



SCRUTINY REPORT

BDHT SCRUTINY REPORT

Task Group Report – Scrutiny Steering Board October 2006

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BROMSGROVE DISTRICT COUNCIL

REPORT OF THE BDHT TASK GROUP

OCTOBER 2006

<u>MEMBERS</u>

Councillors Mrs. S. J. Baxter (Chairman), Mrs. J. M. Boswell, G. H. R. Hulett, D. McGrath and S. R. Peters.

Councillor Mrs. J. Dyer M.B.E. was also a member of the Task Group before becoming a member of the Executive Cabinet on 27th July 2006.

SUMMARY

The role of the BDHT Task Group was to look at the relationship between this Council and Bromsgrove District Housing Trust. The main aim of the Task Group was to look into how this Council could further improve its relationship with BDHT in order to assist each other in meeting housing-related needs across the District.

SUMMARY OF RECOMMENDATIONS

Advisory Group of the Executive Cabinet

An Advisory Group of the Executive Cabinet be set up to explore with BDHT how this Council and BDHT could improve its relationship further in order to assist each other in meeting the housing-related needs across the District, including BDHT tenants. (Cost: Nil)

Rent Collection Service

In order to provide tenants with another option of paying their rent, and to strengthen further the relationship with BDHT, the option of a Rent Collection Service at the Customer Service Centre for BDHT tenants be looked into once again. (This could be investigated by the Head of E-Government and Customer Services, Head of Financial Services and the Customer Services Manager together with the Executive Cabinet's Advisory Group, if set up.) (Cost: Nil. However, if a Rent Collection Service for BDHT was agreed, this could result in income for this Council)

Payroll Services

The possibility of both this Council and BDHT collectively considering external providers in relation to payroll services be investigated further. (This could be investigated by the Executive Cabinet's Advisory Group, if set up.). (Cost: Nil)

Telecare Services and CCTV

To investigate whether or not Telecare Services and CCTV could be separated in the future to enable officers to properly monitor and evaluate the use of the each service separately. (Cost: Nil)

Potential disputes and maintenance of certain pieces of land

All members be informed of who to contact at this Council (Mike Bell, Head of Street Scene and Waste Management) and at BDHT (Tony Lowry, Operations Director) if they know of or become aware of any dispute or potential dispute regarding the maintenance of a piece of land. (Cost: Minimal – cost of printing and posting a letter to each member)

Grounds Maintenance

To investigate further the option of this Council and BDHT jointly investing in the resources required for grounds maintenance. (This could be investigated by the Executive Cabinet's Advisory Group, if set up.) (Cost: Nil)

Affordable Housing

To address barriers identified by BDHT for the delivery of affordable housing in the District, in particular the difficulty of land provision, and demonstrate commitment to partnership working with the Trust. (This could be investigated by the Executive Cabinet's Advisory Group¹, if set up.) (Cost: Nil)

Please Note:

The BDHT Task Group recognises that there have been difficulties in the relationship between this Council with BDHT over recent months. We feel that these are partly due to frustrations which were identified during the scrutiny exercise, in particular, the difficulty of land provision for affordable housing.

We hope the recommendations put forward assist in re-fostering the positive relationship between our two organisations which is crucial to both our objectives i.e. serving the residents of Bromsgrove.

The Task Group considers the final recommendation on affordable housing to be the priority.

¹ It is acknowledged that since this report was put together back in July, the Leader has announced his intention to set up an Advisory Group relating to Affordable Housing.

TERMS OF REFERENCE

At the meeting of the Scrutiny Steering Board held on 8th March 2006, it was decided a Task Group would be formed to look at the relationship this Council has with Bromsgrove District Housing Trust.

The Task Group's terms of reference which was compiled by the appointed Chairman, Councillor Mrs. Baxter, was approved by the Board at its meeting held on 12th April 2006. At its first meeting held on 17th May 2006, the BDHT Task Group also approved its terms of reference (attached as Appendix I).

BACKGROUND AND METHODOLOGY

There were a total of six task group meetings with one taking place at Bromsgrove District Housing Trust. At the first meeting, a schedule of work was devised.

The Task Group considered the following, some of which were considered in great detail over more than one meeting:

- Background to the creation of BDHT
- Respective roles of the Council and BDHT following the Large Scale Voluntary Transfer (LSVT)
- Background to the contractual and working relationship with BDHT
- Services provided by (or could potentially be provided by) this Council to BDHT
 - ♦ Legal and Professional Services (covering legal services, plan preparation and valuation services)
 - ♦ Information and Communication Technology (ICT) Services
 - ♦ Cash and Rent Collection
 - ♦ Payroll Services
 - ♦ Lifeline Community Alarm and Out of Hours Monitoring
 - ♦ Grounds Maintenance, Street Cleaning and Drainage Services
- Services provided by BDHT to this Council
 - ♦ Management of Hostels
 - Observe Agreement for Homelessness, Waiting Lists and Nominations
 - ♦ BDHT Sheltered Housing Services
 - ♦ Caravan Site Management
- BDHT Presentation (including answers to questions raised by members)

When the Chief Executive at BDHT was invited to attend a meeting of the Task Group, he invited the Task Group to hold its meeting at BDHT premises (Buntsford Court).

The BDHT Executive Management Team (which consists of the Chief Executive, Director of Finance and Resources and the Director of Operations) were in

attendance along with the Head of Property Services and the Inspection Improvements Project Manager who gave a detailed presentation to members.

The Corporate Director (Services) and Strategic Housing Manager also attended this meeting (as well as all other meetings of the Task Group).

The detailed minutes of BDHT Task Group meetings gives further information on the Task Group's investigations. If you would like a copy of any of the minutes, please contact the relevant committee services officer (see page 13).

FINDINGS AND RECOMMENDATIONS

Members of the Task Group are keen to assist this Council in strengthening the existing relationship with BDHT. Whilst being aware that BDHT is now a separate independent organisation, members of the Task Group and the BDHT Executive Management agree that both parties need each other.

It is the opinion of the Task Group that it is very important that this Council, (as the strategic housing authority) ensures it does all it can to maintain a good relationship with BDHT (which is the largest Registered Social Landlord (RSL) in the District). It must be remembered that BDHT tenants are also residents of Bromsgrove District.

Therefore, the main recommendation of the Task Group is as follows:

Recommendation 1	An Advisory Group of the Executive Cabinet be set up to explore with BDHT how this Council and BDHT could improve its relationship further in order to assist each other in meeting the housing-related needs across the District, including BDHT tenants.	
Financial Implications	There are no financial implications directly related to this recommendation.	

The BDHT Chief Executive was consulted on this recommendation and after a brief discussion the BDHT Executive Management agreed that they would welcome any dialogue and are committed to Bromsgrove.

Services provided to BDHT by (or could potentially be provided by) this Council

There are a broad range of legal contracts which regulate the relationship between the Council and BDHT. The documentation is over 300 pages long, includes 34 clauses, 19 schedules and 9 annexes. Due to the fact that the Task Group was time limited, members took a particular interest in the Support Service Level Agreements (SLAs) by which this Council had agreed to provide services to the Trust and vice versa.

Legal and Professional Services

The Legal and Professional Services Agreement entered into with BDHT covers three areas: legal services; plan preparation and valuation services. The Task Group discussed this contract at the first two meetings with various officers including the Legal Services Manager.

The Legal Services Manager informed the Task Group that the Legal Section ensures its costs are covered and they also make some profit which, in the opinion of the Legal Services Manager, is very valuable to the Council as it can be used to obtain other specialised legal services which are not available internally.

With regard to valuation services, there was some concern over the possibility that there may be an element of subsidy in relation to this Council having to acquire valuation services externally. However, the Council have only paid for local estate agents to carry out a small amount of valuations for the low cost housing scheme which does not relate to BDHT "Right to Buy" or "Right to Acquire" Schemes. (The reason for the need to seek a valuation service externally was partly due to the officer dealing with valuations taking on further responsibilities since the restructure.)

The BDHT Chief Executive stated that BDHT are very satisfied with the Legal Services the Council provides and has renewed the contract on two occasions.

The Task Group are happy with the "status quo" and therefore make no recommendations in relation to this area.

Cash and Rent Collection

BDHT have not renewed the Service Level Agreement (SLA) for this service as they have transferred to other methods such as Direct Debit, Standing Order or paying through the Post Office. However, it is believed that paying through the Customer Service Centre could still be another option for tenants and be an opportunity for further partnership working. For this to happen, financial and resource implications would need to be investigated further and the relevant officers would need to be involved.

Recommendation 2	In order to provide tenants with another option of paying their rent, and to strengthen further the relationship with BDHT, the option of a Rent Collection Service at the Customer Service Centre for BDHT tenants be looked into once again. (This could be investigated by the Head of E-Government and Customer Services, Head of Financial Services and the Customer Services Manager together with the
	Executive Cabinet's Advisory Group, if set up.)

Financial Implications	There would be financial implications relating to this option and these would need to be looked into as part of the investigation into the option of providing this service to BDHT. If after investigations, the option is put to BDHT, it is assumed that BDHT would need to	
	cover at least part of the cost of the service this Council would provide.	

Payroll Services

Although, according to the Legal Services Manager, BDHT could receive this service at a lower rate elsewhere, it is believed that BDHT have continued to use Payroll Services provided by this Council because they receive a good quality service and other additional benefits such as having access to the expertise of Financial Services.

Members estimated that if BDHT do not renew the contract which was due to expire in December 2006, 20% of the Payroll Section's workload would be lost, therefore, potentially causing a significant impact on the Council's resources. However, the Interim Head of Human Resources and Organisational Development and the Payroll Manager reported that they did not believe the impact would be that great and estimated the workload to be approximately 12%. Officers believe that there would not be a huge impact on resources if the Council did lose the contract with BDHT in the future.

At the Task Group meeting where BDHT Executive Management team were in attendance, the BDHT Chief Executive stated that its auditors were of the opinion that using the payroll service provided by the Council was a potential risk due to the Council having only two employees in that section. It was suggested by BDHT that the Council together with BDHT could collectively look externally to procure a payroll service.

Recommendation 3	The possibility of this Council and BDHT collectively considering external providers in relation to payroll services be investigated further. (This could be investigated by the Executive Cabinet's Advisory Group, if set up.)	
Financial Implications	There are no financial implications relating to investigating this option further. However, if an external provider was sought, members would need to look at the costs associated with an external provider versus the cost of keeping an internal payroll section.	

Lifeline Community Alarm and Out of Hours Monitoring

Bromsgrove District Lifeline Service is an emergency panic button or pull-cord system used within the home to alert the control room staff to emergency situations. The clients are predominately older people or disabled members of the community. The Control Room monitors alarms situated in all BDHT sheltered housing properties and other dwellings in the district. Outside office hours when the Council House, the Customer Service Centre and BDHT are closed, all emergency calls are directed to the Control Room.

It was reported to members that prior to LSVT, tenants had expressed confidence in the service and therefore officers had negotiated hard to ensure the Council continued to provide this service. BDHT had taken this service and it is still in operation.

The Supporting People programme, which offers vulnerable people the opportunity to improve their quality of life by providing a stable environment which enables greater independence, pays for a large proportion of the support costs in relation to housing such as Lifeline Services. Therefore, Supporting People are putting increasing pressure on RSL providers to negotiate favourable monitoring fees.

BDHT Executive Management informed the Task Group that Supporting People had a strategic view on how the Lifeline Services should be provided and that it should be an accredited service. The Task Group learned that the price has recently been lowered by 10 pence to account for the fact the Control Room has not yet been accredited to the Telecare Services Association (formally ASAP). However, it is expected that the cost will increase once the Council is providing an accredited Service and the CCTV and Lifeline Manager, Lifeline and Control Room staff are currently working towards this accreditation.

There is some concern regarding the impact on the Control Room if this Council lost the contract with BDHT as a substantial amount of income would be lost. As both the Telecare Service and CCTV are based within the Control Room, it is difficult to separate the amount of time spent on each area. However, as Telecare Services are expanding considerably, both officers and members believe that the possibility of separating Telecare Services and CCTV in the future might need to be investigated further.

Recommendation 4	To investigate whether or not Telecare Services and CCTV could be separated in the future to enable officers to properly monitor and evaluate the use of the each service separately.	
Financial Implications	There are no financial implications relating to investigating this option further.	

Grounds Maintenance, Street Cleaning and Drainage Services

Members discussed these services over several meetings with the Corporate Director (Services), Head of Street Scene and Waste Management, Strategic Housing Manager, Legal Services Manager and BDHT Executive Management.

It was reported that grounds maintenance was a particular concern to residents and at the time of transfer, tenants were promised a higher standard of service. It was reported that it appeared an agreement had been reached in terms of price and a SLA drawn up between the Council and BDHT but the agreement was never finalised.

There seems to be some uncertainty surrounding the reason for the situation, particularly as the current Corporate Director (Services) and Head of Service were not in post at the time. However, it would appear that it is possible that there was a strain on the relationship between officials at the Depot and at BDHT.

The Task Group was informed of an alternative perspective which was that at the time of transfer, the Depot did not have the equipment or capacity to provide the level of service BDHT required. For example, it seemed the Depot did not have the equipment to provide box cutting.

As a consequence to an agreement not being finalised between the Council and BDHT, BDHT entered into a contract with Wyre Forest Community Housing who could provide a box cutting service tenants had been promised. Wyre Forest Community Housing currently retains the contract and according to BDHT Executive Management, it is a 3 year contract which expires in 2008.

The Head of Street Scene and Waste Management reported to members that since LSVT (Large Scale Voluntary Transfer) progress has been made in this area and a number of issues with BDHT have been resolved. An agreement has been reached on payment for previous works as well as the cost for provision of an enhanced level of street cleansing during the current year. We learnt that during the discussions officers had with BDHT, it had also been agreed that should both parties be satisfied with the new street cleansing service after a period of 6 months, discussion could commence on the future provision of grounds maintenance on a similar basis. The 6 months trial period is to ensure that both parties are satisfied with the management arrangements and quality of service. However, for the Council to provide this service, the contract will need to be for a minimum of 3 years to enable it to extend its capacity to provide the service required by BDHT tenants, purchase new equipment and potentially employ extra staff.

There was much discussion regarding grounds maintenance which covered a variety of issues. One concern was the confusion over the responsibility of certain pieces of land, including areas privately owned. Theoretically, one stretch of land

could be owned by more than one owner which could be frustrating for residents (e.g. if different grassed areas were cut at different times). It was suggested that members could inform either the Head of Street Scene and Waste Management at this Council or the Operations Director at BDHT of any potential conflict over who was responsible for a piece of land between this Council and BDHT. It was pointed out by officers that this would assist them in identifying these disputed areas. It was believed that if it was unclear on the deeds who was responsible between this Council and BDHT, an agreement could be reached with BDHT and the issue resolved. For issues relating to land which was privately owned, the Head of Street Scene and Waste Management and Legal Services Manager at this Council would need to discuss how the issue could be tackled.

It is apparent that the Council has started to rebuild a good rapport with BDHT and now there appears to be an understanding of each other's issues. It is the Task Group's opinion that this is crucial as a poor relationship with BDHT can only reflect badly on this Council.

At the meeting with BDHT Executive Management it was confirmed that as this Council could not provide the grounds maintenance service tenants had been promised, BDHT had no choice but to consider other providers.

It was explained that the Government are keen to ensure there is a proper separation between local authorities and RSLs which is why the majority of contacts at the time of transfer were for 12 months as recommended by the Government. The Task Group also appreciates that, similar to this Council and in fact any organisation, BDHT only renew contracts if it receives value for money and a good standard of service, for example, legal services provided by this Council. Therefore, members of the Task Group were encouraged that BDHT Executive Management stated that if this Council could provide the grounds maintenance service at an appropriate level and cost, they would certainly consider the Council as a provider in the future.

It was suggested at this meeting that both parties could jointly invest in the resources required for grounds maintenance. It is felt that this could also potentially solve issues relating to who was responsible for maintaining which section of land as it would be maintained jointly. Furthermore, it was clarified by BDHT that as long as it could be demonstrated that the service to be provided would give value for money, there would be no need for a tendering process.

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Recommendation 5	All members be informed of who to contact at this
	Council (Mike Bell, Head of Street Scene and Waste
	Management) and at BDHT (Tony Lowry, Operations
	Director) if they know of or become aware of any
	dispute or potential dispute regarding the maintenance
	of a piece of land.

Financial Implications	The only financial implication relating to t	this	
	recommendation would be the cost of printing a		
	posting a letter to all members.		

Recommendation 6	To investigate further the option of this Council and BDHT jointly investing in the resources required for		
	grounds maintenance. (This could be investigated by the Executive Cabinet's Advisory Group, if set up.)		
Financial Implications	There are no financial implications relating to investigating this option further.		

With regard to drainage service, up until the beginning of May 2006, this Council provided this service to BDHT. Although this Council charged an extremely modest hourly rate, BDHT had come to an agreement with another agency for this particular service.

Services provided to this Council by BDHT

Members were informed and are in support of the planned benchmarking exercise countywide in order for the Council to ensure it is getting value for money from BDHT.

Hostel Management

Hostel Management was discussed in detail at the Task Group Meeting held on 3rd July 2006.

In brief, this Council decided to retain ownership of the 4 hostels in order to protect their future use for the purposes to suit the Council's identified needs. Without the hostels, it is understood that there would be a greater pressure on the Council to use the less favourable and more expensive option to use Bed and Breakfast. The Government has made it illegal to allocate Bed and Breakfast to families and expectant mothers and they can only be used in extreme circumstances for a maximum of 6 weeks and this Council has managed to keep to that target even though other authorities have struggled. However, this has meant an increased pressure on hostels.

The Task Group was informed that the hostels will have to be remodelled into small independent flats which will be easier to manage but could mean having to sell them to a Registered Social Landlord (RSL).

Officers are currently working to develop proposals to decommission the hostels and remodel the type of temporary accommodation supplied. (Members of the Executive Cabinet have already agreed to remodel the Gateway Refuge hostel at its meeting held on 2nd August 2006.)

It was reported to the Task Group that there will be an improved out of hours service and that the Council are working with Supporting People and BDHT to develop a new floating support service consisting of 2 full-time support workers whose role will be to carry out preventative work and support those in temporary accommodation. The new service is scheduled to commence in November 2006.

There is also evidence of good partnership working through a working group which has been set up with representatives from partner agencies including BDHT, Citizens Advice Bureau, Bromsgrove Youth Homelessness Forum, Connexions and Baseline (a voluntary organisation providing support to young people in relation to housing advice and homelessness preventative services). It is hoped that working in partnership will ensure the homelessness service provided is more seamless and the Task Group support this work.

Although no recommendation has been made in relation to hostels, the Task Group support all the officers' efforts in working towards decommissioning the hostels and remodelling the type of temporary accommodation supplied as well as the new support service due to commence in November 2006. It is apparent that both BDHT and Council officers understand the urgency of needing to improve the situation.

Caravan Site Management

This Council owns one permanent caravan site and it is managed by BDHT (unlike in other districts where caravan sites are owned and managed by Worcestershire County Council).

Members of the Task Group discussed this issue at two separate meetings and no recommendations are made.

Sheltered Housing Services

Members discussed the Sheltered Housing Scheme as well as the Very Sheltered Housing Scheme (which is currently under review) and no recommendations are made.

Affordable Housing

Members of the Task Group believe that affordable housing is needed in Bromsgrove District. The Task Group found out that the average wage in Bromsgrove was £23,000 and a 2 bed flat in Charford costs in excess of £100,000 which means a large proportion are simply not in the position to buy. The average cost of a property is £233,000 and rising.

BDHT Executive Management confirmed that no dwellings had been sold to tenants in 2006 as they could not afford it, even with the maximum discount of £26,000, which gives an indication of the affordability problem.

The Chief Executive at BDHT stated that BDHT has the borrowing ability (subject to grant) to deliver 280 homes in Bromsgrove and the Housing Corporation had £20 million Grant to deliver affordable housing in the South Housing Market Area (Worcestershire, Stratford and Warwick) but Council planning powers could prevent delivery.

As previously stated, this Task Group believe affordable housing is required and it is a Council Priority. Therefore, the final yet key recommendation is as follows:

Recommendation 7	To address barriers identified by BDHT for the delivery of affordable housing in the District, in particular the difficulty of land provision, and demonstrate commitment to partnership working with the Trust. (This could be investigated by the Executive Cabinet's Advisory Group, if set up.)		
Financial Implications	There are no financial implications relating to		
	investigating this further.		

<u>General</u>

Preferred Partner

The Task Group was informed that BDHT had requested that they be appointed as "preferred partner" and although this Council wants to ensure it has a good working relationship with BDHT, it does not want to exclude best value for money and other partnership working, therefore, it did not appoint a preferred partner.

> BDHT Presentation

The Inspection Improvements Manager at BDHT gave a very detailed and informative presentation relating to the promises made by the Council to tenants prior to transfer, work BDHT have carried out since transfer and future challenges for both BDHT and this Council.

BDHT appear to be on target to deliver on promises made to tenants by the Council, such as modernising homes and it achieved top quartile performance last year relating to areas such as repairs, re-letting properties and collecting rent.

BDHT Executive Management answered all of the questions put to them by the Task Group and stated that, like Bromsgrove District Council, they are committed to Bromsgrove District.

Partnership Review

The Task Group learnt that a partnership review will be taking place within the next 12 months to ensure this Council is receiving value for money from services provided by BDHT.

CONCLUSION

Members of the Task Group believe that building upon the existing relationship this Council has with BDHT is of great importance and therefore, the first recommendation which is requesting the Executive Cabinet to set up an Advisory Group so that members can work together with officers from this Council and BDHT Executive Management Team to assist each other in ensuring housing needs are met, should be seen as the main recommendation made by this task group.

If such a group is formed, other areas can be further investigated (such as affordable housing, external payroll services) together with BDHT and it could oversee the partnership review to ensure this Council is receiving value for money from services provided by BDHT.

We have found this scrutiny exercise very valuable and hope the Executive Cabinet will see the benefits of forming an Advisory Group.

REVIEW

It is hoped that an Advisory Group of the Executive Cabinet will be set up and therefore this Task Group will not need to reconvene in 12 months time. Instead it is requested that, assuming an Advisory Group is set up, the Chairman of the Group be invited to a meeting of the Scrutiny Steering Board to report on progress made in 12 months time.

In the event an Advisory Group of the Executive Cabinet is not set up, this Task Group will reconvene in 12 months time to carry out a review.

Councillor Mrs. S. J. Baxter Chairman of the BDHT Task Group

Contact Officer

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SCRUTINY EXERCISE SCOPING CHECKLIST

This form is to assist members to scope the scrutiny exercise in a focused way and to identify the key issues it wishes to investigate.

When the Board decides to set up a Task Group to scrutinise a particular subject, the appointed Chairman of the Task Group should complete this checklist. Completed forms will be considered by the Board and by the Task Group as a whole at the Task Group's first meeting.

•	General Subject Area to be Scrutinised:BDHT	
Sp	pecific Subject to be Scrutinised	
•	Contracts and financial arrangements between Bromsgrove District Council ar	nd BDHT with
	particular reference to grounds maintenance.	
•	BDHT Improvement programme & PIs	
•	Management of homelessness Hostels	
•	Services (Warden) provided in Sheltered accommodation	
•	Community development / partnership opportunities between BDHT and BDC	
	Should the relevant Portfolio Holder(s) be invited to give evidence?	YES
	Should any Officers be invited to give evidence?	YES
	If yes, state name and/or post title:	
	Andy Coel. Head of Strategic Housing	
•	Should any external witnesses be invited to give evidence?	YES
	If so, who and from which organisations?	
	BDHT, names to be confirmed after 1 st meeting of task group	
•	Should the Task Group receive evidence from other sources other than witness	sses? YES
	If so, what information should the Task Group wish to see and from which so be gathered?	ources should it
	Contracts / agreements between BDC and BDHT, details to be con meeting.	firmed after 1 st
•	Should a period of public consultation form part of the Scrutiny exercise? If so, on what should the public be consulted?	NO

•	If so, which authorities?		
	What were their conclusions and what can we learn from them?		
•	Will the Scrutiny exercise cross the District boundary? If so, should any other authorities be invited to participate?		
•	Would it be appropriate to co-opt anyone on to the Task Group whilst the Scrutiny being carried out? If so, who and from which organisations?	NO	
•	What do you anticipate the timetable will be for the scrutiny exercise? 3 months		
•	Approximate number of Task Group Meetings?4		
Si	igned:		
	Sue Bayter.		
	hairman of behalf of the:BDHTTask Group ate: 31 March 2006		
<u>PI</u>	lease return completed forms to: iss D. McCarthy		

Please return completed forms to Miss D. McCarthy
Committee Services Officer
Legal and Democratic Services
Bromsgrove District Council