



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY 3RD NOVEMBER 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 29th September 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** (Pages 11 - 18)

8. **Recommendation from the Constitution Review Working Group** (Pages 19 - 24)

9. **Overview and Scrutiny Board Membership**

Members are asked to note Councillor H. Jones's appointment to the Overview and Scrutiny Board to replace Councillor M. Thompson.

Members are also asked to note Councillor M. Glass's appointment as a substitute for the Overview and Scrutiny Board replacing Councillor S. Hession.

10. **Recommendations from the Cabinet** (Pages 25 - 26)

To consider the recommendations from the meeting of the Cabinet held on 20th October 2021.

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

- (i) Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 (Pages 27 - 32)
- (ii) Mobile Homes Act 2013 - Introduction of Licensing Fees (Pages 33 - 40)
- (iii) Bromsgrove District Council's Duty to Co-operate statement with Solihull (Pages 41 - 56)
- (iv) Bromsgrove District Council's Approach to the Draft Black Country Plan (Pages 57 - 66)
- (v) Catshill Neighbourhood Plan Adoption (Pages 67 - 74)

Due to the length of the report, only the covering report has been included in the main agenda pack for this item. The full report, including appendices, will be published in a supplementary pack for the meeting.

12. **To note the minutes of the meeting of the Cabinet held on 20th October 2021** (Pages 75 - 82)

13. **Questions on Notice** (Pages 83 - 86)

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.

14. **Motions on Notice** (Pages 87 - 90)

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.

15. **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

26th October 2021

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

**Parkside, Market Street, Bromsgrove, B61 8DA
Tel: (01527) 64252 Ext: 3072**

Email: jess.bayley-hill@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 the 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 strongly 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 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 / officer requires a sip of water or when speaking 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 measures 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.



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

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

29TH SEPTEMBER 2021, AT 6.00 P.M.

PRESENT: Councillors A. J. B. Beaumont (Vice-Chairman, in the Chair), S. J. Baxter, R. J. Deeming, S. P. Douglas, A. B. L. English, C.A. Hotham, R. J. Hunter, R. E. Jenkins (from Minute Item No. 38/21), H. J. Jones, A. D. Kent, J. E. King, L. C. R. Mallett, K.J. May, M. Middleton, P. M. McDonald, S. A. Robinson, H. D. N. Rone-Clarke, P.L. Thomas, M. Thompson, J. Till, S. A. Webb and P. J. Whittaker

Observers: Mr M. Nock

Officers: Mr. K. Dicks, J Howse, Mrs. C. Felton and Mrs. J. Bayley-Hill

31\21 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors S. Colella, G. Denaro, M. Glass, S. Hession, A. Kriss, R. Laight, M. Sherrey, C. Spencer and K. Van Der Plank.

In the absence of the Chairman the Vice Chairman, Councillor A. Beaumont, chaired the meeting.

32\21 **DECLARATIONS OF INTEREST**

Councillor M. Thompson declared a pecuniary interest in Minute Item No.s 38/21 – 40/21 – Recommendations from the Cabinet, Background papers for Cabinet and minutes of the Cabinet meeting held on 15th September 2021. This pecuniary interest related to his employer, Bromsgrove School, which had been one of the organisations providing a financial contribution to support, and would benefit from, the Detailed Design Phase of the Zero Carbon Heat Network project of the Department of Business, Energy and Industrial Strategy (BEIS) Heat Network Delivery Unit (HNDU). He left the room during consideration of these items and took no part in the debate or voting thereon.

33\21 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14TH JULY 2021**

The minutes of the meeting of Council held on Wednesday 14th July 2021 were submitted.

RESOLVED that the minutes of the meeting of Council held on Wednesday 14th July 2021 be approved as a true and correct record.

34\21

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

The Vice Chairman advised that sadly former District Councillors, Katie Gall and Jean Hancox, had passed away during the summer. In addition, former Parish Councillor, Dean Smith, who had filmed many Council meetings over the years, had also died since the previous meeting of Council. The Vice Chairman led Members in paying tribute to the former District Councillors by observing a minute's silence.

During consideration of this item, the Vice Chairman explained that Council wanted to make reference to the recent Olympic and Paralympic Games in Tokyo and that he understood that all Group Leaders had met and wanted the Council to collectively acknowledge with pride the excellent achievements where Team GB came fourth and second respectively in the medal tables.

The Vice Chairman asked Council to resolve to congratulate all Olympians and Paralympians on their fantastic achievements at this year's games and to record the authority's particular pride in the contribution and achievements of all of the athletes and support team from the District who took part, including Paralympian, Ms Lauren Rowles, who achieved her second gold medal during the summer.

Members were advised that the Chairman would write to Ms Rowles extending the Council's congratulations.

The Head of Paid Service confirmed that he had no announcements to make on this occasion.

35\21

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

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

36\21

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

The Chairman informed Council that no questions, comments or petitions had been received from members of the public on this occasion.

37\21

URGENT DECISIONS

Members were advised that no urgent decisions had been taken since the previous meeting of Council.

38\21

RECOMMENDATIONS FROM THE CABINET

Zero Carbon Heat Network

The Portfolio Holder for Leisure, Cultural Services and Community Safety presented a report on the subject of the Zero Carbon Heat Network. Members were advised that the Council was in the process of working on the development of a heat network which would initially be sited in Bromsgrove town centre.

Council had previously agreed to launch a heat network in Bromsgrove in 2019 and in 2020 the Council had secured £227,500 towards the detailed design phase of the project from the Government. This had been matched by funding from Bromsgrove District Council, Bromsgrove School and the Worcestershire Health and Care NHS Trust. Since that time, the Government had made some changes to the process, including in respect of the requirement for a Zero Carbon Heat Network. The recommendations from Cabinet were designed to address these changes.

During consideration of this item, an amendment was proposed to the fourth recommendation on the subject of the Zero Carbon Heat Network. The amendment was proposed by Councillor P. McDonald and seconded by Councillor L. Mallett.

The amendment was as follows:

“To ensure that the membership of the Zero Carbon Heat Network project board is truly representative, the state schools in Bromsgrove town centre and Bromsgrove District Housing Trust (BDHT) should have representatives on the board.”

In proposing the amendment, Councillor McDonald commented that he welcomed news about the Zero Carbon Heat Network. However, he expressed concerns that no state schools would be represented alongside the private Bromsgrove School on the project board. Members were also asked to note that it was important to ensure that residents' housing needs were met in delivering the project and BDHT would therefore be an invaluable partner on the board.

In seconding the amendment, Councillor Mallett commented that it was important to ensure that the most appropriate organisations were represented on the project board at the feasibility study stage. Councillor Mallett raised concerns about the rationale for a representative being appointed from Bromsgrove School to the project board. He suggested that it would be sensible to appoint representatives from a state school and BDHT to the project board.

Members discussed the amendment in some detail and in so doing commented on the following:

Agenda Item 3

Council
29th September 2021

- The rationale for the original choice of organisations that would be represented on the project board. Members noted that Bromsgrove School was represented because the school grounds would be the site of the bore hole for the network.
- The organisations that had contributed funding to the project and whether they were all represented on the project board.
- The extent to which the Zero Carbon Heat Network would benefit houses in the initial stages of the project.
- The role of the project board. Council was advised that the project board would oversee the work of the project manager and the feasibility study and ensure that the project was delivered in budget.
- Members were advised that any proposals for a Zero Carbon Heat Network which might arise from the feasibility work would be subject to a full business case and recommendations to Cabinet and Council as appropriate.
- The previous discussions in respect of the Heat Network that had taken place at meetings of the Climate Change Working Group and the extent to which proposals in respect of the project board differed from what had been discussed by that group.
- The discussions in respect of the Heat Network that had been held at a previous meeting of the Overview and Scrutiny Board. Members noted that this discussion had not taken place in recent months.

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

Members voting FOR the amendment:

Councillors S. Douglas, A. English, C. Hotham, J. King, L. Mallett, P. McDonald and H. Rone-Clarke (7).

Members voting AGAINST the amendment:

Councillors S. Baxter, A. Beaumont, R. Deeming, R. Hunter, H. Jones, A. Kent, K. May, M. Middleton, S. Robinson, P. Thomas, J. Till, S. Webb and P. Whittaker (13).

Members voting to ABSTAIN on the amendment:

Councillor R. Jenkins (1).

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

The proposals detailed in the report and recommendations from Cabinet were subsequently discussed. Members commented that it was important for the project board to seriously consider how engagement would be undertaken with interested parties whilst working on the project. It was suggested that there would be significant value attached to engaging with the wider community at the business case stage.

Agenda Item 3

Council
29th September 2021

Council was informed that the project board would be engaging with partners and took this very seriously.

The recommendations were proposed by Councillor P. Thomas and seconded by Councillor K. May.

RESOLVED 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.

(Prior to the debate on this item, Councillor M. Thompson declared a pecuniary interest on the grounds that 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.)

39\21

BACKGROUND INFORMATION ON THE RECOMMENDATIONS FROM THE CABINET

Council noted the background information that had been provided in respect of the Zero Carbon Heat Network report which had been considered at the Cabinet meeting held on 15th September 2021.

40\21

TO NOTE THE MINUTES OF THE MEETING OF THE CABINET HELD ON 15TH SEPTEMBER 2021

Members considered the Minutes of the meeting of Cabinet held on Wednesday 15th September 2021.

RESOLVED that the minutes of the meeting of Cabinet held on Wednesday 15th September 2021 be noted.

41\21

QUESTIONS ON NOTICE

The Vice Chairman explained that 3 Questions on Notice had been received for consideration at the meeting. These questions would be considered in the order in which they had been received. A total of 15 minutes had been allocated to consideration of the Questions on Notice

and answers to these questions and no supplementary questions would be permitted.

Question submitted by Councillor J. King

“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?”

The Portfolio Holder for Housing and Health and Wellbeing responded by explaining that the Council was working proactively with Worcestershire County Council and all the other Worcestershire Districts with regard to refugees.

Worcestershire Leaders had signed up to:

- The UK Resettlement Scheme (UKRS) – and were committed to resettling a further 50 people into the community over the following 12 months.
- The Afghan Relocation and Assistance Policy (ARAP) – this included local allies’, such as interpreters’, priority relocation to the UK. Worcestershire Leaders had committed to resettling 30 people, with the first family arriving the week commencing 13th September 2021.
- A new scheme: the Afghan Citizens’ Resettlement Scheme (ACRS). The Government had committed to relocating up to 20,000 people nationally over the following 5 years, subject to continued funding under this scheme.

In addition, the Leaders had pledged a commitment to the ACRS scheme to resettle some 200 people over the following 5 years, which mirrored the previous percentage commitment for the other programmes. Initially this would amount to 2 properties per district, depending on the number of family members.

Officers in Strategic Housing were working closely with colleagues at Worcestershire County Council and BDHT to identify suitable and appropriate properties to accommodate refugees.

Question submitted by Councillor R. Hunter

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

The Portfolio Holder for Planning and Regulatory Services explained that in respect of the sustainability of the service the timing of the question was apt. At a recent meeting of Worcestershire County Council's Cabinet Members had considered a report on the subject of improving bus services in the county. This report, on the subject of the Bus Improvement Plan, would help to ensure that services in Worcestershire met the needs of local residents.

Public transport had historically been a challenge in terms of providing a service to rural communities. However, there was a need to reduce carbon emissions and public transport could help to achieve this objective. The new Worcestershire on Demand Service, which was being trialled in Bromsgrove District and funded by Worcestershire County Council, was helping to address this challenge. The original concept for the Worcestershire on Demand Service had been to provide a bus service directly between Bromsgrove Railway Station and Bromsgrove town centre. However, since the launch of the service, the potential had far exceeded this initial vision. Over 1,000 customers had signed up to the scheme and a lot of positive feedback had been received, with the service having achieved a 4.7 star rating. The Worcestershire on Demand Service had helped customers travel to and from rural locations into Bromsgrove town centre. Elderly customers and people with physical disabilities could be collected by the service from the bottom of their drives. Young people had also made use of a relatively affordable form of transport to travel to and from work and college.

Future ideas under consideration included the introduction of cycle racks on the buses. Bromsgrove District Council had a budget that could be used to invest in the future infrastructure of local bus services. However, to ensure its sustainability, it was important for residents to continue to use the service. Members could assist by helping to promote the service to their residents.

Question submitted by Councillor S. Robinson

“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?”

The Leader responded by advising that the Council already offered all Blue Badge holders an extra hour of free parking at the authority's car parks in addition to the length of stay purchased on their ticket. The charge for Blue Badge holders helped to fund the cost of the

Shopmobility service. Previous work undertaken on this showed that the estimated loss of income for the Council could be up to £85,000 per year. Given the challenging financial situation, the Leader explained that she did not believe that this was something that the Council could consider at the present time.

42\21

MOTIONS ON NOTICE

The Vice Chairman explained that 2 Motions on Notice had been received for consideration at the meeting. Prior to the meeting, the Group Leaders had met and agreed the first Motion that had been submitted by Councillor Till. Therefore, the Motion would not be debated during the meeting.

Cabinet – Size and Composition

Members considered the following Motion on Notice submitted 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.”

The Motion was proposed by Councillor P. McDonald and seconded by Councillor H. Rone-Clarke.

In proposing the Motion, Councillor McDonald commented that since the previous meeting of Council, a new Portfolio Holder position, taking a lead on tackling climate change, had been introduced on the Cabinet. Councillor McDonald noted that it was important for the Council to take action to tackle climate change, however, he expressed the view that climate change should underpin the work of all Portfolio Holders in relation to every service area. Members were asked to note that Portfolio Holders received Special Responsibility Allowances (SRAs) for their position of £6,045, in addition to the basic allowances of £4,650 which all Members received, so the introduction of this new post had financial implications for the Council. In addition, Councillor McDonald commented that instead of this appointment, the Council could be investing in charging points for electric vehicles, solar panels for Council buildings and electric or hybrid vehicles that could be used for Council business. He concluded by commenting that he did not feel comfortable with the way that the appointment had been announced outside of a formal meeting environment.

In seconding the Motion, Councillor Rone-Clarke detailed the reasons for his opposition to the appointment of an additional Portfolio Holder serving on the Cabinet. Councillor Rone-Clarke expressed concerns about the way in which the appointment had been made. He questioned whether this indicated that the Portfolio Holder for Environmental

Agenda Item 3

Council
29th September 2021

Services, who previously had responsibility for tackling climate change, had had too much to do and, if so, the reasons why it had taken 2 years for this to be addressed. Members were asked to note Councillor Rone-Clarke's support for measures that tackled climate change, but he commented that he would prefer a radical green new deal to the appointment of a Portfolio Holder for Climate Change.

The Leader responded to the proposed Motion by explaining that the Council was required by law to have a Cabinet. As Leader, she was responsible for making arrangements to discharge functions which fell to the Cabinet. Legally, the Leader could appoint up to 8 Members on her Cabinet and she was responsible for determining the number of areas of political responsibility or 'portfolios' that she believed were needed. Council had determined a number of strategic priorities within the Council Plan and the Leader had chosen to align the Portfolios to mirror this decision. Unless the Council determined that the priorities that the authority had set needed to change, the Leader was not minded to alter the focus in delivering them.

During consideration of this item, a Point of Order was raised by Councillor L. Mallett questioning whether the Portfolio Holder for Climate Change should remain present during the debate. The Monitoring Officer explained that the Motion was in respect of the number of members on the Cabinet not the individual Cabinet members. In this context, no Members were considered to have a conflict of interest in terms of their participation in the debate on this subject.

On being put to the vote the Motion was lost.

The meeting closed at 7.18 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: WORCESTERSHIRE BUSINESS RATES POOL 2022/23

Brief Statement of Subject Matter:

To request approval of Bromsgrove District Council joining the Worcestershire Business Rates Pool for 2022/23.

Briefing note below

Decision:

That Bromsgrove Council joins the Worcestershire Business Rates Pool for 2022/23 and authority for the decision on the 2022/23 final arrangements be delegated to the Head of Finance and Customer Services in agreement with the Portfolio Holder for Finance and the Leader.

Date: 5/10/2021

RESOLVED:

That Bromsgrove Council joins the Worcestershire Business Rates Pool for 2022/23 and authority for the decision on the 2022/23 final arrangements be delegated to the Executive Director Finance and Resources in agreement with the Portfolio Holder for Finance and the Leader.

Grounds for Urgency:

The current Worcestershire Pool will not continue automatically into 2022/23 and therefore a decision needs to be made urgently to join the Worcestershire Pool to ensure that any share of Business Rates growth for 2022/23 is not returned to Central Government but remains in Worcestershire. Financial projections are still being calculated to estimate the potential benefit to the Council and the wider County area.

DECISION APPROVED BY:

.....
Chief Executive

.....
Dated

.....
Section 151 Officer

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Dated

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Monitoring Officer

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Dated

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Leader

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Dated

.....
Chairman, Overview & Scrutiny Board

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Dated

.....
Chairman

.....
Dated

BACKGROUND

The Ministry of Housing, Communities and Local Government has invited Councils to indicate their preferred pooling arrangements for the financial year, 2022-23, with the deadline for submission of proposals for 2022-23 pools being 8th October 2021. Therefore the Council needs to make an urgent decision as to the option of joining the Worcestershire Pool.

The Council was previously part of the Worcestershire Pool so this would be a continuation. The other option the council has is:

- to not be in a Business Rates Pool and return a higher proportion of business rates growth (levy) to Central Government.

It is understood from other Districts across Worcestershire that they will be entering the Worcestershire Pool for 2022-23, enabling volatility risks to be shared with other councils and also additional financial benefits in terms of levy on business rates growth that was retained locally rather than paid over to the Government.

KEY ISSUES

The Council therefore needs to determine whether it wishes to continue to participate in a Worcestershire wide pool for the year 2022/23 only.

Pool membership also allows for a degree of risk sharing between Pool members, provided losses are not significant and that there are sufficient resources within the overall retained levy to compensate councils with business rate losses. In summary, Pool membership benefits are:

- To drive forward economic growth through increased collaboration amongst members;
- To allow local retention of levy on business rates growth which would otherwise be paid to Government;

- To provide a degree of protection against business rates through a provision in the Governance Arrangements

As a general principle the Worcestershire Pool and other Pools locally operate on the principle that no council is worse off in the Pool than outside the Pool. This means that the amounts paid into the Pool by councils are limited to the levy amount that they would have otherwise paid to the Government. However in the event of significant losses, as in the case of the revaluation of GP surgeries, then the amount available from the Pool may be less than would be available from the Government National safety net facility.

The most significant factor in the Council's decision regarding Pool membership from 1 April 2022 is our view on the probability of further significant business rate losses in Bromsgrove. Based on current appeals outstanding we have no reason to suspect there will be such losses, however there is material uncertainty with regards to the impact of Covid on businesses and their viability. We have already made reasonable provision for outstanding appeals and we are not aware of any changes which would lead to further significant losses.

The proposal for the governance arrangements is that there is a similar position for the shares of the retained levy as for the former WBRP but without a Risk Reserve as this Pooling arrangement is for one year only. However there will be provision within the governance arrangements to ensure there is protection for Pool Members to ensure that there is no detriment to their position comparative to had they not joined the pool.

FINANCIAL IMPLICATIONS

The arrangements for the business rates pool will continue to mitigate some but not all of the financial risk of the current business rates system. Based on information known at this point in time the pooling arrangements (if approved) remain of overall financial benefit to this Council. The precise impact on Council finances cannot be known as this will vary depending on a range of factors including whether business rates grow or contract, future appeals and mandatory reliefs.

Based on the information available to date, the Council's position together with the overall position of the wider Worcestershire family will be best protected by joining the proposed WBRP.

The proposed pool is only concerned with the money which is generated through the levy which would have been paid to central Government if the Pool members were not in the pool.

The Pool is designed to continue to protect member authorities from the ups and downs that are likely to arise in Business Rate income in the future. These will have a direct impact on the amount of funding for the Council. By remaining in a pool, the Council can better protect against these variations and thus provide some protection to its base funding.

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BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Domestic Waste Collection Service – Additional Funding

Brief Statement of Subject Matter:

Environmental Services have had a prolonged period with high levels of sickness and frequent requirements for staff to isolate, which has significantly impacted on service delivery and has now reached a high level of service risk.

Changes have been proposed and implemented to support service delivery in the short term by:

1. suspending the garden waste service for four weeks.
2. writing to all garden waste customers to notify them of the suspension and the reasons.
3. Fast track recruitment to recently vacated roles, and long-term sick positions that are being progressed through capability.
4. taking on additional short-term agency for a period of four-five weeks to support services whilst recruitment is finalised.

To support services in the medium term it has also been proposed to recruit three new driving posts to the shared Environmental Services as an additional revenue expense to secure the service.

The associated costs of the short-term arrangements are proposed to be funded from the General Fund, as there is no available Covid Grant Funding to support this. This will cover the short-term agency costs, and the costs of our direct mailout to customers. (£13,105)

The new salary costs are an additional pressure, and as such, additional revenue funding is being sought to support the service during 2021/22 and 2022/23 as per the table of costings below:

It is expected that this would not be a permanent increase to the staffing levels of the service, and will be considered as future drivers leave employment as to whether service levels can be returned to pre-covid levels and the additional expense removed.

Decision:

RESOLVED that

additional revenue funding, as detailed in the table below, be allocated to the Environmental Services budget in 2021/22 and 2022/23 to fund the recruitment of three new staff posts:

	2021/22	2022/23
Additional Revenue requirement (BDC)	£17,820	£42,768

Date: October 2021

RESOLVED:

Agenda Item 7

.....
Chairman

.....
Dated

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Council
2021

3rd November

**Membership Arrangements: Climate Change Working Group –
Recommendation from the 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 email: c.felton@bromsgroveandredditch.gov.uk Contact Tel: 01527 881429
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council The Green Thread
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 membership of the Climate Change Working Group should be amended to reflect the political balance and there should be a total of 9 Members appointed to the group.

2. BACKGROUND

- 2.1 At a meeting of Council held on 24th July 2019 Members approved a Motion in which a climate emergency was declared. This Motion also outlined some of the action that the Council planned to take to address the climate emergency, which included a proposal to establish a climate change cross party working group.
- 2.2 The first meeting of the Climate Change Working Group took place on 9th October 2019. At this meeting, Members agreed terms of reference for the group and that there should be a core membership of 15 Councillors. The membership was not politically balanced.
- 2.3 At a meeting of the Constitution Review Working Group held on 11th October 2021 Members discussed meeting arrangements for the Climate Change Working Group. Concerns were raised at this meeting

by some Members about the effectiveness of the Climate Change Working Group to date. Particular reference was made to the relatively large size of the membership of this group compared to other working groups and it was commented that this could impact on productivity.

- 2.5 In this context, the Constitutional Review Working Group is proposing that the membership of the Climate Change Working Group should be reduced and altered to reflect the political balance of the Council.
- 2.6 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 accord with political balance whilst at the same time enabling all groups to participate. This would also mirror membership arrangements that are already in place for the Constitution Review Working Group.
- 2.7 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 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.
- 4.2 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.
- 4.3 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.

- 4.4 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 Climate Change 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 Climate Change Working Group would improve the Council's ability to conduct Council business in an effective and sustainable manner.

Climate Change Implications

- 5.2 The purpose of the Climate Change Working Group, as detailed in the Motion agreed by Council in July 2019, was "...to *develop an action plan, report regularly on actions taken and engage with local communities.*" Therefore, the Climate Change Working Group has an important role in terms of enabling the Council to tackle climate change.

Council
2021

3rd November

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 No equalities and diversity implications have been identified.

Operational Implications

6.2 Bromsgrove District Council has a number of working groups, including the Climate Change Working Group.

6.3 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.

6.4 A change to the membership of the Climate Change Working Group to reflect the political balance of the Council would result in a decrease in membership to 9 Members overall. This is the minimum number of Members required on the group in order for all political groups to be represented at meetings of the Climate Change Working Group.

6.5 During the Constitution Review Working Group meeting in October 2021 when the membership of the Climate Change Working Group was discussed, suggestions were also made about potential changes that could be made to the terms of reference for the group. These suggested changes will be referred to the Climate Change Working Group to discuss when reviewing the group's terms of reference.

7. RISK MANAGEMENT

7.1 No specific risks have been identified.

8. APPENDICES and BACKGROUND PAPERS

Appendices

None

Background papers

Background papers include the relevant legislation:

The Local Government and Housing Act 1989

The Local Government (Committees and Political Groups) Regulations 1990

Council
2021

3rd November

9. **REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder	Councillor Geoff Denaro	25/10/21
Legal Services	Claire Felton, Head of Legal Democratic and Property Services	25/10/21

CABINET RECOMMENDATIONS TO THE COUNCIL

Cabinet meeting 20th October 2021

Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

RECOMMENDED that the proposed financial penalty charges for non-compliance set out within this report are adopted and the respective enforcement powers of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 are delegated to the Head of Community and Housing Services.

Mobile Homes Act 2013 – Introduction of Licensing Fees

RECOMMENDED that

- 1) The Mobile Home Fee Structure is approved and implemented from 4th November 2021 to all relevant sites throughout Bromsgrove District reviewed on an annual basis; and
- 2) The recovery of expenses through enforcement action is approved and implemented to all relevant sites throughout the District.

Bromsgrove District Council's Duty to Co-operate Statement with Solihull

RECOMMENDED that the Statement of Common Ground is signed by the Leader of the Council and submitted to Solihull Metropolitan Borough Council.

Bromsgrove District Council's Approach to the Draft Black Country Plan

RECOMMENDED that the Council endorses the officer response to the Draft Black Country Plan and that it is confirmed with the Black Country Authorities as such.

Catshill Neighbourhood Plan Adoption

RECOMMENDED that the Catshill and North Marlbrook Parish Neighbourhood Plan be 'made' (formally adopted) immediately, in accordance with the relevant legislation

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Committee name
meeting

date of

Report title: Electrical Safety Enforcement Charges in the Private Rented Sector

Relevant Portfolio Holder	Councillor Shirley Webb
Portfolio Holder Consulted	Yes /
Relevant Head of Service	Judith Willis
Report Author Haroon Chaudhry	Job Title: Private Sector Housing Officer Contact email: Haroon.chaudhry@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3378
Wards Affected	All Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Affordable & Sustainable Homes
Key Decision / Non-Key Decision	No
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. RECOMMENDATIONS

The Cabinet RECOMMEND that:-

- 1. That the proposed financial penalty charges for non-compliance set out within this report are adopted and the respective enforcement powers of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 are delegated to the Head of Community & Housing Services.**

2. BACKGROUND

- 2.1 From 1st of July 2020 the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 apply to all new tenancies. From 1st of April 2021 these Regulations became applicable to all existing tenancies.
- 2.2 These Regulations have been introduced to make it mandatory for all private rented properties to ensure that every electrical installation in the residential premises is inspected and tested at regular intervals, not more than 5 years, by a qualified person. The landlord must obtain a report of the inspection but is not routinely required to furnish a copy of a satisfactory report to the Local Authority unless requested in which case the landlord must provide a copy within

Committee name
meeting

date of

7 days. Where the electrical inspection report identifies any non-compliance with electrical standards the landlord has a duty to furnish the Local Authority with a copy of the report and provide evidence to show the non-compliance issues were rectified by a qualified person within a 28 day period commencing from the date of the original inspection report.

- 2.3 The Local Authority can impose a financial penalty, to a maximum of £30,000, where it is satisfied that beyond reasonable doubt that the landlord has failed in their legal duty. It can also impose more than one penalty if the landlord continues to breach the regulations. It is proposed to set the financial penalty to be £1000 for the first offence. This is in line with the charge for not having a smoke alarm in a privately rented property and the same level of fine set for HMO Management Regulation breaches such as failure to provide Gas Safety certification. The proposed penalty for a second or continued offence by the same landlord is £3000. The Private Sector Housing Team will be enforcing the legislation and will be promoting awareness of these changes through local media, the authority's website and Landlord Forums.
- 2.3 Properties with potential breaches in the Regulations will be identified reactively by the Private Sector Housing Team from tenant complaints, letting agent enquiries, Councillor enquiries and other agencies such as solicitors and Citizen Advice Bureau.
- 2.4 The recommendation is to adopt the penalty charges structure set out below. While the majority of landlords carry out their legal duties and obligations, the small minority of landlords may disregard their legal obligations if there is no deterrent.

Charges under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. The amount of penalty shall not exceed £30,000 based on the sum of the following

Penalty for first offence requiring a Remedial Notice	£1000
Penalty for any subsequent offences requiring a Remedial Notice by the same landlord	£3000

3. FINANCIAL IMPLICATIONS

- 3.1 This work will be continued with in the existing service resources. Any financial penalty from the Electrical Safety Standards

Committee name
meeting

date of

Regulations received by the Council, is required by the regulation to meet the local authority's costs and expenses incurred, or associated with the carrying out its enforcement function within the Private Rented Sector.

4. LEGAL IMPLICATIONS

- 4.1 Local housing authority has a legal duty to enforce the Electrical Safety Regulations. There is an appeal process to the Residential Property Tribunal. The private rented sector plays an important role in meeting the diverse housing needs that exist in the Council. It is therefore important that the accommodation is regulated effectively to ensure good property standards are maintained and hazards associated with dangerous electrics are effectively addressed.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 The adoption of a the proposed penalty charges for non-compliance provides a deterrent to discourage landlords from failing their statutory duties to maintain rented properties in a safe and health protective condition, in keeping with the Councils Strategic Purpose of Affordable & Sustainable Homes.

Climate Change Implications

- 5.2 There are no climate change implications.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 The application of these regulations will have a positive impact on many family households living in private rented sector accommodation as these will reduce the risk and dangers associated with electrical hazards.

Operational Implications

- 6.2 There are no staffing implications, envisaged at this stage, as the additional enforcement will be undertaken by existing staff in the course of general Private Sector Housing duties. No health and safety

Committee name
meeting

date of

implications have been identified to staff by the introduction of new regulations.

7. RISK MANAGEMENT

7.1 There is a risk of legal challenge if the process is not followed correctly, which could result in Residential Property Tribunal over-turning Notices and penalty fines imposed by the Council. A Private Sector tenant could apply to the Housing Ombudsman if they feel the council has failed to act in a case of non-compliance.

8. APPENDICES and BACKGROUND PAPERS

[Electrical safety standards in the private rented sector: guidance for landlords, tenants and local authorities - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		

Committee name
meeting

date of

Climate Change Officer (if climate change implications apply)		
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BROMSGROVE DISTRICT COUNCIL

Cabinet
meeting

date of

Mobile Homes Act 2013 – Introduction of Licensing Fees

Relevant Portfolio Holder		Cllr Shirley Webb
Portfolio Holder Consulted		Yes
Relevant Head of Service		Judith Willis
Report Author	Job Title: Private Sector Housing Officer Contact email: k.sharp-fisher@bromsgroveandredditch.gov.uk Contact Tel: 01527 881437	
Wards Affected		All
Ward Councillor(s) consulted		N/A
Relevant Strategic Purpose(s)		Run and Grow a Successful Business 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

The Cabinet **RECOMMEND** that:-

- 1) **The Mobile Home Fee Structure is approved and implemented to all relevant sites throughout Bromsgrove District reviewed on an annual basis.**
- 2) **The recovery of expenses through enforcement action is approved and implemented to all relevant sites throughout the District.**

2. BACKGROUND

- 2.1 The Mobile Homes Act 2013 came into force on 1st April 2014 and was introduced as an addendum to the Caravan Sites and Control of Development Act 1960, and applies to caravan sites typically known as residential parks, mobile home sites or caravan sites.
- 2.2 Caravan sites must have received planning permission prior to a caravan site licence being granted as determined under the Caravan Sites and Control of Development Act 1960 (as amended).
- 2.3 Table 1 below indicates the number of sites on district, the size of the site and the number of units. In total there are 17 sites with 448 units across the district.

Cabinet meeting

date of

Table 1

Mobile Homes per site	Number of Sites	Total number of Units
1-10	10	29
11-30	2	47
31-70	2	97
71+	3	275
TOTAL	17	448

- 2.4 There is currently no provision to charge for such elements of work. It is proposed that Bromsgrove District Council charge fees from September 2021 in accordance with the following proposals.

Proposed Fee Structure

- 2.5 The fees and charges set will aim to achieve the full cost recovery of providing the service. Potential enforcement costs will be recovered separately. The fees generated by the Mobile Homes Act 2013 are not designed to include investigation of harassment or matters not related to the site licence, these should be dealt with through Residents Associations or other appropriate channels.
- 2.6 Fees must be transparent and reasonable and should fairly cover costs incurred deliver the function. The proposed fee structure has been developed in line with DCLG 'A Guide for local Authorities on Setting Fees'. If approved the fees and charges will be reviewed annually in line with the corporate fees and charges policy. Fees are non-refundable if the application is refused or withdrawn.
- 2.7 It is proposed that a standard fee would be introduced for each element of work as detailed within the following table (Table 2). For costing detail see Appendix A – Assessment of Costs)

Table 2

Fee Type	Proposed Fee amount
Register of Site Rules	£72.25
New Site License Application Fee	£238.00
Licence Amendment Application Fee	£187.00
Transfer of Licence Fee	£136.00

- 2.8 There is no time limit to the Site License; therefore the above situations will arise on an ad-hoc basis.

**Cabinet
meeting**

date of

Annual Inspections Fee

2.9 Officers have taken account of the guidance and propose adoption of a 'banded' fee structure. It is considered to offer transparency and fairness to both residents and site owners and reflects actual inspection costs based on existing experiences. Where a Site Owner refuses to pay the fee this may result in the Local Authority referring the case to the First Tier Tribunal (Property Chamber) for the recovery of the charge and potential revocation of the Site License.

2.10 The Mobile Homes Act 2013 does allow the Local Authority to exempt certain sites from charging for licensing functions. It is proposed that small sites with single units are exempt as they are low risk and tend to be owner occupied sites where no business interest or third party duty exists. The cost of an inspection is outweighed by the cost of administering any charges. Where single unit sites are privately rented however it is proposed that these will be included into the annual site license inspection regime and charged at the Band A rate.

2.11 Table 3 indicates the bandings and charges for the annual inspections.

Table 3

Annual Site Fee (per number of sites)	Annual Site Fee	Number of sites (excluding exempt sites)	Expected Annual income per band
Band A (2-10 Units)	£256.67	10	£2566.70
Band B (11-30 units)	£274.17	2	£548.33
Band C (31-70 units)	£385.00	2	£770.00
Band D (71-100+ units)	£420.00	3	£1260.00
TOTAL		13	£5145.03

Enforcement

2.12 Currently Officers inspect sites and assess compliance with Site Licence Conditions, based upon the national Models Standards. Non-compliance issues are currently difficult to pursue as the only available enforcement tool is prosecution for non-compliance. This does not however ensure that the necessary works are completed. The Mobile Homes Act 2013 provides the Local Authority with additional enforcement tools to tackle site owners over non-compliance issues. The Act has introduced the ability to serve compliance notices detailing breaches and for recovery of enforcement costs. Non- Compliance with the notice may result in a potential fine of up to £5,000.

**Cabinet
meeting**

date of

2.13 Charges for enforcement costs cannot be passed onto the residents pitch fees.

3. FINANCIAL IMPLICATIONS

3.1 Currently the Local Authority cannot levy charges for these functions. The proposals will enable recovery of a substantial portion of service costs where these arise.

4. LEGAL IMPLICATIONS

4.1 The Local Authority has taken into consideration and ensured compliance with the following legislation and guidance: -

- Mobile Homes Act 2013,
- Caravan Site and Control of Development Act 1960
- DCLG Mobile Homes Act 2013
- 'A guide for Local Authorities on Setting Fees'
- The Mobile Homes (Site Rules) (England) Regulations 2014
- Mobile Homes (Site Licensing) (England) Regulations 2014

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

5.1 The introduction of charging for annual inspections to mobile home sites enables the local authority to meet its community priority of providing 'Affordable and Sustainable Homes'. Sites regularly are able to be regularly inspected and compliance with model standards monitored and maintained in order to ensure the safety of residents and visitors to mobile home sites throughout the District. Regularly inspecting sites also ensure that site owners are supported in their business by maintaining compliance with Legislation therefore enabling the Local Authority to meet its priority of supporting businesses to 'run and grow successful businesses'.

Climate Change Implications

5.2 It has been determined that there are no climate change implications.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 It has been determined that there are no direct diversity or equality implications associated with the introduction of license fees.

**Cabinet
meeting**

date of

Operational Implications

6.2 The option to not charge fees has been considered, however the functions are still required to be performed. There is no additional demand upon internal IT systems above what is provided currently.

7. RISK MANAGEMENT

Risk	Consequence	Controls
Increased number of challenges relating to the introduction of site license fees	Increased officer time dealing with challenges relating to the introduction of annual inspection fees	The charges structure is based upon and in line with the guidance.

APPENDICES

8. APPENDICES and BACKGROUND PAPERS

- Appendix A – Assessment of costs
- Caravan Sites Control of Development Act 1960
- Mobile Homes Act 2013
- DCLG Mobile Homes Act 2013 'A guide for Local Authorities on Setting Fees'
- The Mobile Homes (Site Rules) (England) Regulations 2014
- Mobile Homes (Site Licensing) (England) Regulations 2014

Cabinet
meeting

date of

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		
Climate Change Officer (if climate change implications apply)		

Appendix A – Assessment of Costs

	New Site License Application Fee	Licence Amendment Application Fee	Transfer of Licence Fee	Annual Site Fee				park home rules
				Band A(2-10 Units)	Band B (11-30 units)	Band C (31-70 units)	Band D (71-100+ units)	
	Time (mins)							
Initial enquiries	20	20	20	0	0		0	10
Letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the licensing process;	60	30	30	30	30	30	30	30
Sending out forms;	10	10	10	0	0	0	0	
Updating hard files/ computer systems;	30	10	10	10	10	10	10	10
Processing the licensing fee;	20	20	20	20	20	20	20	20
Land registry searches;	10	10	10	0	0	0	0	
Time for reviewing necessary documents and certificates;	60	40	30	30	30	30	30	30
Downloading photographs;	30	30	30	30	30	30	30	
Preparing reports on contraventions;	0	0	60	80	80	80	80	
Preparing draft and final licences;	60	30	30	0	0	0	0	
Review by manager or lawyers; review any consultation responses from third parties;	60	30	30	30	30	30	30	
Updating public register;	10	0	10	0	0	0	0	10
Carrying out any risk assessment process considered necessary;	0	0	0	30	30	30	30	0
Reviews of decisions or in defending appeals.	60	60	30	0	0	0	0	0

Appendix A – Assessment of Costs

	New Site License Application Fee	Licence Amendment Application Fee	Transfer of Licence Fee	Annual Site Fee				Park home rules
				Band A(2-10 Units)	Band B (11-30 units)	Band C (31-70 units)	Band D (71-100+ units)	
A second visit, following the issue of a new licence, to check conditions and occupation of site.	60	0	0	0	0	0	0	0
A site visit to assess the specifics of the application, any implications for the licence or its conditions and to assess whether undertakings need to be given	0	60	0	0	0	0	0	0
A pre-programmed full site inspection;	0	0	0	60	90	120	240	0
A follow-up inspection to check compliance following programmed inspection	0	60	0	60	60	60	60	
Handling enquiries and complaints;	0	0	0	30	30	30	30	30
Travel time – including fuel costs	30	30	0	30	30	30	30	0
TOTAL MINUTES	560	440	320	440	470	500	620	170
TOTAL HOURS	9.3	7.3	5.3	7.3	7.8	11.0	12.0	2.8
Time x Officer Rate	£ 326.67	£ 256.67	£ 186.67	£ 256.67	£ 274.17	£ 385.00	£ 420.00	£ 99.17
Annual Site Fee (per number of sites)								
Band A (2-10 Units) [including Privately rented single units)	10	£ 2566.70						
Band B (11-30 units)	2	£ 548.33						
Band C (31-70+ units)	2	£ 770.00						
Band D (71-100+ units)	3	£ 1260.00						
TOTAL-Annual Income	13	£ 5145.03						

Solihull Local Plan Statement of Common Ground

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"> • Affordable and Sustainable Homes • Communities which are Safe, Well Maintained and Green • The Green Thread runs through the Council Plan
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** to Council that:-

- 1.1 **The Statement of Common Ground at Appendix A, is signed by the Leader of the Council and submitted to Solihull Metropolitan Borough Council.**

2. BACKGROUND

- 2.1 Solihull Metropolitan Borough Council (SMBC) submitted the Solihull Local Plan (SLP) to the Planning Inspectorate on 13th May 2021. BDC has submitted a number of representations to this plan which focussed on gaining a better understanding of the impacts of the plan on Bromsgrove District.
- 2.2 Following these representations officers from BDC, Worcestershire County Council (WCC) and SMBC have worked together to address any concerns that existed. A requirement of the National Planning Policy Framework is for the authority responsible for preparing a Local Plan to prepare a Statement of Common Ground (SoCG) with other plan making authorities. The purpose of the SoCG identifies the matters which Councils have in common or in dispute, and helps the

Planning Inspector to form a judgement on the matters for the examination to focus on, and whether or not the Duty to Cooperate has been met. The SoCG at Appendix A has been prepared by officers at SMBC and BDC and shows an agreed position. A separate but very similar SoCG has been agreed between SMBC and WCC. The SoCG reflects the agreed changes which have previously been discussed with members at the Strategic Planning Steering Group.

- 2.3 BDC has submitted a previous consultation response to SMBC which highlighted the need to explain both the local implications of development within Solihull Borough on the infrastructure of Bromsgrove District, and also further explanation of the housing requirements. The draft version of the plan which SMBC published in November 2020 contained both an explanation of the housing requirement and information on the infrastructure implications. Some concern did still exist about the local impact of development as expressed in this Council's response to SMBC:

'The particular concern is, the accessibility of Whitlocks End station for pedestrians accessing it from these new sites, and the overall capacity and safety of the road junctions in this broad location particularly along Tilehouse Lane. Whilst the plan does have policies in place to manage these issues it was felt by BDC for the plan to be sound, that they needed to be strengthened, to that end we have worked with officers at Solihull MBC and Worcestershire CC to agree a set of changes which will allay our concerns.'

- 2.4 The Council's response was presented to and discussed with members at the Strategic Planning Steering Group (SPSG) which took place on the 26th November 2020, where it was agreed that the response should be submitted to SMBC and a SoCG entered into in due course. There has been no change in the situation since the SPSG considered this issue in November 2020. The full response can be seen at Appendix A of this report as an appendix to the SoCG.
- 2.5 The Duty to Cooperate session of the Solihull Local Plan examination took place on the 28th September 2021. BDC officers observed this session, SMBC outlined the engagement that has taken place and the fact that the wording of the SoCG was agreed by officers, but yet to be endorsed by BDC members. The inspectors requested that they are informed of the progress of the SoCG through BDC's formal processes. The examination is currently scheduled to close in December 2021.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications associated with this report

4. LEGAL IMPLICATIONS

- 3.2 SMBC has submitted its plan in accordance with Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 3.3 It is important that Bromsgrove District Council continues to engage in this process, and also beyond the adoption of the SLP when the plan is implemented by SMBC; we have agreed to this ongoing engagement.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 The SoCG in itself does not have any direct implications for the strategic purposes. Although the ongoing process of the Duty to Cooperate with other councils will help to ensure that all authorities aim to plan in a coherent way which does not adversely affect the aims and objectives of other councils.

Climate Change Implications

- 5.2 The SoCG focuses on ensuring that the traffic impacts of the SLP are mitigated in a sustainable manner. This includes providing better access to Whitlocks End train station, encouraging more trips to be made by rail as opposed to private car, which will help to address the required decrease in carbon emissions.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 The SoCG has no Equality or Diversity implications.

Operational Implications

- 6.2 There are no operational implications.

7. RISK MANAGEMENT

- 7.1 The risks associated with not signing the SoCG are that it will render the current officer agreement with SMBC irrelevant, and BDC may lose any control over the implementation of the SLP.

8. APPENDICES and BACKGROUND PAPERS

Appendix A – Statement of Common Ground SMBC and BDC

Cabinet
2021

20th October

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Adam Kent	6 th October
Lead Director / Head of Service	Ruth Bamford	6 th October
Financial Services	James Howse	6 th October
Legal Services	Claire Felton	6 th October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	N/A	

STATEMENT OF COMMON GROUND (SOCG) BETWEEN: SOLIHULL MBC (SMBC) and BROMSGROVE DC (BDC)

1. Introduction

1. The content of this SOCG is to inform the submission of the SMBC local plan and ongoing works associated with the delivery of The UKC Hub development proposals in particular.
2. This SOCG has been prepared in accordance with national guidance and is intended to cover matters of strategic importance relevant to the signatories to this SOCG. It covers both areas of agreement and areas that remain subject to further discussion.

Period Covered by SOCG

3. From July 2015 when SMBC commenced work on updating the current adopted development plan (the Solihull Local Plan Dec 2013) and it remains a live document to be updated as necessary.

2. Areas Solihull MBC & BDC are in Agreement

Solihull Local Plan Review

4. It is acknowledged that SMBC have published consultation material relating to its Local Plan review process at the following dates and stages:
 - Scope, Issues and Options – November 2015
 - Draft Local Plan – November 2016
 - Draft Local Plan Supplementary Consultation – January 2019
 - Draft Submission Plan – October 2020
5. In each case BDC have been consulted on these documents and have engaged as they felt appropriate at the time.

Housing Need

6. Both Solihull MBC and Bromsgrove DC are authorities that form part of the Birmingham and Black Country Housing Market Area (HMA).
7. Solihull MBC Council and BDC have been active members of the GBSLEP HMA Technical Officers Group since it was created and have contributed to all discussions relating to the delivery of unmet housing need with the HMA
8. This engagement has been ongoing and effective in so far as it has resulted in unmet housing need (to 2031) within the HMA being reduced from 37,572 dwellings in 2015 to 2,597 dwellings as at 2019. This is as documented in the HMA Position Statement no. 3 July 2020. Whilst BDC have not formally endorsed the position statement, they do not dispute any of the factual positions set out in the statement.
9. BDC have not raised any concerns through the R19 consultation to Solihull's approach to dealing with unmet need from elsewhere in the HMA.

Employment Land

10. BDC has not approached SMBC to ask for assistance in accommodating employment land that cannot be accommodated within BDC.

Policy BL1 and Infrastructure Development Plan

11. The only representations BDC made on Solihull's Draft Submission Plan were in relation to policy BL1 (the site allocation for a residential development of some 350 dwellings on land west of Dickens Heath close to the boundary with Bromsgrove district) and the Infrastructure Delivery Plan (IDP).
12. The concerns relate to the accessibility of Whitlock End train station for pedestrians accessing it from the site, and the overall capacity and safety of the road junctions in this broad location particularly along Tilehouse Lane.
13. The representations indicate that BDC believe that the plan is legally compliant and complies with the duty to cooperate. In relation to soundness, BDC believe that subject to changes the plan is sound.
14. The changes outlines in BDC's representation helpfully highlight suggested changes to Policy BL1 parts (2) and (3) through the provision of additional text that relates to safe access to the train station and potential highway improvements along Tilehouse Lane. The former issue is also covered in suggested amendments to the IDP at section 3.1.6.
15. It is agreed the SMBC endorse these changes and suggest a modification to the Solihull Local Plan.

Duty to Cooperate

16. BDC agree with SMBC that the Council has complied with its legal obligations under the duty to cooperate and if there is a difference between Solihull and other authorities in the HMA, this is around the issue of the soundness of the plan.

3. Areas Subject to Ongoing Discussion

17. Both SMBC and BDC will continue to engage through the examination process with a view to supporting the Inspector in identifying appropriate and justified amendments to Policy BL1 (and any associated supporting text/documents) to ensure that (a) safe accessibility for pedestrians using Whitlocks End station is achieved and (b) that the policy highlighted the potential for appropriate highway improvements along Tilehouse Lane.
18. This continued engagement will be undertaken alongside Worcestershire County Council.

4. Areas Subject to Disagreement

19. There are no areas of disagreement outstanding at this stage.

APPENDICES

Appendix A - Bromsgrove District Council publication stage representation



Solihull MBC Local Plan Publication Stage Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

Please return to psp@solihull.gov.uk or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14th December 23:59

Our Privacy Notice can be found at <https://www.solihull.gov.uk/About-the-Council/Data-protection-FOI/Solihull-Council-Statement/Economy-and-Infrastructure/Policy-Engagement>

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

	1. Personal Details*	2. Agent's Details (if applicable)
	<i>*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.</i>	
Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="Mike"/>	<input type="text"/>
Last Name	<input type="text" value="Dunphy"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="Strategic Planning and Conservation manager"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Bromsgrove District Council"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text" value="01527 881325"/>	<input type="text"/>
E-mail Address	<input type="text" value="m.dunphy@bromsgroveandredditch.gov.uk"/>	<input type="text"/>

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox" value="X (subject to changes)"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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

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

Bromsgrove District Council has concerns about the implications of development sites adjacent to the Councils boundaries in the Blythe Valley area. The particular concern is, the accessibility of Whitlock end station for pedestrians accessing it from these new sites, and the overall capacity and safety of the road junctions in this broad location particularly along Tilehouse lane. Whilst the plan does have policies in place to manage these issues it was felt by BDC for the plan to be sound, that they needed to be strengthened, to that end we have worked with officers at Solihull MBC and Worcestershire CC to agree a set of changes which will allay our concerns.

This response is an officer only this at stage

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As highlighted above BDC has discussed changes to policy BL1 and the IDP to ensure that concerns of the transport infrastructure in and around Wythall are adequately addressed through the policies in the plan, these changes can be seen on the additional sheet.

We would suggest that the changes can be considered as appropriate modifications to the plan.

The Councils including Worcestershire county Council will work together on a Statement of Common Ground to formally agree a shared position.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

If felt necessary we would like appear at the EIP to explain Bromsgrove District Councils concerns in more detail, and explain why it is felt the modifications are required.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

9. Signature:

Michael Dunphy

Date:

10.12.20

Changes highlighted in red text

Policy BL1 - West of Dickens Heath

1. The site is allocated for 350 dwellings.
2. Development of the site should be broadly consistent with the principles as shown in the concept masterplan below, which include:
 - i. A pedestrian link north of the hedgerow along Tythe Barn Lane is proposed in order to provide a safe route to Whitlocks End Station. Likewise opportunities to connect to the public footpath over the Stratford Canal are promoted.
 - ii. Pedestrian access improvements to provide a safe crossing of Tilehouse Lane and safe walking access to both platforms at Whitlocks end station.
 - iii. Connection to proposed Dickens Heath to Solihull town centre cycle route.
 - iii. Provision of 2.3ha of public open space, including children's play.
 - iv. Relocation of the existing sports provision south of Tythe Barn Lane to a suitable site in the vicinity;
 - v. Retention of Local Wildlife Sites, with potential for enhancement and appropriate buffer to Tythe Barn Coppice ancient woodland.
 - vi. Retention of trees and hedgerows within the site and along Tythe Barn Lane to conserve the character of this approach into Dickens Heath;
 - vii. Provision of suitable SuDS and flood risk management;
 - viii. On site accommodation for older people in accordance with Policy P4E
 - ix. 5% of open market dwellings to be provided in the form of Self and Custom Build Plots in accordance with Policy 4D
3. Likely infrastructure requirements will include:
 - i. Financial contribution to education provision as required by the Local Education Authority;
 - ii. Developer contributions to primary care health services in the vicinity and appropriate UHB secondary care services in the wider CCG.
 - iii. Relocation of the existing sports provision;

iv. Highway improvements as required including junction improvements, speed reduction measures and access improvements along Tilehouse Lane from its junction with Haslucks Green Road to its junction with Birchy Leasowes Lane..

v. Provision of above ground SuDS features and deculverting of existing watercourse through site where feasible.

vi. Appropriate measures to promote and enhance sustainable modes of transport including safe pedestrian and cycle connectivity towards Dickens Heath, Whitlocks End Station and the Stratford upon Avon Canal towpath in accordance with the Council’s LCWIP.

4. Green Belt enhancements will include:

i. Enhancement of public right of way towards canal towpath.

ii. Positive management of Local Wildlife sites

iii. Replacement sports provision with enhanced facilities

5. To support sustainable development within the area, the site should be promoted in a comprehensive basis supporting the positively planned relocation of the existing sports facilities south of Tythe Barn Lane to alternative locations within the surrounding area. Until such time as these facilities are appropriately relocated or robust plans have been confirmed to secure a timely relocation that would prevent the closure of any associated clubs (either for a short period of time or permanently), development of the site will not be supported.

6. The Concept Masterplan document should be read alongside this policy. Whilst the concept masterplans may be subject to change in light of further work that may need to be carried out at the planning application stage, any significant departure from the principles outlined for Site 4 will need to be justified and demonstrate that the overall objectives for the site and its wider context are not compromised.

IDP Changes

3.1.6 RAIL SERVICES	
Lead Agency	Department for Transport Network Rail West Midlands Rail Executive Train operating companies
Evidence Base	West Midlands Rail Executive Rail Investment Strategy Control Period 6 Delivery Plan (2019-2024)

<p>Strategic Issues</p>	<p>The management of the UK rail industry has changed significantly during 2020 largely as a result of the covid-19 pandemic. All services are now believed to be covered by Emergency Measures Agreements.</p> <p>Network Rail own and manage the country’s rail infrastructure, e.g. the tracks, signalling systems, tunnels.⁴⁹</p> <p>Network Rail has a Delivery Plan, which was updated in 2019. This focuses on a variety of factors, including safety, increasing rail capability, e.g. during extreme weather events and running more trains, more punctually for passengers and freight.</p>
<p>Existing provision</p>	<p>The rail network in the Borough is provided by five rail franchises operating from eleven rail stations. A number of long distance rail services serve the borough particularly from Birmingham International.</p> <p>The network tapers off during the evening and is more restricted on Sundays. The map below sets out the rail network in the Borough.</p> <p>Three railway lines run through the Borough:</p> <p>1) The West Coast Mainline which stops at:</p> <ul style="list-style-type: none"> • Marston Green • Birmingham International • Hampton-in-Arden • Berkswell <p>The West Coast Mainline is the busiest line in the country, already with high speed capacity for 125mph trains.</p> <p>2) The Chiltern Railway line which stops at:</p> <ul style="list-style-type: none"> • Olton • Solihull • Widney Manor • Dorridge <p>3) Stratford-upon-Avon line which stops at:</p> <ul style="list-style-type: none"> • Shirley • Whitlocks End • Earlswood (on Borough boundary)
<p>Gaps in provision</p>	<p>Prior to Covid-19 the rail network across the West Midlands was suffering from scarcity of track capacity, network bottlenecks, overcrowded trains, poor access to the rail network, gaps in network of existing services, low frequencies, long journey times, inferior station facilities, stations with poor accessibility for passengers with reduced personal mobility, inadequate parking for cars and cycles and inadequate integration with bus links.</p>
<p>Planned provision</p>	<p>The Avanti West Coast contract includes commitments to new</p>

	<p>trains, replacing first class accommodation with standard and providing additional 200 car parking spaces at Birmingham International. The West Midlands Trains contract includes a proposal to significantly improve Sunday services from May 2021 along with improvements to station facilities, which has yet to be implemented.</p> <p>The Chiltern Railways contract comes to an end during 2021. It is not known how the Department for Transport intends to respond to this, but this could be an opportunity to lobby for infrastructure and service proposals.</p> <p>The Urban Growth Company is leading on an upgrade to Birmingham International railway station and Solihull Council is leading on an upgrade to Solihull railway station. Behind both of these schemes is a desire to deliver much improved, modern passenger facilities capable of accommodating passenger growth over the next 30 years, whilst providing improved integration with other modes of travel.</p>
<p>Impact of development proposals</p>	<p>The development proposals should generate additional pressures on the railway network as passenger numbers rise – for example pressure on capacity and car parking and general pressure on the road network around railway stations.</p>
<p>Delivery potential</p>	<p>Potential expansion of Whitlocks End Park and Ride, close to Site BL1 <u>and measures to improve pedestrian access to and around Whitlocks End Station.</u></p> <p>Increased parking capacity at Berkswell Station as part of Site BC1 Barretts Farm.</p> <p>Birmingham International and Solihull railway station schemes.</p> <p>Improvements to encourage active travel from proposed Local Plan sites to Whitlocks End, Berkswell and Dorridge stations.</p>
<p>Role of Local Plan</p>	<p>The Submission Draft Local Plan encourages a more sustainable pattern of transport use. There may be a need to support growth to railway stations within the context of respecting wider environmental considerations.</p>
<p><u>Opportunities for Ongoing Cooperation as part of delivery</u></p>	<p><u>As part of delivering the draft Local Plan SMBC are committed to continue working constructively and actively with neighbouring authorities and infrastructure providers to support local and cross boundary infrastructure improvements, as appropriate to the growth aspirations of the Borough and its neighbours. In this case SMBC will work with neighbouring authorities, TFWM, Network Rail and rail providers to support the upgrade and delivery of rail services.</u></p>

	<p><u>By way of example this will include the requirements outlined above but also further network improvements such as joint working with BDC and WCC in particular to secure long term improvements to the Stratford-upon-Avon line.</u></p>
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Bromsgrove District Council – Response to the Draft Black Country Plan

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"> • Affordable and Sustainable Homes • Communities which are Safe, Well Maintained and Green • The Green Thread runs through the Council Plan
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** to Council that:-

- 1.1 **The Council endorses the officer response to the Draft Black Country Plan (as attached at Appendix A) and that it is confirmed with the Black Country Authorities as such.**

2. **BACKGROUND**

- 2.1 On the 16th August 2021 the Black Country Authorities published the Regulation 18 version of the Black Country Plan (BCP), more commonly known as the Preferred Option. This is the first full plan with polices and development allocations that has been published as part of the BCP review. Previous consultation was undertaken in 2017 on the issues and options for the BCP, BDC responded to this earlier consultation at that time.
- 2.2 The BCP covers the whole of the Black Country geography, of Dudley, Sandwell, Walsall and Wolverhampton local authority areas. The plan is a considerable document with strategic policies which apply to the

whole of the Black Country, and more detailed and specific policies and allocations for each of the individual authority areas.

- 2.3 As with most Local Plans perhaps the most keenly viewed section is the development targets identified in the plan, particularly the housing and employment development. The housing and employment levels for the BCP have been reproduced below.

	Housing Units	Employment Hectares
Capacity within Black Country	47,837	355
Capacity to be exported	28,239	210
Total Requirement	76,076	565

- 2.4 The levels of housing and employment have been established using the government’s standard method for calculating housing need, and well-established practices of identifying employment development needs. The significant point to note when considering the development requirements, is not only the overall needs identified, but also the capacity which cannot be accommodated within the Black Country. What is clear is that the Black Country Authorities will be looking to other Local Authorities to accommodate a significant proportion of their growth.
- 2.5 The 47,837 dwellings and 355 hectares of employment land which are to be accommodated within the Black Country are largely being met on brownfield land. The BCP also includes a review of the Green Belt surrounding the Black Country, the outcome of this review is to release Green Belt land for 7720 homes and 48 hectares of employment land.
- 2.6 The Green Belt in Dudley Borough adjacent to Bromsgrove District has not been allocated for development, except for one site for 115 dwellings north of Hagley. The majority of the land between the edge of the Black Country and the Bromsgrove administrative boundary is deemed to be both significant in terms of the function of the Green Belt, and also due to the high historic landscape character, BDC has no reason to dispute these conclusions.
- 2.7 There are two main points which form the substance of the suggested response to the Black Country;
- The approach the plan takes to addressing wider housing needs;
 - The evidence to support the proposed housing allocation north of Hagley.
- 2.8 The additional land required to meet the development needs of the Black Country is something which the BCP does not attempt to resolve to any great extent in this plan. The small indication that the plan does give on where it would support growth identifies that it should be in locations adjacent to the administrative boundaries. The ruling out of land adjacent to the Bromsgrove administrative boundary, in terms of Green Belt harm and historic landscape character, would appear to suggest that Bromsgrove District, adjacent to

Dudley Borough is not a location which the BCP supports for additional growth. As the land on the Black Country side of the boundary has been judged as being not suitable for development, any development on the Bromsgrove side would be in the isolated countryside and therefore also not suitable for development. BDC's response on this matter is expressed in para's 2-6 of appendix A to this report.

- 2.9 As stated above, one site north of Hagley has been identified as a possible allocation for 115 dwellings. Officers have reviewed the evidence supporting the allocation of this site and have found some discrepancies in the assessment that has been undertaken. Further to this, the full infrastructure impacts of this site are not fully explained or evidenced in this version of the plan. As with the approach taken to other local authorities plans, it is suggested that BDC officers will liaise with the Black Country Authorities, to understand these issues fully before the next version of the plan is published. BDC's response on this matter is expressed in para's 7-11 of appendix A to this report.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications associated with this report

4. LEGAL IMPLICATIONS

- 4.1 The Black Country Authorities have published this plan in accordance with Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 4.2 It is important that Bromsgrove District Council continues to engage in this process under the Duty to Cooperate as the plan progresses to its next stage.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 The response to the BCP in itself does not have any direct implications for the strategic purposes at this stage. Ensuring that BDC is engaged and where appropriate influence plan making activities of adjoining authorities will ensure that the strategic purposes are not undermined by the plans of other local authorities.

Climate Change Implications

- 5.2 Understanding the infrastructure requirements of the potential allocation north of Hagley will allow the Council to make a fuller

assessment of the impacts on the district, including any impact from additional traffic generated from this development.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 The response has no Equality or Diversity implications.

Operational Implications

6.2 There are no operational implications.

7. RISK MANAGEMENT

7.1 The risks associated with not submitting a representation is that BDCs views will not be taken into account by the Black Country Authorities when progressing the BCP

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – BDC response to Black Country Plan

Cabinet
2021

20th October

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Adam Kent	6 th October
Lead Director / Head of Service	Ruth Bamford	6 th October
Financial Services	James Howse	6 th October
Legal Services	Claire Felton	6 th October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	N/A	

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1. Bromsgrove District Council (BDC) welcomes the opportunity to comment on the Draft Black Country Plan (BCP). The BCP appears to be based around appropriate aims and objectives and provides a solid foundation on which to plan the future of the Black Country (BC) albeit BDC does have some reservations. BDC has reviewed the policies and proposals and has the following detailed comments to make.

Policy CSP1 – Development Strategy

2. The Council notes the development levels identified within policy CSP1 and the supporting text, in particular the 28,239 dwellings and 210 hectares of employment land to be accommodated outside of the plan area through the Duty to Cooperate.

3. The Council also note the comments made at para's 3.23, 3.25 and 3.27 and would wish to make the following observations

3.23 National planning policy requires this unmet housing and employment land need to be provided for across the Housing Market Area, Functional Economic Market Area (FEMA) and other areas with which the Black Country has a physical or functional relationship.

3.25 The BCA recognise that this approach may only address a proportion of the housing and employment shortfall, as it is inappropriate and beyond the powers of the BCA to establish the limits of sustainable development in neighbouring authorities.

4. Whilst the requirements of the national guidance are acknowledged it is also accepted that the BCP cannot physically allocate development for the needs of the BC in other local authorities development plans. However the current strategy in the BCP appears to be a very hands off approach at this stage. It is accepted that para 3.24 identifies that the Black Country Authorities (BCA) have worked under the duty to cooperate and that para 3.26 commits the BCA to further engagement to find the most appropriate and sustainable locations for housing and employment growth. As it stands the draft plan provides no guidance to other local authorities on any requirement for accommodating unmet BC growth, or any methodology for distributing the requirement between authorities, and only very limited information on where the growth should be located. To expect neighbouring authorities to consider whether its appropriate to provide growth for the BC with little or no guidance from the exporting authority falls short of what could be described as constructive engagement under the duty to cooperate.

5. Notwithstanding the above comments about the lack of direction the BCP plan gives on meeting the wider housing need at 3.25, para 3.27 then appears to suggest locations where the BCA are supportive of appropriate and sustainable locations for housing and employment growth which is suitable for the needs of the BC.

3.27 Reflecting the efforts of those neighbouring authorities who are supporting the delivery of the Black Country's wider housing and employment land need, where it is shown to be desirable, appropriate, sustainable and deliverable the BCA will support their neighbours in bringing forward land for housing and employment that sits adjacent to the existing administrative boundaries, and will work in partnership to ensure infrastructure needs are met in full across administrative boundaries.'

6. BDC notes the findings of the various studies which form the evidence base supporting the BCP. In particular the findings of the Black Country Green Belt Study, Landscape Sensitivity Assessment and Historic Landscape Characterisation Study. The outcomes of these studies which BDC has reviewed and has no reason to dispute at this stage, have effectively ruled out development on the southern edge of the BC in Dudley Metropolitan Borough adjacent to Bromsgrove District, With the exception of sites DUH206,207 and 209. The ruling out of this land means that the administrative boundary between Bromsgrove and the BC is not able to accommodate appropriate, sustainable and deliverable development, therefore the ability of BDC to accommodate the needs of the BC is critically damaged. BDC will continue to engage with all local authorities under the Duty to Cooperate but the Council is now struggling to see how it can now help meet the needs of the BC other than in locations which are not supported by the draft Black Country Plan.

Policy HOU1 and CSP3

7. Sites DUH206, DUH207 and DUH209 are being proposed to be taken out of the green belt and allocated for development of 115 houses. This has been done irrespective of the fact that (DUH209) was rated as causing very high harm to the GB, and all three sites are found to be within an Area of High Historic Landscape Value. This development is in close proximity to the settlement of Hagley which is within Bromsgrove District. Table 14 indicates that policy CSP3 provides further information regarding these allocations. CSP3 provide little detail on how it is expected that this site will be developed, it not clear how these allocations relate to the requirements of CSP3. BDC is aware that there is a significant policy base by which this allocation will be determined should a planning application be submitted, subject to the site being allocated.

8. BDC has also reviewed the site assessment work (Appendix A pages 96-107) accompanying these three sites, and would wish to understand the full impact on the infrastructure in the surrounding area, before forming a view on the suitability of these sites for allocation.

9. It is noted that the sites have been ranked as follows with the following comments in relation highways access and transportation and impact on the wider road network.

	Site Known as	Highways access and transportation		Impact on the wider road network	
		RAG Rating	Text	RAG Rating	Text
SA-0010-DUD-A / DUH206	Worcester Lane North	Green	Access via Worcester Lane,	Green	Potential junction improvement Racecourse Lane / Worcester Lane to North. To south Park Rd/ Worcester Rd
SA-0010-DUD-B / DUH207	Worcester Lane Central	Green	Access via Worcester Lane, potential mitigation junction improvement Racecourse Lane / Worcester Lane to North, To south Park Rd/ Worcester Rd	Green	Further information would be required to assess this
SA-0018-DUD-C / DUH209	Worcester Lane South	Green	Access via Worcester Lane. Loss of hedgerow should be kept to a minimum.	Green	If developed with call for sites site to north (SA-0010-DUD A and B) potential junction

					improvements Racecourse Lane/Worcester Lane to the north and to the south Park Rd/ Worcester Rd.
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10. For these sites to be ranked green, it is a requirement of the published methodology that they have for:

- highway access and transportation - No / negligible access constraint (Site Assessment Report – page 23)
- impact on the wider network - No / negligible impact (Site Assessment Report – page 24)

11. There is inconsistency in the narrative which accompanies these site assessments:

- Does the mitigation at the junctions north and south of the sites get assessed under the highways access and transportation section, or impact on the wider transport network section ? At the moment this is not clear or consistent.
- Irrespective of the point above, for a potential mitigation scheme to be identified, that would suggest that there is some form impact under either of the categories which is more than negligible, and therefore an amber rating would be more suitable.
- For site DUH207/SA-0010-DUD-B it appears no assessment has been carried out of the impact of the wider network and still the site is ranked green, it is concerning that this ranking can be determined without any assessment taking place.

12. BDC would suggest this assessment is re-run and the outcomes shared with BDC and other interested parties prior to the publication of the next stage of plan making.

13. Other elements of the infrastructure assessment also require clarification, the assessment of: Primary schools, Secondary Schools, GP/Health Centre/Walk in Centre, Strategic Centre/Employment areas, and Centre/Foodstore all refer to walk times which are achieved 'following any viable mitigation'. BDC would like clarification on what this mitigation is and that it is in fact viable. Unviable mitigation is not considered to be appropriate mitigation.

14. These comments are officer only comments at this stage, BDC members will be considering the formal response at committee meetings following the deadline for submission of comments, should any additional comments be required officers will submit them following these meetings.

15. Bromsgrove District Council remains committed to successful plan making and will continue to engage with the BCA under the Duty to Cooperate. Upon receipt of these and any additional comments, officers will be happy to meet with BCA representatives to discuss all the points raised in further detail.

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Adoption of Catshill and North Marlbrook Parish Neighbourhood Plan

Relevant Portfolio Holder	Councillor Adam Kent, Deputy Leader and Portfolio Holder for Planning and Regulatory Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning, Regeneration and Leisure Services
Report Author	Matt Stanczyszyn Job Title: Senior Planning Officer Contact email: matt.stanczyszyn@bromsgroveandredditch.gov.uk Contact Tel: 01527 587010
Wards Affected	Catshill North, Catshill South, Marlbrook
Ward Councillor(s) consulted	Yes
Relevant Strategic Purpose(s)	<ul style="list-style-type: none"> • Run and Grow a Successful Business • Affordable and Sustainable Homes • Communities which are Safe, Well Maintained and Green • The Green Thread runs through the Council Plan

1. RECOMMENDATIONS

The Cabinet RESOLVE that:-

- 1) The result of the referendum on the Catshill and North Marlbrook Parish Neighbourhood Plan, held on 7th October 2021, is duly noted
- 2) A recommendation is made to the next meeting of Council that the Catshill and North Marlbrook Parish Neighbourhood Plan be 'made' (formally adopted) immediately, in accordance with the relevant legislation¹.

2. BACKGROUND

- 2.1 The Catshill and North Marlbrook Parish Neighbourhood Plan (CNMNP), which is attached at Appendix 1, was submitted by Catshill and North

¹ As set out in the 'Legal Implications' (Section 4) section of this report.

Marlbrook Parish Council ('the qualifying body') to the District Council in January 2021.

- 2.2 Following Cabinet approval (February 2021), the plan was subject to a statutory six-week representations period from 25th February – 8th April 2021 and was subsequently examined by an independent neighbourhood plan examiner.
- 2.3 The final examiner's report, attached as Appendix 2, was received in June 2021 and recommended that the CNMNP met the 'basic conditions'², subject to a series of minor modifications, and should therefore proceed to a public referendum.
- 2.4 A referendum for the CNMNP was held on Thursday 7th October 2021 within the Parish. The 'Declaration of Result' is attached at Appendix 3. This shows a majority 'Yes' vote (88% of those who voted) to the referendum question posed.

3. FINANCIAL IMPLICATIONS

- 3.1 Work already carried out by Officers in assisting the Parish Council in preparing the CNMNP has been incorporated into ongoing workloads for the Strategic Planning and Conservation team.
- 3.2 Following the decision to proceed to referendum, the District Council became eligible for funding of £20,000 from the Ministry of Housing, Communities and Local Government's (MHCLG) neighbourhood planning grant. Once received, the grant will allow the Council to recoup departmental costs as well as fund examination and referendum costs.
- 3.3 The overall cost of the referendum is estimated by the Electoral Services Manager to be £8,819.12. The total cost of the independent examination was £3,966.65.

4. LEGAL IMPLICATIONS

² As defined at paragraph 8(2) Schedule 4B of the 1990 Town and Country Planning Act.

Cabinet
202120th October

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- 4.1 The CNMNP has been produced in accordance with the relevant neighbourhood planning legislation arising from the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 4.2 Following submission of the CNMNP to the District Council in January 2021, officers reviewed all submission documents and were satisfied that, with the approval of Cabinet, the neighbourhood plan was able to proceed to a statutory representation period, independent examination, and referendum, should the plan be deemed to meet the basic conditions. Subsequently, the independent examination into the CNMNP confirmed that the basic conditions were met subject to a small number of minor modifications to the plan.
- 4.3 An information statement was published on 27th August 2021 declaring that a referendum on the CNMNP was to be held. This ensured that no fewer than 28 days', excluding weekends and bank holidays, notice was provided as required by Regulation 4(1) of the Neighbourhood Planning (Referendums) Regulations 2012.
- 4.4 The question asked in a neighbourhood planning referendum is standardised as set out in Schedule 1(1) of the Neighbourhood Planning (Referendums) Regulations 2012. To comply with this legislation, the question therefore posed for the referendum was:

Do you want Bromsgrove District Council to use the Neighbourhood Plan for Catshill and North Marlbrook Parish to help it decide planning applications in the neighbourhood area?

- 4.5 The referendum area, on the advice of the independent examiner, was identical to the designated neighbourhood area of the CNMNP; that is, coterminous with the boundary of Catshill and North Marlbrook Parish. As a result, eligibility to vote in the referendum consisted of anyone who was 18 years of age or above on the date of the referendum, and who was registered to vote within the referendum area.

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- 4.6 From a total of 5,198 eligible voters, 822 ballot papers were issued (a turnout of 15.81%) with one ballot being rejected. The result of the referendum was as follows:
- Yes – 723 (87.96%)
 - No – 98 (11.92%)

The 'Declaration of Result' for the referendum is included at Appendix 3 for information.

- 4.7 Within a previous report to Cabinet in February 2021, with reference to the neighbourhood plan process, it was stated "*Should a referendum result in a 'Yes' vote that the CNMNP be made, it is proposed that the CNMNP be brought back to meetings of both Bromsgrove District Cabinet and Full Council to approve the adoption of the Catshill and North Marlbrook Parish Neighbourhood Plan*".
- 4.8 In light of the above, this report seeks a recommendation from Cabinet that the meeting of Council on 3rd November 2021 approves the CNMNP to be 'made' in accordance with the relevant legislation, in particular Section 38A paragraph 4(a) of the 2004 Planning and Compulsory Purchase Act, which states that, "*A local planning authority to whom a proposal for the making of a neighbourhood development plan has been made...must make a neighbourhood development plan to which the proposal relates if in each applicable referendum under that Schedule (as so applied) more than half of those voting have voted in favour of the plan*".

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 The CNMNP, being a plan for the development and use of land, supports the following District Council strategic purposes:
- *Run and Grow a Successful Business* – the neighbourhood plan includes planning policies within the topic area of 'commerce and community'. Objectives of these policies include supporting local businesses and retail outlets by improving shopfront appearances (Policies COM1 and

COM2) and supporting local employment opportunities through business start-ups and home working (Policies COM3 and COM4).

- *Affordable and Sustainable Homes* – the neighbourhood plan includes planning policies within the topic area of ‘housing and infrastructure’. Objectives of these policies include providing housing which meets the needs of local residents and ensuring priority is given to affordable homes, the elderly and homes for first time buyers (Policy H2).
- *Communities which are Safe, Well Maintained and Green* - the neighbourhood plan includes planning policies within the topic area of ‘environment’, and specifically the protection and enhancement of the local green infrastructure network. Objectives of these policies include developing a green infrastructure plan for the parish (Policies ENV1, ENV2 and ENV3) and protecting existing formal open spaces and newly designated local green spaces from loss or encroachment (Policies ENV4 and ENV5).

Climate Change Implications

- 5.2 A green thread runs through the Bromsgrove District Council Plan. The CNMNP supports this green thread with the neighbourhood plan’s environment topic area objective to “promote and support measures to assist in combatting climate change”. It seeks to do this specifically through policies on sustainable design and construction (H3 and ENV8), sustainable drainage systems for major developments (ENV9) and the need for permeable surfacing where parking proposals are made at the front of properties (ENV10) to reduce the risk of flooding from surface water runoff.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 The CNMNP has been subject to numerous Parish Council led events and public meetings to publicise the preparation of the plan and inform its development. One of the stated aims of the Parish Council’s consultation process was, “To engage with as wide a range of people as possible, using a variety of approaches, communication and consultation methodologies”.

- 6.2 A pre-submission (Regulation 14) public consultation was also undertaken to enable further community engagement and allow changes to the plan to be made prior to its submission to the District Council. Further detail of all engagement can be found in the CNMNP Consultation Statement listed within the background papers section at the end of this report.

Operational Implications

- 6.3 Despite responsibility for the production of the CNMNP belonging to the qualifying body (Catshill and North Marlbrook Parish Council), the District Council has worked closely with the neighbourhood plan steering group in the preparation of the plan, since designation of the neighbourhood area in October 2016.
- 6.4 During this time, considerable officer resource has been spent advising and supporting members of the neighbourhood plan steering group. Officers have advised on matters concerning planning legislation and regulations, alignment with the District Council's statutory planning framework, and provided information to help comply with other legal requirements such as strategic environmental assessment (SEA) and habitat regulation assessment (HRA).
- 6.5 Officers from the Strategic Planning and Conservation team have worked with the BDC Electoral Services team to arrange the referendum in line with all statutory requirements.

7. RISK MANAGEMENT

- 7.1 The CNMNP is not a plan produced directly by the District Council, however when 'made' it will become part of the statutory development plan for decisions made by the local planning authority within Catshill and North Marlbrook Parish (the designated neighbourhood area).
- 7.2 The District Council has met its duty to support the progression of the CNMNP, including publicising the statutory consultation and arranging independent examination and referendum. It now has a duty to formally 'make' the neighbourhood plan as outlined at paragraph 4.8 above.

- 7.3 Implementation of the CNMNP will make a positive contribution to the achievement of sustainable development within Catshill and North Marlbrook Parish. It will provide a complementary part of the development plan alongside the Bromsgrove District Plan, for planning decisions taken within the designated neighbourhood area.

8. APPENDICES and BACKGROUND PAPERS

Appendices

Appendix 1: CNMNP referendum version, August 2021

Appendix 2: CNMNP Examiner's Report, June 2021

Appendix 3: Declaration of Result of Poll, October 2021

Background Papers

CNMNP Basic Conditions Statement, December 2020

CNMNP Consultation Statement, December 2020

Cabinet
2021

20th October

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Adam Kent	6 th October
Lead Director / Head of Service	Ruth Bamford	6 th October
Financial Services	James Howes	6 th October
Legal Services	Claire Felton	6 th October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	Anna Wardell Hill / Kath Manning	Ongoing consultation as plan was prepared.

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

20TH OCTOBER 2021, AT 6.00 P.M.

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

Observers: Councillor C. A. Hotham and Councillor M. Thompson

Officers: Mr. K. Dicks, Mrs. S. Hanley, J Howse, Ms. C. Flanagan,
Mrs. R. Green, Mr. M. Dunphy, Mr S Shammon and
Mrs. J. Bayley-Hill

19/21

TO RECEIVE APOLOGIES FOR ABSENCE

Councillor M. Thompson joined the meeting remotely. Officers explained that there was a requirement under the Local Government Act 1972 for elected Members to attend formal Committee meetings in person. For this reason, Councillor Thompson observed the meeting but did not participate in the proceedings.

20/21

DECLARATIONS OF INTEREST

Councillor P. Thomas declared a pecuniary interest in Minute Item No. 23/21 – Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 – due to his position as a private sector landlord. He left the meeting during consideration of this item and took no part in the debate or voting thereon.

Councillor S. Webb declared an other disclosable interest in Minute Item No. 28/21 – Catshill Neighbourhood Plan Adoption – due to her role as ward Councillor for Catshill South and because she resided in the ward.

21/21

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 15TH SEPTEMBER 2021

The minutes of the meeting of Cabinet held on 15th September 2021 were submitted.

RESOLVED that the minutes of the Cabinet meeting held on 15th September 2021 be approved as a true and correct record.

22/21

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 13TH SEPTEMBER 2021

Members considered the minutes of the Overview and Scrutiny Board meeting held on 13th September 2021. Officers confirmed that all of the recommendations detailed in these minutes had been considered at the previous meeting of Cabinet.

Cabinet welcomed the Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, to the meeting. Councillor Hotham highlighted the work of the Finance and Budget Working Group, which had recently reviewed a list of debts owed to the Council and the length of time that these debts had been owed. Members had been pleased to learn that the system for co-ordinating the repayment of debts to the Council was well managed and Officers were thanked for their hard work in respect of this matter.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 13th September 2021 be noted.

23/21

ELECTRICAL SAFETY STANDARDS IN THE PRIVATE RENTED SECTOR (ENGLAND) REGULATIONS 2020

The Portfolio Holder for Strategic Housing and Health and Well Being presented a report on the subject of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

Cabinet was informed that the legislation introduced a requirement for landlords to undertake electrical safety checks at their properties every five years. This brought electrical safety standards into line with existing gas safety standards. Any failures in electrical safety standards that were identified during an inspection would need to be reported to the local authority and the landlord would have 28 days in which to take action to address these problems. Fees would be introduced for non-compliance, which would be £1,000 for a first offence and £3,000 for subsequent offences.

RECOMMENDED that the proposed financial penalty charges for non-compliance set out within this report are adopted and the respective enforcement powers of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 are delegated to the Head of Community and Housing Services.

(Prior to consideration of this item, Councillor P. Thomas declared a pecuniary interest due to his position as a private sector landlord. He left the meeting and took no part in the debate or voting thereon.)

24/21

MOBILE HOMES ACT 2013 - INTRODUCTION OF LICENSING FEES

The Portfolio Holder for Strategic Housing and Health and Well Being presented a report detailing the background to the proposed introduction of licensing fees under the Mobile Homes Act 2013.

Cabinet was informed that the licensing of mobile homes was a statutory duty and covered areas such as the issuing of new licences, transfers of licences and site compliance. The proposed fees took into account the costs incurred by the Council in relation to the licensing regime. Members were informed that prior to the introduction of charges the only

recourse available to the local authority was to take court action for non-compliance and there were financial implications to this for the Council. Under the new regime, cases could be referred to tribunal where costs of £5,000 could be applied.

The content of the report was subsequently discussed by Members in some detail. Questions were raised about the reasons why the proposed fees had been suggested at the level detailed in the report. Officers explained that the fees were based on the costs of the time usually spent working on licensing mobile homes.

Reference was also made to the frequency with which inspections would take place at mobile home sites to ensure compliance with licensing conditions. Cabinet was informed that all mobile home sites would be subject to at least an annual inspection. In reality, the Council tended to be contacted during the year regarding licensing matters so often inspections occurred more frequently than once a year as a result of such queries.

Consideration was given to the fees that would apply to mobile home sites. Concerns were raised that smaller sites, consisting of two or three mobile homes, might struggle to pay the fee, particularly if residents were also required to pay Council Tax. By contrast, larger mobile home sites would potentially be paying a more manageable fee, particularly if the cost could be shared between residents. Officers clarified that larger mobile home sites tended to be operated by management groups that were familiar with their roles and responsibilities. For this reason, there was often less action required from the Council at larger sites than at smaller sites, which did not tend to be operated by these types of companies. Furthermore, Members were informed that only residents for whom the mobile home was their primary residence would be required to pay Council Tax for their property.

During consideration of this item Officers commented that in the report it was being proposed that the fees should be introduced from September 2021 onwards. However, these fees could not be applied retrospectively. Instead, they could only apply, subject to approval by Council, from 4th November 2021 onwards.

RECOMMENDED that

- 1) The Mobile Home Fee Structure is approved and implemented from 4th November 2021 to all relevant sites throughout Bromsgrove District reviewed on an annual basis; and
- 2) The recovery of expenses through enforcement action is approved and implemented to all relevant sites throughout the District.

25/21

ENGAGEMENT STRATEGY

The Policy Manager presented an updated Community Engagement Strategy for the Council for Members' consideration.

Cabinet was advised that the Community Engagement Strategy had been reviewed to help ensure that the Council could continue to engage effectively with local stakeholders. The Covid-19 pandemic had impacted both on how the Council conducted engagement and on how people chose to engage with the authority. There were some key points that needed to be taken into account when amending the strategy, including the Council's equalities duties and the statutory engagement requirements for certain departments, such as the Planning Service. Members were also asked to note that different stakeholders would potentially choose to engage with the Council in different ways.

RESOLVED that the Community Engagement Strategy be noted and endorsed.

26/21

BROMSGROVE DISTRICT COUNCIL'S DUTY TO CO-OPERATE STATEMENT WITH SOLIHULL

The Strategic Planning and Conservation Manager presented Bromsgrove District Council's Duty to Co-operate Statement with Solihull Metropolitan Borough Council.

Cabinet was informed that Bromsgrove District Council had been in dialogue with Solihull Metropolitan Borough Council for some time regarding their local plan. Concerns had been raised at an earlier stage by Bromsgrove District Council about the level of growth proposed by Solihull Metropolitan Borough Council. The projected growth had subsequently been reduced in size and Bromsgrove District Council had entered into dialogue with Solihull Metropolitan Borough Council regarding the infrastructure that would be needed to support the housing growth and it had been agreed that changes would need to be made to the Local Plan in respect of the housing growth in Bromsgrove District, particularly around Wythall, and the infrastructure that would be available. These changes had been raised with the planning inspector who had raised no substantive comments on the matter.

During consideration of this item, Members noted that the report had already been discussed at a meeting of the Strategic Planning Steering Group. The report had been well received by those Members who had attended that meeting.

RECOMMENDED that the Statement of Common Ground is signed by the Leader of the Council and submitted to Solihull Metropolitan Borough Council.

27/21

BROMSGROVE DISTRICT COUNCIL'S APPROACH TO THE DRAFT BLACK COUNTRY PLAN

The Strategic Planning and Conservation Manager presented Bromsgrove District Council's Approach to the Draft Black Country Plan.

Members were advised that the draft Black Country Plan was at an early stage in the Local Plan process. The plan was being developed for the four local authorities in the Black Country area and was therefore a relatively lengthy document. In respect of the duty to co-operate, the housing and employment needs for the Black Country were significant, with the four authority areas unable to accommodate 30,000 of the additional houses required. This meant that those houses needed to be accommodated elsewhere but there was uncertainty about where these houses would be located and when they would need to be developed. In the draft Black Country Plan it was noted that the houses would need to be developed across the Housing Market Area (HMA) but the land that could potentially be used to accommodate some of the houses in Bromsgrove District had been rejected in that plan for this purpose. A development of 115 houses was proposed for a site north of Hagley, though some issues had been identified with how the site had been assessed, the infrastructure that would be available and the implications for the green belt. Therefore, Bromsgrove District Council was commenting that the evidence to support the allocations proposed in the draft Black Country Plan was not robust.

Under the duty to co-operate, Bromsgrove District Council would welcome further opportunities to enter into dialogue with the local authorities in the Black Country regarding the content of the Black Country Local Plan. It was anticipated that a further update on the plan would be available for consideration in summer 2022.

RECOMMENDED that the Council endorses the officer response to the Draft Black Country Plan and that it is confirmed with the Black Country Authorities as such.

28/21

CATSHILL NEIGHBOURHOOD PLAN ADOPTION

The Strategic Planning and Conservation Manager presented the Catshill Neighbourhood Plan for Members' consideration.

The draft Catshill Neighbourhood Plan had been considered by Cabinet in February 2021. Since then the Catshill Neighbourhood Plan had been submitted for the consideration of an independent examiner, who had been happy with the content subject to a small number of minor amendments. The Catshill Neighbourhood Plan had subsequently been published and had been the subject of a local referendum on 7th October 2021. In total 88% of electors had voted in favour of adopting the Catshill Neighbourhood Plan and 12% had voted against, with a turnout of 16%.

Members commented that the content of the Catshill Neighbourhood Plan would be good for Catshill. The residents who had turned out to vote in the referendum were thanked for participating in the process.

RESOLVED that

- 1) The result of the referendum on the Catshill and North Marlbrook Parish Neighbourhood Plan, held on 7th October 2021, is duly noted

RECOMMENDED that

- 2) the Catshill and North Marlbrook Parish Neighbourhood Plan be 'made' (formally adopted) immediately, in accordance with the relevant legislation.

(Prior to consideration of this item, Councillor S. Webb declared an other disclosable interest due to her role as ward Councillor for Catshill South and because she resided in the ward.)

29/21

BUDGET FRAMEWORK REPORT

The Executive Director of Resources presented the Budget Framework report, which outlined the steps that would be taken as part of the budget setting process over the winter and the proposed method for Member engagement during this process.

Cabinet was advised that the budget would be very complicated and would be developed at a challenging time for local government, so it was important to ensure that Members were properly engaged in the process of developing the budget. A number of Members had previously requested further information about the budget setting process and local government finance and the proposals in respect of Member engagement would help to address this.

Different methods would be used to present budget data for Members' consideration, including tables comparing current financial projections with data for previous years. Member workshops and other meetings would be held to enable Members to discuss budget matters at an early stage, rather than in February, directly before the budget was set at Council.

Members welcomed the proposals detailed in the report and the opportunities provided for Member engagement in the budget setting process, including the involvement of the Finance and Budget Working Group. Reference was made to the hard work of the Financial Services team in respect of the budget and Members thanked Officers for this.

During consideration of this item, the Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, advised that scrutiny Members had pre-scrutinised the report. The majority of scrutiny Members had

Agenda Item 12

Cabinet
20th October 2021

welcomed the proposals detailed within the report and had welcomed a constructive approach to Member engagement.

RESOLVED that that the updated member engagement plan for the 2022/23 Budget and Medium Term Financial Plan Report is noted and supported.

The meeting closed at 6.47 p.m.

Chairman

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Bromsgrove District Council – 3rd November 2021 Member Questions

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

"How many employees are being paid less than the Living Wage Foundation's £9.50?"

**2. From Councillor C. Hotham
Question for the Portfolio Holder for Climate Change**

"This council has five strategic purposes. Three make no mention of climate change. Of the remaining two, there is a brief mention of making recycling easier and improving home energy efficiency. There is also a brief vague mention of a "green thread" running through council policy. I don't think this now demonstrates sufficient commitment to fighting climate change. We have a newly appointed Climate Change Cabinet Member, a climate change working group and a general strong consensus across the council that time is running out and that now is the time to act.

Does the Climate Change Cabinet Member agree with me that tackling climate change should become a strategic purpose of this council in its own right and will he undertake to make sure this happens?"

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

"Please could the leader provide an update on the redistribution of the many surplus Council ipads to schools."

**4. From Councillor S. Robinson
Question for the Portfolio Holder for Environmental Services**

"Bus Shelters

Please could the cabinet member update council on its bus shelter improvement programme and advise us what are the implications of the county council's plan to adopt district owned shelters? Will all our shelters be transferred and will the improvements BDC budgeted for this year still go ahead?"

5. From Councillor R. Hunter
Question for the Portfolio Holder for Leisure, cultural Services and Community Safety

“Swimming Pools

A recent report by Swim England called ‘A Decade of Decline: The Future of Swimming Pools in England’ reveals the shocking potential for a huge reduction in the availability of public swimming pools nationally by the end of the decade. It predicts that the number of public pools in England could fall by as much as 40 percent, the equivalent of almost 2,000 pools. What reassurance can you offer this council that the future provision of public swimming in Bromsgrove is in safe hands and that we will not see local services diminished as part of this worrying national trend?”

6. From Councillor J. King
Question for the Portfolio Holder for Finance and Enabling Services

“What practical support is this council offering to the 5,000 low income Universal Credit claimants in this district who became £20 a week poorer in October?”

7. From Councillor K. Van Der Plank
Question for the Portfolio Holder for Environmental Services

“Please can we have an update on the new mobile CCTV cameras that were promised to help tackle fly tipping. What other measures have been introduced to tackle fly tipping since the motion we passed in 2019 and how many convictions have we now had?”

8. From Councillor A. English
Question for the Leader

“Could we please have an update on the Government grant for insulating park homes? How much did BDC receive and how many homes have been insulated as result?”

9. From Councillor H. Rone-Clarke
Question for the Leader

“Given that Bromsgrove prides itself on its ‘night-time economy’, the rise in incidents of spiking, particularly and disturbingly, with needles should concern us all greatly. What steps can BDC take to regulate against these attacks and will the leader commit to them now?”

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NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor H. Rone-Clarke:

“Council notes the long struggle for the LGBTQ+ community to be visible without fear, intimidation or violence; it therefore welcomes the first ever Bromsgrove Pride Festival and thanks the organisers and volunteers for a successful and necessary event.

Council also notes that hate crime towards the LGBTQ+ community, particularly the trans community, is rising and thanks West Mercia Police for their attendance at Pride.

It is a damning indictment upon this authority for its deputy leader, Cllr Kent, to have made these statements publicly attacking the police for their attendance, as well as refer to pride as ‘the carnival’ on multiple occasions.

Council therefore calls upon Cllr Kent to make a public apology and, failing that, reconsider his position as deputy leader.”

(This Motion stands automatically referred to the Monitoring Officer and will therefore not be debated at this meeting)

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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:

“Council calls on the Cabinet Member and officers to produce a business case for providing free short term car parking for Blue Badge holders in all BDC car parks, to be considered as part of the 2022/23 budget setting process.”

(This Motion will be referred to the Finance and Budget Working Group for consideration and will therefore not be debated at this meeting)

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