

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

21ST NOVEMBER 2018, AT 6.00 P.M.

PRESENT: Councillors C. J. Spencer (Chairman), M. J. A. Webb (Vice-Chairman), C. Allen-Jones, S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths, C.A. Hotham, R. E. Jenkins, H. J. Jones, R. J. Laight, K.J. May, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, K. J. Van Der Plank, S. A. Webb and P. J. Whittaker

54\18 **TO RECEIVE APOLOGIES FOR ABSENCE**

At the start of the meeting the Chairman invited students from Chadsgrove School to give a short presentation on the work they carried out.

An apology for absence was received from Councillor L. Mallett.

55\18 **DECLARATIONS OF INTEREST**

The Chairman noted that Councillors M. Sherrey and S. Webb were school governors at Chadsgrove School. However, as this was not a disclosable pecuniary interest they were not required to leave the room whilst the students from the school spoke.

56\18 **MINUTES**

The Minutes of the meeting of Council held on 19th September 2018 were submitted.

During consideration of the minutes Councillor M. Thompson noted that at the previous meeting of Council he had questioned the inclusion of confidential minutes and had requested that a public minute be included to demonstrate that the Council was open and transparent. He requested feedback from the Monitoring Officer on this subject. The Monitoring Officer confirmed that wherever possible Democratic Services produced both a public and a private version of a minute.

Reference was made to minute 51/18 by Councillor S. Shannon who commented that he did not feel he had received an answer to his question at the previous meeting of Council. This question referred to the collection of grey and brown bins and the need to prioritise waste collections. Councillor Shannon expressed concerns that this had not

happened during a recent problem with the waste collection service. The Leader advised that grey bin collections were always prioritised.

Councillor M. Thompson noted that, with regard to minute 52/18 and his motion in respect of waste collection services, it had been recorded that there had been a lengthy discussion. Councillor Thompson suggested that this was inaccurate as only the proposer and seconder of the Motion had spoken on the matter.

RESOLVED that the minutes of the Council meeting held on 19th September 2018 be approved as a correct record.

57\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE

The Chairman thanked all Councillors who had attended the Remembrance Services on 11th November 2018. This had marked 100 years since the end of the First World War, though participants were also remembering those who had died in other conflicts such as World War Two.

Members were advised that the Bromsgrove Carol Concert would be held at St John's Church on Wednesday 12th December 2018. The Holocaust Memorial Service would subsequently be held on Monday 28th January 2019 starting at 10.00am. Further details about both events would be sent to Members in due course.

58\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Leader advised that as requested he had written to the Secretary of state for Health and Social Care, the Rt. Hon. Matt Hancock MP regarding car parking charges for hospitals. The Leader had not yet received a response to this letter and he confirmed that he would pursue the matter further in due course if he did not receive any feedback.

Members were informed that since the previous meeting of Council Councillor P. McDonald had replaced Councillor C. Bloore as a member of the Overview and Scrutiny Board.

59\18

TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC

There were no comments, questions or petitions from the public on this occasion.

60\18

RECOMMENDATIONS FROM LICENSING COMMITTEE HELD ON 12TH NOVEMBER 2018

Councillor R. Dent, Chairman of the Licensing Committee, proposed the recommendations arising from the meeting of the Committee held on 12th November 2018. These were seconded by Councillor P. Whittaker.

Councillor Dent provided background information in respect of the recommendations. Members were advised that the purpose of the Statement of Licensing Policy was to provide clarity in relation to how the Licensing Authority would determine applications on the supply of alcohol. The policy would also provide guidance to Members in respect of the decisions that could be taken by Committee.

RESOLVED:

- (a) that the revised Statement of Licensing Policy as detailed at Appendix 2 of the report be approved; and
- (b) that the revised Statement of Licensing Policy be published with effect from 1st April 2019.

61\18

TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 31ST OCTOBER 2018

The minutes of the Cabinet meeting held on 31st October 2018 were received for information.

During consideration of the minutes Councillor P. McDonald commented that paragraph 39/18 of the minutes from that Cabinet meeting referred to funding for the development of the Burcot Lane site. Councillor McDonald expressed concerns that the costs of establishing a housing company would have a negative impact on the Council's budgetary position. Concerns were also raised about the proportion of affordable housing in Bromsgrove district and he suggested that there needed to be more than the proposed 18 affordable units within the development of the Burcot Lane site. To address this Councillor MacDonald commented that the Council needed to work in partnership with Bromsgrove District Housing Trust (BDHT) on the development of the site.

Councillor C. Hotham sought assurances that at least one of the 67 properties that were due to be developed on the Burcot Lane site would be provided to care leavers. The Leader acknowledged that he had noted this request.

RESOLVED that the minutes of the meeting of Cabinet held on 31st October 2018 be noted.

62\18

TO RECEIVE AND CONSIDER A REPORT FROM THE PORTFOLIO HOLDER FOR ECONOMIC DEVELOPMENT, TOWN CENTRE AND STRATEGIC PARTNERSHIPS

As Portfolio Holder for Economic Development, Town Centre and Strategic Partnerships, Councillor K. J. May presented her annual report.

During the delivery of her presentation Councillor May highlighted the following points for Members' consideration:

- The Council had worked in partnership with organisations in the public and private sector on delivering economic growth in Bromsgrove district.
- Peter Brett Associates had undertaken independent research commissioned by North Worcestershire Economic Development Unit (NWEDR) and had found that Bromsgrove had a good track record with start up businesses but more work needed to be undertaken to help businesses grow.
- The Centres Manager worked closely with the businesses in the various town centres in the district to help deliver the Bromsgrove Centres Strategy 2017 – 2020.
- There was a need for a strategic transport assessment to be undertaken for Bromsgrove as this had implications for the local economy.
- There was also a need to enhance infrastructure within the district in order to increase footfall in the town centres and economic development overall.
- There were seven priorities for economic development that would be addressed over the following 12 months.
- Councillor May thanked the Chief Executive, the Interim Head of North Worcestershire Economic Development and the NWEDR team for their hard work and support.
- The new Head of North Worcestershire Economic Development would start work in January 2019.

Once the presentation of the report had been delivered Members raised the following matters with the Portfolio Holder for Economic Development, Town Centre and Strategic Partnerships:

- The economic development activities led by the Council in previous years and the impact that the new priorities would have on economic development in the district.
- The changes to business rates and the impact that this had had on local businesses. Councillor May advised that the majority of businesses had had no change to their business rates and 16 per cent of the businesses that had been affected by an increase in business rates had been eligible for business rates relief.
- The historic position of Bromsgrove as a dormitory town. Councillor May advised that Bromsgrove needed to adapt as times changed.
- The focus in the Portfolio Holder's written report on Bromsgrove, with Members noting that residents in locations such as Wythall could not travel to Bromsgrove on public transport and therefore they focused on their communities.
- The need to involve outlying areas in all work on economic development within Bromsgrove district.
- The proposed Strategic Transport Assessment and the timing of this review. Councillor May advised that the proposals in the Wyre Forest District Plan would impact on Bromsgrove and these had emerged since the Local Transport Plan 4 was approved.

- The extent to which all of the actions detailed in the Bromsgrove Centres Strategy 2017 – 2020 were being delivered. Councillor May confirmed that they were all being addressed and the Town Centre Manager could provide further details on request.
- The value of providing support to social enterprises. Councillor May advised that support would be provided to social enterprises where they approach the Council for help.
- The impact of new stores that had opened in Bromsgrove on business within the town centre. Councillor May advised that stores like Aldi and Lidl had been opened at one end of the town centre, with other businesses located at the other end.
- The Town Centre Heritage initiative in Bromsgrove, Members were advised that this had involved expenditure of £250,000 in the town centre.
- The availability of parking spaces within the town centre for business customers and the Council's plans for the use of the car park at Stourbridge Road. Members were advised that this site was the subject of a planning application.
- Car parking arrangements that would be in place during the festive period to encourage trade.
- The availability of space within the district on which to expand businesses and the use of some land for housing development.
- The term "unblocking investment opportunities" and what this referred to. Councillor May explained that this referred to proposals in the previous plan to develop 28 hectares for employment sites. There were 5 hectares that remained to be developed.
- The impact of transportation links across the whole of the district and air quality on the extent to which both staff and businesses would choose to be based in Bromsgrove.

63\18

QUESTIONS ON NOTICE

Questions submitted by Councillor M. Thompson

"What has been the revenue lost from town centre car parks since the opening Lidl and Aldi?"

The Leader responded by advising that Aldi opened on 9th August 2018 and Lidl opened on 11th October 2018. Comparison of 3 months' figures to October 2018 showed that there was a decrease year on year of approximately £8,000. The largest decrease was in August, although the Leader noted that this might be as a result of a lack of signage or policing on the Aldi site. The Council would continue to monitor those figures closely, alongside the wider economic and commercial factors like new jobs and businesses in the town.

Question submitted by Councillor S. Peters

“Can the Leader of the Council inform me whether any artefacts belonging to Bromsgrove Museum are still in storage at the Council’s premises and, if so, is a charge being levied for such storage?”

The Leader responded by informing Members that the museum had a license with the Council for 3 years which required a nominal fee of £1 per month. This was only ever intended to be a temporary situation. There was no risk to the local authority from an insurance perspective as the requirement was for the Trustees to ensure cover and the Council had expressly excluded any liability for loss or damage to the items in storage. The Leader confirmed that the storage was not causing any difficulties, though the agreement would soon be up for review.

Questions submitted by Councillor S. Shannon

“With news of the dangers of obesity and the diabetes ticking time bomb appearing daily the threat of a collapse of the NHS is emerging as a real possibility. Examining BDC Local Plan Health and Wellbeing Policy sections BDP 25.6 and 25.7 related to % numbers of hot food takeaway shops and distances from schools, parks, or youth centres and recognising that this councils policies, although only ratified in 2017 are nowhere near strong enough to control the siting of hot food takeaway shops close to schools etc.

Does the Leader of the Council agree with me that this Council should examine and modify policy parts BDP 25.6 and 25.7 relating to % numbers of hot food takeaway shops and where they can be sited, this Council needs to play its part in reducing the national obesity and diabetes crisis.”

The Leader referred the answer to the Portfolio Holder for Planning Services and Strategic Housing who responded by explaining that the position in respect of fast food outlets was addressed in planning policy documents. The Strategic Planning Steering Group had been reviewing planning policies and it was suggested that the points raised in Councillor Shannon’s question could be added to the consultation responses along with any other points that Councillor Shannon might want to add.

Question submitted by Councillor R. Jenkins

“In relation to the Issues and Options Public Consultation which Council recently ran from 24th September to 19th November, having spoken to a large number of residents who informed me that they were not aware of the Issue and Options Public Consultation, even though the consultation had been advertised; might it not have been better to extend the Issues and Options consultation time period to include a leaflet drop to every household to ensure everyone has at least had the opportunity to respond, as there is only a self-imposed time limit to the first part of this consultation as set out by government guidelines as a fact-finding and evidence gathering stage.

Can the Portfolio Holder for Planning confirm that the way in which the consultation was run complied fully with the Council's Statement of

Community Involvement Policy, and detail the various ways in which the consultation was advertised including in which local newspapers and guarantee that any potential shortcomings in the thoroughness of the public consultation process will not leave this Council open to any legal challenge on the basis of a potential lack of public engagement at a later date of the District Plan process?"

The Portfolio Holder for Planning and Regeneration responded by saying that the Council was compliant. The document had been developed by those councillors who had attended meetings of the Strategic Planning Steering Group. The local authority had consulted with interested stakeholders in as many ways as possible and had advertised the consultation in the local press, had consulted with Parish Councils and had placed adverts in local libraries and on social media. Council representatives had also visited schools and had undertaken a planning for real exercise, which had both informed young people about the consultation and highlighted what a career in planning might involve. Councillor Taylor concluded by suggesting that it would be impractical to circulate information in leaflets but many alternative methods of communication had been used.

64\18

MOTIONS ON NOTICE

Unitary Authorities

Members considered the following Notice of Motion submitted by Councillor C. Hotham:

As local councils come under more and more financial pressure all possible efficiencies/savings must be considered. Across the country some two tier council areas are actively forming unitary authorities which they believe will bring very considerable cost savings.

The motion is:

"BDC will actively engage, through a cross party working group, with the county and other district councils to assess the feasibility and benefit of the formation of one or two unitary authorities for the whole of Worcestershire."

The motion was proposed by Councillor C. Hotham and seconded by Councillor S. Baxter.

In proposing the motion Councillor Hotham commented that it was important to ensure that local government in Worcestershire was placed on a secure footing whilst delivering good public services. The extent to which a single or two unitary authorities in the county would resolve the financial difficulties facing local government needed to be clarified. Councillor Hotham explained that he was not necessarily advocating the introduction of one or more unitary authorities but he felt that this subject had not been investigated enough to date and it was important to be prepared in case at a later date Worcestershire was placed in a position

where one or more unitary authorities would need to be introduced. Worcestershire County Council was aiming to save £32 million and this could have implications for public services moving forward. Councillor Hotham quoted research undertaken by PriceWaterhouseCoopers (PWC) which had found that significant financial savings could be achieved when unitary Councils were introduced. Members were also asked to note that two-tier local government could be much more confusing for residents than unitary authorities as it was not always clear to local communities which Council delivered which services.

In seconding the motion Councillor Baxter commented that it was important to investigate the potential to introduce a unitary or multiple unitary authorities in Worcestershire in more detail. It would take time to introduce a single or multiple unitary authorities in the county. Bromsgrove District Council's boundaries were bordered by Dudley Metropolitan Borough Council, Solihull Metropolitan Borough Council and Birmingham City Council. In every case the Council Tax they charged their residents for properties was lower than in Bromsgrove district. Councillor Baxter suggested that the public should have a right to a say over whether there continued to be two-tier local government in the area and an explanation as to why two-tier authority working was potentially more expensive than having a unitary authority. There was the potential to make financial savings from replacing the six district Councils and one County Council with a single or multiple unitary authorities.

Councillor G. Denaro noted that having listened closely to the points raised in the motion he would always be willing to engage with any other parties who could help to improve the Council's efficiency and provision of services to the authority's customers. The question of unitary authorities had been raised by another Councillor at a recent meeting of the Worcestershire Leaders' Board. During that meeting all the Leaders had confirmed that their current plans were to continue to find ways to work together to deliver services across two tiers in Worcestershire. It had been made clear during that meeting that some Leaders would not entertain the possibility of one or more unitary authorities at this stage across Worcestershire. Members were advised that the legislation to form a unitary authority would be changing from 1st April 2019. Under the Cities and Government Devolution Act 2016 the Secretary of State for Housing, Communities and Local Government would no longer have the power to force a merger of district and County Councils without the agreement of all parties. This would mean that in future unanimous agreement from all parties would be required to form a unitary authority and this would not be achievable at the present time. In this context Councillor Denaro noted that he could not support the motion as he believed he would receive a negative response to the proposal.

Councillor M. Thompson commented that he felt that a decision that would fundamentally change local government in Worcestershire needed a decision to be taken by the public through a local referendum. As this was not proposed in the motion he advised that his group would be abstaining on the vote.

Speaking in a personal capacity Councillor B. T. Cooper commented that he was pleased that the topic of unitary authorities for Worcestershire had been raised. Increasingly over his terms of office as a district Councillor, Councillor Cooper had become concerned that the two-tier local government arrangement did not work well; this had been much more apparent as the County Council had slipped into severe financial difficulties. Councillor Cooper suggested that it was unwieldy, unnecessarily bureaucratic, inefficient, expensive, led to duplication of effort and blurring of accountability and also led to conflicts of interests as well as actual conflicts as demonstrated by the problems between Bromsgrove District Council and Worcestershire County Council over roads and infrastructure. Councillor Cooper expressed the view that more than half of the population of England were served well by unitary authorities, which were responsible for and accountable to residents for all local government services. The difficulties faced by Worcestershire County Council needed to focus minds on possible solutions, which inevitably included the creation of unitary authorities. Councillor Cooper noted that his preference would be for the creation of two Worcestershire unitary authorities, at a time when there was a new settlement on local government finance by central government. However, given the information highlighted by the Leader, Councillor Cooper concluded that the motion might not be helpful at this time and so he would not be able to support the motion. He expressed the view that he hoped that the matter would return to the Council for active discussion at some time in the not too distant future.

During consideration of this item Councillor K. Van Der Plank commented that Members had a responsibility to the tax payer to ensure that best value for money was achieved when spending public money. Frontline services needed to be protected and difficult conversations needed to be held about the future. Councillor Van Der Plank suggested that it was important to start holding these conversations in order to encourage the Leaders of the other Councils in Worcestershire to start thinking differently about the potential for a unitary authority or a number of unitary authorities to be introduced in Worcestershire.

In speaking on the motion Councillor S. Colella suggested that a unitary authority would be closer to the people than the current two-tier system and would be more accountable. However, Councillor C. Allen-Jones commented that a district Council was closer to the people than a unitary authority and this would be increasingly important as more housing developments arising from commitments in other local authority areas occurred.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken on this amendment and the voting was as follows:

For the Motion: Councillors S. Baxter, S. Colella, C. Hotham, R. Jenkins, S. Peters, L. Turner and K. Van Der Plank. (7)

Against the Motion: Councillors C. Allen-Jones, B. Cooper, R. Deeming, G. Denaro, R. Dent, J. Griffiths, H. Jones, R. Laight, K. May, M. Sherrey, C. Taylor, P. Thomas, M. Webb, S. Webb and P. Whittaker. (15)

Abstaining on the Motion: Councillors C. Bloore, M. Buxton, M. Glass, C. McDonald, P. McDonald, S. Shannon and M. Thompson. (7)

The Chairman declared the Motion to be lost.

Zero Hours Contracts

Members considered the following Notice of Motion submitted by Councillor P. McDonald:

“We call upon the Chief Executive to take whatever measures are required and legally permissible to stop the Council’s use of Zero Hour Contracts for it’s employees.”

The motion was proposed by Councillor P. McDonald and seconded by Councillor C. McDonald.

In proposing the motion Councillor McDonald commented that it was only when one lived with the consequences of having a zero hours contract that one understood the impact that this could have on a person’s health and wellbeing. People on zero hours’ contracts could be provided with only a day’s notice that they would be required at work and this did not provide either stability or certainty in respect of their future wages. Bromsgrove District Council had been known to be a good employer. However, Councillor McDonald expressed the view that the use of zero hours’ contracts by the Council was exploiting workers and he suggested that all staff needed to be provided with more secure contracts of employment.

In seconding the Motion Councillor C. McDonald noted that she viewed zero hours’ contracts as a cruel abuse of staff. People employed on zero hours contracts generally could not plan their lives as they were never certain when they would be required to work. Staff on zero hours’ contracts were not eligible for redundancy or pension payments and this could cause stress. Members were asked to note that the Council’s Equality Strategy stated that it was in the local authority’s interests for all staff to be treated fairly. Councillor McDonald questioned whether the Council was meeting this commitment if some staff were employed on zero hours’ contracts.

In speaking on the Motion Councillor G. Denaro explained that the Electoral Registration Officer and Returning Officer employed a small number of casual staff to help with elections and the annual electoral canvass. For the canvass in Bromsgrove in 2018 the Council had employed casual staff who had delivered Household Enquiry Forms to properties. All these casual staff, who were paid the national living wage, helped with general canvass work as well as telephone

canvassing and data entry. There were no set hours for this work just a requirement for the work to be completed within an 8 week period. All of the staff involved in the work understood that by its very nature this would be very short-term. Under these circumstances Councillor Denaro commented that he was not in a position to support the Motion.

Councillor P. McDonald subsequently raised concerns that only one member of staff in the Electoral Services team had a permanent contract of employment. In response to a Point of Order raised by Councillor K. May the Monitoring Officer explained that every member of staff in the Electoral Services team, apart from those employed specifically to deliver the electoral canvass, were employed on permanent contracts. The casual workers employed to deliver the electoral canvass could not be employed for longer than 8 weeks as in line with national practice that was the length of time that the canvass lasted.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken on this amendment and the voting was as follows:

For the Motion: Councillors S. Baxter, C. Bloore, M. Buxton, C. Hotham, R. Jenkins, C. McDonald, P. McDonald, S. Shannon, M. Thompson and L. Turner. (10)

Against the Motion: Councillors C. Allen-Jones, B. Cooper, R. Deeming, G. Denaro, R. Dent, M. Glass, J. Griffiths, H. Jones, R. Laight, K. May, M. Sherry, C. Taylor, P. Thomas, M. Webb, S. Webb and P. Whittaker. (16)

Abstaining on the Motion: Councillors S. Colella, S. Peters and K. Van Der Plank. (3)

The Chairman declared the Motion to be lost.

Business Rates Relief

Members considered the following Notice of Motion submitted by Councillor M. Thompson:

“In 2017 the chancellor committed a £435 million business rate relief package intended on helping high street businesses. The communities secretary at the time, Sajid Javid, promised “absolutely no delay” in allocating and using the money. However, a table of “worst offending councils” shows that Bromsgrove District Council failed to spend almost 70% of their grant.

Council notes this waste of central government funding and will set up a cross party investigation into how this was allowed to happen.”

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

In proposing the motion Councillor Thompson commented that the Government had decided how to allocate the business rate relief package based on a calculation of those businesses affected by a higher increase. Councils had been invited to develop their own criteria which would set out how that funding should be spent. An independent business advisor had informed a number of Councils that the funding should be redistributed amongst affected businesses to help local communities. Councillor Thompson commented that Bromsgrove District Council had not followed this approach and had eventually returned some of the funding back to the Government.

In seconding the Motion Councillor P. McDonald noted that in his view the funding from the Government should have been invested in regenerating Bromsgrove town centre. The funding could also have helped to subsidise parking in the town centre and thereby help to attract more visitors.

In responding to the Motion the Portfolio Holder for Finance and Enabling commented that the scheme had had set criteria. The grant funding needed to be allocated to businesses with increasing rates and the Council could not determine how this funding was spent. In 2016/17 business rates had been the subject of a revaluation process. As a result in 2017/18 some business ratepayers had faced increases in their rate demands, some had reductions and some had found that their rates had remained at a similar level as it had been in previous years. This meant that business rate payers who would benefit from a reduction in rates might have to pay a premium which was added to their rates bill and would reduce over time until the new rate charge was reached, which, was in line with statutory requirements. Councillor Cooper commented that the grant funding provided by the Government to local authorities for business rate relief in 2017/18 was aimed at providing support to ratepayers who were most impacted by the revaluation. Therefore relief could only be awarded to ratepayers who faced an increase in the rates in 2017/18. Businesses which had to pay a transitional premium were excluded from the business rate relief scheme because they had a reduction in their initial rate demand. In considering the scheme, Bromsgrove District Council had to balance the interests of all of its business ratepayers. Therefore, the scheme had to be fair, so that any relief provided to businesses facing an increase in their rates, could not be seen to give them a competitive advantage over those whose rates were on a downward trajectory.

Councillor Cooper commented that the Government's consultation on the operation of the rate relief scheme had wanted local authorities to target funding at the rate payers who faced the most significant increases in their rates liability. When allocating funding and identifying these ratepayers, the government used an increase of 12.5 per cent. Therefore, the Council's scheme provided relief where the business rate increase was more than 12.5 per cent. However, it had turned out that as a result of the revaluation process, Bromsgrove as well as Redditch had had some of the biggest cuts in the country and the biggest in the

West Midlands, so far fewer businesses had qualified for relief than anticipated. Out of the total 3,125 business ratepayers in Bromsgrove 89 per cent had a decrease or no increase in their rates in 2017/18. Only 332 businesses had had an increase of 1 per cent or more on their business rates, though this included rates that were paid on businesses or premises that would not be included in the scheme, such as public bodies, branches of national chains, advertising spaces, car parking spaces, phone masts and empty properties. With this in mind, together with the 12.5 per cent threshold, only 37 business ratepayers qualified for relief and a total of £46,300, or 34.4 per cent of the total grant, was paid out. The funding that had not been used had been returned to the Government at the end of the financial year and could not be retained by the Council to use for other purposes.

In conclusion Councillor Cooper noted that the Council had written to the government to request that a review be undertaken of the conditions for giving grants in respect of rate relief to businesses. By the date of the meeting no official response had been received. The Council continued to face significant financial challenges but these, together with the situation in respect of the rate relief, had been reported to the external auditors and this had subsequently been reported to the Audit, Standards and Governance Committee.

In responding to Councillor Cooper's comments Councillor Thompson noted that an independent business advisor, Mr. Sloan, was observing proceedings and would be happy to provide advice to Members. A request was made by Councillor S. Baxter for an adjournment but the Chairman noted that no public speakers had been booked for the meeting and she had not been notified in advance that the gentleman wanted to speak.

Following further debate on this subject, and after a number of Members had requested an opportunity to speak to Mr. Sloan, there was an adjournment from 19.55 to 20.05.

Once the meeting had recommenced Councillor S Baxter proposed an amendment to the Motion. This amendment was seconded by Councillor M. Thompson.

The amended Motion read as follows:

"In 2017 the chancellor committed a £435 million business rate relief package intended on helping high street businesses. The communities secretary at the time, Sajid Javid, promised "absolutely no delay" in allocating and using the money. However, a table of "worst offending councils" shows that Bromsgrove District Council failed to spend almost 70% of their grant.

Council notes this waste of central government funding and will refer this matter to the Overview and Scrutiny Board to investigate how this was allowed to happen."

In seconding the amendment Councillor Thompson noted that the scheme had not had set criteria. He suggested that if the Council was confident that the correct process had been followed there should be no opposition to a cross-party investigation of the matter.

Members subsequently voted to support the amendment to the Motion.

On being put to the vote the Motion was approved.

Issues and Options Consultation

Members received the following Notice of Motion submitted by Councillor S. Colella.

“The Issues and Options consultation finished on the 19th November. A number of issues have been raised which makes the Bromsgrove Development Plan instantly unsafe.

At a recent Overview and Scrutiny meeting with WCC Highways Officers it was generally accepted that senior Officers failed to grasp the many issues with Highways across the district.

Recent Freedom of Information requests and investigations have found that Nest6 (within the LTP4) is flawed and has no substance to resolve highways issues along the A456 and A491.

Wyre Forest DC have begun its consultation which will see several thousand housing being built along the Lea Castle and Hussum Way settlements. There are no Highway Investment Plans to direct the undoubted several thousand extra vehicles away from the A456.

The LTP4 has been proved not to be fit for purpose as a strategic plan to the Bromsgrove Development Plan that will ultimately be the undoing of getting the Bromsgrove Development Plan approved.

Redditch BC has been exposed for over estimating housing needs to the tune of c2600. This is roughly equal to BDC's housing needs.

The motion is

The Council re-engages with WCC on a sustainable highways investment plan that will not only address the current overcapacity of the road network but to prioritise investment across the district and re-consults on the Issues and Options.

And

The Redditch alarmingly over estimated, overspill housing needs is replaced with Bromsgrove's Housing needs so that the Development

Plan can be fast tracked to adoption and saving Bromsgrove's Greenbelt."

As the hour available for the consideration of Motions had passed, Councillor Colella confirmed that he was happy for the Motion to be considered at the following meeting of Council.

65\18

RECOMMENDATIONS FROM THE CABINET

At the start of the debate around this item Members discussed whether there was a need for the recommendations arising from the Cabinet meeting held on 31st October 2018 to be considered in exempt session. The Executive Director of Finance and Corporate Resources explained that the capital costs of the programme were considered to be appropriate to consider in exempt session as these figures would be sensitive when the Council went through any subsequent procurement exercise. However, due to the financial implications involved in establishing the housing company referred to in the papers Councillor P. McDonald suggested that the decision should be considered in a public session of the meeting.

On being put to the vote Members agreed to consider all the information arising from the Cabinet meeting on 31st October 2018 in open session.

The recommendations detailed in the minutes of the Cabinet meeting held on 31st October 2018 were proposed by Councillor B. Cooper. These were seconded by Councillor C. Taylor.

In proposing the recommendations Councillor Cooper noted that the Cabinet had resolved various matters related to this project, including the approval of the indicative plans and projected financial outcomes for the development project and the agreement in principal to set up a housing company to manage the retained housing stock. The Cabinet was asking Council to approve the necessary financial measures for the scheme. The total development costs were estimated to be £8.072 million. The Council proposed to fund this with the £1 million grant from Homes England and with £7.072 million borrowed from the Public Works Loan Board (PWLB). By agreeing to these financial recommendations, Council would allow the start of this project, with the aim to deliver at least 61 homes in Bromsgrove, and to create an income stream for Bromsgrove District Council from the 37 market rental properties that would be retained by the housing company.

During consideration of these recommendations Councillor P. McDonald proposed an amendment to the recommendations. This amendment was seconded by Councillor M. Thompson.

The amendment proposed the following:

“Action in respect of the Burcot Lane site should be placed on hold for 8 weeks to allow for meaningful discussions with Bromsgrove District Housing Trust (BDHT).”

In proposing the amendment Councillor McDonald noted that the Council had already borrowed money in the past and the proposals to introduce a capital programme of £8.072 million would extend the Council's debt. Councillor McDonald commented that a board of directors would be required for the new housing company and he expressed concerns about who would be appointed to the board. The land at the Burcot Lane site provided an opportunity for the Council to develop much needed social housing. There were more houses in Bromsgrove district available for sale at a market rate than social housing and there was less affordable housing available in the district than in the rest of the county.

In discussing the amendment Councillor Hotham commented that a number of Members had not received the exempt papers in time for discussion at the meeting of the Overview and Scrutiny Board when the matter had been considered. As such there had not been time to date to clarify the borrowing figures detailed in the report. Councillor Hotham also questioned whether any stress testing had been undertaken to assess the potential impact of events such as Brexit on the interest rates that the Council would have to pay back on any borrowing.

The Executive Director of Finance and Corporate Resources explained that the total cost would be £8.072 million. This would include £3.962 arising from the sale of the land and a debt of £4.110 million. Officers had considered a number of scenarios in relation to the interest payments. However, as the Council would be borrowing from the PWLB on a long-term basis there would be a fixed rate of interest.

Councillor S. Baxter noted that the proposed development contained 18 units of affordable housing, including 10 flats, together with a number of houses sold at the market rate and on the basis of shared ownership. Similarly Councillor S. Shannon raised concerns that the Council had the lowest affordable housing rates in the county and he suggested that shared ownership arrangements would not benefit those on low incomes. In response Councillor G. Denaro explained that the 18 affordable units had been included in the plans to comply with requirements from Homes England that 30 per cent of the development should be affordable.

In response to the amendment the Portfolio Holder for Planning Services and Strategic Housing commented that he agreed that there was not enough social and affordable housing available in the district to meet demand. However, a delay of 8 weeks could place the grant funding from Homes England at risk. Discussions had already been held with BDHT about the available options and they would continue to take place as BDHT was the Council's preferred provider. The houses that would be developed at the Burcot Lane site would be a mixture of market,

social housing and affordable housing. Further information about the proposed housing company would be discussed by Members, including the Overview and Scrutiny Board, at a later date.

Councillor C. Bloore subsequently spoke on the amendment and noted that there were other ways in which the Council could develop new houses, including building Council houses. In speaking on the amendment Councillor Bloore raised concerns about the level of debt associated with the proposals.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken on this amendment and the voting was as follows:

For the Amendment: Councillors S. Baxter, C. Bloore, M. Buxton, S. Colella, R. Jenkins, C. McDonald, P. McDonald, S. Peters, S. Shannon, M. Thompson, L. Turner and K. Van Der Plank. (12)

Against the Amendment: Councillors C. Allen-Jones, B. Cooper, R. Deeming, G. Denaro, R. Dent, M. Glass, H. Jones, R. Laight, K. May, M. Sherry, C. Taylor, P. Thomas, M. Webb, S. Webb and P. Whittaker. (15)

Abstaining on the Amendment: Councillor C. Hotham. (1).

The Chairman ruled that the amendment was lost.

Members subsequently discussed the recommendations detailed in the agenda papers and Councillor B. Cooper noted that the housing company would be owned by Bromsgrove District Council. He expressed concern about the potential for the Council to build Council houses as these would be subject to Right to Buy. Instead, Councillor Cooper suggested that a company would help to provide new affordable housing whilst the houses would become a source of income for the authority. New income streams were increasingly important to explore at a time when the Council faced financial challenges. The houses proposed in the paper would only be the start of the project, with the Council planning for further houses to be built that could be managed by the housing company at a later date.

In speaking on the recommendations Councillor C. Bloore raised concerns about the levels of homelessness in the district, including the hidden homeless. He suggested that the establishment of a new housing company would cost a lot of money and instead the authority should be working on developing and managing houses. Councillor Bloore also questioned where any future properties that would be managed by the company would be built and he noted that in some parts of the country housing companies had gone into administration after they had been in operation for some time.

Councillor S. Baxter also commented on the proposals and noted that she welcomed the fixed interest rate for the loans from the PWLB. There was a need to develop the Burcot Lane site and this could be

used for housing. As the housing company would also help to generate income for the Council she welcomed the proposals.

It was noted by Councillor C. Hotham that the articles of association for the housing company would help to provide protections. These articles of association would be reported back to the Council in due course.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken on this amendment and the voting was as follows:

For the Proposals: Councillors C. Allen-Jones, S. Baxter, S. Colella, B. Cooper, R. Deeming, G. Denaro, R. Dent, M. Glass, C. Hotham, R. Jenkins, H. Jones, R. Laight, K. May, M. Sherrey, C. Taylor, P. Thomas, K. Van der Plank, M. Webb, S. Webb and P. Whittaker. (20)

Against the Proposals: Councillors C. Bloore, M. Buxton, C. McDonald, P. McDonald, S. Peters, S. Shannon, M. Thompson and L. Turner. (8)

RESOLVED:

- a) that the £1m conditional grant funding offered by Homes England, be accepted and delegated authority be given to the Head of Legal, Equalities and Democratic Services and Section 151 Officer to finalise the terms of the Funding Agreement with Homes England, after consultation with the Leader and Finance Portfolio Holder; and
- b) that Council approve an increase in the Capital Programme of £8.072m to fund the associated costs of the demolition and development of the site and that £7.072m be borrowed from Public Works Loans Board. Additional £1m will be funded from the grant allocation. The 3 year increase in the Capital Programme be allocated:

2018/19	£1.611m
2019/20	£2.065m
2020/21	£4.396m

(As the exempt minutes and recommendations arising from the meeting of Cabinet held on 31st October 2018 were considered in public session there is no private version of the minutes for this item).

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CONFIDENTIAL CABINET MINUTES 31ST OCTOBER 2018

That the confidential minutes of the Cabinet meeting held on 31st October 2018 be noted.

The meeting closed at 8.57 p.m.

Council
21st November 2018

Chairman