

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

21ST JANUARY 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), C. J. Bloore, R. A. Clarke, S. R. Colella, R. J. Laight, P. Lammas, C. R. Scurrrell, R. J. Shannon, S. P. Shannon, C. J. Spencer and C. J. Tidmarsh

Observers: Councillor M. A. Bullivant and Councillor M. J. A. Webb

Officers: Ms. J. Pickering, Ms. A. Scarce and Ms. J. Bayley

97/14 **ELECTION OF VICE CHAIRMAN**

The Chairman explained that nominations were being sought for the position of Vice Chairman of the Overview and Scrutiny Board following the resignation of Councillor H. J. Jones from the Board. On behalf of the Board he thanked Councillor Jones for her hard work as Vice Chairman.

Nominations for Vice Chairman were received in respect of Councillors P. Lammas and R. J. Laight.

RESOLVED that Councillor R. J. Laight be appointed Vice Chairman of the Overview and Scrutiny Board for the remainder of the municipal year.

98/14 **APOLOGIES FOR ABSENCE**

Apologies for absence was received on behalf of Councillors J. S. Brogan and B. T. Cooper.

99/14 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

Councillor C. J. Spencer declared an other discloseable interest in respect of Minute No. 106/14 as a member of the Artrix Operating Trust and as a Parish Councillor at Finstall Parish Council.

Councillors R. A. Clarke, P. Lammas and R. J. Laight declared other discloseable interests in respect of Minute No. 106/14 as members of the Artrix Holding Trust and Councillor Clarke also declared an other discloseable interest in this item as a Parish Councillor at Wythall Parish Council.

Councillor C. R. Scurrrell declared an other discloseable interest in respect of Minute No. 106/14 as a Parish Councillor at Belbroughton Parish Council.

100/14 **MINUTES**

The minutes of the Overview and Scrutiny Board held on 3rd December 2014 were submitted.

RESOLVED that the minutes of the meeting held on 3rd December 2014 be approved as a correct record.

101/14 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 15th December 2014 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 15th December 2014 be approved as a correct record.

102/14 **LEISURE PROVISION TASK GROUP - CABINET RESPONSE**

The Portfolio Holder for Environmental and Leisure Services, Councillor M. Bullivant, presented the Cabinet's response to the Leisure Provision Task Group's recommendations. He explained that the Cabinet had accepted all of the group's recommendations subject to a minor amendment to the wording of the first recommendation.

RESOLVED that the Cabinet response to the Leisure Provision Task Group's recommendations be noted.

103/14 **ACTION LIST**

The latest version of the Board's Action List was considered by Members. Officers explained that a number of actions had been completed since the previous meeting of the Board and written updates had been circulated for consideration by email. A number of points were subsequently discussed in more detail.

Staff Survey

A response had been received to the Board's questions regarding the staff survey, which were raised in June 2014, following publication of the agenda. The Chairman had been notified of the response and had determined that the subject should be considered in further detail at the meeting of the Board in February 2015.

Finance Updates

The Executive Director of Finance and Corporate Resources apologised for the delay in responding to various requests for further information about financial matters. She explained that the Financial Services team had been prioritising the budget setting process in recent months, however, she hoped to be able provide responses to the Board shortly.

Customer Service Savings

Members were advised that the Customer Access and Financial Support Service was projected to achieve a saving of £34,000 in 2014/15. This saving had been calculated based on the following information:

- A £20,000 over spend was anticipated for Customer Services due to a loss of HUB funding.
- A saving of £7,000 had been achieved through reducing hours and savings on operational budgets.
- A further saving of £47,000 would be reached following a review of the Fraud Service and vacancy management.

The savings could not have been predicted by Officers when the budget had been set because there were a number of factors that the Council had not been aware of at that time. This included:

- The timing of the introduction of the Single Fraud Investigations Services (SFIS).
- The timetable for the rollout of Universal Credit and other welfare reforms.

Staff who currently worked on housing benefit fraud and Council Tax support fraud would be transferred to the Department of Work and Pensions once the full changes to the benefits system in the district had been implemented. Whilst this had already occurred in other parts of Worcestershire the transfer had been delayed in Bromsgrove and Redditch.

RESOLVED that the Action List be noted.

104/14

QUARTERLY RECOMMENDATION TRACKER

The Board considered the latest edition of the Overview and Scrutiny Quarterly Recommendation Tracker. During consideration of the tracker a number of key points were discussed in detail.

Planning Policy Task Group

The Head of Planning and Regulatory Services had confirmed that through service transformation a review and mapping process had been carried out in respect of planning and she had offered to provide this work for the board's consideration. Members agreed that this would be a suitable subject to investigate further at the February meeting of the Board.

Detailed responses had been provided to the group's fourth and ninth recommendations and it was therefore agreed that these items could be removed from the tracker.

Youth Provision Task Group

Members were advised that the Chairman of the Task Group, Councillor J. M. L. A. Griffiths, had not yet delivered a presentation on the subject of the

group's findings at a meeting of CALC. This was largely due to CALC only meeting on a quarterly basis and had key topics to discuss at each meeting. However, Members noted that following recent changes to the provision of youth services in the county it would be useful for this presentation to take place and Officers were asked to draw this recommendation to the attention of CALC.

Air Quality Task Group

The Board were advised that no further updates had been received following publication of the agenda. A detailed review of the recommendations was due to take place during the April meeting of the Board and this would provide Members with an opportunity to discuss the matter in further detail.

Members noted that they had not yet requested an update from Worcestershire Regulatory Services (WRS) regarding reminders to taxi drivers about leaving their engines running when waiting for a customer. However, some Members noted that they had observed taxi drivers running their engines in taxi ranks in recent months and therefore it was considered timely to request an update on this matter. The Board discussed a number of actions that could be taken by the Council and WRS to discourage this type of behaviour by taxi drivers and it was agreed that any suggestions should be raised with WRS Officers when they attended a future meeting of the Board.

Artrix Outreach Provision Task Group

The Chairman of the group, Councillor S. P. Shannon, and Head of Leisure and Cultural Services had met with the new Artistic Director of the Artrix following her appointment. There had been a positive response to the group's recommendations and it was anticipated that these would be implemented. The group's second, fourth and ninth recommendations had already been acted on and for this reason Members agreed that no further updates would be required. Members also noted that the Artrix continued to make activities available during school holiday periods.

Leisure Provision Task Group

Councillor R. J. Shannon confirmed that he had agreed to award some of his ward funding to finance the installation of an additional noticeboard. However an update was requested regarding the noticeboard referred to in recommendation 3a.

Recommendations Arising from meetings of the Overview and Scrutiny Board

Members were advised that the recommendation concerning the Dolphin Centre business case and finances for the new leisure centre had been rejected by the Audit Board and could therefore be removed from the tracker.

Joint WRS Scrutiny Task Group

The Board was advised that during consideration of the group's recommendations by the Worcestershire Shared Services Joint Committee a number of the group's recommendations, primarily concerning the governance of the service, had been rejected. These recommendations could therefore be removed from the tracker. The Overview and Scrutiny Board would be expected to track implementation of the remaining as the Council was the host authority for the shared service.

Members discussed arrangements for the operational management of WRS following the departure of the Head of Regulatory Services. Officers confirmed that the Chairman of the WRS Management Board would provide a strategic lead to the service during the interim period whilst the governance and budget for the service was reviewed.

RESOLVED that the Overview and Scrutiny Quarterly Recommendation Tracker be noted.

105/14 **PLANNING APPLICATIONS - QUARTERLY BACKLOG DATA**

The Board considered information that had been provided regarding the backlog with processing planning applications. The Chairman expressed some disappointment regarding the substance of the update that had been provided and Members agreed that further information was required to facilitate constructive scrutiny of the matter. The following additional information was therefore requested:

- An explanation of what qualified as a backlog.
- Clarification regarding action being taken by the Planning Department to address the backlog.
- A breakdown of data by size of application and the length of delay per application.
- An explanation of the reason why combined data had been provided for Bromsgrove and Redditch.
- Comparative data for Redditch Borough Council's planning applications.

Members briefly discussed the current position regarding the Planning Department and whether it was officially in special measures. Officers explained that the Planning Department would be in a better position to clarify the current position of the Council and the implications for the planning process.

106/14 **BUDGET SCRUTINY REPORT**

The Executive Director of Finance and Corporate Resources presented the Medium Term Financial Plan 2015/16 to 2017/18. She explained that the financial position for the Council had altered slightly since the agenda had been published and for this reason she provided an update on the revised position.

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

- The government grant allocation for 2015/16 was £500,000 less than the settlement for 2014/15 and had fallen by approximately 50 per cent since 2011.
- Officers were assuming that the Council would lose at least 5 per cent of the revenue grant over the next few years, though there were concerns that the figure could be higher.
- Bromsgrove District Council would receive £23,000 from the Greater Birmingham and Solihull Business Rates Pool.
- Officers had not yet allocated any of the New Homes Bonus settlement to the community as no decision had been made on this subject by the Council.
- The budget included an assumption that there would be an increase in Council Tax of 1.9 per cent.
- The previous 10 year funding agreement with the Artrix was due to end. Officers were proposing to allocate a grant of £60,000 to the Artrix in future years.
- In February 2014 Members had agreed to share the Parish Grant Precept to provide Members with a ward funding scheme. This had been a relatively labour intensive scheme though there had been some positive outcomes.
- A number of savings had been achieved. The focus of Officers in forthcoming years would be on how the Council could achieve further efficiency savings.
- The budget position for 2015/16 had changed since the publication of the report as figures for Council Tax had subsequently revealed a higher surplus than anticipated.
- There was one bid to support the Essential Living Fund (ELF). The settlement from the Government for the fund had decreased resulting in a reduction. Whilst the bid would help to support the fund the budget would be much lower than in previous years and therefore could only provide minimum support.
- Officers calculated that the pay award for an Officer would increase in the first two years of their employment as the employee rose through their incremental pay. Once the Officer reached the top of their scale they could only expect to receive the standard pay increase.
- Further detail would be provided for the Board's consideration in February, including an update on the Cabinet's recommendations for the budget.

Following presentation of the report Members discussed a number of points in further detail:

- The reasons why the Ward Members' Fund scheme was labour intensive. Officers explained that the application process was relatively simple, however, the process for transferring funds was quite complicated.
- The distribution of Council Tax funding to relevant public sector bodies. Officers confirmed that the district Council received 14 per cent of the Council Tax, the Police received an equivalent amount, the Fire Service

received approximately 6 per cent and Worcestershire County Council received the remainder.

- Changes to the recording of savings achieved through vacancy managers, which had been made at the request of Members in previous years.
- The notice provided to the Artrix regarding the reduction in funding at the end of the 10 year agreement and the funds to be allocated to outreach work.
- Whether the Artrix was responsible for the maintenance costs to the building.
- The turnover of staff retiring or taking redundancy and the number of new employees who would be at the bottom of their scales.
- The costs of borrowing. Members were advised that the majority of the borrowing costs for the leisure centre would be met from balances.
- There would be costs from borrowing for replacement of fleet vehicles.
- The Council would also be borrowing in the first year after the move to Parkside to cover costs, though it was anticipated that this would be recouped relatively quickly through the sale of the Council House site.
- Interest in the Council House site for development, and the designation of the site as housing land in the Area Action Plan.
- The need for a market rate to be achieved for the sale of the Council House site.
- The potential for multi-year budget settlements to be announced by the Government in future years.
- The impact of the New Homes Bonus in terms of both funding and housing development. Officers confirmed that the New Homes Bonus had had a positive impact from a financial perspective, however, the impact on housing development needed to be discussed further with the planning department.
- The need for Councils to plan to be financially dependent by 2018/19, due to the possibility that the Government grant would be withdrawn altogether in the long-term.
- The implications for Heads of Service and fourth tier managers who were accountable for managing budgets and the need for careful planning.

RESOLVED that the report be noted.

107/14 **CAR PARKING SHORT SHARP REVIEW REPORT**

The Chairman of the Task Group, Councillor S. P. Shannon, presented the group's final report. He explained that the group had undertaken a comprehensive review, gathering evidence from a variety of sources, including comparative data for similar districts and information about parking trends. Members had also taken into account the findings of the previous Recreation Road South Car Park Task Group.

A key source of the evidence had been a survey undertaken by Councillor R. J. Shannon as a member for St John's ward. He had surveyed businesses located in a number of the streets in the town centre to find out about opening arrangements during the evening and on Sundays. This survey had revealed

that a significant number of businesses were not open on a Sunday, though might open if there was an increase in footfall.

During consideration of this report the following matters were also discussed by Members:

- The decision that had been taken by Council on 19th January to permit free parking in the evenings in Bromsgrove, which would cost an estimated £60,000.
- The timing of the decision that had been made on Monday and whether it would have been more appropriate for a decision on this matter to be postponed until the Car Parking Short, Sharp review had been completed.
- The costs involved in offering free parking on a Sunday for a trial six month period, which were estimated to be approximately £30,000, and the extent to which the Council could afford to offer this free provision in addition to the costs for free evening parking.
- The need for Cabinet to determine how to fund both schemes.
- Methods that would be used to assess the impact of free parking provision. Officers explained that the Council would need to consult with local businesses to find out about the impact of free parking provision on business in the evening. A similar method could be used to assess the impact of free parking on a Sunday and the feedback could be compared to baseline data gathered by the group.
- The second recommendation had originally been proposed by the Recreation Road South Car Park Task Group and Members had felt that due to slow progress it should be proposed for a second time.
- The potential to expand the pay on foot system to more car parks in the Town Centre Regeneration Programme as part of any resurfacing and maintenance works.
- The extent to which the car parking permit scheme had been used by working people when the process had previously been in place.
- The potential income that could be accrued by the Council following the reintroduction of a car parking permit scheme for the over 65 year olds as well as the potential benefits to day time business from increased custom.
- The concerns of the Older People's Forum regarding car parking charges and the extent to which this reflected general concerns amongst senior citizens.
- The availability of season parking tickets for people working in Bromsgrove.
- The benefits of proposing strong recommendations that required action from Officers. For this reason Members agreed to amend the group's third recommendation which had originally proposed that consideration should be given to re-introducing the car parking permit scheme.

RECOMMENDED that, subject to the amendment detailed in the preamble above, the three recommendations in the report be approved by the Cabinet.

RESOLVED that the report be noted.

108/14 **WCC HEALTH OVERVIEW & SCRUTINY COMMITTEE**

In the absence of the Board's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), Councillor B. T. Cooper, a copy of the minutes of its latest meeting had been attached for Members' consideration.

The Chairman noted that the Board had agreed that the subject of GP Practices covered by a Clinical Commissioning Group (CCG) in Birmingham should be raised for the consideration of HOSC. To ensure that this occurred at the following meeting of HOSC in Councillor Cooper's absence Officers were asked to notify the lead Scrutiny Officer at Worcestershire County Council of this proposal.

Members were advised that a public meeting of the Redditch and Bromsgrove CCG was due to take place in the Council House the following evening, interested Members were urged to attend this meeting.

109/14 **CABINET WORK PROGRAMME 1ST FEBRUARY TO 30TH APRIL 2014**

The Chairman explained that following publication of the Cabinet Work Programme an urgent item had been added concerning the Hanover Street and George House site. This would be considered at a special meeting of the Cabinet on 18th February and the Chairman had requested that the report also be provided for the Board to pre-scrutinise in February.

Members discussed the content of the plan and commented that it would also be useful for the Board to receive an update on the Modifications to the Bromsgrove District Local Plan, which was scheduled for the Cabinet's consideration on 1st April.

110/14 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

Members were advised that a Topic Proposal Form had been received following publication of the agenda and would be considered alongside general updates on the Board's Work Programme.

Officers explained that at the meeting of the Board in February 2015 Members were due to undertake budget scrutiny and would receive a briefing on the subject of the staff survey, it would also be pre-scrutinising the report concerning the Hanover Street and George House site.

Officers were proposing to present the Overview and Scrutiny Board Annual Report for the consideration of the Board in April rather than in June, due to the potential for a change in membership of the Board following the elections in May 2015.

Members were advised that Democratic Services were keen to prepare appropriate Overview and Scrutiny training for Members in the new municipal year as part of the induction process. The Board agreed that as part of the

planning process for this training it should have an opportunity to contribute towards this during the April 2015 meeting.

Topic Proposal – Introduction of Ipads to District Councillors

Councillor R. J. Shannon presented a topic proposal form which detailed suggested terms of reference for a review of the introduction of Ipads for the use of district Councillors. He explained that, following discussions with other Councillors and the debate at the Council meeting on 19th January, it appeared that the subject of Council Ipads might be suitable for further scrutiny. A Short, Sharp Review of the subject could be completed prior to the elections and any findings could assist Officers in providing a high quality IT support service to new Members.

During consideration of this topic proposal form Members discussed the following points:

- The available capacity of the Democratic Services team to facilitate a Short, Sharp Review of this subject.
- The validity of the topic as a subject for scrutiny.
- The need to limit the number of Members appointed to any scrutiny group at this stage in the municipal year to ensure that meetings could be arranged and the review completed prior to the elections.
- The need for Members to be open minded about the potential outcomes of a review of this subject.
- The mixed experiences of Members when using their Ipads. A number of Members reported that they had experienced no problems.
- The timing of the proposed review, in particular as to whether sufficient time had been provided for Members to realise the full capacity of the Ipads.
- The functionality of the Ipads and the restrictions placed on access to various forms of email attachment.
- The availability of IT support to assist Members experiencing problems with their Ipads and the need for Ipads to be transported to Redditch Town Hall in order for problems to be resolved.
- The impact in terms of Officer time, in both the IT and Democratic Services teams, of resolving problems that had been reported with Ipads.
- The complexity of the Council issued Ipads compared to similar equipment used in various workplaces.
- Limitations placed on the potential for Members to print from their Ipads, an option that was only available at the Council House.
- The impact that limited access to Ipads could have on a Member's access to their emails and the potential to miss an opportunity to respond to constituents' concerns when the Ipad was not working.
- The need for Councillors to ask the IT team to create new folders on their Ipads when needed.
- Councillor R. J. Laight reported that he had consulted with members of his group and they had reported that they were satisfied that any problems experienced with the Ipads had been resolved quickly.

- The value of the good software in terms of equipment security and the need to respond to Government requirements concerning data confidentiality and encryption.
- The impact of training on the potential for Members to use their Ipads.
- The reasons why Councillors could not use their personal Ipads if good software was installed.

Following further debate it was

RESOLVED:

- (a) that a short sharp review would not be carried out; and
- (b) the Portfolio Holder for Enabling (including Finance and Governance), the Head of Business Transformation and Organisational Development and the IT Manager be invited to attend a future meeting of the Board to discuss Members' Ipads.

The meeting closed at 8.30 p.m.

Chairman

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