

Public Document Pack



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY 16TH JULY 2025

AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE

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

AGENDA

WELCOME

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 meetings of the Council held on 14th May and 19th June 2025** (Pages 7 - 36)
4. **To receive any announcements from the Chairman and/or Head of Paid Service**
5. **To receive any announcements from the Leader**
6. **To receive comments, questions or petitions from members of the public**

A period of up to 15 minutes is allowed for members of the public to make a comment, ask questions or present petitions. Each member of the public has up to 3 minutes to do this. A councillor may also present a petition on behalf of a member of the public.

7. **Urgent Decisions**
8. **Audit, Standards and Governance Committee Annual Report 2024/25** (Pages 37 - 52)
9. **Overview and Scrutiny Board Annual Report 2024/25** (Pages 53 - 76)
10. **Constitution Review - Recommendations**

The Constitution Review Working Group agreed recommendations at a meeting held on Friday 4th July 2025. As the meeting was held only one clear working day before the agenda for this Council meeting was due to be published, a report detailing the group's proposals will be published in a supplementary pack for the meeting.

(To follow)

11. **Recommendations from the Cabinet** (Pages 77 - 78)

To consider the recommendations from the meeting of the Cabinet held on 18th June 2025.

12. **Background Information on the recommendations from the Cabinet**

- (i) Contaminated Land Strategy (Pages 79 - 124)
- (ii) Warm Homes Local Grant Funding and Resources (Pages 125 - 132)
- (iii) Appointments to the Shareholders Committee (Pages 133 - 140)

13. **To note the minutes of the meeting of the Cabinet held on 18th June 2025** (Pages 141 - 150)

14. **Questions on Notice** (Pages 151 - 152)

To deal with any questions on notice from Members of the Council, in the order in which they have been received. Each Councillor due to ask a Question on Notice may ask up to one supplementary question, which must be based on the original question or the answer provided to that question.

A period of up to 15 minutes is allocated for the asking and answering of questions. This may be extended at the discretion of the Chairman with the agreement of the majority of those present.

15. **Motions on Notice** (Pages 153 - 154)

A period of up to one hour is allocated to consider the motions on notice. This may only be extended with the agreement of the Council.

16. **To consider any urgent business, details of which have been notified to the Head of Legal, Democratic and Procurement 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**

17. **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>	
18	3 and 4	"

18. **Cabinet Minutes 18th June 2025 - Exempt Minute** (Pages 155 - 158)

J. Leach
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA
8th July 2025

If you have any queries on this Agenda please contact
Jess Bayley-Hill

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GUIDANCE ON FACE-TO-FACE MEETINGS

Please note that this is a public meeting and will be live streamed for general access via the Council's YouTube channel.

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

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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The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- 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

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

14TH MAY 2025, AT 6.00 P.M.

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

Officers: Mr J. Leach, Mr B. Watson, Mrs. C. Felton, Ms. N Cummings and Mrs. J. Bayley-Hill

1\25

ELECTION OF CHAIRMAN 2025/26

Councillor S. Ammar opened the meeting as the retiring Chairman of the Council from 2024/25.

A nomination was received from Councillor R. Hunter for Councillor S. Evans to be appointed Chairman of Bromsgrove District Council for the 2025/26 municipal year. Members were advised that Councillor Evans had already demonstrated during his time as a Councillor that he would work hard and had the skills required to fulfil the role effectively.

The nomination was seconded by Councillor S. Robinson.

RESOLVED that Councillor S. Evans be elected as Chairman of the Council for the ensuing municipal year.

Councillor Evans signed the Declaration of Acceptance of Office, thanked Members of the Council and stated that it was an honour to be elected to the Office of Chairman for the 2025/26 municipal year.

2\25

ELECTION OF VICE-CHAIRMAN 2025/26

A nomination was received from Councillor K. May for Councillor B. Kumar to be appointed the Vice Chairman of Bromsgrove District Council for the 2025/26 municipal year. Council was informed that Councillor Kumar had worked hard during 2023/24 and 2024/25 as Vice Chairman of the Council and had provided excellent support to the Chairman during this time.

The nomination was seconded by Councillor S. Baxter.

RESOLVED that Councillor B. Kumar be elected Vice-Chairman of the Council for the ensuing municipal year.

Councillor Kumar signed the Declaration of Acceptance of Office and thanked Members of the Council for electing him to the office of Vice-Chairman.

3\25

VOTE OF THANKS TO RETIRING OFFICE HOLDERS

The Chairman proposed a vote of thanks to Councillor S. Ammar for her time serving as Chairman of Bromsgrove District Council. This was seconded by Councillor K. May.

As a mark of the Council's appreciation of Councillor Ammar serving as Chairman of Bromsgrove District Council in 2023/24 and 2024/25, the Chairman presented Councillor Ammar and her consort with several gifts including two past pendants.

RESOLVED that the thanks of the Council be tendered to Councillor S. Ammar for services rendered as Chairman of the Council in 2023/24 and 2024/25.

4\25

TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors J. Clarke, D. Hopkins, H. Jones and R. Lambert.

5\25

DECLARATIONS OF INTEREST

There were no declarations of interest.

6\25

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 12TH MARCH 2025

The minutes from the extraordinary meeting of Council held on 12th March 2025 were submitted.

In respect of Minute Item No. 105/24 – Local Government Reorganisation – Interim Plan Proposals for Worcestershire – Bromsgrove – Councillor R. Bailes commented that in seconding a proposed amendment to the resolutions, she had referred to “implicit bias” rather than to “unconscious bias”, which had instead been recorded in the minutes. The request was made for this passage to therefore be amended.

Reference was also made to the general tenor of the discussions in respect of Local Government Reorganisation at that meeting. Members noted that this had captured the feelings of loss that were being

experienced by some Councillors and Officers. However, Members commented that it should also be noted that there had been a feeling that Local Government Reorganisation could lead to improvements to local government in the future.

In concluding discussions in respect of this item, a Member commented that the minutes provided an excellent record of the extraordinary Council meeting that had taken place on 12th March 2025. The Democratic Services team were subsequently thanked for their hard work on drafting and publishing minutes from Council and Committee meetings on an ongoing basis.

RESOLVED that subject to the amendments detailed in the preamble above, the minutes of the extraordinary meeting of Council held on 12th March 2025 be approved as a true and correct record.

7\25

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

The Chairman thanked Members for appointing him as Chairman of Bromsgrove District Council in the 2025/26 municipal year, which he commented would be an honour and a privilege. The Chairman pledged to work with all Members equally and fairly during his term of office. Members were informed that the Chairman had grown up in the District and attended local schools during his childhood and he was proud of these roots. Council was informed that the Chairman would be announcing his consort and the charity(ies) that he would be supporting in due course.

During consideration of this item, on behalf of the Council, the Chairman paid tribute to Ms Betty Webb MBE who had sadly passed away since the previous meeting of Council at the age of 101. Council was informed that Ms Webb, from Wythall, was among the last surviving Bletchley code breakers. She had spent her youth during the Second World War deciphering enemy messages and later went on to work at the Pentagon, and subsequently at a school in Shropshire.

On behalf of the Council, the Chairman offered congratulations to Councillor R. Hunter and his wife on the birth of their daughter, Isla, since the previous meeting of Council.

The Chairman also led Members in congratulating Councillor H. Rone-Clarke and his partner on their forthcoming wedding, which was due to take place in June 2025.

The Head of Paid Service highlighted that a Member Briefing was due to take place on 21st May 2025 and would focus on the subject of Local Government Reorganisation. All Members were invited to attend this briefing.

8\25

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Leader advised that Councillor S. Colella had stood down from the Cabinet and she thanked Councillor Colella for his hard work during his time serving as a Cabinet Member.

Council was advised that the Leader was in the process of reviewing the Cabinet. However, she confirmed that Councillor S. Baxter was being appointed to the position of Cabinet Member for Finance. The Leader had also amended her own portfolio so that she would become the Cabinet Member for Strategic Partnerships, Economic Development and Enabling Services. In both cases, the changes to the Cabinet roles would apply with immediate effect.

9\25

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

There were no comments, questions or petitions from the public for consideration on this occasion.

10\25

URGENT DECISIONS

The Chairman advised that there had been one urgent decision taken since the previous Council meeting, on the subject of the Council's vehicle fleet.

11\25

CONSTITUTION REVIEW

The Leader presented the Constitution Review report for Members' consideration and in doing so highlighted that the majority of points underpinning the recommendations detailed in report had been considered at a recent meeting of the Constitution Review Working Group (CRWG). However, the Leader had subsequently had discussions with a number of group leaders and they had agreed that the fourth recommendation detailed in the report, relating to a proposed trial amendment to requirements for Questions and Motions on Notice detailed in the Council Procedure Rules, should be referred back to the CRWG for further debate. Therefore, the Leader advised that she was proposing only the first three resolutions as detailed in the report.

There was a constitutional requirement for the Council to review the Scheme of Delegations on an annual basis. Members were informed that the Constitution Review report provided an opportunity to address this, although Members were asked to note that no changes were being proposed to the delegations.

During consideration of this item, Members noted that the report contained a proposal to amend the rules on public speaking to clarify that this should not be used by representatives of political parties as an opportunity to address Council. Questions were raised about whether this should apply to political parties that were not currently represented

on the Council. The Leader clarified that, following discussions with other group leaders, it had been determined that public speaking at Council should not be used as an opportunity for any political party to address the Council. Bromsgrove District Councillors had all been elected by local residents as their representatives and Members' participation at Council and Committee meetings was the conduit through which the positions of political parties could be highlighted.

The first three recommendations in the report were proposed by Councillor K. May and seconded by Councillor S. Baxter.

RESOLVED that

- 1) The current version of the Officer Scheme of Delegations be agreed.
- 2) The Council's constitution be updated to restrict the Chairman of the Council from sitting on the Licensing Committee.
- 3) Paragraph 8.5 of the Council Procedure Rules be amended to include the following additional category in terms of people not regarded as members of the public for the purposes of registering to speak at Council meetings: "Political parties or persons asking questions on behalf of a political party. For the purposes of this section a political party is an organisation that has been registered as such by the Electoral Commission."

12\25

APPOINTMENTS TO COMMITTEES 2025/26 (INCLUDING POLITICAL BALANCE)

The Leader presented the Appointments to Committees 2025/26 report for Members' consideration.

Members were informed that the figures provided in the report reflected the political balance of the Council and group leaders would be invited to submit nominations on behalf of their political groups to the various Committees in line with these figures. Any changes that might arise later in the year to the political balance would need to be reported at subsequent Council meetings.

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

RESOLVED that

- 1) for the ensuring Municipal Year, the Committees set out in the table in Appendix 1 to the report 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.

- 2) Members be appointed to the Committees and as substitute members in accordance with nominations to be made by Group Leaders.
- 3) the terms of reference for the Boards and Committees be confirmed.

13\25

OUTSIDE BODY APPOINTMENTS

The Leader presented a report detailing proposed appointments from the Council to Outside Bodies for 2025/26.

Members were advised that prior to the Council meeting, the Leader had discussed the available spaces with all group leaders and they had agreed a list of nominations which was tabled for Council's consideration (Appendix 1). There would be a further report to Cabinet in June 2025 which would detail proposed nominations of Cabinet Members to outside bodies, where appointments needed to be made in an ex officio capacity, involving the requirement for the relevant Cabinet Member to be appointed.

In considering the list of outside bodies, Members were asked to note that one new organisation had been added, the WMTemps Partnership Board and the Council had been asked to confirm a nomination as soon as possible. It was proposed that the Leader should be appointed to this organisation as the relevant lead Cabinet Member.

The recommendation was proposed by Councillor K. May and seconded by Councillor S. Baxter.

RESOLVED that the nominations to various outside bodies, as detailed at Appendix 1 to the minutes, be approved.

14\25

RECOMMENDATION FROM THE LICENSING COMMITTEE - PRIMATE KEEPER LICENSING

The Chairman of the Licensing Committee in 2024/25, Councillor J. Elledge, presented a recommendation arising from the meeting of the Licensing Committee held on 24th March 2025 relating to Primate Keeper Licensing.

Council was advised that the licensing regime for Primate Keeper Licences was due to come into effect in two phases. In the first phase, applications for a Primate Licence could be made and this would be subject to paying a fee. Anybody found to be keeping a primate without a licence from 6th April 2026 would be committing an offence. The proposed fees for Primate Keeper Licences were based on advice received from the Government.

The recommendation was proposed by Councillor J. Elledge and seconded by Councillor C. Hotham.

RESOLVED that the fees applicable to Primate Keeper Licences be set, as follows:

Application for the grant of a licence	£366.00
Application for renewal of a licence	£300.00
Application for variation of a licence	£267.00
Inspections fees	£182.00

15\25

RECOMMENDATION FROM THE CABINET

Quarter 3 Finance and Performance Monitoring Report 2024/25

The Cabinet Member for Finance presented the Finance and Performance Monitoring report for the third quarter of the 2024/25 financial year.

Council was informed that in March 2025, Cabinet had agreed to submit a bid to Birmingham City Council for Bromsgrove District Council's share of funding arising from the authority's previous membership of the former Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP). Birmingham City Council held this funding on behalf of all former members of the GBSLEP and there was a requirement to submit business cases in order to access the funding. The budget needed to be amended to reflect the incorporation of this funding moving forward.

Members were asked to note that the balance sheet monitoring information that the Audit, Standards and Governance Committee had requested had been included within the appendices to the report.

Following the presentation of the report, questions were raised about the reasons why Bromsgrove District Council had to submit business cases to access the authority's own funds and the extent to which there was a risk that this funding would not be made available. Clarification was provided that former members of the GBSLEP, including Bromsgrove District Council, had pooled their business rates. This pooled funding had remained, even though the GBSLEP had ceased to exist and each former member of the GBSLEP was eligible to receive a portion of the remaining funds; Bromsgrove District Council was due to receive £2.5 million from this fund. Members were asked to note that the funding could only be used for certain purposes relating to regeneration and transformation. There were other former members of the GBSLEP that were also applying for their share of the funding and Birmingham City Council could not refuse to provide this funding.

The proposed allocation of the £2.5 million GBSLEP funding to the Levelling Up project at the former Market Hall site was discussed by Members and questions were raised about whether this would result in the availability of other Council funds to use on alternative projects.

Clarification was provided that, by the date of the meeting, there was a projected overspend of £1.5 million on the former Market Hall site and it was therefore anticipated that the GBSLEP funding could help to address some of these financial pressures. Members were also reminded that from the start of the project there had always been a requirement for Bromsgrove District Council to contribute 10 per cent of the funding and the GBSLEP funds would therefore help the authority to address this cost.

Reference was made to the current position of the £2.4 million GBSLEP funding that the Council was due to receive and Members commented that this fund would be accruing interest. The suggestion was made that this interest should be returned to Bromsgrove District Council as part of the process of accessing those funds.

The content of the report was discussed and concerns were raised about references in the report to financial costs arising from using agency staff. In particular, Members commented that the report referred to agency staff costs for the planning department at a time when it was also being reported that there was a shortage of applications. The Cabinet Member for Finance advised that further information would be requested from Officers in response to this query after the meeting.

Consideration was given to the savings that had been recorded for Legal Democratic and Procurement Services, including in respect of salary savings and elections and questions were raised about the reasons for these savings. The Leader explained that the figures recorded in this section of the report included the impact of the recruitment process for the positions of Chief Executive and Deputy Chief Executive respectively, which had been deferred from a previous planned timetable.

Budget forecasting by different departments was also discussed during the meeting. Concerns were raised that for many departments, the projected budget by the end of the financial year differed from the designated budget, with variances of up to 30 per cent in places. In response, it was acknowledged that there were variances in the budgets, although Members were asked to note that there were complex circumstances impacting on the budget. The Leader explained that she would aim to work with the Chief Executive and Deputy Chief Executive on action that could be taken to improve budget management at the authority moving forward.

The timing of the Finance and Performance Monitoring report for the third quarter of the 2024/25 financial year was discussed. Members noted that the figures included in this report were projections and did not necessarily represent the final position by the end of the financial year. However, Members also commented that the report was often provided a few months after that quarter of the financial year had taken place and this could create challenges in terms of Members accessing and assessing current data.

In concluding discussions in respect of this item, Members noted that the Finance and Budget Working Group had an important role at the Council in terms of scrutinising the authority's budget and financial management. The suggestion was made that the group could identify and review a range of issues relating to the budget and the group's input was welcomed by the Cabinet.

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

RESOLVED that

- 1) That the Balance Sheet Monitoring Position for Quarter 3 be noted – which was the Treasury Monitoring Report and required to be reported to Council; and
- 2) In the event that the bid was successful, the budget be amended to reflect that the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) funding would be applied to the Market Hall development.

16\25

TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 19TH FEBRUARY 2025 AND 26TH MARCH 2025

The minutes of the Cabinet meetings held on 19th February and 12th March 2025 were noted.

17\25

QUESTIONS ON NOTICE

There were no Questions on Notice for consideration on this occasion.

18\25

MOTIONS ON NOTICE

The Chairman advised that there had been one Motion on Notice submitted for consideration at the Annual Council meeting. However, in order to ensure that due consideration was given to all options for spend in advance of Local Government Reorganisation, group leaders had agreed to meet to consider this comprehensively before the following ordinary meeting of the Council. For this reason, the Motion on Notice had been withdrawn and was not subject to debate at the Annual Council meeting.

Agenda Item 3

Council
14th May 2025

19\25

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROCUREMENT 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

There was no urgent business for consideration on this occasion.

The meeting closed at 6.52 p.m.

Chairman

Appendix 1 - Council Appointments to Outside Bodies

14th May 2025

Organisation	No. of Appts & Length of Office	Appointed 2024/2025	Nominations 2025/2026
Amphlett Hall Management Committee	2 (previous years 4) 1 year	J. Robinson S. Webb	J. Robinson S. Webb
Citizens' Advice Bromsgrove and Redditch	2 1 year	E. Gray S. Webb	E. Gray S. Webb
Hereford & Worcestershire Integrated Care Partnership Assembly	1 and a substitute (new group first appointment made by Council on 17th October 2022)	S. Webb Substitute: S. Baxter	S. Webb Substitute: S. Baxter
Midlands Joint Council for Environmental Protection	2 1 year	H. Rone-Clarke S. Evans	H. Rone-Clarke S. Evans
West Mercia Police and Crime Panel <i>Rep and sub must be from majority political group on the Council</i>	1 rep and 1 substitute	H. Jones Substitute: B. Kumar	H. Jones Substitute: B. Kumar
Worcestershire County Council Corporate Parenting Board	1 1 year	E. Gray	E. Gray
Worcestershire County Council Health Overview and Scrutiny Committee	1 1 year		Delegate to the next meeting of the O&S Board to determine
Worcestershire Regulatory Services Board (previously Worcestershire Shared Services Joint Committee)	2 1 year To include relevant Portfolio holder and one other member of the controlling group and one substitute	K. Taylor H. Jones Substitute: M. Marshall	K. Taylor H. Jones Substitute: M. Marshall

Agenda Item 3

Organisation	No. of Appts & Length of Office	Appointed 2024/2025	Nominations 2025/2026
WMTemps Partnership Board	1 1 year	New appointment	K. May Substitute: S. Baxter

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

19TH JUNE 2025, AT 6.00 P.M.

PRESENT: Councillors S. M. Evans (Chairman), B. Kumar (Vice-Chairman), S. Ammar, S. J. Baxter, S. R. Colella, A. M. Dale, J. Elledge, D. J. A. Forsythe, E. M. S. Gray, C.A. Hotham, D. Hopkins, R. J. Hunter, H. J. Jones, M. Marshall, K.J. May, P. M. McDonald, B. McEldowney, D. J. Nicholl, S. T. Nock, S. R. Peters, J. Robinson, S. A. Robinson (from Minute Item No. 21/25), J. D. Stanley, K. Taylor, S. A. Webb and P. J. Whittaker

Officers: Mr J. Leach, Mr B. Watson, Mr. G. Revans, Mrs. C. Felton, Mrs. R. Bamford, Ms. N Cummings, Mr. M. Dunphy, Mrs. J. Bayley-Hill and Ms A. Grimmett

20\25

TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors A. Bailes, R. Bailes, J. Clarke, R. Lambert and H. Rone-Clarke.

Members were informed that Councillor S. Robinson had been slightly delayed and would be arriving at the meeting later in the evening.

21\25

DECLARATIONS OF INTEREST

In respect of Minute Item 23/25 – Bromsgrove District Plan – Councillors S. Ammar, S. Baxter, R. Hunter, B. Kumar and S. Peters declared other disclosable interests due to the fact that sites for consultation detailed in the report were located close to their homes.

Councillor S. Colella declared an other disclosable interest in respect of Minute Item 23/25 – Bromsgrove District Plan – on the basis that three sites for consultation detailed in the report were located within a mile of his home.

During consideration of this item, clarification was requested as to whether the proximity of a Member's home to any of the 400 sites that were subject to consultation needed to be declared, as Members commented that it was likely that all elected Councillors lived near to at least one site. Officers explained that Members were being advised that if there was a site detailed in the report that Members felt they might have an interest in, which could include due to the proximity of the site to a Councillor's home address, then for transparency they should declare this at the Council meeting. However, at this stage, there was no requirement for Members to leave the room during the debate or to

absent themselves from the vote because the decision at the meeting was not in relation to the individual sites.

Councillor C. Hotham declared an other disclosable interest in respect of Minute Item 23/25 – Bromsgrove District Plan – in his capacity as a member of Barnt Green Social Club, as one of the possible sites included in the consultation paper included the current location of the club.

Councillor J. Robinson declared an other disclosable interest in respect of Minute Item 23/25 – Bromsgrove District Plan – in relation to his employment by National Highways which would potentially be one of the stakeholder organisations engaged as part of the consultation process. Councillor J. Robinson also declared an other disclosable interest in this item on the basis that his wife worked for Birmingham City Council, which was another stakeholder organisation that might be engaged through the consultation process.

Councillor S. Robinson declared an other disclosable interest in respect of Minute Item 23/25 – Bromsgrove District Plan – in relation to her employment by Birmingham City Council which would potentially be one of the stakeholder organisations engaged as part of the consultation process.

22\25

POLITICAL BALANCE

The Leader and Portfolio Holder for Strategic Partnerships, Economic Development and Governance presented a report relating to the political balance at the Council.

Members were advised that this report had had to be prepared following changes to the political balance at the authority since the Annual Council meeting held in May 2025. There was the potential that a further report on the subject of the political balance would be presented for Council's consideration in July 2025, subject to the outcome of ongoing discussions between group leaders.

The figures presented in the political balance report were subsequently discussed by Members. Whilst the accuracy of these figures was not contested, concerns were raised that the allocation of seats in accordance with legal rules would result in the Audit, Standards and Governance Committee and the Overview and Scrutiny Board having a single vacant seat each. This was due to the fact that one political group which was entitled to seats on those Committees could not take up those seats because all of the group's members served on the Cabinet and there were legal and constitutional barriers to their participation as members of those particular Committees. Concerns were raised about the impact that having vacancies on those two Committees in particular could have on the transparency and effectiveness of the arrangements in place for challenging decision making, particularly by Cabinet.

To address these concerns, it was suggested that the Council could consider suspending the political balance and then allocating the vacant seats to political groups not represented on the Cabinet. The suspension of the political balance could not occur at this extraordinary meeting of Council as there was a legal requirement to give five clear working days' notice in the agenda for a Council meeting where it was proposed that the political balance should be suspended and this had not occurred. However, Members commented that this could potentially be achieved in time for the July meeting of Council.

The suggestion to suspend the political balance was discussed and in doing so reference was made to the fact that this could only be achieved if no single Member voted against the proposal at a Council meeting. Concerns were raised that there was no guarantee that consensus would be achieved. As an alternative, the suggestion was made that the Council could increase the number of seats on both the Audit, Standards and Governance Committee and on the Overview and Scrutiny Board. Whilst this would still result in there being vacant seats on those Committees, it was suggested that this would result in the appointment of 11 Councillors to both bodies, in line with the current size of both Committees.

Members highlighted that group leaders had recently agreed to discuss the political balance at a meeting of the Constitution Review Working Group. The suggestion was made that this meeting could take place before publication of the agenda for the July meeting of Council in order to achieve some clarity on the different positions of the various political groups in respect of suspending the political balance. The impact of changing the number of seats on the Audit, Standards and Governance Committee and Overview and Scrutiny Board could also be considered at this meeting.

RESOLVED that

- 1) for the remainder of the 2025/26 Municipal Year, the Committees set out in Appendix 1 to the minutes 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.
- 2) Members be appointed to the Committees and as substitute members in accordance with nominations to be made by Group Leaders, as detailed in Appendix 2 to the minutes.

23\25

BROMSGROVE DISTRICT PLAN

The Portfolio Holder for Planning, Licensing and Worcestershire Regulatory Services (WRS) presented the Bromsgrove District Local

Plan Draft Development Strategy Consultation 2025 report for Council's consideration.

In presenting the report, the Portfolio Holder for Planning, Licensing and WRS explained that Council was being asked to debate the approval of a consultation on the formation of a District Plan. The report was inviting Members to agree to vote for 12 weeks of consultation. However, Members were not due to make any decisions at the meeting in respect of any sites for potential development and Council was asked to note that no decisions had been taken yet on any potential sites for development. Instead, the purpose of the report at this stage of the process was to invite Members to agree to consult with the public and other interested stakeholders on their views of what could be included in the Bromsgrove District Local Plan in the future.

The Portfolio Holder for Planning, Licnesing and WRS commented that the Government was requiring local authorities to ensure the development of a certain number of homes in each authority's area by 2043. In Bromsgrove, a target of an additional 9,000 properties had been added to the previous target for the District, resulting in a requirement for 12,000 homes to be developed in the District by 2043. The Government also expected local authorities to develop new District Local Plans within 30 months of the implementation of the new plan making system. This would involve further rounds of public consultation, in addition to the process proposed in this report, and had been scheduled in accordance with the timetable detailed in the Local Development Scheme that had been agreed by Members in February 2025.

It was acknowledged that the process of identifying potential sites for development in Bromsgrove District was challenging. Members were asked to note that 89 per cent of the District was classified as green belt. In total, 400 potential sites for development had been identified. Some of these sites were considered to be more viable than others but all were subject to consultation.

The purpose of the District Local Plan was to provide a fully comprehensive document that could guide future development in the District. The content of the District Plan needed to complement the authority's vision, as detailed in the Council Plan. In addition, a District Local Plan should set out plans for development in the future. The drafting of a District Local Plan needed to involve consultation with interested stakeholders, including the public. At this particular stage, subject to Members' agreement, the consultation would launch on 30th June 2025. There would be various opportunities for the public to comment in this consultation process, including by submitting comments online and by attending public consultation events.

Prior to the publication of the report in the agenda for the meeting, Members had been invited to consider the various possible sites. All Members had been invited to attend meetings of the Strategic Planning

Steering Group (SPSG) at which options had been considered. Officers had also provided briefings to each of the political groups represented at the Council in turn. At the meetings, some Councillors had articulated their opposition to the presentation of one option in the report. However, the conclusion had been reached that it would be simpler to consult on one option. Members were asked to note that despite this approach, the public could still comment on all of the 400 possible sites that had been identified and any that had not been included in the report.

In concluding his remarks, the Portfolio Holder for Planning, Licensing and WRS urged all interested residents and other local stakeholders to submit comments in the consultation process. This would ensure that their views and concerns would be highlighted and would be taken into account as part of the process for developing the District Local Plan further.

Following the presentation of the report, Councillor C. Hotham proposed an amendment to the first resolution detailed in the report. This read as follows:

“Bromsgrove District Local Plan Draft Development Strategy Consultation *and other options* be approved, for a period of public consultation between *15th September and 8th December* in order to enable these and other potential proposals to come forward and to continue to be appraised as part of the plan making process.”

The amendment was proposed by Councillor Hotham and seconded by Councillor S. Colella.

In proposing this amendment, Councillor Hotham explained that his group had aimed to propose an alternative option at the meeting. Advice had been received prior to the meeting that this would not be permissible. Therefore, Councillor Hotham was proposing a different amendment on this subject for Council’s consideration.

At this juncture, the meeting was adjourned. This adjournment occurred between 18.45 and 19.14. Following this adjournment, Councillor Hotham confirmed that, based on detailed planning advice, he had decided to withdraw the proposed amendment.

During consideration of this item, Members requested clarification regarding the consequences of not approving the report for consultation at the meeting. The Assistant Director of Planning, Leisure and Culture Services explained that the Government specified that decisions on developments should be taken in accordance with the content of a Council’s District Local Plan. District Local Plans were designed to cover a period of 15 years and final copies of the District Local Plan would detail where development should occur during that time. The Government also required Councils to have a five-year supply of housing land. The Council did not have an up-to-date District Local Plan

or a five-year supply of housing land by the date of the Council meeting. In this context, the authority was obliged to consider any planning applications for development that were submitted by developers. There was also a distinct possibility that any such applications that were turned down by the Planning Committee would be subsequently approved at appeal. In addition to these considerations, there was the potential that the Government would use a provision to intervene with Councils that were not viewed to be progressing work on a new Local Plan. The first stage in the process of developing a new Local Plan was to agree a Local Development Scheme which detailed the timetable for a Local Plan. Bromsgrove District Council had agreed a Local Development Scheme at the Council meeting held in February 2025. The first stage in that agreed timetable would be to consult on possible options, which was the purpose of the report that was being considered at the meeting. Any slippage in the timetable would be monitored by the Government.

Members subsequently discussed the report in detail and in doing so commented on the following points:

- The significant level of public interest in the subject of the report and the need to ensure that public consultation undertaken by the Council was meaningful.
- The extent to which it had been appropriate to include only one option in the report.
- The different potential options that had been identified by some Members during the SPSG meetings.
- The extent to which Members' views about alternative options had been taken into account when developing the content of the report.
- The identification of 400 sites for possible development by developers, which had been discussed at meetings of the SPSG.
- The additional information in respect of potential sites that would be published on the Council's website on 30th June 2025, subject to Members' approval of the proposals detailed in the report. Officers confirmed that Members had had opportunities to review this information at meetings of the SPSG.
- The potential for residents and other interested stakeholders to identify other potential sites for development not included in the 400 sites that had already been identified. Members were advised that additional sites could be suggested in the consultation feedback.
- The extent to which it was appropriate to expect local residents to suggest possible sites for development.
- The process that had been followed in terms of reviewing evidence relating to different locations and how this had contributed to site selection.
- The housing market in Bromsgrove District and the difficulties that many local residents experienced in terms of the affordability of properties situated in the District.
- The number of households on the housing waiting list for social housing by the date of the meeting.

- The risks to Bromsgrove District, in terms of the potential for Government intervention, if the Council did not proceed with consulting on possible sites for development in line with the agreed Local Development Scheme.
- The risks to the District of developers submitting applications to develop any land in the District if work did not proceed on the Local Plan.
- The opportunities that had been provided to all Members to attend and participate in SPSG meetings prior to the Council meeting.
- The timing of the proposed public consultation and whether there was a risk that some residents might struggle to respond as this coincided with busy holiday periods.
- The fact that 12 weeks had been allocated to public consultation and the extent to which it was likely that many residents and other stakeholders would be unavailable for the full 12 week period.
- The risk of developers submitting speculative planning applications if the Council did not proceed with public consultation in accordance with the timetable in the Local Development Scheme and the impact that this could have on the local community.
- The views that many local residents had already expressed to Members on the content of the report prior to the Council meeting and the need for Members to ensure that these views were communicated to officers as part of the public consultation process.
- The action that many Members wanted to take, working with their communities, to address concerns they had about possible developments that had been identified in their wards.
- The previous public consultation exercises that had been carried out by the Council and the outcomes of these processes.
- The reasons why certain sites had been included in the single option, which included locations that Members commented had previously been identified as being at risk of flooding or Sites of Special Scientific Interest (SSSI).
- The extent to which additional infrastructure would be made available to locations in which developments would eventually occur.
- The extent to which possible sites for development had been identified across all wards and whether some would be subject to greater levels of development in due course than other wards.
- The reasons why employment land had not been included in the report and whether further proposals in respect of employment land would be presented for Members' consideration at a later date. Questions were raised about whether the Government would be open to waiting for the Council to take further action in respect of the plan once sites for employment land had been identified.
- The extent to which Members had had opportunities to influence the content of the report that had been presented for Council's consideration.
- The need for important stakeholders, such as the Highways Authority, to be consulted as part of the process in relation to the infrastructure implications.

- The advice that had been received by Members from professional, trained planners when considering the possible sites and developing the report for consideration at Council.
- The possibility of developing some of the additional homes required in areas bordering the Birmingham conurbation and the extent to which houses built in this area would have access to appropriate infrastructure.
- The Government's position with regard to the potential development of green belt as well as grey belt land.
- The differences between green belt and grey belt land.
- The significant amount of green belt land in Bromsgrove District and the value of protecting this land to the benefit of future generations.
- The need to provide secure and affordable homes for the benefit of future generations.
- The fact that no decision had yet been made on any of the possible sites detailed in the report.
- The desire amongst some Councillors to reduce the burden on Parish Councils that might arise as a result of developing in certain wards in the District.
- The reasons why some sites that Members considered to be more appropriate locations for development in their wards had not been included in the option that had been presented.
- The evidence that some Parish Councils had already gathered and submitted in relation to the possible developments that could occur in their parishes and the extent to which this feedback had been taken into account to date.
- Previous planning applications that had been approved on appeal and the impact that similar applications in the future could have on local communities.
- The potential for local landowners to sell land in the District for development.
- The potential outcomes arising from modelling the data in respect of planning for the future.
- The impact that some of the possible developments, if they were eventually included in a final District Local Plan, would have in terms of the size of the populations in some wards and divisions in the District.
- The extent to which it was likely that developers would submit multiple speculative planning applications in the following couple of months, should the Council decide to postpone the launch of the public consultation process until September 2025.
- The rationale for including information in the report that considered wider implications, including potentially greater number of houses for development in the future than were required at this stage in the process.
- The extent to which Neighbourhood Plans developed by Parish Councils continued to be an important part of the Local Plan process. Officers clarified that Neighbourhood Plans continued to be relevant and could help to shape a level of detail relating to the

geographical area covered by that neighbourhood plan. Neighbourhood Plans needed to include proposals for growth and the content of Neighbourhood Plans was taken into account by the Council.

- The extent to which there had been misinformation on social media in advance of the Council meeting regarding the purpose of this item of business and the decisions that Members would be taking at the meeting.
- The need for the Council to engage with hard-to-reach groups during the consultation period and to include multiple methods of consultation. Officers were urged to ensure that the Council used accessible methods of consultation that was inclusive and able to meet the needs of diverse groups in the local community.
- The need for independent analysis of the feedback provided in the consultation responses.
- The value arising from local residents discussing the infrastructure implications, particularly in relation to highways matters, with their local County Councillors.
- The need for sustainable development in the District moving forward.

During consideration of this item, Members questioned whether there were any planning rules which prevented the Council from bringing forward more than one option for consultation at this time. Officers confirmed that there were no specific planning rules which prevented more than one option from being considered. At the SPSG meetings, Members had considered various options. These options were:

- Option A - Development at Bromsgrove settlements plus edge of West Midlands conurbation;
- Option B - Development at Bromsgrove settlements only;
- Option C - Development along rail corridors only;
- Option D - Development at Bromsgrove settlements plus creation of, and improvements to, motorway junctions to the north and southwest of Bromsgrove town; and
- Option E - Development along the edge of the West Midlands conurbation only.

Council was informed that at the SPSG meetings there had been no consensus achieved amongst Members in respect of their preferred option. Therefore, the report was proposing Option A whilst taking into account points raised by Members during discussions at the SPSG meetings. This ensured that, whatever the final future content of the District Local Plan for Bromsgrove, there was a draft District Local Plan that could go out to consultation at this stage that was underpinned by evidence and which focused on sustainable options for development.

Prior to the vote in respect of this item, questions were raised about the potential to vote on the resolutions detailed in the report separately. This request was made on the basis that some Members highlighted that

they wished to demonstrate to the Government that they were in favour of public consultation but wanted to set on record their view that multiple options should have been offered for consultation. However, concerns were raised that separate votes in respect of the resolutions would be unnecessary because the resolutions were interconnected and could not be disaggregated. On this basis, Members were advised that they should vote either for or against the resolutions detailed in the report or abstain in the vote.

The resolutions detailed in the report were proposed by Councillor K. Taylor and seconded by Councillor S. Baxter.

In accordance with Procedure Rule 18.3 a recorded vote was taken on the resolutions detailed in the report.

Members voting FOR the resolutions:

Councillors S. Baxter, A. Dale, J. Elledge, D. Forsythe, E. Gray, D. Hopkins, H. Jones, B. Kumar, M. Marshall, K. May, P. McDonald, B. McEldowney, S. Nock, S. Peters, J. Stanley, K. Taylor, S. Webb and P. Whittaker (18).

Members voting AGAINST the resolutions:

Councillors S. Ammar, S. Colella, S. Evans, C. Hotham, R. Hunter, D. Nicholl, J. Robinson and S. Robinson (8).

Members voting to ABSTAIN on the resolutions:

No Councillors (0).

Therefore, the vote on the resolutions was carried.

RESOLVED that

- 1) Bromsgrove District Local Plan Draft Development Strategy Consultation be approved, for a period of public consultation between 30th June and 22nd September 2025 in order to enable these and other potential proposals to come forward and to continue to be appraised as part of the plan making process.

RESOLVED to **NOTE** that

- 2) By endorsing the consultation members were not approving any one particular site for development at this stage and members were still entitled to form individual views on the merits of the possible sites identified for development.
- 3) Delegated authority be given to the Assistant Director for Planning, Leisure and Culture Services following consultation with the Cabinet Member for Planning, Licensing and WRS to make any

Agenda Item 3

Council
19th June 2025

minor technical corrections and editorial changes deemed necessary to aid the understanding of the documentation prior to final publishing.

(At the start of the debate in respect of this item, Members voted to suspend standing orders for the remainder of the meeting to enable the strategic Planning and Conservation Manager to speak and answer Members' questions.)

24\25

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROCUREMENT 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

There was no urgent business for consideration on this occasion.

The meeting closed at 9.22 p.m.

Chairman

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Agenda Item 3

APPENDIX 1 POLITICAL BALANCE CALCULATION June 2025 Council meeting

The figures in *italics* are the mathematical calculations.

Committee	Cons 11 35.48% of total	Lab 6 19.35% of total	Lib Dems Dem 7 22.58% of total	Independents 2025 5 16.13% of total	Bromsgrove Independents 2 6.45% of total	Total
Overview and Scrutiny Board	4 3.90	2 2.13	2 2.48	2 1.77	1 0.71	11 11 members on Board 11
Licensing Committee	5 4.61	3 2.52	3 2.94	2 2.10 * Take 1 seat only	1 0.84	14 13 members on Cttee 13
Planning Committee	4 3.90	2 2.13	2 2.48	2 1.77	1 0.71	11 11 members on Cttee 11
Audit, Stds & Gov'ce Committee	4 3.90	2 2.13	2 2.48	2 1.77	1 0.71	11 11 members on Cttee 11
Electoral Matters Cttee	2 2.48	1 1.35	2 1.58 * Take 1 additional seat	1 1.13	0 0.45	6 7 members on Cttee 7
Appointments	2 1.77	1 0.97	1 1.13	1 0.81	0 0.32	5 5 members on Cttee 5
Entitled to	21	11	13	9	4	58
TOTAL received	21	11	12	10	4	58
Exact Mathematical Entitlement	20.58	11.22	13.10	9.36	3.74	58
Final balanced total	21	11	13	9	4	58

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Appendix 2 - Bromsgrove District Council

Composition of Committees 2025 – 26 – 19th June 2025

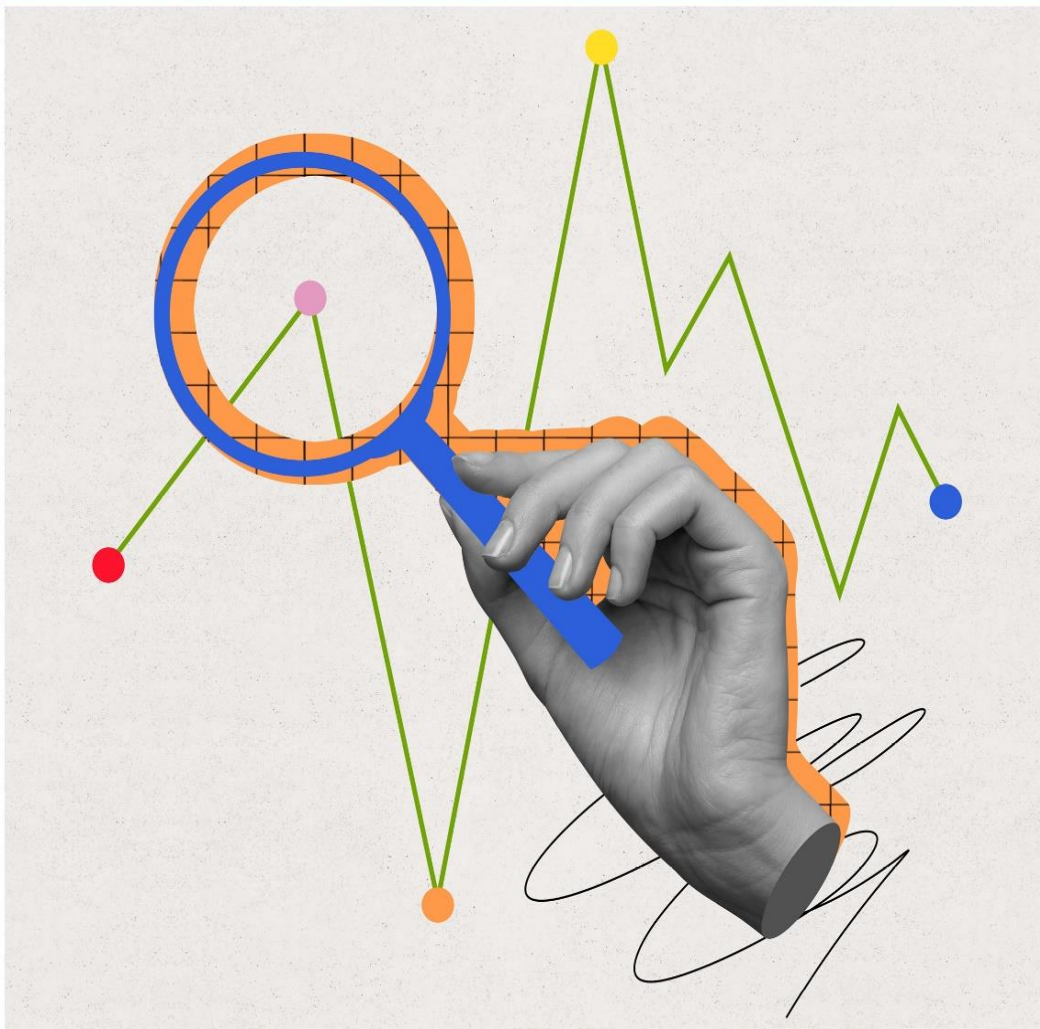
Committee	Cons	Lab	Lib Dem	Indps 2025	Bromsgrove Indeps	Comments
Overview and Scrutiny Board	<p>4 Cllrs Dale, Kumar, Nock and Stanley</p> <p>(Subs: Cllr Forsythe for Cllrs Dale and Kumar and Cllr Lambert for Cllrs Nock and Stanley)</p>	<p>2 Cllrs Gray and McDonald</p> <p>(Subs: Cllr Marshall for Cllr McDonald and Cllr Hopkins for Cllr Gray)</p>	<p>2 Cllrs Hunter and S. Robinson</p> <p>Subs: Cllr Nicholl for Cllr Hunter and Cllr Clarke for Cllr S. Robinson</p>	<p>2 Cllrs A. Bailes and R. Bailes</p> <p>Subs: Cllr Colella for Cllr R. Bailes and Cllr Hotham for Cllr A. Bailes</p>	<p>1 Vacant</p>	<p>11 Members on Board (Including One Vacancy)</p>
Licensing Committee	<p>5 Cllrs Dale, Forsythe, Kumar, Taylor and Whittaker</p>	<p>3 Cllr Elledge, Hopkins and McDonald</p>	<p>3 Cllrs J. Clarke, R. Hunter and S. Robinson</p>	<p>1 Cllr Hotham</p> <p>Subs: (for parent Committee)</p>	<p>1 Cllr McEldowney</p>	<p>13 Members on Committee</p>

Committee	Cons	Lab	Lib Dem	Indps 2025	Bromsgrove Indeps	Comments
	(Subs: for parent committee Cllrs)	Subs (for parent Committee) Cllr	Subs: (for parent Committee) Cllrs Ammar, Nicholl and J. Robinson	Cllr		
Planning Committee	4 Cllrs Forsythe, Jones, Lambert and Stanley (Subs: Cllrs Kumar, Nock + trained Cabinet Members excluding Leader)	2 Cllrs Gray and Marshall Subs: Cllrs Elledge and McDonald	2 Cllrs Clarke and J. Robinson Sub: Cllrs D. Nicholl and S. Robinson	2 Cllrs A. Bailes and Peters Subs: Cllr Hotham	1 Cllr Baxter Sub Cllr McEldowney	11 Members on Committee
Audit, Standards and Governance Committee	4 Cllrs Forsythe, Kumar Nock and Stanley (Subs: Cllr Dale)	2 Cllrs Hopkins and Rone-Clarke Subs: Cllr Gray	2 Cllrs Ammar and Nicholl Sub: Cllrs Hunter and J. Robinson	2 Cllrs R. Bailes and Colella Subs: Cllr Hotham	1 Vacant	11 Members on Committee (Including One Vacancy)

Committee	Cons	Lab	Lib Dem	Indps 2025	Bromsgrove Indeps	Comments
Electoral Matters Committee	2 Cllrs May and Nock	1 Cllr Gray	3 Cllrs Ammar Evans and J. Robinson Cllrs Clarke, S. Robinson	1 Cllr Hotham	0	7 Members on Committee
Joint Appointments Committee	2 Cllrs May and Whittaker	1 Cllr McDonald	1 Cllr Hunter	1 Cllr Hotham	0	5 Bromsgrove Members on Committee
TOTAL	21	11	13	9	4	58 Places

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Bromsgrove District Council



Audit, Standards and Governance Committee

ANNUAL REPORT

2024 - 2025



Bromsgrove
District Council

www.bromsgrove.gov.uk

CHAIRMAN'S FOREWORD

On behalf of the Committee, I would like to thank Councillor David Nicholl for his Chairmanship prior to the May. I am particularly grateful to all the Members of the Committee for their diligence and attention, given the breadth of work that the Committee undertakes.

This year has seen a significant move forward in terms of issues highlighted by our Auditors in their Interim Auditors Annual Reports for 2020/21, 2021/22 and 2022/23. The most important of these has been that we have:

- Produced accounts for 2020/21, 2021/22 and 2022/23, made the accounts available for public consultation and received "Disclaimer Opinions" as per the "Backstop" legislation requirements.
- Produced draft accounts for 2023/24 and put these out for public consultation within the "Backstop" legislation requirements. There is no opinion received yet as new External Auditors are being onboarded.

This has meant the Council now has far more certainty in respect of its financial position which is reflected in levels of reserves and balances. However, as with many Councils, there is still the requirement for clarity over "Disclaimer Opinions" and their knock-on effect on future years audit opinions. Because of these deliverables being met, we have felt as a committee, that the requirement highlighted by the Audit Task Group in 2023, on rectification of the financial position, has been met and have moved back to meeting four times a year.

My particular thanks go to the Democratic Services Officers for their support, Mr Peter Carpenter, Mrs Debra Goodall and their team for dealing with the ongoing issues of non-delivery of the accounts and delivering an unprecedented four sets of accounts within the municipal year. I am grateful for Councillor Rachel Bailes, as Risk Champion, in moving forward this agenda, with her innovative approach and questioning of major issues and how risk is reported.

Looking forward, there are two aspects this Committee should look to ensure happens. The first is the appointment of an independent lay member of the Committee which is both a national recommendation and something that was highlighted in Councillor Nicholl's previous report to Council. The second is there is still a long way to go, especially with Local Government Reorganisation and Devolution about to happen and so it is imperative that the control processes now in place are continually enhanced to ensure the correct governance is established for Council decision making processes and its use resources.

I believe that the Audit, Standards and Governance Committee has and continues to provide a valuable contribution to the development of standards and protocols across the Council's governance in an effective and compliant way.

Councillor H.D.N. Rone-Clarke

Chairman of the Audit, Standards and Governance Committee

MEMBERSHIP



Harrison Rone-Clarke (Chairman)



Simon Nock (Vice-Chairman)



Rachael Bailes



Samuel Evans



Derek Forsythe



David Hopkins



Charlie Hotham



David Nicholl



Stephen Peters



Justin Stanley



Marc Worrall (Parish
Councils' Representative)

INTRODUCTION

This report provides an overview of the Audit, Standards and Governance Committee's activities during the municipal year 2024-25.

The ultimate responsibility for Audit rests with the Portfolio Holder with responsibility for Finance and the Section 151 Officer. The Portfolio Holder is expected to attend each meeting as determined in the Council's Constitution.

During the year the Committee had considered reports and updates on the following subjects:

- Monitoring Officer's Report – details complaints and training taken place during the period between meetings.
- Updates from the Internal Audit Team.
- Updates from the External Auditors (including Backstop Report).
- General Dispositions Report.
- Annual Update Report on Regulation of Investigatory Powers Act 2000 (RIPA) Report.
- Financial Compliance Report (including updates on Statements of Accounts).
- Financial Savings Monitoring Report.
- Risk Management Report/Quarterly Risk Update.
- Risk Champion Update.
- Annual Review from the Local Government Ombudsman.

Further information about some of the key responsibilities of the Committee are detailed within this report.

Meeting dates and minutes of the Audit, Standards and Governance Committee meetings can be found on the Bromsgrove District Council website, link detailed below:

[Browse meetings - Audit, Standards and Governance Committee](#)

The Role of The Audit, Standards And Governance Committee

Scope and Responsibility

The Audit, Standards and Governance Committee provides independent assurance to the Council in respect of:

- The effectiveness of the Council's governance arrangements
- The Annual Governance Statement
- The Review of the Annual Statement of Accounts
- Risk Management Framework and strategies
- The effectiveness of the Council's financial and non-financial performance
- Anti-Fraud arrangements
- Whistle-blowing strategies
- Internal and external audit activity
- Democratic governance

The Committee is also responsible for the Council's Standards Regime which covers both District and Parish Councils. Areas encompassed within the Standards Regime include:

- Promoting high standards of conduct by Councillors and co-opted members of Council bodies.
- Assisting Councillors and co-opted members to observe the Members' Code of Conduct.
- Advising and training Members and co-opted members in respect of the Code of Conduct.
- Formulating advice to members and officers in declarations of gifts and hospitality.
- Granting dispensations to Councillors and co-opted members from requirements relating to interests as set out in the Code of Conduct.
- Considering reports from the Monitoring Officer following investigation into complaints about elected Members.

Meetings of the Committee – 2024-2025

The Council's constitution requires the Audit, Standards and Governance Committee to hold quarterly meetings. At its meeting on 9th March 2023, the Committee agreed that it should hold six meetings per municipal year (meet bi-monthly) until issues with the submission of the outstanding Statements of Accounts had been resolved.

During the meeting held on 16th January 2025, Members agreed to the recommendation that following receipt of "Disclaimer Opinions" from the External Auditors for the 2020/21 and 2021/22 Accounts, as approved at the Committee meeting on the 5th December, the subsequent "Disclaimer Opinion" of the 2022/23 Accounts on the 3rd January and the provision of the 2023/24 Accounts for Public Consultation by the 17th January 2025 as per the backstop regulations, that Audit, Standards and Governance Committee meetings revert to being quarterly in nature.

Standards Regime

There are two main areas which are considered regularly in terms of the Committee's responsibility for Standards.

Monitoring Officer's Report

This covers Member Training, Member Complaints and Parish Council matters.

If the elected Member was found to have breached the Authority's Code of Conduct, the powers available to the Authority include a formal letter of warning to the Member and formal censure by motion, of a committee, for the removal of the Member from a Committee (which does not legally prevent the Councillor in question from attending), in addition to adverse publicity.

The Council's Code of Conduct is designed primarily with the view of maintaining standards through a conciliatory approach and there was a high reliance on the Monitoring Officer working in cooperation with political Group Leaders when finding resolutions to Member complaints.

It was reported through the Monitoring Officer's report that Members received training throughout the 2024-2025 municipal year. The training included the following sessions:

- Code of Conduct
- Joint Detailed Planning
- Planning Refresher
- Audit, Standards and Governance Committee
- Mock Planning Committee
- Chairing Skills
- Overview and Scrutiny
- Joint Member Licensing
- Modern.Gov App
- Local Government Finance
- Emergency Planning and Business Continuity
- Carbon Literacy
- Safety
- Appointments
- Planning
- Training for Members of the Shareholders Committee

The Member Development Steering Group (MDSG) had met several times throughout the municipal year. MDSG discussed the needs and adaptations required to make training relevant to Members. In addition, discussions took place regarding the Member Induction and training for the next municipal year.

The Constitution Review Working Group (CRWG) is a cross-party group where any potential changes to the Council's constitution are discussed. CRWG continued to meet during 2024-2025 and had been considering issues relating to constitutional changes that follow the Council's approval on 20th September 2023 of the hybrid Leader and Cabinet governance model, implemented from the start of 2024-25 municipal year. Among the items of business

that the Group discussed were various constitutional updates deemed necessary to enact the Hybrid Leader and Cabinet arrangements including updates to terms of reference for the Cabinet Advisory Group (CAG), Memorandum of Understanding (MoU) for cross party working. Topics such as behaviour at meetings and the rules for remote participation in meetings had also been considered.

Member Complaints

An update on Member complaints had been provided in all Monitoring Officer's reports. It was noted that several Member complaints had been received to date in 2024-25, most of which have been resolved locally. There had also been several complaints received in respect of Parish Councillors. It was noted that these were most appropriately dealt with by Parish Councils and not by the District Council's Monitoring Officer.

There had been several complaints this year at both Parish and District levels. These continue to be investigated locally by the Monitoring Officer. There had been no investigations about Members which required a Hearings Sub-Committee to be convened.

Dispensation Report

The Audit, Standards and Governance Committee received several dispensations reports this year.

The reports on Individual Member Dispensations were considered on 17th July and 14th September 2023 respectively. The requests for Individual Member Dispensations detailed in those reports were granted by the Committee. The dispensations agreed at these meetings remain valid until the first meeting of the Audit, Governance and Standards Committee following the next District Council Elections in May 2027 unless amended by the Committee prior to that date.

An Individual Member Dispensations Report was considered at the meeting on 7th March 2024. This was in respect of Individual Member Dispensations and Outside Bodies Dispensations as requests had been received from Councillors S. Ammar, S. Webb concerning the Citizens Advice Bureau (CAB) and A.M. Dale, J. Elledge, and M. Marshall relating to The Artrix. These dispensations remain valid until first meeting of the Audit, Standards and Governance Committee following the next District Council Elections in 2027 unless amended by the Committee prior to that date.

A further Individual Member Dispensations Report was considered at the meeting held on 23rd May 2024 in respect of Individual Member Dispensations and Outside Body appointment dispensations for individual Members. The dispensations agreed at these meetings remain valid until the first meeting of the Audit, Governance and Standards Committee following the next District Council Elections in May 2027 unless amended by the Committee prior to that date

Parish Council Involvement

The Parish Council's representative can add any item on to the agenda as required as outlined in the Committee Terms of Reference. Whilst Parish Councils can appoint two representatives on to the Committee, only one of these places was taken up. The Parish Council's Representative for the municipal year 2024-2025 was Mr M. Worrall.

Investigations and Enquiries

The Independent Person, Mr Mel Nock, had continued to support the Monitoring Officer in the management of Member-to-Member complaints where necessary. The Council had considered joining the other District Councils in Worcestershire that had a retained pool of Independent Persons – any proposals for this would be considered by the Committee. In the meantime, Mr Nock, remains the Independent Person on an interim basis.

INTERNAL AUDIT REPORTS

During the year the Committee had continued to receive updates on the work of the Internal Audit team including details of the following completed audit reports:

- Internal Audit Plan 2024-2025
- Internal Audit Annual Report and Audit Opinion 2024-25
- Internal Audit - Progress Report (every meeting).

EXTERNAL AUDITORS

During the year the Committee received reports from the current External Auditors, Grant Thornton on the following subjects:

- Grant Thornton – Quarterly Sector Update (including Backstop Report)
- Joint Interim Auditor's Annual Report

The Progress Reports were considered at each meeting of the Committee and covered a range of issues including the following:

- Value for Money
- Significant Risks
- Financial Statements
- Housing Benefits

On the 3rd October 2024, the Council appointed Auditors for 2023/24 onwards Bishop Fleming notified the Council that they were resigning. The Council, following liaison with Public Sector Audit Appointments Limited (PSAA) for the appointment of alternative Auditors confirmed that Ernst and Young would become the Council's External Auditors on the 24th October 2024.

Section 24 Notice

One of the legislative reporting requirements the Council had not achieved was the delivery of the 2020/21, 2021/22 and 2022/23 Statement of Accounts which resulted in the issuing of a Section 24 Statement for the Council. Redditch Borough Council (RBC) were also issued with a Section 24 Statement for the same non delivery of these accounts which is understandable given that officers support both Councils via a shared service.

Following the issuing of the original Section 24 Statements, and a review of why this happened which was undertaken by a Task Group of this Committee, the decision was taken to increase the frequency of Audit Committee meetings to six times a year until the Council rectified the situation.

Backstop Report

On 30th July 2024, the Minister of State for Local Government and English Devolution, Jim McMahon, provided a written statement to Parliament confirming the Government's intention to introduce a backstop date for English local authority audits up to 2022/23 of 13th December 2024. A backstop date for 2023/24 was proposed of 28th February 2025 and a date for 2024/25 audits of 27th February 2026.

External Auditors, Grant Thornton considered that there would be insufficient time to conclude their work in advance of the 13th December 2024 backstop deadline. On that basis the backstop for the 2020/21, 2021/22 and 2022/23 years was applied. Given that several key audit areas remained outstanding, their proposed audit reports would be issued as a disclaimer of opinion, effectively meaning Grant Thornton had been unable to gain the assurance necessary to give an audit opinion by the statutory backstop date.

During its meeting on 16th January 2025 Members agreed that following the delivery of receipt of "Disclaimer Opinion's" from the External Auditors for the 2020/21 and 21/22 Accounts, as approved at the Committee meeting on the 5th December, the subsequent "Disclaimer Opinion" of the 22/23 Accounts on the 3rd January and the provision of the 2023/24 Accounts for Public Consultation on by the 17th January 2025 as per the backstop regulations Audit, Standards and Governance Committee meetings revert to being quarterly in nature.

Risk Champion Updates

The Risk Champion for the Council, Councillor R.A. Bailes, had provided comprehensive updates on risk at meetings of Audit, Standards and Governance Committee. The risk updates spurred several significant discussions among Members. The following had been carried out as part of the review:

- Regular meetings had been set up with the Section 151 Officer and Risk Champion.
- Access to the Corporate Risks System, reviewing areas in Housing, Planning and Workforce Planning.
- Review of the Risk Management Report.
- Review of critical risks after consideration of the English Devolution White Paper.

Below is a summary of the main matters discussed at Audit, Standards and Governance Committee in this municipal year:

23rd June 2024

Dispensations Report

At this meeting the Committee considered a report seeking approval of several general member dispensations applying to all Members in addition to the individual member dispensations requested up to the point of this meeting (as detailed in the report).

Annual Update Report on Regulation of Investigatory Powers Act 2000 (RIPA)

The Committee considered the annual update report on the Regulation of Investigatory Powers Act 2000 (RIPA). The revised Code of Practice for Covert Surveillance and Property Interference, 2018, advised that elected members should, at least on an annual basis, review the RIPA policy and the authority's use of the Act. This report was published in compliance with that requirement.

Grant Thornton – External Audit Progress Report and Sector Update

The Committee considered a progress report from the External Auditors. It was noted that work to reconcile the old and new IT systems was in its final stages and as reported elsewhere in the agenda the Section 151 Officer felt able to issue the 2020/21 draft accounts for audit.

Previous meetings of the Committee had discussed the backstop arrangements for dealing with outstanding Local Authority accounts, which the Government had consulted on in the first quarter of the calendar year.

Internal Audit Plan 2024/2025

The Committee considered the draft Internal Audit Plan for 2024/25. This was a risk-based plan as required by the Public Sector Internal Audit standards.

The plan was largely based on a review of corporate and departmental risk registers and included review of four fundamental financial systems and proactive counter fraud work by review of the corporate credit card and petty cash systems. The recommendations would be monitored throughout the implementation.

Some recruitment had taken place within the Internal Audit team which would result in the team working at full capacity by the end of Summer 2024.

Financial Compliance Reports Including Progress Update on Statement of Accounts

This report set out details of delivery against key financial requirements. During the presentation it was reported that the Council's 2020-21 Accounts could be published on the Council's website and would be open for public inspection. It was estimated that the draft 2021-22 accounts would also be delivered by late June and the draft 2022-23 accounts by late August. These would also be published on the website with disclaimers to be clear that they were unaudited and with no audit adjustments.

Financial Savings Monitoring Report

In June 2024 the Committee received a report which set out the final position on the 2023-24 financial savings programme. Included in the report was information regarding two items classified as 'amber' in terms of potential risk to achievement for Service Reviews and Capacity Grid Project. There was, in addition, a risk to the establishment from rising costs, despite a tight control being exercised by Senior Managers. The Capacity Grid project was being delivered but the time lag in recording debts was a risk to delivery. Finance Vacancies was reported as a red risk as despite a recruitment round the vacant finance positions could not be filled.

Quarterly Risk Update Q4 2023/4

The Committee considered an update report on corporate and departmental risks.

Areas of risk included in the report were highlighted as follows:

- General and local elections and the impact that this might have on the Local Government Settlement.
- Two risks had moved from amber to green (COR 17 and COR 21) due to mitigating actions.
- Four new departmental risks.

15th July 2024

Internal Audit Annual Report and Audit Opinion 2023/24

At this meeting it was discussed that the Accounts and Audit Regulations and the Public Sector Internal Audit Standards (the Standards) required the Head of Internal Audit to provide an Annual Internal Audit Opinion and report that could be used by the organisation to inform its Annual Governance Statement.

The report showed that a reasonable standard of assurance had been reached overall, which was the second of the four available ratings. All ten of the audit assignments during the year had achieved at least a reasonable rating of assurance. In addition, the team had carried out one critical friend review of key controls on transactions and balances on the general ledger, validity of accounts receivable transactions and the extent to which TechOne was being used by budget managers to forecast their budget outturns. This review had largely positive outcomes but there were some recommendations for improvement for reconciliations, which managers had already been aware of. A full internal audit of this would be carried out later in the financial year.

Quarterly Risk Update (Q1 2024/25)

The Committee considered a quarterly update report for Quarter 1 2024/25, which set out Council activity to identify, monitor and mitigate risk. It was reported to the Committee that the number of Corporate and Departmental risks had reduced. The Council's continuing actions in relation to cyber security were also noted.

Financial Compliance Report Including Update on Statement of Accounts

Members were asked to consider the Financial Compliance Report including the update on the Statement of Accounts report which set out progress against key financial requirements.

The following items which had progressed since the report were circulated as follows:

- The Council Tax & NDR Collection - Q4 had been completed.
- The Revenue Outturn suite – provisional - these were due to be submitted in the next couple of days.
- All other items listed in the report as ‘expected to be delivered to deadline’ had been achieved.

The draft 2020/21 accounts had been presented to the Audit, Standards and Governance Committee for comment in May and it was reported that they were open for Public Inspection.

Further information provided at this meeting was:

1. The 2021/22 to 2023/24 accounts were being worked on in sequence.
2. The Council’s external auditors had indicated that the final piece of work on the take-on data had been completed and formal confirmation of this was awaited.
3. The format of the accounts for 2021-22 and onward financial years had been amended so that they were easier to read and understand.

10th September 2024

Annual Report from the Local Government Ombudsman (LGO)

During the meeting Members were advised that this report was provided to set out the statistics for complaints made against the Council and the aim was to provide Councils with information which could assist performance in handling complaints and to learn from them.

For the period ending 31st March 2024, the number of complaints received was thirteen and the number of complaints decided was ten. Of the ten decided cases, there was only one case where the LGO upheld the complaint . The Ombudsman found five complaints did not warrant an investigation and three complaints were referred to the Council as premature.

Since the last report on the Ombudsman’s Annual Review letter in November 2023, Officers were continuing with a project to review and update the complaints handling system for the Council.

Grant Thornton – External Audit Progress Update

The External Auditors Grant Thornton introduced an update on the application of the Local Authority Backstop to Members. On 30th July 2024, the Minister of State for Local Government and English Devolution provided a written statement which confirmed the Government’s intention to introduce a backstop date for English Local Authority audits up to 2022/23 of 13th December 2024 and up to 2023/24 proposed for 28th February 2025. The Board were reminded that audits for years 2020/21 to 2022/23 had not been signed off, largely due to challenges with the ledger implementation in February 2021 and in preparing draft financial statements.

Grant Thornton considered there would not be sufficient time to conclude the work in advance of the 13th December 2024 backstop deadline. On that basis, the expectation would be that the backstop for the 2020/21, 2021/22 and 2022/23 years be applied. Given that several key audit areas remained outstanding the proposed audit reports would be issued as a disclaimer

of opinion, effectively meaning that the External Auditors had been unable to gain the assurance necessary to give an audit opinion by the statutory backstop date. The Government had set out its intention that from 2023/24, auditors should work with Local Authorities to begin the process of recovery.

Internal Audit – External Quality Assessment and Improvement Plan

The purpose of the report was to inform Members of the results of the Internal Audit Independent External Quality Assessment (EQA) and Associated Quality Assurance and Improvement Policy and Plans.

The Standards required that an independent External Quality Assessment (EQA) of the internal audit service be completed every 5 years. An EQA had been completed in May 2024 with the results confirming that the service was operating in General Conformance to the Standards which was the highest of the three available assessment grades.

To support continued improvement against the positive outcome, a new Quality Assurance and Improvement Policy had also been developed as set out below:

- Required service standards.
- Assist to ensure compliance with those standards.
- Provide assurance to stakeholders that sound arrangements were in place.
- To ensure internal audit work was of good quality and that the service was striving for continuous improvement.
- Provide a framework against which service performance could be evaluated.

Financial Compliance Report including Update on Statement of Accounts

Key legislative deliverables were discussed with the Board and the progress been made. It was explained that the Revenue and Capital Outturn forms for 2021/22 and VAT key returns had not been delivered. Significant data would be sent to His Majesty's Revenue and Customs (HMRC) following work with the Council's Tax Consultants PS Tax to bring the Council back into normal reporting and reclaim significant funds. The key closure deliverables for each financial year were also discussed.

Following the General Election in July 2024, the New Minister of State for Housing, Communities and Local Government wrote to Councils on the 30th July 2024 and noted the significant and unacceptable backlog of unaudited accounts. To tackle the backlog, an initial backstop date of 13th December 2024 for financial years up to and including 2022/23 and five subsequent backstop dates for 2015/16 through to 2019/20 were to be signed off by the 30th December 2023. Parliamentary approval was given on the 9th September for financial years 2024/25 to 2027/28 be the date by which local bodies should publish 'draft' (unaudited) accounts.

Draft accounts for 2021/22 were presented to the which showed the Council was in a positive overall position with regards to earmarked reserves and general funds. It was highlighted that significant work had been carried out by Officers to complete the accounts. Members were also informed that the next stage for the 2021/22 draft accounts was for Public Inspection.

Financial Savings Monitoring Report

This report set out a quarterly requirement of the 2020/21 External Audit Report, measuring the effectiveness of the Council's delivery of savings within the budget. The report explained the overall financial position as at Quarterly 1 2024/25.

In terms of savings, the report covered previous years as well as items required for the following financial year. The position at the year-end for 2023/24 for Departmental Savings

was that two amber items for The Service Review and The Capacity Grid Project required careful monitoring. The red item in relation to finance savings could not be achieved until closure of accounts had been completed. The largest savings in recent years were pension costs which linked to the 2023 triennial revaluation.

Delivery of the 7% increase on Fees and Charges across most Council's chargeable services and the deliverability of Planning income increases also required careful tracking.

5th December 2024

Grant Thornton – External Audit Backstop Report

During this item Members were advised that one of the legislative reporting requirements the Council had not achieved was the delivery of the 2020/21 Statement of Accounts, as such, the Council was issued with a Section 24 Statement. The Section 24 Statement was extended to also include the 2021/22 and 2022/23 financial years in the 2021/22 and 2022/23 Draft External Auditors Report.

Draft 2020/21 and 2021/22 accounts had been presented and placed on the Council's Website with a 30-day public consultation period. The draft 2022/23 accounts were published on the Council's website for public consultation on the 22 November 2024 which gave only 14 days, not the full 30 days, of public consultation before the Government imposed the Backstop date of 13th December 2024.

The report and specifically the appendices set out the External Auditors view of the accounts within the revised accounting arrangements due to the Government imposed backstop date for the delivery of accounts up to the 2022/23 financial year.

The Council's External Auditors Grant Thornton, under the present backstop legislation, delivered a "Disclaimer Opinion" for all three years accounts. The Council, its Members, Officers and Stakeholders were to understand and approve the contents of the documents and the context within which they were made.

Financial Compliance Report

This report set out the Council's Letter of Representation as well as setting out how the Council had complied with the key and Improvement requirements set out in the External Auditor's Annual Reports.

On the 3rd October 2024, the Council appointed Auditors for 2023/24, onwards Bishop Fleming notified the Council that they were resigning. The Council, following liaison with Public Sector Audit Appointments Limited (PSAA) for the appointment of alternative Auditors confirmed that Ernst and Young would become the Council's External Auditors on the 24th October 2024.

During the consideration of this item, it was noted that two key returns that had not been delivered were Revenue and Capital Outturn forms for 2021 / 2022 and the VAT returns. Significant work had been undertaken by the Council's Tax advisors in liaison with HMRC for the Council to return to normal VAT reporting.

The financial stability and sustainability of the Council was a core underlying theme of the Council's Risk Management Strategy. The closure of the three years' accounts and submission of an audit opinion was key to ensuring there was external validation to the Council's overall financial position.

Internal Audit – Progress Report

This report set out to provide an update of the Internal Audit's progress towards meeting its objectives in the audit plan for 2024/25 as approved by the Audit Standards and Governance Committee on 23rd May 2024.

The following updates were provided during the presentation of the report:

- 1) Audits for Risk Management, Accounts Payable, Benefits and Council Tax had all been completed and reports were near to completion.
- 2) Staffing issues and recruitment

Results of the internal audit for Procurement were also discussed at this meeting. It was noted that the audit showed as limited assurance however, there had been some improvements made since the last audit had been carried out. It was also explained that the Council was reviewing nil compliance, with results showing that record retention was not always evident.

Following an External Quality Assessment (EQA) the Definition of Priority of Recommendations Table was being amended for future reporting to include a Risk Management Framework, as an enhancement.

Risk Management Report/Quarterly Risk Update

The Committee considered an update report and noted that it was the ninth cycle of reviewing Corporate and Departmental Risks since the original baselining of Risks in April 2022. Over the period, the following was noted:

- Departmental ownership of risks and reviews at Management Teams had been held monthly.
- Active review, mitigation and reduction of risks had been carried out ensuring risks were managed as part of the Council's business practice.
- Updating of the 4Risk System, as the Authorities' repository for the information.
- The Officer Risk Group had actively reduced risk numbers through their work and a common approach to risk was being embedded within the Organisation.
- The Risk Level had moved to a Moderate Assurance level in May 2023.
- A follow up Audit had taken place in the 2024/25 financial year.
- As at the end of September 2024 the number of Risks remained at 40 although there were no Red Risks, with 26 Amber Risks and 14 Green risks.
- There was a new risk in finance linked to staff non-compliance of procurement processes which would be mitigated by additional training.
- Given the significant cyber risks faced by Councils, as noted in the Corporate Risks section, it was important Members and Officers engaged to mitigate risk. Using the KnowBe4 functionality and associated penetration tests were assisting in mitigating the risk for both Members and Staff.

- The Council's Insurers highlighted under-insurance of Council assets due to incomplete assets and the use of Artificial Intelligence.

Quarter 2 – Savings Report

The report set out that the overspend position had increased. The position in terms of Risk at year end 2023/24 was that two Amber items required careful monitoring for the Service Review and the Capacity Grid Project. The Finance item identified as a red risk would not be delivered; however, additional resource was in place to get the accounts up to date.

Whistleblowing

Members were advised that the Chair of the Audit, Standards and Governance Committee requested that Council's Whistleblowing be brought to the Committee for Review. Browne Jacobson were commissioned by the Council to review the policies and the final version of the Whistleblowing Policy as agreed by the Board are set out below:

- What Whistleblowing and a Whistleblower is/are.
- How Whistleblowing links to the equality's legislation.
- How to raise concerns.
- Protections for Whistleblowers.
- Other Whistleblowing reporting routes.
- How the overall process works.

The Policy would be presented to the Unions at the joint meeting in December 2024 for their comment and approval before a final version was approved.

16th January 2024

Minutes to be checked – deadline date is 11th March 2025

20th March 2024

The last meeting of Audit, Standards and Governance Committee in the 2025-26 municipal year at which this Annual Report will be presented. Items to be considered at this meeting include:

- Standards Regime – Monitoring Officer's Report
- Risk Management Report / Corporate Risk Register
- Internal Audit Progress Report
- Financial Compliance Report
- Financial Savings Monitoring Report – Q3
- Annual Report for 2024/25

Legal, Democratic and Property Services

Bromsgrove District Council

Parkside

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Worcestershire B61 8DA

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BROMSGROVE DISTRICT COUNCIL
LEGAL, DEMOCRATIC & PROPERTY SERVICES



Overview and Scrutiny
ANNUAL REPORT

2024 - 2025



Bromsgrove
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FOREWORD FROM THE CHAIRMAN

The second year of the new Council had been as challenging as the first, with the number of Task Groups and workload in general.

The Task Groups had completed their set agendas within the time limit and furthermore, most of the recommendations had been agreed and actioned by the Cabinet. As expected, the Board was required to increase the number of the meetings to manage an ever-increasing agenda, ensuring scrutiny was carried out efficiently and in a robust manner.

I would like to thank all Members of the Board who committed their time and energy to the tasks and of course to all who took part in Task Groups. I also realise the amount of work been placed on our Officers and would like to thank them for the help and assistance they gave to the Board.

Councillor Peter McDonald
Chairman of the Overview and Scrutiny Board

INTRODUCTION

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2024-2025 (this covers the municipal year from May 2024 to April 2025) and provides general information on the overview and scrutiny processes at Bromsgrove District Council (BDC).

Overview and Scrutiny is a key part of the democratic decision-making process in local Councils, where elected Councillors outside of the Cabinet can contribute to shaping Council policy, community well-being and accountability. This is done by reviewing Council services and policies, community issues and key decisions and making recommendations for improvement.

The four key principles of Overview and Scrutiny, as defined by the Centre for Governance and Scrutiny (CfGS) the lead organisation supporting Overview and Scrutiny in the country, are:

- provide constructive “critical friend” challenge
- amplify the voice and concerns of the public
- be led by independent people who take responsibility for their role
- drive improvement in public services.

The Members of the Board consider these principles when selecting topics to investigate whether it is holding the Cabinet to account, reviewing policies, policy development or scrutiny of external bodies.

MEMBERSHIP (The Board is made up of 11 Members)



**Councillor P. M. McDonald
(Chairman)**



**Councillor S. T. Nock
(Vice-Chairman)**



Councillor A. Bailes



Councillor R. Bailes



Councillor A. M. Dale



Councillor E. M. S. Gray



Councillor R. J. Hunter



Councillor B. Kumar



Councillor D.J. Nicholl



Councillor S. A. Robinson



Councillor J. D. Stanley

THE ROLE OF THE OVERVIEW AND SCRUTINY BOARD

Overview and Scrutiny is a key part of the Council's political structure, and it plays a vital role in improving the services that people of the District use. It does not just look at the way the Council carries out its services, it can look at anything which affects the lives of people within the District, and it allows citizens to have a greater say in Council matters.

Overview and Scrutiny allows Councillors to review and scrutinise decisions, look at existing practices and make recommendations to help ensure the residents of Bromsgrove District receive excellent services. The aim is to ensure Overview and Scrutiny adds value to the Council's decision-making process and makes a positive contribution towards policy development.

The detailed terms of reference and procedure rules for the Overview and Scrutiny Board can be found at Part 5 and Part 12 of the Council's Constitution. The Council's Constitution can be accessed by using the following link.

[Link to the Constitution of Bromsgrove District Council](#)

(Please click on the latest date to access the most recent version of the Council's constitution).

Meetings

Throughout 2024-25, Overview and Scrutiny Board meetings had been taking place in person and were open to the public to attend at Parkside Hall in Bromsgrove. Meetings are live streamed if there is significant local interest in the items being considered at Overview and Scrutiny Board meetings. Meetings of Scrutiny Task Groups and Working Groups continue to be held remotely, since these meetings are private.

REPORTS CONSIDERED BY THE BOARD

The Board continued to receive updates to monitor the progress of recommendations it has made, with the recommendations made throughout this year outlined in this report. This contains both recommendations put forward by Task Groups and accepted by the Cabinet, together with recommendations put forward by the Board itself. In respect of Task Groups, the Board does, where necessary, receive an update report 12 months following acceptance of its recommendations.

During the year the Board had made several recommendations. There has been continued support from the relevant Cabinet Members this year, with regular attendance at Overview and Scrutiny meetings in relation to reports concerning Cabinet Members' areas of responsibility. This has given the Cabinet an opportunity to hear first-hand the debate and any recommendations made by the Board. The Chairman of the Board attends Cabinet meetings to present any recommendations made. On several occasions, whilst the Board had not made any recommendations in respect of an item, it had endorsed and/or supported recommendations which were then considered by Cabinet at its meetings.

The Board is due to consider the Overview and Scrutiny Annual Report 2024-25 at the meeting due to be held on 15th April 2025.

THE OVERVIEW AND SCRUTINY BOARD'S WORK PROGRAMME

Topics for the Overview and Scrutiny Work Programme were selected. The topics that the Board chose to prioritise as 'key' in 2024-25 were: The Bromsgrove Play Audit; North Worcestershire Community Safety Partnership (including Anti-Social Behaviour); Changes to Waste Services in response to the Environment Act 2021 and Council's Levelling-Up Projects. Topics selected for a 'first look' briefing to all Councillors were: The District Heat Network; Biodiversity; Street Sweeping and Food Waste.

In addition to the above, an update was provided to the Board in respect of the Impact of Heatwaves Task group recommendation for the Board to be provided with an annual update.

Several other areas of interest have also been identified such as EV Chargers, Recycling on Bromsgrove High Street and Council Tax Debt Recovery. These have all been included on the Board's Work Programme for consideration during the 2025-2026 municipal year.

OVERVIEWS

Affordable Housing Briefing

During the meeting the definition of affordable housing, number and size of the affordable housing delivered, housing register information, affordable housing needs and future delivery were discussed.

Play Audit

During its meeting, Members were advised that the audit was being commissioned in order to ascertain the provision of play equipment within the District. Data was gathered in respect of travel distance and condition of provision, including areas in need of investment, such as infrastructure improvements or resurfacing. The audit included spaces provided by the Council, Parish Councils and third-party providers and only publicly accessible play spaces be included.

There were eighty-five play spaces publicly available within the District, forty areas managed by Bromsgrove District Council, thirty by Parish Councils and fifteen by third party providers e.g. Community Associations. The assessment identified a hierarchy of play provision based on an accessibility model that was comparable to national guidelines which were Local Play Spaces within four hundred metres with a five-to-ten-minute walking distance and Neighbourhood Play Spaces within eight hundred metres with a ten-to-fifteen-minute walking distance.

The Basement Project (Aims of Grant Funding)

This report sought to provide an opportunity for Members to familiarise themselves with the aims and outcomes of the Basement Project which provided housing related support and other support to young people up to the age of twenty-five.

The Council supported the Basement Project with both Homelessness Prevention Grant and Domestic Abuse grant funding. The purpose of the ringfenced Homelessness Prevention Grant fund was to give Local Authorities control and flexibility in managing homelessness pressures and supporting those who were at risk of homelessness. The Government expected Local Authorities to fully enforce the Homelessness Reduction Act and contribute to ending rough sleeping by increasing activity to prevent single homelessness, reduce family temporary accommodation numbers through maximising family homelessness prevention and eliminate the use of unsuitable bed and breakfast accommodation for families for longer than the statutory six-week limit.

Domestic Abuse New Burdens Grant funding was also allocated to ensure that Councils could comply with the requirements to provide safe and supported accommodation for those fleeing domestic abuse.

North Worcestershire Community Safety Partnership (NWCSP) (including Anti-Social Behaviour

In line with the Council's Constitution, the Board scrutinise the work of the Community Safety Partnership on an annual basis.

During consideration of the report at this year's meeting, the Board were informed that at its Planning meeting in February 2024, the North Worcestershire Community Safety Partnership (NWCSP) reviewed and agreed its new priorities for the following three-year period. The Partnership Plan set out the priorities that the CSP would focus on for a three-year period, with an annual refresh to capture any emerging issues and trends.

Alongside the local priorities, NWCSP worked closely with South Worcestershire CSP, through the countywide Safer Communities Board (SCB), to identify and address countywide issues. Through Worcestershire SCB, the two statutory CSPs collaborated on key countywide projects and initiatives to ensure District area input and delivery were considered and implemented.

In 2023-24 new funding was made available by the Home Office via the West Mercia Police and Crime Commissioner (PCC) to support Community Safety partners in Implementing the Serious Violence Duty, an annual ring-fenced amount to identify and address local issues at a District level and also allocated additional Safer Communities funding to NWCSP.

PRE-SCRUTINY

Levelling-Up

During various meetings, updates on the Levelling Up Projects at Windsor Street, Market Hall site and the Public Realm works were discussed.

Members were informed that Cabinet were to approve the appointment of City Demolition for the demolition of existing buildings and associated site remediation, removal of existing redundant services and utilities and to approve a 10-week extension in the Market Hall Pre Construction Service Agreement (PCSA) in order to fully validate costs. The Overview and Scrutiny Board endorsed the report recommendations.

Members were also advised of the use of Kier for the delivery of the main works at the former Market Hall site following the Value Engineering exercises which had been approved in July 2024. Discussions also included 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. It had also been discussed that the Council had applied for and was awarded £14.5m of Levelling Up Funding.

During the various quarterly reports Members were briefed on the progress of the schemes at the Windsor Street site, Public Realm works, Former Market Hall, Risk Registers and how risks would be mitigated and also sought Members' approval to agree that the frequency of updates to the Overview and Scrutiny Board in respect of Levelling-Up be quarterly, which was endorsed by the Board.

Bromsgrove District Council Plan

A presentation was provided on the new Bromsgrove District Council Plan for 2024-2027. The Council Plan provided an overarching vision for the District, with four new priorities being Economic Development; Housing; Environment and Infrastructure. It was noted that operationally the Council Plan informed the service business planning process and helped to determine the Medium-Term Financial Plan. The priorities and objectives contained within the Plan would be monitored using specific measures to ascertain areas of success and those where improvement was needed. The Overview and Scrutiny endorsed the Council Plan for approval.

Woodland Creation Application

The Overview and Scrutiny Board endorsed the Woodland Creation Application for approval.

Bromsgrove Play Audit and Investment Strategy

The report set out a factual analysis of the play equipment within the District, detailing Council owned sites, location and who managed the specific areas. The Play Audit and Investment Strategy sought to address deficiencies in play provision across the

District, allowing all households, where reasonably practicable, to have access to good quality play spaces within walking times of up to ten to fifteen minutes.

The Bromsgrove Play Audit which considered the accessibility of play provision, considered the contribution of all 85 play spaces, however the Bromsgrove Play Investment Strategy was focused on the 40 play spaces, for which Bromsgrove District Council had responsibility.

An amendment to the following Recommendation was endorsed by the Board:

“That the approach to capital investment as presented in The Bromsgrove Play Audit and Investment Strategy (Appendix 2) is accepted and that Officers are requested to prepare bids ***in consultation with Ward Members*** for capital funding, as applicable, to be considered in due course and in the context of other funding bids”.

The amendment to the recommendation was considered at the Cabinet meeting held on 10th December 2024 and approved.

Introduction of Food Waste Collection (Pre-Scrutiny)

During this item the Board were informed that the Government had set a new statutory duty under the Environment Act 2021 to introduce a dedicated separate weekly collection of food waste from all households by 31st March 2026, alongside expanded requirements on dry recycling.

Working closely with Worcestershire County Council (WCC) as the Waste Disposal Authority, the Council were able to accommodate the changes to dry recycling without any modification to the existing green bin service. The report focused primarily on the changes required from the new food waste service. As the Council operated such a service, additional resources were required to operate and due to the size restrictions of the depots, were unable to add them to the existing arrangements without significant investment in additional land as well as an expansion of the Operator's Licence with the Traffic Commissioner and Driver and Vehicle Standards Agency (DVSA). In addition to the challenges regarding space restrictions on providing the service, it would require procurement and delivery of food waste caddies for each property, additional bins for communal properties, and additional dedicated vehicles and staff to collect the waste.

The Overview and Scrutiny Board endorsed the recommendations for approval.

Refuse Fleet Replacement and Wheeled Bin Pressures (Pre-Scrutiny)

Members were asked to consider the “Diamond” bins which were limiting the Council's ability to meet the statutory duties, as well as increasing operating costs. It was proposed that BDC replace all the existing “Diamond” wheeled bins with industry standard “Comb” 240ltr wheeled bins or to consider replacing all the existing green and brown “Diamond” wheeled bins with industry standard “Comb” 240ltr wheeled bins and replace the existing 240ltr wheeled bins for residual waste, with 180ltr “Comb” wheeled bins.

The option to reduce the size of the residual waste bin, although would support immediate benefits regarding recycling performance, might add additional challenges,

should the Council look to make further changes to expand the service and/or reduce the frequency of residual waste collection to further pressurise the waste stream and reduce operating costs linked to the non-recyclable waste.

Like for like replacement of all existing Diamond Wheeled bins would require Capital investment including delivery and expected credits against the recycled “Diamond” bins. A decision to reduce the size of the 240ltr residual waste bins to 180ltrs would reduce costs and would also support increased recycling quantities and take up of the food waste service expected to start in 2026 based on a current fortnightly collection service.

During consideration of the item, a recommendation was endorsed by the Board “To endorse the proposal within the report to: Replace all our existing “Diamond” wheeled bins with industry standard “Comb” 240ltr wheeled bins (no change in size for any waste streams)”.

The amendment to the recommendation was considered at the Cabinet meeting held on 7th January 2025 and approved.

Strategic Parking Review (Pre-scrutiny)

The purpose of this report was to inform the Board that Waterman Infrastructure and Environment had been commissioned by BDC to undertake the Strategic Parking Review as through various meetings there was a clear desire expressed by Members to ensure a more equitable balance in patrols across the whole District.

A key element of delivery was to ensure a clear partnership working amongst the various stakeholders, it was therefore recommended that a Parking Task Group be established including representatives from BDC, WDC and Warwickshire County Council (WCC) to work through the various options pertinent to each organisation.

To assess how car parking enforcement may be delivered in the medium and long term, an options appraisal identifying the positives and negatives of the three key options had been undertaken which included maintaining the SLA with WDC, tender out to external contractors and delivery with internal resources.

The publication of the English Devolution White Paper on 16th December 2024 had provided uncertainty on the impact that this would have on BDC over the forthcoming two to four years. As such, continuity of service for parking enforcement was recommended by an extension to the period of the services delivered by WDC. This continuity would ensure compliance of service delivery during the period of the extended SLA and would also allow officers the time and capacity to deliver the Automatic Number Plate Recognition (ANPR) solutions for the three car parks identified.

The Shopmobility Service was also discussed which had five customers with one customer being a regular user.

During consideration it was felt by that the Business Case and Service Review had not addressed the points raised by Members during various meetings and as such

Members were unable to endorse the suggested recommendations to Cabinet. However, the following were Recommended:

- 1) The Business Case and Service Review for the strategic parking review be deferred for 6 months until the issues have been addressed as not fit for purpose, in that it doesn't cover bringing the service in house.
- 2) There should be an increase in the proposed Civil Enforcement Officer (CEO) patrol time, greater than 25%, included in the Service Level Agreement (SLA), as the current proposal of 25% is not considered to be adequate.
- 3) More CEOs should be funded to operate in the District as opposed to introducing an Automatic Number Plate Recognition (ANPR) service.
- 4) The Council retain cash payment options for car parks in the District.
- 5) A study be launched reviewing parking in Alvechurch.

The suggested recommendations were considered at the Cabinet meeting held on 12th February 2025. The Cabinet Member for Economic Development and Regeneration addressed the recommendations during the presentation of the report and stated that as a result of the pre-scrutiny, there had been several changes to the recommendations contained within the Cabinet report.

Local Development Scheme (LDS)

During this item Members were informed that following Government consultation on the 12th December 2024, a new version of the National Planning Policy Framework (NPPF) was published and to meet the requirement, a new Local Development Scheme (LDS) had been produced. The LDS was the timetable for the Planning Policies which the Council intended to produce and outlined the likely path the Bromsgrove District Local Plan would take to adoption.

The Board endorsed the recommendation to Cabinet.

Bromsgrove Local Heritage List (Pre-Scrutiny)

This report updated Members on the tasks which were undertaken by the Conservation Team to prepare the Bromsgrove Local Heritage List (LHL). Work for the Parishes of Alvechurch, Beoley, Belbroughton and Fairfield and Dodford with Grafton had been completed. The report also gave an update of progress for other areas within the District.

A six-week consultation period had commenced with letters sent to all owners/occupiers providing information about the consultation, including the listing for their property. Following completion of the consultation process the LHL for each parish was finalised. The Conservation Team were asking Cabinet to recommend that Council approve the LHL list which would then be a material consideration in the planning process. The Board endorsed the recommendation to Cabinet.

During various quarterly updates held the Board were advised of progress made on the Bromsgrove Local Heritage list. Draft lists for the parishes of Alvechurch, Belbroughton and Fairfield, Beoley and Dodford with Grafton were published and a six-week consultation process carried out. The Board were also informed of progress on preparing the lists and inviting nominations for Lickey and Blackwell and Barnt Green. Work on drafting the lists for Lickey and Blackwell, Bromsgrove, Wythall and Bournheath continued but had been reduced due to staff sickness and a rise of Development Management work in January and February.

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INFORMATION ITEMS

Worcestershire Health Overview & Scrutiny Committee (HOSC)

The Council's representative on the Worcestershire-wide Health Overview and Scrutiny must be a Member of the Overview and Scrutiny Board and is required to provide the Board with regular updates on the work being carried out.

The Board's representative for the municipal year 2024-25 was Councillor B. Kumar. During the year Councillor B. Kumar provided comprehensive and informed updates on meetings of HOSC and responded to questions from Members on matters including:

- Mental Health provision in Worcestershire (including Hill Crest MH Ward)
- Children's Hearing Services
- Health Services Winter Planning
- Review of Public Health Function
- Health Care System Plans (including Urgent Community Response)
- West Midlands Ambulance Service (WMAS) calls
- Community Ambulances and Primary Care (GP) Access within Worcestershire
- Access to GP appointments
- Herefordshire and Worcestershire Primary Care Access Recovery Plan

Hybrid Leader and Cabinet Governance Model – Sixth-Month Review of Working Arrangements

The six-month review of working arrangements (hybrid Leader and Cabinet governance model) report reviewed how the Hybrid Leader and Cabinet model of governance had been working at BDC for the last six months.

The key proposals outlined was that the Council should have a Hybrid Leader and Cabinet model of governance moving forward. To enable this to be delivered, the recommendation was underpinned by six sub-proposals summarised as follows: -

- That the changes to the constitution detailed in the October 2023 report be implemented.
- That working protocols be introduced to embed more collegiate working.
- That Cabinet Advisory Groups (CAGs) be introduced.
- That action be taken to improve communications with Members.
- That a Memorandum of Understanding between all political group leaders to maintain these working arrangements for at least the next four years be introduced.
- That the arrangements be reviewed in six months' time by the Overview and Scrutiny Board.

WORKING GROUPS

Finance & Budget Working Group

This Group met on six occasions during the year with the Portfolio Holder for Finance and Enabling in attendance at all the Group's meetings, together with the Deputy Chief Executive (Section 151 Officer) and the Head of Finance and Customer Services.

The list below contains some of the topics/reports which the Working Group had considered and gives an insight into the work that has been carried out:

- 2024-25 Budget
- Medium Term Financial Plan 2024-25 to 2026-27 – Tranche 1 and Tranche 2 Reports
- Finance and Performance Monitoring Reports
- The Financial Outturn Report
- Council Tax Empty Homes Discounts and Premiums report
- Council Tax Support Scheme
- Council Tax and Non-Domestic Rates Discretionary Relief Policy
- Council Tax and Business Rates Yield 2024-25
- Financial Recovery Plan
- Blue Badge Holders Parking Proposal
- Ward Funds Proposal

During the first meeting of the municipal year the Overview and Scrutiny Board appointed the Chairman and Members to the Finance and Budget Working Group. The Members for the 2024 – 2025 municipal year were Councillor P. McDonald, Councillor S. T. Nock, Councillor A. Bailes, Councillor R. Bailes, Councillor S. Robinson. Councillor H.D.N. Rone-Clarke was appointed to sit on the Group in his role as the Chairman of the Audit, Standards and Governance Committee in line with the Terms of Reference of the Working Group. Discussions also took place about allowing substitutes on the Finance and Budget Working Group, most Members felt that no substitutions should be allowed on the Working Group. It was also felt that Members would first discuss whether the quorum should remain at three before considering changes to the current terms of reference.

During its meeting on 23rd July 2024 the Board were informed that three recommendations were agreed by the Finance and Budget Working Group at its July meeting and were proposed to Overview and Scrutiny Board for their onward recommendation to Cabinet. These recommendations were:

1. That the Council seek maximum threshold of developer contribution (as set out below) in respect of the rate/proportion of affordable housing delivered for housing developments taking place in the District. The thresholds, as per the Council's Local Plan, are:

- Up to 40% affordable housing (or a higher % if proposed [by a developer]) on greenfield sites or any site accommodating 200 or more dwellings.
 - Up to 30% affordable housing (or a higher % if proposed [by a developer]) on brownfield sites accommodating less than 200 dwellings.
2. That the 40 % thresholds referred to above be extended to any site accommodating below 100 dwellings, to narrow the ever-increasing gap between Market Houses and Affordable.
 3. To ensure that when deadlines are provided in Council reports, these are realistic and are being adhered to be approved.

At the meeting of Cabinet on 24th July, recommendations 1 and 2 above were referred to the Strategic Planning Steering Group (SPSG) for consideration.

Recommendation 3 was agreed in the following format: *'Subject to updating the Cabinet Work Programme to schedule items for consideration "not before" particular dates, to ensure that when deadlines are provided in Council reports, these are realistic and are being adhered to'.*

The Terms of Reference was also discussed regarding Point 6 *"No substitute will be permitted to sit on the Finance and Budget Working Group"* be amended to *"No substitute will be permitted to sit on the Finance and Budget Working Group, other than in exceptional circumstances, such as planned absence"*.

The following were also discussed:

- Section 24 Notice remained whilst the Authority's accounts were unaudited.
- Agency staff utilisation had reduced by 10% since the previous update.
- Woodland Creation scheme due to be considered by the Board before it was presented to Cabinet.
- 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.

During the meeting held on 10th September 2024 the Chairman discussed the Terms of Reference with the Board. Following discussions the Board agreed the following change be made from *"No substitute will be permitted to sit on the Finance and Budget Working Group"* to *"No substitute will be permitted to sit on the Finance and Budget Working Group, **other than in exceptional circumstances, such as planned absence**"*.

The following were also discussed:

- The Section 24 Notice remained whilst the Authority's accounts would be audited by 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 Woodland Creation 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.

At its meeting held on 6th January 2025 the Medium-Term Financial Plan Tranche 1 Budget was discussed as follows:

- A one-year settlement was agreed.
- The agreed 3.25 percentage increase in grant funding had been re-evaluated to 0 percent. Consultations were ongoing to review the funding.
- There would be a 2.99 percentage increase in Council Tax.
- There was an agreement of a 3 percent increase in pay awards (an estimated £154k).
- It was agreed that National Insurance contributions would be funded by the Government.
- The Council to allocate £1m revenue funding for the Food Waste Collection Service.
- A dividend of £250k would be provided by Bromsgrove School.

During its meeting held on 11th February 2025 the Tranche 2 of the Budget setting was discussed as follows:

- The Council would be increasing the Council Tax by a further 1%.
- There was no increase in government funding and a balanced budget was to be taken from the general fund.
- After consideration of The Poverty Truth Commission presented during the meeting, Members requested further information to detail how the commission had helped individuals and to provide examples. An extraordinary Finance and Budget Working Group meeting would take place on 18th February 2025 for further consideration of this item.

During the meeting held on 25th March 2025 the following were discussed:

- A new software system was being utilised within the Council to analyse data, which would identify important information and any trends or areas of improvement required.

- Members were also encouraged by the recovery plan which was in a good position for the impending Local Government Reorganisation (LGR).

TASK GROUP INVESTIGATIONS & SHORT, SHARP REVIEWS CARRIED OUT

For Task Groups The detailed final reports of all these investigations can be found on the Council's website within the Overview and Scrutiny section.

Impact of Heatwaves Task Group

The Short Sharp Review was commissioned by the Board on 12th February 2024 following a Motion submitted by Councillor Marshall to Council on 24th January 2024. The Motion was in respect of a review of immediate action be taken to educate and equip residents for impending heatwaves made more likely by climate change. The terms of reference were agreed on 22nd April 2024 with the final report discussed with the Board on 23rd July 2024.

Members agreed to the recommendation that an annual report be provided to the Overview and Scrutiny Board in order to update Members any areas of change in respect of the Impact of Heatwaves on the Community and any changes in the response to those events be noted. The report and its recommendations were subsequently noted at Cabinet at its meeting on 11th September 2024.

The report to consider the annual update was presented to the Board at its meeting held on 25th March 2025. The Board were briefed on the Council's preparedness for the impact of heatwaves as recommended by the Board. The topics discussed included updates on Heatwaves at the Local Resilience Forum Level, Cools Hubs, Plans, Warning and Informing, Priority Services Register, Business Continuity Plans and Training.

Foodbank and Community Shop Provision Task Group – Proposed Amendment to recommendation

The Chairman of the Foodbank and Community Shop Provision Task Group presented to the Board on 19th November 2024. It was explained that the report detailed the background to, as well as the wording of, an amendment suggested by Cabinet to Recommendation 4 of the Foodbank and Community Shop Provision Task Group, the other recommendations from the group having been approved by Cabinet earlier in the year.

The original recommendation was "That the Council endeavour to investigate, under the auspices of existing arrangements available to the Council, such as the Bromsgrove Partnership, whether communities in areas of the district that do not currently have foodbanks require this provision, and that the Council make best effort to create a food bank in Rubery where a need has already been identified".

The proposed amendment was "That the Council endeavour to investigate, under the auspices of existing arrangements available to the Council, such as the Bromsgrove Partnership, whether communities in areas of the district that do not currently have foodbanks require this provision, and that the Council make best effort *to support the*

local community and Voluntary and Community Sector (VCS) to create a food bank in Rubery where a need has already been identified”.

The Board agreed to endorse the proposed change to the wording of the Food Bank Task Group’s fourth recommendation.

Topic Proposal for Task Group – Housing

On 23rd July 2024 Councillor Rone-Clarke presented the topic proposal for the Board’s consideration. The Board endorsed the decision that a Housing Task Group be established and that the terms of reference be approved. Key objectives of the proposed task group review were to scrutinise the following areas:

- Fleece-holding - Members “to address and influence” to assist residents.
- Section 106 monies to support infrastructure rules – Members located in town centres/urban areas could add significant value.
- To investigate “asset rich” but “revenue poor” residents and the support available locally to residents - This could involve the task group exploring potential gaps that could be addressed by the Council and partner organisations.

During the meeting on 10th September 2024, it was explained that the purpose of the report was to formalise the Membership of the Task Group, considering requests received since the previous meeting. It was agreed that the Chairman would be appointed at the first task group meeting. The proposed membership of the Housing Task Group was approved by the Board.

During its meeting held on 19th November 2024 the Chairman of the Housing Task Group updated Members of its meeting which took place on 31st October 2024. The initial meeting had gone well, with positive engagement and discussions by all Members. During the debate Members had suggested that a further area could be explored in more detail. Members of the Overview and Scrutiny Board were requested to consider and subsequently agreed the following as an addition to the Terms of Reference: *“To scrutinise the allocations policy and housing register regarding eligibility, qualification and allocations and explore standards of housing let under the policy”.*

During various meetings the Board were informed of progress of the Housing Task Group. Members were informed that the group were on track and had covered each of the terms of reference items for investigation in various meetings with Officers. The next scheduled meeting would be held in person on 3rd April 2025 to draft the report and recommendations.

CONCLUSION

A significant amount of pre-scrutiny work has been carried out by the Board throughout the year and based on detailed discussions, a number of recommendations had been made to Cabinet and Full Council. Some of these recommendations were subsequently approved by the decision-making bodies. In addition to this, the work of the the Finance and Budget Working Group has been useful in providing Members with an opportunity to look at complex finance reports in some considerable detail.

During the year, two task group investigations (Impact of Heatwaves and Foodbank Provision) had been concluded with a further Housing Task Group progressing well and had covered each of the terms of reference items for investigation in various meetings with Officers. The final report for this Task group was due to be considered by the Board at its meeting due to be held in June 2025. This would subsequently be considered at the cabinet meeting held in July 2025.

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FURTHER INFORMATION

Overview and Scrutiny Board Meetings

Overview and Scrutiny Board meetings are open to the public. To find out more visit our website at <http://www.bromsgrove.gov.uk/council/the-council/overview-and-scrutiny.aspx> or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

Public Involvement

If you would like to have your say on issues being considered by Overview and Scrutiny or to suggest a topic for consideration you can email scrutiny@bromsgrove.gov.uk or complete the form on the Council's website at <https://www.bromsgrove.gov.uk/council/the-council/overview-and-scrutiny/public-participation.aspx>

Giving Evidence

Members of the public or organisations with a special interest or knowledge about a particular topic being considered by Overview and Scrutiny can put forward evidence to a Committee or appear as a witness to give evidence for an investigation. If you think you or your organisation might be able to participate in an issue currently under review, please contact us.

If you have a personal issue with a Council service you may find it more useful to contact your local ward Councillor who can help you decide the best way to take it forward.

Contact Overview and Scrutiny

If you would like to find out more about any aspect of the Overview and Scrutiny Board then you can email scrutiny@bromsgrove.gov.uk or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

Overview and Scrutiny

Legal, Democratic and Property Services

Bromsgrove District Council

Parkside, Market Street, Bromsgrove B61 8DA

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Recommendations from the Cabinet Meeting held on 18th June 2025

Contaminated Land Strategy

RECOMMENDED that the Council adopt the revised strategy which should be published on the Worcestershire Regulatory Services (WRS) website.

Warm Homes Local Grants Funding and Resources

RECOMMENDED that Authority be delegated to the Deputy Chief Executive and Chief Finance Officer to reflect in the Capital Programme the grant funding in 2025/26 and to include the 2026/27 and 2027/28 funding into the Medium-Term Financial Plan for the Warm Homes Local Grant (WHLG) (as shown below).

Year 1	Year 2	Year 3
£31,423.08	£129,000	£124,700

Appointments to the Shareholders Committee

RECOMMENDED that the updated Terms of Reference for the Shareholders Committee be approved.

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Cabinet
2025

18th June

Contaminated Land Inspection Strategy

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Assistant Director	Simon Wilkes
Report Author	Stephen Williams Specialist Lead Officer (Contaminated Land) Stephen.Williams@worcsregservices.gov.uk 01562 738090
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Council Priority	Enhancing the quality of life for current and future generations
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Cabinet RECOMMEND that:-

1) The Council adopts the revised strategy (as attached at Appendix 1) which should be published on the Worcestershire Regulatory Services (WRS) website.

2. BACKGROUND

- 2.1 The attached report in Appendix 1 is a revision of the Bromsgrove District Council Contaminated Land Inspection Strategy which was first published in May 2001. This document can be made available on request.
- 2.2 The new inspection strategy aims to replace the previous version and meet the current requirements of the statutory guidance which was issued in 2012. It outlines the process for review of potential contaminated land sites within the district and the prioritisation methodology to be used. It also aims to provide an overview of the framework that exists in respect of contaminated land and other methods under which sites can be addressed, with action under Part 2A to be taken only as a last resort.
- 2.3 The strategy does not place any additional obligations on the local authority or change any existing statutory responsibilities. It sets out the process that has been developed for prioritisation and review of

sites that is ongoing and aims to ensure that current guidance is being complied with.

- 2.4 Sites where contamination may be present have the potential to pose a risk to human health and the environment. Part 2A of the Environmental Protection Act 1990 places a duty on local authorities to review and assess these risks through the contaminated land regime. The presence of a harmful substance alone does not mean that land will meet the definition of “contaminated land”. The source of contamination must present a significant possibility of significant harm to relevant receptors through a viable pathway of exposure. The strategy presents the methodology for how assessment of all sites of potential contamination concern will be conducted via strategic inspection, prioritisation, and detailed review of highest risk sites.
- 2.5 The statutory guidance states that action under contaminated land legislation should only be used when there is no other appropriate alternative with other mechanisms used in preference if possible. These include the planning and development control processes as well as voluntary action taken by landowners to minimise the unnecessary burdens placed on taxpayers, businesses, and individuals.
- 2.6 The original strategy document requires amendment to reflect the changes that have occurred since publication including the gradual reduction and withdrawal of the funding system from central Government for local authority contaminated land work. As a result, the Council will focus on addressing sites where contamination may exist predominantly through the planning and development control process.
- 2.7 To date no sites have been declared as ‘Contaminated Land’ by Bromsgrove District Council since the first Contaminated Land Strategy was produced in 2001. However, a number of sites of concern have been subject to detailed inspection in this time. A current total of approximately 2020 sites have been identified as potential sites of contaminated land concern within the district largely relating to the historic land use. There are a total of approximately 9300 potential sites of concern identified across Worcestershire as a whole. The prioritisation process will continue as outlined in the strategy.
- 2.8 Planning policies encourage the reuse of previously developed land (brownfield) subject to appropriate site investigation, risk assessment and remediation. Voluntary action is strongly encouraged to deal with potentially contaminated land, either on individual site basis or as part of wider regeneration work. Regulatory action under Part 2A will only be used where no appropriate alternative regulatory solution exists.

3. OPERATIONAL ISSUES

- 3.1 There are no operational issues associated with the revision of the strategy as the process will continue as it has previously.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no anticipated changes to financial implications with regards to revision of the strategy.
- 4.2 The Statutory Guidance states that Local Authorities should seek to minimise unnecessary burdens on the taxpayer and in the absence of any funding mechanisms and the financial risk this creates. The council will not proactively undertake this kind of work except where clear evidence of a problem exists. However potential funding streams will be assessed and pursued where appropriate and where remediation is required, the council will seek to identify persons responsible and liable for the costs of remediation.
- 4.3 The costs associated with remediating contaminated land are likely to rise due to climate change impacts, including expenses from extreme weather events. Liability considerations must also encompass climate-related risks, as responsible parties may incur additional costs if contamination worsens.

5. LEGAL IMPLICATIONS

- 5.1 There are no changes to legal implications in relation to the revised strategy. The current strategy is out of date and therefore requires revision to comply with Contaminated Land Statutory Guidance 2012.

6. OTHER - IMPLICATIONS

Relevant Council Priority

- 6.1 The strategy is considered to link to the three Council priorities as outlined within Bromsgrove District Council's 'Council Plan 2024-2027' [Bromsgrove District Council Plan 2024 - 2027 WEB](#)
- Economic Development
 - Housing

- Environment

Climate Change Implications

- 6.2 The green thread runs through the Council plan.

The identification of contaminated land must now consider the impacts of climate change, as shifting weather patterns can alter the distribution and severity of contamination. Areas previously unaffected may become contaminated due to changes in runoff, flooding, or other climate-related factors. Consequently, inspection strategies should be adapted to account for these changes. Remediation efforts must also address the effects of climate change, such as increased flooding, which can spread contaminants or hinder remediation, and changing soil conditions that affect the effectiveness of remediation techniques. Additionally, warmer temperatures can enhance microbial activity, influencing the degradation of contaminants. Adaptive measures should be integrated into remediation strategies to tackle these challenges effectively.

- 6.3 There are co-benefits and opportunities in integrating climate change considerations into contaminated land strategies. These include improved air and water quality, enhanced biodiversity, recreational opportunities, and health benefits, leading to more sustainable and resilient outcomes.

Equalities and Diversity Implications

- 6.4 The strategy aims to ensure housing, including social and affordable housing, is of an appropriate standard in respect of contaminated land issues. This is particularly important in former industrial areas where there may be a higher risk from historic sources of contamination.
- 6.5 The strategy sets out how sites of concern will be reviewed and assessed. Contaminated land risks are a consideration for areas of new development.
- 6.6 The revised strategy document is not considered to have a negative equalities impact.

7. RISK MANAGEMENT

Cabinet 2025

18th June

-
- 7.1 As the existing strategy is out of date this revision brings the Strategy into line with the Statutory Guidance and ensures compliance with current requirements.
- 7.2 The report has been updated to reflect changes to the Statutory Guidance in the time since the original was issued.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Bromsgrove District Council Contaminated Land Inspection Strategy.

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Kit Taylor	
Lead Director / Assistant Director	Simon Wilkes – Head of Worcestershire Regulatory Services	11th March 2025
Financial Services	Debra Goodall	17 th March 2025
Legal Services	Nicola Cummings, Principal Solicitor - Governance	23rd May 2025
Policy Team	Rebecca Green	14th April 2025
Climate Change Team	Matthew Eccles	12 th March 2025

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Bromsgrove
District Council

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Worcestershire
Regulatory Services

Supporting and protecting you



BROMSGROVE DISTRICT COUNCIL

Contaminated Land Inspection Strategy
June 2025

Executive Summary

The industrial history and development of the country has left a legacy of land where there is the potential for contamination to be present. Contamination may pose a risk to human health and the environment. Part 2A of the Environmental Protection Act 1990 places a duty on local authorities to address these risks through the contaminated land regime. The presence of a harmful substance in, on or below a piece of land does not necessarily mean that land is “contaminated land”. The source of contamination must present a significant possibility of significant harm to relevant receptors, for example a person, ecosystem, or controlled waters, through a viable pathway of exposure.

Enforcement action under this legislation should only be used when there is no other appropriate alternative with other mechanisms used in preference if possible. These mechanisms include the planning and development control process and voluntary action taken by landowners to minimise the unnecessary burdens placed on taxpayers, businesses, and individuals.

This strategy is a requirement under the contaminated land regime, as set out in the Contaminated Land Statutory Guidance 2012, for local authorities who are the primary regulator. Strategies should be reviewed every 5 years. Due to the withdrawal of the funding system from central Government for contaminated land work, the Council will focus on addressing sites where contamination may exist predominantly through the planning and development control process. This document details further how this is already achieved and how we continue to work to drive standards and improve consistency in regulation across the region and further afield.

To date, no sites have been declared as ‘*Contaminated Land*’ by Bromsgrove District Council (BDC) since the first Contaminated Land Strategy was produced in 2001. Currently, there are approximately 2020 sites identified as potential sites of contaminated land concern within the district, largely relating to the historic land use.

BDC planning policies encourage the reuse of previously developed land subject to appropriate site investigation, risk assessment and remediation. Voluntary action is strongly encouraged to deal with potentially contaminated land, either on an individual site basis or as part of wider regeneration work. Regulatory action under Part 2A will only be used where no appropriate alternative regulatory solution exists.

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1. *Introduction*

Bromsgrove District Council, as with most local authorities, has a legacy of land contamination that has resulted from over 200 years of industrial development. In addition to historically contaminated sites, pollution incidents, such as spillages and accidents, can give rise to contamination of the land. In the minority of cases the contamination may be serious enough to present a hazard to human health or the environment.

In April 2000, the UK Government introduced a duty on each local authority to inspect the land within its area and identify any areas that could be defined as "contaminated land". Where a local authority finds such land, it must ensure it is remediated to reduce or remove risks to people and the environment. The government set out its requirements for dealing with contaminated land within Part 2A of the Environmental Protection Act 1990 ("the Act") and associated 'Statutory Guidance' documents.

Bromsgrove District Council (BDC) first published its Contaminated Land Strategy in May 2001. This document represents a revised strategy which updates and replaces the previous version. The document considers changes in the Contaminated Land Statutory Guidance 2012, national policy, council policy and sets out the Council's strategic approach to contaminated land.

2. Legislative Context, National, and Local Policy

Section 57 of the Environment Act 1995 inserted Part 2A into the Act which establishes a legal framework for dealing with contaminated land. This came into force on 1st April 2000.

Part 2A provides a means of dealing with unacceptable risks posed by land contamination to human health and the environment.

The Department for Environment, Food and Rural Affairs (Defra) states the following in its guidance document [Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory Guidance \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/264842/Environmental_Protection_Act_1990_Part_2A_-_Contaminated_Land_Statutory_Guidance.pdf) (2012)

1.4 The overarching objectives of the Government's policy on contaminated land and the Part 2A regime are:

- (a) To identify and remove unacceptable risks to human health and the environment.*
- (b) To seek to ensure that contaminated land is made suitable for its current use.*
- (c) To ensure that the burdens faced by individuals, companies and society are proportionate, manageable and compatible with the principles of sustainable development.*

Contaminated land is defined in Section 78A(2) of Part 2A of the Act as “any land, which appears to the local authority in whose area it is situated to be in such condition, by reason of substances in, on or under the land that:

(a) significant harm is being caused or there is a significant possibility of such harm being caused.

or

(b) significant pollution of controlled waters is being caused or there is a significant possibility of such pollution being caused”.

78A(4) Environmental Protection Act 1990 defines harm as:

“Harm to the health of living organisms or other interference with the ecological systems of which they form a part, and in the case of man includes harm to his property.”

The presence of a harmful substance in, on or below a piece of land does not necessarily mean that land is “contaminated land”. The source of harm may be present but unless a possible route exists through which it is likely to cause harm to health, eco-systems or property, or to cause pollution of controlled waters, the land is not contaminated within the meaning of the Act.

Only land where unacceptable risk has been clearly identified after risk assessment should be considered as meeting the Part 2A definition of contaminated land. Land

should be considered ‘uncontaminated land’ as defined by Part 2A unless there is reason to consider otherwise.

Within this document “contaminated land” is used to mean land which meets the legal definition under Part 2A. Other terms, such as “land affected by contamination” or “land contamination” are used to describe land where contaminants are present but not at sufficient level of risk to be classified as contaminated land.

A site cannot be identified as contaminated land purely due to contaminative substances being present. There must be a relevant sensitive receptor, such as a human being, ecosystem, controlled waters, or property, at risk of significant harm from the source of contamination. There must also be a viable pathway of exposure linking them together. A pathway may be exposure from handling of soils, breathing in dust or vapours, consumption of produce grown in impacted soils, or other means by which a contaminant may reach the receptor. A complete source-pathway-receptor model of contamination is referred to as ‘contamination linkage or pollutant linkage’.



The term ‘*significant contaminant linkage*’ is used in the Statutory Guidance to mean a contaminant linkage which gives rise to a level of risk sufficient to justify a piece of land being determined as contaminated land.

2.1 Radioactive Contaminated Land

A legal framework for dealing with radioactive contaminated land in England under the Part 2A regime has been established by Radioactive Contaminated Land (Enabling Powers) (England) Regulations 2005 and the Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006.

The radioactive contaminated land regime addresses harm attributable to radioactivity under Part 2A, where radioactivity is present because of a past activity or as a result of the after-effects of an emergency. The regulations do not apply to current practices or natural background radiation and are only concerned with potential effects on human health, excluding environmental receptors. The Radioactive Contaminated Land Statutory Guidance (June 2018) is legally binding on local authorities including Bromsgrove District Council.

[Radioactive contaminated land: statutory guidance - June 2018
\(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/311111/radioactive-contaminated-land-statutory-guidance-june-2018.pdf)

2.2 Duties of Local Authority

Under section 78B(1) of Part 2A of the Act the council has an inspection duty, which is set out below.

Every local authority shall cause its areas to be inspected from time to time for the purpose –

- (a) of identifying contaminated land; and*
- (b) of enabling the authority to decide whether any such land is land which is required to be designated as a special site*

The Statutory Guidance states there are two broad types of inspection likely to be carried out by local authorities. Firstly, strategic inspection, which comprises the collection of information to make a broad assessment of land within the area and then prioritisation of sites for further consideration. Secondly, detailed inspection of that particular land to obtain information on ground conditions and, where necessary, carrying out risk assessments in order to make decisions relevant to that land under the Part 2A regime. The Guidance refers to these as ‘strategic inspection’ and ‘detailed inspection’. Further information is provided in Section 5 below.

2.3 Special sites

Land required to be designated as a ‘special site’ is defined within regulation 2 of the Contaminated Land (England) Regulations 2006. Where a local authority inspects land considered to meet one of the definitions, and determines it may constitute ‘contaminated land’, consultation with the Environment Agency would be undertaken. Subject to the Agency’s advice and agreement, a joint approach to inspection of the land would be adopted. For special sites, regulation is transferred to the Environment Agency, however, the local authority retains the duty to formally determine land as contaminated land under Part 2A.

2.4 Contaminated Land Statutory Guidance

The Department for Environment, Food and Rural Affairs (Defra) published revised Contaminated Land Statutory Guidance in April 2012 (Statutory Guidance). The Statutory Guidance requires the Local Authority to take a strategic approach to carrying out its inspection duty, set out in a written strategy which is periodically reviewed.

The strategy should include the following:

- (a) *Its aims, objectives and priorities, taking into account the characteristics of its area.*
- (b) *A description of relevant aspects of its area.*
- (c) *Its approach to strategic inspection of its area or parts of it.*
- (d) *Its approach to the prioritisation of detailed inspection and remediation activity.*
- (e) *How its approach under Part 2A fits with its broader approach to dealing with land contamination.*
- (f) *Broadly, how the authority will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.*

[Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory Guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/644442/Environmental_Protection_Act_1990_Part_2A_-_Contaminated_Land_Statutory_Guidance.pdf)

2.5 Bromsgrove District Council Policy

Bromsgrove District Council's 'Council Plan 2024-2027' sets out the Council's strategic priorities. The core values relevant to this strategy are:

- Economic Development
- Housing
- Environment

The Council Plan sets out the Council's ambitions for the area that they aim to deliver within the stated time period.

[Bromsgrove District Council Council Plan 2024 - 2027 WEB](#)

Adopted Bromsgrove District Plan 2011-2030

On 25th January 2017, Bromsgrove District Council met to adopt the Bromsgrove District Plan 2011-2030. The adopted Bromsgrove District Plan (BDP) forms part of the statutory development plan for the district, sets out the Council's vision and strategy for the area until 2030 and provides the basis for decisions on planning applications.

The plan makes a number of references relevant to contaminated land including within section 8.20 'Air noise pollution and land contamination', which goes on to state "*there are many sites which have had one or more industrial or commercial uses which may have resulted in soil and water contamination that may need to be addressed*".

Section BDP19 'High Quality Design', also includes the following statement: "Ensuring development is made suitable for the proposed final use, for instance, in

terms of land contamination and, where relevant, does not create an unacceptable risk to controlled waters (where relevant). The Council will determine whether reports detailing for example, site history; a preliminary risk assessment and where appropriate; a site investigation and remediation scheme along with long term monitoring and maintenance proposals, will need to be submitted in support of any planning application. Such reports will be prepared in accordance with best practice guidance”.

It is understood that the Council is currently considering recently announced planning reforms and will be publishing a new timetable for the Bromsgrove District Plan in due course.

A copy of the local plan is available via [Adopted BDP January 2017](#) . Further information relating to planning policy can be accessed at [Planning Policies and Other Information](#).

2.6 Brownfield Land Register

The Government introduced a requirement for all Local Planning Authorities (LPAs) to publish a Brownfield Land Register (BLR) by 31st December 2017. The BLR is a comprehensive list of brownfield sites in a local authority area that are suitable for housing. The register aims to help house builders identify suitable sites quickly, speeding up the construction of new homes.

The Council will have the final say on which sites are on the register and which sites will have permission in principle. The BLR is compiled in two parts:-

Part 1 will include sites categorised as previously developed land which are suitable, available and achievable for residential development.

Part 2 will allow LPAs to select sites from Part 1 and grant permission in principle (PiP) for housing led development. There are currently no sites that have been put forward for Part 2.

All sites submitted must be Brownfield land, suitable to be developed for housing and meet the National Planning Policy Framework (NPPF) definition of previously developed land.

Further information relating to the BLR within Bromsgrove is available via the following link.

[Brownfield Land Register](#)

3. Aims and Objectives

The aim of this document is to outline how the Council will implement the contaminated land regime within the district, in a proportionate and cost-effective manner. It is not intended to reiterate the specifics as defined by legislation or in statutory guidance or other best practice documents which cover the numerous and detailed aspects involved when assessing land for contamination. A brief outline of the regime is provided here [Land affected by contamination - GOV.UK](https://www.gov.uk/land-affected-by-contamination) and on the WRS website [Contaminated Land | Worcestershire Regulatory Services \(worcsregservices.gov.uk\)](https://www.worcsregservices.gov.uk/contaminated-land).

Aims

The council's aims in dealing with contaminated land are to:

Protect human health;	
Prevent damage to property, livestock, and crops;	
Protect designated ecosystems;	
•Prevent any further contamination of land;	
•Encourage voluntary remediation; and	
•Encourage re-use of brownfield land.	

Objectives

The principal objectives of this strategy are to:

•Identify sites where historic or current use may have led to land contamination.

Identify and remove unacceptable risks to human health and the environment resulting from contaminated land.

•Ensure sites are suitable for use utilising the planning system and voluntary remediation wherever possible.

Encourage development and use of previously developed (brownfield) land.

•Ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustainable development.

Ensure the strategy meets obligations under Part 2A of the Environmental Protection Act 1990 and fulfils statutory responsibility.

The objectives outline the ‘suitable for use approach’ with respect to the remediation of contaminated land and achieving sustainable development. This means that the risk is assessed in the context of a specific use with the aim of maintaining an acceptable level of risk at minimum cost, thereby, “not disturbing social, economic and environmental priorities.”

Priorities

The council, through WRS, undertakes to:

- Maintain accurate information and records of potentially contaminative land uses.

- Undertake risk assessment and prioritisation of potentially contaminated land sites.

- Where land is considered to be contaminated, ensure appropriate remediation is undertaken, using Part 2A powers only when no alternative solution exists.

- Act as consultee through the planning process, ensuring appropriate investigation and remediation, protecting new developments from historic land contamination.

- Consulting with stakeholders, as necessary.

- Provide information and advice to developers.

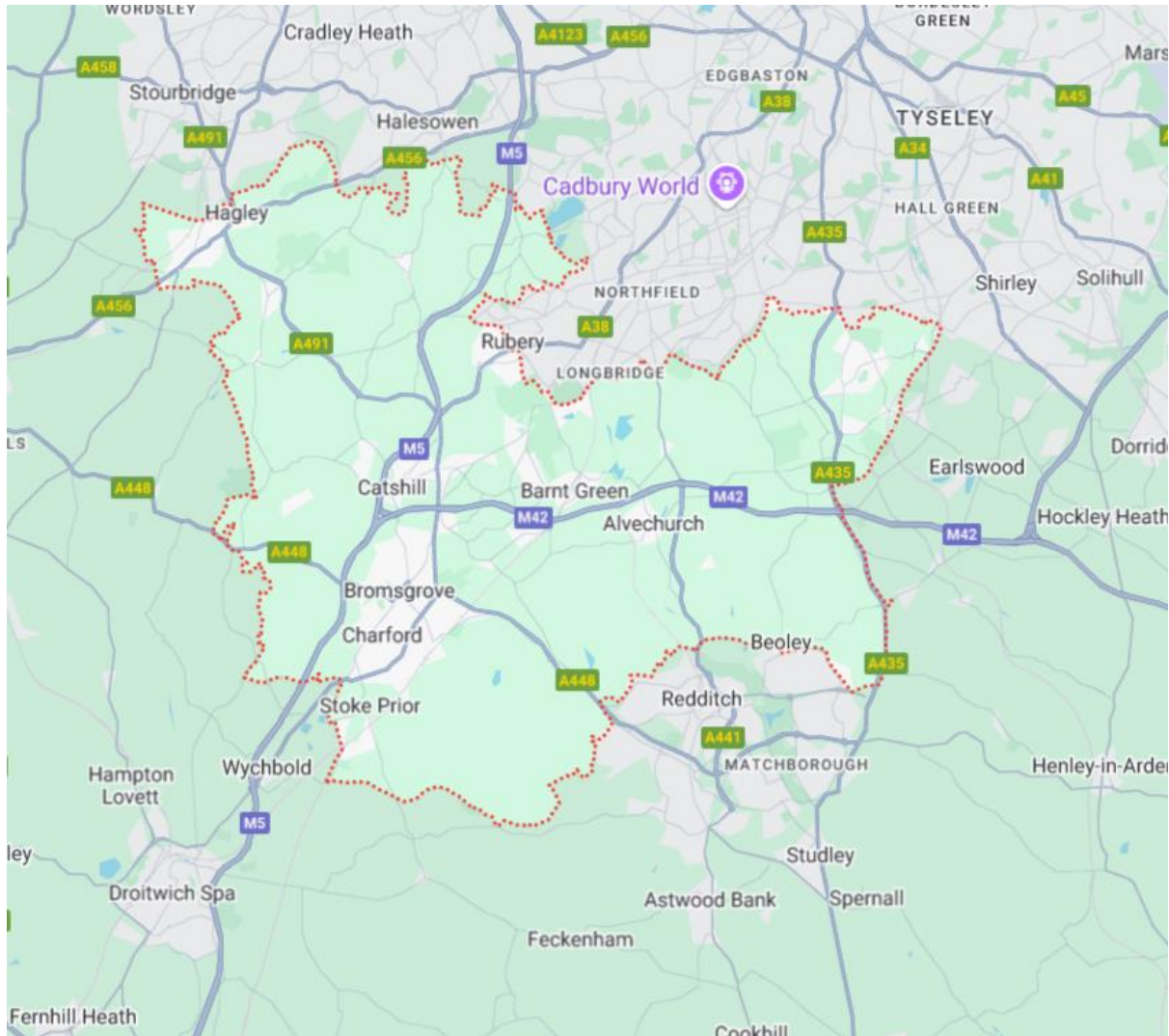
- Provide information and advice in response to enquiries regarding property transactions.

- Adopt and publish a revised Contaminated Land Strategy (this document) which is rational, ordered, efficient and reflects local circumstances, in accordance with Statutory Guidance.

- Periodically review the Contaminated Land Strategy, at least every 5 years.

- Maintain a public register of contaminated land as required by Part 2A of the Environmental Protection Act 1990.

4. Characteristics of Bromsgrove District



Bromsgrove District is located in north Worcestershire and is predominantly rural. The north of the district is part of the major urban conurbation linked to south Birmingham. The main centre of population is in Bromsgrove Town, with other large centres in Alvechurch, Aston Fields, Barnt Green, Catshill, Hagley, Rubery and Wythall.

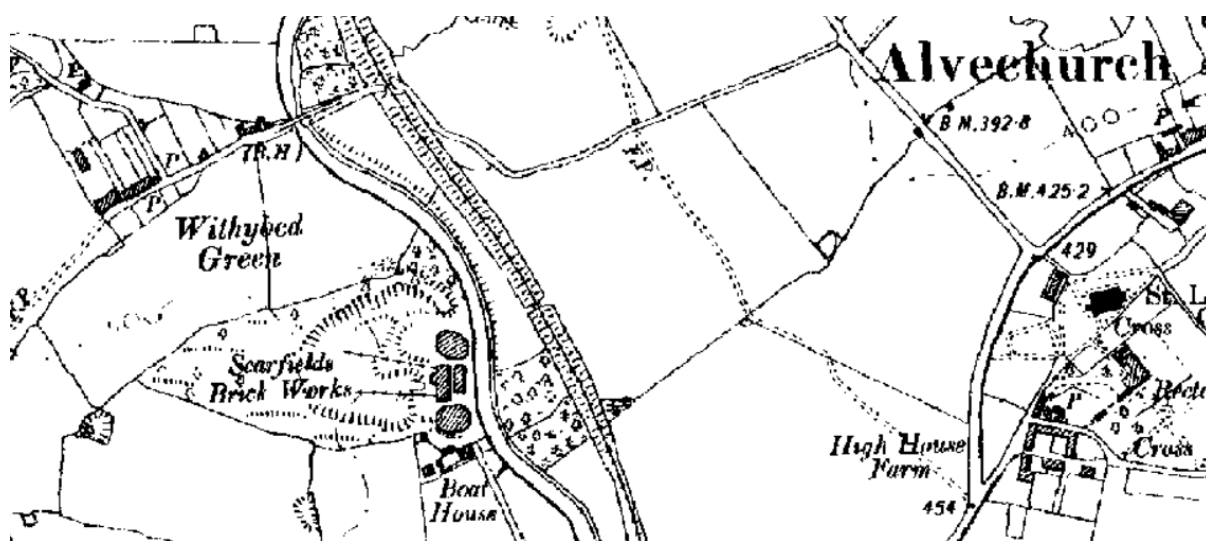
Bromsgrove

Bromsgrove is first documented in 9th Century Anglo-Saxon Britain as 'Bremesgraf'. By the time of the Domesday Survey in 1086 it was described as comprising 18 hamlets with the manor belonging to the King. In 1199 a charter was granted by King John to hold a market and Bromsgrove emerged as the principal market town of north Worcestershire with a prosperous wool trade. The church of 'St John the

Baptist' dates from around this time (although predominantly constructed in the 14th and 15th centuries) built upon a hill overlooking the town.

Early industries and trades included tanners, maltsters, clothiers and linen manufacturers. The district's most renowned trade, nail-making, was first recorded in the 16th century and by the time of the industrial revolution in the 18th Century, Bromsgrove was recognised as a major centre for nail manufacture. By the 19th century exploitative conditions within the nail industry had attracted national attention and strikes ensued. As nail making declined, Bromsgrove became closely linked with areas of Birmingham and the Black Country and the associated heavy industry and manufacturer of vehicle components. The district was a source of many skills, labour and production for these industries. Bromsgrove's strategic position on the road, canal, and railway networks helped shape the town's development. The Bromsgrove railway works was established in the town in 1841. The main function of the site was for maintenance and repair however new steam locomotives were also built there. Following reorganisation, the site was closed in 1964 and demolished.

Other industrial centres within the district include Alvechurch where a brick factory was in operation on the edge of the village at Withybed from the 19th century until the middle of the 20th century known as Scarfields Brick Works. The site was well placed to utilise the nearby canal and railway. Industries, in and around Alvechurch, also included nail production and needle manufacture. Dellow cars were manufactured in the village between 1949 and 1956.



Historical Mapping Image c. 1891-1912

Nail production was also carried out at a number of other smaller villages across the district including Catshill, Bournheath and Lickey End. The village of Belbroughton was at the centre of the scythe making industry for around 400 years until the works finally closed in 1968. Originally the mills in the town were powered by water running off the nearby Clent Hills feeding the Belne Brook but later replaced with electricity as the power source.

The salt works at Stoke Prior became one of the largest salt producers in Europe under the ownership of John Corbett who bought faltering businesses there in 1852.

Corbett introduced improved salt refining techniques as well as utilising the established canal boat infrastructure and developing railway technology to great success. The salt works was in operation at this site until the 1970s. In the 1960s the large Austin Rover car manufacturing plant at Longbridge, Birmingham extended its site into the village of Cofton Hackett within the district. Manufacturing ceased here in the early 2000s and the site has been redeveloped largely for residential housing as has been the case across other former industrial sites.

Despite the areas of industry much of the district remains mostly rural with substantial areas of high-quality farmland that continues to be used for a variety of crops and livestock production.

The area has been extensively quarried as shown by early historical maps (c. 19th century onwards). These operations involved the extraction of large quantities of sands, clays and gravels. The district also has a long history of extraction of high-quality building stone. As a result of such workings a significant number of large quarries and smaller disused pits and marl holes were left vacant. Many of these voids were later infilled with industrial, commercial, and domestic waste, from both within and beyond the district's borders.

There are a variety of specially designated areas highlighting the strategic importance of the Bromsgrove District in terms of its natural assets.

The following sites have been identified:-

- Fourteen Sites of Special Scientific Interest (SSSI's)
- Twelve conservation areas
- Fourteen Scheduled Monuments
- Around 100 key wildlife sites are understood to be located within the district out of 553 recorded across Worcestershire as a whole. These are referred to as Local Wildlife Sites (LWS – formally known as Special Wildlife Sites (SWS)).
- Waseley Hills Country Park is also designated as a Local Nature Reserve.

Further details pertaining to the above can be found in Appendix B.

4.1 The Geological Setting

To the north of the district, the areas of Romsley and Dayhouse Bank largely consist of Alveley and Enville Members of the Salop Formation comprising mudstones and red brown sandstones, with subordinate lenticular conglomerates and beds of limestone.

The area of Romsley Hill marks an outcrop of Clent Formation of the Permian period (formed between 298.9 and 272.3 million years ago (Ma)) comprising breccia with a mudstone matrix, and thin red / purple sands. Outcrop frequency of the Chester Formation (formerly Kidderminster Formation) increases gradually towards the south

of this area, overlain locally with deposits of sandy glacial till of the Quaternary period (2 Ma).

The geology of West Hagley and Holy Cross are dominated by Helsby Sandstone Formation with areas of Wildmoor Sandstone Formation formed within the Triassic period (approx. 250 Ma). The sandstone is overlain with breccia in localised areas of superficial Glaciofluvial Fan Deposits comprising Devensian Sands from the Quaternary period.

At Lower Clent there are identical Quaternary deposits overlying an outcrop of Wildmoor Sandstone Member comprising pebble beds of sandstone conglomerates which are also identified in the locality of Walton Pool.

To the east of Lower Clent, the larger outcrop of the Clent Hills are formed principally of the Enville Member and Clent Formation, that contain breccia consisting of red mudstone and red-brown, fine- to coarse-grained sandstone, locally pebbly, and lenticular beds of conglomerate. The sandstone is of sublitharenite; conglomerate clasts mostly Carboniferous limestone and chert.

Areas of the Waseley Hills overlie the Lower Permian Client Formation, consisting of red, brown, and purple breccia, and clasts of sandstone, shale, and igneous material.

The Lickey Hills are formed of metamorphic quartzite materials of the Lickey Quartzite Formation that are connected with igneous material from extrusive volcanic activity during the Ordovician period (485.4 and 443.8 Ma). Areas of the volcanic material outcrop to the south at Barnt Green, known as the Barnt Green Volcanic Formation, comprising igneous bedrock formed in the same period. Rubery includes small pockets of Lickey Quartzite Formation as well Rubery Sandstone Member formed between 443.8 and 433.4 Ma during the Silurian period.

Areas around Cofton Hackett, extending westwards to Wythall and south towards Tutnall, Beoley, and Bentley Pouncefoot are situated above major outcrops of the Mercia Mudstone Group, from the Middle and Upper Triassic. The Group consists of red, brown mudstone with subordinate skerries of sandstone or siltstone. Weatheroak sandstones are also evident in this group. Quantities of localised Quaternary glacial sands and gravel deposits are also identified in these areas.

Large parts of the southwest and central areas of the district including Dodford, Bourneheath, and Dordale are mainly situated upon Sidmouth Mudstone from the Triassic, these comprise red clay banded marls with sand skerries containing pockets of gravel material. Part of Stoke Heath also sits upon Branscombe Mudstone Formation with areas of Stoke Prior also including Droitwich Halite Members (a known historic brine stream) extending southwest to Droitwich. Belbroughton overlies the Helsby Sandstone Formation, which is red brown sandstone having bands of breccia, and containing small pockets of 3rd terrace glacial deposits.

The central and eastern area of Bromsgrove including Aston Fields, Stoney Hill, Finstall and areas of Catshill are situated on extensive strata outcrops of the

Sherwood Sandstone Group. These are structured as three distinct formats comprising Helsby Sandstone Formation comprising red, brown and buff sandstones and siltstones with red mudstone bands, Wildmoor Sandstone comprising red fine-grained sandstones, and Chester Formation comprising red-brown, coarse grained, massive, feldspathic sandstone. These strata overlie basal conglomerates and breccia and are highly prominent in the Marlbrook area.

Bromsgrove centre and west including Charford, Sidemoor, Worms Ash, and Fairfield largely overlie the Helsby Sandstone Formation. Areas of Upper Catshill, Staple Hill, and Lickey End areas are situated above the Wildmoor Sandstone, overlain in parts with an alluvial fan and periglacial flood gravel. Local to Chadwick Manor, Madeley and Chapmans Hill areas there is an outcrop of the Chester Formation. Areas of the formation are overlain in places by alluvial fan materials consisting of large quantities of glacially reworked deposits.

4.2 Hydrogeology and Hydrology

Hydrogeology

To help protect groundwater, the Environment Agency (EA) in England and Wales has identified different types of aquifer, which is the name for underground layers of water-bearing, permeable rock from which groundwater can be extracted. The groundwater within the district largely comprises areas of Principal aquifer within the central and northwestern portions with Secondary A aquifer covering the remainder of the northern areas. The western, southern and eastern areas of the district are largely Secondary B aquifer with small areas of Secondary (undifferentiated) contained within (MAGIC website, 2025). Further information can be accessed via the following website [Protect groundwater and prevent groundwater pollution - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/groundwater).

The Private Water Supplies (England) Regulations 2016 and The Private Water Supplies (England) (Amendment) Regulations 2018 set out standards for the quality of the water and place a duty on the Council to sample and risk assess these private supplies. According to the available records there are approximately 169 private water supplies identified within the district. These generally comprise of wells, spring water, or borehole abstractions from the underlying aquifer.

WRS, on behalf of Bromsgrove District Council, undertakes inspection and risk assessment of private drinking water supplies in the area. Further information in relation to private water supplies can be found on the WRS website via the following [Private Water Supplies | Worcestershire Regulatory Services \(worcsregservices.gov.uk\)](https://www.worcsregservices.gov.uk).

Hydrology

The main river near Bromsgrove is the River Salwarpe which is formed by the confluence of the Battlefield, Spadesbourne, and Sugar Brooks. The Salwarpe flows through the town and eventually joins the River Severn near Hawford, north of Worcester. Smaller tributaries of the river include the Hen, Hadley, Elmbridge, and Martin Brook.

Part of the River Cole flows through the district to the east of Wythall prior to passing beneath an aqueduct of the Stratford-upon-Avon Canal. A small section of this canal cuts through the northeastern most tip of the district in the village of Majors Green. A large section of the Worcester & Birmingham Canal also runs through the district generally in a south-westerly direction, from the vicinity of Hopwood, east of Bromsgrove, and exiting the district south of Stoke Prior.

The River Arrow flows from the Lickey Hills in the north of Worcestershire, following a largely southeastern path to become a major tributary of the River Avon. The river flows through Cofton Hackett, feeding Lower Bittell Reservoir and through Alvechurch before entering the Redditch district. Other large lakes in the district include Tardebigge Lake and Cofton Reservoir.

Notable streams and brooks elsewhere are Gallows Brook in Hagley, and Hoo Brook at Belbroughton in the northwest of the district, Dagnell Brook at Rowney Green in the east, Hen Brook in the southwest at Stoke Prior, Swans and Spring Brook in the south, and Hockley Brook to the west.

5. *Strategic Inspection & Prioritisation*

Worcestershire Regulatory Services (WRS) is the shared Environmental Health and Licensing functions of Bromsgrove District Council and the five other Worcestershire districts. In line with the service level agreement, the potential contaminated land sites of each district are maintained in a combined working dataset to provide a countywide prioritisation to tackle those sites in the county in order of priority.

Using a combination of historical maps supplemented with Council records and other relevant information sources, a dataset of sites is maintained, where past uses may have led to the presence of contamination. These sites are termed 'Sites of Potential Contaminated Land Concern' ("PCL").

At the time of writing this report, there are approximately 9500 site records held relating to potential sites of contaminated land concern within the dataset. It should be noted that some of these may relate to multiple records for a site due to changes in land use or the time period over which uses have occurred. Approximately 2020 PCL sites are recorded within the Bromsgrove District Council area. New sites are being added to the records as and when they are identified, or further clarity of information is attained. These sites range from large industrial sites, such as former power stations, landfill sites, and gas works, to very small sites such as infilled

ponds, electricity substations, and everything in between, such as petrol filling stations, warehouses, factories, and depots.

A manual method of prioritisation of these sites is being undertaken to rank the sites in order of priority for detailed inspection. Sites that have a greater risk will be classed as a higher priority, those with a lower risk will be allocated a lower priority. Where sites have been remediated as part of the planning process or through voluntary remediation this will be reflected within the prioritisation. The list will continue to be revised as further sites are redeveloped through the planning regime.

Most of these sites will not have been investigated, with only limited information available, and therefore have only been identified with a potential for contamination to be present due to the historical land use rather than a known history of contamination. The sites will be ranked by order of priority for possible detailed inspection in the future.

It is important to note that requirements under Part 2A of the Act address the risk based on the existing land use only and not future possible uses. Whilst sites may have been noted as remediated, or not requiring inspection, this does not preclude further work being required in the future should a more sensitive land use be proposed which may create a higher level of risk.

Part 2A adopts a precautionary approach in terms of the risks posed by contamination. The Statutory Guidance provides more detail on the specifics of risk assessment and the procedures for deciding whether land meets the legal definition of contaminated land resulting in determination. Any inspection carried out by the Council would follow the requirements set out in the legislation and Statutory Guidance at that time.

6. *Detailed Inspection*

Sites of Potential Concern will be prioritised for further detailed inspection with the highest-ranking sites inspected first. These sites would be those with the highest associated risk. The risk is considered based on the likelihood of contamination being present (by former activity), the sensitivity of the current land use, and likelihood of harm being caused.

Detailed inspection should follow a phased approach, which is standard practice for investigating the presence of contamination. This may include intrusive investigation involving the collection of soil and water samples along with gas and groundwater monitoring, dependent on the nature and likelihood of contamination suspected. All inspections will follow the Statutory Guidance and Land Contamination Risk Management Guidance (Environment Agency, 2024) and other relevant best practice and guidance.

To date, Bromsgrove District Council have undertaken a number of inspections under Part 2A of the Act. However, no sites have been determined as 'contaminated land' as a result at this time.

The detailed inspection of potentially contaminated land sites under the Part 2A regime is very resource intensive for the local authority, in terms of both time and money. Defra previously provided a grant system to local authorities via a bidding system, to finance the investigations. The grant system could also be used by local authorities to remediate sites, where no other responsible party could be identified. This scheme was withdrawn in 2013 and no replacement funding mechanism has been provided to enable local authorities to undertake this work since.

Intrusive investigation can be an expensive process usually requiring the services of specialist environmental consultants, often needing further rounds of investigation after initial results are received. Where remediation is required, the Council will seek to identify those persons responsible for the contamination and therefore liable for the costs of remediation.

Remediation costs can reach hundreds of thousands of pounds and where no other person is found to be liable for the costs, it would fall to Bromsgrove District Council to fund and ultimately the taxpayer.

The Statutory Guidance states that local authorities must seek to minimise unnecessary burdens on the taxpayer. As such, in the absence of any external funding mechanisms and the financial risk that this creates, Bromsgrove District Council at this time, will not proactively undertake Part 2A detailed inspections of Sites of Potential Concern (except where there is clear evidence that a problem exists).

The Council will continue to use the favoured mechanisms detailed in the Statutory Guidance, such as the planning process and voluntary remediation, to ensure that historical contamination is appropriately and proactively dealt with. These alternative arrangements are described in more detail below.

The Council will, however, use its powers under Part 2A of the Act to reactively deal with contaminated land where there is clear evidence that a problem exists or is likely to exist and there is no other regulatory approach available. Any potential funding streams will be assessed and pursued where appropriate should they become available.

7. Broader Approach

Contaminated land is considered within the Development Control and Building Control regimes to ensure sites are suitable for their current and intended use. Each system has its own requirements.

Development Control

The National Planning Policy Framework (NPPF) (Department for Levelling Up, Housing and Communities, 2023) sets out government's planning policies for England and how these are expected to be applied. Paragraphs 196 onwards detail the requirements for addressing potential contamination in the development control process to ensure the site is suitable for its proposed use and, after remediation (where required), ensure that the land is not capable of being determined as contaminated land.

NPPF Paragraph 196

Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990; and*
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

NPPF Para 197

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer and/or landowner.

WRS act as a consultee within the planning process and work closely with Planning Officers to ensure issues of potential contamination are investigated and dealt with as required. This is generally achieved by way of various conditions being applied to planning consent notices, as appropriate, to ensure the relevant issues are adequately addressed.

Involvement continues throughout a development up to the point it is demonstrated that no remedial measures are required on a site, or a final verification report is submitted and agreed to demonstrate remediation work has been successful. It is the responsibility of the developer and/or landowner to ensure the site is safe. The Council welcomes early communication on these matters so advice can be provided as to the requirements of addressing land contamination under the planning regime.

Addressing potential contamination through the development control regime is the best approach for addressing potentially contaminated sites. The high number of planning applications received per year in the district allows a much greater number of sites to be investigated than could be progressed under the Part 2A regime. The use of other mechanisms to address potential contamination is supported by the Statutory Guidance.

Building Control

Regulation 6 of the Building Regulations 2010 identifies resistance to contaminants as being a requirement to certain material changes of use.

WRS Officers would work with the Building Control Officers with regards to the requirements under the legislation and the subsequent remediation measures agreed for a site with the developer or landowner.

Building Regulations require measures to protect new buildings and the future occupants. Ground covered by any buildings and associated ground is required to be reasonably free of materials that might damage it or affect its stability. Reasonable precautions are required to avoid health and safety risks resulting from contamination.

Guidance has been issued in Approved Document C, *'Site preparation and Resistance to Contaminants and Moisture'*, (HM Government, 2013). A consolidated version of the individual Approved Documents has been published by the government, entitled *"The Building Regulations 2010 - The Merged Approved Documents - October 2024 compilation of individual approved documents"*

Environmental Permitting Regime

The Environmental Permitting (England and Wales) Regulations 2016 and subsequent amendments provides a regime for the regulation of prescribed industrial and waste management activities.

Where significant harm or pollution of controlled waters comes from a process regulated under the above regimes, a remediation notice under Part 2A of the Act cannot be served if the powers are available under the relevant Environmental Permitting regime to address the harm or pollution of controlled waters.

Environmental Damage Regulations

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 impose obligations and liabilities on certain commercial operations to prevent and remediate environmental damage caused by their activities based on the polluter pays principal.

The term “Environmental Damage” has a specific meaning under the regulations and is damage that adversely affects land, surface or groundwater, marine waters, protected species or natural habitats or a site of special scientific interest (SSSI). The Local Authority has enforcement responsibilities in relation to damage to land where this results in a “significant risk of adverse effects on human health”. In relation to damage to water and natural habitats/protected species, the Environment Agency and Natural England are the enforcement authorities respectively.

There can be some overlap of Environmental Damage and Part 2A and sites may be investigated under both regimes. In general Part 2A covers historic contamination whereas the Environmental Damage Regulations are to provide a quicker response in relation to pollution incidents.

Voluntary Remediation

Discussions with landowners or occupiers who wish to address potential contamination on their land on a voluntary basis are welcomed. This sometimes occurs where a landowner wishes to sell land, use it as equity, reduce the risk of damage to the environment, or limit any future liability.

Regional Collaboration

WRS is a member of a number of regional contaminated land groups consisting of representatives from other Local Authorities and relevant bodies. These include the West Midlands Contaminated Land Group, Gloucestershire Contaminated Land Group, and Staffordshire Contaminated Land Group. These groups are voluntarily run organisations working to provide support to local authority officers, encouraging dialogue with the wider industry and helping deliver consistency in the regulation of environmental pollution matters. WRS are also a member of the National Contaminated Land Officer Group (NCLOG) which offers a coordinated approach across the country to topical matters as they evolve. NCLOG is now being hosted and supported by the Institution for Environmental Sciences (IES). NCLOG was established in 2019 to enable the contaminated land officer voice to be heard nationally at government and industry level, and to promote consistency across the sector. NCLOG has over 200 members across the UK and maintains close links with existing regional officer groups and those working in the devolved administrations. It is a voluntary organisation and is governed by an elected Committee.

WRS have produced the Technical Guidance Note for Planning (April, 2025) which sets out the requirements for how land affected by contamination should be dealt

with as part of the planning process. The document also provides a specification as to the technical standards expected for contaminated land reports submitted in support of planning applications and discharge of condition requests. Environmental consultants and developers are directed to this document. It is hoped that this helps to improve the quality of information submitted and to raise awareness of the requirements particularly within the planning process. The document has been made available to other local authorities for information.

[wrs-technical-guidance-document-for-planning-v-5-8.pdf](#)

The Office for Environmental Protection

The Office for Environmental Protection (OEP) was legally created in November 2021, under the Environment Act 2021. Their remit is to protect and improve the environment by holding government and other public authorities to account. The OEP have powers to enforce against failures to comply with environmental law.

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Appendix A – Prioritisation Methodology

Preliminary prioritisation will continue in order to assess sites for future inspection. The sites will be scored utilising a risk ranking scoring system within the contaminated land database. The aim is to score all potential sites of concern to establish a hierarchy system with the higher risk sites at the top of the list. The site categorisation methodology is based upon the Source-Pathway- Receptor linkage, taking into account;

- Likely presence of Contaminant and severity of harm
- Likelihood of a Pathway for contaminant cause harm
- Receptor Sensitivity

The first step is to identify former potentially contaminative land uses or activities, such as “Gas Works”, and apply the corresponding score. If a site has had multiple different land uses it will be assigned the relevant scores for each of the major land uses. The risk assessment tool allows for up to six separate land use scores to be assigned. If a case arises where there are more than six relevant land uses for the site, the highest category scores will be included. A generic score according to the risk class is appointed depending on the use from the following rankings; Very High, High, Medium, Low, or Very Low.

The next stage is to assign a further score based on the pathway efficiency taking account of geology, soil classification, services pathways, and whether any remediation or barriers have been put in place. If no data is held a conservative approach is adopted by applying the same score as for high risk. The other values are medium or low.

A third score is applied in relation to the receptor sensitivity with the highest sensitive uses accruing a higher score. The most sensitive end uses are classed as residential with gardens, schools, and children’s nurseries. The receptor sensitivity takes account of exposure pathways that are likely to be present and the vulnerability of those receptors. A residential property with garden is likely to have more exposure pathways because of the potential for residents to interact with bare soils. Home grown produce may take up contaminants whilst growing that can then be ingested when consumed. Soils may also be ingested by young children during play, inhaled as dust, and tracked into residential properties. Children are at a higher risk from contaminants due to a number of factors including their smaller size (and therefore exposure to proportionally larger doses of toxins), closer proximity to the ground, dirt and indoor dust. When compared to an adult, children also breathe more and consume more food and water in terms of per kg of bodyweight (Hauptman, M, / Woolf, A, 2020).

A further score can be applied for other considerations where relevant. These include controlled waters sensitivity and whether there are other ecological

receptors, or protected property or buildings. These may include national nature reserves and Sites of Special Scientific Interest, ancient monuments, crops, owned or domesticated animals, and wild animals subject to shooting or fishing rights.

The scoring matrices that are to be utilised within the prioritisation process are set out below.

SCORING MATRIXES

SOURCE		CODE	RISK	SCORE
Asbestos manufacture, abrasives, and related products		ML	Very High	50
Chemical works (organic and inorganic)	Manufacture of cosmetics, bleaches, manure, fertilisers and pesticides, detergents, oil organic based pharmaceuticals, other chemical products, including glues, gelatines, recording tapes, photographic film	CH		
	Sheep dips	SD		
	Dyes, pigments	DY		
	Paint, varnishes, printing inks, mastics, sealants, and creosote	PA		
	Radioactive materials processing and disposal			
Gas works, coke works, coal carbonisation and similar sites. Production of gas from coal, lignite, oil, or other carbonaceous material other than waste		GA		
Refuse and waste disposal sites, including hazardous wastes, incinerators, sanitary depots, drum and tank cleaning, solvent recovery		RF		
Oil refining and bulk storage of oil and petrol & Gasometers which are not gas works		LL		
LANDFILL SITE - KNOWN TO BE ACTIVELY PRODUCING GAS		LA		
Abattoirs and animal slaughtering:		AB	High	40
Animal products processing into animal by-products e.g. soap, candles, and bone works.		AN		
Tannery, leather goods and skinnery		TY		
Engineering (heavy and general)	Manufacturing of distribution, telecoms, medical, navigation, metering, and lighting.	HE		
	Manufacture and repair including ships, aerospace, rail engines and rolling stock	HT		
	Heavy products manufacture - rolling and drawing of iron, steel, and ferroalloys - includes tube works	HM		
	Manufacturing of electrical and electronic domestic appliances.	HS		
	Manufacture of cars, lorries, buses, motorcycles, bicycles	LT		
	Manufacturing of engines, buildings and general industrial machinery, including nuts and bolts, gas fitting as, wire rope/cable	MA		

	and ordnance accessories. Including metal workshops and canneries			
Metal smelting and refining	Includes furnaces and forges, electroplating, galvanising, and anodising	FY		
	Ferro and aluminium alloys-manganese works, slag works	PL		
Civilian manufacture and storage of weapons, ammunition, explosives, and rockets including ordnance.		MG		
All military establishments including firing ranges (if not specified as civilian).		MD		
Recycling of metal waste including scrapyards and car breakers		SP		
Natural and synthetic rubber products including tyres and rubber products. Tar bitumen, linoleum, vinyl, and asphalt works		RB		
Paper, card etc products (packaging).		PD		
Pulp, paper, and cardboard manufacture		PR		
UNDERGROUND STORAGE TANKS ON SITE and above ground fuel storage tanks (except domestic)		US		
LANDFILL SITE - STRONGLY SUSPECTED TO BE PRODUCING GAS, based on available information on age and content of fill		LB		
Manufacture of clay bricks and tiles, including associated activities eg brick fields, also solitary kilns (other than lime kilns)		BK		
Extraction of alluvial sediments (sand, stone, clay, peat, marl and gravel)		PT		
Quarrying of all stone (including limestone, gypsum, chalk and slate) and ores, includes all opencast mining and slant workings - also slate/slab works, flint works, stone yards		QU		
			Medium	30
Airports and similar (air and space transport)		AP		
Concrete, ceramics, cement and plaster works.	Concrete, cement, lime and plaster products, also including solitary lime kilns.	CE		
	Tableware and other ceramics.	CR		
Dry-cleaning and laundries (larger scale, not usually "High Street")		LY		

Flat glass products manufacture		GL		
Photographic processing		PP		
Coal storage/depot.	Coal mining (and the manufacturing of coke and charcoal) - areas include associated surface activities in area and coal mine shafts.	CC		
		CY		
	Areas of mining and single or groups of shafts other than coal, or not specified - including levels, adits, etc also areas associated with mineral railways.	MN		
Electricity generation and distribution, including large transfer stations, power stations (excluding nuclear power stations).		PW		
Batteries, accumulators, primary cells, electrical motors, generators, and transformers		BT		
Printing of newspaper		NW		
Printing works other than newsprint and bookbinding (usually excludes "High Street" printers)		PN		
Railway land, including yards and tracks.		RW		
(Railway tracks - up to 4 tracks wide or 30 m)		RL		
Sale of automotive fuel. Road vehicle fuelling, transport depots, road haulage and commercial vehicle fuelling, local authority yards and depots.		FU		
Repair and sale of cars and bikes, parts and motorway services.		GG		
Transport depots - road haulage corporation yards		DP		
Sewage treatment works. Sewerage, septic tanks, effluent - including all filter beds.		SW		
Textiles manufacturing - natural and manmade textile manufacture and products including hemp rope and linoleum.		TX		
Timber treatment works and manufacturing. Sawmills, planning and impregnation (ie treatment of timber), wood products, telegraph works, timber yard, eg veneer		WD		
Computers, office machinery, business/industrial electrical goods.		LE		
Insulated wire and cable for electrical/tel/purposes.		WR		
LANDFILL SITE - GAS PRODUCTION IS POSSIBLE, based on historical map evidence of infilled quarry, water body or other void		LC		
Plastic products manufacture, moulding and extrusion; building materials; fibre glass, fibre glass resins and products. Manufacturing of Tar, Bitumen and Asphalt.		PS	Low	20

Dockyards and wharves. Boatbuilding, wharf and quays, cargo/transport handling facilities - marine or inland	DK		
Brewing and malting	BW		
spirit distilling and compounding.	DL		
Major food processing includes large dairies. Exceptionally large-scale corn/flour milling	FD		
Constructional steelwork, metal structures and products and building materials (Including Building Yards and smithy's)	MP		
Cemetery, modern burial ground, and graveyard	GV		
All hospitals including sanatoriums but not lunatic asylums (also includes laboratories)	HL		
LANDFILL SITE - GAS PRODUCTION UNLIKELY, based on available information on age and content of fill	LD		
Light Industry	LI	Very Low	10
Pollution incident (historic)	PI		
Area prone to repeated flooding	FL		
Radioactive Substances Act Registrations	RS		
Allotments and agricultural areas subject to repeated sewage spreading or excessive treatment	AL		

<u>PATHWAYS</u>		<u>SCORE</u>
Geological risk pathway	No data held or High Risk	5
	Medium Risk	3
	Low Risk	1
Soil Classification risk pathway	No data held or High Risk (No info or soils of high leaching potential)	5
	Medium Risk (Soils of intermediate leaching potential)	3
	Low Risk (Soils of low leaching potential)	1
Services pathway risk	No data or Drainage services (including culverted rivers) or wells known	5
	Possible drainage services	3
	No drainage services on site	1
Remediation pathway risk	No knowledge	5
	Likely that some remedial scheme would have been employed	4
	Partial remedial scheme believed to be in place	3
	Remedial scheme believed to be in place and effective	1

	Full appropriate remedial scheme in place and full details held	0
Barrier pathway risk	Uncertain/No knowledge of any barrier	1
	Physical or effective management barrier in place	0

<u>RECEPTORS</u>	<u>SCORE</u>
Residential with Gardens	20
Schools and Children's Nurseries	20
Private Water Supply abstraction for domestic consumption	18
Residential without Gardens	16
Playing fields and Public Open Space	9
Allotments and Cemeteries	8
Leisure/Hospitals/Commercial	7
Industrial	6
Agricultural	5
Other	1
No Risk Recorded	0

<u>OTHER CONSIDERATIONS</u>		<u>SCORE</u>
Controlled Waters	Abstraction Point for Domestic Consumption	10
	River Water Classification A, B or C	
	Source Protection Zone 1	
	Major Aquifer (vulnerability risk = High)	
	Source Protection Zone 2	8
	Major Aquifer (vulnerability risk = Medium)	
	Minor Aquifer (vulnerability risk = High)	
	Source Protection Zone 3	
	Major Aquifer (vulnerability risk = Low)	6
	Minor Aquifer (vulnerability risk = Medium)	
	River Water Classification D, E or F	5

	Pond, Lake or other unclassified water feature	
	Minor Aquifer (vulnerability risk - Low)	4
	Abstraction Point for Commercial or Industrial use	3
	Non-Aquifer	2
Ecological Receptor, Property or Buildings	Owned or Domesticated animals	5
	Crops	
	Wild Animals subject to shooting or fishing rights	4
	National Nature Reserves & Sites of Special Scientific Interest	3
	Ancient Monuments	2
	Other Property	1

Appendix B – Ecological and Sensitive Sites

There are a variety of specially designated areas highlighting the strategic importance of the Bromsgrove District in terms of its natural assets.

The following sites have been identified:-

- Fourteen Sites of Special Scientific Interest (SSSI's)
- Twelve conservation areas
- Fourteen Scheduled Monuments
- Around 100 key wildlife sites are understood to be located within the district out of 553 recorded across Worcestershire as a whole. These are referred to as Local Wildlife Sites (LWS – formally known as Special Wildlife Sites (SWS).
- Waseley Hills Country Park is also designated as a Local Nature Reserve.

According to available information sources there are 14 Sites of Special Scientific Interest (SSSI's) within the Bromsgrove District area (Search for planning data / Magic Map Application / Site Search)	
Hewell Park Lake 1000092	Hopwood Dingle 1000127
Madeley Heath Pit 1000195	Bittell Reservoirs 1000192
Feckenham Forest 1001994	Sling Gravel Pits 1002956
Burcot Lane Cutting 1004380	Romsley Manor Farm 1006623
Hurst Farm Pasture 1007259	Little Royal Farm Pastures 1007260
Oakland Pasture 1007261	Penorchard & Spring Farm Pastures 1007262
Romsley Hill 1007263	Berry Mound Pastures 1007264

There are 12 Conservation Areas within Bromsgrove District		
Hagley	Alvechurch	Dodford
Clent	Worcester and Birmingham Canal	Holy Cross
Beoley	Belbroughton	Barnt Green
Hewell Grange	St John's	Bromsgrove Town Centre

There are 14 Scheduled Monuments (England) recorded within the Bromsgrove District area.		
Small multivallate hillfort called Wychbury Ring 450m south east of Pedmore Hall 1003280	Berry Mound Camp, Solihull 1005294	The Mount 1005389
Small multivallate hillfort called Wychbury Ring 450m south east of Pedmore Hall 1005900	Standing cross in St Leonards churchyard 1017255	Moated site at Fairfield Court 1017526
Moated site 130m north east of Moorgreen Farm 1017527	Moated site at Blackgreves Farm 1017824	The Banquetting Orchard moated site, 650m north west of Bentley village hall 1017805
Moated site at Tardebigge Farm 1017808	Moated site of Frankley Hall 1017811	Dodford Priory moated site 1018278
Moated site and fishponds at the Bishop's Palace 1018334	Churchyard cross in St Leonard's churchyard 1021172	

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Warm Homes Local Grant Funding and Resourcing

Relevant Portfolio Holder	Councillor Bernard McEldowney
Portfolio Holder Consulted	Yes
Relevant Assistant Director	Judith Wills
Report Author	Job Title: Climate Change Manager Contact email: matthew.eccles@bromsgroveandredditch.gov.uk Contact Tel: 07816112073
Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Council Priority	Environment and Infrastructure
Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Cabinet **RECOMMEND** that:-

- 1) Authority be delegated to the Deputy Chief Executive and Chief Finance Officer to reflect in the Capital Programme the grant funding in 2025/26 and to include the 2026/27 and 2027/28 funding into the Medium-Term Financial Plan for the Warm Homes Local Grant (WHLG) (as shown below).

Year 1	Year 2	Year 3
£31,423.08	£129,000	£124,700

The Cabinet is asked to **RESOLVE** that

- 2) Authority be delegated to the Assistant Director of Community and Housing Services following consultation with the Portfolio Holder for Climate Change to administer the funding received in the WHLG in line with the grant conditions and any alterations to the delivery programme.

2. BACKGROUND

- 2.1 The Warm Homes: Local Grant scheme, was launched in April 2025, aims to provide energy performance upgrades and low carbon heating to low-income households in England. The scheme targets homes with an Energy Performance Certificate (EPC) rating between D and G that

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are privately owned. Social housing is not eligible, however, separate funding from the Government is being made available for this tenure. Local authorities will deliver measures such as insulation, solar panels, and air source heat pumps, tailored to individual homes. Occupants on a low income will not contribute to the cost of these upgrades

- 2.2 The Warm Homes Local Grant (WHLG) provides an opportunity for Bromsgrove District Council to directly address fuel poverty and improve the energy efficiency of homes within the district. By retrofitting homes with energy-saving measures, Bromsgrove District Council can work towards achieving the authority's climate goals, enhance the well-being of residents, and create employment in the green sector.
- 2.3 Additionally, the WHLG aligns with the UK government's objectives to improve the energy performance of homes and reduce fuel poverty nationwide. This program is a key component of the broader strategy to achieve Net Zero emissions by 2050 and ensure that all homes meet minimum energy efficiency standards by 2030.

3. OPERATIONAL ISSUES

- 3.1 The project delivery will focus upon an agreed list of homes identified by Act on Energy that are most likely to meet the eligibility criteria and be homes in a position to most likely go through the entire retrofit process in full.
- 3.2 The eligibility for the scheme is below
 - IMD:ID Eligible Postcodes: Households located in postcodes that fall within the most deprived 25% according to the Index of Multiple Deprivation (IMD) are eligible. These households are classified as auto eligible; or
 - Households with a gross income below £36,000 per year or a net income of £20,000 or less after housing costs or Households must be classified as low-income, which can be demonstrated by receiving specific means-tested benefits and;
 - Properties must have an EPC rating between D and G.
- 3.3 Act on Energy have been selected by the Midlands Net Zero Hub (MNZH) to provide the customer engagement in our area and Officers will work in partnership with them to leverage their expertise in engaging residents and encourage applications for the program through the owner-occupier part of the programme.to ensure residents are Engagement

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- 3.4 Officers will undertake a joint procurement exercise with Housing Services to employ a qualified and experienced Retrofit Assessor and Coordinator. The Council will also go out to procure a qualified and experienced PAS 2035 retrofit installer/contractor to undertake the retrofit works. This will include a clear specification for the retrofit measures to be delivered, emphasising quality and value for money, as well as experience of working across multiple grant schemes.
- 3.5 Officers will be required to supply monthly progress and financial reports to MNZH the consortium lead, on the progress, to ensure transparency and alignment with the overall programme goals.
- 3.6 Based on an average cost per home of £15,000, the WHLG funding can be utilised to retrofit approximately 19 homes (£285,123.08 / £15,000 per home)

The potential number of homes that can be retrofitted in each year based on the funding allocation for each year is:

Year 1	Year 2	Year 3
2	9	8

4. FINANCIAL IMPLICATIONS

- 4.1 MNZH have advised the funding allocation is £285,123.08 (including £28,512.31 for administrative and ancillary costs) over 3 years
- 4.2 The funding is split into the following amounts per year

Year 1	Year 2	Year 3
£31,423.08	£129,000	£124,700

5. LEGAL IMPLICATIONS

- 5.1 The Council will need to agree and sign the grant agreement form to receive the funding
- 5.2 The Council will need to enter into contracts with qualified retrofit installers and service providers to ensure compliance with PAS 2035 standards. This will need to be delivered in line with the Council's procurement process.

6. OTHER - IMPLICATIONS

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Local Government Reorganisation

- 6.1 There are no expected implications for local government reorganisation.

6. OTHER - IMPLICATIONS

Local Government Reorganisation

- 6.1 There are no expected implications for local government reorganisation.

Relevant Council Priority

- 6.2 The Warm Homes Local Grant (WHLG) project directly aligns with Bromsgrove District Council's strategic priority of Environment and Infrastructure. By improving the energy efficiency of homes and reducing carbon emissions, the project contributes to creating a clean and green environment. Additionally, addressing fuel poverty and enhancing resident well-being supports sustainable development and improves the overall quality of life for the community. This initiative also fosters economic growth through job creation in the green sector and promotes the council's commitment to achieving Net Zero carbon emissions by 2040.

Climate Change Implications

- 6.3 Residential energy consumption is a significant contributor to carbon emissions. Improving home energy efficiency is crucial to achieving net-zero goals.
- 6.4 Enhanced home energy efficiency can lead to improved health outcomes for residents by reducing exposure to cold and damp conditions.

Equalities and Diversity Implications

- 6.5 The WHLG program targets households most affected by high energy costs, helping to alleviate fuel poverty and its associated health and social inequalities.
- 6.6 The program will ensure that all eligible residents, regardless of background, have access to the benefits of the retrofit measures.

7. RISK MANAGEMENT

7.1 Identified Risks and Mitigation Strategies:

1. Lack of Resident Participation:

- Risk: Insufficient resident engagement may lead to low participation in the WHLG program.
- Mitigation: Develop and implement a comprehensive engagement strategy, including outreach and education efforts, to encourage resident participation. Utilise partnerships with community groups and Act on Energy to increase awareness and involvement.

2. Challenges in Finding Qualified Contractors:

- Risk: Difficulty in securing suitably qualified and experienced contractors to undertake retrofit works.
- Mitigation: Conduct a robust procurement process to secure experienced PAS 2035 retrofit installers/contractors. Establish a reserve list of qualified professionals to ensure project continuity.

3. Supply Chain Issues for Retrofit Materials:

- Risk: Disruptions in the supply chain may lead to delays in obtaining necessary materials for retrofit works.
- Mitigation: Monitor supply chain trends and establish contingency plans for securing retrofit materials. Engage with multiple suppliers to diversify sources and minimize risk.

4. Overspending or Financial Mismanagement:

- Risk: The project may exceed its budget or face financial mismanagement.
- Mitigation: Implement strict financial monitoring and reporting processes. Submit regular financial reports to MNZH to ensure adherence to the budget and transparency.

5. Delays in Project Delivery:

- Risk: The project may face delays in implementation, affecting timelines and outcomes.
- Mitigation: Develop a detailed project timeline with built-in contingencies to address potential delays. Maintain regular communication with contractors and stakeholders to ensure timely progress.

6. Negative Publicity or Community Dissatisfaction:

- Risk: Issues during the project may lead to negative publicity or community dissatisfaction.
- Mitigation: Maintain transparent communication with the community throughout the project. Address any concerns or feedback promptly and effectively to build trust and support.

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7. Poor Quality Work Being Delivered:

- Risk: The quality of retrofit works may not meet required standards, leading to dissatisfaction and potential rework.
- Mitigation: Conduct regular quality checks and inspections throughout the retrofit process. Ensure contractors adhere to PAS 2035 standards and address any issues promptly.

8. Complexity of Working Across Two Grant Funding Streams:

- Risk: Managing both the WHLG and WSHF funding streams may lead to administrative complexities and potential overlaps.
- Mitigation: Establish clear guidelines and protocols for managing both funding streams. Ensure coordination and communication between teams to streamline processes.

9. Misunderstanding of Eligibility Requirements by Residents:

- Risk: Residents may misunderstand the eligibility requirements for the WHLG program.
- Mitigation: Provide clear and accessible information to residents about eligibility requirements. Offer assistance through community engagement events and support from Act on Energy.

8. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Bernard McEldowney	
Lead Director / Assistant Director	Judith Wills	19/05/2025
Financial Services	Bob Watson	19/05/2025
Legal Services	Claire Felton, Head of Legal, Democratic and Property Services	19/05/2025
Climate Change Team (if climate change implications apply)	Matthew Eccles, Climate Change Manager	19/05/2025

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Appointments to the Shareholders Committee

Relevant Portfolio Holder	Councillor K. J. May
Portfolio Holder Consulted	
Relevant Assistant Director	Assistant Director Legal, Democratic and Procurement Services
Report Author: Jess Bayley-Hill	Job Title: Principal Democratic Services Officer Contact email: jess.bayley-hill@bromsgroveandredditch.gov.uk Tel: 01527 64252
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	N/A
Relevant Council Priority	Sustainability
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Cabinet is asked to **RECOMMEND** that:-

- 1) The updated Terms of Reference for the Shareholders Committee (Appendix 1) be approved;

The Cabinet is asked to **RESOLVE** that:-

- 2) To nominate and agree four Members of the Cabinet to appoint to sit on the Shareholders Committee during the 2025/26 municipal year;
- 3) To nominate and agree one of these four Members of the Cabinet to be the Chairman of the Shareholders Committee in the 2025/26 municipal year; and
- 4) To nominate and agree one of these four Members of the Cabinet to be the Vice Chairman of the Shareholders Committee in the 2025/26 municipal year.

2. BACKGROUND

- 2.1 The report invites the Cabinet to appoint Members to serve on the Shareholders Committee, including Members to serve as Chairman and Vice Chairman of the Committee, in the 2025/26 municipal year. In addition, the report also requests approval of the updated Terms of

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Reference following the reduction in the number of Members appointed to the Cabinet at the Annual Council meeting held on 14th May 2025.

3. OPERATIONAL ISSUES

- 3.1 The Shareholders Committee is a key part of the governance structure for the Council company, Spadesbourne Homes Limited.
- 3.2 In line with national best practice, the Shareholders Committee has been established as a sub-committee of the Cabinet.
- 3.3 As a sub-Committee of the Cabinet, it is a responsibility of the Cabinet, rather than Council, to appoint Members to serve on the Shareholders Committee.
- 3.4 Members appointed to the Shareholders Committee are required to attend training in respect of their roles and responsibilities on this Committee if they have not previously attended training on this subject. Returning members of the committee are strongly encouraged to attend refresher training.
- 3.5 It is important to note that the Councillor appointed as the Chairman of the Shareholders Committee will be required to present an annual report to Council relating to the activities of Spadesbourne Homes Limited at the end of the municipal year. The Annual Report for 2025/26 will be the first such report to Council. No annual report will be produced for the 2024/25 municipal year because the company has only been operating since December 2024 and there has only been one meeting of the Committee to date.
- 3.6 At the Annual Council meeting held on 14th May 2025, the Leader appointed six members to the Cabinet for the 2025/26 municipal year. This was a reduced number compared to the previous municipal year, when seven members were appointed. Therefore, to reflect the smaller Cabinet, it is necessary to reduce the number of Members appointed to the Shareholders Committee for the municipal year 2025/26. The updated terms of reference have been attached at Appendix 1 to this report and reflect the changes to the number of Members. No further changes are proposed to the terms of reference.
- 3.6 Whilst only Cabinet members may be appointed to serve on the Shareholders Committee, the leader of all the political groups represented on the Council will also be invited to attend meetings of the Committee to participate in the debate, in line with requirements detailed in the Committee's terms of reference.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no specific financial implications arising in respect of this report.

5. LEGAL IMPLICATIONS

- 5.1 The Council is the only Shareholder in Spadesbourne Homes Limited.
- 5.2 The powers of the Council as Shareholder are vested in the Cabinet assisted by the Shareholders Committee.

6. OTHER - IMPLICATIONS

Local Government Reorganisation

- 6.1 There are no specific implications for Local Government Reorganisation.

Relevant Strategic Purpose

- 6.2 This report supports the Council's priority of sustainability.
- 6.3 The appointment of Members to the Shareholders Committee will help to ensure that meetings of the Committee can take place consistently during the year and address any matters reserved to the authority as shareholder.

Climate Change Implications

- 6.2 There are no climate change implications.

Equalities and Diversity Implications

- 6.3 There are no equalities and diversity implications.

7. RISK MANAGEMENT

- 7.1 The risk arising from not appointing Members to the Shareholders Committee is that the authority will not be able to fulfil its obligations as shareholder in Spadesbourne Homes Limited. There is a risk that matters reserved to the shareholder could not then be addressed and this could undermine the sustainability of Spadesbourne Homes Limited.

8. APPENDICES and BACKGROUND PAPERS

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Background Papers

Committee Terms of Reference in the Council's Constitution.

COMMITTEE TERMS OF REFERENCE - EXTRACT

PART 5

APPENDIX 1 - SHAREHOLDERS COMMITTEE – TERMS OF REFERENCE

Number of members	4 5 (must all be members of the Cabinet)
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Cabinet Procedure Rules
Terms of Reference	<ol style="list-style-type: none"> 1) To approve Spadesbourne Homes Limited's business plan, including any material amendments to the business plan. This should be determined in the financial year prior to the application of the plan. 2) To approve any new development not contemplated in the agreed Spadesbourne Homes Limited business plan. 3) To approve the appointment and dismissal of all directors, including Alternate Directors and senior employees, at Spadesbourne Homes Limited. 4) To approve the terms and conditions of employment and severance package for any Executive Directors and senior employees of the Spadesbourne Homes Limited. 5) To approve the pay framework and job evaluation scheme for Spadesbourne Homes Limited. 6) To adopt the Governance Agreement between the Council and Spadesbourne Homes Limited and to approve any material changes to that agreement. 7) To monitor the performance of Spadesbourne Homes Limited. Quarterly Performance Monitoring Reports should be presented for Members' consideration at every meeting of the Committee.

COMMITTEE TERMS OF REFERENCE - EXTRACT

PART 5

	<p>8) To monitor Spadesbourne Homes Limited's budget position. Quarterly Budget Monitoring Reports should be presented for Members' consideration at every meeting of the Committee.</p> <p>9) To consider the risks and opportunities faced by Spadesbourne Homes Limited and impact on the Council.</p> <p>10) Reporting and making recommendations to Cabinet on areas outside of the Shareholder Committee's delegated authority.</p> <p>11) Reporting to Full Council annually on the performance of the trading activities of Spadesbourne Homes Limited.</p> <p>12) To undertake all other functions divested in the Committee as shareholder of Spadesbourne Homes Limited, including reserved matters, on behalf of the Council.</p> <p>13) Reviewing the Terms of reference annually and making any necessary recommendations to Cabinet.</p> <p>14) The Shareholder Committee will not have operational control over Spadesbourne Homes Limited. All decisions regarding the day-to-day operation and management of Spadesbourne Homes Limited rests with the Spadesbourne Homes Board of Directors, which must ensure that Spadesbourne Homes Limited's business is conducted in accordance with the Shareholders' Agreement entered into between the Council and Spadesbourne Homes Limited and in accordance with the Spadesbourne Homes Limited Articles of Association.</p>
Special provisions as to the Chairman	The Chair must be a member of the Cabinet.

COMMITTEE TERMS OF REFERENCE - EXTRACT

PART 5

Special provisions as to membership	<p>Members of the Committee must all be members of the Cabinet. Only members of the Cabinet can sit as substitutes.</p> <p>The Leaders of each opposition group or their nominated substitute will be invited to attend meetings and be given full rights to participate in meetings although they will not be entitled to vote.</p> <p>Members, including substitute Members, should receive suitable training in respect of their roles on the Committee prior to participate in meetings.</p>
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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

18TH JUNE 2025, AT 1.00 P.M.

PRESENT: Councillors K.J. May (Leader), S. J. Baxter (Deputy Leader), B. McEldowney, K. Taylor, S. A. Webb and P. J. Whittaker

Officers: Mr J. Leach, Mr B. Watson, Mr. M. Bough, Mrs. J. Bayley-Hill, Mr. S. Williams, Mr. M. Eccles and Mrs. J. Gresham

1/25 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2/25 **DECLARATIONS OF INTEREST**

Councillor P. Whittaker declared an Other Disclosable Interest in respect of Minute Item 4/25 – Contaminated Land Strategy on the basis that he owned land previously used as a landfill site. Councillor Whittaker remained present for consideration of the report and took part on the vote thereon.

There were no other Declarations of Interest.

3/25 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 26TH MARCH 2025**

The minutes of the Cabinet meeting held on 26th March 2025 were submitted for Members' consideration.

RESOLVED that the minutes of the Cabinet meeting held on 26th March 2025 be approved and signed as a true and accurate record.

4/25 **CONTAMINATED LAND STRATEGY**

The Specialist Lead Officer (Contaminated Land) from Worcestershire Regulatory Services (WRS) presented the Contaminated Land Strategy report for Members' consideration.

During the presentation of the report, it was noted that this updated Strategy was a revision of the one published in May 2001.

The current version outlined the process for review of potential contaminated land sites and the strategic approach that was due to be taken in terms of contaminated land going forward. Contained within the new strategy was greater emphasis on the Planning process.

It was reported that there was no change to the statutory responsibilities contained within the Part 2A of the Environmental Protection Act 1990 placed on the Local Authority.

Six Districts across Worcestershire were being looked at as part of the review, with Redditch Borough Council having been the first to agree its updated strategy in 2024.

It was noted that the report had been pre-scrutinised at the Overview and Scrutiny Board meeting the previous evening however no recommendations to Cabinet had been made as a result of the pre-scrutiny. The Leader noted that there had, however, been some queries raised at the meeting in respect of two sites within the District that might potentially be contaminated and may require remediation works in the future due to previous uses. Officers had undertaken to look into these sites further as part of the strategy.

RECOMMENDED that

The Council adopts the revised strategy which should be published on the Worcestershire Regulatory Services (WRS) website.

5/25

WARM HOMES LOCAL GRANTS FUNDING AND RESOURCES

The Climate Change Manager presented the Warm Homes Local Grants Funding and Resources report for the consideration of Cabinet. It was explained that this funding provided an opportunity to provide support to low-income families in private accommodation (not social housing) and those who were at risk of fuel poverty and to improve energy efficiency across the District. The Warm Homes Local Grant also aligned with the Government's objective to improve energy performance of homes.

Members were informed that Act on Energy were to provide customer engagement for the scheme and to work with residents. In addition, they would provide a list of properties that were in need of improved energy measures and were most likely to meet the eligibility criteria for the scheme. The eligibility criteria were outlined as follows:

- IMD:ID Eligible Postcodes – these were Households located in postcodes that fell within the most deprived 25 per cent according to the Index of Multiple Deprivation (IMD).
- Households with a gross income below £36,000 per year or a net income of £20,000 or less after housing costs or Households classified as low-income, that could be demonstrated by receipt of specific means tested benefits.
- Properties that had an Energy Performance Certificate rating between D and G.

It was noted that there would need to be careful communications around this scheme in order to manage the expectations of residents in terms of whether or not they might be eligible for funding.

In terms of funding, there was likely to be approximately £15,000 allocated to each recipient of the funding. However, this could be flexible depending on the efficiency needs of the property. Therefore, the number of properties who might benefit from this funding were two homes in the first year of funding, nine in the second year and eight in the final year.

Members queried the number of properties within the District that had been identified by Act on Energy as potentially in need of energy efficiency measures. It was reported that this was likely to be around one hundred homes. However, there could be more as some of these properties might be located in communities that were hard to reach and did not always engage with these partner agencies. The available funding was not enough to cover funding for all of these properties.

Cabinet requested that more research be done on eligible postcodes and whether this was an effective way to identify recipients, particularly as there might be residents whose properties were eligible but not in an eligible postcode. The Climate Change Manager explained that there was a map available showing eligible postcodes. This would be circulated to all Members following the meeting.

Rural Poverty was also apparent in the District and this was an area that could be looked into as part of this funding. Councillor S. Webb suggested that there might be an opportunity for Act on Energy to work alongside the Citizens Advice Bureau who visited these more rural locations regularly to provide information on the scheme.

Members were keen to understand whether further retrofitting could be undertaken as a community investment project following Local

Government Reorganisation. The criteria could remain the same or could be modified to expand the numbers of homes who might be eligible for funding. There was some discussion regarding what the perception of residents who received funding to retrofit larger homes within the District might be. Members noted that there were instances within the District of residents who were asset rich, but cash poor and these residents also needed help in order not to slip into fuel poverty. There would need to be careful consideration of the possibility of setting up a further scheme and any specific criteria over the coming months. If this project roll-out was successful and efficient there might be the potential of further funding from Government to expand the scheme further.

RECOMMENDED that

- 1) **Authority be delegated to the Deputy Chief Executive and Chief Finance Officer to reflect in the Capital Programme the grant funding in 2025/26 and to include the 2026/27 and 2027/28 funding into the Medium-Term Financial Plan for the Warm Homes Local Grant (WHLG) (as shown below).**

Year 1	Year 2	Year 3
£31,423.08	£129,000	£124,700

RESOLVED that

- 2) **Authority be delegated to the Assistant Director of Community and Housing Services following consultation with the Portfolio Holder for Climate Change to administer the funding received in the WHLG in line with the grant conditions and any alterations to the delivery programme.**

6/25

CABINET APPOINTMENTS TO OUTSIDE BODIES

The Leader presented the Cabinet Appointments to Outside Bodies report and consideration was given to the list of appointments, as detailed at Appendix 1 to the report.

Members commented on the future of the appointment to the Worcestershire Local Enterprise Partnership (WLEP) and if this would be needed in the future given the Local Government Reorganisation.

RESOLVED that Cabinet nominates Members to outside bodies as detailed in Appendix 1 to the minutes.

7/25

APPOINTMENTS TO THE SHAREHOLDERS' COMMITTEE

The Leader presented the Appointments to the Shareholders' Committee. It was explained that this Committee formed part of the governance structure for Spadesbourne Homes Ltd. During consideration of the report, it was noted that there had been a reshuffle of Cabinet Members which had resulted in the numbers being reduced from seven Members to six for the ensuing municipal year. This had resulted in the need for a change to the Terms of Reference for the Committee to reflect the reduction in Members for this municipal year.

The nominations to the Shareholders' Committee must be Members of the Cabinet and it was reported that Councillors S. Webb and K. Taylor would not be included in the membership of the Committee as it was deemed that there might be a future conflict due to their positions as Portfolio Holders for Strategic Housing and Planning respectively.

The nominations were received as follows:

1. Councillor K. May
2. Councillor S. Baxter
3. Councillor B. McEldowney
4. Councillor P Whittaker

Councillor K. May was nominated as Chairman for the municipal year 2025/26 and Councillor S. Baxter was nominated as Vice-Chairman for the municipal year 2025/26.

On being put to the vote it was

RECOMMENDED that

- 1) the updated Terms of Reference for the Shareholders Committee be approved;

RESOLVED that

- 2) The following four Members be appointed to the Shareholders' Committee for the municipal year 2025/26
 - Councillor K. May
 - Councillor S. Baxter
 - Councillor B. McEldowney

- Councillor P Whittaker

3) Councillor K. May be appointed as Chairman for the municipal year 2025/26.

4) Councillor S. Baxter be appointed as Chairman for the municipal year 2025/26.

8/25

RECOMMENDATION FROM AUDIT, STANDARDS AND GOVERNANCE COMMITTEE

The Leader presented the recommendation from the Audit, Standards and Governance Committee meeting held on 20th March 2025.

Cabinet unanimously agreed that this was an appropriate recommendation and if any Member did not undertake the Know Be4 training by the given deadline, access to the Council's IT system would be removed.

RESOLVED that cyber security KnowBe4 training be made mandatory for all Members.

9/25

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 25TH MARCH AND 15TH APRIL 2025

The minutes of the meetings of the Overview and Scrutiny Board held on 25th March 2025 and 15th April 2025 were submitted for the Cabinet's consideration. It was noted that there were no outstanding recommendations contained within these minutes.

RESOLVED that the minutes of the meetings of the Overview and Scrutiny Board held on 25th March 2025 and 15th April 2025 be noted.

10/25

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROCUREMENT 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

There was no Urgent Business on this occasion.

11/25

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 S100 A (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12 of the said act, as amended. Minute Item No. 12 – Promoting Independent Living Service.

12/25

PROMOTING INDEPENDENT LIVING SERVICE CONTRACT PROPOSALS

The Strategic Housing and Business Support Manager presented the Promoting Independent Living Service Contract Proposals for Members consideration. In doing so the following was highlighted:

- The Promoting Independent Living Service was previously considered by Members in 2024. As a result of this consideration, it was agreed that the current provider continued to provide services for a further twelve months.
- The Council had a statutory duty to provide the Disabled Facilities Grant (DFG) through its Housing Assistance Policy.

On being put to the vote it was

RESOLVED that

Officers to work towards ensuring the continuation of the Promoting Independent Living Service.

(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 which related to the financial and business affairs of any particular person (including the authority holding that information) and relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the

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authority or a Minister of the Crown and employees of, or office holders under, the authority. However, there is no exempt information contained within this minute).

The meeting closed at 2.09 p.m.

Chairman

Appendix 1: Outside Bodies By Office (Cabinet appointments)

Organisation	Number of representatives and length of term	Representatives Appointed 2024/25	Nominations to be Appointed 2025/2026
Bromsgrove Partnership (Local Strategic Partnership)	Leader Substitute – Deputy Leader	Cllr Karen May Sub: Cllr Sue Baxter	Cllr Karen May Sub: Cllr Sue Baxter
District Councils Network	Leader Substitute – Deputy Leader	Cllr Karen May Sub: Cllr Sue Baxter	Cllr Karen May Sub: Cllr Sue Baxter
Local Government Association General Assembly	Leader Substitute – Deputy Leader	Cllr Karen May Sub: Cllr Sue Baxter	Cllr Karen May Sub: Cllr Sue Baxter
North Worcestershire Community Safety Partnership	Cabinet member	Cllr Peter Whittaker	Cllr Peter Whittaker
PATROL (Parking And Traffic Regulations Outside London) Adjudication Joint Committee	Portfolio Holder for Environmental Services Substitute:	Cllr Sue Baxter Sub: Cllr Peter Whittaker	Cllr Sue Baxter Sub: Cllr Peter Whittaker
West Midlands Employers	Portfolio Holder for Human Resources	Cllr Karen May	Cllr Karen May
West Midlands Employers Shareholder Board (established in 2024)	Leader, hold a cabinet role, or have a specific interest or expertise in the services of WME (2024-2028)	Cllr Karen May	Cllr Karen May

Organisation	Number of representatives and length of term	Representatives Appointed 2024/25	Nominations to be Appointed 2025/2026
Worcestershire Health and Wellbeing Board	1 Rep for each council	Cllr Shirley Webb Sub: Cllr Sue Baxter	Cllr Shirley Webb Sub: Cllr Sue Baxter
Worcestershire Local Enterprise Partnership (LEP)	One representative on behalf of the 3 North Worcestershire Councils – required by LEP constitution	Cllr Karen May Sub: Cllr Joe Baker (Redditch Borough Council)	Cllr Sharon Harvey (Redditch Borough Council) Sub: Cllr Karen May
Worcestershire Local Access Forum (Worcestershire County Council) BDC included on this forum from May 2025	1 representative from north Worcestershire District Councils. Term: 1 year (Note: Would be beneficial if the representative had a keen interest in countryside access and recreation issues.) No liability issues identified.	Councillor Drew (Wyre Forest DC)	Councillor Robin Drew (Wyre Forest DC)

Bromsgrove District Council – 16th July 2025 Member Questions

1. From Councillor J. Robinson

Question for the Cabinet member for Health and Wellbeing and Strategic Housing

“It is vital we ensure residents across Bromsgrove district continue to have access to activities that can help them stay healthy. Can the cabinet member confirm if the Cabinet would consider supporting the introduction of a park run in Bromsgrove?”

2. From Councillor D. Nicholl

Question for the Cabinet Member for Leisure and Climate Change

“Will the Cabinet consider supporting South Bromsgrove High School with a new surface for their 3G pitch that is used for both students and the wider community?”

3. From Councillor J. Clarke

Question for the Cabinet Member for Strategic Partnerships, Economic Development and Enabling

“With plans to decommission Churchfields, Stourbridge Road and School Drive car parks and ambitious growth plans are you confident the town will have enough car parking capacity at peak times?”

4. From Councillor S. Robinson

Question for the Cabinet Member for Environmental Services and Community Safety

“How many bus shelters owned by Bromsgrove District Council have been replaced in each of the last three financial years?”

5. From Councillor S. Colella

Question for the Cabinet Member for Planning, Leisure and WRS

“At the meeting of 17th October 2022, I asked the following question to which I received the following response in public:

“This Council asks for reassurance that the transport assessment work which has been lacking to date will be completed to the satisfaction of BDC for the Issues and Options consultation along with a stated time plan that can be adhered to?”

The Portfolio Holder for Planning and Regulatory Services responded by explaining that additional transport assessment work was being progressed with Worcestershire County Council. This work would support the preferred option of the District Plan Review. In due course, a new timetable for the plan production would be published which would fully take into account the time it would take to complete the additional transport assessment work.

My Question now is. What has happened to the Transport assessment and transport modelling in relation to the District Plan one option Consultation launched on Monday 30th June 2025?”

NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor D. Nicholl:

“The office of the Secretary of State for Housing, Communities and Local Government has an aim at creating sustainable communities. Given the proposal in our draft Development Strategy to build 9000 extra homes by 2043 across Bromsgrove District, council resolves to ask the Leader to write to the Deputy Prime Minister to highlight how these numbers contradict those which are compatible with a sustainable community and ask for the affordability multiplier under the NPPF be reviewed urgently.”

NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor J. Robinson:

“The A38 Bromsgrove Route Enhancement Programme has been an unmitigated disaster for our town.

Hundreds of trees have been felled and the project will not resolve the issues of traffic in our town.

The council resolves to ask the Leader of the council to urgently write to the Leader of Worcestershire County Council placing on record Bromsgrove District Council’s opposition to the project and call for schemes not started to be put on hold pending a full review and consultation with the community.”

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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