

REGENERATION, CULTURE AND ADULT EDUCATION SCRUTINY COMMITTEE

TUESDAY 6TH NOVEMBER, 2012

**AT 6.00PM
IN THE COMMITTEE ROOM 2
THE COUNCIL HOUSE
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

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IMPORTANT NOTICE

MEETINGS IN DUDLEY COUNCIL HOUSE

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In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

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Your ref:	Our ref:	Please ask for:	Telephone No.
	JJ/JJ	Mr J Jablonski	815243

29th October, 2012

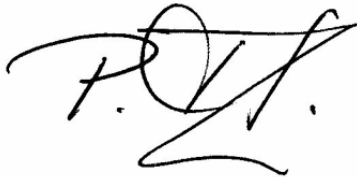
Dear Councillor

Regeneration, Culture and Adult Education Scrutiny Committee

You are requested to attend a meeting of the Regeneration, Culture and Adult Education Scrutiny Committee to be held on Tuesday 6th November, 2012 at 6.00pm in Committee Room 2 at the Council House, Dudley to consider the business set out in the Agenda below.

The agenda and reports for this meeting can be viewed on the internet site www.dudley.gov.uk (Follow the links to Meetings and Decisions.)

Yours sincerely



Director of Corporate Resources

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. SUBSTITUTE MEMBERS

To report the names of any substitute members serving for this meeting.

3. DECLARATIONS OF INTEREST

To receive Declarations of Interest in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the minutes of the meeting of the Committee held on 10th September, 2012 (copy herewith)

5. PUBLIC FORUM

To receive questions from members of the public.

6. REVENUE BUDGET STRATEGY 2013/14 (PAGES 1 – 16)

To consider a joint report of Officers

7. PLANNING APPLICATION P12/0905 PRIOR APPROVAL UNDER PART 31 FOR DEMOLITION OF 7 STRAITS ROAD, LOWER GORNAL (PAGES 17 - 22)

To consider a report of the Director of the Urban Environment

8. UPDATE ON DUDLEY'S HEALTHY TOWN PROGRAMME (PAGES 23 -32)

To consider a report of the Director of the Urban Environment

9. REVISION OF THE PLAYING PITCH STRATEGY (PAGES 33 - 42)

To consider a report of the Director of the Urban Environment

10. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8 (IF ANY)
AND QUESTIONS ON INFORMATION ITEMS PREVIOUSLY CIRCULATED SEPARATELY (IF ANY).

Members are asked to e-mail Joe Jablonski, at the address shown on the agenda cover, at least three working days before the meeting details of any questions they would wish to raise ON THE INFORMATION ITEMS.

This will enable responses to questions to be circulated prior to the meeting.

Questions on information items raised at the meeting will receive a written response following the meeting.

Councillors – A.Ahmed, Attwood, Blood, Body, Caunt, G.Davies, Hale, Herbert, K.Turner, Tyler and Wright

**REGENERATION, CULTURE AND
ADULT EDUCATION SCRUTINY COMMITTEE**

Monday, 10th September, 2012,
at 6.00 pm in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Tyler (Chair)
Councillor K Turner (Vice-Chair)

Councillors A Ahmed, Attwood, Blood, Caunt, G.H. Davies, Hale, Herbert, and Wright

Officers

Assistant Director, Housing Strategy and Private Sector (Lead Officer to the Committee); Assistant Director, Economic Regeneration, Head of Economic Development and Head of Planning (all Directorate of the Urban Environment) and Mr. J. Jablonski (Directorate of Corporate Resources)

9 APOLOGY FOR ABSENCE

An apology for absence from the meeting was submitted on behalf of Councillor Body.

10 DECLARATIONS OF INTEREST

No member made a declaration of interest in accordance with the Member's Code of Conduct in respect of any matter to be considered at this meeting.

11 MINUTES

Arising from comments made in relation to items in respect of the Black Country Library Services Project and Parking in Dudley Town Centre in the light of Current Redevelopment, items scheduled for this meeting that had not been submitted, the reasons for non-submission were outlined at the meeting and it was noted that these matters would receive consideration at future meetings of the Committee.

RESOLVED

That the minutes of the meeting of the Committee held on 11th June, 2012, be approved as a correct record and signed.

12 PUBLIC FORUM

No matters were raised under this item.

13 PLANNING OBLIGATIONS REPORT FOR THE 2011/12 FINANCIAL YEAR

A report of the Director of the Urban Environment was submitted on information on contributions that were approved, received and spent under the Town and Country Planning Act 1990 (as amended) during the financial year 2011/12 together with information on the Section 106 and Unilateral Undertaking Legal Agreements that had been signed during 2011/12.

Following a presentation by the Head of Planning of the content of the report submitted, together with its seven Appendices, members made a number of comments/queries relating in particular to the member consultation that had been and was yet to be undertaken. Related comments regarding the need for the local community to be consulted and involved were raised and a particular comment was made about the Community Infrastructure Levy, which, if adopted by the Council would come into effect in early 2014. This would not be subject to the same constraints as the Section 106 regime regarding the spending of monies. A factor of the Levy would be community involvement.

Regarding the service improvements that had been undertaken as indicated in paragraphs 18 and 19 of the report submitted the Chair referred to suggested improvements to the presentation of the information on the search facility and it was indicated that the feasibility of carrying out these suggestions were currently being worked on. The Chair also commented that he considered that there was a need for the consultation with members to be further developed and for the needs of the community to be further taken into account. Similarly it was important that there was further member involvement in the spending of funds to ensure that these met priorities identified by communities.

Regarding specific information contained in the Appendices attached to the report submitted it was noted that the Head of Planning would contact Councillor Blood direct in respect of his query in respect of application number P10/1670.

RESOLVED

That the information contained in the report submitted, on information on contributions that had been approved, received and spent under the Town and Country Planning Act 1990 (as amended) during the financial year 2011/12 together with information on the Section 106 and Unilateral Undertaking Legal Agreements that have been signed during 2011/12, be noted.

SOUTH BLACK COUNTRY ENTERPRISE AND INNOVATION CENTRE

A copy of an updated report on an update in relation to the South Black Country Enterprise and Innovation Centre was circulated at the meeting.

Following a presentation of the content of the report by the Assistant Director, Economic Regeneration setting out the background to this matter and the current position members made a number of comments/queries in particular on the early development of this project leading to the current position and as to how the proposed network could develop from a virtual presence to a more physical one.

In addition to the proposals for development contained within the updated report submitted it was also suggested that consideration needed to be included for the involvement of young people coming from college/university so that they had somewhere to develop their skills and that in addition there was a need for people for example who had been made redundant to have a facility to enable them to retrain.

In response to a further comment made as to whether the Community Infrastructure Levy could act as a catalyst in the promotion of this project it was indicated that this could be the case in that the Community Infrastructure Levy was more flexible as to how monies were spent in line with a published list of proposed spending on infrastructure projects which could be updated as appropriate.

RESOLVED

That the information contained in the updated report circulated at the meeting, providing an update in relation to the South Black Country Enterprise and Innovation Centre, be noted and that a further update report be submitted to a future meeting of the Committee.

COSELEY ECO PARK

A report of the Director of the Urban Environment was submitted on the potential impact of the Coseley Eco Park upon Dudley Town Centre.

Following a presentation of the content of the report by the Head of Economic Development members welcomed the development and opportunities that would arise from the Coseley Eco Park and considered that the proposed development was a good example of the need to be patient about regeneration in that the project had begun some four years ago. The comment made in the report that the Coseley Eco Park food store would not undermine the planned investment to develop a food store in Dudley Town Centre was also endorsed.

It was also suggested that if possible a proportion of the receipts received from any planning obligations associated with the development should be redirected to the Roseville Shopping Centre.

RESOLVED

That the information contained in the report submitted, on the potential impact of the Coseley Eco Park upon Dudley Town Centre, be noted.

16 PROCESS FOR DEALING WITH PLANNING APPLICATIONS SUBJECT TO AN ARTICLE 4(1) DIRECTION

Arising from a request made by a member it was

RESOLVED

That a report be submitted to a future meeting of this Committee in respect of planning application P12/0905 and similar future applications, regarding the making of a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order, 1995, so as to ensure that the Local Planning Authority had a system in place to deal with these applications within the required 28 day period.

The meeting ended at 6.55 p.m.

CHAIR

**Meeting of the Regeneration, Culture and Adult Education Scrutiny Committee –
6th November 2012**

**Joint Report of the Chief Executive, Treasurer, Director of the Urban Environment,
Director of Adult, Community and Housing Services, and Director of Corporate
Resources**

Revenue Budget Strategy 2013/14

Purpose of Report

1. To consult the Scrutiny Committee on the Revenue Budget Strategy for 2013/14 and the Medium Term Financial Strategy.

Background

2. At its meeting on 31st October 2012, the Cabinet will be considering a preliminary budget strategy for further consultation, including consultation with Scrutiny Committees, in accordance with the Constitution. In framing their responses to these budget proposals, Scrutiny Committees are being asked to consider both the spending and funding implications (including the impact on Council Tax) of any observations they may wish to make.
3. When the Revenue Budget and Council Tax for 2012/13 was approved, the Council endorsed a Medium Term Financial Strategy (MTFS) which recognised the following basic assumptions:
 - (a) Income from Business Rates plus Top-Up funding (see para 13 below) for 2013/14 and 2014/15 is in line with the totals announced in the Comprehensive Spending Review, as adjusted following the Autumn 2011 Budget Statement;
 - (b) Single Status and Equal Pay costs are no more than estimated;
 - (c) the impact of general levels of inflation (including the Integrated Transport Authority Levy), pay and interest rates do not vary materially from current forecasts.
 - (d) there will be no other unplanned expenditure (including any resulting from demographic pressures) or shortfalls in income, which cannot be met from reserves.
4. It was also noted that the loss of income from base in 2013/14 onwards resulting from the 2012/13 Council tax Freeze Grant being for one year only could be addressed by means of:
 - Council Tax rises up to the indicative limit above which a referendum would need to be held under the provisions of the Localism Act.

- Exercise of expected local flexibility to vary certain Council Tax discounts for empty properties (subject to government consultation).

It was recognised that in the event that the above were not acceptable, it would be necessary to make further revenue savings beyond those set out in the approved MTFS. In the light of the spending totals announced in the Autumn 2011 Budget Statement, it was also recognised that it would be necessary to find further savings from the base budget (beyond those outlined in the MTFS) in order to ensure that the strategy remains robust from 2015/16 onwards.

5. In order to ensure that the Council could properly manage its financial affairs over the medium term, and ensure resources would be available to deal with new spending pressures and other unforeseen eventualities, the strategy was to:
 - (a) manage spending within approved budget levels;
 - (b) review spending priorities and the allocation of resources in line with Council Plan priorities;
 - (c) seek further efficiency and other savings;
 - (d) maximise opportunities for additional external funding;
 - (e) take action to replenish General Balances;
 - (f) regularly review risks and uncertainties and other relevant factors.

Forecast 2012/13 Position

6. Latest monitoring indicates favourable Treasury variances amounting to £1.8m resulting from better than expected cashflows.
7. Councils provide a number of support services to maintained schools funded through the Formula Grant mechanism rather than Dedicated Schools Grant. If a school converts to an academy, these services are no longer provided by the Council as they become the academy's responsibility. The Government top-sliced Formula Grant nationally in 2011/12 and 2012/13 in an attempt to reflect this transfer of function using a formula that did not reflect the actual number of academy transfers in each area. Potential legal challenge has resulted in Councils who were subject to a disproportionate top slice receiving a refund; while figures have not yet been finalised we are expecting a total refund for Dudley of around £1.1m this year.
8. The proposal to Cabinet is that Council be recommended to amend budgets to reflect these variances.
9. The budget for 2012/13 included a contingency of £1.0m to cover inflationary and other pressures in excess of those assumed when the budget was set. There are a number of service pressures that Directors are seeking to manage within existing budgets:

- Children's Services. The Directorate is still experiencing high levels of referrals of children in need. These cases include an increasing number of children with complex needs and difficulties. This risk together with the associated budget pressures are currently being monitored on a monthly basis in order to remain within the Directorate's allocated resources. National changes are continuing to impact on the Directorate's planned activities resulting in higher costs.
- Urban Environment. Reduction in planning fee income due to recession in property development. Reduced bereavement income due to a new crematorium being opened at Wyre Forest.

The position will be carefully monitored and reported back to Cabinet as necessary. In the light of the issues set out above, the proposal to Cabinet is that the contingency be retained.

General Fund Balances

10. The latest forecast position, compared to the original Approved Budget for 2012/13 and subject to the risks and uncertainties outlined above, is as follows.

	Original Budget £m	Latest Position £m
Forecast balance at 31 st March 2012	11.1	11.1
Effect of 2011/12 outturn	-	1.1
	11.1	12.2
Planned use 2012/13	-0.3	-0.3
Favourable current year treasury variances	-	1.8
Academies refund	-	1.1
Forecast balance at 31st March 2013	10.8	14.8

Budget Strategy 2013/14

11. In formulating the Council's Budget Strategy and tax levels for 2013/14, Members will need to consider carefully:
- (a) the levels of Government support allocated to the Council;
 - (b) spending pressures, opportunities to free up resources (including savings), and Council Plan priorities;
 - (c) the implications of spending levels in later years as part of the Council's medium term financial plan;
 - (d) the views of consultees;
 - (e) the external factors and risks inherent in the Strategy;
 - (f) the impact on Council Tax payers.

Government Funding

12. The Government has undertaken a major review of Local Government funding from 2013/14 onwards, in particular the “localisation” of Business Rates and Council Tax Support.
13. From 2013/14, Formula Grant will be replaced by a new system, the basic elements of which are as follows:
 - Councils will retain 50% of Business Rate income, rather than it being pooled nationally. The risks and rewards relating to retained Business Rate income being more or less than expected will therefore be shared between the Government and individual Councils.¹
 - The 50% pooled Business Rates will be used, along with resources from national taxation, to fund Revenue Support Grant and continuing Specific Grants.
 - Councils will receive a Top-Up or pay a Tariff to, in principle, bring total resources initially into line with what would have been received in Formula Grant.²
 - There will be a system of levies to restrict gains from disproportionate growth in rate income, and safety nets to restrict losses.³
 - The main parameters of the new system, in particular the underlying needs and resource estimates will be fixed for 7 years.
14. There has been a series of consultations concerning the operation of the new system, and the Council has responded as appropriate. We have in particular raised the following issues:
 - Under current “damping” arrangements Dudley receives less Formula Grant than it would otherwise be entitled to (£5.8m less in 2012/13). We have argued that this should be fully unwound on transition to the new system, over no more than say 5 years, to ensure it has a stable and fair starting point.
 - The assessment of a council’s ability to generate business rate income at the start of the new system should reflect its current circumstances. The latest proposals are based on historic 5 year averages, and do not take into account recent trends.

¹ Of the 50% retained overall, in Metropolitan areas 1% will be passed to Fire Authorities and 49% retained by Districts. Police Authorities will be fully funded by Specific Grants outside the Business Rate Retention system.

² Tariffs and Top-Ups will thereafter rise in line with inflation. Dudley will be a recipient of Top-Up funding as our current share of national business rates income is lower than our share of the total national spending need assessment.

³ On the basis of current proposals, we do not expect Dudley as a Top-Up authority to be subject to a levy. The Government has proposed that safety nets will limit losses to between 7.5% and 10% of the initial level of retained business rates +Top-Up/-Tariff.

15. We are not expecting final details of the new system, or figures for Revenue Support Grant, Specific Grants and Top-Up funding until early December. However, the Government has indicated that the new system will operate for 2013/14 and 2014/15 within the national control totals set out in Comprehensive Spending Review (CSR) 2010, as amended in the 2011 Autumn Budget Statement. At present our best estimate of available funding from the new system for 2013/14 and 2014/15 is therefore a broadly proportionate reduction in line with the CSR figures, taking into account the latest government proposals on the allocation of resources between authorities. Likewise, we have assumed funding for 2015/16 will reduce further in line with the Autumn Statement although this was less detailed in terms of how Local Government funding will reduce compared with public spending as a whole.
16. We have at this stage assumed that income from Business Rates will be in line with current receipts. However, this could vary significantly depending on national and local economic factors, including the impact of appeals, and will need to be reviewed on an ongoing basis.
17. A number of specific grants are being rolled into the Business Rate Retention funding mechanism from 2013/14 as follows:
- Early Intervention Grant (Children's Services)
 - Learning Disability and Health Reform (Adult, Community and Housing)
 - Homelessness (Adult, Community and Housing)
 - Lead Local Flood Authority (Urban Environment – part transfer only)

Latest figures indicate that the roll in of Early Intervention Grant (EIG) will be combined with an effective reduction in funding of £2.8m for the Directorate of Children's Services once the ring-fencing of resources to cover the introduction of nursery provision for 2 year olds has been taken into account (see para 28).

18. In order to resolve the outstanding issues relating to the funding of support services provided to schools which become the responsibility of academies after conversion (see para 7 above), from 2013/14 these services will be funded by specific grant in respect of all schools. This Local Authority Central Spend Equivalent Grant (LACSEG) will be paid directly to academies, or to councils for maintained schools. This will be matched by a transfer of resources from the Business Rate Retention Mechanism. Concerns have been expressed nationally that, on the basis of the proposed methodology, this may result in a resource shortfall for many Councils – around £0.3m - £0.35m for Dudley.
19. As reported to Cabinet in June, the Government is localising council tax benefit from April 2013, alongside reducing the subsidy it pays to Councils by 10%. This will involve the abolition of the current national council tax benefit scheme and the introduction of new localised 'council tax support' schemes designed and administered by individual councils. It was proposed to absorb the impact of the reduction in government grant (approx £2.4m), as the basis for consultation, the results of which are considered in a separate report on this agenda. In addition, the subsidy will be rolled into the new Business Rate Retention funding mechanism and will no longer change in line with actual claims. Therefore, the Council will also be exposed to the impact of any increases (or benefit from any reductions) in the number of eligible claimants and the value of their claims. We have currently assumed that the underlying value of benefit/support will continue at current levels.

20. The Government has recently indicated that:

- Council Tax Freeze Grant will be offered to Councils who freeze their Council Tax in 2013/14, equivalent to a 1% increase in Council Tax. The funding would continue into 2014/15.
- The maximum Council tax increase for 2013/14, above which a referendum would need to be held, will be 2% (not 3.5% as in the current year).

21. Under the provisions of the Health and Social Care Act 2012, Public Health functions will transfer from the Primary Care Trust to Dudley Council from 1st April 2013. It is anticipated that final funding allocations will be known by mid-December, and further details will be reported back to Cabinet in February. We are currently assuming that the transfer of the function will be matched by an equivalent allocation of resources.

Base Budget Forecasts

22. The following key assumptions have been made (and are also referred to in the risk analysis in paragraph 33):

- (a) We are expecting pay awards for local government to be frozen or settled at very low levels in the next few years consistent with Government announcements about public sector pay. The budget provision for prices assumes that competitive contract management and tendering will continue to minimise the impact of price rises on Council budgets. We are therefore proposing a provision of 1% for pay and 2% for prices each year for the duration of the MTFS;
- (b) Interest rates will continue to have a relatively low impact in the medium term;
- (c) Whilst the final costs of Single Status and Equal Pay Back Pay (EPBP) still remain uncertain, new pay and grading structures have now been introduced. Some provision has been included in the Base Budget forecasts and reserves previously set aside. It has been assumed that any costs relating to schools will be funded from school resources.

23. Details of Base Budget Forecasts for the next three years are set out below.

	2013/14	2014/15	2015/16
	£m	£m	£m
2012/13 Base	236.8	236.8	236.8
Pay & Prices	4.0	7.9	11.7
Capital Programme	1.4	1.9	2.1
Funding transfers (see paras 17-18)	15.1	15.1	15.1
Other Adjustments (*)	-1.2	-3.0	-2.0
Base Budget Forecast	256.1	258.7	263.7
% change year-on-year (like for like)	1.7%	1.0%	1.9%

(*) Major items contained within "Other Adjustments" are the beneficial impact of repaying debt relating to past capital spend, and favourable cashflow movements. It also includes the building into base budgets of the £550,000 allocated from New Homes Bonus funding in each of 2011/12 and 2012/13 for private sector housing grants.

Spending Pressures

24. Having reviewed existing budgets in the light of Council Priorities, additional legislative requirements and service pressures, the following package of additional spending to target key service areas for investment over the next three years is proposed:

	2013/14	2014/15	2015/16
	£'000	£'000	£'000
Adult, Community and Housing			
Increased numbers of adults with learning disabilities	400	400	400
Increased number of clients with dementia	367	367	367
Increased numbers of people with a physical disability and some transfers of people from children's services	415	415	415
	1182	1182	1182
Children's Services			
The demand for placements of looked after children (LAC) exceeds the 2012/13 base budget of £9.7m by £2m (at worst case which assumes that the children will remain in place for the remainder of the year and no other placements are made). There is a growing number of families experiencing financial difficulties leading to greater family need and breakdowns which gives rise to more children needing higher levels of support and care from the local authority.	2000	2000	2000
	2000	2000	2000
Urban Environment			
Waste that goes to landfill is subject to a Landfill Tax set nationally	105	242	379
Domestic waste entering the incinerator is subject to an inflationary contractual 'gate fee'	54	110	167
Car parks have a shortfall in budgeted income and in addition there is no contribution from reserves towards parking enforcement activity as there has been historically	325	325	325
Green waste vehicles need to be replaced which were previously grant funded	244	244	244
	728	921	1115
Total	3910	4103	4297

Savings

25. Following a detailed budget review process, which considered the need to redirect resources to the spending pressures and priorities set out in paragraph 24, a range of savings has been identified from existing budgets as follows.

	2013/14 £'000	2014/15 £'000	2015/16 £'000
Adult, Community and Housing	3988	6138	7938
Urban Environment	2460	3850	5642
Children's Services	2991	3491	4991
Corporate Resources	1089	1723	2691
Chief Executive's	229	329	530
Total	10757	15531	21792

26. The Local Government Finance Bill includes a number of options that will enable the Council to reduce council tax discounts and exemptions given in respect of unoccupied properties, as well as the power, in the form of the Empty Homes Premium, to increase the council tax payable on properties that have been empty for more than two years. It is proposed that these flexibilities are used with effect from 1st April 2013 as follows:
- For furnished but unoccupied properties (except where the liable person resides at another property which is job related), e.g. second homes, the current council tax discount of 10% of the applicable charge is removed, resulting in full council tax being payable in these circumstances.
 - For properties which have been empty (i.e. unoccupied and unfurnished) for less than six months, the current exemption from council tax is removed completely, resulting in full council tax being payable in these circumstances, as is currently the case with most properties that have been empty for more than six months.
 - For properties which have been empty and require or are undergoing major repair work to make them habitable, the current exemption from council tax (up to a maximum of 12 months) is removed completely, resulting in full council tax being payable in these circumstances.
 - For properties which have been empty for more than two years, an Empty Homes Premium of 50% is applied, resulting in a 150% council tax charge being payable in these circumstances.

These proposals assume that the Local Government Finance Bill will be granted royal assent shortly and the relevant powers will then be enacted as the Government currently intends. They will all help to incentivise the bringing back into use of some of the Borough's housing stock in line with the Council's Empty Homes Strategy, which should in turn help the local economy. It is anticipated that around £1.5m per annum of extra income will be generated.

27. It is also proposed to remove the 20% discretionary rates relief currently awarded by the Council to Voluntary Aided (VA) schools from 2014/15. This will be funded from Dedicated Schools Grant rather than impact on individual schools. The 80% mandatory relief for VA schools will continue. This will save £84,000 of which half will be retained by the Council under the Business Rates Retention proposals.

28. It is proposed that the impact of the reduction in EIG (see para 17 above) be addressed as follows:

- Savings of £0.5m already identified from 1st April 2013 as set out in Appendix A.
- Further savings of £2.3m per annum are likely to be required. Detailed proposals will be reported back to Cabinet in February, and be subject to subsequent consultation for implementation in 2013/14.

Human Resource Implications

29. Details are set out in the separate report on this agenda. Redundancy costs are dependent on the age and length of service of the individuals being made redundant and therefore cannot be precisely calculated at this stage. However, it is anticipated that they can be met from use of resources earmarked for committed capital expenditure (which in turn could be funded from prudential borrowing) and general balances.

Use of Balances

30. The table in paragraph 10 shows that we forecast to have available around £14.8m at 31st March 2013.

31. Resource forecasts for 2013/14 and the period of the MTFs as a whole remain uncertain, particularly in the context of the many radical and simultaneous changes to Local Government finance. Based on current forecasts:

- If the Council were to decide to freeze Council Tax in April 2013 and accept Council Tax Freeze Grant (see paragraph 20), it would be necessary to identify around a further £9m from savings over and above those set out in this report in order to ensure that the strategy remains robust over three years.⁴
- If the Council were to decide to increase Council Tax by 2% in April 2013 (the maximum amount that would not require a referendum), then it would be necessary to identify around a further £5m over and above those set out in this report.⁵
- If the Council were to decide to increase Council Tax by more than 2%, this would require a referendum to be held by the first week in May. If the increase were upheld by the referendum, then the requirement for budgetary savings would be reduced (the extent to which this would be the case would depend on the level of the increase). However, if the increase were overturned, then a 2% increase would have to be applied⁶, necessitating a further £5m from savings over and above those set out in this report.

The forecasts set out above address the strategy over 3 years. On the basis of government budget announcements it is likely that further savings would be required from 2016/17 onwards.

⁴ This option assumes that Council Tax would then increase by 2% in each of the following years.

⁵ This option also assumes that Council Tax would then increase by 2% in each of the following years.

⁶ Either by a refund in year or a retrospective adjustment in the following year.

The position could be better or worse than the forecasts set out above, dependent on the final Local Government finance settlement. It will be necessary over the coming months to closely monitor announcements about that settlement, to consider potential savings over and above those set out in this report and to consult on the options for Council Tax. Final proposals on savings and Council Tax will be brought back to Cabinet in February.

Summary

32. The following table summarises the budget proposals:

	2013/14	2014/15	2015/16
	£m	£m	£m
Base Budget Forecast	256.1	258.7	263.7
Spending Pressures	3.9	4.1	4.3
Savings	-10.7	-15.5	-21.8
To address reduction in EIG	-1.7	-2.8	-2.8
Net Budget	247.6	244.5	243.4
% change year-on-year (like for like)	-1.7%	-1.3%	-0.4%

Estimates, Assumptions & Risk Analysis

33. The proposals in this report are based on a number of estimates, assumptions and professional judgements, which may need to be reviewed and amended either before the budget and Council Tax for 2013/14 is set, during the course of that year, or indeed over the term of the MTFS. These may lead to further increases in expenditure and, therefore, the need to identify alternative funding sources, and include:

- (a) Revenue Support Grant and Top-Up Funding is in line with the national totals announced in the 2010 Comprehensive Spending Review, and 2011 Autumn Statement;
- (b) income from Business Rates will be in line with current receipts;
- (c) the introduction of LACSEG funding for all schools will not lead to a reduction in resources;
- (d) the underlying value of Council Tax Benefit/Support awarded will continue at current levels.
- (e) the transfer of Public Health functions to the Council from 1st April 2013 is matched by an equivalent allocation of resources;
- (f) there is no overall increase in employer pension contributions. The new Local Government pension scheme comes into operation from April 2014, which is also the commencement of a new valuation period. The impact of both is uncertain at this stage, but potentially significant.
- (g) Single Status and Equal Pay costs are no more than estimated;
- (h) general levels of inflation (including the Integrated Transport Authority Levy), pay and interest rates do not vary materially from current forecasts;

- (i) there will be no other unplanned expenditure (including any resulting from demographic pressures) or shortfalls in income, which cannot be met from reserves;
- (j) Council Tax rises are in line with indicated referendum limits. Given the complexity of the detailed calculation, there is also uncertainty around how the headline 2% will translate to actual limits.

Medium Term Financial Strategy 2014/15 Onwards

- 34. Decisions about spending, funding and council tax levels in any one year need to be made in the context of the Medium Term Financial Strategy (MTFS), recognising that medium term projections need to be reviewed and revised on a regular basis.
- 35. In order to ensure that the Council can properly manage its financial affairs over the medium term, and ensure resources are available to deal with new spending pressures and other unforeseen eventualities, the strategy must therefore be to:
 - (a) manage spending within approved budget levels;
 - (b) review spending priorities and the allocation of resources in line with Council Plan priorities;
 - (c) seek further savings;
 - (d) maximise opportunities for additional external funding;
 - (e) take action to replenish General Balances;
 - (f) regularly review risks and uncertainties and any other relevant factors.

Consultation

- 36. Public consultation will be undertaken via the internet to seek views on the savings proposals detailed in this report and options for Council Tax levels. Detailed consultation is also being undertaken with groups identified as being potentially affected by the specific savings proposals, with a particular emphasis on equalities issues. Further information is set out in the Equality Impact section below. Unions will be consulted in the context of the redundancy process considered in a separate report elsewhere on this agenda.
- 37. The Best Value Statutory Guidance issued by Government in September 2011 has set out the expectations for councils considering changing funding to local voluntary and community groups and small businesses. This includes observing a duty to consult, making sure that disproportionate savings are not passed on to voluntary and community organisations, considering the wider 'social' value of procurement decisions and engaging with and giving adequate notice to any such organisations who's funding is to be reduced or ended.

38. The Council is required by law to consult with representatives of Business Ratepayers before the final budget and Council Tax are agreed. A consultation meeting will be held to consider the issues set out in this report. Further detailed information (as required by law) will be distributed in February for comment before the Council Tax setting meeting.
39. In accordance with the Council's Constitution, the Scrutiny Committees are being asked to consider the issues set out in this report and any related specific issues relevant to their Council Plan and service responsibilities in the November cycle. In framing their responses, the Scrutiny Committees are being asked to consider both the spending and funding implications (including the impact on Council Tax) of any observations they may wish to make.

Implications for services covered by the Terms of Reference of this Scrutiny Committee

40. The proposed efficiencies and other savings falling wholly or partly within the terms of reference of this committee are set out at Appendix A, summarised as follows:

	2013/14 £'000	2014/15 £'000	2015/16 £'000
Adult, Community and Housing	447	447	447
Urban Environment	987	1414	2102
Corporate Resources	1089	1723	2691
Chief Executive's	229	329	530
Total	2752	3913	5770
Proposals falling wholly within the terms of reference of other Scrutiny Committees (*)	8005	11618	16022
Total as per paragraph 25 above	10757	15531	21792

(*) Note that some proposals falls within the terms of reference of, and will be considered by, more than one scrutiny committee

Finance

41. This report is financial in nature and relevant information is contained within the body of the report.
42. The cost of a council tax referendum could be met from the local elections budget, given that there are no local elections in 2013.

Law

43. The Council's budget setting process is governed by the Local Government Finance Acts 1988 and 1992 and the Local Government Act 2003.

44. The Local Government Act 2003 requires the Chief Financial Officer to report on the robustness of estimates made for the purpose of final budget calculations, and the adequacy of the proposed financial reserves and this will be included in the final budget report.
45. The Localism Act 2011 introduced a new chapter into the Local Government Finance Act 1992 making provision for council tax referendums to be held if an authority increases its council tax by an amount exceeding principles determined by the Secretary of State and agreed by the House of Commons.
46. The Equalities Act 2010 created a new public sector equality duty. This has three objectives, namely to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
 - advance equality of opportunity between people who share a characteristic and those who don't.
 - foster good relations between people who share a characteristic and those who don't.

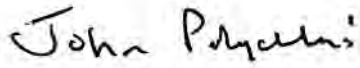
The Equality Duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Equality Impact

47. An initial assessment of the budget proposals has been made. Where proposals are likely to have a significant equality impact, they will undergo an equality impact assessment informed by consultation with the protected groups who may be adversely affected, during the autumn. The results of this process and any steps which emerge that might help to mitigate any potential impact of the budget proposals on the protected groups (and other groups, e.g. looked after children) will be reported to Members so that they can pay due regard to the Public Sector Equality Duty in making decisions on the budget. In making decisions on budget proposals, Members will need to weigh the Public Sector Equality Duty against the forecast financial position, risks and uncertainties set out in this report.
48. With regard to Children and Young People, the proposed budget for the Directorate of Children's Services will be spent wholly on maintaining and improving services for children and young people. The expenditure of other Directorates' budgets will also have a significant impact on this group.

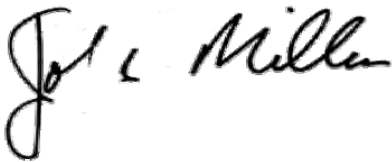
Recommendations

49. That, subject to the recommendations to Cabinet being approved, the Committee considers the Cabinet's Revenue Budget Strategy proposals for 2013/14 and the Medium Term Financial Strategy, taking into account the considerations set out in paragraph 39.



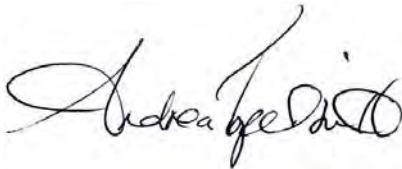
.....
John Polychronakis
Chief Executive

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Iain Newman
Treasurer



.....
John Millar
Director of the Urban Environment

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List of Background Papers

Comprehensive Spending Review 2010
Autumn 2011 Budget Statement

Proposed Savings

Adult, Community and Housing	2013/ 14	2014/ 15	2015/ 16
	£'000	£'000	£'000
Library and Archive Service - Management restructure to deliver £75,000 efficiency savings. The method of achieving the balance of the savings target is currently being developed. The proposals to date will not impact on the service delivered to the public.	347	347	347
Review Racial Equality and Communications Service - This proposal would involve the loss of just under 3.5fte of which 2.5fte posts are already vacant. A review of services is planned in conjunction with the wider development work undertaken across the Directorate with a view to consolidation, value for money and more targeted use of resources	100	100	100
Total	447	447	447

Urban Environment	2013/ 14	2014/ 15	2015/ 16
	£'000	£'000	£'000
Office staff related savings			
Staff related savings across all Divisions of the Directorate	832	1049	1697
Income generation			
Extra income generation from Himley Hall and other Hall venues, plus a review of management	55	55	55
Other efficiency and contractual savings			
Gym equipment contract negotiated savings	100	140	180
Broadfield House - explore the potential for an Asset Transfer to a third party	0	170	170
Total	987	1,414	2,102

Corporate Resources	2013/ 14	2014/ 15	2015/ 16
	£'000	£'000	£'000
Restructure of management team in Customer Services and Support section in ICT Services	28	28	28
Further reduction of service provision in Information Systems in ICT services	46	46	46
Restructure the management of the Information Systems and Customer Services teams within ICT Services	50	50	50
Rationalise KERN (automated enveloping) in ICT Services	30	30	30
Consolidation of corporate and directorate-based ICT Services	0	200	350

Corporate Resources	2013/ 14	2014/ 15	2015/ 16
	£'000	£'000	£'000
Value for Money (VFM) work (efficiency studies to be carried out by the Internal Audit section)	48	48	48
Internal Audit - management restructure	0	0	60
External Audit fee savings	100	100	100
Training - reduce training budget for Members	5	5	5
Relocation of Register office	35	35	35
Registrars' fees	10	10	10
CCTV - increase income streams and reorganisation of staff responsibilities	25	25	25
Health and Safety - efficiencies within staffing following restructure	20	20	20
Transforming Our Workplace office accommodation project	0	0	400
Procurement, Contract Management and Creditor Services - service redesign	50	50	50
Accountancy - further efficiencies from improved working practices	27	120	120
Reduced internal insurance premiums	100	300	300
Increase the charges for Council Tax and National Non Domestic Rates summons costs	50	50	50
A reduction in third party transactions charges - Paypoint / Pay Pal transactions	15	15	15
Pass on credit card charges (average 1.2%) to customers	35	35	35
Dudley Council Plus efficiencies	10	10	10
Reductions in Benefits staffing	0	0	100
4 temporary (2 years) principal HR officers.	160	160	160
Restructure of Human Resources and Organisation Development division including vacant posts and non pay savings.	178	247	432
Administration buildings - reduction in running costs	50	50	50
Review of leases including Cranham House	17	17	40
Divisional restructure and efficiency savings within Law and Governance	0	72	122
Total	1,089	1,723	2,691

Chief Executive's	2013/ 14	2014/ 15	2015/ 16
	£'000	£'000	£'000
Withdrawal of grant to the Black Country Living Museum	70	70	70
Rationalise and review communications and public affairs	52	52	52
Reduce contribution to Black Country Consortium (BCC)	20	20	20
Restructure within Chief Executives Directorate	60	160	260
Reduction in grants to Dudley Council for Voluntary Services and Centre for Equality and Diversity	0	0	40
Reduce general running expenses across the Directorate	27	27	88
Total	229	329	530

**Regeneration, Culture and Adult Education Scrutiny Committee –
6th November 2012**

Report of the Director of the Urban Environment

**Planning Application P12/0905 - Prior approval under Part 31 for demolition of 7,
Straits Road, Lower Gornal, Dudley.**

Purpose of Report

1. To provide information on to background to, and process of determination of, P12/0905 and the subsequent making of an Article 4 Direction.

Background

2. The Council received application reference P12/0905 requesting confirmation of the prior approval of the Local Planning Authority in regard to the demolition of the building at 7, Straits Road, Hopyard Lane, Gornal Wood under permitted development rights granted by Government legislation.
3. The building is considered to be of Local Historic and Architectural Interest and is a Heritage Asset as defined in the National Planning Policy Framework (NPPF). The building has been on the Council's Local List since its inception in 1996. The decision to include a building on the local list is made by Development Control Committee.
4. Number 7, Straits Road, is a typical example of a simple cottage building in a large plot (used as smallholdings) that are typically found in a Black Country industrial "squatter" settlement such as Gornal Wood.
4. Black Country Core Strategy Policy ENV2 states that all development should aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country and particular attention should be paid to the preservation and enhancement of locally listed historic buildings. Saved Policy HE5 of the adopted Unitary Development Plan (2005) states that the Council will resist proposals for the demolition of locally listed buildings.
5. The demolition of buildings is normally permitted development, but this is conditional on an applicant applying to the Local Planning Authority (LPA) only as to whether its prior approval is needed "to the method of demolition and any proposed restoration of the site". Where a LPA determines that its prior approval

is required, it can only consider these two elements (method of demolition and proposed restoration) of the development.

6. In this instance it was considered that the demolition of the building could be prejudicial to the proper planning of the area and would constitute a potential detriment to the amenities of the area as it would result in a large vacant space in the historic core of Gornal Wood. This could have wider implications for the general character and appearance of the area for the future.

Article 4 Direction

7. Guidance from the Government's advisors on Heritage (English Heritage 2012) states, in line with the NPPF, Para 200) that LPA's may consider the use of an Article 4 Direction where the exercise of permitted development rights would undermine the aims for locally listed heritage assets.
8. Article 4 of the Permitted Development Order (as amended in 2010) allows a LPA to apply a Direction to withdraw the permitted rights granted by the Order where it is satisfied it is expedient that development should not be carried out, unless permission is granted for it by planning application.
9. Ensuring that the demolition of the building requires planning permission does not prevent the owner pursuing development of the site, but allows the Development Control Committee to fully consider the significance of the heritage asset, the wider implications of the works, and ensure that the views of others, with an interest in this matter, are able to be fully taken into account before a decision is taken. It also allows greater consideration of the development of the site post demolition should this ultimately be granted by the Committee.

Process/Chronology

10. The constitution allows for full onward delegation for the determination of a Prior Approval application but in the case of the making of an Article 4 Direction it requires that this is undertaken by the relevant Cabinet Member in consultation with Development Control Committee. This is normally , but not exclusively, by consideration at a Development Control Committee meeting.
12. The application prior approval (P12/0905) was invalid when it was received and could not be registered by the LPA until 16th July 2012. The application was received (and registered) after the closing date for the next Development Control Committee (30th July 2012) and therefore it was targeted for the next possible Development Control Committee on 28th August 2012.
13. Once registered the Local Planning Authority has 28 days to determine a prior approval proposal and during this time the case officer has to consider the submitted documentation (demolition statement, restoration plan and in this case a structural survey also) to ascertain if the level of information is sufficient to consider the proposal and if the demolition is to be supported.
12. The assessment established that the submission was deficient and the case officer requested further information. Following full assessment of the submission the case officer determined that prior approval should not be granted. There was therefore insufficient time to assess the submission, received the additional information and reach a conclusion in time for consideration as an emergency

item for July Committee, and the matter was placed on the agenda for the 28th August meeting.

13. It was accepted that the application period of 28 days would expire prior to the August committee date (it expired at the time of August committee closing). However, at the time of putting the matter on the agenda it was considered that the risk to the building was relatively low and that the level of risk was at that point acceptable. This was influenced by the fact that a demolition notice had not been submitted and the applicant stated on the application that they did not intend to demolish until 3rd September 2012. Had the Article 4 direction progressed to be considered at the August meeting the building would potentially have been “at risk” of demolition for a period of 20 days, with little or no recourse open to the Local Planning Authority.
14. Given the short period of time from the August meeting and the stated intended date of demolition (3rd September) the urgent decision sheet was commenced and Cabinet Member for Economic Regeneration visited the site with Head of Planning and Assistant Director for Planning and Environmental Health on 17th August in advance of him signing the decision sheet post committee. Accordingly, the Chair of Scrutiny Committee was briefed and agreed to the process on 17th August. The Mayor was briefed on 20th August and agreed to the process on 21st August 2012.
15. Simultaneously with the agenda being “published” (17th August 2012), officers received soft intelligence that there was an increased level of activity regarding the site. This intelligence was from frequent contact with colleagues outside of the Local Planning Authority. This occurred between the 17th and 22nd August.
16. The soft intelligence led to the conclusion that demolition prior to the serving of the Article 4 was then a real possibility, increasing the risk to the building. On the 22nd August 2012 the Head of Planning reviewed the case and decided in consultation with the Assistant Director of Law and Property that urgent action needed to be taken before the date of committee. That action meant consultation with Development Control Committee by email with the signing of the decision sheet by the Cabinet Member the next morning. The process followed was based exactly on that legal advice on the basis that the implications of this course of action were far less significant (and less permanent) than the demolition of the building.
17. The Cabinet Member and the Chair of Development Control Committee were further briefed by the Head of Planning on 22nd August and agreed to the course of action proposed. The action taken reduced the period of the building being exposed to risk.
18. The serving of an Article 4 Direction results in a development that was “permitted development” requiring planning permission. The applicants were already in the process of preparing an application for the wider redevelopment of the site which would cover the issue of 7 Straits Road and whether or not there is justification for either its retention or its removal.
19. The planning history on the site indicates, and indeed the applicant has been previously advised, that the removal of 7 Straits Road would not be supported by officers. The owner has therefore not been unduly disadvantaged and the consideration of a full planning application is a more transparent process allowing

for full and proper consideration by Development Control Committee on any subsequent proposals.

20. However, it is accepted that the constitution as it stands could be improved to take into account the case of reactive (rather than pro active) consideration of Article 4 Directions. To prevent a reoccurrence in the future consideration needs to be given to a process that can allow officers and Members to react swiftly whilst also ensuring that there is sufficient time for consideration.
21. In addition it is considered that a wholesale review of the Local List is undertaken to remove any buildings no longer worthy of inclusion, to put forward for statutory listing those of national significance and for those buildings remaining on the list following that review a decision taken to pro actively and pre-emptively serve Article 4 directions on those where exceptional circumstances indicated that it is appropriate to require their demolition to be subject to a full planning application.
22. Following the making of the Article 4 Direction Councillor Caunt submitted a complaint to the Chief Executive regarding the matter and the Chief Executive has responded to Councillor Caunt as per this report.

Finance

23. The application for a Part 31 proposal is subject to a nationally set fee which covers part of the costs of determination the remainder is covered by existing budgets. Preparation of the Article 4(1) direction is allowed for within existing work programmes and budgets.
24. It should be noted that, refusal of planning permission following the making of an Article 4 Direction, or conditions of planning permission more restrictive than would have been permitted, may give rise to a claim for compensation. This would only be for abortive expenditure or other loss or damage directly attributable to the withdrawal of the permitted development rights.
25. However, it should also be noted that in Dudley no such claims for compensation have been pursued and national research carried out for the English Historic Towns Forum (RPS Planning 2008) involving 72 planning authorities equally found no evidence of any incidences of such claims having been made. Should such a claim ever be made it would be met within existing budgets.

Law

26. The relevant law is:
 - The Town and Country Planning Act 1990 (as amended)
 - Planning and Compulsory Purchase Act 2004
 - The Town and Country Planning (General Permitted Development) Order 1995
 - The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2012
 - Circular 9/95: General Development Order Consolidation 1995
 - Circular 10/95: Planning Controls over Demolition 1995
27. Before making an Article 4(1) direction, the Council as local planning authority must consider it expedient that development should not be carried out without a

planning application first being made and approved. (An article 4(1) direction can relate to specific or general development.)

28. The law is clear that permitted development rights should only be withdrawn in exceptional circumstances. However, an Article 4 direction does not constitute an absolute prohibition of development; it simply requires that an express application for planning permission is to be made and then considered on its merits.

Equality Impact

29. The proposals take into account the Council's Equal Opportunities Policy and seek to enable all sections of the community (including young children and young people) within the Borough to gain from the effective implementation and planning obligations and the associated benefits envisaged.

Recommendation

30. It is recommended that the Regeneration, Culture and Adult Education Scrutiny Committee note and supports the proposed process improvements as set out in paragraph 20 and 21 of the report.



.....
J. B. MILLAR
DIRECTOR OF THE URBAN ENVIRONMENT

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List of Background Papers

The Town and Country Planning (General Permitted Development) Order 1995
The Town and Country Planning (General Permitted Development) (Amendment)
(England) Order 2012
Circular 9/95: General Development Order Consolidation 1995
Circular 10/95: Planning Controls over Demolition 1995
National Planning Policy Framework (March 2012)
Black Country Core Strategy (February 2011)
Dudley Unitary Development Plan 2005
Good Practice Guide for Local Listing Identifying and Managing Significant Local
Heritage Assets. English Heritage 2012
Research into the use of Article 4 Directions on behalf of the English Historic Towns
Forum (RPS Planning 2008).

Regeneration, Culture and Adult Education Scrutiny Committee on – 6th November 2012

Report of the Director of the Urban Environment

Update on Dudley's Healthy Town Programme

Purpose of Report

1. To update the Scrutiny Committee on Regeneration, Culture and Adult Education of progress made with the implementation of the Borough's Healthy Town programme, with specific reference to the Recreational element.

Background

2. The Healthy Towns Programme was funded from the Community Challenge Fund, which is jointly funded by the Department of Health (DoH) and the Department for Children and Family Services (DCFS).
3. The Dudley programme received £4.5 million over 3 years which came into the Primary Care Trust (PCT) and is being transferred to the Local Authority (LA) via a series of Section 256 Agreements.
4. Dudley's programme focused on three main areas:
 - The development of family healthy hubs, based in parks and open spaces.
 - The development of active green corridors.
 - Service reform – staffing and roles
5. The programme items funded from these external sources are but one part of Dudley's strategic approach to tackling the high levels of obesity in the borough link strongly to the Borough's 'Obesity Strategy'.
6. There are park hubs in each of the five Area Committee areas, providing facilities such as toilets, buildings, outdoor gym equipment, as well as activity programmes, staff and community events.
8. The active corridors have improved access and increased walking and cycling opportunities. This is being delivered through the development and implementation of cycle paths, footpaths, signage and cycle storage and training.
9. In the context of service reform the aspiration is that the influence of the Healthy Towns Programme will impact on all public sector agencies not just those with a health remit.

10. There has been an extensive promotion of health messages to assist people in taking action to improve their own health (in line with the national Change 4 Life programme). Dudley's programme is designed to have an impact on child and family health, reduce inequalities, and reduce air pollution, impact on anti-social behaviour, and increase social and community cohesion.

Hub Site Developments

11. Activity Centre development over the last 2 years has seen the improvement of hub opening times. During the summer the centres were open until 7.00pm on 3 nights per week and the range of activities on offer within them has increased dramatically.
12. Operation of other physical activity areas within the Park Hubs has also improved with better tennis provision, supervision of Multi-use games areas, improved play equipment, and way marked healthy walking routes. Site signage and entrance signs have also made the Park more attractive. Disability access routes have also been developed around the Healthy Hubs sites.
13. The Active Travel Corridors development has provided 30km of cycle way in total, which is all complete and the focus for this year has been on promotion of TH infrastructure. Cycling code of conduct signs in Parks have been initiated in order to resolve conflicts between pedestrian and cycle traffic, the byelaws relaxation pilot concluded successfully and it is planned to roll this out to all parks in the Borough.

Healthy Towns Programme development

14. A wide ranging programme of recreational activities has been established at the hub sites, through structured delivery of weekly activity programmes, holiday activities and expanded usage through Community groups.
15. Summer holiday programme figures

The Table below shows the total attendances at the Healthy Towns sites over the summer holiday programme in the last 5 years.

Year	Silver Jubilee Park	Netherton Park	The Dell	Mary Stevens Park	Huntingtree Park	Total at Hub sites
2008	94	149	n/a	26	96	365
2009	90	238	496	270	180	1274
2010	312	246	366	236	291	1451
2011	1038	366	429	1233	899	3965

2012	586	321	422	656	528	2513
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16. In 2009 there was a significant increase in attendance mainly due to the inclusion of marketing, promotional material and the national play week events organised by Children's Services in the Healthy Towns sites.
17. In 2011 the summer programme was delivered by the Ranger Service and saw significant increase in attendances with the Rangers building a network of children, families and community groups on each site. Unfortunately summer 2012 has shown a downward trend of 36% which was mainly due to the bad weather over the 6 week holiday period. On certain days torrential rain meant only 3-5 children attended the Wacky Wednesday sessions, which normally average 130 children.

Regular programme

18. In September 2011 each Park Hub produced it first 6 monthly programme of activities, these have been refined and developed and now the programme provides a very comprehensive and enjoyable range of activities for all visitors to the Parks, which encourages participation in physical activity by those who may not otherwise participate.

Table of attendance on all ranger lead programmed activity at all sites for the last 12 months.

	Silver Jubilee Park	Netherton Park	The Dell	Mary Stevens Park	Huntingtree Park	Total
July 11-Sept 11	1718	408	429	2139	1166	5860
Oct 11-Dec 11	803	376	0	1161	433	2,773
Jan 12-March 12	1130	983	55	1095	891	4,154
April 12-June 12	1652	1695	127	1483	1150	6,107
Total	5,303	3,462	611	5,878	3,640	18,894

19. Investment in Ranger staff development and training, funded through the PCT, has resulted in officers being trained via the nationally recognised industry standard Wright Foundation, GP referral course this enables direct referrals from primary care , gym instructors, post natal activity sessions, and Public Health Schools programmes. Two Rangers have now been trained in Nordic Walking to level 2, and can now deliver sessions at a much higher standard. The local Orienteering organisation Harlequins has delivered

training to the staff, and events management and customer services training has also been delivered.

Dudley now has a group of staff which are the envy of many local authorities.

Each Activity Centre offers the following range of activities:-

- Health Walks
- Nordic Walking
- Green Fit
- Beginners running
- Multi skills activities
- Family sports sessions
- Buggy Walks/ toddlers sessions
- Beginners running
- 60+ Gentle exercise
- After School clubs
- Bootcamp
- Ladies Boxercise
- Lads and Dads Football
- Family orienteering
- Antenatal exercise

Activities provided by the PCT at Activity Centres include:-

- Slimmer's Kitchen
- Get Cooking
- Stop Smoking clinics
- Children's Weight management classes
- The expert patients programme
- Health Trainers 1-1's
- Fit Blokes

Partners in delivery

20. Age Uk Dudley, the Tandrusti programme and Action Heart have all been commissioned by the PCT to deliver at the Healthy Hub sites.
21. Police, Friends Groups, Youth Services, and Public Health are all key holders and can access the Activity Centres through usual booking arrangements. This process was developed in order to provide extended out of hours coverage of the parks in the early evening. Adult and Community Learning and Me2 are also operating from some of the Activity Centres.
22. Pilates, Tai Chi, Military Fitness programmes are also being offered to residents from Healthy Hubs and in other town Parks such as Quarry Bank Park, Wollescote Park and Wordsley Park. Parks Services charge the activity provider for these types of sessions. Bookings can now be made for rooms

and for use of the Park for physical activity programmes through the normal fees and charges process. The market is growing for this type of activity across the Borough, and small businesses can operate alongside the provision that the Local Authority delivers.

23. The Ranger Service is also successfully delivering physical activity programmes at the Dell for Dudley Stroke group, there are 25 members of the group signed up to the regular weekly sessions. Members of the group have remarked at how the sessions are really assisting with their rehabilitation. The service has also delivered physical activity sessions to young people in Pensnett with the "Look Out" project which provided an 8 week programme which was well received.

Table of attendance for all activity including partner activity recorded on Healthy Hub sites in last 12 months

	Silver Jubilee Park	Netherton Park	The Dell	Mary Stevens Park	Huntingtree Park	Total
July11-Sept 11	1718	408	429	2139	1166	5860
Oct 11-Dec 11	976	654	0	2239	726	4,595
Jan 12-March12	1255	1288	155	2256	1256	6,210
April 12-June 12	2303	2346	127	3019	2063	9,858
Total	6,252	4,696	711	9,653	5,211	26,523

Schools programmes

24. The Rangers have been connecting closely with their local schools initially providing "Jump on Board", a 12 week nutrition and physical activity programme implemented by the PCT. This has been delivered to Key stage 2.
25. The PCT have also facilitated "Team toolkit", which provides team building sessions for teenagers. This has been delivered to a number of groups.
26. Environmental activities have also now been developed. The Ranger Team has designed a new environmental programme of activities to be delivered on the hub sites for key stage 1 and 2. Existing links to schools developed through the Jump on Board sessions will be explored further.

Incentivised Sessions

27. The Walk to Wimbledon Campaign was a physical activity programme that was run from Healthy Towns Hubs and a progress chart was available in the activity centres for participants to see how well they were achieving their target. All Dudley residents were eligible to participate through publicity campaign, registration was in local Park Hubs which helped to bring in extra participants to programmed activity.
28. This was a well supported walking initiative that saw over 350 Dudley residents sign up for the New Years challenge of walking 126 miles in the duration of five months. Due to the success of the campaign it will continue to be run on an annual basis.

Run England Programme

29. The Run England project has been set up in partnership with Walsall PCT, Sandwell Council and Wolverhampton College and now comes under the umbrella of Run Black Country. The objective of the programme is to increase participation at entry level throughout the Black Country. The Activity Centres have been running regular running sessions to contribute to Run England objectives and some external funding has been made available through the programme

Outdoor Gym development and evaluation

30. The provision of outdoor gyms at Healthy Hub and other park sites has proved very successful in engaging residents and park visitors in physical activity. The gyms not only provide a platform for supervised fitness sessions, but are available to any user at any time of the day, and unlike indoor gym equipment do not require gym induction. The gyms have been evaluated as the single most influential factor in increasing activity levels.
31. The service is exploring ways of establishing outdoor gyms in other Parks, and has been working with Friends groups at a number of the main park sites to explore funding opportunities. There is already a new gym at Quarry Bank Park and the respective Friends groups are eager to see gyms established at both Buffery Park, and Green Park.

Anti- social behaviour in Parks

32. Anecdotal evidence from Friends groups, Park users, Police and on site staff has stated that there has been a considerable reduction in antisocial behaviour in Park sites which are offering the new Healthy Towns Package of activities.
33. Not only do increased numbers of visitors on site act as a deterrent to nuisance, but the Rangers can focus attention on nuisance and either engage with the youngsters through sport and physical activity or call in the Police when necessary.

34. This has been most evident on Silver Jubilee Park in Coseley, which used to be a very poorly attended park with significant levels of nuisance crime. Levels of nuisance have decreased dramatically and as more people feel safe using the Park, visitor numbers increase.

Olympic Legacy

35. As part of the Olympic Torch Relay in June 2012 the Ranger service provided Olympic themed activities at Silver Jubilee Park, Coseley throughout the afternoon and worked with over 900 people on the day
36. A 'Big Lunch' Diamond Jubilee celebration was organised with the Friends groups at Huntingtree Park. This event offered the opportunity for a street party in the Park with sports activities provided by the Rangers.
37. Cultural Olympiad performances were held at Huntingtree and Mary Stevens Parks. The Dudley Performing Arts service worked with a number of organisations to provide a dance based performance around play equipment.
38. There was also a National Band stand marathon event which took place at Mary Stevens Park funded through the Cultural Olympiad.

Green Flag Award recognition

39. One of the outputs required by the Department of Health funding package for the Healthy Towns programme was to achieve Green Flag status for the Healthy Towns Parks. Two of the Parks have now achieved this status and have been recognised by peers from other Local Authorities for the considerable investment in the Parks. The Authority will be invited to the National Awards ceremony in November 2012.
40. The remaining Parks will be assessed sometime in the future and it is likely that Huntingtree Park will be submitted for assessment next year. However Mary Stevens Park will not be submitted for assessment for some time as we will link that to the Heritage Lottery fund application that is currently being prepared. It is unlikely that the Dell will be put forward for assessment given that it is not a 'park' in the context of the Green Flag's requirements for sites.

Programming for 2012-13

41. Autumn/Winter programme development and operation in other parks across Dudley Borough; new leaflets are available in the Members room detailing the programme.
42. Walk fit is the Council's successful Health Walks scheme which has been operated by a committed team of Health Walk volunteers, and is delivered in some countryside locations. The Leasowes, Saltwells and Himley Walks are the most popular with attendances ranging from 40 – 80 on a weekly basis.

43. Walkfit will be extended to cover additional parks in the Borough through the next autumn / winter programme. There will also be provision of Buggy walks at Buffery Park and Wollescote Park. Nordic walking at Quarry Bank Park and a more regular Health Walk at Wordsley Park. These walks will be developed by the ranger service with the intention of building up the volunteer base of leaders for these walks
44. Volunteers are all trained to national health walk leader standard, and will also be provided with basic first aid training.

National and Local Evaluation of the Healthy Towns Programme

45. The National evaluation of the Healthy Towns programme is being carried out by Queen Marys College, University of London. The results of this study will be available September 2013. A lot of the Dudley officers and participants were all interviewed by researchers in November 2011. This report will look at whole process of the Healthy Community challenge fund.
46. Local independent evaluation was commissioned via Worcester University, this research ran from 2009 to end of summer 2011 and shows very positive outcomes. Further research from Worcester University will be carried out over the next 2 years until the end of the Ranger led intervention.

Dudley leading as an example of Best Practice

47. The Dudley Health Towns programme has been seen as a great success nationally, and is considered to be one of the better pilots run through the National obesity programme 2009-2011. The National evaluation team have looked at literature and research reviews alongside the eight healthy towns outcomes and approaches and have said that this is "one of the best examples of this work across the country". The development of partnerships across the public and voluntary sector has been hailed as particularly significant in the development of the project.
48. The following opportunities have meant that the findings from the Dudley project have been promoted to other Local Authorities, PCTs and other organisations interested in the delivery of health and wellbeing programmes within a green space environment.
 - Green Space Leaders programme, and National conference 2011
 - West Midlands Excellence in Public Health Conference April 2012
 - Birmingham City Council Head of Sports and Voluntary organisation visits
 - Chief Executive of Sport England site visits
 - National Advisory group on outdoor gym provision and safety.

- Green Flag submission for Innovation award 2012

Finance

49. The funding for the Dudley programme is £4.5 million from the Department of Health over 3 years which has come into the PCT and been transferred to the Local Authority via a series of Section 256 Agreements. In addition, £200,000 was also allocated from the Council's Local Transport Plan funding received from the Department for Transport to part fund the costs of delivering the active travel corridors.
50. The programme levered in an additional £450k for development work on the Dudley no 2 canal and was used as match and support for £362k LSTF for active travel developments around the Brierley Hill and Quarry Bank areas.

Law

51. Part 1 of the Local government Act 2000 empowers the Council to take action to implement measures it considers likely to achieve the promotion or improvement of the economic, social and environmental well-being of the Borough.

Equality Impact

52. The programme is borough wide, inclusive and accessible to all in line with the principles of Dudley's inequalities strategy.

Recommendations

53. The Regeneration, Culture and Adult Education Scrutiny Committee notes the progress with the implementation of the Healthy Towns programme and comments accordingly

A handwritten signature in black ink, appearing to read 'J.B. Millar'. The signature is stylized with a large, looped initial 'J' and a cursive 'B'.

J.B. MILLAR
Director of the Urban Environment

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List of Background Papers

Regeneration, Culture and Adult Education Scrutiny Committee

Tuesday 6 November 2012

Report of the Director of Urban Environment

Revision of the Playing Pitch Strategy

1. To provide the Regeneration, Culture and Adult Education Scrutiny Committee with an outline of the approach to be adopted in revising the Playing Pitch Strategy.

Background

2. The intention of this report is to outline the approach that will be taken to refreshing the playing pitch strategy for Dudley and to gain agreement to the guiding principles that will underpin the strategy.
3. The guiding principles below are taken from the 2003-2008 Playing Pitch Strategy and continue to provide a context for the revised Strategy. It is recommended the strategy should concentrate on the following five areas:
 - Changing the use of existing pitches
 - Dual-use facilities and greater use of school pitches
 - Enhancing carrying capacity through improving the quality of facilities
 - Management options, particularly for single pitch sites
 - Development of new pitches

Such an approach would be supported by the four major pitch based sports governing bodies identified below:

The Football Association (The FA)
England and Wales Cricket Board (ECB)
Rugby Football Union (RFU)
English Hockey (EH)

4. Implicit throughout the previous strategy was a concentration on multi-pitch sites which it is recommended should be continued in the new document.

Strategic recommendations from the previous Strategy are attached at Appendix 1.

Supply

5. The supply of public playing pitches managed by the Council has altered little over the past ten years. The Council manages 93 pitches on 40 sites, a mixture of full size, junior and mini-soccer pitches. These are let to a number of leagues who in turn allocate venues to their member clubs.
5. The quality of playing surfaces in general has not improved and a similar situation exists with regards to ancillary provision such as changing rooms, showers and toilets.
6. In certain instances there have been improvements to playing surfaces and to ancillary provision as a consequence of other programmes that have delivered investment. The purpose of the revised strategy is to identify key priorities with a view to making applications for funding to external agencies such as Sport England and The Football Foundation.
7. There has been a significant increase in the supply of artificial grass pitches (AGPs) across the borough as is evident in Table 1 below. This increase in the provision of AGPs has been a noticeable development in many local authorities in the past ten years.

Table 1 – Artificial Grass Pitches with Community Use

Artificial Grass Pitches (AGPs) with Community Use	
2003	2012
Coseley School Floodlit / Sand filled	Coseley School Floodlit / Sand filled
Hillcrest School Floodlit / Sand filled	Hillcrest School Floodlit / Sand filled
Dell Stadium Floodlit / Sand dressed	Dell Stadium Floodlit / Sand dressed
Leasowes Community College Floodlit / Sand filled	Leasowes Community College Floodlit / Sand filled
Earls High School Floodlit / Sand filled	Earls High School Floodlit / Sand filled
Windsor High School Sand filled / NOT illuminated	Windsor High School Sand filled / NOT illuminated
	Redhill School Floodlit / 3G rubber crumb
	Thorns Community College Floodlit / 3G rubber crumb
	Ellowes Hall School Floodlit / 3G rubber crumb
	Goals Soccer Centre, Halesowen Floodlit / 3G rubber crumb
	Powerleague, Halesowen Floodlit / 3G rubber crumb

8. Sand filled or sand dressed surfaces are generally used for hockey while the more recent introduction of 3G pitches with longer grass pile and rubber crumb are designed for use for football.
9. The situation with regards to school playing pitches is less clear. Consultation should determine the extent of public use of school facilities.
10. Sports grounds owned by, or leased by, sports clubs continue to form a significant contribution to the level of supply. The organisations occupying such premises will be encouraged to contribute to the development of the strategy.
11. In general the upkeep of the facilities on all of these sites is a matter for the resident organisation under the terms of their agreement permitting occupation. However it is understood that a number of these sports clubs aspire to implement developments and these need to be reflected in the strategy.

Sports Clubs at the Periphery of the Borough

12. A significant supply of pitch facilities exists, or is being developed, on the western and southern periphery of the Borough. Table 2 below indicates the locations.

Table 2 – Sports Clubs with Playing Pitches on Borough Periphery

Sports Clubs with Playing Pitches on Borough Periphery
Himley Cricket Club
Dudley Kingswinford Rugby Football Club
Kewford Eagles Football Club
Dudley United Football Club
Stourbridge Rugby Football Club
Old Halesonians Association (rugby / hockey)

13. These clubs draw the majority of their members from within Dudley borough, given the proximity of centres of population, although each one is located in a neighbouring authority area. This was an issue raised by Politicians in connection with the previous Strategy.
14. The developments on the edge of the Borough impact on both demand for playing pitches in the authority

15. All of the supply data once collected will be shared with four principle National Governing Bodies of sport (NGBs) – The Football Association (The FA), the England and Wales Cricket Board (ECB), the Rugby Football Union (RFU) and England Hockey (EH) along with Sport England and the Black Country BeActive Partnership. Each of these through their local networks will contribute to the development of the strategy.
16. There will also be dialogue with neighbouring authorities and a review of their respective playing pitch strategies as it is recognised that developments in neighbouring authorities can impact on future plans.

Demand

17. On the face of it there appears to have been an increase in demand for junior football and for girls football with a corresponding decline in demand for traditional adult 11-a-side competitive football, a fact confirmed by The FA. Changes being introduced by The FA in terms of pitch sizes and small sided games are likely to change patterns of demand which will need to be taken into consideration in the preparation this strategy.

Table 3 below confirms the dimensions for pitches for different types of football activity that will be in operation from 2014/15 onwards.

Table 3 – The FA Recommended Pitch Sizes

The FA Recommended Pitch Sizes			
Age Grouping	Type	Recommended size including runoff	Recommended size without runoff
		(safety area around pitch)	(safety area around pitch)
		Length x width (yards)	Length x width (yards)
Mini soccer U7/U8	5v5	46 x 36	40 x 30
Mini soccer U9/U10	7v7	66 x 46	60 x 40
Youth U11/12	9v9	86 x 56	80 x 50
Youth U13/14	11v11	96 x 61	90 x 55
Youth U15/U16	11v11	106 x 66	100 x 60
Youth U17/18	11v11	116 x 76	110 x 70
Over 18 (senior ages)	11v11	116 x 76	110 x 70

18. Consultation with The FA and with local football leagues through the Football Forum will substantiate these assertions.
19. The involvement of the representatives from the organisations who attend the Football Forum and their constituent bodies will be crucial in confirming demand information and also in the identification of venues that are in use for their activities.

20. Annual Football Participation Reports produced by The FA will also inform the development of the strategy. The football data that follows is from The Football Association - Football Participation Report: Dudley 2011/12

Dudley has **162** affiliated clubs with a total of **448** teams of which **414** play in Dudley

Of the **414** teams operating in Dudley **104 (25.1%)** are adult teams, **200 (48.3%)** are youth teams (all formats) and **110 (26.6%)** are Mini-Soccer teams.

71.9% or **223** of the **310** Youth and Mini teams play in a club that has achieved a Charter Standard Award as compared to a national average of **75.6%**.

The number of teams **has decreased by 44 teams** overall in Dudley from season 2010/11 to season 2011/12. This comprises:

- a decrease of 30 adult teams
- a decrease of 13 youth teams (all formats)
- a decrease of 1 Mini-Soccer team

It is anticipated that the 2011/12 data will become available during the development of the strategy and this will inform the content.

21. In the three other pitch sports demand will be assessed through consultation with NGBs and through dialogue at a local level.
22. Sport England will act as a 'critical friend' throughout the process and will ensure that a robust assessment in line with national guidance results in a strategy to be implemented over the next five years.
23. NGBs will be consulting with Sport England over the content of their Whole Sport Plans (WSPs) for 2013-17 with sign off due for late 2012. WSPs outline how and where each NGB intends to invest grant from Sport England.
24. The FA has identified Dudley and the Black Country sub-region as a priority area for investment from the WSP. The FA WSP is focused on revenue programmes at this point in time with a submission to Sport England for capital resources due to be considered separately.
25. The eight key areas identified by The FA in the WSP for future revenue investment are:
- Just Play
 - Small Sided
 - Women and Girls
 - Children and Young People

- Disability
- Women and Girls Talent
- Disability Talent
- Raising Standards

Details for each of the eight strands will be made available once the WSP has been finalised and confirmed.

26. The revision of the playing pitch strategy and the priorities identified in the final document will be key in providing evidence to support bids for both capital and revenue funding by the Council and its partners.

Finance

23. There are no immediate costs associated with the work being undertaken to revise the playing pitch strategy.
24. Investment programmes provide the opportunity for the Council and partner organisations to bid for funding for their projects. The strategy is intended to provide the strategic framework that guides future investment priorities.

Law

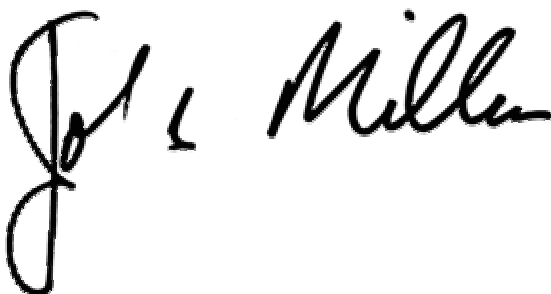
25. Section 111 of the Local Government Act, 1972 enables the Council to do anything that is calculated to facilitate or is conducive or incidental to the discharging of its functions as a Local Authority.
26. Section 2 of the Local Government Act 2000 empowers the Council to take action to implement measures it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of the Borough.

Equality Impact

27. The proposals contained in this report are in full accordance with the Council's Equality and Diversity policies.

Recommendation

28. It is recommended that Scrutiny Committee:-
 - Provides comments to the Cabinet Member of Environment and Culture on the approach being outlined for the revision of the playing pitch strategy.



J.B. MILLAR
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Background documents:

Dudley Metropolitan Borough Council Playing Pitch Assessment & Strategy
2003-2008; Strategic Leisure Limited October 2003

The FA Guide to Pitch and Goalpost Dimensions; The Football Association
2012

Sport England 13-17 Plan Birmingham County FA – Ready, Willing and Able
Assessment; The Football Association October 2012

Appendix 1

Dudley Metropolitan Borough Council Playing Pitch Assessment & Strategy 2003-2008

Strategic Planning Recommendations

Strategic Planning – Recommendation 1
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Promote the overall value and benefits of playing pitch provision, and its contribution to open space in the local area. Ensure that the “dual” function of playing pitches and their value as part of the Borough’s stock of greenspace is considered through a wider Greenspace Strategy for the Borough as part of the Council’s response to Planning Policy Note 17 (PPG17). An overarching Greenspace Strategy is vital in assessing the role and value of all greenspace across the Borough. In some cases assessment of informal open space may identify potential sites for formal playing pitch development.

<i>Strategic Planning – Recommendation 2</i>
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Seek to use the planning policy process to prioritise facility development and future provision in line with the identified priorities in this strategy. E.G Use priorities for investment identified as a guide for Section 106 funding
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<i>Strategic Planning – Recommendation 3</i>
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The Playing Pitch Assessment data should be updated on an annual basis and a repeat of the strategy development undertaken every 5 years. Annual updating should include repeating quality inspections to monitor changes to quality of pitches

<i>Strategic Planning – Recommendation 4</i>
--

Seek to develop the overall use of education pitches for community use, and in so doing, develop appropriate support to facilitate access and use especially for junior teams.
--

Strategic Planning – Recommendation 5
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The Council should continue to use the Football Forum, and local sports development groups established for Rugby Union and Cricket to identify issues with facilities. In the case of football, the forum should be used to investigate limiting the use of some sites towards the end of a season to enable renovation works to be undertaken.

Strategic Planning – Recommendation 6
--

Liase with neighbouring authorities regarding new pitch developments in areas close to the Dudley Borough border to assess the likely impact in supply and demand

Strategic Planning – Recommendation 7
--

Liase with neighbouring authorities regarding pitch hire charges to ensure that fees and charges are comparable.
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Strategic Planning – Recommendation 8
--

Investigate, in consultation with the Football Forum the introduction of pitch hire charges that reflect the quality of pitches, charging less for provision rated lower.

Facility Development

<i>Facility Development – Recommendation 1</i>
--

Seek to improve the overall quality and quantity of existing and new ancillary accommodation with particular emphasis on the need to provide adequately for juniors and women, girls and disabled users. This needs to be done in accordance with the identification of priorities for investment and improvement. (At end of report)

<i>Facility Development – Recommendation 2</i>
--

Prioritise investment in ancillary facilities on key multi pitch sites as a more economical use of resources, particularly in relation to ancillary facilities
--

Facility Development - Recommendation 3
--

Ensure that where provided, informal kick about areas are maintained and adequately provide for informal play – this is to ensure that informal use of formal pitches is kept to a minimum in order to sustain quality
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Facility Development – Recommendation 4
--

Linked to the review of leisure facilities, ensure that there is adequate access to floodlit training facilities to support the overall development of pitch sports at local level
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Facility Development – Recommendation 5
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The Council should increase the current level of investment in pitch renovation and improvements to ancillary facilities
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SPORTS DEVELOPMENT

Sports Development – Recommendation 1
--

Team Generation Rates (TGR's) should be used as a benchmark for future measurement and monitoring of sports participation within the borough, and within the 5 committee areas. They should be used to prioritise sports development focus
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Sports Development - Recommendation 2
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Team Generation Rates (TGR's) in the Dudley borough should be compared with those surrounding boroughs to provide an indication of levels of participation which can be used to develop county wide priorities for future sports development initiatives and external investment
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