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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 21ST FEBRUARY 2024

AT 1.00 P.M.

PARKSIDE SUITE - PARKSIDE

MEMBERS: Councillors K.J. May (Leader), S. J. Baxter (Deputy Leader), S. R. Colella, C.A. Hotham, K. Taylor, S. A. Webb and P. J. Whittaker

AGENDA

1. **To receive apologies for absence**

2. **Declarations of Interest**

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. **To confirm the accuracy of the minutes of the meeting of the Cabinet held on 14th February 2024** (to follow)

The minutes of the Cabinet meeting due to take place on 14th February 2024 will be published in a supplementary papers pack to this agenda.

4. **Minutes of the meeting of the Overview and Scrutiny Board held on 16th January 2024** (Pages 7 - 16)

- (a) To receive and note the minutes
- (b) To consider any recommendations contained within the minutes

5. **Council Tax Resolutions 2024/25** (to follow)

This report will be published in a supplementary papers pack to this agenda.

6. **To consider any urgent business, details of which have been notified to the Head of Legal, Democratic and Property Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting**

7. **To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item(s) of business containing exempt information:-**

"RESOLVED: that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>
8	3&4

8. **Confidential Minutes**

There is the possibility that the meeting of Cabinet scheduled to take place on 14th February 2024 will need to vote to go into exempt session. Should this be the case, the exempt minute will be published in a supplementary pack for this Council meeting.

Sue Hanley
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

13th February 2024

**If you have any queries on this Agenda please contact
Jo Gresham**

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GUIDANCE ON FACE-TO-FACE MEETINGS

**If you have any questions regarding the agenda or attached papers,
please do not hesitate to contact the officer named above.**

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Meeting attendees and members of the public are encouraged not to attend a Committee if they have if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

Notes:

Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.



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- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

16TH JANUARY 2024, 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 and H. D. N. Rone-Clarke

Observers:

Councillor S. J. Baxter – Deputy Leader and Portfolio Holder for Economic Development and Regeneration (on Microsoft Teams)

Councillor C. A. Hotham – Portfolio Holder for Finance and Enabling

Ms. K. Griffin - Operations Manager, Wychavon District Council

Mr. S. Forshaw, Contracts Supervisor, Wychavon District Council

Officers: Mr. G. Revans, Mr S. Parry and Mrs. J. Bayley-Hill and Mr. M. Sliwinski.

59/23

APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

Apologies for absence were received from Councillor J. D. Stanley.

60/23

DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

Councillor H. D. N. Rone-Clarke declared an other interest in agenda item no. 5, minute number 64/23, Worcestershire Health Overview and Scrutiny Committee - Update, in that he was employed by an NHS Acute Hospitals Trust. Councillor H. D. N. Rone-Clarke remained in the room and took part in the debate on the aforementioned item.

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TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 20TH NOVEMBER 2023

The minutes of the Overview and Scrutiny Board meeting held on 20th November 2023 were considered.

Councillor R. J. Hunter raised an inaccuracy with the minutes of the meeting on 20th November 2023. This related to an omission under minute item 52/23 – Agile Working Policy – Progress Brief on Addressing Queries Raised at the Last Meeting – of the record that Overview and Scrutiny Board Members recognised there were real benefits of hybrid working for the Council and that they supported its implementation.

RESOLVED that, subject to the amendment as in the pre-amble above, the minutes of the Overview and Scrutiny Board meeting held on 20th November 2023 be agreed as a true and correct record.

62/23

PARKING ENFORCEMENT - SERVICE LEVEL AGREEMENT WITH WYCHAVON DISTRICT COUNCIL

The Board considered a report on the Parking Enforcement Service Level Agreement with Wychavon District Council, containing a draft version of the service level agreement document.

The Deputy Leader and Cabinet Member for Economic Development and Regeneration was invited to address the Board. In addressing Members, the Deputy Leader stated that at the last Cabinet Working Group meeting the draft parking enforcement contract was considered. It was the opinion of the Cabinet that further work needed to be undertaken on the Cabinet report and that the opinion of Overview and Scrutiny Board should be sought before the report was finalised.

It was commented that feedback from residents received by Councillors indicated that there was significant concern among residents about lack of parking enforcement within and outside Bromsgrove Town Centre.

The Deputy Leader noted that Overview and Scrutiny Board might wish to consider and offer comment on how Council car parks should be managed, the length of any future parking enforcement contract and whether it would be appropriate for future contract to be awarded to Wychavon District Council, to go out to tender, or to have the service delivered in house.

Following this introduction, the Interim Head of Environmental and Housing Property Services addressed the Board and in doing so introduced representatives from Wychavon District Council (WDC) present at the meeting. It was noted that the WDC representatives currently managed Bromsgrove's parking enforcement operationally. Members were asked to note that since March 2023, Bromsgrove's parking enforcement service operated on a monthly cycle with the service agreement with Wychavon District Council extended on a month-by-month basis.

It was noted that parking enforcement service had struggled with staffing levels. The normal operating staffing levels for the service across Bromsgrove District was 5.5 Civil Enforcement Officer (CEO) posts (5 full-time and 1 part-time post). However, over the last financial year only 3 CEOs were employed and staff levels were down to 2 CEOs as of last week. A successful recruitment had taken place, however, meaning the team would be up to 4 Members of staff and to full capacity by later in the year. For the moment, however, the parking enforcement team remained understaffed. It was stated by Wychavon representatives that civil enforcement officers who had recently been recruited all resided in

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proximity to Bromsgrove District. During discussion of staff levels, it was clarified that the Council had only incurred costs for the Civil Enforcement Officers based on the actual staffing level in Bromsgrove.

It was stated that Wychavon District Council (WDC) currently had responsibility over management and enforcement of On and Off-Street Parking in Bromsgrove District in addition to administrative functions around enforcement. The report as presented proposed that Wychavon District Council (WCD) would continue to provide parking enforcement and management service for Bromsgrove for a period of 5 years from April 2024. The report also asked that the Council's existing yearly budget for parking enforcement and management service of £242,000 be increased to £335,000 from April 2024. This increase would inclusive of any annual inflation as determined by Consumer Price Index (CPI).

Following the presentation, Members debated the report and the following was noted:

- Members put on record their thanks to the parking wardens for their hard work, especially in the context of staffing shortages where more pressure was put on each officer.
- Parking machine upgrades - It was noted that Council had recently upgraded its parking machines and Members were appreciative that these provided a range of payment options. It was noted that the new machines would allow more robust data to be collected on parking use. It was noted that parking machines formed a separate contract from parking enforcement and any future upgrades to parking machines would require capital funding that would need to be agreed by Council.
- Payment options at car parks - Some Members commented that as part of the National Parking Platform (NPP) pilot-project funded by Department for Transport (DfT), it was proposed that parking machine solutions be implemented that would potentially remove payment by cash as an option for parking payment. A Member, however, noted that around half of parking payments in Bromsgrove were still made in cash and lots of residents preferred to pay for parking by cash rather than digitally. Officers responded that NPP was a new initiative and any proposals on upgrading parking machines would first need to be brought forward to Members for consideration.
- Current parking enforcement contract arrangements - Officers confirmed that there was currently no contract for parking enforcement service in place and Wychavon District Council delivered the service on a month-by-month basis.
- Possibility of introducing automatic number plate recognition (ANPR) controlled parking - It was explained that the Council would need to erect barriers in its car parks to be allowed to proceed with this option. It was added that even with ANPR in place, taxi and disabled bays would still require patrolling by civil enforcement officers.

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- Number of penalty charge notices (PCNs) issued annually - Members noted that the Schedule 2 of the submitted draft Service Level Agreement (SLA) contained provision that if the number of PCNs processed exceeded 7000, Bromsgrove would be required to pay a further payment of £10 for each additional PCN issued. It was responded that currently the number of PCNs issued per year was not reaching this figure in Bromsgrove and additional costs associated with this were very unlikely.
- Traffic Penalty Tribunal (TPT) cases - It was noted that in the proposed agreement a provision was made for Wychavon District Council to prepare up to 30 TPT cases per annum at no extra cost. It was noted that currently there were significantly less TPT cases per year basis and that this figure was unlikely to be reached in any one year.
- Provision for parking enforcement outside Bromsgrove Town Centre - It was stated that within the draft SLA, provision was made for coverage of on street enforcement outside the Town Centre. Work was currently in progress to review patrols that were undertaken by Civil Enforcement Officers (CEOs), both the frequency and the routes taken. Members commented that the provision, as per page 50 of the Service Level Agreement (SLA) submitted before the Board, for only 10 per cent of all patrol time to take place outside town in areas including Rubery, Hagley, Wythall and Barnt Green was greatly insufficient.
- Members commented that parking enforcement (both on street and off street) was almost non-existent outside the Town Centre, and the 10 per cent provision for enforcement time to be spent outside Town Centre would not bring about an improvement. It was reported by Officers that past version of the SLA was time neutral in terms of Officer time to be spent patrolling in each area of the District. This provision would be reconsidered.
- Identification of parking enforcement hotspots - Members reported that they were receiving regular complaints from residents about anti-social parking, particularly in hotspot locations, and were therefore aware of the locations where parking enforcement was particularly needed. It was raised as an action that Members contribute to compiling a list of hotspot locations for parking enforcement. It was noted that a regular forum for Members meeting with parking wardens was needed, as elected members could then provide feedback on the hotspot locations directly to Civil Enforcement Officers (CEOs).
- Visibility of Civil Enforcement Officers (CEOs) on patrol duty - Members reiterated that parking wardens needed to have regular patrol routes in areas outside the Town Centre in order to be seen and act as a deterrent to parking offenders.
- Income from parking tickets and fines - It was noted that the Council's annual parking income from tickets was in excess of £1 million in 2022-23. Only Council's Town Centre car parks had charges, therefore, any parking income only came from these car parks. The total income from parking fines in 2022-23 amounted to circa £106,000 last year (this included circa £57,000 from on-

street parking fines and the rest from off-street penalty charge notices). In discussing these figures, some Members commented that parking enforcement and fines were viewed mainly as a deterrent rather than a way to generate income.

- Officers apologised for any insufficient enforcement and issues with enforcement of parking around schools (and more generally) that might have occurred as a result of temporary under-staffing. Members were asked to forward any comments and complaints from residents to Officers for analysis. This would help officers better understand the main issues and find ways to address the concerns.

The Interim Head of Environmental and Housing Property Services raised the following points in response to the content of Members' comments:

- The report was brought to the Overview and Scrutiny at an earlier date to allow Members' comments to be fully considered before any decisions were made by Cabinet. It was accepted that the draft Service Level Agreement would need to be re-written based on Members' comments.
- The Council needed to ensure continual operation of parking enforcement and it was important that arrangements were in place by April 2024. The Council would need to look at specification in detail before it could go out to tender for the service.
- Large amount of data was available, for example pertaining to the dates and locations of where penalty charge notices (PCNs) are being issued. This data would be analysed and parking enforcement strategy and contract procurement reviewed based on the findings.
- It was noted that in the view of Officers it would be optimal for the Council to be given another 12 months to work with Wychavon District Council to work on improving the Service Level Agreement (SLA), taking into account comments raised by Members, to provide more certainty and continuity with respect to the parking enforcement service.

Following the discussion, the Board put forward a recommendation to Cabinet. The recommendation was proposed and seconded and on being put to the vote it was:

RECOMMENDED that with regard to the parking enforcement service the Cabinet consider the following options: a) go out to tender for the parking enforcement contract; b) have the service delivered in-house.

63/23

GOVERNANCE SYSTEMS REVIEW - IMPLEMENTATION PROGRESS UPDATE

The Principal Democratic Officer introduced the report and in doing so noted that the Constitution Review Working Group (CRWG) had been

meeting monthly and their next meeting is on 30th January 2024. At that meeting, the Group is due to consider a comprehensive review of the Council's constitution that was currently being undertaken on behalf of the Council. The outcomes of this meeting, including any recommendations, were to be reported for the consideration of the Overview and Scrutiny Board at the meeting scheduled to take place on 12th February 2024.

It was recalled that in November the Group considered draft terms of reference for the Cabinet Advisory Group (CAG) and a draft Memorandum of Understanding (MoU) concerning cross party working. Recommendations in respect of these items were considered and, subject to small amendments, endorsed by Overview and Scrutiny Board at a meeting held on 20th November 2023. These recommendations were subsequently considered and, subject to a few further amendments, endorsed at meetings of the Cabinet and Council held on 22nd November and 6th December 2023 respectively.

It was noted that in line with proposals detailed in the Governance Systems Task Group there were budget implications arising from this report to fund an additional Democratic Services Officer post at a cost of £40,000. Recruitment of this Officer was subject to approval of this budget bid in the Medium Term Financial Plan Tranche 2 report.

Following the update, it was noted that it was currently envisaged that the revised constitution would be presented to the Annual Council meeting in May 2024 and Overview and Scrutiny Board would receive an update on progress, including a draft version of constitutional changes at its March or April 2024 meeting.

RESOLVED that the Governance Systems Review – Implementation Progress Update be noted.

64/23

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

The Council's Representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), Councillor B. Kumar, updated the Board on the matters discussed by HOSC on 9th January 2024. Members were provided with a written copy of the update provided by Councillor B. Kumar.

It was noted that the Health Care System Plans to reduce inappropriate admissions to hospital were discussed. With respect to this, the hospital team present at that meeting explained about the pre-hospital programme, which was designed to focus on supporting the treatment of some medical illnesses in a person's home and also focused on Urgent Community Response (UCR) which aimed to provide people with urgent assessments, care and treatment where possible to avoid unnecessary admissions.

The Council's Representative observed that there was a significant challenge from Members of HOSC as it was noted that for example that in the current system it was impossible for many patients to avoid going to emergency department, even with the best will and effort of patients to avoid that route. It was noted that, for example, phoning NHS 111 often resulted in people being directed back to emergency department. It was commented that there was a need for more local treatment centres for minor illnesses as this would contribute to reducing demand on Accident and Emergency (A&E).

The Council's Representative on HOSC took opportunity to thank Councillor H. D. N. Rone-Clarke on information regarding urgent care and demand on the hospitals. Councillor H. D. N. Rone-Clarke thanked Councillor B. Kumar for his comprehensive update on the inappropriate attendances at hospital and the underlying causes of this.

The Council's Representative on HOSC reported that at the next meeting HOSC would consider the three-year audit of 'never event' cases, i.e. medical care cases that should not have happened.

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

65/23

FINANCE AND BUDGET WORKING GROUP - UPDATE

The Chairman introduced the Finance and Budget Working Group update and in doing so noted that the last meeting of the Group took place on 12th January 2024. It was reported that the Medium Term Financial Plan Tranche 1 paper following consultation was considered by Members. The Working Group was updated on the main implications of the Local Government Provisional Finance Settlement which were that all councils were again being allowed to increase Council Tax by up to 3 per cent, that planning application fees would increase by 35 per cent for large applications and 25 per cent for small applications from 1 April 2024. It was also noted that it was predicted that the finance settlement would provide around a 4.9 per cent rise in core spending power for Bromsgrove compared to previous year's settlement. During discussion, it was noted that there was a pooling arrangement for business rates with other Worcestershire authorities.

The Chairman noted that a discussion concerning Ward Councillor Funds took place at the 12th January Finance and Budget Working Group meeting and it was agreed by the Group that a proposal be put forward for discussion to Overview and Scrutiny Board regarding a fund of £62,000 per year to be established for Councillor Ward Budgets from 2024-25 financial year for a period of three years. The briefing paper containing a draft Bromsgrove Ward Councillor Fund pilot scheme was included in supplementary papers for this meeting, and paper copies were tabled for Members' consideration.

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It was explained by the Chairman that the proposed terms of reference for the scheme were copied from the criteria used by the County Council. Following the update, Members debated the Ward Councillor Fund scheme proposal.

Some Members expressed concern about the possible introduction of this Fund, citing the fact that County Council's divisional ward funds were not being spent to their full capacity. It was suggested that the arrangement that existed previously at the Council via the New Homes Bonus (NHB) Community Grants Panel would be a more appropriate solution. Through the Grants Panel, members of the public were able to apply for funding for community projects directly and applications were examined by Members who sat on the Panel. It was noted that the proposal for ward budgets as tabled would provide funds directly to elected members to spend.

It was responded by other Members that as detailed in the draft Ward Councillor Fund pilot scheme, there would be stringent oversight of the funding requests by ward members and a clear audit trail would be kept and requests closely monitored. Any funding request under the scheme would need to be made in writing by the Member and would need to be approved before funds could be released. The funding requests would also need to clearly evidence what the funding provided would be spent on. Spending would be open to scrutiny by the public via the Council's website.

Some Members expressed further points of concern about the scheme and commented that this was not the right time for introducing ward budgets, given the Council was struggling to balance the budget. Also, some Members commented that they would like to consult with their respective groups before making a decision on this. A point was raised by some Members that with County Council divisional funds of £10,000 per year set aside for County Councillors to spend, a further £2,000 per year for Bromsgrove District Council elected Members to spend within their wards (which were also part of County Council area divisions) seemed to constitute a double taxation of sorts.

It was countered by other Members that there were many meaningful things on which the ward funds could be spent on which would enhance the lives of local communities. Examples of helping local clubs with purchasing items of sports equipment or setting up an afterschool youth club were given. It was noted that a small amount of funding provided to the right project could have a transformative impact. Some Members countered that the impact of £2,000 would likely be rather modest.

During the detailed debate, a recommendation was put forward that the Ward Budgets proposal as detailed in the briefing note submitted be put forward to Cabinet to consider as part of the 2024/5 Medium Term Financial Plan (MTFP) Tranche 2.

It was suggested by a Member that the Overview and Scrutiny Board first consider looking in detail at the operation and trends with respect to the County Council divisional ward funds scheme before debating the Bromsgrove's Ward Councillor Fund pilot scheme proposal.

The recommendation put forward by the Chairman in respect of Ward Budgets proposal was seconded and on being put to the vote it was carried.

RECOMMENDED that the Cabinet consider, as part of the 2024/5 Medium Term Financial Plan (MTFP) Tranche 2, approval of the Ward Budgets proposal contained in the briefing paper now submitted, as tabled at the meeting of Overview and Scrutiny on 16th January 2024.

66/23

TASK GROUP UPDATES

The Chair of the Food Bank and Community Supermarket Provision Task Group, Councillor E. Gray, provided an update on the work undertaken so far by the Task Group. It was reported that the Task Group had decided that it was necessary to visit food banks across the District, looking at disparity and accessibility of provision, and to possibly identify points of best practice. The Task Group aimed to complete the visits by the end of January or beginning of February 2024. It would then meet to discuss the findings before producing a report to the Overview and Scrutiny Board.

RESOLVED that the Task Group Update be noted.

67/23

CABINET WORK PROGRAMME

The Cabinet Work Programme was presented for Members' consideration.

It was requested that the following items from the Cabinet Work Programme be added to the Overview and Scrutiny Board's Work Programme for the subsequent meetings in this municipal year:

- Termination of Shared Service Arrangement: North Worcestershire Economic Development and Regeneration - scheduled for 12th February 2024 meeting of Overview and Scrutiny
- Local Heritage List Strategy – 12th February 2024
- Bromsgrove Play Audit and Investment Strategy – 11th March 2024
- Cost of Living Funding Proposal – Overview and Scrutiny date to be confirmed.

RESOLVED that the Overview and Scrutiny Board be updated with the items from the Cabinet Work Programme as per the above.

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The Overview and Scrutiny Board Work Programme was presented for Members' consideration. It was confirmed that Cabinet Work Programme items requested for addition under the previous item would be added to the Overview and Scrutiny Work Programme.

RESOLVED that the Overview and Scrutiny Board Work Programme be noted.

The meeting closed at 8.09 p.m.

Chairman