

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

29TH OCTOBER 2018, AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), C. Allen-Jones, C. J. Bloore, S. R. Colella, R. L. Dent (Substitute), R. J. Deeming, M. Glass, C.A. Hotham, H. J. Jones (Substitute), P.L. Thomas and M. Thompson

Observers: Councillor B. T. Cooper, Councillor G. N. Denaro, Councillor K. J. May and Councillor C. B. Taylor

Officers: Mr. D. Allen, Mr. K. Dicks, Mrs. C. Felton, Mr C. Forrester, Mr. J. Godwin, Claire Green, Ms F. Mughal, Ms. J. Pickering, Mr D Riley, Ms. A. Scarce and A. Wyre

54/18 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received on behalf of Councillors R. J. Laight and S. A. Webb. Members were advised that Councillor R. Dent was attending as substitute for Councillor S. A. Webb and Councillor H. Jones was attending as substitute for Councillor R. J. Laight.

55/18 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

56/18 **MINUTES**

RESOLVED that the minutes of the Overview and Scrutiny Board held on 1st October, 2018 be approved as an accurate record.

57/18 **COUNCIL TAX SUPPORT SCHEME REPORT - PRE SCRUTINY**

The Revenue Services Manager presented the Council Tax Support Scheme report. The report provided information on the work undertaken by the Customer Access and Financial Support Service and amendments to the Council Tax Support Scheme for implementation by 1st April, 2019 and set out proposals for public consultation.

Members were advised that Cabinet were being asked to give approval to undertake a formal consultation with the major preceptors and the public on the proposed design of a revised scheme. This would commence on 1st November and last for 8 weeks.

The Board was advised that the Council had previously agreed a minimum council tax contribution from working age claimants as 20%. Further to this Members agreed to consider reducing the minimum contribution to 15% with effect from 2019. This change would require formal consultation as it was an amendment to the existing scheme. Consultation was also required to implement 100% discount for care leavers, subject to consultation, with effect from 1st April, 2019.

Based on the initial financial modelling that had been undertaken, a revised scheme to increase support to maximum of 85%, would result in an estimated cost of £100k. Initial information provided by County Council and cross referenced to Council Tax information indicated that the cost of 100% for care leavers would be approximately £11k.

The Portfolio Holder for Finance and Enabling advised Members that the revised scheme incorporated the comments of the Board made at the previous meeting. He reiterated that the two key elements for consultation were the increase of support to 85% and 100% discount for care leavers.

In response to a Member question, the Revenue Service Manager stated that there were approximately 20 care leavers; although currently the exact figures was not known.

RESOLVED that the Council Tax Support Scheme Report be noted.

58/18

CORPORATE PEER CHALLENGE ACTION PLAN

The Chief Executive presented the LGA Corporate Peer Challenge Report (CPC). Members were reminded that this report had been received prior to the “purdah” period (for the Redditch Borough Council elections) and the Leaders of both Councils had agreed that due to this the publication of the report should be delayed.

The report outlined the outcomes and next steps resulting from the CPC visits which had taken place in January and February 2018. This had been followed up with a written report summarising the recommendations for improvement. The Action Plan set out responses to those recommendations together with relevant timescales for completion.

It was highlighted that in terms of the establishment of a single workforce (which had been recommended), the Corporate Management Team (CMT) had concluded that there was not sufficient benefit in terms of moving to a single organisation at this point in time, for the following reasons:

- Work was ongoing around the harmonisation of policies and procedures which would address some of the issues raised.
- Work was ongoing around the harmonisation of the Job Evaluation Schemes and the potential costs associated with this – dependent

on this, further consideration would be given to moving to a single employer.

- Work continued to be undertaken in respect of the culture of the workforce across both authorities.

The Leader confirmed his support in not moving to a single organisation and advised that ongoing discussions were being undertaken between the Leaders at both Councils.

The Chairman reminded Members that the original rationale behind the Peer Challenge, which had followed a debate at Council, had been to carry out a review of the management team in order to generate savings as part of the Efficiency Plan. It was questioned as to whether this was still the case and whether Cabinet was clear in how it would meet that section of the Efficiency Plan.

Members discussed the level of debate at Council meetings and that as follow up questions were not permissible, this restricted the level of debate. It was therefore suggested that a review of Council procedures and the debating process be carried out. The Leader confirmed that he was happy for this to take place and suggested that the Constitution Review Working Group undertake the review.

RESOLVED that the Corporate Peer Challenge Action Plan be noted.

RECOMMENDED that the Constitution Review Working Group carry out a wider review of Council procedures to aid the debating process, with particular focus on supplementary questions.

59/18

TRANSPORT PLANNING REPORT - VERBAL UPDATE

The Chairman advised that, as discussed at the previous Board meeting, he, together with Councillors S. Colella, P. Thomas and S. Webb, together with the Strategic Planning Manager, had met with key officers from Worcestershire County Council's (WCC) Highways Team to discuss the ongoing and historic issues in respect of highways in Bromsgrove.

The Chairman reported that previously it had been difficult to get the answers from the officers to all the questions raised and it was therefore felt that it was prudent for a small group to be set up to hold a one off private meeting to discuss the issues in more detail. It was recognised that there were traffic problems in Bromsgrove and that various models that had been considered had not been successful. The Group had discussed potential solutions to resolve the current issues going forward.

The Senior Democratic Services Officer (Bromsgrove) advised that following discussions with the Chairman, she had spoken to the Strategic Planning Manager and it had been agreed that they would work together to produce a report similar in format to that of a Scrutiny Review, with a number of recommendations being included. This report would then be

presented to the Board on 14th January 2019 and if agreed, would then go on to either Cabinet and/or Council for further consideration

Councillor S. Colella commented that following the meeting he had felt that the officers from WCC continued to not fully appreciate or understand the issues in relation to highways faced throughout the District. He further stated that he did not feel that the Council's officers had gathered enough evidence to devise a report that would give a true reflection of the situation. He proposed that the Council's current consultation in respect of the Issues and Options (part of the overall review of the Local Plan) be withdrawn, pending further detail from WCC in respect of the future infrastructure plans for Bromsgrove District.

Members discussed previous concerns which had been raised in respect of WCC's Local Transport Plan 4 (LTP4) and that the Council had recommended that it was withdrawn as it was not fit for purpose. However, it had gone ahead despite the reservations of its effectiveness for Bromsgrove. It was commented that there was a need for more radical actions to be taken in order for Bromsgrove, in particular, to resolve its congestion problems.

Councillor Colella stressed that residents in Bromsgrove were continually experiencing highways issues. Members discussed that there had not been any investment provided for Bromsgrove in order to alleviate these issues and it was clear that a long term strategy was needed to address this.

As an aside, Councillor C. Bloore advised the Board that WCC was currently carrying out a consultation as part of a Bus Service Scrutiny Review. The Districts had one Member on the review but he encouraged all Members to take part in the consultation.

The Portfolio Holder for Planning and Strategic Housing advised that he had discussed the issues with Worcestershire Highways and also believed that WCC did not fully understand the issues in Bromsgrove. He suggested this should be escalated to the Director of Highways at WCC and agreed to discuss the issues with the Leader of WCC. Members were concerned that if the issues were not addressed quickly, that the situation would get worse for Bromsgrove in the longer term.

Members acknowledged that it was important that the County Council Officers worked with the District Officers to ensure the necessary infrastructure was put in place and a firm commitment in respect of this needed to be made by the County Council.

The Leader confirmed that he had spoken to the Strategic Planning Manager, who had provided him with a list of the areas of concern and he would be meeting with the Leader of WCC as a matter of urgency.

RECOMMENDED that the Issues and Options consultation process be suspended pending receipt of further information from Worcestershire County Council in respect of the future plans in respect of the infrastructure for Bromsgrove District.

60/18 **TASK GROUP - VERBAL UPDATE**

The Senior Democratic Services Officer (Bromsgrove) informed the Board as there had been no further interest from Members to sit on the Paperless Meetings Task Group, this would be consider by the Corporate Performance Working Group.

Members were informed that the Senior Democratic Services Officer (Redditch) was undertaking a Leadership Course and as part of that course was carrying a project looking at paperless committees across both Councils. The Paperless Task Group terms of reference would be incorporated within that project and She would be liaising with the Working Group and work with them to produce a report, which would be considered at Overview and Scrutiny Board in due course.

61/18 **FINANCE AND BUDGET WORKING GROUP - VERBAL UPDATE**

The Chairman provided an update in relation to the Finance and Budget Working Group meeting which had taken place on 16th October 2018. He reported that the agenda covered the following items:

- Cost recovery – the Head of Community Services had provided information around cost recovery in respect of the CCTV service and had provided information in respect of the recent contract undertaken to provide this service to Cannock Chase Council.
- Fees and Charges – Head of Environmental Services and the Head of Community Services provided updates to Members.
- Outturn v Budget for Environmental Services – Head of Environmental Services had provided Members with an update in respect of the outturn figure for 2017/18 compared to those for 2018/19.

The Board was advised that the next meeting of the Group was scheduled to take place on 14th November 2018.

62/18 **CORPORATE PERFORMANCE WORKING GROUP - VERBAL UPDATE**

The Senior Democratic Services Officer (Bromsgrove) provided an update in relation to the Corporate Performance Working Group held on 18th October 2018. The Board was informed that the Head of Environmental Services had attended the meeting and provided an update in relation to the Waste Collection Services. A number of potential recommendations had been discussed and it was anticipated that the Working Group would bring a brief a report to the December Board meeting for Members consideration.

Members were advised that the next meeting of the Corporate Performance Working Group was scheduled to take place on 7th November 2018.

63/18 **WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - VERBAL UPDATE**

Councillor C. Bloore informed Members that there had not been a meeting since his last update. The presentation in relation to the Worcestershire County Council funding arrangements in respect of Adult Services had been disseminated to Members as previously agreed.

64/18 **CABINET WORK PROGRAMME - 1 NOVEMBER 2018 TO 28 FEBRUARY 2019**

Members were provided the Cabinet Leader's Work Programme from 1ST November, 2018 to 28th February, 2019.

RESOLVED that the Cabinet Leader's Work Programme from 1st November, 2018 to 28th February, 2019 be noted.

65/18 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME 2018/19**

The Senior Democratic Services Officer (Bromsgrove) presented the Overview and Scrutiny Board's Work Programme for 2018/19. It was advised that the Transport Review would be considered at the Board in January 2019.

In addition, Councillor C. Bloore expressed an interest in reviewing the work and role in the community of the Bromsgrove Supporting Football Club. As he understood that the club was paying a rental fee to the Council for use of the ground and had invested funds in the ground itself, to support the club's promotion within the league. He suggested that the Council should consider reducing the lease cost to the club (which was confirmed to be £12k annually) this would help the club to improve the facilities and attract more people to the ground.

Members agreed to launch a Short Sharp Review in respect of Bromsgrove Supporting Football Club to review this together with their role within the community. The Senior Democratic Services Officer (Bromsgrove) advised Members that terms of reference for this review would be devised and circulated to Members and nominations sought to take part in this review. The Board also agreed to appoint Councillor Bloore as the Chair of this review.

RESOLVED:

- a) that the Overview and Scrutiny Board's Work Programme for 2018/19 be noted; and
- b) the a Short Sharp Review be established to review the Bromsgrove Sporting Football Club.

66/18

DEVELOPMENT OF THE BURCOT LANE SITE

The Chairman thanked those Officers in attendance and explained to Members that this item would begin in public session, but it was highlighted that should they wish to discuss the financial implications in detail then the Board would need to consider whether it was appropriate to go into private session.

The Chief Executive presented the report which provided Members with an update of the current position regarding the site and the funding application submitted to Homes England. The report also set out the conditions attached to the offer and the officers' suggested preferred option for the site.

The Portfolio Holder for Planning and Strategic Housing advised Members that the report was a live document and that he believed that the proposal set out in option 3 – Housing Company was the best option for the Council as it would help balance out some of the current housing problems in Bromsgrove.

The Strategic Housing Manager provided background information and outlined the key issues whilst reminding Members that at the Cabinet meeting on 6th September 2017 the options available to the Council regarding developing the site at Burcot Lane had been considered. Three options had been proposed with the pros and cons of each being included within the report. The preferred option was that of establishing a housing company to manage the retained housing stock, subject to the business case for this being brought to Cabinet for approval in due course. The Strategic Housing Manager also provided Members with details of the indicative plans for the site together with the breakdown of proposed properties.

The Strategic Housing Manager also highlighted the following:

- A wider development role in the district, together with opportunities for local businesses/constructors
- Projected ongoing revenue stream
- The opportunity for the Council to retain the assets
- The opportunity to take the first steps in helping to rebalance the local housing market
- Identifying other local opportunities for development

It was highlighted that the Local Housing Market currently had approximately 39k properties of which 32,000 were private, 4,000 social housing and 3,000 private rented properties. The Strategic Housing Manager also stated that it was important to explore other models to enable the Council to develop rental properties and understand the market. It was further stated that option 3 identified the model which achieved the most properties for rent and kept outright sales down to a minimum.

Members questioned the viability test and if there was any risks attached to the proposed scheme and what confidence the Council had in this test. It was clarified that a considerable amount of work had been undertaken and it was believed that the scheme was viable and would return a surplus to the Council. In response to a Member question, clarity was sought that a right to buy option was not available in the option 3 model.

Members discussed the reintroduction of a Housing Revenue Account (HRA) and the Leader confirmed that this was not a realistic option and that the introduction of a Housing Company would go some way to addressing the lack of housing that was affordable in the District..

Members questioned whether the option that was proposed within the report was that which had been made in the initial decision. Officers highlighted that the options set out in appendix 4 to the report were not in the correct order and a revised appendix was circulated at the meeting. Clarity was given that option 3 was the Housing Company and option 2 was a partnership with a Registered Provider.

In response to a Member question, the Strategic Housing Manager informed the Board that Homes England had stated in the conditions attached to the grant that it should be spent by March 2021. It was anticipated that the development would commence prior to this date pending Cabinet approval.

The Portfolio Holder for Planning and Strategic Housing confirmed that highways issues had been considered and as the Burcot Site had an existing building on it, that there should be no issues with additional highways reports. However, should the current building be demolished prior to planning permission being sought then this may impact on the highways considerations.

Members were provided with full details in respect of the costs associated with the redevelopment of the site. Officers then responded to a number of questions from Members, which covered the following areas:

- Areas to be covered by the maintenance costs.
- The Council would look to reduce the surplus cost;
- The rent would be increased by 1%.
- The role of the Shareholders Committee and the involvement of Members, in order to ensure that they had an insight into the operation of the Housing Company.
- How it was anticipated that the Housing Company would set the rent for the properties.
- How the rental figures had been calculated – it was highlighted that in the first instance a comparative figure for Redditch had been used.
- It was clarified that the properties would be available for the local people in Bromsgrove.
- The Council would look at other sites within the District for future developments once the Burcot Lane site had been established;

however it confirmed that it was difficult to identify other areas at this early stage.

- Members expressed their concerns that the project was not sustainably for the Council without multiple sites being identified, as the current development for 61 properties was not sufficient. Members were advised that this was the first step and there was the potential for the project to be successful in the long term. In addition it was confirmed that the current proposals were viable as a stand alone site.
- The Board was informed that other local authorities had had a significant impact on the local market and that local businesses had also benefited from similar developments.
- Members expressed concerns that this project had not been considered in enough detail.
- It was important that long term investment was considered within this project.
- It was suggested that a Committee should be set up to look at the housing needs for Bromsgrove and to ensure that the Housing Company met these needs.

Councillor H. Jones supported the recommendations set out in the report and proposed that the matter be put to the vote without further debate. On being put to the vote the proposal was lost.

Further debate followed, which included the discussion of a number of areas, including:

- Members suggested that a letting agency be considered as an option, it was noted that this had been a recommendation from an Overview and Scrutiny Task Group investigation previously. The Board was informed that currently there were 50 letting agencies in Bromsgrove and that Council would explore this option in the future.
- Members were informed that Homes England had been satisfied that the Council's application met the necessary criteria.
- The Council was aware of a number of potential sites, although further investigation was required before consideration being given to them.
- Members reiterated the view that the Cabinet should consider exploring working with letting agencies or setting up its own.
- Members suggested that there was a need for a longer term strategic plan to be developed and brought back to the Board for further scrutiny.
- Members expressed concerns that it was unclear as to how this project would be sustainable and requested further clarification in order to understand the longer term implications.

The Portfolio Holder for Planning and Strategic Housing invited Members of the Board to the Cabinet meeting due to take place on Wednesday 31st October, 2018 when the matter would be considered. He also requested

that, should Members have any further questions that they email him prior to that meeting.

The Leader informed Members that a business plan of the Housing Company would be shared with the Board at an early stage. The Board was further informed that the scrutiny of the Housing Company would be reviewed by the Finance and Budget Working Group.

RECOMMENDED:

- a) that further work be carried out to explore the options available to the housing company to allow it to act as a letting agent; and
- b) that the housing company's overarching principle be to provide "affordable" rental accommodation for local people.

(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed relating to financial and business affairs. However, there is nothing exempt in this record of the proceedings.)

67/18

IN HOUSE MANAGEMENT OF BROMSGROVE MARKET - VERBAL UPDATE

Councillor K. May, Deputy Leader and Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships provided an update in respect of the Bromsgrove market. She reminded the Board that in May, 2018 the Council agreed that the management and operation of Bromsgrove Town Centre Outdoor Market to be brought back 'in-house'.

Councillor May informed Members of the events which had taken place in recent weeks. She expressed her gratitude to the Head of Leisure and Cultural Services and his team for their hard work and commitment and welcomed the new Market Manager.

The Head of Leisure Cultural Services advised Members that positive feedback had been received from market traders. He further advised that a business plan would be devised to review the current market provision as the Council was committed to investing in the Town Centre market.

A further update would be provided in January, 2019.

(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed relating to financial and business affairs. However, there is nothing exempt in this record of the proceedings.)

The meeting closed at 8.40 p.m.

Chairman