

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

9TH OCTOBER 2024, AT 6.00 P.M.

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

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

36\24

TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Elledge, D. Hopkins, P. M. McDonald and K. Taylor.

37\24

DECLARATIONS OF INTEREST

Councillors E. M. S. Gray and S. J. Webb declared pecuniary interests as Trustees of the Citizens' Advice Bureau (CAB) Redditch and Bromsgrove. They left the room during consideration of a recommendation from the Cabinet pertaining to funding for the CAB, at Minute Item No. 48/24 and took no part in the debate nor vote thereon.

Councillors A. Bailes, R. A. Bailes, S. J. Baxter, D. J. Forsythe, E. M. S. Gray, B. Kumar, B. M. McEldowney, M. Marshall, S. T. Nock, S. R. Peters and P. J. Whittaker declared an other registerable interest in respect of Minute Item No. 52/24 concerning the first Motion on Notice for consideration at the meeting in that they were in receipt of the State Pension and therefore had previously received or were now eligible for the Winter Fuel Payment.

Councillors S. T. Nock, S. J. Baxter, D. J. Forsythe, M. Marshall, B. Kumar and B. J. McEldowney stated that they would be participating and voting on this item in the interest of the residents of Bromsgrove.

Councillor A. Bailes stated that he would stay to listen to the debate but would not be participating nor did he wish to vote on this matter.

Councillors R. A. Bailes, E.M.S Gray and S. J. Peters all stated that they would leave the meeting room during the consideration of this item.

Councillor S. Ammar declared a pecuniary interest, as Chairman of the Council, with regards to the two recommendations in respect of the Chairman's expenses, as detailed in the Constitution Review Working Group – Recommendations (minute no. 42/24). Councillor S. Ammar stated that she would leave the meeting room during the consideration of this item and she took no part in the debate in respect of this matter nor vote thereon. In her absence, the Vice-Chairman chaired the meeting during consideration of this item of business.

During consideration of this item, Councillor C. A. Hotham took the opportunity to express his sincere thanks to all Members for their recent well wishes, support and kind messages.

38\24

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

Chairman

The Chairman made the following announcements:-

The Chairman's dinner dance to be held at the Dodford Inn on Friday 18th October 2024, to help raise money for Age UK.

Haunted Halloween Trail, Sanders Park, Saturday 26th October 2024, 4:00pm to 9:00pm.

Christmas Lights Switch on –

- Bromsgrove Centre, Saturday 23rd November 2024, 5:00pm
- Rubery High Street, Saturday 30th November 2024, 5:00pm.

Head of Paid Service

There were no announcements from the Head of Paid Service.

39\24

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Leader expressed her sincere thanks to the Chairman and Members of the Artrix Holding Trust and Bromsgrove Community Arts (BCA) for all their hard work, and Group Leaders for all their support. A three year business opportunity had been secured for the Artrix, which was a well-received venue by residents.

40\24

TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC

There were no comments, questions or petitions from members of the public.

41\24

URGENT DECISIONS

The Chairman advised that there had been no urgent decisions since the last meeting of the Council.

CONSTITUTION REVIEW WORKING GROUP - RECOMMENDATIONS

It was noted that at this stage in the meeting that the Chairman left the meeting room and that the Vice-Chairman took the Chair for this item.

The Council considered a report setting out proposals for changes to the terms of reference for the Licensing Committee, Licensing Sub-Committee and the Licensing (Miscellaneous) Sub-Committee, amendments to the Council Procedure Rules in respect of Members' Questions on Notice; and a proposal for the Chairman's allowance to be increased.

Councillor K. May presented the report and proposed the recommendations. Councillor S. Baxter seconded the recommendations.

The report detailed the background to recommendations agreed at a meeting of the Constitution Review Working Group (CRWG) held on 31st July 2024.

Licensing Committee and Licensing Sub-Committees

Licensing Sub-Committees considered issues relating to the Gambling Act 2005 and the Licensing Act 2003. Licensing Sub-Committee hearings were mainly held in the day, with the membership comprising of four members of the Licensing Committee.

During the 2023/24 municipal year, some difficulties were experienced in terms of organising hearings of the Licensing Sub-Committee and Licensing (Miscellaneous) Sub-Committee. In particular, there were challenges in terms of the availability of Members to participate in these hearings. Group Leaders had been kept informed of the difficulties that had occurred during the 2023/24 municipal year.

The CRWG had noted that Licensing Sub-Committee and Licensing (Miscellaneous) Sub-Committee hearings were held during the day. This arrangement was in place as sometimes applicants and objectors could arrange to have legal representation at the hearings and this would cost them more if the meetings were held outside of standard working hours.

Some options available to the Council that could address challenges experienced in terms of organising Licensing Sub-Committee meetings had been considered at the CRWG meeting, as detailed in the report. The Chairman of the Licensing Committee was also consulted with.

Based on the information provided, the CRWG proposed to update the terms of reference for the Licensing Committee, Licensing Sub-Committee and Licensing (Miscellaneous) Sub-Committee in accordance with the options they had endorsed.

Supplementary Questions at Council

At the meeting of the CRWG held on 31st August 2023, Members agreed to launch a trial arrangement whereby Councillors who had submitted Questions on Notice for consideration at Council meetings could ask up to one supplementary question at the meeting. The supplementary question had to be based on the original question that was asked or the answer that had been provided to that question.

The CRWG reviewed the outcomes of this trial at the meeting of the group held on 31st July 2024. There had been general consensus amongst Members that the trial had worked well and that it would be reasonable for this to become a permanent arrangement at Council meetings.

The Chairman's Allowance

The Chairman of the Council had a civic role at the authority, chairing meetings of full Council and taking part in civic engagements on behalf of the authority.

The allowance paid to the Chairman of the Council had not been increased since 2013. Therefore, group leaders had suggested that a review of this allowance would be timely and that the matter be referred to the CRWG for consideration.

The CRWG concluded that an increase to the Chairman's allowance was due, given the time that had elapsed since the last review, and that the proposed change should be backdated to apply from 1st April 2024.

RESOLVED that

- 1) the changes to the terms of reference for the Licensing Committee, the Licensing Sub-Committee and the Licensing (Miscellaneous) Sub-Committee be approved;
- 2) the Council Procedure Rules in respect of Members' Questions on Notice be amended to enable Councillors to ask up to one supplementary question, which must be based on the original question, or the answer provided to that question;
- 3) the Chairman's allowance be increased to a multiplier of one of the Members' basic allowance, currently at £5,518; and
- 4) the updated allowance for the Chairman to be backdated to apply from 1st April 2024.

(Prior to consideration of this item, the Chairman declared a pecuniary interest in respect of the proposals pertaining to the Chairman's allowance detailed in the recommendations from the Constitution review Working Group. She was not present during the debate in respect of this matter nor did she vote thereon.)

43\24

JOINT APPOINTMENTS COMMITTEE UPDATE

At this stage in the meeting the Chairman returned to the meeting room and in doing so expressed her thanks to the Vice-Chairman.

Members received a report on the creation of a Joint Appointments Committee.

Councillor K. May presented the report and proposed the recommendations in the report. Councillor S. Baxter seconded the recommendations.

During the Full Council meeting held on 17th July 2024 Members had approved the creation of a Joint Appointments Committee ("JAC"). This Committee would operate as a joint committee with Redditch Borough Council pursuant to sections 101 and 102 of the Local Government Act 1972 and carry out the functions of appointing the Chief Executive / Head of Paid Service as well as the Deputy Chief Executive / Section 151 Officer. The JAC would also carry out other employment related functions relating to Joint Statutory Officers.

Following on from that meeting, Officers had continued to work on the establishment of the JAC and had considered in more detail how the Committee could be set up to cover the full range of employment issues that were relevant to jointly employed statutory officers.

With responsibilities passing to the JAC, the existing functions in relation to appointment and dismissal of Joint Statutory Officers, namely the Appointment Committee, the Appeals Panel and the Statutory Officers Disciplinary Panel; would cease to exist. With a Shared Management Team, this was seen as a fair arrangement; the creation of a JAC.

Members were also being asked that delegated powers be given to the Monitoring Officer to finalise the wording of the full Committee reference terms for the JAC.

The disciplinary and dismissal functions which currently sat with the Statutory Officers Disciplinary Panel would be carried out by a standing sub-committee of the JAC. So, there would be added areas of responsibilities for a standing sub-committee of the JAC; and this would include Members from both Councils operating as a panel taken from the main Committee membership.

In response to a query in respect of the possible requirement to have interim Council meetings at both RBC and BDC with the final decision on a new Chief Executive; it was clarified that there would be a full appointments procedure to go through, therefore interim Council meetings at both RBC and BDC would not be required.

RESOLVED that

1. the Joint Appointments Committee (JAC) to have a standing sub-committee to deal with disciplinary matters on its behalf, which would replace the current Statutory Officers Disciplinary Panel;
2. responsibility for the functions carried out by the Appeals Panel and the Statutory Officers Disciplinary Committee be transferred to the JAC and its sub-committee(s);
3. the Committee Terms of Reference (Part 5 of the constitution) be updated to reflect the creation of the JAC and the transfer to it of the functions currently carried out by the Appeals Panel, and the Statutory Officers Disciplinary Panel as set out at Appendix A; and
4. the Monitoring Officer be authorised to update the Constitution, including any consequential amendments required as a result of the above.

44\24

SECTION 151 OFFICER REPORT

Members were asked to consider proposals in respect of the extension of the fixed-term appointment of Mr Peter Carpenter to enable him to continue in post as the Council's Section 151 Officer and Deputy Chief Executive.

Councillor K. May presented the report and proposed the recommendations in the report. Councillor S. Baxter seconded the recommendations.

Members were reminded that in December 2023, Council agreed to appoint Mr Carpenter as interim Deputy Chief Executive and interim Executive Director of Resources (Section 151) until 30th November 2024.

Whilst the recruitment process for the permanent Deputy Chief Executive and Executive Director of Resources (Section 151) was underway, the Council was still legally required to have a Section 151 officer in place. However, the recruitment process and appointment into this role would not be completed by 30th November 2024.

In order to ensure continued stability, it was being proposed that Mr Carpenter continued as Deputy Chief Executive and Executive Director of Resources (Section 151) until a permanent appointment to the post was made.

Council was therefore being asked to consider continuing the arrangements for Mr Carpenter as Deputy Chief Executive and Director of Resources (Section 151 Officer) until such time as a permanent appointment was made to this position and commenced employment with the Council, thereby retaining an experienced officer and strongly

mitigating against the risks of loss of knowledge and experience of delivering the statutory section 151 functions.

In response to Councillor H. D. N. Rone-Clarke, Members were reassured that consultants had been appointed to assist with the recruitment and appointment into this senior officer post and that it was not envisaged that a further report would have to be brought back to Council for a further extension of time. It would be a smooth process; and the Council was now in a good financial position to attract the best candidates and to subsequently permanently appoint the best Section 151 officer.

Members commented that, particularly for the Chairman and as the Vice-Chairman of the Audit, Standards and Governance Committee, Mr Carpenter's advice and guidance had really helped the Committee with their important work.

RESOLVED that

Mr Peter Carpenter be appointed as the Deputy Chief Executive and Interim Executive Director of Resources (Section 151) until such time as a new permanent Section 151 Officer commenced employment with the Council.

(Prior to consideration of this item, Mr Pete Carpenter left the meeting room. He was not present for the debate nor the vote in respect of this item.)

45\24

POLITICAL BALANCE

At the start of consideration of this item, Mr Carpenter returned to the meeting room.

The Council considered a report setting out proposals for changes to the political balance of the Council following changes in the membership of political groups as a result of the recent By-Election held for Sidemoor Ward.

Councillor K. May presented the report and proposed the recommendations. Councillor S. Baxter seconded the recommendations.

In considering this item, Members expressed their sincere thanks and well wishes to former Councillor D. G. Stewart and extended a warm welcome to Councillor J. Clarke.

Following some queries raised, Officers explained and clarified the political balance figures. It was confirmed that these figures had been discussed with each group leader prior to publication of the report and the figures balanced.

During consideration of this item, questions were raised with regard to the election of Chairmen and Vice-Chairmen of Committees and Boards

and how these were distributed amongst representatives of the different political groups. The suggestion was made that going forward could this be referred to the Constitution Review Working Group (CRWG) to look into in more detail, to inform the process for appointing Chairmen and Vice Chairmen in the 2025/26 municipal year.

Members debated this matter further and it was highlighted that Members nominated and elected the Chairman and Vice Chairman of all Committees and Boards at the first meetings of those Committees held in a new municipal year. Therefore, it was down to each individual Committee or Board to determine these positions.

It was also highlighted that the Council's Constitution had recently been amended to state that the Chairman of the Audit, Standards and Governance Committee and the Chairman of the Overview and Scrutiny Board "shall where possible not be a member of the political group represented in Cabinet".

Following a comment made that Members of Councillor Hunter's group had refused a position of Chairman, a request was received for it to be noted that none of his political group had refused a position of Chairman, However, it was noted that the offer of the position of Vice-Chairman of the Electoral Matters Committee had been refused due to the recent removal of Councillor Nicholl as Chairman of the Audit, Standards and Governance Committee.

Reference was made to the process for the nomination and appointment of Chairman and Vice Chairmen at other Councils. As part of this, it was noted that some local authorities, including Redditch Borough Council, selected their Chairman and Vice-Chairman for their Boards and Committees at their Annual Council meetings.

RESOLVED that

- 1) for the remainder of the 2024/25 Municipal Year, the Committees set out in the table in Appendix 1 be appointed and that the representation of the different political groups on the Council on those Committees be as set out in that table until the next Annual Meeting of the Council, or until the next review of political representation under Section 15 of the Local Government and Housing Act 1989, whichever is the earlier; and
- 2) Members be appointed to the Committees and as substitute Members in accordance with nominations made by Group Leaders.

AUDIT, STANDARDS AND GOVERNANCE COMMITTEE ANNUAL REPORT 2023 - 2024

The Chairman of the Audit, Standards and Governance Committee for 2023/2024, Councillor D. J. Nicholl, introduced the Committee's Annual Report for 2023-24.

Councillor Nicholl explained that during his tenure as Chairman of the Committee during 2023/2024, the Committee had worked really effectively, and that he would like to take the opportunity to express his sincere thanks to Councillor McEldowney for his work as Risk Champion. Thanks were also extended to Mr. Peter Carpenter for his contribution at a time when the Council was facing financial issues due to the economic climate; which had resulted in the vast bulk of the Committee's work being around financial issues.

Councillor Nicholl highlighted two areas of work, one of which had previously been pointed out by Councillor S. Collella, when he was Chairman of the Committee for 2022/2023, namely the need to have a lay person on the Committee.

Secondly, the Committee's role in the Council's Whistleblowing Policy, which was being worked on.

Councillor Rone-Clarke, current Chairman of the Committee, stated that he echoed Councillor Nicholl's remarks and would also like to extend his thanks to Councillor Nicholl, Committee Members and officers for an excellent report. He was proud of the quality of debate and cross party working.

Members stated that it was a great report and had emphasised that there were robust audit arrangements in place. Further thanks were extended to Mr Carpenter and the finance team as well as Councillor Worrall, the Parish Council's representative on the Committee.

RESOLVED that the Annual Report of the Audit, Standards and Governance Committee for 2023-24 be noted.

47\24

TO RECEIVE AND CONSIDER A REPORT FROM THE PORTFOLIO HOLDER FOR STRATEGIC PARTNERSHIPS

Councillor K. J. May presented the report for part of her portfolio, Strategic Partnerships. Council was advised that governance, which was another issue within the remit of the Leader, had not been addressed in this report as this had been the subject of a Portfolio Holder Annual Report to Council from a former Cabinet Member presented earlier in the calendar year.

In presenting the report, Councillor May clarified that the Local Strategic Partnership (LSP), the Bromsgrove Partnership, was a non-statutory and non-executive partnership comprising a membership representing local organisations. The operation of the partnership was based on good will and recognised that many organisations could not deliver on their priorities without the co-operation and support of other bodies based in the District. There was no specific funding attached to the work of the partnership, which comprised both a board and theme groups.

During the Covid-19 pandemic, it had been anticipated that the partnership groups would not need to meet. However, in reality, the partnership had continued to meet throughout the pandemic, in a virtual setting. This had provided partner organisations with an opportunity to discuss how to handle various challenges that arose in that context. In addition, the partnership had been invaluable in collating information required by Worcestershire County Council for the countywide Here to Help service.

In the Corporate Peer Challenge that had been undertaken at Bromsgrove District Council in 2023, Bromsgrove Partnership and partnership working had been highlighted as an outstanding feature of the Council's work.

There were lots of officers and partner organisations that had contributed constructive work in a strategic partnership environment and thanks were extended to all parties who worked with the Council in respect of this matter. Particular thanks were extended to the Bromsgrove and Redditch Partnerships Managers and the Bromsgrove and Redditch Partnerships Officer for their hard work. In addition, the current Chairman of the Bromsgrove Partnership, the Chief Executive of Bromsgrove District Housing Trust (BDHT) and the Vice Chairman, a representative of Act On Energy, were thanked for their hard work. Council was advised that Councillor May was a member of the Bromsgrove Partnership Board, representing Bromsgrove District Council and Councillor S. Webb was also a member of the Board, representing Worcestershire County Council.

Minutes of meetings of the Bromsgrove Partnership Board were being passed on to group leaders for dissemination amongst Members of their groups for consideration. Discussions were held at Bromsgrove Partnership Board meetings about important matters impacting on the District, with an example highlighted of a recent discussion about the Government's proposals in respect of Winter Fuel Allowance payments and how information could be disseminated to local residents. Digital connectivity had also been discussed at a recent meeting with wifi connectivity challenges, particularly in rural parts of the District, having been highlighted. Members were advised that mobile vans monitoring the wifi in rural areas had subsequently been operating in the District.

Once the report had been presented, the following points were raised during the consideration of questions from Members:

- The approach from Aston University to the partnership in respect of Poverty Alleviation Research and how ward Councillors and Parish Councils could contribute and be consulted on this work. Members were advised that this research was at an early stage, with further work to be undertaken, but Councillor May undertook to feed this request into that preparatory work for consideration as it was

recognised that ward Councillors and Parish Councils could make a valuable contribution.

- The impact that difficulties with digital connectivity could have on the ability of residents to book appointments with their GP Practices online and the further challenges encountered by residents who were not familiar with ICT. Council was advised that Age UK had picked this up as an issue to address and it was recognised that there were difficulties.
- The issues with take up of pension credit and the opportunity for the Financial Inclusion Team to help promote this to eligible residents who were not currently claiming this support. Members were informed that there was a need for signposting to support eligible residents. Council was also informed that both Age UK and the local Social Prescribers worked hard to raise awareness and elected Members could help further in the context of their roles as community representatives.
- The fact that the Worcestershire Health and Wellbeing Board recognised the Bromsgrove Partnership's work as a strong example of partnership working.
- The Health Bus that would be travelling around the District in due course and which would be in a position to help signpost residents to appropriate support in the community.
- The source of the funding for the monitoring that was being undertaken in respect of digital connectivity in the District. It was clarified that Worcestershire County Council would be funding the project, using grant funding.
- The areas of deprivation within the District and the action that was being taken to address this. Council was informed that the number of locations classified as areas of deprivation had decreased from three to one and the partnership was focusing on supporting people not in employment, education or training (NEETs) in that area. The suggestion was made that UK Shared Prosperity Funding (UKSPF) could help to address this issue, in terms of funding initiatives that would assist with upskilling residents in that area.
- The work that partner organisations could undertake in wards to help residents, including fire risk assessments undertaken by the Herefordshire and Worcestershire Fire and Rescue Service and the support NewStarts could provide to families moving into new homes.
- The £750 support received by the Alvechurch Larder.
- The data available in respect of the mental health of young people in the District and the extent to which Worcestershire Public Health was proactive in relation to this matter. Members were advised that Mental Health services were under challenge. The Public Health team monitored data and the Health Overview and Scrutiny Committee could review the issue. The Orange Button Scheme and the training available through this scheme was highlighted for Members' consideration as part of this process.

- The work of NHS 111 in respect of accepting mental health related calls. This was recognised as an important step to increase accessibility to mental health services.
- The contribution of Bromsgrove and Redditch CALC, which was represented on the Bromsgrove Partnership, and which found the work of the partnership to be really useful.
- The e-newsletters that were regularly issued by the Bromsgrove and Redditch Partnership Manager to Members and the useful information about initiatives in the District that were highlighted in these communications. Members were urged to take advantage of the opportunities promoted in these publications.

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TO CONSIDER THE RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 24TH JULY 2024

The Chairman advised that there were two recommendations from the meeting of the Cabinet held on 24th July 2024, which were presented for the Council's consideration.

Councillor K. J. May drew Members' attention to the Recommendations, and in doing so provided a brief explanation with regards to the reasons for the recommendations; as detailed in the Background Papers.

Cost of Living Proposal - Update

The recommendations were proposed by Councillor May and seconded by Councillor S. Baxter.

In proposing the recommendations, the Leader commented that the proposals had been brought forward after funding had been ring fenced in the budget a few years ago for community use after Members raised concerns about library provision. No libraries had subsequently been closed. Therefore, this money was available and could be used instead to help support residents who were suffering due to cost of living challenges. The funding could be used as seed funding and additional funds would be requested from the National Lottery to help ensure long-term financial support.

Confirmation was provided during consideration of this item that the officer who would be recruited using this funding would be undertaking valuable outreach work. Efforts would be made as soon as possible to recruit to this position as the value of the role to the community was recognised.

RESOLVED that

- 1) from the remaining £150,000 contained within earmarked reserves to support cost of living initiatives, £38,000 be allocated to a Voluntary Sector Money Adviser;

- 2) the £62,000 allocation to Citizen's Advice be amended to fund an Outreach Development Worker through to March 2026.

(Prior to consideration of the recommendations in respect of the Cost of Living, Councillors E. M. S. Gray and S. A. Webb left the room. They were not present during the debate in respect of this matter nor voted thereon.)

Combined Financial Outturn and Quarter 4 Financial Monitoring Report (Including Update on the Fleet)

At this stage in the meeting, Councillors E. M. S. Gray and S. A. Webb returned to the meeting room for the consideration of the Combined Financial Outturn and Quarter 4 Monitoring Report 2023/24.

Councillor S. R. Colella then read out the recommendation with regard to the update on the Council's fleet and provided a brief explanation with regards to the reasons for the recommendation.

During the presentation of the report, Members were advised that in 2021, as part of a review of the Council's finances, a decision was taken to extend the period in which existing vehicles in the fleet would be used by an extra year before their replacement. The decision was also taken at that time to invest in maintenance work on the existing vehicle fleet in order to extend the timeframes in which they could be used and therefore minimise the impact on the Council's capital budget. It had been envisaged that the savings arising from this approach would enable the authority in the long-term to invest in more energy efficient vehicles, in line with the Council's aim to reduce carbon emissions in the District.

However, the potential impact at the operational level, in terms of service delivery when vehicles were unavailable due to ongoing maintenance works, had not been anticipated. The Council had had to hire other vehicles to use at this time to ensure continuing service delivery and this had created an additional unbudgeted financial pressure. In addition, the first vehicles to be subject to these maintenance works had taken 12 months to refurbish, due to issues accessing appropriate parts. Subsequent vehicles had all overrun on planned timescales. Taking into account the ongoing maintenance works, as well as additional vehicular requirements, such as annual MOTs, the Council had had to continue to use hire vehicles alongside the fleet during this period in order to ensure that service delivery continued as normal.

Based on these issues, together with difficulties recruiting staff into the workshop at the depot, it was proposed that the Council should return to a seven-year cycle of replacing the authority's vehicle fleet. As part of this process, Officers would be reviewing the use of vehicles powered by hydrogenated vegetable oil (HVO), which had been favoured in order to reduce carbon emissions associated with the waste fleet.

Following the presentation of the report, Members questioned whether the Council would be using the remaining Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) funding, to which the Council was entitled as a former member, as mitigating action to reduce the financial impact of the costs associated with the fleet. Clarification was provided that the funding arising from the former GBSLEP pooled budget could only be allocated to regeneration projects at the Council. No decision had been taken yet on how that funding would be used. Any decision concerning use of the funding would be subject to successful submission of a suitable business case, which would need to be debated through the usual democratic process. Confirmation was provided that as part of this process, the Overview and Scrutiny Board would have an opportunity to review the proposals, should members of the Board wish to do so.

Concerns were raised about the extent to which Officers had undertaken a robust review when originally assessing the appropriate options for the replacement of the vehicle fleet and questions were raised about the extent to which Officers should have been able to anticipate the difficulties that had arisen. However, Members commented that there was a need to move forward to ensure continuing service delivery.

Clarification was requested in respect of the table that had been included in the report which covered a three-year period and the reasons why this did not correspond with the seven-year period that was being proposed for the vehicle replacement programme. Members also questioned why savings were anticipated from 2026/27 onwards when the cost of replacement vehicles was anticipated as due to increase from circa £200,000 to £437,000 in that year and then to £450,000 the following year onwards. It was suggested that these figures appeared instead to indicate that costs were likely to increase. In response, Council was advised that parts for vehicles, particularly Heavy Goods Vehicles (HGVs), were in scarce supply in the country. In addition, the financial costs associated with using HVO had increased since the Council had initially considered investment in HGVs powered by HVO. The figures included in the report reflected the costs anticipated for investment in electric vehicles at a later date, although Members were asked to note that unfortunately the market for electric HGV vehicles had not progressed as far as the authority had hoped by the date of the meeting. In this context, for the time being, the Council would be investing in cleaner diesel vehicles, which were more efficient at present than electric vehicles.

The recommendation was proposed by Councillor Colella and seconded by Councillor P. Whittaker.

RESOLVED that the reprofiling of the Capital Fleet Replacement budget, relating to the Domestic Waste Collection Service, be approved.

The Chairman advised that there were two recommendations from the meeting of the Cabinet held on 11th September 2024, which were presented for the Council's consideration.

Councillor S. R. Collella read out the recommendations and provided a brief explanation with regards to the reasons for the proposals detailed in the report. Council was informed that the purpose of the report was to set out the Council's annual outturn for 2023/24 on the Council's Capital and Treasury Management Strategies, including the prudential indicators. The Council had adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) code on treasury management. As a minimum requirement, under this code, the Council was required to consider annual treasury outturn and biannual treasury management update reports. There was also a requirement under the code to report on the prudential indicators, which were monitored in quarterly finance and performance reports.

The Council had invested funds under the Treasury Management Policy. This did expose the Council to financial risks, including the potential loss of investment funds and the impact on revenue funds of changing interest rates. Ongoing monitoring of risks remained central to the Council's Treasury Management Strategy. Council was advised that the Section 151 Officer had advised that all of the Council's treasury management activities complied fully with requirements in the code, with one exception. This had involved a loan to Redditch Borough Council, in quarter 2 of the financial year, which had not been compliant.

The recommendations were proposed by Councillor Colella and seconded by Councillor B. McEldowney.

Treasury Management Outturn Report

RESOLVED that Council note:

- 1) The Council's Treasury performance for the financial year 2023/24.
- 2) The position in relation to the Council's Prudential Indicators.

50\24

TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 17TH JULY, 24TH JULY AND 11TH SEPTEMBER 2024

The minutes of the meetings of the Cabinet held on 17th and 24th July and 11th September 2024 were noted.

At this stage in the meeting the Chairman announced that there would be a ten minute comfort break.

The meeting stood adjourned from 19.30 until 19.43.

51\24

QUESTIONS ON NOTICE

Having reconvened, the Chairman informed Members that due to personal circumstances that the Monitoring Officer had had to leave the meeting.

The Chairman then advised that four questions on notice had been received for this meeting.

Question submitted by Councillor R. Hunter

“Ahead of the publication of the play audit, will you confirm that Council will continue to invest in maintaining all Council owned playgrounds where there is community support for keeping them, including pocket parks?”

The Leader of the Council responded that “Ahead of the publication of the play audit being considered formally in November, it is confirmed that the council will continue to invest in maintaining all council owned play equipment. The play audit and its investment strategy will be debated in November. In due course it is hoped that there can be an agreed spend on children’s play equipment for the next ten years.”

Question submitted by Councillor D. Nicholl

“On behalf of Council, will you write to the Herefordshire and Worcestershire Health and Care NHS Trust to ask what steps they are taking to ensure the reintroduction of parking charges at the Princess of Wales Hospital will not impact on the accessibility of NHS care?”

The Cabinet Member for Health and Wellbeing and Strategic Housing responded that “Thank you for your question. I recognise that access to NHS care is incredibly important for the residents of Bromsgrove. In order to highlight this issue in the most effective way possible, I would suggest that this is an issue that should be raised at a meeting of the Worcestershire Health Overview and Scrutiny Committee (known as HOSC). Unlike Bromsgrove District Council, Worcestershire HOSC has powers in relation to scrutiny of health services. This includes the power to make reports and recommendations to relevant NHS bodies, health service providers and the Secretary of State on health services in the authority’s area.

Bromsgrove District Council has a representative on the Worcestershire HOSC, which is currently Councillor Bakul Kumar. I am aware that Councillor Kumar provides regular updates to our Overview and Scrutiny Board on the work of HOSC and he can also raise issues on our behalf at meetings of HOSC.

In this context, I would suggest that Councillor Kumar, as our representative, should be asked to raise the issue highlighted in your question at a meeting of the HOSC as soon as possible.

It should be noted that meetings of HOSC are open to the public to attend to observe proceedings and you may wish to attend some of these meetings to learn more about the issues that they discuss.”

Councillor D. Nicholl subsequently asked the following supplementary question:

“Thank you for your answer. I’d like to avoid the kind of situation at the Queen Elizabeth where someone may have to pay £10 for parking. So, my question is, how do they set the price? However, I recognise that this might be best raised by Councillor Kumar, as our HOSC representative, so I will speak to him about this.”

Question submitted by Councillor J. Robinson

“When will the Council owned car park by All Saints Church Hall on Shenstone Close be refurbished in line with other Council owned car parks in the district?”

The Cabinet Member for Economic Development and Regeneration responded that “This is a timely question as a press release is due to be issued next week. Work on resurfacing the All Saints Church Hall car park in Bromsgrove is due to commence on the 28th of October.”

Councillor Robinson subsequently asked the following supplementary question:

“Thank you to the Portfolio Holder for that answer. Can you confirm that the car park will still remain free?”

The Cabinet Member for Economic Development and Regeneration responded by highlighting that Councillor Robinson had previously asked a very specific question and an answer had been provided to that question.

Question submitted by Councillor S. Robinson

“We do not agree with the Government’s policy to levy Business Rates on private schools. However, now it looks almost certain to be implemented, will Council ringfence any money it receives in extra business rates as a result of this policy to support initiatives for young people?”

The Cabinet Member for Finance responded that “The Council will consider any additional business rates income generated from private schools and the use of this as part of the 2025/26 Medium Term Financial Strategy”.

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MOTIONS ON NOTICE

The Chairman advised that three Motions on Notice had been submitted for this meeting. However, prior to the meeting, Councillor J. Elledge had withdrawn the Motion that she had submitted to provide the Council and other parties with time to review options for future parking provision on the leisure centre car park. Further information on this subject would be shared with Members in due course.

Prior to consideration of the Motion in respect of the Winter Fuel Allowance, Councillors R. Bailes, E. Gray and S. Peters left the room. They did not participate in the debate in respect of this matter nor vote thereon.

Winter Fuel Allowance

The Council considered the following Motion on Notice submitted by Councillor S. Nock.

“BDC recognises the importance of the Winter Fuel Allowances to all our elderly residents.

The Winter Fuel Allowance has historically been a vital lifeline for pensioners, helping them to cope with the increased costs of heating during the cold winter months. The recent reduction or removal of this allowance will leave many elderly members of our community vulnerable to the harsh effects of cold weather, exacerbating health issues and leading to an increased risk of illness and mortality.

Background:

1. Impact of Cold Weather on the Elderly: Cold weather significantly affects the health and wellbeing of elderly individuals. Studies have shown that exposure to cold temperatures can lead to serious health complications such as hypothermia, increased blood pressure, respiratory problems, and exacerbated chronic conditions like arthritis and cardiovascular diseases.

Moreover, the elderly are often on fixed incomes, making it difficult to absorb the rising costs of energy.

2. Importance of the Winter Fuel Allowance: The Winter Fuel Allowance was designed to mitigate these risks by providing financial assistance specifically for heating costs during the winter months. It has been an essential support mechanism, allowing pensioners to maintain a safe and comfortable living environment.
3. Consequences of the Removal/Reduction of the Allowance: The reduction or removal of the Winter Fuel Allowance will force many

elderly individuals to make difficult choices between heating their homes and meeting other essential needs such as food and medication. This will lead to increased cases of cold-related illnesses and a rise in excess winter deaths among the elderly population.

We call upon the Leader of the Council to write a joint letter, signed by all Group Leaders, to the Chancellor of the Exchequer requesting:

- That the Government acknowledges the importance of the Winter Fuel Allowance in protecting the health and wellbeing of pensioners.
- That the Government reinstates the Winter Fuel Allowance to all pensioners as part of the budget statement.
- That the Government commits to maintaining this allowance to prevent future risk to the elderly population during winter months.”

The Motion on Notice was proposed by Councillor Nock and seconded by Councillor B. Kumar.

In proposing the Motion, Councillor Nock commented that the Motion had been brought forward in a context in which within Councillor Nock's ward alone at least 1,782 residents aged 65 and over would be impacted by proposed changes to the winter fuel allowance that had been brought forward by the Government. Members were asked to note the impact of the cold weather during the winter months, particularly on elderly people. The winter fuel allowance was important to protecting elderly people, in terms of their ability to continue to heat their homes. There was a need to protect vulnerable elderly residents. Reinstating the Winter Fuel Allowance would enable elderly people to heat their homes without having to compromise on other essentials, such as food. The Winter Fuel Allowance also helped to prevent the development of a health crisis, as elderly people were more vulnerable to illnesses that occurred during the cold weather. This would reduce the potential associated impact on the NHS. Reference was also made to the implications for social equity, with elderly people having contributed over many years to society. Councillor Nock suggested that elderly residents therefore deserved to live in relative comfort and the Winter Fuel Allowance could enable them to achieve this.

In seconding the Motion, Councillor Kumar suggested that changes to the Winter Fuel Allowance could be viewed as an attack on the elderly and could result in an increase in illnesses that were more prevalent during periods of bad weather. Fuel poverty effected an estimated 2.5 million households in the UK and Councillor Kumar suggested that this figure would increase as a result of the Government's changes. The suggestion was made that a consequence of the changes would be that many elderly residents would be unable to afford adequate heating during the winter months. Data provided by the Department for Work and Pensions (DWP) estimated that 1.6 million people living in poverty would lose the Winter Fuel Allowance as they were not receiving any

other benefits that would ensure their eligibility for support. A further 900,000 with incomes just above the poverty line would also lose winter fuel payments. Whilst the Government would continue to provide the Household Support Fund in the country, Councillor Kumar commented that pensioners would only receive £1 for every £10 paid out in this fund, with the remainder paid to other groups. Council was asked to note that health professionals, including representatives of Public Health, had raised concerns about the impact of the changes, including the potential for an increase in preventable deaths among older people.

The suggestion was made that there had been poor communications on this change to the Winter Fuel Allowance, with many residents having only recently learned that they would not be receiving this financial support during the winter months. Many Voluntary and Community Sector (VCS) organisations had criticised the Government's changes and had highlighted the need for clearer communications and the introduction of an easier process for eligible elderly people to follow in order to apply for financial support. Many residents who were eligible for pension credits and other support were not currently submitting claims and complex forms, consisting of 220 questions, deterred some from applying. The Government had announced an increase of 38,000 claims for pension credit, following the announcement of changes to Winter Fuel Allowance payments. However, Councillor Kumar suggested that these figures needed to be viewed in context, as there were millions of elderly people in the country who were entitled to pension credit but who were not claiming this support.

In concluding his remarks, Councillor Kumar referred to the Government's Equality Impact Assessment (EIA) for the proposed changes. This had revealed that 1.6 million people with disabilities who had been in receipt of the Winter Fuel Allowance would no longer be eligible alongside 2.7 million people aged 80 years or older and 7.3 million people aged 66 – 79. At a local level, there would be circa 9,500 elderly people, including people with disabilities, who would be impacted.

The Cabinet Member for Strategic Housing and Health and Well Being responded by highlighting the following sources of support for elderly residents living in the District through the Household Support Fund (HSF).

- Round 6 of the HSF would see the continuation of the cash voucher scheme delivered through Citizens Advice Bromsgrove and Redditch. This scheme was currently being finalised and it was anticipated that it would be open and available for residents to apply later in the month.
- Act on Energy delivered a Worcestershire HSF scheme to assist financially with people's energy bills, debts, broken heating systems and similar issues and this was open to all ages. However, supported by funding from the UKSPF, there was a community worker within Act On Energy that focused on Bromsgrove District only and assisted people to claim for the support they were entitled

to. That community worker had gone along to events and coffee mornings and offered his support.

- Warmth on Prescription – This was funded via HSF across the County, at a District level. Social prescribers were working with GPs to identify those with medical conditions which were exacerbated due to cold weather. Those eligible received support provided by Act on Energy.
- Worcestershire Advice Network (WAN) HSF Scheme – This scheme was funded by HSF to cover the County. WAN (which was made up of local representatives of VCS groups, including Age UK, the CAB and DIAL) were able to provide a £75 post office voucher to pensioners not in receipt of pension credit, people with a disability of any age and carers of any age. Some might qualify for all three forms of support (such as a pensioner, who was disabled and also cared for their partner) so could potentially receive three £75 vouchers.
- At a county level, the DWP were sharing data with Worcestershire County Council in respect of those on pension credit, who were automatically sent a post office voucher that could be cashed. The WAN scheme applied to those not on pension credit.
- The local HSF funds were allocated to the Foodbanks / larders and white goods scheme and BDHT (for their Hardship Scheme).

Council had been promoting the take up of pension credit which gave extra money to help with living costs if a person was over state pension age and on a low income. Nationally, there were many pensioners who might be eligible for this funding, but they were not aware. The Leader therefore urged all Councillors to promote and encourage pensioners to check if they were eligible.

It was noted that Age UK provided guides around pension credit on their website. Age UK also printed copies of many leaflets (for those who could not or did not want to access this information online) at their office on Windsor Street and they are in the process of putting more information and leaflets into all their charity shops.

Members subsequently debated the Motion in detail and in doing so commented on the following points:

- The need to act in the best interests of the people of Bromsgrove.
- The background to the introduction of the Winter Fuel Allowance in the 1990s.
- The original aim of the Winter Fuel Allowance to reduce fuel poverty. At that time 29 per cent of people in the country were reported to be experiencing absolute poverty and this number had fallen to 12 per cent by 2024.
- The Winter Fuel Allowance's introduction in a context, in the 1990s, where the Government had been supporting the war generation.

- The current elderly population in the country, largely comprising the baby boomer generation, and the many positive developments that had occurred during their lifetimes.
- The problems in the country with energy efficiency.
- The 20 per cent of the baby boomer generation that were classified as millionaires and the extent to which they should be receiving a universal benefit.
- The need to direct support to those most in need.
- The need for the Government to consider the impact of the changes to the Winter Fuel Allowance on the most vulnerable within society.
- The alternative options available to tackle discrepancies, in terms of social mobility and wealth, in society.
- The excess winter deaths experienced in the UK and the extent to which this could be exacerbated by changes to the Winter Fuel Allowance.
- The particular vulnerabilities of elderly people in cold weather, including in respect of cardio-vascular diseases and pneumonia.
- The compelling evidence for the importance of Winter Fuel Allowances arising from academic studies in respect of public health.
- The rising cost of living in the UK and the extent to which it was appropriate to make these changes in this context.
- The impact that the changes could have, in terms of exacerbating the financial burden on health services.
- The conversations that Members were having with elderly residents, who were frequently raising concerns about getting through the winter months.
- The particular difficulties that would be experienced by those on the threshold, who were not eligible for pension credit.
- The stress for elderly people arising from not knowing how they would manage the financial impact of the changes.
- The fact that many elderly people were asset rich but cash poor.
- The need to develop a new, more equitable system for the future.
- The particular challenges in terms of heating older properties and properties in a state of disrepair.
- The process that had been followed by the Government in respect of making changes to the Winter Fuel Allowance.
- The timing of the announcement from the Government.
- The need for the Government to make difficult decisions in respect of managing the budget.
- The difficulty for the leader of the Independent 2024 group in terms of signing the letter, as there was no group whip and it was difficult to establish whether the proposed letter reflected the views of all of the members of the group. Councillor Hotham commented that on this basis, he would not be able to sign the letter as group leader, although individual members of the group could choose to add their signatures.

In accordance with Procedure Rule 18.3 a recorded vote was taken on this Motion and the voting was as follows:

Members voting FOR the Motion:

Councillors S. Ammar, S. Baxter, J. Clarke, S. Colella, A. Dale, S. Evans, D. Forsythe, C. Hotham, R. Hunter, B. Kumar, R. Lambert, M. Marshall, K. May, D. Nicholl, S. Nock, J. Robinson, S. Robinson, H. Rone-Clarke, J. Stanley, S. Webb and P. Whittaker (21).

Members voting AGAINST the Motion:

No councillors (0).

Members ABSTAINING in the vote:

Councillors B. McEldowney and A. Bailes (2).

(Prior to the vote in respect of this matter Councillor H. Jones had already left the meeting and was therefore not present for the debate nor vote thereon).

The recorded vote on this Motion was therefore carried.

EV Chargers

The Council considered the following Motion on Notice submitted by Councillor H. Rone-Clarke.

“Council notes

- that we must invest in green methods of transportation in order to achieve our targets to reduce carbon emissions.
- that active travel and public transport will be integral in achieving this goal.
- that electric vehicles (EVs) will play an important role in our transition to clean energy.

Therefore, council resolves to ask the Cabinet to explore ways in which EV chargers can be better integrated within our infrastructure, including options for on-street parking, allowing residents who do not have access to a driveway, to purchase an EV of their own.”

The Motion was proposed by Councillor Rone-Clarke and seconded by Councillor E. Gray.

In proposing the Motion, Councillor Rone-Clarke commented that the purpose behind the Motion related to the need to transition to green energy and to reduce the Council’s carbon footprint. As part of this process, there was a need to encourage active travel, invest in public

transport and to enable greater investment in electric vehicles. There were a variety of homes in the District, including homes without driveways. Householders living in these properties deserved the opportunity to purchase electric vehicles that they could charge at different locations in the District. Various options needed to be provided and these needed to be safe. It was therefore important to provide electric vehicle charging points where possible.

In seconding the Motion, Councillor Gray commented that an opportunity had arisen to invest in an electric charging point in her ward in Rubery. However, delays had occurred in terms of the proposed location for the electric charging point. This was having a negative impact on residents in Rubery, in terms of postponing many residents' opportunities to invest in electric vehicles as there were currently limited options available to charge such vehicles in that location.

Members subsequently discussed the Motion and in doing so noted that there were currently two main issues which could discourage people from investing in electric vehicles. The first issue was the cost of purchasing an electric vehicle. The second challenge was the potential to locate adequate numbers of charging points for electric vehicles. It was noted that the cost of purchasing an electric vehicle was falling, creating opportunities for organisations like Bromsgrove District Council to invest in charging points.

Reference was made to the need for work to be undertaken to enable the Council to establish the level of demand for electric charging points in the District. Members also commented on the need for an Electric Charging Policy to be introduced for the District. This would need to be informed by community engagement in order to clarify the proportion of residents who were likely to require access to electric charging points away from their properties. In discussing this matter, it was also suggested that consideration should be given to working in partnership with the private sector.

Members commented that it was important to note the need to take action that mitigated the risks in respect of climate change. This was one such action that could have a positive impact on carbon emissions in the District.

Reference was made to the incidents of on street charging that had been observed in the community, whereby some residents had extended wires and leads across roads, creating trip hazards and placing other residents at risk. In this context, Members commented that the action proposed in the Motion would support public safety.

Consideration was given to the extent to which it was appropriate to make reference to on street parking within the Motion, with Members suggesting that this might be more suitable for Worcestershire County Council to address. A car parking strategy could partly address this, but

there would also be a need for ongoing partnership working with Worcestershire County Council.

During consideration of this item, the Cabinet Member for Leisure and Climate Change responded by commenting that Worcestershire County Council had the primary role for implementing active travel initiatives. Bromsgrove District Council officers regularly meet with officers from the County Council to discuss this role. Worcestershire County Council had had commissioned a Local Cycling and Walking Infrastructure Plan (LCWIP) for Bromsgrove which was currently being drafted. Full consultation, including a member engagement session, would be undertaken to help inform the content of the LCWIP. The final adopted LCWIP would then be used to bid for funding from Active Travel England and other sources to implement the recommendations of the plan. It would also help inform future policies such as the Bromsgrove District Local Plan and the Worcestershire Local Transport Plan No 5.

Whilst the Council had undertaken a review of the Refuse Fleet and had an agreed replacement programme, the technology for these vehicles was not cost effective nor mature enough to deliver services in Bromsgrove. The Council was, however, finalising the wider fleet replacement programme review and were consciously looking at how to utilise electric powered vehicles as part of this. In the interim, the fleet used Hydrotreated Vegetable Oil as a proportion of their fuelling to reduce emissions.

The Council had a contract with Zest Eco Limited to expand the Electric Vehicle Charging Infrastructure (EVCI) across Council owned land. The project, which covered a 10-year period with an option to extend for a further five years, was assessing each of the car parks that did not currently have EVCI. The Council was finalising leases for various sites in order to set out installation timescales and associated publicity around these.

This project was complimenting the installations previously undertaken through a separate scheme which saw the following car parks receive EVCI:

- Golden Cross Car Park
- Alvechurch Car Park
- Sanders Park Car Park
- Windsor Street
- North Bromsgrove (Bromsgrove Leisure Centre)
- Asda Bromsgrove
- Aston Fields
- Barnt Green Parish – clarification was requested on the location of these parking spaces.
- Princess of Wales (POW) Community Hospital
- Webbs Hagley Garden Centre

To further enhance the ECVI schemes, which concentrated around car parks, there was a Government funded Local Electric Vehicle Infrastructure (LEVI) scheme which was being co-ordinated by Worcestershire County Council. An allocation of £3.5 million had been received and was primarily focused on delivering public charging points for residents without dedicated off-street parking at home. The County Council were producing tender documents that would be released in January 2025.

On being put the to the vote, the Motion was carried.

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CONFIDENTIAL MINUTES FROM THE CABINET MEETING HELD ON 11TH SEPTEMBER 2024

The exempt minute from the meeting of the Cabinet held on 11th September 2024, concerning the Levelling Up project, was considered. A request was received to ask a question of clarification on the subject of this minute. However, this subsequently transpired to be a request for an update on progress that had occurred since the meeting. Officers advised that Council was not in a position to consider matters arising from meetings, and therefore there was no debate in respect of this matter.

(During consideration of this item, Members agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed which related to the financial and business affairs of any particular person (including the authority holding that information)). However, there is nothing exempt in this minute.)

The meeting closed at 8.54 p.m.

Chairman