

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.

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

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