



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY 26TH JUNE 2017
AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE

MEMBERS: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), C. Allen-Jones, S. R. Colella, M. Glass, J. M. L. A. Griffiths, C.A. Hotham, R. J. Laight, C. J. Spencer, P.L. Thomas and M. Thompson

AGENDA

1. Apologies for Absence and Named Substitutes
2. Declarations of Interest and Whipping Arrangements

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Overview and Scrutiny Board held on 24th April 2017 (Pages 1 - 6)
4. Planning Backlog Data (Pages 7 - 8)
5. Scrutiny Topic Proposal - Parking Enforcement Report (Pages 9 - 14)
6. Finance and Budget Working Group - Update (Pages 15 - 16)
7. Measures Dashboard Working Group - Update
8. Task Group Updates
9. Worcestershire Health Overview and Scrutiny Committee - Update

10. Cabinet Work Programme
11. Overview and Scrutiny Board Work Programme
12. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting.
13. Local Government Act 1972

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in this case, being as set out below, and that it is in the public interest to do so:

<u>Item No</u>	<u>Paragraph(s)</u>
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14	Planning Policy Review Business Case Presentation
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14. Planning Policy Review Business Case - Presentation

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

15th June 2017



INFORMATION FOR THE PUBLIC

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- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
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- Meeting Agendas
- Meeting Minutes
- The Council’s Constitution

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

13TH JUNE 2017, AT 5.30 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), C. Allen-Jones, M. Glass, C.A. Hotham, R. J. Laight, C. J. Spencer, M. Thompson (Substitute), L. J. Turner and M. J. A. Webb

Observers: Councillor G. N. Denaro, Councillor R. L. Dent, Councillor K. J. May and Councillor P. J. Whittaker

Officers: Ms. J. Pickering, Mrs. C. Felton (Present for Minute item No. 1/17 to 7/17), Ms. A. Scarce and Ms. J. Bayley

Mr. J. Godwin, Mr R. Cooke, Ms J. Heyes and Mr M. Hartles (Present for Minute Items No. 8/17 to 9/17 only).

1/17 ELECTION OF CHAIRMAN

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

RESOLVED that Councillor L. C. R. Mallett be appointed as Chairman of the Board for the ensuing municipal year.

2/17 ELECTION OF VICE CHAIRMAN

A nomination for the position of Vice Chairman was received in respect of Councillor S. A. Webb.

RESOLVED that Councillor S. A. Webb be appointed Vice Chairman of the Board for the ensuing municipal year.

3/17 APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

Apologies were received on behalf of Councillors S. R. Colella, J. M. L. A. Griffiths and P. L. Thomas. The Board was advised that Councillor L. Turner was attending as a substitute for Councillor Colella and Councillor M. Webb was attending as a substitute for Councillor Griffiths.

4/17 DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

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

5/17

CABINET LEADER'S WORK PROGRAMME 1ST JULY TO 31ST OCTOBER 2017 (TO BE TABLED AT THE MEETING)

The Cabinet Leader's Work Programme for the period 1st July to 31st October was tabled for Members' consideration.

The Chairman commented that the Board appreciated having an opportunity to review the items proposed for the July meeting of Cabinet, as this provided sufficient time for Members to identify any items that were considered suitable for pre-decision scrutiny.

The Board agreed that the following items should be pre-scrutinised by Members:

- Burcot Lane Site Future Development.
- Planning Policy Review Business Case.
- Industrial Units Investment Outline Business Case.

The Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships, Councillor K. J. May, advised that the Industrial Units Investment Outline Business Case item would be postponed from July to September 2017. As relevant lead officers would be on leave in July it was possible that the update to the Board in respect of the Council's economic priorities would also be postponed to September.

Members discussed the likely content of the Financial Outturn Report 2016/17 and Earmarked Reserves and questioned the potential connection to the Council's audited accounts. Officers explained that this report would provide a monitoring update on the Council's budget position at the end of the 2016/17 financial year and this was due to be considered by the Finance and Budget Working Group in due course. The Council's accounts would be presented in a separate report to the Audit, Standards and Governance Committee and would need to be finalised by the end of September.

RESOLVED that, subject to the items identified for pre-decision scrutiny being added to the Overview and Scrutiny Board's Work Programme, the content of the latest edition of the Cabinet Leader's Work Programme be noted.

6/17

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Members considered the content of the Overview and Scrutiny Board's Work Programme for the 2017/18 municipal year.

Particular reference was made to the Annual Report from the Artrix, which needed to be presented for the consideration of the Board in line with requirements detailed in the Council's Service Level Agreement (SLA) with the venue. Members noted that in the previous year a very detailed presentation had been presented by the Director of the Artrix.

In 2017/18 Members concurred that a written report to the Board would be more appropriate.

7/17

LEGAL & DEMOCRATIC SERVICES REVIEW - BUSINESS CASE

The Head of Legal, Equalities and Democratic Services presented the business case for Legal, Democratic and Elections Services.

During the presentation of the business case the following points were highlighted:

- The business case took into account the need for the Councils to make savings.
- Consideration had been given to maximising any commercial opportunities that might be available.
- Staff and trades unions had been consulted about the proposals.
- Subject to the agreement of Cabinet and full Council there would be a further period of formal consultation later in the year.

RESOLVED that the content of the Legal, Equalities and Democratic Services Review Business Case be noted.

(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed relating to labour relations matters. However, there is nothing exempt in this record of the proceedings.

The Democratic Services Officers left the meeting whilst this item was being considered and so were not present during the debate or the voting thereon. There was subsequently a brief adjournment between 5.55 pm and 5.59 pm to provide Officers with time to return to the meeting).

8/17

CARETAKING AND CLEANING REVIEW BUSINESS CASE

The Head of Leisure and Cultural Services delivered a presentation on the subject of the shared service business case for Caretaking and Cleaning Services and in so doing highlighted the following for Members' consideration:

- The aim would be to create a resilient and consistent shared service.
- The proposed arrangements would help both Councils to achieve efficiency savings.
- Redditch Borough Council would host the service, in line with existing arrangements whereby the Council hosted the shared Leisure and Cultural services team.
- The costs of delivering the service would be shared between the two Councils.

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Following the presentation of the business case a number of matters were discussed in further detail:

- The Council sites that would be maintained by the team, which included the Council House site as, despite being vacant, this property was still owned by the local authority.
- The style and format of the business case. Officers advised that work was being undertaken to produce a new template for business cases which would enable consistency of style and Members would be consulted about the format as part of that process.
- The costs involved in managing the Parkside site. Officers explained that these were shared with Worcestershire County Council.
- The potential for a breakdown of the financial costs involved in managing the Parkside offices to be provided for Members' consideration. The Board agreed that this should be provided for discussion at a future meeting.
- The choice of Redditch Borough Council to host the new service and the implications for Bromsgrove. Members were advised that the choice of a host authority would not impact on frontline delivery and services would continue to be provided in both districts.

RESOLVED that, subject to the points detailed in the preamble above, the content of the Caretaking and Cleaning Review Business Case be noted.

(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed relating to labour relations matters. However, there is nothing exempt in this record of the proceedings.)

9/17

PARKS AND OPEN SPACES REVIEW BUSINESS CASE

The Leisure Services Manager delivered a presentation in respect of the Parks and Green Space Stewardship Team shared service business case. During the delivery of this presentation the following points were raised for Members' consideration:

- The proposed structure focused on meeting the needs of the customer.
- The structure would also enable the Council to achieve savings in line with proposals detailed in the Medium Term Financial Plan 2017/18 to 2020/21.
- The new team structure would enable staff to work in a flexible manner.

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- The proposal was for Redditch Borough Council to host the service in line with current arrangements whereby that Council hosted the shared Leisure and Cultural Services.
- The shared service could have been aligned with either Leisure and Cultural Services or the Place Teams. However, due to the relevance of the team's work to matters such as public health it had been felt more appropriate to link the service to the former department.
- However, the Place Team would manage some of the smaller open spaces whilst the shared Parks and Open Spaces team would maintain larger areas.
- Members of the Place Team had been trained to deliver park inspections where needed to ensure there was full compliance with health and safety requirements.

At the end of the presentation Members discussed a number of points in detail:

- The breakdown of parks and open spaces between the two districts. Members were advised that there were slightly more green spaces in Redditch Borough that would be managed by the service.
- The choice of Redditch Borough Council as the host for the service. Officers reassured Members that staff from the team would continue to be physically present in Bromsgrove district.
- The potential for an updated list of staff and their contact details to be provided for Members' consideration once the new structure had been implemented.
- The arrangements for sharing grounds maintenance equipment between the two districts. Members were urged to advise the Head of Environmental Services if they encountered any problems accessing this equipment for use in their wards when needed.
- The consultation that had been undertaken to date in respect of the shared service. Officers confirmed that staff and trades unions had been consulted and further formal consultation would take place later in the year, subject to Cabinet and Council approving the business case.
- The savings that would be achieved. Officers advised that the report took into account staffing costs not revenue.
- The potential to achieve income from managing parks and open spaces. Officers explained that where income was received for specifically managing open spaces and parks in Bromsgrove it would not be shared with Redditch Borough Council.
- The risks attached to implementing the shared service and the need for these to be consistent with the risks recorded for the Caretaking and Cleaning shared service. Officers advised that this would be addressed at the Cabinet meeting on 14th June.
- The links between Leisure and Environmental Services, including in a number of strategic purposes and within the remit of the

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relevant Portfolio Holder, and the potential for this to be reflected in the Council's management review.

- The pension liabilities for Bromsgrove District Council once staff were hosted by Redditch Borough Council. Members were advised that this information was detailed in an addendum to the report which had not been available for the meeting, though assurances were provided that this information would be made available for the consideration of Cabinet.
- The potential for each Council's contribution to any redundancy costs arising from a shared service to be calculated in future in accordance with the level of savings that would be achieved by that local authority.

RESOLVED that, subject to the provision of additional information for the consideration of Cabinet, as detailed in the preamble above, the content of the Parks and Open Spaces review business Case be noted.

(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed relating to labour relations matters. However, there is nothing exempt in this record of the proceedings.)

The meeting closed at 6.50 p.m.

Chairman

Agenda Item 4

Major application determination times

From 1 April 2015 to end March 2017

The rolling two year period for the processing of major applications shows that performance is still improving.

The government requirement is for 50% of major applications to be determined within an agreed time frame. This performance requirement is set to rise to 60% in 2018.

Last time performance figures were reported to this Committee 81% of major applications were determined in time. Current performance, at the end of March 2017, has risen to 88% as shown below.

All major applications in the Planning Service have an allocated case officer, i.e. there are no unallocated major cases.

Number of applications	Total number in time	Quarter
11	7	Jan - March '14 Q4
6	2	April - June '14 Q1
6	2	July - Sept '14 Q2
3	2	Oct - Dec '14 Q3
5	2	Jan - March '15 Q4
4	3	April - June '15 Q1
7	7	July - Sept '15 Q2
10	8	Oct - Dec '15 Q3
7	6	Jan - March '16 Q4
8	7	April - June '16 Q1
3	3	July - Sept '16 Q2
2	2*	Oct - Dec '16 Q3
2	2*	Jan - March '17 Q4
TOTAL	43	38 = 88%

~~Previous quarter shown as crossed through.~~

*One application used an Extension of Time in quarter 3; 16/0547 Old Burcot Lane, (engineering operations to create fish farm lakes) in order resolve drainage and ecology issues.

*One application used an Extension of Time in quarter 4; 16/0849 Wildmoor Mill Farm (Variation of conditions application) in order to resolve highway matters.

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SCRUTINY INVESTIGATION PROPOSAL – PARKING ENFORCEMENT

Relevant Portfolio Holder	Councillor Peter Whittaker
Portfolio Holder Consulted	No
Relevant Head of Service for Overview and Scrutiny	Claire Felton – Head of Legal, Equalities and Democratic Services
Wards Affected	All wards
Ward Councillor Consulted	No – not at this stage
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Overview and Scrutiny Board are requested to investigate the Planning delegations within the Council’s Constitution. This follows a notice of motion put forward by Councillor P. M. McDonald at the Council meeting held on 26th April 2017, as follows:

“That this Council increases its capacity regarding Enforcement Officers to ensure that parking around our schools is safe and that our High streets stop resembling the Wild West because of a lack of enforcement.”

Following discussion at the Council meeting it was agreed that the item would be referred to the Overview and Scrutiny Board for further consideration.

2. RECOMMENDATIONS

- 2.1 That the Board considers the request and agrees to one of the following:
- (a) that the request is included on the work programme and the Board undertakes the investigation, at a future date to be determined; OR
 - (b) that a Task Group is established to undertake a more in-depth investigation, appoint a Chairman for the Task Group, discuss broad terms of reference and set a time scale for completion of the investigation; OR
 - (c) that further information be requested from a relevant source before deciding whether or not further investigation is required; OR
 - (d) decide to take no further action.

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3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of the subsequent investigation undertaken.

Legal Implications

- 3.2 There are no legal implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of the subsequent investigation undertaken.

Service/Operation Implications

- 3.3 A request from full Council has been made to review the Parking Enforcement following a notice of motion.
- 3.4 If the Board decides that it does wish to investigate this topic further, it then needs to decide whether it is appropriate for the Board itself to undertake the investigation or whether a more in-depth investigation is required and a task group established.
- 3.5 Another option is for the Board to request further information on the topic from a relevant source to assist Members in deciding whether it is a topic it wishes to investigate further.
- 3.6 Alternatively, the Board could decide that it is not a topic it wishes to investigate, in which case no further action would be required.

Customer / Equalities and Diversity Implications

- 3.7 N/A

4. RISK MANAGEMENT

- 4.1 N/A

5. APPENDICES

Minute Extract from the Council meeting held on 26th April 2017.

6. BACKGROUND PAPERS

None

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7. KEY

None

AUTHOR OF REPORT

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Council 26th April 2017 - Minute Extract

Members considered the following notice of motion submitted by Councillor P. M. McDonald:

“That this Council increases its capacity regarding Enforcement Officers to ensure that parking around our schools is safe and that our High streets stop resembling the Wild West because of a lack of enforcement.”

The motion was proposed by Councillor P. M. McDonald and seconded by Councillor M. Thompson.

In moving the motion Councillor McDonald reminded Members that this Council was now responsible for the enforcement of legislation in respect of on-street parking. Councillor McDonald referred to the problems caused by illegal parking, particularly around schools which included increased danger to schoolchildren and inconvenience to nearby residents. Councillor McDonald expressed the view that this could only be effectively addressed through the regular attendance of Parking Enforcement Officers.

A number of Members recognised that there were often such parking issues in the vicinity of schools but that there were other ways of addressing these such as lower speed limits or education campaigns for parents, and the introduction of “walking buses.”

A number of Members also felt that there was insufficient information before them at present to enable them to support the current notice of motion.

As an amendment to the motion it was proposed by Councillor K. J. May and seconded by Councillor R. L. Dent that the Overview and Scrutiny Board be requested to undertake a review of all aspects of Parking Enforcement.

On being put to the vote the amendment was declared to be carried.

As a further amendment it was proposed by Councillor P. M. McDonald and seconded by Councillor M. Thompson that the Overview and Scrutiny Board be requested to undertake a review of all aspects of Parking Enforcement and that appropriate funding be made available to support the outcome of the review.

On being put to the vote the amendment was declared to be carried.

On being put to the vote the substantive motion was declared carried in the following terms:

That the Overview and Scrutiny Board be requested to undertake a review of all aspects of Parking Enforcement and that appropriate funding be made available to support the outcome of the review.

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OVERVIEW & SCRUTINY BOARD – Finance & Budget Scrutiny Working Group

Terms of Reference as at August 2016

The Finance & Budget Scrutiny Working Group has been set up by the Overview & Scrutiny Board to carry out detailed scrutiny/pre-scrutiny of a number of Financial Reports (listed below) and the setting of the Council's budget.

1. The Working Group be made up of 5 Members with a quorum of 3. The Working Group will meet throughout the year at intervals dependent upon the reports to be considered. It is anticipated that this will be most frequent during the budget setting period.
2. The Working Group will be a standing item on the agenda of the Overview & Scrutiny Board and either a verbal or written report will be provided at each of the Board's meetings.
3. The Working Group is able to make recommendations in one of two ways (dependent on the timescales of its meetings and the reports it considers); by reporting back to the Overview & Scrutiny Board who will then put forward its recommendations for consideration by Cabinet or directly to Cabinet/Council.
4. The work of the Working Group will be reviewed as part of the Overview & Scrutiny Board's annual report process.

The Working Group will scrutinise the following reports, which had previously been part of the Overview & Scrutiny Board's Work Programme:

- Finance Monitoring Report (on a quarterly basis)
- Write Off of Debts Report (received annually)

Budget Scrutiny

Scrutiny of the budget will cover the following areas, although this list is not exclusive.

- Full review of the cost centres for actual spend, involving comparable figures for consecutive years.
- Assessing income levels.
- Considering the quarterly budget monitoring report.
- Reviewing the capital programme and borrowing costs.
- Commenting on the report format for budget reports to Committee.
- Considering links to the strategic purposes.
- Addressing the S11 recommendations.
- Investigating new pressures on savings.
- Reviewing reserves and balances.
- Assessing any sources of external funding that has been received.

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