

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE COUNCIL**

**5TH AUGUST 2020, AT 6.00 P.M.**

**PRESENT:** Councillors R. J. Laight (Chairman), A. J. B. Beaumont (Vice-Chairman), S. J. Baxter, S. R. Colella, R. J. Deeming, G. N. Denaro, S. P. Douglas, M. Glass, S. G. Hession, C.A. Hotham, S. A. Hughes, R. J. Hunter, R. E. Jenkins, H. J. Jones, A. D. Kent, J. E. King, A. D. Kriss, L. C. R. Mallett, K.J. May, M. Middleton, P. M. McDonald, H. D. N. Rone-Clarke, M. A. Sherrey, C. J. Spencer, P.L. Thomas, M. Thompson, J. Till, K. J. Van Der Plank, S. A. Webb and P. J. Whittaker

**WELCOME**

The Chairman welcomed Members to the first virtual full Council meeting and reminded them of the protocol to be followed during the meeting. This covered both the muting of microphones, the use of the instant messaging facility and the use of roll calls for the approval of items. Members were reminded that the detail of these would not be included within the minutes and if Members wished for a named vote, then this should be requested in the usual manner.

Members were also reminded that the meeting was being live streamed to the Council's You Tube channel to allow the public to view it.

1/2020

**APOLOGIES**

An apology for absence was received from Councillor A. English.

2/2020

**DECLARATIONS OF INTEREST**

Councillors C. Hotham, M. Sherrey and P. Whittaker queried whether, as Trustees of the Artrix Holding Trust they should declare an interest under the 6 – the petition.

The Monitoring Officer confirmed under normal circumstances these would be disclosable pecuniary interests, but as the petition was simply being acknowledged and received by the Council and not for discussion this would not be necessary but would be noted for transparency in the minutes of the meeting.

3/2020

**MINUTES**

Members considered the Minutes of the full Council meeting held on 26<sup>th</sup> February 2020.

**RESOLVED** that the minutes of the full Council meeting held on 26<sup>th</sup> February 2020 be approved.

4/2020

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

There were no announcements from the Chairman or Head of Paid Service.

Councillor S. Colella asked whether it would be explained to the public the reason for there being no Motions on Notice and the Chairman confirmed that this would be covered under the relevant section of the agenda.

5/2020

**TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader welcomed all Councillors, Officers and all members of the Public who were watching via YouTube, to the first virtual meeting of Bromsgrove District Council.

The Leader explained that the Council had been conducting meetings remotely throughout the lockdown period, and she was pleased to say that this new way of working has been well received.

The Leader went on to say that she was conscious, that this had been an extremely difficult, and distressing time for local communities and on behalf of the Council, she extended heartfelt thanks to the amazing NHS Workers, Social and Care Home employees, Police, Ambulance and Fire Services and the plethora of volunteer workers who had been striving to ensure that residents and communities stayed safe and cared for at this time. The Leader also thanked Council staff who had worked so hard to ensure that the Council Services had been maintained for the residents of the District and also thanked the third sector and voluntary organisations in their tireless work distributing food, operating food banks and collecting and delivering vital prescriptions. Thanks, were also given to the local businesses who had worked to support the production of ventilators and Personal Protective Equipment (PPE) across the District.

The Leader hoped that she had included everyone in the District who had contributed during these most challenging of times, and that she believed she spoke for all those in the Council, when she said how immensely proud she was and what a privilege it was, to serve such an amazing District.

The Leader was also acutely aware, that many of people had experienced great sadness and loss. She extended condolences to all in the community and Council that had suffered the loss of loved ones during this time. She also extended the Council's support to those who

continued to suffer and those whose livelihoods were being threatened at this very difficult time.

The Council had been working hard to mitigate the extreme loss that this virus has brought to its residents and this work continued. Technological support was channelled into ensuring that first and foremost, Council services were maintained. This was achieved by enabling staff to work from home and for shift patterns to be altered, to ensure continuity of service where a physical presence was required for a person to do their job. This had also enabled the Council to ensure that it had cover where necessary in the event of anyone falling ill or needing to shield or self-isolate. This had resulted in minimal disruption to services and an ability for staff to undertake the additional services, so vital to the communities throughout this pandemic.

Bromsgrove District Council received £21.2m for the grant schemes to support businesses in the District. This had been a huge challenge as since 2008/2009 many of the businesses had received 100% small business rate relief and because of this the Council did not have the bank details for these businesses. The Leader reported that £19.4m had been allocated to 1,688 eligible businesses. There were a further 128 businesses for which a grant could be due. The Council had written to, emailed and telephoned all businesses to advise of the availability of these grants in addition to utilising social media platforms and press releases. Over the next ten days, officers were intending to visit the premises, to ascertain if they are occupied and if there is an eligibility for a grant.

Members were also reminded that a discretionary grant fund of £1,013,500 was received from Government. The Leader was able to report that 148 applications for support were made. The purpose of this grant funding was to primarily support businesses with their fixed property costs during the period when they were unable to trade, and all but £1k of this money has been paid out.

The Leader gave a special thank you to the Finance Team for actioning the grant payments and for taking her calls and emails late into the night when businesses had contacted her requesting help and guidance on how to apply for a grant .

The Leader also took the opportunity to thank the Leaders of all Groups on this Council, who together with the Cabinet, had attended regular briefings since March of this year. She believed the cross party approach taken, was the right response to this pandemic.

On a separate matter, the Leader of the Labour Group had requested that she write to the Housing Secretary to request that urgent measures be put in place to protect renters from being evicted until the Covid 19 pandemic was over and that the Minister introduce legislation to make this happen. The Leader was in support of this and had agreed that she would write to the Secretary of State.

The Leader went on to remind Members that back in March of this year, she had written to the Secretary of State regarding charges for the maintenance of unadopted communal land on private and mixed tenure estates. She had received a response to her letter on 16th July, stating that the Government was committed to promoting fairness and transparency for homeowners and ensuring that consumers were protected from abuse and poor service. To address this issue the Government was intending to legislate to give freeholders on private and mixed tenure estates equivalent rights to leaseholders to challenge the reasonableness of estate rent charges and that they would also be able to apply to the first tier Tribunal to appoint a new manager to manage the provision of services covered by estate rent charges. It was agreed that the letter would be sent out to all Members.

Finally, the Leader advised that she did not believe that the country was through this Covid 19 pandemic, and it was important that everyone adhered to the principles of washing our hands on a regular basis and adopting social distancing. By following these basic rules, she hoped that a second spike would be prevented, and the District protected.

Councillor S. Hughes echoed the Leader's thought and thanked the hard work of all key workers who had kept the community going in this time. She also said a special thank you to the Council staff and the local volunteers who had helped to keep the vulnerable in the District safe. She was pleased to see how proactive the Council had been on business and to see all of the groups working together. The key workers and volunteers had really shown the town at its best in so many ways. As a teacher she also took the opportunity to thank all school staff and parents who had helped to keep educating the children through this challenging time. Councillor Hughes said all these people were the best of humanity and everyone should continue to thank them for all the work that they do. Her thoughts went out to all those that had been affected by this virus and to those who had lost loved ones. She thanked the Leader for being open to her and her Group's ideas throughout this period. She was also pleased to see Committees back up and running virtually, particular reference was made to the Climate Change Working Group and to the 2050 target date for the Council becoming carbon neutral and hoped that this would be reviewed as it was not felt ambitious enough for the Council. Councillor Hughes also commented that she was pleased to see full Council meetings resuming.

Councillor S. Colella also echoed the sentiments from the Leader and Councillor Hughes and thanked the Leader for allowing Members to be involved. He added his thanks to fellow Members for participating on Boards and Committees when these began to be held virtually.

Councillor P. McDonald spoke on behalf of his Group and echoed everything the Leader had said regarding thanks to the key workers, for not only what they had done during the pandemic but what they continued to do until this was over and spoke for everyone in saying that

they were grateful for all their continued hard work and efforts, above and beyond what they would normally do.

Councillor McDonald was pleased that the Leader would be writing to the Housing Secretary as he believed that a ban on evictions was much needed as it was likely that there would be a great number of residents that would be faced with eviction in the coming months.

Finally, Councillor S. Webb thanked the Leader and Deputy Leader on behalf of the Cabinet for all their hard work throughout the pandemic as she knew they had worked extremely hard with all the management team at the Council and the other Group Leaders.

6/2020

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

The Chairman welcomed Mr Rory Shannon to the meeting, and advised that, in line with the Council's process for managing petitions the petitioner had 3 minutes to present his petition. The Leader of the Council would then accept the petition on behalf of the Council. As the petition is about something over which the Council has no direct control the Leader would receive the petition on behalf of the Council whilst explaining the practicalities surrounding the status of the Artrix at this time. This item is not for debate and once presented and received, Council would move on to the next agenda item.

Mr Rory Shannon thanked everyone for allowing him time to speak at the meeting and present the petition. He provided background information as to the history of the Artrix and where it was situated. It was highlighted that over the years it had hosted theatre, dance performances, cinema screenings, live music as well as comedy from the touring circuit as well as local acts. It had worked with local groups as part of Bromsgrove Arts Alive and provided space for theatre performances, pantomime, classical music, spoken word and local productions with dance schools. The Artrix had an active learning and engagement role in the community over the years including youth theatre and projects for communities of all ages and from all backgrounds. It has a rehearsal room and a dance studio which since 2013 had regularly been used for additional small scale theatre and spoken word performances, together with an art gallery and a café/bar area.

At the beginning of this year the Centre had closed temporarily and then announced that it would cease trading permanently. Mr Shannon hoped that Council would re-consider any decision which it had or may make and consider the option of running the Artrix in house. The online petition, which he had created, had received nearly 5k signatures. What people wanted was for the Artrix to be up and running as soon as possible, with a Council involvement. He had not realised how popular the petition would be, and it highlighted that it was an important part of the town's cultural infrastructure and he believed that it should be

managed and financed properly. It needed the backing of the local Council in order to survive in the current difficult circumstances. He appreciated that now was not the time to start a new business in the arts and hospitality sector, but it was the time for the local authority to pick up the pieces of what was left and put a plan together for the future. It was clear that residents wanted the arts centre to be run by the Council in order to ensure that the same thing did not happen again. Statistics were provided in respect of interest in the petition, all of which was done online, due to the Covid-19 pandemic. The vast majority of signatures were from the local town but also covered a wide part of Worcestershire, which showed that people travelled into Bromsgrove to use the arts centre.

It was highlighted by the Chairman that there had been a number of requests from other Councillors to speak on this item, but he reminded them that this was not a matter for debate and he asked the Leader to respond to the petition.

The Leader responded to the petition by advising that the Artrix was not owned by the Council – it was held on behalf of the Bromsgrove Arts Development Trust (the Holding Trust), a charitable trust whose trustees were appointed by the Council and the Heart of Worcestershire College. The Council was providing the Development Trust with support to enable it to explore sustainable options for the venue, but decisions about the Artrix's future ultimately rested with the Trust, not the Council. Legally the Council could not just step in as it was an independent charitable trust with independent trustees.

The Council could and was supporting the Holding Trust by facilitating them getting independent advice and support but the process to appoint or otherwise, a provider must be taken by the Holding Trust unfettered by the Council. The petitioner could be assured that, in so far as it was able, the Council was committed to ensuring the Artrix had a sustainable future and this had been evidenced by the support it was giving the Holding Trust and by it purchasing the piano, lighting and other operational items in the building from the Insolvency Practitioner.

The Council thanked the petitioner for the petition and confirmed that it would continue to work with and to support the Holding Trust.

A number of points were raised by Members following presentation of the petition, this included the following:

- Point of clarification, as to whether, from the Leader's response, this was a refusal of the petition, in respect of what it required. The Leader reiterated that the decision in respect of this rested with the Holding Trust, if they approached the Council further down the line following its investigations, then the situation may change. Currently, the Holding Trust needed to be given the opportunity to carry out its investigations.

- It was questioned whether the petitioner had approached the Council to see what the Council could do, in order for the petition to have better reflected this. It was suggested therefore that this may have misled those that had signed it, as it may have raised hope in finding a solution to the situation.
- Was it correct that the Council owned the building and was it possible for Cabinet to consider a business case as to what the Council could afford to do to assist the Holding Trust in making a decision. The Leader confirmed that although the Council was the freehold owner of the building, again reiterated that the future of the building and its use was for the Holding Trust (and to make recommendations if necessary) and not the Council to resolve.
- It was believed that it was in the Council's gift to undertake an appraisal of what it could do, if necessary. It was believed that Members would want to know that if it were to come in with an offer of support, it had looked into the matter in enough detail to be in a position to do that.
- People wanted reassurance and it was suggested that Council commit to undertake an appraisal of what was asked within the petition. It was further reiterated that it was not down to the Council to steer this matter, but for the Holding Trust.
- Clarification as to whether, should the Holding Trust approach the Council to run the Artrix, the Council would then be able to run it, should they feel able.

The Monitoring Officer spoke in order to provide the Council with clarification in this matter. She stated that a detailed discussion had been held with all Group Leaders in respect of the petition and it was generally accepted that amongst the Council and as demonstrated by those who signed the petition that it was important that the Council, as far as it possible could support the Artrix Holding Trust. In terms of being able to manage the situation, as officers and Group Leaders, that rather than refuse the petition, which would have sent a difficult message to the community, it was better to accept it and explain the current position, given the Holding Trust's very clear responsibilities as Trustees. The Leader was correct when she explained that they had to go through a process, and it was possible for any organisation to put forward proposals to the Holding Trust in the future. The difficulty at the moment was that the Holding Trust needed some professional advice to understand what the options would be. It must be understood that it was not an easy time for this to take place due to the Covid environment and the lack of data, but as explained by the Leader the Council was providing the Holding Trust with funds and support in order to go through that process, with professional support and advice. This was not for debate this evening, the Council was receiving the petition as they are aware of the community's concerns about the Artirx and the need for it, wherever possible, to receive the support to move forwards. If the Council at any time chose to consider any option in respect of the venue it could do, but currently it had no information to support that and was unable therefore to do so.

It was important that the Council enabled the Holding Trust to carry out its work recognising that at any time in the future it was possible for the Council to consider any options to assist, but those would need to be brought before Council with detailed reports and an understanding of how any costings would be achieved and how the support would be delivered.

A further point of clarification was made in respect of a possible recommendation which had been put forward and Members were reminded that the matter was not for debate or determination this evening.

7/2020

### **URGENT DECISIONS MADE (FOR INFORMATION)**

The Chairman reminded Members that these were urgent decisions which had been made since the last meeting and were provided for openness and transparency and information purposes only, they were not for discussion. Full details were available on the Council's website.

Several points of clarification were raised:

- When the urgent decision page had been placed on the website and why was it with the committees.
- If urgent decisions were to be taken, then Members should be advised when this happened. It was confirmed that all urgent decisions to date, had been communicated to all group leaders prior to being uploaded to the website.
- In respect of the Licensing delegations and why were Licensing Sub Committee meetings not being held remotely and what was the Chairman of Licensing's position on this and was the Special Responsibility Allowance also being suspended in light of this. The Chairman of Licensing responded that currently the Licensing of taxis had been delegated to Worcestershire Regulatory Services, however the Licensing for premises, that still rested with the sub committees, there would be a number of virtual sub committees coming up in the near future.
- Whether car parking charges were suspended, and the traffic wardens furloughed during the main period.
- Whether the company providing the app for payment of car parking charges would receive payment for this, either through the car parking charges or from a surcharge on top of the car parking charge.

The Chairman reminded Members that this item was not for discussion and suggested that any questions be put to officers or the relevant Portfolio Holder outside of the meeting.

8/2020

## **AUDIT, STANDARDS AND GOVERNANCE COMMITTEE - ANNUAL REPORT**

Councillor L. Mallett as Chairman of the Audit, Standards and Governance Committee was invited to present the Annual Report for 2019/20. In so doing Councillor Mallett highlighted the continued progress in strengthening and developing the role of the Committee in order to provide an independent assessment across a wide range of controls and corporate governance. It was noted that Members had taken a more pro-active approach to concerns that were raised with the Committee through the Internal Audit function, particularly with areas where limited assurance remained or overdue audit actions. An example of this was when the Committee sought added assurance from key personnel within the Council relating to a limited assurance Health and Safety audit and the Health and Safety Manager attended a meeting. A report had also been received in respect of the lack of robust risk management across the Council, as a result of which the Corporate Risk Management Group was put back into place, with external training provided to staff. This continued to be monitored and Councillor Mallett took the opportunity to thank Councillor K. Van der Plank who had taken on the role of Member Risk Champion. Councillor Mallett encouraged Members who were not on the Audit, Standards and Governance Committee to attend meetings, as the work Councillor Van der Plank was doing by each service area and really getting underneath risk issues within those areas has been really important to the Committee. For the first time the Committee were, during this year, tasked with approving the Audit Findings and the Statement of Accounts, which were approved.

Councillor Mallett went on to thank the Section 151 Officer, the Monitoring Officer, the Internal and External Auditors and the Democratic Services Officers together with the Members of the Committee and Vice Chairman for all their hard work over the past year.

Members confirmed that the Audit, Standards and Governance Committee was providing a valuable contribution to the development of standards and protocols across the Council's governance arrangements.

The Leader took the opportunity to thank Councillor Mallett and the Committee for all its hard work and the high standard which it was setting.

9/2020

## **OVERVIEW AND SCRUTINY BOARD - ANNUAL REPORT**

The Chairman invited Councillor M. Thompson as Chairman of the Overview and Scrutiny Board to present the Annual Report for 2019/20. The Chairman also commented that should Members have any detailed questions following its presentation, these should be taken outside of the meeting.

In presenting the report Councillor Thompson highlighted a bit about the Committee and its work over the year. He explained that Overview and Scrutiny was a key part of the Council's decision making process, which reviewed the Council's policies, services and key decision. The Board had a politically diverse make up and its Members recognised the importance of considering alternative ideas and perspective in order to facilitate the democratic process. He believed the strength of the Board was in its diversity with a fair and objective view being taken in making recommendations. The role of the Chairman of the Board was very different to any other and what was within the report was very much the collective work of its Members. Councillor Thompson believed that every Member of the Board made an exceptional and committed contribution, with past and present task groups showing the quality of the work and the success of recommendations being accepted by Cabinet, was a testament to the Board.

Councillor Thompson went on to highlight a number of reports the Board had received and which were presented by both Officers, Portfolio Holders and outside agencies. He noted that many of the Council's recent successes, such as the market coming back into the Council's control and the replacement of CCTV, had originated with the Overview and Scrutiny Board in one form or another.

The current task groups were highlighted, including Library Closures, Flooding and most recently a review of racial equality in the Council. He further highlighted that this final task group had come from a proposal made by a Councillor who was not a Member of the Board and Councillor Thompson encouraged all Members to do this. Whilst the Council was under enormous pressure due to Covid-19 Councillor Thompson encouraged the Leader and Cabinet to use the Overview and Scrutiny Board to ensure the Council got the best standards from its services.

Councillor Thompson closed his presentation by thanking Members of the Board, both past and present, making particular reference to those Group Leaders who took an active role in holding the Council to account and Councillor J. Till for her role as Vice Chairman. He also took the opportunity to thank Councillor L. Mallett, the previous Chairman, who had introduced the Finance and Budget Working Group and Corporate Performance Working Group under his chairmanship. Finally, Councillor Thompson took the opportunity to thank the Democratic Services Officers for their help and support.

Following presentation of the report Members made a number of comments:

- The term critical friend was questioned as, from the report, it did not appear that any Members of the Cabinet had been robustly brought to account. Examples of areas which had not been discussed were given, for example the in-balance of social and market housing in the District and the consequences of the

Section 24 Notice, which was still in place at Redditch Borough Council.

- There was no plan of what the Board would do in the future and how it intended to hold the Cabinet to account.
- The work the Board carried out was directed by the Members of the Board and they were all in a position to put forward areas for future scrutiny should they so wish. The report had been approved by all the Members of the Board, who had had an opportunity to add or amend it, before its publication.

Councillor R. Hunter took the opportunity to say he had very much enjoyed his first year as a Member of the Board and how he saw it as a very impactful group as its list of achievements showed. He added that he was also looking at areas around Council Tax Support and examining what if anything further could be done in this area.

The Leader took the opportunity to say that she felt good scrutiny lead to informed decision making and she passed on her sincere thanks to Councillor Thompson and all of the Board for the work they had put in. Those thoughts were reiterated by a number of Members and thanks were given to all Members of the Overview and Scrutiny Board. New Councillors had been welcomed with open arms and it was commented on how good it was to see Members from all parties working so well together for the great good of the District.

10/2020

### **RECOMMENDATIONS FROM THE CABINET**

Councillor A. Kent, Portfolio Holder for Planning and Regulatory Services presented the Wyre Forest Statement of Common Ground, which charted the ongoing discussions between this Council and Wyre Forest District Council in respect of the review of Wyre Forest Local Plan. This Council had been engaged throughout the process under the duty to co-operate as detailed in the report in the main agenda pack. There had been a consistent theme throughout the discussions, which was this Council understanding the impact of this plan on the infrastructure of Bromsgrove District. Unfortunately, after much discussion it was the view of this Council that it was still not possible to establish what that impact was, due to the deficiencies in the evidence which Wyre Forest had been reliant on within its plan. Councillor Kent explained that the statement was therefore more a statement of what this Council disagreed on, rather than what it agreed on. On signing this document, it would be forwarding on to the Planning Inspectorate examining the Wyre Forest District Council Local Plan which was expected sometime in late Autumn. Planning Officers from this Council would represent the Council at the Examination and Councillor Kent took the opportunity to thank the Officers for a lot of work which had not been easy, and as could be seen from the report, a difficult process. Members were advised that the matter had been discussed in detail at Cabinet and Councillor S. Colella was thanked for his attendance, support and comments at that meeting.

The recommendation was proposed by Councillor Kent and seconded by Councillor G. Denaro.

The report was then debated with Councillor L. Mallett commented on the appendices attached to the report, and the interesting documents within those. There were two areas in particular which he wished to direct Members too and asked Councillor Kent, as Portfolio Holder to comment on:

- There was a historic note of a meeting with Worcestershire County Council (WCC) Highways and other bodies, which highlighted some of the highways issues and which seemed to have explained that Wyre Forest's transport plans intrinsically linked into this Council's development plans. An update in respect of the current position in respect of such issues as the western distributary road, which may be a key part of this Council's own transport assessment and where the Council was in understanding the impact of the proposed growth and development of Wyre Forest on this Council Plan and development aspirations.
- Councillor Mallett made reference to the Mott Macdonald technical note within the agenda pack (pages 213 onwards). He highlighted that within that note Mott Macdonald stated that "the information to date did not give any comfort on the models (those of Wyre Forest District Council fitness for purpose in being used for their local plan review ....".

Councillor Mallett asked the Portfolio Holder the current position in respect of the modelling work for this Council's strategic transport assessment, and whether this had as yet been procured and if so who would do that modelling and the timeframe for its completion and would the Portfolio Holder be able to give Council the assurance that it would not be using the same providers as Wyre Forest District Council had used, as it was important that the Bromsgrove Strategic Transport Assessment was fit for purpose. Councillor Mallett then went into further detail in respect Mott Macdonald's comments in respect of the model area and the diagrams within the agenda pack which referred to this and the traffic flows on the major highway links and Wyre Forest Developments which it appeared were not currently being accounted for in this District's own developments or within live planning applications which were currently being considered. As the questions Councillor Mallett had put to the Portfolio Holder were of a technical nature, he suggested that a written response with full details to all the points raised, would be more appropriate.

Councillor Mallett concluded that he believed this Council had one chance to get this right and resolve the ongoing issues in the District, it was therefore important that urgent action was taken on the issues he had raised.

Councillor Kent thanked Councillor Mallett for his questions and commented that he had recently had one of the most productive meetings during his time as a Councillor and which was in respect of this Council's Strategic Transport Assessment, a remote meeting was held to discuss the procurement of this Assessment which was being funded jointly with Worcestershire County Council (WCC) to meet the needs of this Council as a whole. It would be based on a 50/50 contribution and one of the questioned Councillor Kent had put at that meeting was would the report fill in the deficiencies which had been found within the Wyre Forest District Council Plan. He was assured that this would be a deep examination and assessment of what the needs were for the whole of this District taking into account those assigning factors. The general outline of the work had now been agreed with WCC and he had held a meeting at which the WCC Councillor was also involved. The formal tender had been drafted with Mott Macdonald, who are acting as the advisors for the tender but were not actually able participate in the procurement of the physical contract. The Council therefore had an independent organisation able to assist with the tender process. In order to best address the transport assessment there was a huge number of variables, particularly in light of Covid-19 and continued uncertainty around what was the current and future landscape to be considered. The aim was to ensure that whatever the model was, it would be fit for purpose going forward. He was confident that the work being undertaken would finally draw a line under the problems around Bromsgrove. He was happy to respond to the detailed technical questions put by Councillor Mallett, with the aid of officers. He also offered to discuss these issues with Councillor Mallett in more detail outside of today's meeting.

Councillor Mallett thanked Councillor Kent for his positive response and that things appeared to be moving forward on a better footing than previously, he urged him to stick to his guns with WCC and would provide his questions in writing in due course.

Councillor Kent assured Members that he was keen to take all Members with him in order to reach the common goal, he was confident that the Council's transport assessment may become an asset to the Council, as one of the areas being put forward was that this model could be used for developers and other people looking at what they may want to provide in the area. It was not therefore just a transport assessment, but to make sure it was fit for the future, using modern technology and archive data and other factors to ensure it resulted in the best outcome for this District.

Councillor S. Colella commented that he was already on record thanking Councillor Kent and the Strategic Planning and Conservation Manger for their hard work and he also echoed what Councillor Mallett had already said within the meeting.

A point of clarification was raised in respect of the meetings between this Council and Worcestershire County Council and whether there were any

plans in respect of the A38. Councillor Kent advised that this was not the subject of this debate, but he was happy to respond to any questions put to him in writing outside of the meeting.

**RESOLVED** that the Statement of Common Ground at Appendix A to the report, be signed by the Leader of the Council and submitted to Wyre Forest District Council for consideration by the Local Plan Inspector.

11/2020

**TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 26TH FEBRUARY, 3RD JUNE AND 8TH JULY 2020**

The minutes of the Cabinet meetings held on 26<sup>th</sup> February, 3<sup>rd</sup> June and 8<sup>th</sup> July 2020 were noted.

12/2020

**QUESTIONS ON NOTICE**

The Chairman advised Members that as these were exceptional circumstances the Leader had agreed to allow one supplementary question in respect of each question asked and he would allow the time spent on questions to be extended as there were no Motions on Notice for this meeting.

**Question Submitted by Councillor R. Hunter**

Councillor Hunter commented that he recognised the huge amount of work and effort put in by the Cabinet and its Officers to steer the Council through some very difficult months. His question was about the financial security of this Council and its community going forward.

“It appears likely there will be a shortfall between the income this Council has lost due to Covid-19 and the grant it has received in support from Government. Are you concerned that Bromsgrove may receive a less generous settlement from government because it holds a good level of reserves compared to other councils and what will you do to ensure Bromsgrove council tax and rate payers get a fair deal?”

Councillor G. Denaro, the Deputy Leader and Portfolio Holder for Finance and Resources, confirmed that the Council had currently received approx. £1.2m from Government and the current estimate of the financial impact was £2m.

It was also mentioned that no specific funding had been received from Central Government in relation to Leisure provision which was estimated to be a significant cost to the Council and it was hoped that funding would be received in the next month. However, it was unlikely that the Government would provide full funding to mitigate the financial losses arising as a result of the pandemic. The Council’s focus had to remain at present on sustaining essential services and playing its part in responding to the pandemic through the Local Resilience Forum, but attention needed to be now given to Council recovery. This would

include ensuring support to its communities, potentially with an increase in unemployment and providing support and advice to businesses to help them increase trade in the new environment. In addition, if additional funding from the Government did not cover all the lost income and extra costs faced by the District Council, and the gap between the two was significant, the Council's own recovery would focus on where savings had to be made and over what timespan in order to bring the position into line with the Medium Term Financial Plan. It was stressed that it was impossible at this stage to know the scale of the issue to be addressed, as there was no certain knowledge about the totality of Government funding or about the Council's loss of income and extra costs. It was therefore impossible to predict what steps might be required but it was right that the Council should be candid with local residents and others about what might have to happen. Council would continue to lobby MHCLG that reserves should not be included in the determination of any grant settlements.

Councillor Hunter thanked Councillor Denaro for a detailed and frank assessment of the current position and welcomed his commitment to lobbying Government to get the best possible outcome for this Council. Reference was made to the support that this Council was making available to businesses and Councillor Hunter appreciated the huge amount of effort which had gone in to this and understood that around 2k Bromsgrove businesses had received support administered by this Council. He was however concerned that there were some businesses that may have missed out and he had been contacted recently by a number of businesses and if this was typical he was concerned that there could be a large number of businesses that had missed out. He wanted this Council to commit to undertaking a full appraisal of businesses who had not been able to get support and the reasons for that and commit to helping them as far as it possibly could.

Councillor Denaro asked Councillor Hunter to send him details of the businesses that had contacted him in order for him to ask the Finance Team to investigate further. He also drew Councillor Hunter's attention to the Cabinet papers for the meeting on 6<sup>th</sup> August which detailed the amount of money that was being put into economic recovery by the Council.

#### **Question Submitted by Councillor J. King**

Councillor King provided background information around the concerns raised in respect of the sudden loss of the 202 bus service.

"One of this Council's five strategic purposes is to help residents live independent, active and healthy lives. Are you concerned that recent cuts to local bus services are severely impeding this aim and will you lobby the county council to subsidise and protect vital local services in Bromsgrove?"

The Leader responded that public transport and the local bus service did contribute to residents living independent, active and healthy lives. In addition, the BURT community transport scheme that the Council funded also helped to maintain independence for those with poor mobility and disabilities.

Whenever a cut was made to a commercial route/service, Worcestershire County Council (WCC) worked with operators and local Members to mitigate the impact of the cuts where possible. Some of the positive changes around the current issues had come about as a result of the lobbying by local County Members.

The County Council had recently put Bromsgrove forward as the preferred all-electric Bus Town for the County. This would enable a positive knock-on effect for other areas that share the bus routes. WCC were currently rolling out a project to support smaller operators with contactless ticket machines which included operators in the Bromsgrove District and the Council would continue to lobby WCC on this matter.

Councillor King commented that electric buses would not be used when there was no bus service on a route and gave no comfort to the residents who lived between the A38 in Lickey End and the crossroads on Old Birmingham Road. The new bus service, the 44, which was supposed to be a replacement for the 202 is impossible to reach for most of the people who used the bus, between these points. The only bus available to possibly catch would be 182/183, which was a daily bus service. There was no consultation and the parish council did not know of it, nor the bus users.

The Leader responded the decision was made by a commercial company not by WCC. This Council had worked with Officers at WCC to address many of the issues, electric buses would be more cost effective, the reasons why the routes had been cut was because they were not being utilised or cost effective. The Leader wanted the connectivity and for the residents to be able to lead active and independent lives and in order to do this the routes needed to be made more cost effective.

### **Question Submitted by Councillor S. Hughes**

Councillor Hughes explained that her question was relevant to the petition heard earlier in the evening.

"The Government recently pledged £1.57 billion to help protect Britain's arts, culture and heritage institutions from financial ruin as a result of Covid-19. How will you ensure venues that have been hit hard in Bromsgrove, such as the Artrix, can access these vital funds? "

The Portfolio Holder for Leisure and Community Services responded that the grants and loans distribution process for the allocation of the £1.57 billion provided by the Government to support the cultural sector

had now been announced. The money was being distributed in three different ways.

1. Arts Council England will manage a £500million grant scheme for applications for support between £50,000 and £3million for activity taking place between 1<sup>st</sup> October 2020 and 31<sup>st</sup> March 2021,
2. A loan scheme for organisations who want to apply for a loan of no less than £3million, and
3. Individual artists and cultural organisations (as defined in the DCMS and Arts Council England (ACE) guidance) could access the Arts Council's National Lottery Project Grants scheme. Further details about all of these funding opportunities could be found on the Arts Councils website.

From a local response, there was a robust collaborative approach to delivery of culture in the area that the Council had played a key part in facilitating, which Councillor Thomas was happy to provide to Councillor Hughes in writing outside of the meeting. All organisations who fell into the criteria described by DCMS and ACE were therefore entitled to apply for funding, would be minded to consider integrating the thinking that can be found in this research carried out by the Bromsgrove Arts and Culture Consortium. Arts Council England, the GBSLEP, the Elmley Foundation and other local funders had all supported the findings of this research. The Council would recommend that any organisation or individual that needed support from the Government's support package should approach Development Services at the Council for support and assistance.

Councillor Hughes responded that she would write to Councillor Thomas in respect of the additional information, she asked if Councillor Thomas could respond in writing to a question in relation to cultural and heritage institutions, as someone who had had to postpone their wedding could she seek assurances that the Council was doing everything possible to support wedding venues and suppliers in the District through this difficult time. For example, there were some venues and places in the District which were also great cultural sites.

Councillor Thomas agreed to respond in writing to Councillor Hughes within the next two weeks.

#### **Question Submitted by Councillor H. Rone-Clarke**

Councillor Rone-Clarke took the opportunity to thank officers for facilitating the meeting and for the work to maintain the services throughout the pandemic. He also thanked the key workers and volunteers in his Ward, the District and beyond for their hard work.

“A government commissioned report has warned of the dangers of a second spike of Coronavirus this winter and suggested a number of mitigating actions to avoid further excess deaths...

Given that the council is currently working with its partners to develop a plan for future outbreaks, what preparations are the council taking in case of a second spike or, alternatively, a local lockdown?"

The Leader responded that Bereavement Services were working alongside other key partners within the County lead 'Death Management Group' to monitor infection rates, cause of and registration of deaths, mortuary capacity and usage, funeral director capacity and weekly numbers of funerals conducted. All of this detail was held and shared within the Group and would provide an early warning system which had already proven to be resilient within the first phase of the current pandemic.

The lead for responding to the pandemic and also any future local lockdowns sat with Worcestershire County Council (WCC). The Head of Regulatory Services was working closely with the Director of Public Health and her team. He and other members of WRS had been involved in the development of the local outbreak response plan and remained actively engaged with the response.

Following the initial lockdown, WRS re-organised its Community Environmental Health unit to create three teams focused on:

- Delivering resource into the Local Outbreak Management Team.
- Delivering the Government's Business Closure provisions and, as controls relaxed, to support businesses to reopen safely and deal with non-compliance.
- Delivering the services' normal response to health and safety at work, nuisance activities and reactive work on food hygiene, with proactive food visits being suspended nationally by the Food Standards Agency.

Resources were moved from within the WRS Technical Services team to support these activities. A number of officers from WRS were working as part of the Outbreak Response Team. They were operating under the direction of the Public Health consultant leading this team, responding to requests for advice from businesses and any outbreaks on business premises. The team were also identifying higher risk premises such as those where outbreaks had occurred elsewhere nationally, in order to help reduce the risk of future spikes. This work would be funded via monies received by the County Council from Central Government for outbreak control.

A local Engagement Board had been established by the County Council which had representation from all six district councils, and the Leader represented this Council. The Engagement Board would be at the heart of communications with local residents to help to persuade them to continue to follow the advice necessary to limit the risk of further, more widespread outbreaks. Should a local outbreak or lockdown be

necessary, the Engagement Board would also be an essential part of ensuring the public understood what needed to be done and persuading people to follow the requirements necessary so that what had become the new normal could return as quickly as possible.

In the event of future outbreaks, the Government had given new powers to, in the case of Worcestershire, the County Council to instigate elements of a local lockdown with Government taking powers to deal with larger scale issues. The Head of Regulatory Services was working with the Director of Public Health and other County Council colleagues to understand how this might work. The outbreak management plan would continue to be exercised with specific scenarios to test readiness and ensure all of the key elements of response in particular settings were covered.

The re-organisation of the WRS team would remain in place as necessary. The economies of scale created by the 6 district councils agreeing to share resources in this way allowed the ability of the service to “flex” the resource being put into the response, balancing this with its normal activities on behalf of the 6 partners. The Head of Service was in communication with senior officers and the Chief Executives of all 6 councils to ensure that they were aware of any resourcing issues in order to respond if necessary.

The Leader confirmed that the multi-agency structures for incident management remained in place for information sharing and horizon scanning for all aspects of dealing with the pandemic. To that end following the outbreak on the Herefordshire farm, Worcestershire's Tactical Co-ordinating Group held a multi-agency discussion exercise, regarding 2 scenarios requiring activation of the outbreak plan, and a lessons learned debrief had been undertaken.

Councillor Rone-Clarke responded, asked given the changes that had been seen across the Council's operations due to the pandemic whether planning was being undertaken across this Council's remit also, should a second spike arise.

The Leader explained that the Council needed to speak to its partners, in particular with the County Council, the Leader of the Engagement Board and the Director of Public Health, so she hoped that we did not get a second spike and people adhered to the guidance provided, but as and when required there were plans in place to be pro-active.

13/2020

**MOTIONS ON NOTICE**

The Chairman explained, that, as had been highlighted by Councillor S. Colella, earlier in the meeting, following discussions with all the Group Leaders it had been felt that the inclusion of Motions on Notice for the first virtual full Council meeting would have been difficult and the debate restricted, hence the agreement to allow supplementary questions and the time slot being extended.

The meeting closed at 7.48 p.m.

Chairman