

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE COUNCIL**

**WEDNESDAY 19TH JULY 2023, AT 6.00 P.M.**

PRESENT: Councillors S. Ammar (Chairman), B. Kumar (Vice-Chairman), A. Bailes, R. Bailes, S. J. Baxter, A. M. Dale, J. Elledge, S. M. Evans, D. J. A. Forsythe, E. M. S. Gray, D. Hopkins, C.A. Hotham, R. J. Hunter, R. Lambert, M. Marshall, K.J. May, P. M. McDonald, B. McEldowney, S. T. Nock, S. R. Peters, J. Robinson, S. A. Robinson, H. D. N. Rone-Clarke, J. D. Stanley, D. G. Stewart, C. B. Taylor, S. A. Webb and P. J. Whittaker

Officers: Mrs. S. Hanley, Mr P. Carpenter, Mrs. C. Felton, Mrs. J. Bayley-Hill and Mrs J. Gresham

18/23 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S. Colella, H. Jones and D. Nicholl.

19/23 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

20/23 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 24TH MAY 2023**

The minutes from the Council meeting held on 24<sup>th</sup> May 2023 were submitted for Members' consideration.

**RESOLVED** that the minutes of the meeting held on 24<sup>th</sup> May 2023 be approved as a true and accurate record.

21/23 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE**

The Chairman advised that former Chairman of the Council, Mr. Chris Scurrall, had sadly passed away since the previous meeting of the Council. The Chairman led Members in paying tribute to Mr. Scurrall by observing a minute's silence.

During consideration of this item, the Chairman announced her charity for the municipal year would be Age UK. The Chairman stated that she was looking forward to a number of events in order to help provide support for this worthy charity. Members were also informed that the switching on of the Christmas tree lights would be carried out by children from a school located in Rubery.

The Deputy Chief Executive confirmed that there were no announcements to be made on behalf of the Head of Paid Service on this occasion.

22/23

**TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader took the opportunity to pay tribute to former Chairman Mr. C. Scurrall. Members were informed that Mr. Scurrall was one of two Members representing Hagley until May 2015 and had been a Parish Councillor at Belbroughton for over 20 years. It was reported that during this time, Mr. Scurrall had raised money for local charities and was a keen supporter of the Severn Valley Railway. The Leader expressed her sadness at his passing and commented that he would be missed.

23/23

**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.

24/23

**URGENT DECISIONS**

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

25/23

**CHANGES TO COMMITTEE MEMBERSHIP**

The Chairman informed Members that the following changes had been made to the named substitutes on Committees since the previous meeting:

- Planning Committee - Councillors J. Elledge and P. McDonald
- Appointments Committee – Councillor S. Ammar

**RESOLVED** that the changes to the named substitutes outlined above be noted.

26/23

**AUDIT, STANDARDS AND GOVERNANCE ANNUAL REPORT 2022/2023**

Members were informed that usually the Chairman of the Committee in the previous municipal year would present this report. However, as Councillor S. Colella, who had been the Chairman of the Committee in 2022/23, had submitted his apologies for this meeting and the Vice-Chairman of the Committee the previous municipal year was no longer a Councillor, the Chairman decided to postpone this item for consideration until the following ordinary meeting of Council in order that Councillor Colella could present the report to Members and answer any questions Members may have.

27/23

**OVERVIEW AND SCRUTINY BOARD ANNUAL REPORT 2022/2023**

Councillor C. Hotham presented the Overview and Scrutiny Board Annual Report 2022-23 in his role as previous Chairman of the Board. Members were informed that this had been a very busy year for scrutiny at the Council and several recommendations had been made and agreed by Cabinet.

In particular, the excellent work by the Fuel Poverty Task Group, chaired by Councillor R. Hunter and supported by the relevant Cabinet Member, Councillor S. Webb, was noted.

There were areas that still needed to be monitored for the remainder of the municipal year including the UK Shared Prosperity Fund (UKSPF).

Council was informed that the Finance and Budget Working Group continued to meet and that the Corporate Performance Working Group had been suspended, however a six-monthly report was considered by the Board in respect of service performance.

Councillor Hotham thanked all Board Members, in particular former Councillor J. Till for her work as Vice-Chairman of the Board. In addition to this, all officers who had provided reports presented to the Board were also thanked as were members of the Democratic Services Team, Mrs. J. Gresham and Mr. M. Sliwinski, for their hard work in supporting the Board over the previous municipal year.

Councillor P. McDonald was invited to comment on the report as the current Chairman of the Overview and Scrutiny Board. In doing so, it was noted that some reports had not always been provided to the Board in good time, which had made it more difficult to undertake effective scrutiny and policy development work as outlined in the Annual Report. However, it was hoped that this would change in the future and that Members could be more involved in policy development, particularly in light of the cross party membership of the Cabinet. It was also queried whether the minutes of the Bromsgrove Partnership Board would be made available to Members of the Board as requested in the previous municipal year. Officers undertook to follow up on this request.

Members thanked Councillor Hotham for his successful work as Chairman of the Board in the previous municipal year and commented that many areas of work had been considered, which had included a successful change in the Council Tax Reduction Scheme, that had helped the poorest residents within the District. It was noted that there could potentially be some significant changes ahead, particularly in light of the Governance Systems Task Group investigation that was being undertaken which Members noted could result in changes to the Council's Constitution.

There was a query in respect of the CCTV item contained within the report and it was clarified that there had been an upgrade to the District's CCTV system in recent years. However, there were three cameras that still needed to be upgraded in Rubery, Wythall and Alvechurch. These were not new cameras but were still on the old analogue system. Members were informed that Cabinet had considered and approved a recommendation regarding the completion of the upgrade and associated maintenance costs at a meeting held on 18<sup>th</sup> January 2023. It was further noted that there were three mobile cameras that could be deployed on request to areas that needed additional CCTV coverage.

The Leader also thanked the Board for their work over the previous years in this important area and commented that this was key to ensuring transparency in Council operations.

Members queried whether progress had been achieved on the recommendations made by the Fuel Poverty Task Group. The Cabinet Member for Strategic Housing, Health and Wellbeing explained that there was a Cost of Living Group that had been established and that they met on a regular basis. In addition to this, the Council continued to work with its energy service provider, Act on Energy. A Cost of Living

leaflet had been circulated to all Members in order for them to distribute to residents and a further leaflet was due to be released very shortly. It was agreed that an all Member briefing be arranged in order to provide Members with an update.

**RESOLVED** that the Overview and Scrutiny Board Annual Report 2022/2023 be noted.

28/23

### **ROLE OF THE INDEPENDENT PERSON**

Councillor C. Hotham presented the report in respect of the Role of the Independent Person for Members' consideration. In doing so, the following was highlighted:

- The Localism Act 2011 introduced changes to the rules on how Councils upheld standards in public life in 2021. This had resulted in the introduction of a new Code of Conduct for Members and changes to the way complaints were investigated and sanctioned. One of these measures included the requirement that a Council should appoint at least one 'Independent Person' whose views were sought and taken into account by the authority prior to any investigation being undertaken on an allegation.
- The current incumbent, Mr. M. Nock, had been successful in the role for the previous 12 years. However, included within the report it was proposed that the Council joined a scheme that would allow access to a 'pool' of Independent Persons as and when required or if Mr. Nock was unavailable. The scheme, it was reported, operated County wide and the membership comprised six local authorities.
- The allowance for Mr. Nock's services cost £1,632 per annum. If Members were to agree to join the scheme, then an extra cost of £500 per annum would be incurred, which was a percentage of the costs which were shared between all the Councils operating within the scheme.

The recommendations were proposed by Councillor C. Hotham and seconded by Councillor K. May.

During consideration of this item, there were some concerns raised regarding the importance of an Independent Person having local knowledge and understanding the specific needs of Bromsgrove District Council. However, it was explained that Mr. Nock would still provide services to the Council for the ensuing four years, but that a 'pool' of Independent Persons would be available, as and when required.

Members queried what the requirements of the role were under the Localism Act 2011. Officers undertook to provide this information.

**RESOLVED** that

- 1) For the purposes of the appointment of Independent Persons under section 28(7) of the Localism Act 2011, the Council join the group of Worcestershire local authorities who operated a joint pool of Independent Persons.
- 2) Authority be delegated to the Monitoring Officer to appoint the named individual Independent Persons currently serving in the joint pool, and to make any future appointments to the role of Independent Person.
- 3) The current Independent Person Mr Mel Nock to continue to act as Independent Person for Bromsgrove District Council for another four-year term until July 2027.
- 4) That any costs arising from the new arrangements for Independent Persons be met from the existing budget.
- 5) That authority be delegated to the Monitoring Officer to make any consequential changes to the Constitution.

29/23

**OUTSIDE BODIES**

Councillor C. Hotham presented the Council Appointment to Outside Bodies report for Members' consideration. It was stated that this was a straightforward report, that outlined the nominations to be appointed to the Outside Bodies for the ensuing municipal year as follows:

| <b>Organisation</b>  | <b>No. of Appts &amp; Length of Office</b>  | <b>Nominations 2023/2024</b>            |
|--|---|---|
| Amphlett Hall Management Committee                             | <b>2 (previous years 4)</b><br>1 year   | H. Rone-Clarke<br>S. Webb               |
| Citizens' Advice Bromsgrove and Redditch                       | <b>2</b><br>1 year  | S. Ammar<br>S. Webb                     |
| Hereford & Worcestershire Integrated Care Partnership Assembly | <b>1 and a substitute (new group first appointment made by Council on 17<sup>th</sup> October 2022)</b> | S. Webb<br><br>Substitute:<br>S. Baxter |

| <b>Organisation</b>   | <b>No. of Appts &amp; Length of Office</b>  | <b>Nominations 2023/2024</b>   |
|---|---|--|
| Midlands Joint Council for Environmental Protection   | <b>2</b><br>1 year  | H. Rone-Clarke   |
| West Mercia Police and Crime Panel<br><i>Rep and sub must be from majority political group on the Council</i> | <b>1 rep and 1 substitute</b>   | H. Jones<br><br>Substitute:<br>S. Colella  |
| Worcestershire County Council Corporate Parenting Board   | <b>1</b><br>1 year  | E. Gray  |
| Worcestershire County Council Health Overview and Scrutiny Committee  | <b>1</b><br>1 year  | Delegate to the next meeting of the O&S Board to determine   |
| Worcestershire Regulatory Services Board (previously Worcestershire Shared Services Joint Committee)          | <b>2</b><br>1 year<br><br>To include relevant Portfolio holder and one other member of the controlling group and one substitute | K. Taylor<br><br>H. Jones<br><br>Substitute:<br>M. Marshall<br><br>(Agreed at the Council meeting held on 24 <sup>th</sup> May 2023) |

The proposals were proposed by Councillor C. Hotham and seconded by Councillor S. Baxter.

**RESOLVED** that the Council Outside Bodies Appointments for the 2023-24 municipal year be approved as detailed above.

30/23

**APPOINTMENT OF INTERIM HEAD OF PAID SERVICE, RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER**

Councillor C. Hotham presented the Appointment of an Interim Head of Paid Service, Returning Officer and Electoral Registration Officer report.

Members were informed that as a result of the retirement of the Chief Executive Officer, it would be necessary for interim measures to be implemented prior to the recruitment of a new Chief Executive Officer of Bromsgrove District Council. Council was informed that the Deputy Chief Executive, Mrs. S. Hanley, had agreed to become Interim Chief Executive, until such time as a new Chief Executive was in post. The initial part of the recruitment process was currently underway.

The recommendations were proposed by Councillor C. Hotham and seconded by Councillor K. May.

There were questions in respect of whether the Chief Executive Officer role was part of the Shared Service arrangements that covered both Bromsgrove District and Redditch Borough Councils. Furthermore, Members asked whether there was a risk that although Bromsgrove District Council might agree to the arrangements, Redditch Borough Council might not. It was confirmed that the role was part of the Shared Service arrangements and in terms of risks, Members were assured that these interim measures had been discussed and were suitable to both Councils.

Further clarity in respect of the process was requested by some Members and confirmation of when the proposals detailed within the report had been decided. Members confirmed that agreement to the recommendations at this meeting would result in the proposed interim measures commencing on the existing Chief Executive's retirement.

In respect of the recruitment process, it was confirmed that two recruitment organisations had been approached to undertake the recruitment to the new Chief Executive Officer and the Executive Director of Finance roles. Following presentations from both organisations, it had been agreed that West Midlands Employers (WME) would be engaged to carry out the process.

During consideration of this item, sincere thanks were extended to Mr. K. Dicks for his work over his time working for Bromsgrove District Council. Sincere thanks were also extended to Mrs. S. Hanley for agreeing to act as Interim Chief Executive in the meantime.

**RESOLVED** that on the retirement of the current Chief Executive, Mrs Susan Hanley be appointed as the Council's Head of Paid Service, Returning Officer and Electoral Registration Officer on an interim basis until such time as a new Chief Executive and Head of Paid Service was appointed and in post.

(Prior to consideration of this item, Mrs S. Hanley left the room. She was therefore not present during the debate in respect of this item nor the vote thereon.)



## **RECOMMENDATIONS FROM THE CABINET**

Council was informed that there had been no recommendations made at the Cabinet meeting held on 21<sup>st</sup> June 2023. However, recommendations had been agreed at the meeting of Cabinet held on 12<sup>th</sup> July 2023.

### **Worcestershire Housing Strategy 2023-2040**

The Cabinet Member for Health and Wellbeing and Strategic Housing presented the Worcestershire Housing Strategy 2040 for Members' consideration. It was reported that the strategy set out a 20-year vision for the County and the significant role it played in decisions for housing in the future.

Cabinet was informed that the strategy would be delivered through four priority areas as follows:

- Economic Growth and Jobs
- Quality and Standards
- Health and Wellbeing
- Net Zero Carbon and Climate Change

The Cabinet Members for Strategic Housing, Health and Wellbeing explained that the recommendations detailed in the report were being proposed with a slight alteration to the wording of the first recommendation, as detailed below:

*"The Worcestershire Housing Strategy 2021 – 2040 be adopted in principle."*

In terms of the future for the District, it was confirmed that there would be a local Action Plan introduced in order to address issues at a more local level. This was in the process of being worked on by Officers.

The recommendations within the Worcestershire Housing Strategy 2023-2040 report were proposed by Councillor S. Webb and seconded by Councillor K. May.

Following the presentation, there was a detailed discussion regarding the report, which included the lack of detailed responses to the issue of Climate Change and the risks it posed to communities within the strategy. There was also reference made to several previous

Government reports that had referred to specific risks that would be faced by residents and their communities in the future.

Council was reminded that this was a County wide strategy and was part of a bigger picture and provided a roadmap for the future. Further details in respect of Climate Change would be apparent within the local Action Plan and the Cabinet Member for Climate Change would certainly be involved in this.

Some Members welcomed the strategy and expressed the view that it was good to see that Bromsgrove District Council were taking a lead in this strategy. It was with this in mind that sincere thanks were extended to the Chief Executive in his role as Chair of the Worcestershire Housing Strategy Board. Furthermore Councillor S. Webb was also thanked for her work as the relevant lead Cabinet Member.

Member involvement in the formation of both the local Action Plan and the Council Plan was raised. Members queried whether there would be an opportunity for them to be involved in order to ensure that essential areas were covered in both plans, including affordable housing. It was confirmed that this would be the case and that Strategic Planning Steering Group (SPSG) meetings were in the process of being arranged to discuss these matters further.

Further discussion included reference to the disparity between house prices and income within the District and the growth in numbers of people diagnosed with dementia between 2019 and 2035 and what plans there were to address these areas. Members were also keen to understand what percentage of affordable homes there were within the District. Officers undertook to provide this information.

During a detailed debate, Members raised concerns about adopting the strategy, as it would result in being tied to a strategy that may prove difficult in the future. It was with this in mind that Councillor A. Bailes proposed that an amendment to the recommendations within the report be made and that 'in principle' and 'guidance outlined' be added as follows:

1. "The Worcestershire Housing Strategy 2021 – 2040 be adopted *'in principle'*."
2. Officers be asked to develop a District Level Action Plan with consideration given to *the 'guidance outlined' in this Strategy.*"

Members were once again reminded that this strategy was overarching and that local issues would be addressed in the Action Plan. The Cabinet Member for Strategic Housing, Health and Wellbeing invited Councillor A. Bailes to join the Committee who would be working on the Bromsgrove Action Plan to help provide assurance of how it would work in the future.

It was suggested that the consideration of this report be deferred to help Members better understand the details. However, it was noted that the strategy needed to be adopted by September 2023 and therefore there was not the opportunity to defer this matter and reconsider it at a later date. Members were reassured that local detail would be included within the Action Plan as stated in the preamble above and it was noted that the Cabinet Members was already proposing to adopt the strategy in principle.

On being put to the vote it was

**RESOLVED** that

- The Worcestershire Housing Strategy 2021 – 2040 be adopted in principle.
- Officers be asked to develop a District Level Action Plan with consideration given to the proposals in this Strategy.

**Approval to Spend**

The Cabinet Member for Finance and Enabling presented the Approval to Spend report. It was noted that the report set out the key implications of the new Procurement Bill, which needed to be enacted by 1<sup>st</sup> April 2024. The Bill brought even more transparency to how Councils undertook their business.

It was stated that the Bill would reform the UK's public procurement regime, making it quicker, simpler, more transparent and better able to meet the UK's needs while remaining compliant with the authority's international obligations.

Furthermore, Members were informed it would introduce a new regime based on value for money, competition and objective criteria in decision-making, creating a simpler and more flexible commercial system that better met the country's needs. It would more effectively open up public procurement to new entrants such as small businesses and social

enterprises so that they could compete for and win more public contracts.

Although this was a large area of work, the Council had already begun to put measures in place which had resulted in the majority of the requirements under the new Bill already being met with only a few changes required for transparency purposes. Measures already in place included:

- The Council's No Compliance No Order regime which was implemented on the TechOne system on 1<sup>st</sup> April 2023. With this, an order could not be raised unless it was linked to a contract or an identifiable procurement route.
- All new suppliers had to be approved by the procurement and payments teams.
- Monthly spending of over £500 was published on the Council's Website.
- The Council had an European Professional Card (EPC) Card system for small expenditure.
- The contracts register was available to Officers, Members and the Public to view.
- The Procurement team was available for monthly meetings with Heads of Service, which ensured that the procurement team had visibility of what service departments were procuring in order to ensure contracts were set up in a way that accorded with the No Compliance No Order regime.
- Procurement training could be provided to the teams on request.
- Monthly Accounts payable training was being delivered.
- There was a dedicated Procurement Team page on the Council's website.

Members were informed that Part 6 of the Constitution contained the Officer Scheme of Delegation. The Scheme of Delegation set out what decisions were delegated to Officers. The Council's Constitution set out that from a financial basis a 'Key Decision' was any item that had a combined financial spend (either as a single item or for the length of the contract) of £50,000 or more. This, it was clarified, included Revenue, Capital and Section 106 allocations.

Notice needed to be provided by the Council in respect of any Key Decisions due to be taken and this was achieved at the Council through the publication of forthcoming items of business on the Cabinet Work Programme. Once this had taken place Cabinet decisions were

actioned via a Cabinet Report and decisions delegated to Officers were actioned and further publicised through Officer Decision notice.

It was confirmed that the Council's Procurement Pipeline provided a forward look of potential contracting opportunities when existing contracts were due to expire. The key task of the pipeline was to allow for proper planning of procurements to ensure the Council maximised its contracting opportunities.

From the data provided to Members from the existing contracts register, it was clear that the £50k threshold for Key Decisions covered far too many projects as many contracts lasted for multiple years. The majority of Councils had traditionally set the key decision limit at the European Union Threshold level of £179k.

Further information on Key Decision limits in respect of other Councils in Worcestershire and the wider local area was provided as follows:

- Wyre Forest District Council - £50k
- Worcester City Council – £164,176 in 2017 (prior to the introduction of a new governance structure)
- Birmingham City Council– Capital £1m, Revenue £500k, Chief Officers £200k
- Solihull Metropolitan Borough Council - £500k
- City of Wolverhampton Council - £250k

The national Contracts finder level was reported as being also set at £200k.

Members were informed that the report had been reviewed by the Finance and Budget Working Group on behalf of the Overview and Scrutiny Board on 7<sup>th</sup> July 2023.

An Approval to Spend report would be considered at Cabinet on a quarterly basis. Implementing this measure would ensure even greater transparency.

Following presentation of the report, Members discussed the proposals. Some Members commented that they were disappointed that the Constitution of the Council had been breached by Officers and that certain reports had not been provided to Members on some occasions. Although Members understood the need to potentially raise the Key Decision threshold due to the nature of some of the contracts within the Council, £200k was deemed too high by some Members and it was

requested that the increase be in line with inflation. This would result in raising the threshold to £60k at the most during the present time. This amendment was proposed by Councillor P. McDonald and seconded by Councillor J. Elledge.

In considering the proposed amendment, some Members stated that these concerns had not been mentioned during the consideration of the report at the Finance and Budget Working Group as detailed above, and they expressed their disappointment about this. It was also reiterated by Officers that the proposals, as set out within the report, would allow Officers to produce more reports and increase transparency. Contracts valued at £50k - £199,999 would also still be reported to Cabinet on a quarterly basis.

Councillor McDonald subsequently stated that there were a number of new Members within the Council following the local elections in May 2023; and that they needed to be better informed of the procurement process within the Council before making a decision. Given that the changes did not need to be implemented until 1<sup>st</sup> April 2024, he requested that this item be deferred and that all Members be provided with further information on the changes and the procurement process going forward.

Subject to the preamble above, the Approval to Spend report was deferred and Officers were tasked with providing additional information to Members in the future.

### **Draft Treasury Management Outturn Report 2022/23**

The Cabinet Member for Finance and Enabling presented the Draft Treasury Outturn Report for 2022/23, which included the draft outturn position on the Council's Capital and Treasury Management Strategies, including all prudential indicators. It was clarified that there was a requirement for progress in this area to be reported through Cabinet and then to Council.

The 2021 Prudential Code included a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Authority's Capital Strategy, complying with CIPFA's requirement, was approved by full Council on 27th June 2022.

Included with the report was a summary of the fluctuating economic position for the year from the Council's Treasury Advisors ArlingClose.

On 31<sup>st</sup> March 2023, the Authority had net borrowing of £2.5m arising from its revenue and capital income and expenditure. It was clarified that the underlying need to borrow for capital purposes was measured by the Capital Financing Requirement (CFR), while usable reserves and working capital were the underlying resources available for investment.

The Council was making returns in the region of 4% for the balances it was investing in the short term (working capital) and it was confirmed that the Council did not have any long-term debt as the Capital Programme had been financed using working balances.

The remainder of the paper set out how the Council was complying with its prudential indicators.

The recommendations contained within the report were proposed by Councillor Hotham and seconded by Councillor May.

Following the presentation of the report, Councillor May extended her sincere thanks to the Finance Team for their significant work in this area and commented that the Council was in a stronger position than most due to the lack of borrowing.

**RESOLVED** that the Treasury Outturn position for 2022/23 be noted.

### **Establishment of a Housing Company**

The Cabinet Member for Finance and Enabling presented the Establishment of a Housing Company report for Members' consideration. In doing so, it was stated that the report being considered at this meeting followed a number of reports presented to Cabinet on the Burcot Lane Housing Development Scheme at the site of the Council's former offices. It was agreed that the Council would undertake the development of 61 dwellings at the site with the sale of 6 units on the open market and the sale of 18 units of affordable housing to Bromsgrove District Housing Trust. It was also proposed that the remaining 37 units be provided as private rented accommodation. The details in respect of the options of the management of the remaining properties had been included within the report.

Council was informed that the overarching aim of the development was for the authority to assist in balancing the local housing market by

providing high quality private rented housing which would also result in the Council having a long-term capital asset and play an important role in the housing market, which was lacking in Bromsgrove, in the future.

It was hoped that as a result of this development, the Council could work to not only increase the number of privately rented properties but also help towards improving standards within the sector. The creation of a Housing Company provided the framework to meet this ambition of the Council and to provide services that were appropriate to the management of private rented stock.

Council was further informed that there were two additional recommendations to those recommended by Cabinet on 12<sup>th</sup> July 2023. These further recommendations had been tabled for Members' consideration at this meeting.

All recommendations were proposed by Councillor Hotham and seconded by Councillor Webb.

Following the presentation of the report, Members questioned several areas within the report, including the outstanding £6m debt that had been incurred by the Council during the building of the Burcot Lane Housing project. It was confirmed that the debt would stay with the Council, however the Housing Company would pay the interest on the debt back to the Council. It was also confirmed that the Council owned the lease to the units and that these would not be sold, leaving the Council in ownership of both the lease and the units in the future.

Members commented that this was a successful project and would provide high quality, affordable housing to residents within the District. The rental costs for the units were confirmed as being set at market rent.

There was a large amount of support for the project, particularly in light of the fact that the properties were to be leased and no option for the Right to Buy.

Members stated that they were very proud of the project and that should any Councillors wish to visit the site prior to the opening, they should contact Members or Officers to arrange a site visit.

**RESOLVED** that

- 1) A housing company limited by shares wholly owned by the Council be established.



- 2) By way of a formal loan agreement between the Council and the housing company and in compliance with the requirements of subsidy control (formerly State aid) the Council provide the housing company initial operating capital to the sum of £50,000.
- 3) Subject to Members' agreement to establish a housing company, a housing company board be established, comprising a membership of 2 Non-Executive Directors and 3 Executive Directors: the Head of Community and Housing Services, the Head of Finance and Customer Services and the Strategic Housing Services Manager.
- 4) Authority be delegated to the Director of Resources to undertake a recruitment process to appoint 2 non-Executive Directors to the Housing Company Board.

32/23

**TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 21ST JUNE 2023 AND 12TH JULY 2023**

The minutes of the Cabinet meeting held on 21st June 2023 and 12th July 2023 were noted.

33/23

**QUESTIONS ON NOTICE**

The Chairman explained that five Questions on Notice had been submitted for this meeting.

**Question submitted by Councillor H. Rone-Clarke**

"In recent years, the A38 roundabout at Morrison's (Redditch Road) and immediate surrounding area has been subject to much development; new shops, a Costa Drive-Thru and planned improvements to the A38 mean this area will soon be unrecognisable compared to 5 years ago. Local residents along with myself are, as a result, calling for air pollution monitoring so they can be educated as to the air quality around their homes.

I'm aware that studies have been undertaken prior to development suggesting it would not have a negative impact, but given the other changes that have taken place in the area, will the leader write to Highways to request that a survey is undertaken as soon as possible?"

The Leader provided a response to the question and in doing so reported that duties around air quality sat mainly with the District Council in two tier areas, although under the new Environment Act 2021, County

Councils did have a duty to work with District authorities to improve air quality where levels fell below objective standards.

The Technical Services Team at Worcestershire Regulatory Services (WRS) were responsible for discharging the District Council duties for monitoring Air Quality across Worcestershire. It was confirmed that they carried this out for all six partner Councils, including Bromsgrove, to address the Districts' duties which included reporting on progress with regards to air quality to the Department for Environment Food and Rural Affairs (DEFRA).

Council was informed that in Bromsgrove District there were three Air Quality Management Areas (AQMAs) declared, as follows:

- Lickey End (Junction 1 of M42) - Bromsgrove declared in 2001.
- Redditch Road (A38) - Bromsgrove declared in 2010.
- Worcester Road - Bromsgrove declared in 2011.

It was stated that details of the AQMAs outlined above, could be found on the WRS website under Air Quality.

It was further clarified that the area around Morrisons/A38 roundabout, specifically referred to in the question was near to the Redditch Road AQMA with two sensitive receptor (SR) locations (i.e. houses,) being located within the AQMA at the junction of Redditch Road and Buntsford Hill. The long-term Nitrogen Dioxide (NO<sub>x</sub>) tube monitoring locations in this AQMA showed that there had not been any exceedances of the national air quality objectives standard since 2016. In 2022 (the last full year of data), the annual average level of NO<sub>x</sub> at locations in the AQMA was 25.91 ug/m<sup>3</sup>, falling below the national objective standard of 40 ug/m<sup>3</sup>. Residential properties to the north-east of Morrisons area were set well back from the A38 and this, plus the above results, would suggest that pollutant concentrations were likely to be within the air quality objective standard at these locations.

The view of Officers was that the current monitoring network in this overall vicinity was considered sufficient at this time.

However, Members were reminded that additional monitoring equipment had been funded and that once available, would be deployed across the county at priority sites. Whilst Officers were unable to commit to the additional monitoring at this particular location, it would most certainly be kept under review.

Where there were future developments, such as Costa Coffee, WRS did respond, providing advice on specific planning applications on a case-by-case basis, and this would include addressing issues such as air quality. Recent developments in this vicinity did not appear, at this stage, to have had an adverse impact in terms of causing exceedances of the NOx levels.

**Question submitted by Councillor S. Evans**

"The Liberal Democrat group welcomes the investment of £14.5 million to improve Bromsgrove, however we would like to ensure that the opportunity is taken to regenerate the entire High Street.

Would the Cabinet Member please confirm whether the ruling Conservative and Independent administration agrees with me that the Council should install hanging baskets, flower planters and heritage lighting on Bromsgrove High Street?"

The Deputy Leader and Portfolio Holder for Economic Development and Regeneration provided the response to this question. In doing so it was reported that the Bromsgrove Levelling Up Fund project included approximately £2 million of funding for public realm improvements on both the south of the High Street and Chapel Street which provided the link through to the Windsor Street Site. These improvements would, it was noted include resurfacing and new street furniture. Works were expected to start in April 2024. Following on from a walkaround the previous year with the Leader and Bromsgrove Centres Manager, several areas were identified for improvements on the high street, such as the removal of tarmac areas which it was confirmed had been completed along with the installation of hanging baskets. Using UK Shared Prosperity Fund (UKSPF) funding, the Bromsgrove Centres Manager was in the process of procuring new planter baskets and associated planting on the lamp columns throughout the high street.

**Question submitted by Councillor R. Hunter**

"I understand that members of Bromsgrove Sports and Leisure who were unable to access the pool for an extended period earlier this year due to maintenance issues were given the option to pause their membership. Do you think this is sufficient or do you agree with me that members who were inconvenienced but continued to pay membership fees should be offered recompense such as a limited period of free membership?"

As the Cabinet Member for Leisure, Culture and Climate Change had submitted his apologies for this meeting, the Cabinet Member for Environmental Services and Community Safety provided a response to the question.

Members were informed that the Council and Everyone Active who managed the centre completely understood the frustrations felt by members and casual users of the pool through the unfortunate extended closure earlier in the year of the main pool.

As mentioned in the question, members that felt that the pool closure had impacted their overall membership, were given the option to freeze their membership. Members were also given the opportunity to use the neighbouring Everyone Active facilities as part of their Bromsgrove membership. Many sessions were adapted into the teaching pool including lessons, aqua fitness and casual swimming. Those directly impacted, for example lessons that could not be accommodated or swim only members, had had their payments automatically frozen.

To initiate any kind of blanket recompense for all members would have been very difficult as this was a multi-facility site. Therefore, members that only used their membership for the gym, fitness classes or to use the teaching pool with younger children, may not have felt impacted at all by the closure.

Both the Council and Everyone Active were acutely aware of the impact that this had had on residents and that was why it was felt that the most appropriate way to provide recompense to those members who felt impacted by the closer was to freeze their membership on request. Although there was certainly no perfect way to be able to adequately appease everybody impacted by the closure and also not to diminish the impact that those effected would have felt, there had only been a reduction of 8.4% of members from pre-closure until re-opening. The Council would have preferred no reduction in members, but the recompense needed to be through a continuation of high-quality service to users. It was confirmed that the Council was also working with the builders to ensure that an incident such as this did not occur again.

**Question submitted by Councillor S. Robinson**

“Do you think the A38 BREP will really support the housing needs it is purported to and do you agree with the County Council that the plans, including the closure of the right hand turn into School Lane, are in the best interests of the people of Bromsgrove?”

The Cabinet Member for Planning, Licensing and WRS provided the response to the question and highlighted that the A38 Bromsgrove Route Enhancement Programme (BREP), was coming forward to support housing growth, but also critically supporting the economic growth of the town as well as providing much needed additional infrastructure to support increased levels of walking and cycling around the town.

The A38 works were in part being funded by the Department for Transport and Major Road Network funding and as such, the scheme would go through a high level of technical scrutiny in order to secure the funding. All plans, including the closure of the right turn into School Lane would be subject to this scrutiny to ensure the effectiveness of the whole A38 BREP.

It was stated that the Cabinet Member was not aware of anything further pertinent to this point, other than to be assured that the BREP would achieve its aims and be a benefit and in the best interests of the people of Bromsgrove.

**Question submitted by Councillor J. Robinson**

“Could you please update us on what has caused the delay to the old market hall redevelopment site and confirm if it is still being taken forward as the best solution for the area?”

The Deputy Leader and Portfolio Holder for Economic Development and Regeneration provided the response to the question and in doing so informed Members that as part of the project design stage (RIBA 3), a Flood Risk Assessment and River Mapping exercise (FRA) was carried out in April 2023, which identified a potential risk with the existing building design. This had led to the project design team focusing efforts on reviewing the FRA and exploring options to mitigate the risk. Following a period of review and extensive engagement with the relevant statutory authorities, the design team had been able to return to a variation of the original pavilion building design, incorporating additional flood remediation works.

The project outputs had not been impacted by the variation to the original pavilion building design. The design work was on course for completion in July 2023 with a target planning submission date of the end of July 2023.

34/23

## **MOTIONS ON NOTICE**

The Chairman explained that five Motions on Notice had been received for this meeting.

In respect of the first two Motions that had been received, the Chairman provided Council with an update regarding live streaming of Council meetings.

It was noted that the subject of live streaming Council meetings using meeting “owls” had recently been discussed by political group leaders. At this meeting it had been agreed that group leaders would like to start live streaming Council meetings on a regular basis within the following six months. The specific arrangements for this remained to be discussed further at the following meeting of the Constitution Review Working Group.

Given all group leaders were in agreement with this, it was agreed that the first two Motions on the agenda would not be discussed at this meeting.

### **Future of Libraires within the District**

Council considered the following Motion on Notice that was submitted by Councillor H. Rone-Clarke:

"There is a threat to the future of our libraries and the way in which they are to be managed. It is proposed that Bromsgrove, Rubery and Wythall Libraries will be the first in the County to become ‘unmanned.’ There will be serious consequences associated with such changes both for staff and users of this service. Therefore, we call upon the Overview and Scrutiny Board to investigate the consequences of such action."

In proposing the Motion, Councillor Rone-Clarke commented that it seemed that there was little consultation with the public in respect of these changes and that the changes were being made as part of the ‘modernisation’ of the libraries.

It was stated that libraires were a vital service for residents including the elderly and those with a disability and that it was extremely important to keep libraires and librarians delivering this service.

Councillor E. Gray seconded the Motion.

The Leader responded to the Motion and in doing so, requested that should the Motion be agreed, Members looked at the Impact of the Review of Libraires Task Group's report that had been carried out in 2021.

Members were informed that Worcestershire County Council (WCC) were looking at rolling out Libraries Unlocked to a number of other libraries, following a successful pilot at Droitwich and Stourport. This involved introducing new technology which allowed customers with Libraries Unlocked membership to enter the library using their library card outside normal opening hours and to use library services independently when staff were not present. Customers who upgraded to free Libraries Unlocked membership would be able to access the library from 8am to 8pm Monday to Saturday.

Since Libraries Unlocked was launched in Droitwich and Stourport Libraries in June 2022, library opening hours had increased by 85%, providing more flexibility and convenience for customers and community groups.

It was reported that the scheduling of libraries for Phase 2 of the implementation prioritised library clusters where Worcestershire County Council owned the freehold of library buildings and progress was not subject to negotiations with landlords or a private finance initiative (PFI) provider. On this basis, two stages of implementation had been identified and Rubery and Bromsgrove libraries were included in Stage 1, with an estimated go-live date of Autumn 2023.

Members were informed that pre-implementation work at library sites included IT surveys, building surveys (including asbestos surveys and surveys of building management systems) and identification of optimal locations for CCTV cameras, PA system and entry control panels.

Work was also undertaken by local Library Managers, supported by feedback from staff consultation, public consultations and engagement with schools, to identify opening hours timetables and new staff posts and working patterns.

A formal public consultation (Library Strategy) on library transformation options, including the option of an Open Library service delivery model, ran from October 2018 to February 2019 and provided customer feedback on respondents' willingness to use the library when unstaffed; concerns that would stop them from using the library when unstaffed and

best times of day for libraries to be unstaffed. A range of measures had been implemented in response to customer feedback.

Local library-based customer engagement sessions would be held before go-live to provide information on Libraries Unlocked and an opportunity for customers to ask questions, share ideas and make suggestions. A survey of Libraries Unlocked customers would run for 3-6 months after go-live to identify what was working well and how the service could be improved.

A formal consultation for staff affected by stage 1 implementation ran from 7<sup>th</sup> June to 8<sup>th</sup> July 2023. A similar consultation would be held for Stage 2 once feasibility work had progressed further.

Libraries Unlocked engagement sessions were being scheduled for library staff, relief staff and volunteers in July 2023 to share staff experiences and customer feedback to date and to provide an opportunity for attendees to ask questions, share ideas and make suggestions.

A survey of school children aged under 16 was launched on 30<sup>th</sup> June 2023 to identify their preferred times for visiting libraries unaccompanied and to ask for their suggestions for new library services. The survey would run to the end of term and survey results would shape final Libraries Unlocked timetables and local service development plans.

Following the response from the Leader, it was confirmed that reference to Wythall Library within the Motion should be replaced by Hagley Library as Wythall would not be part of the scheme as it was connected to the local school.

Members raised concerns about the plans, in particular the potential for the replacement of staff who provided a vital service with technology. The potential issue of an increase in Anti-Social Behaviour (ASB) and the safeguarding of children in unmanned libraries was also raised as a serious concern that could potentially result in compensation payments having to be made if ASB was experienced. It was with this in mind that Members sought further information on the type of security systems that would be implemented in any unmanned library.

There were further concerns identified which included the use of IT equipment for residents who did not have access within their homes and the quality of the service if the libraires were unmanned. It was noted that these measures could not be assessed accurately as they were not



logged but would certainly impact on residents if they were to be removed.

Some Members expressed the view that this was not a step back and could potentially enhance the library services within the District. It would allow more residents to access services after normal working hours if they signed up to a Libraires Unlocked membership. It was also raised that, although savings could be made, the residents would experience more efficiency within the service as the libraries would be opened for longer hours. The potential for using volunteers was also raised as a possibility. Furthermore, it was commented that the current staff working within the libraries could potentially be satisfied with the proposed changes to their contracted working hours.

In summing up, Councillor Rone-Clarke explained that although the point had been raised by Members, if Worcestershire County Council were ensuring cost effectiveness rather than cost savings this would have been promoted as part of the implementation.

On being put to the vote the Motion was carried.

**RESOLVED** that

There is a threat to the future of our libraries and the way in which they are to be managed. It is proposed that Bromsgrove, Rubery and Hagley Libraries will be the first in the County to become 'unmanned.' There will be serious consequences associated with such changes both for staff and users of this service. Therefore, we call upon the Overview and Scrutiny Board to investigate the consequences of such action.

### **Recreation Grounds within the District**

Council considered the following Notice of Motion that was submitted by Councillor E Gray:

"Unfortunately, at the moment the Council does not have the staff to put bids in for funding from the Lottery and other organisations. At a time when our recreation grounds are crying out for investment it needs this capacity. I therefore call on the Cabinet to review the structural vacancy list as a matter of urgency to explore the reason why these posts remain unfilled."

In proposing the Motion, Councillor Gray explained that the Motion was particularly important in light of the improvements needed within local

parks and recreation grounds and the number of vacant posts within the Council that resulted in Council operations not being able to be carried out in a timely manner. Furthermore, due to the lack of staff in this area, she suggested that Officers were unable to take the time to apply for funding that could provide additional financial support in the upkeep of the parks and recreation grounds within the District.

Councillor McDonald seconded the Motion, and in doing so commented that some recreation grounds had not been upgraded since their installation fifteen years previously. There was specific reference made to the agreement by Council in June 2018 that water fountains be installed in all recreational areas within the District and Councillor McDonald suggested that this had not been implemented.

The Cabinet Member for Finance and Enabling provided a response to the Motion and in doing so explained that he too remembered the agreement of water fountains being installed within the parks and he commented that he would investigate what the current situation was in this area.

It was further stated that on 21<sup>st</sup> June 2023, Cabinet had agreed that there would be two posts established to work within a new Programme Office that would operate across Bromsgrove District and Redditch Borough Councils. This would provide an opportunity for the Council to access more funding sources, as part of the programme management of individual projects, such as the upgrades to parks and recreation grounds. It was noted that the introduction of a Programme Office had been a recommendation from the Audit Task Group agreed earlier in the year.

Funding that had already been secured by Council Officers included a Salix Grant of £600k for improvements to The Artrix, £1.1m for the clearing of Brownfield Sites, £2.8m of UKSPF and £14.5m in Levelling Up funding. This equalled approximately £19m in funding secured by Officers in recent times. However, it was noted that if more funding was available then Officers should be further identifying and applying for this funding.

Some Members raised concerns that the issue of improvements within local recreation grounds including 'pocket parks' had been an ongoing discussion point for Members and that a meeting had been arranged to discuss this further. Officers were asked to seek some clarity on what the plans were in terms of long term upgrades to the parks.

There was a robust discussion in respect of community members applying for funding to help improvements within their local communities. Members were advised that large amounts had been raised in various areas across the District, which had enabled residents to feel they had ownership of their local parks.

On summing up, Councillor Gray stated that it should not be the responsibility of residents to give up their resources and time to apply for such funding. In response, other Members commented that this was not what had been implied and that there was room for both the Council to apply for funding as well as residents should they wish to.

On being put to the vote this Motion was carried.

**RESOLVED** that

Unfortunately, at the moment the Council does not have the staff to put bids in for funding from the Lottery and other organisations. At a time when our recreation grounds are crying out for investment it needs this capacity. Council therefore call on the Cabinet to review the structural vacancy list as a matter of urgency to explore the reason why these posts remain unfilled.

### **Closure of Railway Ticket Offices**

Council considered the following Notice of Motion that had been submitted by Councillor J. Robinson:

“This Council opposes the closure of ticket offices at local railway stations including Bromsgrove, Hagley and Wythall and calls on the Leader of the Council to write to the Rail Delivery Group and Secretary of State setting out our opposition to the plans. Council also calls for its media platforms to be used to raise awareness of the consultation and encourage residents to give their views.”

In proposing the Motion, Councillor Robinson expressed his disappointment and shock at the potential number of railway ticket office closures contained within the proposals. It was explained that any such changes would severely impact residents within the District, particularly the elderly and those with a disability.

In terms of the data that had been provided as part of the consultation in respect of the percentage of tickets purchased from the ticket office, Councillor Robinson explained that although it was noted as only 12% of

tickets being purchased this way, it still equated to 180 million train journeys per annum.

Reference was made to the cost savings that had been identified as part of these proposals. However, it was questioned whether these would be achieved, in light of the fact that the proposals included still maintaining staff within the stations but in a more 'roaming' role. This, it seemed, would not only limit any savings made but would make it more difficult for rail users to identify where station staff would be at any one time.

Councillor S. Evans seconded the Motion.

Members expressed the view that the proposals had been widely condemned by the public. This was evident in the number of protests that had been carried out across the Country.

There was support for the Motion and Members stated that not only did the Council consider train travel as a sustainable mode of transport that should be as easy as possible for all residents, businesses, employees, and visitors within the District to access, railway stations provided a reassuring presence within the community for all residents including the District's most vulnerable.

The deadline for the consultation was 26<sup>th</sup> July 2023. In light of this it was requested that letters be sent to the Rail Delivery Group and the Secretary of State for Transport as a matter of urgency to express the concerns raised by the Council.

On being put to the vote this Motion was carried.

**RESOLVED** that

"This Council opposes the closure of ticket offices at local railway stations including Bromsgrove and calls on the Leader of the Council to write to the Rail Delivery Group and Secretary of State setting out our opposition to the plans. Council also calls for its media platforms to be used to raise awareness of the consultation and encourage residents to give their views."

**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**

Council  
19th July 2023

**THAT IT CANNOT WAIT UNTIL THE NEXT MEETING**

There was no urgent business on this occasion.

The meeting closed at 9.15 p.m.

Chairman