

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

1ST DECEMBER 2021, AT 6.00 P.M.

PRESENT: Councillors R. J. Laight (Chairman), A. J. B. Beaumont (Vice-Chairman), S. J. Baxter, S. R. Colella, R. J. Deeming, G. N. Denaro, S. P. Douglas, A. B. L. English, M. Glass, R. E. Jenkins (from Minute Item No. 67/21), H. J. Jones, J. E. King, A. D. Kriss, K.J. May, M. Middleton, P. M. McDonald, S. A. Robinson, H. D. N. Rone-Clarke, M. A. Sherrey, C. J. Spencer, P.L. Thomas, M. Thompson, J. Till, K. J. Van Der Plank and P. J. Whittaker

Officers: Mr. K. Dicks, Mrs. S. Hanley, J Howse, Mrs. C. Felton and Mrs. J. Bayley-Hill

57\21 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors S. Hession, C. Hotham, R. Hunter, A. Kent, L. Mallett and S. Webb

58\21 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

59\21 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 3RD NOVEMBER 2021**

The minutes of the meeting of Council held on 3rd November 2021 were submitted.

RESOLVED that the minutes of the meeting of Council held on 3rd November 2021 be approved as a correct record.

60\21 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE**

The Chairman announced that since the previous meeting of Council former Councillor, and former Chairman of the Council, Mr John Ruck, had passed away. The Chairman led Members in observing a minute's silence in memory of former Councillor Ruck.

The Chief Executive confirmed that he had no announcements to make on this occasion.

61\21 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader announced that Councillor A. Kriss was replacing Councillor P. Whittaker as a member of the Planning Committee.

62\21 **TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

There were no comments, questions or petitions from the public for consideration on this occasion.

63\21 **URGENT DECISIONS**

Members were advised that no urgent decisions had been taken since the previous meeting of Council.

64\21 **RECOMMENDATIONS FROM THE LICENSING COMMITTEE MEETING HELD ON 15TH NOVEMBER 2021**

The Chairman of the Licensing Committee, Councillor R. Deeming, presented recommendations that had been agreed at a meeting of the Licensing Committee held on 15th November 2021. During this meeting, Members had considered a report on the subject of the Gambling Act 2005 – Statement of Principles, and had agreed recommendations which needed to be approved by the end of the calendar year.

RESOLVED that

- 1) the revised Statement of Principles, as amended by Licensing Committee Members, be approved; and
- 2) the Statement of Principles be published by 31st January 2022.

65\21 **RECOMMENDATIONS FROM THE CABINET (TO FOLLOW)**

The Portfolio Holder for Finance and Enabling presented a recommendation on the subject of the Financial Outturn report 2020/21.

Members were advised that a new style had been used to present the Financial Outturn report, which was designed to be informative and transparent about the effects of Covid on the Council's income and costs.

During the year, the Covid-19 pandemic had impacted on the Council's financial position. The Council was anticipating that some areas of income, especially income from leisure service and car parking, would take a while to recover.

The Portfolio Holder for Finance and Enabling would not be applying the Budgetary 10% guideline on these figures and would review the position going forward.

The Portfolio Holder for Finance and Enabling commented that, given the impact of the pandemic, the authority had done well to achieve an end of year balancing figure of £228,736, which the Council proposed to cover from the Covid Grant. The biggest hit to Council income came from loss of car parking and amounted to £512,000. With additional Waste Management costs of £339,000, the total overspend on Environmental Services was £690,000. This was partially offset by a saving of £245,000 in corporate financing, as the authority was unable to proceed with the Council's Capital programme and made savings on interest costs. Leisure services were also impacted, although costs had been partially offset by Sport England grant funding. Development Control had an overspend of £270,000 caused by unexpected costs arising from the loss of a planning appeal. Without those costs, the Council would have been close to breaking even on the year.

The Council had received Covid grant funding from the Government to help manage the impact of the pandemic. In total, £948,695 Covid grant funding remained for the Council, which could be used to help balance the budget in 2021/22.

The Portfolio Holder for Finance and Enabling Services concluded by thanking the Financial Services team, particularly the Executive Director of Resources, the Head of Financial and Customer Services and the Financial Services Manager for their hard work. Particular reference was made to the work of the Financial Services team in the distribution of business grants to eligible local companies during the year.

During consideration of this item, reference was made by Members to the savings that had been achieved due to staff vacancies. Concerns were raised that savings from vacancies occurred each year and questions were raised about whether these posts were required, with Members commenting that these savings could instead be invested in the delivery of frontline services. The Portfolio Holder for Finance and Enabling Services explained that the Covid-19 pandemic had impacted on vacancy levels. Some staff had chosen to leave the Council's employment, having reassessed their circumstances during the pandemic. Members were also asked to note that there were issues with recruitment nationally, in terms of shortages of potential staff, particularly candidates with the right skills and experience.

RESOLVED that £228,736 be transferred from the General Covid Grant to the Council's general fund to balance the outturn position for 2020/21.

66\21

TO NOTE THE MINUTES OF THE MEETING OF THE CABINET HELD ON 24TH NOVEMBER 2021 (TO FOLLOW)

The minutes of the Cabinet meeting held on 24th November 2021 were noted.

67\21

QUESTIONS ON NOTICE (TO FOLLOW)

The Chairman explained that 8 Questions on Notice had been accepted for inclusion on the agenda. Following publication of the agenda, Councillor A. English had withdrawn her Question on Notice. In addition, Councillor S. Douglas had agreed to postpone consideration of her Question on Notice until the following meeting of Council to ensure that the Chairman of the Overview and Scrutiny Board could be present to provide an answer to the question.

Question submitted by Councillor H. Rone-Clarke

“As the leader is aware, in 2019 this council declared a climate emergency...as we look forward in our quest to tackle climate breakdown, it is important we have our own house in order. In this vein, can the leader report on the number of organisations this council does business with, which invest or profit from fossil fuels and will she pledge to fully divest from them by this time next year?”

The Leader responded by explaining that the Council did business with a large number of organisations. The authority did not require those businesses to declare their investment policies. The administrative burden that would be created by collecting and checking such data would be significant and the outcomes unclear, therefore such data collection was deemed impracticable. However, the Council itself did not directly invest in, or profit from, fossil fuels.

Question submitted by Councillor R. Hunter

Councillor S. Robinson read out the following question on behalf of Councillor Hunter:

“Cashless car parking

What was the outcome of the consultation on ending cash payments at BDC car parks? How many responses were received in support and how many against? Can the Leader now make a commitment to Council that we will continue to allow those who need to pay by cash to do so in Bromsgrove?”

The Leader responded by confirming that a report comprising all responses would be available for Members' consideration shortly. In total 554 people had responded and it was the Council's intention to ensure one machine on each car park continued to accept cash.

Question submitted by Councillor J. King

“Empty homes

This time last year the Lib Dem Group brought forward a motion calling on Council to stop providing a council tax discount on long term empty

homes and to instead charge an additional council tax premium on property owners who keep homes empty (without exemption status). In recent days we have seen reports in the press that the number of empty homes in our district has increased again. Will the council take action on this issue and use the council tax system to encourage property owners to act responsibly?"

The Portfolio Holder for Finance and Enabling commented that a full report on this issue had been drafted and would reach Cabinet early in the New Year. If adopted, it would take effect from April 2022. The Council's vacancy rate by the date of the Council meeting was 1.10% against a national average of 1.16%.

Question submitted by Councillor K. Van Der Plank

"The night time economy is important for our town centre providing leisure activities as well as business opportunities. However, all too often we hear reports of incidents, often at pub and club closing time which raises concerns for the personal safety of those enjoying a night out. We are also hearing concerns around the health and hygiene impacts for residents living near by who's properties are often littered with bottles, cans and other unpleasant things.

What is the state (ie numbers, types etc) of crime and anti social behaviour in Bromsgrove town centre? Is this acceptable or does more need to be done?"

The Portfolio Holder for Leisure, Cultural Services and Community Safety responded by explaining that whilst crime and Anti Social Behaviour (ASB) was never acceptable, what Bromsgrove town centre was experiencing was the predicted increase in incidents following the removal of Covid restrictions and a return to pre-pandemic activity and interactions in public places.

Bromsgrove District Council, as a key partner in the North Worcestershire Community Safety Partnership, specifically monitored violence against the person in the night-time economy as one of the Partnership's priorities. For example, between 1st August and 31st October 2021, there were 32 offences across North Worcestershire linked to violence against the person (with injury) offences in the night-time economy, 12 of which were in Bromsgrove. These offences, recorded between 6pm and 6am, involved assaults, predominately fist fights that occurred on-street when bars and nightclubs were operating. The suspects were unknown to the victims and the offences were alcohol related.

During the same period in 2020, the North Worcestershire night-time economy recorded 38 violence against the person (with injury) offences as lockdown restrictions had been lifted during the summer months, before being reinstated in November 2020. Then, most offences took

place in Redditch (15 cases). This was followed by Bromsgrove (13 cases) and Wyre Forest (10 cases).

Pre-pandemic in 2019 during the same period, North Worcestershire recorded 53 Violence Against the Person with Injury offences that were linked to the night-time economy. Wyre Forest and Redditch both recorded the highest number of offences (21 cases) followed by Bromsgrove (11 cases).

ASB was recorded and monitored at a district level for the Partnership and during the same period Bromsgrove experienced the lowest levels of ASB across the 3 district areas. This represented 24% of incidents, compared to 44% in Wyre Forest and 32% in Redditch. Between 1st August and 31st October 2020, of the total 2,341 ASB incidents, Bromsgrove accounted for 28% (660 cases), 40% occurred in Wyre Forest (942 cases) and Redditch accounted for 32% (739 cases) showing an increase in ASB reports in all areas as Covid-19 legislation was established and enforced. Pre pandemic in 2019, during the same period, Bromsgrove District recorded 443 ASB Incidents. Wyre Forest District recorded 919 and Redditch recorded 733 ASB incidents with a total of 2,095 ASB incidents in North Worcestershire.

Local partners were not complacent, and officers were working together (involving Community Safety, Worcestershire Regulatory Services and Environmental Services); and with local businesses and voluntary organisations to address crime and disorder issues via multi-agency forums such as Safer Bromsgrove, the Town Centre Management Group and Bromsgrove Pub Watch. The Street Pastors were an invaluable resource for supporting visitors to the night-time economy and providing on the ground, real time information about locations. Alongside this, the Community Safety Team had just allocated public health funding to provide youth workers to accompany the Street Pastors on their patrols to engage with younger visitors to the town who might be experiencing the night-time economy for the first time and were not used to the environment.

Projects to support the safety of young women in the night-time economy were also being supported by the partnership, with resources for the national Ask for Angela campaign being provided to Bromsgrove town centre businesses and establishments in the night-time economy.

The Town Centre and the night-time economy featured heavily in the North Worcestershire Community Safety Partnership's Action Plan for 2021/24 and would continue to be a priority for all members of the Community Safety Partnership as the effects of the Covid restrictions continued to emerge.

Question submitted by Councillor C. Hotham

Councillor S. Baxter asked the following Question on Notice on behalf of Councillor Hotham:

“This council has for many years had the opportunity to access a £20,000,000 loan facility. However, the money remains untouched. The regeneration grant of £14,500,000 is welcome but comes with strict spending time limits. Given the council’s history of failure to spend the £20,000,000 for the benefits of residents, please can the Leader give an undertaking that this new money will be fully utilised?”

The Portfolio Holder for Finance and Enabling commented that previously the Council had approved a capital budget in relation to regeneration investments in the District. Any spending against this budget required a business case to demonstrate value for money to the tax payer, as well as regeneration outcomes. While no acquisitions had to date been identified which passed appropriate due diligence, it was anticipated that a proportion of this budget would be used to leverage the £14.5 million levelling up grant. There were clear plans in place to deliver the levelling up projects which would be subject to ongoing monitoring.

Question submitted by Councillor S. Robinson

“Following the removal of the heritage lights on Windsor Street car park, can the portfolio holder please confirm how much money it would have cost to replace the heritage lights with LED heritage lights instead of removing them? Could we also have an update about when will the lights be re-painted?”

The Leader advised that the cost of replacement per LED lamp fitted was £395. The Heritage LED lamps would have cost £1,226 each. For the 8 lamps replaced on Windsor Street car park, if the Heritage lamp was used it would have cost an additional £6,648.

The lamp columns would be painted when the contractor returned to fit new lights in Recreation Road South car park. On the date of the Council meeting, the contractor was waiting for delivery of the mounting brackets.

68\21

MOTIONS ON NOTICE (TO FOLLOW)

The Chairman explained that 2 Motions on Notice had been received for consideration at the Council meeting.

Scams

Members considered the following Motion on Notice submitted by Councillor H. Rone-Clarke

“Protecting the people of Bromsgrove from scams this Christmas and new year.

Council notes it is becoming more difficult than ever to distinguish scams from legitimate communications; as well as reporting by the Guardian that, in the financial year 2020/21, £2.3 billion pounds was lost to scam artists.

Therefore, Council resolves to establish ways to actively warn residents of any new schemes aimed at scamming the public using the council's website and social media, and encourages members to support those in our communities vulnerable to scams by joining initiatives such as the National Trading Standards "Friends against Scams" scheme which provides basic training and support for those wishing to help."

The Motion was proposed by Councillor H. Rone-Clarke and seconded by Councillor P. McDonald.

In proposing the Motion, Councillor Rone-Clarke explained that he had personally come close to being a victim of a scam and had been targeted by scammers on a number of occasions. The £32.3 billion lost to scammers every year was likely to be an underestimate. The proposed Motion would help to build on work that was already being undertaken to tackle the actions of scammers and to prevent people from becoming victims of scams. The Council could assist victims and potential victims by using the authority's website and social media to help raise awareness of issues relating to scamming.

In seconding the Motion, Councillor P. McDonald commented that scams could have a devastating impact on victims. Victims could lose both their finances and the opportunities that would have been available to them in terms of use of those finances. Unfortunately, some victims of scams could enter into debt as a consequence of their experience and this could impact on both personal relationships and a person's mental health. Councillor McDonald raised concerns that often the most vulnerable members of society, such as elderly people, tended to be targeted by scammers. Any action that could be taken by the Council to address this problem would help victims.

During consideration of this item, amendments to the Motion were proposed by Councillor P. Thomas.

The amended Motion was as follows:

"Council notes the comprehensive work undertaken in working with its many partners to protect our residents against fraudulent activity.

Amongst others this includes:

- *Funding the Nominated Neighbour Scheme.*
- *Working with West Mercia Police to promote their Neighbourhood Matters Community Messaging System.*

- *Supporting the Police and Crime Commissioner's (PCC's) West Mercia Cyber Crime Partnership to promote the National Cyber Security Centre and Get Safe online platforms.*
- *Taking part in the Local Resilience Forum on Cyber Crime and promoting the work of Action Fraud and the National Fraud and Cyber Crime Reporting Centre.*
- *Actively using our social media to warn residents of scams we become aware of; and*
- *Dedicating a page in our monthly staff newsletter to Cybersecurity and the latest scams being used.*

Council also notes it is becoming more difficult than ever to distinguish scams from legitimate communications; as well as reporting by the Guardian that, in the financial year 2020/21, £2.3 billion pounds was lost to scam artists.

Council resolves to further strengthen its efforts to protect its residents against scams and fraudulent activities of all types and resolves to look at adding the "Friends Against Scams" scheme, together with any worthwhile scheme, after having evaluated its merits next to schemes in which the Council is already involved."

Councillor H. Rone-Clarke, as the proposer of the original Motion, confirmed that he would accept the amendments to the Motion.

Members subsequently discussed the amended Motion in detail and in so doing raised personal experiences of being targeted by scammers. Members commented that scams often impacted on the health and wellbeing of victims as the experience could be very traumatic.

On being put to the vote the Motion was carried.

RESOLVED that

Council notes the comprehensive work undertaken in working with its many partners to protect our residents against fraudulent activity.

Amongst others this includes:

- Funding the Nominated Neighbour Scheme.
- Working with West Mercia Police to promote their Neighbourhood Matters Community Messaging System.
- Supporting the Police and Crime Commissioner's (PCC's) West Mercia Cyber Crime Partnership to promote the National Cyber Security Centre and Get Safe online platforms.
- Taking part in the Local Resilience Forum on Cyber Crime and promoting the work of Action Fraud and the National Fraud and Cyber Crime Reporting Centre.
- Actively using our social media to warn residents of scams we become aware of; and
- Dedicating a page in our monthly staff newsletter to Cybersecurity and the latest scams being used.

Council also notes it is becoming more difficult than ever to distinguish scams from legitimate communications; as well as reporting by the Guardian that, in the financial year 2020/21, £2.3 billion pounds was lost to scam artists.

Council resolves to further strengthen its efforts to protect its residents against scams and fraudulent activities of all types and resolves to look at adding the "Friends Against Scams" scheme, together with any worthwhile scheme, after having evaluated its merits next to schemes in which the Council is already involved.

Civil Parking Enforcement

Council also considered the following Motion on Notice submitted by Councillor P. McDonald:

"Enforcement of traffic orders outside of the Town Centre is now a rarity and many residents are being put at risk because of a lack of traffic enforcement. Therefore, this Council looks to increase the capacity of Enforcement Officers as part of the 2022/23 budget setting process so outlying areas such as Rubery are policed efficiently."

The Motion was proposed by Councillor McDonald and seconded by Councillor H. Rone-Clarke.

In proposing the Motion, Councillor McDonald commented that residents living in the Rubery ward had reported concerns about the amount of time the Civil Enforcement Officers undertook enforcement action in the ward. Councillor McDonald raised concerns about the frequency with which the Civil Enforcement Officers undertook enforcement action outside Bromsgrove town centre. Members were asked to note that there were parts of Rubery, particularly near the industrial estates, where large HGV vehicles had reportedly been parking on double yellow lines and blocking roadways. Residents had attempted to report these problems but had struggled to get through to the Civil Enforcement Officer team. Councillor McDonald concluded by raising concerns that parts of the District outside of Bromsgrove town centre were the subject of discrimination, due to the location of the work of the Civil Enforcement Officers and the frequency with which they visited areas outside Bromsgrove town centre.

In seconding the Motion, Councillor Rone-Clarke commented that outside of Bromsgrove town centre there was more limited Civil Enforcement activity in operation. Councillor Rone-Clarke commented that there needed to be a radical overhaul of the way that the Council managed car parking, which took into account parking statistics within context.

In discussing the Motion, some Members commented that they were in support of the Motion due to concerns about the level of enforcement action across the whole of the District, not just in Rubery. Council was asked to note that additional Civil Enforcement Officers operating in the

District had been proposed in alternative budgets in recent years and Members commented that any additional Officers could be self-funding, depending on the amount of income that was generated by enforcement action.

Other Members commented that they could not support the Motion. Extra funding had already been allocated to the Civil Enforcement Officer team to enhance enforcement around schools. This funding had allowed other Officers to undertake additional On Street enforcement around the District. Officers were working on a report that would propose a change in the way the Pay On Foot car parks operated in Bromsgrove. This change would also increase the capacity of available Officers to undertake enforcement. Members were also asked to note that in the previous 6 months (May to October 2021), enforcement Officers had visited Rubery Traffic Regulation Orders (TROs) on 251 occasions and had issued 52 Penalty Charge Notices (PCNs). It was suggested that any proposals to expand the service should be referred for the consideration of the Finance and Budget Working Group.

Reference was also made to the frequency with which parking issues were raised by residents living in Rubery. On the one hand, it was noted that residents living in Rubery South ward tended to report concerns about receiving tickets from the Civil Enforcement Officers, particularly when parking near schools. On the other hand, it was highlighted that residents living in Rubery North ward were raising concerns about their safety as a result of problem parking, particularly by HGVs.

In accordance with Procedure Rule 18.3 a recorded vote was taken and the voting was as follows:

Members voting FOR the Motion:

Councillors S. Baxter, S. Colella, S. Douglas, A. English, R. Jenkins, J. King, P. McDonald, S. Robinson, H. Rone-Clarke and K. Van Der Plank (10).

Members voting AGAINST the Motion:

Councillors A. Beaumont, R. Deeming, G. Denaro, M. Glass, H. Jones, A. Kriss, K. May, M. Middleton, M. Sherrey, C. Spencer, P. Thomas, M. Thompson, J. Till and P. Whittaker (14).

Members voting to ABSTAIN:

No Councillors (0).

On being put to the vote the Motion was therefore lost.

69\21

**MINUTES OF THE MEETING OF THE CABINET HELD ON 24TH
NOVEMBER 2021 - EXEMPT MINUTE (TO FOLLOW)**

Members were informed that the Council agenda was published prior to the Cabinet meeting that took place on 24th November 2021. There had been the possibility that the Cabinet meeting could have gone into exempt session and this had been reflected in the Council agenda. However, the meeting had remained in public session so there were no exempt minutes for consideration on this occasion.

The meeting closed at 7.13 p.m.

Chairman