

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**MONDAY, 24TH FEBRUARY 2014 AT 6.00 P.M.**

PRESENT: Councillors P. Lammas (Chairman), C. J. Bloore (present from Minute No. 83/13 to Minute No. 90/13), B. T. Cooper, R. L. Dent, J. M. L. A. Griffiths, H. J. Jones, L. C. R. Mallett, S. P. Shannon, C. J. Spencer, C. J. Tidmarsh and L. J. Turner

Officers: Mrs. S. Hanley, Ms. J. Pickering, Mr. R. Osborne, Ms. L. Jones, Ms. J. Bayley and Ms. A. Scarce

83/13 **APOLOGIES**

Apologies for absence were received on behalf of Councillors R. J. Laight and K. A. Grant-Pearce.

84/13 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

Councillors J. M. L. A. Griffiths and C. J. Spencer declared Disclosable Pecuniary Interests as members of Bromsgrove Operating Trust in respect of Item No. 9 on the agenda. As such they withdrew from the meeting during consideration of this item and took no part in its consideration and voting thereon.

85/13 **MINUTES**

The minutes of the Overview and Scrutiny Board meeting held on 20th January 2014 were submitted.

**RESOLVED** that the minutes be approved as a correct record.

86/13 **MEDIUM TERM FINANCIAL PLAN 2014/15 - 2016/17**

The Executive Director for Finance and Corporate Resources presented a report outlining the Medium Term Financial Plan for the Council for the period 2014/15 – 2016/17.

During the presentation of this report the following issues were highlighted for Members' consideration:

- The report contained both details that had been presented for the Cabinet's consideration earlier in the month as well as some additional updates.

- The key considerations for the Council's budget going forward were how to make budget savings by; reducing waste in the system, generating income and redesigning services.
- There was the potential that there would need to be some staff redundancies as a result of redesigning services. In total £250,000 had been set aside in reserves to help fund redundancy costs.
- Budget cuts proposed by Worcestershire County Council (WCC) would potentially lead to an increase in demand for the Council's services, though it was difficult at this stage to identify where this impact would be greatest.
- It was unclear how much the Council might be required to pay out to businesses as a result of appeals relating to business rates levied prior to the introduction of the Business Rates localisation. For this reason there had been no draw down of funding from the Greater Birmingham and Solihull Business Rates Pool that the Council is part of.
- The New Homes Bonus was not a ring fenced allocation of funds. In Bromsgrove a decision had been taken to allocate the New Homes Bonus to the general fund.
- Officers were proposing a Council Tax increase of 1.9%.
- The majority of budget pressures considered unavoidable had been identified in cases where external bodies were due to remove or reduce funding.
- The reduction in funding from WCC for the customer service centre was occurring at the same time as the County Council had started to require residents to apply for services such as blue badges online. This, it had been suggested, would lead to less direct demand from the customer for support from Customer Service Advisors.
- The additional one year accommodation costs of £130,000, which were due to be offset by the savings on the move to Parkside School, would fund the costs associated with the use of Redditch Town Hall to accommodate shared services.
- The Head of Legal, Equalities and Democratic Services had submitted a bid to the government to help pay for the costs associated with the Independent Electoral Registration.
- The borrowing costs detailed in the report would be used to pay for the £3.5 million redevelopment of Parkside and the £11.5 million anticipated to pay for a new leisure centre (subject to the outcomes of a business case). To an extent borrowing costs for Parkside would be partially offset by the sale of the current Council House.
- An additional bid had been received since publication of the report from the North Worcestershire Water Management team for up to £20,000 to fund flooding mitigation works in the district.
- WCC would be contributing £60,000, rather than £120,000 as in previous years, to the Essential Living Fund (ELF). Bromsgrove District Council would contribute the remainder of the funding from reserves to ensure that the total remained £120,000.
- Officers were now anticipating that there would be a shortfall in the budget of £640,000 in 2015/16 and £880,000 in 2016/17.

- It was anticipated that the bid to fund the Town Centre Officer would be offset by income from Worcester City Council which paid this Officer to provide expert advice two and a half days a week.

Following the presentation Members raised a number of additional points for discussion:

- The Council's membership of two Local Enterprise Partnerships (LEPs). Officers confirmed that this did not impact on the requirement for the Council to pay a set proportion of the district's business rates to WCC.
- The benefits of membership of the Greater Birmingham and Solihull LEP, due to the significant amounts of business development within that area from which Bromsgrove district could benefit.
- The Council was working on the assumption that there would be no changes to the New Homes Bonus settlement, even if there was a change of government in the period. Officers confirmed that any change to the New Homes Bonus that led to a reduction of 10 – 15 % or more could potentially place the Council's budget at risk.
- Members requested a breakdown of the borrowing costs for the Council, to be made available in time for the full Council meeting on 26th February.
- The payment of one year accommodation costs for staff. Officers confirmed that this issue had been identified by external auditors. The majority of support staff were based in Redditch Town Hall and these costs reflected this situation. In the long-term, due to capacity at the site, many staff would be required to hot desk at Parkside rather than to work permanently on the site.
- The potential for any shortfall in the funding from Lifeline to be funded from reserves following the possible withdrawal of the contract for Lifeline by WCC.
- The suitability of permitting budget bids in the budget setting process in the following two years. Officers confirmed that Heads of Service were always consulted about the potential need for any budget bids, though it was not anticipated that the same level of bids would be proposed in future years.
- The £1 million projected as the cost of borrowing by 2016/17. Officers confirmed that this figure would cover the net borrowing for Parkside, the new leisure centre (if it was approved) and fleet replacement.
- The business case for the new leisure centre in Bromsgrove district. Officers confirmed that this would consider both the data and evidence available and the requirements of customers. The business case was being prepared by council Officers rather than by external consultants.

Concerns were expressed that the Board had not been provided with sufficient time during the year to scrutinise the Council's budget effectively. It was noted that at other local authorities budgets were pre-scrutinised (prior to a Cabinet decision) and the Council's finances were considered much further in advance of the budget being set. Officers confirmed that the Council's budget setting process had been reassessed at a corporate level as it had been recognised that budgetary matters needed to start to be addressed at an earlier date. In

future years the Council's budget would start to be assessed in the autumn. The Overview and Scrutiny Board would be involved in this process.

A number of Members had additional questions regarding the budget. Due to the time available during the meeting it was agreed that these questions should be forwarded for the attention of the Executive Director of Finance and Corporate Resources and answers provided for the meeting of full Council on 26th February 2014.

**RESOLVED** that the current position for 2014/15 – 2016/17 be noted.

87/13 **NORTH WORCESTERSHIRE WATER MANAGEMENT PRESENTATION ON PROJECTS IN THE DISTRICT**

The Principle Environmental Health Officer (Water Management Team) delivered a presentation on the subject of flood management and drainage projects in the District.

During the delivery of this presentation the following issues were raised for Members' consideration:

- The North Worcestershire Water Management Team (NWWM) provided support services and advice in Bromsgrove district, Redditch Borough and Wyre Forest district.
- The NWWM had been introduced as a shared service following the 2007 floods. At this time it had been recognised that by sharing services staff could share knowledge and the service would be more resilient.
- The NWWM team worked on a catchment area basis. Bromsgrove district was served by three different catchments.
- The team worked closely with external partners, such as the Environment Agency and WCC's Highways Department, both to resolve flooding issues and to undertake preventative work.
- There had been a number of flooding issues in Bromsgrove district in the previous 18 months, particularly in Alvechurch and Bromsgrove town centre.
- The NWWM provided advice on planning applications. As part of this process the NWWM encouraged Planning Officers to consider the impact of a development both upstream and downstream on existing houses and businesses. Planning Officers were also encouraged to consider whether any actions could be taken as part of the development to improve local circumstances in relation to the risk of flooding.
- Officers were considering both the Council and WCC's assets with a view to identify which water courses were located on Council land and how action could be taken to mitigate the risk of flooding.
- When problems were identified on private land the NWWM would initially approach landowners to advise them on the problem and to request action. In most cases, particularly when the land owner lived locally and felt part of the community, action would be taken by the landowner.
- Formal enforcement action was rarer and tended to occur when the landlord could not be contacted or was unwilling to co-operate.

- Flooding often occurred when there was limited capacity along water courses to accommodate an accumulation of water. For this reason the NWWM regularly reviewed water courses to identify any locations where water could build up.
- There was no fixed solution to alleviate flooding. The causes of flooding and measures that could be taken to prevent flooding in future needed to be assessed on a case by case basis.
- The inclement weather was part of an increasingly common pattern and the NWWM was working on the basis that this would continue for the foreseeable future.
- The work of the NWWM was largely influenced by the Land Drainage Act 1991 and the Flood Water Act 2010.
- WCC would be commissioning the NWWM to undertake Sustainable Drainage Approval work on their behalf. It was likely that the team would start to deliver this work in the autumn, though the timescales remained to be confirmed.
- Local knowledge was key to a forward planning approach to mitigating flood risks. For this reason any information that Members could provide and any opportunities for the NWWM to interact with Councillors and Parish Councillors who would be familiar with local needs, was welcomed.

At the end of the presentation Members discussed some additional matters relating to this subject:

- The NWWM team's powers to access private land.
- Officers confirmed that the Land Drainage Act 1991 permitted the County Council or representatives acting on their behalf to access private land to undertake works as long as adequate notice had been provided. If the landowner refused to undertake any work the NWWM could take action and recharge the landowner.
- The impact of the Environment Agency's wildlife policies on flooding in the district. Officers confirmed that whilst the Environment Agency was cognisant of the potential impact of flood prevention measures on wildlife the body was relatively flexible and the agency's work to address recent flooding problems had been helpful.
- The impact of local farmers' practices on flooding within the district. Members were advised that the majority of farmers were keen to maintain their land to reduce the risk of flooding. However, in cases where farmers had let land on short leases for potato farming there had been some problems with silt levels which had contributed to the risk of flooding and there had been less incentive for the farmers with the short-term leases to take action to alleviate the problem.
- The relationship between the NWWM and regional representatives of the National Farmers' Union which had had a positive impact on Officers' efforts to communicate with local farmers about flood prevention measures.
- The responsibility of Severn Trent Water. The company had a 5 year capital programme which was used to determine where investment should take place. The NWWM had been consulted about the

appropriate content of the next 5 year plan and it was hoped that this would ensure that specific flood prevention measures within the district would take place in the next few years.

- The selection of particular locations as priority areas for water management projects in Bromsgrove. These locations had been selected because Officers had identified that key infrastructure was at risk of being flooded at these locations.
- Flooding problems in Charford which had impacted on South Bromsgrove Community High School and Charford Bowling Club.
- Problems with overflowing sewage on the A38 during recent flooding events. Officers urged Members and residents to report problems with sewage to Severn Trent Water as soon as these were observed to ensure that the company was aware of the need to resolve the problem.
- The potential for other Council services, such as the cleansing team, to assist with clearing blockages to mitigate the risk of flooding.
- The value of the contribution provided by lengthsman in many areas to water management due to their local knowledge.
- Many Members praised the NWWM and reported that the support and advice provided by staff in the team during recent flooding events had been really helpful.

At the end of the discussions a number of Members noted that they had numerous additional questions on the subject. It was agreed that these should be forwarded on to the Officers after the meeting and the responses circulated for the consideration of all Members. Members further agreed that it would be useful to receive an update from officers on the work of the NWWM and progress with implementing the next round of planned works in approximately 12 months' time.

**RESOLVED** that the report be noted.

#### 88/13 **MAKING EXPERIENCES COUNT QUARTER 3 REPORT**

The Customer Services Manager presented the Making Experiences Count Quarterly Complaints report for the period 1st October – 31st December 2013.

Whilst presenting this report the following issues were highlighted for Members' consideration:

- During this period the Council had received 22 complaints and 13 compliments.
- The number of complaints had decreased from 40 in the previous quarter. This had been accompanied by a reduction in the number of complaints about particular services. For example the number of complaints about waste collection services had fallen from 22 to 3 in the period.
- There had been an increase in the number of complaints that had been received about car parking, though 4 of these complaints related to appeals about car parking fines which were usually handled separately.

- One complaint, regarding a decision that had been made at a Planning Committee meeting, had been referred to the Local Government Ombudsman. The appropriate response to this complaint was in the process of being considered by the Ombudsman.
- There had been a reduction in the number of telephone and face to face enquiries relating to blue badge applications, waste permits and concessionary fares. This had occurred following the decision by WCC to require online applications for these functions.

Members discussed a number of issues relating to this report following delivery of the presentation:

- The reduction in payments using the automated telephone system and the causes of this decrease. Officers explained that there had been some problems with the Council's automated system which had potentially contributed to this decline. However, upgrades were due to be made to the system and it was anticipated that this would increase resilience.
- The complexity of issues registered as complaints when compared to the types of matters that tended to be reported as compliments.
- The need to continue to encourage staff to report both complaints and compliments.
- The value of complaints to identifying problems within services and to improving the quality of those services.

**RESOLVED** that the contents of the report be noted.

89/13 **OVERVIEW & SCRUTINY TOPIC PROPOSAL REPORT**

Councillor R. L. Dent presented a topic proposal form containing further information about a proposal for the Overview and Scrutiny Board to launch a scrutiny investigation into leisure activities throughout Bromsgrove district.

Councillor Dent explained that she felt that leisure services would be a suitable topic for further scrutiny as the service was in receipt of a significant amount of Council funding. The review could assess whether the Council was receiving value for money for this investment whilst at the same time potentially identifying further opportunities for leisure and cultural activities to be provided in the district.

Members discussed the proposal and the most appropriate way to proceed. The potential number of meetings that would need to take place if a Task Group was to be launched and the methodology that would be appropriate for a review of this nature was considered. The option to postpone any decision being taken about whether to launch a Task Group until the business plan for the proposed new leisure centre had been considered was also debated.

The exact terms of reference for the review were also discussed. Members commented that they could consider the content of the business case as part of a Task Group exercise, though it was noted that this document focused only on the possible replacement facilities for the Dolphin Centre. It was also

suggested that access for people with physical disabilities to leisure activities should be taken into account as part of any review.

**RESOLVED**

- (a) that the topic be included on the work programme and a Task Group be established to undertake a more in-depth investigation in the new municipal year; and
- (b) that Councillor Spencer be appointed as the Chairman of the Task Group.

90/13 **JOINT WRS SCRUTINY TASK GROUP**

Members were advised that there had been 2 Task Group meetings and a visit to Wyatt House in Worcester since the last meeting of the Overview and Scrutiny Board. At the first of these meetings the Chief Executive and Executive Director for Finance and Corporate Resources at Bromsgrove District Council, as the host authority for Worcestershire Regulatory Services (WRS), had been interviewed. They had both provided detailed responses to the group's questions, which had focused on issues such as the governance structure for WRS and the financial pressures impacting on the shared service.

At the latest meeting of the group on 20th February Members had interviewed a representative of the Council's Legal Department together with the Chairman of the WRS Management Board. The governance structure for WRS had formed the main focus for discussions during this meeting.

The Board was advised that the following meeting of the group was scheduled to take place on 19th March. During this meeting Members were due to reflect on the progress that they had made to date with the review. The group would also start to discuss potential recommendations.

91/13 **ARTRIX OUTREACH PROVISION TASK GROUP**

The Chairman of the Task Group, Councillor S. P. Shannon, outlined the work of the group since the previous meeting of the Overview and Scrutiny Board. He explained that there had been 2 meetings of the group in this period. At the first of these meetings the Head of Leisure and Cultural Services had been interviewed by Members. At the following meeting a number of short films had been viewed which had been provided by the Education and Outreach Co-ordinator at the Artrix. In some cases these films had been made by young people as part of the outreach work and in other cases the films depicted the outreach work in action. The Members who had viewed these films had been impressed by the work that was being carried out.

The Task Group was due to consider a draft copy of their report and recommendations at a meeting on 5th March 2014 with a view to forward this report for the consideration of the Board on 24th March. The Chairman anticipated that, subject to the Board's approval, the report would be forwarded for the consideration of Cabinet on 2nd April.



(During the consideration of this item Councillors Griffiths and Spencer were not present in the room. Following their readmission into the room Councillor Griffiths expressed concern about comments that had been made to her by another Member outside the room. The Deputy Chief Executive confirmed that she would refer this issue for further consideration by the Council's Monitoring Officer).

92/13 **AIR QUALITY TASK GROUP REPORT**

The Chairman of the Task Group, Councillor Shannon, provided an update on the outcomes of the referral of the group's report back to Cabinet.

Councillor Shannon explained that Members had felt it was important to request that the Cabinet reconsider their findings to ensure that the detailed investigations that had been conducted by the group were taken into account. He suggested that this subject was particularly important at a time when internationally action was being taken to address air quality issues and links were increasingly being identified between air pollution and poor health.

The Cabinet had confirmed that a further response on the subject would be submitted for the consideration of the Overview and Scrutiny Board within 2 months.

93/13 **WORCESTERSHIRE HEALTH OVERVIEW & SCRUTINY COMMITTEE**

Councillor B. T. Cooper, the Council's representative on the Health Overview and Scrutiny Committee (HOSC), confirmed that the latest meeting of HOSC had taken place on 22nd January 2014.

During the meeting 2 key topics had been discussed:

- The operation of the Hereford and Worcester Ambulance Service NHS Trust and the assumption of responsibility for the 111 service.
- The outcomes of the Acute Services Review. An independent panel of clinicians had explored two options for the future of acute services in the county. The first option had been to centralise services at Worcestershire Royal Hospital with a view to deliver reduced services at the Alexandra Hospital in Redditch. The second option had been to invite another acute trust to manage the Alexandra Hospital. The panel had opted for the first option.

94/13 **CABINET WORK PROGRAMME MARCH TO JUNE 2014**

The Board considered the Cabinet Work Programme for the period 1st March – 30th June 2014.

Interest was expressed in scrutinising the update that was due to be presented to Cabinet on 5th March concerning the Disposal of Council Owned Assets at Hanover Street Car Park and George House. It was suggested that

this item would be suitable for further scrutiny due to the significance of this matter to the ongoing redevelopment of the town centre. However, it was questioned whether it would be appropriate to scrutinise this item as the update was scheduled to be presented to Cabinet before the next meeting of the Overview and Scrutiny Board. In order to resolve this issue Members requested further clarification regarding the timeframes and purpose of this item.

The Discretionary Rate Relief Policy Review, due to be considered by Cabinet on 4th June 2014, was also discussed. Members agreed that further information about the scope of this review should be provided to enable them to determine whether the topic would be suitable for further scrutiny.

Finally, the presentation of the Work Programme was briefly debated. Members commented that it was currently unclear on the Work Programme whether particular issues were scheduled for consideration as key decisions. Members requested that the content be amended in future to clarify whether key decisions would be made on particular items.

95/13 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

Members considered the latest version of the Overview and Scrutiny Work Programme.

During consideration of this item the following updates were provided for Members' consideration:

- The Summary of the Results of the Staff Survey would be presented at the meeting of the Board in March 2014. This report had been postponed from the February meeting as it had been recognised that, due to the recent inclement weather, it was likely that the update on flooding prevention work would require sufficient time for detailed scrutiny.
- The report on the revised CCTV Code of Practice would now be presented for the Board's consideration in April 2014.

The meeting closed at 8.30 p.m.

Chairman