



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE COUNCIL**

**WEDNESDAY 14TH JULY 2021**  
**AT 6.00 P.M.**

**THE RYLAND CENTRE, NEW ROAD, BROMSGROVE B60 2JS**

**MEMBERS:** 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, R. J. Hunter, R. E. Jenkins, H. J. Jones, A. D. Kent, J. E. King, A. D. Kriss, L. C. R. Mallett, K.J. May, M. Middleton, P. M. McDonald, S. A. Robinson, 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

### **AGENDA**

#### **WELCOME**

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 19th May 2021 (Pages 1 - 10)**

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**

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**

8. **Overview and Scrutiny Board's Annual Report 2020/21** (Pages 11 - 36)

9. **Audit, Standards and Governance Committee's Annual Report 2020/21**  
(Pages 37 - 58)

10. **Outside Body Appointments 2021/22** (Pages 59 - 64)

11. **Constitution Review Working Group Recommendation - Public speaking at Planning Committee in respect of Tree Preservation Orders (TPOs)**  
(Pages 65 - 74)

12. **Constitution Review Working Group - Membership Arrangements** (Pages 75 - 82)

13. **Burcot Lane Report** (Pages 83 - 86)

14. **Recommendations from the Cabinet** (to follow)

To consider the recommendations from the meeting(s) of the Cabinet held on 7<sup>th</sup> July 2021.

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

- (i) Local Development Scheme - Bromsgrove District Council (Pages 87 - 98)

16. **To note the minutes of the meeting of the Cabinet held on 7th July 2021**  
(to follow)

As the meeting of Cabinet due to be held on 7<sup>th</sup> July 2021 will be taking place after the agenda for the Council meeting has been published, the minutes of the Cabinet meeting will be published in a supplementary pack for consideration at Council.

17. **Questions on Notice** (Pages 99 - 100)

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

18. **Motions on Notice** (Pages 101 - 108)

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

19. **To consider any urgent business, details of which have been notified to the Head of Legal, Democratic and Property Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting**

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

6th July 2021

K. DICKS  
Chief Executive



**If you have any queries on this Agenda please contact  
Jess Bayley**

**Parkside, Market Street, Bromsgrove, B61 8DA  
Tel: (01527) 64252 Ext: 3268  
Email: [jess.bayley@bromsgroveandredditch.gov.uk](mailto:jess.bayley@bromsgroveandredditch.gov.uk)**

## **GUIDANCE ON FACE-TO-FACE MEETINGS**

**Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant social distancing arrangements for holding face-to-face meetings at a local authority.**

**Please note that this is a public meeting.**

### **GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON**

In advance of the Council meeting, Members are encouraged to consider taking a lateral flow test, which can be obtained for free from the NHS website. Should the test be positive for Covid-19 then the Member should not attend the Council meeting, should provide their apologies to the Democratic Services team and should self-isolate in accordance with national rules.

Members and officers are encouraged to wear face masks during the Council meeting, unless exempt. Face masks should only be removed temporarily if the Councillor / officer requires a sip of water and should be reapplied as soon as possible. Refreshments will not be provided by the venue, therefore Members and officers are encouraged to bring your own supply of water.

Hand sanitiser will be provided for Members to use throughout the meeting.

The meeting venue will be fully ventilated and Members and officers may need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

### **PUBLIC ATTENDANCE**

Members of the public are able to access meetings of Council in person if they wish to do so. However, due to social distancing requirements to ensure the safety of participants during the Covid-19 pandemic, there will be limited

capacity and members of the public will be allowed access on a first come, first served basis. Members of the public in attendance are encouraged to wear face-masks, to use the hand sanitiser that will be provided and will be required to sit in a socially distance manner at the meetings. It should be noted that members of the public who choose to attend in person do so at their own risk.

In line with Government guidelines, any member of the public who has received a positive result in a Covid-19 test on the day of a meeting should not attend in person and should self-isolate in accordance with the national rules.

**Notes:**

**Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded from the meeting.**



## **INFORMATION FOR THE PUBLIC**

### **Access to Information**

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE COUNCIL**

**19TH MAY 2021, AT 6.00 P.M.**

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

Observers:

Officers: Mr. K. Dicks, Mrs. S. Hanley, J Howse, Mrs. C. Felton and Ms. J. Bayley

1\21

### **ELECTION OF CHAIRMAN**

The Chairman opened the meeting by acknowledging that this was the first Council meeting to be held in person in over 12 months. Members were advised that arrangements had been made to ensure that the meeting was held in accordance with social distancing requirements and Government guidance in respect of holding meetings at a physical location.

It was proposed by Councillor K. J. May and seconded by Councillor A. Kent and

**RESOLVED** that Councillor R. J. Laight be elected Chairman of the Council for the ensuing year.

Councillor Laight signed the Declaration of Acceptance of Office and thanked Members of the Council for electing him to the Office of Chairman.

2\21

### **ELECTION OF VICE CHAIRMAN**

It was proposed by Councillor K. J. May and seconded by Councillor M. Sherrey and

**RESOLVED** that Councillor A. J. B. Beaumont be elected Vice Chairman of the Council for the ensuing year.

Councillor Beaumont signed the Declaration of Acceptance of Office and thanked Members of the Council for electing him to the office of Vice Chairman.

3\21 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors S. Colella, S. Douglas, and K. Van Der Plank.

4\21 **DECLARATIONS OF INTEREST**

During consideration of this item the Monitoring Officer confirmed that Members who had previously been appointed to the Artrix Holding Trust were permitted to speak and to vote in respect of nominations to replace Councillor H. Rone-Clarke on the trust and did not need to declare an interest.

5\21 **MINUTES OF THE COUNCIL MEETING HELD ON 21ST APRIL 2021**

The minutes of the meeting of Council held on Wednesday, 21<sup>st</sup> April 2021 were submitted.

During consideration of this item Councillor S. Robinson commented that at the previous meeting a proposal had been made that the length of time dedicated to consideration of questions should have been extended. A request was made for it to be noted that this had been proposed by Councillor R. Hunter.

**RESOLVED** that, subject to the amendment detailed in the preamble above, the minutes of the meeting of Council held on Wednesday, 21<sup>st</sup> April 2021 be approved.

6\21 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE**

The Chairman and Head of Paid Service both confirmed that they had no announcements to make on this occasion.

7\21 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader confirmed that she had no announcements to make on this occasion.

8\21 **URGENT DECISIONS**

The Chairman advised Members that there had been one urgent decision taken since the previous Council meeting in respect of public speaking rules at Council and Planning Committee meetings. However, he reminded Members that there was no debate in respect of this item at the meeting.

9\21 **APPOINTMENTS OF COMMITTEES 2021/22**

The Portfolio Holder for Finance and Enabling Services presented a report detailing the political balance for the 2021/22 municipal year.

Group leaders were urged to notify Democratic Services as soon as possible about their group's nominations to the various Committees.

The recommendations in respect of the political balance and appointments to Committees for 2021/22 were proposed by Councillor G. Denaro and seconded by Councillor K. May.

**RESOLVED** that

- 1) 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;
- 2) Members be appointed to the Committees and as substitute members in accordance with nominations to be made by Group Leaders; and
- 3) the terms of reference for the Boards and Committees be confirmed.

10\21

**SCHEME OF DELEGATIONS**

The Portfolio Holder for Finance and Enabling Services presented the Officer Scheme of Delegations for Members' consideration. Members were advised that the Council was required to review the content of the Scheme of Delegations on an annual basis and this occurred at the Annual Council meeting.

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

**RESOLVED** that

the current version of the Officer Scheme of Delegations is agreed.

11\21

**APPOINTMENTS TO OUTSIDE BODIES**

The Portfolio Holder for Finance and Enabling detailed proposals to extend the existing appointments to the outside bodies to the following meeting of Council. The exception to this was a requirement to appoint a Member to a vacant position on the Artrix Holding Trust, which had arisen following Councillor H. Rone-Clarke's resignation from that body. A nomination had been received for Councillor P. McDonald to serve on the Artrix Holding Trust.

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

## **RESOLVED** that

- 1) that approval be given to the extension of existing appointments to Outside Bodies pending consideration of a report at the next ordinary meeting of the Council, subject to the following amendment;
- 2) Councillor P. McDonald be appointed to the Artrix Holding Trust.

12\21

## **QUESTIONS ON NOTICE**

The Chairman advised that 2 questions were scheduled for consideration at the meeting. There would be no subsidiary questions.

### **Question submitted by Councillor K. Van Der Plank**

“On 20<sup>th</sup> March a new ‘Welcome Back Fund’ was announced by Government to help boost the look and feel of high streets and prepare for the safe return of shoppers. I see from the government website that Bromsgrove have been allocated £88,668. Please can the leader tell me how this fund is going to be used and how we are going to make sure it reaches all of our high streets – especially those on the outskirts of our district, not just the main Bromsgrove town centre.”

The Leader responded by explaining that, due to the length of the response, a written answer would be provided to the question after the meeting. Members were also advised that the answer to the question would be recorded in the minutes of the meeting, as detailed below:

“The Welcome Back Fund (WBF) was an extension and re-brand of the Reopening High Streets Safely Fund (RHSSF). The fund would be active until March 2022 and the scope had been widened which would make it more straightforward to allocate funds for different activities and initiatives. The fund had also been doubled which meant that Bromsgrove District Council had been allocated £176,000.

The fund was being managed in Bromsgrove primarily by the Bromsgrove Centres Manager who had reached out to the Parish Councils in Bromsgrove Centres and would engage fully with them to develop a WBF Activity Plan to March 2022, including activities planned for Christmas 2021. The following were initial activities taking place or planned to take place whilst the WBF Activity Form was being finalised and agreed with colleagues and partners locally and then with the WBF Manager at the Ministry for Housing, Communities and Local Government (MHCLG).

- ‘Welcome Back’ banners were being installed spanning Bromsgrove High Street – these were designed by the communications team and the designs could be rolled out in many

# Agenda Item 3

Council  
19th May 2021

different forms. The intention was to utilise this branding in the other local centres as soon as possible.

- A digital van drove around all the local centres on Saturday 24<sup>th</sup> April. The van showed various 'welcome back' slides alongside Bromsgrove District Council and Government messaging. This would happen again at several other dates over the following months.
- 'Welcome Back to BirdBox' / 'Perch safely' signs were installed at the BirdBox in early May. The BirdBox would be a key site for welcome back events over the forthcoming summer months.
  - The first Welcome back event would take place in the form of a 'soft' re-launch of BirdBox on 21<sup>st</sup> and 22<sup>nd</sup> May and the WBF would be used to pay for the event and the low key activities.
- Welcome Back Events combined with Street Theatre events were usually arranged via the Council's events team. This would happen in Bromsgrove and Rubery, with the potential to be explored further for some other local centres.
- The beautification of the town centre and local centres (subject to clarification regarding eligibility from the WBF Manager at MHCLG).
- Commission / procure artists to produce communications and activities with a welcome back message as well as Covid-19 safety measures.
  - A local street artist from Bromsgrove (who worked in Catshill) would transform the hoarding at the BirdBox over the May Bank Holiday weekend. This had been kept under the radar on purpose to create a 'Banksy like' reaction. The artist and his team would then conduct street art workshops later in the year with a welcome back theme.
- Digital Recovery Plan for High Street Business.
  - Commissioning of 'Maybe\*', part of the UK Government's High Street Task Force. Maybe\* would put in place a digital platform and training that would help the Council to support all the businesses in the authority area to leverage digital channels as they learned to trade alongside COVID-19. This was increasingly important given the second wave national lockdown. The platform would connect businesses' social media accounts which would increase collaboration and strengthen their connections with local communities. Sample Maybe\* data showed that across the authority area, less than 34% of businesses used social media and only 16.7% of those were active on social media each day."

## **Question submitted by Councillor A. English**

"Could the Portfolio Holder for Planning and Regulatory Services please inform the council of how many Planning Enforcement cases we have active at the moment and how many are more than two years old?"

The Portfolio Holder for Planning and Regulatory Services responded by explaining that, due to the length of the response, a written answer

# Agenda Item 3

Council  
19th May 2021

would be provided to the question after the meeting. Councillor English commented that she had been keen to receive a verbal response to the question at the meeting but was advised that a written response would instead be provided.

Members were also advised that the answer to the question would be recorded in the minutes of the meeting, as detailed below:

- “1) There were 147 live Bromsgrove planning enforcement cases.
- 2) 50 of the 147 cases were reported prior to 14th April 2019.
- 3) There were an additional 58 pending Bromsgrove cases waiting to be investigated.

In terms of planning enforcement matters, the National Planning Policy Framework (2019) emphasised that planning enforcement was a discretionary activity and Local Planning Authorities should act proportionately in responding to suspected breaches of planning control. When deciding whether to enforce, the Council had to consider the likely impact of harm to the public. Breaches of planning control were generally not criminal offences.

The figures needed to be set against how investigations were conducted and the implications of the pandemic.

Under Section 171B of the Town and Country Planning Act, formal enforcement action had to be taken within 4 years in relation to the erection of buildings, and within 10 years in relation to changes of use (unless it related to the change of use to a dwelling whereby the time limit was 4 years), and breaches of planning conditions. There was no time limit for the enforcement of breaches of listed building legislation. Case Officers were fully aware of the parameters of Section 171B, in addition to dealing with matters in a timely and effective manner.

The first stage of any investigation was to discuss matters with the owner, with this mediation approach advocated by the National Planning Policy Framework. Every planning enforcement case would be different, depending on the complexity of the breach, the need to include other agencies, and the assistance or the non-assistance of landowners and complainants. Some enforcement cases involved multiple site owners or issues that required the input of other agencies or the obtaining of legal advice. Whilst the majority of landowners engaged with the Council, a minority did not wish to and these cases would progress far more slowly.

The enforcement of breaches of planning control provided an opportunity for those contravening to submit a retrospective planning application to regularise the breach and/or the ability to appeal at different stages. Certain types of planning enforcement action, such as the issue of an Enforcement Notice, had a right of appeal, whilst others had an opportunity for compensation to be claimed (for example, for loss or damage attributable to a Stop Notice). Appeals against Notices

# Agenda Item 3

Council  
19th May 2021

could take up to a year to be heard if a Public Inquiry was required. There was a risk of a cost award against the Council at appeal if it was found to have acted unreasonably or the Notice was considered defective. Thus, taking stock to consider the implications and the format of formal enforcement action was key to achieving a successful outcome. But this again added time to the case.

The prosecution route following non-compliance with a Notice required formal court attendance and working with the Police to assist with warrant matters. A number of sites also required monitoring over an extended period and the enforcement case would not be closed until such time as the Council was satisfied that matters were completely resolved.

In terms of more recent live cases and the pending cases, the Council had experienced a marked increase in the number of alleged unauthorised small scale enforcement cases (for example, fencing, decking, outbuildings and extensions) primarily as a consequence of lock-down and more persons being at home undertaking home improvements that might or might not require planning permission and neighbours subsequently monitoring these activities. The Council had risk assessments in place for site visits but restrictions on entering buildings and structures had inevitably led to delays in the ability to thoroughly assess some cases.”

13\21

## **MOTIONS ON NOTICE**

The Chairman advised that the Motions that had been postponed from the meeting of Council held on 21<sup>st</sup> April 2021 would be considered at the following meeting of Council. The exception to this would be the Motion in respect of Waseley Hills Country Park, which in the first instance would be referred to the Overview and Scrutiny Board for consideration, though might subsequently be referred on to Council for debate.

The meeting closed at 6.23 p.m.

Chairman

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## Bromsgrove District Council

### Composition of Committees 2021-22

Committee	Cons	Lab	B'grove Ind East	B'grove Ind West & Central	Liberal Dems	Comments
Overview and Scrutiny Board	<b>6</b> Cllrs Deeming Spencer Till Beaumont Kriss and Thompson  (Sub: Middleton, Whittaker, Jones, Hession)	<b>1</b> Cllr McDonald  (Sub: Cllr Rone-Clarke)	<b>2</b> Cllrs Hotham and Baxter  (Sub: Cllrs Van Der Plank and English)	<b>1</b> Cllr Colella  (Sub Cllr Douglas)	<b>1</b> Cllr Hunter  (Sub: Cllr King)	<b>11 Members on Board</b>
Licensing Committee	<b>6</b> Cllrs Deeming Spencer Kriss Sherrey Thompson Whittaker  (Subs: Webb, Glass)	<b>2</b> Cllrs McDonald and Rone-Clarke	<b>1</b> Cllr English  (Sub: Cllr Baxter)	<b>1</b> Cllr Douglas  (Sub: Cllr Colella)	<b>1</b> Cllr S. Robinson  (Sub: Cllr King)	<b>11 Members on Committee</b>
Planning Committee	<b>7</b> Cllrs Jones Thomas Whittaker Hession Beaumont Sherrey Denaro  (Subs: Cllrs Spencer,	<b>1</b> Cllr McDonald (Sub: Cllr Rone-Clarke)	<b>1</b> Cllr English  (Subs: Cllrs Baxter and Hotham)	<b>1</b> Cllr Douglas (Sub: Cllr Colella)	<b>1</b> Cllr King  (Sub: Cllr Robinson)	<b>11 Members on Committee</b>

# Agenda Item 3

	Middleton, Glass, Webb)					
Audit, Standards and Governance Committee	<b>5</b> Cllrs Whittaker Middleton Spencer Beaumont and Kriss	<b>1</b> Cllr L. Mallett	<b>1</b> Cllr Van der Plank  (Sub: Cllr Baxter)	<b>1</b> Cllr Jenkins	<b>1</b> Cllr King	<b>9</b> <b>Members</b> <b>on</b> <b>Committee</b>
Electoral Matters Committee	<b>4</b> Cllrs Hession Middleton Glass Deeming	<b>1</b> Cllr Rone- Clarke	<b>0</b>	<b>1</b> Cllr Colella	<b>1</b> Cllr Hunter (Sub: Cllr King)	<b>7</b> <b>Members</b> <b>on</b> <b>Committee</b>
Appeals Committee	<b>3</b> Cllrs May Denaro Kent	<b>0</b>	<b>1</b> Cllr Hotham	<b>0</b>	<b>1</b> Cllr Hunter (Sub: Cllr King)	<b>5</b> <b>Members</b> <b>on</b> <b>Committee</b>
Appointments Committee  (nominees made as and when necessary)	<b>3</b> TBA	<b>0</b>	<b>1</b> Cllr Baxter	<b>0</b>	<b>1</b> Cllr Hunter (Sub: Cllr King)	<b>5</b> <b>Members</b> <b>on</b> <b>Committee</b>
Statutory Officers  (nominees made as and when necessary)	<b>3</b> TBA	<b>0</b>	<b>1</b> Cllr English	<b>1</b> Cllr Colella	<b>0</b>	<b>5</b> <b>Members</b> <b>on</b> <b>Committee</b>
<b>TOTAL</b>	<b>37</b>	<b>6</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>64 Places</b>



# Overview and Scrutiny **Annual Report**

**2020-2021**



**Bromsgrove**  
District Council

[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

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## OVERVIEW AND SCRUTINY ANNUAL REPORT 2020-2021

### CONTENTS

	<u>Page Number</u>
Foreword from the Chairman	5
Introduction	6
Membership	7
The Role of the Overview and Scrutiny Board	8
Reports Considered by the Board	9
Worcestershire Health Overview & Scrutiny Committee	17
Working Groups – Update	18
Task Group Investigations & Short, Sharp Reviews Carried Out	20
Plans for the Future	22
Further Information	23

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## **FOREWORD FROM THE CHAIRMAN**

Welcome to Bromsgrove District Councils Overview and Scrutiny Board Annual Report for 2020/21.

The role of the Board is to cast a critical eye across the Council by scrutinising impartially and apolitically its operation and service provision for the benefit of residents.

Inevitably, the pandemic has had an impact on the Board's operation, meeting virtually which thanks to Officers has proved remarkably successful. However, the total number of meetings held this year has been curtailed.

Over the last year topics investigated, amongst others, have included:

- Examination of the Council's response to the Covid pandemic.
- The future of Burcot hostel.
- Burcot Lane site redevelopment.
- Bromsgrove market management.
- Housing strategy.
- Domestic abuse.

Three task groups have been undertaken and have reported:

- Impact of Review of Libraries in the District
- Review of Services to Prevent Flooding
- Equalities.

Running three task groups meant the suspension of one of the standing working groups, Corporate Performance. However, the Finance and Budget Working Group continued to meet. Many thanks to those who chaired and contributed to these task and working groups.

During the year, Amanda Scarce, the Board's long standing Democratic Services Officer retired, I would like to take this opportunity to thank her for many years of outstanding service to the Board and to welcome Jo Gresham as her replacement.

I would like to also thank all Board members for their work throughout the year and Officers of the council who have contributed to the Boards work.

Finally, I wish to express my gratitude to Councillor Michael Thompson, previous Board Chairman, for his contribution and hard work in making Overview and Scrutiny the success it has been in 2020/21.

**Councillor Charles Hotham**

**Chairman**

## **INTRODUCTION**

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2020-2021 (this covers the municipal year from May 2020 to April 2021) 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 8

## **MEMBERSHIP** (The Board is made up of 11 Members)



**Councillor Charles Hotham**  
**Chairman – January 2021**



**Councillor Jo-Anne Till**  
**Vice-Chairman**



Councillor Andrew Beaumont



Councillor Sue Baxter  
January 2021



Councillor Steve Colella



Councillor Richard Deeming



Cllr Malcolm Glass  
May 2020-January 2021



Councillor Rob Hunter



Councillor Adrian Kriss



Councillor Peter McDonald



Councillor Caroline Spencer



Councillor Michael Thompson

## **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.

### **[Link to the Constitution of Bromsgrove District Council](#)**

*(Please click on the latest date to access the most recent version of the Council's constitution).*

### **Number of Meetings**

During the municipal year 2020-2021 the Covid-19 pandemic had a significant impact on Council operations and has inevitably caused delays in some areas. In order to mitigate the impact on Council activities, the Government temporarily removed the legal requirement for local authorities to hold public meetings in person. This meant that Councils had powers to hold public meetings virtually by using video or telephone conferencing technology. The Regulations were made in Parliament on 2nd April 2020 and applied to meetings taking place before 7th May 2021. The Overview and Scrutiny Board tried to meet on a monthly basis, during the 2020-2021 municipal year a total of 9 meetings were held. These meetings were all held online due to Covid-19 and the associated lockdown.

## **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.

## **DISCRETIONARY BUSINESS RATES GRANT - 2ND JUNE 2020**

The Financial Support Manager presented the policy to the Board and it was noted that the Government had prescribed some of the criteria for the allocation of the grant which was included in the policy.

During consideration of the item Members were particularly interested in understanding more fully the proportionality of the funding in respect of Bromsgrove Market and its regular traders including fixed market costs, market rental agreements and licenses and the regularity of trading and the number of pitches occupied.

As a result of the discussion of this item it was agreed by the Board that a recommendation be made to the Cabinet that reflected any funding awarded be based on the proportion of days of trading at the market.

The recommendation was considered and agreed by the Cabinet at their meeting held on 3<sup>rd</sup> June 2020.

## **REMOTE MEETING PROTOCOL & VIRTUAL MEETINGS - 2ND JUNE 2020**

The Remote Meeting Protocol was established as a result of Covid-19 and the necessity for Council meetings to be held virtually whilst still allowing members of the public to attend and participate in some meetings.

A substantial amount of work was carried out prior to the commencement of virtual meetings by the Democratic Services team to understand the functionality of the technology and to ensure the logistics of holding a virtual meeting were understood.

Although Members were happy with the protocol, they felt it was important that it be monitored, and Members requested that the Remote Meeting Protocol be considered again later in the municipal year.

During the meeting of the Board held on 12<sup>th</sup> October 2021 the Remote Meeting Protocol was revisited. At this point Members had all received their new IT equipment and Microsoft Teams was being rolled out in readiness to use for virtual meetings going forward.

## **WORK PROGRAMME AND FUTURE PLANNING – 2ND JUNE 2020**

The item in respect of the Work Programme and Future Planning was presented for Members in order for them to make any amendments, additions or look at any areas currently included in the Board Work Programme in more detail.

There were some suggestions made by Members around the possibility of including financial implications and decisions made during Covid-19 on the work programme. It was however suggested that this be included at a later date as the pandemic was still ongoing and a larger piece of work may need to be carried out as the position became more apparent in the coming months.

It was therefore agreed by Members that an item regarding Covid-19 be placed on the Work Programme for the October 2020 meeting with the caveat that the item may change or develop further prior to that meeting. (This item was further considered under the Recovery and Restoration Plan item in October 2020.)

## **IDENTIFYING RACIAL DISPARITIES WITHIN BROMSGROVE DISTRICT COUNCIL'S OPERATIONS - TOPIC PROPOSAL – 6TH JUL 2020 and 6TH AUGUST 2020**

The Chairman welcomed Councillor H. Rone-Clarke along with a representative from within the local community, who was invited to the meeting to speak on behalf of the Topic Proposal, which had been put forward by Councillor Rone-Clarke.

At the time of consideration of this item there were already two task groups in place. Members agreed that the matter was of such importance that it needed to go ahead as soon as possible.

In order to facilitate the extra task group, it was therefore agreed by the Board that the Corporate Performance Working Group would be suspended, and the task group established, and Councillor Peter McDonald appointed as Chairman.

Further consideration of the Task Group was made at the Board meeting held on 6<sup>th</sup> August 2020 where the Board were informed that eight Members were interested in participating in the Task Group and the membership was formally agreed.

*Please note that it was agreed at the first meeting of the Task Group that the scope of needed to be a broader to include all those protected characteristics covered by the Equalities Act 2010. The scope was amended accordingly and renamed as the Equalities Task Group (see page 20).*

## **BURCOT HOSTEL REPORT - PRE-SCRUTINY 6TH AUGUST 2020**

During the presentation of this report the Board were informed that since the Covid-19 pandemic, Central Government had actively encouraged homelessness services not to place homeless households in facilities with shared living spaces and so, from this perspective, the Burcot Hostel was considered no longer fit for purpose.

During consideration of this item Officers confirmed that there were no families currently in Bed and Breakfast accommodation and that the Strategic Housing Team were putting a communication plan in place with Bromsgrove District Housing Trust, in order to provide signposting for people who required assistance, which would help to minimise the need for this in the future and to support those households in need.

An amendment to one of the recommendations contained in the report was agreed by the Board that £35k for the scheme be funded from the capital programme rather than from borrowing. The recommendation was considered and agreed by Cabinet at their meeting held on 6<sup>th</sup> August 2020.

## **BURCOT LANE SITE REDEVELOPMENT REPORT - PRE-SCRUTINY – 6TH AUGUST 2020**

At the meeting held on 6<sup>th</sup> August 2020 the Burcot Lane Development report was pre-scrutinised prior to its consideration by Cabinet later that evening.

During consideration of this item, it was clarified that officers had liaised with a number of Local Authorities and had sought robust legal advice on how best to establish a housing company, which was the recommendation put forward by officers for agreement by Cabinet.

It was noted that the percentage of affordable houses from a planning perspective was 30%, which was the level that was considered and approved in the planning application.

## **BROMSGROVE DISTRICT COUNCIL RECOVERY AND RESTORATION PLAN – 12TH OCTOBER 2020**

In considering the Recovery and Restoration Plan it was explained to Members that this was the Council's response to the Covid-19 pandemic and associated lockdown and formed part of a countywide recovery plan.

It was confirmed that this Recovery and Restoration Plan was based around the Bromsgrove District Council Plan and its five Strategic Purposes. It was, however noted that the Council Plan had been drafted prior to Covid-19 and a refresh of the plan had been programmed for early 2021 to reflect the impact of the pandemic.

## **BROMSGROVE MARKET UPDATE - 23RD NOVEMBER 2020**

The Bromsgrove Market is an area which the Board has shown an interest in in previous years and had requested regular updates in respect of its running, following a recommendation to bring the running of it back in house, which had been supported by the Cabinet. Whilst considering the Bromsgrove Market Update provided at the November meeting, there was particular interest from Members regarding the number of traders that had received financial support from Bromsgrove District Council in light of the pandemic and the timescales involved in the mobilisation of the market once an announcement of the easing of lockdown restrictions were announced.

Members were informed that there had been inevitable losses during the pandemic but that the Council were claiming for all available financial support and grants from Central Government in order to allow the market to continue to grow and flourish in the future.

## **HEAD OF PLANNING, REGENERATION AND LEISURE SERVICES TO RESPOND TO QUESTIONS FROM MEMBERS IN RESPECT OF THE PROCESS AND POLICY FOR THIRD PARTY EVENTS MONDAY - 23RD NOVEMBER 2020**

At a previous meeting of the Board, Members had expressed an interest in understanding the process and policy when dealing with third party events and the responsibilities of the organisers at these events. Members were also interested in the use of fireworks, both in domestic settings and at specific organised events and wanted to understand what, if any, procedures were in place so that residents could take precautions if necessary, prior to the event taking place.

During the presentation, it was highlighted that any road closures required for any such events, were posted by the Council even in the case of third-party events and risk assessments carried out as it was important that engagement with third party providers was carried out throughout all stages of the planning of the events.

## **DISTRICT LEVEL ECONOMIC RECOVERY FRAMEWORK - PRE-SCRUTINY - 23RD NOVEMBER 2020**

The District Level Economic Recovery Framework set out the priorities for recovery in the District in light of the Covid-19 pandemic and outlined what plans were in place with key partners.

During consideration of this item Members were informed that there were three key priorities contained within the plan that would enable work to be done with local residents to ensure the existing workforce was equipped with the appropriate skills to satisfy the labour market in the District. It was also confirmed that grant funding information would be signposted for those who needed it through the usual channels including the Council website and social media.

It was confirmed to Members that the hope was that the plan would improve access and layout in the Town Centre and that a Business Support Officer and Engagement Support Officer were to be employed by North Worcestershire Economic Development and Regeneration, which would further add to the work that was already underway in respect of the regeneration of the Town Centre.

Members also discussed the current climate in respect of jobs and were informed that large companies were investing in the area and that it was hoped that this would provide employment opportunities for local people within in the District in the future.

## **HOUSING STRATEGY - PRE-SCRUTINY - 23RD NOVEMBER 2020**

During the presentation of the new Housing Strategy, it was reported to the Board that it complimented the current countywide strategy, whilst taking a more localised approach and would be put out to public consultation for a 4-week period.

Some changes were suggested by Members regarding wording contained within the report, however officers explained that only certain changes could be made, as some areas were part of a countywide Strategic Housing Plan which had already been approved. Officers did agree to provide feedback to the relevant partners for consideration in future versions of the strategy.

## **DOMESTIC ABUSE POLICY - PRE-SCRUTINY - 23RD NOVEMBER 2020**

The Council's new Domestic Abuse Policy was considered at the meeting held on 23<sup>rd</sup> November 2020. The policy set out the Council's commitment to addressing and preventing Domestic Abuse. It was noted that the strategy also served to satisfy the requirements set out in the Domestic Abuse Bill which would come into effect in April 2021.

Members were all in agreement that this was an important policy for the Council and welcomed its implementation.

## **WEST MERCIA POLICE ROAD SAFETY TEAM – PRESENTATION 11TH JANUARY 2021**

Councillor R. Hunter had requested the presentation from the West Mercia Police Road Safety Team be added to the Board's Work Programme and a presentation had been arranged for March 2020 however the presentation was delayed due to Covid-19.

During the presentation Members were informed that the West Mercia Police Road Safety Team were responsible for road safety campaigns, education and traffic management consultations and that education, engineering and enforcement were the main approaches adopted by the team when dealing with road safety issues. There was information presented regarding the initiatives that were available to communities regarding road safety and that the team were always happy to be contacted by Members in order to improve road safety in the District.

Members were grateful to the officers for attending and providing a comprehensive presentation on the work they carried out, which had given them a better understanding of the role of the Team.

## **NOTICE OF MOTIONS - REQUEST TO INVESTIGATE 11TH JANUARY 2021**

Councillor R. Hunter introduced the item in respect of his Notice of Motion which had been referred to the Board, from Full Council. He explained that the purpose of the motion was to highlight the distress that the use of fireworks could cause to vulnerable people and animals and for Members to be able to find out what practical steps might be made by the Council to mitigate the impact on residents.

Members agreed that further information should be provided from a relevant source in order to understand the current legislation that was already in place in respect of the use of fireworks and what powers and measures if any, the Council had in this area. Further information was provided by officers at the Board meeting held on 26<sup>th</sup> April 2021.

Councillor P. McDonald presented an item in respect of his Notice of Motion which had also been referred to the Board from Full Council. It was clarified to Members that the investigation into the amount of mileage expenses that had been claimed during previous years and during (Covid-19) was the area which he felt should be considered in more detail. Members again agreed that further information should be provided from a relevant source and both items were included on the Board Work Programme for consideration at the meeting held on March 29<sup>th</sup> 2021.



## **MEDIUM TERM FINANCIAL PLAN 2021/22 TO 2024/25 (INCLUDING THE CAPITAL PROGRAMME) - PRE-SCRUTINY - 15<sup>TH</sup> FEBRUARY 2021**

During consideration of the Medium-Term Financial Plan various areas of the Budget were explained to Members for clarification.

It was reported that the £5 increase in Council Tax would help the Council to have a robust financial position for future years. However, in light of the Covid-19 pandemic and associated lockdown coupled with the pressure caused by the pay increase of 2.75% rather than the expected 1% it was confirmed that there was a sizable gap within the Council's budget which needed to be addressed. It was hoped that funding from Central Government that still needed to be confirmed would provide some surety going forward.

As a result of the discussions during this item it was requested that the Fleet Replacement and Mileage Claims be included in the Board's Work Programme for consideration in the municipal year 2021-2022.

## **COUNCIL TAX SUPPORT SCHEME – 15<sup>TH</sup> FEBRUARY 2021**

The Council Tax Support Scheme was considered in February 2021 and Members were informed that the scheme was reviewed on an annual basis.

The amended scheme had been subject to public consultation in October 2020. It was explained that the new banded scheme worked in a more integrated way with Universal Credit and make the process simpler for the customer. In addition to this hardship provisions would be retained and there would be an increase in level of support for vulnerable residents.

It was requested that the scheme be revisited in the next financial year to see if it was operating as expected. Members were advised that the item could be included on the Board's Work Programme for pre-scrutiny prior to it being considered at a Cabinet meeting during the new municipal year.

## **STAFF SURVEY – 29<sup>TH</sup> MARCH 2021**

The report regarding the Staff Survey was considered by Members in order to understand the impact the Covid-19 pandemic had on the ways of working in all areas of the Council. Although the timelines of the Staff Survey had inevitably changed there had been several surveys issued including a Working Arrangements Survey, a Communication Survey, and a Well-Being Survey.

Officers reported that the responses to the surveys was encouraging and mainly positive.

Members were informed that staff had been given appropriate provision to carry out their roles from home and could still work from Council buildings safely, if necessary. Although Members were pleased to hear that there seemed to be a high level of engagement across the Council there was some discussion regarding the larger numbers of managers who had completed the survey compared to the rest of the staff. It was explained that as managers all had access to IT equipment this allowed them to complete the surveys online. It was clarified that some of the frontline staff were unable to complete the survey as they did not have access to IT equipment.

It was decided that further information be provided to Members as some of the data provided included Redditch Borough Council staff and therefore did not necessarily provide a clear picture of Bromsgrove. Although some Members were happy with an overview of both Councils it was decided that the item be considered again in the new municipal year in order for Officers to provide further information.

## **MILEAGE - NOTICE OF MOTION – 29<sup>TH</sup> MARCH 2021**

The Notice of Motion in respect of Mileage had been referred to the Overview and Scrutiny Board from Full Council. It was highlighted to Members that mileage costs had decreased during the pandemic, but that mileage was still being claimed due to the nature of some of the services and by staff who were unable to solely work from home.

During consideration of this item some concerns were raised that the data provided differed from previous figures provided in respect of mileage claimed and included information for both Bromsgrove District and Redditch Borough Council. It was agreed by Members that the item be deferred to the first meeting in the new municipal year in order for officers to collect more information.

## **GREEN HOMES FUNDING – 29<sup>th</sup> MARCH 2021**

The Green Homes Funding report contained information regarding Phase 2 of the Green Homes Funding allocation. It was confirmed to Members during consideration of the report that the maximum household income in order to meet the criteria was £30,000 and the allocation for funding could be up to £10,000.

Members were advised that Park Homes that had already been identified by officers were to be prioritised and that a period of consultation had taken place and 40 applications had been made during the first phase of the funding and that numbers were expected to be the same for Phase 2.

This report was considered at the Cabinet meeting held on 31<sup>st</sup> March 2021.

## **COMMUNITY SAFETY PARTNERSHIP - PRESENTATION – 26<sup>TH</sup> APRIL 2021**

The Community Safety Manager presented the item in respect of the Community Safety Partnership. It was explained that consideration of the Partnership is a statutory function of the Board and is considered once during each municipal year.

During a detailed presentation, the Board were informed of a number of initiatives currently being undertaken by the Partnership including a Listening Service, Youth Outreach Programmes and a Young Citizen's Challenge Programme.

The priorities of the Partnership were highlighted for Member's attention and it was explained that the priorities for 2021-2024 included violence and abuse, theft and acquisitive crime, ASB, damage and nuisance and protecting vulnerable communities.

The Covid-19 pandemic has had a significant impact on the number of recorded offences in North Worcestershire and on the delivery of programmes. However, many had been adapted to ensure that delivery could take place online and some were able to take place face-to-face in a Covid safe environment.

The annual consideration of the Community Safety Partnership has been scheduled to take place in January 2022.

## **MOTION – FIREWORKS - 26<sup>TH</sup> APRIL 2021**

Further to the consideration of this item on 11th January 2021 the Cultural Services and Parks Manager presented a report regarding Councillor R. Hunter's Motion regarding the use of Fireworks on 26th April 2021.

It was reported to Members that due to the Covid-19 pandemic it was still uncertain as to whether public events would take place in the District and it was dependent on the easing of lockdown restrictions. Work was still being carried out with other agencies and the Council's Communications Team in order to mitigate any impact on residents and animals in respect of fireworks if Council run events were to go ahead in 2021.

Members were keen to monitor the progress of the procurement of low-impact/low-noise fireworks by the Council and officers undertook to provide a further update to the Board later in the municipal year once further information was available.

## **OVERVIEW AND SCRUTINY BOARD RECOMMENDATION TRACKER -26<sup>TH</sup> APRIL 2021**

This item is regularly brought to the Board to provide an update regarding any recommendations made over previous municipal years. It provides an easy to track overview of the recommendations and their status.

## **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.

The Board's representative for the municipal year was Councillor Jo-Anne Till who provided the Board with regular updates on what was discussed at these meetings. Where appropriate the minutes and further information 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:

- The Covid-19 Vaccination Programme
- Restoration Plan for the NHS post Covid
- 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 a 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. In the first year of its implementation the Measures Dashboard Working Group was re-named the Corporate Performance Working Group.*

*The terms of reference for each Working Group were agreed by the Board and regularly reviewed to ensure the work that was being carried out remained relevant. Historically this review has formed part of the April meeting of the Board when it considers the annual report and looks back over the work carried out and discusses any improvements that could be made in the coming year to ensure the Board runs effectively and efficiently.*

### **Finance & Budget Working Group**

**Membership: Councillors Michael Thompson (Chairman June 2020 – January 2021), Councillors S. R. Colella, S. P. Douglas, C. A. Hotham (Chairman February 2021 – May 2021), A. D. Kriss and J. Till**

This Group met on five 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 and the Head of Finance and Customer Services.

Heads of Service were also invited on a number of occasions 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 gives an insight into the work that has been carried out:

- Medium Term Financial Plan Budget 2021-22
- Covid-19 Finance Report
- Budget Bids and Savings
- Fees and Charges
- Council Tax Support Scheme
- Revenue Monitoring Outturn 2020/21

Once again, by being able to consider a number of reports in more detail and prior to their consideration at Cabinet, this has allowed Members of the Board via the Working Group to play an integral part in the budget setting process. It is hoped that this will continue, and the process further streamlined in the coming year.

## **Corporate Performance Working Group**

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

As discussed earlier in this report, this group was suspended for most of the 2020/2021 municipal year. Initially, there were delays in meeting due to Covid-19 and associated lockdown. However, during consideration of the item Identifying Racial Disparities Within Bromsgrove District Council's Operations Topic Proposal in July 2020 it was agreed that the group would be suspended.

It is anticipated that the Corporate Performance Working Group will be reinstated for the municipal year 2021-2022.

## **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.*

### **Equalities Task Group**

**Membership: Councillors P. McDonald, A.B Beaumont, M. Glass, H. Jones, A. Kriss, H. Rone-Clarke, C. Spencer and J. Till**

This task group met eight times during this municipal year with the Members as stated above and held discussions with a number of key witnesses. During the investigation the following areas were discussed:

- Council's Equalities Strategy
- Human Resources Processes and Policies
- Community Engagement

The group made five recommendations in total which were all agreed at a meeting of the main Board on 15<sup>th</sup> February 2021. The final report will be considered at the Cabinet meeting due to be held in July 2021.

### **Impact of Review of Libraries in the District Task Group**

**Membership: Councillors S. R. Colella, S. Douglas, J. King, A. Kriss, M. Middleton and C. Spencer**

The Task Group met five times during this municipal year with the membership stated above. During the investigation Members interviewed Officers from Worcestershire County Council (WCC) and Lucy Hodgson. During the investigation Members were interested in the new strategy that had been implemented by WCC and what, if any, effects it might have on libraries in the District.

The Overview and Scrutiny Board considered the report at their March 2021 meeting and the final report will be considered at a Cabinet meeting due to be held in September 2021.

### **Review of Services to Prevent Flooding Task Group**

**Membership: Councillors R. Hunter, A.B. Beaumont, S. R. Colella, H. Rone-Clarke and C. Spencer**

The Task Group met six times during this municipal year and carried out a number of interviews with key witnesses including North Worcestershire Water Management, WCC and Severn Trent Water in addition to meeting with officers from the Council.

# Agenda Item 8

Members were interested in understanding the responsibilities of each agency and how this could be communicated to residents effectively in the future. In addition to this, staffing levels and future flood risk management were investigated thoroughly by Members and several recommendations were made for consideration by the Board and Cabinet.

The Overview and Scrutiny Board considered the report at their March 2021 meeting and the final report will be considered at a Cabinet meeting due to be held in July 2021.



## **PLANS FOR THE FUTURE**

In April 2021 the High Court considered a case brought by Hertfordshire County Council, Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO) which challenged the requirement the return to holding committee meetings in person. The High Court ruled that primary legislation was required to enable formal committee meetings to be held virtually in England and therefore Councils had to return to convening these meetings in person from 7th May 2021 onwards.

However, these rules do not apply to informal meetings of Task Groups and Working Groups and Members may wish to continue to hold remote or hybrid meetings of these groups to provide colleagues with greater flexibility to participate in the scrutiny process 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](mailto: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](mailto: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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Bromsgrove District Council



Audit, Standards and  
Governance Committee

# ANNUAL REPORT

**2020 / 2021**



**Bromsgrove**  
District Council

[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

## **CHAIRMAN'S FOREWORD**

I am pleased to introduce the Audit, Standards and Governance Committee's 2020/21 Annual Report. This year has seen the continued development of the Committee and its work in providing an independent assessment of the wide range of controls and corporate governance.

The report outlines the breadth of the work undertaken by the Audit, Standards and Governance Committee. The Committee and its members have a vital role in providing assurance both the Council, and importantly the public as to transparency, compliance and value for money. Alongside this the Committee is responsible for 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 continue to take a proactive approach to concerns raised through our internal audit function, especially around limited assurance audits and to ensure follow through of overdue audit actions.

It is a disappointment that the accounts and audit opinion this year have been heavily delayed. In part this is due to COVID, but also due to the necessary implementation of a new financial and HR software (ERP Enterprise Resource Planning) system at the same time. The Committee have throughout sought clarity from our auditors and officers as to the reasons for the delay and the impact on the Council. The Committee also heard directly from the lead project manager on the ERP system installation and took assurance from the thorough approach being taken.

As for last year's report 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 COVID and pandemic response. This is Councillor Van Der Plank's final year as Risk Champion and she has certainly set a high bar for the proactivity and engagement she has had in the role. It has enabled the Committee to have important discussions and gain valuable insight around risk.

I would like to thank the 151 Officer (and to wish Jayne Pickering, as our 151 officer during most of this period, well in her new role at Wychavon DC), 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 provides 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**

# Agenda Item 9

## MEMBERSHIP



Luke Mallett (Chairman)



Peter Whittaker (Vice Chairman)



Sue Baxter  
June 2020 – January 2021



Andrew Beaumont



Sarah Hession  
June 2020– January 2021



Rachel Jenkins  
January 2021 – May 2021



Janet King



Adrian Kriss



Maria Middleton  
January 2021- May 2021



Caroline Spencer



Kate Van Der Plank

## INTRODUCTION

This report provides an overview of the Audit, Standards and Governance Committee's activities during the municipal year 2020/21.

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.
- Model Code of Conduct.
- 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.
- 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.
- Covid-19 Civil Contingencies Response.
- Benefits and Compliance Update Report 2019-2020.

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 Committee – 2020-2021**

The Council's constitution requires the Audit, Standards and Governance Committee to hold quarterly meetings. Due to Covid-19 and associated lockdown the meetings for the municipal year 2020/21 were held virtually on Skype for Business and then Microsoft Teams. The meetings were held in July and November 2020 and January and March 2021. 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.

Due to Covid-19, training was more challenging than in previous years. However, a comprehensive training programme had taken place in the 2019-2020 municipal year due to the 2019 Elections.

In light of the need to work remotely during the pandemic, new IT equipment was rolled out to all Members in order for this to be achieved more easily and efficiently for all concerned. Training on the new equipment was provided in various formats, including face to face (with all social distancing guidelines being adhered to), online and for those Members with a good knowledge of IT the equipment was provided together with an instruction sheet and telephone number for them to ring should they have any issues.

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 Motions referred to Cabinet and Planning Committee Procedure Rules regarding TPOs.

### Dispensation Report

There was no consideration of the Dispensation Report for the municipal year 2019-2020 as it was considered at the Audit, Standards and Governance Committee meeting held on 30<sup>th</sup> July 2019. The dispensations agreed at this meeting remain valid until the first meeting of the Audit, Governance and Standards Committee following the next District Council Elections in 2023.

### 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.

# Agenda Item 9

## Investigations and Enquiries

There have been a number of complaints this year at both a Parish and District level. These have all been resolved locally by the Monitoring Officer.

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.

## **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 Progress Monitoring Report 2019/20 and 2020/21
- Internal Audit - Annual Report 2019-2020
- Internal Audit – Draft Audit Plan 2020-21
- 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 Bromsgrove District Council Audit Plan Addendum – Covid-19
- (External Audit) - Interim Audit Findings Report
- Grant Thornton - Progress and Sector Report 2020/21
- Grant Thornton Annual Audit Letter 2019/2020
- Grant Thornton External Audit - Audit Findings Report
- Grant Thornton - Housing Benefit Report 2020/2021

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

## **COVID-19 AND REMOTE MEETINGS**

During the municipal year 2020-2021 the Covid-19 pandemic had a significant impact on Council operations and had inevitably caused delays in some areas. In order to mitigate the impact on Council activities, the Government temporarily removed the legal requirement for local authorities to hold public meetings in person. This meant that Councils had powers to hold public meetings virtually by using video or telephone conferencing technology. The Regulations were made in Parliament on 2<sup>nd</sup> April 2020 and applied to meetings taking place before 7<sup>th</sup> May 2021.

At the meeting of the Audit, Standards and Governance Committee held on 24<sup>th</sup> November 2020 Members were informed that the Local Government Association (LGA), the Association of Lawyers in Local Government and the Association of Democratic Services Officers (ADSO) had collectively written to the Government regarding the ability to hold remote meetings, not only until May 2021, but also to continue to hold some meetings remotely in the future. Any updates regarding this would be presented to Members once further information was received.

## **STATEMENT OF ACCOUNTS – 2019-20**

The Head of Finance and Customer Services presented the Statement of Accounts 2019/2020 report at the meeting held on March 11<sup>th</sup>, 2021.

Members were informed that there had been an inevitable delay experienced in the preparation of the accounts due to the Covid-19 pandemic.

It was reported to the Committee that the Statement of Accounts elements that required signature were detailed within the report and its appendices, and that this included the core statements for sign off.

Members were informed that it was not anticipated that there would be any other changes, however, if any changes were identified, they would be reported back to the Committee.

At this meeting it was confirmed that a full clear set of accounts would be presented at a future meeting of the Committee.

## **REMOTE MEETING PROTOCOL – 22ND JULY 2020**

At the first meeting of the municipal year and, in light of the Covid-19 pandemic, a Remote Meeting Protocol was presented for Members' attention which detailed a number of key areas for both Members and officers, including the calling of meetings, access to documents, pre-arrangements, the inclusion of external participants, the role of the Chairman, etiquette when attending a virtual meeting, the meeting itself and how the debate would be run, how exempt items would be dealt with and how any technical problems would be handled.

It was highlighted to Members that Democratic Services had worked closely with the IT Team to ensure that all Members were able to access the appropriate software on their Council equipment and were confident in its operation.

In addition to this, the Protocol detailed, that in order for public meetings to run smoothly small amendments had been made to the Council's constitution, which had been agreed by all Group Leaders through the Urgent Decision process. It was clarified in the report that all Urgent Decisions that taken are available on the Council's website to ensure transparency.

In order to meet the requirements of the new legislation the Committee was informed that all public meetings would be live streamed to the Council's You Tube channel, with a link being provided on the Council's website to access these.

Members were informed that any further changes would be reported to the Committee at future meetings.

## **MODEL CODE OF CONDUCT – 22nd JULY 2020 and 11<sup>th</sup> MARCH 2021**

The Committee was asked to consider the content of the Local Government Association's draft Model Member Code of Conduct and to determine whether to submit any comments about the Model Member Code of Conduct in the Association's consultation process. The report outlined that the Local Government Association (LGA) had undertaken a review of the Model Code of Conduct and a new Model Code of Conduct had been developed. In addition to this a consultation process had been carried out by the LGA over a period of 10 weeks. The Committee were asked to provide any comments, particularly in light of the virtual setting of the meeting and in respect of social media and online activity.

Members were in agreement that the current process might cause confusion regarding interests that needed to be declared and perhaps this was an area that needed further clarification in the future.

A further update was provided to Members on 11<sup>th</sup> March 2021.

As part of this update, it was highlighted that the new LGA model Code of Conduct was very different in style from the previous version and that there was quite a detailed narrative attached within the model Code itself. It was confirmed, however, that the guidance could be separated from the model Code in order to make it more streamlined.

It was also reported that there were differences between the new LGA model Code of Conduct and the Worcestershire Code. As part of the consultation process a Monitoring Officers Group had looked at the existing Code and it was felt that the new LGA model Code of Conduct could be adapted slightly for local purposes, if required.

After detailed consideration by Members it was agreed that the model Code issued by the LGA be amended and that the Monitoring Officer liaise with the other Monitoring Officers across Worcestershire to consider the feedback from all councils and to bring forward a new Worcestershire wide Code. Members were informed that the new Worcestershire Code would be presented to the Committee for consideration.

## **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – 22nd JULY 2020**

Members were presented with the Regulation of Investigatory Powers Act 2000 (RIPA) report and were advised that the change in legislation in 2018 had resulted in elected Members reviewing the RIPA policy at least on an annual basis. During consideration of this report by the Committee, the Council's RIPA Policy as reviewed, was endorsed and the update on RIPA activity was noted.

## **GRANT THORNTON - BROMSGROVE DISTRICT COUNCIL AUDIT PLAN ADDENDUM – COVID-19 – 22<sup>ND</sup> JULY 2020**

During presentation of this report the Council's external auditors, Grant Thornton, explained that Covid-19 had a significant impact on the way Councils produce their accounts. It was explained to Members that processes were different when carrying out a remote audit and that it had not been without challenges. It was reported that the audit might take longer than in previous years but that the process would commence in September 2020.

## **INTERNAL AUDIT - PROGRESS REPORT 2019/20 & 2020/21 – 22<sup>ND</sup> JULY 2020**

The Internal Audit Progress Report 2019/20 & 2020/21 detailed that the Internal Audit work for 2019-2020 had mostly been completed prior to the Covid-19 lockdown. The Committee was informed that there had been a marked improvement on the previous year and that this reflected the controls that had been put in place following recommendations made by the Audit, Standards and Governance Committee in previous years.

It was noted that there was still an outstanding 'high priority' recommendation regarding Safeguarding and the Committee requested it be updated in order to understand what measures were being undertaken to resolve any outstanding issues at its next meeting.



## **SAFEGUARDING AUDIT UPDATE – 10TH SEPTMBER 2020**

As was requested at the previous meeting of the Committee an update was provided to Members regarding a Safeguarding Audit which had been previously undertaken. During presentation of the report, it was clarified that several recommendations had been satisfied and that any risks were being mitigated.

The Committee was informed that tools had been adopted which provided Council-wide Safeguarding information to officers and training had been undertaken where necessary. In addition to this checking processes had been implemented where necessary and Members undertook annual Safeguarding training, and this was also included as part of the induction programme.

## **HEALTH AND SAFETY AUDIT UPDATE – 10TH SEPTEMBER 2020**

The Senior Health and Safety Advisor was welcomed to this meeting to discuss the Health and Safety update. Members were informed that there had been progress made in all areas including a review of the Health and Safety Policies, Fire-Risk Assessments, Business Continuity Planning and Health and Safety Induction Training.

## **RISK MANAGEMENT MONITORING GROUP -10TH SEPTEMBER 2020**

During consideration of this update Members agreed that it would be useful to be presented with the Risk Register with a particular focus on Covid-19 and Brexit at a future meeting. Members also welcomed the suggestion of an update regarding the Civil Contingencies repose to Covid-19 and that it would be useful to understand the Council's response at a future meeting of the Committee. This was an area that had also been highlighted in the Risk Champion's report considered at the meeting held in July 2020.

## **PROGRESS ON BEST PRACTICE RECOMMENDATIONS FOR AUDIT, STANDARDS AND GOVERNANCE COMMITTEES REPORT – 24th NOVEMBER 2020**

As part of this report Members were informed that the Best Practice Recommendations ran in parallel with the review of the Code of Conduct which had been presented to the Committee at the meeting held in July 2020.

It was confirmed that the majority of the Best Practice Recommendations were already in place at the Council but that a proposed change was recommended regarding Arrangements for Managing Standards Complaints by the Council. Members agreed with the recommendation and a response was provided by the Principal Solicitor to the Chairman of the Committee of Standards for Public Life by the deadline of 30th November 2020.

The Parish Council representative, although not present at this meeting, had requested that a question regarding the dissemination of information in respect of the

Model Code of Conduct to Parish Councils be raised in his absence. It was discussed that at this point in the process it was too early to disseminate information to Parish Councils in respect of the Model Code of Conduct due to the processing of the consultation responses and because certain recommendations of the Committee for Standards in Public life required legislative changes.

Members were informed that further reports would be brought to Members as the development of the new code progressed.

## **COVID-19 CIVIL CONTINGENCIES RESPONSE – 24<sup>TH</sup> NOVEMBER 2020**

At the meeting of the Committee that took place on 10th September 2020 it had been agreed that a presentation be provided regarding the Council's response to Covid-19. In order to present Members with a report the North Worcestershire Civil Contingencies and Resilience Manager was invited to this meeting.

During the presentation Members were advised that a debrief exercise had been carried out at the end of the first national lockdown as a statutory duty under the Civil Contingencies Act (2004). The response had been provided to the Corporate Management Team (CMT) in August 2020.

As a result of the debrief, eighteen recommendations had been made, all of which had been accepted by the Chief Executive. It was reported that all of the recommendations, except for one, had been undertaken by the Council within six weeks and that the outstanding recommendation was concerned with data sharing and would be ongoing and monitored closely.

Members were encouraged by the work that had been carried out and that the Council was in a very strong position due to the Business Continuity Planning that had been undertaken during the pandemic.

## **GRANT THORNTON - PROGRESS AND SECTOR REPORT- 24TH NOVEMBER 2020**

At this meeting it was reported by Grant Thornton that there had been a delay due to the challenges faced by carrying out the audit remotely and that Covid-19 had inevitably had an impact on the time it had taken to carry out the audit.

The report also highlighted the following:

- The deadline for the Council's Annual Housing Benefit Subsidy claim certificate had been delayed by the Department of Work and Pensions (DWP) to 31st January 2021.
- Extra resources had been provided in order to complete the audit and the preparation of the final accounts.
- Any impact on fees charged for the audit would be reported to Members in the Annual Audit Letter
- The Enterprise Resource System (ERP) would be live by the end of January

2021 after robust testing and training had taken place.

## **INTERNAL AUDIT – MONITORING REPORT – 24<sup>TH</sup> NOVEMBER 2020**

It was reported to Members during this Monitoring Report that the Internal Audit Plan was progressing, and that the quality of audit work carried out remained high. Areas of risk were still being monitored closely by the Internal Audit Team including targeting areas that previously had Limited Assurances and Discretionary Business Grants.

It was noted that an Improvement Plan was to be included in all updates provided to the Committee in future to ensure that the service continued to evolve.

## **RISK REGISTER – COVID-10 AND BREXIT – 24TH NOVEMBER 2020**

At the previous meeting of the Committee, it was agreed that Brexit and Covid-19 be included in any Risk Register Updates. During the first of these updates to following was highlighted for Members:

- Brexit was highlighted on the Risk Register due to the potential impact on businesses, supply chains and loss of income streams to the Council.
- Recovery and Restoration plans were being implemented across the District.
- The Joint Corporate Health, Safety and Welfare Committee met regularly, and risk assessments were carried out to ensure that the Council was compliant with Health and Safety regulations.

## **GRANT THORNTON - INTERIM AUDIT FINDINGS REPORT – 21<sup>ST</sup> JANUARY 2021**

It had been hoped that the final version of the Audit would be presented at the meeting, however unfortunately there had been a delay and Members were presented with an interim report.

Regarding the outstanding areas of the Audit, it was clarified that some of the gaps were as a result of increased audit expectations from the National Audit Office and that information regarding floor areas for example, had never been requested before and therefore it had taken longer to provide.

In addition to the increased audit expectations, the finance systems were archaic and cumbersome, and it was hoped that the implementation of the ERP system in January 2021 would resolve this in the future.

## **BENEFITS AND COMPLIANCE UPDATE REPORT 2019-2020 – 21ST JANUARY 2021**

The Benefits and Compliance report is an annual report that provided to the Committee and outlined the work that was undertaken by the Compliance Team including:

- Investigation of Council Tax Support claims
- Verification of HB claims
- Processing of Housing Benefit Matching Service (HBMS) referrals
- National Fraud Initiative (NFI) data matching
- Police requests for information / liaison
- Support to DWP in respect of Housing Benefit fraud cases

Members were informed during the presentation that it was planned that a project be undertaken to investigate the Council Tax discounts received by residents.

## **AUDIT FINDINGS 2019/2020 - GRANT THORNTON – MARCH 11<sup>TH</sup> 2021**

This was the final report in respect of the Audit Findings after Members had been presented an interim report at the previous meeting.

During consideration of this item, it was highlighted that challenges had been faced by both themselves and officers due to the outbreak of the Covid-19 coronavirus pandemic.

It was reported that the work had been substantially completed, and that the audit opinion would be unmodified, but would include an 'Emphasis of Matter, highlighting the material uncertainty around property valuations. Grant Thornton clarified that they would ensure that all findings were actioned appropriately before issuing their audit opinion.

A risk-based review of the Council's value for money arrangements in respect of the significant risks identified in the Audit Plan around financial sustainability had been undertaken and it was concluded that Bromsgrove District Council had proper arrangements to secure economy, efficiency and effectiveness in its use of resources in this area.

The quality of working papers that supported the financial statements was noted but officers explained that the new Enterprise Resource Planning system was live, and this would enable better quality papers for future years.

The use of the going concern assumption was reasonable as the Council had a realistic Medium Term Financial Plan (MTFP) and sufficient reserves to cover any short-term unexpected need. The full impact of Covid-19 was still unknown however, officers were reasonably confident that grants would cover these costs, but this was still currently ongoing.

Members were reminded not to be complacent as significant savings still needed to be made and that some difficult decisions may need to be made in the future.

## **HOUSING BENEFIT / SUBSIDY CERTIFICATION WORK 2019/20 - SUMMARY REPORT - 11<sup>TH</sup> MARCH 2021**

Members were informed that Grant Thornton had certified the Housing Benefit Claim for 2019/20 relating to over £12.6m of expenditure. It was explained that the Department for Work and Pensions (DWP) set the parameters and guidelines that auditors had to go through when auditing. Members were asked to note that there was no level of materiality when auditing the housing benefit claim and therefore the errors could be minor in value but required further testing. All work had been carried out by the extended deadline that have been given.

## **INTERNAL AUDIT - PROGRESS REPORT – 11<sup>TH</sup> MARCH 2021**

This was the final regular Internal Audit progress report for this municipal year, and it was reported that the plan had been closely managed throughout a year that had been impacted by Covid-19.

The Head of the Worcestershire Internal Audit Shared Service commented that despite that challenges faced, the Council was in a position whereby he was comfortable and confident that come year end he would be able to give an audit opinion.

It was reported that the 2021/22 Audit Plan would be presented to Members at the next meeting of the Committee in July 2021.

## **RISK CHAMPION - COUNCILLOR VAN DER PLANK**

Councillor Van Der Plank volunteered to be Risk Champion on behalf of the Committee during the municipal year 2019-20. However, due to the Covid-19 pandemic had continued for 2020-21. As part of her role, she undertook to provide the Committee with a verbal update at each meeting.

In detailed updates, Councillor Van Der Plank had provided reports on the following:

- Bromsgrove District Council's response to the Covid-19 pandemic
- Interview with the Head of Community Services - Training, ways of working, Recruitment and Role in the Community
- Training and well-Being
- Outcome of Motions & Written Questions

The following provides a more detailed account of the areas that Councillor Van der Plank had reported on.

### **BROMSGROVE DISTRICT COUNCIL'S RESPONSE TO THE COVID-19 PANDEMIC – JULY 2020**

The key areas in respect of this Risk Champion update focused predominantly on the following:

1. How prepared were the Council for this emergency?
2. How did the Council respond?
3. How did the Council operate?

Members were informed that there had been some very positive areas in the Council's response, including daily emergency response meetings, identification of service areas which required increased staffing levels and redeployment of staff into priority areas. Following this discussion, a request was made for officers to provide an update on the Council's response to the pandemic from Civil Contingencies and Resilience Manager at a future meeting. This request was actioned and presented to the Committee on 24<sup>th</sup> November 2020.

### **INTERVIEW WITH THE HEAD OF COMMUNITY SERVICES - TRAINING, WAYS OF WORKING, RECRUITMENT AND ROLE IN THE COMMUNITY – SEPTEMBER 2020**

During the presentation for the Risk Champion update in September 2020 it was highlighted that the Head of Community Services had been interviewed and four areas had been investigated in detail, these were:.

*Training*

# Agenda Item 9

- The Head of Community Services was the safeguarding lead for the Council.
- The approach taken to Safeguarding was that it was everyone's responsibility so basic safeguarding training had been rolled out to everyone.
- safeguarding training was provided online for office-based staff and for non-office-based staff training was face to face.
- All new starters (including volunteers) had to do safeguarding training as part of their induction program.

## *Policies and Ways of Working*

- The Safeguarding Policy was reviewed and updated annually and that a review was currently being carried out and would be signed off by the relevant Portfolio Holder.
- A Safeguarding Champion had been introduced since the start of lockdown and was the designated point of contact for each service area.
- Safeguarding referrals were logged and outcomes noted, and clear processes appeared to be in place for handling serious incidents.

## *Recruitment*

- The importance of Safer Recruitment policies were being followed for all recruitment. This included DBS checks and following up on references. As part of this interview, it was noted that training on Safer Recruitment had not been undertaken in some time which needed to be addressed.

## *Role in the Community*

- The Council had good clear links and worked well with Worcestershire County Council on safeguarding in both corporate settings and on a day-to-day basis.
- The constraints on officer time were a challenge and the implementation of the Safeguarding champion role would help to alleviate this.
- Leadership was important and was felt that it was helpful having the Chief Executive as the District Council's representative on the Safeguarding Board.

After the detailed report Members understood more fully the positives and challenges in this area and proposed a number of recommendations be proposed for the Member Development Steering Group all of which were agreed by the Committee.

The recommendations were as follows:

- 1. the Member Development Steering Group consider making Basic Safeguarding training for Members be mandatory and carried out at least once in 4-year term;**
- 2. the Member Development Steering Group consider providing training for both Safeguarding and other types of training in different formats, such as online; and**

- 3. the Cabinet and relevant Portfolio Holder considers bringing the updated Safeguarding Policy to full Council due to the length of time since it was last reviewed and as a reminder to Members of its importance.**

These recommendations will be considered at the meeting of the Member Steering Group due to be held in March 2021.

## **TRAINING AND WELL-BEING – INTERVIEW WITH THE HEAD OF BUSINESS TRANSFORMATION, ORGANISATIONAL DEVELOPMENT AND DIGITAL STRATEGY – NOVEMBER 2020**

The Risk Champion update for November 2020 was in respect of training for staff and Members and what processes were in place in order for these to be carried out. In reporting to the Committee, it was discussed that staff were subject to an annual Performance & Development Review (PDR). As part of the PDRs, it was clarified that a variety of training methods and opportunities were discussed.

In respect of Member training, the Committee were advised that historically face-to-face methods had been used to deliver training but time constraints on Members did not always allow this to happen. It was suggested by Councillor Van Der Plank that if more mandatory training was available online it might be easier for Members to participate.

Suggested areas of further training for Members were as follows:

- IT Training
- Equalities Act 2010 Training

In respect of staff well-being, Councillor Van der Plank highlighted that there was a focus on staff well-being during such a challenging time. It was acknowledged that there was extensive support available to staff including an employee support service, occupational health referrals, mental health first aiders and mental health IT training. Members were advised that a well-being Staff Survey was due to be carried out in November 2020 and the results of the surveys would be available in 2021.

## **OUTCOME OF MOTIONS & WRITTEN QUESTIONS - 21ST JANUARY 2021**

The Committee's Risk Champion first report in 2021 was regarding the Outcome of Motions & Written Questions that had been brought to Full Council meetings during the previous 12 months.

The main area for discussion was in respect of potential confusion regarding the responsibility of following-up on Motions and Questions. Members were informed that it was the responsibility of the Member who brought the Motion or Question to follow up on the outcome and any associated actions. It was requested that this information should be cascaded to all Members through their Group meetings.



# Agenda Item 9

As the next meeting was the last as Risk Champion for the Committee, Councillor K. Van Der Plank outlined her plan to provide a summary of her role as Risk Champion over the previous two years in readiness for the next Risk Champion.

## **SUMMARY OF MUNICIPAL YEAR 2020-2021 - MARCH 11<sup>TH</sup> 2021**

At the last meeting of the municipal year, Councillor K. J. Van der Plank, provided a summary of all of the work undertaken over the previous year.

She identified areas that she thought were still outstanding and that might need further focus over the next municipal year. They were highlighted as follows:

- Risk management processes
- Identifying risks
- Reflections and learnings after Covid

### **Legal, Equalities and Democratic Services**

Bromsgrove District Council

Parkside

Bromsgrove

Worcestershire B61 8DA

Telephone: 01527 64252 ext 3031

Email: [joanne.gresham@bromsgroveandredditch.gov.uk](mailto:joanne.gresham@bromsgroveandredditch.gov.uk)

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**Council**  
2021

14<sup>th</sup> July

### Outside Body Appointments 2021/22

Relevant Portfolio Holder		Councillor Geoff Denaro	
Portfolio Holder Consulted			
Relevant Head of Service			
Report Author Claire Felton	Job Title: Head of Legal, Democratic and Property Services Contact <span style="float: right;">email:</span> <a href="mailto:c.felton@bromsgroveandredditch.gov.uk">c.felton@bromsgroveandredditch.gov.uk</a> Contact Tel: 01527 881429		
Wards Affected		All	
Ward Councillor(s) consulted		N/A	
Relevant Strategic Purpose(s)		An Effective and Sustainable Council	
Non-Key Decision			
If you have any questions about this report, please contact the report author in advance of the meeting.			

#### 1. **RECOMMENDATIONS**

It is recommended that Council considers nominating to the bodies listed at Appendix 1 as appropriate.

#### 2. **BACKGROUND**

2.1 The Council makes appointments and nominations to a number of Outside Bodies each year. This report sets out the details of the appointments which are made by the Council.

#### 3. **FINANCIAL IMPLICATIONS**

3.1 There are no financial implications arising from this report.

#### 4. **LEGAL IMPLICATIONS**

4.1 No specific legislation governs the appointment or nomination of members to outside bodies by the Council. Depending on the nature of the relationship the Council has with the organisation, the legal status of the organisation, its corporate, charity or other status and its constitution, there are differing legal implications for the members sitting on these bodies.

4.2 The Local Authorities (Indemnities for Members and Officers) Order 2004 governs the Council's ability to indemnify members sitting on outside bodies.

### **5. STRATEGIC PURPOSES - IMPLICATIONS**

#### **Relevant Strategic Purpose**

- 5.1 The action proposed in this report supports the strategic purpose “an effective and sustainable Council”.
- 5.2 Council reviews outside body appointments on an annual basis to ensure that those bodies to which the Council puts forward nominations continue to address the needs and aspirations of the District.

#### **Climate Change Implications**

- 5.3 There are no specific climate change implications.

### **6. OTHER IMPLICATIONS**

#### **Equalities and Diversity Implications**

- 6.1 There are no specific equalities and diversity implications.

#### **Operational Implications**

- 6.2 A number of bodies ask the Council to make appointments to them for terms of office which vary from one year upwards.
- 6.3 The Council has previously agreed that a number of such appointments, usually to national or regional bodies, should be made by office. Where there are specific requirements for appointments these are shown against the organisations in the appendix.

### **7. RISK MANAGEMENT**

- 7.1 There would be risks arising if the Council failed to make appointments to the Outside Bodies listed in this report; the nature of the risk would vary depending on the type of body in question. The Council needs to participate in certain Outside Bodies to ensure that existing governance arrangements can be complied with. On other bodies the risk would be less severe but non-participation would detract from the Council’s ability to shape and influence policies and activities which affect the residents of Bromsgrove.

**Council**  
2021

14<sup>th</sup> July

**8. APPENDICES and BACKGROUND PAPERS**

**Appendices**

Appendix 1 - list of appointments to outside bodies

**Background Papers:**

Terms of reference and governing documents of organisations are held by Democratic Services.

**9. REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder	Councillor Geoff Denaro	
Lead Director / Head of Service	James Howse, Executive Director of Resources	
Financial Services	James Howse, Executive Director of Resources	
Legal Services	Claire Felton, Head of Legal, Democratic and Property Services	

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## Council Appointments to Outside Bodies – nominations 2021/2022

Organisation	No. of Appts & Length of Office	Current appointments 2019/2020	Nominations 2020/2021 Rolled over from 2019/2020	Nominations 2021/2022
Amphlett Hall Management Committee	<b>4</b> 1 year	S. Douglas J. King A. Beaumont S. Webb		A. Beaumont S. Douglas J. King S. Webb
Citizens' Advice Bromsgrove and Redditch	<b>2</b> 1 year	J. Till S. Webb		J. Till S. Webb
Greater Birmingham and Solihull Local Enterprise Partnership (LEP) – Joint Overview and Scrutiny Committee for the Supervisory Board	<b>1 and a substitute</b> 1 year	P. Thomas  Substitute: A. Kriss		P. Thomas  Substitute: A. Kriss
Shared Services Members Board (2 representatives also by office)	<b>2 and a substitute</b> 1 year	(G. Denaro & K. May by office)  R. Deeming S. Baxter  Substitute: S. Hession		(K. May & A. Kent by office)  R. Deeming S. Baxter  Substitute: S. Hession
Midlands Joint Council for Environmental Protection	<b>2</b> 1 year	M. Glass H. Rone-Clarke		M. Glass H. Rone-Clarke
West Mercia Police and Crime Panel  <i>Rep and sub must be from majority political group on the Council</i>	<b>1 rep and 1 substitute</b>	A. Kent  Substitute: A. Beaumont		A. Kent  Substitute: A. Beaumont
Worcestershire County Council Corporate Parenting Board	<b>1</b> 1 year	M. Sherrey		M. Sherrey
Worcestershire County Council Health Overview and Scrutiny Committee	<b>1</b> 1 year	J. Till	Delegate to O&S Board	Delegate to O&S Board

# Agenda Item 10

<p>Worcestershire Regulatory Services Board (previously Worcestershire Shared Services Joint Committee)</p>	<p><b>2</b> 1 year To include relevant Portfolio holder and one other member of the controlling group and one substitute</p>	<p>A. Kent H. Jones  Substitute: M. Middleton</p>	<p>A. Kent H. Jones  Substitute: M. Middleton</p>
<p>Bromsgrove Arts Development (Holding Trust)</p>	<p><b>6</b> 4 years  <b>(note four year period ended 2019)</b></p>	<p>May 2019 5 Places to be taken, so one vacancy)  M. Sherrey M. Glass P. Whittaker M. Middleton C. Hotham  P. McDonald replaced H. Rone-Clarke on 19.05.21</p>	<p>M. Sherrey M. Glass P. Whittaker M. Middleton P. McDonald C. Hotham</p>



**Council**  
2021

14<sup>th</sup> July

**REPORT TITLE: PLANNING COMMITTEE – PUBLIC SPEAKING RULES – TREE PRESERVATION ORDERS (TPOs)**

Relevant Portfolio Holder	Councillor Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	
Report Author	Job Title: Senior Democratic Services Officer Contact email: <a href="mailto:jess.bayley@bromsgroveandredditch.gov.uk">jess.bayley@bromsgroveandredditch.gov.uk</a> Contact Tel: (01527) 64252 Ext: 3268
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**Council is asked to RESOLVE that:-**

**The Planning Procedure Rules be amended as detailed at Appendix 1 to permit public speaking at meetings of the Planning Committee in respect of Tree Preservation Orders.**

**2. BACKGROUND**

- 2.1 Following a request from the Planning Committee to investigate the option of allowing speakers in respect of TPOs, the Constitution Review Working Group (CRWG) asked Officers to investigate the matter further and review the procedures at other Councils.
- 2.2 The outcomes of this investigation by Officers was reported for Members' consideration at a meeting of the CRWG held on 31<sup>st</sup> March 2021. This investigation found that, whilst many Councils have a public speaking process in respect of planning applications advertised on their websites, there was little information available about public speaking in respect of TPOs.
- 2.3 However, during the meeting of the CRWG, Members noted that there was no logical reason why public speaking should not be permitted in respect of TPOs at Planning Committee. Therefore, given the potential for public interest in TPOs, the group recommended that the Planning Procedure Rules should be amended to permit public speaking at

meetings of the Planning Committee in respect of TPOs as highlighted in Appendix 1.

**3. FINANCIAL IMPLICATIONS**

- 3.1 There are no specific financial implications.

**4. LEGAL IMPLICATIONS**

- 4.1 The law on TPOs is in Part VIII of the Town and Country Planning Act 1990, The Town and Country Planning (Tree Preservation) (England) Regulations 2012 [the Regulations] and detailed Guidance in 'A Guide to the Law and Good Practice published by the Department of Communities and Local Government [DCLG – now Dept of Housing CLG]
- 4.2 There is no statutory requirement for the public to be able to speak at Planning Committees in respect of TPOs. Equally, there is no legal bar that would prevent the council from introducing public speaking arrangements for TPOs.
- 4.3 As with planning applications to develop land, there are consultation requirements imposed on the local planning authority when making and confirming TPOs. These are set out in regulation 5 of the Regs.
- 4.4 The main distinction between development applications and TPOs is that the former are submitted by external parties, with the Local Planning Authority [the LPA] processing them within the planning framework. Applications are referred to Planning Committee in some circumstances and certain parties can register to address the Committee.
- 4.5 TPOs however, are made within the Council by professional officers of the Council fulfilling their statutory responsibilities in respect of the protection of trees and woodlands and the TPO acts to prohibit any works to be undertaken to protected trees without permission from the local planning authority [LPA]. This may partly explain why there does not appear to be public speaking on TPOs at other LPAs.
- 4.6 TPOs are first made and then consulted upon. The Regulations set out the requirement to publicise the Order, notify parties that it has been made and allow 28 days for a relevant party to submit objections or representations in respect of the TPO to the LPA.
- 4.7 TPOs must be confirmed within six months of being made and only where objections have been received is the proposed confirmation referred to Planning Committee as offices do not have delegated

authority to confirm an Order where objections have been made.

4.8 At present the Tree Officer includes in their Report to Committee the details of the objection/s received and answers members' questions in relation to the Order and the objections.

4.9 The proposal in this report is that parties who had made such objections should be able to support their objection at the Planning Committee by addressing the Committee in the same way that parties can speak to the Committee in development applications. The changes to the public speaking rules would also enable members of the public who wish to speak in favour of an application, to register to do so at Planning Committee.

## **5. STRATEGIC PURPOSES - IMPLICATIONS**

### **Relevant Strategic Purpose**

5.1 The proposal detailed in this report support the purpose 'An Effective and Sustainable Council'.

5.2 By agreeing the action recommended by the CRWG, Members will be enhancing the democratic process by enabling the public to participate in the debate regarding TPOs.

### **Climate Change Implications**

5.2 There are no specific climate change implications.

## **6. OTHER IMPLICATIONS**

### **Equalities and Diversity Implications**

6.1 There are no equalities and diversity implications.

### **Operational Implications**

6.2 Temporary planning procedure rules apply to meetings of the Planning Committee whilst these meetings are taking place virtually. The CRWG proposed the changes to speaking rules in respect of TPOs to start with immediate effect. Therefore, the amendments have been highlighted in track changes in both the permanent version of the Planning Procedure Rules, at Appendix 3, and in the temporary Planning Procedure Rules, at Appendix 4.

**Council**  
2021

14<sup>th</sup> July

**7. RISK MANAGEMENT**

7.1 No risks have been identified arising from the introduction of public speaking in respect of TPOs at meetings of the Planning Committee.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 – Planning Committee Procedure Rules – amended

**9. REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder	Councillor Geoff Denaro, Portfolio Holder for Finance and Enabling (including governance arrangements)	31 <sup>st</sup> March 2021
Lead Director / Head of Service	Kevin Dicks, Chief Executive	April 2021
Legal Services	Clare Flanagan, Principal Solicitor	Various dates March and April 2021

### **PLANNING COMMITTEE PROCEDURE RULES**

#### **1. Terms of Reference of Planning Committee**

- 1.1 The Council will appoint a Planning Committee.
- 1.2 The Terms of Reference of the Planning Committee are set out in Part 5 of the Constitution.

#### **2. Time and Place of Meetings**

- 1.1 There shall be at least 10 meetings of the Planning Committee each year.
- 1.2 The time and place of Planning Committee meetings will be determined by the Chief Executive and notified in the agenda.

#### **3. Composition of the Planning Committee**

- 3.1 The Planning Committee will comprise 11 Councillors.
- 3.2 Article 8.4 of the Articles at Part 2 of this Constitution applies to the Planning Committee.
- 3.3 Members of the Planning Committee who cannot attend a particular meeting may arrange for a substitute to attend in his or her place provided that they have completed the appropriate training.
- 3.4 The Leader of the Council cannot be a member of the Planning Committee and cannot sit as a substitute on the Planning Committee.

#### **4. Chairman**

- 4.1 The Planning Committee will appoint one of its members as Chairman at its first meeting following the Annual Council Meeting.
- 4.2 The Chairman of the Planning Committee cannot be a member of the Cabinet.

#### **5. Quorum**

The quorum for a meeting of the Planning Committee is 6.

#### **6. Application of Council Procedure Rules**

The Council Procedure Rules (as specified in Council Procedure Rule 22) will apply to all meetings of the Planning Committee except as modified by these Rules.

### **7 Procedure for Determining Applications for Planning Permission**

- 7.1 An officer will present the report of the Head of Planning and Regeneration Services.
- 7.2 Members of the public who have registered to speak may address the meeting when invited to do so by the Chairman and in accordance with the public speaking rules.
- 7.3 Ward members who have registered to speak may then address the meeting when invited to do so by the Chairman and in accordance with both the public speaking rules and these Procedure Rules.
- 7.4 The Chairman will invite members of the Committee to address the meeting. With the consent of the Chairman, members of the Committee are entitled to address the meeting more than once.
- 7.5 Before taking the vote the Chairman will read out the recommendation of the Head of Planning and Regeneration Services and ascertain if any member of the Committee wishes to put forward an alternative recommendation.
- 7.6 If no alternative recommendation is put forward the Chairman will proceed to the vote.
- 7.7 If one or more alternative recommendations are put forward the Chairman will:
- (a) request each member who puts forward an alternative recommendation to read out the alternative recommendation and specify the reasons for the alternative recommendation;
  - (b) invite the Head of Planning and Regeneration Services to advise the Committee on the extent to which the alternative recommendation and reasons for it fall within or outside planning policy;
  - (c) consider whether an adjournment is required to enable the member proposing the alternative recommendation to take advice from officers;
- and only then proceed to the vote.
- 7.8 Each member of the Committee may vote only once in favour of either the recommendation proposed by the Head of Planning and Regeneration Services or an alternative recommendation.

### 8. Public Speaking at Planning Committee

- 8.1 The Council has decided to introduce a public speaking scheme to allow members of the public and other parties to EITHER give their views in person OR in writing about an application for planning permission which affects them when it is being considered by the Planning Committee.
- 8.2 The four classes of speaker who may exercise the opportunity to speak publicly at Planning Committee are:
- a. objector (or agent/ spokesperson on behalf of objectors);
  - b. applicant, or their agent (or supporter);
  - c. Parish Council representative (if applicable);
  - d. Ward Councillor
- 8.3 A person wishing to address either in person or in writing the Planning Committee must give notice to the Democratic Services Team of his or her intention to do so by 12.00 noon two working days prior to the Planning Committee meeting in question. Members of the public registering to submit comments in writing must submit the written statement by the same deadline.

Members of the public who register to address a meeting of the Planning Committee can do so using one of the three options below:-

- By attending in person and addressing the the committee verbally;
  - By joining the meeting virtually by video link and addressing the committee verbally; or
  - By providing a written statement in advance of the meeting to be read out by an officer.
- 8.4 A total of three minutes shall be allocated to the applicant and/or his/her agent (or to a member of the public) who wish speak in favour of a planning application; if more than one person wishes to speak the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.
- 8.5 A total of three minutes shall be allocated to members of the public who wish to either speak or provide a written statement, against a planning application; if more than one person wishes to either speak or provide a written statement, the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.

Written statements will be read out by the Democratic Services Officer at the meeting. The written statement should be a length that would take no longer than the allotted time to read. The Democratic Services Officer when reading the written statement will not speak for more than the allotted time, when doing so.

- 8.6 A total of three minutes public speaking time shall be allocated to the representative of the local Parish Council; if more than one Parish Council representative wishes to speak the time will be divided equally between them. The time limits for public speaking may be extended at the discretion of the Chairman but only in exceptional circumstances.
- 8.7 A total of three minutes shall be allocated to Ward Councillors who wish to speak in relation to a planning application in their ward; if more than one Ward Councillor wishes to speak the time will be divided equally between them. In the event that a Ward Councillor is unable for any reason to exercise their Ward Councillor speaking rights they may nominate a substitute member to represent the views of the ward residents.
- 8.8 Guidance for public participation at Planning Committee is published from time to time by the Council. The Chairman of the Planning Committee will retain the discretion to decide at the meeting in which order the public speakers will address the Committee.
- 8.9 The Chairman shall invite the representative of Head of Planning and Regeneration at the conclusion of public speaking on planning applications to correct any factual inaccuracies.
- 8.10 -The Council has also decided to introduce a public speaking scheme to allow members of the public and other parties to EITHER give their views in person OR in writing on the subject of an application in respect of a Tree Preservation Order (TPO).
- 8.11 The public will be permitted to register to speak publicly at meetings of the Planning Committee either in opposition to or in support of a TPO.
- 8.12 A person wishing to address either in person or in writing the Planning Committee in respect of TPOs must give notice to the Democratic Services team in accordance with the timescales set out at paragraph 8.3.
- 8.13 A total of three minutes shall be allocated to a member of the public who wishes to speak or provide a written statement to be read out in respect of a TPO. If more than one person wishes to either speak or provide a written statement, the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.
- 8.14 Where a planning application is fully considered at Planning Committee and public speaking rights are exercised, in the event that Members decide to defer application there will be no further public speaking rights. This rule will apply to all classes of public speaker listed at paragraphs 8.2. and 8.12 above.



### 9 **Members of the Planning Committee with Disclosable Pecuniary Interests (DPI) or other disclosable interests and Public Speaking**

Any Member who considers they have a DPI or other disclosable interest in any planning matter, whether or not as a Planning Committee Member, should seek advice from the Monitoring Officer, deputy Monitoring Officer or a member of the Democratic Services Team at an early stage.

### 10 Site Visits

During the pandemic, formal site visits will not be possible. Officers will endeavour to provide as much information as necessary, to assist members in their understanding of the site. Should any member of the Committee decide to go on a personal visit to see a site, then they must observe the following:

- Only view the site from the public highway (you do not have the authority to enter a site);
- Do not engage in any conversation with any person you may see at the site, nor disclose the purpose of your visit . If you are approached, explain that the purpose of the visit is to view the site and its surroundings and that you cannot enter into any discussion about the merits of the application.
- Do not take photographs or make recordings with any device including your phone.
- View alone - no third parties may accompany you. Someone can travel with you in your car, but must not be with you when viewing the site.

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**Council**  
2021

14<sup>th</sup> July

**Membership Arrangements: Constitution Review Working Group**

Relevant Portfolio Holder		Councillor Geoff Denaro	
Portfolio Holder Consulted			
Relevant Head of Service		Claire Felton, Head of Legal, Democratic and Property Services	
Report Author Claire Felton	Job Title: Head of Legal, Democratic and Property Services Contact <span style="float: right;">email:</span> <a href="mailto:c.felton@bromsgroveandredditch.gov.uk">c.felton@bromsgroveandredditch.gov.uk</a> Contact Tel: 01527 881429		
Wards Affected		N/A	
Ward Councillor(s) consulted		N/A	
Relevant Strategic Purpose(s)		An Effective and Sustainable Council	
Non-Key Decision			
If you have any questions about this report, please contact the report author in advance of the meeting.			

**1. RECOMMENDATIONS**

**Council is asked to RESOLVE that:**

- 1) The membership of the Constitution Review Working Group be amended to reflect the Council’s political balance; and**
- 2) The Council’s constitution be amended to require the membership of the Constitution Review Working Group to reflect the political balance.**

**2. BACKGROUND**

- 2.1 Bromsgrove District Council has a number of working groups, including the Constitution Review Working Group.
- 2.2 Working Groups do not have any decision-making powers. However, they can make recommendations to Council for consideration. Meetings of these groups are informal and are held in private.
- 2.3 The Constitution Review Working Group is responsible for reviewing the Council’s constitution. Any changes to the constitution proposed by the group are recommended on to full Council for consideration.
- 2.4 Currently, there are 6 members of the Constitution Review Working Group, comprising each of the political group leaders and the Portfolio

**Council**  
2021

14<sup>th</sup> July

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Holder for Finance and Enabling, in his capacity as lead Portfolio  
Holder for governance arrangements.

**Council**  
2021

14<sup>th</sup> July

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- 2.5 From time to time it is necessary to review the workings of these groups and the membership thereof and given the recent change to group numbers and size it would appear to be an appropriate time for review. It is therefore suggested that members give consideration to reconfiguring the membership so as to afford with political balance whilst at the same time enabling all groups to participate.
- 2.6 Further reviews of other working groups may be undertaken on a case-by-case basis during the year.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications.

### **4. LEGAL IMPLICATIONS**

- 4.1 Council is responsible for approving any proposed changes to the authority's constitution. Unlike other areas of Council business, this final decision-making power in respect of the constitution cannot be delegated to another Committee.
- 4.2 The political balance rules are set out in The Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990. When setting the political balance, the Council needs to comply with this legislation.
- 4.3 The political balance rules, in terms of the appointment of Members to Committees to reflect the authority's political balance, apply to most "ordinary committees", or formal Committees such as the Planning Committee, though not the Cabinet.
- 4.4 The Local Government and Housing Act 1989 stipulates in calculating the political balance "...that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority." (Para 15, (5), (c)) This means that in calculating the overall political balance, only the figures for ordinary Committees should be included in the calculations for the authority.
- 4.5 Working Groups, scrutiny Task Groups and advisory panels are not classified as ordinary committees. Therefore, the political balance does not need to apply to these bodies.

- 4.6 However, the Council can determine how membership is allocated for informal bodies such as working groups. Therefore, Members could set the membership of a working group in accordance with numbers that would correspond with the political balance for a Committee of an equivalent size in membership. It must be noted, though, that if this was to occur the seats could not be included in the formal calculations for the Council's political balance nor would the seats on those groups be included in the total of all seats used to calculate the political balance.
- 4.7 Should Members decide to appoint to the Constitution Review Working Group in a manner that reflects the political balance, it is suggested that consideration be given to appointing a total of 9 Members to the group. This would ensure that all political groups are represented and each of the political groups not forming part of the administration would be able to appoint the same number of Members, so would be equally represented. The number of appointments in this context would be 5 Conservative Members and 1 Member from each of the other political groups.

## **5. STRATEGIC PURPOSES - IMPLICATIONS**

### **Relevant Strategic Purpose**

- 5.1 The Council needs to ensure that governance arrangements enable Council business to be conducted in an effective and sustainable manner. As part of this process, Members should consider whether changes to the membership of the Constitution Review Working Group would improve the Council's ability to conduct Council business in an effective and sustainable manner.

### **Climate Change Implications**

- 5.2 There are no specific climate change implications.

## **6. OTHER IMPLICATIONS**

### **Equalities and Diversity Implications**

- 6.1 No equalities and diversity implications have been identified.

### **Operational Implications**

- 6.2 There have been various iterations in terms of the membership of the Constitution Review Working Group in recent years. Prior to the 2021/22 municipal year, both group leaders and deputy group leaders from each political group were appointed to the working group. This resulted in 10 Members serving on the group.
- 6.3 The membership of the Constitution Review Working Group was reduced to the current membership of 6 in February 2021. This change was agreed by all group leaders due to concerns about difficulties in respect of organising ad hoc meetings of the group that could be attended by all group leaders and deputy leaders.
- 6.4 A change to the membership of the Constitution Review Working Group to reflect the political balance of the Council would potentially result in an increase in membership to 9 Members overall. However, this is the minimum number of Members required on the group in order for all political groups to be represented at meetings of the Constitution Review Working group.
- 6.5 Many Councils involve group leaders in discussions about proposed changes to the Council's constitution. This is considered to be good practice.
- 6.6 The Constitution Review Working Group does not currently have official terms of reference, beyond the group's remit to review the constitution. However, it is recognised that Members might find written terms of reference helpful as a guide to the group's remit.
- 6.7 Suggested terms of reference for the group have been attached at Appendix 1 for Members' consideration. Members are asked to note that as the Constitution Review Working Group is not a formal Committee these terms of reference will not be included in the Council's constitution.

### **7. RISK MANAGEMENT**

- 7.1 No specific risks have been identified.

**Council**  
2021

14<sup>th</sup> July

**8. APPENDICES and BACKGROUND PAPERS**

**Appendices**

Appendix 1 – Proposed terms of reference for the Constitution Review Working Group

**Background papers**

Background papers include the relevant legislation:

The Local Government and Housing Act 1989

The Local Government (Committees and Political Groups) Regulations 1990

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Councillor Geoff Denaro	14 <sup>th</sup> June
Lead Director / Head of Service	Kevin Dicks, Chief Executive	June 2021
Legal Services	Claire Felton, Head of Legal Democratic and Property Services	14 <sup>th</sup> June 2021



## **Constitution Review Working Group**

### **Draft Terms of Reference – June 2021**

The Constitution Review Working Group will perform the following functions:-

- Review the content of the Council's constitution.
- Identify amendments that could be made to the Council's constitution that would enhance Council business.
- Consider proposals from Members to make changes to the Council's constitution.
- Consider proposals from Officers to make changes to the Council's constitution.
- Make recommendations to Council regarding potential changes to the Council's constitution.

### **Membership and Role of the Working Group**

1. The Working Group shall comprise 9 elected Members of the Council to be nominated by Group Leaders.
2. The membership of the Working Group will reflect, though will not form part of the Council's political balance.
3. The Constitution Review Working Group is an informal group.
4. Due to the importance of the constitution to all Council business, it is suggested that the Working Group should be chaired by the Leader of the Council.
5. Due to the relevance to his/her portfolio, it is suggested that the relevant lead Portfolio Holder for governance should also be a member appointed to the Working Group.

### **Rules of Operation**

1. The Working Group is able to receive information from officers and to discuss proposed changes to the Council's constitution.
2. The Working Group has no power to make decisions. However, it can make recommendations which would be considered by Council.
3. Meetings shall be held in private.
4. For the purposes of accuracy and transparency notes and actions shall be taken of the matters considered.
5. Members are reminded that the rules set out in the Code of Conduct with regard to making declarations of interest will apply to the Working Group.

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**Council**

**14<sup>th</sup> July 2021**

**BURCOT LANE DEVELOPMENT – Disposal of Affordable Housing Units at Burcot Lane**

Relevant Portfolio Holder	Councillor Shirley Webb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Sue Hanley, Deputy Chief Executive
Report Author Derek Allen	Job Title: Strategic Housing Manager Contact email: derek.allen@bromsgroveandredditch.gov.uk Contact Tel: Ext 1278
Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	Affordable and sustainable homes
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**Council is asked to RESOLVE that:**

- 1.1 Officers appoint an external consultant to undertake a competitive exercise on behalf of the Council, for the disposal of the affordable housing units on the site to a registered provider; and**
- 1.2 Delegated authority is given to the Head of Housing and the Head of Legal, Democratic and Property Services to negotiate the terms of disposal with the successful party and effect the disposal.**

**2. BACKGROUND**

- 2.1 This report follows the Cabinet reports in September 2017, October 2018, August 2020 and January 2021 whereby the Council agreed the transfer of the affordable housing units on the site to Bromsgrove District Housing Trust (BDHT). As this was not achieved, this report sets out proposals for next steps in relation to the disposal of these units.
- 2.2 At the Cabinet meeting on 8<sup>th</sup> August 2020 a report was considered which proposed that the Council set up a Housing Company and that the affordable housing at Burcot Lane be transferred to BDHT.
- 2.3 Cabinet and Council endorsed this direction of travel, and officers sought a valuation to ensure that the affordable housing units would not be disposed of for less than best value in line with Section 123 of the Local Government Act 1972.

**Council**

**14<sup>th</sup> July 2021**

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- 2.4 Meanwhile officers at BDHT prepared and submitted a financial offer for the affordable housing units for the Council's consideration.
- 2.5 Council officers wrote a report recommending that BDHT's offer be accepted which Council considered on the 20<sup>th</sup> January 2021.
- 2.6 At this meeting of Council it was decided to defer the decision to accept BDHT's offer pending further discussion between the Council and BDHT. This dialogue took place and as a result BDHT formally withdrew their offer to purchase the affordable housing units at Burcot Lane.
- 2.7 BDHT's decision to withdraw their offer to purchase the affordable units means that the Council needs to secure a purchaser via another route. Affordable housing can only be disposed of to a Registered Provider so it will now be necessary to run a competitive exercise to secure a purchaser. It should be noted that BDHT may still compete in such an exercise.
- 2.8 The main advantage to securing an external consultant to run the competitive exercise is that the expertise will be in place to ensure a legally compliant and independent process will be in place to select a purchaser for the affordable housing at Burcot Lane. As part of their brief the consultant will be required to ensure any disposal demonstrates best value and also to establish a 'reserve' price for the units on behalf of the Council. The Head of Housing will carry out the recommendations of the consultant and negotiate the terms of disposal, and the transaction implemented by the Head of Legal Democratic and Property Services.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There will be a cost associated with hiring external support to run a competitive exercise. Currently these costs are estimated to be in the region of £15k. A contingency fund was put in place in the approved business case and this cost will be funded from this. This will be kept under review to ensure that the contingency budget is not exceeded.
- 3.2 Disposal of the affordable units will generate a capital receipt which will be allocated towards the costs incurred by the project.

### **4. LEGAL IMPLICATIONS**

- 4.1 The Council is required to comply with its overarching best value obligations in terms of income, capital receipt and social benefit. This best value duty must be factored into decisions regarding disposal of any of the units.

- 4.2 The Council must ensure that any market exercise is legally compliant and commercially independent.

**5. STRATEGIC PURPOSES - IMPLICATIONS**

**Relevant Strategic Purpose**

- 5.1 The scheme will result in the delivery of affordable and sustainable housing for local residents living in the district.

**Climate Change Implications**

- 5.2 There are no climate change implications arising from the disposal of the affordable housing units.

**6. OTHER IMPLICATIONS**

**Equalities and Diversity Implications**

- 6.1 Increasing the supply of affordable housing in the district helps households on low incomes by providing them with good quality and secure accommodation options. Improvement in the market rent sector will help rebalance the private rented sector in the district.

**Operational Implications**

- 6.2 These are outlined in detail in the 2017, 2018 and 2020 reports.

**7. RISK MANAGEMENT**

- 7.1 The main risk to consider is that insufficient or inadequate bids might be received from bidders, the consequence being that the Council would have to revisit its position. The appointment of an experienced consultant with knowledge of the market to run the competitive exercise is intended to mitigate this risk. Should these circumstances arise however, the Council would still have other options available to it. In these circumstances the Council could step in and establish a Council owned registered provider or, more likely, (given the administrative requirements of owning a registered provider), follow the lighter touch regime to register itself as a Registered Provider, in either case taking on the affordable housing itself.

**8. APPENDICES and BACKGROUND PAPERS**

N/A

### Council

### 14<sup>th</sup> July 2021

#### 9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Shirley Webb	5 <sup>th</sup> July 2021
Lead Director / Head of Service	Sue Hanley	5 <sup>th</sup> July 2021
Financial Services	Chris Forrester	5 <sup>th</sup> July 2021
Legal Services	Claire Felton	5 <sup>th</sup> July 2021
Policy Team (if equalities implications apply)	N/A	N/A
Climate Change Officer (if climate change implications apply)	N/A	N/A

**Cabinet**  
2021

7<sup>th</sup> July

### **Bromsgrove District Plan – Local Development Scheme**

Relevant Portfolio Holder	Councillor Adam Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author Mike Dunphy	Job Title: Strategic Planning and Conservation Manager Contact email: m.dunphy@bromsgroveandredditch.gov.uk Contact Tel: 01527 881325
Wards Affected	All Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	<ul style="list-style-type: none"> <li>• Run and Grow a Successful Business</li> <li>• Work and Financial Independence</li> <li>• Living Independent, Active and Healthy</li> <li>• Affordable and Sustainable Homes</li> <li>• Communities which are Safe, Well Maintained and Green</li> <li>• The Green Thread runs through the Council Plan</li> </ul>
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

#### **1. RECOMMENDATIONS**

**The Cabinet RECOMMEND that:-**

**That Appendix A: Bromsgrove District Council Local Development Scheme 2021 is approved as the Council’s programme for plan-making, effective as of 8<sup>th</sup> July 2021**

#### **2. BACKGROUND**

- 2.1 The previous Local Development Scheme (LDS) was adopted by the District Council in March 2018. This new LDS is required to update the programme of preparing and consulting on strategic planning documents, whilst continuing to reflect the requirements of the Localism Act 2011 and the National Planning Policy Framework (NPPF). Since the previous LDS, the Bromsgrove District Plan Review (BDPR) has significantly progressed with the Issues and Options consultation being carried out in Autumn 2018, and a Review Update and Further Consultation and Call for Sites’ consultation taking place in Autumn 2019. **It must be stressed this report only addresses the timescales**

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**for the BDPR, the content of that review will be considered in subsequent reports.**

- 2.2 A significant element of the LDS is the identification of the next stages in plan production. Unless some of the planning reforms identified in the 2020 'Planning for the Future' White Paper are brought forward more quickly than expected, the Preferred Option (PO) is the next significant stage in the BDPR development. The PO is the first version of the plan which looks and reads like a local plan with areas identified for development and policies drafted to guide that development. The PO is scheduled to be published for a full and wide-ranging consultation in summer 2022. The number of responses received to early consultations, in particular the Call for Sites element, and the level of analysis that has had to be done as a consequence, have lengthened the time that the plan will take to produce.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 Whilst there are no immediate direct financial implications of adopting the revised Local Development Scheme, the costs to progress the District Plan Review through all stages of the plan-making process, including associated evidence gathering and ultimately independent examination will be considerable. The allocation of financial resources for progression of the District Plan Review has being considered though the budget setting process.

### **4. LEGAL IMPLICATIONS**

- 4.1 The Local Development Scheme is produced under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The legislation states that Councils must prepare and maintain a Local Development Scheme specifying:

- the Local Development Documents (LDDs) which are to be Development Plan Documents (DPDs);
- the subject matter and geographical area of each Development Plan Document;
- which Development Plan Documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee; and,
- the timetable for the preparation and revision of the Development Plan Documents.



- 4.2 The Localism Act 2011 removed the requirement to submit the LDS to the Secretary of State. It is however important for Councils to continue to publish up-to-date information on the progress of local development documents. The District Council thus has flexibility to decide how best to present this information to the public, although as a minimum Planning Practice Guidance states that the LDS should be published on the Council's website.

#### **5. STRATEGIC PURPOSES - IMPLICATIONS**

##### **Relevant Strategic Purpose**

- 5.1 The publication of the LDS in itself does not have any direct implications for the strategic purposes. The BDPR will be a wide-ranging policy document which will likely impact on many if not all of the strategic purposes. These impacts will be covered fully in subsequent reports.

##### **Climate Change Implications**

- 5.2 The publication of a new LDS has no direct climate change implications although production of a new plan as soon as possible is critical in helping to meet new climate change targets. The BDPR will be prepared mindful of the need to meet the target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050.

#### **6. OTHER IMPLICATIONS**

##### **Equalities and Diversity Implications**

- 6.1 The publication of a new LDS has no Equality or Diversity implications. The BDPR will be accompanied by an Equalities Impact Assessment.

##### **Operational Implications**

- 6.2 There are no operational implications.

#### **7. RISK MANAGEMENT**

- 7.1 A Local Development Scheme is essential to set the overall programme and identify how strategic planning documents will be managed and progressed.

- 7.2 Without an up to date Local Development Scheme, development plan documents at independent examination could be found unsound due to

### Cabinet 2021

7<sup>th</sup> July

the Council failing to comply with a statutory duty contained in the Localism Act 2011.

#### 8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Bromsgrove Local Development Scheme 2021

#### 9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Adam Kent	12 <sup>th</sup> May
Lead Director / Head of Service	Ruth Bamford	12 <sup>th</sup> May
Financial Services	James Howse	12 <sup>th</sup> May
Legal Services	Clare Flanagan	12 <sup>th</sup> May
Policy Team (if equalities implications apply)	Rebecca Green	4 <sup>th</sup> May
Climate Change Officer (if climate change implications apply)	Kath Manning	28 <sup>th</sup> April

# Local Development Scheme 2021

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## Contents

Introduction .....	2
Existing Policy Context .....	2
LDS 2021 – Proposed Development Plan Document.....	4
Bromsgrove District Plan Review .....	4
Plan Preparation and Supporting Evidence .....	4
Timetable .....	4
Figure 1: Bromsgrove District Plan Review Programme 2021-2024.....	5
Appendix 1 – Summary Profile of Bromsgrove District Plan Review .....	6
Glossary.....	7

## Introduction

The Local Development Scheme (LDS) is a project plan, which sets out details of key planning policy documents which the local authority seeks to produce over the next three years. The LDS outlines opportunities for public and stakeholder involvement, as well as periods of evidence gathering and plan preparation. A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The legislation states that Councils must prepare and maintain a Local Development Scheme specifying:

- the documents which are to be Local Development Documents (LDDs) and Development Plan Documents (DPDs);
- the subject matter and geographical area of each document;
- which documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee; and,
- the timetable for the preparation and revision of the documents.

The National Planning Practice Guidance (NPPG) states that the LDS must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publically and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish the LDS on their website.

The LDS will come into effect on 16<sup>th</sup> June 2021. Figure 1 (see page 5) outlines an indicative timetable for the preparation of documents within the LDS.

## Existing Policy Context

Major changes were made to the planning system through the introduction of the National Planning Policy Framework (NPPF) in March 2012, which was subsequently updated in February 2019. The NPPF sets out how local planning authorities should produce planning documents that will guide the development and use of land within a local authority area. The NPPF requires each local authority to produce a local plan for its area.

The Bromsgrove District Plan (2011-30) was formally adopted by Bromsgrove District Council in January 2017, following an independent examination in public and receipt of the Inspector's Report into the examination of the plan, concluding that the plan was judged to have been found 'sound'. The adoption of the District Plan superseded all policies contained within the previous Bromsgrove Local Plan 2004 and became the statutory development plan for the District.

The District Plan comprises: a vision and strategic objectives for the development of the District over the course of the plan period; strategic policies including site allocation policies to meet the development needs of Bromsgrove and, where relevant, adjacent authorities; and, development

management policies which guide more detailed development proposals. The adopted plan also includes a Key Diagram and Policies Map, representing the policies and proposals in the plan visually.

Under the Localism Act 2011, Neighbourhood Plans can be produced by a Parish Council, or an organisation or body designated as a Neighbourhood Forum to provide more detailed guidance on specific local issues. Neighbourhood plans are subject to independent examination and a local referendum. If ultimately approved by referendum then the Neighbourhood Plan is 'made' and the Council must bring the Neighbourhood Plan into force as part of the development plan for the local authority. As it is the decision of Parish Councils or Neighbourhood Forums to decide whether to produce a Neighbourhood Plan, it is not appropriate for the LDS to specify when or how they will be produced.

## LDS 2021 – Proposed Development Plan Document

### Bromsgrove District Plan Review

The adopted Bromsgrove District Plan (2011-30) provides a spatial strategy specific to the needs of Bromsgrove. It contains a set of policies for delivering the overall strategy and identifies strategic allocations for development through the production of a policies map. This map illustrates broad locations for strategic development and land-use designations.

The plan includes a requirement to undertake a Plan Review, to be completed by 2023 at the latest. It is imperative that the Plan Review is informed by an up-to-date evidence base, including further consideration of housing needs assessment in the context of not only Bromsgrove's local needs but also those arising from the adjacent West Midlands conurbation. As detailed in Policy BDP3 of the adopted District Plan, land is currently identified to provide for 4,700 dwellings of the overall 7,000 dwellings requirement for the plan period of 2011-30. A deficit of 2,300 dwellings therefore remains to be provided for to meet Bromsgrove's objectively assessed housing need under the adopted plan. The Plan Review will extend to a new time horizon, possibly up to 2040 and will plan for the new development requirements for that period. Significant progress has been made and it is still the aim to progress the Plan Review to adoption at the earliest opportunity.

### Plan Preparation and Supporting Evidence

Progress on the Plan Review to date has comprised of two separate comprehensive consultation periods.

- September 2018 - Bromsgrove District Plan Review 'Issues and Options'
- September 2019 - Bromsgrove District Plan Review 'Review Update and Further Consultation' and Call for Sites.

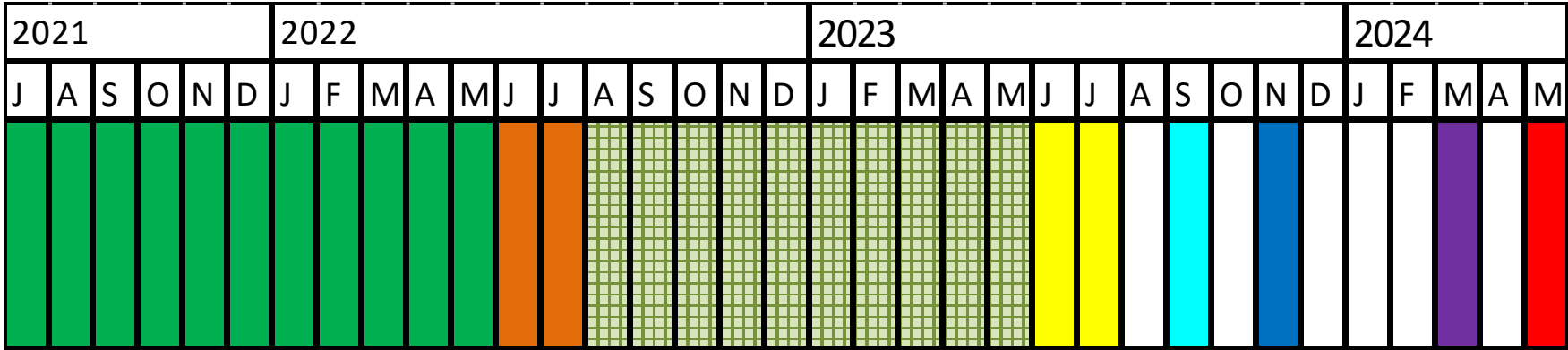
The Call for Sites process has resulted in over 400 possible development sites across Bromsgrove District being brought to the Council's attention and understandably this has increased the time it will take to progress to a Preferred Option version of the Plan. As can be seen from the timetable the next significant stage is the Preferred Option which has been timetabled in for early 2022.

Work on the evidence base has also progressed significantly with key pieces of work underway, ready to inform the decisions taken when putting together the Preferred Option. It is hoped that this evidence will begin to be published over the autumn of 2021.

### Timetable

The following chart (Figure 1) indicates the timetable for the production of the District Plan Review, including supporting evidence base documents, as referred to above. This chart identifies the key indicative dates in the process. A further summary profile of the Plan Review is contained in Appendix1.

Figure 1: Bromsgrove District Plan Review Programme 2021-2024



Page 95

Key

- Preferred Option Development / Evidence Publication
- Preferred Option Publication
- Submission Plan Development
- Submission Plan Publication
- Submission
- Examination in Public
- Inspectors Report
- Adoption

## Appendix 1 – Summary Profile of Bromsgrove District Plan Review

Bromsgrove District Plan Review		
Document Details	Role and Content	<p>Will review, update and extend the time horizon for the District Plan, setting out the vision, spatial strategy and core policies for the spatial development of the District. Will include strategic allocations to accommodate outstanding Bromsgrove local development needs to possibly 2040, additional needs for the extended time horizon of the Plan as well as potential unmet needs from adjoining local authority areas.</p> <p>A Policies Map will need to accompany the BDPR, which will illustrate geographically the policies in the plan and replace the current Policies Map associated with the existing BDP.</p>
	Status	Development Plan Document
	Position in chain of conformity	General conformity with National Planning Policy Framework
	Geographic coverage	District wide



## Glossary

**Adoption:** The point at which the final agreed version of a document comes into force.

**Local Development Scheme (LDS):** Sets time-scales for the preparation of key documents including Local Development Documents and Development Plan Documents.

**Local Plan:** The plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the community. In law this is described as the Development Plan adopted under the Planning and Compulsory Purchase Act 2004.

**Development Plan Documents:** The key planning documents at the local level subject to independent examination.

**Examination in Public:** Independent inquiry into the soundness of a draft Local Plan chaired by an Inspector appointed by the Secretary of State.

**Inspectors Report:** a report produced by the inspector following the Examination in Public which details the inspectors findings in relation to the plan.

**Localism Act 2011:** An Act to make provision about the functions and procedures of local and certain other authorities.

**Local Development Scheme:** This document is a project plan for the production of local planning policy documents.

**National Planning Policy Framework:** Document setting out the Government's economic, environmental and social planning policies for England, published February 2019.

**National Planning Practice Guidance:** The government launched its Planning Practice Guidance on 6 March 2014. The website brought together many areas of English planning guidance into a new online format, linked to the National Planning Policy Framework.

**Neighbourhood plans:** A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

**Policies Map:** A map that shows the spatial extent of adopted planning policies and proposals affecting Bromsgrove District.

**Publication:** Point at which a draft Local Plan is published prior to its Submission to the Secretary of State for Examination. Also known as a 'Proposed Submission' stage.

**Preferred Option Development / Evidence Publication:** the element of local plan preparation where the Council prepares the preferred option or 'draft plan.' This involves the collection and analysis of technical evidence and previous consultation responses and call for sites submissions. As evidence becomes available the Council will publish it on the website.

**Preferred Option Publication:** Point at which the preferred option or draft plan is published for consultation.

**Submission Plan Development:** the element of local plan preparation where the Council prepares the Submission This involves the collection and analysis of technical evidence and previous consultation responses.

**Submission Plan Publication:** The point at which the submission plan is published for its statutory period of representations / consultation.

**Submission:** The point at which a Local Plan is submitted to the Secretary of State for Examination along with representations received at Publication Stage.

## Contact Details

Strategic Planning and Conservation Team

Email: [strategicplanning@bromsgroveandredditch.gov.uk](mailto:strategicplanning@bromsgroveandredditch.gov.uk)

Telephone: 01527 881325

Bromsgrove District Council  
Parkside  
Market Street  
Bromsgrove  
B61 8DA

For further information please visit the Strategic Planning section of the website:

[www.bromsgrove.gov.uk/strategicplanning](http://www.bromsgrove.gov.uk/strategicplanning)

## Bromsgrove District Council – 14<sup>th</sup> July 2021 Member Questions

**1. From Councillor J. King  
Question for the Portfolio Holder for Planning and Regulatory Services**

“In January 2020, this council resolved to develop a new open spaces and Section 106 policy to establish a presumption that BDC will adopt land on new estates where it meets the adoptable standard as agreed by the Council. Could the Portfolio Holder for Planning please update council on progress made and advise when this policy will be published and implemented?”

**2. From Councillor R. Hunter  
Question for the Portfolio Holder for Planning and Regulatory Services**

“The rapid growth in house prices in rural areas during the pandemic has been widely reported in the media. One analysis suggested that house prices had rocketed by an average of 27% in Bromsgrove over the last twelve months. Has the time come to rethink our approach to new housing development in this district, focussing more on affordability for local residents?”

**3. From Councillor S. Robinson  
Question for the Leader**

“Can the leader please give an update to the council regarding the progress being made with regenerating the old Library and Fire Station which have now been empty for six and seven years respectively?”

**4. From Councillor P. McDonald  
Question for the Leader**

“Would the Leader do all she can to try and stop the 'West Mercia Rape and Sexual Abuse Centre' from closing because of a lack of funding? It is the only specialist Sexual Violence Support Service in Worcestershire.”

**5. From Councillor A. English  
Question for the Portfolio Holder for Planning and Regulatory Services**

£250K was ringfenced from last year's budget to provide a new electric community shuttle bus service linking Bromsgrove Railway station with the town centre and residential areas. A firm commitment was also made at Full Council that it would be rolled out to other areas, particularly areas such as Alvechurch and Beoley Parishes that do not have any bus services at all. I would like to ask the Portfolio Holder for Planning and Regeneration if he could give the council a progress report on how the £250K has been utilised so far and dates of when we can expect to see the services up and running.

**6. From Councillor Charles Hotham  
Question for the Portfolio Holder for Strategic Housing and Health and Wellbeing**

"It is now some five and a half years since this council vacated the old council house in Burcot Lane. A key aspect of the business case for the costly move to Parkside was the value to be released from the future development of the site. The council is now the owner of a demolished council house. Disappointingly, as of the 29<sup>th</sup> June 2021 work has once again ceased. Bromsgrove is short of housing and in particular affordable housing. This is the one site where the council can have a direct impact on this shortage. Please could the cabinet member responsible give the council an undertaking that despite this so far lack lustre performance, this site will now be developed at pace and also provide a timeline for its completion and occupation?"

**7. From Councillor K. Van Der Plank  
Question for the Leader**

"Litter, including bagged dog waste, seems to be an increasing problem in our district. It blights our countryside and is a safety risk for animals and people.

Please could the leader tell me what measures are being out in place to address and whether there are plans to install more litter bins. Could the leader also tell me how many fines have been issued, for litter offences, over the last 3 years?"

**NOTICE OF MOTION**

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor M. Thompson.

Following the huge success of the vaccination programme - and the excellent work done by the key workers and volunteers throughout Bromsgrove district - this council calls upon the leader to write to the Government, on behalf of the council, acknowledging the hard work of the volunteers and key workers, and thanking the Government for their support in enabling this council to have rolled one of the most successful local vaccination programmes in the country.

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**NOTICE OF MOTION**

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor J. Till.

The countryside in Bromsgrove District is a stunning asset for the residents and visitors to our district. Many residents have taken advantage during the lockdown to walk and even run around our lanes, canals and footpaths. This is vitally important not just in terms of activity and leisure but also health and mental well being. This motion requests that Council explore the opportunities to promote routes that are suitable for people of all ages to either walk, jog, cycle and run considering both the physical and mental health benefits for our residents as well as the potential for an economic uplift from encouraging visitors to experience what we have to offer.

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**NOTICE OF MOTION**

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor R. Hunter.

**Appealing discretionary grant scheme decisions**

Council welcomes the introduction of an appeals process for local business owners who have unsuccessfully applied to discretionary grant schemes such as Additional Restrictions Grant and Wet Led Pubs grant

Council notes that this is not well known within communities and resolves to publish more detailed information including on the website and in outcome letters.

Council further resolves to report on the volumes and outcomes of appeals to the Overview and Scrutiny Committee, for at least the next 6 months, or longer if the committee believes this is required.

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**NOTICE OF MOTION**

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor S. Robinson:

“When renewing street furniture, such as car park street lighting, this council will aim, wherever possible, to replace heritage style components with modern heritage style equivalents, seeking to ensure modern standards are met without downgrading the quality of the street scene.”

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