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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

THURSDAY 17TH OCTOBER 2024

AT 6.00 P.M.

COMMITTEE ROOM 2

MEMBERS: 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. R. Peters, S. A. Robinson and J. D. Stanley

Members are asked to note that the membership of the Overview and Scrutiny Board will change at the Council meeting due to take place on 9th October 2024 due to changes to the political balance.

AGENDA

1. **Apologies for Absence and Named Substitutes**
2. **Declarations of Interest and Whipping Arrangements**

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 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 items of business on the grounds that they involve 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:-

Item No	Paragraph
4	3
5	3

4. **To confirm the accuracy of the minutes of the meeting for the Overview and Scrutiny Board held on 10th September 2024 (Pages 5 - 22)**

5. **Woodland Creation Application - Pre-Scrutiny**

The attached papers were specified as “to follow” on the Agenda previously distributed relating to the above mentioned meeting.

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.**

Sue Hanley
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

**If you have any queries on this Agenda please contact
Sarah Woodfield**

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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 and for any such items the live stream will be suspended and that part of the meeting will not be recorded.



INFORMATION FOR THE PUBLIC

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- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

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

at www.bromsgrove.gov.uk

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

10TH SEPTEMBER 2024, AT 6.00 P.M.

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

Observers: Councillor K. J. May, Councillor S. J. Baxter, Councillor S. R. Colella, Councillor B. M. McEldowney and Councillor C. A. Hotham

Officers: Mrs. S. Hanley, Mr P. Carpenter, Mr. S. Carroll, R Egan and Mrs. J. Bayley-Hill

31/24

APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

Apologies for absence were submitted on behalf of Councillor A.M. Dale.

32/24

DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

There were no declarations of interest nor of whipping arrangements.

33/24

PLAY AUDIT - INITIAL OVERVIEW AND DISCUSSION

The Chief Executive presented the Play Audit Initial Overview and Discussion report to the Board, stressing the importance of the review, providing Members with information about progress and also seeking for Members to note the update.

Members expressed their appreciation for the robust review provided at the Cabinet Advisory Group and in addition, passed on their gratitude to the Parks and Events Services Manager for the help and assistance provided during the meeting.

The Board queried the implications of extending the scheme to November and if additional costs could potentially be incurred. In response, Members were informed the queries were noted and would be discussed further with relevant officers to provide a response.

Members of the Board expressed their frustration with progress, stressing how important play equipment was for the district. It was felt

the lack of play areas was having a detrimental effect on Sanders Park being a Green Play Park, and Members commented that additional public visiting was causing wear and tear on the car park.

During discussions Members commended the consultant's professionalism during meetings held. Members felt the consultant was very concise, well informed and that the advice provided was extremely rewarding. A question was also raised about how much the scheme had cost to date. It was agreed this would also be raised with relevant officers.

RESOLVED that the Bromsgrove District Play Audit and Investment Strategy Progress Update be noted.

34/24

HOUSING TASK GROUP - MEMBERSHIP REPORT

The Principal Democratic Services Officer addressed the Board.

At the previous meeting of the Overview and Scrutiny Board held on 23rd July 2024, Members agreed that a Task Group should be established, looking at the Affordable Housing Provision within the District. The purpose of the report was to formalise the Membership of the Task Group, considering requests received since the previous meeting. Members who had indicated they would like to join the Housing Task Group were Councillors H. D. N. Rone-Clarke, P. M. McDonald, A. Bailes, B. Kumar, and A. Dale. During the meeting Councillor Hunter also expressed his interest in joining the task group. It was also agreed that the Chairman would be appointed at the first task group meeting.

RECOMMENDED that the proposed membership of the Housing Task Group be approved.

35/24

FINANCE AND BUDGET WORKING GROUP UPDATE (INCLUDING MEMBERSHIP)

The Deputy Chief Executive provided an overview of the purpose of the Finance and Budget Working Group. The Finance and Budget Scrutiny Working Group had been set up by the Overview and Scrutiny Board to carry out detailed scrutiny, including pre-scrutiny, of a number of Financial Reports and the setting of the Council's budget. Other reports also discussed during meetings were Quarterly Monitoring, the Finance Recovery Plan, the Savings Plan and the Treasury Management Strategy.

Agenda Item 4

Overview and Scrutiny Board
10th September 2024

The Chairman discussed the Terms of Reference with the Board regarding Point 6 – “No substitute will be permitted to sit on the Finance and Budget Working Group”. The Principal Democratic Services Officer advised Members that the ruling for no substitutions was historically introduced to enable Members to develop expertise on the subject matter and to ensure consistency. However, this was not a legal requirement, and Members could amend the rules in the terms of reference if this was considered to be necessary.

Members discussed various options to consider. Some Members felt substitutions should not be ruled out whilst others felt a named substitute pool could be considered. Members also suggested that there could be genuine specific reasons why Members were unable to attend meetings and so a substitute should be considered. Discussions continued with Members expressing the importance of consistency and the building of knowledge, stressing that the Finance and Budget Working Group agenda was complex and required considerable time to understand.

Following discussions Members requested the following change to be made:

Point 6 “No substitute will be permitted to sit on the Finance and Budget Working Group” to be amended to read “No substitute will be permitted to sit on the Finance and Budget Working Group, *other than in exceptional circumstances, such as planned absence*”.

The Chairman updated Members on the recent Finance and Budget Working Group meeting which took place on Monday 9th September 2024.

The Section 24 Notice still remained whilst the authority’s accounts remained to be audited by the external auditors.

Agency staff utilisation had reduced by 10% since the previous update to Members, with the number of new employees likely to reduce agency staff numbers even further. The use of an independent audit adviser had been discussed previously but it was agreed this was too costly to the Council purse.

The National Forest bid was also discussed, with this scheme due to be looked at by Members of the Overview and Scrutiny Board before it was presented to Cabinet.

The Deputy Chief Executive updated the Members regarding the 2021/2022 accounts which were due to be discussed at the Audit, Standards and Governance Committee scheduled to be held on Thursday 10th October 2024. The Government passed legislation on 9th September 2024 that all Councils had until 13th December 2024 to submit their 2021/2022 accounts. These accounts would also go out to public consultation.

The Chairman discussed with members the Government's initiative with regard to the removal of the Independent Schools' Charitable status which could provide extra income for the Council. In response, some Members felt that although there might be a financial gain, Members should also consider the impact this could have on state school admissions.

During discussions Members queried the impact changing external auditors could have on the Council. In response the Deputy Chief Executive explained that the Council, as part of the public sector, had external auditors appointed and Grant Thornton had to follow PSAA audit rules. In order for Bishop Fleming to proceed, there would need to be a handover. It was explained that there would be a delay for auditing the 2023/2024 accounts as the old accounts would need to be reviewed by external auditors Bishop Fleming first. It was also explained that there would be a process of reclaiming funds from external auditors, Grant Thornton, due to the unaudited accounts.

RESOLVED that the Finance and Budget Scrutiny Working Group Terms of Reference be updated as per the pre-amble above and that the Finance and Budget Working Group Update be noted.

36/24

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 at its recent meeting held on 9th September 2024.

Members were updated on the System Wide Patient Flow delivery. The New Emergency Department would be opened to patients on 16th October 2024 and was officially opened by HRH Princess Royal on 19th July 2024. It was envisaged this would help with patient flow and ease an 8% pressure off other departments.

It had been noted that there was a reduction to length, stay and discharge from 18% to 11%, with the aim to reduce patients staying over 12 hours in the Emergency Department.

Urgent Community Response (UCR) was now being utilised to assist with phone calls to the Ambulance Service, although concerns were raised whether the personnel had the required skills, knowledge and experience to carry out the role.

Inside the hospital wards Same Day Emergency Care initiatives were being explored to reduce client issues i.e. chest pain complaints by 12%. It was hoped there would be improvements with new services in the Cardiology Department also.

There were noted improvements made with discharge planning, reducing waiting times for patients.

Pre-discharged Physiotherapy and Occupational Therapy support was being reviewed, requiring 0.6% reduction in the length of stay.

It was stressed to Members that although the statistics mentioned had been noted, these had not been formally audited.

Councillor Kumar concluded that in summary, some improvements had been made but there was still a lot of work to be done.

Following the update the Chairman thanked Councillor Kumar for the detailed report.

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

37/24

CABINET WORK PROGRAMME

The Cabinet Work Programme was presented for Members' consideration.

The Democratic Services Officer updated Members with two additional items from the Cabinet Work Programme since the last Overview and Scrutiny Board meeting. Members were informed that the explanations provided in respect of the Cabinet Work Programme at the previous Overview and Scrutiny meeting would still apply.

Low Cost Housing Capital Receipts – This item was to discuss the proposal of spend and possible delegated powers for the Assistant Director of Community Housing Services to put funding into the affordable housing scheme.

Independent Remuneration Panel Recommendations 2025/2026 – This item was an annual report from the Worcestershire Independent Remuneration Panel which provided recommendations about member's allowances for the following financial year.

RESOLVED that the Cabinet Work Programme be updated as per the pre-amble above.

38/24

OVERVIEW AND SCRUTINY BOARD - ACTION SHEET

The Overview and Scrutiny Board Action sheet was discussed by Members.

The Principal Democratic Services Officer proposed that in future, once actions had been completed, these would be removed so Members could focus on incomplete actions.

The Democratic Services Officer provided an update to the Board of actions taken since the previous Overview and Scrutiny Board meeting and after the publication of the agenda as follows:

- Lists for Bromsgrove Town (Parishes of Lickey and Blackwell and Wythall) - Councillor Kumar confirmed that a meeting had taken place on 27th August 2024 with the Principal Conservation Officer and was satisfied with the outcome.
- Affordable Housing - the Leader provided further clarification that she was seeking an update as to whether the Council would be providing units for children coming out of the care system at the Burcot Lane site. The Leader continued by stressing that Members had raised this provision previously with relevant officers. It was noted that the matter would be discussed further.

RESOLVED that the Overview and Scrutiny Board Action sheet be noted.

39/24

OVERVIEW AND SCRUTINY BOARD - WORK PROGRAMME

The Board reviewed The Overview and Scrutiny Work Programme.

During consideration of the work programme, the Chairman suggested to the Board that the National Forest Bid and an overview of the Basement Project's work to help the Homeless should to be added to the Overview and Scrutiny Work Programme.

The Democratic Services Officer discussed with Members that All Member Briefings had now been scheduled for a number of topics as requested and calendar invites sent. The District Heat Network briefing took place on 2nd September 2024. A Street Sweeping briefing was scheduled for 29th October 2024 and a Biodiversity briefing scheduled for 13th November 2024. Members were informed that the Teams link could be provided if necessary, on request.

RESOLVED that the Overview and Scrutiny Work Programme be noted.

40/24

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING FOR THE OVERVIEW AND SCRUTINY BOARD HELD ON 11TH JULY AND 23RD JULY 2024

The minutes of the Overview and Scrutiny Board meeting were considered.

RESOLVED that the minutes of the Overview and Scrutiny Board meeting held on 11th and 23rd July 2024 be agreed as a true and correct record.

41/24

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 of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of scheme 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>Minute No</u>	<u>Item</u>	<u>Paragraph</u>
42/24		3

42/24

LEVELLING-UP REPORT - APPROVAL OF CONTRACTOR - PRE-SCRUTINY (REPORT TO FOLLOW)

The Deputy Chief Executive presented the Levelling-Up Report to the Board.

Members were reminded that a report was presented to Cabinet and the Overview and Scrutiny Board in July 2024 which recommended approval of the appointment of the company City Demolition for the demolition of existing buildings and associated site remediation at the Windsor Street Levelling Up site. The report also gave updates on the progress at the former Market Hall site. The report also gave operational updates.

The purpose of the report sought to update and recommend to Members the use of Kier for the delivery of the main works at the former Market Hall site following the Value Engineering exercises approved in July.

The report was also to update members on the progress of all the schemes, including an update on the possible letting of the former Market Hall site and how associated parking issues could be mitigated, updates on the Risk Registers and how risks were being mitigated and the overall costs and how the project was to be financed.

The Council had applied for and was awarded £14.5m of Levelling Up Funding. To maximise the outputs for the identified schemes, the Council had set aside £1.6m of funding which achieved an overall budget in the sum of £16.1m.

Members were reminded that conditional timescales allotted to Levelling Up funding were challenging and as a result the Council had applied for and was granted a six-month extension through the former Department of Levelling Up, Housing and Communities Project Amendment Request (DLUHC PAR) process for the former Market Hall site element of the scheme.

There had been a number of external factors that had influenced the programme delivery timescales and the overall cost envelope for the project.

Windsor Street Update

Members were informed that the majority of the site had been demolished by the contractors City Demolition and that there had been Anti Social Behaviour issues.

Public Realm Works

Worcestershire County Council were responsible for the design and delivery of the Public Realm element of the project, given their statutory responsibilities. Final prices had been agreed and linked to a Memorandum of Understanding (MOU) that existed between Bromsgrove District and Worcestershire County Councils who were delivering the works.

Members were advised that the traffic carbon issues were nearly finalised and also that Worcestershire County Council were ahead of schedule and works should be completed by the end of the 2024 calendar year.

Former Market Hall Site Scheme Update

Officers advised that the Council should be within the timeframe to spend all of the government funding, however, it was pointed out to members that there were still risks for the Council until the contract was signed with the contractor Kier.

The updated Risk Register included risks rated red following mitigation strategies.

Occupation of the building was almost finalised with options being investigated.

Members were advised the purpose of the report was to seek Members approval of the appointment of Kier Group PLC for the delivery of the Market Hall works contract.

After completion of the presentation, it was explained that the proposals put forward to Members would be put to Cabinet as part of the recommendations for their consideration at a meeting due to be held on 11th September 2024.

Discussions continued with Members raising concerns that if further risks were detected this could result in the Council incurring further costs on delays. It was also pointed out that Appendix E – Public Realm Updated Risk Register referred to Redditch Borough Council and Members requested that a risk register be submitted for Bromsgrove District Council.

Appendix F – Market Hall Delivery Timescales was raised by Members. It was requested that a full-scale report should be submitted to Members rather than a snapshot. In response it was stated that the Council was still waiting on the contractor Arcadis to provide an updated report.

With reference to the report, Members requested the updated cost plan. It was agreed that this would be distributed to Members imminently.

Archaeological risks and costs were also raised as a potential issue by Members, who requested that this should be reviewed further. In response it was explained that archaeological trenches had been dug for a while now with investigations yet to detect anything of archaeological interest. Members were informed that if anything was to be detected, this would be discharged before entering into the contract.

Agenda Item 4

Overview and Scrutiny Board
10th September 2024

The Leader reminded Members that, as a condition of the Levelling Up Funding settlement, the Council needed to make a 10% funding contribution to the Levelling Up project.

RESOLVED that the report be noted.

(During consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

The meeting closed at 7.55 p.m.

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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