

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY 26TH MARCH 2018 AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE

MEMBERS: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), C. Allen-Jones, C. J. Bloore, S. R. Colella, M. Glass, 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 12th February 2018 (Pages 1 10)
- 4. Transport Planning Report (Pages 11 22)

A draft outline of the suggested report is attached for Members consideration, together with extracts from Board minutes at which the topic has been discussed.

Members are asked to consider whether they wish to amend this outline report in anyway.

- 5. Leisure Centre Sports Hall Options Appraisal Presentation
- 6. High Street Market Report pre scrutiny (to follow)

- 7. Finance and Budget Working Group Update
- 8. Measures Dashboard Working Group Update
- 9. Task Group Updates
 - CCTV Short Sharp Review
 - Road Safety Around Schools Task Group
 - Hospital Car Parking Charges (Board Investigations)
- 10. Worcestershire Health Overview and Scrutiny Committee Update
- 11. Cabinet Work Programme (Pages 23 28)
- 12. Overview and Scrutiny Board Work Programme (Pages 29 32)
- 13. 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.

K. DICKS Chief Executive

Parkside Market Street BROMSGROVE Worcestershire B61 8DA

14th March 2018



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Overview and Scrutiny Board 12th February 2018

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

12TH FEBRUARY 2018, AT 6.00 P.M.

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

Observers: Councillor G. N. Denaro, Councillor K. J. May, Councillor C. B. Taylor and Councillor P. J. Whittaker

Officers: Ms. J. Pickering, Mrs. C. Felton, Mr. J. Godwin, Mr. M. Hanwell, Mr. G. Revans, Mrs. A. Singleton, Ms J. Willis, Ms. S. Garratt, Mr M. Cox, Mr. R. Williams (WRS), Mr. S. Williams (WRS) and Ms. A. Scarce

86/17 APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

Apologies for absence were received from Councillor M. Glass.

87/17 DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

Both Councillors L. C. R. Mallet and C. A. Hotham declared a disclosable pecuniary interest in respect of Minute No. 92/17 Hospital Charges – Board investigation.

88/17 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 15th January 2018 were submitted.

It was confirmed that in respect of the information from Worcestershire County Council as referred to in Minute No. 79/17 this had not been received to date.

It was also confirmed that in respect of attendees at the meeting only those Councillors who were invited to attend, participated in the meeting and sat at the table were recorded as being in attendance as observers.

<u>RESOVLED</u> that the minutes of the meeting of the Overview and Scrutiny Board held on 15th January 2018 be approved as a correct record.

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89/17 FINANCE AND BUDGET WORKING GROUP - UPDATE

The Chairman explained that these two items had been considered by the Finance and Budget Working Group who had further questions for discussion, but had unfortunately struggled to set a further date for the Group to meet. It was therefore decided to bring the items back to the full Board in order to give everyone an opportunity to feed into the budget process. It was proposed that these items be time limited and the Chairman asked Members to be succinct in their questioning of officers. The Chairman took the opportunity to thank all officers and Portfolio Holders for attending the meeting.

Medium Term Financial Plan

The Executive Director, Finance and Resources presented the report and in so doing explained that this had been considered at Cabinet on 7th February and would be further considered at a Cabinet meeting on 21st February, with an updated report being presented, prior to full Council. The following areas were highlighted a number of areas, including:

- Local Government Funding Reform to be implemented in 2020/21 and a consultation paper to be published in Spring 2018.
- Business Rates Baseline to be reset in 2020/21.Council Tax could be increase by 3% and this increase had been included in the 2018/19 figures.
- Business Rates Pilots Worcestershire had not been approved, but from initial feedback it was understood that this was due to the number of applicants and a further bid programme would be forthcoming.
- Consultation to take place in Spring 2018 in relation to the "negative" grant currently £740k in 2019/20.
- Revenue bids and unavoidable pressures were detailed within the appendices (this included £150k for one year in respect of work carried out by Mott McDonald).
- £327k for vehicle replacement had been released from reserves.
- Borrowings for the Investment and Acquisitions Strategy it was acknowledged that more work needed to be done around this, including details of the anticipated income arising from it.
- It was confirmed that those lines within the table at page 51 of the agenda which were recorded as zero would be removed.
- New Homes Bonus impact of a reduction in the number of properties delivered, with a 0.4% levy on growth.
- Difficulty in balancing the budget for more than one year due to the uncertainty around a number of areas, as detailed above.
- Available funds in balances if needed.

Following presentation of the report Members raised a number of queries/observations which were responded to by the relevant officers. This included:

- The unavoidables being included in only the first year and nothing in future years. It was highlighted that if they were unavoidable one year it was likely they would be in future years. The Executive director, Finance and Resources explained that this was shown in this way at Members request, but was happy to show it in whichever way Members wanted.
- Car Parking was given as an example as it was shown as a pressure of £100k in the first year, but not in future years and this could give a false picture of the position. It was explained that these were shown in a similar way to savings, when it had been highlighted that a saving could only theoretically be made in the first year and after that it no longer became a "saving".
- In respect of Car Parking, the head of Environmental Services explained that income had been below target for a number of years which had been offset against a number of other areas where savings had been made, for example from Wychavon, the car park managers.
- The Council's economic strategy and the ability to carry out modelling exercises, for example in respect of car parking needs, using intelligence already available. The Deputy Leader and Portfolio Holder for Economic Development responded that a piece of work was currently being undertaken in respect of this, and which would be available shortly. She also reminded Members that the number of car parking spaces available had reduced in recent years.
- Whether pressures and capital bids should only be considered every 3 years as opposed to every year, as often items appeared on this lists but did not materialise for whatever reason.
- Whether the costs for the Burcot Lane site should be included in future years. It was confirmed that this would not be necessary.
- Concerns around the Council's position should the plan be extended by a further 2-3 years, particularly in light of the negative grant payments and the uncertainty as to whether these would continue. Members were reminded that there funds were available from balances, Members had chosen to have a limit of £1.1m but the Executive Director, finance and Resources confirmed that as the Section 151 Officer the lower level she would recommend would be £750k.
- Members questioned the position that Redditch Borough Council was in financially and what impact, if any, this could have on this Council. The Executive Director, Finance and Resources confirmed that the 2 councils were completely separate organisations and where not in any way dependent upon each other.
- Members questioned why there was no reference to funds being made available for the sports hall. The Executive Director, Finance and Resources explained that she hoped to receive the options appraisal shortly and that a report would be presented to Cabinet and Council and that the Board would have an

opportunity to also consider it. It was likely that this would be funded through balances, but had not been included as no decision had been made. Although it was accepted that it would be sensible to include it.

- The Leader commented that the current uncertainty left the Council in a very difficult position, particularly in respect of the negative grant as this would potentially be funded from balances, but could not be sustained indefinitely and would impact on other spending.
- Members questioned what Heads of Service were expected to have provided currently. The Executive Director, Finance and Resources explained that they hadgone through their individual budgets line by line and brought forward proposed savings for the next 4 years. This had been done for at least 2018/19, with some covering the full 4 year period, although it was acknowledged that it was difficult to forecast with so many uncertainties.

Members raised concerns around what would happen in the future should the Council not be able to raise enough funds commercially, as it was clear that the balances/reserves were not sufficient to maintain services indefinitely. It was suggested that other forms of shared services should be explored, as whilst the current arrangement had provided some savings, these were not sufficient for the Council's future needs. It was suggested that the Shared Service agreement appeared to have reached a stage where it needed to be reviewed and that Redditch Borough Council were not of the same view and this could potentially be restrictive for this Council moving forward. It was felt that there was a need to widen the scope of shared services in order for the Council to be sustainable and to safeguard the services it provided. Members discussed whether there was a mechanism in place should the shared service between the two Councils breakdown and what the financial implications would be of the break-up of that agreement. The Executive Director Finance and Resources advised Members that this had not at present been considered. It was suggested that a number of alternative scenarios could be considered and a piece of work done around these.

The Head of Legal and Democratic Services highlighted to Members that whilst the shared services agreement was for the purpose of savings and sustainability it also allowed had also allowed the Council to continue to provide the services to residents and the Council continued to make changes in order to keep up with the changing landscape, hence the introduction of the Investment and Acquisition Strategy and a number of areas, including her own which was looking at reducing costs and increasing income generation, with an target to meet within her budget. Following on from these discussions a number of other points were raised by Members, including:

• The 50/50 split with Redditch under the shared service agreement and whether this should be reviewed.

- Why the Council should consider options to come away from Redditch when the opportunity to be more effective from larger partnerships, so it should consider expanding.
- Whether the Leader had written to the local MP and invited him to attend a future meeting to discuss the issues facing the District. The Leader confirmed that he had made the invitation and was currently awaiting details of his availability from his office.
- The need to consider the content of the recent Peer Review before making any decisions.
- The amount of investment made in order to generate the return detailed in the report. The Leader confirmed that it would be a challenge but there was a need to get this up and working as soon as possible and the business cases would come through the Finance and Budget Working Group as confirmed at a recent Council meeting, so there was the opportunity to Members to ensure that these were feasible. The Deputy Leader confirmed that she hoped to bring the first through shortly via a business case prepared by the North Worcestershire Economic Development Team.
- The amount of funds available to the community through the New Homes bonus Community Grant Scheme this year, it was confirmed that this would be £79k which was 25% of the "new" NNHB received.
- Tensions around planning applications and how for various reasons the timescales were longer than would be expected and the net effect of the impact on the budget. The Head of Planning advised that whilst she appreciated the financial pressures these could not be considered as a material planning consideration.
- Route optimisation of the bin collection and whether this could be extended to other authorities.

Fees and Charges

Members raised a number of queries in respect of the Fees and Charges report, including:

- Inconsistencies in respect of sports facilities and increases of over 3% and what appeared to be increased prices for outdoor space hire – the Head of Leisure and Cultural Services explained that this was not simply in respect of the parks but for event hire and the increase was for commercial hirers only. The community group increase was 2% and for the voluntary and community sector hirers there had been no increase.
- No proposed increases for the charges listed for WRS it was explained that licensing fees and charges should be self-financing and that local authorities could not deliberately set fees at a level that generates income to be invested elsewhere in their services. Licensing, had to be managed so that it only recovered its costs.

- Private sector Housing inspections and who would pay for this it was confirmed that this referred o houses of multiple occupancy and the cost would be met by the relevant landlord.
- Rights of burial for a child it was not clear as to whether there was a charge or not. The Head of Environmental Services agreed to seek clarification from officers in respect of this and would feedback to Members, through the Senior Democratic Services Officer.
- The amount of paperwork around applying for the Lifeline Service

 it was confirmed that whilst this was lengthy support was
 provided for those who needed it.

Hire charges for the Parkside Suite – Members were concerned that these were being increased when there did not appear to be the potential business or marketing undertaken to promote the facilities available for hire. The Head of Leisure and Cultural Services explained that there was interest in the hire of the facility but unfortunately due to the logistics there was not necessarily consistent availability for those wishing to hire on a regular basis. It was explained that originally many of the committee meetings would have been scheduled into the Committee Room, leaving the main Suite free for hire. Unfortunately the Committee Room had proved unsuitable and the Suite was used for more Council meetings than had been anticipated. It was hoped that this would be address shortly, subject to the relevant planning permission, as the Group Leaders had agreed to the current Members' Room being moved down stairs and that room being reconfigured as a Committee Room, thus freeing up the whole Suite of rooms downstairs for external hire.

RECOMMENDED:

- a) that the budget table as presented in the Medium Term financial Plan reflects the cumulative position over the four years for unavoidable and other cost pressures;
- b) that the estimated funds required to develop a Sports Hall be ring fenced;
- c) that the Management Team model scenarios in relation to shared service exit arrangements, due to financial sustainability, to include alternative wider options; and
- d) that income form major planning applications is removed from the budget projections to enable a more realistic financial projection to be presented.

90/17 AIR QUALITY MANAGEMENT AREA, KIDDERMINSTER ROAD, HAGLEY - PRE-SCRUTINY OF CABINET REPORT

The Technical Services Manager, Worcestershire Regulatory Services (WRS), provided a brief overview of the report, highlighting in particular that the levels being monitored were below the national objective and under DEFRA guidelines if this was the case for the previous 3 years

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then it was sufficient to trigger revocation of the AQMA and that WRS would continue to monitor the air quality within the area.

Members raised a number of concerns following receipt of the report and in particular discussed the following areas in more detail:

- Concerns that the revocation of the AQMA was not the result of management of the AQMA and that no additional work had been put in place that would impact on the levels.
- The calculations which were used to reach the mean average and whether these gave a true picture of the air quality in the area of the AQMA.
- Whether the monitoring was in the appropriate places and an increase in traffic, with an emerging problem from increased congestion and standing traffic.
- The equipment being used and whether there was more sensitive equipment available, as this would give a more accurate reading and picture of the air quality.

WRS Officers responded to the questions raised and reiterated that the levels recorded and the equipment used was within the guidelines set down by DEFRA and that monitoring would continue following revocation of the AQMA. More sophisticated monitoring could be carried out which would provide real time analysis of air pollution, however it was not seen as being cost effective, nitrogen dioxide monitoring equipment was £60k for one monitor, with a further £20k for nitrogen dioxide, with between £10-15k for on costs and maintenance. If such monitoring was to take place then consideration should be given as to whether it was appropriate in all AQMA locations and how this would be funded.

The Technical Services Manager highlighted that if the AQMA was not revoked then it would be going against the DEFRA guidelines. His team would also continue to engage with Worcestershire County Council (WCC) Highways team to ensure the best outcomes in the future within the District. There had only been 5 cases of exceedances in a 6 year period and these were not significantly above the accepted level and that the current levels were very low.

Following further discussion Members raised the following points:

- Concerns around the mechanism in place for monitoring in all part of Bromsgrove as it was noted that the traffic within the town centre Worcester Road are had been particularly bad and there was a higher density of buildings around there, but within 2 hours it could be clear of traffic, which would give a false reading in respect of monitoring at certain times.
- The national average which was not to be exceeded with health based and the primary issue of concern. It was confirmed by WRS Officers that the average in the AQMA under discussion was not meeting the hourly average under DEFRA guidelines.

- Whether the monitoring sites were appropriate it was noted that these were usually on a downpipe of a house. However, the exposure that pedestrians would be subject too would suggest that monitoring should take place on telegraph poles along the road side.
- The impact on those that walked or cycled particular as part of the health and wellbeing agenda was to encourage this type of activity.
- CCG figures which showed a problem with chest complaints there appeared to be a conflict between those figures and the information provided.
- The Technical Services Manager, WRS confirmed to Members that his team continued to lobby all other relevant agencies, including WCC Highways to ensure that air quality was a consideration in decision made.

RECOMMENDED:

- a) that Worcestershire Regulatory Services reverse the proposal to revoke the Hagley AQMA;
- b) that the Council invest in sensitive and appropriate monitoring equipment in all of its AQMAs;
- c) that the Council carries out voluntarily monitor for Particulate Matter as its duty as the responsible authority;
- d) that the Council increase the AQ monitoring points in Hagley from Stakenbridge Lane to the B4187 (Worcester Rd junction); and
- e) that Worcestershire Regulatory Services engages fully and positively with Worcestershire County Council Highways to resolve known local Highways issues that exist along AQMAs and adjoining carriageways that effect air quality and health.

91/17 MEASURES DASHBOARD WORKING GROUP - UPDATE

Councillor Webb, as Chairman of the Measures Dashboard Working Group confirmed that at the Group's most recent meeting Councillor Colella had attended, as the Chairman of the Staff Survey Joint Scrutiny Task Group to discuss how best the Working Group could support the recommendations put forward by that Group. The Working Group had discussed its work going forward and whether iPads were conducive to accessing the dashboard. Following discussions the Working Group have invited the Chief Executive to its next meeting, planned for April in order to ascertain how best to take their work forward.

92/17 TASK GROUP UPDATES

CCTV Short Sharp Review

Councillor Colella, Chairman of the CCTV Short Sharp Review confirmed that the next meeting of the Group would take place on 1st March 2018.

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Parking Enforcement in the Vicinity of Schools Task Group

Councillor Bloore, Chairman of this Task Group confirmed that it had held its first meeting on 5th February and Members had agreed to renaming it "Road Safety Around Schools" following further discussion in respect of the scope. A number of witnesses had been identified and the next meeting was due to take place shortly.

Hospital Car Parking Charges – Board Investigation

Councillor Bloore, confirmed that he had attended a meeting earlier in the day in respect of this and that a meeting of the Members who had shown an interest in the investigation would be arranged as soon as possible.

93/17 <u>WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY</u> <u>COMMITTEE - UPDATE</u>

It was confirmed that Councillor Hotham had stood down as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC) and the Board therefore needed to appoint to this post. Officers advised that it was a requirement of HOSC that any representative was also a member of the Council's overview and Scrutiny function. Following discussion it was

<u>RESOLVED</u> that Councillor C. J. Bloore be appointed as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee with immediate effect.

94/17 CABINET WORK PROGRAMME

Officers highlighted that the Industrial Units Investment item was not now expected to be ready for the March meeting as anticipated, but would remain on the Board's work Programme.

The Executive Director, Finance and Resources advised Members that the Sports Hall Feasibility Options Appraisal would now be considered at Cabinet on 11th April prior to Council on 25th April. She was happy to present this to the Board at its meeting on 26h March and saw no reason why Cabinet would not release the report for that purpose.

It was confirmed that the Transport Planning Review item referred to the report being prepared by the Strategic Planning and Conservation Manager on behalf of the Board and it was noted that this may slip back dependent on the outcome of the discussions held at the Board's next meeting.

<u>RESOLVED</u> that the Cabinet Work Programme 1st March to 30th June 2018 be noted.

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95/17 OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Officers drew Members attention to a number of items on the Work Programme including the Safeguarding and Early Help presentation from Worcestershire County Council. It was confirmed that this would now be received at the Board's meeting due to be held on 23rd April 2018.

The Sports Hall Feasibility Options Appraisal, as previously discussed would be received at the Board's March meeting, together with the Transport Planning Report. Officer explained that the Strategic Housing and Conservation Manager had been due to meet with Worcestershire County Council Officers today to take this item forward and he would attend the March meeting to provide Members with an outline of the areas to be included within his report. This would give Members an opportunity to make an changes before the final report was presented at the Board's April meeting.

<u>RESOLVED</u> that subject to the pre-amble above the Overview and Scrutiny Board's Work Programme be noted.

The meeting closed at 8.00 p.m.

<u>Chairman</u>

Traffic Counts - Summary of MM findings

Section detailing what work has been done on the traffic counts undertaken in 2017 and a summary off the findings of MM

Data sets - and modelling

What data has been collected by who and for what purpose

Outline how this data is collected and used, and how accurate it is, how this accuracy is checked and what standards government have for data collection and usage in models TA's.

WCC response to the minutes of the O&S board on 27th November

Appendix or within the main report WCC's response to the specific points raised on the 27th November

A38 Major Scheme bid - - Local Enterprise Partnerships / Local Growth Fund

Outline of the A38 bid what it is, how it will be funded, what the outcomes will be the the functioning of the A38.

Housing and Growth Fund – Highways England

Outline of what this bid will achieve on the northern section of the A38 subject

National Productivity Investment Fund – Department for Transport

Outline the planned improvements to walking and cycling measure as a result of this successful funding bid

Housing Infrastructure Fund - Homes England

Update on where we are with this bid, although not successful in the first round, Homes England have requested a meeting to discuss the proposal further.

Bromsgrove Transport Strategy future collaboration on transport issues

Outline of the evidence required the process of preparing the a Bromsgrove transport strategy to support the development of the BDP review, this will be based on the requirements of the NNPF and NPPG.

Western Distributor

Mott Macdonald will be asked to carry out a review of the work undertaken by JMP on behalf of WCC which looked at the;

- The need for a Bromsgrove western distributor road in the medium or long term;
- The linkage that a Bromsgrove western distributor road could have to the current land-use planning position in Bromsgrove;
- The deliverability and cost of a Bromsgrove western distributor road.

The review carried out by Mott MacDonald will look at the appropriateness and approach / methodology this study adopted, including an analysis of the JMP conclusions on the costs and the impact any distributor could have on the local road network.

It is hoped further information will be able to be provided on this review, by way of an update at the meeting on the 26th March.

Minute Extract O&S Board 27 November 2017

Transport Planning Report

The Chairman referred Members to the previous Council meeting and the ongoing discussions in respect of the Transport Planning Report, which had originally been planned for submission to Council. A paper had been tabled at this meeting (attached at appendix 1) which highlighted the areas which would be covered by that report and which would now be considered, in the first instance by this Board. The Chairman was concerned that the report, which was scheduled to come to the Board's 11th December meeting, would not address all the issues which had been raised over a number of months, with a view to the Board making recommendations to the Cabinet meeting due to be held on 10th January. The aim of discussion this item this evening, was to ensure that all areas that Members wanted to be included would be covered and to suggest that, as this was such an important matter which impacted on all Members that they be invited to attend that meeting.

The Chairman invited the Strategic Planning and Conservation Manager the opportunity to discuss this with the Board and highlight the areas which the report would cover. Reference was made to the work which had been carried out by Mott McDonald and the analysis of traffic counts and the Barham model together with a response to Worcestershire County Council on the points which had been tabled at the previous Council meeting. During the following discussion Members gave their views and discussed a number of points in detail:

- The data that had been gathered over the previous months' counts and the option for data in the wider spectrum rather than as a snapshot.
- Relevant officers being present at the 11th December, including those from Worcestershire County Council (WCC) as they would be in a better position to respond to questions.
- Not simply looking at what the data is currently but also what it would look like in 2030 due to the impact of the future developments and projections.
- The need to have confidence in the figures and the implications of the growth in the full report.
- Full data sets being requested from WCC under a Freedom of Information applications and this being refused it would be helpful to understand why this was the case and whether they were now willing to release that information.
- Provide a report which both Members and residents can understand and have confidence in the information being correct within it.
- An explanation as to why the previous WCC/model assumptions were possibly inaccurate, including the information contained in the TA for the Hanover Street development.
- Consideration should be given to the future needs of Bromsgrove, including the potential for a western distributor road and details of the A38 major scheme proposals.
- The Strategic Planning and Conservation Manager explained that it was broader than just the traffic counts or the data from WCC and those future developers are required to draw up plans to mitigate any outcomes from their developments by drawing up transport plans.

- This predicated the information based on TEMPro from the Department of Transport using their models and data.
- All the information gathered together would impact on the future site selection and therefore the Council must be confident that it has used the right information and understands the impact.
- Officers at WCC had already commented that Bromsgrove was "full up" and was close to breaking point.
- Members understood from Planners the focus of the May/June data.
- The concern was how the Council got houses built which were already planned and whether the delay would cause problems for the Planning Department and the potential for this to lead to the Council to be placed in designation status once more.
- Site of the letter which was sent to WCC in respect of LTP4 as detailed in the Council minutes dated 26th April and whether a response had been received to this.
- Audit trails on previous transport mitigation measures for example once scheme have been implemented whether they have done what WCC/Developers hoped they would do. It appeared that there was no monitoring of what happened next.
- Members raised concerns about air quality levels in the district, which were already high and requested that the future protection and any mitigation strategy for air quality as a result of future developments be provided. Input from Worcestershire Regulatory Services (WRS) was essential to get a full picture of the impact of developments on the District.
- Reference was made to Redditch Road air quality in particular which WRS were aware of and which appeared to be getting worse.
- Members were keen to ensure that this report was treated separately from the planning application process and that this report does not prevent work being done on the planning applications or Planning Committee decision making process.
- The impact on the Council's review of the Local Plan.
- The need for all the relevant information and officers to be available to Members in order that they can make the right decision and the developments are in the right places.

Following lengthy discussion the Chairman summed up and confirmed that what he understood was currently in the report, was not sufficient and did not respond to all the questions raised by Members. It was therefore suggested that this should be included within the Board's Work Programme for a meeting in January 2018 (to be determined at a later date, as it was accepted that it may be that an additional meeting needed to be held to consider this matter on its own) with all relevant stake holders present to respond to further questions where necessary.

<u>RESOLVED</u> that the items as detailed in the pre-amble above be included within the Board's Work Programme.

<u>Appendix 1</u>

Transport Report

The Purpose of this report is to:

- Update members on the general position in relation to the work of the consultants providing transport planning advice in Bromsgrove District.
- To report back on the resolutions made at the Council meetings of the 26th April and the 21st June 2017
- To report back on member concerns expressed at the Council meeting of the 20th September 2017.
- To highlight the way forward to ensure current planning applications can be considered by the planning committee, and
- To highlight the ongoing strategic work which requires further resourcing.

Council Minute Extracts

26th April

RESOLVED:

- (a) that in respect of LTP4 a letter be sent to WCC on behalf of all the Group Leaders expressing the Council's great concern and requesting that the LTP4 process should not proceed until all outstanding issues have been adequately resolved;
- (b) that the Head of Planning and Regeneration clarifies to Members the current framework for processing planning applications in relation to their transport implications and for this framework to be circulated to Members;
- (c) that developers be required to provide full information on their traffic proposals in their planning applications;
- (d) that Mott MacDonald be requested to advise individually on major planning applications and to include consideration of the wider transport implications relating to any other developments whose applications are before the Council:
- (e) that Mott MacDonald or other similar organisation, undertake appropriate traffic counts as necessary in respect of these developments ;
- (f) that the Head of Legal, Equalities and Democratic Services be instructed to make all efforts to recover the Council's costs associated with (d) an (e) above, including instituting legal proceedings against WCC if necessary.

21st June

RESOLVED that

- (a) In light of these ongoing concerns this Council considers that any data produced by the current survey work being carried out, may be flawed due to the extent of the road works taking place in the town;
- (b) Because of these concerns Council recognises in the context of its Statutory Duty to determine planning applications that in order for it to be in a position to make robust and evidence based determinations it will be necessary to ensure that all

traffic data is subject to scrutiny by Mott MacDonald or a similar organisation on behalf of the Council;

- (c) That Mott MacDonald or similar organisation undertake independent traffic data monitoring in September to ensure that the data gathered can be robustly verified;
- (d) that subject to amendment as detailed in the pre-amble above the minutes of 26th April 2017 be approved; and
- (e) the minutes of the meeting held on 17th May 2017 be approved as a correct record.

20th September

Members considered the following notice of motion submitted by Councillor L. C. R. Mallett:

"Council notes that even Worcestershire County Council's (WCC) potentially flawed highways survey data from 2017 shows large uplifts in traffic volume over the past few years over historic levels.

Council further notes that on some roads especially on the west of town the actual observed growth is much higher than the previous projections from Worcestershire highways' now discredited models.

Council resolves to commission an urgent independent review of all WCC input into current development strategy and any local highways strategy, including the analysis and report around the need for a Western distributor road for Bromsgrove."

Minute Extract O&S Board 15 January 2018

TRANSPORT PLANNING REPORT - VERBAL UPDATE

The Chairman welcomed the visitors to the meeting and explained that the item would be broken down into two areas, Highways and Air Quality; although it was acknowledged that there may be some overlaps in places between the two. Members were reminded that we were looking at the strategic overview and that it was important to avoid discussing specific planning applications, as these were a separate process and not areas which were within the Board's remit.

The Worcestershire County Council (WCC) Officers (Mr. Nigel Hudson, Ms. Karen Hanchett, Mr. Steve Hawley and Mr. Martin Rowe) introduced themselves and provided background as to their individual roles. Mr. Hudson thanked Members for the opportunity to attend the meeting and said his team had been provided with the minutes of the previous meeting so they were now here to listen to what Members had to say in order to feed into the report that would be prepared by the Strategic Planning and Conservation Manager. Information had already been provided and dependent on what came out of this meeting, further information and discussions would be taking place to assist with that final report.

Following discussion it was agreed that in order to give the WCC Officers an opportunity to respond to points raised, was for the bullet points within the minutes to be discussed.

• Full data sets being requested from WCC under a Freedom of Information application and this being refused – it would be helpful to understand why this was the case and whether they were now willing to release that information.

WCC responded that there were still a number of applications in progress and therefore they had not, on legal advice, been able to release that data. However, following further discussions they had been informed that this was now possible and were happy to share it outside of the meeting. It was currently being used for the modelling work on the A38 and would form part of a business case for that work. Analysis of that data was at the early stages and would continue.

Members asked whether if it was being used for the A38 business case, it was originally classed as commercially sensitive, but appeared now not to be and had been released to other parties. The Strategic Planning and Conservation Manager confirmed that he had received the traffic count data and Mr. Hudson confirmed that there had been one piece outstanding, which had been provided today. It was understood that there had been a variety of data requested, some of which had been provided, including full counts and historic data.

WCC reiterated that this data was now available and they were happy to provide it. Mr. Hudson clarified that there were a number of different groups of data, the surveys from May and subsequent work based on the counts used for planning applications, which had been withheld, but this was now being made available. As there appeared to be confusion as to the circumstances of the data being released a written response to this was requested from WCC.

• The data that had been gathered over the previous months' counts and the option for data in the wider spectrum rather than as a snapshot.

Members were concerned around the traffic count data, which was different to that expected, in fact some had been expected to show a reduction and had in fact shown an increase. With this much variance and in the sets of data how would this impact on what might be seen by 2030 as it was important for them to be able to understand the whole picture and ensure that any revised assumptions fed into the planning process appropriately.

Mr. Rowe confirmed that data collection was a standard process and was a snapshot and not used to forecast future needs. There was national data and recognised modelling which was used in respect of traffic growth and used to inform growth. There was a significant amount of detailed analysis which was carried out throughout the process. There was a high cost to the modelling and currently there were a limited number of areas which were undergoing such work, with only three live models ongoing at the moment, one of which was in Bromsgrove. It took approximately 12 months to cleanse the data and build it into a format that produced an accurate reflection, which could be used for a number of purposes.

The data to which Members had referred to for May had been provided purely to support two particular planning applications that from June had been collected to support the modelling for the business case. The Strategic Planning and Conservation Manager explained that the written report that Members were alluding to would include the traffic counts, from May, June and October, other elements would be picked up and included from the minutes of the previous meeting and these were the fundamental issues which Members had raised on numerous occasions.

As there appeared to still be some confusion amongst Members around the collection and production of data concerns were raised as to what confidence could be given to data which had been previously provided for a number of developments, specific reference was made to Hagley and the belief that the modelling/data was both incomplete and flawed and was not a true representation of the problems in that area.

Mr. Hudson explained the modelling data sets which were used to forecast growth and the highly skilled technical process behind this. He explained that developer would come up with a scheme devised to mitigate any problems which came from that modelling. The counts produced in May and June were used to give a view at that time. In respect of the national data set used, a new version was expected shortly and these were used to assess the level of growth.

The Chairman highlighted that the discussions so far had covered a number of the areas raised in the bullet points but questions the 2 sets of models which had not been effective or given a true reflection of the position, highlighting that in one area the modelling, compared to the actual data was out by as much as 8% and the concern was the impact that this would have on future modelling going forward, as it

could potentially by 2030 be completely out of line with actual figures. A request was also made for a breakdown of the total cost of the work done by Barham.

Ms. Hanchett responded that WCC were aware of the lack of confidence from the Bromsgrove Members and she hoped that this could be addressed through these meetings, but reiterated that some of the data sets were those used nationally and had to be used in any calculations that they carried out. The errors in those had been highlighted and it was hoped that with the introduction of a revised set this would be addressed. These took into account the greater level of growth and were accurate as they could be and were being used by all the other authorities in the county.

It was reiterated that the modelling was just one of the tools to forecast for the future, which was very difficult and whilst not giving a complete answer was one of the measures used. The Barham model had been built for one particular case, but had begun to be used for areas outside of its original purpose and was withdrawn and the consultants who had built it have accepted that the cost to WCC was zero.

Mr. Hudson explained that as a result of this WCC officers had met with the Head of Planning and Regeneration in order to plan how best to move forward. This plan included:

- Assisting her and the Strategic Planning and Conservation Manager in bringing forward a number of large development schemes.
- Support in getting a common set of data everyone could use.
- Build a case for A38 model to underpin the bid some funding had already been secured.
- What was the model needed going forward to support the Council's next plan (it was important that this gave consideration to plans coming forward from both Wyre Forest and the West Midlands).

Specific reference was made to issues which had arisen in Hagley following recent developments and it was questioned whether the data had been accurate and the impact on the local area and whether the appropriate infrastructure had been put in place to mitigate growth. It appeared that funds had been spent elsewhere within the County but that Bromsgrove had not benefited from these. It was reiterated that the issues should have been identified earlier and due to inaccurate data being provided, there was the potential that the wrong solution to problems had been put in place. It was questioned whether due to particular problems at the west side of the town, whether the impending A38 business case would identify the issues and address the problems and that in fact this was an ideal opportunity to look at a western distributor road and it would be useful to have this included within the report.

Mr. Hudson explained that a report had been done some 18 months ago, but confirmed that this point would be addressed again. It was important that everyone looked very hard at future growth and forthcoming big issues around existing growth to ensure that the right plans were put in place to address and ensure that the Council could get as much as possible from the highways and other infrastructure strategy.

Members asked for clarification around the budget that WCC held and the practicalities around the distribution of this. It was assumed that there was a set budget together with central funds which could be bid for. It was questioned as to how the existing budget was allocated across the County, as it appeared that Worcester City received a disproportionate amount. Mr. Hudson clarified that there were a number of major projects which were part of the economic plan and had been agreed across the county as a whole. It was anticipated that funding would be available for new technology and lights at a particular junction in Bromsgrove and every effort was being made to address the problems. In respect of the wider infrastructure a number of areas of investment would be discussed with the Strategic Planning and Conservation Manager. In respect of work being undertaken on the M5, it was explained to Members that this was carried out through Highways England funding, direct from Central Government and separate to the areas being discussed at this meeting.

Members discussed the number of people who, whilst living in Bromsgrove, did not work here and that any further developments needed to include some sort of alternative route to take people outside of the town centre. It was important that within any further consultations that local experience was listened to and involved. Again, reference was made to the option of a Western Distributor Road and the likelihood of major infrastructure investment being needed and included in any future plan.

Whilst all the issues raised by Members were noted it was questioned whether Members energies could be better spent looking forward and ensuring that the evidence and assumptions made were accurate in the new plan moving forward. Modes of transport were also considered and how improvements could be made to encourage the use of public transport and cycling. Mr. Hudson explained that this was something which was being considered within the Transport Plan, which included a number of ideas including the licensing of car use in town centres, which had been brought forward by other local authorities.

Members discussed a number of other areas, which included:

- How in France for example the roads and infrastructure were put in place prior to any development being carried out.
- The impact of developments in our district, for example Wyre Forest, on this Council.
- Being tougher on developers and whether the work that they carried out in respect of infrastructure was monitored to establish whether it had been successful.
- Larger amount of Section 106 monies being requested to mitigate work that was needed.

Whilst Mr. Hudson understood the frustrations of Members he highlighted that in a number of the scenarios suggested it would not be practicable for these to be carried out, although as he had previously stated they were looking at new and innovative ways of addressing the problems faced and significant Section 106 monies had been sought on a number of occasions.

Following discussions the Head of Planning and Regeneration made a number of comments in respect of the following:

- Neither she nor the Strategic Planning and Conservation Manager were qualified highways Engineers and were grateful for confirmation that he Barham model was not fit for purpose.
- Moving forward the use of Mott McDonald's data for a number of planning applications had been of comfort, in that appropriate data had been collected and was able to be fed into the appropriate plans.
- She was happy with the current situation and the work that had been done in collecting data.
- The lack of confidence in County Highways the importance of the developers being aware of the new dimension to working together to ensure this is repaired.
- The need for WCC to work collaboratively with the Council to ensure that transport issues were identified and considered fully so that appropriate sites were identified.
- Going forward the Local Development Scheme had been considered at Cabinet the previous week.
- The importance in a two tier authority of the Planning functions working closely together and the need to review the Local Plan going forward.
- The need for Member involvement in the process to ensure that all their concerns were addressed.

Members made it clear that clear answers needed to be provided moving forward as they were constantly faced with having to respond to residents' complaints about the traffic not just within the town centre but across Bromsgrove. It was important that clear answers and information was communicated to those residents to reassure them that every action possible was being taken to address the problems faced every day.

The Head of Planning and Regeneration assured Members that lots of work had been carried out in order for the data needed to process planning applications was available and that moving forward the review of the Local Plan, although complex would go towards understanding the impact of future developments and provide general background, but again it was reiterated that within a two tier authority it was the responsibility of all involved to ensure that problems were addressed.

Members went on to further discuss a number of areas including:

- The need to communicate with residents, particularly in respect of "every day" traffic measures such as parking around schools and temporary traffic works.
- The relationship between WCC and the Council and how they are now working together and meeting on a regular basis to address many of the concerns.
- The retention of Mott McDonald for highways issues and the cost of this to date.
- Confirmation that the Council had requested reimbursement of the Mott McDonald costs from WCC and whether this had been agreed.

- To date £80k of the £150k set aside for these costs had been spent and it was confirmed that those costs had not been recovered to date.
- Clarity in respect of the Barham model was requested for the next meeting of the Board.



CABINET LEADER'S WORK PROGRAMME

1 APRIL 2018 TO 31 JULY 2018 (published as at 1 March 2018)

This Work Programme gives details of items on which key decisions are likely to be taken in the coming four months by the Council's Cabinet

The Work Programme gives details of items on which key decisions are likely to be taken by the Council's Cabinet, or full Council, in the coming four months. **Key Decisions** are those executive decisions which are likely to:

- (i) result in the Council incurring expenditure, foregoing income or the making of savings in excess of £50,000 or which are otherwise significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) be significant in terms of its effect on communities living or working in an area comprising two or more wards in the district;

you wish to make representations on the proposed decision you are encouraged to get in touch with the relevant report author as soon as ossible before the proposed date of the decision. Contact details are provided, alternatively you may write to the Head of Legal, Equalities and Democratic Services, Parkside, Market Street, B61 8DA or e-mail: <u>democratic@bromsgroveandredditch.gov.uk</u>

The Cabinet's meetings are normally held every four weeks at 6pm on Wednesday evenings at Parkside. They are open to the public, except when confidential information is being discussed. If you wish to attend for a particular matter, it is advisable to check with the Democratic Services Team on (01527 881443) to make sure it is going ahead as planned. If you have any queries Democratic Services Officers will be happy to advise you. The full Council meets in accordance with the Councils Calendar of Meetings. Meetings commence at 6pm.

CABINET MEMBERSHIP

Councillor G. N. Denaro Councillor K. J. May	Leader of the Council without Portfolio Holder (Retaining Overarching Governance/Policy and Performance/HR Deputy Leader and Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships	end
Councillor B. T. Cooper	Portfolio Holder for Finance and Enabling	a
Councillor M. A. Sherrey Councillor C. B. Taylor	Portfolio Holder for Health and Well Being and Environmental Services Portfolio Holder for Planning and Strategic Housing	lte
Councillor P. J. Whittaker	Portfolio Holder for Leisure and Cultural Services, Community Safety and Regulatory Services	4

Decision including Whether it is a key Decision	Decision Taker Date of Decision	Details of Exempt information (if any) and information explaining why items have been postponed (where available)	Documents submitted to Decision Maker / Background Papers List	Contact for Comments
Industrial Units Investment - Outline Business Case Key: No Page 24	Cabinet Not before 11th Apr 2018 Council Not before 25th Apr 2018		Report of the Chief Executive	Dean Piper, Head of North Worcestershire Economic Development and Regeneration Tel: 01562 732192 Councillor K. J. May
Sports Hall Feasibility Options Appraisal Key: No	Cabinet Not before 11th Apr 2018 Council Not before 25th Apr 2018		Report of the Executive Director, Finance and Resources	Jayne Pickering, Executive Director (Finance and Corporate Resources) Tel: 01527 881207 Councillor P. J. Whittaker

Decision including Whether it is a key Decision	Decision Taker Date of Decision	Details of Exempt information (if any) and information explaining why items have been postponed (where available)	Documents submitted to Decision Maker / Background Papers List	Contact for Comments
Transport Planning Review Key: No	Cabinet Not before 11th Apr 2018 Council Not before 25th Apr 2018	(This report may contain information that might need to be considered in exempt session).	Report of the Head of Planning and Regeneration	Mike Dunphy, Strategic Planning and Conservation Manager Tel: 01527 881325 Councillor C. B. Taylor
o Addendum to Hardship Policy Key: No	Cabinet 11 Apr 2018		Report of the Head of Customer Access and Financial Support	Amanda Singleton Tel: 01527 64252 Councillor B. T. Cooper
CCTV Short Sharp Review Key: No	Cabinet Not before 30th May 2018		Report of the Chair of the CCTV Short Sharp Review	Amanda Scarce, Senior Democratic Services Officer (Bromsgrove) Tel: 01527 881443 Councillor M. A. Sherrey

Decision including Whether it is a key Decision	Decision Taker Date of Decision	Details of Exempt information (if any) and information explaining why items have been postponed (where available)	Documents submitted to Decision Maker / Background Papers List	Contact for Comments
Bromsgrove District Plan Review - Issues and Options Consultation Key: No	Cabinet 30 May 2018 Council 13 Jun 2018		Report of the Head of Planning and Regeneration	Mike Dunphy, Strategic Planning and Conservation Manager Tel: 01527 881325 Councillor C. B. Taylor
Anti-Social Behaviour, Crime and Policing Act 2014 (Implementation of Provisions) Key: No	Cabinet 30 May 2018 Council 13 Jun 2018		Report of the Head of Community Services	Bev Houghton, Community Safety Manager Tel: 01527 64252 Councillor M. A. Sherrey
Performance Report Key: No	Cabinet 30 May 2018		Report of the Head of Business Transformation	Deb Poole, Head of Business Transformation Tel: 01527 881256 Councillor B. T. Cooper

Decision including Whether it is a key Decision	Decision Taker Date of Decision	Details of Exempt information (if any) and information explaining why items have been postponed (where available)	Documents submitted to Decision Maker / Background Papers List	Contact for Comments
Bromsgrove Sports and Physical Activity Strategy Key: No	Cabinet Not before 5th Sep 2018	This item has slipped from 10 January 2018 due to changes in the way activity levels are monitored by Sport England	Report of the Head of Leisure and Culture	John Godwin, Head of Leisure and Cultural Services Tel: 01527 881762 Councillor P. J. Whittaker
o Performance Report ⊄Key: No N N	Cabinet 5 Sep 2018		Report of the Head of Business Transformation	Deb Poole, Head of Business Transformation Tel: 01527 881256 Councillor B. T. Cooper
Performance Report Key: No	Cabinet 31 Oct 2018		Report of the Head of Business Transformation	Deb Poole, Head of Business Transformation Tel: 01527 881256 Councillor B. T. Cooper

Decision including Whether it is a key Decision	Decision Taker Date of Decision	Details of Exempt information (if any) and information explaining why items have been postponed (where available)	Documents submitted to Decision Maker / Background Papers List	Contact for Comments
Performance Report Key: No	Cabinet 16 Jan 2019		Report of the Head of Business Transformation	Deb Poole, Head of Business Transformation Tel: 01527 881256 Councillor B. T. Cooper

OVERVIEW & SCRUTINY BOARD

WORK PROGRAMME

<u>2017/18</u>

RECOMMENDATION:

That the Board considers and agrees the work programme and updates it accordingly.

ITEMS FOR FUTURE MEETINGS

Date of Meeting	Subject	Additional Information
26/03/18	Transport Planning Report – pre-scrutiny	
	Leisure Centre Sports Hall Options	
	Appraisal – Pre-scrutiny	
	Working Group Updates –	
	Finance & Budget	
	Measures Dashboard	
	Task Group/Short Sharp Review	
	Updates:	
	 CCTV Short Sharp Review 	
	Road Safety Around Schools Task	
	Group	
	 Hospital Car Parking Charges – 	
	Board Investigation	
	WCC Health Overview & Scrutiny	
	Committee – update from Representative	
	Cabinet Leader's Work Programme	
	O&S Board Work Programme	
23/04/18		
	Overview of the Worcestershire County	
	Council Priority Plan.	
	(All Members to be invited to attend)	
	Scrutiny of the Crime and Disorder	
	Partnership	
	Overview & Scrutiny Board Annual	
	Report and Review of the Work of the	
	Board (including the role of the working	
	groups).	
	CCTV Short Sharp Review Report	
	Hospital Car Parking Charges – Board	Requested following
	Investigation Final Report (Led by	notice of motion at
	Councillor C. Bloore)	Council 19/07/17
	Task Group/Short Sharp Review	

Date of Meeting	Subject	Additional Information
	 Updates: Road Safety Around Schools Task Group 	
	WCC Health Overview & Scrutiny Committee – update from Representative Cabinet Leader's Work Programme O&S Board Work Programme	

Meeting Dates 2018/19

Thursday 24th May 2018 Monday 18th June 2018 Monday 30th July 2018 Monday 3rd September 2018 Monday 1st October 2018 Monday 29th October 2018 Monday 3rd December 2018 Monday 14th January 2019 Monday 11th February 2019 Monday 4th March 2019 Monday 8th April 2019

Outstanding Items Picked Up from Cabinet Work Programme

- Anti-social Behaviour, Crime and Policing Act 2014 (Implementation of Provisions) Picked up from Cabinet Leader's Work Programme 27/11/17
- Bromsgrove Sports and Physical Activity Strategy Picked up from Cabinet Leader's Work Programme 27/11/17

Updates Received - Monthly

The Council's representative on the Worcestershire Health Overview and Scrutiny Committee (who must be a member of the Overview and Scrutiny Board) provides a verbal update to the Board each month.

The Council's representative on any Joint Scrutiny Task Group's will be expected to provide an update (verbal or written) on the work of that Group at each Board meeting.

The Chairman of any Working Group, Task Group or Short Sharp Review set up by the Board will be expected to provide a written or verbal update in respect of the work being carried out and progress of the investigation by the Group Members.

Reports to be Received by the Board (at its discretion)

Write Off of Debts Report
Budget Working Group on 9th November 2017))(last report received by Finance &
9th November 2017))Sickness Absence Performance - biannually
Making Experiences Count(last report received 31/10/16)
(last report received 27/06/16)
(last report received 08/08/16)

Planning Backlog Data

With effect from 30th October 2017 to be circulated to Members of the Board and if they have any concerns to notify Democratic Services Officer and ask for it to be placed on the agenda for a future meeting:

31st March 30th September

Scrutiny of Crime & Disorder Partnership

The Board must hold at least one meeting at which it considers the scrutiny of Crime and Disorder Partnership (last done on 27th March 2017).

When considering topics for investigations Members may wish to take into account the Council's Strategic Purposes as detailed below:

