

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

19TH JANUARY 2022, AT 6.00 P.M.

PRESENT: Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader),
M. A. Sherrey, P.L. Thomas, M. Thompson and S. A. Webb

Observers: Councillor C. Hotham (Chairman of the Overview and
Scrutiny Board)

Officers: Mr. K. Dicks, Mrs. S. Hanley, J Howse, Mr. G. Revans,
Mr O. Paparega, Ms. C. Flanagan, Mr. M. Dunphy, Mr. K. Hiron,
Mr D Riley, Ms. A. Delahunty and Mrs. J. Bayley-Hill

38/21 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

39/21 **DECLARATIONS OF INTEREST**

Members briefly discussed the circumstances in which a Councillor might need to declare an interest in respect of Minute Item No. 44/21 – Council Tax Empty Homes Discount and Premiums. Clarification was provided that a declaration would need to be made by any Member who owned a property that had been vacant for two years or more, or a property that would have been vacant for two years by 1st April 2022.

There were no declarations of interest.

40/21 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 24TH NOVEMBER 2021**

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

RESOLVED that the minutes of the Cabinet meeting held on Wednesday 24th November 2021 be approved as a true and correct record.

41/21 **BROMSGROVE HOMELESSNESS GRANT 2022/23 (PREVIOUSLY THE FLEXIBLE HOMELESSNESS SUPPORT GRANT AND HOMELESSNESS REDUCTION GRANT)**

The Portfolio Holder for Strategic Housing and Health and Well Being presented a report detailing the Council's proposed use of the Homelessness Prevention Grant, which had been received from the Government, in 2022/23. Cabinet was informed that some of the projects that would receive funding had been provided with financial support by the Council in previous years. However, it was also

proposed that relatively new schemes should receive funding, including the Sunrise Project launched in 2021 for a period of two years and the Sanctuary Scheme, which was designed to enable victims of domestic abuse to remain in their homes wherever possible. Officers were thanked for their hard work during the Covid-19 pandemic to address homelessness and on homelessness prevention.

During consideration of this item, reference was made to the Citizens Advice Bureau (CAB). Members were informed that the CAB had notified the Council that the local branch of the organisation was due to lose funding in 2022. There was the possibility that additional financial support would be required from the Council to support the CAB and this might need to be taken into account when considering the allocation of the Bromsgrove Homelessness Prevention Grant in 2023/24.

RESOLVED that

- 1) The following initiatives be approved to receive allocation of funding 2022/23:

Grant Allocation	2022/23 £ (up to)
Young Persons Pathway Worker – support to prevent homelessness for under 25's	26,000
Worcestershire Strategic Housing Partnership Co-ordinator – contribution towards county-wide development and delivery of housing initiatives in partnership with other agencies	6,300
Hopes - Single Person and Childless Couples Homelessness Prevention Service top up	5,424
St Basils Crash Pad – provide a unit of emergency accommodation to young homeless people	10,909
NewStarts - Provide Furniture and Volunteering Opportunities for Ex-Offenders – supports tenancy sustainment and provides future employment opportunities/reduces risk of reoffending	15,000
Fry/Accord Housing Related Support – helping ex-offenders remain housed/seek employment	23,224
St Basils Foyer – provides stable accommodation/support for young people - 14 units – fully occupied during last financial year	30,000
Managing Temporary Accommodation Costs for BDHT	15,500
CCP- outreach and prevention service targeting rough sleepers and those at risk of rough sleeping.	25,082
North Worcestershire Basement Project - Support for young people at risk of	40,000

homelessness	
bdht – Homelessness Reduction Act New Burdens	36,975
Step Up – Private Tenancy Scheme	18,200
Sunrise Project intensive support (2 year project agreed 2021)	39,000
Sanctuary Scheme for victims of Domestic Abuse	10,000
Citizens Advice – Targeted Debt Intervention	23,000
No First Night Out/No Second Night Out	£7,280
Total committed expenditure	331,894

- 2) delegated authority be granted to the Head of Community and Housing Services following consultation with the Portfolio Holder for Strategic Housing to use any unallocated Grant during the year or make further adjustments as necessary to ensure full utilisation of the Grants for 2022/23 in support of existing or new schemes.

42/21

BROMSGROVE RESPONSE TO SOUTH STAFFORDSHIRE PREFERRED OPTION LOCAL PLAN

The Strategic Planning and Conservation Manager presented Bromsgrove District Council's proposed response to the South Staffordshire Preferred Option Local Plan. Cabinet was informed that South Staffordshire Council was in a similar position to other local authorities in producing a Local Plan. A response from Bromsgrove District Council to South Staffordshire Council's Preferred Option Local Plan had been provided for Members' consideration and largely welcomed the proposals that had been brought forward. However, the response noted that South Staffordshire Council had identified a figure of 4,000 houses to meet the wider needs of the Greater Birmingham and Black Country Housing Market Area (GBHMA), which appeared to have been mainly informed by the content of the GBHMA Strategic Growth Study carried out in 2018. The response had commented that this was one of a range of strategic studies that could inform calculations about the number of houses that could be developed for the GBHMA and Bromsgrove District Council would be taking into account a wider range of documents when reaching its own conclusions about the number of houses that should be developed in the GBHMA.

During consideration of this item, Members noted that the name of the previous Portfolio Holder for Planning and Regulatory Services had been listed on the report. Officers confirmed that this would be amended for the Council meeting.

RECOMMENDED that the Council endorse the officer response to the South Staffordshire Local Plan and that it is confirmed with South Staffordshire Council as such.

43/21

BROMSGROVE DISTRICT COUNCIL CAR PARKS - ADOPTION OF CASHLESS PAYMENTS AND OPERATIONAL PROCEDURES FOR RECREATION ROAD SOUTH CAR PARK AND CHURCHFIELDS MULTI-STOREY CAR PARK

The Leader and Portfolio Holder for Economic Development, Regeneration and Strategic Partnerships presented a report on the subject of the adoption of cashless payment systems and operational procedures for Recreation Road South Car Park and Churchfield Multi-Storey Car Park.

Cabinet was reminded that in November 2020 Members had approved a five-year investment plan for the Council's car parks, including agreement to enter into negotiations with ASDA to lease the Recreation Road South Car Park. Unfortunately, these options had fallen through, so the Council had had to explore alternative options for management of this car park. Following the successful launch of the MiPermit cashless payment app in Bromsgrove, it had been concluded that it would be a good time to extend the cashless payment option to payment machines in the Council's car parks. This followed on from proposals detailed in the report considered in November 2020, which had concluded that when the Council replaced the relatively old ticket machines in Bromsgrove car parks, consideration should be given to introducing a cashless payment system.

Prior to drafting the report in respect of cashless payments, Officers had completed an equality impact assessment. As part of this process, consultation had been undertaken with users of the Council's car parks in order to obtain their views about the cashless payment option. The results revealed that whilst 62 per cent of users would use the cashless option 38 per cent had indicated that they would not be open to using a cashless payment system. This indicated that a cash payment option needed to remain available to customers. The proposals detailed in the report reflected the need to retain an option for payments by cash alongside the introduction of a cashless system. The exception to this would be Churchfields Multi-Storey Car Park, where only cashless payment systems would be made available and there would be no payment machines, due to concerns regarding historic trends in terms of vandalism in the car park.

Following the presentation of the report, Members discussed the financial costs detailed in the report and action that had already been undertaken in terms of expenditure on upgrading the Council's car parks. Officers explained that the tables in the report detailed expenditure to date as well as the planned expenditure in the 2022/23 and 2023/24 financial years. The works detailed in the five-year plan were due to be completed by 2024/25. Cabinet was advised that whilst the Council received approximately £1 million income per year in car parking revenue, the authority was also responsible for maintaining the car parks and there were financial costs associated with this work.

Reference was made to the location of the Recreation Road South and Parkside car parks. Officers clarified the location of these car parks and confirmed that they were owned by Bromsgrove District Council. Whilst the Council had allocated budgets to the works that would be undertaken in these car parks, this would not be spent on remedial works on the highways, which remained the responsibility of Worcestershire County Council.

During consideration of this item, Councillor C. Hotham, Chairman of the Overview and Scrutiny Board, explained that the report had been pre-scrutinised at a recent meeting of the Board. Concerns had been raised at this meeting that whilst customers could pay £3 to park all day in the Churchfields Multi-Storey Car Park the cost of all day parking was £5 per day at other car parks. Members of the Board had raised concerns that this might discriminate against customers, particularly elderly customers, who might not have access to a credit card to make a cashless payment.

Cabinet concluded the debate by thanking the residents who had participated in the consultation process. The feedback that had been provided had been really valuable and had helped to inform decisions about the payment system that would be in place moving forward.

RESOLVED that

- 1) A Cashless Payment System (CPS) option be adopted for all Pay & Display car parks within the District, to be operational as soon as possible. Every car park, except Churchfields Multi-storey Car Park, will retain one ticket machine which will accept cash payments;
- 2) A 'Pay & Display' system be installed in Recreation Road South Car Park, with CPS option, to replace the current outdated and failing 'Pay on Foot' system, again to be operational as soon as possible;
- 3) Churchfields Multi-storey Car Park be used as a long stay car park only. This will be accessible by a Virtual Permit or Parking app only (refer to 2.4), with no cash payment being acceptable.

RECOMMENDED that

- 4) A reduced Budget, as shown in 3.1 - Budget Comparisons Table, to be amended as part of the medium-term financial plan review.

COUNCIL TAX EMPTY HOMES DISCOUNTS AND PREMIUMS

The Financial Support Manager presented a report on the subject of Council Tax Empty Homes Discounts and Premiums. Members were advised that there were two different types of empty homes:

- Second homes, that were furnished but which were not any person's main residence. There was already a policy in place that stipulated that there was no discount on Council Tax offered to owners of second homes and Officers were not proposing that this situation should change.
- Vacant dwellings, which were unoccupied and substantially unfurnished. Under existing policies, owners of existing vacant properties were required to pay 50 per cent of the Council Tax on the property for the first six months and 100 per cent of the Council Tax thereafter. Owners of new vacant homes had a 100 per cent discount on their properties for the first three months, a 50 per cent discount on the following three months and were only required to pay 100 per cent of the Council Tax due if the property remained vacant after six months. Changes were proposed to the arrangements for discounts in these circumstances.

Under the proposals detailed in the report, the graduated discount system for new homes would be removed. Vacant homes, both in terms of existing properties and new homes, would be required to pay 100 per cent of Council Tax after a short period of time had elapsed.

There were also discounts that could apply to local authority housing. Whilst Bromsgrove District Council did not manage any housing stock, there was always the possibility that the authority could do so in the future. Discounts on Council Tax for Council houses could be invested in housing stock. For these reasons, it was proposed that this discount should remain.

The report proposed the introduction of premium payment requirements for properties that had been vacant for a significant period of time. These premiums would apply from 1st April 2022 onwards. Property owners would be required to pay a 100 per cent premium for homes that had been vacant for between two and five years, 200 per cent premium for homes vacant between five and ten years and a 300 per cent premium for homes vacant for ten years or more. The intention of the Government had been that vacant properties that were genuinely on the market for sale would not be subject to a premium and Councils needed to take this into account when introducing premiums. However, the Council had noted that the local housing market was buoyant, there were some doubts about whether legally these properties could be excluded from the premium and the Council had discretionary powers not to apply the premium if considered appropriate and assessments regarding applicability of this discretion could be made on a case by case basis.

In proposing the recommendations, the Portfolio Holder for Finance and Enabling explained that the Council was trying to reduce the proportion of homes in the district that were empty. The number of empty homes in the District on the date of the meeting were higher than the national average but it was hoped that measures such as the introduction of a

premium payment for long-term vacant properties would help to deter property owners from keeping their properties vacant.

During consideration of this item, reference was made to the Finance and Budget Working Group's recent debate in respect of this matter. The group had raised concerns about the 100 per cent discount on vacant homes only applying for the first 14 days after a property became vacant. Following the group's meeting, the Portfolio Holder for Finance and Enabling had discussed this concern with the Leader of the Council and they had concluded that the length of time in which this discount would apply could be extended to up to 30 days. This amendment was agreed by Cabinet.

Reference was made to the aims of the proposals in terms of taking action to reduce the numbers of empty homes in the District. Members commented that it would be in the financial interests of developers to sell their new homes, although it was also noted that some developers delayed sales in order to maintain demand, which could impact on house prices. Officers clarified that the application of Council Tax premiums was just one method available to Councils that could be used to discourage property owners from keeping their properties empty. There were other options, including those detailed in housing legislation, which could also be used to deter empty homes.

Members also discussed the potential implications of planning policies for the number of homes available to purchase in the District. Cabinet was advised that the National Planning Policy Framework (NPPF) allowed Councils to take various actions in relation to planning policy but this was separate to Council Tax provisions.

Reference was made to the 25 per cent discount on Council Tax for single occupancy properties. Members noted that this would continue to apply in the case of properties with a single inhabitant but would not be extended to other properties.

Consideration was given to the wording for the recommendations that had been recorded in the report. Officers confirmed that there had been a typographical error in the report, which should have distinguished between Class A second homes with a planning restriction and Class B second homes without a planning restriction.

RECOMMENDED that

- 1) From 1st April 2022 the level of Council Tax discount to be applied under Section 11A (4) and Section 11A (4A) for each class of dwellings as defined by The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (as amended) will be:

Class A ["second homes with a planning restriction"] 0%: no discount

Class B ["second homes without a planning restriction"] 0%: no discount

Class C ["vacant dwellings"]

- a. Where the dwelling has been unoccupied and unfurnished for a continuous period of not more than 14 days - 100% discount
- b. Where the dwelling has been unoccupied and unfurnished for more than 14 days - 0%: no discount.
- c. Where the dwelling is
 - i. unoccupied and substantially unfurnished; and
 - ii. the owner of the dwelling is a local housing authority; and
 - iii. when next in use the dwelling will be occupied under the provisions of the Housing act 1985

100% discount.

Owner will be defined by reference to section 6(5) and 6(6) of the Local Government Finance Act 1992 .

For the purposes of Class C when considering whether a dwelling falls within the description any period of occupation, not exceeding 6 weeks, during which it was not unoccupied and substantially unfurnished shall be disregarded.

Class D ["dwellings requiring major repair works"] - 100% discount

- 2) From 1st April 2022 the additional council tax premium applied under section 11B of the LGFA '92, for long-term empty dwellings will be
 - i) For a dwelling that has been a long-term empty dwelling for less than 5 years – 100% premium
 - ii) For a dwelling that has been a long-term empty dwelling for 5 years or more, but less than 10 years – 200% premium
 - iii) For a dwelling that has been a long-term empty dwelling for at least 10 years – 300% premium
- 3) The Head of Financial and Customer Services on a case-by-case basis may consider a reduction to the long-term empty premium.

45/21

LEVELLING UP FUND - FORMER MARKET HALL AND WINDSOR STREET SITES

The Leader and Portfolio Holder for Economic Development, Regeneration and Strategic Partnerships presented a report on the subject of the Levelling Up funding that had been awarded to Bromsgrove for regeneration of the former market hall and Windsor Street sites. The Council had been awarded £14.5 million Levelling Up funding. Some of this funding would be used to develop a creative sector in Bromsgrove town centre.

During consideration of this item, it was noted that the Overview and Scrutiny Board had pre-scrutinised the report at a meeting held on 17th January 2022. Members had suggested that there should be more than one Councillor appointed to the Levelling Up Fund Programme Board and the Leader had agreed that this should be the case. Therefore, in addition to the Leader, the Portfolio Holders for Finance and Enabling and for Planning and Regulatory Services would be appointed to the Board to speak on financial and planning matters respectively.

Reference was made to the purpose of the work on a creative sector under the proposals and the extent to which this would involve the introduction of multi-purpose facilities. Cabinet was informed that a multi-functional hub would be developed that could be used for all sorts of leisure and cultural activities.

Cabinet concluded discussions in respect of this matter by thanking the Head of Economic Development and Regeneration for North Worcestershire and his team for their hard work in respect of this matter.

RESOLVED that

- 1) Authority is delegated to the Head of North Worcestershire Economic Development and Regeneration (NWedR), following consultation with the Section 151 Officer, the Head of Legal, Democratic and Property Services and the Portfolio Holder for Economic Development, Town Centre and Strategic Partnerships to purchase the former Fire Station site at Windsor Street, Bromsgrove.
- 2) The Levelling Up Fund programme governance and delivery arrangements are approved.
- 3) A new Programme Manager post is created in the NWedR service to manage the delivery of the LUF programme.

46/21

COUNCIL TAX BASE 2022/23

The Executive Director of Resources presented the Council Tax Base Report 2022/23 for Members' consideration. Cabinet was informed that this was a technical report which focused on the Council Tax base for

the District. Officers had calculated that the Council Tax Base in the District, for band d equivalent properties, was 37,511, which represented an increase of 136 on the Council Tax base the previous year.

Members discussed the wording of the proposal detailed in the report and questioned whether Cabinet could resolve this matter or would need to refer the report on to Council. Cabinet was advised that the Council Tax Base figure would inform the Council's budget. However, in line with previous years, the Cabinet had the authority to resolve the Council Tax Base.

RESOLVED that

The amount calculated by Bromsgrove District Council as the Council Tax Base for the whole area for 2022/23 is approved at **37,511.05, to include the individual parish elements**

47/21

**WORCESTERSHIRE REGULATORY SERVICES (WRS) BOARD -
BUDGET RECOMMENDATIONS**

The Executive Director of Resources presented recommendations that had been made at a recent meeting of the Worcestershire Regulatory Services (WRS) Board in respect of budget contributions from partner authorities in the 2022/23 financial year. There were a number of pressures on the WRS budget, including pay inflation of 2 per cent, increases to rent for the WRS offices and increases in expenditure on ICT support. As the host authority for WRS, Bromsgrove District Council received funding from partners for the provision of support services, such as financial services, and it was proposed that this should increase by £10,000. Overall, the Council's contribution to the budget for WRS in the 2022/23 would be £475,000.

Members subsequently discussed the budget proposals from the WRS Board and in doing so noted that the 2 per cent pay award for WRS staff was higher than the 1 per cent pay award for Bromsgrove District Council staff that had been built into assumptions in the Council's existing budget. Officers explained that these assumptions were being reviewed as part of the budget setting process.

Reference was also made to expenditure on the Tech Officer for Gull Control and questions were raised about the level of expenditure on this officer. Cabinet was advised that there were particular issues with seagull guano in Worcester City, which contributed the funding towards this post.

RECOMMENDED that the following be approved for 2022/2023:

- a) the 2022/23 gross expenditure budget of £3,891k.
- b) the 2022/23 income budget of 634k.

- c) the revenue budget and partner percentage allocations for 2022/2023 onwards:

Council	£'000	Revised %
Bromsgrove District Council	475	14.55

- d) the additional partner liabilities for 2022/2023 in relation to unavoidable salary pressure:

Council	£'000
Bromsgrove District Council	12

- e) the additional partner liabilities for 2022/2023 in relation to hosting costs:

Council	Increase in Rent £000	Increase in ICT Hosting £000	Increase in Support Hosting £000
Bromsgrove District Council	1	2	1

- f) the additional partner liabilities for 2022/23 in relation to three Technical Officers.

Council	Tech Officer Income Generation £000	Tech Officer Animal Activity £000	Tech Officer Gull Control £000
Bromsgrove District Council	5	7	

MEDIUM TERM FINANCIAL PLAN 2022/23 TO 2024/25 - UPDATE PRESENTATION

The Executive Director of Resources presented an update on the budget and Medium Term Financial Plan (MTFP) 2022/23 to 2024/25.

Cabinet was informed that there were a number of emerging budget pressures, including inflation and salary inflation. In the previous MTFP, there had been an assumption that staff pay increases would be 1 per cent in 2022/23 but it seemed more likely that pay would increase by 2 per cent. Similarly, the cost of utilities bills was likely to increase at a far higher rate than had been envisaged in the previous MTFP. There were further pressures in respect of ICT, with continuing agile working

arrangements increasing risks to the Council in respect of ICT security. Therefore, there would be a need for additional expenditure on ICT security measures.

The Council could take certain actions to improve the revenue position moving forward. In this context, Officers were proposing that Council Tax should increase by £5 in 2022/23. There were also opportunities for cost reduction that were in the process of being explored. More detail would be provided in the final MTFP 2022/23 to 2024/25 in February 2022.

During consideration of this item, Members noted that it had recently been announced that another English Council had resolved an industrial dispute with staff working in their Refuse Service by offering an 11 per cent pay increase. Questions were raised about whether similar pay increases might be required in Bromsgrove. The Chief Executive explained that Bromsgrove District Council was part of the National Pay Bargaining scheme and Councils in this scheme made the same pay offer to their staff and it was possible that the other Council had not been part of this scheme. Members were asked to note, however, that the Trades Unions were in the process of consulting with their members about whether to take strike action in respect of pay settlements.

Reference was made to a recent meeting of the Finance and Budget Working Group at which a detailed presentation had been delivered on the subject of the MTFP. The Chairman of the group, Councillor C. Hotham, highlighted the group's concerns about the lack of financial monitoring reports that had been available in the year concerning the 2021/22 budget. It was acknowledged that there were extenuating circumstances, in terms of staffing levels, which had impacted on this situation. However, concerns were raised that the lack of monitoring information meant that it was difficult for Members to understand the current position of Council budgets. Members were informed that other Councils, including Worcestershire County Council, were struggling to retain staff in Financial Services and action was being taken by Bromsgrove District Council to address this situation.

In concluding the debate on this item, a request was made for Officers to provide the Leader and Deputy Leader with further information about the Council's earmarked reserves.

RESOLVED that the report be noted.

49/21

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 22ND NOVEMBER 2021

The Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, presented the minutes of the meeting of the Board held on 22nd November 2021. During this meeting, Members had received a detailed presentation on the subject of the use of CCTV to tackle fly tipping. Councils had the power to undertake both overt and covert CCTV use.

However, the Board had learned that there were complex legal requirements in respect of covert use of CCTV cameras and this would need to be agreed by the Audit, Standards and Governance Committee. The Board had also discussed the report in respect of the financial update regarding Leisure Services and understood the position of the Council in respect of this matter.

During consideration of this item, reference was made to the work of the Libraries Task Group. Members questioned the length of time that this review had taken and commented that the Chairman of the group would receive a Special Responsibility Allowance (SRA) for chairing the meetings of the group. Councillor Hotham explained that the group had been reconvened to consider the wording of their recommendations, following the response that had been received from Cabinet to the group's proposals. It was likely that the Flooding Task Group would also be reconvened once the report from officers on the subject of flooding, which had been mentioned at the Cabinet meeting when the group's recommendations were noted, was available for Members' consideration.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 22nd November 2021 be noted.

50/21

FEES AND CHARGES 2022/23

The Portfolio Holder for Finance and Enabling presented the Fees and Charges 2022/23 report for Members' consideration. Cabinet was informed that a lot of information had been provided to explain the rationale for proposed increases to fees and charges, where applicable.

Cabinet was informed that the report had been pre-scrutinised at a recent meeting of the Finance and Budget Working Group. The group had noted that the majority of fees would be increased by 5 per cent, in line with inflation. Members had learned that the Council charged less for allotment services than many other Councils. It would take time to increase these fees to a comparable level.

During consideration of this item, reference was made to the fees that were received for gaming licences and Members queried whether the income from this would be allocated directly to WRS or to the Council. Officers explained that the funding would be allocated to WRS, although it was part of the Council's contribution to the service's budget. Members were also asked to note that many of the fees charged for services provided by WRS were set at a statutory level and so could not be changed by the Council.

RECOMMENDED that the proposed fees and charges 2022 – 23 be approved.

The meeting closed at 7.18 p.m.

Cabinet
19th January 2022

Chairman