for 2008/09 was to gain maximum benefit at minimum risk whilst achieving as a target the 7 day deposit rate.

11.2 Outturn 2008/09

Detailed below are the results of the investment strategy undertaken by the Council, based on the average investment during the year.

	Average Investment	Rate of Return (gross of fees)	Rate of Return (net of fees)	Benchmark Return *
<u>Internally Managed</u>				
Investments	£88.598m	5.68%	5.68%	3.55%
<u>Externally Managed</u>				
Investec	£18.928m	7.66%	7.48%	4.58%
Invesco	£19.096m	5.87%	5.72%	6.40%
Aviva	£18.747m	5.19%	5.05%	4.58%
Total Externally Managed	£56.771m	6.24%	6.09%	5.19%
* The benchmark for Investec and Aviva is 3 month LIBID. Invesco's benchmark is a composite one based on a combination of 3 month LIBID and gilts.				

No institutions in which investments were made showed any difficulty in repaying investments and interest in full during the year. The Council did have funds in Icelandic Banks during 2008/09, however these investments had been repaid to the Council in full, together with the interest due, before the Icelandic Banking Crisis occurred.

12. SHROPSHIRE COUNTY COUNCIL DEBT

The Council makes an annual contribution (£2.475m in 2008/09) towards County Council costs on pre disaggregation debt (i.e. pre unitary inception) - interest paid averaged 6.12% last year.

13. **OVERALL OUTTURN FOR 2008/09**

The net overall position is summarised in the table below. The sound overall position has resulted from a mix of cash flow benefits plus proactive treasury management activities.

Summary of Outturn Position

	Estimate £m	Outturn £m	Variance £m
Interest Received	(7.371)	(8.195)	(0.824)
Discounts	0.000	(0.229)	(0.229)
Principal Repayments & Debt Management Costs	5.096	4.205	(0.891)
Interest Paid	<u>8.945</u>	<u>8.600</u>	<u>(0.345)</u>
Net Position	6.670	4.381	(2.289)

14. **LEASING**

Each year the Council arranges operating leases for assets such as vehicles, computers and equipment. This helps spread the cost over a number of years in line with the anticipated life of the equipment.

The final drawdown for 2008/09 was completed in March. The drawdown from JCB Finance and CHG Meridian totalled £0.170m and funded the purchase of mini buses and IT equipment over three and seven year periods at interest rates of 2.58% and 3.38%.

15. **2009/10 UPDATE**

The remainder of this report deals with the current financial year based largely on information to 31 May 2009.

15.1 **Strategy**

In the current economic climate, the strategy for the next few months is to keep investments relatively short and use solely for cashflow purposes. As our callable deposits mature, temporary borrowing will be repaid. We will also carry out a review of our Fund Managers and may withdraw funds to further reduce temporary borrowing. This will help to reduce the potential volatility of the portfolio.

15.2 **Interest Rates**

Base rate began the year at 0.5% and have remained there. Further reductions have been ruled out and the expectation is that at some stage in the future interest rates will begin to rise again, but this is dependent on when the economy begins to recover from the recession. Any increase is unlikely in the short term and most city forecasters do not expect an increase until the second half of 2010.

15.3 Prudential Regime

This Council agreed its required indicators at Council on 5th March 2009. There have been no breaches of the indicators and none have been amended. The Council set itself an Operational limit for external debt of £280m for 2009/10 and an Authorised limit of £300m. To date our total borrowing outstanding is £151m which is well within both limits.

15.4. Borrowing

The loans in the table below have been repaid during 2009/10 .No new long term borrowing has been undertaken yet this year and is unlikely until later in the year. £43.0m temporary loans have been raised so far in the year at interest rates of between 0.33% and 0.60%. As at 31 May 2009 temporary borrowing stood at £42.8m. During 2009/10 the Council has taken the opportunity to reschedule 2 loans as detailed below, one of the loans had a small premia on it but this was offset by the discount on the other loan, these were both replaced by temporary borrowing at very low interest rates.

Date	Action	Amount £m	Impact on budget
22/04/09	Repaid - 4.25% loan	10.000	Discount £213,378
22/04/09	Repaid - 4.50% loan	7.000	Premia £190,691

15.5. Internally Managed Investments

The strategy for the year is to gain maximum benefit at minimum risk whilst achieving as a minimum, the 7 day deposit rate. For the period to 31 May 2008 some £57.7m worth of investments have been made from overnight deposits up to 13 days. Rates have ranged from 0.2% to 0.75%. As at 31 May 2009 internal investments stood at £69.0m. including supranational bonds .

15.6. Fund Managers

At the 31 May 2009 the portfolios of investments managed on the Council's behalf by the three fund managers (including accrued interest) were valued at:-

	<u>£m</u>
Investec	19.7
Invesco	19.6
Morley	19.2
	<u>58.5</u>

15.7 Overall Investment Position

Total investments, including those managed internally, therefore, amount to £127.5m.

Potentially each investment manager may place 15% of the funds managed on the Council's behalf with the same institution that the Council has placed up to £5m (£15m in respect of supranational bonds)

with. The Council has excluded 3 institutions from Fund Managers' use in order to give itself flexibility in its own direct investments. At the end of May the greatest exposure with a single counterparty was £20.0m with both Barclays and Royal Bank of Scotland (just over 15.7% of the portfolio). Total exposure is shown in Appendix 2, with a detailed breakdown in Appendix 3.

16. EQUALITY & DIVERSITY

There are no direct implications.

ENVIRONMENTAL IMPACT

There are no environmental impacts directly arising from this report.

LEGAL COMMENT

Treasury management is regulated by the 2001 revision of the CIPFA Treasury Management in Public Services : Code of Practice (the Code). The Council has adopted the code and fully complies with its requirements. The Prudential Indicators were set by Council on 1st March 2008, in line with the Prudential Code.

LINKS WITH CORPORATE PRIORITIES

Active treasury management links to creating a Modern, Effective Council.

OPPORTUNITIES & RISKS

It is important that the Council meets the statutory requirements of the Treasury Management Code of Practice and the Prudential Code as this contributes to good governance for the authority. The report provides information to the general public on the Council's financial performance in relation to Treasury Management and contributes to public accountability. Any other opportunities and risks associated with the treasury management process have been identified and reviewed as part of the process.

FINANCIAL IMPLICATIONS

The body of the report covers the financial implications in detail.

WARD IMPLICATIONS

District Wide.

Background Papers

CIPFA Code of Practice for Treasury Management in Local Authorities

Fund Manager Valuations

Temporary Borrowing records

PWLB records

Investment records

Report prepared by:

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PRUDENTIAL INDICATORS

PRUDENTIAL INDICATOR	2007/08	2008/09	2008/09
(1). EXTRACT FROM BUDGET AND RENT SETTING REPORT	£m	£m	£m
	Actual Outturn	Original Estimate	Actual Outturn
Capital Expenditure			
TOTAL	43.8	76.7	62.6
Ratio of financing costs to net revenue stream			
General fund	1.57%	1.50%	0.11%
Net borrowing requirement			
brought forward 1 April	40.542	37.108	38.910
carried forward 31 March	39.924	67.722	52.901
in year borrowing requirement	(0.618)	30.614	13.991
Capital Financing Requirement as at 31 March			
TOTAL	101.064	124.200	120.086
Annual change in Cap. Financing Requirement			
TOTAL	10.526	18.800	19.022
Incremental impact of capital investment decisions	£ p	£ p	£ p
Increase in council tax (band D) per annum	1.80	11.48	11.48

PRUDENTIAL INDICATOR	2007/08	2008/09	2008/09
(2). TREASURY MANAGEMENT PRUDENTIAL INDICATORS	£m	£m	£m
	final	original	final
Authorised limit for external debt -			
borrowing	250	270	270
other long term liabilities	6	6	6
TOTAL	256	276	276
Operational boundary for external debt -			
borrowing	220	250	250
other long term liabilities	4	4	4
TOTAL	224	254	254
Upper limit for fixed interest rate exposure			
Net principal re fixed rate borrowing / investments	170	180	180
Upper limit for variable rate exposure			
Net principal re variable rate borrowing / investments:-	80%	80%	80%
Upper limit for total principal sums invested for over 364 days			
(per maturity date)	80%	80%	80%

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Maturity structure of fixed rate borrowing during 2008/09	lower limit	upper limit
under 12 months	0%	20%
12 months and within 24 months	0%	25%
24 months and within 5 years	0%	50%
5 years and within 10 years	0%	75%
10 years and above	25%	100%

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 8th April, 2009 at 6.00 p.m. at the Civic Offices, Telford

PRESENT: Councillors I.T.W. Fletcher (Chairman), A.A. Meredith (Vice-Chairman – in the Chair for planning application W2009/0168), R.G. Chaplin, J.A. Francis, G.M. Green, F.R. Picken, H. Rhodes and M.J. Smith

PB-97 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 18th March, 2009 be confirmed and signed by the Chairman.

PB-98 APOLOGIES FOR ABSENCE

None.

PB-99 DECLARATIONS OF INTEREST

Councillor F.R. Picken declared a personal and prejudicial interest in planning applications W2009/0128 and W2009/0168 and indicated his intention to leave the room during discussion thereon.

Councillor I.T.W. Fletcher declared a personal and prejudicial interest in planning application W2009/0168 and indicated his intention to leave the room during discussion thereon.

Councillor G.M. Green declared a personal interest in planning application W2008/1182 and indicated her intention to leave the room during discussion thereon.

PB-100 HUNTINGDON LANE, LAWLEY PLANNING APPLICATION – EVIDENCE

The report of the Head of Planning & Environment set out the background to this planning appeal including the endorsement and approval at the Board meeting of 30th March 2009 of the draft summaries and proofs of evidence to be submitted to the Inquiry. Full copies of the witnesses' final proofs, to which no material changes had been made since the meeting on the 30th March had been made available in the Members' Room.

RESOLVED – that the content of the Council witnesses' proofs for submission at the Public Inquiry in this Appeal be endorsed and approved by the Board.

PB-101 PLANNING APPLICATIONS FOR DETERMINATION

(Councillor G.M. Green left the room during discussion and determination of the following application in line with her declaration of interest.)

(a) W2008/1182 – Land Adjacent to 2 Wrekin View, Madeley, Telford, Shropshire

This application sought full planning consent for the erection of a pair of semi-detached dwellings on a grassed open amenity area located on the corner of Wrekin View. The site was situated within a predominantly residential area characterised by hipped semi-detached dwellings and was within walking distance of a range of local amenities. A 1.2m fence acted as the boundary between the site and no. 2 Wrekin View.

Although the site was used as an area of open amenity, it was not protected by Green Network designation. Policy OL6 of the Wrekin Local Plan recognised the existence of and the valuable and important contribution they made to the character of an area. However, this site was not used as either a footpath or a play area and, being privately owned, anyone using the site would be trespassing. Consequently, it was considered that the site's main function was purely as a visual relief from the built up character of the area.

A Tree Preservation Order had been placed on three trees on the site on submission of the application but the Council's Arboriculturalist had no objection to the loss of one other tree in the centre of the site, this being subject to conditions relating to details of service runs, methodology for protective fencing and no dig construction of parking areas within the canopy of the protected trees. In addition, an amendment to the application had been received to create a green barrier adjacent to the highway by the provision of a 1.8m high hedge as opposed to a 1.8m close board fence around the rear amenities of the proposed dwellings.

The plot was located on a prominent corner within a geometrically planned estate, which had utilised similar corner plots as part of the original development whilst retaining its original character. As the application site respected a similar layout, orientation and plot size, it was considered that the layout would respect and reinforce the character of the surrounding area and, with suitable landscaping including the boundary treatments, would still provide an area of visual relief. The proposed elevations and external treatment had been amended to reflect and respect properties in the immediate area, including the orientation of the plot, the reduction in the scale and mass of the dwellings, the location of the front doors, and the installation of a chimney and side landing windows. In addition, the internal layout had been amended to overcome any issues of overlooking at first floor level by Plot 2 over the private rear amenity of no. 2 Wrekin View and further conditions could be imposed to ensure that the non-habitable rooms had obscure glazing and that no further windows were installed.

The proposal would provide parking for two vehicles per dwelling, located at the front and rear of the site, thus providing sufficient parking for both units without dominating either front or side elevations. The proposed amenity area was also considered satisfactory for each unit.

The development was situated over an area of former coal mining and, as such, it was considered that the site could be suitably developed subject to a condition relating to land contamination and appropriate mitigation.

Madeley Parish Council had made no comments but three individual letters of objection had been received, as summarised in the report. In addition a petition of 107 signatures from residents of the surrounding area had been received regarding the size of the dwellings and the impact of the proposed fence.

Members welcomed the scheme, which made good use of the site by means of appropriate design that fitted in with surrounding properties.

RESOLVED – that planning application W2008/1182 be granted planning permission subject to the conditions as set out in the report.

(b) W2009/0051 – Land at Park Lane, Woodside, Telford, Shropshire

This was an application for the erection of 186 dwellings, access roads, parking and garaging, including the stopping up, footpath closures and making of new footways in accordance with Section 247 of Town & Country Planning Act on the sites of the former Courts buildings. The application superseded a similar one for 191 dwellings approved in principle by the Board on 11th June 2008, subject to the signing of a prior Section 106 Obligation. However, the Section 106 had not been signed and the application had been withdrawn in favour of the current one, as the developers wished to secure permission for different house styles which would better reflect the current economic climate.

The proposal was largely as previously proposed and sought to accord with a development brief prepared jointly between the Homes & Communities Agency and Council planning officers, which sought to address the problems associated with the existing Radburn layout design. The current proposal was predominantly for two-storey detached and semi-detached dwellings with some three storey units, bungalows and terraces. Overall, the scheme sought to deliver a strong form of development comprising a range of house types structured around a series of strong focal points to create a sense of identity and sense of place.

This scheme needed to be considered in conjunction with the recently completed care home which comprised part (20 nominated spaces) of the previously negotiated affordable housing element. The current proposal would provide the balance of 20 affordable units (10 for social rent and 10 shared ownership).

A new roundabout would be formed with the junction of Park Lane with Wealdstone and lower order roads on the proposed development would provide focussing of shared surfaces promoting pedestrian usage. The development would necessitate the stopping up of small areas of highway previously serving The Courts together with some footpaths, the details of

which would be submitted by the developer to the Government Office once planning permission had been granted. The applicants had worked with the adjoining school body and the Highway Authority to provide a vehicular dropping off point and pedestrian linkages through the site from other parts of Woodside.

A small area in the south-east corner of the site was identified as Green Network in the Local Plan (Policy OL4). It had negligible value in terms of the wider Green Network and its loss would be compensated for by the community benefit derived from regenerating this particular area of Woodside. In addition, the applicants had offered a financial contribution to improvements to the open space surrounding the site, which had been considered an adequate response when the previous application was considered by the Board. Therefore, it was not considered that the application constituted a Departure to the Development Plan as Policy OL4 was deemed to be satisfied.

Madeley Parish Council had submitted objections, as set out in the report. Severn-Trent Water Authority had no objections subject to appropriate conditions, as did the Council's Highways Authority and Pollution Control Section. Whilst mindful of the views of the Parish Council, it was necessary for planning obligations to be negotiated and to meet the relevant tests of Government Circular. Given the previous decision in 2008 and the particular circumstances, it was considered that a reasonable level of Section 106 contributions had been negotiated.

Members noted the updated information correcting typographical errors as tabled at the meeting.

RESOLVED:

(a) that with respect to planning application W2009/0051 the applicants be invited to enter into an Obligation under Section 106 of the Town & Country Planning Act, whereupon the Council would covenant to grant full planning permission subject to the conditions as set out in the report and the Planning Obligations to be incorporated within the deed to include a) the provision of 20 affordable housing units; b) payment of £200,000 contribution towards the provision of a Local Centre Play Area; c) £6000 POS contribution; and, d) payment of £6,290 towards wildlife habitat management.

(c) W2009/0067 – Land at 125 King Street, Wellington, Telford, Shropshire

This application sought outline planning permission for the demolition of the existing single storey brick building with steel roller shutters, and canopy of the previous petrol filling station, divided into commercial units and the redevelopment of the site to comprise five 3-bedroomed dwellings and eight 2-bedroomed flats. The forecourt and rear yard areas were largely surfaced with tarmac and concrete.

Whilst the application sought to agree the access, layout and scale with appearance and landscaping reserved for later consideration, the applicants had submitted an indicative elevation to show a two storey, terraced development of five 3-bedroomed units with garden areas to the rear and a block containing four 2- bedroomed flats, both addressing King Street. Access to parking and to the rear of units would be gained via a new driveway to be located between the two blocks and leading to a second block of four 2 bedroomed flats situated at right angles to the first block.

The existing commercial units had no historic or architectural merit and there were no objections to their demolition and no policy objections to the loss of these employment sites. The design and detailing of the proposed properties respected the scale and appearance of the neighbouring dwellings and would have a positive impact upon the visual quality of the area and the streetscene. The proposed orientation and separation distances would ensure that there would be no adverse impact on the amenities of the properties to the rear of the site and adequate amenity space would be provided for the proposed units.

The Council's Highway Engineer had no objections in principle subject to the provision of adequate visibility splays across the frontage of the site and the provision of a 2m. footway and had suggested the inclusion of informatives relating to the construction of the proposed access and to the existing lighting column and speed camera. The Council's Sport and Recreation Officer had requested a contribution of £600 per dwelling from the developer to mitigate for the increased demand on the existing recreational resource in the locality, together with additional fencing to protect the proposed development from the adjacent ball court. In addition, the Council's Capital Planning Officer had requested a contribution of £20,763.91 towards primary school facilities. These figures would be secured by way of a Section 106 Agreement. The Council's Arboricultural Officer had no objection in principle but had requested a Root Protection Area to protect the existing Cypress trees along the southern boundary

In line with PPS23 and given the previous uses of the site, it was considered necessary to impose conditions relating to contaminated land to ensure that risks to future users of the site and neighbouring land were minimised and that the development could be carried out safely. With regard to PPG24 on the need to minimise adverse noise impact and given the proximity of the proposed dwellings to King Street and the adjacent play facility, it would be necessary to impose conditions relating to acoustic glazing in the noise sensitive rooms.

In conclusion, having regard to the consultation responses and planning guidance, it was considered that, on balance, the principle of redeveloping this site for residential use was acceptable subject to conditions, mitigation works and planning obligations.

Members considered that the proposal was very beneficial as it would enhance this area of Wellington.

RESOLVED – that with respect to planning application W2009/0067 delegated authority be granted to the Head of Planning & Environment to grant outline planning consent subject to the applicant entering into a Section 106 agreement to provide financial contribution, as outlined in the report, towards education and recreational facilities and to the conditions as set out in the report.

(d) W2009/0116 – AFC Telford United, Bucks Head, Watling Street, Wellington, Telford, Shropshire

This application to extend the existing Learning Centre facility at the Bucks Head AFC Telford Football Stadium had been submitted by Telford & Wrekin Council. The existing two-storey structure lay immediately behind the terracing on the east side of the ground and it was proposed to extend this by some 943 sq.m. by adding an 'L' shaped extension to create additional floorspace for the existing suite of rooms together with additional meeting and training rooms at both ground and first floor. This would provide up to thirteen additional training rooms, although this number might be reduced as the space would be used flexibly to provide training suites of a variety of sizes to suit different meeting/conference arrangements. In addition lift facilities, plant room, w.c. facilities and additional kitchen facilities were proposed and the opportunity had been taken to provide spectator (corporate box style) facilities off the first floor training rooms to provide seating for the disabled and corporate clients.

The existing 360 space car park would be utilised, although there was an opportunity to provide an additional 30 spaces if required. However, the Highway Authority had requested further information, given the varying demands on the existing car park, and had recommended that a survey be undertaken to ascertain whether the car park would be utilised beyond its current capacity. However, officers were of the view that it could accommodate the additional floorspace, particularly as a large percentage of visitors travelled by coach and were dropped off.

The design and appearance of the proposed extension reflected the existing modern structure and would be viewed very much in association with the Bucks Head stadium complex. The Learning Centre had been very successful and was now recognised nationally as an example of good practice in public, private and community sector involvement within a football club environment, benefiting one of the Borough's most socially deprived and economically disadvantaged areas.

RESOLVED – that with respect to planning application W2009/0116 planning approval be granted subject to the conditions as set out in the report.

(Councillor F.R. Picken left the room during discussion and determination of the following application in line with his declaration of interest.)

(e) W2009/0128 – Rear of 56 Sandbrook, Ketley, Telford, Shropshire

This application proposed the erection of nineteen garages in two rows along the north and south of the site with sufficient reversing and turning space in between on an area of existing parking/garages. The applicant wished to replace the existing ad-hoc arrangement of garages, which were constructed of different materials and dimensions, to provide secure parking facilities and reduce on-street parking. The new garages would be of a modern design and appearance, constructed in concrete sections with corrugated roof sheets and powder coated steel doors thereby creating uniformity in the design and materials. Councillor H. Rhodes had requested that this planning application be considered by the Plans Board.

The parking area was served off the cul-de-sac head by a narrow access road between numbers 54 and 55 Sandbrook and boundary fencing and hedges ranging from 1.2 to 1.8 metres in height bounded the rear and side gardens of the properties adjacent to the access and proposed area of the garages. The existing parking arrangement in Sandbrook was a mix of on-street parking with other properties having paved/tarmaced frontages.

Ketley Parish Council had requested clarification on a number of points and the residents of numbers 54 and 55 Sandbrook had submitted a letter requesting that the Plans Board Members considered the issues as set out in the report.

The principle of erecting garages was already established and the increase in the number of garages from six to nineteen would improve and formalise existing ad hoc arrangements of parking and garaging in Sandbrook. With regard to the concerns raised by the Parish Council and neighbouring properties, the existing narrow and residential nature of the street with a relatively sharp corner to the north-east should encourage vehicles to travel and manoeuvre at low speeds. The fencing and hedge screening to the rear and side garden boundaries would help to minimise possible noise from vehicles utilising the garages and the access road. In addition, existing on-street parking would be reduced and replaced by secure garaging. Whilst the Local Planning Authority could not control the number of vehicle movements, it had been estimated that if all the garages were used twice a day, there would be thirty-eight trips. The existing arrangements also had the potential to be used more intensively than at present. The Council's Highways Engineer has raised no objections and the development would not encroach upon the adjoining footpath leading to a Definitive Public Right of Way along Copper Beech Road.

The development was considered acceptable in terms of the scale, design and proposed materials in the context of the surrounding modern residential estate in accordance with local and national planning policies. The garages would be visible from the adjoining elevated access road, Copper Beech

Road, but would not be overly prominent in the streetscene, being located at the rear of properties in Sandbrook. The proximity of housing and the adjoining road also provides a level of natural surveillance for the garages/parking area.

Members were informed at the meeting that, after further consideration, officers had requested a further amendment to the proposal by which the block of garages to the south of the site would be repositioned to run parallel with the boundaries of the gardens of nos. 68, 69 and 70 Sandbrook so as to remove an area with the potential to encourage anti-social behaviour.

In addition, an e-mail of objection had been received that day from the occupant of no. 69 Sandbrook, who claimed to own an area of the application site at the rear of his property to allow access. He had raised a number of objections, including that access to this property would be blocked by two of the proposed garages. Given the late notification of potential issues regarding land ownership of the site/location of the garages, an amended recommendation was tabled seeking delegated authority for the Head of Planning & Environment to grant planning permission subject to the satisfactory outcome of the investigations into the issues raised. However, following concerns raised by Councillor Rhodes, it was agreed that the application be deferred to allow Members to make a Site Visit and for the necessary investigations to be made into the land ownership.

Councillor Rhodes also raised concerns at the standard of maintenance being carried out on the land to the top of the application site and the Head of Planning & Environment undertook to identify the owner of the land and, if it was the Council, to contact TWS with regard to the maintenance programme.

RESOLVED – that planning application W2009/0128 be deferred to allow Members to make a Site Visit and officers to investigate land ownership issues.

(f) W2009/0153 – 9 New Street, Wellington, Telford, Shropshire

This was an application by Telford & Wrekin Council for the variation of condition number 5 of planning permission W2001/0054 to extend the opening hours of this retail property to Sunday – Thursday 7 a.m. to 11 p.m. and Saturday 7 a.m. to 12 midnight. The property was a Grade II Listed Building within the Conservation Area and the Primary Retail Zone. It was three storeys in height with a modern shop front at ground floor level, and was currently vacant, having previously been used as a café. The area outside the property was pedestrianised and was a key pedestrian route through the area. Some interest in the property had been shown by potential new leaseholders but they had requested that the opening hours be extended to make the business more viable.

Wellington Town Council had objected to the proposal and suggested that the hours should be varied to 7 a.m.-7 p.m. The Council's Environmental Health Department had raised no formal comments but at the pre-application stage

had requested a restriction of the opening hours to the times specified in the application. Adjacent neighbours had been consulted but no objections had been received.

The property already had existing benefits from a mix of A1, A3 and A5 consent and the current hours of opening associated with this use were 9 a.m.–5.30 p.m. within the primary retail zone. As there was little residential usage in this area, no complaints relating to noises or odours had been raised with Environmental Health. The property had been used in this way for the last eight years and, therefore, there were controls already in place to mitigate any detrimental affects as far as possible. Policy S28 of the Wrekin Local Plan usually required food premises to be closed by 11.30 p.m., as these were the noise sensitive hours. However, this site was not located in a residential area but was in a key site within Wellington Town Centre and, therefore, the extension of opening hours by half an hour on Friday and Saturday evenings was considered acceptable. In addition, extension of the opening hours to 7 a.m.–11 p.m. for the remainder of the week y would not be detrimental to any residential amenities. Furthermore, the promotion of the building to potential occupiers would help enable the vitality of the town centre.

Members welcomed the application which would, hopefully, assist in letting the property and would introduce 'continental' style hours into Wellington Centre.

RESOLVED – that with respect to planning application W2009/0153 planning permission be granted subject to the conditions as set out in the report.

(g) W2009/0155 – Land off Pool Farm Avenue, Leegomery, Telford, Shropshire

This planning application by Telford & Wrekin Council related to the erection of a building on the site of the Thomas Telford Public House to accommodate a supermarket, a hot food takeaway outlet and two shops. The external facing materials would comprise light red brickwork, aluminium doors and windows, and amended plans now showed a monopitch aluminium standing seam roof with matching bargeboards. Each retail unit would have its own individual bin store to the rear with the supermarket having a goods yard for large delivery lorries. Thirty-two parking spaces would be provided at the front of the building and eight at the rear, with additional parking provided for the new Listen and Care Centre. These would also meet the needs of parents dropping off or picking up pupils attending the Apley Wood Primary School. A new footpath would provide easy access onto the Silkin Way and the adjacent underpass under Pool Farm Avenue and vehicular access to the shops would be along the existing road from Pool Farm Avenue.

Hadley & Leegomery Parish Council had welcomed the proposal but had concerns about the amended design for the roof of the building, feeling that a tiled roof would be more in keeping with the surrounding pitched and tiled

roofs. The Council's Highways Engineer had no objections, subject to conditions relating to the roads, footpaths, and parking and turning areas being provided before the first retail unit is occupied, together with the provision of a cycle parking facility. The Council's Arboricultural Officer wished to impose conditions relating to protective fencing for the retained trees and hand digging within the root protection areas. All the mature trees along Pool Farm Avenue were to be retained and reinforced with new landscaping in order to maintain and even enhance the existing important green frontage to the site.

Work on the new Listen and Care Centre was already under way and the new retail units would complete the redevelopment of all the Local Centre south of the Silkin Way. The provision of the new retail units would revitalise the Local Centre and provide enhanced shopping facilities for the residents of Leegomery and the new location for the shops would make them more visible and, therefore, more likely to capitalise on passing trade.

The amended flatter monopitch aluminium roof was considered to be appropriate and suitable in this location and would not look unduly prominent, taking into account its context and the prevailing townscape in the immediate area. Neither would it have an adverse impact on the character and appearance of the surrounding area. Therefore, it was considered that the proposed development would provide Leegomery with a revitalised, enhanced, and sustainable Local Centre that met the day-to-day needs of the local community and where residents would be able to undertake their shopping in safe and attractive surroundings.

Members were pleased to see this application before them for determination although some concerns were expressed at the proposed monopitch aluminium roof rather than a more traditional pitched and tiled roof, which they considered would have been more sympathetic to the surrounding properties.

RESOLVED - that with respect to planning application W2009/0155 planning permission be granted subject to the conditions as set out in the report.

(Councillors I.T.W. Fletcher and F.R. Picken left the room during discussion and determination of the following application, in line with their declarations of interest. The Vice-Chairman, Councillor A.A. Meredith, took the Chair for this item.)

- (h) W2009/0168 – Former Windsor Flats Site, Arleston Lane, Wellington, Telford, Shropshire

This application was for the demolition of the existing Windsor Flats and the redevelopment of the site for a combination of eleven two-bedroomed flats, eight three-bedroomed houses and one four-bedroomed house to provide a total of twenty units. A similar application had been approved by the Board on 19th November 2008 (W2008/1006) subject to a Section 106 Agreement,

thereby establishing the principle of such a development. The current application included revised access arrangements and parking facilities.

The proposed elevation to Bennetts Bank was as approved by the Board in 2008. In respect of the other elevations fronting the public domain, there would be three dwellings facing Hornbeam Close and Arleston Lane towards the south with a main entrance into the estate for parking. The revised plans for the site now before the Board showed entrances with gateways fronting Hornbeam Close so that the properties respected the street scene, which was considered acceptable. Given the boundary treatments to the east and west, the site was relatively independent from its neighbours on either side and would not have a detrimental impact on the character of the area.

The position of units referred to as 4 to 9 (inclusive) on the drawings were the same 2½ storey design, as approved in November 2008, but the block had been relocated into the centre of the site to ensure that the right of access across the site enjoyed by the former BT exchange site to the north-east was not obstructed. As the former BT building now benefited from a residential change of use, this new positioning would also improve the relationship between the existing BT building and the proposed dwellings and was, therefore, deemed acceptable, as was the amendment to the internal road layout, parking bays and bins' stores. The Council's Highway Engineer had confirmed that the layout was adequate subject to the imposition of a condition requiring the parking, loading, unloading and turning areas being properly laid out, hard surfaced and drained, and the space being maintained. However, he had advised that the Local Highways Authority would not adopt the proposed access, parking or turning areas.

Severn-Trent Water Authority had no objections to the scheme, subject to a condition in respect of drainage details being provided, including sustainable drainage principles. The Council's Engineering Services had requested details of the foundations to be approved prior to determination of the application and the Contaminated Land Officer had requested a condition relating to contaminated land, given the historical use of the site. Given the history of subsidence on the site, it was also considered necessary to impose a pre-development condition to ensure the stability of the development. The Council's Pollution Control Office had no objections in principle subject to a scheme for acoustic glazing in the noise sensitive rooms being conditioned. In accordance with Policies LR4 and LR6, the developer would be required to provide £600 per property for recreational facilities, a contribution of £12,000 which would be secured by way of a Section 106 Agreement.

Although the scheme involved the loss of some trees to facilitate parking, these had not been considered worthy of retention but the Council's Arboricultural Officer had recommended that a suitable landscaping scheme be submitted to provide compensatory planting as part of the development.

In conclusion, having regard to consultation responses and planning guidance, it was considered that, on balance, the principle of redeveloping this site for residential use was acceptable subject to conditions, mitigation

works and planning obligations. The site was within a highly sustainable location just outside Wellington District Centre and the traffic movements generated by the development could be accommodated without detriment to highway safety. Therefore, the proposed development would not be harmful to the residential amenities of nearby dwellings and the redevelopment of the site would have a positive impact upon the visual quality of the locality and the streetscene.

RESOLVED – that with respect to planning application W2009/0168 the Head of Planning & Environment be granted delegated authority to grant planning permission subject to the applicant entering into a Section 106 agreement to provide financial contributions towards outdoor recreation provision and to the conditions as set out in the report.

- (i) W2009/0171 – Telford International Railfreight Park, off Hortonwood Roundabout, New Trench Road, Trench, Telford, Shropshire

This application by Telford & Wrekin Council was for the erection and installation of a single-sided, free-standing totem sign at the entrance to the Railfreight Terminal site. It would measure 6m high by 1.5m wide, be 200mm thick and principally be blue with white lettering and a logo of rail tracks.

The height of the sign would ensure that it could be read above the existing site security fencing but its visual prominence would be lessened by being set back some 18m. from the outer edge of the roundabout and on the access spur road near the entrance gates. The proposal had been amended to remove the proposed external floodlighting as this would have had the potential to spill out around the sign and be seen by residents in Stanmore Drive on the other side of the railway tracks. Therefore, the proposal now incorporated only internal illumination to the lettering and logo on the front of the sign facing the roundabout with the rear of the sign being blank and solid to prevent any light spillage that could cause glare or disturbance. Therefore, the sign would have no adverse impact on the amenity of the immediate area of Hortonwood Roundabout and the A518 at this location or adversely affect the amenity of the nearest residential properties.

With regards to public safety, a prominent sign to indicate the entrance to the Rail Freight Terminal was necessary for highway safety on this heavily trafficked road and a sign of this height and location would ensure that vehicles approaching the site from either direction will be able to see the entrance. The internal illumination will make the sign easy to read, especially in the hours of darkness, and would not cause distraction to highway users. The Council's Highway Engineers had no objection to the sign.

RESOLVED – that with respect to planning application W2009/0171 advertisement consent be granted subject to the conditions as set out in the report.

- (j) W2009/0176 – 9 New Street, Wellington, Telford, Shropshire

This was an application in respect of the replacement of sash windows on the upper floor of this currently vacant building. The building dated from the late 18th/early 19th century, and was a Grade two Listed Building of red brick construction within the Conservation Area, as were the adjoining properties on either side. The property was three storeys in height with a modern shop front at ground floor level within the primary retail zone. At first and second floor levels were sash windows with glazing bars and vousoired lintels.

The Council's Conservation Officer had raised no objections to the proposal subject to the placing of conditions with regards to detailed drawings of the proposed windows being approved prior to commencement, existing glass being reused where possible, a colour scheme be submitted prior to commencement and specification of the type of mortar to be used.

The existing windows were currently starting to rot and the proposed replacement windows would be in the long term interests of the Listed Building. As they would be sited within the existing openings, the proposal would not be detrimental to the proportions, form and massing of the Listed Building. Given the proposal using a traditional timber design, a similar colour and recreating similar detailing to that of the existing windows, the new windows would maintain the essential form, character and special interest of the building as well as preserving architectural features, which would be further enhanced by the implementation of the Conservation Officer's conditions.

RESOLVED – that with respect to planning application W2009/0176 Listed Building consent be granted subject to the conditions as set out in the report.

(k) W2009/0177 – 9 New Street, Wellington, Telford, Shropshire

This application was considered in conjunction with planning application W2009/0176 above.

RESOLVED – that with respect to planning application W2009/0177 planning permission be granted subject to the conditions as set out in the report.

(l) W2009/0200 – Dale End Riverside Park, Buildwas Road, Ironbridge, Telford, Shropshire

This application by Telford & Wrekin Council sought permission for the installation of a replacement playground and associated new equipment on this site within the World Heritage Site and the designated Severn Gorge Conservation Area. In addition, the application site was classified as Green Network within the Wrekin Local Plan and an area identified as a wildlife site was situated to the far south on the banks of the River Severn. The proposal included eighteen items of wooden play value to respect the setting of the World Heritage Site. The larger items would be located in the centre of the play area with the individual small elements being located predominantly

adjacent to the northern boundary, so softening that edge. A 1.2m. picket fence was proposed around the length of the boundary of the play area with a proposed surface of bark chip complementing the heritage of the World Heritage Site. The Council had identified the lack of appropriate play facilities in this area through its Play Strategy and the Dale End Riverside Park Management Plan. In addition, the existing equipment had been in place for over fifteen years and was now in decline.

The existing play area location was susceptible to annual flooding but the Council's Engineers had identified that the proposed new location was only susceptible to a 1 in 100 years' chance of flooding. In addition, the Council's Community Services considered that the new location would encourage a higher footfall due to its location near to the main entrance to the park. It had been confirmed that the proposed location met current National Playing Field Association guidelines and was ROSPA approved

A level surface was required for the installation of the play equipment and, to minimise the impact of flooding, the play area ideally needed to be elevated to a level above the 1 in 100 year flood level. Elevating this level would have an impact elsewhere along the banks of the river and, in order to mitigate against this, the quantity of ground being filled needed to be displaced elsewhere in the floodplain. To achieve this, it was proposed to remove an area of ground indicated as the "cut area" on the layout plan and fill on the site indicated for the play equipment, which would have a neutral impact on flooding. A retaining wall would also be required to the south of the play area to securely support the volume of fill.

The existing play area was obscured from the main public view by virtue of its location and geographical constraints, including ground levels and landscaping. Therefore, the relocation of the play area was considered appropriate as the new site would be overlooked and form part of the main park, thus making clear the opportunities available to the visitors. In addition, the immediate overlooking from neighbouring residents and users of both the car park and the highway would provide natural surveillance in compliance with the Local Authorities SPD on Design for Community Safety. Whilst it was appreciated that the new site would be more visible to Dale End House than the existing one, the proposal was located no closer to the dwelling than the existing play area, at approximately 40m., which complied with the Local Authority's minimum buffer zone.

The proposal would necessitate the removal of six trees which were located to the south of the play area but the Council's Arboricultural Officer had been involved in early discussions with the scheme and had raised no objections subject to the details of an Arboricultural report which included replacement specimens. It was, therefore, considered that the proposal, subject to the design quality of the equipment and appropriate orientation, would not have an adverse effect on the landscape of the World Heritage Site.

The Gorge Parish Council and one neighbour had submitted objections, as set out in the report. The Environment Agency had noted that the site was

located within the high risk flood zone 3 but, given the scale and nature of the proposal, had raised no objections subject to a condition regarding work to be carried out in accordance with the methodology prescribed in the submitted flood risk assessment.

On balance the proposal would grow to be a more prominent feature in the Gorge than the existing play area and would meet local needs whilst being designed for community safety by the provision of natural surveillance. In addition, the proposal would provide further opportunities for tourists visiting the area. The development would have community benefits, which contributed to the aims of the Green Network, and the proposal accorded with the Wrekin Local Plan saved policies. In addition, the proposal would concur with the relevant Core Strategy policies by providing additional recreation facilities, protecting and enhancing open space, natural environment and the World Heritage Site.

The updated information sheet tabled at the meeting informed Members that neither the Council's Environmental Engineers nor its Conservation Officer had raised any objections to the application. However, four additional letters of objection had been received, the contents of which were summarised on the update sheet. The Planning Officer further confirmed that the application site was not originally part of the curtilage of the adjacent Listed Building from examining historic Ordnance Survey Maps and, as such, was not considered part of the setting of the nearby Listed Building, as had been claimed by an objector.

The Head of Planning & Environment informed Members that he had recently attended The Gorge Annual Parish Meeting to discuss planning in a World Heritage Site, at which this particular application had been raised. The same objections had been raised at the meeting as those outlined in the report to the Board and had taken the opportunity to debate these with the Parish Meeting and had undertaken to put these before Members. However, his view was that even with the context of a World Heritage Site, some elements of the 21st century did have to be included, such as this play area. The current play area was of little value, out of the way, prone to flooding and was not readily observable unlike the proposed new site, which would also be more readily accessible by visitors. In addition, the need for improved play facilities had been identified through the consultation undertaken.

RESOLVED – that with respect to planning application W2009/0200 planning permission be granted subject more information being submitted on the equipment and to the conditions as set out in the report.

PB-102 SITE VISITS

RESOLVED – that with respect to planning application W2009/0128 a Site Visit be made at 4.30 p.m. on 29th April, 2009.

PB-103 PLANNING APPLICATIONS DEALT WITH UNDER DELEGATED AUTHORITY

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 7.08 p.m.

Chairman:

Date:

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 29th April, 2009 at 6.00 p.m. at the Civic Offices, Telford

PRESENT: Councillors I.T.W. Fletcher (Chairman), N.A. Dugmore (Vice-Chairman – in the Chair for planning applications W2008/0500 and W2009/0168), E.A. Clare (as substitute for M.J. Smith), R.G. Chaplin, J.A. Francis, G.M. Green, F.R. Picken and H. Rhodes.

OTHER MEMBERS PRESENT: Councillor R.T. Kiernan for planning application W2008/1353 and Councillor J.M Seymour for planning application W2009/0211.

The Chairman welcomed Councillor N.A.Dugmore to his first meeting of the Plans Board.

PB-104 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 8th April, 2009 be confirmed and signed by the Chairman.

PB-105 APOLOGIES FOR ABSENCE

Councillor M.J.Smith.

PB-106 DECLARATIONS OF INTEREST

Councillor I.T.W. Fletcher declared a personal and prejudicial interest in planning application W2008/0500 and stated that he would vacate the Chair and address the Board as Ward Member and then leave the meeting during the consideration and determination of this particular application together with a personal and prejudicial interest in planning application W2009/0168 and indicated his intention to leave the room during consideration and determination of this particular application.

Councillor F.R. Picken declared a personal and prejudicial interest in planning application W2009/0168 and indicated his intention to leave the room during consideration and determination of this application.

PB-107 URGENCY RESOLUTION – SECTION 100B(4) LOCAL GOVERNMENT ACT 1972

The Chairman stated that he was of the opinion that the following items of business (namely minute references PB-108, PB-110 and PB-115) should be dealt with at this meeting in order to avoid any unnecessary delay.

PB-108 APPOINTMENT OF VICE-CHAIRMAN

It was reported to the Board that Councillor A.A. Meredith had resigned his membership of the Board. In accordance with Rule 5 of the Committee Procedure Rules as contained within Section 10 of the Council's Constitution it was required that an appointment should be made of a replacement Vice-Chairman to the Board at this meeting. On seeking nominations Councillors N.A. Dugmore and Councillor H. Rhodes were both formally nominated for appointment as Vice-Chairman. On being put to the vote there was an equality of votes with both nominees securing four votes each – on the second and casting vote of the Chairman in favour of Councillor N.A. Dugmore, it was accordingly;

RESOLVED – that Councillor N.A. Dugmore should be appointed as Vice-Chairman to the Plans Board.

PB-109 TREE PRESERVATION ORDERS REPORT

The report of the Head of Audit & Democracy was received by the Board which informed Members of the making of two provisional Tree Preservation Orders (TPO) and also to seek their confirmation.

Members were advised that on the 5th March 2009 a provisional Tree Preservation Order was made in respect of one mature Beech tree on land at the Swan Public House, 4 Lower Bar, Newport, Shropshire. It was further reported that on the 11th March 2009 an objection to the order had been received from the owner of the land.

The Board was referred to the report which detailed the points that had been raised by the owner of the property and the detailed response from the Council's Arboricultural Officer.

The Board were also informed that on the 5th March 2009 a provisional Tree Preservation Order was made in respect of a group of three early mature Norway Maple trees on land adjacent to 34 Wrekin Road, Wellington, Telford. It was further reported that on the 3rd April 2009 an objection to the order was received from a representative on behalf of the owners of the land.

Members were referred to the report that detailed the objections that had been received by the Council for and on behalf of the owners of the land and also the response of the Council's Arboricultural Officer. The Board was also referred to a further letter dated 23rd April from the land owner's representative together with further background information in connection with previous planning applications for this particular parcel of land.

RESOLVED – that

- (a) **the Borough of Telford & Wrekin (Mature Beech at the Swan Public House, 4 Lower Bar, Newport, Shropshire) Tree Preservation Order 2009 be confirmed without modification.**

- (b) the Borough of Telford & Wrekin (Trees on Land Adjacent to 34 Wrekin Road, Wellington, Telford, Shropshire) Tree Preservation Order 2009 be confirmed without modification.**

(Councillors I.T.W. Fletcher left the room during discussion and determination of the following two applications and F.R. Picken left the room during discussion and determination of the following application, in line with their declarations of interest. The Vice-Chairman, Councillor N.A. Dugmore, took the Chair for the following two items.)

PB-110 PLANNING APPLICATION W2009/0168 – FORMER WINDSOR FLATS SITE, ARLESTON LANE WELLINGTON, TELFORD

Members were referred to this particular application that had been determined by the Board at the previous meeting that was held on 8th April 2009. It was confirmed that the Board had resolved to grant the application subject to the completion of a Section 106 Agreement securing a financial contribution of £12,000 towards the provision of off-site play facilities.

The proposed S106 contributions towards outdoor play facilities were agreed in the previous application W2008/1006, reported to Plans Board in November 2008. This application remains undetermined as the S106 agreement had not yet been signed. It was further pointed out that officers had pursued the S106 agreement relevant to this application with the agent and applicant having contested the agreement of the £12,000 reported to committee. In addition no written confirmation had ever been received confirming this amount.

The applicants had also contested that the proposal to demolish and rebuild the dwellings not only complied with current building regulations, but had also met the lifetime homes level 4 of the Code for Sustainable Homes resulting in a financial loss. The Board were also informed that under the approval, affordable housing was not requested as it did not meet the threshold as required by Policy H23 of the Wrekin Local Plan. However in recognition of the growing shortage of affordable homes and the increase in homelessness, the Wrekin Housing Trust had propose to offer 100% social housing on the site in lieu of the contributions towards outdoor play facilities. In view of the current financial position this proposal had been considered acceptable by officers.

Members were referred to the additional information that had been provided by the Council's Leisure & Recreation Officer who maintained their position that the development should meet the needs that arose from the development. Further they held the view that the applicant's proposal to release their contribution to the acknowledged need of children's play provision that would arise from the development and the non-inclusion of funding towards this provision should be regarded as a departure from policy. Leisure & Recreation officers whilst not without sympathy towards the applicants in times of financial difficulties however they considered that the provision of 100% affordable housing was likely to generate more of a need

for immediate off-site provision. In conclusion the Council's Leisure and Recreation Officer requested a reduced sum of £5,400.

During a discussion a number of the Board members concurred with the Leisure & Recreation officer and requested that a further approach should be made to the applicants with a view to securing the sum of £5400 in lieu of the £12,000 figure that had been agreed at the April 2009 Board meeting. Board members were also mindful that they did not wish to create a precedent in the future particularly when it was considered that these facilities would be of long term benefit to the residents which would be in existence longer than the current financial position. Notwithstanding the above Members were however pleased to note the applicant's proposal to provide 100% affordable housing as this was badly needed.

RESOLVED – that

- (a) **in relation to planning application W2009/0168 that the decision of the Plans Board held on 8th April 2009 be varied as follows in (b) below;**
- (b) **that subject to the applicant entering into a Section 106 Agreement to provide 100% Social Housing and a financial contribution towards the improvement of recreational facilities in the vicinity of the site, provided that the Head of Planning & Environment following consultation with the Vice-Chairman of the Plans Board is satisfied in respect of the viability of any such financial contribution then delegated authority be granted to the Head of Planning & Environment to grant permission subject to the conditions as outlined within the report. However if following consultation that the financial viability of the financial contribution is not approved then consideration of the application should be referred back to a future meeting of the Plans Board.**

N.B. Councillor F.R. Picken returned to the meeting room.

PB-111 PLANNING APPLICATIONS FOR DETERMINATION

- (a) W2008/0500 – The Pigeon Box, Priorslee Road, St Georges, Telford, Shropshire

This application related to the site of The Pigeon Box, Priorslee Road, St Georges which was currently a vacant public house, which was the subject of fire damage, resulting in a roofless building. The site covered approximately 0.8 hectares, comprising of the public house fronting Priorslee Road, and its amenity and parking area to the rear which was accessed to the east of the public house. Members were further referred to the report that indicated that a mature hedge acted as the applications site's rear boundary which bordered onto agricultural fields to the north of the site. Further a number of trees were subject to Tree Preservation Orders the most significant being the group of trees located to the east of the public house.

The application site was located in close proximity to the town centre, located approximately 1.2km to the east of Oakengates Centre, and approximately 900m to the west of Priorslee centre. Facilities included Priorslee Primary School, St Georges CofE Primary School, Telford Railway Station and Central Park lie within 900m radius of the site.

The Board were referred to the consultation responses that had been outlined within the report but in particular reference was made to the Council's Highway Engineer comments who had raised no objections to the proposal but had requested a financial contribution towards highway improvements at a sum of £15,000 although following further negotiation in line with Circular 5/05 with regard to planning obligations, in this respect the agreed sum had been reduced to £5,000 which would be secured by a Section 106 Agreement.

Members were further referred to the Council's Housing Strategy Manager who had also originally requested the provision of 30% of affordable housing split between 20% social housing and 10% shared equity. The applicant maintained that this was not viable and offered 30% discount market housing. As this was not supported by a financial report this was not accepted. The applicant subsequently agreed to provide 30% affordable housing split between 10% social housing and 20% shared equity. The Council's Housing Strategy Manager maintained his original request, however based on the current financial market officers had recommended that this offer should be accepted.

Drainage concerns from objectors were highlighted to Members. Whilst Severn Trent maintained no objection to the development, the Council's Drainage Engineer had further liaised with Severn Trent and the applicant. In summary the proposed development would reduce the volume of surface water drainage entering the combined sewer, which would be adequately conditioned. In addition it was also recommended that works relating to any necessary drainage infrastructure as identified was undertaken by the developer.

The Board were also informed on the other consultation responses as outlined within the report including contributions in relation to education and leisure and recreation which had been agreed with the applicant.

The local ward member, Councillor I T W Fletcher was invited to address the Board; he had been requested to represent the views of local residents who wished to oppose the development. He cited that there were two main concerns – access for traffic and sewerage. In relation to traffic concerns he stated that traffic assessment had not taken into account the number of vehicles that parked on the side of Priorslee Road and that as a result of an increased number of vehicles within the development that this would have an adverse effect on the amenity of the residents. He also shared the concerns of the local residents in connection with the existing sewerage problems. He said that the existing area was prone to flooding problems and he requested that this issue should be addressed prior to any future development. In conclusion he requested that the application should be deferred in order for a

site visit to be undertaken. Following the conclusion of his representation Councillor I T W Fletcher left the meeting room.

Following a brief discussion, it was;

RESOLVED – that in relation to planning application W2008/0500 that consideration and determination of this application should be deferred to enable a site visit to be undertaken prior to the next Board meeting to be held on Wednesday 20th May 2009.

N.B. Councillor I.T.W.Fletcher returned to the meeting room and resumed his position as Chairman for the remaining agenda items.

(b) W2008/1353 – Maiden's of Telford, Cross Green, Allscott, Shropshire

This application sought permission for the Removal of condition 7 from planning permission W83/0626, and removal of condition 2 from W78/0869 restricting use to AJ Maiden & Sons only. Members were informed that the site was located at Cross Green on the junction of the B4394, to the south of Allscott village. The site was an existing haulage yard situated immediately west of a residential dwelling. Access to the haulage yard was gained to the north of the dwelling; with no direct vehicle access onto the B4394.

Agricultural fields were located immediately adjacent to the northern and western boundaries of the site. These fields being within the landowner's ownership. Cross Green bungalow, located to the south eastern corner is outside of the landowner's ownership. A small cluster of buildings were located at Cross Green, these include three dwellings and The Plough public house. The outskirts of the main village was located approximately 300m to the north of the site; and the now demolished site is situated approximately 300m to the west of the site.

Members were referred to the planning history and the update sheet which provided the detailed conditions of the previously approved planning applications and permissions. The Board were also referred to the relevant planning policies and consultation responses contained within the report which confirmed the Council's Highways Engineer had raised no objections to the development; however the Council's Environmental Health Officer had raised objections on the grounds of adverse impact on residential amenity of those units adjacent to the site which were currently within the ownership of the Maiden Family.

It was also clarified to Members that the original application was effectively a base line, and would not be superseded. If this application was approved, the applicant could chose to implement either that approved or implement the new consent, with no time limits; in addition the applicant could also chose to revert back to the original planning consent subject to being used in accordance with the personal conditions.

The local ward member Councillor R.T. Kiernan was invited to address the Board who stated that he had been requested to represent the views of the local residents in connection with the application. He initially stated that residents within the vicinity of the application site were concerned about the proposed removal of the personal permission that was applicable to the site. It was also stated that if approved the site and the locality could potentially be subjected to an increase in traffic movements. He also referred to existing traffic problems that were experienced by local residents.

On balance, officers had concluded that this was an existing use which had been apparent for over 25 years, and as such those people moving into the area would be aware of this business as an element of “buyer beware”, in addition the site would not be intensified. In order to overcome the Environmental Health Officer’s objections officers recommended a condition relating to hours of use to secure amenity for those residential units which were in close proximity to the site, as this would no longer be secured if the site was sold outside of the Maiden’s family ownership. Consequently in accordance with Section 73 of the Town & Country Planning Act 1990, it was considered appropriate to attach a condition relating to hours of operation across the whole site and not just the workshop to comply with Core Strategy policies CS7 and the Wrekin Local Plan policy E6.

Accordingly, it was;

RESOLVED – that in relation to planning application W2008/1353 that Condition number of 7 of planning permission W1983/0626 and Condition number 2 of planning permission W1978/0869 be deleted and replaced by the conditions as outlined within the report.

(c) W2009/0173 – The Charlton School, Severn Drive, Wellington, Telford, Shropshire

This application was submitted to the Board which sought permission for the erection of a new special educational needs building at the Charlton School, Severn Drive, Wellington, Telford. Members were informed that the existing building had become inadequate for the schools needs and as such the proposal was to demolish it and replace it with a single storey, pitched roof building. The Board were further informed that the new Special Needs building would provide 187sq.m. of accommodation including a reception, waiting/meeting room, 2no.offices, 2no. multi-use rooms, lobby and disabled toilet.

Members were advised that no neighbour comments or objections had been received and Wellington Town Council had raised no objections to the proposal. The Council’s Drainage Engineer had advised that due to the increase in hardstanding additional water run-off would be created and additional flows should be attenuated. The Fire Safety Officer had also advised that there needed to be access for emergency vehicles, water supplies for fire fighting and sprinkler systems. This information was noted

however, these particular matters would fall within the remit of Building Regulations.

The Board were referred to the relevant planning policies and planning considerations in relation to this application.

The proposed development is considered to be acceptable and improvement to the existing building and as such will have apposite impact on the character and amenity of the school or the surrounding area. Whilst it was acknowledged that the proposed development would lead to the loss of a small landscaped area including a flowering cherry tree. On balance this loss of this landscaped area was not judged to be significantly harmful to the visual amenity of the locality. In addition, there was no impact upon parking provision or the residential amenity of the nearby dwelling houses. Accordingly, it was considered that the proposed development was compliant with both local and national guidance and therefore recommended for approval with conditions.

RESOLVED – that in relation to planning application W2009/0173 that planning permission be granted subject to the conditions as outlined within the report.

(d) W2009/0211 – 5 Marsh Green, Rodington, Shropshire

This application related to the siting of a static caravan, one touring caravan and two sheds on land at 5 Marsh Green, Rodington, Shropshire. Marsh Green was a loose knit scatter of dwellings located some 6.5 miles north west of Telford and situated in the open countryside as defined in the Wrekin Local Plan; previous Planning Inspectors had concluded that it was neither a village nor a hamlet. The 0.75 acre site was flat and roughly triangular in shape and bounded by post and rail fencing and a Leylandii hedge, with agricultural land beyond. The site was accessed via wrought iron gates hung on brick pillars; a gravel driveway leads to a gravel area to the rear of the site. The remainder of the site was laid to lawn.

Members were advised on the relevant planning history, consultation responses that had been received during the statutory period, policy context and relevant planning considerations as detailed within the report.

The local ward member, Councillor J.M. Seymour was invited to address the Board who stated that she had been requested to represent the views of the local residents to the application site. She reminded the Board that there had been a long history for the last 20 years or so of a number of planning applications for this site and that all of these had been refused. Whilst she advised the Board that the local residents had no particular animosity towards gypsies and referred to the existing settlement but there was a need to reflect the existing balance between the two existing communities. She also raised concerns in connection with the fact that there was no existing drainage or sewerage system in place and that neighbouring properties already had in place complex and varied systems – it was claimed that this proposal would

place a further strain on the existing situation. Councillor Seymour also stated that she and local residents were of the view that the application site was not large enough to accommodate the proposed development.

Following a discussion where a number of other members expressed a view in relation to the perceived problems as stated by the ward member and to enable further investigations to be undertaken it was suggested as to whether consideration and determination of the application should be deferred in order for a site visit to be undertaken.

RESOLVED – that in relation to planning application W2009/0211 that determination of this application be deferred to enable further investigations to be made in relation to the various outstanding drainage and sewerage issues and that also a site visit be undertaken prior to the next Board meeting to be held on Wednesday 20th May 2009.

(e) W2009/0213 – Newport Infant School, Granville Road, Newport, Shropshire

This Council application comprised the erection of a single storey extension to the rear of the existing school building at Newport Infant School, facing the rear garden areas of properties in Pen-y-Bryn Way, to provide improved staffroom facilities. Members were reminded that Newport Infants School was located off Granville Avenue. The building was set back from the main road, with vehicular and pedestrian access off Granville Avenue and car parking area at the side and rear. The school grounds were located to the east, with a small landscaped area to the rear, bounded by green steel railings. The application site adjoined residential properties in Pen-y-Bryn Way to the south, which back onto the site, with garden fencing and hedges bounding the site. The school site was surrounded by residential development to the north, south and west, with the Burton Borough school grounds adjoining the site to the east.

The main school building was constructed in 1950s, but a number of extensions have been added. The southern (rear) elevation of the school building is principally constructed in brick with large windows extending from floor to ceiling height. A smaller modern flat-roofed element projects slightly beyond the existing building line with large single window located on rear elevation.

Members were referred to the report which contained details of the consultation responses that had been received, planning history, policy context and the relevant planning considerations applicable to the application.

The Board were also referred to the update sheet which included a further letter of objection that had been received from an adjoining residential property owner stating that they used a room within this residential property for clinical hypnotherapy and that the use of this room would be prejudiced during the construction works and use of the extension. Whilst officers had considered this further objection it was pointed out that the proposed

conditions already limited the hours of construction and that the school could not be forced to rearrange either the internal layout of the school nor their particular operations.

In conclusion the proposed development was considered acceptable in terms of the scale, design, form and materials, in keeping with the character and appearance of the existing school building. The proposal would not have a detrimental impact on the amenity of adjoining residential properties in Pen-y-Bryn Way.

Accordingly, it was;

RESOLVED – that in relation to planning application W2009/0213 that planning permission be granted subject to the conditions as outlined within the report.

(f) W2009/0229 – Hollinswood Infant School, Dale Acre Way, Hollinswood, Telford, Shropshire

This council application sought permission for the proposed installation of a timber-built gazebo within the school grounds of Hollinswood Junior and Infant School, Dale Acre Way, Hollinswood, Telford. Members were informed that the school and its extensive grounds occupied a large site between Dale Acre Way and Queen Elizabeth Avenue.

The Board were advised of the relevant planning policy context applicable to the application and that also no comments or responses had been received during the consultation period.

Officers had concluded that the timber gazebo would be of a satisfactory appearance with an overall height of 2.75 metres. It was intended to use the structure as an outdoor classroom, and as a shelter for waiting parents. It would be situated in proximity to part of the main school building and would not be visually intrusive on the site. The structure would have little effect on the amenities of the surrounding area.

RESOLVED – that in relation to planning application W2009/0229 that planning permission be granted subject to the conditions as outlined within the report.

(g) W2009/0237 – Wombridge Primary School, Hartshill, Oakengates, Telford, Shropshire

Members considered this application which sought permission for the construction of an extension to the front of Wombridge Primary School, Hartshill, Oakengates, Telford between the Juniors and Infants buildings, to form a new main entrance. The extension would effectively form a link between the two existing main school buildings and would also provide reception and administration office accommodation. The Board was reminded that Wombridge Primary School was situated on a sloping site fronting

Hartshill to the west of Oakengates town centre in a predominantly residential area.

The Board were also informed of the relevant planning policy context and that also no comments or objections had been received during the consultation period.

The school complex consisted of two traditional main buildings which front Hartshill. These buildings had been added to and extended over the years and there was no single dominant architectural style. There was a change in ground level between the Infants building and the Junior School and the design of the extension would incorporate this with new steps and alternative ramped pedestrian access. The extension would improve facilities at the school and provide a safe, enclosed central courtyard/play area between the main buildings.

The proposed extension would form a distinctive modern link between the two traditional school buildings and the proposed design was considered an appropriate solution to providing a new focal point and entrance at the front of the school.

RESOLVED – that in relation to planning application W2009/0237 that planning permission be granted subject to the conditions as outlined within the report.

(h) W2009/0240 – Apley Wood Primary School, Pool Farm Avenue, Leegomery, Telford, Shropshire

This Council application sought permission for the proposed installation of a free-standing timber-built gazebo and a metal-framed clear glazed cycle shelter in the school grounds of Apley Wood, Primary School, Pool Farm Avenue, Leegomery. The Committee was informed that Apley Wood Primary School was situated in a low density residential area close to Leegomery Centre.

The Board were also informed of the relevant planning policy context and that also no comments or objections had been received during the consultation period.

The gazebo and cycle shelter would be situated inside the entrance to the school site from the Silkin Way footpath which adjoined the southern boundary. The structures would also adjoin a playground area and would be adequately screened from outside the school site by the hedge which is on the school boundary. The proposals therefore represented a minor development on the school site which would not be visually intrusive and would have little significant impact on the amenities of the surrounding area.

RESOLVED – that in relation to planning application W2009/0240 that planning permission be granted subject to the conditions as outlined within the report.

PB-112 SITE VISITS

RESOLVED – that with respect to planning application W2009/0211 – 5 Marsh Green, Rodington commencing on site at 4.00 pm followed by a Site Visit to be made in connection with planning application W2008/0500 – Land adjacent to the Pigeon Box Public House, Priorslee Road, St Georges, Telford commencing on site at 4.45 pm both site visits to be held on 20th May, 2009.

PB-113 PLANNING APPLICATIONS DEALT WITH UNDER DELEGATED AUTHORITY

The Board received for information details of planning applications that had been determined under delegated powers.

PB-114 EXCLUSION RESOLUTION

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 information, as defined in Paragraphs 1, 2 and 5 of Part 1 of Schedule 12A Local Government Act 1972.

PB-115 APPROVAL OF A STOP NOTICE – PROPERTY IN SOUTH TELFORD

The report of the Head of Planning & Environment was received which sought permission for the commencement of enforcement action against the developer of a property who had erected a residential property which did not benefit from an approved planning permission.

Members were informed that the site was roughly rectangular in shape and was originally part of the grounds of an adjacent Grade II Listed Building located in the South of Telford. The Board was informed that the site was flat in 2000 when the first planning application had been received and considered, and remained flat in 2005. However since this date a number of excavations had taken place in order to erect the present unauthorised building.

The relevant planning history and planning issues were detailed to the Board together with the difficulties that had been experienced by the Councillor, particularly in its statutory enforcement role. The Board were also advised as to the legal remedies and actions that the Council could undertake.

Following discussion by the Board, it was;

RESOLVED – that in connection with the property located in South Telford that delegated authority be granted to the Head of Planning & Environment to authorise the service of:

- (a) **an Enforcement Notice to stop further works which did not have the benefit of planning approval and to remove any works which did not have the benefit of a planning approval, and;**
- (b) **a Stop Notice to stop further works being carried out which do not have the benefit of planning permission.**

The meeting ended at 8.40 p.m.

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Monday, 20th April 2009 at 9.30 am in the Conference Room, National Farmers' Union, Telford

PRESENT: V.A. Fletcher (Chairman), E.J. Greenaway (Vice-Chairman), J.A. Francis, Y.C. Hicks, G.P. Hossell, T. Kiernan, A.A. Mackenzie, C.N. Mason, H. Rhodes and A.G.P. Williams.

LC-65 MINUTES

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 24th March 2009 be confirmed and signed by the Chairman.

LC-66 APOLOGIES FOR ABSENCE

Councillors R.G.Chaplin, G.J.L.Davies, T.J.Hope, C.F.Smith and K.L.Tomlinson.

LC-67 DECLARATIONS OF INTEREST

None.

LC-68 EXCLUSION OF 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 information as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972.

LC-69 PRIVATE HEARING – MR.M.S

After hearing the evidence presented by the Council's Licensing Operations Manager and her witnesses and the applicant, the licensee's legal representative and his witnesses in accordance with the hearings procedure and following consideration and discussion by the Committee, it was unanimously;

RESOLVED – that the Committee considered that there was reasonable cause for the Private Hire Driver not to continue to be licensed as a Private Hire Vehicle Driver and that accordingly his licence should be revoked.

The meeting ended at 3.45 pm.

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Monday, 20th April 2009 at 9.30 am in the Conference Room, National Farmers' Union, Telford

PRESENT: V.A. Fletcher (Chairman), E.J. Greenaway (Vice-Chairman), J.A. Francis, Y.C. Hicks, G.P. Hossell, T. Kiernan, A.A. Mackenzie, C.N. Mason, H. Rhodes and A.G.P. Williams.

LC-65 MINUTES

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 24th March 2009 be confirmed and signed by the Chairman.

LC-66 APOLOGIES FOR ABSENCE

Councillors R.G.Chaplin, G.J.L.Davies, T.J.Hope, C.F.Smith and K.L.Tomlinson.

LC-67 DECLARATIONS OF INTEREST

None.

LC-68 EXCLUSION OF 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 information as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972.

LC-69 PRIVATE HEARING – MR.M.S

After hearing the evidence presented by the Council's Licensing Operations Manager and her witnesses and the applicant, the licensee's legal representative and his witnesses in accordance with the hearings procedure and following consideration and discussion by the Committee, it was unanimously;

RESOLVED – that the Committee considered that there was reasonable cause for the Private Hire Driver not to continue to be licensed as a Private Hire Vehicle Driver and that accordingly his licence should be revoked.

The meeting ended at 3.45 pm.

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday, 21st April 2009 at 9.30 am in the Reception Suite, Civic Offices, Telford

PRESENT: V.A. Fletcher (Chairman), E.J. Greenaway (Vice-Chairman), R.G. Chaplin, G.J.L. Davies, J.A. Francis, Y.C. Hicks, T. Kiernan, A.A. Mackenzie, C.N. Mason, K.L. Tomlinson and A.G.P. Williams.

LC-70 APOLOGIES FOR ABSENCE

Councillors T.J. Hope, G.P. Hossell H. Rhodes and C.F. Smith.

LC-71 DECLARATIONS OF INTEREST

Councillor A.G.P Williams declared a prejudicial interest in Minute Number LC-72 as he has relatives currently serving as current Parish Councillors of Great Dawley Parish Council and additionally that he is a member of the organising group in relation to the submission of the Community Governance Petition for the Parish of Great Dawley and stated that he would leave the meeting prior to the commencement of this particular agenda item.

Councillor C.N. Mason declared a prejudicial interest in Minute Number LC-72 as he was a current Parish Councillor of Lilleshall & Donnington Parish Council and stated that he would leave the meeting prior to the commencement of this particular agenda item.

The following Members declared their respective personal interests in Minute Number LC-72 but stated that they would remain in the meeting during this particular agenda item:

Councillor V.A. Fletcher – Member of St Georges & Priorslee Parish Council
Councillor E.J. Greenaway – Member of Lawley & Overdale Parish Council
Councillors K.L. Tomlinson, R.G. Chaplin and G.J.L. Davies – Members of Wellington Town Council.

N.B. In accordance with their previous Declaration of Interests Councillors A.G.P. Williams and C.N. Mason left the meeting prior to the commencement of the following item.

LC-72 COMMUNITY GOVERNANCE REVIEW – PARISHES OF GREAT DAWLEY AND LILLESBALL & DONNINGTON – AGREEMENT OF TERMS OF REFERENCE DOCUMENT

The report of the Head of Audit & Democracy was received which sought Members comments on and formal approval of the Draft Terms of Reference Document for the conduct of community governance reviews in connection with Great Dawley Parish Council and Lilleshall & Donnington Parish Council. The Terms of Reference Document incorporated the proposed main policies that the Council would follow during the review and the publication of the same would formally initiate the review.

Members were advised that two Community Governance Petitions had been received by the Borough Council seeking the creation of separate parishes for the Dawley parish ward of the parish of Great Dawley and for the Lilleshall parish ward of the parish of Lilleshall & Donnington. The Committee were informed that the petitions had been checked in accordance with the Local Government and Public Involvement in Health Act 2007 and had been judged to be valid.

As a result the Borough Council was therefore required to conduct a Community Governance Review of the affected areas, and the Review would commence with the publication of the Terms of Reference Document, the draft of which was annexed to the report.

Members were advised that in the conduct of the review the Council was required to be mindful of Part 4 of the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews that had been issued by the Department for Communities and Local Government and the Electoral Commission. The Terms of Reference Document once approved by the Committee would become the Council's policies for how the review would be conducted and also provided as much background information as was possible in order for electors and other organisations to make informed submissions in relation to the review. The document also referred to the legislative framework against which the review would be undertaken. Members were informed that publication of the Terms of Reference Document would formally commence the review which must then be completed within 12 months.

All submissions received during the consultation period would then be used together with the policies outlined to assist in the drawing up of the Draft Proposals for the future of community governance in the affected areas.

The Committee were further informed that in September 2008 Full Council delegated authority to the Licensing Committee to deal with all aspects of Community Governance Reviews. Members were also advised that as part of the reviews there was a requirement to appoint an officer of the Council as the "Proper Officer" – to act in particular regard to the apportionment of any assets and the setting of precepts if the review was to proceed towards the establishment of new parishes. It was proposed that the Proper Officer should be the Corporate Director: Resources.

Following a discussion, it was;

RESOLVED – that

- (a) the proposed Draft Terms of Reference Document as annexed to the report be formally adopted and published; and,**
- (b) in accordance with the Regulations issued by virtue of the Local Government and Public Involvement in Health Act 2007 that the Corporate Director: Resources be formally appointed as the "Proper Officer" for the purposes of the review.**

N.B. Councillors A.G.P. Williams and C.N. Mason returned to the meeting for the remaining agenda items.

LC-73 EXCLUSION OF PRESS AND PUBLIC

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

LC-74 PRIVATE HEARING – MR.A.A.

After hearing the evidence presented by the Council's Licensing Operations Manager and the applicant and his legal representative in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee was not satisfied that the applicant was a fit and proper person to be granted a licence and therefore his application was refused.

LC-75 PRIVATE HEARING – MR.M.T.

After hearing the evidence presented by the Council's Licensing Operations Manager and the applicant in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee was satisfied that the applicant was a fit and proper person to be granted a licence and therefore his application was granted subject to the submission of a satisfactory medical certificate.

LC-76 PRIVATE HEARING – MR.P.R.

After hearing the evidence presented by the Council's Licensing Operations Manager and the applicant in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee was satisfied that the applicant was a fit and proper person to hold a licence and therefore could be licensed as a Private Hire Vehicle Driver by the Council.

The meeting ended at 3.50 pm

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Monday, 18th May 2009 at 9.30 am in the Reception Suite, Civic Offices, Telford

PRESENT: V.A.Fletcher (Chairman), E.J.Greenaway (Vice-Chairman), G.J.L.Davies, J.A.Francis, Y.C.Hicks, T.J.Hope, G.P.Hossell, T.Kiernan, A.A.Mackenzie, C.N.Mason, H.Rhodes and A.G.P.Williams.

LC-77 MINUTES

RESOLVED – that the minutes of the meetings of the Licensing Committee held on 20th April and 21st April 2009 be confirmed subject to the following amendments and signed by the Chairman.

20th April 2009 – that Councillor A.A.Mackenzie declared a prejudicial interest in relation to Minute Number LC-69 and confirmed that he did leave the meeting prior to the commencement of this particular item.

21st April 2009 – that Councillor E.J.Greenaway stated that the Declaration of Interest recorded under Minute Number LC-71 should be amended to read that she was the Borough Ward Member of Lawley & Overdale and not that she was a Parish Councillor of Lawley & Overdale Parish Council.

LC-78 APOLOGIES FOR ABSENCE

Councillors R.G.Chaplin, C.F.Smith and K.L.Tomlinson.

LC-79 DECLARATIONS OF INTEREST

Councillor H.Rhodes declared a prejudicial interest in relation to agenda item 5 – Minute Number LC-81 and stated that she would leave the meeting prior to the commencement of this particular application.

LC-80 EXCLUSION OF PRESS AND PUBLIC

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

N.B. In accordance with her earlier declaration of interest Councillor H.Rhodes left the meeting prior to the commencement of this particular agenda item.

LC-81 PRIVATE HEARING – MR.M.M

It was reported to Members that the applicant was not in attendance for the hearing and having received confirmation that the applicant had been properly advised of the arrangements for the hearing and following legal advice having been given and after discussion and consideration by the Committee. It was accordingly,

RESOLVED – that the private hearing in connection with Mr.M.M. should proceed in his absence.

After hearing the evidence presented by the Council's Licensing Operations Manager in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee considered that they were not satisfied that the applicant was a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his licence application should be refused.

N.B. Councillor H.Rhodes returned to the meeting room following the conclusion of this particular agenda item.

LC-82 PRIVATE HEARING – MR.R.W

After hearing the evidence presented by the Council's Licensing Operations Manager and the applicant in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee considered that they were satisfied that the applicant was a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his licence application should be approved.

LC-83 PRIVATE HEARING – MR.J.R

The Committee were informed that the applicant was not in attendance. However, Members were advised that the applicant had contacted Democratic Services prior to the commencement of the meeting to advise that he was not able to attend at his hearing as a result of work commitments. Members were of the view that although the applicant had stated that he would be willing for the hearing to proceed in his absence, it was concluded that consideration and determination of the application should be adjourned to a future date to enable the applicant to attend.

Following a further discussion and consideration it was,

RESOLVED – that the consideration and determination of this application be deferred to a later date in order to provide opportunity for the applicant to attend.

The meeting ended at 12.45 pm.

Chairman:

Date:

SCRUTINY LEADERSHIP BOARD

Minutes of a meeting of the Scrutiny Leadership Board held on Thursday, 26th March 2009 in the Scrutiny Meeting Room, Civic Offices, Telford

PRESENT: Councillors D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and H.J. Williams
Councillors G.M. Green and L. Lomax (co-optees)

ALSO PRESENT: Ken Clarke (Head of Audit & Democracy) and Stephanie Jones (Scrutiny Officer)

SLB-23 MINUTES

RESOLVED – that the minutes of the meeting held on the 9th March, 2009 be confirmed and signed by the Chairman.

SLB-24 APOLOGIES FOR ABSENCE

None.

SLB-25 DECLARATIONS OF INTEREST/PARTY WHIP

None.

SLB-26 SCHEDULING SPECIAL INTEREST MEETINGS

The Head of Audit & Scrutiny presented a table setting out the Special Interest Meetings currently included in the Scrutiny Work Programme. These topics had been listed in priority order, based upon the scoring criteria and number of votes gained at the Scrutiny Workshop in January. It was proposed that Special Interest Meetings be set up in order of priority but the Board was asked to consider:

- Whether the order of reviews was correct and if any should be re-prioritised
- The distribution of topics across the Scrutiny Lead Members
- Inclusion of the new scrutiny suggestion – Domestic Violence
- Suggestion 35. The suggestion was to review whether issues other than cost were considered as part of the Council's procurement processes but this had effectively been covered as part of the current Procurement Review.

Following detailed discussions the following amendments were agreed:

	Issue	Scrutiny Lead and Members
13	Bus station/Park and Ride in redevelopment of the Town Centre	This was a major topic and would be considered by the Board itself.

SLB260309Minutes

19 22	Supply and drainage of water to T&W Sustainable & balanced development	Roger Aveley – these to be dealt with as one topic
20	<i>City Region – T&W role, benefits</i>	<i>To be deleted</i>
25 27	Signage – advertising & road signs Car parking enforcement	Roger Aveley – to be dealt with as one topic
29	Council employment of people with disabilities	Adrian Meredith/Ute Sambrook – previous Scrutiny Review to be revisited in the first instance
30	Music Lessons/specialist provision in schools	Joy Francis – All Scrutiny Assembly members to be contacted to ascertain if there was sufficient interest to hold a Special Interest Meeting
34	Differences in young people paying adult prices	Joy Francis – to give this further consideration to ascertain if it was a topic for prioritisation
35	<i>Procurement Criteria</i>	<i>Deleted</i>
36 39	PACT meetings – support and feedback Providing reassurance through positive media	Helen Williams – to be dealt with as one topic
	Domestic Violence	Additional Special Interest Meeting (see below)

With regard to Issues 25/27 the Chairman requested that the Lead Scrutiny Member look at the Scrutiny Review on Car Parking Charges and consider to what extent the views put forward by consultees, etc. had been implemented.

With regard to Issue 13 the Chairman requested that the Development Plan Steering Group be invited to attend a meeting to discuss the issues relating to the Bus Station.

Councillor R. Aveley suggested that Transforming Telford be considered as an issue for a Special Interest Meeting. In response the Chairman referred him to the previous review on this body and asked him to consider whether it would be appropriate to revisit it now. If so, he should submit a Scrutiny Suggestion Form to that effect.

Scrutiny Suggestion Form

Councillor U.E. Sambrook had submitted a Suggestion Form requesting that the Scrutiny function considered the length of time it took for security to be into place at the houses of domestic abuse victims in order to prevent further intimidation/harm.

Councillor Sambrook's understanding was that it could take up to two weeks for security to be put into place at the home of a domestic abuse victim, despite the perpetrator of the domestic abuse being released on bail by the Courts. The work to be carried out was determined by the Police and then passed back to the

Domestic Abuse Co-ordinator who, in turn passed, it to a contractor for the work to be carried out. This period of time, although short, put at risk the victim's safety or even their life. She requested that Scrutiny considered this matter because it was an issue that could affect the safety of all victims of domestic abuse across the Borough and it was in a position to facilitate a solution through one meeting with all the relevant officers and partners which would minimise this delay.

Members agreed that this was an issue that should be addressed through a Special Interest Meeting. The Head of Audit & Democracy undertook to circulate the details of this issue to all members of the Scrutiny Assembly and, if a minimum of three members expressed an interest in the matter, a meeting would be organised to which Councillor Sambrook, the appropriate Cabinet Member and Head of Service, the Domestic Abuse Co-ordinator, a police representative, a representative of the contractor carrying out the work together with a representative of the abuse victim, if they wished, would be asked to attend.

SLB-27 SCRUTINY ASSEMBLY MEETING 19TH MAY, 2009

The Head of Audit & Scrutiny sought the Board's views on the proposed structure for the Scrutiny Assembly meeting scheduled for 19th May, 2009. This meeting would enable members of the Scrutiny Assembly to hold Cabinet Members to account for the Council's performance in 2008-09 to feed into the target setting in the draft Priority Plans.

Following a discussion, Members agreed the structure of the Scrutiny Assembly Meeting as proposed. Councillor L. Lomax suggested that a flip chart be set up for each Corporate Priority on which the questions/points raised could be identified. This would allow Members not able to sit on a particular table to add their comments, if these had not already been noted.

The Chairman informed the Board that he would be taking responsibility for the new Corporate Priority: Securing sustainable housing development and regenerating the Borough.

SLB-28 PARTICIPATION IN SCRUTINY REVIEWS

Details of the participation of the elected members and co-optees in the 2009 Scrutiny Work Programme reviews and standing sub-groups was tabled and noted by the Board.

SLB-29 POSITION STATEMENT ON SCRUTINY REVIEWS

The Scrutiny Officer presented a report setting out a position statement for the remaining 2008 and the first phase of the 2009 in-depth Scrutiny Reviews.

SLB-30 UPDATE ON RECENT LEGISLATION

The Head of Audit & Democracy gave an update on the progress of the legislation which would have an impact upon the Scrutiny function at the Council.

SLB260309Minutes

Councillor Call for Action (CCfA)

Legislation:

- a) Local Government and Public Involvement in Health Act 2007
Commencement: 1st April 2009 for relevant sections
Guidance was released in February 2009
- b) Police & Justice Act 2006
Commencement: 1st April 2009 for relevant sections
Guidance likely to be released on 30th April 2009

Councillor Call for Action had been introduced to support elected members in achieving improvements for their local areas. It was envisaged that this would help Ward councillors who had been unable to resolve problems in their Wards by talking to the local authority and its partners, by allowing them to refer the matter to the Scrutiny Leadership Board for consideration. CCfA covered both issues of community safety (under the Police & Justice Act) and all matters of the Council, including where services were delivered with partners (Local Government and Public Involvement in Health Act)

Scrutiny Services were currently working on guidance for Members on the way in which CCfA would work at Telford & Wrekin and a process for dealing with it at Scrutiny Leadership Board, which had been identified in the Constitution as the Scrutiny body which would hear CCfAs, was being drawn up.

Scrutiny of Local Area Agreements (LAA)

Legislation: Local Government and Public Involvement in Health Act 2007

Commencement: 1st April 2009 for relevant Sections. No date for the issuing of guidance was yet available.

Scrutiny of Local Area Agreements had introduced an extension of the Scrutiny remit to cover a range of service providers, as set out in the report. Each of these, apart from the Police which would be subject to requirements in the Police and Justice Act 2006, would have a duty to co-operate on issues that related to service delivery connected with the authority. The organisations detailed needed to also "have regard to" scrutiny reports and recommendations. This was a function of the Scrutiny Leadership Board part of which, scrutiny performance of the Local Area Agreement, had been delegated to the Value for Money Group.

The service providers listed included upper tier or unitary councils and district councils and the Chairman undertook to check if Telford & Wrekin Council had the power to or if there was a voluntary code in existence which would allow this scrutiny to be extended to Parish and Town Councils.

Scrutiny of Crime and Disorder Matters

Legislation: Police & Justice Act 2006. Commencement: 30th April 2009

No date for the issuing of guidance on the Regulations had yet been produced.

The Act inserted a new Section 21A into the Local Government Act, 2000 to extend the remit of Scrutiny Committees to incorporate the scrutiny of their local Crime and Disorder Reduction Partnership (CDRP). Under the Council's revised Scrutiny structure this had been agreed to be a function of the Scrutiny Leadership Board but the Constitution would need to be amended to designate the Board as the Scrutiny Committee with responsibility for scrutinising the local Crime & Disorder Reduction Partnership under this new legislation.

RESOLVED – that it be agreed that the Constitution be amended to designate the Scrutiny Leadership Board as the Scrutiny Committee for Crime and Disorder issues.

Petitions

Legislation: Local Democracy, Economic Regeneration and Construction Bill. Possible commencement in "Summer 2009", however this might slip beyond Parliament's Summer Recess and guidance was unlikely to be available before October 2009

The Act required the Council to make, comply with and publish a scheme for handling petitions. The subject of the petition had to relate to the functions of the authority or other public services for which the authority had shared delivery responsibilities (excluding planning which was covered by existing processes). The Council would decide who to recognise as signatories but, at a minimum, this would be to respond to petitions from those who lived, studied or worked within the borough boundary. It would not be necessary to respond to frivolous, vexatious or discriminatory petitions, nor to one that was the same or substantially similar to one that had been made to the authority within a period of six months. If requested by the petitioner, the authority had to review the adequacy of the steps taken in response to the petition and to publish the results on its website. Petitioners would be able to appeal to an Overview and Scrutiny Panel, if not satisfied with the response they had received to their petition, to review the adequacy of the steps taken by the authority. Democratic Services was currently looking at options for dealing with petitions.

SLB-31 CHAIRMAN'S UPDATE

The Chairman informed the Board that the Joint Health Scrutiny Committee was currently not politically balanced, comprising of three elected members and three co-optees. This worked well in practice with valuable expertise being provided by the co-optees. However, for the Committee to continue not to be subject to political balance requirements, it would be necessary for this Board to agree an appropriate resolution. Following a discussion it was unanimously:

RESOLVED – that there be no requirement for the membership of the Joint Health Scrutiny Committee to be politically balanced.

The Chairman referred to the provision contained in the Council's Constitution whereby urgent decisions taken by the Cabinet were not then subject to the Call-In Procedure. This Procedure also stipulated that urgent decisions had first to be

SLB260309Minutes

effected by him as Chairman of the Scrutiny Leadership Board. Unfortunately, the number of such requests had increased recently and he was concerned that officers were not making sufficient efforts to submit reports for decision in time for them to be included on a published agenda. Consequently, a document would be drawn up for report authors to set out the reasons why an item was urgent before he would consider giving his agreement.

SLB-32 DATE OF NEXT MEETING

The next meeting of the Scrutiny Leadership Board was scheduled for Tuesday, 12th May 2009 at 4.00 p.m.

The meeting ended at 5.55 p.m.

Chairman:

Date:

SCRUTINY LEADERSHIP BOARD

Minutes of a meeting of the Scrutiny Leadership Board held on Tuesday, 12th May, 2009 in the Scrutiny Meeting Room, Civic Offices, Telford

PRESENT: Councillor D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and H.J. Williams

ALSO PRESENT: Alison Smith (Scrutiny Manager)

SLB-33 MINUTES

RESOLVED – that the minutes of the meeting held on the 26th March, 2009 be confirmed and signed by the Chairman.

SLB-34 APOLOGY FOR ABSENCE

Councillor L. Lomax

SLB-35 DECLARATIONS OF INTEREST/PARTY WHIP

None.

SLB-36 SCRUTINY ASSEMBLY – 19TH MAY 2009 – CONFIRMATION OF FINAL ARRANGEMENTS

Members noted the updated, tabled final arrangements for the next Scrutiny Assembly. The Scrutiny Manager would provide copies of the Priority Plans to the Lead Scrutiny Members in advance of the Assembly.

The Chairman sought the Board's approval for refreshments to be provided prior to the Scrutiny Assembly by the "Eat and Enjoy" Group who are made up of young people and adults with learning disabilities who operated a café in Donnington as a training exercise supervised TCAT. The Board agreed to this and for the costs to be borne by the Scrutiny function. It was considered that this would be a valuable experience both for the members of the group and the Members. Councillor Roger Aveley suggested, and it was agreed, that this support for the youngsters be publicised and a photograph taken.

SLB- 37 FORWARD PLAN – AGENDA ITEMS 2009-10

Members noted the agenda items currently scheduled for meetings of the Scrutiny Leadership Board in 2009-10. This was a rolling programme to which additional items could be added as required. Councillor Roger Aveley suggested that the programme should also include the dates on which Scrutiny Reviews were due to be finalised and this was agreed by the Board.

SLB-38 CHAIRMAN'S UPDATE

Away Day

SLB120509Minutes

The Chairman asked Members if they wished to have an Away Day arranged but they agreed that the new arrangements should be allowed to run for a few months before any review is undertaken..

Chairing Arrangements for Sub-Groups and Attendees

The Chairman reported that the Corporate Parenting Group no longer had a Chairman following Cllr. Gill Green's resignation. The group have also expressed a wish to increase the numbers on the group. Councillor Joy Francis had volunteered to become Chairman of the Corporate Parenting Sub-Group and it was agreed that the group increase their numbers to 8 elected members and that Cllr. Francis be appointed to the group with a recommendation that she become Chairman.

He also informed the Board that Councillor Louise Lomax wished to stand down as Chairman of the Value for Money Scrutiny Group due to her commitments as a Non-Executive Director of the Telford & Wrekin Primary Care Trust. He had approached Councillor Bob Groom, the previous Chairman before his appointment as Mayor for 2008-09, but he had indicated that he did not wish to serve a further term as Chairman. Councillors Adrian Meredith and Roger Aveley were both Lead Scrutiny Members but it would not be appropriate for a member of the Administration to chair this particular Group. Given this, Councillor Helen Williams indicated her willingness to join become Chairman of the VFM Group for which Councillor Derek White thanked her. It was agreed that Cllr. Helen Williams be appointed to the group with a recommendation that she become Chairman.

SLB-39 WORK PROGRAMME SUGGESTION FORMS RECEIVED SINCE THE LAST MEETING

The Scrutiny Manager informed the Board that four suggestion forms had been received, one of which was included in the printed agenda and three were tabled at the meeting.

Suggestion from Councillor R.K. Austin

Councillor Austin had submitted a suggestion that Scrutiny should consider the perceived breakdown of communications between the Council and Hark Apollo, the owners of Telford Town Centre. However, given the current possibility of legal action being taken by Hark Apollo against the Council, Councillor Austin had agreed that his suggestion be deferred until the next meeting of the Scrutiny Leadership Board in July.

Suggestion from Mrs. Joyce Clark

Mrs. Clark had submitted a suggestion that Scrutiny should consider reviewing the security arrangements in operation in Telford Town Park following a number of alleged assaults upon her grandsons over the years.

The Scrutiny Manager said that, although the incidents referred to were over a number of years, it had raised valid concerns relating to safety. She referred

SLB120509Minutes

Members to the Scrutiny Forward Plan at Appendix C which set out the agenda items for the Leadership Board for 2009-10, including two meetings which would consider the local Crime and Disorder Reduction Partnership (CDRP). As Members were aware, the Police & Justice Act 2006 had inserted a new Section 21A into the Local Government Act 2000 to extend the remit of Scrutiny Committees to empower local authorities to call in their local Crime and Disorder Reduction Partnership (CDRP) once a year. Therefore, the Scrutiny Manager suggested that, as the CDRP was scheduled to be discussed at the September meeting of the Board, this item be considered then or alternatively for a full review to be considered on this subject. In the meantime, The Chairman asked that the Council's Community Safety section and local police provide details of any safety/security issues relating to the Town Park in order that the Board would have an accurate picture of the level of problems in this area. Councillor Roger Aveley asked that the local Ward Members also be contacted for their views. This information would then be considered at the meeting of the Board in July, when a decision could be taken as to whether a review was an appropriate response to this Suggestion. The Scrutiny Manager would write to Mrs. Clark to explain the process that the Board was undertaking.

Suggestion from Councillor Karen Tomlinson

Councillor Karen Tomlinson had requested that Scrutiny should consider the issues relating to unadopted estate roads within the Borough, which resulted in problems with street cleansing, fly tipping, lighting, and general environmental maintenance.

Members said that this was a problem throughout the Borough and agreed that the procedures for signing off new developments to ensure that responsibility for adoption had been finalised should be considered by Scrutiny. The Scrutiny Manager suggested that information on the current procedures be established following which a decision could be taken as to whether to undertake a separate review or to incorporate it into the previously agreed review of highways. This was agreed by the Board.

Suggestion from Mr. & Mrs. Neville

Mr. & Mrs. Neville had requested that Scrutiny review the Council's procedures for paying Housing Benefit to tenants of the Wrekin Housing Trust. The Scrutiny Manager referred Members to the briefing note provided by the Housing Benefits Manager, which set out the details of what was a long standing dispute which had been investigated by the Council's Corporate Complaints Co-ordinator and by the Local Government Ombudsman, who had made no finding of maladministration against the Council.

The Board agreed that no further action be taken and asked the Chairman to confirm categorically that the Council was not acting illegally in this instance with the Benefits Manager, and that a letter from the Chairman would be sent informing Mr. & Mrs. Neville that the Scrutiny Leadership Board did not wish to pursue their suggestion in this instance.

SLB-40 COUNCIL'S FORWARD PLAN – MAY 2009 TO AUGUST 2009

The Board noted the key decision reports scheduled to be submitted to the Cabinet between May – August 2009.

SLB-41 PROGRESS WITH CURRENT AND PLANNED SCRUTINY REVIEWS

The Board noted the update on the Reviews in the 2008-09 Programme. With regard to the agreed Special Interest Meetings (SIM), the Scrutiny Manager informed Members that the following Lead Scrutiny Members would be responsible for these meetings:

- Domestic Abuse – Cllr. Helen Williams
- Sustainable and balanced developments – Roger Aveley
- Planning Applications and the role of Parish/Town Councils – Cllr. Roger Aveley
- The transition of disabled children into adult services – Cllr. Joy Francis
- Council Complaints System – Cllr. Adrian Meredith
- Police and Community Together (PACT) Meetings – Cllr. Helen Williams

These SIMs were being held as the required two Members and a Lead Scrutiny Member had indicated their willingness to review these issues. With regard to the remaining SIMs that had been identified but for which no Members had yet volunteered, it was agreed that efforts should continue to seek volunteers. In addition, it was agreed that those Members who had not yet volunteered for SIMs should be contacted by the Scrutiny Manager, in the Chairman's name, requesting them to indicate which SIMs they wished to volunteer for.

SLB-42 DATES OF MEETINGS 2009-10

The Board noted that the following meetings had been scheduled for 2009-10:

- Thursday, 9th July, 2009
- Wednesday, 16th September, 2009
- Thursday, 19th November, 2009
- Thursday, 14th January, 2010
- Thursday, 25th March, 2010
- Thursday, 13th May, 2010

The meeting ended at 5.06 p.m.

Signed:

Date:

SCRUTINY LEADERSHIP BOARD

Minutes of a meeting of the Scrutiny Leadership Board held on Tuesday, 12th May, 2009 in the Scrutiny Meeting Room, Civic Offices, Telford

PRESENT: Councillor D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and H.J. Williams

ALSO PRESENT: Alison Smith (Scrutiny Manager)

SLB-33 MINUTES

RESOLVED – that the minutes of the meeting held on the 26th March, 2009 be confirmed and signed by the Chairman.

SLB-34 APOLOGY FOR ABSENCE

Councillor L. Lomax

SLB-35 DECLARATIONS OF INTEREST/PARTY WHIP

None.

SLB-36 SCRUTINY ASSEMBLY – 19TH MAY 2009 – CONFIRMATION OF FINAL ARRANGEMENTS

Members noted the updated, tabled final arrangements for the next Scrutiny Assembly. The Scrutiny Manager would provide copies of the Priority Plans to the Lead Scrutiny Members in advance of the Assembly.

The Chairman sought the Board's approval for refreshments to be provided prior to the Scrutiny Assembly by the "Eat and Enjoy" Group who are made up of young people and adults with learning disabilities who operated a café in Donnington as a training exercise supervised TCAT. The Board agreed to this and for the costs to be borne by the Scrutiny function. It was considered that this would be a valuable experience both for the members of the group and the Members. Councillor Roger Aveley suggested, and it was agreed, that this support for the youngsters be publicised and a photograph taken.

SLB- 37 FORWARD PLAN – AGENDA ITEMS 2009-10

Members noted the agenda items currently scheduled for meetings of the Scrutiny Leadership Board in 2009-10. This was a rolling programme to which additional items could be added as required. Councillor Roger Aveley suggested that the programme should also include the dates on which Scrutiny Reviews were due to be finalised and this was agreed by the Board.

SLB-38 CHAIRMAN'S UPDATE

Away Day

SLB120509Minutes

The Chairman asked Members if they wished to have an Away Day arranged but they agreed that the new arrangements should be allowed to run for a few months before any review is undertaken..

Chairing Arrangements for Sub-Groups and Attendees

The Chairman reported that the Corporate Parenting Group no longer had a Chairman following Cllr. Gill Green's resignation. The group have also expressed a wish to increase the numbers on the group. Councillor Joy Francis had volunteered to become Chairman of the Corporate Parenting Sub-Group and it was agreed that the group increase their numbers to 8 elected members and that Cllr. Francis be appointed to the group with a recommendation that she become Chairman.

He also informed the Board that Councillor Louise Lomax wished to stand down as Chairman of the Value for Money Scrutiny Group due to her commitments as a Non-Executive Director of the Telford & Wrekin Primary Care Trust. He had approached Councillor Bob Groom, the previous Chairman before his appointment as Mayor for 2008-09, but he had indicated that he did not wish to serve a further term as Chairman. Councillors Adrian Meredith and Roger Aveley were both Lead Scrutiny Members but it would not be appropriate for a member of the Administration to chair this particular Group. Given this, Councillor Helen Williams indicated her willingness to join become Chairman of the VFM Group for which Councillor Derek White thanked her. It was agreed that Cllr. Helen Williams be appointed to the group with a recommendation that she become Chairman.

SLB-39 WORK PROGRAMME SUGGESTION FORMS RECEIVED SINCE THE LAST MEETING

The Scrutiny Manager informed the Board that four suggestion forms had been received, one of which was included in the printed agenda and three were tabled at the meeting.

Suggestion from Councillor R.K. Austin

Councillor Austin had submitted a suggestion that Scrutiny should consider the perceived breakdown of communications between the Council and Hark Apollo, the owners of Telford Town Centre. However, given the current possibility of legal action being taken by Hark Apollo against the Council, Councillor Austin had agreed that his suggestion be deferred until the next meeting of the Scrutiny Leadership Board in July.

Suggestion from Mrs. Joyce Clark

Mrs. Clark had submitted a suggestion that Scrutiny should consider reviewing the security arrangements in operation in Telford Town Park following a number of alleged assaults upon her grandsons over the years.

The Scrutiny Manager said that, although the incidents referred to were over a number of years, it had raised valid concerns relating to safety. She referred

SLB120509Minutes

Members to the Scrutiny Forward Plan at Appendix C which set out the agenda items for the Leadership Board for 2009-10, including two meetings which would consider the local Crime and Disorder Reduction Partnership (CDRP). As Members were aware, the Police & Justice Act 2006 had inserted a new Section 21A into the Local Government Act 2000 to extend the remit of Scrutiny Committees to empower local authorities to call in their local Crime and Disorder Reduction Partnership (CDRP) once a year. Therefore, the Scrutiny Manager suggested that, as the CDRP was scheduled to be discussed at the September meeting of the Board, this item be considered then or alternatively for a full review to be considered on this subject. In the meantime, The Chairman asked that the Council's Community Safety section and local police provide details of any safety/security issues relating to the Town Park in order that the Board would have an accurate picture of the level of problems in this area. Councillor Roger Aveyley asked that the local Ward Members also be contacted for their views. This information would then be considered at the meeting of the Board in July, when a decision could be taken as to whether a review was an appropriate response to this Suggestion. The Scrutiny Manager would write to Mrs. Clark to explain the process that the Board was undertaking.

Suggestion from Councillor Karen Tomlinson

Councillor Karen Tomlinson had requested that Scrutiny should consider the issues relating to unadopted estate roads within the Borough, which resulted in problems with street cleansing, fly tipping, lighting, and general environmental maintenance.

Members said that this was a problem throughout the Borough and agreed that the procedures for signing off new developments to ensure that responsibility for adoption had been finalised should be considered by Scrutiny. The Scrutiny Manager suggested that information on the current procedures be established following which a decision could be taken as to whether to undertake a separate review or to incorporate it into the previously agreed review of highways. This was agreed by the Board.

Suggestion from Mr. & Mrs. Neville

Mr. & Mrs. Neville had requested that Scrutiny review the Council's procedures for paying Housing Benefit to tenants of the Wrekin Housing Trust. The Scrutiny Manager referred Members to the briefing note provided by the Housing Benefits Manager, which set out the details of what was a long standing dispute which had been investigated by the Council's Corporate Complaints Co-ordinator and by the Local Government Ombudsman, who had made no finding of maladministration against the Council.

The Board agreed that no further action be taken and asked the Chairman to confirm categorically that the Council was not acting illegally in this instance with the Benefits Manager, and that a letter from the Chairman would be sent informing Mr. & Mrs. Neville that the Scrutiny Leadership Board did not wish to pursue their suggestion in this instance.

SLB-40 COUNCIL'S FORWARD PLAN – MAY 2009 TO AUGUST 2009

The Board noted the key decision reports scheduled to be submitted to the Cabinet between May – August 2009.

SLB-41 PROGRESS WITH CURRENT AND PLANNED SCRUTINY REVIEWS

The Board noted the update on the Reviews in the 2008-09 Programme. With regard to the agreed Special Interest Meetings (SIM), the Scrutiny Manager informed Members that the following Lead Scrutiny Members would be responsible for these meetings:

- Domestic Abuse – Cllr. Helen Williams
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- Council Complaints System – Cllr. Adrian Meredith
- Police and Community Together (PACT) Meetings – Cllr. Helen Williams

These SIMs were being held as the required two Members and a Lead Scrutiny Member had indicated their willingness to review these issues. With regard to the remaining SIMs that had been identified but for which no Members had yet volunteered, it was agreed that efforts should continue to seek volunteers. In addition, it was agreed that those Members who had not yet volunteered for SIMs should be contacted by the Scrutiny Manager, in the Chairman's name, requesting them to indicate which SIMs they wished to volunteer for.

SLB-42 DATES OF MEETINGS 2009-10

The Board noted that the following meetings had been scheduled for 2009-10:

- Thursday, 9th July, 2009
- Wednesday, 16th September, 2009
- Thursday, 19th November, 2009
- Thursday, 14th January, 2010
- Thursday, 25th March, 2010
- Thursday, 13th May, 2010

The meeting ended at 5.06 p.m.

Signed:

Date:

SCRUTINY LEADERSHIP BOARD

Minutes of a meeting of the Scrutiny Leadership Board held on Tuesday, 12th May, 2009 in the Scrutiny Meeting Room, Civic Offices, Telford

PRESENT: Councillor D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and H.J. Williams

ALSO PRESENT: Alison Smith (Scrutiny Manager)

SLB-33 MINUTES

RESOLVED – that the minutes of the meeting held on the 26th March, 2009 be confirmed and signed by the Chairman.

SLB-34 APOLOGY FOR ABSENCE

Councillor L. Lomax

SLB-35 DECLARATIONS OF INTEREST/PARTY WHIP

None.

SLB-36 SCRUTINY ASSEMBLY – 19TH MAY 2009 – CONFIRMATION OF FINAL ARRANGEMENTS

Members noted the updated, tabled final arrangements for the next Scrutiny Assembly. The Scrutiny Manager would provide copies of the Priority Plans to the Lead Scrutiny Members in advance of the Assembly.

The Chairman sought the Board's approval for refreshments to be provided prior to the Scrutiny Assembly by the "Eat and Enjoy" Group who are made up of young people and adults with learning disabilities who operated a café in Donnington as a training exercise supervised TCAT. The Board agreed to this and for the costs to be borne by the Scrutiny function. It was considered that this would be a valuable experience both for the members of the group and the Members. Councillor Roger Aveley suggested, and it was agreed, that this support for the youngsters be publicised and a photograph taken.

SLB- 37 FORWARD PLAN – AGENDA ITEMS 2009-10

Members noted the agenda items currently scheduled for meetings of the Scrutiny Leadership Board in 2009-10. This was a rolling programme to which additional items could be added as required. Councillor Roger Aveley suggested that the programme should also include the dates on which Scrutiny Reviews were due to be finalised and this was agreed by the Board.

SLB-38 CHAIRMAN'S UPDATE

Away Day

SLB120509Minutes

The Chairman asked Members if they wished to have an Away Day arranged but they agreed that the new arrangements should be allowed to run for a few months before any review is undertaken..

Chairing Arrangements for Sub-Groups and Attendees

The Chairman reported that the Corporate Parenting Group no longer had a Chairman following Cllr. Gill Green's resignation. The group have also expressed a wish to increase the numbers on the group. Councillor Joy Francis had volunteered to become Chairman of the Corporate Parenting Sub-Group and it was agreed that the group increase their numbers to 8 elected members and that Cllr. Francis be appointed to the group with a recommendation that she become Chairman.

He also informed the Board that Councillor Louise Lomax wished to stand down as Chairman of the Value for Money Scrutiny Group due to her commitments as a Non-Executive Director of the Telford & Wrekin Primary Care Trust. He had approached Councillor Bob Groom, the previous Chairman before his appointment as Mayor for 2008-09, but he had indicated that he did not wish to serve a further term as Chairman. Councillors Adrian Meredith and Roger Aveley were both Lead Scrutiny Members but it would not be appropriate for a member of the Administration to chair this particular Group. Given this, Councillor Helen Williams indicated her willingness to join become Chairman of the VFM Group for which Councillor Derek White thanked her. It was agreed that Cllr. Helen Williams be appointed to the group with a recommendation that she become Chairman.

SLB-39 WORK PROGRAMME SUGGESTION FORMS RECEIVED SINCE THE LAST MEETING

The Scrutiny Manager informed the Board that four suggestion forms had been received, one of which was included in the printed agenda and three were tabled at the meeting.

Suggestion from Councillor R.K. Austin

Councillor Austin had submitted a suggestion that Scrutiny should consider the perceived breakdown of communications between the Council and Hark Apollo, the owners of Telford Town Centre. However, given the current possibility of legal action being taken by Hark Apollo against the Council, Councillor Austin had agreed that his suggestion be deferred until the next meeting of the Scrutiny Leadership Board in July.

Suggestion from Mrs. Joyce Clark

Mrs. Clark had submitted a suggestion that Scrutiny should consider reviewing the security arrangements in operation in Telford Town Park following a number of alleged assaults upon her grandsons over the years.

The Scrutiny Manager said that, although the incidents referred to were over a number of years, it had raised valid concerns relating to safety. She referred

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Members to the Scrutiny Forward Plan at Appendix C which set out the agenda items for the Leadership Board for 2009-10, including two meetings which would consider the local Crime and Disorder Reduction Partnership (CDRP). As Members were aware, the Police & Justice Act 2006 had inserted a new Section 21A into the Local Government Act 2000 to extend the remit of Scrutiny Committees to empower local authorities to call in their local Crime and Disorder Reduction Partnership (CDRP) once a year. Therefore, the Scrutiny Manager suggested that, as the CDRP was scheduled to be discussed at the September meeting of the Board, this item be considered then or alternatively for a full review to be considered on this subject. In the meantime, The Chairman asked that the Council's Community Safety section and local police provide details of any safety/security issues relating to the Town Park in order that the Board would have an accurate picture of the level of problems in this area. Councillor Roger Aveley asked that the local Ward Members also be contacted for their views. This information would then be considered at the meeting of the Board in July, when a decision could be taken as to whether a review was an appropriate response to this Suggestion. The Scrutiny Manager would write to Mrs. Clark to explain the process that the Board was undertaking.

Suggestion from Councillor Karen Tomlinson

Councillor Karen Tomlinson had requested that Scrutiny should consider the issues relating to unadopted estate roads within the Borough, which resulted in problems with street cleansing, fly tipping, lighting, and general environmental maintenance.

Members said that this was a problem throughout the Borough and agreed that the procedures for signing off new developments to ensure that responsibility for adoption had been finalised should be considered by Scrutiny. The Scrutiny Manager suggested that information on the current procedures be established following which a decision could be taken as to whether to undertake a separate review or to incorporate it into the previously agreed review of highways. This was agreed by the Board.

Suggestion from Mr. & Mrs. Neville

Mr. & Mrs. Neville had requested that Scrutiny review the Council's procedures for paying Housing Benefit to tenants of the Wrekin Housing Trust. The Scrutiny Manager referred Members to the briefing note provided by the Housing Benefits Manager, which set out the details of what was a long standing dispute which had been investigated by the Council's Corporate Complaints Co-ordinator and by the Local Government Ombudsman, who had made no finding of maladministration against the Council.

The Board agreed that no further action be taken and asked the Chairman to confirm categorically that the Council was not acting illegally in this instance with the Benefits Manager, and that a letter from the Chairman would be sent informing Mr. & Mrs. Neville that the Scrutiny Leadership Board did not wish to pursue their suggestion in this instance.

SLB-40 COUNCIL'S FORWARD PLAN – MAY 2009 TO AUGUST 2009

The Board noted the key decision reports scheduled to be submitted to the Cabinet between May – August 2009.

SLB-41 PROGRESS WITH CURRENT AND PLANNED SCRUTINY REVIEWS

The Board noted the update on the Reviews in the 2008-09 Programme. With regard to the agreed Special Interest Meetings (SIM), the Scrutiny Manager informed Members that the following Lead Scrutiny Members would be responsible for these meetings:

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The meeting ended at 5.06 p.m.

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PRESENT: Councillor D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and H.J. Williams

ALSO PRESENT: Alison Smith (Scrutiny Manager)

SLB-33 MINUTES

RESOLVED – that the minutes of the meeting held on the 26th March, 2009 be confirmed and signed by the Chairman.

SLB-34 APOLOGY FOR ABSENCE

Councillor L. Lomax

SLB-35 DECLARATIONS OF INTEREST/PARTY WHIP

None.

SLB-36 SCRUTINY ASSEMBLY – 19TH MAY 2009 – CONFIRMATION OF FINAL ARRANGEMENTS

Members noted the updated, tabled final arrangements for the next Scrutiny Assembly. The Scrutiny Manager would provide copies of the Priority Plans to the Lead Scrutiny Members in advance of the Assembly.

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- Thursday, 9th July, 2009
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- Thursday, 19th November, 2009
- Thursday, 14th January, 2010
- Thursday, 25th March, 2010
- Thursday, 13th May, 2010

The meeting ended at 5.06 p.m.

Signed:

Date:

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Tuesday, 21 April, 2009 at 6.00 p.m. at Civic Offices, Telford

PRESENT: Councillors R. Aveley, V.A. Fletcher, C.R.P. Mollett, K.S. Sahota, A.J. Stanton and A.G.P. Williams
A. Simpson (Chairman), F. Beasland and A. Selvaratnam (Independent Members)
Councillors D. Edwards, P. Picken, R. Wickson and R. Williams (Parish Council representatives)

ST-33 MINUTES

RESOLVED – that the minutes of the meeting of the Standards Committee held on 11 February 2009 be confirmed and signed by the Chairman.

ST-34 APOLOGIES FOR ABSENCE

Councillors H. Rhodes & U.E. Sambrook, and B. Bayley (Independent Member)

ST-35 DECLARATIONS OF INTEREST

Mr A. Simpson declared a personal and prejudicial interest in relation to agenda item 7 – Independent Membership of the Standards Committee.

ST-36 MEMBERS CODE OF CONDUCT TRAINING UPDATE

The Group Solicitor: Standards & Regulatory presented a report which, further to Minute ST-30 at the last meeting, provided an update on the work undertaken on the arrangements for Code of Conduct training for the next municipal year.

A letter from the Chair of the Standards Committee had been sent to all Borough and Parish Councillors inviting comments on topics they would like to see covered in the forthcoming training. In terms of the delivery of the training, a small number of training providers were to be asked to submit quotes. Different venues for the training were being explored, and it was proposed to arrange sessions in the north (possibly Newport), south (possibly Madeley) and central (possibly Civic Offices or Priorslee Training Centre) areas of the Borough. In addition, it was hoped to co-ordinate the provision and promotion of the training with the Shropshire Association of Local Councils, which could result in additional training opportunities for Members.

During the ensuing discussion, there were some further suggestions relating to venues for Code of Conduct training, including whether Oakengates/Ketley or Wellington would be better locations for the northern part of the Borough.

RESOLVED – that the report be noted.

ST-37 **CODE OF CONDUCT COMPLAINTS MADE TO THE STANDARDS COMMITTEE - QUARTERLY UPDATE: 1ST JANUARY TO 31ST MARCH 2009.**

The Group Solicitor: Standards & Regulatory presented a report which detailed the Code of Conduct complaints received by the Standards Committee during the period 1 January 2009 to 31 March 2009.

During that period, the Standards Committee received two Code of Conduct complaints under the new system for local assessment. The complaints both related to Parish Councillors, and had been considered by the Referrals Sub-Committee on 23 February and 27 March 2009 respectively. In the first case, the Sub-Committee decided to direct the Monitoring Officer to invite the Councillor concerned and the rest of the Parish Council to be provided with Code of Conduct training, particularly in relation to aspects of Code around prejudicial interests and failing to act appropriately. In the second case, the Sub-Committee decided that no further action was to be taken. No request for a review of that decision had been received from the complainant. A quarterly return had been forwarded to the Standards Board for England.

In response to a question regarding the numbers of complaints compared to other local authority areas, the Group Solicitor advised that year-end comparative data from the Standards Board was not yet available.

RESOLVED – that the contents of the report be noted.

ST-38 **STANDARDS COMMITTEE WORK PLAN 2009/10**

The Group Solicitor: Standards & Regulatory presented a report which proposed the establishment of a work plan for the Committee for the next Municipal Year. The draft Work Plan was appended to the report.

The intention of the work plan was to identify the main areas of work to be undertaken by the Committee over the next 12 months, and to make plans to ensure that the work was undertaken within appropriate timescales. The Plan would be a “living document” and could be changed if there was a need to react to new legislative requirements. Members were invited to provide any suggestions or comments on the draft work plan.

The Committee welcomed the Work Plan, which would help to structure their activities. In relation to the expected changes to the Code of Conduct, clarification was sought on the timescales and actions in the Plan to reflect this. The Group Solicitor advised that there was still no definite date for the issuing of the necessary Regulations by the Government. It was expected to be in the next two or three months, and therefore the aim would be to complete training for Members on the new Code by the end of October 2009.

RESOLVED – that the Standards Committee Work Plan for 2009/10, as shown at Appendix 1 of the report, be approved.

Before the commencement of the next item, the Chairman, having previously declared an interest, withdrew from the meeting.

ST-39 ELECTION OF CHAIRMAN FOR THE NEXT ITEM OF BUSINESS

It was reported that the Committee needed to elect an Independent Member as Chairman for the transaction of business on the next item on the agenda.

RESOLVED - that Mr A. Selvaratnam be elected Chairman for the purposes of the following item of business only.

ST-40 INDEPENDENT MEMBERSHIP OF STANDARDS COMMITTEE – MR A SIMPSON

The Group Solicitor: Standards & Regulatory presented a report concerning the re-appointment of Mr A. Simpson as an Independent Member of the Standards Committee.

Mr Simpson was approaching the end of his second four year term of office, and a decision was needed as to whether or not he was to be re-appointed. The appointment of Independent Members was the role of full Council, but the Committee could make a recommendation on the matter, including the term of office to be served.

Details of the Standards Board guidance on the appointment of Independent Members were outlined in the report. Mr Simpson had indicated that he was prepared to be considered for re-appointment for a 12 month period. This would then allow sufficient time for a replacement Independent Member to be recruited and appointed.

In response to questions, the Group Solicitor advised that the chairmanship of the Committee was a separate issue to Mr Simpson's re-appointment. Irrespective of whether Mr Simpson was re-appointed, the Committee would need to elect a Chairman for the 2009/10 Municipal Year at their June meeting. In relation to changing the number of Independent Members on the Committee, this would require a change in the Constitution and/or a revision in the numbers of Elected Members on the Committee.

RESOLVED – TO RECOMMEND TO COUNCIL that Mr A. Simpson be re-appointed as an Independent Member of the Telford & Wrekin Standards Committee for a 12 month period from the start of the 2009/10 Municipal Year.

Mr Simpson then returned to the meeting room to chair the remainder of the meeting.

ST-41

REPORT ON ACTION UNDERTAKEN BY THE MONITORING OFFICER FOLLOWING A CODE OF CONDUCT COMPLAINT – COUNCILLOR LINDA BAKER-OLIVER AND WATERS UPTON PARISH COUNCIL

The Group Solicitor: Standards & Regulatory presented a report which updated the Committee on the action undertaken at the direction of the Referrals Sub-Committee following a complaint alleging a breach of the Code of Conduct.

On 23 February 2009, the Referrals Sub-Committee had met to consider a complaint made by a member of the public alleging a breach of the Code of Conduct by a Member of Waters Upton Parish Council. The Sub-Committee decided that they would direct the Monitoring Officer to invite Councillor Linda Baker-Oliver to undertake Code of Conduct training. They also decided that it would be appropriate to invite all Members of Waters Upton Parish Council for Code of Conduct training. A copy of the Decision Notice was appended to the report.

A meeting had been held with the Parish Clerk on 16 April, and arrangements had been made for the Monitoring Officer to visit the Parish Council on 24 June 2009. A meeting with Councillor Baker-Oliver had provisionally been arranged for 30 April 2009.

Members expressed some concerns that the recommended training had not yet been undertaken, and it was suggested that for such cases there could be a timescale specifying a date by which the training should be completed. In response to questions, the Head of Legal Services & Monitoring Officer advised that there had not been any resistance or obstruction from the Member or Parish Council concerned. It was also stressed that the Sub-Committee had not found a breach of the Code of Conduct, and therefore it could only seek voluntary agreement to training being undertaken. As the training had not yet taken place, Members expressed the view that they could not be satisfied at this stage that the outcome of the Sub-Committee's direction had been achieved.

RESOLVED –

- (a) that a further report on the outcome of the action undertaken by the Monitoring Officer following the decision of the Referrals Sub-Committee on 23 February 2009 be presented to the next meeting.**
- (b) that on future occasions when the Referrals or Reviews Sub-Committee decide to direct the Monitoring Officer to invite member(s) to attend code of conduct training, consideration is given (on a case by case basis) as to whether a time limit to undertake such training is specified.**

The meeting ended at 7.00 pm

Chairman:

Date:

AUDIT COMMITTEE

Minutes of a meeting of the Audit Committee held on Tuesday, 31st March 2009 at 6.00pm in the Reception Suite, Civic Offices, Telford

PRESENT: D. Wright (Chairman), I.T.W. Fletcher (Vice-Chairman), G. Ashcroft, R.K. Austin and L. Lomax.

OTHER MEMBERS PRESENT: Councillors E.J. Carter – Cabinet Member: Regeneration and M.B. Hosken – Cabinet Member: Environment.

OFFICERS PRESENT: Ken Clarke – Head of Audit & Democracy, Jenny Marriott – Audit & Risk Manager, Rob Montgomery – Group Auditor, Meredith Evans – Corporate Director: Environment & Regeneration, Jonathan Rowe – Head of Leisure & Culture, Stuart Davidson – Business Manager: Leisure Facilities & Services, Andrew Cardoza – Senior Manager KPMG LLP (UK) and Peter Evans – Assistant Manager: KPMG LLP (UK).

AUC-49 MINUTES

RESOLVED – that the minutes of the meeting of the Audit Committee held on 27th January 2009 be confirmed and signed by the Chairman.

AUC-50 APOLOGY FOR ABSENCE

Councillor W.L.Tomlinson

AUC-51 DECLARATIONS OF INTEREST

None.

AUC-52 KPMG – ANNUAL EXTERNAL AUDIT REPORT 2007/08

The Committee received the report of KPMG which summarised the work that had been undertaken by KPMG at the Council in their role as the authority's external auditors. The Committee was reminded that the auditor's responsibilities were outlined within the Audit Commission's Code of Audit Practice (the Code). Under the Code KPMG were required to review and report on three main areas which included – the Statement of Accounts, the Use of Resources and Data Quality. Members were informed that the report covered the financial year 2007/08.

In connection with the Statement of Accounts it was confirmed that KPMG had issued an unqualified opinion and certificate on the Council's 2007/08 accounts. The certificate was issued to confirm that they had completed all the work that was required for the 2007/08 financial year under their statutory responsibilities. It was also pointed out that KPMG were also reviewing the Council's Whole of Government Accounts (WGA) submission to determine as to whether it was consistent with the statutory accounts.

Members were informed that like a number of other authorities, it was noted that the Council had found the new requirements for a Statement of Total

Recognised Gains and Losses (STRGL) in the 2006/07 financial year a challenge with several large adjustments being required in 2007/08 to correct it.

In relation to future accounts production and audit process and how these could be improved for the 2008/2009 accounts a number of meetings had been held between KPMG and the Council. It had also been agreed that there would be a programme of monthly meetings during the closedown period to enable earlier discussion and agreement of the impact of new accounting developments and changes.

On the Council's Use of Resources, the Committee were advised that between July and September 2008 KPMG completed their scored judgement on the Council's use of resources against Key Lines of Enquiry (KLOEs) that were specified by the Audit Commission. The Committee were pleased to note that the Council had once again achieved an overall score of 3 in the assessment overall. Members were also pleased to note the score for Internal Control had increased from a 3 to a 4. The Council had been commended by KPMG, as the scores had been obtained despite increases in KLOE requirements which included a harder test.

Finally, Members were referred to the Data Quality – the Committee was informed that KPMG were required to assess the Council's arrangements over the quality of its performance and other data, and to test a small number of indicators in detail.

The Committee were informed that KPMG tested four indicators which included two benefits indicators that the Audit Commission required to be tested and two further indicators which were selected on a risk basis. It was reported that no issues were identified in relation to the benefits indicators however some adjustments were required to the other two indicators.

Members were referred to Appendix A of the report which outlined a summary of recommendations and proposed action plan to be undertaken by the Council.

During a discussion a number of members enquired as to the details of the one question and objection that was received from one elector and the cost that was involved in dealing with the same as outlined within the report. Members were advised that there was no evidence of any unlawful expenditure or of any other issue that KPMG were required to address under their statutory powers. In connection with the fee level the Committee were advised that as a result of the ongoing collaborative work that was undertaken between the Council and KPMG the fee that had been charged was extremely low.

Another Member referred to Appendix A – Summary of Recommendations and pointed out that there was no time frame for completion of any of the action plan items and as to whether progress against these should be monitored by the Committee. By way of response it was acknowledged that it would be within the remit of the Committee to monitor such progress.

RESOLVED – that the KPMG Annual External Audit Report 2007/08 be noted.

AUC-53 STRATEGIC RISK 10 – FAILURE TO DELIVER THE HOUSING GROWTH AGENDA

The Committee were referred to the previous meeting that was held on 27th January 2009 and the review of the key Strategic Risks that had been undertaken. During the discussion of this particular item the Members agreed that the risk identified as Risk 10 within the register – failure to deliver the housing growth agenda should be more fully considered. Accordingly it was further agreed to invite the risk owners – the appropriate Cabinet Member and Corporate Director to this meeting in order to provide the further information to the Committee.

Members were introduced to Meredith Evans – Corporate Director: Environment & Regeneration and also Councillors M.B. Hosken – Cabinet Member: Environment and E.J. Carter – Cabinet Member: Regeneration.

The Corporate Director: Environment & Regeneration advised on the historical background to development within Telford & Wrekin and that significant capacity and infrastructure had been provided by the former Telford Development Corporation with the previous provision of housing growth being matched with a corresponding increase in employment growth within the Town. Members were reminded that within the Borough local housing growth targets were set via the Regional Spatial Strategy (RSS), with the current version providing a target of 1325 new market houses per annum until 2026. The Committee was informed that this figure was currently being revisited as part of the RSS Phase 2 Review. It was noted that in recent years housing delivery locally had averaged c.500 homes pa. The credit crunch and recession had further depressed delivery with 381 new homes built in 2007/08.

It had been recognised that the current slowdown was a national issue with the majority of Local Authorities seeing a significant reduction in the completion of new homes and that it had been estimated that this would continue for a further 18 months – 2 years. Whilst it was accepted that local actions could and were making an immediate difference the success of these were dependent on measures taken at a national level particularly in relation to the availability of mortgage finance.

Members were referred to the updated version of the Plan for Strategic Risk 10 which was tabled referring to the key controls from the risk register and summarised the achievements secured to date, future actions and anticipated timescales. A key element in ensuring future delivery was the new Housing & Regeneration Partnership with the Homes & Communities Agency (HCA) and AWM. This would provide the opportunity to maximise investment into the area for affordable housing, infrastructure and a range of grant funding. It was noted that HCA incorporated English Partnerships who were also able to invest their land as well as providing capacity and expertise in order to support future housing delivery.

The Chairman invited Members to raise any questions or comments in relation to the comments made by the Corporate Director or of the tabled briefing note. Any responses are provided within the following brackets.

Councillor I Fletcher – enquired about the target dates contained within the tabled action plan. In particular he referred to the proposed target date (end of March 2009) for the publication of the draft Housing & Regeneration Priority Plan for public consultation and that as far as he was aware he had not received sight of this document. He also enquired as to the publication of the Local Investment Plan. (By way of response the Corporate Director replied that the draft Housing & Regeneration Plan document was not quite ready to be published. In connection with the Local investment Plan the preparation of this document was still in progress and in any event would need to proceed through the Council's Cabinet process).

Councillor Austin – referred to the establishment of the Housing & Regeneration Partnership Board and enquired as to whether there were any elected members of the Council on this Board. (It was confirmed that membership on the Board included Councillor E Carter and also Councillor J Seymour). Councillor Austin also enquired about the LGA Urban Commission and the effectiveness that had been realised from membership of this particular group. (Councillor Carter responded by stating that he represented the Council on this particular body and that he had found attendance at this particular LGA Commission useful. He indicated that at present the Commission were currently looking at future housing growth. It had been noted by him that a number of papers referred to Council's who had retained their own housing stock and he was keen to ensure that any perceived measures which might be introduced would also benefit other Councils such as Telford & Wrekin who had disposed of their stock to other registered RSLs etc).

The Committee wished to record their thanks for the attendance at the meeting of the Corporate Director: Environment & Regeneration and for the Cabinet Member: Environment and the Cabinet Member: Regeneration. The Cabinet Members, Corporate Director and KPMG personnel left the meeting at this point.

AUC-54 HEAD OF LEISURE & CULTURE TO UPDATE THE COMMITTEE ON AUDIT REPORTS IN HIS AREA

Members were referred to the previous meeting and in particular that it had been agreed at the meeting that was held on 27th January 2009 that further information and assurances should be provided in connection with the improvements in the controls within the Council's Leisure Services. The Committee were further reminded that this request had followed the findings of the Audit reports in connection with Oakengates Leisure Centre (October 2008) and of the Telford Ice Rink (November 2008) – with both reports having categorised the facilities as amber.

The Head of Leisure & Culture and the Business Manager: Leisure Facilities & Services were in attendance at the meeting in order to provide a further oral

update into the actions and other measures that had been introduced since the original publication of both audit reports.

Members were reminded that the Leisure Centre's were large and complex facilities with particular challenges and individual issues in particular to administration and cash management. It was confirmed however that a good relationship existed between the Leisure Managers and the members of the Internal Audit team. It had been further acknowledged that the original reports had highlighted a number of areas for improvement particularly in connection with administration and cash procedures and that adherence to these particular procedures should be maintained. The Committee was advised that subsequent follow up reports had now been published which had revised the original categorisation for both sites as yellow. However it was further noted that there would be further follow up reports undertaken in March, April and June 2009.

Members were referred to the briefing paper that was tabled at the meeting that highlighted the key agreed actions arising from the reports. In conclusion significant work had been undertaken in order to improve the identified procedures and to ensure that the appropriate level of training had been delivered. It had also been concluded that whilst the improvements would help to reduce the risk of theft or misappropriation of money or property ultimately they would not remove the risk. The implementation of the identified procedures would minimise opportunity and aid early detection and reporting.

Members noted the identified actions and the level of proactive work that had been introduced by the service area together with the further review mechanisms that would be shared at future service management meetings.

The Committee wished to record their thanks for the attendance at the meeting of the Head of Leisure & Culture and the Business Manager: Leisure Facilities & Services. They both left the meeting at this point.

AUC-55 INTERNAL AUDIT PLAN 2009/10 AND STRATEGY 2009/10-2011/12

The report of the Corporate Director: Resources was considered by the Committee in which they were requested to approve the Internal Audit Plan 2009/10 and the Strategy for 2009/10 – 2011/12. Members were referred to the terms of reference of the Committee as detailed within the report. The Committee were further reminded that the Corporate Director Resources had responsibilities under section 151 of the Local Government Act 1972 and the Accounts and Audit Regulations 2003 (as amended).

Under the Accounts and Audit Regulations 2003 (as amended) Internal Audit provided part of the assurance on the Council's internal controls reported within the Annual Governance Statement (including the Statement on Internal Control). The Corporate Director Resources was therefore responsible for ensuring that the internal audit plans coverage was appropriate and sufficient to meet all these obligations.

The Internal Audit Strategy was extracted from the Internal Audit Business Plan and outlined how the Internal Audit Service would be provided in order to meet legal requirements and the Council's priorities. The previous strategy was for the period 2007/08-2009/10. However, during 2008/09 the Council had implemented priority plans and the strategy had been updated to reflect this.

The Committee were reminded that Internal Audit had a statutory obligation but also strived to ensure a quality and up to date service for the Council. To do this it followed the CIPFA Code of Practice on Internal Audit in Local Government (2006) and further guidance provided in the CIPFA Audit Manual (December 2004). Internal Audit work, in addition to obtaining assurance on controls for the Council, aimed to identify improvements to controls so that managers and their teams could achieve their objectives and thus contribute to the Council achieving its ambitions. This was part of the Council's corporate governance framework and the effective management of risks.

It was also mentioned that in accordance with good practice, Internal Audit planning was directly linked to the Council's risk management processes. The Council's risk management processes were well embedded and were an integral part of the decision making, management and performance processes.

The Committee were referred to the draft plan attached to the report within Appendix A which had been drawn up and directly linked to the Council's current Strategic Risk Register. It had been adjusted to take account of the forthcoming organisational changes as the risk areas and controls require review irrespective of which portfolio they operated from.

Based on good practice the plan also contained around a 10% contingency to meet any unexpected work requirements, any changes identified during dialogue with senior officers within the Council or changes to resources during the year. Any significant changes would be agreed with senior management and reported to the Committee.

Members were also requested to note that specialist ICT audit work at the Council was provided by an external contractor, Haines Watts who were contracted for a three year period that had commenced on 1st April 2007. It was reported that they had performed well during the contract to date and would continue to assist Internal Audit to provide assurance on technology. The detail of the proposed ICT audit plan was attached as Annex 1 to Appendix A. The plan also included the provision of an Internal Audit Service to Transforming Telford Ltd (30 days).

The Strategy for 2009/10- 2011/12 was attached as Appendix B and had been updated early (previous agreed Strategy 2007/08 – 2009/10) to reflect the Priority Plan and the Council's Local Code of Good Governance.

RESOLVED – that the proposed Internal Audit Plan 2009/10 and the Strategy for 2009/10 – 2011/12 be approved.

AUC-56 RESULTS OF THE SURVEY ON THE EFFECTIVENESS OF THE AUDIT COMMITTEE

The report of the Corporate Director: Resources was received which sought to provide members of the Audit Committee with the results of the survey that had been completed to review the effectiveness of the Audit Committee.

Members were informed that in March/April 2007 a survey had been undertaken to review the Audit Activities of the Standards and Audit Committee but there had been a limited response and a further survey was undertaken in January 2008. The results of the survey were presented to the Standards & Audit Committee on 3rd April 2008.

For the municipal year 2008/09 the Standards and Audit Committee was separated into two separate Committees and it was agreed that a further survey would be undertaken on the effectiveness of the Audit Committee during February 2009. The Committee were advised that out of the 16 surveys sent out 13 were returned which provided an 81% response rate. The response rate for members was 78% and for officers 100%.

The Committee was referred to the detailed responses outlined within the report and the analysis contained within the tables. The results had been analysed and the table in Appendix A showed the questions and the average scores for 2008 and 2009. Out of the 22 questions, eight scored an average of over 3.5 (compared to 3 in 2008), eleven scored between 3 and 3.5 (compared to 13 in 2008) and three scored an average below 3 (compared to 6 in 2008). There were no average scores below 2.77 (compared to 2.63 2008).

In conclusion the results confirmed that overall the Audit Committee was satisfactory to good and performed effectively most of the time to all of the time.

Members were further reminded that questions had been asked about co-optees. The Committee were referred to the results as outlined in Appendix B of the report. The survey results indicated that 62% of the respondents agreed that the Committee required one or more co-optees with 31% not agreeing and 7% indicating that they did not know. In connection with the number of co-optees and of the 62% that had responded yes 37.5% indicated one, 37.5% indicated 2 and 25% gave no indication. Other comments were made about co-optees being appointed for specific pieces of work/reviews.

There was a discussion within the Committee in connection with the co-option of an external person(s) and a number of members commented that if a co-optee was to be appointed that initially the Committee would need to examine their current individual skills and knowledge to identify as to whether there were any gaps or shortfalls of knowledge and expertise. If there were no current gaps etc identified it was questioned as to whether a co-optee would in fact be required. The Audit & Risk Manager agreed to undertake a skills and knowledge audit of the existing Committee members and that this document would be referred to a future Committee meeting when a final

decision could be made. Members also agreed that further training could be provided in the future.

RESOLVED – that the survey on the effectiveness of the Audit Committee be noted, that the Audit & Risk Manager should undertake a Skills and Knowledge Audit of the individual members of the Committee to identify any gaps in knowledge and skills. Also, that further refresher training should be provided on overall governance and risk management and the key financial issues and key accounting policies within the accounts prior to their submission to the Committee and the Council.

**AUC-57 REVIEW OF THE KEY STRATEGIC RISK REGISTER –
JANUARY 2009 (FOR INFORMATION)**

The Committee received the information report of the Corporate Director: Resources requesting that they should note the results of the review of the key strategic risk register that had been undertaken in January 2009. Members were reminded of the need to review the Key Strategic Risk Register regularly in order to reflect the constant changes affecting the Council, its risks and the effectiveness of the controls implemented to manage these risks.

The last formal review of the Key Strategic Risks had taken place during September and October 2008. The Committee was advised that the results of the January 2009 review of Key Strategic Risks were shown in Appendix A to the report, with the changes since September 2008 being shown in colour and bold. In September 2009, there were 18 key strategic risks identified on the key strategic Risk register. Following this review there were now 19 key strategic risks. The Committee was informed that the next review was planned for May 2009.

At the Audit Committee held on 27th January 2009, it was suggested that future versions of the Strategic Risk Register should include more information about the nature of the risk and that wherever possible future actions should have a clear target timescale. It was intended to adopt these suggestions from the next review of the risk register, in May 2009.

Following a member question in connection with the new risk (number 37) that had been placed within the register members agreed that the Corporate Director: Adult & Consumer Care and the Cabinet Member: Adult & Consumer Care should be invited to attend the next meeting to explain to the Committee the further actions that had been established within the identified risk and in particular the further action within number 6 being the exercise elements of the Plan (April 2009) in accordance with the Business Continuity Management Strategy.

RESOLVED –

- (a) that the changes to the key strategic risk register as detailed within the report and the Council's continued commitment to the effective management of risks be noted, and;

- (b) that the Corporate Director: Adult & Consumer Care and the Cabinet Member: Adult & Consumer Care be invited to attend the next meeting of the Committee to address the Committee in relation to the new risk 37 that had been agreed to be included within the Strategic Risk Register.

AUC-58 EXCLUSION OF 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 information, as defined in Paragraph 2 of Part 1 of Schedule 12A Local Government Act 1972.

AUC-59 UPDATE ON THE COUNCIL'S SPEAK UP POLICY – APRIL 2007-DECEMBER 2008

The report of the Corporate Director: Resources was received which sought to update members on the use and reviews of the Speak Up policy during the period April 2007 to December 2008. Members were reminded that the Standards & Audit Committee in September 2007 had approved a revised Confidential Reporting Policy to meet the requirement of a review that had been undertaken at that time, to reflect the inclusion of contractors, suppliers and partners within the Policy and a few other changes to make it current within the Council.

Following that review and due to practical applications the Standards & Audit Committee in January 2008 had approved a name change for the policy to the Speak Up Policy and further clarifications of parts of the policy. As Members recalled from the municipal year 2008/09 the Standards & Audit Committee was separated into two committees the Standards Committee and Audit Committee. The terms of reference of the one Committee were separated into two but these were further revised by Council in December 2008.

The Committee were informed that the report now presented provided information from April 2007 to December 2008 as part of the committee's monitoring role in respect to this policy. Previous monitoring of the policy had been undertaken by the Corporate Director Resources. It was reported to Members that during the period April 2007 to December 2008 there had been 2 messages left on the Speak Up hotline.

It was also noted that there were also issues raised by members of the public, usually with the Chief Executive. It was mentioned that these were reviewed and investigated where possible by Internal Audit and action taken when appropriate. It was pointed out that these were not part of the Speak Up Policy but part of the Council's Anti-Fraud and Corruption Policy.

RESOLVED – that the contents of the report be noted.

The meeting ended at 7.48 pm.

Chairman:

Date: