



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE COUNCIL**

**WEDNESDAY 29TH SEPTEMBER 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 14th July 2021 (Pages 1 - 14)**

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. **Recommendations from the Cabinet** (Pages 15 - 16)

To consider the recommendations from the meeting of the Cabinet held on Wednesday 15<sup>th</sup> September 2021.

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

(i) Zero Carbon Heat Network - Route to Market (Pages 17 - 28)

10. **To note the minutes of the meeting of the Cabinet held on 15th September 2021** (Pages 29 - 38)

11. **Questions on Notice** (Pages 39 - 40)

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

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

12. **Motions on Notice** (Pages 41 - 43)

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

13. **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**

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

21st September 2021

If you have any queries on this Agenda please contact  
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## **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.

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

### **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 must not attend the Council meeting, should provide their apologies to the Democratic Services team and must self-isolate in accordance with national rules.

Members and officers are strongly encouraged to wear face coverings during the Council meeting, unless exempt. Face coverings should only be removed temporarily if the Councillor is speaking or requires a sip of water and it 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 arrangements in place 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 strongly encouraged to wear face coverings, 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 must not attend in person and must 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

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE COUNCIL**

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

PRESENT: Councillors R. J. Laight (Chairman), A. J. B. Beaumont (Vice-Chairman), S. J. Baxter (Until Minute Item No. 29/21), R. J. Deeming, G. N. Denaro, S. P. Douglas, A. B. L. English, S. G. Hession, C.A. Hotham, R. J. Hunter, H. J. Jones, A. D. Kent, A. D. Kriss, K.J. May, P. M. McDonald, S. A. Robinson (From Minute Item No. 21/21), H. D. N. Rone-Clarke, M. A. Sherrey, C. J. Spencer, P.L. Thomas, M. Thompson, S. A. Webb and P. J. Whittaker

Officers: Mrs. S. Hanley, Mrs. C. Felton and Mrs. J. Bayley-Hill

14\21 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors S. Colella, R. Jenkins, L. Mallett, M. Middleton, J. Till and K. Van Der Plank.

Members were advised that Councillors M. Glass and S. Robinson would be arriving late at the meeting and had submitted apologies due to the delay.

15\21 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

During consideration of Minute Item No. 30/21 Councillor H. Rone-Clarke commented that he worked for a public house. However, Officers confirmed that he did not have a disclosable pecuniary interest to declare on this occasion.

16\21 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19TH MAY 2021**

The minutes of the Annual Council meeting held on Wednesday 19<sup>th</sup> May 2021 were submitted.

**RESOLVED** that the minutes of the Annual Council meeting held on 19<sup>th</sup> May 2021 be approved as a true and correct record.

17\21 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE**

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

18\21 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

There were no announcements from the Leader on this occasion.

19\21 **TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

There were no comments, questions or petitions from the public for Members' consideration.

20\21 **URGENT DECISIONS**

There were no urgent decisions for consideration on this occasion.

21\21 **OVERVIEW AND SCRUTINY BOARD'S ANNUAL REPORT 2020/21**

Councillor C. Hotham, Chairman of the Overview and Scrutiny Board for part of the 2020/21 municipal year, presented the Board's Annual Report for Members' consideration.

There had been a number of Task Group investigations during the year, including reviews of equalities, libraries and flooding in the District. The reports detailing Members' findings in respect of equalities and flooding had already been considered by the Cabinet whilst the report on the subject of Libraries would be discussed at a meeting of Cabinet in September 2021.

Councillor Hotham concluded his presentation by thanking the Democratic Services Officer with lead responsibility for Overview and Scrutiny, the former Senior Democratic Services Officer for Bromsgrove as well as all of the Officers and Portfolio Holders who had provided evidence to the Board for consideration during the year. Thanks were also extended to Councillor M. Thompson who had chaired the Board for part of the year.

Following the presentation of the report Members discussed the work of the Overview and Scrutiny Board and Scrutiny Task Groups during the year. It was noted that Overview and Scrutiny formed an important part of the Council's democratic process. Good scrutiny contributed to good decision making and was therefore welcomed by the Council.

During consideration of this item, reference was made to the Cabinet's response to the Impact of Flooding in the District Task Group. The former Chairman of this Task Group, Councillor R. Hunter, expressed concerns that the group's recommendations had not been approved and that the group had not been made aware of a separate ongoing review of land assets and flooding. It was noted that the scrutiny investigation of the subject had taken place over a period of months and had been very detailed. However, Members were also asked to note that Cabinet took flooding very seriously and it would be possible to determine what



further action should be taken once the separate report on this subject had been presented for Cabinet's consideration in September.

Reference was also made to the foreword to the report, which highlighted the role of the Board to scrutinise matters in an impartial and apolitical manner. Questions were raised about the extent to which the process was apolitical and the response received to recommendations made through the scrutiny process from the Cabinet. However, Members were advised that the Board and Task Groups aspired to be apolitical, in line with national best practice in Overview and Scrutiny, which enabled the Board to act as a counterbalance to the Cabinet.

In concluding the discussions, Members noted that there was a typographical error on page 10 of the report, which stated that Members had discussed matters at a meeting of the Board held in October 2021. Members agreed that this should have referred to a meeting in October 2020.

**RESOLVED** that the report be noted.

22\21

## **AUDIT, STANDARDS AND GOVERNANCE COMMITTEE'S ANNUAL REPORT 2020/21**

In the absence of the Chairman of the Audit, Standards and Governance Committee, the Vice Chairman of the Committee in 2020/21 presented the Committee's Annual Report. Members were advised that the report detailed the Committee's work during the year and had been submitted for noting.

Members paid tribute to the work of the Audit, Standards and Governance Committee in 2020/21. Particular reference was made to the Chairman of the Committee in that municipal year, Councillor L. Mallett, who was thanked for his hard work during the year.

During consideration of this item, questions were raised about the progress that had been achieved with the introduction of the Council's new ERP finance system, which had been discussed during a meeting of the Committee. Concerns were raised that, whilst the system had been due to be fully operational in January 2021, issues had been reported with the system. Officers agreed to obtain a written response for Members' consideration in respect of this matter.

**RESOLVED** that the Audit, Standards and Governance Committee's Annual Report 2020/21 be noted.

23\21

## **OUTSIDE BODY APPOINTMENTS 2021/22**

The Portfolio Holder for Finance and Enabling presented the Council's nominations to Outside Bodies for 2021/22. Members were advised that some Outside Body appointments were made in an ex officio capacity

whilst other appointments were nominations that had been made by political groups.

During consideration of this matter Members noted that it would be interesting to receive updates in respect of Members' work on the Outside Bodies from time to time. The suggestion was made that this might be a suitable topic for scrutiny.

The recommendation in respect of the Outside Body nominations 2021/22 was proposed by Councillor G. Denaro and seconded by Councillor K. May.

**RESOLVED** that Council approves the nominations to the Outside Bodies for 2021/22.

24\21

## **CONSTITUTION REVIEW WORKING GROUP RECOMMENDATION - PUBLIC SPEAKING AT PLANNING COMMITTEE IN RESPECT OF TREE PRESERVATION ORDERS (TPOS)**

The Portfolio Holder for Finance and Enabling presented a report outlining proposals to introduce public speaking in respect of Tree Preservation Order (TPO) reports considered at meetings of the Planning Committee.

The Constitution Review Working Group had considered proposals to introduce public speaking for TPOs at the request of Members. The matter had been reviewed and no legal reason had been identified that did not permit public speaking to occur at Planning Committee meetings in respect of TPOs.

During consideration of this item questions were raised about the extent to which Parish Council representatives and ward Councillors would be permitted to register to speak on TPOs as part of this process. It was noted that the report had been in the public domain for some time, having previously been scheduled for consideration at a meeting of Council held in April 2021, and some disappointment was expressed that this question had not therefore been raised prior to the meeting. However, Members were advised that the public could register to speak both in support and in opposition to a TPO and it was likely that this option would also be available to ward Councillors and Parish Council representatives, though this would be confirmed after the meeting.

The recommendation in respect of the introduction of public speaking for the consideration of TPOs at Planning Committee was proposed by Councillor G. Denaro and seconded by Councillor P. Whittaker.

**RESOLVED** that the Planning Procedure Rules be amended to permit public speaking at meetings of the Planning Committee in respect of Tree Preservation Orders.

25\21

## **CONSTITUTION REVIEW WORKING GROUP - MEMBERSHIP ARRANGEMENTS**

The Portfolio Holder for Finance and Enabling presented a report proposing changes to the membership arrangements for the Constitution Review Working Group. These changes would result in the membership reflecting the political balance of the Council, though under the rules, the membership of the group could not form part of the formal political balance.

The report was subsequently discussed in some detail and Members queried the potential for the Constitution Review Working Group to be allocated formal decision-making powers. Officers explained that Council was the responsible body in terms of decisions about the authority's constitution and therefore the Constitution Review Working Group could only make recommendations.

Reference was also made to the potential for the membership of the Climate Change Working Group to be changed in a similar manner to the Constitution Review Working Group, and for the group to have decision making powers. Council was informed that the Constitution Review Working Group would have an opportunity to review membership arrangements for other Working Groups moving forward.

The recommendations were proposed by Councillor G. Denaro and seconded by Councillor A. Kent.

### **RESOLVED** 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.

26\21

## **BURCOT LANE REPORT**

The Portfolio Holder for Strategic Housing and Health and Well Being presented a report updating Members on the former Council House site at Burcot Lane. Council was informed that the report detailed the next steps in the process for the disposal of the site for the development of affordable housing.

The Burcot Lane site and redevelopment plans were subsequently discussed in some detail. Concerns were raised about how earlier plans for redevelopment of the site had been debated at a previous Council meeting and the impact that this had had on the Council's working relationship with Bromsgrove District Housing Trust (BDHT). Concerns were also raised about the length of time that had elapsed in terms of the development of the site. However, Members were advised that the

Council continued to maintain a positive working relationship with BDHT and by approving the next steps in the process the development would be able to move forward.

The recommendations were proposed by Councillor S. Webb and seconded by Councillor K. May.

On being put to the vote the recommendations were approved, with 2 Members voting against.

**RESOLVED** that

- (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
- (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.

27\21

## **RECOMMENDATIONS FROM THE CABINET (TO FOLLOW)**

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

The Portfolio Holder for Planning and Regulatory Services presented the Local Development Scheme for Members' consideration. Council was advised that the report outlined the revised timetable for the Local Development Scheme but did not address wider areas of planning policy at this stage. Any proposed changes to the Bromsgrove District Plan would be reported for Members' consideration at meetings of the Strategic Planning Steering Group.

The recommendation was proposed by Councillor A. Kent and seconded by Councillor K. May.

**RESOLVED** that 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.

28\21

## **TO NOTE THE MINUTES OF THE MEETING OF THE CABINET HELD ON 7TH JULY 2021 (TO FOLLOW)**

Members considered the minutes of the Cabinet meeting held on Wednesday 7<sup>th</sup> July 2021.

During consideration of this item, reference was made to the Cabinet's debate in respect of the Equalities Task Group's final report, as recorded at Minute Item No. 5/21. Concerns were raised by the former Chairman of the group, Councillor P. McDonald, that there would be no official appeal process available to staff in respect of decisions about secondment placements.

**RESOLVED** that the minutes of the meeting of the Cabinet held on 7<sup>th</sup> July 2021 be noted.

29\21

## **QUESTIONS ON NOTICE**

The Chairman opened the item by explaining that 7 questions had been submitted for consideration at the meeting. For 2 of these questions, as permitted in the constitution, the questions would be asked by Members on behalf of those Councillors who had submitted the questions. There would be no subsidiary questions but the group leaders had agreed on this occasion that a maximum of 30 minutes would be allocated to consideration of Questions on Notice.

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

Councillor R. Hunter asked the following question on behalf of Councillor J. King:

“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?”

The Portfolio Holder for Planning and Regulatory Services responded by commenting that Council had debated this issue at some length and determined that its ability to influence the matter was limited. That said, in accordance with Council’s wishes, Officers had written to the Government requesting that they revisit the primary legislation that governed developers and third-party providers in respect of open space maintenance provisions. In addition, the work being undertaken by the Council in enabling the adoption of open spaces more generally, when and where appropriate, was on the Cabinet and Overview and Scrutiny Board’s work programmes and would be considered in September 2021.

### **Question Submitted by Councillor R. Hunter**

“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?”

The Portfolio Holder for Planning and Regulatory Services responded by explaining that the current Bromsgrove District Plan had an Affordable Housing Policy (BDP8), which aimed to secure up to 40% affordable housing on greenfield sites and up to 30% on brownfield sites, for sites of 11 or more dwellings. These percentages secured homes to meet the

needs of local residents on the authority's Housing Waiting List. These percentages were set during the preparation of the current Bromsgrove District Plan and were subject to a Viability Assessment to ensure that what was required in terms of affordable housing provision was financially viable and therefore deliverable.

Since the start of the Plan period (1st April 2011), 665 affordable homes had been built, predominantly on sites allocated in the Plan. As of 1st April 2021, there were 280 affordable homes that had secured planning permission, some of which were under construction. This figure included 202 affordable homes at Whitford Road. The Perryfields site would secure an additional 394 affordable homes.

In addition to this, the current Bromsgrove District Plan had a Rural Exception Sites policy (BDP9), which could be implemented immediately if the policy criteria could be met. This policy was specifically in place to meet any housing needs in the District's smaller rural settlements in green belt areas which would, under any other circumstances, mean that development would be inappropriate in these locations. The Council was not aware of any development proposals that had drawn on this policy to date, but the mechanism was in place to facilitate meeting the affordability issues of the authority's local residents who lived in these locations.

As the Council progressed with the Bromsgrove District Plan Review, the supporting evidence base would include a piece of work called a Housing and Economic Development Needs Assessment (HEDNA). This assessment would help to identify what the housing needs were across the District for the next Plan period, taking account of affordability and the wider range of affordable housing products that the Council would need to provide to open more avenues to home ownership. This was wider than just meeting the needs of local residents on the Council's Housing Waiting List and included initiatives such as 'starter homes', 'discounted market sales housing' and 'other affordable routes to home ownership'.

### **Question submitted by Councillor S. Robinson**

"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?"

The Leader responded by explaining that the Council had secured £100,000 from the One Public Estate scheme for a feasibility study and financial viability report, which would assess the regeneration options for the two sites. However, the Council did not have control over the sites, as they were owned by the Herefordshire and Worcestershire Fire and Rescue Service and Worcestershire County Council, but Council officers were working with colleagues at the 2 organisations to explore the regeneration options for these sites. The feasibility and viability reports would be completed by November/December 2021.

## **Question submitted by Councillor P. McDonald**

“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.”

The Leader responded by commenting that while the funding of this service was not a District Council function, the authority was aware that issues regarding the financial sustainability of this service had been raised at county level. These issues were being explored by the Director of Public Health on behalf of the region. The Leader had asked to be kept abreast of this matter and would keep Bromsgrove Members apprised of any developments.

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

“£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.”

The Portfolio Holder for Planning and Regulatory Services explained that there had been a launch of the electric bus service on the day of the Council meeting. This launch had been delayed due to the Covid-19 pandemic. There were 2 smaller buses that would form part of the service initially.

The £250,000 ring fenced funding remained ring fenced for the purpose that had been agreed at Council in February 2021. The service had been launched using the most energy efficient smaller buses available, but the aim was to invest in electric vehicles in due course.

The Portfolio Holder for Planning and Regulatory Services urged Members and the public to utilise the bus service. The greater the demand for use of the service the wider the area in which it would be possible to operate the service. Consequently, there was the potential in the medium to long-term for the new bus service to provide public transport to people living in rural areas which were not otherwise served by alternative bus routes.

## **Question submitted by Councillor C. Hotham**

“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?"

The Portfolio Holder for Housing and Health and Well Being responded by explaining that work had not ceased on the development following the demolition of the Old Council House and Burcot Hostel. There were several elements being completed as part of a normal development process, such as second phase ground inspections for foundation design, which could not be undertaken with the building in situ. The Council's contractor was coordinating the utility services diversion works that needed to be undertaken before construction could be started. There were a number of diversion works to be undertaken but all the utilities providers had been engaged and works would be aligned to the on-site utility provision. There were several enabling works to be undertaken, such as roads, drainage and sewers before the actual houses and flats would be constructed. The current development programmes had a 44 week build programme for the dwellings and a practical completion and handover of the development in August 2022.

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

Councillor S. Baxter asked the following question on Councillor Van Der Plank's behalf:

"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 put 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?"

The Portfolio Holder for Environmental Services responded to this question. Members were advised that the number of complaints from the public about Litter and dog waste had actually been reducing over the previous 3 years (by nearly half from what was received in 2018), and the experience of the Council's Place Teams was that, although litter was still an issue across the District, the authority's cleansing arrangements were preventing this from becoming a significant issue and the Council was maintaining a good standard for residents.

The Council would consider additional bins when necessary, and staff did highlight locations where they identified a need, though requests



were also received from the public and Members. However, these would be monitored to evidence the need for an additional bin before installation, and the Council also needed to consider adjustments to cleansing arrangements to reflect usage of areas. There was a good coverage of litter bins across the District, but they were often not a solution in isolation, and needed to be planned alongside the wider cleansing operation.

Members were urged to let the Place Team know if they believed there was an area that would benefit from a litter bin, and to provide any information on how regularly there was a problem there.

No fines had been issued for litter or dog fouling offences in the previous 3 years. However, the Council had signed up to a new Dog Fouling Waste campaign through Keep Britain Tidy for 2021 and had been using the campaign signs across the District, where issues with irresponsible dog owners were being highlighted. In addition, officers were reviewing all of the Council's enforcement options for environmental crime to improve the authority's ability to hold people accountable for their actions, both via the in-house team and through partnerships with third parties, and littering was part of that review. The Council would be in a position to share details for consideration on the future of environmental enforcement later in the financial year.

30\21

## **MOTIONS ON NOTICE**

The Chairman explained that 4 Motions on Notice had been received for consideration at the meeting. However, Councillor M. Thompson had withdrawn his Motion and Councillor J. Till had requested that her Motion should be considered at the following Council meeting. Group leaders had agreed prior to the meeting that up to 2 hours would be allocated to the consideration of Motions on Notice.

### **Appealing discretionary grant scheme decisions**

Members considered the following Motion on Notice submitted by Councillor R. Hunter:

*“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.”*

The Motion was proposed by Councillor Hunter and seconded by Councillor S. Robinson.

In proposing the Motion, Councillor Hunter noted that the Council had received over £32 million funding from the Government which had been distributed amongst eligible local businesses that had been impacted by the Covid-19 pandemic. However, whilst some companies had successfully applied for grant funding other businesses had been unsuccessful. Councillor Hunter expressed concerns that some businesses did not appear to be aware of their right to appeal. In addition, he raised concerns about the eligibility criteria for the various forms of grant funding available to businesses and the extent to which these were meeting the needs of local companies.

In seconding the Motion, Councillor Robinson commented that this was an important Motion. Councillor Robinson praised the work of the Financial Services team to date in distributing grant funding to businesses but noted that she was keen to ensure that the Council did everything possible to support all businesses impacted by the pandemic, including those companies which had not been successful in bidding for funding. The involvement of the Overview and Scrutiny Board in reviewing this matter would help to ensure that there was transparency in respect of the decisions on funding that had been made.

In responding to the Motion, the Portfolio Holder for Finance and Enabling noted that the Council had distributed over £32 million of Covid business grant funding to over 2,000 businesses. Where an application for a mandatory grant was unsuccessful, for example where a business which had been able to remain open had applied for a closure grant, the applicant was automatically considered for the discretionary grant schemes. An appeals process was also in place. The Portfolio Holder for Finance and Enabling commented that he had ensured that action was taken to make people aware of the appeals process, for example through updating decision letters so that the appeal process was clearly set out within the decision and updating the website to make the process and requirements to appeal clearer. Information on the number of grant awards and monetary value of grants would be published on the website, following the conclusion of the restart grant scheme.

Members subsequently discussed the Motion and in so doing considered the following points:

- The appeals process that was already in place in respect of grant funding for businesses.
- The hard work that had been undertaken by Officers during the pandemic to distribute grant funding to eligible businesses.
- The information that was available about the grants, including the appeals process, on the Council's website.
- The need for the Council to abide by Government guidance when distributing the grant funding amongst eligible businesses.

- The prudent approach that had been adopted by the Council in distributing the grant funding. Members commented that in other parts of the country local authorities had made mistakes when distributing the funds and to address this had needed to provide additional financial support from Council reserves.

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

Members voting FOR the Motion:

Councillors S. Baxter, S. Douglas, A. English, C. Hotham, R. Hunter, P. McDonald, S. Robinson and H. Rone-Clarke (8).

Members voting AGAINST the Motion:

Councillors A. Beaumont, R. Deeming, G. Denaro, S. Hession, H. Jones, A. Kent, A. Kriss, K. May, M. Sherrey, C. Spencer, P. Thomas, M. Thompson, S. Webb and P. Whittaker (14).

Members voting to ABSTAIN on the Motion:

No Councillors (0).

On being put to the vote the Motion was therefore lost.

## **Street Furniture**

Council considered the following Motion on Notice submitted 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.”*

The Motion was proposed by Councillor Robinson and seconded by Councillor R. Hunter.

In introducing the Motion Councillor Robinson praised the Car Parking Strategy for Bromsgrove town centre and the wider District. However, Councillor Robinson commented that Bromsgrove was a historic market town and it would be helpful to ensure that when it was upgraded, street furniture, including in the car parks in the District, was replaced with modern street furniture that was of a style in keeping with the historic nature of the town. This was important to ensure that the town remained attractive and continued to display historic features, which would help to attract visitors to the town.

In seconding the Motion Councillor Hunter commented that there had been some excellent work undertaken in respect of the Council’s Car

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Parking Strategy. There had been a consultation process in respect of work on the upgrade to car parks and feedback had been provided regarding suitable lighting for the car parks. Members were asked to note that street furniture could be upgraded in a manner that had a positive impact on climate change whilst also supporting the heritage of the District.

The Portfolio Holder for Planning and Regulatory Services responded to the proposed Motion by commenting that it was important for Members to understand that whilst the Council was responsible for street furniture on the authority's land, responsibility for street furniture on the highway was split between the Council and Worcestershire County Council. From a Bromsgrove District Council perspective, over the following 4 years, the authority was planning to replace the lights in the authority's car parks with LED lights which would reduce the Council's energy costs and contribute to meeting climate change reduction plans. As part of this work, the Council would need to replace the existing columns due to their age and condition. Heritage lamp columns were more expensive than standard columns and, in a challenging financial context for local government, the authority would be using a black column with a heritage lamp fitting in the Parkside Car Park, as it was located within the Conservation Area as well as in Crown Close, which was also in the conservation area. In all other car parks, the authority would use black painted steel columns, with black lamps similar to those used by Worcestershire County Council, thereby providing enhanced lighting capabilities. With regard to other street furniture that the Council was responsible for, it would depend on the location, including whether the street furniture was in a conservation area, where the Council would aim to install heritage style street furniture. However, in other locations the authority would install street furniture that was suitable for that location.

Members subsequently discussed the Motion in detail and it was noted that some street furniture was owned by Parish Councils, rather than the District or County Council. In particular, Parish Councils often invested in new street lighting and could help to ensure that high standards continued to be applied in the District.

On being put to the vote the Motion was lost.

The meeting closed at 7.28 p.m.

Chairman

## CABINET RECOMMENDATIONS TO THE COUNCIL

### Cabinet meeting 15<sup>th</sup> September 2021

#### Zero Carbon Heat Network – Route to Market

#### **RECOMMENDED** that

- 1) The Zero Carbon Heat Network (ZCHN) project pursues the concession route to market;
- 2) Delegated authority be given to the Head of Community and Housing Services and the Head of Legal, Democratic and Property Services to procure and agree the Concession Agreement with qualifying energy companies;
- 3) Green Heat Network Funding is utilised to fund this route to market; and
- 4) A project board, to assist the Project Manager, be established under the terms of reference attached at Appendix A.

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### **ZERO CARBON HEAT NETWORK – ROUTE TO MARKET**

Relevant Portfolio Holder		Cllr Geoff Denaro Finance and Enabling Services
Portfolio Holder Consulted		Yes
Relevant Head of Service		Judith Willis
Report Author	Job Title: Environmental Policy & Awareness Officer. email: a.wardell-hill@bromsgroveandredditch.gov.uk Tel: 01527 881715	
Wards Affected		NA
Ward Councillor(s) consulted		NA
Relevant Strategic Purpose(s)		Run and Grow a Successful Business Work and financial independence Affordable and sustainable homes Living independent active and healthy lives
Key Decision / Non-Key Decision: Part Key		
If you have any questions about this report, please contact the report author in advance of the meeting.		

#### **1. RECOMMENDATIONS**

**The Cabinet RESOLVE that:-**

- 1) In line with Government Policy, the Heat network becomes a Zero Carbon Heat Network (ZCHN);**
- 2) The title “Bromsgrove Zero-Carbon Heat Network” be adopted;**
- 3) A Heat Network Zone is pursued for the Town Centre to support and compliment the ZCHN; and**

**RECOMMEND that:**

- 4) The ZCHN project pursues the concession route to market;**
- 5) Delegated authority be given to the Head of Community & Housing Services and the Head of Legal Services to procure and agree the Concession Agreement with qualifying energy companies;**
- 6) Green Heat Network Funding is utilised to fund this route to market; and**

**7) A project board, to assist the Project Manager, be established under the terms of reference attached at Appendix A.**

## **2. BACKGROUND**

2.1 Heat networks are one of the most cost-effective ways of reducing carbon emissions from heating. They present an opportunity to exploit larger scale renewable and recovered heat sources, can mean lower bills for consumers and have an increasing role in playing a part in our dynamic energy system.

The Governments Clean Growth Strategy makes it clear that heat networks will play a vital role in the long-term decarbonisation of heating.

2.2 The Council is developing a zero-carbon heat network project to supply zero-carbon heat to homes, businesses and public buildings in Bromsgrove Town Centre with the potential for its future expansion to Bromsgrove Town. A feasibility study produced in 2019, identified a low-carbon district heating network based on an open loop aquifer ground source heat pump with a natural gas-fired combined heat and power plant as a means of delivery. This would supply decarbonised heat to buildings within Bromsgrove Town Centre.

2.3 The feasibility study also determined that the project will deliver a range of economic, environmental and social benefits. As such, it was deemed appropriate to continue the project through into the Detailed Project Design (DPD) stage. The Detailed Project Design output will confirm the outline business case and prepare the project specifications for procurement<sup>1</sup>.

2.4 In 2020 the Council secured £227,500 towards the Detailed Project Design phase of the project from the Department of Business Energy and Industrial Strategy (BEIS) Heat Network Delivery Unit (HNDU). This was matched with £112,500 from the Council that included contributions from Bromsgrove School (£10k) and Worcestershire Health and Care NHS Trust (£10k).

2.5 In April 2021, a Specialist Project Manager (SPM) was appointed to assist with procuring the Detailed Project Design consultants and the Detailed Project Design Project Manager. As part of this process a

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<sup>1</sup> The heat network will be developed in three phases: 1) the Detailed Project Development (DPD) phase, followed by, 2) the procurement phase, and finally 3) the construction phase.



strategy review concluded that Government decarbonisation plans have accelerated, this has resulted in the following changes to the Government's approach:

- i) Combined heat and power is to be phased out for new heat networks during 2025 with conversion of all legacy schemes to low-carbon sources by 2040, as such, the suggested technology for the heat network needs to be aligned to meet the amended 2050 net-zero carbon target.
- ii) Creation of a sustainable heat network market through local authority zoning and heat network regulation to protect consumers and ensure decarbonisation. Government recently consulted on this to explore how Planning Authorities can have the powers to encourage both existing and new developments to connect to the network within the zone. Government believe zoning is essential in delivering the desired outcomes for heat networks at the scale required in the UK. Officers have been encouraged by the Department of Business Energy and Industrial Strategy (BEIS) Heat Network Delivery Unit (HNDU) in the adoption of a zone on this project.
- iii) A Government Green Network Heat Fund (GNHF) will replace the Heat Networks Improvement Project Funding stream that had previously been used to model the Project for the feasibility study. Officers have been advised there is sufficient interest and potential in the Bromsgrove Town Centre project to access any additional funding required.
- iv) A new Concession route to market is now available after BEIS issued revised guidance setting out two alternative development pathways prior to the commercialisation stage; the 'Full Detailed Project Design' approach and the 'Concession' approach.

The full Detailed Project Design approach was previously the only option to market and produces detailed technical specifications and performance criteria on the assumption that the LA has the appetite to invest in and potentially, own and operate the heat network, sell heat to customers and accept the risks of doing so, or

The Concession approach was recently introduced acknowledging that not all Local Authorities' wanted to directly invest in heat networks and take on the associated risks. The Concession approach enables LAs to procure a private sector partner via a concession model to deliver the heat network.

2.6 Concession route to market:

A Concession can be let to an energy company for a set period of time (commonly 25-40 years). During this period, the energy company will act in accordance with the agreed terms and strategy set by the Council. The concession route allows for the energy company to undertake significant long-term investment in the heat network without the risk that target users would join a competing network or alternative energy source.

Both options to market are complex to procure but the Concession route is potentially less so than the traditional route as the Local Authority is required to establish a concession agreement with the energy company setting out minimum performance requirements, a mechanism for network expansion, a consistent and transparent tariff plan. The delivery risk is passed to the concessionaire.

The Governments Heat Network Delivery Unit have undertaken a preliminary analysis of the project in removing the combined heat and power element and concluded that they will support a concession route to market on a 40-year project.

2.7 The Project Manager has requested that a Project Board be set up to oversee the Zero Carbon Heat Network project. To date the Project Manager and Climate Change officers have liaised with an informal group comprising the Leader and Portfolio Holder, and the Director of Finance & Resource, who were appraised of and support, the proposals now set out in this report.

2.8 Specifications for the:  
Detailed Project Design Project Manager  
Detailed Project Design consultants

have been created and Officers plan to tender during September 2021. Once the aforementioned have been procured and are in place, they will set about to undertake the full Detailed Project Design process to establish the outline business case for the heat network, Thus, it is likely to be the latter part of 2022 before the next update report on this project is available and when consultants will have updates on the technicalities, legal stance and economic modelling of the project.

### **3. FINANCIAL IMPLICATIONS**

3.1 The costs of undertaking the current phase of this project i.e. the Detailed Project Design stage, is currently within the approved budget framework. The Concessionary approach detailed in the report will help

reduce the risk profile associated with any subsequent business case which may follow the project design stage. There is no capex cost to the Council. Any gap funding will be from Green Heat Network Funding applied for by the Council and transferred to the Energy Company. The Energy Company then will fund and operate the heat network and derive its income from heat sales and take the revenue risk.

- 3.2 The Specialist Project Manager has identified a risk of an additional £30k project management costs but this is uncertain and is being mitigated through an additional grant funding application which is currently ongoing.
- 3.3 Despite the financially lower risk route to market for the Council, the concession approach to procure a private sector company is a significant change to the initial route to market. This is a major commercial decision which will result in high value contract. Whilst the concession route is still in development with BEIS, Officers have held discussions with them where they have agreed this route is a good fit for the project.
- 3.4 The Project is reliant on the Green Heat Network Funding (GHNF<sup>2</sup>), to comply with fund requirements, a 10% Project IRR is required. HNDU analysis on the project have estimated that this would require a 43% (circa £8.3 million) of capex; this level of funding does fit with requirements of the fund, thus HNDU have indicated the project is a suitable fit.

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

- 4.1 Members declared a Climate Emergency at a Bromsgrove Council meeting held on 24<sup>th</sup> July 2019.
- 4.2 The driver for delivering Heat Networks in the UK is The Climate Change Act 2008, which commits the UK government to reduce greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050.
- 4.3 The Localism Act 2011 empowers the Council to participate in the implementation of this legislative commitment at a local level as envisaged by the Government Committee on Climate Change. The local authority is the enabler that can access the Government funding and provide strategic direction in the development of the towns heat

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<sup>2</sup> The Green Heat Network Fund transition scheme support the commercialisation of low - carbon heat network projects, it opens in July 2021. This will replace HNIP funding that was previously referred to in project calculations.

network.

- 4.4 The concession route would ensure that the Council would not be required to act as the energy company and therefore would have no direct ownership and responsibility for the build, network energy supply and associated risks.
- 4.5 There are no specific legal implications at this point in time, the Detailed Project Design will encompass:
- Proving & honing the choice of technology and works required for this project and
  - Establishing the financial model of working to ensure suitable payback on investment for the concessionaire

The above will then allow the Detailed Project Design Legal consultants to ensure the technology & economics are legislatively compliant.

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

### **Relevant Strategic Purpose**

- 5.1 The provision of a zero carbon heat network that is built, owned and operated by a private company under the strategic guidance of the Council can have wider reaching social, economic and environmental co-benefits that echo the Councils own strategic purposes:
- Run and Grow a Successful Business
  - Work and financial independence
  - Affordable and sustainable homes:

Heat networks enable business and residential properties to be connected to sustainable low carbon energy that are decoupled from the mass utility energy market.

This efficient and secure energy can allow business and individuals to better plan finances, and priorities spend in other areas that will bring benefits to them.

- Living independent active and healthy lives:

The presence of a low carbon network can significantly reduce the need for localised individual energy generation such as biomass, solid wood fuel and on a national level burning fossil fuels at large scale energy generation sites. This will have significant positive impact on air quality which is a major cause of circulatory, respiratory and heart issues.

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**Climate Change Implications**

- 5.2 The adoption of the concession route to market itself does not necessarily bring any positive or negative climate change implications. However, securing any energy company through a concession route may bring an increased interest in the project as a more viable option and thus a competitive market should ensure more favourable options for the network resulting in potentially better efficiency of the technology.

**6. OTHER IMPLICATIONS**

**Equalities and Diversity Implications**

- 6.1 Non relevant

**Operational Implications**

- 6.2 Non relevant

**7. RISK MANAGEMENT**

- 7.1 The concession route to market is still in developmental stages with BEIS, therefore there are some challenging uncertainties however, BEIS have endorsed the concession route for the Council and are happy to work alongside Officers throughout the DPD. BEIS have also indicated the project is highly likely to attract further funding as an when required to enable the project to progress.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix A – Terms of Reference for Zero Carbon Heat Network, Project Board.

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**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Cllr Geoff Denaro	01.09.21
Lead Director / Head of Service	Judith Willis	24.08.21
Financial Services	James Howse	01.09.21
Legal Services	Clare Flannagan	24.08.21
Policy Team (if equalities implications apply)	na	
Climate Change Officer (if climate change implications apply)	na	

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## **Zero-Carbon Heat Network Project Board**

### **Terms of Reference – August 2021**

The Zero-Carbon Heat Network Project Board will perform the following functions: -

- To be accountable for the development of the project.
- To provide unified direction to the project and Project Manager and to ensure that project development is in line with Key Stakeholder strategies.
- To endorse the need for resources and funds for the project.
- To provide visible and sustained support for the Project Manager.
- To ensure effective communication within the project team and with external stakeholders.
- Consider other areas for discussion that may impact or affect the progression and delivery of the Zero Carbon Heat Network Project.
- To monitor and track the progress of the Zero Carbon Heat Network Project.
- To make recommendations to the Cabinet/Council as appropriate.

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

1. The Project Board shall comprise of individuals that represent the Key Stakeholders in the Heat Network as well as Key Senior Officers:
  - The Leader of the Council
  - The Executive Director of Finance and Resources
  - Head of Community and Housing Services
  - The Portfolio Holder for Environmental Services
  - The Bursar of Bromsgrove School
  - Head of Estates, Herefordshire & Worcestershire Health and Care Trust
2. It is suggested that the Project Board be chaired by the Leader of the Council with authority to delegate to the Deputy Chair. It is suggested the Deputy Chair is the Executive Director of Finance and Resources.

### **Rules of Operation**

1. The Project Board be established in accordance with the PRINCE2 project principles to provide a framework of good project practice and responsibility for the success of the project.
2. The Project Board will establish any constraints in which the Project Manager operates.
3. The Project Board can discuss but has no power to make decisions. However, it can make recommendations which would be considered by Cabinet/Council.
4. Meetings shall be held by exception.
5. For accuracy and transparency, notes and actions shall be taken of the matters considered.
6. Members are reminded that the rules set out in the Code of Conduct with regard to making declarations of interest will apply to the Project Board.

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE CABINET**

**15TH SEPTEMBER 2021, AT 6.00 P.M.**

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

Observers: Councillor S. R. Colella (Chairman of the Library Services Changes Task Group) and Councillor C. A. Hotham (Chairman of the Overview and Scrutiny Board)

Officers: Mrs. S. Hanley, Mrs. R. Bamford, Ms J. Willis, Mr O. Paparega, Ms. C. Flanagan and Mrs. J. Bayley-Hill

9/21

### **TO RECEIVE APOLOGIES FOR ABSENCE**

An apology for absence was received on behalf of Councillor S. Webb.

10/21

### **DECLARATIONS OF INTEREST**

During consideration of this item Councillors K. May and M. Thompson declared other disclosable interests in Minute Item No. 15/21 – Community Grant Scheme – as they had both supported an application for grant funding submitted by community groups based in their wards. For this reason, they did not participate in the debate in respect of this item or vote thereon.

Councillor M. Thompson also declared a pecuniary interest in Minute Item No. 18/21 – Zero Carbon Heat Network Route to Market - as his employer, Bromsgrove School, had been one of the organisations providing a financial contribution to support, and would benefit from, the Detailed Design Phase of the Project from the Department of Business, Energy and Industrial Strategy (BEIS) Heat Network Delivery Unit (HNDU). He left the room during consideration of this item and took no part in the debate or voting thereon.

11/21

### **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 7TH JULY 2021**

The minutes of the meeting of Cabinet held on Wednesday 7<sup>th</sup> July 2021 were submitted.

**RESOLVED** that the minutes of the Cabinet meeting held on Wednesday 7<sup>th</sup> July 2021 be approved as a correct record.

12/21

## **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 6TH JULY 2021**

The minutes of the meeting of the Overview and Scrutiny Board held on 6<sup>th</sup> July 2021 were submitted.

The Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, was in attendance and explained that during the meeting of the Board held on 6<sup>th</sup> July 2021 Members had discussed the subject of air quality and had been surprised to learn that this was not considered to be too concerning for Bromsgrove District. The situation was being monitored and further action would be taken if needed.

A Motion in respect of car parking charges for Waseley Hill Country Park had also been discussed at this meeting. As agreed by the Board, the Chairman had subsequently written to Worcestershire County Council about the matter.

The Corporate Performance Scrutiny Working Group had been suspended during the period in which the Equalities Task Group investigation had been undertaken but as this had been completed the group would start to meet again. There had been a limited number of Members of the Board who had volunteered to serve on the group but at the latest meeting of the Board the terms of reference for the group had changed and this would create greater flexibility in terms of membership of the group.

**RESOLVED** that the minutes of the meeting of the Overview and Scrutiny Board held on 6<sup>th</sup> July 2021 be noted.

13/21

## **IMPACT OF LIBRARY SERVICE CHANGES TASK GROUP**

The Chairman of the Impact of Library Service Changes Task Group, Councillor S. Colella, presented the group's final report for Cabinet's consideration.

Members were informed that the investigation had been launched into the impact of changes to library services agreed by Worcestershire County Council. During the investigation, Members had interviewed the former Cabinet Member from Worcestershire County Council with responsibility for library services and had learned that Bromsgrove District Council was the only District authority reviewing the matter.

The Task Group had discovered that library services were very dynamic in Bromsgrove District and an excellent service was provided to the public. The review had also highlighted that the libraries served customers from a wide range of demographic backgrounds, including different age groups. Worcestershire County Council's review of library services had involved staff reorganisation and was likely to result in a reduction in financial costs.

The review of library services would potentially result in opportunities for Parish Councils to assist with the delivery of local library services. There was a balance that needed to be struck between meeting local needs and taking into account the impact of service changes on local communities. There was also a need for volunteers to ensure that there was continuity in the delivery of library services.

Councillor Colella concluded by commenting that the group had been reassured by news that there were no plans to close library services in Bromsgrove District. He thanked the Members of the Task Group for their hard work as well as the Democratic Services Officer for her support and the Officers and Members who had submitted evidence during the investigation.

The Portfolio Holder for Leisure, Cultural Services and Community Safety outlined a response on behalf of Cabinet by addressing each recommendation from the Task Group in turn.

In respect of recommendation 1, which proposed that Members should continue to receive up to date information in relation to proposed changes to libraries in their wards, it was noted that this would represent continuation of existing practice at Worcestershire County Council.

The second recommendation proposed that Members should be consulted on potential changes to Strategic Libraries in the District. Cabinet was informed that there was a statutory process that had to be followed by Worcestershire County Council, in terms of consulting with residents about such changes and Members would therefore already be consulted in their capacity as local residents.

The third recommendation proposed a publicity campaign in respect of the facilities available at the libraries in the District. Members commented that this could be brought to the attention of Worcestershire County Council but Bromsgrove District Council could not make this decision on behalf of the County Council.

The final recommendation from the group proposed that Worcestershire County Council should ensure that any grant funding that was received was distributed amongst libraries. Again, Cabinet was informed that this needed to be determined by Worcestershire County Council and Bromsgrove District Council could not influence the matter.

Cabinet subsequently discussed the Impact of Library Service Changes Task Group's final report and recommendations in some detail. Concerns were raised that Cabinet had been asked to resolve to approve the group's recommendations when a number were outside the remit of Bromsgrove District Council. Concerns were also raised about the length of time that had been taken to complete the scrutiny investigation.

**RESOLVED** that the Impact of Library Service Changes Task Group's final report be noted.

14/21

**ADOPTION OF LAND BY BROMSGROVE DISTRICT COUNCIL AND THE MANAGEMENT OF COMMUTED SUMS FOR OFF-SITE PROVISION.**

The Head of Planning, Regeneration and Leisure Services presented a report on the subject of the Adoption of Land by Bromsgrove District Council and the Management of Commuted Sums for Off-Site Provision.

Members were informed that developers could opt to provide open space land to the Council to manage on behalf of the community. However, other options were available to developers, including the potential to request that Parish Councils managed open spaces or for open space land to remain privately owned. The policy that had been developed related to land that was adopted by the Council.

Reference was made to the report and policy and it was noted that inconsistencies had been identified in the report in terms of the length of time which would apply to the maintenance period under the terms of the policy. Officers confirmed that this would be a period of 30 years. Members requested that report authors clearly check the content of their reports in future to ensure that correct information was included in policy documents.

During consideration of this item, the Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, outlined the Board's conclusions in respect of the report, which had been pre-scrutinised at a meeting held on 13<sup>th</sup> September 2021. Members were advised that the Board had unanimously agreed a recommendation which proposed changes to the wording in the Objectives section of the policy. In proposing this recommendation, the Board had identified the need for clarity on the objectives of the Council in relation to this matter, in terms of the Council's preferred approach to managing open spaces. The Board's second recommendation proposed changes to the policy in order to recognise that another body, such as a Parish Council, might manage open spaces, not just Bromsgrove District Council. The Board had concluded that it would be preferable for a local democratic and publicly elected body to adopt open space land, if offered the opportunity.

Cabinet discussed the recommendations that had been made by the Overview and Scrutiny Board on this subject. In doing so, it was noted that the Council did not necessarily have a particular preference in relation to adopting and managing open spaces, which could have financial implications for the authority. In addition, concerns were raised that the proposal with respect to a preference for the authority had not been investigated in detail prior to the Cabinet meeting and there might be wider implications which had not yet been identified. The Council could adopt and manage land but this needed to be on the basis of a satisfactory agreement having been reached. Members noted that

landlords could not be required to involve the Council in the adoption of open space land, though policy clarified that the authority would enter into discussions with developers where appropriate funding would be available. Finally, concerns were raised that some Parish Councils would not have sufficient funds to enable them to assume responsibility for managing open space land and therefore an expectation that this could occur might not be appropriate. For these reasons, Cabinet concluded that the recommendations from the Overview and Scrutiny Board on this subject would not be supported.

**RESOLVED** that, subject to amending the policy to clarify application of the maintenance period for 30 years, the Adoption of Land by Bromsgrove District Council and the Management of Commuted Sums for Off-site Provision Policy be used if the Council should be offered open space land for adoption

15/21

## **COMMUNITY GRANT SCHEME**

The Portfolio Holder for Finance and Enabling Services, as Chairman of the Community Grants Panel, presented a report and recommendations in respect of the Council's Community Grant Scheme.

Cabinet was informed that the Community Grants Panel had considered a number of applications and had made recommendations regarding the funding that should be awarded to certain groups.

During consideration of this item, Members were advised that following on from the Panel meetings, the Portfolio Holder for Finance and Enabling had been made aware that some questions had been raised outside the meeting about the award of funding to the "To Catch a Thief" initiative in Rubery. The police had raised concerns that this initiative could lead to vulnerable people being locked in an old telephone box. In this context, an addition recommendation was made that Cabinet should delegate authority to the Head of Finance and Community Services, following consultation with the Chairman of the Community Grants Panel, to further consider and resolve on the grant funding for this project.

**RESOLVED** that

- 1) The grants, as detailed in the Summary of the Community Grants Panel Recommendations, be agreed with the exception of the proposed grant for "To Catch a Thief" in Rubery;
- 2) Delegated authority be granted to the Head of Finance and Community Services, following consultation with the Chairman of the Community Grants Panel, to determine the outcome of the award for the "To Catch a Thief" project; and
- 3) Should the scheme continue into 2022/23 then a full review of the process be carried out prior to the commencement in future years.

(Prior to consideration of this item Councillors K May and M. Thompson declared an other disclosable interest in the report as they had both supported applications for funding in the Community Grants Scheme from community groups based in their wards. For this reason, they did not participate in the debate on this item nor vote thereon.)

16/21

## **BROMSGROVE TOWN CENTRE MANAGEMENT STRATEGY**

The Leader and Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships presented the Bromsgrove Town Centre Management Strategy Action Plan for the period April 2021 to March 2022.

Members were advised that the previous Bromsgrove Town Centres Manager had departed the authority and unfortunately it had not been possible to recruit a replacement by the date of the meeting. In the interim period, an events company, Blackberry Productions, were working on managing the town centres on the Council's behalf. The report therefore provided an update on interim measures that would remain in place until a new Bromsgrove Town Centres Manager was recruited.

The Head of North Worcestershire Economic Development and Regeneration explained that a Business Advisor had been recruited who would cover the business engagement duties usually undertaken by the Bromsgrove Town Centres Manager. There were an increasing number of online retailers operating in Bromsgrove District and the Business Advisor would assist these companies with matters such as non-Covid grant applications and the adoption of digital technology. In addition, there had been recent investments in the former St John's Wine Rooms, which indicated that there were signs of confidence in Bromsgrove town centre.

Members discussed the report and in so doing noted that Aston Fields had been added to the list of town centres that were managed by the Council. Members noted that Aston Fields was an important strategic link for Bromsgrove, as Bromsgrove Train Station was located in that ward.

During consideration of this item, reference was made to the Overview and Scrutiny Board's pre-scrutiny of the report at a meeting held on 13<sup>th</sup> September 2021. The Chairman of the Overview and Scrutiny Board explained that Members had raised concerns that the loss of staff had had an impact in the town centres. The Board had agreed that the situation in a number of the town centres had changed since the Action Plan was developed and, therefore, as well as approving the strategy, the Board had recommended that the relevant lead officer should visit all of the town centres to observe the conditions and then subsequently update the Action Plan.



The Overview and Scrutiny Board's recommendation was discussed and it was noted that this proposal would add value to the management of the town centres in Bromsgrove District. For this reason, the recommendation was approved.

**RESOLVED** that

- 1) The Bromsgrove Centres Management Action Plan (April 2021 – March 2022) be approved; and
- 2) At the earliest opportunity the relevant officers revisit the Town Centres to update the plan and offer support.

17/21

**CABINET OUTSIDE BODY APPOINTMENTS**

The Portfolio Holder for Finance and Enabling presented a report outlining appointments to Outside Bodies made by the Cabinet. Members were advised that many of these appointments were made in an ex officio capacity, to reflect the particular roles held by Portfolio Holders.

**RESOLVED** that the nominations to outside bodies detailed at Appendix 1 to the report be approved.

18/21

**ZERO CARBON HEAT NETWORK - ROUTE TO MARKET**

The Portfolio Holder for Finance and Enabling Services presented the Zero Carbon Heat Network – Route to Market report for Cabinet's consideration.

Members were informed that the Council was in the process of developing a zero-carbon heat network project to supply zero-carbon heat to homes, businesses and public buildings in Bromsgrove town centre. A report had previously been considered on this subject by Cabinet when Members had concluded that it would be appropriate to continue with the project through to the Detailed Project Design (DPD) stage. A feasibility study had been produced in respect of this matter in 2019.

In 2020, the Council had secured £227,500 towards the DPD phase of the heat network project from the Government. This had been matched by some additional funding from Bromsgrove District Council, Bromsgrove School and the Worcestershire Health and Care NHS Trust.

In April 2021, a specialist Project Manager had been appointed. The Project Manager had identified that, since the original scheme was approved, there had been a number of changes to the Government's decarbonisation plans. These changes affected the heat network project and therefore required Member endorsement.

Combined heat and power was due to be phased out for new heat networks during 2025. Therefore, the first recommendation in the report

proposed that the Heat Network should become a Zero Carbon Heat Network.

Members were asked to note that the Government had recently consulted on how Planning Authorities could have the powers to encourage both existing and new developments to connect to the network within a zone. The third recommendation in the report therefore proposed that a Heat Network zone should be pursued for the town centre project.

A new concession route to market was now available and there had been acknowledgement that not all local authorities wanted to directly invest in heat networks or to take on the associated risks. The concession approach enabled local authorities to procure a partner organisation in the private sector via a concession model to deliver the heat network. Therefore, the fourth recommendation proposed that the concession route to market should be pursued for Bromsgrove town centre. This route would need to be negotiated and therefore the fifth recommendation proposed that authority should be delegated to relevant officers to negotiate a Concession Agreement.

To ensure appropriate oversight of the project, a further recommendation had been made that a Project Board should be established to oversee the Zero Carbon Heat Network project.

**RESOLVED** that

- 1) In line with Government Policy, the Heat network becomes a Zero Carbon Heat Network (ZCHN);
- 2) The title "Bromsgrove Zero-Carbon Heat Network" be adopted;
- 3) A Heat Network Zone is pursued for the Town Centre to support and compliment the ZCHN; and

**RECOMMENDED** that

- 4) The ZCHN project pursues the concession route to market;
- 5) Delegated authority be given to the Head of Community and Housing Services and the Head of Legal, Democratic and Property Services to procure and agree the Concession Agreement with qualifying energy companies;
- 6) Green Heat Network Funding is utilised to fund this route to market; and
- 7) A project board, to assist the Project Manager, be established under the terms of reference attached at Appendix A.

(Prior to consideration of this item, Councillor M. Thompson declared a pecuniary interest as his employer, Bromsgrove School, had been one of the organisations providing a financial contribution to support, and would benefit from, the Detailed Design Phase of the Project from the Department of Business, Energy and Industrial Strategy (BEIS) Heat

# Agenda Item 10

Cabinet  
15th September 2021

Network Delivery Unit (HNDU). He left the room during consideration of this item and took no part in the debate or voting thereon.)

The meeting closed at 6.50 p.m.

Chairman

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## Bromsgrove District Council – 29<sup>th</sup> September 2021 Member Questions

**1. From Councillor J. King  
Question for the Portfolio Holder for Strategic Housing and Health  
and Wellbeing**

“Refugees in Bromsgrove

We all welcome the very generous support which Bromsgrove residents are giving to the newly arrived refugees from Afghanistan and other countries. The response to a recent Collections Day was magnificent with sufficient donations of new items of clothing, toiletries and toys received to make up hundreds of welcome packs.

The biggest challenge now is to find good quality affordable private rented accommodation for our resettled Afghani refugees. How is the council supporting the call for suitable housing and work with local private landlords and the refugee unit led by Natasha White at Worcestershire County Council to find the accommodation which is needed?”

**2. From Councillor R. Hunter  
Question for the Leader**

“Please could you explain how the new Bromsgrove on Demand bus service is funded and how you plan to ensure its long term sustainability?”

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

“Could the portfolio holder please agree to look into the possibility and associated costs of providing 2 hours free car parking for Blue Badge holders in BDC car parks, with a view of making a change to the current parking order and car parking strategy for financial year 2022-2023?”

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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.**

The words in italics contain additional information that has been provided by the proposer of the Motion to provide additional contextual information:

*There are 3.9 million people diagnosed with diabetes in the UK. Predictions suggest this figure will rise to 5.5 million by 2030. Around 90% of people with diabetes have type 2 diabetes. It is also estimated that 13.6 million people are now at increased risk of type 2 diabetes. Furthermore, 850 000 people are currently living with type 2 diabetes who are yet to be diagnosed.*

*Research has shown that physical activity and sustained weight loss can be effective in reducing the risk of type 2 diabetes by about 50%. The figures for diabetes in Bromsgrove (and Redditch) are slightly above England's average. Local Government can play a significant part in educating residents, not only about signs of diabetes and coping diabetes, but in diabetes prevention. 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. It is through such exercise that we can support the NHS in preventing type-2 diabetes, as well as supporting the general physical health and mental wellbeing of the people of Bromsgrove.*

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**NOTICE OF MOTION**

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

“Recognising the financial challenges facing the Council and its communities and the additional financial pressures that Covid presents I would like to call on the leader to reconsider the size and make up of her Cabinet in the coming budget round to ensure that the Councils is effectively allocating its resources.”

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