

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**11TH SEPTEMBER 2023, AT 6.00 P.M.**

PRESENT: Councillors P. M. McDonald (Chairman), S. T. Nock (Vice-Chairman), A. Bailes, R. Bailes, A. M. Dale, E. M. S. Gray, R. J. Hunter, B. Kumar, S. A. Robinson, J. D. Stanley and D. G. Stewart (substitute).

Observers: Councillor S. R. Colella, Councillor P. J. Whittaker and Councillor S. J. Baxter.

Officers: Mr P. Carpenter, Mrs. C. Felton, Ms J. Willis, Mr M. Austin, Mrs. J. Bayley-Hill and Mr. M. Sliwinski

26/23

**APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received from Councillor H. D. N. Rone-Clarke with Councillor D. G. Stewart attending the meeting as his substitute.

27/23

**DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest nor any whipping arrangements.

28/23

**TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 10TH JULY 2023**

The Chairman announced that the minutes of the meeting had been received in insufficient time for Members to read. It was therefore decided by the Board to postpone the consideration of the minutes of the Overview and Scrutiny Board meeting of 10<sup>th</sup> July 2023 to the next meeting.

29/23

**GRASS VERGE MAINTENANCE - PRE-SCRUTINY**

The Environmental Services Manager presented a report on Grass Verge Maintenance for Members' consideration.

The report highlighted the Motion proposed at Full Council on 20<sup>th</sup> July 2022 to change the approach to management of verges, the Motion was detailed as follows: -

*“This Council changes its grass verge grass cutting and mowing regime to allow wildflowers to remain in bloom during the height of the season when bees, butterflies and general small wildlife rely on the pollen from wildflowers to flourish. This will not be a one size fits all approach. Council will work with local residents and Councillors to find an approach that worked for each community.”*

It was proposed that to meet the requirements of this Full Council motion, a cyclical mowing regime would be maintained on approximately 70 per cent of highway verges and open spaces with up to 30 per cent of grass areas potentially left to grow naturally during May, June and July to support wildlife that relied on pollen from wildflowers.

It was stated that capital investment would be required in terms of purchasing new flail mowers to support the cutting of longer vegetation at the end of the flowering season. However, following discussions between the Portfolio Holder and the Environmental Services Manager, an addendum to the report was agreed. The addendum detailed the potential to reduce the Capital funding requirement in the 2023/24 financial year. This was by deferring a final decision on the purchase of a second flail mower until the end of the 2024/25 grass cutting season. This meant that the additional capital investment that was requested for 2023/24 financial year would reduce from £62,100 to £32,100. A decision on whether a second flail deck mower was needed would then be made in the 2024/25 financial year.

It was highlighted that the capital investment detailed would support a reduction in the existing mowing fleet at an estimated saving of £34,000 on the Capital replacement budget over the next three years.

Revenue investment would also be required to support the delivery of the grass cutting programme with total additional revenue expenditure of £28,000 over the current and next three financial years. This would involve a short-term administrative role to support the Place Team in identifying appropriate locations across the District and consulting with local residents, Parish Councils, and the County Council in order to ensure that identified locations for naturalised verges were supported and would not impact on visibility on the public highway.

This administrative support was proposed for a four-month period in the first two cutting years. Additionally, the support of an Ecologist to assess the environmental impact of naturalised verges was required in 2024-25 and 2026-27 of the revenue investment. The Ecologist would document what plant species and wildlife being supported by the initiative and provide independent evidence as to whether grass verge naturalisation measures were having positive impact on wildlife. This would also support communications with residents on the issue.

The Cabinet Member for Leisure, Culture and Climate Change was invited to address the Board as the proposer of the original Council motion. He expressed his support for the report as presented and

commented that among the main objectives of his portfolio would be to develop a Biodiversity Action Plan for the Council as no such document was currently in place.

Following the presentation of the report, questions were asked by Members to which the following responses were provided:

- It was explained that wildflower verges differed from naturalised verges in that naturalised verges were left for natural growth without interference so there would be no seeding done on such grass and any grass cut would not be collected on such verges. This would lead to excessive amount of soil for wildflower growing. It was highlighted that the effect of naturalised verges on biodiversity would be monitored via the assessments by an ecologist.
- Members expressed concern that the naturalised verges could be perceived by the public as exclusively a cost-cutting measure unless the environmental benefits of the proposal were promoted among residents. It was commented that in wards where Place Team Officers had engaged with residents the attitudes towards the grass verges had generally been more positive. In some wards, however, Members commented that there had been a lack communication and in these wards there were a high number of complaints received by ward councillors about lack of regular grass cutting.
- Officers explained that naturalised verge trials had taken place in some parts of the District and these received a mixed reaction depending on the area. It was explained that, subject to the approval of this report by Cabinet, a full communications plan would be developed that would include information being put out to residents in the local Council Tax information bulletins.
- Officers undertook to circulate the pictures of signage that was in place on the edges of verge sites. It was stated that further signage would be put in place explaining why naturalised verges were left uncut and would be positioned around clearly defined edges in order to reassure the public.
- With regards to measuring the success of naturalised grass areas, it was stated that the ecologist would help the Council identify a baseline level in terms of biodiversity in Council and subsequent studies by the ecologist would allow the Council to gauge whether the naturalised grass areas were having a positive impact on overall biodiversity (including the pollination of plants and variety of habitats) within the District.
- The online schedule for grass cutting. Officers stated that due to factors such as weather conditions and requirement for continual maintenance of grass cutting equipment, it was not possible to provide precise dates for when grass cutting would take place at a given location. With the implementation of the new IT system for Environmental Services, however, the Council would be developing a GPS tracking on vehicles that would populate real time information about where grass cutting was taking place on a

given day. The earliest predicted date for implementation of this was currently mid-2024.

- It was stated that the administrative support role to facilitate communications with residents would commence from January 2024 and Member engagement was planned to take place from around this period to identify areas suitable for naturalisation. There would also be public consultation with residents on naturalisation plans in 2024.
- It was requested that engagement with Members be undertaken prior to launch of a public consultation to enable Members to have time to engage with residents in their wards.

The Cabinet Member for Environmental Services and Community Safety addressed the Board and in doing so stated that these proposals follow a motion that was agreed at a full Council meeting which showcased general support from Members. The Cabinet Member stated that the report had been modified recently to ensure that capital investment costs could be reduced and to enable a better mechanism for measuring the benefits of naturalising grass verges by employing the ecologist. The Portfolio Holder added that Members would make decisions over which areas were left for naturalisation in their wards. It was hoped that through more data and consultations with Members and residents the right areas for naturalisation would be identified.

**RESOLVED** that the report be noted.

30/23

### **NEWSTARTS COMMUNITY SHOP**

The Chairman introduced this item and commented that all Members were concerned about the provision and effectiveness of community shops. It was suggested by the Chairman that this item be deferred to the next meeting and that the Board look at the provision of community shops and food banks across the District rather than concentrating specifically on NewStarts.

Other Members concurred with the need to widen the scope to examine community shop provision in the District as a whole. It was highlighted that Alvechurch, for example, followed a different food bank / community shop model than Bromsgrove, and it was important for the report to set out full details of the existing provision across the District. Additionally, it was highlighted that the report consider how provision differed, or should differ, based on different demographics and different locations in the District.

**RESOLVED** that this item be deferred and that a report into the community shop provision across the District, which includes case studies of the different models of operation for the community shops and supermarkets, be presented at the next meeting of the Overview and Scrutiny Board.

31/23

### **GOVERNANCE SYSTEMS TASK GROUP - FINAL REPORT**

The Chairman of the Overview and Scrutiny Board presented the Governance Systems Task Group final report for the consideration of Members. In doing so it was highlighted that the Governance Systems Task Group had been established as a result of a Motion agreed at a Full Council meeting held on 24<sup>th</sup> May 2023. The membership of the Task Group consisted of five Members from all parties across the Council. The timelines of the Task Group had been adhered to and the recommendations presented were to be considered by the Overview and Scrutiny Board and by Cabinet at its meeting on 13<sup>th</sup> September 2023. There was then an opportunity for all members to consider the report and the recommendations at an Extraordinary meeting of the Council on 20<sup>th</sup> September 2023.

In considering the report some Members raised concerns regarding the length of time the proposed change in governance structure to a hybrid Leader and Cabinet model would be in place. Members felt that any changes should be in place for at least a four year period. Officers explained that a Memorandum of Understanding (MoU) could be put in place as part of any agreed changes in respect of the hybrid Cabinet and Leader model as recommended within the report. The MoU would be introduced between all political group leaders to maintain these working arrangements for at least the next four years.

Councillor R. Hunter suggested that an additional recommendation be made in order for the Task Group to consider further evidence from a local authority within the West Midlands that currently operated a committee system. It was noted that there were at least two Councils within Warwickshire of a similar size and geographical location to Bromsgrove District Council. Councillor Hunter stated that it would be useful to better understand how these Councils worked under the committee system and how successful this system had been. Furthermore, it was noted that as a result of the local elections held in May 2023 Bromsgrove District Council was currently under 'No Overall Control' and that this needed to be considered when looking at the governance structure of the Council for the future.

Some Members raised concerns regarding the costs involved in implementing a committee system and whether this provided value for money for residents of the District.

Furthermore, it was noted by some Members that an additional recommendation could cause delays that would impact on any implementation measures that needed to be undertaken if any change of governance structure was agreed. This would particularly delay the large

amount of work Officers across the Council would have to carry out in order to prepare for any change to the structure prior to implementation in May 2024.

It was noted that any further recommendation was not designed to disrupt the investigation but merely be an opportunity to look at all possible evidence. Members suggested that a monitoring system could potentially be put in place in order to understand the success of any future governance model once implemented.

During a detailed discussion, Members were reminded that, a representative from the Centre for Governance and Scrutiny (CfGS) had been present at all meetings of the Task Group on order to provide detailed information to Members in respect of all governance models for local authorities. It was stated that the evidence had explained that there was not a 'better' model for a Council to adopt and it was important that any structure implemented; Leader and Cabinet model, hybrid Leader and Cabinet model or committee system worked best for that specific Council. Some Members reported that the current structure, following the local elections, had so far been successful and there had been greater engagement of all parties particularly with backbench members.

Following the discussion, and as outlined in the preamble above, Councillor R. Hunter proposed the following additional recommendation:

'That the Task Group reconvene to consider the evidence from at least one second tier local authority that had a committee system before finalising its recommendation.'

Councillor S. Robinson seconded the proposal.

On being put to the vote the recommendation was lost.

In concluding the consideration of the report, the Chairman of the Overview and Scrutiny Board thanked the Members of the Task Group and all Officers involved in the investigation. It was particularly noted that Ms C. Buckley, the CfGS representative, had provided invaluable assistance throughout the investigation. Members agreed that a letter of thanks be sent to Ms. Buckley in recognition of her support throughout the process.

**RECOMMENDED** that

Bromsgrove District Council should have a hybrid Leader and Cabinet governance model from May 2024 onwards. To achieve this model, the Council should do the following:

- a) Agree changes to the Council's constitution during the 2023/24 municipal year, as detailed in the report.
- b) Introduce working protocols designed to embed more collegiate working in the Council's governance culture.
- c) Introduce Cabinet Advisory Panels.
- d) Take action to improve communication with Members.
- e) Introduce a Memorandum of Understanding between all political group leaders to maintain these working arrangements for at least the next four years.

32/23

### **FINANCE AND BUDGET WORKING GROUP - UPDATE**

There were no updates to report at this meeting concerning the Finance and Budget Working Group.

33/23

### **WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE**

Councillor B. Kumar was nominated as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC) for the municipal year 2023/24.

The Deputy Leader of the Council was invited to comment as Council's representative on the HOSC last year and confirmed that meetings took place monthly during worktime hours and were preceded by a pre-meeting to discuss the agendas and questions for each meeting.

On being put to the vote it was:

**RESOLVED** that Councillor B. Kumar be appointed as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee for the 2023/24 municipal year.

34/23

### **CABINET WORK PROGRAMME**

The Cabinet Work Programme for the period 1<sup>st</sup> October 2023 to 31<sup>st</sup> January 2024 was presented for Members' consideration.

In relation to the Cabinet Work Programme, it was requested by Councillor Hunter that an update report on the Council's UK Shared Prosperity Fund (UKSPF) progress and projects be added to the Overview and Scrutiny Board Work Programme. As the item specifically on this matter was not currently on the Cabinet Work Programme, Members were advised that a specific report would be brought for

consideration by the Overview and Scrutiny Board at a later date in the municipal year.

During consideration of the Cabinet Work Programme, Members requested that a column be added to the Cabinet Work Programme document which would give a description of the item on the Programme. It was stated that this would greatly assist, particularly the new Members, with understanding the substance of items on the Cabinet Work Programme and would help determine if it was a subject that Overview and Scrutiny would wish to pre-scrutinise. The Interim Director of Finance confirmed that this would be actioned by Officers following the meeting.

**RESOLVED** that the Cabinet Work Programme be noted.

35/23

### **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

It was requested that the following items be added to the Overview and Scrutiny Board Work Programme for the next meeting on 16<sup>th</sup> October 2023:

- Agile Working Presentation
- Future of Libraries within the District (Council Motion of 19<sup>th</sup> July 2023).

The Chairman commented in relation to the Agile Working Presentation item that an invitation would be sent to all Councillors asking to attend the 16<sup>th</sup> October 2023 meeting of the Board for this presentation.

As discussed earlier in the meeting under NewStarts Community Shop item (Minute 30/23), it was agreed that a new report on the community shops provision in the District be presented to the 16<sup>th</sup> October 2023 meeting.

During consideration of this item, it was queried when the minutes of the Bromsgrove Partnership would be made available to Members of the Board as requested in previous municipal year. It was responded that this would be followed up with Members outside the meeting. Additionally, it was requested that the Board receive a report on the Local Strategic Partnership (LSP) at one of its future meetings.

**RESOLVED** that the Overview and Scrutiny Board Work Programme be updated as per the preamble above.

The meeting closed at 7.32 p.m.

Chairman