

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

26TH MARCH 2018, AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), C. Allen-Jones, S. J. Baxter (Substitute Present from Minute No. 96/17 to Minute No. 101/17), C. J. Bloore, M. Glass, C.A. Hotham (Present from Minute No. 96/17 to Minute No. 100/17), R. J. Laight and M. Thompson

Observers: Councillors G. N. Denaro, C. B. Taylor and P. J. Whittaker

Officers: Ms. J. Pickering, Ms. A. Scarce and Mr. M. Dunphy

96/17 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received from Councillors S. R. Colella and C. J. Spencer, with Councillor S. Baxter attending as substitute for Councillor Colella.

97/17 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

Both Councillors L. C. R. Mallett and C. A. Hotham declared a disclosable pecuniary interest in respect of Minute No. 104/17 Hospital car park charges – Board Investigation.

98/17 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 12th February 2018 were submitted.

A typographical error on final paragraph on page 4 under Minute No. 89/17 was highlighted and noted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 12th February 2018, subject to the preamble above, be approved as a correct record.

99/17 **TRANSPORT PLANNING REPORT**

The Chairman introduced this item and reminded Members that following a number of meeting where this had been discussed, the Strategic Planning and Conservation Manager had been tasked with providing an outline of the areas to be included within this report in order for Members to have a starting point for further discussion.

The Strategic Planning and Conservation Manager explained that the headings gave a view of the current position and a number of key areas. He had spoken to Mott Macdonald in respect of the Western Distributor Road who were prepared to respond with some high level recommendations. It was also suggested that Members may wish to include comments provided by community groups such as the Whitford Voice.

Following receipt of the report Members raised a number of areas which were discussed in more detail:

- The cost of the work carried out by Mott Macdonald in respect of the Western Distributor Road – it was confirmed that the initial work would be carried out within the existing contract with them. This would be a high level report which they could prepare in 2-3 weeks and was likely to cost £1ks rather than £10ks.
- Who was paying for the extra costs incurred and whether this should be included within the report. It was understood that the Council would seek reimbursement from Worcestershire County Council (WCC). It was confirmed that this was the case; however the cost of the work in respect of the Western Distributor Road may not fall within the scope of this. It was important to highlight to and reassure residents that every effort was being made to recover these costs.
- It was confirmed that a letter had been sent to WCC on 10th March requesting this reimbursement and the Leader further confirmed that he had also been dealing with this matter.
- The two previous traffic counts which had been carried out and the accuracy of the predictions within those. It was important that as accurate data as possible was produced in order to carry out future projections. It was noted that from the previous data a suggested reduction in traffic was predicted, when in fact an increase of an estimated 7% had been shown.
- It was important that the Council was able to show the expected traffic counts in 2030 and 2040 in order to be able to see the impact on the roads within the District, particular in light of the potential impact of future housing needs.
- Concerns were raised that the current data collection process was not accurate but that there was new technology which would change how this modelling was carried out. Investigation of modelling should therefore be included within the report.
- Members shared their disappointment at the responses received from WCC after it was made very clear that both Members and residents were greatly concerned at the ever increasing congestion in the District due to the lack of appropriate infrastructure.
- The Strategic Planning and Conservation Manager highlighted that the review of the Local Plan would include the evidence base to support infrastructure improvements. It was important that this was pro-active rather than re-active.

- Concerns were raised as to how the proposed A38 major improvement scheme would reduce the current gridlock. A number of areas which may be included within this were highlighted as issues of concern, for example the widening of the road which would entail the removal of sound barriers and greenery.
- The response from WCC to the areas which had been raised and to planning matters generally in the past.
- Sites in the local plan which had been turned down by BDC Members on infrastructure grounds and concerns that they will take the same stance around the A38 despite concerns from local Members. Members were concerned that people were making decision without having a full understanding of the area or the residents who that decision impacted on.
- It was important that the report covered the real concerns of the residents.
- It needed to be highlighted that Bromsgrove did not have sufficient housing, which would mean further growth in the near future and that there was a lack of infrastructure to support itself currently and in the future.
- The impact of the suggestion from WCC of “licensing” vehicles to enter the town centre – particularly on the economic development of it.
- The inclusion of detail around air quality and the issues which were discussed at the previous meeting with Worcestershire Regulatory Services (WRS) Officers, particularly around what weight it was felt was given to air quality matters.
- The importance of continue air quality testing and for the results to be brought back to the Board. Concerns were again raised in particular with reference to where the tests were carried out and the time of day they were taken. It was accepted that these were overall averages but, Members felt that there were particular areas and times of day when these needed to be tested to show the impact.
- It was noted that Cabinet had agreed to consider further testing once they have received more detailed costings in respect of the more sophisticated monitoring equipment that had been referred to.
- Whether the outsourcing of the services provided by WRS and the constant requests from the partners to reduce the costs impacted on their ability to provide those services.
- The need to ensure that transport policies particularly in respect of public transport, were fit for purpose and that the appropriate investments are made to address the needs identified within them.

The Strategic Planning and Conservation Manager confirmed that he would now take away all the ideas that Members had put forward and contact the relevant officers to come up with a suitable report which looked to the future. He advised that he may not be able to get

responses to everything that had been discussed but he would bring forward a draft report to a future meeting. Members were keen to ensure that the Strategic Planning and Conservation Manager received the appropriate support and advised that if necessary those Members that were also WCC County Councillors could speak to the relevant portfolio holder or officers.

The Chairman thanked the Strategic Planning and Conservation Manager for his continued help and support in this matter.

100/17

LEISURE CENTRE SPORTS HALL OPTIONS APPRAISAL - PRESENTATION

The Chairman welcomed the Press and public to the meeting and it was confirmed that the slides from the presentation would be placed on the Council's website the following day. It was agreed that questions and comments would be taken at the end of the presentation.

The meeting was adjourned for 10 minutes to allow for extra copies of the presentation to be printed for the public.

The Executive Director, Finance and Resources gave a presentation which covered the following areas (attached at appendix 1):

- Project Scope
- Various Options – each with an alternative option which provided added value based on soft play/tag active).
- Capital Costs for each of the options – detail was provided around preliminaries and overheads of profit as detailed in the chart.
- Affordability – high level revenue modelling had been undertaken and demonstrated an indicative position. The potential need for borrowing and the use of balances was highlighted.
- Programming – dependent on the option chosen estimated completion dates were provided.
- Proposed next steps in the process – consideration by Cabinet and further work which would need to be undertaken.

During the presentation it was confirmed that negotiations with BAM had been around use of the sports hall for 48 weeks and then it had been solely the decision of the Head Teacher at the school to reduce this to 38-40 weeks, to take account of the examination period. Details around why this decision had been made were provided and the impact this had had. It was also confirmed that an approach had been made to Sports England in respect of support and funding.

Following receipt of the presentation Members discussed a number of areas in more detail, including:

- The advantage and disadvantages of the use of a modular unit. The life expectancy was approximately 40 years.

- The potential to bring the running of the sports hall back in house and the potential to make some profit from it.
- It was confirmed that the Head of Leisure and Cultural Services would lead on the project.
- The continued negotiations with BAM and the background around how the focus of these had changed following the School's decision to limit the availability of the sports hall from the period originally agreed (it was confirmed that whilst the contract had been drawn up this had not been signed).
- Accrued income and the payback period in respect of the options which included the value added element.
- The need for any building to be compliant with Sports England guidelines.
- The original report from Sports England when it was highlighted that there was sufficient sports hall provision in the district. Members questioned whether this report would be reviewed and revisited. The Executive Director, Finance and Resources confirmed that this was in the process of being done.
- Views which had previously been put forward by the Board following the work of the Leisure Provision Task Group, where it had been recommended to Cabinet that the option for a sports hall remained open and that this was rejected by Cabinet.
- Members also questioned why there had now been a change of view and building a sports hall was being considered.
- In light of this and the recommendations from the Board, Members raised concerns in respect of the seriousness of the matter and the financial impact which that decision now has on the Council.
- The delays which had occurred in getting a final decision from BAM and the impact that this has had on the Council.
- The inclusion within the report of the option to not build a sports hall.

The Portfolio Holder for Leisure and Cultural Services took the opportunity to highlight a number of points, including:

- When the Council had agreed to build a new Leisure Centre this had not included a sports hall, as it was not felt necessary or affordable.
- Sports England's report had said there was sufficient sports hall provision, but that better use needed to be made of it.
- In respect of the BAM agreement, all parties had originally been in agreement, but unfortunately due to the length of time which had followed a new Head Teacher had been appointed and had chosen to revise the availability of the hall during the exam periods.
- The Council had agreed that it needed the provision of a sports hall but believed it was able to satisfy the need through BAM.
- He did not believe that a sports hall was affordable for the Council.

Members went on to discuss further areas arising from the presentation and how they must consider what was in the best interests of the residents and look at the current situation and the financial burden that would lead from the building of a sports hall and whether this was of best value to its residents.

The Chairman commented that as Members had only received the information at this meeting, it was difficult for them to give a view as to which would be the most suitable option, particular as the figures had almost doubled in some cases from those which had originally been suggested. He questioned whether Everyone Active had been approached in respect of making a contribution towards the centre and the contractual implications of a sports hall being built by the Council rather than the original planned arrangements.

Members discussed whether the option of the Council running the Sports Hall as a stand-alone facility had been considered and again raised concerns as to whether this would impact on the contractual arrangements with Everyone Active. It was also questioned as to whether a decision should be deferred until an up date in respect of sports hall provision from Sports England was made available.

The Executive Director, Finance and Resources responded to a number of points raised by Members and advised that negotiations with BAM were continuing as, in the short term at least, a sports hall would still be required. She was unable to give assurances in respect of retaining the facility in house as the procurement options needed to be considered and the Legal Team consulted. A general discussion around borrowings had been held with the Auditors to gain their opinion in respect of prudential borrowing and they were as comfortable as they could be from the information they had received to date.

The Chairman gave the public the opportunity to speak at the meeting and the appointed spokesperson made the following comments:

- He thanked the Executive Director, Finance and Resources for a succinct report and believed that this was the first time such detail had been provided in the public arena.
- The Sports England report which had concentrated on the 18-25 and school leaver age group, and had in fact advised that a swimming pool was not necessary.
- The current sports hall and whether it could be brought up to Sports England standards – he believed that it was only the lighting which was inadequate.
- The need to work together to get a facility which met the needs of everyone concerned.
- How many groups who had previously used the sports hall had now found alternative locations and that there may be a difficulty in enticing them to return to Bromsgrove.

The Executive Director, Finance and Resources explained to Members that if refurbishment of the current facility was the preferred option, then it would need to be undertaken quickly as the remainder of the building was beginning to fall into disrepair and also consideration should be given as to whether this was appropriate as it blocked the view of the new building. Members questioned whether this had been raised by Everyone Active, or whether it was something which may cause problems in the future.

In summing up, the following final points were made by Members:

- The need for more detailed work to be carried out in respect of the modelling.
- The need to include the option to do nothing – as this may help with discussions with Sports England and encourage input from the community.
- The need for some sort of investigation, perhaps through the Audit, Standards and Governance Committee to be carried out into the decision which had previously been made and how this was reached, in order for those responsible to be held to account in what has been the most important and expensive decision that the Council has made in recent years. Alternatively, it was suggested that a task group could be set up if it was felt more appropriate for the Board to carry out this investigation. Again, reference was made to the recommendations which were made by the Leisure Provision Task Group.

The Executive Director, Finance and Resources confirmed that she would take back Members concerns to the Chief Executive. She also confirmed that it had been her decision for the Head of Leisure and Cultural Services to not attend this meeting.

It was noted that the in house cost of running the Dolphin Centre had produced a deficit of approximately £500k which had only been reduced by outsourcing it to Wychavon Leisure Trust. The economic return of a Sports Hall was very limited as was highlighted by the figures provided with only a small amount of return being made by the inclusion of a soft play or similar type of area. It was because of this that the Portfolio Holder did not believe that this was a good investment for the Council. However, Members did not believe that those who ran the Leisure Centre would do so without making a profit and that the Council should take up any opportunity available for financial gain. It was also highlighted that within the local plan there was the need to provide leisure facilities and that there was therefore a greater social need and return under the health and wellbeing agenda, not simply for financial return.

Following further discussion it was

RESOLVED:

- a) that a Task Group be established to carry out a “lessons learnt” exercise (with Councillors Bloore and Baxter asked to complete a scoping document for presentation at the next meeting of the Board); and
- b) that the presentation be noted.

101/17

HIGH STREET MARKET REPORT - PRE SCRUTINY

Members were advised that this item had been withdrawn from the agenda and the planned Cabinet meeting, when it would have been discussed; on 28th March had been cancelled. The Executive Director, Finance and Resources explained that after further consideration it had been agreed with the Leader, Councillor K. May as Portfolio Holder and the Chief Executive that the original report did not contain as much detail as necessary in order for a decision to be made, hence its withdrawal.

It was understood that the revised report would now be presented to Cabinet on 11th April 2018. It would therefore be necessary for the Board to hold an extra meeting in order to pre-scrutinise this report prior to it being considered by Cabinet. The Chairman therefore proposed that the Board meet prior to the Cabinet meeting on 11th April. This had been discussed with the Leader and he was in agreement that Cabinet be put back to 6.30 pm in order for the Board to meet at 5.30 pm. This would be the only substantive item on the agenda, which would be published on Tuesday 3rd April 2018.

RESOLVED that Officers arrange an extra meeting of the Overview and Scrutiny Board to be held on 11th April 2018.

102/17

FINANCE AND BUDGET WORKING GROUP - UPDATE

Councillor L. C. R. Mallett, as Chairman of the Finance and Budget Working Group, explained that the Group had met last week to plan its work for the year ahead and carry out a review of the previous year's work.

The Group had considered how it could best assist at a strategic level with fees and charges, the Capital Programme and the budget setting process. The Group aimed to meet with all Heads of Services over the summer period and take a cross cutting approach to fees and charges with a view to having some continuity across all services, as it had been felt that each service tended to work in a “silo” and the Group hoped to be able to encourage Heads of Service to take a different approach. The Group anticipated that they would devise some sort of framework in which officers could work in order for the process to run more smoothly and be more consistent.

Members had also discussed the need for greater accuracy and accountability as it had been noted that there had been significant variances and the aim would be to get the Heads of Service to talk

through their budgets and if necessary call them back on a regular basis to explain those variances and consider how savings could be made.

From the planned work programme it was anticipated that the Group would need to meet on at least a monthly basis (perhaps more during certain periods) and officers were currently looking at scheduling in meetings for the new municipal year.

103/17

MEASURES DASHBOARD WORKING GROUP - UPDATE

Councillor Webb, as Chairman of the Measure Dashboard Working Group confirmed that the next meeting of the Group would take place on 18th April and that the Chief Executive had confirmed his attendance at that meeting.

104/17

TASK GROUP UPDATES

CCTV Short Sharp Review

In the absence of the Chairman, Officers confirmed that the consultant who was carrying out the review of the CCTV system had almost completed his work and it was hoped the Group would meet with him prior to receiving his final report in early May, in order to agree the next steps of the process.

Road Safety Around Schools Task Group

Councillor C. J. Bloore, as Chairman of the Task Group confirmed that they had met with Officers from Wychavon District Council who managed this service on behalf of the Council. There had been lively discussions around the enforcement officers' attendance at schools during peak times in comparison with other areas. A press release had been issued and a number of responses already received. Future meetings would involve interviews with the Police and officers from Worcestershire County Council. There were a number of options which could be considered to deter parking and Councillor Bloore was of the view that there would be a number of recommendations made by the Group and encouraged Members to get in touch with any complaints they had received.

Hospital Car Parking Charges (Board Investigation)

Councillor Bloore confirmed that the Group would hold a short meeting directly following the Board meeting in order to agree how to move this investigation forward.

105/17

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

Councillor C. J. Bloore as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC)

provided an update on its most recent meeting. The Ambulance Service had attended and they had provided details around the work current position in respect of waiting times at the Acute Hospitals. Members had been informed that there had been occasions when ambulance staff had been dealing with life threatening situations and acting as medical staff within the hospital environment due to both the waiting times and shortage of beds and staff. This had led to ambulances and staff not being able to carry out their main role as effectively as they should. It was clear from the Ambulance Services point of view that there were serious concerns around both waiting times and delays in moving people out of hospital and into social care together with a real need for extra beds to be made available. Councillor Bloore raised concerns around the role of HOSC and its ability to be able to take any effective action and what its powers actually covered.

Officers agreed to circulate the minutes from the HOSC meeting electronically, when available.

106/17

CABINET WORK PROGRAMME

Officers confirmed that the majority of items referred to in the Cabinet Work Programme were already scheduled in to the Board's Work Programme. Specific reference was made to the Industrial Units investment – Outline business Case and it was confirmed that this was now expected in June. The Anti-Social Behaviour, Crime and Policing Act 2014 report would also now be received at the June Cabinet meeting.

The Transport Planning Review item and the CCTV Short Sharp Review, which were reports from the Board were also likely to be put back.

RESOLVED that the Cabinet Work Programme 1st April to 31st July 2018 be noted.

107/17

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Officers reminded Members that at the April meeting a presentation would be received from Worcestershire County Council Officers in respect of Safeguarding and Early Help.

The following items and suggested changes were also highlighted:

- As the item in respect of Anti-Social Behaviour, taken from the Cabinet Work Programme has been put back to June, it was agreed that the scrutiny of the Crime and Disorder Partnership would also be put back.
- The CCTV Short Sharp Review would not be ready for the April meeting and should also be put back to June.

Overview and Scrutiny Board
26th March 2018

- The Hospital Car Parking Charges Board Investigation would be provisionally put back to the May Board meeting.
- Following this evening's meeting it was also agreed that the Transport Planning Report would be scheduled in for the May meeting.

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

The meeting closed at 8.35 p.m.

Chairman