

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

8TH APRIL 2019, AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), C. Allen-Jones, C. J. Bloore, S. R. Colella (from Minute No. 127/18 to Minute No. 128/18), R. J. Deeming, M. Glass, C.A. Hotham (from Minute No. 123/18 to part of Minute No. 127/18), R. J. Laight and M. Thompson

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

Officers: Mr. M. Dunphy, Ms F. Mughal, Mr O. Paparega, Ms. J. Pickering and Ms. A. Scarce

123/18 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received on behalf of Councillors P.M. McDonald and P.L. Thomas. Members were informed that Councillor C. Bloore was in attendance as a substitute for Councillor P.M. McDonald.

124/18 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

125/18 **MINUTES**

The minutes of the Overview and Scrutiny Board meeting held on 4th March, 2019 were submitted for Members' consideration.

RESOLVED that the Minutes of the Overview and Scrutiny Board held on 4th March, 2019 be approved as an accurate record.

126/18 **FORMER MARKET HALL SITE REDEVELOPMENT - PHASE 2 - PRE-SCRUTINY**

The Head of North Worcestershire Economic Development and Regeneration (NWEDR) introduced the Market Hall Site Redevelopment report for Members consideration. The report highlighted the three main aspects of the current position; the legal agreement with the Hinton Group, the delivery options and the next steps for Phase 2 of the site.

Members were informed that since completing phase 1, Hinton Group had been working to deliver a viable scheme for Phase 2 of the site. However, Phase 2 had not been delivered for a number of reasons. It was believed that retail was not necessarily the route to go down and the Head of NWEDR suggested that a change in policy usage in order to increase the footfall may be required. Full details were included within the report together with steps which could be taken to provide “meanwhile” uses for the site in the interim period.

Given the failure of the private sector developer to deliver a viable scheme, there were now a number of delivery options open for consideration and which were detailed within the report. There were as follows:

- Option A - Direct delivery of a redevelopment scheme by the Council
- Option B – Development agreement
- Option C – Joint Venture; and
- Option D – Do nothing.

Members were informed that officers would undertake a soft market testing exercise in order to consider the best options for improvements of the former Market Hall site redevelopment in Bromsgrove. The outcome and key findings of the soft market testing exercise would be presented to Cabinet and Council at a future meeting.

In the ensuing debate, Members highlighted the following points:

- It was recognised that, Bromsgrove Town Centre (as were many high streets across the country) was struggling. However, having further retailers was not necessary the right solution for regeneration. It was suggested that the Council could look at potential leisure facilities/ multi complex for the residents of Bromsgrove. Members were informed that this option had been outlined in the report;
- With regard to the Waitrose contract, it was clarified that there were restrictive covenants in favour of Waitrose which expired in February 2021. However, it was confirmed that this would not cause a significant issue in terms of delivery options going forward;
- Members considered that with hindsight, the Hinton Group had probably not been the best option to go with;
- Members were informed that any developers would normally seek 20% return on cost, however, the Council could negotiate this;
- The land value of the site could not be confirmed;
- Councillor K. Taylor stated that the Hinton Group was seen as the best option at the time;
- Discussions took place around the cost associated with the site and around the retained deposit, which it was anticipated would cover those costs;

- Members expressed concerns regarding the previous development, as they had been mindful that whilst the decision had appeared to be the right one at the time, with hindsight other areas could have been considered more fully.
- Members were keen that the Council considered the option of retained ownership of the site or looked at a joint venture;
- Members felt it was prudent that the Council set out its future visions for the site;
- Members acknowledged that Bromsgrove Town Centre needed regeneration for local residents.

The Executive Director for Finance and Resources clarified that as part of the soft market testing the Council would look at various schemes that would be viable, sustainable and beneficial for the local residents of Bromsgrove.

The Board requested that an update on the findings in respect of the soft market testing exercise for Bromsgrove Market Site Redevelopment be presented at a future meeting of the Board.

RESOLVED

- a) that the Market Hall Site Redevelopment – Phase 2 report be noted; and
- b) that any future reports on the site be pre-scrutinised by the Board prior to consideration by Cabinet.

127/18

TRANSPORT PLANNING REVIEW DRAFT REPORT

Members considered the draft report in relation to the Transport Planning Review which outlined the findings and recommendations from the Overview and Scrutiny Board's investigation.

The focus of the investigation had been to try and understand the problems and challenges faced in respect of the ongoing infrastructure problems in the district and how best to move forward in order to address these, with the support of Worcestershire County Council Highways. The ongoing problems had been well documented and the Overview and Scrutiny Board had been asked to carry out the investigation following detailed discussions at a number of Council meetings, going back as far as April 2017.

The Chairman informed Members that the Board Investigation had involved a number of meetings which had been held in both public and private session. The small sub group of Members who had attended the private meetings had been the Chairman, Councillors S. Colella, P. Thomas and S. Webb. The Strategic Planning and Conservation Manager had supported Members at all stages of the investigation. Councillor K. Pollock – Worcestershire County Council, Cabinet Member for Economy

and Infrastructure had attended a meeting in order to answer the questions that Members had raised, together with a number of Worcestershire County Council officers. After much discussion it had been agreed that the best way in which to present the findings of those meetings was by preparing almost a “mini” task group report, which set out the details of the investigation together with the recommendations that were proposed.

The Strategic Planning and Conservation Manager explained to the Board that the Council was now in a different position to what it had been at the early stages of this investigation and had held detailed discussions with Worcestershire County Council (WCC) who were agreeable to a new way of working in order to address the issues which had been raised. The review of the District Plan would strengthen the Council’s position, as would the continued support the Council was receiving from Mott MacDonald.

Councillor K. Taylor, the Portfolio Holder for Planning and Strategic Housing said he believed that after much discussion, Worcestershire County Council were now taking seriously the concerns which had been raised by the Council.

Councillor Webb thanked everyone for their input into the investigation and gave particular thanks to the Strategic Planning and Conservation Manager for his time and patience in supporting Members at all the meetings.

Councillor S. Colella raised concerns and felt that Members of the Council should continue to put pressure on WCC to ensure that the recommendations were followed up. Councillor G. Denaro informed the Board that the Council had taken legal advice in respect of reimbursement of the costs of the work that Mott MacDonald were carrying out; however, this had not been deemed appropriate. Members requested that details of the response be shared with the Board.

The Board considered whether it would be appropriate to ask Councillor K. Pollock to add the Transport Planning Review and the recommendations from Bromsgrove District Council to WCC Cabinet’s Work Programme to ensure this was followed up. However, Councillor C. Bloore suggested that he could raise this at the next WCC Overview and Scrutiny Performance Board. Councillor C. Bloore further thanked the Strategic Planning and Conservation Manager, Councillor L. Mallett and Councillor Taylor for addressing the issues and recognising that the transport infrastructure for Bromsgrove needed to be fit for purpose. It was agreed that an additional recommendation would be added to the report to reflect this suggestion.

The Chairman and Vice-Chairman concluded by thanking everyone involved in the investigation.

The Board was advised that this report would be considered at Cabinet and Council in June 2019.

RESOLVED that the report and the recommendations included within the report be approved.

RECOMMENDED:

- 1(a) that Worcestershire County Council's Highways Team consults with the relevant County Councillor, when consulted with in respect of any planning applications. This should be done as a matter of course, as they may have more detailed local knowledge of a particular area.
- 1(b) that BDC Members would continue to receive the weekly list of all planning applications.
2. that as part of the response to a planning application the Worcestershire County Council's Highways Team should include a full breakdown of the costs of any infrastructure work which needs to be carried out and provide details of how this work would be funded.
3. that it was recognised that the relationship between Worcestershire County Council, this Council and its Parish Councils and residents had not been positive and that although the journey to improvement had begun, the improvements to the culture and ways of working needed to be ongoing to ensure that the improvements continued.
4. that Worcestershire County Council Highways Team recognised that there was no "one size fits all" approach. They should remain open minded and flexible in considering the approach to the analysis of planning applications before reaching any conclusions.
5. that at the earliest possible stage of the Strategic Transport Assessment the Project Officers from Worcestershire County Council and this Council arrange a briefing for Members in order to provide details of the scope of the Strategic Transport Assessment, the process and relevant timelines.
6. that this Council was fully represented on the Project Team of the Strategic Transport Assessment to be undertaken, by both officer and Member representation.
7. that, throughout the process of the Strategic Transport Assessment, the Strategic Planning Steering Group holds regular meetings dedicated to this with representatives of Worcestershire County Council in attendance, in order to provide updates and listen and take on board the views of this Council's Members.
8. that the Overview and Scrutiny Board recognised the current need for the additional transport support from Mott MacDonald. However it

requested that the Leader and Cabinet make every effort to seek reimbursement of those costs from Worcestershire County Council.

9. that the Overview and Scrutiny Board formally writes to the Chairman of the Worcestershire Overview and Scrutiny Performance Board requesting that the report be included on its agenda for future consideration to ensure that Members and Officers at Worcestershire County Council are aware of the issues and concerns of this Council.

128/18

WCC LTP4 ON THE DISTRICT OF BROMSGROVE

Members were reminded that a proposal had been received from Councillor S. Colella for a scrutiny review in respect of an investigation into the effect of WCC LTP4 on the District of Bromsgrove. Members were asked to consider whether this would be a suitable topic for further scrutiny.

Councillor Colella believed that the review was required as he was keen to understand the impact of the LTP4 for Bromsgrove. He further believed that the current LTP4 was not fit for purpose and that the main issues were problems with congestion and poor air quality.

The Strategic Planning and Conservation Manager advised the Board that the LTP4 was not a statutory document and this would be replaced with the Strategic Transport Assessment which was being carried out for Bromsgrove. The plan merely highlighted a proposed list of schemes for the future, but did not provide any detail around how and when those schemes would be implemented.

Members requested that this item be added to the Board's Work Programme for further consideration as they felt this topic was important to them and further work should be carried out, although it was confirmed that no work would commence on the matter until the new Municipal Year

RESOLVED that the proposed Task Group in respect of WCC LTP4 on the district of Bromsgrove be launched.

129/18

FINANCE AND BUDGET WORKING GROUP - UPDATE

Councillor L. Mallett reflected on the work carried out by the Finance and Budget Working Group and reminded Members that the Working Group had been set up nearly 3 years ago and had gone from strength to strength. This year had been another positive year and the working Group continued to play an important role in the scrutiny of the Council's financial position and had provided support and a sounding board for a number of business cases.

The Working Group had been presented reports at an early stage and was therefore in a position to highlight any issues before the reports were considered at Cabinet and Council. Councillor Mallett also took the opportunity to thank Councillor Cooper for his attendance at the majority of the Working Group's meetings

Councillor S. Webb expressed her gratitude to Councillor Mallett for chairing the Group and Councillor B. Cooper for his hard work.

The Board endorsed the positive work carried out by the Group.

The Executive Director of Finance and Resources concluded by thanking the finance team and Councillor B. Cooper for their contribution to the work of the Group.

130/18

CORPORATE PERFORMANCE WORKING GROUP - UPDATE

Councillor S. Webb reflected on the work carried out by the Corporate Performance Working Group. She stated that this had been a good insight into the performance of a number of services at the Council and thanked all of the Members for their contribution.

The Senior Democratic Service Officer (Bromsgrove) stated that the Council's Performance and the Corporate Dashboard would be included in the induction training and encouraged Members to review the Dashboard on a regular basis.

131/18

DRAFT OVERVIEW AND SCRUTINY BOARD ANNUAL REPORT 2018/19

The Board considered the Overview and Scrutiny Annual Report 2018/19. The Chairman's foreword was tabled at the meeting for Members' consideration.

Councillor C. Bloore requested that in relation to the Hospital Car Parking Charges Board investigation, where it had been recommended that Full Council wrote to the Secretary of State to suggest that NHS Trust owned hospital car parks should be made free of charge, that the actions taken following the recommendation should also be included in the report. It was suggested that this would be useful for all Task Groups in order to show that actions had been taken to ensure that the recommendations made were implemented.

The Board was asked whether there were any areas they wished to include under future plans. It was suggested that returning Members could potentially be involved in delivery of the induction training and work programme planning event which was planned for the new municipal year.

On behalf of the Board, the Chairman thanked Members and officers for all their help and contribution.

RESOLVED that the Overview and Scrutiny Annual Report 2018/19 be approved for submission to Council subject to the inclusion of those areas highlighted in the pre-amble above.

132/18

TASK GROUP UPDATES

Councillor M. Thompson provided the following updates:

- Bromsgrove Sporting Football Club Task Group – The Group had yet to meet, an update would be provided once the first meeting had taken place in the new municipal year;
- Business Rates Relief Short Sharp Review – The next meeting to be arranged in the new municipal year.

133/18

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

Councillor C. Bloore informed the Board that at the last meeting of the Worcestershire Health Overview and Scrutiny Committee there had been a discussion on the NHS Long Term Plan.

Councillor C. Bloore expressed his concerns that the scrutiny function of this Committee was not fit for purpose. Members were only limited to ask two questions at any one time and he felt that this did not represent Bromsgrove satisfactorily.

The Senior Democratic Service Officer (Bromsgrove) advised the Board that this item was included on its Work Programme and that the Chairman of the Worcestershire Health Overview and Scrutiny Committee would be invited to a future meeting of the Overview and Scrutiny Board to provide an update to Members.

Councillor Cooper shared his experience whilst he had previously represented the Committee and supported the observations made by Councillor Bloore.

The Chairman concluded by thanking Councillor Bloore as the representative on the Worcestershire Health Overview and Scrutiny Committee.

134/18

CABINET WORK PROGRAMME

Members considered the Cabinet Leader's Work Programme from 1st May to 31st August, 2019. The Senior Democratic Services Officer (Bromsgrove) provided the following update:

- Corporate Performance Reports would be considered by the Corporate Performance Working Group;
- All finance related reports would be considered by the Finance and Budget Working Group;
- Bromsgrove Enterprise Park – Build out was already on the Board's work programme and would now be considered at the Overview and Scrutiny Board in June, 2019.

RESOLVED that the Cabinet Leader's Work Programme from 1st May to 31st August, 2019 be noted.

135/18

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Members considered the Overview and Scrutiny Board Work Programme, this would be amended subject to the discussion held under the previous agenda item.

As this was the last meeting of the Board for this current municipal year, the Chairman concluded the meeting and expressed his gratitude to all Members, including the Vice-Chairman, Councillor S. Webb for their participation and, in particular, thanked those Members who would be standing down for their service to the Board. He further expressed his thanks to the Democratic Services Team members and officers for their hard work and contribution to the Overview and Scrutiny Board.

Furthermore, the Vice-Chairman, Councillor S. Webb thanked the Chairman and all Members for their contribution.

RESOLVED:

- a) that the Overview and Scrutiny Board Work Programme be noted;
and
- b) that the Overview and Scrutiny Board Work Programme be amended subject to the pre-amble, as detailed above.

The meeting closed at 7.40 p.m.

Chairman