

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**11TH FEBRUARY 2025, AT 6.00 P.M.**

PRESENT: Councillors P. M. McDonald (Chairman), S. T. Nock (Vice-Chairman), A. Bailes, R. Bailes, A. M. Dale, E. M. S. Gray, R. J. Hunter, B. Kumar, D. J. Nicholl, J. Robinson (Substitute), J. D. Stanley and S. J. Baxter

Observers: Councillor S.J. Baxter – Cabinet Member for Economic Development and Regeneration

Officers: Mr. G. Revans, Mr S. Parry, R Egan, McElliott, Ms J. Willis and Mrs S. Woodfield

86/24

**APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were submitted on behalf of Councillor S.A. Robinson with Councillor J.W. Robinson in attendance as named substitute.

87/24

**DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

No declarations of interest were received nor of any whipping arrangements.

88/24

**TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 6TH JANUARY 2025**

The minutes of the Overview and Scrutiny Board meeting held on 6<sup>th</sup> January 2025 were considered.

**RESOLVED** that the minutes of the Overview and Scrutiny Board meeting held on 6<sup>th</sup> January 2025 be agreed as a true and correct record.

89/24

**STRATEGIC PARKING REVIEW - PRE-SCRUTINY**

The Assistant Director of Environmental and Housing Property Services presented the Strategic Parking Review and firstly apologised for the delay in the report for Member's consideration.

Waterman Infrastructure and Environment were commissioned by Bromsgrove District Council to undertake the Strategic Review. The proposal was based on a brief that was discussed in consultation with the Cabinet Advisory Group (CAG) on 8th May 2024 and included three key deliverables:

- A review of existing and future parking requirements, including supply and demand carried out on a site-by-site basis with options to address existing parking issues. The review was also required to be linked to the wider Worcestershire Transport Strategy due to regeneration objectives to increase town centre living and footfall to support retention of the existing traders. The review was also to include Leisure Centre users and the Shopmobility service.
- A review of car park management arrangements with solutions identified to reduce the need for off-street parking enforcement including an outline of costs, together with operational and enforcement issues. Also to be included were recommendations for time and day of restrictions to address existing parking issues and assess enforcement requirements for identified parking management design options.
- Review of on-street enforcement to be carried out to address member and resident concerns around coverage of activities. A review to concentrate on enforcement and hotspots for law breaking and nuisance was to be undertaken, focusing on repeat offences.

As part of the strategic parking review, car parks were assessed across several factors including capacity, condition, usage, proportions of blue badge parking and Electric Vehicle (EV) charging bays, safety and security, accessibility, convenience and usability.

As part of the discussions through CAG on 8th May 2024 and at the Overview and Scrutiny Board meeting held on 12th February 2024, there was a clear desire expressed by Members to ensure a more equitable balance in patrols across the whole District. The Service Level Agreement (SLA) with Wychavon District Council (WDC) included a 10% provision for out-of-town centre patrol time. To assist with on-street enforcement, the review of off-street enforcement was included.

On-street parking enforcement, together with off-street enforcement was contracted to WDC to administer the service with 5.5 Civil Enforcement Officers (CEOs) spread across the mainly rural District, which in turn, lead to coverage issues based on the geographical nature of the District. Through the course of the review, Bromsgrove District Council (BDC) Officers had been working closely with WDC Officers to review patrols based on the feedback given by Members, regarding the volume of time spent within the parishes versus the town centre. In the initial version of the SLA, there was an indication that 10% of patrol time should be spent outside of the town centre. As a consequence of the reviews of patrols, the proportion of time spent outside Bromsgrove town centre had increased.

Across most of the ward-based engagement with Members, issues around parking outside schools at peak times was frequently raised. There was no uniform approach to addressing these concerns based on the different stakeholders that had a role to play in achieving more considerate and compliant parking.

Examples of both 'softer' and 'harder' measures were highlighted in the report such as a social media and community engagement campaign targeted at drivers to encourage considerate parking outside of shops and schools, as a "softer measure" behavioural change campaign. Further investigation and action were required to review and amend "harder measure" parking

restrictions and increase coverage of signing and lining options (i.e. double yellow lines and designated parking areas). A key element of delivery was to ensure a clear partnership working amongst the various stakeholders. It was therefore recommended that a Parking Task Group be established including representatives from BDC, WDC and Warwickshire County Council (WCC) to work through the various options pertinent to each organisation.

To assess how car parking enforcement may be delivered in the medium and long term, an options appraisal identifying the positives and negatives of the three key options had been undertaken which included maintaining the SLA with WDC, tender out to external contractors and delivery with internal resources.

The publication of the English Devolution White Paper on 16th December 2024 had provided uncertainty on the impact that this would have on BDC over the forthcoming two to four years. As such, continuity of service for parking enforcement was recommended by an extension to the period of the services delivered by WDC. This continuity would ensure compliance of service delivery during the period of the extended SLA and would also allow officers the time and capacity to deliver the Automatic Number Plate Recognition (ANPR) solutions for the three car parks identified.

Whilst the review of patrols was ongoing, as part of the review and working with the Parish Councils, an investigation into whether it would be viable to purchase additional time for patrols within their locations could be undertaken.

The Shopmobility Service had five customers with one customer being a regular user (once a week). The other customers used the service on an ad-hoc basis, typically once every few months and others who may have considered using the service a few times per year. Pre COVID, there were more customers using the service; approximately 12-15 customers per week, however, since COVID the demand had been low, which was possibly due to several factors, including the closure of the multi-storey car park and more people owning their own mobility equipment.

During consideration of the item, Members raised the following discussions:

- Enforcement Officers should be more prevalent in the outer areas of the District.
- Why the Council were suggesting an extension to the Service Level Agreement (SLA) when considering the English Devolution White Paper. In-house would be a preferred option for the Council to gain better control and to leave a legacy.
- The proposal to amend the SLA for parking enforcement to include a minimum of 25% of patrol time to be undertaken outside the town centre was discussed by Members as follows:
  - The proposal was not considered to be adequate. Members requested an explanation of how the calculations had been measured and what the evidence had been based on. Members also expressed the view that the review had been more of a broader consideration and not an in-depth evaluation. – In response it was explained that the proposal was to ensure further coverage of the District, including the recommendation that ANPR could free up time for additional CEOs. Analysis was required to understand where and how the Council could redesign the patrols in ward areas where there were major

concerns. Members were also advised to note that the minimum of 25% was based on the 5.5 post efficiency rating in relation to the introduction of ANPR. It was also explained that if the Board's proposed recommendation was to increase the number of CEOs as opposed to the introduction of ANPR, there would be risk that additional funding would be required due to the loss of revenue from the PCNs to fund the posts required. Members also noted that WCC had advised that with the recommended introduction of ANPR, income was considered adequate and therefore WCC would not be contributing further funds.

- Parking around school areas was also discussed and Members requested an explanation regarding the lack of coverage of Traffic Regulation Orders (TROs) outside some schools should be addressed. – In response it was explained that TROs around certain problem hotspot areas was a considered approach as BDC did not receive the revenue for carrying out enforcement (which was carried out on behalf of WCC). It was also explained that areas around schools were difficult to enforce due to waiting times which required observation, prior to issuing tickets.
- Members raised a concern regarding BDC social media and community engagement campaign, targeted at drivers, to encourage considerate parking outside of shops and schools, as a “softer measure” behavioural change campaign. It was considered that this approach was inadequate, and a harder approach was required as some areas within the District was becoming an increasing concern.
- Clarification was requested regarding the full administration service including general enquiries, challenges, appeals and adjudication for 2.5 posts. – Members were advised that this was in relation to back-office administration duties carried out on behalf of the Council.
- Members suggested that the Council should retain cash payment options for car parks within the District, which was only considered as a general recommendation within the report. Members also queried if there were any specific security issues regarding the cash machines within the District. – In response it was agreed that this would be carried out as an action and would be reported back accordingly.
- Members suggested the need to expand the provision of CEOs should be funded to operate in the District as opposed to introducing an Automatic Number Plate Recognition (ANPR) service. – In response the Board were advised to consider that the introduction of ANPR was a significant income stream, along with the added value of ensuring legal parking requirements across the District.
- Due consideration was requested for the provision of the Shopmobility Service to ensure individuals could live independently, specifically for those who relied regularly on the service.
- The Business Case and Service Review for the strategic parking review be deferred for 6 months until the issues had been addressed by Members as it was not fit for purpose and did not cover bringing the service in house.
- Discussions regarding the implementation of ANPR were discussed by Members as follows:
  - Clarification of what was defined as the Town Centre for the introduction of ANPR. – In response Members were informed that ANPR was a more up to date solution, with a point of entry. There was also a traffic management system included when a

- vehicle enters the car park which would assist with long queues, avoiding less accidents. Town Centre car parks were where the implementation of ANPR was most concentrated.
- Discussions continued and Members expressed concerns that the introduction of ANPR implemented within other areas had caused frustration for some residents, in particular, when receiving Parking Charge Notices (PCN). Members also felt that complaints were not always being actioned which caused further frustration for residents.
  - Members felt that the use of ANPR outside school areas was not a viable option.
  - Some Members did view the option that ANPR could be considered a solution to free up CEO resources, but that further information would need to be provided before this would be a consideration.
  - If ANPR could be considered to pay on exist to encourage residents to stay in local areas for a longer period as opposed to the inconvenience of paying on entry. -In response the Executive Director advised Members that enforcement of ANPR would be carried out by the Council and not by a private company. The Council were unable to issue PCNs via the post and would be issued on a car which is why barriers were required on Council car parks rather than just cameras on the way out.
  - Members expressed their gratitude that the technical and legal issues had been reported well within the report, however, were disappointed that it had taken so long for fruition, with only five working days available to scrutinise and evaluate such a complex report.
  - Alvechurch parking requirements within the report were considered in detail as follows:
    - That after providing parking strategy proposals in December 2023 to address the issues faced in the Village, Members were advised that Alvechurch would form part of the review and would not be considered separately, however not all the issues reported had been considered within the report.
    - The Average Length of Stay per Car Park detailed within the report was incorrect and misleading as the village car park was considered to be free for up to 30 minutes.
    - Alvechurch Car Park, which scored poorly, was discussed with Members, expressing the view that “Bicycle Parking” was already available within the village and “General Maintenance” was not a requirement as car parks within the village had been resurfaced.
    - The report suggesting Alvechurch and Catshill being worded as towns was incorrect.
    - In conclusion, it was felt that the parking issues within Alvechurch had not been addressed within the report and that urgent action was required with concerns of the decreased vitality and economic viability for the village.
  - The upcoming changes to the Local Plan should be considered, with the inclusion of extra houses being built, requiring further car parking requirements.
  - The Market Hall, which was due to open in 2026, would have a considerable impact on parking requirements and should be considered.

- Car parking usage was discussed by Members who were of the view that using ticket machine data was not the most reliable method to be used as these findings were based on fixed times. Members suggested that to establish demand the most efficient method was to use beat surveys which studied the duration and occupancy every half an hour. A visitor survey was also a suggested option which would reveal parking stay preferences.
- The use of the TEMPRO tool was considered an inappropriate method to depict parking demand. Population and Gross Domestic Product (GDP) growth was a more effective solution.
- Conclusion and Recommendations within the report was discussed by Members as follows:
  - Improve car park directional signage to town centre car parks and associated wayfinding signage to direct visitors to nearby facilities in the town centre would need to be considered as an additional cost to the Council.
  - Investigate a nighttime car parking tariff that can be used as a basis to advertise the nighttime offer in Bromsgrove and encourage the evening economy required further evidence.
  - A business case would be required when considering improvements to town centre car parks, generated by increasing parking tariffs.
  - Investment in redeveloping the School Drive Car Park to make it more attractive to people wishing to use the car park required further explanation.
  - Costs implications would need to be considered to place yellow lines on the on-street parking outside of the leisure centre to encourage people to use the paid parking instead of parking for free.
  - Additional cost considerations would be required regarding the aim to get more people to pay for parking charges by using card payments or by the app, with the long-term aim to go cashless.
  - The consideration of bringing in a small charging regime for the village car park, due to its respective locations. Members felt this would have the adverse effect and possibly deter people from parking in these areas.
- The Executive Summary was discussed by Members which was included within the report and that BDC involve their legal advisers. Members expressed the view that costs would need to be considered.
- Software and back office for the roll out of ANPR and PCNs needed to be reviewed in more detail.
- A detailed explanation should be included in the report of who would fund and implement the Traffic Regulation Order (TRO),
- If the consultants Waterman had engaged with Warwickshire County Council (WCC), as this was critical? – In response it was agreed that this would be reviewed as an action and would be reported back to Members accordingly.
- The section on Background within the report was discussed regarding the inclusion of on-street parking enforcement in Churchfields Car Parks. However, Members were under the assumption that this car park was closed.
- Members expressed the view that double yellow line considerations in Beoley was not a requirement as these were already present, however, increasing the frequency of CEOs was a necessity.
- Further clarification was required regarding Option Assessments with the preferred Option 2 – SLA Enhancements in that the SLA should be

renegotiated with Wychavon District Council (WDC) to enhance the Service Officer.

- Recommendations and Next Steps covered in the report were considered regarding increasing the number of CEOs to include a variety of places to patrol (including Belbroughton, Clent and Portway). Was this in addition to the 5.5 posts in place?
- Enforcement costs for the Lickey Hills area were considered by Members suggesting that the introduction of Birmingham City Council parking charges could have a considerable impact when considering on-street parking around the area.
- Would extra costs be incurred for Recommendation 2?
- The legal costs of £100k for Recommendation 8 was considered too low, in order to take account of legal and back-office administration costs.
- The revenue budget cost and date suggested in Recommendation 10 required further consideration.
- The following wording included in the report was discussed by the Board, “*It was suggested that Waterman Infrastructure and Environment were commissioned by Bromsgrove District Council to undertake the Strategic Review. This proposal was based on a brief that was discussed and **agreed**, in consultation with, the Cabinet Advisory Group (CAG) on 8th May 2024 and included three key deliverables was discussed*”. Members expressed the view that the wording “agreed” was misleading as CAG was not a decision-making group.
- Members also expressed a view that putting the SLA out to tender to possibly reduce any further costs could be a consideration.
- The report page numbers were not sequential and printing the report in colour when reviewing diagrams would be more useful for Members.
- The proposals from the Board put forward to Cabinet on 14<sup>th</sup> February 2024 had not been addressed within the report.
- Members expressed the view that the consultancy fees should be discussed in more detail. Members expressed the view that the original brief had not been fully considered within the report and that further costs should not be incurred.

After consideration of the points raised by the Board the Portfolio Holder made the following comments as follows:

- If the Council, through Devolution, was a single unitary Council, delivery of the Civil Parking Enforcement Service (CPE) would be in-house, however, continuity should be a consideration in the interim period.
- The Shopmobility service was being reviewed in more detail to accommodate the regular user who required the service once a week.
- Members were asked to consider that inconsistencies of parking charges in the report were correct at the time of writing.
- It was difficult to establish what further studies could be carried out for Alvechurch as the land was outside of the Council’s control.
- It was noted that some proposals put forward to Cabinet had not been addressed and was not an in-depth business case for the back-office administration requirements.
- It was agreed that in-house delivery of the service had not been addressed in detail as requested by the Board.

The following verbatim minutes had been requested by Councillor R. Bailes:

*Thank you for the apology and thank you for the response.*

*I am despondent. Please forgive me for reading from my script – I feel too emotional to say my words from the heart today.*

*The Strategic Parking Review has failed to give any way forward with the complex and real issues in Alvechurch.*

*Please bear with me – I will explain:*

*My first week of becoming a Councillor, my fellow Councillor A. Bailes and I met Kevin Hiron and Lyndsey Berry in Alvechurch - the parking areas are in both our wards, as a result they totally understood the complexities of the situation. Repeatedly Alvechurch parking has been raised or rather attempted to be raised as an urgent issue. No one appeared to really understand our issues. Car parking was also raised in a drop in forum for Regeneration on 25th April 2023.*

*Fast forward to last year at Cabinet Advisory Group (CAG) in May - specifically Car Parking Strategic Review – I attended.*

*All Members present were asked to give an overview of issues in their wards. I attempted to do this – once again explaining the complex situation – however I was stopped in my very first sentence – literally being shouted down saying “It is a study for on road parking only.” I was not allowed to finish.*

*The brief of the Strategic Parking Review was decided – this was not stated. It has delivered what essentially the brief asked for – which is an inventory.*

*At every opportunity Councillor A. Bailes, myself, or sometimes both of us have raised the impending serious situation waiting to happen. The answer has always come back – wait until the study. This was due firstly to be September 2024 – it is now six months later and finally it has arrived.*

*I did meet with the consultant in Alvechurch. He greeted me with – you don't have any car parks that are Bromsgrove District Council (BDC) in Alvechurch. After a good discussion for my ward – I note that the points I explained are in the study – the points are the things I told the consultant*

*So, residents in the village and surrounding areas have been waiting.*

*Businesses in the village have been waiting...*

*Employees in the village have been waiting...*

*I have been waiting...*

*There is nothing in the Strategic Review that resolves the situation within Alvechurch – we are no further forward than when I became a Councillor nearly two years ago.*

*Thank you to Guy Revans and Simon Parry who now totally understand the whole picture – following a visit in October 2024, however there are no amendments, or an additional section included for Alvechurch.*

*To add to my sleepless nights that this has caused, the study suggests that a parking fee could be introduced for the initial time of parking. This is not a*



*recommendation, or a good solution and I would not support. This is insult to injury. I am beyond words...*

The Chairman concluded discussions, and it was felt that the Business Case and Service Review should be deferred until Member's concerns and considerations had been addressed. Following Members discussions, the following were agreed as recommendations to Cabinet.

The Board **RECOMMENDED** to Cabinet that:

- 1) The Business Case and Service Review for the strategic parking review be deferred for 6 months until the issues have been addressed as not fit for purpose, in that it doesn't cover bringing the service in house.
- 2) There should be an increase in the proposed Civil Enforcement Officer (CEO) patrol time, greater than 25%, included in the Service Level Agreement (SLA), as the current proposal of 25% is not considered to be adequate.
- 3) More CEOs should be funded to operate in the District as opposed to introducing an Automatic Number Plate Recognition (ANPR) service.
- 4) The Council retain cash payment options for car parks in the District.
- 5) A study be launched reviewing parking in Alvechurch.

90/24

### **TASK GROUP UPDATES**

This item was deferred to the next ordinary meeting which would take place on 25<sup>th</sup> March 2025.

91/24

### **WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE**

This item was deferred to the next ordinary meeting which would take place on 25<sup>th</sup> March 2025.

92/24

### **FINANCE AND BUDGET WORKING GROUP - UPDATE**

The Chairman of the Finance and Budget Working Group, Councillor P. McDonald updated the Board of the recent meeting which took place on 10<sup>th</sup> February 2025.

The group reviewed Tranche 2 of the Budget setting, and the following were discussed:

- The Council would be increasing the Council Tax by a further 1%.
- There was no increase in government funding and a balanced budget was to be taken from the general fund.
- After consideration of The Poverty Truth Commission presented during the meeting, Members requested further information to detail how the commission had helped individuals and to provide examples. An extraordinary Finance and Budget Working Group meeting would take place on 18<sup>th</sup> February 2025 for further consideration of this item.

**RESOLVED** that the Finance and Budget Working Group update be noted.

93/24

**CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered by the Board.

**RESOLVED** that the content of the Cabinet Work Programme be noted as per the preamble above.

94/24

**OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Overview and Scrutiny Board Work Programme was considered by Members, and it was agreed that the following would be added as items to consider:

- Members suggested that the Board should review the implications of the decision that the Council no longer recycled waste on the Bromsgrove High Street.
- A Member advised the Board of a recent article provided by Martin Lewis, Money Savings Expert. The report suggested that residents consulted with their local constituents to enquire how compassionate and fair the Council were with the debt recovery process for Council Tax, if residents were in financial difficulties. Also, if bailiffs were a requirement, was the debtor charged further costs.

**RESOLVED** that the Overview and Scrutiny Work Programme be noted.

95/24

**OVERVIEW AND SCRUTINY ACTION SHEET**

The Overview and Scrutiny Action Sheet was considered by Members.

Discussions were considered with regards to the removal of the Artrix scrutiny item from the action sheet.

The Chairman expressed the view that the item was not appropriate to be held at the Committee for scrutiny and that discussions should be held with individual Members concerning the matter.

Other Members commented that the item was appropriate as a subject to be scrutinised by the Board to discuss the Trust's prospects and to consider if further funding would be required. It was felt that other outside charities, such as the Basement Project, had been of past consideration and scrutiny by the Board.

The Cabinet Member, Councillor S.J. Baxter advised Members to consider that funding for this matter was for maintenance purposes.

Following discussions and consideration of the item, the following recommendation was proposed by Councillor R. Hunter:

“That the Artrix item be reinstated onto the Overview and Scrutiny Work Programme for scrutiny and consideration by the Board”.

The recommendation was proposed by Councillor R. Hunter and seconded by Councillor J. Robinson.

On being put to the vote the recommendation was lost.

**RESOLVED** that the Overview and Scrutiny Board Action sheet be noted.

96/24

**TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.**

There was no urgent business for consideration.

97/24

**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:-**

**RESOLVED:** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of scheme 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below and that it is in the public interest to do so:-

<u>Item No</u>	<u>Paragraph</u>
12	3

98/24

**LEVELLING-UP FUND PROGRAMME - QUARTERLY UPDATE**

The Regeneration Project Delivery Manager presented the Levelling-Up Fund Programme – Quarterly Update to the Board as follows:

- The Windsor Street site was discussed and as of the 15<sup>th</sup> of January, all the buildings on the site had been demolished. The removal of the gas pipe in November had added a six-week delay to the project and incurred City Demolition's standing time costs which were agreed at circa £118k.
- Brownfield Solutions had reviewed the contaminated materials and installed monitoring wells as part of the remediation strategy. Ground water monitoring had commenced in February 2025 and would continue until mid-August 2025.
- Further to the testing of two zones for contaminated material detecting 14 exceedances, the programme would be extended due to the analysis turnaround time.

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- Thomas Lister had been appointed to support with the development appraisal that would inform the options paper. Officers had also engaged with Homes England to discuss potential funding streams, if the Council decided to develop the site. Homes England confirmed that they could only provide funding for affordable housing above the policy requirements.
- Whilst the gas pipe removal added a six-week delay to the demolition programme, the project was continuing to progress in line with timescales and remained to be on track to be delivered by January 2026.
- The key risks affecting the project were contaminated land with further investigations required during the works, working adjacent to occupied buildings and right of way (easement across site).
- The Public Realm Works site was discussed. Worcestershire County Council (WCC) were responsible for the design and delivery of the Public Realm element of the project, given their statutory responsibilities. Final prices were agreed and linked to a Memorandum of Understanding (MOU) that existed between Bromsgrove District and Worcestershire County Councils who were delivering the works.
- Both the works on the High Street and on Chapel Street had been completed with an updated Risk Register provided to Members.
- The Council had requested a lesson learned workshop to be held with WCC.
- The Former Market Hall Site was discussed. The main contract with Kier was signed on 29<sup>th</sup> October 2024. The main construction programme had commenced in November 2024. Piling was completed at the end of December 2024 and groundworks had commenced in January 2025.
- During the Pre-Construction Services Agreement (PCSA), significant quantities of ground obstructions were discovered, leading to delays in the formal commencement of the main contract.
- Minor delays of six weeks had been incurred due to ground obstructions and Kier had formally submitted a claim for ground obstructions, loss and expenses. The QS from Arcadis had reviewed the claim and considered it reasonable.
- Kier had provided the cash flow forecast. Whilst the programme had a revised end date of January 2026, the Levelling-UP Fund (LUF) monies would be spent by the September 2025 deadline. Officers had also received confirmation that BDC had an extension period until the end of March 2026 to spend the LUF money.
- In January, the LUF Board agreed to directly appoint Arcadis to provide employer agent and quantity surveyor (QS) services for RIBA stage 5.

Following a recommendation from the project manager, it was agreed that carrying out a procurement exercise would carry too much risk as another supplier may not provide a lower fee proposal. Due to the value of the contract, an urgent decision was taken.

- A Clerk of Works was appointed on behalf of the Council and would carry out site inspections twice a month for building works and for mechanical and engineering (M&E) works.
- The project team had held a design meeting to agree the layout of the commercial building. It was agreed that the first and second floor office space would be split into two units, following advice from local agents, GJS Dillon.
- Following a procurement exercise, GJS Dillon had been appointed as the agents for the commercial building who would be preparing a marketing strategy and advertise the space as well as handle lettings on behalf of the Council. This was agreed by LUF Board Members in December 2024.
- The project team were preparing an Expression of Interest (EOI) to Birmingham City Council for the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) monies totalling £2.45m. Following the EOI being accepted, the project manager would prepare the full business case for submission. However, BDC were informed that Birmingham City Council were unable to provide any Local Authority funding until 2026/2027 financial year, therefore, BDC may be required to utilise short-term borrowing to complete the FMH project until funding could be drawn down.

Following consideration of the item, the Board made the following comments:

- When would the right of access be reinstated on Windsor Street? – In response it was advised that City Demolition were preparing quotes for reinstatement.
- If statutory responsibilities between the Council and Worcestershire County Council could be formerly agreed and considered.
- What the additional costs for provisional sums and contingency included in the project budget were referring to? – The Board noted that this was in relation to predicted budget fees. A fees and tracker survey carried out in 2022 reviewed the professional fees incurred such as design, architecture and list surveys. The original budget for RIBA 5 and 6 services for Arcadis QS was set at £180k, however the revised fee was for approximately £220k. Officers were confident that there shouldn't be a necessity for any further surveys, however, contingencies were in place.
- Members expressed concerns that Birmingham City Council were unable to provide any Local Authority funding until 2026/2027 for the Greater Birmingham and Solihull Local Enterprise Partnership

(GBSLEP) monies and that the Council may be required to consider utilising short-term borrowing to complete the FMH project until funding could be drawn down. Members had raised concerns during previous meetings but had been reassured that withdrawing the funds would not be an issue. – In response the Assistant Director of Regeneration and Property Services advised that the matter would be investigated further to review the legal framework and recent correspondence received from Birmingham City Council. Members would be updated on progress in this matter.

**RESOLVED** that the Levelling-Up Fund Programme – Quarterly Update be noted.

(During consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

The meeting closed at 8.47 p.m.

Chairman