

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE COUNCIL**

**24TH JANUARY 2018, AT 6.00 P.M.**

PRESENT: Councillors C. J. Spencer (Vice-Chairman), C. Allen-Jones, S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths (From Minute No. 76/17 to part way through Minute No. 82/17), C.A. Hotham, R. E. Jenkins, R. J. Laight, L. C. R. Mallett, K.J. May, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, K. J. Van Der Plank, M. J. A. Webb, S. A. Webb and P. J. Whittaker

71\17 **TO RECEIVE APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor H. Jones. Members were also advised that Councillor J. Griffiths would be a little late.

72\17 **DECLARATIONS OF INTEREST**

Councillor M. A. Sherrey declared a disclosable pecuniary interest in respect of Minute No. 81/17, in respect of the Question on Notice from Councillor L. C. R. Mallett. In light of this, Councillor Mallett agreed to withdraw his question. It was also questioned as to whether Councillor Sherrey had declared an interest at previous meetings in respect of this topic.

Councillor C. A. Hotham declared a disclosable pecuniary interest in respect of Minute No. 82/17 and the Notice of Motion put forward by Councillor Mallett. Councillor Hotham left the room for that Notice of Motion and took no part in the discussions relating to it.

73\17 **MINUTES**

The minutes of the meeting of the Council held on 22<sup>nd</sup> November 2017 were submitted. A number of areas of clarification were sought in respect of the following:

- Minute No. 66/17 Councillor C. B. Taylor, the Portfolio Holder for Planning and Strategic Housing had advised that he would provide further information in respect of the applicants who had not met the relevant criteria. This had not been provided and Councillor Taylor apologised for this and agreed to provide the

information as soon as possible. It was suggested that officers remind those who are required to take action following a meeting, to ensure that this did not happen again.

- When Members may expect to receive the Portfolio Holders report for Health and Wellbeing and Community Safety – the Leader confirmed that he was taking action in respect of this and hoped to resolve the matter within the next week.

**RESOLVED** that the minutes of the meeting of the Council held on 22<sup>nd</sup> November 2017 be approved as a correct record.

74\17

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

The Vice Chairman, on behalf of the Chairman, reminded Members that there would be a Holocaust Memorial Service in the Parkside Suite on Monday 29<sup>th</sup> January commencing at 11.00 a.m. The theme was the power of words and pupils from six local schools would be taking part.

75\17

**TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader took the opportunity to thank all those who had attended the Corporate Peer Challenge sessions which had taken place earlier in the week. The final report was due in two weeks' time, but he had today attended, a meeting of both Councils' Executives and members of the Corporate Management Team which had covered initial feedback from those sessions. This had included a presentation and the Leader agreed to provide all Members with copies of the slides from this as soon as they were available.

When questioned on the content of that initial feedback, the Leader commented that there were a number of positive and negative areas which would be considered and that it had been agreed by both Executives that no significant statement would be made by either until the written report had been received.

76\17

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

The Vice Chairman announced that a question had been received from the Public.

**Question from Ms. Louise Humphries**

At the moment, "the save our sports hall" group has two major concerns:

In the Overview and Scrutiny meeting minutes of the 27th November 2017, it was noted that that there was no negotiation on the availability of the school sports hall. Understandably the school won't let us use the sports hall during the 12 week examination period. But in an article in the Bromsgrove Advertiser the executive director of finance and resources was quoted as saying that negotiations for a shared space are still

ongoing. Why are the council still negotiating with BAM when we will not have access for 12 weeks of the year? What is the progress of the current report considering the various options? Is there a deadline and once completed will it be made available for Bromsgrove residents to read?

Councillor P. J. Whittaker, Portfolio Holder for Leisure thanked Ms. Humphries for her questions and gave the following response; he, together with residents had been disappointed not to get agreement with BAM. Officers were continuing to negotiate with BAM for the use of the Sports Hall as an additional facility that could be accessed and would be of benefit to the community. In addition, Officers were working with Mace and Sport England to prepare an options appraisal on the feasibility of refurbishment of the current Sports Hall or provision of a new hall. This report was anticipated to be completed by mid-February and would be presented to Members as a public document, once finalised. It was hoped that this could be reported to Cabinet in March for consideration and then presented to Council in April for a final decision to be made. As this would be a public document the community would be able to review the report once it was published.

Members asked what the cost to the Council had been to date, following the breakdown of negotiations with BAM and also questioned who the lead officer was in respect of the negotiations. It was understood that the costs to date were for utilities in respect of the old Sports Hall and that the Executive Director, Finance and Resources together with the Head of Leisure and Cultural Services, were working on the project.

77\17

## **RECOMMENDATIONS FROM THE CABINET**

### **Fees and Charges 2018/19**

Following a discussion where Members raised a number of queries in respect of the Fees and Charges Report, it was agreed that the report would be deferred until the next meeting of the Council, due to be held on 21<sup>st</sup> February 2018, with a list of queries and questions being prepared for consideration by the relevant Portfolio Holders and Officers, with responses being brought back to that meeting.

### **Local Development Scheme 2018**

The recommendation in respect of the Local Development Scheme 2018 was proposed by Councillor C. B. Taylor and seconded by Councillor G. N. Denaro.

Councillor Taylor explained that this was merely the timetable which had been set in order to progress the review of the Local Plan. It was noted that this had also been considered by Members of the Strategic Planning Steering Group.

**RESOLVED** that Appendix A, the Bromsgrove District Council Local Development Scheme 2018 be approved as the Council's programme for strategic plan-making, effective as of 24<sup>th</sup> January 2018.

78\17

**TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 6TH DECEMBER 2017 AND 10TH JANUARY 2018**

The minutes of the Cabinet meetings held on 6<sup>th</sup> December 2017 and 10<sup>th</sup> January 2018 were received for information.

Members raised and discussed a number of items within those minutes, including:

- Minute No. 68/17 and to what the Portfolio Holder for Planning and Strategic Housing was referring to in respect of his disappointment at comments made at Council. It was clarified that any criticism made had not been aimed at officers.
- Minute No. 71/17 and whether the shortfall would continue and what progress had been made in meeting the savings from the Efficiency Plan. The Portfolio Holder for Finance and Resources responded that the figures for Quarter 3 would be key and that no cuts were anticipated this year. All Heads of Service had been asked to look again at their budgets in order to make savings.
- Auditors comments in respect of the Efficiency Plan – it was confirmed that this was a four year plan.

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**LOCAL COUNCIL TAX SUPPORT SCHEME 2018/19**

The recommendation in respect of the Local Council Tax Support Scheme 2018/19 was proposed by Councillor B. T. Cooper and seconded by Councillor G. N. Denaro.

Councillor Cooper reminded Members that this report had been deferred from the previous meeting and was brought back with additional information as requested. There was no change to the Scheme for 2018/19 and as detailed within the report it was proposed that a review would be carried out on the implementation of the Hardship Fund.

During the debate which followed Members raised a number of areas which were discussed in more detail, this included:

- The consultation which took place following inception of the scheme in 2013, which was not specifically targeted at those that were affected by the changes.
- The lack of detail within the report and the need for it to include what steps were being taken to mitigate the impact on the most vulnerable.
- The report should contain more detail around those that have been prosecuted or where legal action had been taken.

- The comprehensive review that would be undertaken to which all precepting authorities will be invited to participate, when it was anticipated that some of the concerns raised would be addressed.
- It was highlighted that these concerns had been raised in previous years and not addressed.
- The need for all preceptors to take part in the consultation and agree to any changes that followed from it.
- The understanding that a decision needed to be made at this meeting.
- The reduction in the Council Tax Support from 100% to 80%.
- The inability to make changes without a consultation taking place.
- The lack of commitment for the review to be carried out and the assurance that this would be brought to the September Council meeting.
- Support which was provided through the Hardship Fund and if Members had concerns about particular residents then to contact the relevant officers to ensure that they were receiving the support that was needed.

Councillor C. J. Bloore proposed an amendment that the report be deferred until the consultation had been completed and if necessary a special Council meeting could be called to consider the matter and requested a named vote. The amendment was seconded by Councillor L. C. R. Mallett.

It was explained that there was not sufficient time for a meaningful consultation to take place as a decision needed to be made by 31<sup>st</sup> January 2018. Councillor Van der Plank suggested that as there was already a Hardship Fund in place then the Council should increase the funds available within it in the interim. It was requested that the additional funding be equivalent to 5% of the council tax support scheme. This would equate to approximately £80K to be used for additional hardship cases. It was confirmed that Worcestershire County Council would not agree to review the scheme this year and as had previously been explained a review could not take place without the agreement of all preceptors. It was discussed how this should have been something which had been considered by the Council at an earlier stage in order for them to influence the overall decision, as it now appeared that there was no opportunity to do so until 2019.

For the recommendation Councillors Baxter, Bloore, Buxton, Colella, Hotham, Jenkins, Mallett, Peter McDonald, Christine McDonald, Shannon, Thompson, Turner and Van der Plank (13).

Against the recommendation Councillors Allen-Jones, Cooper, Deeming, Denaro, Dent, Glass, Griffiths, Laight, May, Sherrey, Taylor, Thomas, Mike Webb, Shirley Webb and Whittaker (15).

Abstentions Councillor Peters (1).

The Chairman declared the amendment to be lost and agreed to a short adjournment.

Following the adjournment Councillor Denaro proposed an amendment to the recommendations, which was seconded by Councillor Bloore. The following points were clarified prior to this being put to the vote:

- The estimated cost to the Council – this was £80k.
- This proposal had been put forward by Councillor Van der Plank.

**RESOLVED:**

- a) that no changes are made to the Council Tax Support Scheme for 2018/19;
- b) that the equivalent of a 5% increase in Council Tax Support be added to the Hardship Fund in the 2018/19 budget proposals; and
- c) that a review is commenced immediately to be concluded by September 2018 and at that time a draft scheme, to include an in principle 5% increase in support be consulted upon.

80\17

**REPORT AND RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL**

The recommendations in respect of the Independent Remuneration Panel were proposed by Councillor G. N. Denaro and seconded by Councillor K. J. May.

Councillor Denaro reported his disappointment when reading the report as the comments made from last year in respect of having more information to support the proposed changes had not been forthcoming. He referred Members to the statistics within the report and that the basic allowance cost had reduced over the year, with the Special Responsibility Allowances (SRAs) also showing a small decreased.

Councillor Denaro was in support of the small increase in the basic allowance but advised Members that he could not support the proposed changes regarding SRAs until he had been provided with the supporting information requested. He was therefore recommending that there be no change to the current level of SRAs paid. He had requested a meeting with the Panel and it was hoped that this would take place later in the year following the appointment of new Panel Members. The Leader of Wychavon District Council had also requested to meet with them to discuss similar concerns.

A number of points of clarification were raised by Members, including the SRA paid for the Electoral Matters Committee Chairman, it was confirmed that this was per meeting.

**RESOLVED:**

- (a) that the basic allowance for 2018-19 is £4,350 representing approximately a 1% increase;
- (b) that the Special Responsibility Allowances remain at the current levels;
- (c) that travel allowances for 2018-19 continue to be paid in accordance with the HMRC mileage allowance;
- (d) that subsistence allowances for 2018-19 remain unchanged;
- (e) that the Dependent Carer's Allowance remains unchanged; and
- (f) that the Parish Councils in the District, if travel and subsistence is paid, the Panel recommends that it is paid in accordance with the rates paid by Bromsgrove District Council and in accordance with the relevant Regulations.

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**QUESTIONS ON NOTICE**

**Question submitted by Councillor S Peters**

“The former Dolphin Leisure Centre was operated as a charity in order to reduce the business rates liability. Is the new Bromsgrove Sports & Leisure Centre operating under a similar arrangement or is the Council now having to pay business rates either directly, or indirectly through the management company, Everyone Active?”

The Leader responded that as a Community Enterprise Company Everyone Active received similar business rate relief and therefore there were no such costs to the Council for the new Leisure Centre.

**Question submitted by Councillor R Dent**

Could the Portfolio Holder responsible for Leisure give an update on the progress regarding the options on the Sports Hall?

Councillor P. J. Whittaker, Portfolio Holder for Leisure, responded that he believed he had already provided an answer to this question earlier in the meeting when asked the question by the member of public.

**Question submitted by Councillor M Thompson**

What provision has the portfolio holder for finance made since the deal to use NBH's sports hall fell through?

Similarly Councillor P. J. Whittaker, Portfolio Holder for Leisure advised Councillor Thompson that a response to this question had been provided earlier in the meeting.

**Question submitted by Councillor M Buxton**

Noting the collapse of Carillion can the Portfolio Holder tell us of any businesses impacted locally, including those in the supply chain, and how will this Council be supporting them?

The Portfolio Holder for Economic Development responded that she was not aware of any immediate impact to local businesses and that the Council would continue to monitor the situation and work with partners such as the Growth Hubs and Local Enterprise Partnerships to support any affected businesses. If Members were aware of any businesses that had been affected then they should be advised to contact the Worcestershire Business Central (Growth Hub) in the first instance or the North Worcestershire Economic Development Team.

**Questions submitted by Councillor S Shannon**

With knowledge that this Council has contributed to the cost of the new train station transport interchange project for Bromsgrove, can I assume the Leader of the Council shares my concern for the sudden collapse of Midlands based Construction and Services Company Carillion with the related loss of jobs to the large workforce coupled with the inevitable disruption to essential services and delays to large local infrastructures projects? In particular can the Leader inform Council if the delays to the introduction of an improved electric train service from the new Bromsgrove train station are directly or indirectly connected to the failure of Carillion Rail Infrastructure division.

In particular, can I ask the Leader to exercise his leadership role by calling on those responsible for the delays in energising the electric cables that have resulted in a lengthy delay to the introduction of an improved electric powered train service from the new Bromsgrove train station. Also will he continue to exercise his leadership role in ensuring the promised delivery of this service to our residents is enacted as soon as possible?

The Leader responded that his County Council colleagues had confirmed that as far as they were aware electrification was still planned to be completed to Bromsgrove in May 2018. County officers would contact West Midlands Rail and Midlands Connect to obtain more details and once received these would be communicated to Councillor Shannon.

To the best of the Leader's knowledge, the electrification project would be complete and ready for the new train service (extension of the Cross City Line to Bromsgrove) by May this year. He had heard nothing to the contrary and neither had the specialist rail consultant. Nothing had been mentioned at a recent West Midlands Rail meeting either. Richard Dugdale from Network Rail had written to the Leader before Christmas and also stated that May was still on target.



### **Questions submitted by Councillor C Hotham**

The proposed central government negative support grant for Bromsgrove -

The soon to be imposed annual payment demanded by central government of £750,000 amounts to a Bromsgrove Living Tax of £7.75 for every man, woman and child just for living in the district. This cannot be justified or fair. Please could the Leader explain why the residents of Bromsgrove are being asked to pay the BLT and what measures he is taking to stop the imposition of this new form of inequitable taxation?

The Leader responded that as part of the 2015/16 financial settlement a calculation was made to assess the relative need of councils. In Councils with a high tax base like Bromsgrove the amount of resources received was seen to be higher than the relative need and an adjustment was made to return funding back to Government from 2016/17. This was called a “tariff adjustment” or “negative grant”.

During consultation this tariff was removed from 2016/17 – 2018/19 and in the first 2 years a transition grant was provided. The tariff/negative grant remains for 2019/20 of £740k in our budget projections. In December 2017, the Secretary of State confirmed that a consultation would take place in Spring 2018 on these amounts, with the outcome feeding into the 2019/20 local government finance settlement. The Secretary of State stated that “I can confirm that my department will be looking at fair and affordable options for dealing with Negative RSG”. However, for now the negative RSG amounts remained with the 2019/20 individual authority figures.

### **Questions submitted by Councillor C Bloore**

Could the CMR for housing please tell me the current number of 'sofa surfers' in Bromsgrove District broken down into age groups.

Councillor C. B. Taylor, the Portfolio Holder for Planning and Strategic Housing responded that the Council did not routinely record information regarding the number of sofa surfers in Bromsgrove. This is because the individual circumstances faced by sofa surfers often change on a regular basis, so it is difficult to measure this in a meaningful way. The housing waiting list itself provides the best indicator of the levels of sofa surfing in Bromsgrove, because applicants are able to declare as part of their application that they are staying with family, friends or relatives and do not have access to their own bedroom. I am able to advise that following a check of this list, which numbers 2,186 households, in total, there are 96 households registered as staying with family, friends or relatives who do not have access to their own bedroom. I am also able to break this figure of 96 households down by age as follows:

Under 26 years`	38
26 – 30	22

31- 40	16
41 – 50	11
51- 60	4
61+	5

The Portfolio Holder confirmed that sofa surfers were not classified as homeless.

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## **MOTIONS ON NOTICE**

### **Housing Needs**

Members considered the following notice of motion submitted by Councillor S. R. Colella.

That Bromsgrove District Council suspends any discussions with Birmingham City Council and the Combined Authorities into taking any number of housing from the West Midlands conurbation until the impacts of delivering this council's own objectively assessed housing needs have been determined and demonstrated via a full public consultation.

The motion was proposed by Councillor S. R. Colella, with a request for a named vote and seconded by Councillor P. M. McDonald.

In presenting the motion Councillor S. R. Colella highlighted a number of areas of concern and asked Members to support his motion. These included:

- The duty to co-operate with other bordering local authorities and with Birmingham City Council in particular.
- The need to consider the Council's own housing needs before agreeing to provide for other local authorities.
- The Foxlydiate development on behalf of Redditch Borough Council.
- The understanding that Dudley Metropolitan Borough Council had suspended its Green Belt review.
- The lack of a Transport Plan and the number of Air Quality Management Areas within Worcestershire.
- How land for development will be identified.
- The impact these developments would have on the infrastructure.

In speaking to the motion Councillor P. M. McDonald also advised that it was his understanding that a commitment had been made by this Council to provide housing under the duty to co-operate agreement and reiterated Councillor Colella's concerns around the need to address this Council's housing needs before considering the needs of other local authorities. He also made reference to areas within his Ward which were earmarked for development and the concern that there was the potential for these to be allocated to other authorities. It was reaffirmed that any such negotiations should be put on hold under the Council was able to meet the needs of its own residents.

During the debate which followed a number of areas were discussed in more detail:

- The duty to co-operate should be in line with this Council's timetable and not dictated to by others.
- Whether there was a conflict of interest in respect of the Portfolio Holder chairing the Strategic Planning Steering Group meetings.
- The need to ensure that we have the skills and abilities to challenge the duty to co-operate approaches from other local authorities. This had been done in other areas.
- The need to withdraw from any discussions until the housing needs of the Council had been agreed.
- The understanding that an agreement had been reached with Birmingham, following information provided at a Strategic Planning Steering Group meeting.
- The need to put the development plans of Bromsgrove and its housing needs first.
- Take action to slow down the process of duty to co-operate.
- Clarification as to whether the Council could withdraw from the meetings or whether these could be suspended

Councillor C. B. Taylor, as Portfolio Holder for Planning and Strategic Housing reassured Members that there had been no agreement or promise to take any houses and that the residents of Bromsgrove were the Council's priority. As it had been explained in the Strategic Planning Steering Group meetings, the Council had no option but to co-operate with other authorities under the legislation. The Council needed to be involved in any discussions in order to ensure that any agreement reached was what the Council was happy with. There would be consultation at various stages of the review process and there would be opportunity for everyone to have their say. The timetable for that review was considered at this evening's meeting and Members also had the opportunity through the Strategic Planning Steering Group to feed into the process.

In summing up Councillor Colella highlighted that he believed that the housing allocation taken on behalf of Redditch Borough Council had not been made clear to residents, and expressed concerns that officers were involved in over-arching discussions around potential allocations from other local authorities. The implications of LTP4 were also of concern as it appeared from information received that these were based on national statistics and not from local information and knowledge. The importance of the Council putting its residents first was also reiterated

For the recommendation Councillors Baxter, Bloore, Buxton, Colella, Hotham, Jenkins, Mallett, Peter McDonald, Christine McDonald, Peters, Shannon, Thompson, Turner and Van der Plank (14).

Against the recommendation Councillors Allen-Jones, Cooper, Deeming, Denaro, Dent, Glass, Laight, May, Sherrey, Taylor, Thomas, Mike Webb, Shirley Webb, Whittaker and Spencer (15).

Abstentions NIL

The Chairman declared the motion to be lost.

### **Housing Needs**

The Notice of Motion submitted by Councillor P. M. McDonald was withdrawn.

### **NHS Crisis Hitting Bromsgrove Residents**

Members considered the following notice of motion submitted by Councillor L. C. R. Mallett.

Council notes the national crisis in the NHS which has seen growing queues at A&E wards in Worcestershire Hospitals and across the UK. With December showing the lowest percentage of patients in A&Es in England treated within the 4 hour government target ever.

Recent reports of ambulance queues outside Worcestershire hospitals – with the high pressure on the county’s hospitals meant there were more than 1,200 times when paramedics had to wait for more than 30 minutes outside sites in December. At points in December the Royal was running at close to a 10 hour wait in A&E.

Worcestershire Acute Hospitals Trust has slashed budgets to reach savings targets and open up an extra 29.6 million in Government funding. This funding has however been delayed – meanwhile local services are failing.

These cuts have resulted in a greatly reduced and damaged service – with, for example key services, moving from the Alex and growing waiting times and pressure at the County’s hospitals.

Council resolves that the Leader should urgently write to the Secretary of State for Health and Social Care:

- highlighting Council’s dismay and concern for the impact that cuts and underfunding are having upon our local hospitals and the risk this presents to Bromsgrove patients;
- and demanding the immediate release of promised funding for our local hospitals.

The motion was proposed by Councillor L. C. R. Mallett and seconded by Councillor C. J. Bloore.

In presenting the motion Councillor Mallett advised that Councillor Denaro had proposed an amendment to it, as detailed below:

Council resolves that the Leader should urgently write to the Secretary of State for Health and Social Care:

- Highlighting the Council's concern about the funding issues that were impacting on the local hospitals and the risk this presented to Bromsgrove patients; and
- Requesting the immediate release of promised funding for the local hospitals.

Councillor Mallett indicated that he would be happy for the amendment to be made.

In presenting the amended Motion Councillor Mallett highlighted a number of areas of concern, these included:

- Ambulance waiting times at the Worcester Royal Hospital.
- The number of patients who had waited more than 12 hours in the Accident and Emergency Department at the hospital.
- The number of vacant posts at the hospital.
- The number of targets being missed by the hospital.
- The continued inadequate rating of the Worcestershire Acute Hospitals Trust by the CQC.

Councillor Mallett urged all Members to support this motion as the funds which had been promised to support the hospitals were needed urgently. Councillor Denaro spoke to his amendments, but confirmed that he widely supported the Motion put forward and the need to exercise pressure on the Secretary of State to release the funds as soon as possible.

A query was raised in respect of Councillor B. Cooper Disclosable Interest (DPI) Form and he clarified that he was now retired from the NHS and apologised if he had not updated his online DPI form.

On being put to the vote the amendment was declared to be carried.

The meeting closed at 9.31 p.m.

Chairman