

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

19TH SEPTEMBER 2018, AT 6.00 P.M.

PRESENT: Councillors C. J. Spencer (Chairman), M. J. A. Webb (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, 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, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, K. J. Van Der Plank, S. A. Webb and P. J. Whittaker

38\18 **TO RECEIVE APOLOGIES FOR ABSENCE**

At the start of the meeting the Chairman invited the Bromsgrove Street Pastors to give a short presentation on the work they carried out in the District.

Apologies for absence were received from Councillors J. Griffiths, H. Jones and M. A. Sherrey. Members were also advised that Councillor R. Jenkins would be a little late.

39\18 **DECLARATIONS OF INTEREST**

Councillor C. Hotham and L. C. R. Mallett declared an other disclosable interest in respect of Minute No. 48/18.

40\18 **MINUTES**

The minutes of the meeting of Council held on 24th July 2018 were submitted. A number of points for clarification were raised during consideration of these minutes:

- Page 15 – in respect of the Portfolio Holder report Councillor S. Shannon referred to a series of questions which had been asked and that the Portfolio Holder had requested these to be emailed to him, Councillor Shannon confirmed that he still awaited a response to the questions he had raised. Councillor Taylor apologised and confirmed that a response would be sent by the end of the week.
- Councillor S. Colella also noted that in respect of the question raised by Councillor R. Jenkins under Minute No. 34/18 a written response would be sent. Councillor Colella requested that this be added to the minutes.

- Councillor M. Thompson questioned the inclusion of confidential minutes and requested that a public minute be included to show openness and transparency to the residents of Bromsgrove. The Monitoring Officer confirmed that she would look into the matter before the next meeting.

RESOLVED that the minutes of the Council meeting held on 24th July 2018 be approved as a correct record.

41\18

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

The Chairman announced three forthcoming events to which all Members were invited:

- Civic Service at 3.00 pm on 14th October 2018 at St John's Church.
- Remembrance Service on Sunday 11th November 2018 – the programme of events would be confirmed shortly.
- Caribbean Evening on 28th November 2018 with all proceedings going to her chosen charity.

Councillor M. Thompson requested that in future his Group Members be given the opportunity to take their seats following the "moment of reflection" and prior to the commencement of Council business.

42\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Leader took the opportunity to thank all staff, Members and partners for the 50th Birthday Celebrations at Sanders Park, which had been a great success.

Councillor M. Thompson also took the opportunity to thank Councillor M. Buxton as the relevant Ward Councillor for all her hard work.

43\18

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

The Chairman confirmed that a member of the public had asked a question as detailed below:

Ms Julie Woods

Ms Woods asked Councillor P. Whittaker, the Portfolio Holder for Leisure and Cultural Services the following questions:

"I understand the council are in further negotiations with BAM to secure the use of the sports hall at NBHS and that the proposed contract is for a minimum of 38 weeks usage.

1) Will provision include weekend usage?

2) What plans do the Council have should the current negotiations fail?"

Councillor Whittaker responded that he understood a written response to the questions raised had been provided by the Head of Leisure and Cultural Services, but he was happy to provide this information again at this meeting. It was confirmed that the negotiations with BAM would include weekend usage. In respect of the second question Councillor Whittaker advised that no alternative plans were in place as the agreement with BAM was not expected to fail. However, should this happen then the Council would revert to the original agreement made by Council in 2014 when no additional provision for a Sports Hall would be made as it was believed that there was already sufficient provision throughout the District.

44\18

REVIEW OF THE SCHEME OF DELEGATIONS

Councillor G. Denaro proposed the recommendations in respect of the Constitution Updates and these were seconded by Councillor K. May.

The Leader explained that the attached report was the result of extensive work by the Constitution Review Working Group and had been considered in detail and signed off by that Group. The majority of changes were due to statutory and job title changes. The report also included the Planning Code of Conduct at appendix 2 which had also been considered and agreed by the Group.

RESOLVED:

- a) that the updated Officer Scheme of Delegations be agreed as set out at Appendix 1 of the report; and
- b) that the updated Planning Code of Conduct is agreed as set out at Appendix 2 of the report.

45\18

RECOMMENDATIONS FROM THE CABINET

Bromsgrove District Plan – Issues and Options Consultation

The recommendations from Cabinet in respect of the Bromsgrove District Plan, Issues and Options Consultation were proposed by Councillor C. B. Taylor and seconded by Councillor G. Denaro.

In proposing the recommendations Councillor Taylor took the opportunity to thank Officers for their hard work, together with those Members who had attended the Strategic Planning Steering Group meetings which had helped to form the document being considered. He reminded Members that at this stage this was a review of the District Plan Issues and Options consultation and not a policy document, but merely the start of the process. It was an opportunity for all residents to put forward their views and steer the next stage.

The following areas were discussed:

- Whether the questionnaire would be available in a prominent place on the Council's website. Councillor Taylor assured Members that he would ensure that this could be easily found and that hard copies would be available in all libraries throughout the District.
- Reference was made to the housing need of Redditch Borough Council (RBC) being re-calculated, which appeared to have reduced the number of houses that was needed. It was therefore questioned whether the site at Foxlydiate which had been agreed as the Redditch overspill could be put to one side and used to meet this Council's housing needs.
- Councillor Taylor highlighted that under Option 8 within the consultation document there was the option for residents to comment on this matter and asked everyone to encourage residents to respond.

RESOLVED:

- a) that the Council publishes the BDP Review, Issues and Options documentation for the purposes of public consultation, between 24th September and 19th November 2018 inclusive.

The content being

The BDP review Issues and Options Report (Appendix A)

The draft Green Belt Purposes Assessment Methodology (Appendix B)

The draft Site Selection Methodology (Appendix C)

The Sustainability Appraisal (Appendix D)

- b) that delegated authority is given to the Head of Planning and Regeneration Services in conjunction with the Portfolio Holder for Planning and Housing, to make any minor technical corrections and editorial changes deemed necessary to aid the understanding of the Issues and Options report prior to final publishing.

Anti Social Behaviour, Crime and Policing Act 2014 – Implementation of Provisions

The recommendations from Cabinet in respect of the Anti Social Behaviour, Crime and Policing Act 2014 – Implementation of Provisions were proposed by Councillor P. J. Whittaker and seconded by Councillor G. Denaro.

In proposing the recommendations Councillor Whittaker explained that the report detailed the provisions of the Anti-Social Behaviour, Crime & Policing Act 2014, specifically highlighting amendments and recommendations made in the updated Home Office statutory guidance which had been released in December 2017.

The report detailed any key changes to the tools and powers made available under the 2014 Act and it also made recommendations regarding delegations to key service areas which would allow the provisions within the Act to be used to maximum effect.

Councillor Whittaker suggested that the Public Space Protection Order (PSPO) provision would be of particular interest to Members. This power sat solely with the District Council and allowed restrictions and positive requirements to be put in place in public and open spaces. Due to inconsistencies in implementation across areas nationally and a number of legal challenges across the country, the Home Office guidance provided a number of updates and recommendations on this particular power in order to clarify how it should be used.

Among the updates was confirmation that the decision to implement a PSPO should be made by Cabinet/Council rather than delegated to officers, to ensure openness and transparency. Members were advised that Bromsgrove currently had 22 PSPOs which transitioned from DPPOs in October 2017. These orders all relate to restrictions on alcohol related ASB and would need to be reviewed by October 2020 otherwise they would lapse.

The following areas were discussed:

- Councillor Hotham commented that he believed the powers would benefit the District and residents. He had already been involved in the first “trigger” and praised the officers for their work and support.
- It was believed that Members should always be involved in issues within their ward, although it was confirmed that there were occasions when this would not be possible due to a number of issues including data protection regulations.

RESOLVED:

- a) that the powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, along with the updated Guidance issued in Dec 2017 are noted; and
- b) that the Council’s Scheme of Delegation is amended, in accordance with recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers, with the inclusion of “in consultation with the Ward Councillor, where appropriate.”

Finance Monitoring Outturn 2018/19

The recommendations from Cabinet in respect of the Finance Monitoring Outturn 2018/19 Report were proposed by Councillor B. T. Cooper and seconded by Councillor G. Denaro.

Councillor Cooper advised Members that this report outlined the Council's financial position at the end of quarter 1 in July 2018. It was very early in the financial year to draw any conclusions but he did comment that the Council seemed to be on target to achieve a modest underspend for the year as a whole. However, there were three accounting issues that needed Council's approval, none of which impacted on the Council's overall budget position.

Firstly, Cabinet was seeking approval for an increase in the 2018/19 capital programme of £21k for S106 funding, to be used for outdoor fitness equipment and artwork at Sanders Park. This would join the existing budget already approved in 2017/18.

Members were reminded that at last November's Council meeting, it had been agreed that virements over £40,000 should go to Cabinet and then to Council for final approval. Therefore, the Cabinet was now asking Council to recommend two virements. Councillor Cooper explained that BDHT used to invoice the Council separately for things such as Homeless temporary accommodation management, Housing waiting list and allocations, and homeless medical assessments. The Council's contract with BDHT had been renegotiated so that now BDHT sent one invoice instead of four. The sum budgeted for these services was £101k. This would amalgamate all such budgets into the General homelessness budget. The Cabinet was seeking approval for the virement of the £101k into one budget for general homelessness.

With regard to the second virement the Council provided the Citizens Advice Bureau with two grants, one for housing advice of £41k and one for general advice of £87k. The Council wished to amalgamate the two grants into one budget line. Cabinet was seeking approval for the virement of £41k for housing advice to the general advice budget.

Following presentation of the report Members queried whether the transfer of S106 monies for Sanders Park was from developments within the ward or from other wards within the District. The concern was that much needed funds were being diverted to other wards. Councillor Cooper agreed to provide a response to this outside of the meeting.

RESOLVED:

- a) that an increase in the 2018-19 Capital Programme of £21k for S106 funding to be used for outdoor fitness equipment and artwork at Sanders Park. This is to be added to the existing budget already approved in 2017/18 and carried forward into 2018/19 be approved;
- b) that the virement of £101k from separate identified housing revenue budgets to be amalgamated into a single budget allocation, as a result of the renegotiation of the Housing contract with BDHT be approved; and
- c) that the virement of £41k for budgets relating to housing advice provided by the Citizens Advice Bromsgrove and Redditch

(CABR). This virement is requested to consolidate existing budgets into a single budget allocation be approved.

46\18

TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 5TH SEPTEMBER 2018

The minutes of the Cabinet meeting held on 5th September 2018 were received for information.

47\18

BUSINESS RATES POOL PILOT 2019/20 REPORT

The recommendations in respect of the Business Rates Pool Pilot 2019/20 were proposed by Councillor G. Denaro and seconded by Councillor K. J. May.

Councillor Denaro reminded Members that in 2017 bids were opened up by Central Government for a 100% pilot and that Worcestershire had put forward a bid. Unfortunately on that occasion Worcestershire was unsuccessful. However, Central Government have opened up a second round of pilots for 75% retention and Worcestershire Leaders would like to put forward a bid. There was a deadline of 28th September hence the inclusion of the delegation to the Executive Director, Finance and Corporate Resources in consultation with the Portfolio Holder and Group Leaders, which was along the lines of the agreement previously discussed.

It was acknowledged that this deadline did not give a lot of time and Councillor Denaro confirmed that the Leaders of all seven councils had recently met and agreed in principle to proceed with a bid for a pilot in 2019/20. It had also been agreed that no authority would gain from being in a pilot unless all authorities were at least in the position they would have enjoyed with the 50% retention arrangements, which was the current position for Bromsgrove. It was further agreed in principle that the collective gain from being in a pilot would be invested in district and county services that prevented or reduced the cost of social care. It was important that all seven councils were committed to the pilot application, as it was likely that if one did not want to proceed then the chances of success would be diminished to the point that an application would not be worthwhile. The Treasurers were currently working on how best the pilot could be executed and a number of areas were highlighted which would enable the County Council to work with the districts to support those residents most in need of support.

It had been estimated that the additional business rates retained locally in 2019/20, if the Council was in the pilot compared to current arrangements, would be in the region of £4.5m.

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

- Members welcomed the proposed investment in adult social care.

- Reference was made to a meeting which some Members understood had taken place and which had involved the Leaders of the non-constituent members of the West Midlands Combined Authority (WMCA) and the elected Mayor of that authority. It was understood that this Council had not been represented at that meeting but that its future role had been discussed. This was a cause for concern for a number of Members.
- The Leader assured Members that he was not aware of this meeting and would make further enquiries. He also confirmed that it was not possible for changes to the membership of WMCA to be made for a further 18-24 months. Councillor May confirmed that Redditch Borough Council was a non-constituent member.
- Concerns that the previous pilot scheme had seen Worcestershire County Council try to put forward an alternative agreement at the eleventh hour, which had been to the detriment of the other councils. The Leader did not expect there to be any changes to the agreement that was currently being discussed.
- Further concerns were raised around what was going on “behind the scenes”, and the importance of the Council being able to take a stance and be part of the next pilot.
- Presentations which Members had received previously in respect of WMCA and WCC when the decision had been made not to move forward with membership of WMCA.

RESOLVED:

- a) that Bromsgrove District Council be included in a joint Worcestershire application to be a 75% business rates retention pilot in 2019/20; and
- b) that authority be delegated to the Executive Director, Finance and Corporate Resources in consultation with the Portfolio Holder for Finance and enabling Services and the Group Leaders to make necessary decisions on the Council’s behalf.

48\18

RECOMMENDATION FROM THE OVERVIEW AND SCRUTINY BOARD

Councillor L. C. R. Mallett, Chairman of the Overview and Board asked Councillor C. Bloore to present the report in respect of Hospital Car Parking Charges, as he had taken a lead on the investigation.

Councillor Bloore provided background information and reminded Members that this matter had arisen from a Notice of Motion from Councillor P. McDonald, which Council had agreed to pass on to the Board for further investigation. Councillor Bloore confirmed that a number of meetings had been held where a variety of witnesses had been questioned. It was noted that currently a number of Members of Parliament had put a Private Members’ Bill forward which was along similar lines to those discussed by Members. It was important to note that this did not refer to PFI hospital car parks. Councillor Bloore thanked Councillors Shirley Webb, Allen-Jones and Colella for their support with the investigation.

The recommendation from the Overview and Scrutiny Board in respect of Hospital Car Parking Charges was proposed by Councillor C. Bloore and seconded by Councillor L. Mallett.

Members made the following comments:

- Members thanked Councillor P. McDonald for bringing this matter forward.
- It was noted that there was a typographical error in the recommendation and it should say NHS Trust and not NHB.
- The Leader advised that there was currently a petition in respect of this matter which had 26k signatures, it needed to reach 100k to trigger a debate and he encouraged everyone to sign this.
- Councillor Shannon commented that he disagreed with the statement at 4.6 of the report, page 124, as he believed that the park and ride service was an excellent one.

RESOLVED that Council write to the Secretary of State to suggest that NHS Trust owned hospital car parks be made free of charge.

49\18

RECOMMENDATIONS FROM LICENSING COMMITTEE

Gambling Act 2005 – Review of Statement of Principles

Councillor R. L. Dent, Chairman of the Licensing Committee, proposed the recommendations arising from the meeting of the Committee held on 11th September 2018. These were seconded by Councillor P. Whittaker.

Councillor Dent provided background information in respect of the recommendations and the consultation which had been carried out.

RESOLVED:

- a) that the revised Statement of Principles, as detailed at Appendix 2, be approved; and
- b) that the Statement of Principles be published by 31st January 2019.

Animal Establishment Licensing Reforms

Councillor R. L. Dent, Chairman of the Licensing Committee, proposed the recommendations arising from the meeting of the Committee held on 11th September 2018. These were seconded by Councillor P. Whittaker.

Councillor Dent provided background information to these recommendations and the reforms that were being made in relation to animal welfare and the licensing of various animal-related establishments as a result of the new regulations. It was commented that whilst these reforms were welcomed that they did not go far enough in a number of areas, in particular the breeding of dogs.

RESOLVED:

- a) determination of all licensing applications in respect of Animal Welfare Act 2006 be removed from paragraph 3, Schedule 2, Part II (Matters not Delegated) of the Worcestershire Shared Services Agreement dated 1st April 2016;
- b) the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 be added to Schedule 1 Appendix, Part II of the Worcestershire Shared Services Agreement dated 1st April 2016;
- c) the following wording be added to Part II “Animal Health and Welfare” section of Appendix 1 – Statement of Partner Service Requirements to Worcestershire Shared Services Agreement dated 1st April 2016; and
- d) that the proposed fees and charges, as detailed at Appendix 3, be approved.

50\18

TO RECEIVE AND CONSIDER A REPORT FROM THE PORTFOLIO HOLDER FOR FINANCE AND ENABLING

As Portfolio Holder for Finance and Enabling, Councillor B. Cooper presented his annual report. He explained that he been in post as portfolio holder for 18 months. His portfolio covered not only finance but also Customer Access and Financial Support, Legal, Equalities and Democratic Services, Information and Computer Technology, and Emergency Response. Human Resources and Organisational Development had also been added in the summer.

Councillor Cooper thanked Jayne Pickering, Claire Felton, Amanda Singleton, Deb Poole and Sue Hanley and their teams for their contributions to the report and more importantly for their hard work for the Council and continued support to help him gain an understanding of the activities of each department.

Finance took up a large amount of Councillor Cooper’s time as portfolio holder whilst not more important than the other departments, Councillor Cooper advised finance influenced and in many ways exercised control on all activities of the Council. There were 27 people in finance whose time allocation was 37% for Bromsgrove District Council and 63% for Redditch Borough Council. The reason for this disparity was principally because Redditch still had its own housing stock to manage. There were three teams: Accounting, Payroll, and Payments and Insurance. Members were all aware of the financial management of the Council from the reports to Committees, Cabinet and to the full Council.

As discussed at the last meeting of Council, the finance team had closed the 2017/2018 accounts and the external auditors had given their opinion. The Council had a modest underspend and more than met its savings target for the year and there was no reduction in Council services. It is very gratifying that the auditors had not only

approved the accounts without qualifications, but had also given an unqualified opinion on Value for Money. Members had been pleased when the chief external auditor had said at the Audit Board meeting in July “BDC is in a good place”. This had been a success not only for the Council’s finance team but reflected well on all the Council’s staff.

Although considerable progress had been made in the Council’s financial governance, as indicated by the Auditors’ opinion this year, the Council could still make improvements with budgeting, identification of savings, monitoring those savings achieved and recognising the effects, if any, of those savings on the Council’s activities and services, business cases must be even more robust. Councillor Cooper was pleased that the Council had agreed in July, to support the implementation of the Enterprise Resource Planning solution which would make these activities much more effective. The systems would begin to be rolled out at the end of this year and be fully operational by April 2020.

It was important because although the Council’s finances were currently very satisfactory, they would become more and more difficult to manage over the years to come, especially in respect of the Negative Revenue Support Grant from 2019-2020 and if there was significant changes to the New Homes Bonus Scheme which could lead to a major reduction in income. The Council was facing the prospect of balancing the budget by using money from balances, in the years to come. This was clearly unsustainable so difficult decisions would have to be made and new sources of income needed to be found, such as return on investments in housing and business units. In this regard, the Council was delighted that the planning for development of the Burcot Lane site for housing was now progressing with the support of Homes England.

As the portfolio holder, Councillor Cooper was determined that the Council continued to improve its financial governance. Regular performance reviews of Portfolio Holders and senior officers by the Leader and Chief Executive were taking place. Finance was an important component of those reviews. Departmental Heads were being more robustly challenged as part of the budget setting process and zero based budgeting was being encouraged. Councillor Cooper believed that the Finance and Budget Working Group (FBWG), a sub-committee of O&SB, had been a success; its scrutiny of aspects of the Council’s finances was proving very helpful to the Director of Finance and to the Portfolio Holder. This autumn the FBWG will be reviewing the budget setting process and be involved in reviewing the setting of Fees and Charges. The FBWG’s success in helping to improve financial governance in the Council was in part due to the fact that it was non- party political. Councillor Cooper was grateful to the Chairman, Councillor Mallett, and to Councillors Collella, Hotham, Laight and Thomas, for their contributions.

The Customer Access and Financial Support Service was a large and important part of the Council. It was a visible and vital customer facing service of the Council. There was a high proportion of part time staff, 84.58 full time equivalent posts, whose allocation was 40% to Bromsgrove District Council and 60% to Redditch Borough Council; the difference was because of the greater workload with Redditch residents. The Service was organised into teams, Revenues and Benefits, Welfare Support, Customer Support, Quality and Improvement and Systems Development. The service was subject to review in 2017 and its recommendations, which were approved by Council in April 2017, were fully implemented by the end of 2017. The review led to the creation of new roles in the Financial Independence Team, Recovery and Welfare Support. This year, there had been some problems with sickness, and staff retention and recruitment in parts of the service, which were being addressed. There was no evidence that this was because of the reorganisation. There were many challenges, not least the rolling out of Universal Credit (UC) which would start in Bromsgrove this September to be completed by in May 2019. It would undoubtedly increase the work of the Benefits and Welfare Support Teams. As a result of UC roll out as well as other issues such as Council Tax Support for care leavers, Bromsgrove District was reviewing its Council Tax Support Scheme and a paper on an amended scheme should be going out to consultation subject to Cabinet approval in early October.

Legal Services provided vital support to the Council, a lot of it was behind the scenes but their activities could be seen particularly by Members of the Planning and Licensing Committees.

Councillor Cooper highlighted that everyone was well aware of the support given to them from the Democratic Services Team in Council, Committees, sub-committees, and in organising training. The annual report of the Overview and Scrutiny Board presented by Councillor Mallet at the last Council was a tribute to the hard work of the Democratic Services Team.

There had been no elections in the District since Councillor Cooper's last report 12 months ago but the Electoral Services department had been active in getting residents on to the electoral roll.

The Information and Computer Technology Team (ICT) consisted of 23 whole time equivalent staff shared between the two councils. They were involved in web development, information management including data protection, geographical information systems, help and support as well as the ICT areas of desktops, the server, phone system and networks. They had been busy as outlined in the report. Cabinet and Council were concerned last year about the difficulty in filling a staff vacancy because of the competition for IT workers from the private sector which could provide higher pay. Eventually this was solved by employing an outside contractor to provide infrastructure support. This started on 3rd July 2017 and has been very successful to date. There

were breakout clauses built in to the contract (which would run for two years) for poor performance.

Human Resources and Organisational Development became part of Councillor Cooper's portfolio in the summer. The team consisted of 13.24 whole time equivalent staff. A summary of the service activities was provided in the report.

With tragedies such as Grenfell Tower and the Manchester Arena still in everyone's minds, Councillors could be reassured by the knowledge that the Council continued to review its emergency plans and processes.

Coming back to the matter of governance, Councillor Cooper was hopeful that the Corporate Performance Working Group, a sub group of the Overview and Scrutiny Board, would develop into a powerful tool to scrutinise the Council's performance by using the measures which were published on the dashboard, in particular, in relation to the Council's strategic purposes. This would be helpful in assessing performance of several parts of his portfolio, for example customer access, revenues and benefits, and in relation to the Council's strategic purpose in "helping me to be financially independent". Councillor Cooper wished the chair of the Working Group, Councillor Shirley Webb and her colleagues every success in their endeavours.

Finally, Councillor Cooper thanked the Leader and Cabinet for their support and together with the support that he had had from Jayne Pickering and the other senior officers of the Council had been excellent he confirmed that there may be questions which he would attempt to answer, but if there required a detailed or a technical answer, he would provide a considered written response outside of the meeting.

A number of areas were discussed in detail following presentation of Councillor Cooper's report, these included:

- Whether the introduction of the new system would bring the Council in line with other local authorities in Worcestershire. Councillor Denaro confirmed that the new system would be across both Bromsgrove and Redditch Councils and that Wyre Forest were also aware of what the system could do.
- The challenges from the introduction of Universal Credit and in respect of the Local Council Tax Support Scheme, which did not mirror the national benefits. Councillor Cooper acknowledged that this was not particularly well phrased and clarified that the proposed changes to the Local Council Tax Support Scheme, which would be going out to consultation in October, would align the two.
- The open and transparent approach of the Finance and Budget Working Group.

- Concerns that action in respect of the Burcot Lane site had been slow to get off the ground and the move to the current sites had had significant financial implications to the Council. This included the Council now being situated in a listed building which brought with it a number of costly restrictions.
- The biggest threats to the Council's financial situation, which appeared to be the Negative Support Grant (NSG) and the threatened changes to the New Homes Bonus scheme. Councillor Cooper confirmed that there was currently a consultation out from Central Government in respect of the NSG and whilst it was hoped that this would be overturned it was likely to be at a cost to other areas.

51\18

QUESTIONS ON NOTICE (TO BE CIRCULATED AT THE MEETING)

Question submitted by Councillor S. Shannon

“Recognising that August can be a difficult time for waste collection, can you please expand on sudden disruption and withdrawal of collection service in recent weeks particularly in the Charford / Aston Fields areas where residents observed normal collection service for the optional garden waste (brown bins). Surely the potentially hazardous grey waste should have been made a priority for collection, with available staff switched to collection of grey bins. Why was this not enacted?”

The Leader explained that several factors had combined to cause the disruption but collection of grey bins had indeed been a priority which enabled clearance of grey backlog within days. By the next set of planned waste collections the problems had been resolved. The Leader thanked the Council's employees and the crews who had worked incredibly hard over the last two weeks to get things back to the status quo.

From Councillor K. Van der Plank

“With Universal Credit now being rolled out in Bromsgrove, and the widely accepted issues around the delay of payments, and resulting financial hardship of claimants, what plans do the Council have to mitigate against these?”

The Leader responded that there were two funding streams available to members of the community who were facing financial difficulties.

The Hardship Fund was used to support those residents who were finding it difficult to pay their Council Tax. This fund was promoted on the Council's website and currently there was a budget allocation of approximately £25k per annum received from Worcestershire County Council. Officers considered individual applications to the hardship fund. There was a reserve of approximately £82k remaining in relation to this funding.

The Essential Living fund was a funding allocation to support the Council's residents who were facing crisis in their financial arrangements. This could be due to benefit delays or suspensions, relationship breakdowns or debts. Individuals were referred to the Financial Support Officers by partners; including DWP, Social Services and the Job Centre. In addition the Council's officers may identify residents who needed support through their discussions on benefits or other issues.

It was highlighted that staff worked with residents to understand their need and support them in ways to address their current crisis including utility tokens, food and white goods. In addition, residents who were seen to consistently require support were also given additional advice and assistance in managing their finances through the Financial Independence Team and the work the Council did with BDHT. The current reserve for this fund was £58k.

52\18

MOTIONS ON NOTICE

Air Pollution

Members considered the following Notice of Motion submitted by Councillor P. McDonald:

"With the undisputed evidence that air pollution well below the legal limit causes not only respiratory problems but heart failure and that many areas within our district are only just below the legal limit; that this Council takes the following action.

1. That it calls upon the Government to reinstate the feed-in tariff project which encouraged householders to install solar panels.
2. That it tasks its officers to report to Council on the feasibility of:
 - Purchasing/leasing electric vehicles
 - Installing electric chargers on local authority land.
 - The Installation of solar panels on its properties.
 - Working closely with the county council to restructure roads where necessary to reduce pollution.

Residents are quite rightly concerned regarding the levels of pollution and this council has a duty to take the appropriate steps to reduce pollution and protect the health of those it represents."

The motion was proposed by Councillor P. McDonald and seconded by Councillor S. Shannon.

In proposing the motion Councillor P. McDonald commented that the Council had already responded to public concern and taken action in respect of single use plastics. He now called upon Members to go further still and begin to address the issue of air pollution. He advised

Members that this was something which the public was ever increasingly concerned about and impacted on the health of everyone, but in particular those most vulnerable, the young and elderly. He highlighted the impact of pollution from diesel fumes and that there were four deaths each day in the UK which were attributable to poor air quality. It was noted that despite changes in legislation, these had made little difference and that monies spent on fighting claims in the High Court could be better spent in tackling the problems. He highlighted that campaigns frequently told people to “get on their bikes” or walk more, however people were reluctant to do this due to the poor air quality they would be exposed to during these activities. The Council had shown that it can make a difference with the single use plastics campaign and the introduction of water fountains and he encouraged Members to support this motion.

In seconding the motion Councillor Shannon highlighted that the Council should be taking a lead on this matter in order to influence its residents. He believed that many other local authorities across the country already had a scheme in place. It was noted that this Council did not have any electric charging points on its premises and that at the Council’s previous office site there had been solar panels installed. It was disappointing that this had not been the case at Parkside. It was suggested that it could be made a planning condition to include solar panels in any new developments. It was also noted that Bromsgrove had one of the highest levels of car users in Worcestershire and was one of the most congested parts of the county.

Councillor L. Mallett highlighted that congestion had been a difficult and challenging problem for a number of years in the District and agreed that the restructure of the roads was important along with other actions. He made particular reference to the gridlocked situation in Bromsgrove which had become a daily occurrence. It was important that all the authorities worked together to produce a joined up plan that was supported by everyone. Reference was made to a western relief road, which would restrict the need for traffic to go through the town centre. He concluded that residents were suffering as a consequence and that action needed to be taken.

Councillor S. Baxter understood that there were solar panels at the depot but agreed that it would be useful to have electric charging points not just at the Parkside site but in all the Council’s car parks.

Councillor R. Jenkins proposed an amendment in order to take the motion further, in that all new build homes have solar panels. Officers advised that this was not appropriate as it referred to planning policy, which could not be decided through a notice of motion.

Councillor S. Colella supported the amendment and made reference to the number of Air Quality Management Areas in the District and in particular issues within his Ward.

Reference was made to the Air Quality Task Group which the Overview and Scrutiny Board had commissioned some time ago and the need to work with WCC to address the issues, it was also note that following that Task Group concerns had been raised at the Worcestershire Health Overview and Scrutiny Board but to no avail.

Councillor C. B. Taylor made reference to the suggested amendment, highlighting that this was something which could be addressed through the Review of the Local Plan and that reference was made to the matter within the Issues and Options consultation. If this matter was addressed through that process it would allow the residents of the District to have their say. Councillor Taylor also highlighted that as the Parkside building had listed status it was difficult to accommodate solar panels. Councillor C. Hotham commented that he did not believe it was something which could be solely left to be included within the Planning Review.

It was important for the Council to take responsibility and including more electric charging points would be something which the Council could do to address some of the concerns raised. He understood there were a number of these throughout Pershore and saw no reason why this could not be the case in Bromsgrove too. He made reference to £3m which DEFRA were making available in grants and that he understood that Worcestershire Regulatory Services (WRS) had failed to put forward a bid for any of these monies, which was of concern. He also would be supporting the amendment.

Concerns were raised from Members as to why WRS had not put forward to bid for the DEFRA funds and officers were asked to investigate this matter further.

A further discussion with officers took place in respect of the amendment put forward by Councillor Jenkins in order to agree wording which was acceptable. With the agreement of Councillor P. McDonald, a third recommendation as detailed below was added to his original motion:-

“that the planning mechanism for encouraging solar panels and other sustainable methods on new build developments be referred to be considered as part of the local planning review process.”

On summing up Councillor P. McDonald concluded that he did not believe that people were aware that even when travel in a car they were breathing in polluted air and that he was grateful for the cross party support of his motion.

On being put to the vote the amended motion was carried.

Waste Collection

Members considered the following Notice of Motion submitted by Councillor S. Colella:

“That this Council calls on its Leader to instigate an urgent investigation into the recent failings of the waste collection service and that the findings are then made public.

This investigation should include the exact reasons for the loss in service and detail assurances that the measures that have been put in place to restore service delivery have been properly implemented and what exactly has been done to ensure that this doesn't happen again

It would appear that the management dashboard system has failed to give us early warning signs in respect of the scheduled volume of bins to be collected, crew availability, sickness, holidays and rising complaints as a result of missed bins and as elected representatives we need to understand how and why this has happened.

Further consideration should be given to the numerous requests for a refund of council tax based on the period of disruption as many Council tax payers are calling for and we need immediate assurances from the Leader and Portfolio Holder.”

The motion was proposed by Councillor S. R. Colella and seconded by Councillor C. Hotham.

In proposing the motion Councillor Colella explained that Members should be advised of the reasons why this had happened, as the summer period was known to be when people took holidays and that officers should already have been aware of those people on long term sickness leave. The addition of a small number of people on short term sickness should not have had such a significant impact. He questioned why the grey bins had not been a priority in the first instance and whether the Measures Dashboard tool should have given the Portfolio Holder and Members an early indication of anything going wrong. The Portfolio Holder should have been in direct communication with the relevant officers and if there was a problem with the budget, which had been indicated from the press release, this should have been addressed before reaching the point of service impact. This was a clear indication of issues that had been previously raised in respect of budgets not being managed. This was one of the main public services that residents saw and most of the time it was an excellent service. This was not a criticism of individuals but Members needed to understand what had genuinely gone wrong.

Councillor G. Denaro welcomed Councillor Colella's comments that this was an excellent service and responded that an immediate investigation had already begun. He had met with the Portfolio Holder and senior officers urgently to discuss what had happened and what was being done to mitigate against future happenings. It was confirmed that a full report would be brought to the Overview and Scrutiny Board and Cabinet, hopefully later in the year. This would contain full details of how it happened and how the Council proposed to move forward.

He did not believe that the Measures Dashboard system would have helped to identify the problem as it was fed reactively. Sickness data showed a large spike following the Bank holiday and this related to a viral infection amongst crews which was a contributory factor. There had been no loss of service as grey bins had been collected, although some re-cycling rounds were delayed, which had now been brought up to date.

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

- The content of the press release, which had referred to budget constraints and the use of agency staff.
- Reference within the agenda pack to budget monitoring and an area within Environmental Services which had made a significant surplus. It was questioned why this could not have been offset against the cost of agency workers.
- Whether this was the beginning of the impact of the current overall financial position impacting of frontline services.
- The need for any investigation and review to be in the public domain in order for residents to see that their complaints have been listened too.
- Queries from residents had been more concerned around the press release which had referred to lack of funds.

Councillor K. J. May responded that, as the Portfolio Holder and Leader had been on leave at the time, she had, as Deputy Leader visited the depot on a number of occasions and spoken to the Head of Service. The circumstances had been exceptional with 13 staff off sick with a viral infection and 8 on annual leave, out of 51 crew members in total. A change in work patterns had also compounded the problems. She had every confidence in the staff who had worked tirelessly to catch up with the collections.

In summing up Councillor Colella thanked Councillor May for stepping in on behalf of the Portfolio Holder and Leader and hoped that the change in work patterns had been addressed to ensure that this did not happen again.

On being put to the vote the motion was lost.

Waste Collection

Members considered the following Notice of Motion submitted by Councillor M. Thompson:

“The summer refuse fiasco has been one in a great number of avoidable crises, resulting from clear mismanagement of the council from the ruling group and senior leaders. The Council therefore resolves that it no longer has confidence in its Leader and calls for his immediate resignation”.

The motion was proposed by Councillor M. Thompson and seconded by Councillor P. McDonald.

In proposing the motion Councillor Thompson stated that the streets had been full of unemptied bins for four weeks. He highlighted that such a significant overspend, as detailed in the local press, so early on in the year was of concern as was also the fact that managers appeared to be unable to plan adequate cover for holiday and sickness leave.

There followed a lengthy debate when a number of areas were discussed, this included:

- The impact of shared services on this Council, predominantly the cost and travel expenses for officers travelling between the two Councils.
- The significant number of people off sick and how this was managed.
- Staff resignations and exit interviews.
- Staff morale and the culture within some departments.
- The use of zero hour's contracts.
- The impact on the most vulnerable within the community and the accessibility of the hardship fund.

Following the lengthy discussion Councillor Colella requested that the motion be put to the vote, at which point Councillor Thompson was invited to sum up. In doing so he stated that he had highlighted a small number of the issues and problems which needed to be addressed within the Council. He was disappointed that some Members did not recognise, in his opinion, the seriousness of the situation.

On being put to the vote the motion was lost.

Unitary Authorities

Members considered the following Notice of Motion submitted by Councillor C. Hotham:

As local councils come under more and more financial pressure all possible efficiencies/savings must be considered. Across the country some two tier council areas are actively forming unitary authorities which they believe will bring very considerable cost savings.

The motion is:

“BDC will actively engage, through a cross party working group, with the county and other district councils to assess the feasibility and benefit of the formation of one or two unitary authorities for the whole of Worcestershire.”

Before proposing the motion Councillor Hotham asked the Chairman the amount of time left, as it was noted this item had a time restriction of 1 hour. The Chairman confirmed that there was 4 minutes left and in the circumstances offered Councillor Hotham the opportunity to carry over his motion to the next meeting. It was confirmed that it would be the first motion to be considered at that meeting.

Councillor S. Colella asked for it to be minuted that he was unhappy with this decision as it was an important matter that needed to be debated at this evening's meeting.

Councillor Hotham agreed to his motion being deferred to the November 2018 meeting of Council.

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CONFIDENTIAL MINUTES

The confidential minutes of the Council meeting held on 24th July 2018 were submitted.

RESOLVED that the confidential Minutes of the Council meeting held on 24th July be approved as a correct record.

(During consideration of this item Members did not discuss matters that necessitated the disclosure of exempt information. The press and public were therefore not excluded from the debate.)

The meeting closed at 8.35 p.m.

Chairman