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Overview and Scrutiny Board
25th June 2024

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

25TH JUNE 2024, AT 6.00 P.M.

PRESENT: Councillors P. M. McDonald, S. T. Nock, A. Bailes, R. Bailes, A. M. Dale, E. M. S. Gray, R. J. Hunter, B. Kumar, S. A. Robinson and H. D. N. Rone-Clarke

Observers:

Councillor K. J. May – Leader of the Council and Cabinet Member for Strategic Partnerships and Enabling

Councillor S. R. Colella – Cabinet Member for Finance

Officers: Mrs. C. Felton and Mr. G. Revans, Mr. M. Sliwinski and Mrs. S. Woodfield.

1/24

ELECTION OF CHAIRMAN

A nomination for the position of Chairman was received in respect of Councillor P. M. McDonald. On being put to the vote, it was

RESOLVED that Councillor P. M. McDonald be appointed as Chairman of the Board for the ensuing municipal year.

2/24

ELECTION OF VICE-CHAIRMAN

A nomination for the position of Vice-Chairman was received in respect of Councillor S. T. Nock. On being put to the vote it was

RESOLVED that Councillor S. T. Nock be appointed as Vice Chairman of the Board for the ensuing municipal year.

3/24

APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

There were no apologies for absence.

4/24

DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

There were no declarations of interest nor of whipping arrangements.

5/24

OVERVIEW AND SCRUTINY TRAINING - OUTCOMES OF THE TRAINING AND WORK PRIORITISATION SESSION

The Board considered the report that detailed the outcomes of Overview and Scrutiny Training and Work Prioritisation Session. Members were

invited to consider whether to add subjects suggested for scrutiny during the session to the Overview and Scrutiny Board's Work Programme for 2024/25.

It was noted that in discussing work prioritisation for the year ahead, Members considered best practice approaches to setting the Overview and Scrutiny Work Programme, recognising the need to identify the key items for scrutiny during the municipal year and recognising the need for sufficient time to be allocated to each topic in a way that would add value.

At the training Members also recognised that there were alternative ways to receive information and that doing so, through a "first look" for some topics, would create capacity on the work programme. Subjects suggested, and agreed by Members, as suitable for a "first look" Member Briefing included:

- The District Heat Network
- Biodiversity
- Street Sweeping.

It was noted that at the training session the following key subjects for scrutiny to focus on were suggested. Following discussion, it was agreed that these should form the key subjects for Overview and Scrutiny to consider in 2024-25.

- The Bromsgrove Play Audit – Members suggested the potential to discuss this over a number of meetings with an initial overview and scrutiny report at one meeting followed by a pre-scrutiny of a Cabinet report at another meeting.
- Anti-Social Behaviour (ASB) – Concerns were raised about ASB in the District. The suggestion was made that this could form the basis of a report to the Board alongside the separate annual update to the Board concerning the work of the North Worcestershire Community Safety Partnership in Bromsgrove. It was highlighted that whilst the legislation in respect of the partnership did not enable the work of individual partner organisations to be scrutinised, the Council's representative on the West Mercia Police and Crime Panel could also be invited to attend the meeting when community safety and ASB was discussed, in order to assist with discussions concerning this subject.
- Changes to Waste Services in response to the Environment Act 2021 – Members noted that proposals detailed in the Environmental Act 2021, especially with regard to food waste collection services, would have implications for the authority and the wider District. As such detailed scrutiny of this subject would therefore add value.

In discussing the addition of items arising from the Overview and Scrutiny Training and Work Prioritisation Session to the Overview and Scrutiny Work Programme for 2024/25, Members sought further details on the following areas:

- Levelling Up Projects Update Reports – A Member commented that the greatest risk to the Council was with regard to the delivery of Levelling Up Projects in Bromsgrove and therefore this topic warranted inclusion as one of the key subjects for the Board to consider in 2024-25. The Member explained that the Overview and Scrutiny had not received an update on this topic for a significant period of time and that projects risk registers provided to Members were now out of date. Following discussion, it was suggested that an additional meeting be arranged to scrutinise a Levelling Up report that was due to be reported to Cabinet on 17th July.
- A date of 11th July 2024 was suggested for the additional meeting of Overview and Scrutiny, however, some Members expressed disappointment at the late notification of this additional date. It was thus agreed that Members would be contacted following this meeting with regard to arranging the date for the additional meeting to consider the Levelling Up report.
- It was suggested that updates on Levelling Up projects should be provided at main Overview and Scrutiny meetings at regular intervals as this was a priority issue for Bromsgrove.
- Bromsgrove Play Audit – It was reported that a report on this topic had not yet been completed as consultants were currently in the process of undertaking work on this matter. Some Members reported that they had not been approached by officers and / or consultants for individual discussions about play areas in their wards. It was reported that consultants were due to deliver a presentation to Members at the Cabinet Advisory Group (CAG) meeting on 18th July 2024, with calendar invitation due to be sent following agreement at this meeting. Members expressed disappointment that they had not been provided with calendar invitation for this prior to this meeting. It was agreed that the calendar invitation for 18th July should be sent to Members following this meeting.
- Members asked that they be provided with a list of matters / lines of enquiry to consider prior to CAG meeting on play areas on 18th July, so that Members were able to prepare in advance for this meeting.
- It was requested by Members that notwithstanding the CAG presentation on play audit, Members receive confirmation as to when consultants and/or officers would be available to talk to Members individually about play areas in their wards. There was

an expectation that in addition to this Members would be provided with an opportunity to speak to the consultants about issues in their Wards.

- It was stated that decision on play audit was due to be made on this matter by Cabinet in November, and that the final report would be pre-scrutinised by Overview and Scrutiny Board at November meeting prior to decision-making. It was requested that Members of Overview and Scrutiny Board receive a progress report on play audit at the September meeting.
- Some Members expressed concern about costs of consultants' work for the play audits and long timescales with regard to undertaking work on this topic. The Leader of the Council addressed the Board and commented that the report on this had been drafted for consideration of Portfolio Holder prior to District Elections in May 2023, however, it was reported at that time the Leader noted that quality of the report was insufficient and requested that further work had to be undertaken on the play audit.

It was agreed that items arising from the Overview and Scrutiny Training and Work Prioritisation Session be added to the Overview and Scrutiny Board's Work Programme for 2024/25 municipal year with the addition of items and dates as discussed in the pre-amble above.

Consideration was also given to adopting the work prioritisation tool included at Appendix 1, which would assist Members in selecting topics for scrutiny. During the discussion, Members suggested that the Draft Work Prioritisation Tool should be modified by removing reference to point number four of the tool and adding a clarification to point number five that the topic should be likely to warrant effective recommendations by Members in order to be suitable for scrutiny in any format. The updated work prioritisation tool would therefore read:

"When considering whether to add suggested items for scrutiny to the Overview and Scrutiny Board's Work Programme, Members should consider the following:

- 1) *Is the rationale for scrutiny clear?*
- 2) *Is the topic a **high council priority** and of **significant community concern**?*
- 3) *Are there sufficient resources for this scrutiny activity?*
- 4) *If the subject is suitable for scrutiny, and likely to warrant effective recommendations, is the topic best scrutinised:*
 - a) *As an agenda item at a meeting of the Board?*
 - b) *As a Task Group*
 - c) *By the Finance and Budget Working Group?*
 - d) *As a Short Sharp Review?"*

It was agreed that the Overview and Scrutiny Work Prioritisation Tool should be adopted as per the amendments above.

Consideration was given to the Appendix 2, the presentation of the Board's Work Programme for 2024-25. It was noted that during the Overview and Scrutiny training session, it was suggested that standing administrative items, whilst continuing to form part of meetings agendas, did not need to be listed on the presented work programme. It was suggested that substantive items should be clearly listed on the work programme and that a reference list of reserve items be included, which would list substantive items where no date had or could yet be set for consideration of those subjects.

It was highlighted that whilst the dates of scheduled meetings of the Board had been recorded on the draft work programme, Members could convene additional meetings where necessary. Consideration was also given to the suggestion that when considering the Overview and Scrutiny Work Programme at meetings of the Board, Members could also identify some key lines of enquiry in relation to substantive items due for consideration at the following meeting of the Board. This would help Officers and other potential witnesses to prepare in advance of the attendance at meetings, but would not prevent Members from asking additional questions on the subject during the meetings. Members agreed that these suggestions should be adopted.

It was agreed by Members that the suggested presentation of the Overview and Scrutiny Work Programme should be adopted as per Appendix 2 to the report.

RESOLVED that

- 1) Items arising from the Overview and Scrutiny Training and Work Prioritisation Session, including the items suggested by Members in the course of considering this item (as per preamble above), be added to the Overview and Scrutiny Board's Work Programme for 2024/25 municipal year;
- 2) The Work Prioritisation Tool at Appendix 1 be adopted, subject to amendments in the pre-ambule above, to enable the Overview and Scrutiny Board to select appropriate items for scrutiny during the year; and
- 3) The layout of the Overview and Scrutiny work programme be updated as detailed at Appendix 2 to the report.

FINANCE AND BUDGET WORKING GROUP - MEMBERSHIP REPORT

Members received a report asking for the chairman and members to be appointed to the Finance and Budget Working Group. It was noted that the Chairman of the Group had traditionally been the Chairman of the Overview and Scrutiny Board. Members agreed that this arrangement

should continue for 2024-25. It was explained that as per the terms of reference, the Working Group would comprise seven members – that is the Chairman of the Audit, Standards and Governance Committee and the five Overview and Scrutiny Members, in addition to the Chairman of Overview and Scrutiny Board.

The Board decided that for the time being the Finance and Budget Working Group would comprise only six members in total and elected members would be approached if it was subsequently felt this arrangement was not working.

A Member raised a query with regard to allowing substitutes on the Finance and Budget Working Group. Following discussion, the majority of Members felt that no substitutions should be allowed on the Working Group. It was also felt that Members would first discuss whether the quorum should remain at three before considering changes to the current terms of reference in this regard.

RESOLVED that

- 1) Councillor P. M. McDonald be appointed Chairman of the Finance and Budget Working Group for the ensuing municipal year;
- 2) As per the Working Group's Terms of Reference, Councillor H. D. N. Rone-Clarke be appointed to serve on the Finance and Budget Working Group in his capacity as the Chairman of the Audit, Standards and Governance Committee;
- 3) Councillors S. T. Nock, A. Bailes, R. Bailes, and S. A. Robinson be appointed to serve on the Finance and Budget Working Group;
- 4) The Terms of Reference for the Finance and Budget Working be approved, including the provision that substitutes are not allowed at meetings of Finance and Budget Working Group.

7/24

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - ELECTION OF REPRESENTATIVE FOR 2024-25

Councillor B. Kumar was nominated to become the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC) for the municipal year 2024/25. On being put to the vote it was:

RESOLVED that Councillor B. Kumar be appointed as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee for the 2024/25 municipal year.

8/24

TASK GROUP UPDATES

The Chairman explained that Councillor M. Marshall (Chair of the Task Group) was due to present the final report of the Impact of Heatwaves

Task Group at the Overview and Scrutiny Board meeting scheduled for 23rd July 2024.

9/24

CABINET WORK PROGRAMME

The Cabinet Work Programme was presented for Members' consideration.

A query was raised regarding the Bromsgrove District Plan Consultation item, and it was noted this was due to be presented to Cabinet on 11th September 2024. Members requested that in addition to Group Briefings, individual ward members should be contacted individually about proposed developments in their wards (development plan).

RESOLVED that, subject to the preamble above, the Cabinet Work Programme be noted.

10/24

TO CONSIDER, AND IF CONSIDERED APPROPRIATE, TO PASS THE FOLLOWING RESOLUTION TO EXCLUDE THE PUBLIC FROM THE MEETING DURING THE CONSIDERATION OF ITEM(S) OF BUSINESS CONTAINING EXEMPT INFORMATION:-

It was agreed by Members that exclusion of the press and public was not necessary in relation to Minute Item 11/24 (To confirm the accuracy of the minutes of the Overview and Scrutiny Board held on 22nd April 2024). The meeting remained in public session for its entire duration.

11/24

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 22ND APRIL 2024

The minutes of the meeting of Overview and Scrutiny Board held on 22nd April, including the confidential minutes record (for items that were discussed in exempt session), were submitted for Members' consideration.

Clarification was received with respect to page 2 of the minutes record in that Constitution Review Working Group (CRWG) was not a formally constituted group of the Council but included representation from every political group on the Council. The group considered topics in relation to governance changes and it was highlighted that constitutional changes arising out of Governance Systems Task Group report (submitted by Overview and Scrutiny in September 2023) were discussed by CRWG prior to consideration at Overview and Scrutiny and afterward Cabinet and Council meetings.

With regard to the main minutes record of the meeting, the following amendments were requested:

- That the typographical error on page 14 (second bullet point) be corrected from 'the Operational Therapists (OT) service used for the DFG provision...' to '...used for the OT provision...'
- That the statement incorrectly recorded on page 19 (second bullet point from the bottom of the page) in relation to the number of car parks currently operated by the Council in the District should be corrected from 'The Member stated that this figure probably included Churchfield Car Park which was closed and one other should not be included' to 'The Member stated that this figure should not include Churchfield Car Park and an unknown car park'

It was requested that an action log be circulated to all Board members prior to meetings of the Overview and Scrutiny Board to assist in keeping track of actions and requests for information made by Members at the meetings.

RESOLVED that, subject to the amendments in the preamble above, the minutes of the Overview and Scrutiny Board meeting held on 22nd April 2024, including the confidential record of that meeting, be agreed as a true and correct record.

The meeting closed at 7.29 p.m.

Chairman