B R O M S G R O V E D I S T R I C T C O U N C I L

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

24TH AUGUST 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), K.J. May (Vice-Chairman), S. J. Baxter, C. J. Bloore, S. R. Colella, B. T. Cooper, M. Glass, J. M. L. A. Griffiths, R. D. Smith, P.L. Thomas and S. A. Webb

Invitees: Councillor G. N. Denaro, Councillor C. B. Taylor, Councillor P. J. Whittaker and Councillor S. P. Shannon

Officers: Ms. J. Pickering, Mr. G. Revans, Mr. D. Allen, Mrs. H. L. Plant, Ms. A. Scarce and Ms. J. Bayley

27/15 **APOLOGIES FOR ABSENCE AND NAMES SUBSTITUTES**

An apology for absence was received on behalf of Councillor C. Allen-Jones. It was confirmed that Councillor S. Webb was attending as his substitute.

28/15 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

Councillor L. C. R. Mallett declared an other disclosable interest in agenda item No. 6 due to his involvement with representatives of Whitford Vale Voice, a campaign group that had opposed a planning application for housing development on Whitford Road.

29/15 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 20th July 2015 were submitted.

Reference was made to discussions at the previous meeting of the Board regarding Primary Care commissioning and GP access, particularly in boarder areas of the county. Councillor J. M. L. A. Griffiths commented that whilst patients living in Alvechurch had experienced problems in this regard progress had been made in recent months and it was likely that this was now more of a problem in other parts of the district.

Members noted that at the previous meeting a request had been made for the Chief Executive of Bromsgrove District Council to write to the Chief Executive and Medical Director of NHS Arden Herefordshire and Worcestershire. Officers explained that this action would be undertaken shortly.

RESOLVED that the minutes of the Overview and Scrutiny Board held on 20th July 2015 be approved as a correct record.

30/15 **IMPACT OF WHITFORD ROAD PLANNING DECISION - SCRUTINY TOPIC PROPOSAL REPORT**

The Chairman advised the Board that whilst any Member of the Council could propose an item for the consideration of the Overview and Scrutiny Board, there were legal restrictions regarding scrutiny of planning and licensing applications. These legal requirements needed to be taken into account when considering any proposals to review planning matters; Overview and Scrutiny Members therefore needed to focus on policy and procedures and not on matters that were subject to a separate quasi-judicial process.

Councillor S. R. Colella proceeded to present a scrutiny topic proposal containing terms of reference for a proposed review of the impact of the Whitford Road planning decision on Council services. During presentation of this document he highlighted the following points for the Board's consideration:

- The outcomes of planning appeals and the implications for Council services and finances.
- The need to learn lessons as an organisation following appeal decisions.
- The interest of residents in planning developments within the district and surrounding areas.
- The influence of advice from Worcestershire County Council's (WCC) Highways team on planning applications.
- The potential for a Task Group to investigate this matter in detail.

Following presentation of this topic proposal Councillor C. B. Taylor, as Portfolio Holder for Planning Services and Housing, outlined current developments that had implications for the Planning Department, which included a review of the modelling approach used by the Highways Department. Officers from Bromsgrove District Council were being consulted as part of this process so that the implications for Council services, including the Planning Department, could be taken into account.

Members discussed the potential for a Task Group to investigate this matter further. The timing of the review was questioned as it was noted that a briefing was due to be delivered to all Members regarding planning matters the following evening. Concerns were also raised that it might be difficult for a district scrutiny exercise to review the county Highways Department, and it was suggested that a review of this nature could be referred to WCC's Overview and Scrutiny Committees for consideration.

In view of the legal requirements Members concurred that it was not possible to reach a decision about whether to launch a Task Group based on the content of the topic proposal form. For this reason the Board agreed that Councillor Colella should redraft the proposal, focusing on policy and procedural matters.

RESOLVED that Councillor Colella review the content of the topic proposal form and resubmit the proposal for the consideration of the Board at a later date.

31/15 **FINANCE BRIEFING - PRESENTATION**

The Executive Director of Finance and Corporate Resources delivered financial awareness training. During the delivery of this presentation the following matters were highlighted for Members' consideration:

- A new approach to presenting Financial Monitoring Reports had been requested by the Overview and Scrutiny Board the previous year and Members' suggestions had helped to inform the new report style.
- The reports would include a breakdown of financial information in relation to the Council's strategic purposes.
- Support services, such as Financial Services, would be recorded within sections of the financial monitoring report dedicated to enabling. Members were advised that enabling services accounted for £6.5 million of Council expenditure.
- Developments with regard to business rates and the proportion that could be retained by the district Council.
- The involvement of Bromsgrove District Council in a business rates pool with other authorities in the Birmingham and Solihull Local Enterprise Partnership (LEP) area.
- The potential financial impact of business rate appeals, particularly those involving GP surgeries following a test case at the national level which resulted in a 40 per cent reduction on the business rates required from that practice.
- The number of GP surgeries in Bromsgrove district and the potential impact on Council finances of any future appeals. Members were advised that Officers were undertaking a review of this matter.
- A reduction of 51 per cent in the level of the revenue support grant provided by the Government to local authorities and the expectation that this grant would cease to be provided in future years.
- Reductions in the Living Support Grant provided to Councils and an assumption that this would decrease by a further 20 per cent in the year ahead.
- The referendum level for increases in Council Tax levels.
- Capital expenditure and the limited number of capital receipts held by the council.
- Future plans for the Council to borrow to cover the costs of large capital projects such the new Dolphin Centre.
- The level of balances held by the Council. Members were advised that the Council's balances were currently £4.03 million, though £1 million of this sum would be allocated to covering the costs of borrowing.
- The level of reserves held by the Council. Some of these reserves were due to be used for specific projects such as to replenish the Council's fleet of vehicles for Environmental Services.
- The New Homes Bonus. No assumptions had been made that the New Homes Bonus Community Scheme would continue beyond 2015/16,

though Members could agree to do so as part of the budget setting process.

- A new financial management system had been introduced for the Council and information arising from this system would inform reports to Committee.
- Heads of Service were meeting with the Council's accountants on a monthly basis. This would enable the Council to assess the reasons for both savings and any overspends.
- In future Officers were aiming to present quarterly updates on the Council's business rates to enable Members to assess the impact of appeals on the local authority's finances.

Members thanked Officers for the presentation and expressed appreciation for the amendments that had been made to the financial monitoring report.

Councillor S. R. Colella left the meeting at 6.52 pm.

32/15 **PLANNING APPLICATION BACKLOG DATA**

The Area Planning Manager presented a report which provided an update on the backlog at the Council in terms of resolving outstanding planning applications. As requested at the previous meeting when this report had been considered, in March 2015, comparable data for Redditch had been provided regarding the level of demand from customers. Members were advised that as of 24th August the backlog had fallen to 24 planning applications.

Combined data for Bromsgrove and Redditch had also been provided for each week for the period January to August 2015 in the report. Members suggested that it would be useful in future to receive this data for Bromsgrove only to enable Members to assess the trends for the district.

The implementation of service transformation by the Planning Department compared to other Councils was also briefly discussed. Officers explained that the Council was learning from colleagues at other local authorities as part of this process. Service transformation was designed to enable the Planning Department to focus on improving the service for the customer and removing any processes that did not add value from the customer's perspective. This transformation process would continue to be implemented for the foreseeable future.

33/15 **DISPOSAL OF BURCOT LODGE EMERGENCY HOMELESS UNIT - BRIEFING PAPER**

The Strategic Housing Manager presented a briefing paper on the subject of the disposal of Burcot Lodge emergency housing unit. Members were advised that Burcot Lodge was owned by the Council with Bromsgrove District Housing Trust (BDHT) using the property to provide emergency housing for people at risk of being made homeless.

Burcot Lodge formed part of the Council House site. Following the Council's move to Parkside a decision would need to be taken about the future uses of

this site. There was the potential that the site would be sold to a developer, though it would take some time for this to progress, particularly as any new developments would require planning permission. In the meantime Burcot Lodge would remain open. It was highlighted that BDHT had a further 39 units, located within the district, which could also be used to house people at risk of becoming homeless.

A number of options were being considered in terms of housing provision for people at risk of homelessness which could replace Burcot Lodge. This included the potential to work with neighbouring local authorities such as Birmingham City Council or Redditch Borough Council. Officers were in regular contact with representatives of BDHT and were aware of the need to resolve this issue as soon as possible.

The latest figures available for Burcot Lodge indicated that there was a 42 per cent occupancy rate at the property. Members acknowledged that homelessness numbers could fluctuate over time, depending on the economy and the circumstances of individuals. However, it was suggested that this 42 per cent occupancy rate could mean that in future alternative forms of provision might meet local need.

Councillor S. P. Shannon, attending in his capacity as the Member who had proposed a Task Group review of this subject, reminded the Board that the Council had a statutory responsibility to provide housing to people at risk of homelessness. Concerns were expressed that a resolution, concerning the future of Burcot Lodge, had not yet been identified despite progress with the Council's future move to Parkside. It was also suggested that hostel and bed and breakfast accommodation would not be ideal solutions, though Officers assured Members that traditionally bed and breakfast accommodation was used as a last resort in the district.

Members briefly discussed each of the options presented within the report. The Board agreed that in order to make an accurate assessment of these options it would be useful to consider the financial information underpinning some of these options. Members were advised that this would need to take place in confidential session. The Board also noted that it would be useful to review a timeline for the potential disposal of the Council House site which included when replacement services would need to be in place and how long it would take to secure provision.

The Board discussed the potential to launch a Task Group review to assess the disposal of Burcot Lodge. It was suggested that private Task Group meetings would be a more suitable environment in which to consider the subject. A small group of Councillors could also dedicate time to consideration of the matter, supported by officers, and identify a potential solution to an issue that would need to be resolved quickly. However, it was also suggested that the Board was in just as good a position to assess potential options and could make informed recommendations to Cabinet based on consideration of further information.

RESOLVED that the financial costs involved in delivering each of the options that could replace Burcot Lodge, together with further information about the timeline available to resolve this issue, be provided for consideration at a future meeting of the Board.

34/15 **CHURCHFIELDS CAR PARK IMPROVEMENTS - BRIEFING PAPER**

The Head of Environmental Services explained that no briefing paper had been provided for the Board's consideration as a decision had been made at Leader's Group to defer consideration of a report on the subject of Churchfield Car Park improvements. This would provide time for Portfolio Holders to visit and assess the condition of the car park and for Officers to undertake further work in relation to this matter.

However, it had been considered prudent to present the report into the security of Churchfields Car Park, produced by the Crime Prevention Design Advisor for West Mercia Police, to the board. Cabinet Members had recognised that the Overview and Scrutiny Board might be in a position to make useful suggestions about the car park based on the content of the security assessment.

Future options for the management of the car park were briefly discussed by the Board. There was the potential for the car park to be cleaned, although officers noted that cleaning work had been carried out in the past without deterring anti-social behaviour. The actions proposed in the security report could help to restrict the access of people causing anti-social behaviour; however, these actions would entail significant financial expenditure of approximately £50,000 by the Council. The suggestion was also made that consideration should be given to selling the land in which the car park was located or using it for alternative purposes as the number of customers using the car park was lower than for other car parks in the town centre.

In the long-term the intention was to provide the top floor of the car park for staff parking once the Council had moved to Parkside. However, questions were raised about the extent to which staff would feel comfortable about parking in the car park without action first being taken to address the anti-social behaviour. Concerns were also expressed that staff might be tempted to park in residential areas close to Parkside which might not be welcomed by local residents.

Members concurred that further information was required before any recommendations could be made on this subject. For this reason, following further debate, Members

RESOLVED that, subject to the timing of a report to Cabinet on this subject, a further briefing paper concerning Churchfields Car Park improvements be presented for consideration at a future meeting of the Board.

35/15 **EVENING CAR PARKING - SCRUTINY TOPIC PROPOSAL REPORT**

The Chairman presented a scrutiny Topic Proposal form containing the terms of reference for a suggested review of the evening car parking scheme that had been introduced in Bromsgrove in February 2015. The terms of reference had been jointly proposed by the Chairman and the Vice Chairman, who had been assured that the proposed review would be helpful to the Council and had the support of the Portfolio Holder for Environmental Services and Worcestershire Regulatory Services.

Members were advised that a Task Group review of evening car parking could investigate use of the car parks during the evenings and the impact that this had had on the night time economy. Members could consult with both local businesses and residents to ascertain the impact that free parking had had on the local economy and whether this free parking provision represented value for money for local tax payers. A review could also explore the potential for alternative parking arrangements to be introduced in the town.

The timing of the review was briefly discussed by the Board. Members noted that if a Task Group review was launched in September the trial would have reached the mid-stage point. By undertaking a review at this stage Members could obtain information about demand for free evening parking during the autumn as well as the winter and this would ensure that the feedback provided did not just take into account parking during the peak Christmas period. The Board noted that in order to assess demand for free parking during the evenings effectively Members would need to consult with both customers and businesses directly.

The financial costs involved in providing free parking during the evenings were also considered by the Board. Officers explained that the main costs related to the loss of revenue from the free parking provision in the evenings. However, there had been no additional financial outlay to fund the scheme.

On balance the Board concurred that a Task Group review of this subject would provide information which could help the Cabinet when reviewing the outcomes of the trial. On this basis Members agreed that the Task Group should be launched.

The financial costs involved in launching a review were considered and Members noted that Members of the Task Group would be eligible for a one off payment of £106 (except for the Chairman of the review who would receive £200) as well as to claim allowances for any travel expenses incurred during the review. To ensure that the financial costs entailed in undertaking a review of this matter were limited the Board agreed that a maximum of 5 Members should be appointed to the Task Group.

RESOLVED that

(a) the proposed Review of Evening Car Parking Task Group be approved;
(b) Councillor K. J. May be appointed Chairman of this Task Group; and

(c) A maximum of 5 Members, including the Chairman, take part in this Task Group review to be appointed on a first come first serve basis.

36/15 **INCREASING PHYSICAL ACTIVITY JOINT SCRUTINY TASK GROUP - VERBAL UPDATE**

Councillor J. M. L. A. Griffiths, the Council's representative on the Increasing Physical Activity Joint Scrutiny Task Group, provided a verbal update on the progress of the review.

The Board was advised that the first meeting of the Task Group had taken place. During this meeting Members had discussed the terms of reference for the review and considered the background to the investigation. A key consideration would be the role of Worcestershire County Council in relation to promoting physical activity and the links to public health. Members would soon be meeting again to participate in a health walk in Worcester.

An objective of the review was to assess the extent to which there was an Olympic legacy in the county. It was acknowledged that this would be a difficult subject to assess, however, the Task Group would be investigating the matter further. Members also suggested that it would be useful for the Task Group to consider the impact of increasing fees on the ability of sports groups and clubs to meet in Bromsgrove district.

37/15 **ACTION LIST**

Officers explained that there were two outstanding items listed on the Board's Action List. One of these items concerned the proposed changes to the Quarterly Monitoring of Write Offs report, which would be resolved once the next report had been presented for the consideration of the Board.

38/15 **CABINET WORK PROGRAMME 1ST SEPTEMBER TO 31ST DECEMBER 2015**

The Board was advised that the Update on the Lease at Sherwood Road Industrial Estate would be considered at the meeting of Cabinet in September, not in October as had been recorded in the Work Programme. However, Members would still have an opportunity to consider this item as the report would need to be referred to Council.

39/15 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Board noted that a date needed to be selected for consideration of further information about the disposal of Burcot Lodge. Members took into account that a report on this subject was scheduled for the consideration of Cabinet in December. For this reason and, due to the length of the agenda scheduled for the September meeting of the Board, Members agreed that this item should be revisited in October 2015.

There was general consensus that the Fees and Charges report should be considered by the Board in the form of pre-scrutiny prior to consideration by

Cabinet. The Chairman assured Members that, whilst not listed on the Board's Work Programme, this item would be addressed as part of the budget scrutiny process in 2015/16. However, Officers commented that in order to ensure that Officers had sufficient time to present the content of this report for the consideration of the Overview and Scrutiny Board prior to Cabinet this item might need to be postponed until later in the year.

The meeting closed at 8.05 p.m.

Chairman