

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

12TH FEBRUARY 2018, AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), C. Allen-Jones, C. J. Bloore, S. R. Colella, C.A. Hotham, R. J. Laight, C. J. Spencer, P.L. Thomas and M. Thompson

Observers: Councillor G. N. Denaro, Councillor K. J. May, Councillor C. B. Taylor and Councillor P. J. Whittaker

Officers: Ms. J. Pickering, Mrs. C. Felton, Mr. J. Godwin, Mr. M. Hanwell, Mr. G. Revans, Mrs. A. Singleton, Ms J. Willis, Ms. S. Garratt, Mr M. Cox, Mr. R. Williams (WRS), Mr. S. Williams (WRS) and Ms. A. Scarce

86/17 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received from Councillor M. Glass.

87/17 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

Both Councillors L. C. R. Mallet and C. A. Hotham declared a disclosable pecuniary interest in respect of Minute No. 92/17 Hospital Charges – Board investigation.

88/17 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 15th January 2018 were submitted.

It was confirmed that in respect of the information from Worcestershire County Council as referred to in Minute No. 79/17 this had not been received to date.

It was also confirmed that in respect of attendees at the meeting only those Councillors who were invited to attend, participated in the meeting and sat at the table were recorded as being in attendance as observers.

RESOVLED that the minutes of the meeting of the Overview and Scrutiny Board held on 15th January 2018 be approved as a correct record.

FINANCE AND BUDGET WORKING GROUP - UPDATE

The Chairman explained that these two items had been considered by the Finance and Budget Working Group who had further questions for discussion, but had unfortunately struggled to set a further date for the Group to meet. It was therefore decided to bring the items back to the full Board in order to give everyone an opportunity to feed into the budget process. It was proposed that these items be time limited and the Chairman asked Members to be succinct in their questioning of officers. The Chairman took the opportunity to thank all officers and Portfolio Holders for attending the meeting.

Medium Term Financial Plan

The Executive Director, Finance and Resources presented the report and in so doing explained that this had been considered at Cabinet on 7th February and would be further considered at a Cabinet meeting on 21st February, with an updated report being presented, prior to full Council. The following areas were highlighted a number of areas, including:

- Local Government Funding Reform to be implemented in 2020/21 and a consultation paper to be published in Spring 2018.
- Business Rates Baseline to be reset in 2020/21. Council Tax could be increase by 3% and this increase had been included in the 2018/19 figures.
- Business Rates Pilots – Worcestershire had not been approved, but from initial feedback it was understood that this was due to the number of applicants and a further bid programme would be forthcoming.
- Consultation to take place in Spring 2018 in relation to the “negative” grant currently £740k in 2019/20.
- Revenue bids and unavoidable pressures were detailed within the appendices (this included £150k for one year in respect of work carried out by Mott McDonald).
- £327k for vehicle replacement had been released from reserves.
- Borrowings for the Investment and Acquisitions Strategy – it was acknowledged that more work needed to be done around this, including details of the anticipated income arising from it.
- It was confirmed that those lines within the table at page 51 of the agenda which were recorded as zero would be removed.
- New Homes Bonus – impact of a reduction in the number of properties delivered, with a 0.4% levy on growth.
- Difficulty in balancing the budget for more than one year due to the uncertainty around a number of areas, as detailed above.
- Available funds in balances if needed.

Following presentation of the report Members raised a number of queries/observations which were responded to by the relevant officers. This included:

- The unavoidable being included in only the first year and nothing in future years. It was highlighted that if they were unavoidable one year it was likely they would be in future years. The Executive director, Finance and Resources explained that this was shown in this way at Members request, but was happy to show it in whichever way Members wanted.
- Car Parking was given as an example as it was shown as a pressure of £100k in the first year, but not in future years and this could give a false picture of the position. It was explained that these were shown in a similar way to savings, when it had been highlighted that a saving could only theoretically be made in the first year and after that it no longer became a “saving”.
- In respect of Car Parking, the head of Environmental Services explained that income had been below target for a number of years which had been offset against a number of other areas where savings had been made, for example from Wychavon, the car park managers.
- The Council’s economic strategy and the ability to carry out modelling exercises, for example in respect of car parking needs, using intelligence already available. The Deputy Leader and Portfolio Holder for Economic Development responded that a piece of work was currently being undertaken in respect of this, and which would be available shortly. She also reminded Members that the number of car parking spaces available had reduced in recent years.
- Whether pressures and capital bids should only be considered every 3 years as opposed to every year, as often items appeared on this lists but did not materialise for whatever reason.
- Whether the costs for the Burcot Lane site should be included in future years. It was confirmed that this would not be necessary.
- Concerns around the Council’s position should the plan be extended by a further 2-3 years, particularly in light of the negative grant payments and the uncertainty as to whether these would continue. Members were reminded that there funds were available from balances, Members had chosen to have a limit of £1.1m but the Executive Director, finance and Resources confirmed that as the Section 151 Officer the lower level she would recommend would be £750k.
- Members questioned the position that Redditch Borough Council was in financially and what impact, if any, this could have on this Council. The Executive Director, Finance and Resources confirmed that the 2 councils were completely separate organisations and where not in any way dependent upon each other.
- Members questioned why there was no reference to funds being made available for the sports hall. The Executive Director, Finance and Resources explained that she hoped to receive the options appraisal shortly and that a report would be presented to Cabinet and Council and that the Board would have an

opportunity to also consider it. It was likely that this would be funded through balances, but had not been included as no decision had been made. Although it was accepted that it would be sensible to include it.

- The Leader commented that the current uncertainty left the Council in a very difficult position, particularly in respect of the negative grant as this would potentially be funded from balances, but could not be sustained indefinitely and would impact on other spending.
- Members questioned what Heads of Service were expected to have provided currently. The Executive Director, Finance and Resources explained that they had gone through their individual budgets line by line and brought forward proposed savings for the next 4 years. This had been done for at least 2018/19, with some covering the full 4 year period, although it was acknowledged that it was difficult to forecast with so many uncertainties.

Members raised concerns around what would happen in the future should the Council not be able to raise enough funds commercially, as it was clear that the balances/reserves were not sufficient to maintain services indefinitely. It was suggested that other forms of shared services should be explored, as whilst the current arrangement had provided some savings, these were not sufficient for the Council's future needs. It was suggested that the Shared Service agreement appeared to have reached a stage where it needed to be reviewed and that Redditch Borough Council were not of the same view and this could potentially be restrictive for this Council moving forward. It was felt that there was a need to widen the scope of shared services in order for the Council to be sustainable and to safeguard the services it provided. Members discussed whether there was a mechanism in place should the shared service between the two Councils breakdown and what the financial implications would be of the break-up of that agreement. The Executive Director Finance and Resources advised Members that this had not at present been considered. It was suggested that a number of alternative scenarios could be considered and a piece of work done around these.

The Head of Legal and Democratic Services highlighted to Members that whilst the shared services agreement was for the purpose of savings and sustainability it also allowed had also allowed the Council to continue to provide the services to residents and the Council continued to make changes in order to keep up with the changing landscape, hence the introduction of the Investment and Acquisition Strategy and a number of areas, including her own which was looking at reducing costs and increasing income generation, with an target to meet within her budget. Following on from these discussions a number of other points were raised by Members, including:

- The 50/50 split with Redditch under the shared service agreement and whether this should be reviewed.

- Why the Council should consider options to come away from Redditch when the opportunity to be more effective from larger partnerships, so it should consider expanding.
- Whether the Leader had written to the local MP and invited him to attend a future meeting to discuss the issues facing the District. The Leader confirmed that he had made the invitation and was currently awaiting details of his availability from his office.
- The need to consider the content of the recent Peer Review before making any decisions.
- The amount of investment made in order to generate the return detailed in the report. The Leader confirmed that it would be a challenge but there was a need to get this up and working as soon as possible and the business cases would come through the Finance and Budget Working Group as confirmed at a recent Council meeting, so there was the opportunity to Members to ensure that these were feasible. The Deputy Leader confirmed that she hoped to bring the first through shortly via a business case prepared by the North Worcestershire Economic Development Team.
- The amount of funds available to the community through the New Homes bonus Community Grant Scheme this year, it was confirmed that this would be £79k which was 25% of the “new” NNHB received.
- Tensions around planning applications and how for various reasons the timescales were longer than would be expected and the net effect of the impact on the budget. The Head of Planning advised that whilst she appreciated the financial pressures these could not be considered as a material planning consideration.
- Route optimisation of the bin collection and whether this could be extended to other authorities.

Fees and Charges

Members raised a number of queries in respect of the Fees and Charges report, including:

- Inconsistencies in respect of sports facilities and increases of over 3% and what appeared to be increased prices for outdoor space hire – the Head of Leisure and Cultural Services explained that this was not simply in respect of the parks but for event hire and the increase was for commercial hirers only. The community group increase was 2% and for the voluntary and community sector hirers there had been no increase.
- No proposed increases for the charges listed for WRS – it was explained that licensing fees and charges should be self-financing and that local authorities could not deliberately set fees at a level that generates income to be invested elsewhere in their services. Licensing, had to be managed so that it only recovered its costs.

- Private sector Housing inspections and who would pay for this – it was confirmed that this referred to houses of multiple occupancy and the cost would be met by the relevant landlord.
- Rights of burial for a child – it was not clear as to whether there was a charge or not. The Head of Environmental Services agreed to seek clarification from officers in respect of this and would feedback to Members, through the Senior Democratic Services Officer.
- The amount of paperwork around applying for the Lifeline Service – it was confirmed that whilst this was lengthy support was provided for those who needed it.

Hire charges for the Parkside Suite – Members were concerned that these were being increased when there did not appear to be the potential business or marketing undertaken to promote the facilities available for hire. The Head of Leisure and Cultural Services explained that there was interest in the hire of the facility but unfortunately due to the logistics there was not necessarily consistent availability for those wishing to hire on a regular basis. It was explained that originally many of the committee meetings would have been scheduled into the Committee Room, leaving the main Suite free for hire. Unfortunately the Committee Room had proved unsuitable and the Suite was used for more Council meetings than had been anticipated. It was hoped that this would be addressed shortly, subject to the relevant planning permission, as the Group Leaders had agreed to the current Members' Room being moved down stairs and that room being reconfigured as a Committee Room, thus freeing up the whole Suite of rooms downstairs for external hire.

RECOMMENDED:

- a) that the budget table as presented in the Medium Term financial Plan reflects the cumulative position over the four years for unavoidable and other cost pressures;
- b) that the estimated funds required to develop a Sports Hall be ring fenced;
- c) that the Management Team model scenarios in relation to shared service exit arrangements, due to financial sustainability, to include alternative wider options ; and
- d) that income from major planning applications is removed from the budget projections to enable a more realistic financial projection to be presented.

**AIR QUALITY MANAGEMENT AREA, KIDDERMINSTER ROAD,
HAGLEY - PRE-SCRUTINY OF CABINET REPORT**

The Technical Services Manager, Worcestershire Regulatory Services (WRS), provided a brief overview of the report, highlighting in particular that the levels being monitored were below the national objective and under DEFRA guidelines if this was the case for the previous 3 years

then it was sufficient to trigger revocation of the AQMA and that WRS would continue to monitor the air quality within the area.

Members raised a number of concerns following receipt of the report and in particular discussed the following areas in more detail:

- Concerns that the revocation of the AQMA was not the result of management of the AQMA and that no additional work had been put in place that would impact on the levels.
- The calculations which were used to reach the mean average and whether these gave a true picture of the air quality in the area of the AQMA.
- Whether the monitoring was in the appropriate places and an increase in traffic, with an emerging problem from increased congestion and standing traffic.
- The equipment being used and whether there was more sensitive equipment available, as this would give a more accurate reading and picture of the air quality.

WRS Officers responded to the questions raised and reiterated that the levels recorded and the equipment used was within the guidelines set down by DEFRA and that monitoring would continue following revocation of the AQMA. More sophisticated monitoring could be carried out which would provide real time analysis of air pollution, however it was not seen as being cost effective, nitrogen dioxide monitoring equipment was £60k for one monitor, with a further £20k for nitrogen dioxide, with between £10-15k for on costs and maintenance. If such monitoring was to take place then consideration should be given as to whether it was appropriate in all AQMA locations and how this would be funded.

The Technical Services Manager highlighted that if the AQMA was not revoked then it would be going against the DEFRA guidelines. His team would also continue to engage with Worcestershire County Council (WCC) Highways team to ensure the best outcomes in the future within the District. There had only been 5 cases of exceedances in a 6 year period and these were not significantly above the accepted level and that the current levels were very low.

Following further discussion Members raised the following points:

- Concerns around the mechanism in place for monitoring in all part of Bromsgrove as it was noted that the traffic within the town centre Worcester Road are had been particularly bad and there was a higher density of buildings around there, but within 2 hours it could be clear of traffic, which would give a false reading in respect of monitoring at certain times.
- The national average which was not to be exceeded with health based and the primary issue of concern. It was confirmed by WRS Officers that the average in the AQMA under discussion was not meeting the hourly average under DEFRA guidelines.

- Whether the monitoring sites were appropriate – it was noted that these were usually on a downpipe of a house. However, the exposure that pedestrians would be subject too would suggest that monitoring should take place on telegraph poles along the road side.
- The impact on those that walked or cycled – particular as part of the health and wellbeing agenda was to encourage this type of activity.
- CCG figures which showed a problem with chest complaints – there appeared to be a conflict between those figures and the information provided.
- The Technical Services Manager, WRS confirmed to Members that his team continued to lobby all other relevant agencies, including WCC Highways to ensure that air quality was a consideration in decision made.

RECOMMENDED:

- a) that Worcestershire Regulatory Services reverse the proposal to revoke the Hagley AQMA;
- b) that the Council invest in sensitive and appropriate monitoring equipment in all of its AQMAs;
- c) that the Council carries out voluntarily monitor for Particulate Matter as its duty as the responsible authority;
- d) that the Council increase the AQ monitoring points in Hagley from Stakenbridge Lane to the B4187 (Worcester Rd junction); and
- e) that Worcestershire Regulatory Services engages fully and positively with Worcestershire County Council Highways to resolve known local Highways issues that exist along AQMAs and adjoining carriageways that effect air quality and health.

91/17

MEASURES DASHBOARD WORKING GROUP - UPDATE

Councillor Webb, as Chairman of the Measures Dashboard Working Group confirmed that at the Group's most recent meeting Councillor Colella had attended, as the Chairman of the Staff Survey Joint Scrutiny Task Group to discuss how best the Working Group could support the recommendations put forward by that Group. The Working Group had discussed its work going forward and whether iPads were conducive to accessing the dashboard. Following discussions the Working Group have invited the Chief Executive to its next meeting, planned for April in order to ascertain how best to take their work forward.

92/17

TASK GROUP UPDATES

CCTV Short Sharp Review

Councillor Colella, Chairman of the CCTV Short Sharp Review confirmed that the next meeting of the Group would take place on 1st March 2018.

Parking Enforcement in the Vicinity of Schools Task Group

Councillor Bloore, Chairman of this Task Group confirmed that it had held its first meeting on 5th February and Members had agreed to re-naming it “Road Safety Around Schools” following further discussion in respect of the scope. A number of witnesses had been identified and the next meeting was due to take place shortly.

Hospital Car Parking Charges – Board Investigation

Councillor Bloore, confirmed that he had attended a meeting earlier in the day in respect of this and that a meeting of the Members who had shown an interest in the investigation would be arranged as soon as possible.

93/17

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

It was confirmed that Councillor Hotham had stood down as the Council’s representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC) and the Board therefore needed to appoint to this post. Officers advised that it was a requirement of HOSC that any representative was also a member of the Council’s overview and Scrutiny function. Following discussion it was

RESOLVED that Councillor C. J. Bloore be appointed as the Council’s representative on the Worcestershire Health Overview and Scrutiny Committee with immediate effect.

94/17

CABINET WORK PROGRAMME

Officers highlighted that the Industrial Units Investment item was not now expected to be ready for the March meeting as anticipated, but would remain on the Board’s work Programme.

The Executive Director, Finance and Resources advised Members that the Sports Hall Feasibility Options Appraisal would now be considered at Cabinet on 11th April prior to Council on 25th April. She was happy to present this to the Board at its meeting on 26h March and saw no reason why Cabinet would not release the report for that purpose.

It was confirmed that the Transport Planning Review item referred to the report being prepared by the Strategic Planning and Conservation Manager on behalf of the Board and it was noted that this may slip back dependent on the outcome of the discussions held at the Board’s next meeting.

RESOLVED that the Cabinet Work Programme 1st March to 30th June 2018 be noted.

95/17

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Officers drew Members attention to a number of items on the Work Programme including the Safeguarding and Early Help presentation from Worcestershire County Council. It was confirmed that this would now be received at the Board's meeting due to be held on 23rd April 2018.

The Sports Hall Feasibility Options Appraisal, as previously discussed would be received at the Board's March meeting, together with the Transport Planning Report. Officer explained that the Strategic Housing and Conservation Manager had been due to meet with Worcestershire County Council Officers today to take this item forward and he would attend the March meeting to provide Members with an outline of the areas to be included within his report. This would give Members an opportunity to make an changes before the final report was presented at the Board's April meeting.

RESOLVED that subject to the pre-amble above the Overview and Scrutiny Board's Work Programme be noted.

The meeting closed at 8.00 p.m.

Chairman