



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**MONDAY 22ND JUNE 2015, AT 6.00 P.M.**

**THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE**

**SUPPLEMENTARY DOCUMENTATION**

The attached papers were specified as "to follow" on or are an additional item to be added to the Agenda previously distributed relating to the above mentioned meeting.

4. To confirm the accuracy of the minutes of the meeting of the Overview and Scrutiny Board held on 2nd June 2015 (to follow) (Pages 1 - 4)
7. Items for future consideration (Pages 5 - 10)

The Board to consider topics discussed at the training event on 15<sup>th</sup> June and to agree whether it wishes to include any of those topics within the work programme or to set up a task group if relevant.

- 9a Worcestershire County Council Joint Scrutiny - Increasing Physical Activity (Pages 11 - 16)

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

18th June 2015

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**2<sup>ND</sup> JUNE 2015 AT 6.00 P.M.**

PRESENT: Councillors S. J. Baxter, S. R. Colella, C. Allen-Jones, M. Glass, J. M. L. A. Griffiths, K.J. May (Vice-Chairman, in the Chair), R. D. Smith, P.L. Thomas, M. T. Buxton, H. J. Jones and M. Thompson

Invitees: Councillors R. L. Denttm,, M. A. Sherrey and C. B. Taylor

Officers: Ms. J. Pickering, Mrs. S. Sellers, Mr M. Ashcroft, Ms. C. Lumley, Ms. A. Scarce and Ms. J. Bayley

#### 1/15 **ELECTION OF CHAIRMAN**

A nomination for Chairman was received in respect of Councillor L. C. R. Mallett.

**RESOLVED** that Councillor L. C. R. Mallett be elected as Chairman for the ensuing municipal year.

#### 2/15 **ELECTION OF VICE CHAIRMAN**

A nomination for Vice Chairman was received in respect of Councillor K. J. May.

**RESOLVED** that Councillor K. J. May be elected as Vice Chairman for the ensuing municipal year.

#### 3/15 **APOLOGIES FOR ABSENCE AND NAMES SUBSTITUTES**

Apologies for absence were received from Councillors C. J. Bloore, B. T. Cooper and L. C. R. Mallett with Councillors M. Thompson, H. J. Jones and M. Buxton attending as substitutes respectively.

#### 4/15 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

#### 5/15 **MINUTES**

As there were no Members present who had attended this meeting it was confirmed that the Minutes of the meeting held on 13th April 2015 would be deferred until the next meeting of the Board.

6/15

## **DISPOSAL OF COUNCIL ASSETS AT HANOVER STREET CAR PARK AND GEORGE HOUSE**

The Executive Director of Finance and Corporate Resources presented a report on the subject of the Disposal of Council Assets at Hanover Street Car Park and George House. During the presentation of this report the following points were highlighted for Members' consideration:

- The focus of the report was on the outcome of the marketing exercise for the Hanover Street Car Park and George House site; the process that had been followed by the Council, the preferred bidder's identity and further information about the bid.
- The Council had a legal obligation to dispose of assets at best value. Best value did not necessarily mean the cheapest price as it could also involve assessing the contribution that might be made to the community.
- The District Valuer had been referred to as an independent adviser to ensure that the Council achieved best value for money.
- There had been 16 applicants to develop the site and 7 applicants had been shortlisted.
- The shortlisted applicants had been assessed in relation to a scoring matrix by elected Members, relevant Officers and a representative of GJS Dillon Property Consultants.
- The two highest scoring applicants had been invited to the Council to deliver presentations on the subject of their proposals.
- There had been key considerations when assessing each bid:
  - Deliverability and achievability.
  - The extent to which the bids corresponded with local policies including planning policies.
  - The potential for employment opportunities to be made available through the scheme.
  - The contribution that would be made to redevelopment and regeneration in the area.
  - The overall benefits that each scheme would bring to Bromsgrove.
- The car park had 121 spaces and an income of just under £119,000 per annum. This income would be lost from April 2016 if the preferred bidder's proposal was approved.
- The District Valuer had advised that the Council would not achieve value for money from a deal with the preferred bidder unless the car park was included in the final agreement.
- Higher offers than that which had been proposed by the preferred bidder had been received from other companies; however, the District Valuer had concluded that these proposals were not achievable.
- The preferred bid would release the Council from obligations of approximately £18,000 per annum for maintaining the building and business rates at George House.

Following presentation of the report a number of points were discussed in detail:

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- The timeframes for completion of the works, subject to the agreement of a preferred bidder by Cabinet.
- The approach that would be adopted by the Council to communicate the timetable for the development to the public.
- The scoring matrix and how this matrix was used to assess each development proposal.
- The questions asked as part of the scoring process and the amount of information that had been provided about this questioning process.
- The role of Overview and Scrutiny in assessing the process that had been followed by the Council to identify a preferred bidder. Members debated the extent to which they could assess whether the appropriate process had been followed based on the evidence that had been provided.
- The detail of the bids that had been submitted and how they compared in terms of the value that would be added to Bromsgrove district as a result of redevelopment.
- The role of the Legal department in enabling the Council to follow a robust process whilst securing best value.
- The potential role of lock in clauses and the extent to which these could realistically help the Council.
- The role of the external auditor in assessing the extent to which Bromsgrove District Council had achieved value for money when selecting a preferred bidder.
- The potential for an unsuccessful bidder to challenge the selection process.
- The differences with the previous bid that had fallen through in respect of the features in the proposed development and the extent to which the Council had secured greater value for money.
- The extent to which housing had been considered alongside retail development.
- The weighting attributed to the brook, which had been previously raised as a subject of concern by the Overview and Scrutiny Board when the subject was considered in December 2014.
- The extent to which the content of the Area Action Plan had been taken into account when assessing bids.
- The impact of any changes to the car park on parents of children attending St John's Middle School and the congregation at St John's Church.
- The potential impact of any changes to the car park on demand for parking spaces in other car parks situated in the town.
- The need for the preferred bidder to secure planning permission for the proposed development.
- The extent to which any environmental considerations relating to George House could impact on development and how all relevant information would be shared with the preferred bidder once a deal had been finalised.

At the end of detailed discussions it was

**RESOLVED** that the report be noted.

(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to

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exclude the press and public prior to any debate on the grounds that information would be revealed relating to financial and business affairs. However, there is nothing exempt in this record of the proceedings.)

The meeting closed at 7.00 p.m.

Chairman

## **TRAINING FEEDBACK – 15<sup>th</sup> June 2015**

### **Work Planning Exercises**

Members were asked to write down the top 5 issues which had been highlighted to them by residents over the last 6 months.

They were then asked to “match” these with the relevant Council Strategic Purposes.

The strategic purposes were split between 2 Groups in order for Members to discuss whether the topics raised were worthy of further scrutiny and, if so, what form that investigation should take. If Members decided that the matter did not warrant further scrutiny they were asked to provide reasons for this decision.

Finally, each group was asked “*How the Council can get the best out of its Overview and Scrutiny Board*”.

### **GROUP 1**

Councillors Luke Mallett, Chris Allen Jones, Malcolm Glass and Phil Thomas.

#### ***Help me find somewhere to live in my locality***

- Community Transport facilities
- Planning Applications – slowness
- Planning Issues – Particularly enforcement
- Local Plan Development
- Residential developments causing traffic problems
- Social Housing issues
- Lack of affordable social housing for young people
- BDHT addressing issues re sites.

Members felt that the issue of community transport was a valid one and could cover the following areas – is there a lack of community transport, are there particular communities that are affected? As there were a lot of areas to cover this could be a topic suitable for a Task Group.

In respect of Planning Members were informed that the Board had received a number of presentations on the transformation process and the backlog of applications which had led to the designation position of the Council’s planning team. The Board now has in place regular updates in respect of the backlog of applications and the work being carried out to reduce this. A Task Group had also carried out an in depth investigation into Planning Policy, which had included a section on the Marlbrook Tip. It was also highlighted that there was now a Marlbrook Tip Working Party which included all parties, which met regularly and the notes and agendas from

those meetings were readily available on the Council's website. However, Planning Enforcement might be an area where further information would be useful to ensure that matters were being dealt with in a timely and appropriate manner.

The issues around social housing were discussed in detail and Members felt that this could include whether there was sufficient social housing for the needs of the district and of the appropriate quality. It might be appropriate for a Task Group to look at this due to the size of the subject and Members discussed whether a public meeting would also be appropriate.

**Recommend: Potential for Task Groups to be added to the work programme in respect of Community Transport and Social Housing.**

### *Provide good things for me to see do & visit*

- Youth provision
- Sports hall for badminton

In respect of youth provision and the sports hall for badminton, Members were informed that the Board had previously commissioned Task Groups focusing on Youth Provision and Leisure Services (the latter Task Group had looked at the provision of a sports hall within the new Dolphin Centre business plan in detail). The Board might therefore wish to revisit those Task Group recommendations to assess the impact they have had.

**Recommend: Revisit the Task Group recommendations from the Youth Provision and Leisure Services reviews in order to assess the impact they have made.**

- Access to services over the boundary (Redditch)
- Residents "paying" for services they cannot access e.g. within the Town Centre.

These were issues which Members agreed were not appropriate for scrutiny exercises. However, due to the time available the group did not have a chance to discuss why they had reached this conclusion.

### *Help me run a successful business*

- Parking availability/charges/policy
- Town Centre shops
- Town Centre Regeneration



It was explained that parking was something which the Board had looked at on a number of occasions, having carried out both Task Groups and more recently a short sharp review. Following the short sharp review the Board had suggested that this item be picked up again in 12 months' time; with this in mind the areas discussed could be included within that piece of work. Those areas included parking for businesses, using parking as a way to drive economic regeneration, analysing what type of parking is available and the cost and whether this impacted on visitor numbers to the town centre.

For those Members new to Overview & Scrutiny it was explained that the Board had over the years received a number of presentations/reports on some of the key issues in the Town Centre. It was therefore suggested that the Board would need to refine what they wished to look at, (for example progress to date, value for money, what has already been achieved and future plans).

**Recommend: Potential for a Task Group to be set up.**

- Road signs – unsuitable for HGV's for businesses in the area.

There was one issue which Members felt more appropriate to be taken up with the County Council.

### *Help me to live my life independently*

There were no issues under this heading.

### *Help me to be financially independent*

There were no issues under this heading.

## **GROUP 2**

Councillors Karen May, Sue Baxter, Brian Cooper, Roger Smith and Michael Thompson.

### *Keep my place safe & looking good*

This strategic purpose received the most "issues" and was broken down by the group into 3 categories; county council, district council and other partners. As the other partner issues were specific to certain incidents it was agreed that these should be dealt with outside of the Board.

## County Council

- Highways – condition of road surfaces
- Footpaths
- Strategic infrastructure
- Road safety – speeding vehicles

Whilst it was accepted that District Councillors were unable to deal directly with these issues, it would be useful, particularly for new Councillors, to have a better understanding of the work of the County Council and it was therefore suggested that a request be made to County Council officers and the relevant portfolio holder to attend an O&S meeting and give a presentation on these areas. It would be useful for Members to provide some initial questions/areas that they would like to be covered by that presentation and this could be discussed in more detail at the O&S meeting when discussing the work programme. Whilst it was unlikely that the Board would feel a task group was necessary, this could be discussed following receipt of that presentation.

It may also be useful to open this meeting up to all Councillors.

**Recommend:           Presentation(s) to be included within the work programme.**

## District Council

- Off street parking
  - Over hanging trees/dead branches
  - Drainage
  - Dog fouling enforcement
  - Litter
  - Rubbish / cost of brown bins / build-up of traffic on collection days
  - Travellers
  - Footpaths and un-adopted footpaths and/or roads
1. The group discussed the issues raised and it was felt that the main concerns appeared to be around reducing the number of incidents (it was acknowledged that these were issues which were on-going and constantly raised by residents), what enforcement action could be taken and which team was responsible for specific areas. It was therefore initially felt that a presentation from the enforcement team, explaining their role and the work they carried out would be useful, before a decision was made as to whether any further investigation was necessary.
  2. Members also discussed the role of Planning Enforcement which, it was accepted was a separate issue, but equally clarification on the role of the officers

and the process in this respect would be useful. Comments were also made that it would be useful to know whether the application part of Development Control being in designation had had any effect on enforcement issues.

3. The new Place Team was also discussed as Members were aware that there had been a trial of this new way of working, but were unsure as to if and when this had been rolled out across all Wards. Members thought it would also be useful to know what partnership working this team carried out with the County Council and Parish Councils. It may be useful for the Board, particularly as it has a lot of Members who are also new to the Council, to receive an update on the work of this Team and the current position in respect of the roll out. Members also discussed whether this would be a subject which would warrant regular updates and monitoring by the Board.

**Recommend:           Presentation(s) to be included within the work programme, with the possibility of further investigation being required in the future.**

#### To be dealt with outside of the Board

- Train station car parking
- Safety fencing alongside the railway and beside residents' properties
- Damaged bridge wall over river (open and dangerous)

Members felt these issues were specific to a ward and agreed that these should be taken up by the Member with officers outside of the Board.

#### How the Council can get the best out of its Overview and Scrutiny Board

Each group was asked to respond to this question and the following suggestions were made.

- Build a good working relationship between the Board and the Cabinet Members.
- The Board to work as a group and not as individuals
- Treat each other with respect (including officers)
- Give positive feedback on the work of the Board to others within your group.
- Be selective with items on the work programme and not to be overly ambitious (restrict the number of items per meeting).
- Selecting the best approach to scrutiny for the subject.
- Officers to be brief in their presentation of reports

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- Members to feel confident in being able to talk openly and not be influenced by others outside of the Board.

**Recommend:**        **That the Board take these thoughts into account in its future work.**

### Overview & Scrutiny Board

22<sup>nd</sup> June 2015

#### Worcestershire County Council Scrutiny Proposal – Increasing Physical Activity in Worcestershire

Relevant Portfolio Holder	Councillor Rod Laight
Portfolio Holder Consulted	No
Relevant Head of Service	John Godwin – Head of Leisure and Cultural Services
Wards Affected	<b>All</b>
Ward Councillor Consulted	No
Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 The Worcestershire Overview and Scrutiny Performance Board (WCC OSPB) has invited district councils' overview and scrutiny committees to participate in an investigation in to Increasing Physical Activity in Worcestershire scrutiny task group. Bromsgrove District Council Overview and Scrutiny Board is therefore being asked to consider if there is any Member of the Board it would like to nominate to participate in in this task group to represent the Council.
- 1.2 The topic was initiated by the County Council following discussion of the Worcestershire Public Health Annual report 2014. The OSPB will look at the County Council's role in increasing physical activity in the County and as the issue covers areas within the remit of district councils it was thought that representatives may be interested in being involved in the scrutiny exercise. Full terms of reference and scope of the investigation are attached at Appendix 1.

#### **2. RECOMMENDATIONS**

- 2.1 That Members of the Board consider any nominations to represent Bromsgrove District Council on the Worcestershire County Council Overview and Scrutiny Performance Board Increasing Physical Activity in Worcestershire Task Group and elect a representative; and
- 2.2 Agree to the terms of reference as detailed in Appendix 1 attached.

#### **3. KEY ISSUES**

##### **Financial Implications**

- 3.1 There are no significant financial implications for the purpose of this report.

##### **Legal Implications**

- 3.2 There are no significant legal implications for the purpose of this report.

## **Overview & Scrutiny Board** **Service / Operational Implications**

22<sup>nd</sup> June 2015

3.3 None for the purpose of this report.

### **Customer / Equalities and Diversity Implications**

3.4 None for the purpose of this report.

## **4. RISK MANAGEMENT**

4.1 None for the purpose of this report.

## **5. APPENDICES**

Appendix 1 – Scrutiny Proposal Form

## **6. BACKGROUND PAPERS**

None

## **7. KEY**

None

## **AUTHOR OF REPORT**

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# Agenda Item 9a

## DRAFT Scrutiny Proposal

### Topic: Increasing Physical Activity in Worcestershire

**Background to the issue**  
(what is it and why is it being considered for scrutiny)

The Overview and Scrutiny Performance Board (OSPB) at its meeting on 26 February 2015 discussed the Worcestershire Public Health Annual Report 2014, a theme of which was to increase opportunities for participation in physical activity. This highlighted that "physical activity rates decrease quite steeply after the age of 45"... (although) .. "when comparing with the region and England, Worcestershire participation rates are relatively high". It also noted that "there is fragmentation of responsibility between County, District and national (Sport England) levels."

The County Council is keen to ensure opportunities to access sport and physical activity is available to all, and members are interested to find out what impact the 2012 Olympics has had on participation rates. On 23 April 2015, therefore, the OSPB added physical activity to the 2015 scrutiny work programme, and this was subsequently approved by the Council on 14 May 2015.

**Terms of reference**

- To examine:
- Current physical activity rates in Worcestershire
  - What is the County Council's role in promoting physical activity?
  - How is the County Council working with partners to enable more people to take part in physical activity and sport?
  - What can the County Council do to help increase physical activity rates in to meet the Chief Medical Officer recommendations of 30 minutes a day 5 days a week?

Scrutiny Officer & Scrutiny Liaison Officer

Suzanne O'Leary, Overview and Scrutiny Manager  
Alyson Grice/Samantha Morris, Overview and Scrutiny Officers  
Tony Leak, Scrutiny Liaison Officer

**Suitability for scrutiny.** Which of the following criteria does it meet?

<i>Is the issue a priority area for the Council?</i>	Yes	<i>Does it examine a poorly performing service?</i>	No
<i>Is it a key issue for local people?</i>	Yes	<i>Has it been prompted by new Government guidance or legislation?</i>	No
<i>Will the scrutiny have a clear impact on services?</i>	Potentially	<i>Will it result in improvements to the way the Council operates?</i>	Potentially
<i>Are improvements for local people likely as a result?</i>	Possibly		

<p><b>Scope of scrutiny</b> (what issues will it cover and what won't it cover)</p>	<ul style="list-style-type: none"> <li>• What opportunities for physical and sporting activity exist in Worcestershire (including schools)?</li> <li>• What are the barriers of taking part in physical and sporting activity in Worcestershire? How can these be removed?</li> <li>• What Olympic Legacy programmes are running?</li> <li>• Who are the key partners cross county and organisations working to increase physical activity and what influence does each have?</li> <li>• How are the County Council working with these partners (including the district council) to enable more people to take part in physical activity and sport, particularly for:             <ul style="list-style-type: none"> <li>○ Those currently inactive</li> <li>○ Those in areas of deprivation</li> <li>○ Hard to reach groups of people</li> </ul> </li> <li>• Is there sufficient provision to meet the demand?</li> <li>• What is the availability of sporting opportunities in Worcestershire on a geographical, gender, age and cost basis – what are the gaps in provision?</li> <li>• How do schools (public and independent) work with the community to share sporting facilities?</li> <li>• How is the Public Health Ring-fenced grant being used to support physical activity?</li> </ul> <p><i>N.B. O&amp;S has committed to ensure that the following are considered in all scrutiny reviews as appropriate</i></p> <ul style="list-style-type: none"> <li>• equality and diversity issues</li> <li>• commissioning</li> <li>• localism</li> </ul>
<p>Advantages to conducting scrutiny &amp; Indicators of success (ie how will you know a good scrutiny has been done?)</p>	<p>To have a better understanding of the situation in Worcestershire which will in turn could help to prioritise the areas of most need for the provision.</p>
<p>Has anyone else examined the issue?</p>	<p>TBC</p>
<p>Any disadvantages or pitfalls to conducting this scrutiny?</p>	<p>Concern that sport and leisure is a district council function and it may duplicate work already being undertaken.</p>
<p><b>INFORMATION NEEDS</b></p>	
<p>Key Documents, Reports &amp; Data required</p>	<p>Inequalities in Health in Worcestershire – Worcestershire Public Health Annual Report 2014 (p56 &amp; p61)</p>
<p>Is an expert adviser needed?</p>	<p>Suggestion: Frances Howie, Head of Public Health as expert adviser</p>
<p>Possible interviewees</p>	<p>Cabinet Members:</p> <ul style="list-style-type: none"> <li>➤ Localism and Communities</li> <li>➤ Health and Well Being</li> <li>➤ Children and Families</li> </ul> <p>Frances Howie, Head of Public Health</p>



	<p>Richard Harling, Director of Adult Services and Health          Gail Quinton, Director of Children's Services (and appropriate Children's Services officers)          Sports Partnership Herefordshire and Worcestershire          Sport England          District Councils (Sports Development and Planning)          CCGs          Youth Cabinet          Children and Young People and Adults who do not participate in organised sports and physical activities          Warriors Community Trust          Kidderminster Harriers</p>
Is this an issue that young people would be interested in? If so, ask Youth Cabinet for evidence.	Yes
Site Visits	TBC
Types of meeting/consultation needed? (eg workshops/focus groups/public meetings/questionnaires etc)	Task Group Meetings
Any meetings to be held outside of County Hall?	Potentially
Media & publicity needs?	May request media release to gather views of the public
<b>OUTLINE TIMETABLE</b>	
Proposal to OSPB	8 June 2015
Evidence Gathering	June – October 2015
Scrutiny Report to OSPB	November 2015
Scrutiny Report to Cabinet	January 2016

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