



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at Virtual Meeting - Skype - Virtual at 6.00 p.m. on Wednesday 5th August 2020, when the business referred to below will be brought under consideration:-

1. **To receive apologies for absence**

2. **Declarations of Interest**

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. **To confirm the accuracy of the minutes of the meeting of the Council held on 26th February 2020 (Pages 1 - 30)**

4. **To receive any announcements from the Chairman and/or Head of Paid Service**

5. **To receive any announcements from the Leader**

6. **To receive comments, questions or petitions from members of the public (Pages 31 - 32)**

A period of up to 15 minutes is allowed for members of the public to make a comment, ask questions or present petitions. Each member of the public has up to 3 minutes to do this. A councillor may also present a petition on behalf of a member of the public.

7. **Urgent Decisions Made (for information)** (Pages 33 - 54)

Any supporting documentation relating to these Urgent Decisions is available on the Council's website under Urgent Decisions via modern.gov. This has not been included for the purpose of this meeting as this item is for information only.

8. **Audit, Standards and Governance Committee - Annual Report** (Pages 55 - 66)

9. **Overview and Scrutiny Board - Annual Report** (Pages 67 - 88)

10. **Recommendations from the Cabinet** (Pages 89 - 90)

To consider the recommendations from the meeting(s) of the Cabinet held on 8th July 2020.

11. **To note the minutes of the meetings of the Cabinet held on 26th February, 3rd June and 8th July 2020** (Pages 91 - 108)

12. **Questions on Notice** (Pages 109 - 110)

To deal with any questions on notice from Members of the Council, in the order in which they have been received.

A period of up to 15 minutes is allocated for the asking and answering of questions. This may be extended at the discretion of the Chairman with the agreement of the majority of those present.

13. **Motions on Notice**

A period of up to one hour is allocated to consider the motions on notice. This may only be extended with the agreement of the Council.

(There are no Motions on Notice for consideration at this meeting.)

14. **Background Information on the recommendations from the Cabinet**

- (i) Wyre Forest Local Plan Statement of Common Ground (Pages 111 - 216)

K. DICKS
Chief Executive

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TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

26TH FEBRUARY 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, A. B. L. English, M. Glass, S. G. Hession, C.A. Hotham, S. A. Hughes, R. J. Hunter, R. E. Jenkins, 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 invited Councillor S. Webb, Portfolio Holder for Strategic Housing and Health and Wellbeing to introduce the speakers for the evening. A representative from the YMCA and students who attended the Hub gave a short talk on the work carried out and the impact it had on them.

Councillor P. Thomas, Portfolio Holder for Leisure and Community Services thanked the students for attending and sharing their stories.

78\19

APOLOGIES

An apology for absence was received from Councillor H. Jones.

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DECLARATIONS OF INTEREST

Councillor S. Colella declared an other disclosable interest under Minute No. 86/19 as the former Chairman of the Independent Remuneration Panel was a resident in his Ward.

80\19

MINUTES

Before considering the Minutes, the Chairman highlighted to Members that Item No. 13 on the agenda (Minute No 90/19 would be incorporated within item No. 10 (Minute No.87/19) as had been agreed by all Group Leaders at his pre-brief meeting with them on Monday 24th February 2020.

In considering the minutes of the meeting held on 22nd January 2020 the following points of clarification were raised:

- Councillor C. Hotham asked for his thanks to be noted in respect of the information that Councillor R. Kent had provided for him outside of the meeting, as promised. Councillor Hotham suggested that in future when such requests were made that it would be useful to have the response attached to the minutes of the meeting when the request was made. It was agreed that this would be done.
- In respect of the fourth bullet point on page 10 of the Minutes, under Minute No. 73/19, the Market Hall Site – Meanwhile Use, Councillor M. Thompson questioned whether the vote in respect of this should be recorded within the minutes. It was agreed that the Monitoring Officer would consider this matter outside of the meeting.

RESOLVED that subject to the preamble above minutes of the Council meeting held on 22nd January 2020 be approved.

81\19

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

The Chairman advised Members that his annual Charity Dinner and Dance would take place on 24th April 2020 at Grafton Manor, further details could be obtained from him or Sharon Chaplin.

There were no announcements from the Head of Paid Service.

82\19

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Leader made the following announcements:

Concerns around Coronavirus

The Leader confirmed that Public Health England, the lead agency, were monitoring and assessing the risk to public health in the UK. The current risk to the UK population was moderate. The Council continued to keep the situation under constant review and would consider further action if clinically necessary. The Council's response had, at all times, been guided by the advice of the Chief Medical Officers. Dr David Kirrage has been appointed by PHE to lead the outbreak.

- Based on the scientific advice of SAGE the UK Chief Medical Officers were advising anyone who had travelled to the UK from mainland China, Hong Kong, Japan, Malaysia, Macau, Republic of Korea, Singapore, Taiwan and Thailand in the last 14 days and was experiencing cough or fever or shortness of breath, to stay indoors and call NHS 111, even if symptoms were mild.
- The NHS had well established protocols for dealing with high consequence infectious diseases. These were being updated to reflect the circumstances of this particular incident.

- NHS111, acute and secondary care and primary care settings had been made aware of the incident and potential symptoms of Covid-19
- Information for students had been developed and shared with DfE, Universities UK, and the DAs.

As at 24th February a total of 6,536 people in the UK had been tested with 6,527 testing negative and 9 positive. This figure did not include the 4 cases tested positively on the Diamond Princess.

Gypsy and Traveller Accommodation

The Leader reminded Members that she had answered a question from Councillor A. English at last month's meeting. She had not been made aware that in 2019 a Gypsy and Traveller Accommodation Assessment (GTAA) was commissioned to update the Council's evidence base on Gypsy and Traveller accommodation as it was recommended that this was done every 5 years. It was used to inform the appeal hearing for the site south of Hopwood and the application at Billesley Lane. The appeal was allowed in July 2019 resulting in a total of three pitches gaining planning permission. The 2019 GTAA concluded that there was a residual need of fourteen pitches. Factoring in the permission for three pitches, then new figures stand at a residual need of eleven between 2019/20 and 2023/24. The application at Billesley Lane was refused in April 2019 and a joint appeal lodged in June 2019 to appeal the planning refusal and current enforcement notice. The appeal was currently pending. The Leader had met with Councillor English and the Head of Strategic Planning to discuss this matter.

Councillor English took the opportunity to thank both Councillor May and the Strategic Planning Manager for meeting with her regarding the shortfall and discussing the need for this to be addressed.

83\19

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

The Chairman invited Mr D. Norton, from the Bromsgrove Museum Trust, to present his question:

Before presenting his question Mr. Norton thanked Council for allowing him to speak and took the opportunity to provide Members with background information to the matter and why he believed it was unreasonable for the Council to request a commercial rate for the storage facility. He also questioned the reason he had been given by the Leader when requesting that the room where the artefacts were being stored, be vacated.

"Having given the Norton Collection to the people of Bromsgrove for their benefit and education, my question is, why should the Norton Collection Museum pay for the storage at the Bromsgrove Council

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Depot? As we are a Charitable Trust it would be much fairer to give us a peppercorn rent.”

The Leader responded that when the Norton Trust transferred to the Norton Museum the Council entered into a licence arrangement with the Museum that gave them storage facilities for a period of three years at a nominal rent. This was a short term arrangement agreed as part of the transfer to enable the Museum to have time to organise alternative accommodation arrangements.

The terms of the licence were agreed by both parties and were very straightforward and they gave the Museum Trust three years, a time period which the Leader did not think Members would consider unreasonable, to find alternative space to accommodate their artefacts. In line with this agreement, the Council was now asking the Museum to vacate the space that it occupied at the depot as the space was required for use by this Council.

It was further explained that the Depot space was very limited and it was there to provide the District with Environmental Services. It was not a storage facility and the Council had a need for the space for the effective delivery of its services to its residents. There were many charitable organisations in the district that would like to benefit from what has essentially been a free storage facility, but the Council was not, and neither would it be appropriate, for it to be in a position to provide this kind of service.

The Leader concluded that it was for that reason that the licence was time limited and it was for that reason that the museum needed to look to the other options that it has for the storage of its items and the Council was prepared to assist with the relocation of these items to a site at the request of the holding trust.

A number of points of clarification were raised by Members:

- Whether the Council would continue to work with the Trustees to resolve the issues raised. The Leader confirmed that she had looked at various alternatives and put forward suggestions to Mr. Norton, unfortunately they had not appeared to be suitable. But she would continue to try and resolve the matter.
- The size of the potential storage space required. The Leader advised that when she had contacted a storage company it was suggested that ten 40 foot container units would be needed to accommodate the artefacts.
- Councillor S. Baxter thanked Mr. Norton for the invitation to visit the Museum.

84\19

CONSTITUTION UPDATE REPORT

Councillor G. Denaro, The Portfolio Holder for Finance and Enabling introduced the report and explained that following discussions at the Constitution Review Working Group an amendment to the use of substitutes at Overview and Scrutiny Committee meetings, as detailed at paragraph 3.3 of the report, which would leave it to the discretion of the Chairman and take account of extenuating circumstances. It had been felt that such a request was not unreasonable

The recommendation was proposed by Councillor Denaro and seconded by Councillor K. May.

Councillor S. Colella questioned the paragraph under Risk Management and it was explained that this was standard wording which was used to cover all reports which related to the Council's Constitution.

RESOLVED that the Overview and Scrutiny Board Procedure Rules and Terms of Reference be amended as detailed in Appendices 1 and 2 of the report.

85\19

APPOINTMENT OF COMMITTEES UPDATE

Councillor G. Denaro, the Portfolio Holder for Finance and Enabling presented the report, which he explained was necessary following recent political group movements. He understood that those affected by the changes had been consulted and had been in agreement to the committee membership numbers detailed in the appendix to the report.

The recommendations were proposed by Councillor Denaro and seconded by Councillor K. May.

RESOLVED that

- a) for the ensuing Municipal Year, the Committees set out in the table in Appendix 1 of the report be appointed and that the representation of the different political groups on the Council on those Committees be as set out in that table until the next Annual Meeting of the Council, or until the next review of political representation under Section 15 of the Local Government and Housing Act 1989, whichever is the earlier; and
- b) Members be appointed to the Committees and as substitute members in accordance with nominations to be made by Group Leaders.

86\19

INDEPENDENT REMUNERATION PANEL REPORT

Councillor G. Denaro, Portfolio Holder for Finance and Enabling confirmed that this item had been withdrawn and would now be

considered at the April meeting of the Council. Councillor P. McDonald supported the withdrawal.

87\19

RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 12TH FEBRUARY 2020

Pay Policy Statement

Councillor G. Denaro, Portfolio Holder for Finance and Enabling presented the Pay Policy Statement and in so doing highlighted that the figures did not take account of the management review as the previous years' data was used. This would be picked up in the next year's statement. Councillor C. Hotham asked for clarification in respect of point 21 on page 95 of the agenda pack which referred to publication of the full time equivalent salary at £50k and whether this was the overall salary or the salary split between both Councils. It was understood that it was the overall salary, but Councillor Denaro agreed to confirm this outside of the meeting.

The recommendation was proposed by Councillor Denaro and seconded by Councillor K. May.

RESOLVED that the Pay Policy as detailed in appendix 1 to the report be approved.

Medium Term Financial Plan

Councillor G. Denaro, Portfolio Holder for Finance and Enabling presented the Medium Term Financial Plan. In presenting this Budget to the Council, he advised that he was pleased at the progress that had been made over the last 12 months and, looking forward, was encouraged by the strong position that enabled the Council to maintain its current services to its residents and add to them in areas of concern, that had been highlighted by residents.

Councillor Denaro explained that when the Council started the budget process last year it was looking at a budget gap of £678K to achieve a balanced budget. This had been done with a surplus being created, as evidenced by the table on page 99 of the agenda pack, and was remarkable and gratifying with all the adjustments shown having occurred over several months.

Two particular items were highlighted, an unexpected credit of £436k for the Council's pension funds. £236k of this was used in the budget whilst placing £200k in a pension reserve against swings the other way. He believed this was prudent and sensible. Secondly, the Council had received New Homes Bonus of £1774K which was £589k over that which had been anticipated. This was also good news as it put an additional £70k back into local communities.

In respect of Pay and Inflation costs the Council had budgeted for a 1% rise, but it was now likely to be 2%, hence the additional pressure. Within unavoidable costs was the extra community funding for New

Homes Bonus, which was welcomed. However, not so welcome were the Local Plan review and Highway costs. The Council hoped to reduce its reliance on the Highway consultants from a current peak of £150k to nil over the next 2 years. The Council was continually reviewing its contract with Mott McDonald which was likely to continue until the Council had regained faith in the processes at Worcestershire County Council.

It was noted that savings and additional income have been boosted by two major issues. Following the Council's exit from the GBSLEP rates pool, it no longer had to pay a fee of £150k. The Council had also renegotiated its joint insurance contract with the other Worcestershire Districts which had generated a saving of £130k. It was noted that the treasury savings of £437k was evidence that the Council needed to do a lot more work on scheduling its capital use. Savings from the recent Management restructure and annual savings from the enabling services totalled £99k. New expenditure of £50k had been approved to develop a District wide strategy for Parks and Green spaces which were valued by residents. £28k was being invested in the Sunrise Project, run by BDHT, £15k had been allocated to Enforcement to enable more frequent monitoring of parking round schools in mornings and evenings, however, it was noted that, with 47 schools, it may take some time to identify where this was most needed.

Councillor Denaro highlighted that working with the County Council, the Council was allocating some £50k to support The Bromsgrove Deal which would enable all libraries to become Community Hubs to support local communities and provide valuable support to the young, elderly and those in need.

The net effect of the amendments and those listed in the report was a projected surplus of £170k for 2020/21, which it was recommended be transferred to balances. The levels of reserves were confirmed at £5.4m which it was noted were deemed as being adequate by the Section 151 Officer.

The current estimated balances were £4.471m as at 31st March 2021 which was sufficient to cover the current shortfall of £2.012m and leave a balance of £2.459m which was just over the Council's revised target of £2m balances. However, the Portfolio Holder advised that the Council should not be complacent as many unknowns surrounded local Government funding at present and losing New Homes Bonus would have an impact.

Councillor Denaro went on to say that achieving a balanced budget with no use of balances put the Council's finances on a firm base and enabled it to follow some of its aspirations. It had hoped to have identified some areas for use of the Council's Acquisitions and Investment budgets, but no projects had met the financial criteria. To counter this, it was in the process of amending its strategy to allow an element of social gain to be included to counterbalance the Council's

solely financial risks. It was believed that this would be of use in the retail sector.

The Burcot Lane planning application would go to Planning Committee shortly and was expected to be signed off by Homes England. The pop-up plans for the Hanover Street area were also gathering pace. There was also an evaluation taking place of how to use the new space created by the Dolphin Centre and plans are expected to come forward shortly. The Budget also included plans to invest in testing whether a District Heat Network was viable, which would support the Council's Green agenda.

The Council needed to help its businesses expand and find space for units in order to improve the overall wage rates for Bromsgrove Town. The Council was very successful at encouraging start-ups but not so on moving them into larger premises. It was also noted that the work being undertaken to reduce congestion in the town was paramount to getting things moving and the Council would intervene where it could - the £38 million to be spent on the A38 would also help this.

Members were advised that the papers in respect of council tax setting had been tabled, following agreement of them at the Cabinet meeting held directly before this Council meeting. The levels of tax documented in the report took account of the requirements of Bromsgrove District Council, Worcestershire County Council (WCC), the West Mercia Police and Crime Commissioner, Hereford and Worcester Fire & Rescue Authority and the various Parish Councils. The Council Tax resolutions that Council was being asked to approve detailed the statutory approvals in relation to the 2020/21 budget and the Council Tax to be recovered on behalf of WCC, the Police and Crime Commissioner and the Fire & Rescue Service.

The proposals amounted to a £5 per annum increase for Band D which was recommended for acceptance. Councillor Denaro thanked the Finance and Budget Working Group for assessing the budget process and in particular the Executive Director, Finance and Resources Service and her team for all their hard work.

The recommendations were proposed by Councillor Denaro and seconded by Councillor K. May.

Councillor C. Hotham. On behalf of the Bromsgrove Alliance proposed an alternative budget recommendation/amendment as detailed in item 13 of the agenda pack. Members questioned whether this proposal was an amendment to the recommendations already proposed or a new recommendation, if it was a new recommendation, then it was highlighted that if it were accepted then there would be no opportunity to debate the substantive recommendations, if it was considered as an amendment then it would stand on its own and was totally different. Clarification on this was requested from the Monitoring Officer and Councillor S. Baxter as Leader of the Bromsgrove Alliance shared her

disappointment with the matter being raised as she felt that her group had taken the right approach to the process and provided written evidence of their amendments to the budget but were now being criticised. After some debate it was agreed that the Monitoring Officer would meet with all Group Leaders, through the Constitution Working Group, to ensure that in future years a set clear budget process was put in place. It was noted that in previous years alternative budgets had been put forward and debated prior to agreement of the budget and that this had worked effectively, with all concerned being able to debate all aspects of the budget being put forward, with this process also being discussed at the meeting the Group Leaders had had with the Chairman on Monday.

Councillor C. Hotham, went on to present the budget for the Bromsgrove Alliance, as detailed on pages 79 – 82 of the agenda pack. He took the opportunity to thank the Executive Director, Finance and Resources and her team for their help and support. The aim of the budget was to support the Town Centre and the health and wellbeing of its residents. Councillor Hotham explained each proposed change from his Group, as detailed on page 79 of the agenda pack. This included a reduction for the incremental progression and inflation figures from £456k to £290k as it was believed that an increase of 70% year on year was excessive. The cost of the review of the Plan was thought to be overly ambitious.

There were a number of new revenue bids, and the increase reflected the provision of three shopper/shuttle minibuses. Councillor Hotham referred to the BURT bus scheme which had proved successful and it was felt that similar services could be rolled out in other areas, with a circular route also being provided. This would encourage residents in the outlying areas to access the facilities in the Town Centre, the benefit being two fold and assist with the regeneration of the Town Centre. It was also suggested that fund be spent in promoting and supporting the three local museums in the district. The final additional cost for this section was in respect of free swimming being offered to all young people under the age of 18, which promoted both health and wellbeing of young people in the District.

The proposed amendments, detailed in the Bromsgrove Alliance alternative budget, were proposed by Councillor C. Hotham and seconded by Councillor S. Baxter.

Councillor Denaro, Portfolio Holder for Finance and Enabling responded to the alternative budget amendments and provided a response on each item separately, and in the order presented:

Incremental progression - The base budget for 2022/23 & 2023/24 was the same position and did not reflect the increase in pay and inflation for 2023/24. Therefore the £456k was made up of 2 years' worth of inflation and was therefore at a realistic level.

Unavoidable pressures - It was the intention to prepare the plan over a three year period. This provided more certainty, in terms on the housing number up to 2040 and the amount of employment land so desperately needed by existing and hopefully new employers. Even if the plan did take longer than three years to prepare it was important for officers, Members and the public in due course, to have the opportunity to debate the key issues once the necessary information to inform discussions had been commissioned.

Highways - It is crucial that the highways information required to inform the plan review was robust. It was necessary to commission independent highways advice as officers did not have the skill set to undertake such work. The use of highways consultants made sure that the appropriate information was used to inform the new plan and the allocation of parcels of land for development.

In respect of the New Revenue Bids the following comments were made:

Buses - It was considered that whilst this appeared to be an interesting option there was currently no demand data that evidenced the need for this service in the District.

Museums - There was no detail as to how this funding would be spent and therefore more information would be required to enable the Council to make an informed assessment of the use of tax-payers money to support the organisations

Free swimming - The introduction of free swimming to everyone under the age of 18 does not provide a solution to the issue of children and young adults who cannot swim. There was also no evidence that this was needed in the District.

Market - As the stalls are under the de minimis level we would have to fund this from Revenue.

Saving and additional income:

Pension - Actuarial calculations were based on a number of assumptions, and regularly see significant swings in the fund assets. Whilst it was agreed that the assumptions were prudent, based on current data, fund assets can be impacted on in an unpredicted way hence the need for the pension reserve.

Council Tax - The Council tax calculation had been made alongside a projection of growth based on numbers from the Planning department and were therefore considered to be robust.

In respect of the Minibuses project, again it was stated that no demand for the shuttle buses at present had been evidenced.

Pension Payment - It would be considered more prudent to not anticipate that this would be the case.

In conclusion, Councillor Denaro suggested that this was a wish list and confirmed that his Group would not be supporting it.

Members went on to debate the amendments proposed by the Bromsgrove Alliance and discussed the follow areas in more detail:

- The importance of a greener and healthier district and the need to ease the congestion in the Town Centre. This could be done by improving the infrastructure at a local level and improving connectivity.
- The number of positive ideas that had been brought forward, however concerns were raised in respect of the pension fund payment.
- The need for some of the suggestions to be considered in more detail before being accepted.
- Support for the free swimming for under 18 year olds – from the health and well being aspect but also water safety. This was an opportunity for all young people in the district to benefit from the local facilities.
- Reference was made to the three museums which it was not felt appropriate for the Council to support at this time as a number of them were private entities.

Councillor S. Baxter spoke in support of the amendments from her Group and expressed her disappointment in the process and highlighted the opportunity for constructive discussions to be held in order for the views and ideas of the other groups to be put forward for serious consideration in future. It was felt that often, ideas were put forward and dismissed, but further down the line were then brought forward and those who had suggested them were not given the appropriate credit. She further reiterated that buses and transport were an integral part of the district and much needed in order to support the regeneration of the Town Centre. It was understood that currently there were areas within the district which did not have access to public transport in order for them to get to the administrative hub.

In summing up Councillor Hotham reiterated the main areas of his Group's alternative budget and highlighted that at least his Group had given some thought to how improvements could be made, which would benefit the wider community and he urged Members to work together going forward, with a view to an improved the process, to allow everyone to feed into the budget setting in future years.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote was taken on the proposed amendment.

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For the amendment: Councillors Baxter, Colella, Douglas, English, Hotham, Hughes, Hunter, Jenkins, King, Thompson and Van der Plank (11)

Against the amendment: Councillors Beaumont, Deeming, Denaro, Glass, Hession, Kent, Kriss, May, Middleton, Sherrey, Spencer, Thomas, Till, Webb, Whittaker and Laight (16)

Abstentions from the amendment: Councillors Mallett, McDonald and Rone-Clarke (3)

The amendment was lost.

Councillor P. McDonald proposed an amendment to the budget, in respect of the funds allocated to Mott MacDonald. It was suggested that the £100k should be better spent in other areas and therefore should be redistributed elsewhere, details of which were discussed during his presentation of the amendment. It was also suggested that the £50k allocated to WCC for the Library hubs could be put to better use. The amendment was seconded by Councillor H. Rone-Clarke. It was confirmed that the amendment had not been submitted in writing.

In speaking to the amendment Councillor McDonald highlighted a number of points, including:

- The cost of the work which had already been carried out – it had been well documented that this Council had not had confidence in the work of the Worcestershire County Council Highways department and had therefore engaged Mott Macdonald to “check” the information provided by WCC. The funds allocated for this purpose in the budget could be put to better use and it was not believed that there was now a need for further support from Mott Macdonald.
- Funding which had been given to WCC in order to support the hubs, which were being created within libraries. It was suggested by Councillor McDonald that the libraries were already hubs but had had funding reduced to such an extent that they were no longer able to provide the much needed services that had been provided historically.
- Councillor McDonald also questioned whether the services that were suggested to be placed in the new “hubs” were actually able to provide such services due to continued cutbacks which had taken place in recent years.
- It was inferred that by this Council contributing funds, it was simply paying for the library service, which was actually the responsibility of the County Council.
- Funds used for this service, some £50k, could be put to better use within the District and be used to improve the streets and green spaces.

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- It was noted that there were additional funds identified this year for the New Homes Bonus Grants Scheme which had in previous years contributed to many community projects.
- It was suggested that the budget surplus which occurred each year could be spent on services and put back into community projects in order for residents to see that something was being done for their benefit.
- The need for funds to be made available for other parks as it appeared that a large amount of the budget was spent on Sanders Park which was the main part in the district, but funds should also be put aside for outlying parks in the district which were in much need of improvement.
- Play equipment had been removed in some parks due to its age but had not been replaced.
- Funds should also be put aside to improve tree planning and address climate change, with consideration being given to installing solar panels on council buildings and the introduction of electric vehicles.

Councillor McDonald suggested that whilst residents Council Tax had been increased the services and amenities provided had decreased and that this year there was the opportunity for this to be rectified and for residents to see some “return” on what they had paid. It was an opportunity for the Council to give back to the communities and for the Council to freeze the Council Tax and not implement an increase for the first time in a long time.

Members debated the amendment put forward by Councillor McDonald and during that debate discussed the following:

- The need for such an amendment to be provided in writing rather than supported by a detailed verbal presentation.
- The importance of the Council to be brave and address the green issues and impact of climate change within the District.
- The opportunity for the Council to make a difference and invest in the District’s future.
- It was suggested that in order to debate the amendment a written statement should be provided and an adjournment taken to allow Members to consider it in more detail before making a decision.

The Leader responded by reminding Members that decisions needed to be made on the evidence and data available and when this was provided, she was happy to consider any proposals. She provided further information on how it was anticipated that the Hubs would be run and that it would be a new way of working and provide more locally based services for residents to access. Members were reminded that of the demographic of the District and in particular the percentage of those aged 75 and over and the additional care and services that many of those residents needed to access. The Leader also reiterated the importance of the roll of Mott Macdonald, when the Planning Committee

were determining applications, together with the need for their support going forward in the plan-making process.

A further debate took place when Members were reminded of the circumstances under which Mott Macdonald were engaged by the Council and it was clarified that this was not due to an issue with Planning Officers but with the information provided by Worcestershire County Council's (WCC) Highways Team. However, it was noted that WCC had not been held to account and that as time had gone on the advice received from Mott Macdonald had not been consistent and therefore if the Council was to continue with this approach it may be necessary to use a different consultant. This matter was debated at length between a number of Members putting forward views which were for and against the work being carried out by Mott Macdonald. It was suggested that it would be more cost effective for the Council to employ someone to carry out this work on its behalf rather than to use consultants.

Members went on to discuss the implications of freezing the Council Tax, as had been suggested by Councillor McDonald and whether it would be appropriate to make a re-charge against WCC for the work carried out by Mott Macdonald. It was further reiterated that there was a need for the Council to invest in its Parks and Open Spaces throughout the District, not just in Sanders Park.

Before the amendment was put to the vote Councillor McDonald confirmed that the additional funds he was suggesting to be used for the areas discussed were, the £100k allocated to Mott Macdonald and £50k for WCC for the Library Hub project, £50k for the Parks and an additional £68k from the New Homes Bonus funding received with an additional £170k from balances, which gave a total of £438k. This would be spent on £58k for an officer to carry out the work currently being carried out by Mott Macdonald, £150k for outlying parks and open spaces, £10k for trees in the District and £50k for solar panels giving a total of £438k. Councillor McDonald advised Members that whilst this was a big challenge it was the first opportunity in many years for the Council to put something worthwhile back into the communities.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote was taken on the Medium Term Financial Plan 2020/21 – 2023/24.

For the amendment: Councillors Mallett, McDonald and Rone-Clarke (3)

Against the amendment: Councillors Beaumont, Deeming, Denaro, Glass, Hession, Jenkins, Kent, Kriss, May, Middleton, Sherrey, Spencer, Thomas, Till, Van der plank, Webb, Whittaker and Laight (18)

Abstentions from the amendment: Councillors Baxter, Colella, Douglas, English, Hotham, Hughes, Hunter, King and Thompson (9)

The amendment was lost.

Councillor R. Hunter proposed an amendment in respect of £170k being taken from reserves to be used at the discretion of the Climate Change Working Group to tackle issues that they investigate in the coming year. It was highlighted that Council agreed to set up this Group and that to date it had not made much progress, so this would be an opportunity for it to help tackle climate change and be able to invest in some worthwhile projects that would impact on the future of the District. The amendment was seconded by Councillor S. Hughes.

Councillor Baxter thought this was an excellent idea and was happy to support it, as were a number of other Members. Councillor Baxter went on to comment that she felt it was important for residents to be able to see that the Council was addressing the concerns that had been raised. It was commented that £170k was not an unreasonable figure and the Council was able to afford to do this and was an opportunity for it to make a real difference.

Councillor Denaro responded that whilst he understood the context behind the proposed amendment, he would need to see a business case for any proposal before agreeing to it. Any such business case would be considered on a case by case basis, rather than simply allocating a lump sum to the Working Group.

Councillor Sherrey, who chaired the Climate Change Working Group also commented that the Group had met on a number of occasions and received presentations from officers which had highlighted a number of projects that were already either underway or in the pipeline, which showed that work was already being done to address this matter and that these were reflected in the budget.

It was also commented that the Council did not normally ring-fence funds and therefore it was queried as to whether this was appropriate from an accounts point of view.

In summing up Councillor Hunter commented that this was an opportunity for the Council to make positive changes and he was concerned that this would be a lost opportunity. The amount he was suggesting was small in comparison to the budget as a whole, but could have a huge difference throughout the District.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote was taken on the proposed amendment.

For the amendment: Councillors Baxter, Colella, Douglas, English, Hotham, Hughes, Hunter, Jenkins, King, Mallett, McDonald, Rone-Clarke, Thompson and Van der Plank (14)

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Against the amendment: Councillors Beaumont, Deeming, Denaro, Glass, Hession, Kent, Kriss, May, Middleton, Sherrey, Spencer, Thomas, Till, Webb, Whittaker and Laight (16)

Abstentions from the amendment: 0

The amendment was lost.

Councillor C. Hotham then went on to propose a further amendment, along similar lines to that proposed by Councillor Hunter. This was for £20k to be taken from the reserves and used by the Climate Change Group as it saw fit.

Following a brief debate this amendment was put to the vote.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote was taken on the proposed amendment.

For the amendment: Councillors Baxter, Colella, Douglas, English, Hotham, Hughes, Hunter, Jenkins, King, Thompson and Van der Plank (11)

Against the amendment: Councillors Beaumont, Deeming, Denaro, Glass, Hession, Kent, Kriss, Mallett, May, Middleton, McDonald, Rone-Clarke, Sherrey, Spencer, Thompson, Till, Webb, Whittaker and Laight (19)

Abstentions from the amendment: 0

The amendment was lost.

In debating the substantive recommendations the Leader highlighted a number of projects which would have a positive impact on the residents and District as a whole, this included the pop up Bird Box project at the old market hall site, funding for fly tipping. She advised Members that the Council was listening to residents' concerns and taking action where necessary and working towards making the District a better place for everyone.

Members responded with a number of comments including:

- There appeared to be nothing innovative in the budget which would allow Bromsgrove to stand out, particular reference was made for the need to take action in respect of Climate Change.
- The increase in Council Tax was not reflected in the services provided, which residents would consider had been reduced.
- Disappointment that Members had not been able to input into the budget process more positively.

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In summing up Councillor Denaro assured Members that consideration would be given to the budget-setting process in order for Members to play a more active role and for the ideas which were brought forward to be considered at an earlier stage. This would give all groups the opportunity to look at things together and be more involved.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote was taken on the proposed amendment.

For the recommendations: Councillors Baxter, Beaumont, Colella, Deeming, Denaro, Douglas, Glass, Hession, Hotham, Jenkins, Kent, Kriss, May, Middleton, Sherrey, Spencer, Thomas, Till, Webb, Whittaker and Laight (21)

Against the recommendations: Councillors English, Hughes, Hunter, Mallett, McDonald, Rone-Clarke and Van der Plank (7)

Abstentions from the recommendations: Councillors King and Thompson (2)

RESOLVED:

- a) Approve the Unavoidable costs as attached at Appendix 1:
2020/21 £420k
2021/22 £333k
2022/23 £289k
2023/24 £45k
- b) Approve the Revenue Bids as attached at Appendix 2 and Appendix 4 (revenue implications of capital spend):
2020/21 £317k
2021/22 £226k
2022/23 £173k
2023/24 £144k
- c) Approve the Identified savings as attached at Appendix 3:
2020/21 £510k
2021/22 £677k
2022/23 £746k
2023/24 £817k
- d) Approve the Capital Programme bids as attached at Appendix 4:
2020/21 £166k
2021/22 £87k
2022/23 £52k
2023/24 £34k
- e) Approve the capital programme as attached at Appendix 5:
2020/21 £4.371m

2021/22 £12.744m
2022/23 £3.743m
2023/24 £1.888m

- f) Approve the net general fund revenue budget:

2020/21 £11.812m
2021/22 £11.572m
2022/23 £11.511m
2023/24 £11.324m

- g) Approval the increase of the Council Tax per Band D @ £5 for 2020/21.
- h) Approve the transfer to Balances of £170k for 2020/21.
- i) Approve release of up to £72.5k from balances in 2019/20 to provide funding towards the District Heating Feasibility Study forward to Detailed Project Development (DPD) Phase.

Following the debate, Members discussed the best way forwards in future years to ensure that all groups were able to contribute positively to the budget setting process. Councillor Denaro acknowledged that there had been some interesting ideas which warranted further investigation and detailed business plans, which had not been possible when they were presented in this manner. It was agreed that the Group Leaders would meet to discuss in more detail a process for future years to ensure that all groups were involved in the budget setting process. It was also highlighted that the Overview and Scrutiny Board Finance and Budget Working Group had continued to work well and its continued role should be considered in any discussions. The Monitoring Officer was asked to look into this matter further going forward.

88\19

RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 26TH FEBRUARY 2020 (TO BE TABLED AT THE MEETING)

Council Tax Resolution

Councillor G. Denaro, the Portfolio Holder for Finance and Enabling introduced the report and proposed the recommendations, which were seconded by Councillor K. May.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote was taken on the Council Tax Resolutions:

For the recommendation: Councillors Baxter, Beaumont, Colella, Deeming, Denaro, Douglas, Glass, Hession, Hotham, Hughes, Hunter, Jenkins, Kent, King, Kriss, Mallett, May, Middleton, McDonald, Rone-Clarke, Sherrey, Thomas, Thompson, Till, Webb, Whittaker and Laight (27)

Against the recommendation: 0

Abstentions from the recommendation: Councillors English and Van der Plank (2)

RESOLVED that

1.1 The calculation of the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) as **£8,483,805.00**.

1.2 That the following amounts be calculated for the year 2020/21 in accordance with sections 31 to 36 of the Act:

- (a) £42,619,245 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (taking into account all precepts issued to it by Parish Councils) (*i.e. Gross expenditure*)
- (b) £33,183,608 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
(*i.e. Gross income*)
- (c) £9,435,442 being the amount by which the aggregate of 3 (a) above exceeds the aggregate at 3 (b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £253.58 being the amount at 3 (c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) £951,832 being the aggregate amount of all special items (Parish precepts) referred to in Section 34 (1) of the Act (as per the attached **Schedule 3**).
- (f) £228.00 being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (g) The amounts shown in Column 3 of **Schedule 1**. These are the basic amounts of the council tax for the year for dwellings in those parts of the Council's area shown in

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Column 1 of the schedule respectively to which special items relate, calculated by the Council in accordance with Section 34(3) of the Act. (District and Parish combined at Band D).

- (h) The amounts shown in Column 5 of **Schedule 1** being the amount given by multiplying the amounts at 4(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- 1.3 It be noted that for the year 2020/21 Worcestershire County Council, Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Worcestershire County Council	874.03	1,019.71	1,165.38	1,311.05	1,602.39	1,893.74	2,185.08	2,622.10
Police and Crime Commissioner for West Mercia	150.13	175.16	200.18	225.20	275.24	325.29	375.33	450.40
Hereford and Worcester Fire and Rescue Authority	57.33	66.88	76.44	85.99	105.10	124.21	143.32	171.98

- 1.4 Having calculated the aggregate in each case of the amounts at 4(h) and 5 above, that Bromsgrove District Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the amounts shown in **Schedule 2** as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

- 1.5 That the Executive Director Finance & Resources be authorised to make payments under Section 90(2) of the Local Government Finance Act 1988 from the Collection Fund by ten equal instalments between April 2020 to March 2021 as detailed below:

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	Precept	Surplus on Collection Fund	Total to pay
	£	£	£
Worcestershire County Council	48,782,833.00	1,248,036.00	50,030,869.00
Police and Crime Commissioner for West Mercia	8,379,328.49	214,396.00	8,593,724.49
Hereford & Worcester Fire and Rescue Authority	3,199,599.40	83,211.00	3,282,810.40

- 1.6 That the Executive Director Finance & Resources be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £9,680,390 being the Council's own demand on the Collection Fund (£8,483,805), Parish Precepts (£951,832) together with the distribution of the Surplus on the Collection Fund (£244,753).
- 1.7 That the Executive Director Finance & Resources be authorised to make payments from the General Fund to the Parish Councils the sums listed on **Schedule 3** by two equal instalments on 1 April 2020 and 1 October 2020 in respect of the precept levied on the Council.
- 1.8 That the above resolutions 3 to 5 be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes.
- 1.9 Notices of the making of the said Council Taxes signed by the Chief Executive are given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

89\19

TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 12TH FEBRUARY 2020

The minutes from the Cabinet meeting held on 12th February 2020 were submitted for information and noted by Members.

90\19

ALTERNATIVE BUDGET PROPOSALS - BROMSGROVE ALLIANCE

The alternative Budget Proposals from the Bromsgrove Alliance were considered under the Medium Term Financial Plan item as detailed in Minute No. 89/19.

91\19

QUESTIONS ON NOTICE

Question Submitted by Councillor S. Hughes

"What is this council doing to protect the Grade II listed URC Congregational Church on Windsor Street? The 350 year old church and

much loved heritage asset has been allowed to fall into a complete state of disrepair, will the Leader provide reassurance that the council will do everything in its power to reverse this decline?”

The Leader responded that planning permission and listed building consent had been granted in 2016 to convert the Chapel and neighbouring Sunday School building to offices. Work commenced, but unfortunately was then halted and the owner had now put the Chapel up for sale. The Conservation Officer was meeting the owner on 26th February at the property to check that both buildings were still wind and watertight. It had been suggested that the Council serve an Urgent Works Notice, however this would only require the owner to make the building wind and watertight, which he was currently doing. The Conservation Officer was trying to work with the owner to ensure that the buildings did not deteriorate further whilst a new owner was being sought.

Question Submitted by Councillor R. Hunter

“The Government recently pledged £5billion to improve bus and cycle routes in every region outside of London. This is to pay for new zero carbon buses, more frequent services and more affordable fares. It will also fund 250 miles of new separated cycle routes. What will this council do to make sure Bromsgrove gets its fair share of this funding to deliver the public transport and cycling improvements we need?”

The Leader responded that at this stage no arrangements had been made concerning the detailed process to access this funding. It was expected that this would be done as part of the National Bus Strategy, to be published later this year at the Comprehensive Spending Review. The Council would ensure it worked closely with Worcestershire County Council and where relevant, other adjoining local transport authorities, to ensure that the Council had the best chance to access what was likely to be high in demand funding. As soon as the Leader had more detail, she would update Members.

92\19

MOTIONS ON NOTICE

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

“We call upon the Cabinet to write to ‘First Worcestershire’ to reverse its latest cuts to the 144 service which is vital for many to get to work and for children to get to school; as well as those going about their daily business.”

The motion was proposed by Councillor McDonald and Seconded by Councillor H. Rone-Clarke. Councillor McDonald agreed that he was happy for his motion to be put to the vote without debate. It was clarified to other Members that this had been agreed between the Group Leaders at their meeting with the Chairman on 24th February 2020.

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On being put to the vote the Motion was carried.

The meeting closed at 8.20 p.m.

Chairman

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Bromsgrove District Council

Composition of Committees 2019-20 (Revised 26/02/20)

Committee	Cons	Lab	Independent Alliance	Liberal Democrats	Comments
Overview and Scrutiny Board	<p>6 Deeming Spencer Till Beaumont Kriss Glass</p> <p>(Sub: Middleton, Whittaker, Jones, Hession)</p>	<p>1 McDonald</p> <p>(Sub:)</p>	<p>3 Colella Hotham Thompson</p>	<p>1 Hunter</p>	11 Members on Board
Licensing Committee	<p>6 Jones Glass Spencer Till Sherrey Whittaker</p> <p>(Subs: Webb, Kriss)</p>	<p>1 Rone- Clarke</p> <p>(Sub: Mallett)</p>	<p>3 English Thompson Baxter</p> <p>(no named sub)</p>	<p>1 Hughes</p> <p>(Sub: Hunter, King)</p>	11 Members on Committee
Planning Committee	<p>6 Deeming Thomas Whittaker Hession Beaumont Glass</p> <p>(Subs: Spencer, Sherrey, Middleton, Kriss)</p>	<p>1 McDonald</p> <p>(Sub: Rone- Clarke)</p>	<p>3 Baxter English Douglas</p> <p>(Subs: Van Der Plank, Thompson, Hotham)</p>	<p>1 King</p> <p>(Subs: Hughes, Hunter)</p>	11 Members on Committee

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Audit, Standards and Governance Committee	5 Whittaker Hession Spencer Beaumont Kriss	1 Mallett	2 Baxter Van der Plank	1 King	9 Members on Committee
Electoral Matters Committee	4 Hession Middleton Glass Deeming	1 Mallett	1 Colella	1 Hunter	7 Members on Committee
Appeals Committee	3 May Denaro Kent	0	2 Baxter TBA	0	5 Members on Committee
Appointments Committee (nominees made as and when necessary)	3 TBA	1	1 Baxter	0	5 Members on Committee
Statutory Officers (nominees made as and when necessary)	3 TBA	0	1 Baxter	1	5 Members on Committee
TOTAL	36	6	16	6	64 Places

CABINET RECOMMENDATIONS TO THE COUNCIL

Cabinet meeting 26th February 2020

Council Tax Resolution 2020/21

RECOMMENDED TO COUNCIL

- 2.2.1 The calculation of the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) as **£8,483,805.00**.
- 2.2.2 That the following amounts be calculated for the year 2020/21 in accordance with sections 31 to 36 of the Act:
- (a) £42,619,245 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (taking into account all precepts issued to it by Parish Councils) (*i.e. Gross expenditure*)
 - (b) £33,183,608 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
(i.e. Gross income)
 - (c) £9,435,442 being the amount by which the aggregate of **2.2.2 (a)** above exceeds the aggregate at **2.2.2 (b)** above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £253.58 being the amount at **2.2.2 (c)** above (Item R), all divided by Item T (**2.1.(a)** above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £951,832 being the aggregate amount of all special items (Parish precepts) referred to in Section 34 (1) of the Act (as per the attached **Schedule 3**).
 - (f) £228.00 being the amount at **2.2.2 (d)** above less the result given by dividing the amount at **2.2.2 (e)** above by Item T (**2.1.(a)** above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - (g) The amounts shown in Column 3 of **Schedule 1**. These are the basic amounts of the council tax for the year for dwellings in those parts of the Council's area shown in Column 1 of the

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schedule respectively to which special items relate, calculated by the Council in accordance with Section 34(3) of the Act. (District and Parish combined at Band D).

- (h) The amounts shown in Column 5 of **Schedule 1** being the amount given by multiplying the amounts at **2.2.2(g)** above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

2.2.3 It be noted that for the year 2020/21 Worcestershire County Council, Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated below:

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Hereford and Worcester Fire and Rescue Authority	57.33	66.88	76.44	85.99	105.10	124.21	143.32	171.98

2.2.4 Having calculated the aggregate in each case of the amounts at **2.2.2(h) and 4** above, that Bromsgrove District Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the amounts shown in **Schedule 2** as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

2.2.5 That the Executive Director Finance & Resources be authorised to make payments under Section 90(2) of the Local Government Finance Act 1988 from the Collection Fund by ten equal instalments between April 2020 to March 2021 as detailed below:

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Hereford & Worcester Fire and Rescue Authority	3,199,599.40	83,211.00	3,282,810.40

2.2.6 That the Executive Director Finance & Resources be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £9,680,390 being the Council's own demand on the Collection Fund (£8,483,805), Parish Precepts (£951,832) together with the distribution of the Surplus on the Collection Fund (£244,753).

2.2.7 That the Executive Director Finance & Resources be authorised to make payments from the General Fund to the Parish Councils the sums listed on **Schedule 3** by two equal instalments on 1 April 2020 and 1 October 2020 in respect of the precept levied on the Council.

2.2.8 That the above resolutions ~~3 to 5~~ be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes.

2.2.9 Notices of the making of the said Council Taxes signed by the Chief Executive are given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

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Artrix Petition – Presented by Rory Shannon

The full text for the petition reads:

“The announcement of the closure of the **ARTRIX** was met with huge sadness by the residents of Bromsgrove. The **ARTRIX** is the only venue of its sort in Bromsgrove, which hosted theatre and dance performances, cinema screenings, live music (including touring bands, solo artists and classical music), comedy from well-known performers to circuit comedians. It also worked with local groups and organisations as part of Bromsgrove Arts Alive which provides space for theatre performances, a Pantomime a classical music club, spoken word talks (featuring playwright, novelists, poets and historians) and productions by local dance schools. **ARTRIX** also had a very active learning and engagement department that coordinated many projects including a youth theatre group and projects in the community for all ages and social standing.

Although the arts centre is now closed there is still a need for an arts centre in Bromsgrove, therefore:

We call upon Bromsgrove District Council to take over the arts centre known as the **ARTRIX** and ensure it continues as an arts centre for the foreseeable future.”

The link for the online petition can be found here:

<https://www.change.org/p/bromsgrove-district-council-we-call-upon-bromsgrove-district-council-to-take-over-the-artrix>

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BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Licensing and Contract Delegations

Brief Statement of Subject Matter:

The following urgent decisions are required to facilitate the continued functioning of Council business given the expected inability to call Member meetings and potential executive staff absence as a result of the Covid-19 outbreak.

Decision: Council

Date: 25th March 2020

RESOLVED:

1. extend the delegation in the Council’s Scheme of Delegations to the Head of Legal, Equalities & Democratic Services or Principal Solicitor to sign or seal any document, Order or Notice on behalf of the Council and to serve or receive any documents on behalf of the Council to include contracts falling under the Contracts Procedure Rules
2. “That the delegation to the Head of Regulatory Services (Worcestershire Regulatory Services) shall be to determine all matters in relation to Hackney Carriage and Private Hire Operators, Vehicles and Drivers and to develop procedural processes to facilitate these determinations.”

Grounds for Urgency:

These decisions are required urgently due to the immediate need to reduce the requirement for Member meetings and anticipated officer absence in the context of the Covid-19 outbreak

DECISION APPROVED BY:

..... Chief Executive (Kevin Dicks) Dated
--	----------------

..... Section 151 Officer (Jayne Pickering) Dated
--	----------------

..... Monitoring Officer (Claire Felton) Dated
---	----------------

..... Leader (Cllr Karen May) Dated
----------------------------------	----------------

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.....
Chairman, Overview & Scrutiny Board
(Cllr Michael Thompson)

.....
Dated

.....
Chairman (Cllr Rod Laight)

.....
Dated

Agenda Item 7

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Members' Allowance Scheme 2020/21

Brief Statement of Subject Matter:

The Independent Remuneration Panel (IRP) has been appointed by the Council to carry out reviews of the allowances paid to Councillors, as required by the Local Government Act 2000 and subsequent legislation. The Panel has carried out its work in accordance with the legislation and statutory guidance.

The law requires each Council to "have regard" to the recommendations of the Independent Panel. At the Council meeting held on 26th February it was agreed that a decision would be deferred in respect of the recommendations pending further discussion with the Group Leaders.

Decision: Council

Date: 30 March 2020

RESOLVED:

- a) the current members allowances scheme be rolled over to the Municipal Year 2020/2021; and
- b) a cross party group be established, as soon as practically possible, to consist of all Group Leaders, to discuss the detail of the Members' Allowance Scheme 2020/21 for future consideration and agreement.

Grounds for Urgency:

This decision is required urgently in order to meet legislation and statutory guidance requirements and the meeting of Council to be held on 22nd has been cancelled in the context of the Covid-19 outbreak.

DECISION APPROVED BY:

.....
Chief Executive
(Kevin Dicks)

.....
Dated

.....
Section 151 Officer
(Jayne Pickering)

.....
Dated

.....
Monitoring Officer
(Claire Felton)

.....
Dated

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.....

Leader
(Cllr Karen May)

.....
Dated

.....

Chairman, Overview & Scrutiny Board
(Cllr Michael Thompson)

.....
Dated

.....

Chairman

.....
Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Public Participation at Virtual Planning Committee meetings

Brief Statement of Subject Matter:

The following urgent decision is required to facilitate the continued functioning of Council business during the Covid-19 outbreak.

Under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 (the Regs) local authority Committee meetings, including Planning Committee meetings, can now take place virtually. Public interest in the work of the Planning Committees remains. However, there is a risk that if the public are only permitted to speak verbally during the meeting, as currently stipulated in Committee Procedure Rules, this could prevent participation by members of the public who do not have internet access or have a poor broadband connection.

Therefore, the attached amended Planning Committee Procedure Rules propose that members of the public should be able to participate in virtual Planning Committee meetings either by speaking at the Committee meeting or by submitting a written statement in advance for the consideration of the Committee.

The decision invites Members to approve the attached document.

Decision: Council

Date: 18th May 2020

RESOLVED:

For virtual Planning Committee meetings, the attached Planning Committee Procedure Rules in respect of public speaking should apply.

(The amended Planning Committee Procedure Rules will only apply to Virtual Committee meetings).

Grounds for Urgency:

This decision is required urgently due to the forthcoming meeting of the Planning Committee, due to take place on 1st June 2020 and in the context of the Covid-19 outbreak.

DECISION APPROVED BY:

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Chief Executive – K Dicks

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Dated

Agenda Item 7

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Section 151 Officer - J. Pickering

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Dated

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Monitoring Officer – C Felton

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Dated

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Leader – K May

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Dated

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Chairman, Overview & Scrutiny Board
M Thompson

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Dated

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Chairman - R Laight

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Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Virtual Committee Meetings Protocol

Brief Statement of Subject Matter:

The following urgent decision is required to facilitate the continued functioning of Council business during the Covid-19 outbreak.

Under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 (the Regs) local authority Committee meetings, can now take place virtually.

In order to ensure that these meetings run smoothly the Council has created the attached Virtual Committee Meetings Protocol. The aim of the protocol is to provide guidance to both Members and Officers when participating in Virtual Committee Meetings. This was considered necessary as the process for holding Virtual Committee meetings differs in some respects from physical committee meetings.

Decision: Council

Date: 19th May 2020

RESOLVED:

The attached virtual committee meetings protocol be approved.

Grounds for Urgency:

The decision is due urgently to ensure that the protocol is in place prior to the forthcoming Planning Committee and in the context of the Covid-19 outbreak.

DECISION APPROVED BY:

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Chief Executive – K Dicks

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Dated

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Section 151 Officer - J Pickering

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Dated

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Monitoring Officer - C Felton

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Dated

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Leader – K May

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Dated

Agenda Item 7

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Chairman, Overview & Scrutiny Board
M Thompson

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Dated

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Chairman- R Laight

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Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Release of £120K from balances to enable the purchase of assets associated with the Artrix and other associated costs

Brief Statement of Subject Matter:

The freehold of the Artrix building ("the Building") is held by BDC on trust for the Holding Trust – which is a charitable trust registered with and regulated by the Charity Commission. BDC is the legal entity that is listed at the land registry, but it can only deal with the Building on direction from the Holding Trust. The Holding Trust is constituted of up to six trustees appointed by the Council and two appointed by the College.

The Building was leased on a 21 year term in April 2005 to the Operating Trust, which was re-constituted as a charitable company in June 2010. On giving the lease, the Holding Trust delegated all responsibility for running the building to the Operating Trust. There was no separate management agreement or operational specification because the Operating Trust had been set up with charitable objects broadly matching those of the Holding Trust. The charitable objects of the Operating Trust therefore provided the necessary guarantees over appropriate use of the Building. The Holding Trust had no power or responsibility under the lease to interfere with the operation of the building (unless activities at the building were outside of those allowed under the lease) or examine the financial position of the Operating Trust. On dissolution of the Operating Trust the lease is dissolved and full ownership of the building reverts to BDC (on behalf of the Holding Trust). Although BDC is the legal owner it can only deal with the Building as directed by the Holding Trust.

The Building was, under the lease, insured by BDC and this cover remains in place. Maintenance responsibility continues to sit with the Operating Trust, but the lease allows BDC as landlord to step in if it has concerns about maintenance.

BDC's acting Head of Leisure has met with the insolvency practitioner to ensure that in advance of the Holding Trust meeting its position and the Building are protected. BDC will continue to support the Holding Trust in working with the insolvency practitioner if the Holding Trust wishes.

Officers are exploring the implications with respect to business rates, third party liabilities, maintenance responsibilities etc. of the Holding Trust directing BDC to take possession of the building in advance of dissolution of the Operating Trust.

The Insolvency process is ongoing and on dissolution of the Operating Trust, the Holding Trust will be advised moving forward although the current closure of theatres and cinemas on direction of the government means that business and service continuity is not a consideration.

Once the lease is dissolved, the Holding Trust will then have to decide what to do with the Building. The Holding Trust is a charitable trust and must apply its income and assets for one or more of the following objects:

To advance education in and increase appreciation and understanding of all forms of the arts amongst members of the public including (without limitation) the arts of drama, dance, music and performance and visual arts generally in particular but without limitation:-

by presenting, producing, organising or promoting or procuring to be presented, produced, organised or promoted either alone or with others performance of music, drama, dance or any other form of arts; and

by providing organising or promoting classes and courses in drama, music, painting or any other form of the arts.

To provide or assist in the provision of facilities for recreation or other leisure-time occupation with the object of improving the conditions of life for members of the public in the interests of social welfare.

The Building, or any monies raised from dealings with it, must be applied for these purposes.

There are therefore significant decisions to be made by the Holding Trust in the coming months.

Decisions about the future of the Building rest with the Holding Trust rather than the Council, but the Council can provide monetary support to the Holding Trust and in the interests of fulfilling the Trust and other obligations.

BDC's Acting Head of Leisure has confirmed that it is far more likely that the Holding Trust will be able to enable the objects of the Holding Trust to be fulfilled with the assets of the building in situ.

It is therefore proposed that the Council support the Holding Trust by making an offer to the Insolvency Practitioner for the assets to enable this to happen.

The Council has sought external advice on the value of the assets.

In addition the Holding Trust will require legal and other professional support to enable it to fulfil its Trust obligations moving forward,

It is therefore proposed that the Council release £120k from balances to fund the purchase of the assets the provision of independent Legal and other professional advice to the Trust and funding for the ongoing maintenance, insurance and security of the building. Balances at 31/3/2019 were £4.3m with the minimum level required of £1m.

Decision: Council

Date: 29th May 2020

RESOLVED:

That £120K be released from balances to enable a bid to be made by the Council to the Insolvency Practitioner for the Assets associated with the Artrix as detailed in the Insolvency schedule and within the financial parameters set by the Councils external independent valuer, for the provision of independent legal and other professional advice to the Holding Trust and for the purpose of insuring, maintaining and securing the Artrix building.

Grounds for Urgency:

The deadline for offers for the purchase of the contents of the Artrix following its closure, is 29th May 2020 and therefore falls before the next scheduled meeting of the Council.

DECISION APPROVED BY:

Agenda Item 7

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Chief Executive – K Dicks

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Dated

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Section 151 Officer - J Pickering

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Dated

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Monitoring Officer – C Felton

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Dated

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Leader – Cllr K May

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Dated

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Chairman, Overview & Scrutiny Board
Cllr M Thompson

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Dated

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Chairman – Cllr R Laight

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Dated

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BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Outside Bodies – Appointments to the Artrix Holding Trust

Brief Statement of Subject Matter:

Appointments to a number of Outside Bodies are made at the Council's Annual Meeting in May each year, with any amendments being reported to subsequent full Council meetings. There has been a resignation from the Artrix Holding Trust, with a vacancy also being carried over since the Annual Council meeting held on 22nd May 2019. Following discussions with Group Leaders, it has been agreed that two new Trustees should be appointed with immediate effect.

Decision: Council

Date: 2nd June 2020

RESOLVED:

That Councillors C. Hotham and M. Middleton be appointed as Trustees to the Artrix Holding Trust with immediate effect.

Grounds for Urgency:

The appointment of Trustees to the Artrix Holding Trust would normally be a Council decision but as the next scheduled meeting is not due to be held until 17th June 2020 then an urgent decision is required to do this on this occasion.

DECISION APPROVED BY:

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Chief Executive – K Dicks

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Dated

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Section 151 Officer - J Pickering

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Dated

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Monitoring Officer – C Felton

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Dated

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Leader – Cllr K May

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Dated

Agenda Item 7

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Chairman, Overview & Scrutiny Board
Cllr M Thompson

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Dated

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Chairman – Cllr R Laight

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Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Discretionary Business Rates Grant Scheme

Brief Statement of Subject Matter:

The government announced a Local Authority Discretionary Grants Fund on 1 May 2020 and published guidance for local authorities on 13 May 2020. This guidance is attached at Appendix B. There has been a slight subsequent revision to this guidance and the proposed policy takes into account the most recent guidance.

This further scheme provides financial support to businesses impacted by the Covid-19 pandemic and is in addition to the two existing schemes administered by local authorities: the Small Business Grants Fund and the Retail, Hospitality and Leisure Grants Fund.

Local authorities have been provided with discretion as to which businesses to support under their scheme, however, government has stated their expectation that businesses in shared offices, small bed and breakfasts, charities in occupation on one small property, and market traders with fixed property costs are prioritised for grant.

Grants provided under the discretionary scheme may be of £25,000, £10,000 or any amount below £10,000. Authorities are required to develop clear criteria for determination of grant and to publish details on their website.

It is anticipated that businesses will be required to make an application for support under the discretionary scheme and that payments will be made from early June 2020.

Decision: Council

Date: 4th June 2020

RESOLVED:

- a) The guidance for awards of discretionary grants detailed in Appendix A to the report presented to Cabinet on 3rd June, subject to the amendments contained in the recommendation from the Overview and Scrutiny Board, be adopted; and
- b) The Executive Director for Finance and Resources be authorised to finalise the guidance and to make other decisions in relation to the payment of grants, in consultation with the Chief Executive and the Portfolio Holder for Finance and Enabling.

Grounds for Urgency:

This matter was agreed at Cabinet on 3rd June, with recommendation on to Council for the final decision. However, as the next scheduled meeting of Council is not due to be held until 17th June 2020 then an urgent decision is required in order for the scheme to be implemented as soon as possible, in line with Government requirements.

Agenda Item 7

DECISION APPROVED BY:

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Chief Executive – K Dicks

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Dated

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Section 151 Officer - J Pickering

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Dated

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Monitoring Officer – C Felton

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Dated

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Leader – Cllr K May

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Dated

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Chairman, Overview & Scrutiny Board
Cllr M Thompson

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Dated

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Chairman – Cllr R Laight

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Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Cashless payment option for parking via mobile phone

Brief Statement of Subject Matter:

Members are requested to approve the installation of the 'pay on phone' provision within its pay and display car parks to enable parkers to pay without the need to handle cash and that they delegate authority to officers to enter into the necessary contract arrangements to enable this facility as soon as practicable.

Decision: Cabinet

Date: 11th June 2020

RESOLVED:

- a) that Members agree to the installation of 'Pay on Phone' provision within its pay and display car parks and;
- b) that they delegate to the Head of Environmental Services authority to enter into a contract within the Councils agreed procurement framework to enable this to be provided as soon as is practicable.

Grounds for Urgency:

Currently, within Bromsgrove there are only two ways to pay for parking in our 'Pay and Display' car parks, this is either purchase the ticket from the machine with cash, or purchase a permit from the Customer Service Centre.

Due to the COVID 19 recommendations that everyone should reduce the handling of cash, it is proposed that to improve the Health and Safety of the public a cashless option to pay for car parking on our Pay and Display car parks is introduced.

There are no direct financial implications for the authority signing up to this type of pay by phone solution. As part of consideration within the procurement framework, officers will ensure the banking transactional costs will be of the best value to the Council. It is anticipated these will be offset by the reduction in the cost of processing cash.

Such cashless solutions operate by charging the customer a surcharge for using their system. They would also charge the for text reminders. All of these conditions are explained and signed up to by the customer when they load the phone application.

The selection of a supplier will be via the ESPO framework and this has already been discussed with our procurement team and we can direct award with a compliant contract.

Agenda Item 7

To enable the Council to start charging for parking this solution needs to be implemented as soon as possible hence the request for an urgent decision.

DECISION APPROVED BY:

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S Hanley - Deputy Chief Executive

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Dated

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J Pickering - Section 151 Officer

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Dated

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C Felton - Monitoring Officer

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Dated

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K May - Leader

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Dated

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M Thompson
Chairman, Overview & Scrutiny Board

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Dated

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R Laight - Chairman

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Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: BUSINESS AND PLANNING ACT 2020

Brief Statement of Subject Matter: The Business and Planning Bill, to promote economic recovery, was introduced in Parliament on 25 June with the intention that it would receive Royal Assent by 1 July 2020. Sections 1 to 10 of the Act introduce a regime of pavement licences for premises serving food and drink to seat and serve customers outdoors through temporary changes to Planning procedures and alcohol licensing. These will be issued by district councils, so that Worcestershire Regulatory Services [WRS] will manage the regime on behalf of the Council.

Even though the word "licence" is used throughout sections 1 to 10 of the 2020 Act, this is self-standing legislation and there is no provision in the Act that puts this matter within the remit of licensing committees.

WRS have worked at pace to draft a policy and procedure for the operation of the new legislation in Worcestershire, including local conditions and the application and fee process.

This document is appended to this decision, for adoption by the Council.

These measures intended to last until 30 September 2021.

Decision: To

- (1) **DELEGATE** the Council's functions in sections 1 to 10 of the Business and Planning Act 2020 to Worcestershire Regulatory Services [WRS];
- (2) **ADOPT** the appended policy and procedure for implementation by WRS; and
- (3) **AUTHORISE** the Head of Legal, Democratic and Property Services to make any necessary amendments to the Service Level Agreement and other documents governing the Council's relationship with Worcestershire Regulatory Services, to reflect decisions at (1) and (2)

Date: 1 July 2020

Grounds for Urgency:

It is necessary to be ready to begin considering applications immediately the legislation receives Royal Assent, expected to be as early as 1 July 2020.

DECISION APPROVED BY:

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K Dicks - Chief Executive

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Dated

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J Pickering - Section 151 Officer

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Dated

Agenda Item 7

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C Felton - Monitoring Officer

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Dated

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Cllr K May - Leader

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Dated

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Cllr M Thompson -
Chairman, Overview & Scrutiny Board

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Dated

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Cllr R Laight - Chairman

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Dated

BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: FEES FOR PAVEMENT LICENCES

Brief Statement of Subject Matter:

Members have already agreed to endorse the provisions in the Business and Planning Act 2020. Members are now invited to approve the final version of the Policy Statement on Pavement Licences and to agree that the Council should charge applicants the statutory fee of £100.

Decision: To endorse the final Policy Statement on Pavement Licences and the statutory fee for applications of £100.

Date: 27th July 2020

RESOLVED:

- 1) the updated Policy Statement on Pavement Licences be approved; and
- 2) the statutory fee of £100 be approved.

Grounds for Urgency:

This legislation is now in force and applications are being submitted. Therefore, the Council needs to approve the final policy and have the charging system in place immediately.

DECISION APPROVED BY:

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Chief Executive

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Dated

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Section 151 Officer

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Dated

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Monitoring Officer

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Dated

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Leader

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Chairman, Overview & Scrutiny Board

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Dated

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Bromsgrove District Council



Audit, Standards and
Governance Committee

ANNUAL REPORT

2019 / 2020



Bromsgrove
District Council

www.bromsgrove.gov.uk

FOREWORD

I am pleased to introduce the Audit, Standards and Governance Committee's 2019/20 Annual Report. It records the continued progress in strengthening and developing the role of the Committee in providing an independent assessment of the wide range of controls and corporate governance.

This report reflects the wide work programme incorporated within this committee's work and illustrates the breadth of areas into which the committee is seeking to ensure transparency, compliance and value for money. The report demonstrates the importance to both the council and the public in ensuring that improvements to the governance of the council are being delivered and sustained.

There has been progress in the operation of the audit assurance responsibilities of the Committee. Members have sought to take a more proactive approach to concerns raised through our internal audit function, especially around limited assurance audits and to overdue audit actions. For example, members sought added assurance from key personnel, following a limited assurance audit into the council's Health and Safety arrangements.

This year has seen an extended role for the Audit, Governance and Standards Committee. For the first time, the Audit, Standards and Governance Committee were able to approve the Audit Findings and Statement of Accounts. The accounts were approved, following a delegation from council, at the July meeting of the committee.

I would wish to give particular thanks to Councillor Van Der Plank for her contribution as Member Risk Champion. As is detailed in this report Councillor Van Der Plank has been visiting Heads of Service regarding risks associated with their service area. Councillor Van Der Plank's work has also supported discussions around emergency planning and response. My thanks on behalf of the committee for all the work Councillor Van Der Plank is putting into the Risk Champion role.

I would like to thank the 151 Officer, Monitoring Officer, our Internal and External auditors, Democratic Services and all the members of the committee for their hard work over the last year and for the continued progress that is being made as a result. I believe that the Audit, Standards and Governance Committee provide a valuable contribution to the development of standards and protocols across the Council's governance in an effective and compliant way.

Chairman

Councillor Luke Mallett

MEMBERSHIP



Luke Mallett (Chairman)



Peter Whittaker (Vice Chairman)



Sue Baxter



Andrew Beaumont



Sarah Hession



Janet King
Plank



Adrian Kriss



Caroline Spencer



Kate Van Der

INTRODUCTION

This report provides an overview of the Audit, Standards and Governance Committee's activities during the municipal year 2019/20.

The ultimate responsibility for Audit rests with the Portfolio Holder with responsibility for Finance and the Section 151 Officer. The Portfolio Holder is expected to attend each meeting in line with the Constitution.

During the year the Committee has considered reports on the following subjects:

- Monitoring Officers Report – which details complaints and training which has taken place during the period between meetings.
- Dispensation Reports
- Updates from the external auditors, Grant Thornton in respect of their work.
- Updates on the work of the Internal Audit Team.
- Quarterly Financial Savings Monitoring Update Reports.
- Accounting Standards (Statement of Accounting Policies)
- Corporate Risk Register
- Risk Management Strategy
- The Risk Champion's Update Report.
- Statement of Accounts.
- Regulation Of Investigatory Powers Act 2000 (RIPA) Report
- Health and Safety

Further information about some of the key responsibilities of the Committee are outlined in detail within this report.

THE ROLE OF THE AUDIT, STANDARDS AND GOVERNANCE COMMITTEE

Scope and Responsibility

The Audit, Standards and Governance Committee provides independent assurance to the Council in respect of:

- The effectiveness of the Council's governance arrangements
- The Annual Governance Statement
- The Review of the Annual Statement of Accounts
- Risk Management Framework and strategies
- The effectiveness of the Council's financial and non-financial performance
- Anti-Fraud arrangements
- Whistle-blowing strategies
- Internal and external audit activity
- Democratic governance

The Committee is also responsible for the Council's Standards Regime which covers both District and Parish Councils. Areas encompassed within the Standards Regime include:

- Promoting High Standards of Conduct by Councillors and co-opted members of Council bodies.
- Assisting Councillors and co-opted members to observe the Members' Code of Conduct.
- Advising and training Members and co-opted members in respect of the Code of Conduct.
- Formulating advice to members and officers in declarations of gifts and hospitality.
- Granting dispensations to Councillors and co-opted members from requirements relating to interests as set out in the Code of Conduct.
- Considering reports from the Monitoring Officer following investigation into a complaint about elected Members.

Meetings of the Board

The Council's constitution requires the Audit, Standards and Governance Committee to hold quarterly meetings. During the municipal year 2019/20 meetings were held in July and October 2019 and January and March 2020. The Audit, Standards and Governance Committee work programme was reviewed at each meeting with items included as and when considered and agreed by the Committee.

STANDARDS REGIME

There are two main areas which are considered regularly in terms of the Committee's responsibility for Standards.

Monitoring Officer's Report

This covers Member Training, Member Complaints and Parish Council matters.

This municipal year Committee Members had attended several training events spread out over the year. This allowed new Members the opportunity to settle in without being inundated with events and meetings.

The following training events were attended by Members:

- Phased Induction Programme for New Members
- Data Protection/GDPR
- Safeguarding Events
- Code of Conduct Sessions

Training sessions were also arranged for Members who were appointed to specific committees, this included Planning and Licensing.

The Constitution Review Working Group continued to review behaviours at meetings, supplementary questions and regularly reviewed the scheme of delegations. Recently the group had discussed the timings for submission of both questions and notices of motion. These discussions had lead to a number of reports being presented to Council which made a number of changes to the Council's Constitution to aid the smooth running of the democratic process.

Dispensation Report

At the start of the year the Committee granted a number of Members' dispensations to discuss matters in which they had an interest. Dispensations, all of which require the advance approval of the Committee and a subsequent written request from the Member to the Monitoring Officer, currently fall within the following categories:

- (i) General Dispensations
- (ii) Council Tax Arrears
- (iii) Individual Member Dispensations
- (iv) Outside Body Appointment Dispensations

Parish Council Involvement

The Parish Council representative is able to add any item on to the agenda as required and this is highlighted within the Monitoring Officer's Report. Whilst the Parish Councils have the opportunity to appoint two representatives on the Committee, as has happened in previous years, only one of these places was taken up this year.

Investigations and Enquiries

There have been three parish council complaints this year, all of which have now been resolved.

There have been a number of complaints at District Level in relation to social media, which have been managed locally.

There have been no investigations about Members which required a Hearings Sub-Committee to be convened.

The appointed Independent Person has continued to support the Monitoring Officer where necessary and has attended a number of Council meetings throughout this municipal year.

INTERNAL AUDIT REPORT

During the year the Committee has continued to receive updates on the work of the Internal Audit team including details of the following completed audit reports:

- Internal Audit - Annual Report 2018 – 19
- Internal Audit - Progress Report
- Internal Audit – Draft Audit Plan 2019/20
- Internal Audit Progress Monitoring Report
- Internal Audit Plan 2020 - 2021

EXTERNAL AUDITORS

During the year the Committee received reports from the current External Auditors, Grant Thornton on the following subjects:

- Grant Thornton (External Audit) Audit Fee Letter 2019/20
- Grant Thornton Annual Audit Letter 2018/2019
- Grant Thornton External Audit - Audit Findings Report
- Grant Thornton - Progress Report 2018/19
- Grant Thornton - Housing Benefit Report 2019/2019

The Progress Reports were considered at each meeting of the Committee and covered a range of issues including the following:

- Value for money
- Significant Risks
- The Changing Face of Corporate Reporting
- Financial Statements
- Housing Benefits

STATEMENT OF ACCOUNTS – 2018/19

This year, for the first time, the Audit, Standards and Governance Committee were able to approve the Audit Findings and Statement of Accounts. This was following a delegation made to the Committee at the Council meeting held on 24th July 2019.

The Audit, Standards and Governance Committee, considered and approved the Statement of Accounts at its meeting in July 2019.

This was the fourth year that the Committee had considered the Audit Findings and Statement of Accounts. The Statement of Accounts were approved by the Executive Director of Finance and Resources by 30th May 2019 and submitted to the External Auditors Grant Thornton on the same day.

During the presentation a number of areas were highlighted within the covering report, which the Financial Services Manager discussed with Members, including:

- Movement in Reserves Statement
- Comprehensive Income and Expenditure Statement
- The Cash Flow Statement
- The Collection Fund

The Executive Director, Finance and Resources asked for a delegation to be included within the recommendations to allow for any last minute changes to be made in consultation with the Vice Chairman of the Committee for approval. This recommendation was agreed.

In addition to the Statement of Accounts the Committee were also presented with quarterly Financial Savings reports over the course of the Municipal year.

REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – 18 JULY 2019

Members were presented with a report that explained the powers that were available under the Regulation of Investigatory Powers Act 2000 (RIPA) and that a refresh of the Council's policy had recently been carried out.

CODE OF CONDUCT - UPDATE REPORT – 10 OCTOBER 2019

The Committee were asked to consider a report on Standards in Public Life (CSPL) into Local Government Ethical Standards.

The CSPL had concluded that high standards of conduct in local government were needed to protect the integrity of decision-making, maintain public confidence and safeguard local democracy.

Members of the Committee requested that the following changes recommended to the Constitution Review Working Group meeting,

- That the 'Gifts and Hospitality' threshold be reduced to £15;
- That 'Trolling' be included under 'Bullying and Harassment'.

These recommendations were agreed by the Group and by Council.

BENEFITS AND COMPLIANCE UPDATE REPORT 2019/2019 – 10 OCTOBER 2019

The Benefits and Compliance Update Report 2019/2019 report detailed the savings delivered for the first quarter against those identified in the Medium Term Financial Plan (MTFP).

External Auditors, Grant Thornton, had recommended that the delivery of savings be monitored closely to ensure that the Council was meeting savings in the way that was expected when the budget was set. Members were reassured that this was the case and that business critical staff vacancies would continue to be filled going forward.

RISK MANAGEMENT REVIEW – 10 OCTOBER 2019

Members were presented with a Risk Management Review report with for their consideration The review found that there was not a consistent approach to robust risk management processes across the Council..

The report highlighted the following findings from Zurich:

- Improve the link between performance and risk by developing the role of the Cabinet and Portfolio Holders within the Risk Management framework
- Provide greater direct support to Departmental management teams to build a robust risk profile and support the embedding of effective risk management practices.
- Improve the level of risk management capability and awareness across Member and Officer groups.

The outcomes of the review were that the risk management group was re-established and an action plan to address the recommendations was developed and

would be presented to future meetings of the Committee. In addition to this, training had been agreed with Zurich and was due to be delivered to managers in October 2019.

RISK CHAMPION - COUNCILLOR VAN DER PLANK

The Chairman requested that a volunteer from the Committee act as the Risk Management Champion for the remainder of this Municipal Year. Councillor Van der Plank volunteered and resolved to provide the Committee with a verbal update at each meeting going forward.

The updates provided included information regarding Emergency Planning and the Business Continuity Response Plan. Councillor Van Der Plank visited Heads of Service regarding risks associated with their service area. There were also detailed discussions at several meetings regarding the risk of Brexit and the actions that were being undertaken in order to mitigate risks associated with it.

HEALTH AND SAFETY AUDIT – 30 JANUARY 2020

The Senior Health and Safety Advisor was welcomed to this meeting to discuss the findings of the Final Internal Audit Report, Health and Safety (H & S) 2018/19 and reassure Members that Health and Safety was given a high priority at the Council.

There was detailed discussion including a Health and Safety manuals refresh and training for Council staff. Members were reassured Members an annual cycle of policy renewal would now take place and fire risks would be carried out every 6 months.

Legal, Equalities and Democratic Services

Bromsgrove District Council

Parkside

Bromsgrove

Worcestershire B61 8DA

Telephone: 01527 64252 ext 3031

Email: joanne.gresham@bromsgroveandredditch.gov.uk

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Overview and Scrutiny **Annual Report**

2019 - 2020



Bromsgrove
District Council
www.bromsgrove.gov.uk

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OVERVIEW AND SCRUTINY ANNUAL REPORT 2019-2020

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FOREWORD FROM THE CHAIRMAN

The Overview and Scrutiny Board is a key part of the Council's democratic structure, which plays a pivotal role in supporting the improvement of council run services and operations. The Cabinet and, accordingly, the Council, is dependent on the efficiency and objectivity of the Board. The Board is a non-partisan committee whose members – including those of the ruling party – feel empowered and are encouraged to be a critical friend to the Cabinet. As such, the Cabinet is confident that it can take on its recommendations and suggestions.

The Board has pre-scrutinised a diverse range of reports this municipal year including a new high quality and innovative project to be situated on the old Market Hall Site and a District Council Low Emission Vehicle Strategy. Members were particularly pleased to see exciting innovation and the development of an important and necessary strategy to encourage the wider use of electric vehicles.

Two task groups have been set up this year and will carry out reviews of the following in the forthcoming months:

- Library Services and;
- Prevention of Flooding

Both are in their early stages and I look forward to hearing the outcomes later in the next municipal year.

I have also had the pleasure of chairing the Bromsgrove Sporting Task Group, which put its final report and recommendations to the February meeting of the Board. This came out of a proposal put forward by former Councillor Chris Bloore and although slow to get off the ground I believe it showed how task groups can help support services provided in our community. Further details are provided later in this report.

Finally, I would like to give particular and personal thanks to my predecessor, Councillor Luke Mallett. My belief is that this Overview and Scrutiny Board is a beacon to others – this is of no accolade to me but is due to the talent and time Luke invested as its previous chair in creating a non-partisan, effective committee.

Councillor Michael Thompson

Chairman

INTRODUCTION

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2019-2020 (this covers the municipal year from May 2019 to April 2020) and provides general information on the overview and scrutiny processes at Bromsgrove District Council.

Overview and Scrutiny is a key part of the democratic decision making process in local Councils, where elected Councillors outside of the Cabinet can contribute to shaping Council policy, community well-being and accountability. This is done by reviewing Council services and policies, community issues and key decisions and making recommendations for improvement.

The four key principles of Overview and Scrutiny, as defined by the Centre for Public Scrutiny (CfPS), the lead charitable organisation supporting Overview and Scrutiny in the country, are:

- Provides a 'critical friend' challenge to executive policy makers and decision-makers.
- Enables the voice and concerns of the public to be heard.
- Is carried out by 'independent minded Members' who lead and own the scrutiny role.
- Drives improvement in public services

The Members of the Board consider these principles when selecting topics to investigate whether it is holding the executive to account, reviewing policies, policy development or scrutiny of external bodies.

Agenda Item 9

MEMBERSHIP (The Board is made up of 11 Members)



Councillor Michael Thompson
Chairman



Councillor Jo-Anne Till
Vice Chairman



Councillor Andrew Beaumont



Councillor Steve Colella



Councillor Richard Deeming



Cllr Malcolm Glass



Councillor Charles Hotham



Councillor Robert Hunter



Councillor Adrian Kriss



Councillor Peter McDonald



Councillor Caroline Spencer

THE ROLE OF THE OVERVIEW AND SCRUTINY BOARD

Overview and Scrutiny is a key part of the Council's political structure and it plays a vital role in improving the services that people of the District use, whether as a resident, employed here or just visiting. It does not just look at the way the Council does things, it can look at anything which affects the lives of people within the District and it allows citizens to have a greater say in Council matters.

Overview and Scrutiny allows Councillors to review and scrutinise decisions, look at existing practices and make recommendations to help ensure the residents of Bromsgrove District receive excellent services. The aim is to ensure Overview and Scrutiny adds value to the Council's decision-making process and makes a positive contribution towards policy development.

The detailed terms of reference and procedure rules for the Overview and Scrutiny Board can be found at Part 5 and Part 12 of the Council's Constitution. The Council's Constitution can be accessed by using the following link.

<http://svmoderngov:9072/ieListMeetings.aspx?CId=329&Year=0> (Please click on the latest date to access the most recent version of the Council's constitution).

Number of Meetings

The Overview and Scrutiny Board try to meet on a monthly basis, during the 2019-20 municipal year a total of 8 meetings were held. This is less than normal and was due to cancellation of the March and April 2020 meetings due to the Covid-19 restrictions which were put in place in March 2020. It is likely that in the forthcoming municipal year the Board will wish to hold additional meetings to take account of this.

Reports Considered by the Board

The Board continues to receive regular updates in order to monitor the progress of recommendations it has made, through the Recommendation Tracker. This contains both recommendations put forward by Task Groups and accepted by the Cabinet, together with recommendations put forward by the Board itself. In respect of Task Groups the Board does, where necessary, receive an update report 12 months following acceptance of its recommendations.

During the course of the year the Board received a number of reports and made a number of recommendations. There has been continued support from the relevant Portfolio Holders this year, with regular attendance from a number of them when a report which relates to their portfolio has been presented to the Board. This has given them an opportunity to hear first-hand the debate and ideas that the Board has put forward. On a number of occasions, whilst the Board has not made any recommendations in respect of an item, it has endorsed and supported recommendations which would be considered by Cabinet at its meeting.

BROMSGROVE MARKET – UPDATE – 10 JUNE 2019

Members received a presentation in respect of Bromsgrove Market and changes made to the market since in-house service delivery was re-introduced in June 2018. The Portfolio Holder also attended in order to get a full flavour of the discussion.

Members discussed the market and raised the following points:

- How did Bromsgrove market compare to other markets in the country?
- Were the occupancy levels comparable to other markets?
- The budgetary position of the market.
- A 'Love Your Market' campaign would be taking place in 2020 to help promote the market locally.
- Special events were planned to take place in the market area.

The Board requested that they receive a further update in respect of the Market in 12 months' time.

SELECT COMMITTEE FINDINGS AND GUIDANCE - 10 JUNE 2019

The new statutory guidance in respect of Overview and Scrutiny was published by the Department of Housing, Communities and Local Government in May 2019. On review of the document by the Board it was found that Overview and Scrutiny in Bromsgrove already complied with the majority of the points detailed within the guidance.

Due to a number of newly elected Members on the Overview and Scrutiny Board the Board decided that the guidance be reconsidered at a meeting later in 2019.

OVERVIEW AND SCRUTINY - SELECT COMMITTEE FINDINGS AND GOVERNMENT GUIDANCE – 2 DECEMBER 2019

The Select Committee Findings and Government Guidance were scrutinised in December 2019 and Members were satisfied that Bromsgrove District Council already undertook most of the recommendations.

BROMSGROVE DISTRICT COUNCIL LOW EMISSION VEHICLE STRATEGY - PRE-SCRUTINY - 8 JULY 2019

In July, a report was presented to the Board in respect of introducing an Ultra-Low Emissions Vehicle (ULEV) Strategy including a five year action plan. The policy was designed to assist in the development of the necessary infrastructure in light of the changeover to a wider use of electric vehicles. The strategy was welcomed by Members but it was recognised that the challenge for the Council would be to keep up to date with the relevant technology.

ENTERPRISE RESOURCES PLANNING SYSTEM - 8 JULY 2019

The Enterprise Resources Planning System (ERP) update was presented to Members at the meeting held on 8th July 2019. It was explained that the system would be used for both Financial Services and for Human Resources purposes and would be fully implemented within 18 months.

STAFF SURVEY UPDATE – 8 JULY 2019

An update in respect of the actions arising from the work of the Joint Staff Survey Task Group review was presented to Members at the July meeting of the Board.

The review was carried out due to concerns amongst Members that there had been a low rate of responses when the survey had been circulated previously. The Board proposed a number of recommendations which were undertaken by officers in an attempt to address issues raised by staff in the survey.

The next survey was due to be circulated in September, 2019 and an update would be provided to Members at a future meeting. This deadline was moved to later on in 2020 in order to embed some organisational culture change work that was being undertaken across the organisation. The Portfolio Holder was in attendance in order to report back to the Cabinet meeting.

COUNCIL PLAN - PRE SCRUTINY – 2 SEPTEMBER 2019

With the election of new Members for 2019/2023 and a new Leader of the Council, Officers had seen the opportunity to update and refresh the Council Plan including

the Council's Vision, Strategic Purposes and Priorities for 2019/2023. A full review and consultation on the Council Plan would be carried out in 2020.

The previous six Strategic Purposes have been reduced to five and there was now a 'green thread' that runs through the entire plan.

Members of the Board made some recommendations regarding the wording within some of the plan which were taken to Cabinet on 4th September; these recommendations were unfortunately, not approved by Cabinet.

CUSTOMER COMPLAINTS PROTOCOL – 2 SEPTEMBER 2019

Members requested a presentation in regards to the Customer Complaints Protocol at the Council. This had been requested as Members were aware that customers had contacted the Council and had not received a suitable or satisfactory response. Members were keen to understand the process and the timeframes of responses.

The presentation highlighted that the Customer Services Team was working on achieving a more consistent approach to the complaints process.

BDHT - CUSTOMER SERVICE REQUESTS – 21 OCTOBER 2019

Following on from the previous item, a representative from Bromsgrove District Housing Trust (BDHT) was invited to share best practice in respect of customer service and in particular how BDHT dealt with and logged service requests..

Members discussed Customer Care Culture, levels of priority and associated timescales and information regarding on "My BDHT" customer portal, a self-serve system that customers could log into to report ASB, repairs and review rent statements.

In addition to these items the representative from BDHT explained how general enquiries were dealt with, such as repairs. Members were invited to contact the representative from BDHT with any specific issues that had been raised with them by residents in their wards.

BUSINESS RATES RELIEF - SHORT SHARP REVIEW FINAL REPORT – 2 SEPTEMBER 2019

The Business Rates Relief Short Sharp Review report was presented to Members. It was concluded that that it had been a really positive Task Group. It was recommended by the Board that that the Section 151 Officer uses her delegated powers to use the 2018/19 balance for business scheme and reflects this in the allocation for subsequent years. This recommendation was agreed by Cabinet.

CUSTOMER SERVICES TEAM - CUSTOMER SERVICES REQUESTS – 21 OCTOBER 2019

The Executive Director, Finance and Resources presented on how the Council's complaints and compliments were processed. At this meeting it was confirmed that the Council was working on improving the online self-serve offer to customers. Officers carried out a piece of work that looked at how best to deal with the varied queries the Council had to deal with. This was focussed on getting back to the customer in a set timescale

A new system, the Enterprise Resource Planning System (ERP) which was presented to the Board in July 2019 was still under development and therefore it was decided that this item would be monitored and a further update be provided to Members in six months' time.

REVIEW OF COUNCIL TAX SUPPORT SCHEME - PRE SCRUTINY – 21 OCTOBER 2019

There were no plans to change the scheme this year; however in 2021/22 it was proposed that a full and detailed review be carried out. It was with this in mind that the Executive Director, Finance and Resources presented the report to the Board. Concerns by Members were raised that proposed changes might impact on members of the community already in a financially vulnerable position. The Board recommended that a business case be brought forward for 2021/22 to include 100% Council Tax support. The Executive Director, Finance and Resources explained that this recommendation could not be taken into account for the year 20/21 but could be considered for 21/22.

SCRUTINY OF THE COMMUNITY SAFETY PARTNERSHIP – 13 NOVEMBER 2019

The Overview and Scrutiny Board have a statutory duty to scrutinise the Community Safety Partnership on an annual basis.

At this meeting the Members were presented with the focus and priorities of the Partnership and the current structure and the plan for 2017-20, which was coming to its conclusion. Members were interested in what funding that had been received for CCTV in the District. Also discussed were key projects such as Nominate a Neighbour Scheme and the Bromsgrove and Redditch School Respect Programme.

RECYCLING, DOG MESS AND LITTER - A CAMPAIGN (PRESENTATION) – 2 DECEMBER 2019

This had been an area which Members were keen to find out more about, following discussions that had taken place at the Board's Training/Work Programme planning event at the beginning of the new municipal, so at the December 2019 meeting a

presentation was given by the Environmental Services Manager along with the Portfolio Holder in connection with the initiatives that are being undertaken to help recycling, dog fouling incidents and litter problems in the District.

There was particular focus on communications to residents including leaflets, tagging for bins and social media campaigns and the need for consistent messaging and enforcement.

HOMELESSNESS GRANT AND FLEXIBLE HOMELESSNESS SUPPORT GRANT AWARDS - PRE-SCRUTINY – 13 JANUARY 2020

The Strategic Housing Manager was welcomed to the meeting in January 2020 to discuss Homelessness funding options that were available in the District. The three funding streams available were the Homelessness Grant Allocation, Flexible Homelessness and the Homelessness Reduction Act New Burdens Funding. The Overview and Scrutiny Board recommended that the following statement be made “that homelessness and rough sleeping are an issue in the District and hope that the Homelessness Grant and Flexible Homelessness Support Grant Awards would help to eradicate homelessness and rough sleeping in the District. The Board was also concerned with the way that homelessness and rough sleepers were only counted on “one night a year” and put forward a recommendation in respect of this. This recommendation was taken to Cabinet however it was discussed that, regardless of whether the count was done on annually or more frequently, numbers of rough sleepers could change on a daily basis.

NORTH WORCESTERSHIRE ECONOMIC GROWTH STRATEGY - PRE-SCRUTINY – 13 JANUARY 2020

The Head of Economic Development and Regeneration - North Worcestershire presented to the Board in regard to the North Worcestershire Economic Growth Strategy report and the key strategic priorities. The Portfolio Holder attended in order to report back to Cabinet and to understand the reasons for any recommendations made by the Board.

It was discussed that there were challenges within the District regarding the disparity between supply and demand of land which had resulted in businesses that would like to move to the area but there was no land available for them to re-locate to in the District. Members felt it was imperative that a priority should be the connectivity between the railway station and Bromsgrove Town Centre in any future plans. There was some concern from the Board that the strategy was very much focussed on Wyre Forest and Redditch and that Bromsgrove may benefit from its own strategy.

MARKET HALL SITE - MEANWHILE USE - PRE-SCRUTINY – 13 JANUARY 2020

This presentation was regarding the Market Hall Site Meanwhile Use. Three options were considered by the Board however option 1 – Bird Box high quality was approved with the caveat that Cabinet reconsider the temporary nature of the project and make it a permanent feature on the Market Hall site. This caveat was presented at Cabinet however was not agreed going forward.

BROMSGROVE SPORTING TASK GROUP - 10 FEBRUARY 2020

The Chairman of the Overview and Scrutiny Board introduced the draft report and discussed the recommendations. A representative from Bromsgrove Sporting was also present at this meeting. The report and recommendations in the report were to be considered by Cabinet at its meeting on 1st April 2020. However, due to the Covid-19 pandemic this meeting did not go ahead and the recommendations would be considered at the next convenient Cabinet meeting.

STAFF SURVEY UPDATE - 10 FEBRUARY 2020

The Board had previously received an update regarding the Staff Survey in July 2019 and had asked that they receive an update in 6-months' time. The report was presented by the Head of Transformation who updated that the Staff Survey had been delayed until summer 2020 in order to incorporate the culture change programme that was currently being undertaken by the organisation.

Members were advised that the Corporate Dashboard could be accessed by Members should they wish to look at up to date figures. It was clarified by officers that, as well as using data to analyse attendance, staff retention and sickness, a more holistic view was also taken in respect of how staff were feeling and that data did not necessarily give the full picture. It was hoped that the results of the next survey would be available and presented to the Board, following analysis, in October 2020.

It was decided at this meeting that the role of Staff Champion, currently held by Councillor Colella be re-instated. It was also determined that a demonstration on the content and workings of the Corporate Dashboard would be given to Members at a meeting in the near future.

WORCESTERSHIRE HEALTH OVERVIEW & SCRUTINY COMMITTEE (HOSC)

The Council's representative on this Committee must be a Member of the Overview and Scrutiny Board and is required to provide the Board with regular updates on the work being carried out.

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The Board's representative for the municipal year 2019/2020 was voted as Councillor Jo-Anne Till and provided the Board with regular updates on what was discussed at these meetings. Where appropriate the minutes from a relevant meeting have also been provided for Members' consideration.

During the year Councillor Till highlighted the following areas and responded to questions from Members:

- West Midlands Ambulance Service. The Director of Clinical Commissioning and Service Development provided an update in respect of the service
- An update had been provided on the subject of Worcestershire Acute Hospital Services, specifically for patients who had had strokes
- The proposed merger of the Worcestershire and Herefordshire NHS Clinical Commissioning Groups (CCGs). Consultation was being undertaken in respect of the potential to merge the CCGs
- Bowel Cancer Screening
- Education on smoking whilst pregnant and carbon monoxide consumption in infants
- Worcestershire Acute Hospitals NHS Trust.

WORKING GROUPS – UPDATE

Background to Working Groups

Following the review of the work of the Board at the April 2016 meeting, a number of areas of improvement were discussed. One of these was its role in scrutinising the budget and the other the role of performance monitoring. It was agreed that for 2016/17 the Board would set up Finance and Budget Working Group and a Measures Dashboard Working Group. This would enable a dedicated group of Members to consider these areas in both more detail and a more timely manner, which would in turn allow them to feed through any recommendations to Cabinet more promptly.

The terms of reference for each Working Group were agreed by the Board. As this was the first time such Groups had been set up, those terms of reference also included details of a quorum and stated that Members must be members of the Overview and Scrutiny Board, together with how recommendations could be made and would be fed back into the main Board.

Finance & Budget Working Group

Membership: Councillors Michael Thompson (Chairman), Councillors S. R. Colella, S. P. Douglas, C. A. Hotham, A. D. Kriss and J. Till

This Group met on seven occasions this year and the Portfolio Holder for Finance and Enabling has attended the majority of meetings, together with the Executive Director, Finance and Resources.

Heads of Service were also invited in order to provide further information on their service areas, particularly in respect of Fees and Charges.

The list below contains some of the reports which the Working Group has considered and an idea of the work that has been carried out:

- Medium Term Financial Plan and Quarterly Monitoring Reports
- Year End Financial Outturn – Capital and Revenue, and Reserves
- Budget Framework Report
- Fees and Charges
- Capital and Revenue Programmes
- Budget Settlement Update Report regarding the Development of Bromsgrove Heat Network
- District Library Service Review

Once again, by being able to consider a number of reports in more detail and prior to their consideration at Cabinet has allowed Members of the Board via the Working Group to play an integral part in the budget setting process.

Corporate Performance Working Group

Membership: Councillors Malcolm Glass (Chairman), Councillors A. J. B. Beaumont and C. J. Spencer

Three Councillors were suggested as members of this group and Members agreed that Councillor M. Glass should be the Chairman of the group. There have been postponements in convening this Group during the municipal year due to the delays in approval of various items including Council Plan strategic purposes, priorities and measures. It is hoped that in the new Municipal Year this group will take a more active role in the work of the Board and consider the data provided on the Council's Corporate Dashboard in more detail.

TASK GROUP INVESTIGATIONS & SHORT, SHARP REVIEWS CARRIED OUT

The detailed final reports of all these investigations can be found on the Council's website within the Overview and Scrutiny section.

Bromsgrove Sporting Task Group

Membership: Councillors M. Thompson, S. Douglas, C. Hotham and R. Hunter

This task group met five times during this municipal year with the Members as stated above. The group had not met in 2018/19 as it had proved difficult to identify a date when all Members were available. When the Group met in September 2019 it was decided that the task group would bring its final report and recommendations to the February 2020 meeting of the Overview and Scrutiny Board. As part of the process, representatives from Bromsgrove Sporting were interviewed and a piece of work that was being carried out by the Executive Director, Finance and Resources and the interim Head of Leisure services that would feed into the task group.

Business Rates Relief Short Sharp Review

Membership: Councillors S. R. Colella, M. Glass and M. Thompson

Councillor Thompson reported that the Business Rates Relief Short Sharp Review met twice during this municipal year and outcomes and findings of the review were presented to the Board in September 2019, for consideration. The review was established following the referral of a Motion from Council on the subject funding received by the Council for business rates relief for businesses in order to navigate the costs of the rise in business rates. The recommendation put forward by the Group was accepted by Cabinet.

Topic Proposal – Worcestershire County Council Local Transport Plan

This topic proposal was presented by Councillor Colella and detailed the Worcestershire Local Transport Plan and the effect of the Worcestershire County Council Local Transport Plan upon the Bromsgrove District. A Task Group was not established in regards to this Topic Proposal, but the topic would remain on the Board's Work Programme.

Topic Proposal – Impact of Library Service Changes Topic Proposal and Task Group

Councillor S. Colella presented a topic proposal which detailed the Impact of Library Service Changes before the end of the consultation period at Worcestershire County Council. The aim of the task group would be to review the outcome of the consultation and the implications for Library services across the district of Bromsgrove. A Task Group was established and that Councillor Colella appointed as Chairman of the Group. The first meeting took place on 11th March 2020.

The membership of the group would be as follows:

Councillors S. Colella (Chairman) A. Kriss, P. McDonald, J. King, S. Douglas and M. Middleton

Topic Proposal - Flooding Review

Councillor Robert Hunter presented a topic proposal in respect of a Review of Services to Prevent Flooding. He explained that due to the recent flooding in the District residents had become increasingly concerned. The task group was established and Members canvassed to establish membership. Councillor R. Hunter was appointed as Chairman. Following the Covid-19 pandemic there was unfortunately a delay in the taking this further, but it was anticipated that the setting up of the Task Group would take place as soon as practicably possible.

PLANS FOR THE FUTURE

Unfortunately due to the Covid-19 pandemic the Board were unable to meet in March or April. It was however hoped that when the Board do next meet they will consider the work of the previous year and look at any areas where improvements can be made moving forward.

FURTHER INFORMATION

Overview and Scrutiny Board Meetings

Overview and Scrutiny Board meetings are open to the public. To find out more visit our website at <http://www.bromsgrove.gov.uk/council/the-council/overview-and-scrutiny.aspx> or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

Public Involvement

If you would like to have your say on issues being considered by Overview and Scrutiny or to suggest a topic for consideration you can email scrutiny@bromsgrove.gov.uk or complete the form on the Council's website at <http://www.bromsgrove.gov.uk/council/the-council/overview-and-scrutiny/public-participation.aspx>

Giving Evidence

Members of the public or organisations with a special interest or knowledge about a particular topic being considered by Overview and Scrutiny can put forward evidence to a Committee or appear as a witness to give evidence for an investigation. If you think you or your organisation might be able to participate in an issue currently under review, please contact us.

If you have a personal issue with a Council service you may find it more useful to contact your local ward Councillor who can help you decide the best way to take it forward.

Contact Overview and Scrutiny

If you would like to find out more about any aspect of the Overview and Scrutiny Board then you can email scrutiny@bromsgrove.gov.uk or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

Overview and Scrutiny

Legal, Equalities and Democratic Services

Bromsgrove District Council

Parkside, Market Street, Bromsgrove B61 8DA

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CABINET RECOMMENDATIONS TO THE COUNCIL

On 5th August 2020

Cabinet meeting 8th July 2020

Wyre Forest Local Plan – Statement of Common Ground

The Strategic Planning and Conservation Manager presented the Wyre Forest Local Plan Statement of Common Ground for the Cabinet's consideration. Members were advised that Bromsgrove District Council had been consulted in 3 different stages over a number of years regarding the content of Wyre Forest District Council's Local Plan.

RECOMMENDED TO COUNCIL that

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

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

26TH FEBRUARY 2020, AT 4.30 P.M.

PRESENT: Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader), A. D. Kent, M. A. Sherrey and S. A. Webb

Officers: Mr. K. Dicks, Ms. J. Pickering and Ms. A. Scarce

76/19 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

77/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

78/19 **MINUTES**

The minutes of the Cabinet meeting held on 12th February 2020 were submitted.

RESOLVED that the minutes of the Cabinet meeting held on 12th February 2020 be approved as a correct record.

79/19 **COUNCIL TAX RESOLUTION**

The Executive Director, Finance and Resources introduced the item which was seeking the approval of the appropriate formal resolutions to determine the levels of Council Tax for 2020/21, taking into account the requirements of this Council, Worcestershire County Council, Police and Crime Commissioner for West Mercia, Hereford and Worcester Fire & Rescue Authority and the various Parish Councils.

It was noted that, whilst the figures quoted within the report had not changed at all, the cross references to the Medium Term Financial Plan were incorrect, as the report had been considered at the Cabinet meeting on 15th January. Revised recommendations were therefore tabled at the meeting and would be attached to these minutes for ease of reference. It was also highlighted that at 3.3 of the report the figure quoted should be £1,875.28 and not £1,809.56 as stated.

RESOLVED that

- 2.1 At the Cabinet meeting held on 15th January 2020 the calculated Council Tax Base 2020/21 was approved as:
- (a) for the whole Council area as 37,208.98 [Item T in the formula in Section 31B of the Local Government Act 1992, as amended (the “Act”)]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates the amounts as shown in Column 4 of the attached **Schedule 1**.

RECOMMENDED that

- 2.2.1 The calculation of the Council Tax requirement for the Council’s own purposes for 2020/21 (excluding Parish precepts) as **£8,483,805.00**.
- 2.2.2 That the following amounts be calculated for the year 2020/21 in accordance with sections 31 to 36 of the Act:
- (a) £42,619,245 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (taking into account all precepts issued to it by Parish Councils) (*i.e. Gross expenditure*)
 - (b) £33,183,608 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act. (*i.e. Gross income*)
 - (c) £9,435,442 being the amount by which the aggregate of 2.2.2 (a) above exceeds the aggregate at 2.2.2 (b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £253.58 being the amount at 2.2.2 (c) above (Item R), all divided by Item T (2.1.(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £951,832 being the aggregate amount of all special items (Parish precepts) referred to in Section 34 (1) of the Act (as per the attached **Schedule 3**).
 - (f) £228.00 being the amount at 2.2.2 (d) above less the result given by dividing the amount at 2.2.2 (e) above by Item T (2.1.(a) above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

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Cabinet
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- (g) The amounts shown in Column 3 of **Schedule 1**. These are the basic amounts of the council tax for the year for dwellings in those parts of the Council's area shown in Column 1 of the schedule respectively to which special items relate, calculated by the Council in accordance with Section 34(3) of the Act. (District and Parish combined at Band D).
- (h) The amounts shown in Column 5 of **Schedule 1** being the amount given by multiplying the amounts at 2.2.2(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

2.2.3 It be noted that for the year 2020/21 Worcestershire County Council, Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Worcestershire County Council	874.03	1,019.71	1,165.38	1,311.05	1,602.39	1,893.74	2,185.08	2,622.10
Police and Crime Commissioner for West Mercia	150.13	175.16	200.18	225.20	275.24	325.29	375.33	450.40
Hereford and Worcester Fire and Rescue Authority	57.33	66.88	76.44	85.99	105.10	124.21	143.32	171.98

2.2.4 Having calculated the aggregate in each case of the amounts at 2.2.2 (h) and 4 above, that Bromsgrove District Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the amounts shown in **Schedule 2** as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

2.2.5 That the Executive Director Finance & Resources be authorised to make payments under Section 90(2) of the Local Government

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Cabinet
26th February 2020

Finance Act 1988 from the Collection Fund by ten equal instalments between April 2020 to March 2021 as detailed below:

	Precept £	Surplus on Collection Fund £	Total to pay £
Worcestershire County Council	48,782,833.00	1,248,036.00	50,030,869.00
Police and Crime Commissioner for West Mercia	8,379,328.49	214,396.00	8,593,724.49
Hereford & Worcester Fire and Rescue Authority	3,199,599.40	83,211.00	3,282,810.40

2.2.6 That the Executive Director Finance & Resources be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £9,680,390 being the Council's own demand on the Collection Fund (£8,483,805), Parish Precepts (£951,832) together with the distribution of the Surplus on the Collection Fund (£244,753).

2.2.7 That the Executive Director Finance & Resources be authorised to make payments from the General Fund to the Parish Councils the sums listed on **Schedule 3** by two equal instalments on 1 April 2020 and 1 October 2020 in respect of the precept levied on the Council.

2.2.8 That the above resolutions be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes.

2.2.9 Notices of the making of the said Council Taxes signed by the Chief Executive are given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

The meeting closed at 4.35 p.m.

Chairman

RECOMMENDATIONS FOR COUNCIL

- 2.2.1 The calculation of the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) as **£8,483,805.00**.
- 2.2.2 That the following amounts be calculated for the year 2020/21 in accordance with sections 31 to 36 of the Act:
- (a) £42,619,245 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (taking into account all precepts issued to it by Parish Councils) (*i.e. Gross expenditure*)
 - (b) £33,183,608 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
(*i.e. Gross income*)
 - (c) £9,435,442 being the amount by which the aggregate of **2.2.2 (a)** above exceeds the aggregate at **2.2.2 (b)** above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £253.58 being the amount at **2.2.2 (c)** above (Item R), all divided by Item T (**2.1.(a)** above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £951,832 being the aggregate amount of all special items (Parish precepts) referred to in Section 34 (1) of the Act (as per the attached **Schedule 3**).
 - (f) £228.00 being the amount at **2.2.2 (d)** above less the result given by dividing the amount at **2.2.2 (e)** above by Item T (**2.1.(a)** above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - (g) The amounts shown in Column 3 of **Schedule 1**. These are the basic amounts of the council tax for the year for dwellings in those parts of the Council's area shown in Column 1 of the schedule respectively to which special items relate, calculated by the Council in accordance with Section 34(3) of the Act. (District and Parish combined at Band D).
 - (h) The amounts shown in Column 5 of **Schedule 1** being the amount given by multiplying the amounts at **2.2.2(g)** above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation

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band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

2.2.3 It be noted that for the year 2020/21 Worcestershire County Council, Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Worcestershire County Council	874.03	1,019.71	1,165.38	1,311.05	1,602.39	1,893.74	2,185.08	2,622.10
Police and Crime Commissioner for West Mercia	150.13	175.16	200.18	225.20	275.24	325.29	375.33	450.40
Hereford and Worcester Fire and Rescue Authority	57.33	66.88	76.44	85.99	105.10	124.21	143.32	171.98

2.2.4 Having calculated the aggregate in each case of the amounts at **2.2.2 (h) and 4** above, that Bromsgrove District Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the amounts shown in **Schedule 2** as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

2.2.5 That the Executive Director Finance & Resources be authorised to make payments under Section 90(2) of the Local Government Finance Act 1988 from the Collection Fund by ten equal instalments between April 2020 to March 2021 as detailed below:

	Precept £	Surplus on Collection Fund £	Total to pay £
Worcestershire County Council	48,782,833.00	1,248,036.00	50,030,869.00
Police and Crime Commissioner for West Mercia	8,379,328.49	214,396.00	8,593,724.49
Hereford & Worcester Fire and Rescue Authority	3,199,599.40	83,211.00	3,282,810.40

- 2.2.6 That the Executive Director Finance & Resources be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £9,680,390 being the Council's own demand on the Collection Fund (£8,483,805), Parish Precepts (£951,832) together with the distribution of the Surplus on the Collection Fund (£244,753).
- 2.2.7 That the Executive Director Finance & Resources be authorised to make payments from the General Fund to the Parish Councils the sums listed on **Schedule 3** by two equal instalments on 1 April 2020 and 1 October 2020 in respect of the precept levied on the Council.
- 2.2.8 That the above resolutions ~~3 to 5~~ be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes.
- 2.2.9 Notices of the making of the said Council Taxes signed by the Chief Executive are given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

3RD JUNE 2020, AT 6.00 P.M.

PRESENT: Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader), A. D. Kent, M. A. Sherrey, P.L. Thomas and S. A. Webb

Observers: Councillor M. Thompson

Officers: Mr. K. Dicks, Mrs. S. Hanley, Ms. J. Pickering, Ms J. Willis, Ms. C. Flanagan, Mr D Riley and Ms. A. Scarce

1/2020 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2/2020 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

3/2020 **MINUTES**

The minutes of the Cabinet meeting held on 26th February 2020 were submitted.

RESOLVED that the minutes of the Cabinet meeting held on 26th February 2020 were approved as a correct record.

4/2020 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 10TH FEBRUARY 2020**

It was noted that the recommendations detailed in the minutes of the Overview and Scrutiny Board held on 10th February 2020 would be considered separately, as part of the next item on the agenda (Minute No 5/2020 refers).

It was noted that there was a recommendation from the Overview and scrutiny Board meeting held on 2nd June, to be tabled under Minute No. 86/2020 in respect of the Discretionary Business Rates Grant Scheme.

RESOLVED that the minutes of the Overview and Scrutiny Board held on 10th February 2020 be noted.

5/2020

BROMSGROVE OVERVIEW AND SCRUTINY BOARD - SPORTING TASK GROUP

Officers apologised for the error in the heading on the cover report for this item and confirmed that it was the Overview and Scrutiny Board Task Group for Bromsgrove Sporting which was being considered.

The Leader invited Councillor M Thompson, who had chaired the Task Group to present the report and recommendations.

Councillor Thompson thanked the Leader for the opportunity to present this report. He provided background information and reminded Members that the Task Group had originated from a topic proposal put forward by former Councillor Chris Bloore. The aim was to assist Bromsgrove Sporting to develop the Club further, bearing in mind that the ground had been gifted to this Council and the Council would therefore benefit from any improvements made. Councillor Thompson also highlighted the potential economic benefits to the town centre from the growth of Bromsgrove Sporting. The Group had interviewed a number of witnesses, including representatives from Bromsgrove Sporting and had considered data from a number of clubs. It was acknowledged that a reduction in the rent paid by Bromsgrove Sporting was not possible, however recommendation 1 would allow for this to be addressed through Bromsgrove Sporting putting forward a business case for funding. Recommendation 2 was in respect of the lease and it was explained to Members that under the current terms of the lease this restricted the availability of match funding from such organisations as the Football Association. By changing the terms of the lease this would be addressed and would allow for even further investment in the ground.

The Executive Director, Finance and Resources, who had supported the Task Group explained that any funding would be subject to a robust business case being submitted by Bromsgrove Sporting and this would be considered in the same way as any other project bid and be submitted to both Cabinet and Council for approval. The onus would initially be with Bromsgrove Sporting to provide that business case and supporting evidence for consideration.

RESOLVED:

- (a) that the recommendations contained in the report be agreed; and**
- (b) that an Executive Response to the Overview and Scrutiny Board report and recommendations will be provided.**

6/2020

ANTI SOCIAL BEHAVIOUR POLICY

The Head of Community and Housing Services presented the report and explained that Under the Crime and Disorder Act 1998, the Council has a statutory duty to work with the police and other partner agencies to

reduce crime, anti-social behaviour (ASB) and re-offending in its area. Section 17 of the Act also places a duty on the Council to do all that it reasonably can to prevent crime, disorder and ASB.

The draft ASB policy outlined how the Council would tackle anti-social behaviour, through a framework of prevention, early intervention, support and enforcement. A number of changes were reflected in the policy revision; including an updated definition of ASB in line with legislative changes, clarification on what is considered ASB, enhanced case management procedures and risk assessment processes and updated details about the tools and remedies available to address ASB.

It was noted that the draft ASB policy replaced all previous ASB policies and guidance. It was also noted that failure to manage ASB within communities presented a high reputational risk to the Council. This was significantly mitigated by having a robust policy and agreed procedures in place.

Members discussed concerns in their ward around what appeared to be an increase in ASB and questioned whether additional funding would be made available for what appeared to be an escalating problem. The Head of Community and Housing Services explained that the policy did not allow for additional staff but advised that the problems covered a number of teams across the Council, and the focus of the Community Safety Team was in respect of early interventions, often through working within the schools.

RESOLVED:

- a) that the draft ASB policy (as set out at Appendix A) be adopted; and
- b) that the Head of Housing and Community Services be given delegated authority to update and amend the policy in line with any new legislation and guidance, as and when required.

7/2020

DISCRETIONARY BUSINESS RATES GRANT

The Executive Director, Finance and Resources introduced the item and provided background information in respect of the grants which had previously been available at the onset of the Covid-19 lockdown. The Council had previously been awarded approximately £21m which had been distributed to nearly 2k business. It had become apparent that not all those businesses which had suffered as a consequence of Covid-19 had been eligible for the original grants. Central Government therefore announced an additional fund of approximately 5% (of the original grant), the Local Authority Discretionary Grants Fund, on 1 May 2020 and published guidance for local authorities on 13 May 2020, together with appropriate guidance. This further scheme provided financial

support to businesses impacted by the Covid-19 pandemic and was in addition to the two existing schemes administered by local authorities: the Small Business Grants Fund and the Retail, Hospitality and Leisure Grants Fund.

The Government has announced three mandatory criteria for support under the scheme;

- The business must have been trading on 11th March 2020.
- The business must not be eligible or have received support under the other Covid-19 support schemes.
- The business must not be in administration, insolvent or have had an order to strike off made.

The Government had advised that payments under the scheme should be targeted at small and micro businesses. Section 3.11 of the report showed the proposed targeted areas of allocation, which was broken down into three priority areas, with an estimate of the number of eligible businesses under each priority group and the grant amount per business. The Executive Director Finance and Resources provided detail around each of these priorities and the businesses they were aimed at reaching. The total was around 93 businesses. It was confirmed that the Council needed to take a consistent approach when paying out the grants when following the Government guidance.

The Revenue Services Manager ran through the scheme and explained that there were three mandatory criteria set by the Government for the scheme, details of which were provided and included not already having received funding from the existing schemes. People that were self employed but had fixed property costs could make an application under the discretionary grants scheme. Within the guidance the Government had asked the Councils to prioritise support to four types of business, market traders with regular market pitches, small Bed and Breakfast establishments that appeared in Council Tax (and not non domestic rates) usually accommodating few than seven people and the owner lives at the premises; charities which occupy one small property in England and businesses in shared offices. The Government had made it clear that the intention of the scheme was to support small and micro businesses for the purpose of meeting their fixed property costs. In Bromsgrove the scheme has therefore been targeted towards those smaller businesses and aimed at people with a fixed property cost. The scheme therefore was intended to create a hierarchy of businesses in order for the relief to be awarded as per the priority groups detailed in the report.

It was intended that the scheme would be published on the Council's website and social media channels and Members would also be able to promote the scheme to businesses within their Wards. The applications would be opened for a fixed period of time, anticipated to be 14 days, when the scheme would be closed, and all applicants assessed. This

would enable all businesses to make an application and enable a speedy assessment of entitlement at the end of the application period and avoid awards being made on a first come first served basis. If at the end of that period, all assessments have been made and there remains funding available the scheme would be re-opened to ensure the remaining funds were paid out to businesses.

The Leader then invited Councillor M Thompson to present the recommendation which had been made following consideration of the report at the overview and Scrutiny Board's meeting on 2nd June 2020 and which was tabled at this meeting. Councillor Thompson explained that the recommendation was in respect of market traders and that they should be paid the grant on the basis on number of days trading and be irrespective of the number of pitches occupied. He further explained that these were very different and a proportion of the grant should be paid on the number of days that someone traded, for example the market was open for four days and if someone only traded for one regular day a week the they should receive a quarter of the amount someone who traded for all four days received.

Members discussed the proposal put forward by the Overview and Scrutiny Board and also questioned the content of the application form which was referred to and why this had not been included within the report. It was explained that this was still being developed at the time of publishing the report, but Officers provided details around the areas that would be included in it, together with the required supporting evidence. Members were assured that there would be a thorough application process and the form would be available online. Members were further advised that once the grants had been awarded Officers would be doing post grant assurance work to ensure the awards were genuine and working with the Cabinet Office using spotlights to ensure that the businesses were trading and bona fide and where grants are paid in error the appropriate actions would be taken to recover them. This had already been done with the existing schemes when it had transpired that payments had been made that were not correct.

It was also noted that within the report the application period referred to had not been detailed and Officers confirmed that it was anticipated that applications would open from 8th June for 14 days.

In respect of the recommendation from the Overview and Scrutiny Board, concerns were also raised around how it could be determined which days market traders trade and it was confirmed that as the Council operated the market then the Market Manager had that information available.

The Deputy Leader advised that the timelines given by Government had been exceedingly tight and he thanked Officers for producing the report and scheme within such a short period of time. He also confirmed that he was confident that due diligence would be applied in all stages of the award process.

It was confirmed that there was no restriction on businesses that had furloughed employees, but as this was aimed at small and micro businesses those that had used the furlough scheme was likely to be limited in number.

The Leader thanked Officers for the report and Councillor Thompson and the Overview and Scrutiny Board for carrying out a detailed piece of scrutiny.

RESOLVED that in respect of the market traders the grant be paid based on days of trading and be irrespective of number of pitches occupied.

RECOMMENDED:

- a) that the guidance for awards of discretionary grants detailed in Appendix A to the report, subject to the amendments contained in the recommendation from the Overview and Scrutiny Board, be adopted; and
- b) that the Executive Director for Finance and Resources be authorised to finalise the guidance and to make other decisions in relation to the payment of grants, in consultation with the Chief Executive and the Portfolio Holder for Finance and Enabling.

The meeting closed at 6.48 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

8TH JULY 2020, AT 6.00 P.M.

PRESENT: Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader), A. D. Kent, M. A. Sherrey, P.L. Thomas and S. A. Webb

Observers: Councillor S. R. Colella and Councillor S. P. Douglas

Officers: Mr. K. Dicks, Ms. J. Pickering, Ms. C. Flanagan, Mr. M. Dunphy and Ms. J. Bayley

8/20 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

9/20 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

10/20 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 3RD JUNE 2020**

RESOLVED that the minutes of the meeting of Cabinet held on 3rd June 2020 be approved as a true and correct record and signed by the Chairman.

11/20 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 2ND JUNE 2020**

Officers confirmed that there were no outstanding recommendations from the Overview and Scrutiny Board for the Cabinet's consideration on this occasion.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 2nd June 2020 be noted.

12/20 **WYRE FOREST LOCAL PLAN STATEMENT OF COMMON GROUND**

The Strategic Planning and Conservation Manager presented the Wyre Forest Local Plan Statement of Common Ground for the Cabinet's consideration. Members were advised that Bromsgrove District Council had been consulted in 3 different stages over a number of years regarding the content of Wyre Forest District Council's Local Plan.

Despite this consultation process, there remained a number of areas where Bromsgrove District Council was not in agreement with Wyre Forest District Council. In particular, there were concerns about the evidence basis for the transport plan as well as the assessment of the potential impact that the development could have in Bromsgrove District. The report detailed the different views that the Councils had in respect of the Wyre Forest Local Plan as well as Wyre Forest District Council's responses to issues that had previously been raised by Bromsgrove District Council.

The Wyre Forest Local Plan would be the subject of examination by an external inspector. During this examination Officers from Bromsgrove District Council would clarify that the Council did not disagree with the location of the development sites identified by Wyre Forest District Council, however, there was disagreement about the evidence basis in terms of the potential impact that those developments could have which made it difficult to plan for action that could be taken in mitigation. There was some uncertainty about when the examination would take place as enquiries in respect of Council Local Plans were unlikely to take place during the lockdown, particularly in cases where there were elements of disagreement.

Members discussed the report in detail and in so doing raised concerns about the potential impact of developments on Hagley, should the Wyre Forest Local Plan be approved in its current form. Reference was made to Bromsgrove District Council's Transport Plan and the potential for the evidence gathered in this assessment to inform work on the Wyre Forest Local Plan. Officers explained that modelling was being undertaken in respect of Bromsgrove District Council's Transport Plan and this would take into account issues such as the potential impact of actions proposed in planning policies. The evidence gathered for the Bromsgrove Transport Plan would be shared with Wyre Forest District Council.

RECOMMENDED that

- 1) The Statement of Common Ground at Appendix A, is signed by the Leader of the Council and submitted to Wyre Forest District Council for consideration by the Local Plan Inspector; and

RESOLVED that

- 2) Delegated Authority be given to the Head of Planning, Leisure and Regeneration to ensure that Bromsgrove District Council is represented at the Examination in Public element of the Wyre Forest Local Plan review.

13/20

FINANCIAL IMPACT - COVID-19 PANDEMIC

The Executive Director of Finance and Corporate Resources presented a report which detailed the financial implications for the Council of the

Covid-19 pandemic. In considering the report Members were asked to note that the situation was rapidly changing which meant that some of the figures that had been reported would also change. For example, on the day of the meeting the Government had announced that VAT for the hospitality sector would be reduced from 20% to 5% and this would have implications for some of the Council's fees and charges. There was also some uncertainty about the financial position moving forward, including about the arrangements that the Government would be putting in place in respect of business rates.

The report detailed the estimated impact that the lockdown during Covid-19 had had on the Council's income in April to July 2020. Estimates had also been provided for the likely impact in August to October 2020 and an assumption had been incorporated into the report that income levels would be close to normal by December 2020. Officers had estimated that £2 million in income would be lost and in fact approximately £2.3 million in income had not been forthcoming, though this remained based on assumptions.

Specific challenges during the lockdown included an estimated loss of £500,000 income from car parking charges, which included a period after the new proposed app payment system had been introduced, as a recovery in the number of customers parking to visit the town centre was likely to take some time. There had also been a decline of approximately £200,000 in income from trade waste services, which was likely to be due to the fact that many local businesses' employees would have been working from home during the lockdown. Officers agreed to provide further information in respect of the reasons for the decline in income from Trade Waste outside the meeting

There had been a decrease in Council Tax payments during the lockdown, though a lot of payments had been deferred from April and May to July 2020, so the actual impact remained to be determined. Officers explained that the proportion of residents who chose to pay their Council Tax through direct debit payments had declined during the lockdown by 0.3%, from 66% to 65% of residents.

Concerns had been raised by local authorities with the Government in respect of the potential impact that a loss of income would have on the sustainability of Council services. The Government had offered to reimburse some income, though Councils had to cover the first 5% of any lost income; in the funding formula the Government would supply 75% of 95% of anticipated income that was lost and the Council would have to cover the remaining financial loss.

All Councils had been lobbying the Government in respect of the position of providers of Leisure Services. There had been recent legislative changes which had implications for liabilities relating to leisure services. Once Leisure Services could start to be delivered it was likely that service providers would require support, particularly as there

remained uncertainty about the number of customers who would want to attend leisure activities initially.

The Council had been in correspondence with the Government about the impact of the Covid-19 pandemic and lockdown on the authority's financial position. The Government had requested further information about the Council's balances and there was some uncertainty about whether the Council would be required to use some funding from balances to help balance the Council's budget moving forward.

Officers were in the process of developing the Council's Recovery Plan. There was the possibility that Members would need to review the contents of the authority's Council Plan to take into account the impact of Covid-19. For example, there was the possibility that the plan would need to be amended to focus on supporting businesses if a significant number of companies went into administration as a result of the impact of the lockdown. Further changes in respect of the impact of the pandemic on the Council's budget would be reported to Cabinet in due course.

Following the presentation of the report Members discussed the impact that Covid-19 had had and could continue to have on the district moving forward. In particular, concerns were raised about the impact that the closure of leisure services could have on the sustainability of the industry. Concerns were also raised about the income that a reduction in footfall in town centres within the district could have on the local economy.

During consideration of this item Members also discussed the financial implications of Covid-19 for the Council's budget. Based on the figures provided, Members were advised that there could be a shortfall of £700,000 - £800,000 in the budget, depending on the income that could be recovered from Leisure Service providers once leisure centres reopened.

RESOLVED that the projected budgetary impact of the Coronavirus Pandemic outlined on this report and related actions both taken so far and planned for the future be noted.

The meeting closed at 6.29 p.m.

Chairman

Bromsgrove District Council – 5th August 2020 Item - Member Questions

**1. From Councillor R Hunter
Question to the Deputy Leader**

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?

**2. From Councillor J King
Question to the Leader**

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?

**3. From Councillor S Hughes
Question to Councillor P Thomas**

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?

**4. From Councillor H Rone-Clarke
Question for the Leader**

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 it's 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?

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Wyre Forest Local Plan Statement of Common Ground

Relevant Portfolio Holder	Councillor Adam Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Wards Affected	All Wards
Ward Councillor Consulted	Yes
Non-Key Decision	Yes

1. SUMMARY OF PROPOSALS

- 1.1 Wyre Forest District Council (WFDC) submitted the Wyre Forest Local Plan Review (WFLP) to the Planning Inspectorate on 30th April 2020. The Council has submitted a number of representations to this plan which focussed on the lack of a robust transport evidence base to support the proposals in the plan.
- 1.2 Since these representations were submitted officers have sought to resolve this issue with WFDC, but unfortunately this has not been possible. A requirement of the National Planning Policy Framework is for the authority responsible for preparing a Local Plan to prepare a Statement of Common Ground (SoCG) with other plan making authorities. The purpose of the SoCG identifies the matters which councils have in common or in dispute and helps the inspector to form a judgement on the matters for the examination to focus on, and whether or not the duty to cooperate has been met. The SoCG at appendix A has been prepared by officers at WFDC, BDC and Worcestershire County Council. Whilst a lot of the plan's policies are not in dispute and are common ground, in the main the SoCG focuses on the areas in which **BDC disagrees** with the position of WFDC and WCC.

2. RECOMMENDATION

- 2.1 **That Cabinet recommends to Council, that the Statement of Common Ground at Appendix A, is signed by the Leader of the Council and submitted to WFDC for consideration by the Local Plan Inspector.**
2. **That Delegated Authority is given to the Head of Planning, Leisure and Regeneration to ensure that BDC is represented at the Examination in Public element of the Wyre Forest Local Plan review.**

3. KEY ISSUES

Financial Implications

- 3.1 There are no direct financial implications associated with this report.

Legal Implications

- 3.2 WFDC has submitted its plan in accordance with Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 3.3 It is important that the Bromsgrove District Council continue to engage in this process, the SoCG will help the inspector clearly identify the matters for detailed discussion at the Examination in Public of the WFLP.

Service / Operational Implications

- 3.4 The submission version of the WFLP is in effect the final version of the plan and that which will be considered by the planning Inspectorate at the Examination in Public (EiP). The EiP is likely to happen towards the end of 2020 when the Covid19 pandemic has subsided enough to allow for it to take place in a traditional manner, or suitable technological solutions have been put in place to replace traditional EiP hearings.
- 3.5 BDC has responded to previous versions of the WFLP, at preferred option stage in August 2017 and at the first pre submission representations period in December 2018, and the second pre submission stage in October 2019. At all stages the Council has expressed concerns that the transport implications of the proposed development sites in Wyre Forest were not able to be quantified; and therefore possible mitigation strategies not properly identified. As a result it is not entirely clear how the schemes in the Infrastructure Delivery Plan (IDP) have been developed to mitigate the impacts, when the impacts have not been clearly shown in the evidence available. In addition to this, no modeling has been done with the mitigation in place to demonstrate if the schemes do indeed mitigate the impacts. This is still the view of BDC officers.
- 3.6 The SoCG appended to this report is not the version that currently appears on the examination website. WFDC submitted a version which they and WCC were in agreement with, but not BDC officers. The attached version is now agreed by officers of all parties, and it is our understanding that the inspector will be invited to consider the version

attached to this report and not the currently submitted version. Whilst the differences are minimal the changes requested by BDC officers were felt important enough to allow for the more positive recommendations at the beginning of this report, rather than a recommendation to not agree anything with WFDC.

- 3.7 The format of the SoCG follows the structure of the representations submitted by BDC to the WFLP, the third column in the table 1 and table 2 of the SoCG is the joint response of WFDC and WCC in 2020 to the comments submitted, by BDC in 2018 and 2019. Therefore some of the rebuttals and comments against the representations have been written significantly after the original comments were submitted. The intervening time period has rendered some of the original BDC comments less significant as issues have been resolved along the way. There are a significant number of points raised in the BDC representations which when taken together focus on the main theme, i.e. the lack of a credible transport evidence base. Without this evidence base it is not possible to conclude on some issues, or suggest policy changes as these would need to be informed by the evidence. This point is important because when these points are responded to in isolation as they are in the table, it could appear that BDCs comments are not robust. Whilst difficult to avoid this approach it obscures the main issue, i.e. that it's the evidence which informs the plan which in our view, is deficient.
- 3.8 In BDC's October 2019 representation, concerns were raised that additional work which had been agreed was not provided to support the pre submission representation period. This work focuses on the Hagley area, and is titled 'Transport Demand in the Hagley Area'. It is this work which has caused more recent debate between officers about the plan making process being undertaken. It is the clear view of BDC officers that this work, whilst being undertaken by WCC, was agreed by WFDC, and as such forms part of the evidence base to support the plan. Further to that, as part of the evidence base it should have formed part of the documents available at the representations stage which closed in October 2019. The Transport Demand in the Hagley Area document is dated January 2020. It appears to be the view of WFDC that this was a piece of work requested by BDC of WCC, and as such doesn't form part of the evidence base to support the plan although, it does appear attached to the statement of common ground. The exact status of this document is something that it is hoped will be clarified as part of the examination process, because WFDC seem to be trying on one hand to distance themselves from this work but also use it to attempt to defend the plan in this SoCG. With no formal opportunity to comment on this work BDC asked Mott Macdonald to provide observations and these can be seen at appendix B. It was hoped by BDC officers that this document would be appended to the SoCG but WFDC refused. BDC will now submit this report separately

to the Examination process at the appropriate time. Neither WFDC or WCC will be providing comment on the MM report.

- 3.9 On balance whilst issues remain between the parties, it is felt that the SoCG is an appropriately drafted to allow the inspector to focus on the issues at hand, in the level of detail that BDC officers consider necessary. Therefore is recommended that the leader of the Council formally signs this document.

Customer / Equalities and Diversity Implications

- 3.10 There are no Customer / Equalities and Diversity Implications associated with this report.

4. RISK MANAGEMENT

- 4.1 The risks associated with not signing the SoCG are not significant but in signing it will help the planning inspector clearly focus on the issues in hand at the examination in public.

5. APPENDICES

Appendix A – WFLP SOCG
Appendix B – MM note on WFLP

6. BACKGROUND PAPERS

- WFLP Pre submission Document
- WFLP Infrastructure Delivery Plan
- WFLP evidence base
- BDC response to WFLP December 2018
- BDC response to WFLP October 2019

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BDC - Appendix A Contents

Main document - Statement of Common Ground between Wyre Forest District Council, Worcestershire County Council and Bromsgrove District Council

Appendix 1 - minutes of the Duty to cooperate meetings

Appendix 2 - BDC preferred option response to WFDC August 2017

Appendix 3 - BDC Submission representation to WFDC December 2018

Appendix 4 - BDC Submission representation to WFDC October 2019

Appendix 5 - Further Correspondence between BDC and WFDC September 2019

Appendix 6 – Traffic Demand in the Hagley area Report

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Statement of Common Ground between Wyre Forest District Council, Worcestershire County Council and Bromsgrove District Council

1) Introduction

Under the National Planning Policy Framework (NPPF, 2019), strategic policy making authorities, such as local planning authorities, should produce, maintain and keep up to date a Statement of Common Ground (SofCG) to highlight agreement on cross boundary strategic issues with neighbouring local authorities and other relevant bodies.

This SofCG has been produced to support the submission of the Wyre Forest District Local Plan. It sets out how Wyre Forest District Council has engaged with Bromsgrove District Council in order to fulfil its Duty to Cooperate requirements. As the highways authority, Worcestershire County Council has also been jointly included in the Duty to Cooperate discussions and the preparation of this SofCG.

2) Parties Involved

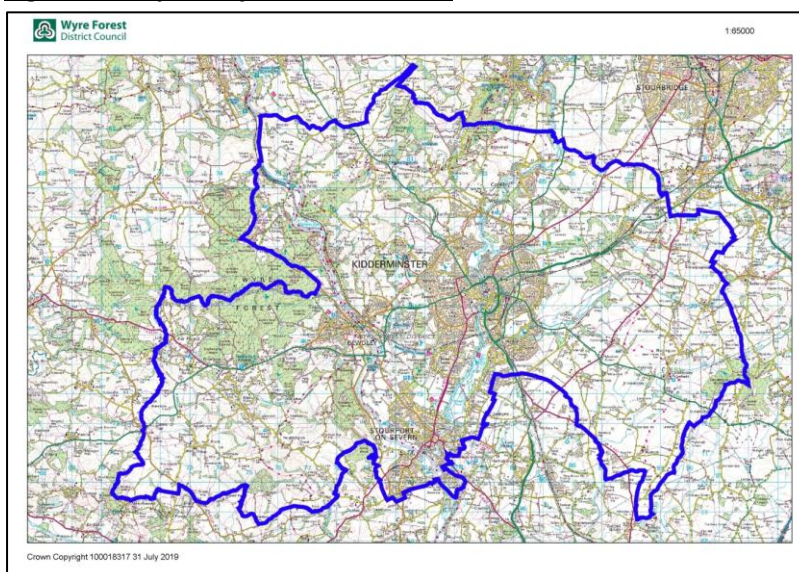
This SofCG has been prepared jointly by Wyre Forest District Council (WFDC), Worcestershire County Council (WCC) and Bromsgrove District Council (BDC). WCC is the highways authority for both Wyre Forest District and Bromsgrove District.

The SofCG covers those matters agreed and disagreed by the parties with regards to the proposed Wyre Forest District Local Plan (2016-2036), in order to fulfil the Duty to Cooperate requirements as outlined in paragraph 27 of the NPPF.

3) Strategic Geography

This SofCG covers all of the Wyre Forest District and has been produced for the purposes of the Wyre Forest District Local Plan (2016-2036), which is due to be submitted to the Planning Inspectorate in Spring 2020. Figure 1 below shows the district boundary of Wyre Forest District.

Figure 1: Map of Wyre Forest District



4) Background / Duty to Cooperate

There has been ongoing engagement between WFDC, BDC and WCC throughout the preparation of the WFDC Local Plan Review. WFDC has consulted with BDC and WCC at every stage of plan making. The Local Plan Review consultation periods were as follows:-

- Issues and Options Consultation – September / October 2015
- Preferred Options Consultation – June / August 2017
- Pre-Submission Consultation – November / December 2018
- Pre-Submission Consultation (re-opening) – September / October 2019

Joint Duty to Cooperate meetings between WFDC, WCC and BDC have taken place on the following dates:-

- 19th October 2017
- 26th June 2018
- 20th November 2018
- 6th February 2019
- 13th March 2019
- 30th July 2019
- 1st October 2019 (telephone conference call)
- 14th November 2019
- 7th January 2020
- 19th March 2020 (telephone conference call)
- 2nd April 2020 (telephone conference call)

Minutes of the meetings can be viewed in Appendix 1.

In addition to the above meetings, there have also been a number of Worcestershire Planning Officer meetings throughout the plan making period, at which lead Planning Policy Officers from each of the Worcestershire Local Authorities attended to discuss Local Plan Reviews and duty to cooperate issues.

WFDC also held a Wyre Forest Local Plan Transport meeting on 7th February 2017 with officers from BDC and WCC to discuss the infrastructure requirements for the plan prior to the Preferred Options consultation.

WFDC attended a BDC Highway Meeting at Bromsgrove District Council on 30th May 2018. Officers from WCC were also present at this meeting. The minutes of the meeting can be found in Appendix 1.

5) Strategic Matters Identified

Bromsgrove District Council did not respond to the WFDC Issues and Options consultation undertaken in 2015.

WFDC had held a meeting on 7th February 2017 prior to the preferred options consultation (which commenced in June 2017), to discuss the Wyre Forest local plan transport infrastructure requirements with BDC and WCC (the highways authority). BDC responded to the WFDC Local Plan preferred options consultation that was undertaken in June / August 2017. Appendix 2 shows the response received from BDC. The main concerns set out in BDC's response related to the evidence base which supported the allocations and in particular the transport evidence. BDC acknowledged that some consideration had been given to transport issues in the Infrastructure Delivery Plan (IDP), but they were concerned that a preference for a preferred option was being sought without all the transport modelling evidence being available. Subsequent to the 2017 Preferred Options consultation detailed transport modelling was undertaken by WCC with regard to site allocations and the results of which were consulted on during the 2018 Pre-Submission consultation.

BDC responded to the WFDC Local Plan Pre-Submission consultation that was undertaken in November / December 2018. Appendix 3 shows the response received from BDC.

BDC also responded to the WFDC re-opening of the Local Plan Pre-Submission consultation that was undertaken in September / October 2019. Appendix 4 shows the response received from BDC.

For both the 2018 and 2019 consultations, the strategic matters raised by BDC relate to transport issues. The matters of disagreement are set out in section 6 of this Statement of Common Ground.

6) Matters of disagreement

Table 1 and 2 below shows the matters of disagreement raised by BDC to the 2018 and 2019 consultations (regulation 19) to the Wyre Forest Local Plan (2016-2036). For the purposes of this SofCG, the tables also include a written response from WFDC and WCC, in 2020, to these disagreements raised by BDC. The numerous DtC meetings were also used as an opportunity for BDC to discuss their disagreements in detail with WFDC and WCC.

Table 1: Matters of disagreement from the 2018 consultation (regulation 19)

	Issues raised by BDC to the 2018 consultation (Reg 19)	WFDC / WCC Response (SofCG 2020)
BDC (2018 response)	6.1 - It is the view of Bromsgrove District Council (BDC) that unfortunately the Wyre Forest Local Plan (WFLP) is unsound, BDC do not consider that the plan is justified, effective or consistent with National Policy.	WFDC is disappointed that BDC considers the WF Local Plan to be unsound.
BDC (2018 response)	6.2 - The objection focuses on Policy 12 – Strategic Infrastructure and Policy 13 – Transport and Accessibility in Wyre Forest and the evidence base which	Comments noted.

	purports to support them, most notable the Infrastructure Delivery Plan (IDP) and the Transport Modelling Report (TMR).	
BDC (2018 response)	<p>6.3 - Para 16 of the NPPF requires that plans should:</p> <p><i>b) be prepared positively, in a way that is aspirational but deliverable;</i></p> <p><i>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</i></p> <p>Policy 12 is a generic policy for the requirement of infrastructure to support the plan, and Policy 13 begins to provide more detail on what infrastructure is required. It is the view of BDC that policies 12 and 13 fail to satisfy b) and d) of the framework. For the reasons expanded on in the paragraphs 6.6 to 6.20 below concerning the evidence base, BDC fail to see how the infrastructure requirements are deliverable. BDC also fails to see and how the policy is clear and unambiguous on what infrastructure is required, and when and how it is to be delivered. Of particular concern in relation to the clarity of the policy are the inconsistencies between the IDP requirements and the requirements in the policy.</p>	<p>Reference to NPPF is noted. WFDC does not think that the consultation response from BDC explains clearly what their concerns are with Policy 12 and 13 in relation to NPPF Para 16 b & d. The consultation response merely quotes the NPPF paragraphs and does not articulate in any detail why BDC consider the policies to be unclear, ambiguous and not deliverable.</p> <p>WFDC do not consider any change is necessary to Policy 13 in response to the BDC comments. However, Policy 12 could be used to secure mitigation if the Inspector considers this to be necessary. WFDC suggest the following potential modification to Policy 12, to be considered by the Inspector:</p> <p><u>D.) Where appropriate, planning obligations will be required to fund infrastructure projects that are directly related to specific development, including but not limited to affordable housing, transport, green infrastructure, education, health and other social infrastructure.</u></p>
BDC (2018 response)	<p>6.4 - Para 20 of the NPPF states:</p> <p>Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:</p> <p><i>b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);</i></p> <p>It is BDCs view that the concerns expressed about the evidence at para's 6.6 to 6.20 identifies that the WFLP and its evidence base does not at this stage</p>	<p>Reference to NPPF is noted. Merely quoting paragraphs from the NPPF is not enough to explain why the WF Local Plan is inconsistent with national policy.</p>

	<p>clearly identify in a robust manner the infrastructure required or the impacts of the infrastructure, and therefore the plan is inconsistent with the requirements of para 20 of the NPPF.</p>	
<p>BDC (2018 response)</p>	<p>6.5 - Para 104 of the NPPF states Planning policies should:</p> <p><i>b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;</i></p> <p><i>c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;</i></p> <p>It is BDCs view that in relation to b) and c) above that issues identified with the evidence base at paras 6.6 to 6.20 below shows, that there is not robust evidence which has allowed for any routes to be identified and protected for the bypasses in relation to Hagley and Mustow Green. And that lack of robust evidence, which also include un-costed schemes in the IDP, does not allow for a sufficient strategy for investment in infrastructure to be developed and aligned, therefore the WFLP is not consistent with the requirements of para 104 of the NPPF.</p>	<p>Comments noted.</p> <p>WCC have worked with WFDC throughout the development of the WFDC Local Plan including in the development of the IDP and the transport evidence.</p> <p>Worcestershire County Council is the highway authority and is content with the WF Local Plan, the IDP and the transport evidence (which they prepared). WFDC and WCC consider the evidence to be robust. Therefore, WFDC has met the requirements of NPPF paragraph 104 b & c.</p>
<p>BDC (2018 response)</p>	<p>6.6 - Paras 6.3 to 6.5 above show how the policies in the WFLP are inconsistent with the requirements of the NPPF, BDCs soundness concerns are also related to the ability of the WFLP to be judged as being justified and effective, this primary concern relates to the evidence base supporting Policies 12 and 13.</p>	<p>Disagree. Paragraphs 6.3 to 6.5 merely quote paragraphs from the NPPF and do not explain clearly and in detail why BDC consider the policies in the WFLP are inconsistent with the NPPF. In their response para 6.3 states <i>“For these reasons expanded on in paragraph 6.6 to 6.20 below concerning the evidence base, BDC fail to see how the infrastructure requirements are deliverable.”</i> Yet, when the reader reaches para 6.6 it states <i>“Para 6.3 to 6.5 above show how the policies in the WFLP are</i></p>

		<p><i>inconsistent with the requirements of the NPPF...". BDC has failed to articulate clearly in their consultation response to WFDC exactly why Policy 12 and 13 are considered by them to be inconsistent with the NPPF. Merely quoting paragraph numbers from the NPPF is not a satisfactory method of expressing NPPF inconsistencies.</i></p>
<p>BDC (2018 response)</p>	<p>6.7 - It appears from the published evidence base the main supporting evidence for the transport and infrastructure policies in the WFLP are the IDP and the TMR. Reference is made in both May 2017 and October 2018 versions of the IDP to a transport evidence paper. It has been confirmed by Wyre Forest District Council (WFDC) that there is no transport evidence paper. The May 2017 IDP also states:</p> <p><i>It should also be noted that local impacts of individual potential development sites can be more easily identified; however, the cumulative impact of development on both the local and wider strategic network is difficult to quantify without undertaking modelling. As detailed above, the WFTM will be used to fully assess all development sites, both individually and cumulatively, to ensure a robust assessment of the likely transport related infrastructure is identified and all appropriate multimodal infrastructure identified to support the preferred option.</i></p> <p>For the reasons expanded on below BDC, do not consider that this stated intention of the previous version of the IDP has been undertaken.</p>	<p>Comments noted. WCC have worked with WFDC following the 2018 Pre-Submission consultation to undertake further transport modelling to inform the evidence base and IDP.</p> <p>The updated transport evidence and revised IDP were consulted on during the re-opened Pre-submission consultation which took place in 2019.</p>
<p>BDC (2018 response)</p>	<p>6.8 - The WFLP contains development allocations across the District, there are some significant allocations to the eastern and north eastern side of Kidderminster. These sites have been in the public domain for a considerable period of time, and were part of the preferred options presented by WFDC. BDC responded to the preferred option plan, expressing concern about the possible implications of development in</p>	<p>Disagree. A considerable amount of evidence has been produced to support the WFDC Local Plan Review. This evidence base includes the Green Belt review, the Housing & Economic Land Availability Assessment, the Site Selection Paper, the Settlement Hierarchy Technical Paper, the Sustainability Appraisal etc. As part of the evidence base, WFDC has worked closely with WCC to produce some transport technical documents that have modelled</p>

	<p>these locations on transport infrastructure in Bromsgrove. At the time BDCs concern was the lack of evidence to allow BDC to make an informed decision on the implications for the district. Sadly little work appears to have been done to strengthen the evidence base and therefore BDCs concern remains.</p>	<p>and tested the site allocations robustly in terms of the impact on the transport network during the plan period up to 2036. The evidence base studies produced as part of the review process has informed the sites allocated in the draft Local Plan (2016-2036). WFDC has set out in the draft Local Plan (2016-2036) what it considers to be ‘an appropriate strategy’ for Wyre Forest District (NPPF para 35b). This appropriate strategy for the district has been approved by WFDC Members.</p>
<p>BDC (2018 response)</p>	<p>6.9 - Turning specifically to the Transport Modelling Report (TMW) BDC has concerns that:</p> <ul style="list-style-type: none"> a) The Wyre Forest Transport model is a multi-modal model but only the highway assignment model has been used. b) There is a mis-match between the development assumptions in the Wyre Forest Local Plan Review (2016-2036) – Transport Modelling Report and the Wyre Forest District Council IDP. c) A simplistic approach to trip generation has been adopted. A single rate assumed for all residential development and a single rate assumed for all job employment types. d) It is not clear whether there has been any optimisation of the highway network in the future year network. e) There is no definition provided of “capacity” or “congestion”. f) In the Appendix, information on housing is not provided for mixed use development. Housing capacity is provided for residential areas, but the number of jobs assumed for employment is not provided. 	<p>Comments noted. Some anomalies and inconsistencies were identified within the modelling work undertaken for the 2018 Pre-Submission consultation. These have been addressed and corrected in the 2019 modelling work undertaken.</p> <p>The updated transport evidence and revised IDP were consulted on during the re-opened Pre-submission consultation which took place in 2019.</p> <p>All of the concerns raised here by BDC have been addressed in the 2019 transport modelling and were made available in the re-opened consultation.</p>
<p>BDC</p>	<p>6.10 - In relation to the Wyre Forest</p>	<p>The Chapter 3 of the IDP Physical</p>

<p>(2018 response)</p>	<p>District Council IDP, the following observations are made:</p> <ul style="list-style-type: none"> a) There is a mis-match between the development assumptions in the Wyre Forest Local Plan Review (2016-2036) – Transport Modelling Report and the Wyre Forest District Council IDP. b) No reference to modelling 5 years ahead, albeit the IDP refers to national guidance that states that the IDP should be clear for at least 5 years ahead. c) There is reference to options consultation but no reference to modelling of options. d) The document states that where the deliverability of critical infrastructure is uncertain alternative strategies should be assessed. It is not clear if the testing of alternative strategies has been undertaken in the (highway) modelling. e) There is no definition provided of “capacity” or “congestion”, so it is not clear how infrastructure needs have been identified. f) Not clear how network capacity has been maximised albeit the document states that there is a need to demonstrate that capacity has been maximised. g) Not clear on how infrastructure needs have been identified as there is no reference provided to an appraisal or sifting process or definition of need. 	<p>Infrastructure clearly sets out any assumptions which have been made in the assessment of required infrastructure. It is a living document and subject to regular updating as new evidence becomes available and as the plan is implemented.</p> <p>The IDP sets out a series of infrastructure requirements based on both the transport modelling which has been undertaken, and WCC assessment of the sites as the highways authority taking into account their knowledge of the network in both Wyre Forest district and wider, experience of development and mitigation and the traffic management data available to WCC.</p> <p>The IDP is not the document for a detailed discussion on transport modelling.</p>
<p>BDC (2018 response)</p>	<p>6.11 - The reason why these elements are a concern and lead to a conclusion of unsoundness relates to the identification of additional congestion on the A456 through Hagley in Bromsgrove. Also the identification of additional congestion on the A448 at Mustow Green which the main route between Bromsgrove and Kidderminster is a similar concern. Both these locations have now been identified as requiring bypasses. It must be stated that in principle BDC does not necessarily</p>	<p>Comments noted.</p> <p>Subsequent to the 2018 Pre-Submission consultation further detailed work was undertaken by WCC with regard to these allocations and the results of this have been used to inform subsequent revisions to the IDP.</p> <p>The updated transport evidence and revised IDP were consulted on during the re-opened Pre-submission consultation which took place in 2019.</p>

	<p>object to these bypass proposals, providing they are underpinned by robust evidence of need, and more importantly delivery. But for BDC to get to this position it needs to be clear that these proposals are the correct form of mitigation when considered against other options in these locations, and it needs to be clear what the wider cumulative impacts of these proposals are on transport infrastructure. This is important because once the need for them is robustly established; it needs to be clear how these and other proposals will be funded and delivered in a coordinated way. The WFLP requires infrastructure to align with allocated development as they progress to provide the correct mitigation, although it does appear no actual phasing appears in the plan. BDC is unable to establish that a robust process has been undertaken in identifying these schemes as the correct schemes. BDC is also unable to form any view based on the evidence of the likelihood of these schemes being enabled or delivered by the WFLP.</p>	
<p>BDC (2018 response)</p>	<p>6.12 - In more detail BDC cannot understand the assessment process that has been undertaken to determine the bypass is needed. The adopted Local Transport Plan 4 LTP4 highlights that a review of the junctions in Hagley should take place, to be funded by developers and the LTP. Notwithstanding the technical concerns highlighted at para 6.8 above, the results of the TMR appears to show further congestion in Hagley. The LTP4 junction review requirement appears to have now been superseded by a bypass, there appears to be no evidence to support the need other than the model report. The IDP states <i>“Using this information WCC have been able to undertake an assessment of the probable impact on the local and wider network and produce a list of the infrastructure required to support the level of growth. This assessment has been undertaken using the Wyre Forest Transport Model (WFTM).”</i> The TMR</p>	<p>Comments noted. Subsequent to the 2018 Pre-Submission consultation further detailed work was undertaken by WCC with regard to these allocations and the results of this have been used to inform subsequent revisions to the IDP. Two further papers have been produced; The A450 Corridor Enhancement Report and the Transport Demand in Hagley both of which provide the detailed assessments and justification for the proposed mitigation.</p> <p>The revised IDP and the A450 Corridor Enhancement Report were consulted on during the re-opened Pre-Submission consultation held in 2019.</p> <p>The Transport Demand in Hagley Area has been produced by WCC as a background paper to this Statement of Common Ground. (See Appendix 6).</p>

	<p>does not mention the mitigation required, it simply shows where the network is affected by development, there are no other published reports referencing the WFTM. Therefore trying to work out how all the schemes have been assessed based on the published evidence. The same applies to the Mustow Green scenario where a junction enhancement scheme has been replaced with a bypass. Policy 13 of the WFLP still refers to a junction enhancement scheme, this is the inconsistency referred to at para 6.3 above.</p>	
<p>BDC (2018 response)</p>	<p>6.13 - It is a fact that the IDP schemes haven't been modelled for their impact, as they are not referenced in the TMR. So it is unclear not only what impact a Hagley bypass will have in reducing congestion in Hagley but it is not clear what impact a Hagley bypass might have on other locations, these impacts maybe both positive and negative. The same can be said for the bypass around Mustow Green. For example the Mustow Green Scheme might have an impact on Bromsgrove Town if it increases the volumes which are able to use the A448. Similarly the enhancement scheme on the A450 corridor might have an impact on Hagley if it improves the attractiveness of this route, how would / has that then be factored into the bypass proposals at Hagley. It is accepted that transport planning / modelling is not an exact science, and there will always be impacts of schemes which will not be able to be quantified. In this instance again appears to be is no work which attempts to identify how all these transport schemes work together to mitigate the cumulative impacts of all the developments in Wyre Forest. For these reasons alone BDC does not feel that the WFLP is sound, as key proposals required both within the district but also outside are not robustly justified.</p>	<p>Comments noted. Subsequent to the 2018 Pre-Submission consultation further detailed work was undertaken by WCC with regard to these allocations and the results of this have been used to inform subsequent revisions to the IDP. Two further papers have been produced; The A450 Corridor Enhancement Report and the Transport Demand in Hagley both of which provide the detailed assessments and justification for the proposed mitigation.</p> <p>The revised IDP and the A450 Corridor Enhancement Report were consulted on during the re-opened Pre-Submission consultation held in 2019.</p> <p>The Transport Demand in Hagley Area has been produced by WCC as a background paper to this Statement of Common Ground. (See Appendix 6).</p>
<p>BDC (2018 response)</p>	<p>6.14 - It could be seen as strange that BDC are objecting to a plan which on the face of it is providing a solution to a known issue; congestion in Hagley. The</p>	<p>Comments noted.</p> <p>For clarity, a Hagley Bypass is not being proposed by the WFDC Local Plan.</p>

	<p>robust justification for a scheme is directly related to the ability to implement the required scheme. Therefore BDC cannot support the plan if, the need for the scheme is not justified to the extent that its ability to be implemented becomes clear and deliverable.</p>	
<p>BDC (2018 response)</p>	<p>6.15 - The Hagley bypass scheme as identified in the IDP does not have a cost associated with it, the Mustow Green bypass scheme has a £12 million cost associated with it. Neither scheme as far as BDC can ascertain has got a plan which shows the alignment of the road or any technical considerations. Purely by looking at a map, a bypass around Mustow Green would appear to be a shorter piece of road than a bypass around Hagley. Therefore we can only assume that the Hagley scheme will be in excess of £12 million, this is a significant amount of funding which does not have any certainty at this stage. BDC acknowledge that this is a very crude assumption to make on cost, and there are many issues such as underground services etc which can significantly affect the final amount. It is also accepted that as the detail of schemes are worked up more detailed cost estimates can be made. It appears the costs that have been used to inform the viability work, which is part of the evidence base to the plan, are not reflective of or have been informed by these schemes. The approach in the viability work is to use a typical infrastructure cost. However in this instance this typical cost cannot account for all the typical or abnormal costs, as so many of them are yet to be identified.</p>	<p>Comments noted.</p> <p>Subsequent to the 2018 Pre-Submission consultation further detailed work was undertaken by WCC with regard to these allocations and the results of this have been used to inform subsequent revisions to the IDP. Wherever estimated costs are used this is clearly acknowledged in the IDP, which is not an unusual approach. To provide detailed costs for schemes in itself requires considerable financial investment in feasibility, options appraisal and site assessments which would incur considerable cost. These will be undertaken as appropriate when mitigation is required as development comes forward. Use of a typical infrastructure cost is not unusual and provides a guide as to likely costs, accepting that there may be abnormal costs within a scheme. It is also of note that any proposal for a Hagley bypass would be in Bromsgrove, so could not include an allocation or indicative route in the WFDC plan. Subsequently, two further papers have been produced; The A450 Corridor Enhancement Report and the Transport Demand in Hagley both of which provide the detailed assessments and justification for the proposed mitigation.</p> <p>The revised IDP and the A450 Corridor Enhancement Report were consulted on during the re-opened Pre-Submission consultation held in 2019.</p> <p>The Transport Demand in Hagley Area has been produced by WCC as a background paper to this Statement of Common Ground. (See Appendix 6).</p>
<p>BDC (2018 response)</p>	<p>6.16 - It is noted at para 12.3 of the WFLP that: <i>The Council will consider wider</i></p>	<p>Comments noted.</p>

	<p><i>infrastructure funding streams as part of the Local Plan Review process and in due course will consider the introduction of a Community Infrastructure Levy in conjunction with the latest Planning Obligations SPD, as adopted by the Council in September 2016.</i></p>	
<p>BDC (2018 response)</p>	<p>6.17 - BDC do not understand why the consideration of infrastructure funding streams would be left for a plan review to decide. This wording appears verbatim in the preferred option version of the plan and therefore maybe a drafting error. If this is the case then it would suggest that this plan should have considered the funding streams. BDC cannot see where this has been done with any rigour. If a CIL is the mechanism to fund the plans infrastructure, then it would need to be clearly timetabled, and then progressed in line with that timetable to ensure the benefits of having a CIL are realised from all the development in the plan. This would appear to be key for WFDC so many infrastructure schemes have been identified. The Local Development Scheme states that the position on a CIL will be considered alongside the preparation of the pre-submission plan. There is no timetable for the production of a CIL and WFLP does not clarify the position on CIL. The inconsistent costing information and complete lack of costing in relation to the Hagley bypass, and an uncertain policy regime about infrastructure delivery casts doubt on the funding of a bypass for Hagley.</p>	<p>Agree that there is a slight drafting error in paragraph 12.3 of the Plan. This error is to be corrected in the Table of Additional (Minor) Modifications to the Local Plan.</p> <p>For clarity, a Hagley Bypass is not being proposed by the WFDC Local Plan.</p>
<p>BDC (2018 response)</p>	<p>6.18 - The IDP has a lot of high cost schemes in it, and a lot of possibly expensive schemes which have yet to be costed, including the Hagley bypass. If the evidence isn't robust to support the specific requirement for these schemes as a result of development, the likelihood of them being funded by developers or other mechanisms such as Central Government or LEP money is uncertain. Where there are lots of competing schemes it is expected that funding normally will be directed at</p>	<p>Comments noted, subsequently a further paper has been produced "Transport Demand in Hagley".</p> <p>The IDP provides clarity of the gap between estimated developer contributions and the cost of infrastructure in support of the plan. WCC has expressed concern in their response with regard to viability. Notwithstanding these comments WCC have a good track record of working with the funders such as Central Government and the LEPs to secure funding for large</p>

	<p>those which provide the greatest direct benefit, such as enabling housing development or providing for economic activity. From the information provided BDC has no way of understanding how much development from specific allocations impacts on Hagley to justify the bypass. This lack of information then makes it impossible to understand the likely level of developer contribution, and therefore if not fully developer funded the likely amount of other funding required. Without being able to understand how much housing and economic development proposals such as the bypass enable, it is impossible to form a view on the likely applicability to the funding streams that are available to infrastructure providers.</p>	<p>infrastructure schemes including both highways, active travel and rail bases. We will continue to work with WFDC to secure external funding where ever possible for the schemes identified in the IDP, alongside developer contributions.</p>
<p>BDC (2018 response)</p>	<p>6.19 - It is accepted that funding regimes are not fixed, and the change as government policy is amended, meaning different levels of finance become available. With that in mind BDC accepts that it is not possible to have complete certainty on these issues at this stage in the planning process. But without being able to quantify the impact of individual developments on the scheme being tabled as mitigation, and then being able to quantify the impact of the mitigation even at a basic level BDC fails to see how the plan can be seen as justified, and therefore also effective if the required funding for the mitigation remains such an unresolved issue.</p>	<p>WCC have a good track record of working with the funders such as Central Government and the LEPs to secure funding for large infrastructure schemes including both highways, active travel and rail bases. We will continue to work with WFDC to secure external funding where ever possible for the schemes identified in the IDP, alongside developer contributions.</p>
<p>BDC (2018 response)</p>	<p>6.20 - In conclusion it is regrettable that BDC has to object to the plan, but unless the mitigation required supporting the plan cannot be robustly evidenced, which in turn secures the ability for it to be delivered, it is the view of BDC that the plan is unsound as it is not justified, effective, and consistent with national policy.</p>	<p>Disagree. Both WFDC and WCC consider that the evidence that has been produced is robust and the Local Plan is sound.</p>
<p>BDC (2018 response)</p>	<p>7.1 - BDC consider that the wording of policies 12 and 13 could be amended to strengthen them and provide more clarity in relation to the mitigation required. But as the fundamental issue is with the evidence which underpins these</p>	<p>Disagree. BDC does not state why or how Policy 12 and 13 should be strengthened or why or how they lack clarity. WFDC have undertaken numerous Duty to Co-operate meetings with BDC, during which BDC have failed to elaborate on this issue and</p>

	<p>policies, without a more robust evidence base BDC do not consider this plan can be made sound with simple policy wording changes.</p>	<p>articulate clearly their concerns with these two policies. BDC did not make any suggested modifications.</p> <p>Both WFDC and WCC consider that the evidence that has been produced is robust and the Local Plan is sound.</p>
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Table 2: Matters of disagreement from the 2019 consultation (regulation 19)

	Issues raised by BDC to the 2019 consultation (Reg 19)	WFDC / WCC Response (SofCG 2020)
BDC (2019 response)	<p>BDC considers that the wording of policies 12 and 13 could be amended to strengthen them and provide more clarity in relation to the mitigation required. However, as the fundamental issue is with the evidence which underpins these policies, without more robust evidence base BDC still does not consider this plan can be made sound with simple policy wording changes.</p> <p>If it can be demonstrated clearly that the impacts of development are on infrastructure in Bromsgrove, then a clear policy requirement for the delivery of cross boundary infrastructure will need to be included in the plan.</p>	<p>Disagree. BDC does not state why or how Policy 12 and 13 should be strengthened or why or how they lack clarity. WFDC have undertaken numerous Duty to Co-operate meetings with BDC, during which BDC have failed to elaborate on this issue and articulate clearly their concerns with these two policies. BDC did not make any suggested modifications.</p> <p>Both WFDC and WCC consider that the evidence that has been produced is robust and the Local Plan is sound.</p>
BDC (2019 response)	<p>1. The previous comments submitted by Bromsgrove District Council BDC in relation to this plan still stand, the comments below expand on those submitted previously.</p>	<p>See comments on 2018 response.</p>
BDC (2019 response)	<p>2. It remains the view of BDC that unfortunately the Wyre Forest Local Plan (WFLP) is unsound, BDC do not consider that the plan is justified, effective, or consistent with National Policy. It is also unfortunate that BDC also now raises concerns about whether the requirements of the Duty to Co-operate to have been met.</p>	<p>Disagree. WFDC has held numerous Duty to Co-operate meetings with both BDC and WCC (the highways authority) to discuss the BDC issues and identify solutions.</p>
BDC (2019 response)	<p><u>Evidence concerns</u></p> <p>3. Without repeating the previous concerns verbatim the issue that BDC has is that it is still unclear as to what the transport impacts are, of the WFLP on Bromsgrove District. Concerns were expressed previously on the clarity of the</p>	<p>Comments noted.</p> <p>WCC disagree with this position and believe the IDP along with the Hagley Demand Report and A450 Corridor Report identify the likely impacts the growth will have on the Transport Network within Bromsgrove.</p>

	work provided to support the 2018 publication version of the plan. Although efforts have been made to address these concerns, the fact remains that from the published information it is, in the view of BDC, not possible to clearly see what the impacts of the development sites are, and then clearly understand the mitigation strategy.	
BDC (2019 response)	4. The need for a more robust transport evidence base has been something that BDC has been raising throughout the development of the WFLP. In response to BDCs November 2018 objection, further discussions took place in February and March 2019 where BDC continued to express its position, with WCC officers in attendance. It is BDCs understanding that these discussion in part led to the additional document that has been published, Wyre Forest Local Plan Review, Transport Evidence June 2019. It had been hoped that the content of this document would have addressed the previous concerns BDC raised but unfortunately it does not do this. This position of BDC is, and has always been, that the Council would like to be able to understand the impacts of the plan on the infrastructure within Bromsgrove District, and then to clearly understand how the proposed mitigation and its delivery has been arrived at.	Comments noted. WCC have worked with WFDC to provide further clarity on the transport impacts of the WFDC local plan. A further modelling exercise has been undertaken on the discrepancy of allocated sites, and the Transport Evidence Base sets out the impacts of development in Wyre Forest District and the key corridors. Further specific reports have been produced as required for Hagley, A450 corridor and Blakedown to enhance understanding and support the interventions.
BDC (2019 response)	5. Unfortunately the Wyre Forest Local Plan Review, Transport Evidence June 2019 does not satisfy this information gap. It is the view of BDC that the document has flaws. The document at section 4 attempts to suggest that an assessment has been done to confirm that the model is fit for purpose. BDC does not see how any actual assessment has been done, and consider that it is not possible to make the conclusion at para 4.6 based on the information in the preceding section.	Comments noted. Jacobs, WCC's Transport consultants have provided an assessment of the WFDC transport model, which confirms that it is suitable and appropriate to assess the WFDC local plan using this model and its evidence base.
BDC (2019 response)	6. A more significant concern is that although there is new information in this report, it is still not possible to ascertain from the information provided what the actual impact of development would be.	Comments noted. The Transport Evidence Base sets out the impacts of development in Wyre Forest District and the key corridors, including trip

	<p>The document shows that flows and journey times will increase in many locations, but without a base year, or updated base year to compare against, all that can be concluded is that there will be more trips on the network. Without being able to compare a scenario where WFLP developments are not present, and where WFLP developments are present, understanding what the actual impacts of development are, is impossible.</p>	<p>generation.</p> <p>Further specific reports have been produced as required for Hagley, A450 corridor and Blakedown to enhance understanding and support the interventions proposed.</p>
<p>BDC (2019 response)</p>	<p>7. Another concern with this piece of evidence is that there is no modelling with any mitigation included. Therefore from the evidence available it is not possible to understand if the suggested mitigation in the Infrastructure Delivery Plan (IDP) actually mitigates both individual development sites and also the cumulative impacts of the WFLP.</p>	<p>The Hagley Demand Report identifies the growth will have little impact on the network with the Bromsgrove District and therefore no schemes for the area are included within the IDP.</p> <p>The A450 Corridor report identifies the impact growth will have on corridor. It also identifies the appropriate mitigation scheme and the results of the introduction of that scheme.</p>
<p>BDC (2019 response)</p>	<p><u>Infrastructure Delivery Plan</u></p> <p>8. Turning to the IDP the BDC position remains the same as previously expressed. The Council’s previous concerns centered on the untested and in some cases un-costed schemes and proposals in the IDP. Whilst it is acknowledged that changes have been made to the IDP it is still unclear what the links are between the impact of development and the mitigation that is specified. This particular concern for the A456 through Hagley, where previous proposals for a bypass have been softened and the need or a wider review working with other councils seems to have replaced this proposal. BDC has no objection in principle to a wider review of transport infrastructure; indeed it would expect this consideration to come to the fore as the review of the Bromsgrove District Plan gathers momentum. However it is not considered appropriate at this stage to leave it to a wider infrastructure review to mitigate the specific impacts of the</p>	<p>Comments noted.</p> <p>Considerable further work has been undertaken to consider the A456 through Hagley which is set out in the additional paper “Transport Demand in Hagley”. Further to this, WCC have also undertaken localised modelling in Hagley to assess options to address the current congestion which is separate to the WFDC local plan.</p> <p>Hagley is a significant highway junction on the major road network (MRN), which attracts traffic from a wider hinterland, which travels to both the strategic road network i.e. M5 and also north to Birmingham and Black Country conurbation. WCC have undertaken formal duty to co-operate discussions with the Black Country authorities regarding this junction and any possible impacts of both their local plan review and any transport proposals. The focus of their approach is to promote and extend public transport options within the conurbation. WCC also propose interventions to enhance the rail offer in Wyre Forest district to reduce the need to travel by car into the conurbation</p>

	<p>WFLP, should they ever be clearly identified, it maybe that the impacts are not significant to warrant such a review or if the impacts are proved to be significant, it is something which may be too late to address via plan making.</p>	<p>and beyond.</p> <p>In addition much of the demand at Hagley is not related to Wyre Forest, but is generated from a wider hinterland extending beyond Wyre Forest into the rural areas of Herefordshire, Shropshire etc.</p>
<p>BDC (2019 response)</p>	<p>9. It is also considered that the Duty to Cooperate and Statements of Common ground that BDC will prepare to support its plan are not the place to decide what infrastructure is required to support the developments in Wyre Forest, as para 3.1.21 of the IDP seems to be suggesting. It is the view of BDC that the infrastructure needs of the WFLP need to be clearly identified in the evidence that supports that plan, and mechanisms put in place to allow for any cross border infrastructure to be delivered. BDC has a strong track record of such an approach both working with Birmingham City Council on the Longbridge Area Action plan, and more recently in working with Redditch Borough Council in providing cross boundary allocations in Bromsgrove District to meet the needs of Redditch Borough.</p>	<p>Comments noted.</p> <p>Paragraph 3.1.21 of the IDP acknowledges the wider issues associated with the Hagley junction and that these are not matters which are solely within the control or remit of the WFDC local plan. WCC has undertaken discussions with the Black Country authorities, South Staffordshire and Bromsgrove to inform the approach to Hagley. The impact of proposals within the Shropshire Local Plan has also been reviewed.</p>
<p>BDC (2019 response)</p>	<p>10. Para 3.1.24 of the IDP discusses the rail enhancement taking place in Blakedown station. BDC does not have an objection in principle to this enhancement. However there are concerns with the following statement:</p> <p><i>‘Enhancements to parking facilities at Blakedown Station will also help to mitigate the impact of growth on Hagley within Bromsgrove District. Hagley currently suffers from congestion at peak times and this is considered to be a first step in reducing congestion before wider strategic improvements can be considered and implemented.’</i></p> <p>It is not clear how the addition or parking at this station combined with other strategies such as improving of the A450 corridor work together to reduce</p>	<p>Comments noted.</p> <p>WCC has commissioned their rail consultant SLC Rail to undertake a study of options for the enhancement of Blakedown Station. This background paper has been published.</p> <p>LTP4 and the accompanying Rail Investment Strategy set out the justification for investment in the rail station at Blakedown.</p> <p>As outlined in the paper “Transport Demand in Hagley” traffic is currently passing through Hagley to access jobs in Black Country and Birmingham, attracted by the car parking and train options at Stourbridge Junction in particular. Investment in Blakedown station provides the facility to capture some of this demand</p>

	<p>congestion in Hagley. It could be argued that improving the A450 corridor without complementary improvements on the Hagley area just allows the congestion to get to Hagley quicker. It is of interest to BDC to understand the amount of congestion that improvements at Blakedown will relieve in Hagley, and also the process which has been undertaken to identify this reduction.</p>	<p>prior to Hagley, thereby reducing congestion.</p>
<p>BDC (2019 response)</p>	<p><u>Duty to Co-operate</u></p> <p>11. The above paragraphs largely reiterate the concerns that BDC has over the robustness of evidence base to support the plan. BDC considers it has engaged fully in the attempts to ensure that the DTC has been met. As highlighted above these evidence related issues are longstanding concerns that BDC has expressed many times. It had been hoped that early engagement initiated by BDC in May 2018, where concerns were expressed about the evidence base that was being worked on to support the previous publication version on the WFLP, would have ensured that no objection needed to be submitted at that time; unfortunately that was not the case, and the Councils previous objection was submitted.</p>	<p>It is disappointing that BDC continues to object to the WFDC Local Plan. WFDC and WCC have held numerous DtC meetings with BDC to try to resolve the issues with them and further technical transport work has been produced as a result.</p>
<p>BDC (2019 response)</p>	<p>12. As referred to above in an attempt to ensure constructive engagement, meetings took place in February and March 2019, where a set of actions were agreed by all parties which it hoped would result in a robust evidence base which addresses the concerns of BDC. The work which was prepared as a result of these discussions was only seen by BDC in June 2019.</p>	<p>Numerous joint DtC meetings have been held with BDC to discuss the WF Local Plan and the transport implications (part 4 of this SofCG lists the dates of the DtC meetings held). The minutes of the DtC meeting held on 13th March 2019 state clearly in the second action that WCC would prepare the transport evidence by June 2019. The final minutes of the meeting were agreed by all. Duty to co-operate is not one sided – there is a duty to co-operate by all parties.</p>
<p>BDC (2019 response)</p>	<p>13. In June 2019 WFDC published the local plan documents as part of its Overview and Scrutiny agenda for the meeting of 4th July 2019. On initial review of these documents BDC again expressed concerns that this evidence</p>	<p>During the DtC meeting held on 30th July, a next meeting date was suggested (pencilled in) for 29th August 2019, however when the WFDC officer checked their calendar following the meeting, it was realised that the suggested meeting date</p>

<p>still does not address the longstanding issue of clarity of the developments impacts. It was agreed that a DTC meeting needed to take place. This meeting took place on the 30th July 2019, at this meeting a set of actions were agreed which would provide BDC the information it sought, in particular the impacts of development on the Hagley area. It was agreed that this information should be provided for the 29th August 2019, prior to the representation period on the publication version of the plan opening. A meeting was pencilled in to discuss this additional work on the 29th August 2019. Subsequent to this meeting it is understood that WFDC contacted WCC separately to request that the work is not provided for the 29th August as agreed, minutes of that meeting confirm this;</p> <p><i>Following on from this meeting WFDC reviewed the proposed meeting date for discussion of Hagley paper and next steps (29th August). They concluded that as there was not time for them to review all the information in advance of the regulation 19 consultation, they would rather the meeting was postponed until late September to allow more time for the paper to be prepared and reviewed and the consultation to commence.</i></p>	<p>would not be possible. Also, as the lead officer from WFDC was going to be away on annual leave for over two weeks before this suggested meeting date, it was felt that there was not sufficient time available for any further technical documents to be checked thoroughly before being published for the pre-submission consultation start date of 2nd September 2019. WFDC therefore does not think it was in anyway unreasonable to delay the meeting date and to allow more time for WCC to produce the additional technical work that was being requested by BDC. Also, as BDC had not put in writing what their latest concerns were with the WFDC transport evidence, it was considered prudent to request BDC to put their concerns formally in writing by responding to the consultation (see Appendix 5). As this additional technical work, which became known as ‘the Hagley Paper’, was being prepared as a background Paper to this SofCG, it was not considered necessary for it to be consulted on during the regulation 19 consultation. The documents for consultation had already been agreed by WFDC Members at a Cabinet meeting held on 16th July 2019 and therefore the Hagley Paper would have been a new document not agreed by WFDC Members. It is for WFDC to decide what it publishes and what it does not publish for its regulation 19 consultation; it is not a decision to be made by BDC. The Hagley Paper was not a document commissioned by WFDC but rather a document that was produced by WCC in response to the BDC objections to the WFDC Local Plan. The Hagley Paper therefore is a background paper to this SofCG and can be viewed in Appendix 6.</p> <p>The quote in para 13 of the BDC response has been taken from a ‘draft’ of the meeting minutes which had not been written or agreed by WFDC. It was therefore unhelpful of BDC to include this ‘draft’ paragraph in their response to the WF Local Plan and subsequently publish it into the public domain. In WFDC’s view, this approach taken by BDC is not in the</p>
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		spirit of 'duty to co-operate'.
BDC (2019 response)	<p>14. On receiving notification on the minute above BDC requested a further amendment was made to the minutes as below:</p> <p><i>BDC must point out on the record that the reason for the timescale was to allow for all the documents to be available for the start of the representations period. We have reservations about this revised timescale for the publication of the work and the possible implication that BDC and other stakeholders will not have full access to the evidence for the full duration of the regulation 19 representation period.</i></p>	The 'Transport Demand in the Hagley Area' is a background paper to this Statement of Common Ground. It was produced and published by WCC in response to the BDC objection to the WF Local Plan and following the numerous joint DtC meetings WFDC and WCC have held with BDC.
BDC (2019 response)	<p>15. At the time of writing this representation the information which was agreed on the meeting of the 29th July has still not been provided, and therefore this objection has been drafted.</p>	Objection noted. This in itself shows that the Hagley Paper could not have been produced in the timescales demanded by BDC. As further transport modelling work needed to be undertaken by WCC, the first draft of the paper was only made available to WFDC in late December 2019 with the final version being published by WCC on 13 th February 2020. A draft of the paper was made available to BDC on 6 th January 2020, before the DtC meeting being held on 7 th January at which WCC presented the main findings of the paper to BDC. BDC were given the opportunity to comment on the draft paper before WCC published the final version on their website on 13 th February 2020. BDC commented both at the DtC meeting and in a subsequent email and phone call with WCC on 8 th January 2020. WFDC were not sent this email and were not party to the phone call conversation on 8 th January 2020.
BDC (2019 response)	<p><u>Concluding comments:</u></p> <p>16. BDC continues to raise concerns about the lack of a robust evidence base and, also unfortunately raises potential concerns about the ability of WFDC to meet the DTC. It is hoped that working within the relevant regulations which dictate the plan making process from this point forward, and by continuing to engage with Wyre Forest District Council</p>	It is important to note that WFDC and WCC are in agreement and have cooperated effectively with each other during these joint DtC meetings. WCC is the highway authority and is content with the WF Local Plan and the transport evidence base (which they prepared). WCC and WFDC do not consider that the Local Plan will compromise highway safety in Bromsgrove District or have severe impacts on the transport network. No specific mitigation is

	<p>and Worcestershire County Council, that a solution to the issues above can be found in advance of the submission of the Wyre Forest Local Plan. The outcomes of this ongoing engagement can then be reported in the Statement of Common ground which we understand will accompany the submission.</p>	<p>therefore required in Bromsgrove District as a result of the WF Local Plan. Efforts have been made by both WFDC and WCC to reach agreement with BDC through the DtC process.</p> <p>At a Full Council meeting on 20th February 2020 WFDC Members agreed to submit the Local Plan (2016-2036) to the Secretary of State for the purposes of examination, including all the supporting evidence base documents. This shows that WFDC Members have agreed an appropriate strategy for Wyre Forest District for the Local Plan review and consider the plan to be ‘sound’ for the purposes of examination.</p> <p>It is unfortunate that BDC are still objecting to the Local Plan; however the matter of determining an ‘appropriate strategy’ is for WFDC to decide.</p> <p>With regard to Hagley, WCC acknowledge that works undertaken to mitigate recent development in the village have not had the desired impact of easing traffic flows and are part of the ongoing works which are being developed and implemented to address this issue.</p> <p>The evidence provided by WCC (the highways authority for both districts) shows that the impact from the WF Local Plan on Hagley will be minimal.</p> <p>WFDC therefore conclude that there is neither a soundness issue nor a duty to co-operate failing on their part.</p>
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7) Other Strategic Matters discussed at Duty to Cooperate meetings

As WFDC is a green belt local authority, the question of whether neighbouring local authorities can help to meet the housing need for Wyre Forest in the emerging and future local plans needs to be considered. Bromsgrove District Council is currently reviewing its District Plan which includes a Green Belt review. BDC forms part of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). Policy BDP4 in the adopted Bromsgrove Local Plan states that a Local Plan review, including a full Green Belt review, will be undertaken before 2023 and will *“identify land to help deliver the objectively assessed housing requirements of the West Midlands conurbation”*.

The emerging WFDC Local Plan is intending to accommodate all of its housing need within its own district area; however this will involve some green belt release which will need to be considered at examination stage by the Planning Inspector.

8) Governance Arrangements

The governance arrangements are key to the effectiveness and implementation of the Statement of Common Ground. The table below sets out the requirements for the authorities involved.

Local Authority	Method of Approval
Wyre Forest District Council	SofCG to be signed off by Corporate Director for Economic Prosperity and Place
Worcestershire County Council	SofCG to be signed off Strategic Director for Economy and Infrastructure
Bromsgrove District Council	SofCG to be agreed by BDC Council Leader following consideration by the full Council

9) Timetable for agreement

The table below sets out the timetable arrangement for the Statement of Common Ground to be agreed.

Local Authority	Timetable for approval
Wyre Forest District Council	SofCG to be signed off by Corporate Director for Economic Prosperity and Place
Worcestershire County Council	SofCG to be signed off by Strategic Director for Economy and Infrastructure
Bromsgrove District Council	17 th June 2020 Council Meeting

10) Areas of Agreement

The parties agree that:



- i) WFDC has fulfilled its Duty to Cooperate with BDC.
- ii) WFDC has fulfilled its Duty to Cooperate with WCC.
- iii) WFDC is satisfied that all matters raised in the BDC representation to the WFDC Local Plan Review (2016-2036) have been considered and addressed.
- iv) WCC is satisfied that all matters raised in the BDC representation to the WFDC Local Plan Review (2016-2036) have been considered and addressed.
- v) BDC is satisfied that all matters raised in its representations to the WFDC Local Plan Review (2016-2036) have been considered.
- vi) The parties will continue to work positively together, including with other authorities where relevant on strategic cross boundary issues.

11) Conclusions

In an effort to produce a tripartite agreement, officers from WFDC, WCC and BDC have met on a number of occasions, under the Duty to Cooperate, in an effort to ensure that all areas of disagreement have been addressed. WFDC has had to reluctantly accept that full agreement with BDC is not going to be reached, despite there being agreement between WFDC and WCC.

12) Signatories

This Statement of Common Ground has been agreed and signed by the following:-

<p><u>Worcestershire County Council</u></p> <p>Name: <u> Nigel Hudson </u></p> <p>Position: <u> Head of Strategic Infrastructure and Economy </u></p> <div style="text-align: center; margin: 10px 0;">  </div> <p>Date agreed: <u> 30 April 2020 </u></p> <p>Signature: _____</p>	<p><u>Wyre Forest District Council</u></p> <p>Name: <u> Mike Parker </u></p> <p>Position: <u> Corporate Director: Economic Prosperity & Place </u></p> <p>Date agreed: <u> 30th April 2020 </u></p> <p>Signature: <u>  </u></p>
<p><u>Bromsgrove District Council</u></p> <p>Name: _____</p> <p>Position: _____</p> <p>Date agreed: _____</p> <p>Signature: _____</p>	

Appendices

- Appendix 1 – Joint Duty to Cooperate Meeting Minutes between WFDC, WCC and BDC
- Appendix 2 – BDC response to the WFDC Preferred Options consultation (June – Aug 2017)
- Appendix 3 – BDC response to the WFDC Pre-Submission Consultation (Nov / Dec 2018)
- Appendix 4 – BDC response to the WFDC re-opening of the Pre-Submission Consultation (Sept / Oct 2019)
- Appendix 5 – Letters
- Appendix 6 – Background Paper: Transport Demand in the Hagley Area (January 2020)
www.worcestershire.gov.uk/LTP

MONTHLY HIGHWAYS MEETING30 MAY 2018

BDC/RBC	Ruth Bamford, Mike Dunphy, Kevin Dicks
WCC	Andy Baker, Steve Hawley, Emily Barker, Martin Rowe
NWEDR	Jon Elmer
WFDC	Daniel Atiyah
Highways England	Chris Cox (JMP), Patricia Dray
Mott MacDonald	Oliver Hague, Paresh Shingadia

In Attendance Barbara Newman (mins)

Apologies: Nigel Hudson, Matt Stanczyszyn, Karen Hanchett

Introduction and Apologies

Introductions given and apologies noted as above.

1 **Actions from Previous Meeting**

1. Provide WCC recommendation on Whitford Road Scheme – Steve Hawley (SH) advised that decision issued 29 May 2018.
2. Provide draft agenda for Transport workshop – on agenda later to discuss.
3. Co-ordinate workshop – on agenda later to discuss.
4. Provide note on Local Infrastructure Rate – AB advised still outstanding and follow-up after meeting. It is possibly still being looked at from a financial prospective. It was agreed a note would be issued by Wednesday of next week (6th June).
5. Provide Overview and Scrutiny Response – Some outstanding matters – on agenda later to discuss
6. Response to Hagley PC – MD to send to AB by next week. MR has provided Hagley PC the data.
7. Invite Wyre Forest to next meeting – Daniel Thailand invited.

2. **Emerging Wyre Forest Plan evidence base**

Mike Dunphy (MD) stated Bromsgrove have raised concerns regarding development in plans on Western side of district which will affect Bromsgrove. MD asked what the implications were and asked for an understanding of what was being developed between Wyre Forest District Council (WFDC) and Worcestershire County Council (WCC). There was possibly information that could be shared. Kevin Dicks (KD) asked how much impact there would be. MD asked when any details of the implications of the sites would be available. KD asked would there be a different site if it was infrastructure led. Martin Rowe (MR) stated after an economy collapse i.e. carpet industry it can take some time for regeneration. Some of the growth would be transferred to rail because of plans for the station. MD asked where the evidence was that Bromsgrove would not be affected if

the proposed rail plans are facts. It was stated that such options for people working from home would also help. MD again asked for a list of strategies and evidence that these plans will work. KD asked why on the east rather than west. MR stated the railway station was on that side of the town. Paresh Shingadia (PS) requested sight of a strategic document from a transport prospective. MR stated there was capacity on rail to accommodate. Emily Barker (EB) said there was an IDP which had been out to consultation and was now being refined. Steve Hawley (SH) said although information is not all there it was at the stage of being refined. PS stated the issue was that were these the correct locations and shouldn't the transport be looked at first. Local impacts need to be understood. MR stated that economy issues need to be included. MD stated this is why we need to look at transport and then location. Jon Elmer (JE) stated that there was a lot of work to be done but evidence needed to come out into the public domain. Inspector would be asking questions. Members need to be satisfied that there would be no impact. EB said once we had the modelling it would be beneficial to discuss this with Bromsgrove. SH stated options would be going to WFDC. Dan Atiyah (DT) advised that he understood that a report would be going to WFDC members on 12th June. It was agreed to keep this as a standing agenda item and in the meantime any information would be appreciated. Invite to future meetings was extended to whoever wanted to attend WFDC. EB also agreed to speak to WFDC and ask if the IDP could be shared with Bromsgrove.

ACTION 1: EB

3. Transport Assessments – Perryfields and Whitford Road

Whitford Road – SH Whitford Road is now in by Steve Hawley.

Perryfields Road – This is the next one on the list and likely to be a lot of repetition from Whitford Road. It was stated that Whitford Road would probably submit quite a lot of information. Ruth Bamford (RB) asked Mott McDonald (MMcD) the timescale and Oliver Hague (OH) stated awaiting new work which had been done. Want to see that what comes back from Perryfields does not affect accumulative assessment. Some of junctions may need to be revisited. Again only have WCC comments on Perryfields. Developers still carrying out work requested. MMcD to follow up on revised work taking place and this may highlight impacts on network. RB agreed date of 21 June for WCC comments. RB will manage developers' expectations.

ACTION 2: SH

4. BDC Plan Review Evidence Base / Transport Strategy

MD asked how we collect evidence for Bromsgrove. AB stated could firstly investigate because of what this exercise might cost. MD said yes that would be useful but what do we already know. Evidence beyond the options stage was required. MR stated rail capacity now being reviewed and this could be briefed. MD suggested MR put all transport information we need and then we can carry forward with a workshop. MMcD was looking for a spreadsheet and then to model level, perhaps using the BARHAM model as a base. SH stated if including things such as extra lane on M5 the BARHAM would not be useful. RB stated it would be useful to have a timetable for the next 12 months. MR and AB stated they could provide outline of the work required. Patsy Dray (PD) suggested looking at Regional Traffic models. PD and Chris Cox (CC) also asked to provide any information they had. CC said a spreadsheet is a quick approach.

PD commented on the roadworks and how route was set for safety reasons and once been analysed may change but at the moment staying as it is. DP to get update/statistics. RB asked for timetable for work to be done and it was agreed before

Agenda Item 14a

the next meeting. There would be a monthly update relevant to that timetable. Discussions took place regarding costs and who could support these.

ACTION 3: AB/MR
ACTION 4: PD/CC

5. **BDC plan review Issues and options**

MD stated by the end of the day there would be a final version for members. MD to send Plan to AB for review and feedback by the end of next week.

ACTION 5: MD
ACTION 6: AB

6. **Overview and Scrutiny WCC response and Western Distributor**

RB asked if WCC have any comments or feedback from Karen or Ken. RB stated draft minutes were not out yet. Discussions on the MMcD and JMP report. It was stated that there were some matters that County may want to answer. Need to know what happens next. A response to the Motts report but there was no timescale. AB said feedback would be by the end of next week (8th June). MD also asked for the O & S response. RB asked if AB will let RB know how to tackle. AB was advised that the next O&S meeting was 18 June.

ACTION 7: AB

7. **Future Infrastructure Plan**

EB stated the only activity since last session with WPOG (??) and LEP. Completed session with the LEP Board Members and anything significant that came out of discussion. Worcester City had submitted some additional information for 5 years hence. Currently pulling this together with more structure and would be ready for leaders in July.

8. **HM Treasury – Local Infrastructure Rate**

Nothing to report in Nigel Hudson's absence, but note to be issued on 6th June

ACTION 8: AB/HN

9. **A38 Major Scheme Bid Update**

AB stated not much of an update. Looking further at designing with certain costs incurred at network and continuing current work. Awaiting information from HIF (Housing Infrastructure Fund). J Elmer waiting update. MD asked with regards to the technical work what date do we get something to look at ie. business case. AB to share all information held

ACTION 9: AB

10. **Highways England Update**

PD – V2 Strategic road network consultation and waiting response from DCT but will not be received until June/July. Unlikely to have locations for schemes.

9. **AOB**

- KD stated strategic workshop outstanding but MD raised that waiting on information. To be included in timetable. Also should be a WFDC event. MD offered to discuss with WFDC.

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Next meeting: 2 July 2018

Actions from this meeting

Action	Who	Deadline
1. Contact WFDC to ask if IDP work can be shared	EB	ASAP
2. Provide formal comments on Perryfields Application	SH	21 st June
3. Provide outline of data held and data required for the Transport evidence base and draft scope of work required for the next 12 months.	AB/MR	22 nd June
4. Highways England to provide any data they hold	PD/CC	22 nd June
5. Circulate draft issues and options to WCC	MD	Done on the 31 st May
6. Respond with any final comments	AB/EB	8 th June
7. feedback on the Western Distributor report and the O&S issues	AB	8 th June
8. Provide update note on Local Infrastructure rate	AB/NH	6 th June
9. Info of A38 business case to be shared to with all	AB	ASAP

Duty to Cooperate Meeting – WFDC/WCC/BDC 6th February, 2019

Attendees:

Mike Dunphy – Bromsgrove DC
 Helen Smith – Wyre Forest DC
 Emily Barker – Worcestershire CC
 Martin Rowe – Worcestershire CC

Apologies:

Karen Hanchett – Worcestershire CC

ISSUES, DISCUSSION AND ACTIONS

ISSUE	DISCUSSION	ACTIONS
<p>Duty to Cooperate with Other LPAs (Black Country, South Worcs etc.)</p>	<p>HS asked whether BDC are engaging with Black Country on duty to cooperate, and in particular on transport issues relating to Hagley and Lydiate Ash (M5, Junction 4) this reassurance will be required by WFDC elected members.</p> <p>MD stated that Black Country are further back in the process, but that BDC has commenced engagement through the Black Country DtC meetings. BDC has raised similar infrastructure issues as part of this early engagement WCC are also involved in this process and will continue to engage.</p> <p>EB provided clarity on approach in SWDP area, strongly rail-led growth, pending call for sites (end of March for site confirmation which will be in public domain over the summer).</p>	<p>X</p>
<p>Policy 12 and 13 - Schemes that are in the</p>	<p>Bromsgrove DC does not understand the evidence and</p>	<p>ACTION - WCC to prepare</p>

<p>IDP and evidence that supports them. (Hagley Area, Mustow Green and Torton)</p>	<p>believes there is a lack of evidence.</p> <p>Need to see a robust evidence base to justify investment in infrastructure to mitigate the impacts of proposed growth to remove objection.</p> <p>The emerging STEB will provide a more robust evidence base, and may flag up issues that haven't been dealt with, which must be addressed, but this will not complete until June 2019.</p> <p>Traffic modelling is underway to test the impacts of proposed development growth (WFLP).</p> <p>Lack of sustainable transport infrastructure and services is a key threat to delivering sustainable growth in the Wyre Forest (and other areas of Worcestershire).</p>	<p>a WFLP-specific transport evidence base.</p> <p>ACTION - WCC to explore whether it can fund model runs for both a 'with' and 'without' Blakedown Station, aligned with impacts on WFLP growth.</p> <p>ACTION - WCC/WFDC to meet to discuss development of Blakedown Station initially and potential follow up with developer (tbc following discussion)</p> <p>ACTION – WCC to provide BDC/WFDC with WFLP traffic modelling scoping paper</p> <p>ACTION – WCC to provide 'fit-for-purpose statement' on Wyre Forest Transport Model to BDC and WFDC. This will be provided as part of the official response (May 2019)</p> <p>ACTION – WCC to clarify WFLP modelling and evidence base timescales, expected costs and liaison protocol between WFDC, WCC and Jacobs by 14th February.</p> <p>ACTION – WCC to ensure modelling reports MUST be fully quality assured and written in a way that it is easy to understand and interpret by Officers, Councillors and the Public.</p> <p>INFORMATION – WCC will undertake validity check (model runs) to test the benefits of proposed</p>
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Agenda Item 14a

		<p>mitigation measures set out in the IDP.</p> <p>ACTION - WCC to clarify how mitigation measures specified in the IDP will be costed.</p>
<p>The need to provide reassurance of agreement to members (WFDC, WCC, BDC) to maintain plan development programme.</p>		<p>At Reg. 19 consultation, DtC / Statement of Common Ground approach should be signed off by senior politicians / or approved at Cabinet. Given lead in times this may be difficult, so will need to agree a formal process which outlines that this will happen and provides the necessary narrative for signing off subsequently to tackle concerns and fit with proposed LDP preparation timescales.</p> <p>WFDC agreed to share sites etc. on a confidential basis with officers only from BDC/WCC.</p>

Next meeting:

13th March 2019 at 13:00
Worcester Room
County Hall, Worcester, WR5 2NP

Duty to Cooperate Meeting – WFDC/WCC/BDC 13th March, 2019

Attendees:

Helen Smith, Spatial Planning Manager – Wyre Forest DC
 Kate Bailey, Head of Strategic Growth – Wyre Forest DC
 Mike Dunphy, Strategic Planning and Conservation Manager – Bromsgrove DC
 Karen Hanchett, Devt. Mgmt. and Transport Planning – Worcestershire CC
 Martin Rowe, Transport Strategy – Worcestershire CC

Apologies:

Emily Barker, Planning Services Manager – Worcestershire CC

ISSUES, DISCUSSION AND ACTIONS

ISSUE	DISCUSSION	ACTIONS
Duty to Cooperate with Other LPAs (Black Country, South Worcs etc.)	Clarification that both Bromsgrove DC and Wyre Forest DC are engaging actively with neighbouring LPAs, and specifically the Black Country LPAs.	Engagement with neighbouring LPAs to continue, and in particular with Black Country LPAs regarding transport issues around M5, Junction 4.
Transport Evidence, including traffic modelling	WCC confirmed that modelling of WFDC proposed growth includes a 'with' and 'without' enhanced Blakedown Station scenario, and A450 and A456 strategic transport corridors.	<p>ACTION - WCC to prepare a WFLP-specific strategic transport evidence base. (June 2019)</p> <p>ACTION - WCC to provide 'fit-for-purpose statement' on Wyre Forest Transport Model to BDC and WFDC. This will be provided as part of the official response (May 2019)</p> <p>ACTION - WCC to clarify how mitigation measures specified in the IDP will be costed.</p>

<p>The need to provide reassurance of agreement to members (WFDC, WCC, BDC) to maintain plan development programme.</p>	<p>DtC / Statement of Common Ground approach should be signed off by senior politicians / or approved at Cabinet. Given lead in times this may be difficult, so will need to agree a formal process which outlines that this will happen and provides the necessary narrative for signing off subsequently to tackle concerns and fit with proposed LDP preparation timescales.</p> <p>Bromsgrove DC's current objection to WF Local Plan proposals is focussed on transport grounds aligned with site allocations. It is WFDC's aim to allocate all housing growth within the District, but if transport evidence should prove that this policy is unsustainable and Bromsgrove maintain their objection, WFDC will need to explore alternative locations to accommodate planned growth. In light of this, WFDC asked if Bromsgrove DC would be willing to take some of their housing growth need, for current and/or future WF Local Plan Reviews, given that Wyre Forest, like Bromsgrove is largely designated as Green Belt.</p>	<p>ACTION - Statement of Common Ground to be prepared by WFDC, Bromsgrove DC and Worcestershire CC, to include response over willingness (or otherwise) to share growth.</p>
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Next meeting:

Mid-June 2019 – Date to be confirmed via e-mail and circulated.

WFDC / BDC. WCC Duty to Co-operate Meeting 30th July 2019

Present:

Helen Smith
Karen Hanchett
Martin Rowe
Mike Dunphy
Emily Barker

Progress of WFDC Local Plan

Plan approved by Cabinet on 16th July 2019 for pre-submission consultation 2nd September- 14th October 2019.
Expecting to submit to the Inspectorate in March 2020.

Plan now includes the allocation of land at Blakedown Station for mixed use; car parking and housing development.

Unless additional evidence is provided, based on the current evidence BDC is expecting to maintain its position that the WFDC local plan is unsound, primarily on transport grounds because of the potential impact on Hagley which is in BDC area. WCC are not currently proposing a further scheme at Hagley beyond that proposed in LTP4, as given the likely impact of plan revisions in both BDC and Black Country core strategy, would prefer to wait until there is more certainty before proposing any scheme which could offset wider issues given the strategic location of Hagley and potential impacts beyond Hayley and onto the M5 junctions 4 and 3.

WCC preference to address this through Statement of Common Ground / Duty to Cooperate.

BDC raised a potential additional policy requirement in the WFDC local plan which restricts either the quantum of growth or the sites which could come forward in advance of any further scheme at Hagley. WFDC do not support this. WCC do not believe that transport modelling evidence could be used to evidence a cut off figure or set of sites.

Transport evidence base

Discussion on the following aspects of the transport evidence base:

Modelling evidence base	Discussion	Action
Base line of modelling	Not evident in paper	Agreed to revise document to show the baseline
Hagley	Impact of WFDC development, points of discussion:	
	1. VISSIM model for Hagley junctions currently testing	

	NEST 6 proposals from LTP4 to address growth in adopted plans, In progress to complete by the end of August	
	2. Containment of WFDC growth within the district	
	3. Transit through WFDC from rural west / Shropshire towards M5 and conurbation	
	4. Role of expansion of Blakedown station car parking	
	Combine all the Hagley evidence (1-4 above) and information into a single paper to be shared	
	Discussion and next steps for Hagley including scheme design	Not fully resolved; to be discussed further at next meeting following completion of the paper
A450 proposals	No further work identified	
Blakedown station	No further work identified	

Date of next meeting

Date to be confirmed
 Time to be confirmed
 Venue to be confirmed

It was agreed at the meeting that a Statement of Common Ground would be prepared jointly between WFDC, WCC and BDC before the examination of the WFDC Local Plan commences

Discussion subsequent to the meeting

WFDC

Following the meeting, WFDC reviewed the proposed meeting date for discussion of Hagley paper and next steps (29th August). They concluded that as there was not time for them to review all the information in advance of the regulation 19 consultation, (commencing 2nd September 2019) they would rather the meeting was postponed to allow more time for the Hagley paper to be prepared and for WFDC to review. .

BDC

BDC must point out on the record that the reason for the timescale was to allow for all the documents to be available for the start of the representations period. We have reservations about this revised timescale for the publication of the work and the possible implication that BDC and other stakeholders will not have full access to the evidence for the full duration of the regulation 19 representation period.

Duty to Co-operate Meeting Minutes

Date of Meeting: 1st October 2019

Type: Telephone Conference call

Attendance

Kate Bailey (KB) - Head of Strategic Growth, Wyre Forest District Council

Helen Smith (HS) - Spatial Planning Manager, Wyre Forest District Council

Martin Rowe (MR)-Transport Strategy Team Leader, Worcestershire County Council

Emily Barker (EB) – Head of Planning and Regulation, Worcestershire County Council

Ruth Bamford (RB) – Head of Planning and Regeneration, Bromsgrove District Council

Mike Dunphy (MD) - Strategic Planning and Conservation Manager, Bromsgrove District Council

Record of meeting notes:

From: Kate Bailey
Sent: 22 October 2019 17:12
To: 'Michael Dunphy'
Cc:

Subject:

Hi Mike

I am not really sure what your point is. I included the basic description so we could distinguish it from other pieces of work the County may have done but weren't discussed however if you want it removed then we can just keep a record of this strikethrough and email chain.

I haven't asked Jo Lange to arrange a date yet.

Thanks

Kate

Hi Kate / Helen

Are you able to confirm if you are happy with the amendment we have suggested, and also as yet we've not heard anything about the meeting for November, is this being progressed at your end?

Thanks

Mike

Mike Dunphy
Strategic Planning and Conservation Manager
Bromsgrove District and Redditch Borough Councils

Bromsgrove District Council
Parkside
Market Street,
Bromsgrove,
Worcestershire
B61 8DA

Redditch Borough Council
Town Hall
Walter Stranz Square
Redditch
Worcestershire
B98 8AH

www.bromsgrove.gov.uk

www.redditchbc.gov.uk

From: Michael Dunphy
Sent: 11 October 2019 10:44

Hi Kate

Slight revision to the comments below, rather than this being considered as the key points of what was discussed, we consider it as being the actions that were agreed, as there was more discussion than has been summarised below, to that end we suggest deleting the strikethrough text as it is only a very partial summary of what the work is, the key point being the WCC will share the work.

- Martin Rowe outlined the piece of work the County Council had undertaken with regards to Hagley ~~which highlighted trip generations from beyond Wyre Forest District.~~ Worcestershire County Council would share this document with us all once available
- RB suggested we would need to extend the WFDC consultation period and KB agreed to seek legal advice regarding this. The Barrister and Solicitor have subsequently concluded the consultation doesn't need to be extended.
- In the circumstances that the document wouldn't be available by close of play on 14th RB agreed BDC would have to do a holding response to the consultation and KB / HS felt it would then be reasonable to continue the discussions around this and other issues through the DTC meetings as WFDC were keen to have the statements of common ground in place (where possible) by February
- KB would ask Jo Lange to arrange a DTC meeting for November with BDC / WCC and WFDC

Thanks

Mike

Mike Dunphy
Strategic Planning and Conservation Manager
Bromsgrove District and Redditch Borough Councils

Bromsgrove District Council
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Market Street,
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From: Ruth Bamford
Sent: 10 October 2019 21:14
To: Michael Dunphy
Subject: FW: Duty to Co-operate meetings

From: Kate Baile

Sent: 10 Oct 2019 17:31

Hi Ruth

I agreed during our conversation to write some brief notes and send them to you. Please send them on to Mike for me.

- Martin Rowe outlined the piece of work the County Council had undertaken with regards to Hagley which highlighted trip generations from beyond Wyre Forest District. Worcestershire County Council would share this document with us all once available
- RB suggested we would need to extend the WFDC consultation period and KB agreed to seek legal advice regarding this. The Barrister and Solicitor have subsequently concluded the consultation doesn't need to be extended.
- In the circumstances that the document wouldn't be available by close of play on 14th RB agreed BDC would have to do a holding response to the consultation and KB / HS felt it would then be reasonable to continue the discussions around this and other issues through the DTC meetings as WFDC were keen to have the statements of common ground in place (where possible) by February
- KB would ask Jo Lange to arrange a DTC meeting for November with BDC / WCC and WFDC

Please advise me if you don't feel this is a summary of the key points discussed in the meeting.

Thanks

Kate

Kate Bailey

Head of Strategic Growth

DUTY TO CO-OPERATE MEETING

14 November 2019

BDC/RBC	Ruth Bamford, Mike Dunphy, Gemma Hawkesford, Kevin Dicks (for last few minutes)
WCC	Karen Hanchett, Emily Barker, Martin Rowe
WFDC	Helen Smith
Apologies:	Kate Bailey

Introduction and Apologies

1. **BDC's reg 19 Representations**

Ruth Bamford (RB) opened the meeting and explained due to weather conditions the meeting would be condensed to 30 mins but with the view to reconvening at a future date. Two variations of the agenda had been submitted and the BDC agenda would be used for this meeting.

Mike Dunphy (MD) – MD advised that as WFDC do not respond as such to the representations made BDC are seeking clarity or whether there are issues that are fundamentally disagreed upon in the 2 different representations made.

Helen Smith (HS) – HS advised that this would be dealt with as part of the process of Statement of Common Ground and until the Hagley paper had been seen it was difficult to say.

Emily Barker (EB) – Clear as to what BDC were asking and believed it had been picked up in paper from both representations. EB offered to send an email outlining what was outstanding.

ACTION: EB

to send email

2. **WFDC's Submission Timetable**

Ruth Bamford (RB) asked HS about the timetable. HS advised timetable was not changing. It was also asked if it would be WCC submitting the additional work to the Inspectorate. EB advised that WCC would submit any additional transport information to Wyre Forest District Council (WFDC) and it was then WFDC to decide on the next steps. HS advised that permission would be sought from members only if it believes the work is relevant to the WFDC local plan. MD stated that it had to be used one way or another by BDC and therefore would be part of the examination. HS stated this could not be confirmed until papers read from a WFDC perspective. MD reiterated that the work would need to be submitted as would be referenced in the Statement of Common Ground.

The Inspectorate is aware of the timetable and submission from WFDC in which will be March/April next year.

3. **Additional Transport Work**

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MD queried the role of Jacobs and work that there were undertaking. Clarified that they are completing further modelling of Hagley to support the study below. .

Martin Rowe (MR) – MR gave a presentation on the study in two parts on the A456 corridor. The first part used census data and the second provided more detailed modelling on the A456. Analysis used actual data from the 2011 Census. The actual count of A456 was 31,852 vehicles. Within the report the data had been provided in tables to enable analysis of travel patterns from relevant districts. . Including Bromsgrove and Wyre Forest.

As part of the study, a series of discussions have been undertaken with other neighbouring authorities including South Staffs and Black Country/ Dudley. It was advised that Dudley MBC were not looking at any highway improvement schemes but concentrating on public services i.e. bus service and metro. (A456 is a major route with a combination of local and national trips. Interventions may need to reflect this). MD asked if what was non-national could be identified to establish impact of WFDC's plan, and the response was yes and will be in the next phase of the report which would be issued as soon as possible. Karen Hanchett (KH) stated that this may well be into December.

RB asked HS when the plan would formally be submitted to Members and HS advised January/February when the Local Plan Review Panel with Members would be held together with O&S, Cabinet and Full Council. It was agreed that MR was to produce a report by end-December but that the modelling may not be complete for then. Important meetings at WFDC are scheduled in February. MD asked if analysis of Hagley included any current Jacobs modelling and answer was no. MD stated that if there was any previous work on other routes mention in BDC representations i.e. A441 BDC would need to see these as well. MR agreed to look at data for this with particular attention to percentage of new trips.

RB stated that Hagley Parish Council would like to know if documentation would be put into the public arena and HS advised that the document would need to be released as part of O&S/Full Council normal process. HS felt it was highly unlikely that Members would want Hagley Parish Council to see this work in advance of their considerations.

MD suggested a phone call next week to discuss through remaining items on agenda i.e. Statement of Common Ground. Two meetings were required because items to Cabinet and Council. RB stressed the importance of understanding everyone's timetables and presentation to Cabinet etc for signature. . EB suggested discussing with Legal Counsel regarding preparation of statements of common ground and how advanced these need to be before submission to the Planning Inspectorate, MD stated that statements of common ground should be ready for start of examination ie: submission to the Inspectorate and it has to have full political endorsement. HS said would have ability to update. Email to be sent to HS regarding full Council dates on BDC calendar to enable adhering to acceptable timescales and understanding the process.

ACTION: MD to provide committee timetable for Bromsgrove.

EB asked if it was worth doing an interim Statement of Common Ground. MD/RB agreed it may help and what we can agree to progress this.

Kevin Dicks entered the room in order to attend the following meeting on transport matters

Agenda Item 14a

Timetable for duty to co-operate meetings was briefly discussed and it was suggested that monthly meetings to be held until submission.

MD to email outline of the required discussions on the outstanding items 5, 6 and conclusion of 7 on the agenda.

ACTION: MD to send email outlining discussions

WFDC Duty to Cooperate Meeting 7th January 2020

Wyre Forest House, Rock Room 11 am

Attendance

Kate Bailey (KB) - Head of Strategic Growth, Wyre Forest District Council

Helen Smith (HS) - Spatial Planning Manager, Wyre Forest District Council

Daniel Atiyah (DA) - Planning Policy Officer, Wyre Forest District Council

Martin Rowe (MR)-Transport Strategy Team Leader, Worcestershire County Council

Emily Barker (EB) – Head of Planning and Regulation, Worcestershire County Council

Karen Hanchett (KH) – Transport Planning & Development Management Team Leader,
Worcestershire County Council

Ruth Bamford (RB) – Head of Planning and Regeneration, Bromsgrove District Council

Mike Dunphy (MD) - Strategic Planning and Conservation Manager, Bromsgrove District Council

Agenda

- 1) Introductions
- 2) Local Plan review progress and timetables (all)
- 3) Update on Hagley Paper (WCC)
- 4) Questions on Hagley Paper (all)
- 5) Statements of Common Ground
- 6) Ongoing engagement with Duty to Cooperate partners
- 7) AOB

The meeting opened with introductions. MD updated the group on the Bromsgrove Local Plan Review. Bromsgrove District Council (BDC) is currently looking at approx 300 sites and at present no updated Local Development Scheme (LDS) in place for the plan review. The timeframe is dependent on the strategic transport assessment. HS updated the group on the Wyre Forest District Council (WFDC) Local Plan. The plan timeframe is on track and is due to be submitted for examination in March 2020, following Members meeting in February 2020.

The draft Hagley Paper that has been produced by WCC was then discussed. MR reviewed the main sections of the paper. Bromsgrove district has strong transport links to Birmingham. Redditch was constructed as a new town and so is less dependent on Birmingham. Wyre Forest District is a more self contained area for transportation. The district experiences traffic travelling through the district

from locations outside the district to the west; this traffic is travelling to Birmingham for employment. The use of the car is due to poor train services to the west of the district. West Midlands Railways are to introduce car parking charges at railway stations in the Black Country due to the air quality pollution issues. They are also in support of Blakedown and Kidderminster station improvements. MR discussed that traffic modelling of the proposed Lea Castle development suggests that most of the site's trip generation is focussed either southwards towards the Wyre Forest Towns, or northwards towards Stourbridge and the wider West Midlands Conurbation.

Highways colleagues at County mentioned that an additional paper has been produced by Jacobs in regards to traffic at Hagley. Some of the information from the additional paper would be included within the WCC Hagley Paper. WFDC said that they had not been made aware of this additional paper until today. KH said that an advanced draft of the additional paper can be sent out next week for comments. WFDC suggested that the necessary information from the additional paper should be added into the Hagley Paper.

MD queried that the table on page 2 of the Hagley Paper in that the axis is incorrect and should be displayed the other way around. This would affect the traffic data by location. MR will review this. MD commented that the proposals at Hagley have changed in the past two years from a bypass to no road improvements. MD queried whether there is evidence to show which roads within north Worcestershire need enhancement or not.

MR will look at the table again. MR also commented that the 2011 census data does not use leisure transport data which may affect the transport data. MD asked if further information be added to the WFDC Infrastructure Delivery Plan in regards to Hagley. HS stated that the IDP is a live document and therefore can be updated if necessary.

The Statement of Common Ground (SofCG) was discussed. This is to be completed by the time WFDC submit the Local Plan to the Planning Inspectorate in March 2020. It will be prepared jointly between WFDC, WCC and BDC.

The timetable of the plan and SofCG was discussed. WFDC could receive an officer agreed SOCG from BDC for the March submission but it would not be signed off by BDC Members until April 2020, due to the lead-in times for Members meetings at BDC.

MD queried the Duty to Cooperate process and believes that some issues have not been addressed, namely transport. HS commented that WFDC has carried out the Duty to Cooperate process with BDC by holding numerous joint DtC meetings with them and WCC. WCC has also produced the Hagley Paper to add to the SofCG as a background paper, in an attempt to address BDC's transport concerns. KB stated that areas that haven't been agreed as well as those that have will be recorded within the SofCG that will be available to the public and the Inspector.

RB then questioned if the Hagley Paper will be made public. HS stated that the Hagley Paper would become available to the public through the WFDC Members meetings, the first one being Overview & Scrutiny on 6th February 2020.

MR hopes to update the Hagley Paper by the 17th January and will send out for comments. The discussion then went to finding available dates for the next meeting, which will require further review to find a suitable date. The meeting was then concluded.

WFDC Duty to Cooperate Meeting with WCC and BDC - 19th March 2020

Wyre Forest House, 2pm – Telephone conference call

Attendance:

Kate Bailey (KB) - Head of Strategic Growth, Wyre Forest District Council

Helen Smith (HS) - Spatial Planning Manager, Wyre Forest District Council

Daniel Atiyah (DA) - Planning Policy Officer, Wyre Forest District Council

Martin Rowe (MR)-Transport Strategy Team Leader, Worcestershire County Council

Emily Barker (EB) – Head of Planning and Regulation, Worcestershire County Council

Ruth Bamford (RB) – Head of Planning and Regeneration, Bromsgrove District Council

Mike Dunphy (MD) - Strategic Planning and Conservation Manager, Bromsgrove District Council

Apologies:

Karen Hanchett (KH) – Transport Planning & Development Management Team Leader, Worcestershire County Council- Apologies sent

Agenda

- 1) Introductions
- 2) Local Plan review progress and timetables
- 3) Hagley Paper www.worcestershire.gov.uk/LTP
- 4) Draft Statement of Common Ground (see attached)
- 5) Ongoing engagement with Duty to Cooperate partners

Meeting Minutes

- 1) This meeting was conducted via a conference call with WFDC, WCC and BDC officers due to the COVID-19 outbreak. The meeting opened with introductions. KH sent her apologies.
- 2) HS updated the group on the WFDC local plan timetable. The plan went through full council on 20th February 2020. The plan is to be submitted in April to the Planning Inspectorate for examination. RB and MD updated the group on the BDC local plan progress. BDC are currently reviewing the call for site responses. No further update could be provided on when the BDC Preferred Options consultation would take place. When BDC know the timetable arrangements for their transport evidence they will then publish the LDS timetable for the BDC Local Plan

Review. EB told the group that the county side transport modelling will be in an 18 to 24 month timeframe from procurement.

- 3) The Hagley Paper was then discussed. MD thinks there are still some fundamental issues with the way the Hagley Paper has been presented but did not articulate what these issues are. BDC have asked Mott McDonald to review the Hagley Paper. MD stated that the Motts review should be addressed to WFDC rather than WCC as WFDC had commissioned the Hagley Paper. KB corrected MD on this point as the Hagley Paper had not been commissioned by WFDC; it is a technical paper produced by WCC for the purposes of the joint DtC discussions that have been taking place and the Hagley Paper is a background paper to the joint Statement of Common Ground. It was concluded that the Mott McDonald review will be sent to both WCC and WFDC. EB said that WCC would need to consider the Mott's review and if necessary prepare a rebuttal report, but legal advice would be sought first with WFDC as to whether this should be for the examination or outside of that process.
- 4) The draft joint Statement of Common Ground was then discussed which had been circulated to the group in advance of the meeting on 13th March 2020 for comments. MD did not provide any comments on the draft SofCG but stated that BDC would be unwilling to sign a joint SofCG with both WFDC and WCC, but did not articulate why. HS and KB were surprised at this comment from MD, as WFDC had undertaken numerous joint DtC meetings with both WCC and BDC and the joint Statement of Common Ground approach had been agreed at these DtC meetings and recorded in the DtC meeting minutes. HS reminded MD that BDC also has a duty to cooperate with WFDC and WCC and the duty to cooperate is not one sided. MD said he was aware of this. EB stated that WCC are satisfied to be included as a tripartite DtC joint Statement of Common Ground. KB asked when MD would be able to provide comments on the draft joint SofCG. MD said that comments could be provided by end of next week. KB therefore requested that comments be returned by 27th March 2020 - this was agreed by all at meeting. HS stated that once comments have been received back from BDC, the joint SofCG would be finalised for signing by BDC and WCC. It was agreed by the group that a telephone conference call should take place between the dates of 1st to 3rd April 2020 to discuss comments on the draft joint SofCG. HS stated that the joint SofCG will be submitted with the local plan in April 2020 and would therefore need to be finalised by officers in advance of submission. WFDC would appreciate cooperation by all parties to achieve this deadline.
- 5) As WFDC will be submitting the local plan to the Planning Inspectorate in April 2020, the duty to cooperate meetings would come to a close as the examination commences.

WFDC Duty to Cooperate Meeting with WCC and BDC – 2nd April 2020

Wyre Forest House, 1pm – Telephone conference call

Attendance:

Kate Bailey (KB) - Head of Strategic Growth, Wyre Forest District Council

Helen Smith (HS) - Spatial Planning Manager, Wyre Forest District Council

Daniel Atiyah (DA) - Planning Policy Officer, Wyre Forest District Council

Martin Rowe (MR) -Transport Strategy Team Leader, Worcestershire County Council

Emily Barker (EB) - Head of Planning and Regulation, Worcestershire County Council

Karen Hanchett (KH) - Transport Planning & Development Management Team Leader,
Worcestershire County Council

Ruth Bamford (RB) - Head of Planning and Regeneration, Bromsgrove District Council

Mike Dunphy (MD) - Strategic Planning and Conservation Manager, Bromsgrove District Council

1) This meeting was held via teleconference due to the ongoing COVID-19 outbreak. The meeting started with introductions and there were no apologies.

2) HS invited MD to offer BDC comments on the draft Statement of Common Ground. MD commented on the term “numerous” DtC meetings being held between BDC and WFDC in the draft SofCG, and suggested this should be changed to ten. HS commented that more than ten meetings had been undertaken with BDC and the term “numerous” encompassed all of these meetings. MD also recalled a meeting being held with the previous Planning Policy Manager at WFDC to discuss transport issues. KH believed this to be correct and said she was also present at this meeting. However, specific date and meeting minutes at present cannot be located. Action 1: KH to find date of meeting and check if meeting minutes are available. Action 2: HS to add this additional meeting to the SofCG.

3) Section 5 of the SofCG-Strategic Matters Identified, was then discussed. On 27th March 2020 (prior to this DtC meeting), BDC sent WFDC and WCC a technical note prepared by Mott McDonald (MM) in response to the IDP and transport evidence (dated June 2019) prepared for the Wyre Forest Local Plan and the Hagley Paper (Jan 2020) prepared by WCC. BDC requested that this technical note should be included as an appendix to the SofCG. KB said that unfortunately WFDC would not be willing to include this as an appendix to the SofCG as it was not appropriate at this late stage; WFDC are about to submit their Local Plan and this information should therefore have been shared earlier in the process. KB also pointed out that the Hagley Paper had been prepared by WCC as a background paper to this SofCG and had already been finalised and published by WCC. HS pointed out that the technical note states: *“The WCC report ‘Transport Demand in the Hagley Area’ was not available during the first review and therefore has now been considered with some preliminary findings from MM set out in Section 3.”* HS asked when the first review was undertaken by Mott McDonald and why it had not been shared with WFDC and WCC sooner than now. BDC confirmed

that the first review technical note was used to inform the BDC Reg 19 representation submitted to WFDC in 2019. HS asked why they had not attached the first review technical note to their Reg 19 consultation response as surely this would have helped WFDC and WCC to better understand BDC's concerns. In light of the joint DtC meetings that the group had been undertaking this did not make any sense as it could have helped with the joint DtC discussions. BDC reiterated the position that the MM work was used to inform BDC's representation. It was agreed by all that the reference to the technical note should be removed from the SofCG and that BDC should instead use the technical note as part of their hearing statement for the examination.

4) MD asked for additional text to be added to the potential modification for Policy 12 in the SofCG (shown in red text as follows): **"Where appropriate, planning obligations will be required to fund infrastructure projects, including those outside the district, that are directly related to specific development, including but not limited to affordable housing, transport, green infrastructure, education, health and other social infrastructure."** KB said that this would not be appropriate as why would WFDC want to fund works outside the district when the WCC evidence is that our in-district development will not need to rely on out-of-district infrastructure? MD said the different positions between WFDC, WCC and BDC in regards to the transport evidence will be discussed at the local plan examination stage. HS pointed out that planning obligations would be undertaken in accordance with the statutory text.

5) MD queried a comment on page 14 of the draft SofCG which referred to the Hagley Paper being further refined. EB stated this is an out of date comment now that the Hagley document has been finalised and published on the WCC website. It was agreed to remove this comment on page 14 of the draft SofCG.

6) Further to the previous meeting held on the 19th March 2020, MD confirmed that BDC is now satisfied that the SofCG is a tripartite agreement. MD therefore confirmed that BDC is willing to sign the joint SofCG with WFDC and WCC. However, MD said that the SofCG will need to be signed off by the Council Leader following consideration by the full council on 17th June 2020. KB asked where in the BDC constitution it said this, as the WFDC legal advisor had not been able to locate this. MD said that the justification for this is in a Cabinet report of theirs (rather than the constitution), that all SofCG have to be signed off by full council. KB asked MD to send WFDC a copy of the Cabinet report. **Action 3:** MD to send WFDC a copy of the Cabinet report.

7) Subject to a few minor amendments, Officers agreed the SofCG at the meeting and that the final version would be sent by WFDC to request formal sign off.

8) DA asked for any comments on the minutes for the previous DtC meeting to be sent to him no later than 3rd April 2020.

9) No other matters were raised and the meeting was concluded.

Elaine Wilcox

From: Michael Dunphy
Sent: 15 August 2017 10:28
To: LPR Consultation
Subject: FW: BDC and RBC responses
Attachments: Bromsgrove Response to Wyre Forest Preferred option August 2017.docx; Redditch Response to Wyre Forest Preferred option August 2017.docx

Categories: Green Category

Hi Please

See attached email, I would be grateful if someone could respond on behalf of Helen to confirm, our responses will be considered.

Thanks

Mike

Mike Dunphy

Strategic Planning Manager
Planning and Regeneration
Bromsgrove District Council
www.bromsgrove.gov.uk

Acting Development Plans Manager (Job Share – Mondays and Fridays)
Planning and Regeneration
Redditch Borough Council
www.redditchbc.gov.uk

From: Michael Dunphy
Sent: 15 August 2017 10:03

Hi Helen

Hope you are well and getting to grips with working over at Wyre Forest, please see attached the responses to the Preferred Draft Consultation from both BDC and RBC, I realise the consultation ended last night but I was having trouble accessing my emails yesterday so wasn't able to send them. As this is still the informal stages of consultation I would be grateful if you could confirm you will still take them into account. I would also welcome the opportunity to come over and discuss these with you alongside WCC highways.

I look forward to your response.

Thanks

Mike

Mike Dunphy

Strategic Planning Manager
Planning and Regeneration
Bromsgrove District Council
www.bromsgrove.gov.uk

Acting Development Plans Manager (Job Share – Mondays and Fridays)
Planning and Regeneration
Redditch Borough Council
www.redditchbc.gov.uk

Bromsgrove District Council Response to Wyre Forest Local Plan Review Preferred option - August 2017

1 Thank you for the opportunity to comment on the Wyre Forest Local Plan Review Preferred option, the below comments at this stage represents an officer response. Due to the timescales for consultation, there have not been any appropriate Council meetings for this response to be considered formally. This process will take place in September and should any amendments be required as a result of the formal consideration by Bromsgrove District Council we will advise you in due course.

2 The Council supports the aims and objectives of the plan and think that it has the potential to provide a strong base for planning in Wyre Forest once adopted, although a number of reservations do exist where clarity needs to be provided in order to the Councils concerns to be allayed. It must be stressed at this stage the Council wish to see all areas thrive and develop sustainably, and do not have an in-principal objection to Wyre Forest District Council allocating land for future growth, or developing policies to improve the quality of the environment across the District for its residents and visitors.

3 Our comments are restricted to the elements of the plan where possible issues arise for Bromsgrove as a result of the draft plan, whilst we have read and considered the remaining sections we do not feel it is appropriate or necessary for the Council to comment on policies developed to address local issues to Wyre Forest District only.

4 The Plan identifies a housing requirement of 5400 dwellings, 540 care home beds and 40 hectares of employment land, BDC has no reason to dispute those figures. The Council is also pleased to see in para 6.8 that under the duty to cooperate WFDC will continue to liaise with all adjoining authorities. It will be important for WFDC to continue this liaison as the plan progresses, it is acknowledged that Wyre Forest District does not form part of the wider Birmingham Housing Market Area (BHMA) and as such should not directly need to accommodate any additional growth needs arising from the BHMA. The continued liaison will be important to ensure that if all the needs of the BHMA cannot be met within the currently identified geographic area, then it could be that those areas on the periphery may need to assist in meeting those needs if it can be done sustainably. It is important the review of the Wyre Forest Local Plan has sufficient mechanisms in place to be able to respond appropriately to any requests to meet the needs of the wider BHMA should a request be forthcoming.

4 The main concern of the Council is the location of the larger core housing sites, the fact that a preferred option is not specified, and that we are requested to make a choice of option A or option B in relation to significant development. The core housing sites, and also the majority of the option A and B sites are all situated towards the eastern / north eastern extent of the urban area of Kidderminster. As the principal town the logic of allocating significant levels of development to the most sustainable settlement is understood and accepted.

5 Where the Council have concerns is the evidence which support these allocations, in particular the transport evidence which is required to support allocations of this size. It is clear from the Infrastructure Delivery Plan (IDP) that some consideration has been given to transport issues. What is concerning is that a preference for a preferred option is being sought without all the

identified evidence i.e. the modelling through the Wyre Forest Transport Model (WFTM), and the transport background paper being available.

The IDP states at 3.1.4

It should also be noted that local impacts of individual potential development sites can be more easily identified; however, the cumulative impact of development on both the local and wider strategic network is difficult to quantify without undertaking modelling. As detailed above, the WFTM will be used to fully assess all development sites, both individually and cumulatively, to ensure a robust assessment of the likely transport related infrastructure is identified and all appropriate multimodal infrastructure identified to support the preferred option.

6 Attempts have clearly been made to establish the infrastructure requirements for both the core option, and also options A and B. A comparison of the different highways impacts of options A and B has also been provided, unfortunately, this level of analysis does not allow for a sufficiently informed decision on the merits of the various options to be reached at this stage. Similarly whilst it is welcomed that a list of schemes has been developed to identify possible mitigation, what is not clear is exactly what these schemes entail, when and how they will be delivered, and how much impact their introduction will have on both mitigating the impacts of development or addressing existing infrastructure concerns.

7 Option A appears to offer the prospect of an eastern relief road which amongst other things could reduce the congestion and improve the air quality within Kidderminster town centre, both of these results would undoubtedly be beneficial. What needs to be established is the impact of such a significant piece of infrastructure on areas outside of the District. Of particular concern would be what additional traffic as a result of significant development and improved infrastructure around the eastern edge of Kidderminster would then permeate to areas further east into Bromsgrove. The same point applies if option A does not become the preferred option, it is still likely that additional traffic could use the infrastructure in Bromsgrove as a result of option B although without the bypass, again this needs to be established for an informed decision to be made on the pros and cons of the options.

8 The Council's principal concerns in terms of specific locations which may be affected would be, along the A456 through Hagley in order to access the Black Country / Birmingham conurbation, and then further along this route to the M5 Junction 4 in order to access the motorway network or the southern areas of Birmingham. Similarly the Council has concerns on the impacts on the A448 if additional trips are made into and through Bromsgrove to access the motorway network south of the town, or through the town to access Redditch beyond. As WFDC and WCC are aware both these locations within Bromsgrove suffer from congestion and both have AQMAs, the impacts of the various options on these key locations need to be established as well as any impacts in other areas related to the development sites. This is particularly important to understand the impacts in more rural areas where 'rat running' may occur in an attempt to avoid more congested routes, and also the impact on the strategic motorway network which places pressure on all routes across the area.

9 The Council would have hoped that the transport evidence would have been further developed, and made available to inform a preferred option, and not produced afterwards to

support / justify a preferred option chosen in isolation of the evidence. This is a position that the Council through its officers has expressed a number of times in response to both the draft IDP, and also in person at a meeting convened specifically to discuss the issue of transportation. Bearing this in mind the Councils position expressed in this response should not be a surprise, but unfortunately without this evidence being available the Council is not in a position to express a preference for option A or B, or even support the core option at this stage. This concern also arises albeit to a lesser extent on allocation of land for employment uses.

10 In order to address this concern and in line with the Councils response the recently published Draft LPT4. We would like to continue to engage with both WFDC and WCC to develop a wider transport strategy for north Worcestershire. The development of this strategy should help inform the production of local and district plans which have fully evidenced and coordinated transport information. The strategy alongside these local and district plans will then deliver the infrastructure required to allow the authorities to continue to grow and thrive in a coordinated and sustainable way.

Redditch Borough Council Response to Wyre Forest Local Plan Review Preferred option - August 2017

1 Thank you for the opportunity to comment on the Wyre Forest Local Plan Review Preferred option, the below comments at this stage represents an officer response. Due to the timescales for consultation, there have not been any appropriate Council meetings for this response to be considered formally. This process will take place in September and should any amendments be required as a result of the formal consideration by Redditch Borough Council we will advise you in due course.

2 The Council supports the aims and objectives of the plan and think that it has the potential to provide a strong base for planning in Wyre Forest once adopted, although a number of reservations do exist where clarity needs to be provided in order to the Councils concerns to be allayed. It must be stressed at this stage the Council wish to see all areas thrive and develop sustainably, and do not have an in-principal objection to Wyre Forest District Council allocating land for future growth, or developing policies to improve the quality of the environment across the District for its residents and visitors.

3 Our comments are restricted to the elements of the plan where possible issues may arise for Redditch as a result of the draft plan, whilst we have read and considered the remaining sections we do not feel it is appropriate or necessary for the Council to comment on policies developed to address local issues to Wyre Forest District only.

4 The Plan identifies a housing requirement of 5400 dwellings, 540 care home beds and 40 hectares of employment land, RBC has no reason to dispute those figures. The Council is also pleased to see in para 6.8 that under the duty to cooperate WFDC will continue to liaise with all adjoining authorities. It will be important for WFDC to continue this liaison as the plan progresses, it is acknowledged that Wyre Forest District does not form part of the wider Birmingham Housing Market Area (BHMA) and as such should not directly need to accommodate any additional growth needs arising from the BHMA. The continued liaison will be important to ensure that if all the needs of the BHMA cannot be met within the currently identified geographic area, then it could be that those areas on the periphery may need to assist in meeting those needs if it can be done sustainably. It is important the review of the Wyre Forest Local Plan has sufficient mechanisms in place to be able to respond appropriately to any requests to meet the needs of the wider BHMA should a request be forthcoming.

5 The main concern of the Council is the location of the larger core housing sites, the fact that a preferred option is not specified, and that we are requested to make a choice of option A or option B in relation to significant development. The core housing sites, and also the majority of the option A and B sites are all situated towards the eastern / north eastern extent of the urban area of Kidderminster. As the principal town the logic of allocating significant levels of development to the most sustainable settlement is understood and accepted.

6 Where the Council have concerns is the evidence which support these allocations, in particular the transport evidence which is required to support allocations of this size. It is clear from the Infrastructure Delivery Plan (IDP) that some consideration has been given to transport issues. What is concerning is that a preference for a preferred option is being sought without all the

identified evidence i.e. the modelling through the Wyre Forest Transport Model (WFTM), and the transport background paper being available.

The IDP states at 3.1.4

It should also be noted that local impacts of individual potential development sites can be more easily identified; however, the cumulative impact of development on both the local and wider strategic network is difficult to quantify without undertaking modelling. As detailed above, the WFTM will be used to fully assess all development sites, both individually and cumulatively, to ensure a robust assessment of the likely transport related infrastructure is identified and all appropriate multimodal infrastructure identified to support the preferred option.

7 Attempts have clearly been made to establish the infrastructure requirements for both the core option, and also options A and B. A comparison of the different highways impacts of options A and B has also been provided, unfortunately, this level of analysis does not allow for a sufficiently informed decision on the merits of the various options to be reached at this stage. Similarly whilst it is welcomed that a list of schemes has been developed to identify possible mitigation, what is not clear is exactly what these schemes entail, when and how they will be delivered, and how much impact their introduction will have on both mitigating the impacts of development or addressing existing infrastructure concerns.

8 Option A appears to offer the prospect of an eastern relief road which amongst other things could reduce the congestion and improve the air quality within Kidderminster town centre, both of these results would undoubtedly be beneficial. What needs to be established is the impact of such a significant piece of infrastructure on areas outside of the District. Of particular concern would be what additional traffic as a result of significant development and improved infrastructure around the eastern edge of Kidderminster would then permeate to areas further east into Bromsgrove and then onto Redditch and the strategic network. The same point applies if option A does not become the preferred option, it is still likely that additional traffic could use the infrastructure in Bromsgrove and beyond as a result of option B, although without the bypass, again this needs to be established for an informed decision to be made on the pros and cons of the options.

9 The Council has concerns on the impacts on the A448 if additional trips are made into and through Bromsgrove to access the motorway network, or through the town to access Redditch. In order to address this concern and in line with the Councils response the recently published Draft LPT4. We would like to continue to engage with both WFDC and WCC to develop a wider transport strategy for north Worcestershire. The development of this strategy should help inform the production of local and district plans which have fully evidenced and coordinated transport information. The strategy alongside these local and district plans will then deliver the infrastructure required to allow the authorities to continue to grow and thrive in a coordinated and sustainable way.

Wyre Forest District Local Plan Pre-Submission Publication 2018

Consultation Response Form

1st November – 17th December 2018

REF OFFICE USE ONLY:
Representor number:
Representation number:
Plan reference:
Tests of soundness:

This form has two parts: **Part A** Personal Details and **Part B** Your Representation

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has issued this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the public examination. Using the form to submit your comments also means that you can register your interest in speaking at the examination.

Please read the guidance notes carefully before completing the form.

Please fill in a separate part B for each issue/representation you wish to make.

Any additional sheets must be clearly referenced. This form can be submitted electronically. If hand writing, please write clearly in blue or black ink.

Consultation response forms can be completed and submitted online at www.wyreforestdc.gov.uk/localplanreview

Representations must be received by 5:00pm on 17th December 2018. Representations received after this time will not be considered duly made.

Part A

(Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Mike	
Last Name	Dunphy	
Organisation (where relevant)	Bromsgrove District Council	
Job title (where relevant)	Strategic Planning and Conservation Manager	
Address – line 1	Parkside	
Address – line 2	Market Street	
Address – line 3	Bromsgrove	
Address – line 4		
Address – line 5		
Postcode	B61 8DA	
E-mail Address		
Telephone Number		

Part B - Please use a separate sheet for each representation

Your representation should cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations following this publication stage.

After this stage, further submission will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Name or Organisation

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Other: e.g. Policies map, table, figure, key diagram

4. Do you consider the Local Plan is:

4.1 Legally Compliant	Yes <input type="text" value="X"/>	No <input type="text"/>
4.2 Sound	Yes <input type="text"/>	No <input type="text" value="X"/>
4.3 Complies with the Duty to co-operate	Yes <input type="text" value="X"/>	No <input type="text"/>

5. If you do not consider the Local Plan is sound, please specify on what grounds

Positively Prepared Justified Effective Consistent with National Policy

Please Tick as appropriate

6. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to co-operate, please also use this box to set out your comments.

6.1 It is the view of Bromsgrove District Council (BDC) that unfortunately The Wyre Forest Local Plan (WFLP) is unsound, BDC do not consider that the plan is Justified, Effective, or Consistent with National Policy.

6.2 The objection focuses on Policy 12 - Strategic Infrastructure and Policy 13 - Transport and Accessibility in Wyre Forest and the evidence base which purports supports them, most notable the Infrastructure Delivery plan (IDP) and the Transport Modelling Report (TMR).

6.3 Para 16 of the NPPF requires that plans should:

- b) be prepared positively, in a way that is aspirational but deliverable;*
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*

Policy 12 is a generic policy for the requirement of infrastructure to support the plan, and Policy 13 begins to provide more detail on what infrastructure is required. It is the view of BDC that policies 12 and 13 fail to satisfy b) and d) of the framework. For the reasons expanded on in the paragraphs 6.6 to 6.20 below concerning the evidence base, BDC fail to see how the infrastructure requirements are **deliverable**. BDC also fails to see and how the policy is **clear and unambiguous** on what infrastructure is required, and when and how it is to be delivered. Of particular concern in relation to the clarity of the policy are the inconsistencies between the IDP requirements and the requirements in the policy.

6.4 Para 20 of the NPPF states

Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

It is BDCs view that the concerns expressed about the evidence at para's 6.6 to 6.20 identifies that the WFLP and its evidence base does not at this stage clearly identify in a robust manner the infrastructure required or the impacts of the infrastructure, and therefore the plan is inconsistent with the requirements of para 20 of the NPPF.

6.5 Para 104 of the NPPF states Planning policies should:

b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;

c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;

It is BDCs view that in relation to b) and c) above that issues identified with the evidence base at paras 6.6 to 6.20 below shows, that there is not robust evidence which has allowed for any routes to be identified and protected for the bypasses in relation to Hagley and Mustow Green. And that lack of robust evidence, which also include un-costed schemes in the IDP, does not allow for a sufficient strategy for investment in infrastructure to be developed and aligned, therefore the WFLP is not consistent with the requirements of para 104 of the NPPF.

6.6 Paras 6.3 to 6.5 above show how the policies in the WFLP are inconsistent with the requirements of the NPPF, BDCs soundness concerns are also related to the ability of the WFLP to be judged as being justified and effective, this primary concern relates to the evidence base supporting Policies 12 and 13.

6.7 It appears from the published evidence base the main supporting evidence for the transport and infrastructure policies in the WFLP are the IDP and the TMR. Reference is made in both May 2017 and October 2018 versions of the IDP to a transport evidence paper. It has been confirmed by Wyre Forest District Council (WFDC) that there is no transport evidence paper. The May 2017 IDP also states

It should also be noted that local impacts of individual potential development sites can be more easily identified; however, the cumulative impact of development on both the local and wider strategic network is difficult to quantify without undertaking modelling. As detailed above, the WFTM will be used to fully assess all development sites, both

individually and cumulatively, to ensure a robust assessment of the likely transport related infrastructure is identified and all appropriate multimodal infrastructure identified to support the preferred option.

For the reasons expanded on below BDC, do not consider that this stated intention of the previous version of the IDP has been undertaken.

6.8 The WFLP contains development allocations across the District, there are some significant allocations to the eastern and north eastern side of Kidderminster. These sites have been in the public domain for a considerable period of time, and were part of the preferred options presented by WFDC. BDC responded to the preferred option plan, expressing concern about the possible implications of development in these locations on transport infrastructure in Bromsgrove. At the time BDCs concern was the lack of evidence to allow BDC to make an informed decision on the implications for the district. Sadly little work appears to have been done to strengthen the evidence base and therefore BDCs concern remains.

6.9 turning specifically to the Transport Modelling Report (TMR) BDC has concerns that

- a) The Wyre Forest Transport model is a multi-modal model but only the highway assignment model has been used.
- b) There is a mis-match between the development assumptions in the Wyre Forest Local Plan Review (2016-2036) – Transport Modelling Report and the Wyre Forest District Council IDP.
- c) A simplistic approach to trip generation has been adopted. A single rate assumed for all residential development and a single rate assumed for all job / employment types.
- d) It is not clear whether there has been any optimisation of the highway network in the future year network.
- e) There is no definition provided of “capacity” or “congestion”.
- f) In the Appendix, information on housing is not provided for mixed use development. Housing capacity is provided for residential areas, but the number of jobs assumed for employment is not provided.

6.10 In relation to the Wyre Forest District Council IDP, the following observations are made.

- a) There is a mis-match between the development assumptions in the Wyre Forest Local Plan Review (2016-2036) – Transport Modelling Report and the Wyre Forest District Council IDP.
- b) No reference to modelling 5 years ahead, albeit the IDP refers to national guidance that states that the IDP should be clear for at least 5 years ahead
- c) There is reference to options consultation but no reference to modelling of options.
- d) The document states that where the deliverability of critical infrastructure is uncertain alternative strategies should be assessed. It is not clear if the testing of alternative strategies has been undertaken in the (highway) modelling.
- e) There is no definition provided of “capacity” or “congestion”, so it is not clear how infrastructure needs have been identified.
- f) Not clear how network capacity has been maximised albeit the document states that there is a need to demonstrate that capacity has been maximised.
- g) Not clear on how infrastructure needs have been identified as there is no reference provided to an appraisal or sifting process or definition of need.

6.11 The reason why these elements are a concern and lead to a conclusion of unsoundness relates to the identification of additional congestion on the A456 through Hagley

in Bromsgrove. Also the identification of additional congestion on the A448 at Mustow Green which the main route between Bromsgrove and Kidderminster is a similar concern. Both these locations have now been identified as requiring bypasses. It must be stated that in principle BDC does not necessarily object to these bypass proposals, providing they are underpinned by robust evidence of need, and more importantly delivery. But for BDC to get to this position it needs to be clear that these proposals are the correct form of mitigation when considered against other options in these locations, and it needs to be clear what the wider cumulative impacts of these proposals are on transport infrastructure. This is important because once the need for them is robustly established; it needs to be clear how these and other proposals will be funded and delivered in a coordinated way. The WFLP requires infrastructure to align with allocated development as they progress to provide the correct mitigation, although it does appear no actual phasing appears in the plan. BDC is unable to establish that a robust process has been undertaken in identifying these schemes as the correct schemes. BDC is also unable to form any view based on the evidence of the likelihood of these schemes being enabled or delivered by the WFLP

6.12 In more detail BDC cannot understand the assessment process that has been undertaken to determine the bypass is needed. The adopted Local Transport Plan 4 LTP4 highlights that a review of the junctions in Hagley should take place, to be funded by developers and the LTP. Notwithstanding the technical concerns highlighted at para 6.8 above, the results of the TMR appears to show further congestion in Hagley. The LTP4 junction review requirement appears to have now been superseded by a bypass, there appears to be no evidence to support the need other than the model report. The IDP states *'Using this information WCC have been able to undertake an assessment of the probable impact on the local and wider network and produce a list of the infrastructure required to support the level of growth. This assessment has been undertaken using the Wyre Forest Transport Model (WFTM).'* The TMR does not mention the mitigation required, it simply shows where the network is affected by development, there are no other published reports referencing the WFTM. Therefore trying to work out how all the schemes have been assessed as being the required, and appropriate mitigation for the level of impact is impossible to do based on the published evidence. The same applies to the Mustow green scenario where a junction enhancement scheme has been replaced with a bypass. Policy 13 of the WFLP still refers to a junction enhancement scheme, this is the inconsistency referred to at para 6.3 above.

6.13 It is a fact that the IDP schemes haven't been modelled for their impact, as they are not referenced in the TMR. So it is unclear not only what impact a Hagley bypass will have in reducing congestion in Hagley but it is not clear what impact a Hagley bypass might have on other locations, these impacts maybe both positive and negative. The same can be said for the bypass around Mustow Green. For example the Mustow Green Scheme might have an impact on Bromsgrove Town if it increases the volumes which are able to use the A448. Similarly the enhancement scheme on the A450 corridor might have an impact on Hagley if it improves the attractiveness of this route, how would / has that then be factored into the bypass proposals at Hagley. It is accepted that transport planning / modelling is not an exact science, and there will always be impacts of schemes which will not be able to be quantified. In this instance again appears to be is no work which attempts to identify how all these transport schemes work together to mitigate the cumulative impacts of all the developments in Wyre Forest. For these reasons alone BDC does not feel that the WFLP is sound, as key proposals required both within the district but also outside are not robustly justified.

6.14 It could be seen as strange that BDC are objecting to a plan which on the face of it is providing a solution to a known issue; congestion in Hagley. The robust justification for a scheme is directly related to the ability to implement the required scheme. Therefore BDC

cannot support the plan if, the need for the scheme is not justified to the extent that its ability to be implemented becomes clear and deliverable.

6.15 The Hagley bypass scheme as identified in the IDP does not have a cost associated with it, the Mustow Green bypass scheme has a £12 million cost associated with it. Neither scheme as far as BDC can ascertain has got a plan which shows the alignment of the road or any technical considerations. Purely by looking at a map, a bypass around Mustow Green would appear to be a shorter piece of road than a bypass around Hagley. Therefore we can only assume that the Hagley scheme will be in excess of £12 million, this is a significant amount of funding which does not have any certainty at this stage. BDC acknowledge that this is a very crude assumption to make on cost, and there are many issues such as underground services etc which can significantly affect the final amount. It is also accepted that as the detail of schemes are worked up more detailed cost estimates can be made. It appears the costs that have been used to inform the viability work, which is part of the evidence base to the plan, are not reflective of or have been informed by these schemes. The approach in the viability work is to use a typical infrastructure cost. However in this instance this typical cost cannot account for all the typical or abnormal costs, as so many of them are yet to be identified.

6.16 It is noted at para 12.3 of the WFLP that

The Council will consider wider infrastructure funding streams as part of the Local Plan Review process and in due course will consider the introduction of a Community Infrastructure Levy in conjunction with the latest Planning Obligations SPD, as adopted by the Council in September 2016.

6.17 BDC do not understand why the consideration of infrastructure funding streams would be left for a plan review to decide. This wording appears verbatim in the preferred option version of the plan and therefore maybe a drafting error. If this is the case then it would suggest that this plan should have considered the funding streams. BDC cannot see where this has been done with any rigour. If a CIL is the mechanism to fund the plans infrastructure, then it would need to be clearly timetabled, and then progressed in line with that timetable to ensure the benefits of having a CIL are realised from all the development in the plan. This would appear to be key for WFDC so many infrastructure schemes have been identified. The Local Development Scheme states that the position on a CIL will be considered alongside the preparation of the pre-submission plan. There is no timetable for the production of a CIL and the WFLP does not clarify the position on CIL. The inconsistent costing information and complete lack of costing in relation to the Hagley bypass, and an uncertain policy regime about infrastructure delivery casts doubt on the funding of a bypass for Hagley.

6.18 The IDP has a lot of high cost schemes in it, and a lot of possibly expensive schemes which have yet to be costed, including the Hagley bypass. If the evidence isn't robust to support the specific requirement for these schemes as a result of development, the likelihood of them being funded by developers or other mechanisms such as Central Government or LEP money is uncertain. Where there are lots of competing schemes it is expected that funding normally will be directed at those which provide the greatest direct benefit, such as enabling housing development or providing for economic activity. From the information provided BDC has no way of understanding how much development from specific allocations impacts on Hagley to justify the bypass. This lack of information then makes it impossible to understand the likely level of developer contribution, and therefore if not fully developer funded the likely amount of other funding required. Without being able to understand how much housing and economic development proposals such as the bypass enable, it is impossible to form a view on the likely applicability to the funding streams that are available to infrastructure providers.

6.19 It is accepted that funding regimes are not fixed, and change as government policy is amended, meaning different levels of finance become available. With that in mind BDC accepts that it is not possible to have complete certainty on these issues at this stage in the planning process. But without being able to quantify the impact of individual developments on the scheme being tabled as mitigation, and then being able to quantify the impact of the mitigation even at a basic level BDC fails to see how the plan can be seen as justified, and therefore also effective if the required funding for the mitigation remains such an unresolved issue.

6.20 In Conclusion it is regrettable that BDC has to object to the plan, but unless the mitigation required supporting the plan cannot be robustly evidenced, which in turn secures the ability for it to be delivered, it is the view of BDC that the plan is unsound as it is not justified, effective, and consistent with national policy.

7. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 6 above where this relates to soundness. (NB Please note that any non-compliance with the Duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

7.1 BDC consider that the wording of policies 12 and 13 could be amended to strengthen them and provide more clarity in relation to the mitigation required. But as the fundamental issue is with the evidence which underpins these policies, without a more robust evidence base BDC do not consider this plan can be made sound with simple policy wording changes.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No I do not wish to participate at the oral examination.

Yes I would like to participate at the oral examination.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To hopefully aid the inspectors understanding of the particular local circumstances specific to the objections raised.

Agenda Item 14a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Data Protection

The information you provide on the form will be stored on a database used solely in connection with the Local Plan. Representations will be available to view on the council's website, but address, signature and contact details will not be included. However, as copies of representations must be made available for public inspection, they cannot be treated as confidential and will be available for inspection in full. Copies of all representations will also be provided to the Planning Inspectorate as part of the submission of the Wyre Forest District Local Plan. By submitting this form you are agreeing to these conditions.

Please see the Councils Data Protection and Privacy statement:

<http://www.wyreforestdc.gov.uk/the-council/data-protection-and-privacy.aspx>

If you are submitting this form electronically you will need to agree to our data protection policy. Please tick here if you agree.

Signature

Mike Dunphy

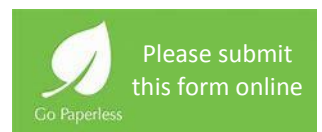
Date 12th December 2018

Please return the completed form by **no later than 5:00pm on 17 December 2018** to:

Email: LPR@wyreforestdc.gov.uk

Or post to: Planning Policy Team, Wyre Forest District Council, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF

Consultation response forms can be completed and submitted online at: www.wyreforestdc.gov.uk/localplanreview



Wyre Forest District Local Plan Pre-Submission Publication 2019

Consultation Response Form

2 September – 14 October 2019

<p>REF OFFICE USE ONLY:</p> <p>Representor number:</p> <p>Representation number:</p> <p>Plan reference:</p> <p>Tests of soundness:</p>

This form has two parts: **Part A** Personal Details and **Part B** Your Comments

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has issued this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the public examination. Using the form to submit your comments also means that you can register your interest in speaking at the examination.

Please read the guidance notes carefully before completing the form. If you responded to the last Pre-Submission consultation held in 2018, you do not have to respond again unless you want to add to them, withdraw them or make completely new comments.

Please fill in a separate part B for each issue/comments you wish to make. Any additional sheets must be clearly referenced. This form can be submitted electronically. If hand writing, please write clearly in blue or black ink. Consultation response forms can be completed and submitted online at www.wyreforestdc.gov.uk/localplanreview

Comments must be received by 5:00pm on 14 October 2019. Comments received after this time will not be considered.

Part A

(Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Mike	
Last Name	Dunphy	
Organisation (where relevant)	Bromsgrove District Council	
Job title (where relevant)	Strategic Planning and Conservation Manager	
Address – line 1	Parkside	
Address – line 2	Market Street	
Address – line 3	Bromsgrove	
Postcode	B61 8DA	
E-mail Address		
Telephone Number		

Part B - Please use a separate sheet for each comment

Your representation should cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations following this publication stage.

After this stage, further submission will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Name or Organisation

3. Did you submit a consultation response form to the last Pre-Submission consultation held in 2018?

Yes No

a) If yes, would you like to withdraw any/all of your previous comments?

Yes, all Yes, specific comments

b) If specific comments only, please specify which ones?

BDC made comments to the 2018 pre submission. Previous comments still stand and BDC would like to add to them, as per section 9 below.

4. To which document of the Local Plan does this representation relate?

Amendments to Pre-Submission Local Plan (July 2019 version) Yes No

Pre-Submission Local Plan (October 2018 version) Yes No

5. Please specify which part of the Local Plan you are commenting on (e.g. paragraph, policy, map, table or figure reference)?

Paragraph Policy Other: e.g. Policies map, table, figure, key diagram

6. Do you want to support/object/comment on this part of the Local Plan?:

Support Comment Object

7. Do you consider the Local Plan is:

a) Legally Compliant	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b) Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c) Complies with the Duty to co-operate	Yes <input type="checkbox"/> See section 9 comments	No <input type="checkbox"/> See section 9 comments

8. If you answered 'No' to Question 7b, please specify on what grounds you consider the Local Plan to be unsound? (see guidance notes part 3 for explaining of terms)

Positively Prepared Justified Effective Consistent with National Policy
Please Tick as appropriate

9. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to co-operate, please also use this box to set out your comments.

See separate document

10. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 9 above where this relates to soundness. (NB Please note that any non-compliance with the Duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

BDC considers that the wording of policies 12 and 13 could be amended to strengthen them and provide more clarity in relation to the mitigation required. However, as the fundamental issue is with the evidence which underpins these policies, without more robust evidence base BDC still does not consider this plan can be made sound with simple policy wording changes.

If it can be demonstrated clearly what the impacts of development are on infrastructure in Bromsgrove, then a clear policy requirement for the delivery of cross boundary infrastructure will need to be included in the plan.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

11. If your representation is seeking a modification, do you consider it necessary to speak at the examination?

No I do not wish to speak at the examination.

Yes I would like to speak at the examination.

12. If you wish to speak at the examination, please outline why you consider this to be necessary:

To hopefully aid the inspector's understanding of the particular local circumstances specific to the objections raised.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to speak at the examination.

13. Are there any other comments you would like to make?:

All our comments have been made in the relation to section 9 above.

Expand box / continue on a separate sheet if necessary

Data Protection

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Please see the Councils Data Protection and Privacy statement:

<http://www.wyreforestdc.gov.uk/the-council/data-protection-and-privacy.aspx>

By signing this form you are agreeing to The Council's Data Protection Policy above and the storage of your information.

Signature

Mike Dunphy

Date

14th October 2019

Please return the completed form by **no later than 5:00pm on 14 October 2019** to:

Email: LPR@wyreforestdc.gov.uk

Or post to: Planning Policy Team, Wyre Forest District Council, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF

Consultation response forms can be completed and submitted online at: www.wyreforestdc.gov.uk/localplanreview



Introduction

1. The previous comments submitted by Bromsgrove District Council BDC in relation to this plan still stand, the comments below expand on those submitted previously. At the time of submission they are submitted as officer comments, they will be presented to BDC members in due course for their consideration.
2. It remains the view of BDC that unfortunately The Wyre Forest Local Plan (WFLP) is unsound, BDC do not consider that the plan is Justified, Effective, or Consistent with National Policy. It is also unfortunate that BDC also now raises concerns about whether the requirements of the Duty to Co-operate to have been met.

Evidence concerns

3. Without repeating the previous concerns verbatim the issue that BDC has is that it is still unclear as to what the transport impacts are, of the WFLP on Bromsgrove District. Concerns were expressed previously on the clarity of the work provided to support the 2018 publication version of the plan. Although efforts have been made to address these concerns, the fact remains that from the published information it is, in the view of BDC, not possible to clearly see what the impacts of the developments sites are, and then clearly understand the mitigation strategy.
4. The need for a more robust transport evidence base has been something that BDC has been raising throughout the development of the WFLP. In response to BDCs November 2018 objection, further discussions took place in February and March 2019 where BDC continued to express its position, with WCC officers in attendance. It is BDCs understanding that these discussion in part led to the additional document that has been published, *Wyre Forest Local Plan Review, Transport Evidence June 2019*. It had been hoped that the content of this document would have addressed the previous concerns BDC raised but unfortunately it does not do this. The position of BDC is, and has always been, that the Council would like to be able to understand the impacts of the plan on the infrastructure within Bromsgrove District, and then to clearly understand how the proposed mitigation and its delivery has been arrived at.
5. Unfortunately the Wyre Forest Local Plan Review, Transport Evidence June 2019 does not satisfy this information gap. It is the view of BDC that the document has flaws. The document at section 4 attempts to suggest that an assessment has been done to confirm that the model is fit for purpose. BDC does not see how any actual assessment has been done, and consider that it is not possible to make the conclusion at para 4.6 based on the information in the preceding section.
6. A more significant concern is that although there is new information in this report, it is still not possible to ascertain from the information provided what the actual impact of development would be. The document shows that flows and journey times will increase in many locations, but without a base year, or updated base year to compare against, all that can be concluded is that there will be more trips on the network. Without being able to compare a scenario where WFLP developments are not present, and where WFLP developments are present, understanding what the actual impacts of development are, is impossible.
7. Another concern with this piece of evidence is that there is no modelling with any mitigation included. Therefore from the evidence available it is not possible to understand if the suggested mitigation in the Infrastructure Delivery Plan (IDP) actually mitigates both individual development sites and also the cumulative impacts of the WFLP.

Infrastructure Delivery Plan

8. Turning to the IDP the BDC position remains the same as previously expressed. The Council's previous concerns centered on the untested and in some cases un-costed schemes and proposals in the IDP. Whilst it is acknowledged that changes have been made to the IDP it is still unclear what the links are between the impact of development and the mitigation that is specified. This is a particular concern for the A456 through Hagley, where previous proposals for a bypass have been softened and the need for a wider review working with other councils seems to have replaced this proposal. BDC has no objection in principle to a wider review of transport infrastructure; indeed it would expect this consideration to come to the fore as the review of the Bromsgrove District Plan gathers momentum. However it is not considered appropriate at this stage to leave it to a wider infrastructure review to mitigate the specific impacts of the WFLP, should they ever be clearly identified, it maybe that the impacts are not significant to warrant such a review or if the impacts are proved to be significant, it is something which may be too late to address via plan making.
9. It is also considered that the Duty to Cooperate and Statements of Common ground that BDC will prepare to support its plan are not the place to decide what infrastructure is required to support the developments in Wyre Forest, as para 3.1.21 of the IDP seems to be suggesting. It is the view of BDC that the infrastructure needs of the WFLP need to be clearly identified in the evidence that supports that plan, and mechanisms put in place to allow for any cross border infrastructure to be delivered. BDC has a strong track record of such an approach both working with Birmingham City Council on the Longbridge Area Action plan, and more recently in working with Redditch Borough Council in providing cross boundary allocations in Bromsgrove District to meet the needs of Redditch Borough.
10. Para 3.1.24 of the IDP discusses the rail enhancement taking place at Blakedown station. BDC does not have an objection in principle to this enhancement. However there are concerns with the following statement:

'Enhancements to parking facilities at Blakedown Station will also help to mitigate the impact of growth on Hagley within Bromsgrove District. Hagley currently suffers from congestion at peak times and this is considered to be a first step in reducing congestion before wider strategic improvements can be considered and implemented.'

It is not clear how the addition of parking at this station combined with other strategies such as improving of the A450 corridor work together to reduce congestion in Hagley. It could be argued that improving the A450 corridor without complementary improvements on the Hagley area just allows the congestion to get to Hagley quicker. It is of interest to BDC to understand the amount of congestion that improvements at Blakedown will relieve in Hagley, and also the process which has been undertaken to identify this reduction.

Duty to Co-operate

11. The above paragraphs largely reiterate the concerns that BDC has over the robustness of evidence base to support the plan. BDC considers it has engaged fully in the attempts to ensure that the DTC has been met. As highlighted above these evidence related issues are longstanding concerns that BDC has expressed many times. It had been hoped that early engagement initiated by BDC in May 2018, where

concerns were expressed about the evidence base that was being worked on to support the previous publication version on the WFLP, would have ensured that no objection needed to be submitted at that time; unfortunately that was not the case, and the Council's previous objection was submitted.

12. As referred to above in an attempt to ensure constructive engagement, meetings took place in February and March 2019, where a set of actions were agreed by all parties which it had hoped would result in a robust evidence base which addresses the concerns of BDC. The work which was prepared as a result of these discussions was only seen by BDC in June 2019.
13. In June 2019 WFDC published the local plan documents as part of its Overview and scrutiny agenda for the meeting of 4th July 2019. On initial review of these documents BDC again expressed concerns that this evidence still does not address the longstanding issue of clarity of the development impacts. It was agreed that a DTC meeting needed to take place. This meeting took place on the 30th July 2019, at this meeting a set of actions were agreed which would provide BDC the information it sought, in particular the impacts of development on the Hagley area. It was agreed that this information should be provided for the 29th August 2019, prior to the representation period on the publication version of the plan opening. A meeting was penciled in to discuss this additional work on the 29th August. Subsequent to this meeting it is understood that WFDC contacted WCC separately to request that the work is not provided for the 29th August as agreed, minutes of that meeting confirm this;

Following on from this meeting WFDC reviewed the proposed meeting date for discussion of Hagley paper and next steps (29th August). They concluded that as there was not time for them to review all the information in advance of the regulation 19 consultation, they would rather the meeting was postponed until late September to allow more time for the paper to be prepared and reviewed and the consultation to commence.

14. On receiving notification on the minute above BDC requested a further amendment was made to the minutes as below,

BDC must point out on the record that the reason for the timescale was to allow for all the documents to be available for the start of the representations period. We have reservations about this revised timescale for the publication of the work and the possible implication that BDC and other stakeholders will not have full access to the evidence for the full duration of the regulation 19 representation period.

15. At the time of writing this representation the information which was agreed on the meeting of the 29th July has still not been provided, and therefore this objection has had to be drafted.

Concluding Comments

16. BDC continues to raise concerns about the lack of a robust evidence base and, also unfortunately raises potential concerns about the ability of WFDC to meet the DTC. It is hoped that working within the relevant regulations which dictate the plan making process from this point forward, and by continuing to engage with Wyre Forest District Council and Worcestershire County Council, that a solution to the issues above can be found in advance of the submission of the Wyre Forest Local

Agenda Item 14a

Plan. The outcomes of this ongoing engagement can then be reported in the Statement of Common ground which we understand will accompany the submission.



Appendix 5

Helen Smith
Spatial Planning Manager
tel: 01562 732928
fax: 01562 732556

your ref:
17th September 2019

Dear Mrs Bamford,

Re: Wyre Forest Local Plan Pre-Submission Publication Consultation

Thank you for your recent letter dated 10th September 2019. It is disappointing to hear that you still have concerns about our Local Plan. We have now undertaken a number of Duty to Cooperate meetings with Mike Dunphy (BDC) and also colleagues from Worcestershire County Council to discuss the highways concerns that BDC have, in particular with regard to traffic congestion in Hagley.

In the current Pre-Submission consultation, the Council, working with the County improved the clarity of the transport evidence and updated the report and produced further technical evidence to support the IDP. This approach had been discussed with Mike Dunphy during the numerous Duty to Cooperate meetings we have held with BDC since the November/December 2018 consultation. It is therefore surprising that BDC have only now requested further technical work to be undertaken; it would have been more helpful to have identified any concerns during those meetings. I note in your letter dated 10th September you do not specify what this additional technical work should consist of.

The technical evidence base documents that are being consulted on as part of our September/October 2019 consultation were agreed by WFDC Cabinet at a meeting on 16th July 2019. As I am sure you can appreciate, we cannot now add further technical evidence to our consultation. It was agreed at the last Duty to Cooperate meeting that a Statement of Common Ground would be prepared jointly between WFDC, WCC and BDC to hopefully resolve any issues still outstanding before the examination of the Local Plan commences. As a neighbouring local authority, it is hoped that we can work together in a professional, collaborative and positive manner to find solutions and a possible compromise that is agreeable to all parties involved. If you could clarify in writing the

Economic Prosperity and Place Directorate

Wyre Forest House
Finepoint Way
Kidderminster

Worcestershire DY11 7WF

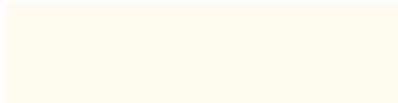
Mike Parker, Corporate Director: Economic Prosperity and Place

nature of the additional technical work that you refer to, I suggest that we pick that up in the continued Duty to Cooperate dialogue.

As the Local Plan Pre-Submission consultation has re-opened, you have another opportunity to respond in writing to our consultation setting out clearly any concerns you may still have with our Local Plan. We will then hold a further Duty to Cooperate meeting with BDC and WCC to discuss any issues you may raise in a consultation response and prepare a Statement of Common Ground (as agreed at our last DtC meeting). Please note that the closing date for the consultation is 5pm on 14th October 2019.

We look forward to continuing to work with BDC in a positive manner as part of the 'Duty to Cooperate' that each Local Authority has a responsibility to adhere to.

Yours sincerely,

A rectangular area that has been redacted, likely containing a signature or name.

Helen Smith
Spatial Planning Manager



Planning Policy Team,
Wyre Forest District Council,
Wyre Forest House,
Finepoint Way,
Kidderminster,
DY11 7WF
By email LPR@wyreforestdc.gov.uk

strategicplanning@bromsgroveandredditch.gov.uk

10th September 2019

Dear Planning Policy Team

Wyre Forest Local Plan Pre-Submission Publication Consultation

I write in connection to the above, on Monday 2nd September 2019 WFDC published its Local Plan Review (LPR) pre submission version for the second time; BDC officers have concerns about the processes surrounding this representations period.

As you will be aware BDC officers have met with WFDC a number of times to discuss its plan review, a consistent theme of these discussions has been infrastructure provision, particularly transport infrastructure provision. The need to provide a clear set of transport proposals to support and enable the growth in the WFDC LPR formed part of this Council's response to the preferred option version of the plan in August 2017. At that point there was very little transport evidence to support the plan, although BDC was assured by WFDC/WCC that fuller/more complete evidence would be provided in due course.

By the time of the November 2018 version of the WFDC plan, some additional work had been done in relation to transport evidence/information. Unfortunately in BDCs view this work did not provide clarity on the likely impacts, and required mitigation of the WFDC LPR development sites on infrastructure within Bromsgrove District, as a result an objection to the LPR was submitted to that effect. BDC officers have since met with WFDC and WCC to discuss these concerns.

In July 2019 further documents were published by WFDC. BDC officers met with WFDC and WCC officers in late July where officers again outlined possible concerns with the level of evidence provided. As a result a set of tasks was agreed which it was hoped would help solve the issue. It was agreed the tasks would be completed by the end of August, to allow for this additional work to form part of the pre-submission representation period.

A follow-on meeting, to again include officers from WCC, BDC and WFDC was scheduled for the 29th of August to discuss the outcomes of this work. Separately from the meeting WFDC advised WCC that the meeting should be cancelled, and the additional work would not be needed for the beginning of the reps period, WFDC asked that the work is done for later in September.

As a result of this BDC officers are now in a position whereby we consider the evidence base which has been published to support the 2019 Wyre Forest Local Plan Pre-Submission Publication

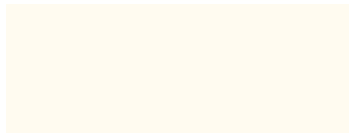
Agenda Item 14a

document is currently incomplete. Therefore the ability of the Council to respond fully in this representation period is severely hampered by all the relevant evidence not being available to inform our response for the full 6 weeks of available time. This position is one which will also affect other stakeholders in the LPR process such as the Parish Councils within Bromsgrove.

We would be grateful if WFDC could confirm that further documents are to be published in relation to this representations period, and what actions will be taken to allow BDC and other stakeholders to make fully informed representation on the LPR.

We would be grateful if you could respond by the 17th September 2019

Yours sincerely



Ruth Bamford
Head of Planning and Regeneration
Bromsgrove District Council

CC Bromsgrove District Parish Councils

Appendix 6



Transport Demand in the Hagley Area January 2020

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1. Introduction

- 1.1 The village of Hagley is in the Bromsgrove District of Worcestershire, in the very north of the County, close to the boundary with the West Midlands Conurbation (specifically Dudley Metropolitan Borough Council area).
- 1.2 The A456 passes through Hagley village, linking the Wyre Forest and a wide, dispersed rural population to the west with the West Midlands Conurbation and the motorway network (M5, Junction 3) to the east, with connections to the M6 and the rest of the national motorway network. The A491 intersects this corridor from north to south, connecting Dudley to the north with M5 Junction 4 to the south, with onward connections to the M42 (for Birmingham Airport/NEC), London and the South East (via the M40) and Bristol and the South West (via the M5 south)
- 1.3 A map of the local highway network in the Hagley area is provided below in Figure 1.

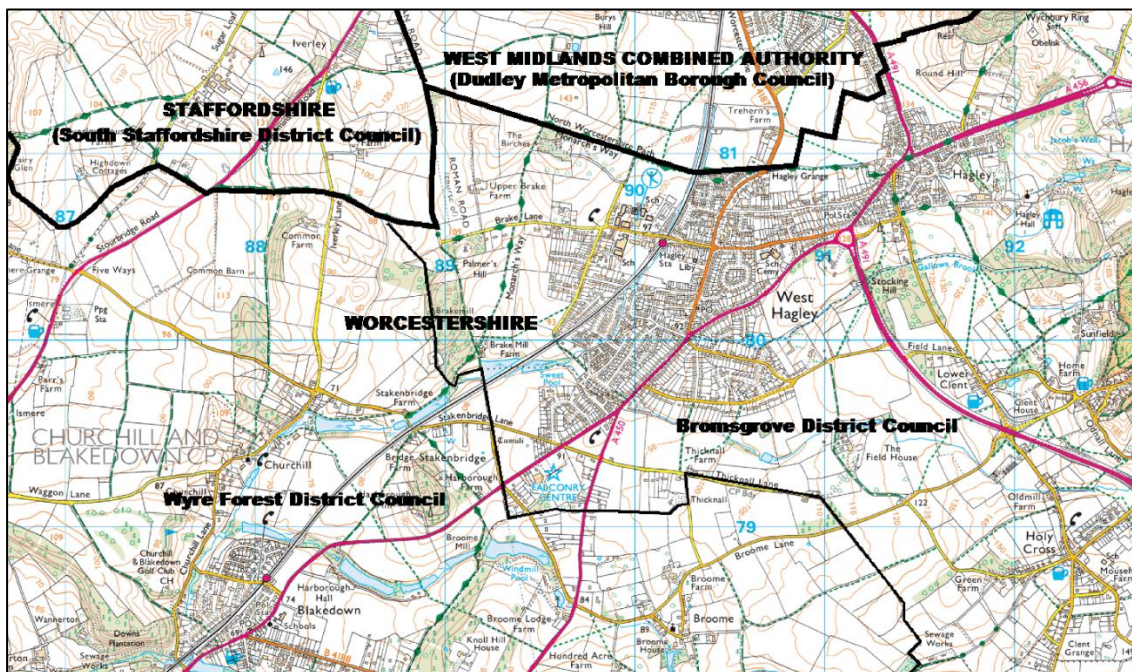


FIGURE 1 – MAP OF HAGLEY VILLAGE AND THE LOCAL HIGHWAY NETWORK

- 1.4 As such, Hagley village’s highway network is at the crossroads of two nationally significant transport corridors. It is perhaps unsurprising that both routes have been proposed for inclusion in the Government’s proposed Major Roads Network, which is aimed to complement the Strategic Road Network as roads which carry a high proportion of traffic with a national economic significance.

2. Census 2011 Travel Demand Analysis for the A456 Corridor

- 2.1 Evidence suggests that the A456 is the principal route between the Wyre Forest Towns and the M5 (either northbound via Junction 3/A456) or southbound via Junction 4/A491), which is logical, given the access opportunities that this route provides to the Birmingham Box (M5/M6/M42), Birmingham Airport, the NEC and wider UK destinations.
- 2.2 Alternative access routes to the motorway network from the Wyre Forest Towns include the A449 (southbound for M5 Junction 6), A448 (eastbound via Bromsgrove for M42, Junction 1) and A442 (south bound for M5 Junction 5). Some traffic also rat-runs through Belbroughton using the B4188 to bypass Hagley, although as this report focuses specifically on the A456, these routes will not be considered in any further detail in this report.
- 2.3 In 2011, the A456 through Hagley carried 31,852 vehicles per day¹ (Annual Average Daily Traffic or AADT), of which:
- 25,495 were cars and taxis **(80%)**
 - 6,090 were LGVs/HGVs **(19%)**
 - 319 were buses, coaches, motorcycles and cycles **(1%)**
- 2.4 The Census of 2011, being the most recent data source from which to assess travel demand, identifies that the Wyre Forest was a relatively ‘contained’ economy. Specifically, a significant proportion of residents live and work within the District (see Tables 1 and 2, below).

DISTRICT OF RESIDENCE (ORIGIN)	Commuting to Wyre Forest District		DISTRICT OF WORK (DESTINATION)	Commuting from Wyre Forest District	
Bromsgrove	679	2%	Bromsgrove	1,186	3%
Redditch	221	1%	Redditch	478	1%
Wychavon	1,043	4%	Wychavon	3,377	9%
Wyre Forest	20,165	71%	Wyre Forest	20,165	56%
Worcester	774	3%	Worcester	2,387	7%
Malvern Hills	635	2%	Malvern Hills	717	2%
Birmingham	472	2%	Birmingham	2,318	6%
Dudley	1,924	7%	Dudley	2,473	7%
Solihull	98	0%	Solihull	277	1%
Sandwell	321	1%	Sandwell	902	2%
Stratford-on-Avon	38	0%	Stratford-on-Avon	104	0%
Walsall	118	0%	Walsall	138	0%
Coventry	23	0%	Coventry	93	0%
Wolverhampton	194	1%	Wolverhampton	395	1%
Warwick	18	0%	Warwick	116	0%
South Staffordshire	298	1%	South Staffordshire	221	1%
Shropshire	1,037	4%	Shropshire	638	2%
Herefordshire	114	0%	Herefordshire	120	0%
Tewkesbury	20	0%	Tewkesbury	80	0%
Cheltenham	23	0%	Cheltenham	48	0%
Gloucester	9	0%	Gloucester	37	0%
Rest of GB and NI	573	2%	Rest of GB and NI	1,415	4%
TOTALS	28,237		TOTALS	36,270	

TABLE 1 – NUMBERS OF WYRE FOREST EMPLOYMENT TRIPS BY ORIGIN AND DESTINATION (CENSUS 2011)

¹ <https://roadtraffic.dft.gov.uk/manualcountpoints/47847>

TWO WAY FLOWS	Commuting to or from the Wyre Forest District		Commuter Routes to/from Wyre Forest District and Direction of Travel
Bromsgrove	1,865	3%	A448 (East), A456 (North East)
Redditch	699	1%	A456 (North East), A448 (East)
Wychavon	4,420	7%	A449 (South), A442 (South East), Rail (South - 1% of trips)
Wyre Forest	40,330	61%	Internal
Worcester	3,161	5%	A449 (South), Rail (South - 5% of trips)
Malvern Hills	1,352	2%	A451 (South West), A456 (West), A449 (South), Rail (South - 2% of trips)
Birmingham	2,790	4%	A456 (North East), Rail (North East - 22% of trips)
Dudley	4,397	7%	A451 (North East), A449 (North East), A456 (North East)
Solihull	375	1%	A456 (North East), Rail (North East - 10% of trips)
Sandwell	1,223	2%	A456 (North East), A449 (North), Rail (North East - 5% of trips)
Stratford-on-Avon	142	0%	A456 (North East)
Walsall	256	0%	A456 (North East)
Coventry	116	0%	A456 (North East)
Wolverhampton	589	1%	A449 (North), A456 (North East)
Warwick	134	0%	A456 (North East)
South Staffordshire	519	1%	A449 (North)
Shropshire	1,675	3%	A442 (North), A449 (North)
Herefordshire	234	0%	A456 (West), A451 (South West)
Tewkesbury	100	0%	A449 (South)
Cheltenham	71	0%	A449 (South)
Gloucester	46	0%	A449 (South)
Rest of GB and NI	1,988	3%	Various
TOTALS	66,482		

TABLE 2 – NUMBERS OF EMPLOYMENT JOURNEYS TO AND FROM WYRE FOREST ORIGINS AND DESTINATIONS BY TRANSPORT CORRIDOR (CENSUS 2011)

- 2.5 The data contained in Table 2 above includes a number of assumptions about transport corridors used by employment trips to and from the Wyre Forest District. Included in the table above is the known mode share for rail (drawn from Census 2011 data).
- 2.6 From the information set out in Tables 1 and 2, when rail journeys are accounted for, it is estimated that the Wyre Forest generates between 5,500 and 6,000 employment trips which will route via the A456 through Hagley; or approximately 18% of total traffic flow.
- 2.7 Since 2011, the Wyre Forest has seen an uplift in regeneration of former derelict employment and residential sites, particularly around the former British Sugar site at Hoobrook and at Churchfields, but travel flows appear to have remained largely static since that time.
- 2.8 As identified earlier, the area immediately to the west of the Wyre Forest Towns and beyond is 'deep rural' in nature, with sparsely distributed settlements. For residents of this (geographically significant) area, the A456 is the natural corridor of choice to access the West Midlands and the Motorway network. Figure 2 below attempts to illustrate this concept of the (much) wider catchment of the A456, beyond the Wyre Forest District.

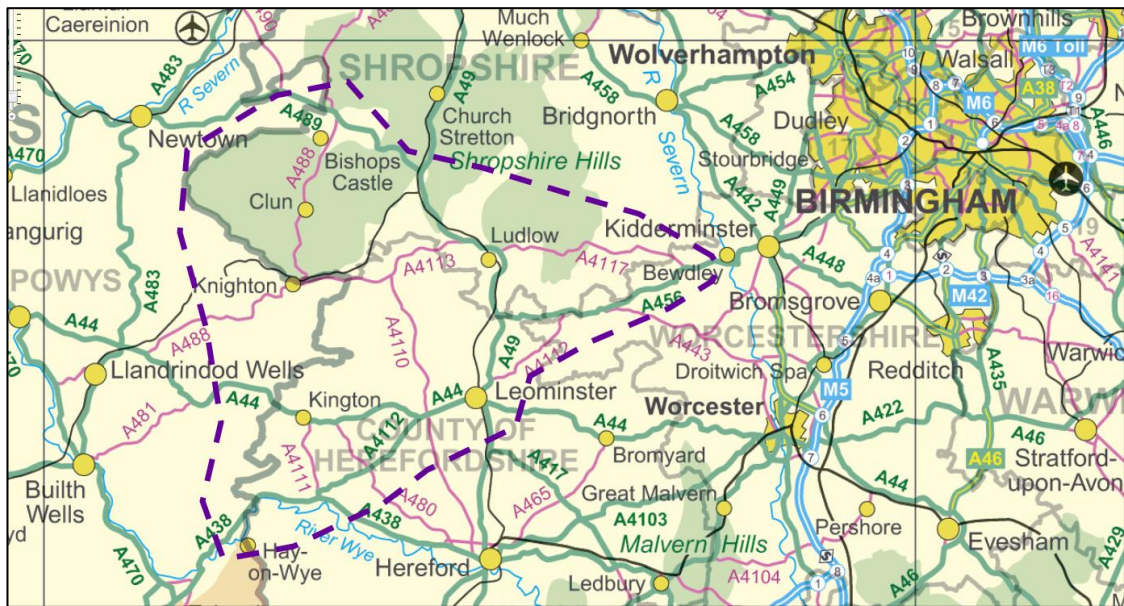


FIGURE 2 – MAP OF ASSUMED WIDER CATCHMENT OF THE A456 TRANSPORT CORRIDOR

- 2.9 The loss of much of the rural rail network in the Marches as part of the Beeching cuts means that for many residents of the area identified in Figure 2 above, driving represents the only realistic option for accessing the West Midlands Conurbation from this area. For residents of this area, the nearest rail heads offering direct access into the West Midlands Conurbation are Shrewsbury to the north, or Hereford/Ledbury to the south. To access these, a train must be taken from Ludlow (nearest railhead) to either Hereford or Shrewsbury, or users must drive to access this mode. The trip attraction of this area for employment purposes is low (particularly for higher paid professional work) so it is reasonable to assume that any growth in demand in this wider area with destinations in the West Midlands Conurbation will disproportionately affect demand to travel experienced on the A456 passing through Hagley. There is comparatively little development growth proposed in South Shropshire/North Herefordshire area, but the lure of higher paid employment in the West Midlands Conurbation may continue to stimulate increased demand to travel over time. Census data suggests that over 1,450 trips are made each day, by car, from this wider area to destinations in the West Midlands Conurbation to access employment alone. It is reasonable to assume that a significant additional volume of traffic will also be using this corridor for other purposes, including tourist traffic and business-related journeys.
- 2.10 The recently adopted West Midlands Rail Investment Strategy (2018 – 2047) proposes a new railway station to be opened at the West Midlands Safari Park, making use of the Severn Valley Railway heritage railway line. Should a suitably positive business case be identified, this could offer an opportunity to pursue significant modal transfer from road to rail for strategic trips into the West Midlands Conurbation and beyond for the rural areas to the west of the Wye Forest District.

3. Duty to Cooperate Meetings

- 3.1 Worcestershire County Council has held formal Duty to Cooperate Meetings with Dudley Metropolitan Borough Council and South Staffordshire District Council, to understand the likely impacts that forecast growth in these areas may have on Worcestershire.

South Staffordshire District Council

- 3.2 Negligible growth is proposed in the southern part of South Staffordshire (which adjoins Worcestershire). As such, no impacts are expected on Worcestershire's transport networks.

Dudley Metropolitan Borough Council

- 3.3 It was identified that significant growth is proposed in the Black Country area, as set out in the Black Country Core Strategy. There are two significant housing growth corridors which have relevance: the Dudley / Brierley Hill/ Stourbridge corridor and the Brierley Hill / Stourbridge corridor. This growth is expected to place further demand on the A456 east of Hagley (within Dudley Metropolitan Borough Council's boundary) which may impact upon Worcestershire's transport networks.
- 3.4 A highway improvement scheme is due to be implemented in the near future at the Grange Roundabout (junction of A456, A459 and B4551), although this improvement scheme has been designed to cater exclusively for existing demand. It will not cater for forecast demand growth.
- 3.5 Dudley Metropolitan Borough Council's adopted transport strategy focusses investment on significant improvement of local public transport networks, to mitigate demand generated by development growth.
- 3.6 Station car parks within the West Midlands Conurbation are currently free to use, but the West Midlands Combined Authority are proposing to implement a charging regime in the near future, to discourage car-based access to rail services in line with adopted policy. It is expected that this will result in car parking charges becoming consistent across the local area. Further, it is suggested that this could displace demand currently travelling into the conurbation from Worcestershire and further afield which currently takes advantage of this. This would have the effect of making car park charges levied at Blakedown and Kidderminster Stations consistent with those in the West Midlands Conurbation.
- 3.7 Colleagues at Dudley Metropolitan Borough Council were strongly supportive of Worcestershire County Council's proposal to build a large 'rail and ride' facility at Blakedown, as this will complement their adopted transport strategy to pursue modal shift to passenger transport, before trips enter the Conurbation.

Shropshire Council

- 3.8 The Shropshire Development Plan (2015), places development focus on existing urban areas. In the context of this plan, the settlement of Bridgnorth is the closest to Worcestershire, with only 1,400 dwellings proposed for development within the plan period. There are no significant transport infrastructure or service investments proposed in the local area.
- 3.9 A Preferred Options Consultation for Strategic Sites (2019) proposes four strategic sites for major development:
- An area of search in land to the north of M54, Junction 3;
 - Market Drayton (the former Clive Barracks) 750 new dwellings beyond 2026;

- Iron Bridge (the former power stations) 1000 new dwellings beyond 2022/3;
- RAF Cosford, with a focus on further military, tourist and defence industry redevelopment.

3.10 As all of these sites are remote from Worcestershire, it was decided that a Duty to Cooperate meeting was not required with Shropshire Council, as proposed development growth would have no significant impact on Worcestershire's transport networks.

4. Strategic Highway Capacity Enhancement Proposals

- 4.1 Midlands Connect published the Midlands Connect Strategy in March 2017. This document proposed the need for a Western Strategic Route, completing the motorway ring around the West Midlands Conurbation. Following this, Midlands Connect published a Long-Term Midlands Motorway Hub Study in partnership with Highways England, which promotes the need for this route.
- 4.2 If constructed, this route would provide a *de facto* bypass of Hagley, however, it should be noted that development of business cases to construct new motorways is notoriously complex, resulting in long lead-in times. Subject to a suitable business case being developed, it could be decades before any scheme is delivered and benefits realised. For this reason, it is suggested that the Western Strategic Route should not be considered within this context until such a point that a suitable, funded business case has been identified, together with an agreed programme for delivery.

5. Modelling of the Transport Demand Impacts of Proposed Growth in Wyre Forest District

- 5.1 The Wyre Forest Transport Model (WFTM), developed in VISUM, was used to test the likely impacts of forecast development growth in the Wyre Forest, in terms of its distribution across transport networks, and in particular on the A456 corridor in the Hagley area, for a 2036 forecast year.
- 5.2 The 2036 WFTM was run both with Wyre Forest Local Plan allocations traffic (WithLP) and without local plan traffic (WithoutLP). Figure 3 to Figure 6 show difference plots between the WithLP and WithoutLP scenarios for the 2036 AM and PM peaks. The flow differences depict the impact of increased demand due to the local plan allocations as well as the re-routing effects across the modelled transport networks; with significant changes around the Wyre Forest as traffic redistributes along various routes to avoid more congested parts of the network.
- 5.3 Similarly, traffic that passes through Hagley also re-routes due to Wyre Forest Local Plan associated traffic passing through the town. The net impact of change in traffic in Hagley from various directions (A450, A456 west and east, A491 north and south, B4187 etc) is an increase of 43 vehicles inbound and 25 vehicles outbound in the 2036 AM peak hour. The corresponding values for the 2036 PM peak hour are an increase of 52 vehicles in the inbound direction and a decrease of 37 vehicles in the outbound direction. These changes are relatively low due to capacity constraints at junctions in Hagley leading to vehicles choosing alternative routes.
- 5.4 Further analysis was undertaken of the demand from the Wyre Forest Local Plan allocations that pass through Hagley. In the 2036 AM peak, the local plan developments in Wyre Forest generate 2,808 trips in total. It was calculated that 234 (8.3%) of these trips interact with the Hagley network either passing through to other destinations or with one trip end in Hagley.
- 5.5 Similarly, in the 2036 PM peak, the Wyre Forest Local Plan developments in Wyre Forest generate 2,408 trips in total of which 191 (7.9%) trips interact with the Hagley network either passing through or with one trip end in Hagley.
- 5.6 Base total highway demand with origins or destinations in the Wyre Forest District accounts for 5.6% (AM) and 6.3% (PM) of trips passing through Hagley.

FIGURE 3: GRAPHIC REPRESENTATION OF THE IMPACT OF LOCAL PLAN DEVELOPMENT TRAFFIC– 2036 AM (WITH LOCAL PLAN MINUS WITHOUT LOCAL PLAN)

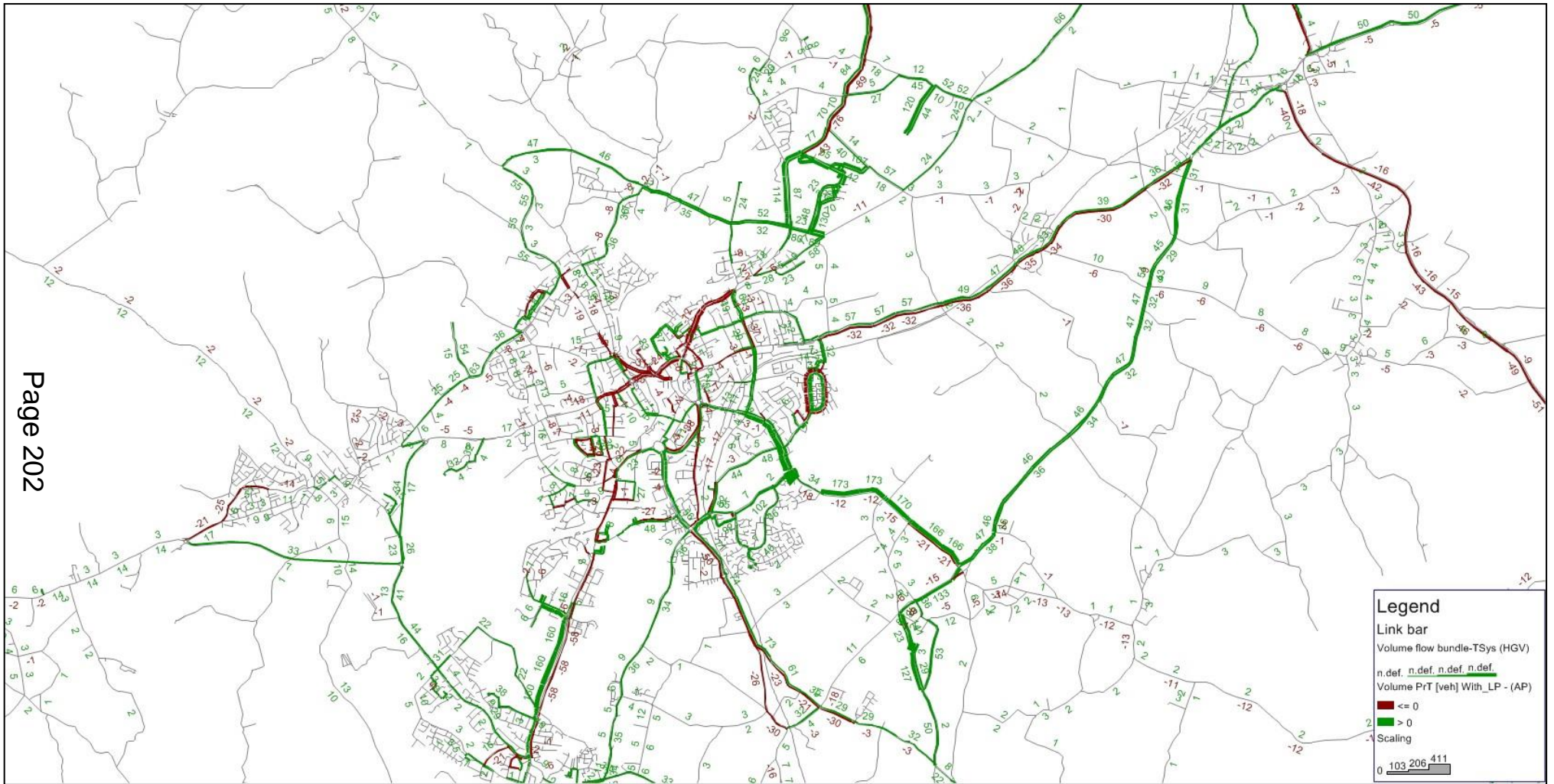
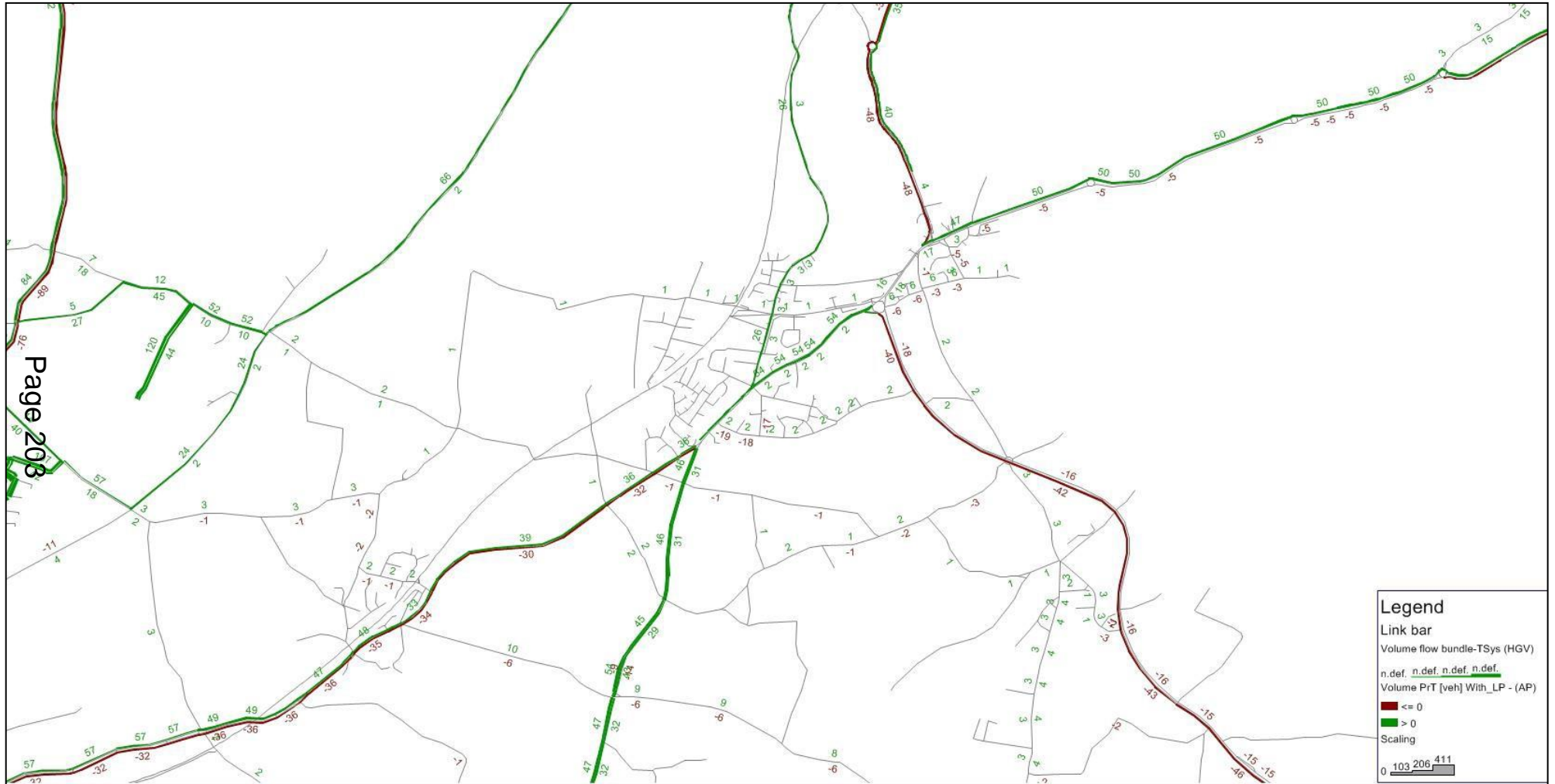


FIGURE 4: GRAPHIC REPRESENTATION OF THE IMPACT OF WYRE FOREST LOCAL PLAN DEVELOPMENT TRAFFIC IN HAGLEY – 2036 AM (WITH LOCAL PLAN MINUS WITHOUT LOCAL PLAN)



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FIGURE 5: GRAPHIC REPRESENTATION OF THE IMPACT OF LOCAL PLAN DEVELOPMENT TRAFFIC— 2036 PM (WITH LOCAL PLAN MINUS WITHOUT LOCAL PLAN)

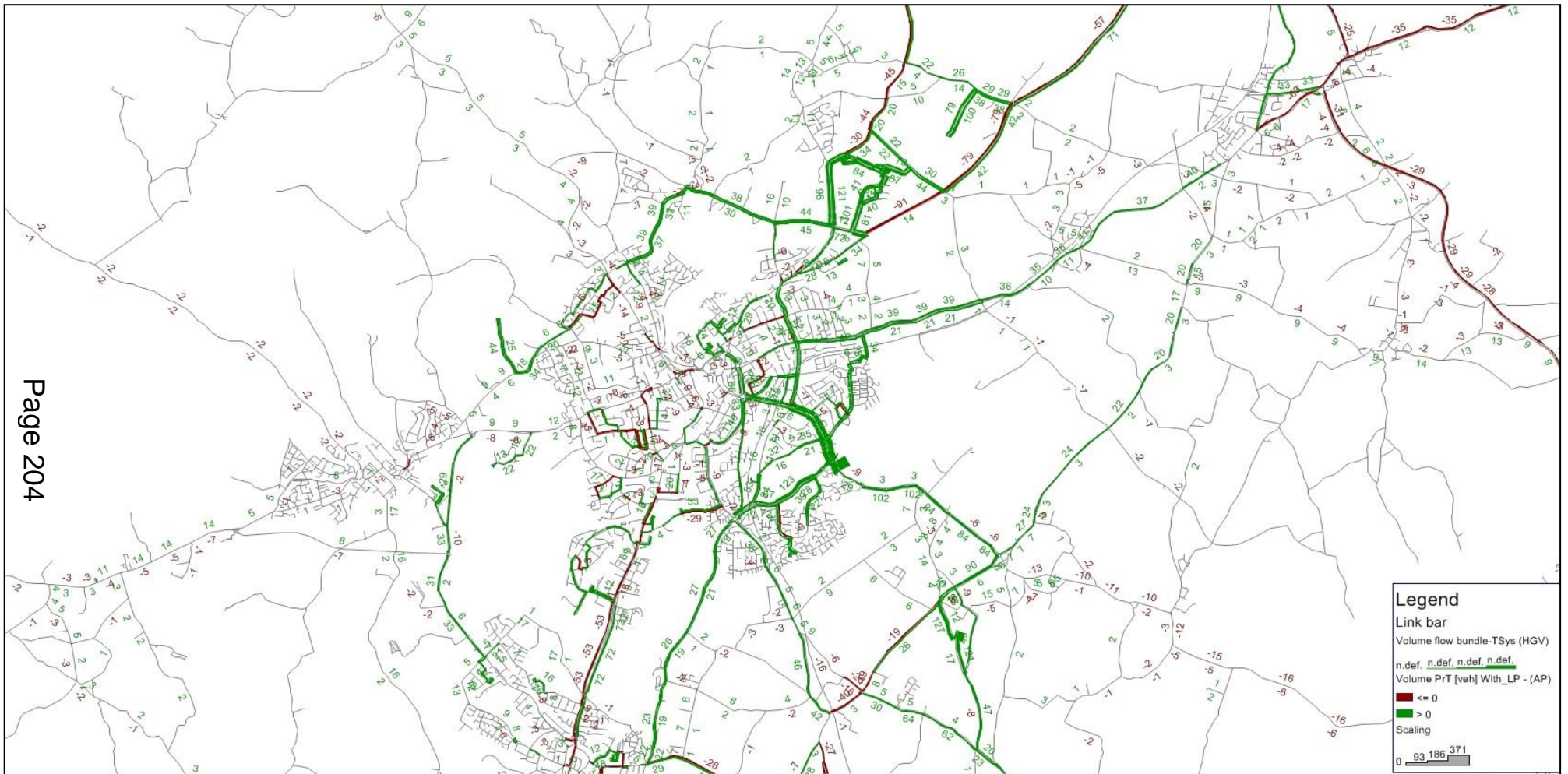
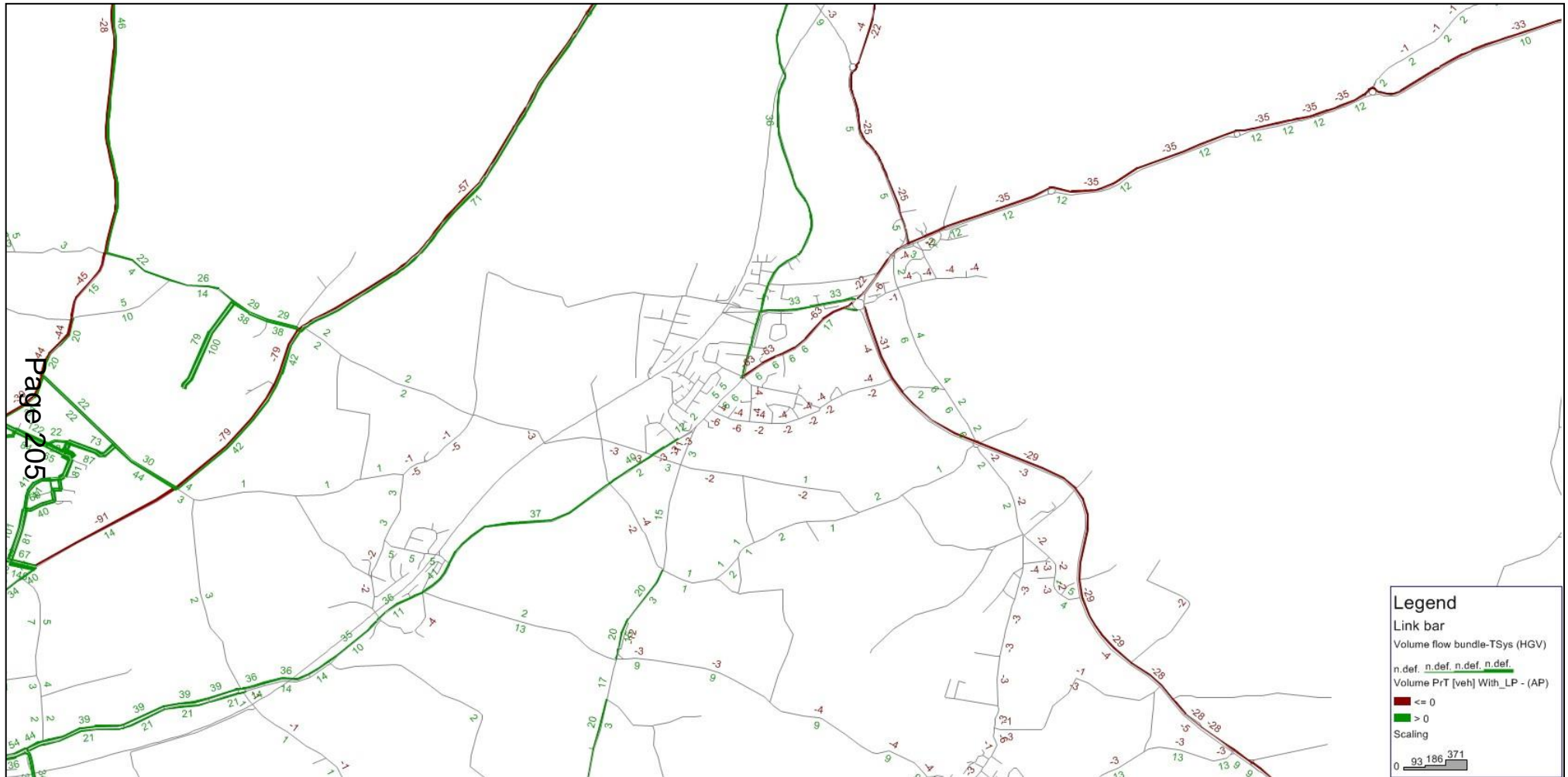


FIGURE 6: GRAPHIC REPRESENTATION OF THE IMPACT OF WYRE FOREST LOCAL PLAN DEVELOPMENT TRAFFIC IN HAGLEY – 2036 PM (WITH LOCAL PLAN MINUS WITHOUT LOCAL PLAN)



- 5.7 Table 3 shows the total number of trips generated by proposed Wyre Forest Local Plan developments in the Wyre Forest area in the 2036 AM and PM peaks, together with the number of trips that are forecast to route through Hagley.

	Total Wyre Forest Local Plan Trips	Wyre Forest Local Plan Trips using A456 through Hagley
2036 AM Peak	2,808	234 (8.3%)
2036 PM Peak	2,408	191 (7.9%)

TABLE 3: LOCAL PLAN TRIPS SUMMARY

- 5.8 In the AM peak, 234 of the 2,808 Wyre Forest Local Plan trips travel through Hagley which is equivalent to just 8.3%. In the PM peak, 191 of the 2,408 local plan trips pass through Hagley, accounting for 7.9% of Wyre Forest Local Plan trips.

6. Worcestershire County Council’s Demand Management Approach for the A456 Corridor

- 6.1 The significant peak time congestion which is experienced in both Kidderminster Town Centre (northern ring road) and Hagley village is likely to be acting to suppress demand on the A456 corridor. Some journeys that might have otherwise been made by car on this route may take too long or be too unreliable because of peak time congestion, which may force some people to use other routes, other modes or avoid travelling altogether.
- 6.2 The evidence included within this report suggests that forecast travel demand on the A456 arising from the Wyre Forest Local Plan will be limited. As long as proposed investment is prioritised to enhance rail infrastructure, services and facilities within the Wyre Forest District, it is reasonable to assume that this will mitigate this forecast growth in demand. In turn, it would be unreasonable to expect the Wyre Forest Local Plan to contribute to more strategic highway capacity improvements on the A456 corridor beyond the District’s administrative boundary.
- 6.3 It is also important to recognise that national mobility trends are anticipated to undergo significant change. This, together with continued growth in home and flexible working patterns is forecast to result in a gradual decline in travel demand, as transport networks become increasingly efficient and telecommunications access and speed improves.
- 6.4 In the wider area, the draft Birmingham Transport Plan (January 2020) www.birmingham.gov.uk/info/20013/roads_travel_and_parking/2032/draft_birmingham_transport_plan represents a marked change in local approach to transport planning, with a strong focus on demand management to discourage single-occupancy car use. Undoubtedly, this will, impact on commuting patterns into the conurbation from the Wyre Forest if adopted, and if other Local Authorities follow suit.
- 6.5 Any proposal to tackle congestion by providing additional highway capacity on this corridor (such as a bypass of Hagley) would make driving on this corridor much more attractive by improving journey times and journey time reliability. In turn, this would act to release suppressed demand, resulting in an overall uplift in traffic using the corridor, which would result

in either maintaining the current status quo, or worse, a net deterioration in corridor efficiency, with linked increases in local emissions of carbon and nitrogen dioxide and deteriorated air quality.

- 6.6 In recognition of this, Worcestershire County Council's demand mitigation strategy for the A456 corridor centres on focussing investment at Blakedown Station expansion to provide strategic rail-based park and ride facilities and investing in improvements at Kidderminster station and station travel plans to support growth, in line with the sustainable development principles of the National Planning Policy Framework. Together, these stations will provide genuinely attractive travel alternatives for a significant percentage of trips using this corridor, mitigating the impacts of demand growth on the busy A456. When station car park charges come forward at stations within the West Midlands Conurbation in future, this is expected to result in a net uplift in demand to use stations in Worcestershire.
- 6.7 This approach is widely supported by National and Local Policy and best practice, including the National Planning Policy Framework (NPPF), balancing demand and making best use of existing transport infrastructure to accommodate travel demand generated by planned development growth. In line with the guidance set out in the NPPF, a bypass for Hagley will be considered only after investment has been made to exhaust alternative travel options. In the specific case of the A456, this means investment in rail infrastructure and services to enable this mode to accommodate a much greater mode share of generated trips.

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Technical Note

Project:	Bromsgrove District Council – Transport Planning Advice		
Our reference:	378295/085/A Draft	Your reference:	-
Prepared by:	Fred Jones	Date:	18 March 2020
Approved by:	Tony Sheach	Checked by:	Phil Old/Oliver Hague
Subject:	Wyre Forest Local Plan Review – Transport Evidence		

1 Introduction

Mott MacDonald (MM) have been commissioned by Bromsgrove District Council (BDC) to undertake a high-level review of a series of documents in support of the Wyre Forest Local Plan Review, presented initially in the form of the “Wyre Forest Local Plan Review – Transport Evidence” dated June 2019.

Since this initial set of documents, MM has now additionally reviewed the following documents which have been supplied in order to ascertain whether any of the previous comments have been addressed by additional work:

- Worcestershire County Council (WCC) Transport Demand in the Hagley Area (TDHA) (January 2020);
- WFDC Infrastructure Delivery Plan (June 2019);
- A450 Corridor Enhancement Report (June 2019); and
- Blakedown Station Car Park Options (June 2019).

Comments from MM’s review of these 5 documents in response to questions from BDC is set out below in Section 2.

The WCC report “*Transport Demand in the Hagley Area*” was not available during the first review and therefore has now been considered with some preliminary findings from MM set out in Section 3.

This document is issued for the party which commissioned it and for specific purposes connected with the above-captioned project only. It should not be relied upon by any other party or used for any other purpose.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, or containing any error or omission which is due to an error or omission in data supplied to us by other parties.

This document contains confidential information and proprietary intellectual property. It should not be shown to other parties without consent from us and from the party which commissioned it.

2 BDC Questions and Observations

BDC set out a series of observations in the form of questions to MM, initially on the Wyre Forest Local Plan Review – Transport Evidence” dated June 2019 and subsequently on the four documents noted in bullet point above. This section provides commentary based on both our initial response to BDC and as updated by the consideration of the four documents noted above.

1. Is it possible to tell from the information provided if the WFTM is fit for purpose it is being used for ie, supporting the WFDC plan review?

The information provided to date does not give any comfort on the models fitness for purpose to be used in support of the WFTM Local Plan Review and therefore, in the absence of the usual suite of documentation MM cannot consider the model suitable for this use.

The ‘Wyre Forest Local Plan Review – Transport Evidence’ report does consider WebTAG (without stating what this is) and Present Year Validation but essentially concludes that, as this is an early assessment, the model does not need to be WebTAG compliant. MM would argue that whilst WebTAG compliance is not necessary at this stage in order that assessments are proportionate, some form of robust validation exercise should have been undertaken even at this early stage so as to give some degree of confidence that the WFTM is broadly representative of current conditions. In most circumstances if a reasonable validation can be demonstrated then for early and proportionate assessments a model can be considered ‘fit for purpose’ and therefore that the results can be relied upon.

In order to determine if the model is fit for purpose, we recommend a review of the WFTM Model Validation Report (MVR) and any details on a present year validation if this was undertaken and any data collection report for all data used in the WFTM. With this additional information, it should be possible to make a reasonable assessment as to model suitability for the task, based on government guidance (with sources from ‘Transport evidence bases in plan making and decision making’, ‘Travel Plans, Transport Assessments and Statements’ and TAG).

It is also worth noting that in Section 4.3 of the “Wyre Forest Local Plan Review – Transport Evidence” document, it is stated that the WFTM can be used for non-major schemes. Therefore, it should be acknowledged that no major schemes should be evaluated using the WFTM. TAG Unit M2 states “Schemes with a capital cost of less than £5 million can generally be considered as modest”, ie that schemes with a capital cost in excess of £5million can be considered as major. The purpose to which the WFTM is applied should be considered against this guidance.

In addition, it is difficult to determine from the documentation received at what stages a Variable Demand Model was run. It would be beneficial to know if a VDM was run for the 2036 ‘with’ and ‘without’ scenarios to assess if there are any shifts towards public transport, which would have the effect of reducing the number of highway trips and therefore the have any bearing on the case for a highway scheme.

Finally, and on fitness for purpose, the “Transport Demand in the Hagley Area” (TDHA) report does not go into any detail about how the model was developed and, only figures based on the outputs from the model are provided. Therefore, the TDHA report does nothing to address concerns with the WFTM being fit for purpose.

2. Whilst the model appears to demonstrate that there is a forecast increase in traffic in Hagley area by 2036 is it possible to understand what that increase will be relative to today’s levels, the same goes for flows into Bromsgrove?

From the information provided there is no way to see what the quanta of increase would be over the current 'baseline' level. In addition, the model has not been validated against current traffic conditions so any change in flow shown is unlikely to be accurate.

The TDHA report also does not provide a comparison between the 2011 and 2036 models. It does provide 2011 data, but this is observed data from the 2011 census and not from the WFTM and therefore has a completely different basis. There is therefore no credible baseline for comparative purposes. The THDA report does provide flow differences between the 'with' and 'without' Local Plan scenarios, but again this is just for the 2036 scenario and not for any other model years and therefore the magnitude of change over the baseline is unknown.

Without knowing that the 2011 base model is 'fit for purpose' and can be demonstrated to represent current travel patterns and therefore demand at even an 'in principle' level, MM cannot have confidence in the forecasts provided by the future year models and none of the other reports reviewed offered any information on the increases forecast by the model between 2011 and 2036.

The MVR and details on a present year validation would be beneficial in determining the order of change between the base and forecast years and if the routing in the model reflects actual travel patterns.

Additionally, an uncertainty log and Model Forecasting Report should be provided to determine how the 2036 model was created and so that significant assumptions and risks can be understood.

3. It's not possible to understand which sites have an impact on which locations

Forecast Scenarios that clearly show the true impact of the local plan allocation sites should be developed. If so, this would enable you to clearly see what the impacts are and why particular mitigation has been developed and whether it is suitable to mitigate the impacts of the Local Plan.

If the local plan allocations have been input to WFTM correctly each site would have one or more zones within the model. The major developments could then be selected, and numeric/graphical outputs could be provided to show the quanta associated with each development and allow some sort of sense checking and an initial assessment of the impact of individual development sites on the transport network. As a minimum, this should be done for major sites however smaller sites adjacent to known hotspots where a smaller impact could have a significant effect should also be considered.

Within the TDHA report, flow difference plots are provided between the 'with' and 'without' Local Plan scenarios. However according to the legend, these plots show the flow difference in HGVs and not all vehicles, this should be clarified.

The report also provides figures on the amount of local plan traffic passing through Hagley. However, this does not indicate which developments are the cause of this increase in traffic. Additionally, the amount of local plan traffic that is forecast appears to be significantly different to the forecast increases in traffic flow. Therefore, further information is required to determine the level and individual causes of traffic re-routing and if the routes to Hagley are well represented within the WFTM.

MM recommend that information is provided individually for the larger development sites, so the distribution of trips and subsequent routing is transparent and in order that the impacts of the traffic generated by development sites, on highway network performance, are visible. We recommend obtaining Select Zone Analysis for each of the development zones, with a list of which developments are within that zone and how many trips they are producing. This should be provided alongside flow difference plots showing all vehicles and not just HGVs.

It should be noted that Figures 3 to 6 in the TDHA report show some significant increases in HGV levels, which we believe requires further investigation. To understand this better, the number of HGV trips being generated by each of the developments should be clearly identified.

The 'A450 Corridor Enhancement' report provides some information about the Stone Hill North Development traffic, but it is minimal and is only for this one site. None of the other reports reviewed included information about development site impacts.

4. Some of the routes which are modelled do not extend far enough to Bromsgrove or Hagley so we can only assume journey time increases to these locations

Figure 1 shows the model area. The model area is split into two sectors: Worcestershire and Wyre Forest. It is not clear from the report how detailed the Worcestershire sector is within the model, but the link flow diagrams shown in Figure's 5 and 6 do show traffic flows within Hagley and Bromsgrove on the major highway links. Based on BDCs concerns with the Wyre Forest Local Plan, it is recommended that the report should clearly show the impacts of the site allocations through Bromsgrove.

The TDHA report does not provide any information about journey times in the WFTM, nor do the other reports reviewed and reported in this note. In order to determine journey time impacts, more information than is provided in any of the reports is required.

The Transport Evidence document provides 2036 journey times for selected routes but does not provide a comparison with the 'without local plan' scenario, the 2011 model or observed journey times. Data for each of these scenarios should be provided.

Journey time graphs are provided in the appendices, but these show 'Obs Base', 'Mod Base' and 'SC6'. It is unclear what year these journey time routes are for and what 'SC6' represents.

Clearer journey time analysis is required before any credible conclusions can be drawn, with time against distance graphs showing journey times for:

- Observed 2011/revalidated year;
- Base model/revalidated model;
- 2036 without local plan; and
- 2036 with local plan.

5. There appears to be no mitigation modelled at any stage so we don't know if individually or cumulatively the mitigation will have any chance of solving the issues identified or whether it creates more problems than it solves.

From the information supplied MM concur with this view and the extent of any mitigation is not clear.

The assessment should be undertaken with a number of assessment scenarios, which could include:

- 2011 Base Year (validated to current traffic conditions)
- 2036 Reference Case (committed development only)
- 2036 Do Minimum (with land allocations and immediate access onto the highway network)
- 2036 Do Something with mitigation (or even a number of cumulative assessments for the larger development sites)

These scenarios would provide a much clearer picture of changes in traffic flows and congestion and would allow mitigation measures to be evidenced appropriately and provide some confidence that solutions are available.

Further testing on deliverability of major improvements is needed in order to give confidence that significant improvement schemes identified as mitigation have a good chance of realisation.

The TDHA report does not provide evidence of any mitigation being modelled within the WFTM. Whilst it does provide a '2036 Reference Case' and '2036 Do Minimum' as suggested above, there is still no '2036 Do Something with mitigation' option.

The TDHA does state that "a bypass for Hagley will be considered only after investment has been made to exhaust alternative travel options. In the specific case of the A456, this means investment in rail infrastructure and services to enable this mode to accommodate a much greater mode share of generated trips". This implies that measures to reduce highway demand before assessing mitigation are to be considered, however these measures are not identified.

Our overall conclusion is that the "Wyre Forest Local Plan Review – Transport Evidence" report dated June 2019 is short on evidence and contains several inconsistencies regarding the justification of the use of WebTAG principles.

There are a number of issues identified in the report, including:

1. Lack of validation of the 2011 base year to current traffic conditions. The report mentions Present Year Validation but does not undertake this assessment to determine the suitability of the WFTM.
2. Only one forecast scenario year. Changes in traffic flows cannot be determined.
3. Lack of analysis on the impacts on key routes within Bromsgrove.
4. Does not clearly state how the mitigation measures have been developed and on what basis.
5. There is data presented in the report that is either incomplete or does not provide a clear purpose (see Table 5)

After a review of the TDHA report and other reports listed above, we further conclude that:

6. There is still a lack of evidence of the validation of the 2011 base year to current traffic conditions and there is no further detail about the suitability of the WFTM to assess the Wyre Forest Local Plan.
7. Whilst information on forecast year scenarios 'with' and 'without' the Local Plan is provided, changes in traffic flows relative to the base year cannot be determined.
8. There is no further analysis on the impacts on key routes within Bromsgrove.
9. The analysis within the TDHA report for Hagley is sparse.
10. No further clarity has been provided on how the proposed mitigation measures have been developed and there is no WFTM scenario in which they are included.

In order to better assess the WFTM and therefore the implications of the modelled results, we recommend obtaining and reviewing the following information from or related to the WFTM:

- Model Validation Report;
- Details on a present year validation, if this was undertaken (and if not initiate this exercise);
- Data Collection Report;
- Evidence to show at which stages a VDM run was undertaken;
- Uncertainty Log;
- Model Forecasting Report;
- Select Zone Analysis with details about which developments correspond to model zones and the number of trips generated for each development;
- Flow difference plots between the 'with' and 'without' local plan scenarios that show total traffic flow; and
- Journey time analysis.

Following consideration of the above MM will be able to give a properly informed view on the suitability of the WFTM for the purpose of the assessments required and an opinion on any analysis prepared to support the Local Plan Review in the context of issues raised by BDC.

3 Review of the Transport Demand in the Hagley Area Report

Section 5 of the 'Transport Demand in the Hagley Area' (TDHA) report focusses on the modelled impacts of the Wyre Forest Local Plan in Hagley. It sets out that work has been undertaken to analyse the forecast change in traffic flow in Hagley (in 2036) through 'with' and 'without' Local Plan scenarios in the WFTM.

The report does not set out the differences between the 'with' and 'without' scenarios. Therefore, it is not possible to determine where growth has been assumed and the extent to which growth is constrained to NTEM. This applies to both the 'Without Local Plan' and 'With Local Plan' scenarios. The report should be clear on how development trips have been dealt with both generally and in relation to NTEM growth, i.e. is growth constrained to NTEM forecasts at all?

A very small increase in trips through Hagley, 68 in the AM and 69 in the PM, is reported. In both peaks, the increase in inbound trips (inbound to Hagley) is higher than outbound, but it is not clear how 'inbound' has been defined, so we are not sure what the significance of this is. The flow increases shown in Figures 3 to 6 show values for HGVs and therefore the flow differences for all vehicles cannot be sense checked or compared to the stated flow increases (i.e. the numbers in the text of the report).

Even though there is a small forecast increase in traffic flow, there are 234 trips, from the development assumed in the local plan, in the AM and 191 in the PM that 'passes through Hagley' according to the report. It is not clear in the report how these 234 and 191 trips were calculated. These numbers are significantly different to the flow increases stated in Section 5.3. The report states that this is because of capacity constraints at junctions in Hagley, causing re-routing to alternative routes. Again, it is not clear what 'capacity constraints at junctions in Hagley' means.

Due to the extent of the network provided and that only HGV values are illustrated in Figures 3 and 5, it is difficult to determine where the re-routing away from Hagley is forecast. Further information is required about the nature of the forecast re-routing. Additionally, there appears to be 'model noise' in Kidderminster, i.e. some parts of the model may not be converging. It is therefore recommended to obtain information about levels of model convergence for each year, time period and scenario.

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