

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

19TH DECEMBER 2016 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), S. J. Baxter, S. R. Colella, B. T. Cooper, R. J. Laight, J. M. L. A. Griffiths, C. J. Spencer, P.L. Thomas and M. Thompson

Observers: Councillors G. N. Denaro, P. M. McDonald and C. B. Taylor

Officers: Mrs. S. Hanley, Mrs. R. Bamford, Ms. R. McAndrews, Ms. A. Scarce and Ms. J. Bayley

64/16 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

An apology for absence was received on behalf of Councillor C. Allen-Jones, with Councillor J. M. L. A. Griffiths attending as his substitute.

65/16 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest nor of any whipping arrangements.

66/16 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on Monday 28th November 2016 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 28th November 2016 be approved as a correct record.

67/16 **REVIEW OF CCTV - BRIEFING PAPER**

The CCTV and Telecare Manager presented a briefing paper on the review of the CCTV service. During the presentation of this, the following matters were highlighted:

- New legislation had been introduced which required the Council to review CCTV services to ensure they were fully compliant with legal requirements.
- The Council had been audited twice by an external company and the CCTV services had been found to be fully compliant.
- The Safer Bromsgrove group, a sub-committee of the North Worcestershire Community Safety Partnership, considered any

requests for new CCTV cameras and made recommendations about whether CCTV should be installed at these locations.

- When considering whether to introduce CCTV potential alternative solutions, the scope of the surveillance and the possible impact on the privacy rights of individuals at those sites needed to be taken into account.
- A form had been produced to enable the Council in order to capture all the data necessary to consider whether CCTV at that location would be justified and proportionate.
- Similarly a new application form had been developed which had to be completed by those requesting CCTV for a particular site.
- By introducing these forms the Council could adopt a consistent approach to assessing all requests for new surveillance cameras.

Following presentation of the briefing paper a number of points were raised by Members:

- The operation of CCTV cameras at Bromsgrove Railway Station by Centro as part of a wider surveillance network for the local rail system.
- The length of time that it took to consider requests for new CCTV cameras and how the outcomes of this review process were communicated to those who requested CCTV cameras. In particular, Members highlighted requests for extra CCTV in Rock Hill and Hill Top wards a year ago.
- The need for the outcomes of the Safer Bromsgrove group's consideration of the application for CCTV in Rock Hill to be communicated to the ward Councillor. Officers undertook to provide this information.
- The need to report the outcomes of requests for CCTV in a timely manner in order to manage residents' expectations.
- The role of the Council in terms of making decisions about whether to provide additional funding to introduce new CCTV cameras.
- The advice that had been provided separately to Members which suggested that if a CCTV camera was introduced in one location coverage would have to be withdrawn from another site.
- The need to consider carefully any requests for additional CCTV cameras particularly when these received multi-agency support from the police, ward Councillors and local residents.
- The potential use of CCTV to deter anti-social behaviour and crime in particular hot spots.
- The process for evaluating the impact of CCTV at a given location. Members were advised that there was a requirement to review existing CCTV provision and the Council used a scoring matrix for this purpose. Further consultation was required to assess the impact on issues which could not be quantified such as fear of crime.
- The use primarily of Council funds to support the installation and management of the CCTV system. Members were advised that the Council could apply for grant funding from the Police and Crime

Commissioner (PCC) though there was no guarantee that this application would be successful.

At the end of the discussions Members concurred that there was a need to provide greater clarity about the process for applying for new CCTV cameras and how the outcomes of this process were communicated to applicants. The Board agreed that this would be a suitable subject to investigate through a short sharp review and Officers were asked to draft a topic proposal form for the consideration of Members at the following meeting.

RESOLVED that a topic proposal form detailing potential terms of reference for a short sharp review of CCTV be produced for Members' consideration at the following meeting of the Board.

68/16

PLANNING DELEGATIONS - BRIEFING PAPER

The Head of Planning and Regeneration attended the meeting to present a briefing paper on the subject of planning delegations and in so doing raised the following for the Board's consideration:

- Planning Officers had delegated powers to determine non-material amendments to applications.
- There had been some concern about a recent Officer decision to grant temporary parking on part of the open space at a new development in Cofton Hackett. However, this had been considered non-material as the arrangement would last for 3 years and only impact on a small area of open space.
- Non-material amendments related to small changes which were usually made to features such as doors and balconies.
- Planning Officers were not required to consult when considering requests for non-material amendments.
- Non-material amendments were designed to enable quick decision making in the planning process and needed to be determined within 14 days.
- There was no simple definition of what constituted a non-material amendment and this was therefore down to the discretion of officers to determine at a local level.

Members discussed the background to the item and noted that it had formed the basis of a Notice of Motion at Council earlier in the year. The key concern underpinning the motion was the Officer decision in respect of a crematorium, which followed rejection of an application for a crematorium by the Planning Committee on a number of occasions. The ward Councillor had identified the crematorium when considering the list of such applications circulated to Members. The crematorium had been considered by Officers as a variation of an application.

Concerns were expressed about the subjective nature of non-material amendments. Members highlighted the potential for such amendments to occur in developments where there were local concerns which

Officers might not be familiar with. It was suggested that ward Councillors and perhaps Parish Councils could be consulted in cases where non-material amendments arose which were more complicated than minor amendments to doors, windows or balconies. The Board proposed that this could take the form of a written list of such items being circulated to Members. The onus would be on Members to highlight any concerns with Officers more quickly due to the 14 day timeframe available to consider such amendments and Officers suggested that it would be useful to review the impact of this process in a few months' time.

There were also concerns raised in respect of the manner in which Planning Officers communicated with ward Councillors about planning applications for developments in their wards. Whilst there was recognition that Officers needed to be in regular contact with developers and residents as part of the Planning process it was suggested that action could be taken to notify ward Councillors at an earlier stage when applications involved more contentious developments. The Board suggested that this would enable ward Councillors to support their residents and respond to enquiries about these applications more effectively.

Members noted that there was the potential for action to improve the process in relation to non-material amendments, particularly in respect of communications. The possibility of assessing this through a Task Group exercise was discussed, though Members noted that there were already a number of scrutiny reviews taking place or scheduled to begin in due course. In the meantime the Board accepted a suggestion from the Portfolio Holder for Planning Services and Strategic Housing to speak with the Chairman of the Planning Committee and Planning Officers about action that could be taken to improve this process. The outcomes of these discussions would be reported for the consideration of the Board in due course.

RESOLVED that

- (1) Officers circulate a list of non-material amendments for the consideration of ward Members from January 2017 and to be reviewed in 4 months; and
- (2) An update on the outcomes of the Portfolio Holder for Planning Services and Strategic Housing's discussion with the Chairman of the Planning Committee and Planning Officers to be provided at a future meeting of the Board.

69/16

BROMSGROVE DISTRICT LOCAL PLAN - VERBAL UPDATE

The Board was advised that the Planning Inspector had reported back to the Council about the contents of the Bromsgrove District Local Plan. This report had confirmed that the district's local plan was considered to be sound subject to a number of small modifications. The updated plan

would be presented for the consideration of Cabinet and Council in January.

The Chairman asked Members to note that a briefing on the subject of the Bromsgrove District Local Plan was scheduled to be held on the evening of 5th January, which all Members were invited to attend..

70/16

CHANGES TO GREENBELT POLICY - VERBAL UPDATE

The Head of Planning and Regeneration reported that once the Bromsgrove District Local Plan had been adopted Planning Officers would focus on the Greenbelt review. There were a number of key issues to address as part of this work:

- To consider housing developments and future growth, including in neighbouring authority areas, and to attempt to quantify this.
- To develop a methodology to review development in the greenbelt.

The subject matter was complex and would take time to address. At various stages in the process sessions would be held with Members to provide an update on progress.

71/16

FINANCE AND BUDGET WORKING GROUP - UPDATE

The Leader presented the Cabinet's response to the Finance and Budget Working Group's recommendations, which had been endorsed by the Overview and Scrutiny Board on 28th November 2016. Members were advised that 10 of the group's 12 recommendations had been approved, which were scheduled to be implemented by the start of the new financial year.

Recommendation 2, which had called for the Leader to source the services of an external commercial organisation to review the management structure of the Council, had received a qualified response. The Cabinet would be liaising with the Leader of Redditch Borough Council about the proposal and had asked Officers to evaluate the options and costs involved.

Recommendation 12, which had proposed that virements between income and expenditure should only be allowed with approval from Cabinet, had been endorsed subject to amendment. Cabinet had felt that there should be an internal limit of £40,000 before such cases were reported to Cabinet. As Members' intention had been to reduce the speed and volume of virements carried out in this manner it was agreed that this subject should be referred back for consideration of the working group.

The Board was advised that at the latest meeting of the Finance and Budget Working Group Members had started to consider some of the Council's budget pressures and capital bids. Information had also been

provided about cost recovery arrangements for a number of service areas. The next meeting of the group would take place in the New Year.

During consideration of this item the Leader provided the Board with an update on the results of the Council's provisional settlement for the New Homes Bonus (NHB). When preparing the Council's suggested budget for the Medium Term Financial Plan an assumption had been made that funding from the NHB would be withdrawn after the fourth year. However, in the settlement 6 years continued to be built into the scheme and this was only due to fall to five years at a later date. There had been a change to the baseline which would result in the Council losing approximately £210,000 but this would be offset by the retention of the greater length of period over which the NHB would apply.

Members discussed the Government's consultation in respect of the NHB and questioned whether the Council would be responding to the latest round in this consultation process. In particular questions were raised about the intended use of NHB funding to help fund social care. The Board was advised that the District Council's Network had already discussed this matter and would be providing a collective response to the Government which would address these concerns.

RESOLVED that recommendation 12 from the Finance and Budget Working Group in respect of virements be reconsidered at a future meeting of the group.

72/16

TASK GROUP UPDATES

The Board received verbal updates in respect of the Task Group reviews that were taking place.

a) **Social Media Task Group – Chairman, Councillor R. J. Laight**

Councillor Laight reported that the group had held their first meeting on 30th November 2016 during which the terms of reference had been considered and key lines of enquiry agreed. Officers had already undertaken a significant amount of research on behalf of the group and as part of the review Members were aiming to consult with other local authorities about their approach to using social media. The next meeting of the group was due to take place in January during which the Council's Communications Manager would be interviewed about the Council's corporate approach to using social media.

b) **Staff Survey Joint Scrutiny Task Group – Chairman, Councillor S. R. Colella**

Councillor Colella explained that the latest meeting of the group had taken place in Redditch on 7th December 2016. During the meeting the Head of Business Transformation and Organisational Development and the Human Resources and Development

Manager had been interviewed about the background to the matter and the findings from the two surveys conducted in 2013 and 2016 respectively.

The group had also discussed the cultural referendum which had been held in December. Members recognised that this helped to demonstrate that Officers were taking action in response to feedback received from staff in the surveys. However, the group had had some concerns about the referendum and whether this represented the best way to explore organisational culture with staff. Members had questioned the possibility of delaying the referendum but had been advised that the referendum had been actively promoted making it difficult to delay the process by the date of the group's meeting.

Officers advised that a paper had been produced in advance of the cultural referendum. The content of this paper helped to clarify the reasons for the referendum and it was suggested that this should be provided for the consideration of the group as it might reassure Members about the basis for the exercise.

73/16

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

The Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), Councillor B. T. Cooper, provided an update on the latest meeting of the Committee. The following matters were highlighted for Members' consideration:

a) Dental Services in Worcestershire

The subject of dental services had been discussed following the closure of a dental surgery in Worcester with limited notice to patients. A presentation had been delivered for the consideration of the Committee on this subject but Members had agreed that additional data was required and so a further update had been requested for a future meeting.

b) Pharmacy Services

The Committee had been advised that pharmacy services would be the subject of financial cuts and there was therefore a need to consider ways in which these services could be delivered differently. Again, Members had agreed that additional information on this subject was required and a further presentation had therefore been requested for a future meeting.

c) Fast Food Outlets

The Director of Public Health in Worcestershire had delivered a presentation on the subject of fast food outlets in response to

concerns about high levels of obesity in the county. The Committee had been advised that Worcester City Council had a Supplementary Planning Document (SPD) in respect of fast food outlets, but was the only district Council in Worcestershire to have one. The Director of Public Health would be writing to every district authority in Worcestershire to urge them to introduce a similar SPD.

Members noted that some years previously a scrutiny review of fast food takeaways had been undertaken in Bromsgrove. The scrutiny group had been keen to recommend that an SPD be introduced in respect of fast food takeaways but had been advised that this would be illegal. As Worcester City Council had an SPD dedicated to this matter it was suggested that national legislation must have changed.

d) Stoke Rehabilitation Units

The Committee had been advised that changes to rehabilitation services had to be made due to difficulties experienced in terms of recruiting appropriately qualified staff. This was not a problem peculiar to Worcestershire as similar problems had been experienced in other parts of the country such as Warwickshire. The concentration of specialist rehabilitation services in Evesham would ensure that patients could access expert care where needed and the Committee had been assured that a sufficient number of beds would be available. General rehabilitation services would continue to be available at the Princess of Wales Hospital in Bromsgrove. Acute hospital services would remain unaffected and continue to be available to access at Worcester Royal Hospital.

Concerns were expressed by Members about residential access to Evesham Hospital from various parts of the county. The Board was advised that similar concerns had been raised at HOSC and Members had been informed that consideration might be given to the potential to introduce a community bus.

e) Reorganisation of Health Visitors

Councillor Cooper confirmed he had raised the reorganisation of health visitors at HOSC as requested at the previous meeting of the Board. The Committee had shared the concerns expressed by Bromsgrove Members and it had been agreed that this subject should be scrutinised in further detail at a future meeting.

74/16

CABINET WORK PROGRAMME

The Chairman noted that only one additional item appeared to have been added to the Cabinet Work Programme since the previous meeting of the Board; the Alvechurch Parish Plan. Officers confirmed that, as discussed during the previous meeting of the Board, the Engagement

Strategy, listed on the plan for consideration in February 2017, would be considered by the Social Media Task Group in due course.

75/16

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Members noted the content of the Overview and Scrutiny Board's Work Programme.

76/16

ANY OTHER BUSINESS

The Chairman explained that he had received a request from Councillor S. R. Colella to consider further information about homelessness levels in Bromsgrove as an urgent item following reports in the Bromsgrove Advertiser about homelessness in the district. The Deputy Chief Executive presented a briefing paper on the subject for Members' consideration (attached Appendix 1), with the following points being highlighted for Members' consideration:

- The homelessness figures quoted in the Bromsgrove Advertiser were based on information provided in a report by Shelter.
- The data was potentially misleading and based on a formula for calculating homelessness rather than an actual head count. The figure of 38 homeless people quoted in the report was based on adding the number of rough sleepers with the number in temporary accommodation and dividing by the total local population
- In Shelter's report Bromsgrove had been ranked 20th out of 31 Councils in the West Midlands and fourth in Worcestershire.
- However the Council's data indicated that there was not a problem with homelessness in Bromsgrove.
- When Officers had assessed local homelessness levels only 2 rough sleepers had been identified.
- The Council's Communications Team would be working with the local press to ensure that any confusion in respect of this would be resolved in future updates to the public.

Members expressed concerns that the information provided in the Bromsgrove Advertiser's article as the interpretation applied to the data released by Shelter could have caused reputational damage to the Council. There were also concerns that this might have led to the local MP, the Right Honourable Sajid Javid, being misinformed about homelessness levels. Officers were therefore asked to provide a copy of the briefing note for his consideration.

The meeting closed at 7.56 p.m.

Chairman

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Bromsgrove Advertiser report on Bromsgrove being a homelessness hotspot – position statement

Background

- Following the release of a national report by Shelter on December 1st 2016, and a local conference on Homelessness organised by Centrepoin, the Bromsgrove Advertiser ran a story on December 6th claiming that there are 38 homeless people in Bromsgrove.
- Shelter have reached the conclusion that there are 38 homeless people in Bromsgrove by adding the number of rough sleepers together with the number of people living in temporary accommodation and dividing the overall local population figure by this number to give a 1 in X are homeless per district.
- Following publication by the Advertiser we asked Shelter for a copy of their press release containing local data, as we did not understand where the figure of 38 homeless people came from, or how they had reached their conclusion.
- This press release has now been provided, along with information about the methodology behind the calculation.

Our analysis

- The O&S task Group on homelessness in Bromsgrove has paid considerable attention to homelessness in the last year and made recommendations.
- On this occasion, Shelter's methodological approach to analysing levels of homelessness locally is fairly rudimentary, and their note to editors mentions a number of caveats to the data supplied. See Editors notes at the end of this document.
- In their press release, Shelter also supplied a table of homelessness in the West Midlands – regionally Bromsgrove was ranked 20th out of 31 authorities, (although they did not explain the total number of councils) and 4th in Worcestershire:

Top 20 homelessness hotspots in the West Midlands

LA	Region	Estimated total homeless people	1 in x people are homeless	Regional rank
Birmingham	West Midlands	9560	119	1
Coventry	West Midlands	1686	204	2
Solihull	West Midlands	485	444	3
Walsall	West Midlands	569	487	4
Rugby	West Midlands	204	515	5
Worcester	West Midlands	124	830	6
Wyre Forest	West Midlands	122	831	7
Shropshire	West Midlands	345	877	8
East Staffordshire	West Midlands	124	945	9
Stratford-on-Avon	West Midlands	124	1011	10
North Warwickshire	West Midlands	62	1023	11
Wolverhampton	West Midlands	250	1041	12
Wychavon	West Midlands	82	1494	13
Staffordshire Moorlands	West Midlands	59	1645	14
Herefordshire	West Midlands	100	1838	15
Telford and Wrekin	West Midlands	93	1864	16
Nuneaton and Bedworth	West Midlands	67	1945	17
Lichfield	West Midlands	52	1960	18
Tamworth	West Midlands	38	2061	19
Bromsgrove	West Midlands	38	2503	20

Position statement

- There is absolutely no evidence to suggest that Bromsgrove is a homelessness hotspot in the West Midlands – in Shelter’s data, the council is ranked 20th out of 31 local authorities in the region and 4th of the 6 authorities in Worcestershire. So Bromsgrove is in the lowest quartile for both data sets when measured in this way.
- Shelter’s calculation doesn’t provide a very robust way of providing an overview of homelessness in any area. It also combines a number of data measures to reach a conclusion in a way that has not been done before. For example, people included in Shelter’s calculation because they are living in temporary accommodation are not usually classified as homeless for data gathering exercises.
- Unfortunately, Shelter’s report compiled in the way it has been, and reported in the way that it was by the Advertiser, has caused confusion. Our latest rough sleeping analysis, undertaken in November with a number of other agencies locally shows we have 2 rough sleepers in Bromsgrove, not 38 homeless people. Had the Advertiser reported the entire data line supplied by Shelter, it would have been saying that Bromsgrove’s figure is 1 homeless person per 2503 people.
- We are confident that the extensive work undertaken by the O&S Task Group on homelessness in Bromsgrove has highlighted areas for us to focus on so that we can continue to ensure homelessness doesn’t become an issue in Bromsgrove.
- For ease of reference the homelessness position for Bromsgrove is as below:

Bromsgrove Homeless Performance Table							
	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Presentations	115	127	138	122	120	123	Q1. 22 Q2. 22
Acceptances	66	66	78	68	68	70	Q1. 16 Q2. 12
Preventions	198	204	192	225	263	240	Q1. 76 Q2. 51
Housing Options Interviews	756	787	802	793	714	654	Q1. 219 Q2. 168
Rough Sleeper Snapshot Estimate	7	3	3	1	3	4	

Shelter's notes to editors

- This analysis estimates the total numbers of recorded homeless people (adults and children) in England at the most recent point in time possible.
- To arrive at a figure for the number of homeless people in the West Midlands we have added together figures on different forms of recorded homelessness, for the first time. Most of these are from official sources (DCLG figures on temporary accommodation and rough sleeping), plus Social Services figures via an FOI and figures on single homeless hostel bedspaces from Homeless Link's annual report.
- The local level figures are drawn from two of these sources only - rough sleeping and temporary accommodation, because the other datasets are at a regional level only. For this reason, the local totals will sum up to slightly less than the national total.
- Our calculations are then used in conjunction with the latest ONS population estimates to produce '1 in x people'.
- The figures should be viewed as robust lower-end estimates of recorded homelessness. A number of conservative assumptions have been built into the analysis. For example, that 'other' household types in the temporary accommodation figures contain only two people when they will contain a minimum of two. Additionally, the hostel bedspaces data from Homeless Link have been adjusted down to account for voids (10%) and possible overlap with other figures (a further 50%).
- The figures do not include 'hidden' or unrecorded homelessness which is very difficult to quantify, but known to be sizeable. A poll of 2,000 UK adults commissioned by Homeless Link in December 2013, found that 32% of people have experienced homelessness (including sofa surfing and staying with friends) or know someone who has experienced homelessness. 14% had experienced it themselves, 20% knew someone else who had experienced it, 2% said they had both experienced it and knew others who had."