

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

12TH OCTOBER 2022, AT 5.00 P.M.

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

Observers: Councillor C. A. Hotham

Officers: Mr. K. Dicks, Mrs. S. Hanley, Mr P. Carpenter,
Mrs. C. Felton, Ms M. Howell, Ms J. Willis, Ms. A. Delahunty,
Mr S Shammon and Mrs. J. Bayley-Hill

22/22

TO RECEIVE APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor M. Thompson.

23/22

DECLARATIONS OF INTEREST

Councillor P. Thomas declared a pecuniary interest in relation to Minute Item No. 26/22 – Energy Efficiency (Private Rented Sector) (England & Wales) Regulations 2015 – in his capacity as a private sector landlord. He left the room during consideration of the item and took no part in the debate nor vote thereon.

24/22

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 27TH JULY 2022

The minutes of the Cabinet meeting held on 27th July 2022 were submitted.

RESOLVED that the minutes of the Cabinet meeting held on 27th July 2022 be approved as a true and correct record.

25/22

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 5TH JULY 2022

The Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, presented the minutes of the meeting of the Board held on 5th July 2022.

Members were advised that during the meeting, the Board had considered two substantive items, on the subjects of housing enforcement and air quality.

For the discussion in respect of housing enforcement, Members had been advised that the legislation was in place and enforcement powers could be used by the Council if needed. However, most landlords tended to be compliant with legislative requirements and, where issues occurred, landlords could often be encouraged to resolve problems without the need for the Council to take action through the courts.

On the subject of air quality, the Board had received a detailed presentation from Officers from Worcestershire Regulatory Services (WRS). Members had been particularly interested in the information that had been provided about monitoring and testing air quality. Historically, the only option available to Councils had been to use a big box analyser. However, a new option, using chemical-based testing, was now available for Councils to use and could provide real time data. The Overview and Scrutiny Board had been keen for the Cabinet to consider purchasing one of these new testing options to use on a trial basis in the District. Cabinet was informed that there were financial implications to this proposal, as the equipment cost £4,000 to purchase and £2,000 to maintain. However, this option was cheaper than using one of the big box analysers and, unlike the analysers, the equipment was mobile, so could be deployed in different locations where needed.

Members discussed the recommendation that had been made on this subject by the Overview and Scrutiny Board. Reference was made to the data that could be obtained through testing and how this could be used in the long-term. The Leader confirmed that Cabinet Members had already received a detailed presentation from the relevant Officer and a grant application had already been submitted for the equipment. In this context, Cabinet agreed to endorse the recommendation from the Board.

During consideration of this item, reference was also made to the items that had been discussed at a meeting of the Overview and Scrutiny Board held on 11th October 2022. Cabinet was informed that the Board had pre-scrutinised the Worcestershire Homelessness and Rough Sleeping Strategy. No recommendations had been made on this subject, although Members had been very impressed by the work and commitment of the officers who provided homelessness prevention services.

RESOLVED that Cabinet invite Richard Williams, Principal Officer (Planning and Pollution Control), Worcestershire Regulatory Services, to a meeting to present information on Electro Chemical Devices, which provide real time information on air pollution. With a view to Cabinet looking at the cost implications, advantages, and viability of installing an Electro Chemical Device in a pilot scheme in the district to assess the advantages of using such equipment.

26/22

ENERGY EFFICIENCY (PRIVATE RENTED SECTOR) (ENGLAND & WALES) REGULATIONS 2015

The Private Sector Housing Manager presented a report on the subject of the Energy Efficiency (Private Rented Sector) (England & Wales) Regulations 2015.

Members were advised that the report detailed proposals to introduce an enforcement regime in the District, adopting enforcement powers available to Councils under the regulations. These enforcement powers had already been adopted by many other local authorities in the country. The report outlined a proportionate penalty system that could be applied by the Council where landlords did not comply with the regulations. Allowances were made for circumstances such as first time offences. The aim of the regulations was to improve the condition of properties nationally that were available for people to rent in the private rented sector. The measures required in the regulations could have a beneficial impact on the affordability of heating costs for these properties.

RESOLVED that

- 1) The Council adopt the enforcement powers under the Energy Efficiency (Private Rented Property) (England & Wales) Regulations 2015; and
- 2) The implementation of these powers are delegated to the Head of Community and Housing Services.

(Prior to consideration of this item, Councillor P. Thomas declared a pecuniary interest in his capacity as a private sector landlord. He left the room and took no part in the debate nor vote thereon.)

27/22

FIRST HOMES

The Housing Strategy and Enabling Manager presented a report on the subject of First Homes.

Cabinet was informed that the Government had introduced a new form of affordable housing, called First Homes. A proportion of houses in new housing developments needed to be classified as First Homes, which could be sold at a discount of 30 per cent on the market rate to first time buyers. This provided an opportunity for first time buyers to get onto the housing ladder. A minimum of 25 per cent of properties in housing developments needed to be classified as First Homes, unless exemptions applied. After a discount had been applied to properties sold as First Homes, the first sale of the property could be at a level no higher than £250,000 (outside London).

Councils were required to ensure that First Homes could be purchased in new housing developments. However, there was discretion over whether a local connection should be required in order for purchasers to

be eligible to buy a property as a First Home. Officers were suggesting that there should be a local connection requirement as there was significant demand within the District for affordable housing. Armed Forces veterans would also be prioritised under the scheme for purchasing First Homes.

Following the presentation of the report, Members discussed the potential value of a First Home scheme in the District and the need for more affordable housing. There was general consensus that a local connection requirement was necessary, as Members were advised that otherwise there was a risk that first time buyers from outside the District would seek to purchase First Homes in Bromsgrove under the scheme.

Reference was made to the price cap of £250,000 on the first sales of First Homes and Members queried whether this cap applied to subsequent sales of the properties. Officers advised that the cap only applied to the first sale of a property.

RESOLVED that the Council adopt the First Homes Policy and delegate authority to the Head of Community Services, following consultation with the Strategic Housing and Health and Wellbeing Portfolio Holder, to make an amendments to the policy to reflect any future Government Guidance.

28/22

WORCESTERSHIRE HOMELESSNESS AND ROUGH SLEEPING STRATEGY

The Housing Strategy and Enabling Manager presented the Worcestershire Homelessness and Rough Sleeping Strategy for Cabinet's consideration.

Members were advised that there was a legal requirement for local authorities to have a homelessness strategy. The Council's current homelessness strategy was due to expire on 31st December 2022. Therefore, the Council had worked with other local authorities in Worcestershire to develop a new Worcestershire Homelessness and Rough Sleeping Strategy. The strategy would be reviewed on an annual basis and would be renewed every five years.

During consideration of this item, Members noted that the strategy could be resolved by Cabinet rather than recommended on to Council.

Reference was made to the Overview and Scrutiny Board's consideration of the strategy at a meeting held on 11th October 2022. The Board had identified a typographical error in respect of the table that had been provided detailing the temporary accommodation in the District. Officers advised that the Council had an agreement in place with Bromsgrove District Housing Trust (BDHT) to provide static units and temporary accommodation. In total, there were up to 50 units available. This provided flexibility in the system in order to meet

demand. A request had been made following the Board meeting for the typographical error in the report to be corrected.

RESOLVED that

- 1) **the draft Worcestershire Homelessness and Rough Sleeping Strategy 2022-25 and action plan at Appendix 1 be approved for public consultation; and**
- 2) **delegated authority be given to the Head of Community and Housing Services following consultation the Portfolio Holder for Strategic Housing to agree any changes that may be required following the consultation process.**

29/22

DRAFT COUNCIL TAX SUPPORT SCHEME

The Interim Section 151 Officer presented the draft Council Tax Support Scheme for Cabinet's consideration.

Members were advised that the report requested permission to undertake public consultation on proposed changes to the Council Tax Support Scheme. There was a legal requirement for the Council to review the Council Tax Support Scheme on an annual basis and this report provided an opportunity to fulfil that obligation. The Council Tax Support Scheme was designed to provide support where needed to local residents.

Three options had been identified for the scheme in 2023/24, which had been detailed in the report. Option B, which widened the support bands and introduced a childcare costs disregard to help incentivise parents to return to work, was being proposed as the preferred option moving forward. This option was considered preferable as there was some uncertainty about the number of requests that would be received for support during the financial year, although there had been significant demand to date under the scheme in place for 2022/23. The financial costs associated with the scheme would increase as a result of the proposed changes, but these costs would be shared between precepting authorities. The allocation to Bromsgrove District Council represented 13 per cent of those costs.

RESOLVED that Option B be put out for consultation.

30/22

FINANCE IMPROVEMENT RECOVERY PLAN

The Interim Section 151 Officer presented the Finance Improvement Recovery Plan for Members' consideration.

Cabinet was informed that a new finance system had been introduced in February 2021 to replace an old system. There had been a number of technical problems experienced with the introduction of this new system. There had subsequently been a deterioration in the Council's financial position including in relation to the following areas:

- The accounts for 2020/21 and 2021/22 had not yet been submitted.
- Financial data had not been monitored during the 2021/22 financial year.
- Key documentation had not been submitted to the Government.
- Take up of the system across the Finance team and other service users had been incomplete.
- There had been a loss of experienced staff from the Financial Services team, which had impacted on capacity within the department.

However, in 2022, a significant amount of work had been undertaken to address these problems. A lot of progress had been made with resolving issues with the new finance system, with problems remaining with the cash receipting part of the system only. Many Government returns had now been submitted and a lot of new staff had been recruited into the Finance Department. Quarterly monitoring reports had been reintroduced and for the first time these were being combined with performance monitoring data. Risk monitoring reports were also scheduled for the consideration of Cabinet and the Audit, Standards and Governance Committee throughout the year. Once issues with the cash receipting part of the new system had been resolved, it would be possible for the Council to submit the authority's 2020/21 accounts.

The Council had been liaising closely with the external auditors, Grant Thornton, throughout and had been providing updates on progress that was being made to resolve the issues identified. It was noted that the external auditors had had to postpone their Value for Money audit of the Council due to capacity issues within their team and this would therefore follow later in the municipal year. Recruitment to local government finance and auditing roles remained challenging across the country.

Following the presentation of the report, Members discussed the information that had been provided and in doing so thanked Officers, particularly the Interim Section 151 Officer and the Head of Finance and Customer Services for their hard work to address the issues that had been identified. Members noted that a significant amount of progress had been made in 2022 to address the issues and expressed their hopes that the remaining problems with the new finance system would be resolved shortly.

During consideration of this item, Members were advised that this report had been considered at a meeting of the Finance and Budget Working Group. Concerns were raised by the Chairman of this group, Councillor C. Hotham, about the amount of funding that the Council had allocated to purchasing the new finance system and the extent to which the authority would receive compensation for the problems that had been experienced. Officers explained that a reduced rate had been negotiated with the supplier in November 2021. The Council was working with other authorities in the country using the same finance system and had learned lessons from partner organisations about

improvements that could have been made to the implementation of the new system.

RESOLVED that

- 1) Progress made on the following 8 key tasks for financial recovery be noted:
 - a) Financial Strategies
 - b) Revenue and Capital Monitoring
 - c) Closure
 - d) Returns
 - e) Projects
 - f) Systems
 - g) Documentation and Training
 - h) Resources

- 2) The work still required to move back to a best practice operation and the associated timetable for completion of this work be noted.

31/22

BUDGET FRAMEWORK FINANCE AND PERFORMANCE QUARTER 1 MONITORING REPORT

The Head of Finance and Customer Services presented the Budget Framework Finance and Performance Monitoring Report for the first quarter of the 2022/23 financial year. The performance data included in the report measured performance in relation to the Council's priorities and strategic purposes.

Members were informed that the property and equipment assets referred to in the report had been recorded as having a value of £43 million but this should have been recorded as a value of £42 million. Reference was made in the report to the Asset Disposal Strategy. Cabinet was informed that the report simply provided an update on this matter as part of the monitoring process and a detailed report on the Asset Disposal Strategy would be available for Members' consideration later in the month. For this reason, Members were advised that there was no need to consider the fourth proposal detailed in the report at this stage.

During consideration of this item, Members were advised that the report had been considered at a meeting of the Finance and Budget Working Group. Members had raised concerns about the potential impact of an increase to utilities fees on the Council's financial position. Officers advised that the Council was due to renew its contract in April 2023. There had been challenges for many public sector organisations in respect of increases to utilities fees in recent months, with fees rising fourfold for some organisations. The exact implications for the Council remained to be confirmed and Members were asked to note that the report focused on the financial position for the first quarter of the 2022/23 financial year.

Reference was also made to the impact that increases to staff pay levels could have on the Council's financial position. Cabinet was advised that the Council had anticipated a 2 per cent increase when the Medium Term Financial Plan was set in February 2022. However, it was likely that the pay award would be higher than this, although the exact increase remained to be confirmed and out of all the unions represented on the Council only Unison had agreed the proposed pay award so far.

RESOLVED that

- 1) The current financial position in relation to Revenue and Capital Budgets for the period April to June 2022 be noted;
- 2) The Q1 Performance data for the Period April to June 2022 be noted; and

RECOMMENDED that

- 3) The Operational Bank Account limit is raised to £2m.

The meeting closed at 6.01 p.m.

Chairman