

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

24TH OCTOBER 2022, AT 6.00 P.M.

PRESENT: Councillors C.A. Hotham (Chairman), J. Till (Vice-Chairman), S. J. Baxter, A. J. B. Beaumont, S. R. Colella, R. J. Deeming, S. A. Robinson (substitute), M. Glass (substitute), P. J. Whittaker and P. M. McDonald (up to Item No. 39/22)

Observers: Councillor K. J. May, Councillor S. A. Webb, Councillor M. Thompson, Councillor M. A. Sherrey and Councillor S. P. Douglas

Officers: Mr P. Carpenter, Ms J. Willis (via Microsoft Teams), Mrs. R. Bamford and Mr O. Paparega, Mrs. M. Howell, Mrs S. Hanley, Mr. A. Pearson (via Microsoft Teams), Mrs. J. Bayley-Hill, Mr. M. Sliwinski.

34/2022

APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

Apologies for absence were received from Councillors R. Hunter, H. Jones, and A. Kriss with named substitutes Councillors S. Robinson, M. Glass, and P. Whittaker respectively.

An apology was also submitted by Councillor C. Spencer.

35/2022

DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

Councillors C. Hotham, P. McDonald, and P. Whittaker declared an other disclosable interest in relation to Minute Items No. 36/22 – Levelling Up Funding Update and No. 37/22 – UK Shared Prosperity Fund Update – in their capacity as Trustees of The Bromsgrove Arts Development Trust (Artrix Holding Trust). It was deemed that the nature of the interests declared was not pecuniary and did not preclude the aforementioned Councillors from taking part in the debate or voting on the matters.

36/2022

LEVELLING UP FUNDING UPDATE - REPORT TO FOLLOW

The Board received an update with respect of progress in delivery of the Levelling Up Fund (LUF) projects (LUF0297) in Bromsgrove Town Centre between April and August 2022. The two projects were taking place at Windsor Street and the former Market Hall site.

The Board was first updated on the Windsor Street Site (former Fire Station at Windsor Street).

The Leader of the Council addressed the Board, explaining that the Windsor Street site had stood empty for more than six years and interest had been expressed in the site for some time. The District Council purchased the full site from the Herefordshire and Worcestershire Fire and Rescue Service (HWFRS) and Worcestershire County Council (WCC) before the end of the 2021/22 financial year at a cost of £1.806m. It was noted the purchase price for the site was below the original asking price of £2.4m, and the acquisition was necessary to enable the start of feasibility works.

The Head of North Worcestershire Economic Development and Regeneration confirmed that the District Council needed to acquire freehold of the full site before a site feasibility study could be undertaken. Members were informed that the site was purchased from other public agencies, meaning the transaction was cost-neutral to the taxpayer.

The Head of North Worcestershire Economic Development and Regeneration clarified that the aim of the Windsor Street site redevelopment was to deliver residential-led mixed housing which was proposed to include 29 town houses. It was confirmed that the residual land value stood at £1.90m (as of April 2022).

It was reported that pre-development remediation works were taking place at the former Fire Station in Windsor Street. An intrusive ground investigation (phase II) report was submitted to the Environment Agency (EA). The EA agreed with the findings of the report but requested a further ground contamination water sampling at the Spadesbourne Brook, which was undertaken by the consultants in August.

In addition, a detailed quantitative risk assessment (DQRA) and draft remediation strategy were currently in the final preparation stages before submission to the EA.

Members were assured that building works would not commence on the Windsor Street site until the remediation strategy and the environmental method statement had been fully approved by the EA.

Following the update on the Windsor Street Site, Members asked for clarification with regards to some of the areas highlighted and provided a number of comments as follows:

- Some Members expressed concern about the financial implications of the Council purchasing the site.
- Members complained about the agenda for this meeting containing a number of supplementary packs, which consequently resulted in some Members being unable to properly consider all the facts in advance of the meeting. In response Officers

apologised and explained this issue would be discussed at a Corporate Management Team (CMT) meeting.

- It was reported that whilst the Windsor Street Site was acquired for £1.806m, the direct cost to the Council was only £285,000, the rest coming from Government funding.
- It was clarified that the Council did not currently plan to resell the Windsor Street Site. Instead, it was envisaged the site would be redeveloped, once land remediation had been completed, and a lease would be granted to an operator following the completion of redevelopment. The process of appraising operators was currently ongoing.
- Members asked if there was an option to redirect any of the UK Shared Prosperity Fund (UKSPF) if there was an overspend on either of the two Levelling Up projects, given that many aims of the UKSPF related to digital matters. In response, Officers confirmed it was an option but any changes needed to be approved by the Bromsgrove Partnership Board which oversaw the UKSPF funding. Authorities were nonetheless advised to prepare reserve allocations from operational costs to ensure any overspends could be managed without redirecting funding to UKSPF projects.

The Board subsequently received an update on the former Market Hall site project.

The Head of North Worcestershire Economic Development and Regeneration addressed the Board and stated that the development of the Market Hall site required caution as part of the site was in a conservation area and with a landmark building adjacent. It was noted that the main risk to the project's delivery remained cost, especially considering the current inflationary pressures.

It was recalled that the results of the survey of the creative business sector on the preferred uses for the Market Hall site showed support for several uses including multifunctional community space, creative studios, and workshop spaces. The soft market testing undertaken in July 2022 for appointment of a design team confirmed interest in the West Midlands for flexible workspaces and commercial support behind such proposals.

It was noted that the original recommendation of the technical advisor for the former Market Hall project was to proceed with a two-stage design and build contract from feasibility (RIBA stage 2) with a contractor-led design team. However, following the request of the Levelling Up Programme Board in August for a review of the route to procurement, the advice was updated. It was now recommended that a multidisciplinary design team (Multi-dis DT) be appointed, as opposed to a contractor-led design team, from RIBA stage 2. This had enabled the Council to avoid entering into early agreement with a contractor and provided time to develop the project brief to a sufficient level before being released to the market.

The Head of North Worcestershire Economic Development and Regeneration stated that there was a tight planning submission deadline for the site of March 2023, meaning that public engagement would need to commence immediately following the appointment of a multi-disciplinary design team in December 2022.

In relation to discussion on the Market Hall site, Members asked several questions and the following responses had been provided:

- Members asked for clarification with regards to when the Bromsgrove 2040 Vision would be available for viewing by Members, given that paragraph 3.1. of the update report referred to the results of the creative business community survey undertaken in early 2022 as agreeing with the emerging vision. Officers responded that the vision was at a draft stage and not publicly available, and it was currently envisaged the final version would be prepared in time for the Cabinet meeting on 23 November at the earliest.
- Members requested that they be shown the risk register for both Levelling Up Fund projects to fully understand the risk implications. In response, Officers undertook to provide the risk register update to Members, and it was noted that quarterly risk reports were being submitted to the Interim Section 151 Officer for sign-off and there were bi-weekly meetings of the Governance Board where issues logged for the projects were discussed and updated.
- Members queried whether the design team would be briefed in accordance with the results of the creative business community survey. In response, it was noted that specific details on the use of the site had not been provided in the original application submitted to the Department for Levelling Up, Housing and Communities (DLUHC) to give the Council more flexibility to adjust the design at a later stage, depending on feedback from the business sector. However, it was currently envisaged that potential uses for the site would be a business support space for the creative industry sector with the ground floor occupied by commercial premises including food and beverage and space for temporary exhibitions.
- It was explained that any design proposal for the Market Street project needed to be ultimately justifiable in terms of rental income generation to ensure the site could be self-sufficient once in operation.

RESOLVED that the update be noted.

37/2022

UK SHARED PROSPERITY FUND - UPDATE - REPORT TO FOLLOW

The Board was informed that Bromsgrove had been allocated a total of £2,805,712 in the UK Shared Prosperity Fund by the Government. It would be available for a three-year period, from 2022/23 to 2024/25.

The level of funding available in each year was due to increase from £340,499 in 2022/23 to £1.784 million in 2024/25. The Government had identified three investment priorities of Community and Place, Supporting Local Business, and People and Skills, which needed to be addressed through the expenditure of the funding. The funding allocated to year three of the programme was particularly high because this would be the only year in which funding would be available for the People and Skills priority.

The Investment Plan that had been submitted to the Department for Levelling Up, Housing and Communities (DLUHC) included 23 interventions, which were broad areas of investment where the fund would be spent. These interventions were spread across the three investment priorities. It was highlighted that the Council was not required to include details of any specific projects in the Investment Plan. The Government had provided an indicative date for issuing approvals for the Investment Plan of October 2022 onwards. Once approved, the Council was required to spend the funding on those interventions that were submitted in the Investment Plan.

In anticipation of approval of the Investment Plan, the focus was on delivery of the fund. Given that the initial call for projects had been open for a limited time only, a second call for projects had been established for organisations to submit specific project proposals until 14 November 2022.

In response to queries from Members, consideration was given to the local governance arrangements for managing the UK Shared Prosperity Fund. It was explained that the Bromsgrove Partnership oversaw the development of the Investment Plan and would oversee project selection in its capacity as the local partnership group for the fund. The Bromsgrove Levelling Up Programme Board was composed of several Cabinet Portfolio Holder members (including the Leader of the Council), a representative from the Department for Business, Energy and Industrial Strategy (BEIS), Council Officers and officers from partner organisations such as the County Council, the Worcestershire Local Enterprise Partnership (WLEP) and North Worcestershire Economic Development and Regeneration (NWEDP). Other partners such as the local primary care network, the Department for Work and Pensions (DWP), and the Bromsgrove District Housing Trust (BDHT) would also be involved in the local partnership group in addition to a large range of stakeholders (via a stakeholders' forum) including resident and business community representatives.

It was further explained that once the second call for projects had closed, all submissions would be assessed by a sub-committee of the Bromsgrove Partnership Board against strategic fit, deliverability, and value for money criteria. The Sub-Committee of the Partnership Board would then make recommendations to the main Board regarding which projects should be selected.

In assessing each submission, the project would be assigned against one of the three investment priorities and assessed against other projects assigned to that same investment priority. In Bromsgrove, Officers were suggesting that 40 per cent of the funding should be allocated to Communities and Place and 30 per cent allocated each to Supporting Local Business, and People and Skills investment priorities respectively. The Government had clarified that there would be flexibility to vary these allocations by up to 30 per cent, if, for instance, not enough projects were submitted that addressed one of the investment priorities.

Some Members expressed disappointment that most elected members had not been involved or consulted in deciding investment priorities and, it appeared, would not be expected to be involved in the Bromsgrove Partnership Board. In response, it was explained that the Government intended for projects to be driven by communities at large rather than elected members, hence there was a wide partnership board based on representatives from among each stakeholder group.

Members requested that further detail be provided with respect of the decision-making arrangements for allocating the fund in Bromsgrove.

Some Members commented that there was a need for public scrutiny of decisions made by the Bromsgrove Partnership Board and in view of this requested that copies of the minutes of the Bromsgrove Partnership Board Sub-Committee responsible for making project allocation and funding decisions be made available for inspection by councillors and the public.

RESOLVED that the report be noted.

38/2022

**CLIMATE CHANGE STRATEGY/CARBON REDUCTION
IMPLEMENTATION PLAN - REPORT TO FOLLOW**

The Chairman welcomed the Net Zero Projects Manager from the Midlands Net Zero Hub to the meeting who provided a detailed presentation regarding the Council's Carbon Reduction Strategy and Action Plan. During the presentation Members' attention was drawn to the following:

- Bromsgrove District Council's Carbon Reduction Strategy and Action Plan covered exclusively the carbon dioxide emissions of the Council (including direct emissions from the activities of the Council and the emissions that the Council had influence over).
- The Strategy and Action Plan would be refreshed every three years and progress against targets reviewed twice a year.
- The Council's carbon reduction targets were set in line with the Worcestershire Local Enterprise Partnership (LEP) target of 50% carbon reduction by 2030 and the ambition of becoming net zero by 2040.
- To reach an interim target of 50% carbon emissions reduction by 2030, the Council would need to reduce its emissions by

approximately 41 tonnes of carbon dioxide per year. To achieve the net zero in the remaining 10 years to 2040, the Council would need to deliver on a target of approximately 51 tonnes of savings per year.

- Even though the Council's own emissions were only a very small part of the district's total, it was in a strong position to exert influence on the wider geographical area.
- For the purposes of carbon reduction strategies, carbon dioxide emissions were categorised as coming from three sources – direct use of fuel (such as transport, gas heating), use of electricity, and indirect emissions (such as via the supply chain).
- The Council's 3-year Implementation Plan identified that the latest available carbon emission figure for Bromsgrove District Council was 818 tonnes (2019).
- The latest total emissions figure for the district of Bromsgrove was 669,200 tonnes.
- The Council had been successful in securing funding from the Public Sector Decarbonisation Scheme for the Artrix, which would contribute to a carbon reduction of 126 tonnes and saving £16,000 per annum through the installation of heat pumps and solar panels.
- The Council had also applied for 'Public Sector Energy Efficiency Programme' funding for the decarbonisation of the Parkside building.
- The Council required staffing resources in order to prepare the strategy and there would be further resource requirement as the strategy was implemented. This would be accounted for in the Council's Medium Term Financial Plan (MTFP).

Following the presentation, the Portfolio Holder for Leisure, Culture and Climate Change commented on the preference of Members for the carbon reduction strategy to be presented in a more concise, infographic format. He added, however, that for the purposes of auditing the strategy it was necessary to include lengthy text in places, although a need to strike the right balance and reduce the overall document length to only include the salient points was acknowledged.

The Portfolio Holder for Leisure, Culture and Climate Change also commented on the need for partners across the region, including Worcestershire County Council and Birmingham City Council, which owned the Lickey Hills Country Park, to engage in partnership working on carbon reduction with Bromsgrove District Council and other authorities across Worcestershire.

It was suggested that a recommendation be made by the Board for the Cabinet to be requested to formally ask the regional partners to engage in partnership working on carbon reduction with Bromsgrove District Council and other Worcestershire Councils.

Some Members commented that it was necessary for the strategy to acknowledge the contributions made by Parish Councillors to the green

agenda, for example in terms of rewilding. Consequently, it was deemed essential for Parish Councillors to be included as stakeholders in the Bromsgrove District Council Carbon Reduction Strategy and Action Plan and its ongoing development, and that a recommendation to Cabinet should be made by the Board to that effect.

Members queried what reductions to carbon dioxide emissions had been made by the Council since 2019. In response, Officers reported that the latest available figure was for 2019 and they endeavoured to provide this figure when it became available. Members agreed that it be recommended to the Cabinet that the latest figure be obtained and reported.

During the discussion, it was noted that meeting the carbon reduction targets set for Bromsgrove District Council was in large part predicated on the national grid meeting its target of net zero by 2050 and, crucially, its target of 40 Gigawatts (GW) of offshore wind connected to the network by 2030, as detailed in the Government's Energy White Paper 2020.

Explanation was also provided with regards to what was meant by purchasing 100 per cent green energy. This was related to the Renewable Energy Guarantees of Origin (REGO) certification, which provided transparency to consumers about the proportion of electricity that suppliers source from renewable generation. The purpose of the certificate was to prove to the final customer that a given share of energy was produced from renewable sources, and a statement of 100 per cent green energy certified that the given supplier had supplied 100 per cent renewable energy. Renewable Obligation Certificates (ROCs) were a similar scheme where suppliers were incentivised to increase growing their renewable regeneration by receiving certificates which could then be traded with other parties.

It was clarified that the carbon dioxide saving of 5-15 per cent per staff member through Carbon Literacy Training was dependent mainly on the culture change associated with people's working practices and that this would be calculated as a real reduction in carbon dioxide emissions of the Council.

The Portfolio Holder for Leisure, Culture and Climate Change commented in response to the Chairman's question that a delivery of a carbon reduction saving of half a tonne per Bromsgrove District Housing Trust (BDHT) owned property (circa 100 properties in total) was predicated on the cooperation of the Trust in delivering the ambition.

After the discussion concluded, the recommendations as discussed by Members were proposed:

On being put to the vote the recommendations were carried.

RECOMMENDED to the Cabinet that:-

- 1) the latest figure, quantifying Bromsgrove District Council's reduction in carbon emissions (in tonnes) between 2019 and the present, be provided.
- 2) Birmingham City Council be asked to engage in partnership working on carbon reduction with Bromsgrove District Council and other Worcestershire Councils, especially given that Lickey Hills Country Park, located mainly in Worcestershire, is owned and maintained by Birmingham City Council.
- 3) an easily accessible, infographic version of the Bromsgrove District Council Carbon Reduction Strategy and Action Plan be produced for the benefit of Councillors and members of the public.
- 4) Parish Councils be included as stakeholders in the Bromsgrove District Council Carbon Reduction Strategy and Action Plan and its ongoing development.

39/2022

FUEL POVERTY TASK GROUP - FINAL REPORT

It was agreed for this item to be deferred as Councillor R. Hunter, the Chairman of the Fuel Poverty Task Group, had submitted his apology for this meeting and to provide time for the group to investigate matters raised at a recent meeting of Council in respect of the cost of living.

40/2022

FINANCE AND BUDGET WORKING GROUP - UPDATE

The Chairman advised Members that there had been a meeting of the Finance and Budget Working Group on 20th October 2022, with items in respect of the Medium Term Financial Plan (MTFP) 2023/24 to 2025/26 and the Fees and Charges for 2023/24 discussed. The Chairman reported that the MTFP would be presented in two tranches, with the first tranche to focus on opportunities to address the budget gap and the second tranche prepared after the local government settlement had been announced by the Government.

The Chairman commented that at the start point of the MTFP in 2023/24 a budget gap in excess £1.5 million was already anticipated, and tranche one of the MTFP would recommend savings of £1.5 million to be implemented and a full review of capital budgets to be undertaken. In addition, it was the Chairman's understanding that the various inflationary pressures and increased staff costs were likely to lead to further increases on previously anticipated costs.

The Chairman also reported that Officers were proposing that most fees and charges should increase by 10 per cent, with some exceptions in order to help close the deficit. Fees for Worcestershire Regulatory Services (WRS) would increase by 5 per cent to ensure consistency across all the authorities in the county.

Following the update, Members put on record their thanks to the Interim Section 151 Officer for introducing an innovative way of budget setting and for proposing solutions to address the budget gap.

Some Members questioned the necessity of a 10 per cent increase for sports and leisure charges as it was a vital service for residents. It was noted in response that the increase of 10 per cent was required as the saving that would be acquired represented a significant part of the overall savings amount required to close the budget deficit.

RESOLVED that the Finance and Budget Working Group Update be noted.

41/2022

TASK GROUP UPDATES

The Board was informed that the next meeting of the Fuel Poverty Task Group would take place on 2 November 2022.

42/2022

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

Councillor S. Baxter, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee, confirmed that a meeting of the Committee took place on Monday 17th October 2022. She reported that in response to a previous request, the Committee had considered a progress report on improving patient flow and winter planning across the Worcestershire health system, including the reduction of ambulance hospital handover delays.

Councillor S. Baxter commented that the Committee expressed frustration with the lack of impact that local plans, such as the Worcestershire Ambulance Handover Plan, seemed to make in respect of waiting times and handover delays. It was reported that at the Worcestershire Royal Hospital additional space would be opened up in a refurbished building by mid-November but scepticism was expressed with regards to the impact of this on reducing handover delays. The opening of a temporary ward in July, for example, seemed to have little lasting impact on reducing handover delays.

Councillor S. Baxter highlighted that there were a number of services where the Committee requested subsequent updates due to assurance concerns following Care Quality Commission (CQC) inspections. Maternity Services were reconsidered at the 17th October 2022 meeting due to a decrease in the overall CQC rating for the service from 'Good' to 'Requires Improvement'. Child Dentistry was another area of concern.

RESOLVED that the Worcestershire Health Overview and Scrutiny Committee Update be noted.

43/2022

CABINET WORK PROGRAMME

The Cabinet Work Programme was presented for Members' consideration.

RESOLVED that the contents of the Cabinet Work Programme be noted.

44/2022

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

The Chairman requested that another update on the Windsor Street Site part of the Levelling Up Fund project be provided to the Board at its January meeting.

RESOLVED that subject to the preamble above, the Overview and Scrutiny Board Work Programme be noted.

The meeting closed at 8.05 p.m.

Chairman