

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 10TH SEPTEMBER 2025, AT 6.06 P.M.

PRESENT: Councillors K.J. May (Leader), S. J. Baxter (Deputy Leader),
B. McEldowney, K. Taylor (during Minute No's 33/25 to
39/25 and 41/25 to 43/25), S. A. Webb and P. J. Whittaker

Observers: Councillor S. T. Nock, Vice-Chairman of the
Overview and Scrutiny Board, Councillor S. R. Colella,
Councillor C. A. Hotham and Councillor J. W. Robinson

Officers: Mr. J. Leach, Mr. B. Watson, Mrs. C. Felton,
Mrs. R. Bamford, Mr. S. Parry, Mrs. R. Green, Ms. T. Ainscough,
Mr. M. Cox and Mrs. P. Ross

It was noted that at the discretion of the Leader, that the running order of the agenda was altered. Minute number 37/25 – Urgent Business to be considered after Minute number 36/24 - Minutes of the Overview and Scrutiny Board meeting held on 22nd July 2025.

33/25

TO RECEIVE APOLOGIES FOR ABSENCE

There were no apologies for absence.

However, it was noted that Councillor P. J. Whittaker had been delayed due to the traffic.

34/25

DECLARATIONS OF INTEREST

There were no Declarations of Interest.

35/25

MINUTES OF THE MEETING OF THE CABINET HELD ON 23RD JULY 2025

The minutes of the Cabinet meeting held on 23rd July were submitted for Members' consideration.

RESOLVED that the minutes of the Cabinet meeting held on 23rd July 2025 be approved and signed as a true and accurate record.

36/25

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 22ND JULY 2025

The Leader invited Councillor S. T. Nock in his capacity as Vice-Chairman of the Overview and Scrutiny Board to address Members on the recommendation within the minutes.

Councillor S. T. Nock further drew Members' attention to the recommendation in respect of the Bromsgrove Town Centre Recycling Bins.

It was agreed by the Cabinet that Officers would proceed with preparing a budget bid to Cabinet to invest in new (recycling) bins for installation in Bromsgrove Town Centre.

Cabinet were in agreement with this recommendation.

RESOLVED that

- 1) Officers proceed with preparing a budget bid to Cabinet to invest in new (recycling) bins for installation in Bromsgrove Town Centre; and
- 2) the minutes of the Overview and Scrutiny Board meeting held on 22nd July 2025 be noted.

37/25

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROCUREMENT 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

With regards to the consideration of urgent business it was recorded that at the meeting of the Overview and Scrutiny Board held on 9th September 2025, the Board had voted to agree that the Chairman of the Board should submit a request on behalf of the Board that Cabinet consider, as an item of urgent business, whether to extend the current public consultation period for the Local Plan. This item had been considered necessary to raise as urgent business because the consultation period was due to end on 22nd September 2025 and there were not due to be any further meetings of either the Cabinet or Council prior to the end of the consultation period nor was there sufficient time to schedule any further meetings prior to the end of this consultation period.

The Leader stated, that as detailed in the Supplementary Documentation 2 - "Consideration of whether to make a recommendation that Council extend the period of consultation for the Local Plan. The Assistant Director of Legal, Democratic and Procurement Services had agreed that this could be added as an urgent item of business for consideration at the meeting, following receipt of a form from the Chairman of the Overview and Scrutiny Board on behalf of the Board requesting that Cabinet discuss this matter as an item of urgent business. This request had been approved by the Leader, as Chairman of the Cabinet.

The item has been added in accordance with requirements set out in paragraph 5.2 of the Access to Information Rules, at Part 9 of the Council's constitution".

It had not been possible to include this item in the Cabinet agenda when that was published because the request had only been received from the Overview and Scrutiny Board after the agenda for the Cabinet meeting had been published.

38/25

CONSIDERATION OF WHETHER TO MAKE A RECOMMENDATION THAT COUNCIL EXTEND THE PERIOD OF CONSULTATION FOR THE LOCAL PLAN

The Leader made the following announcement –

"As Members will be aware the consultation process provides several ways for our residents to engage with the local planning consultation process.

Members of the public can;

- Write in
- Email in
- Use the commonplace platform
- There is a phone number manned between 10 and 4 Monday to Friday to support any local planning queries.

Members will appreciate that some councils indeed our council did not historically use a platform. This is an additional step that we have introduced to promote greater accessibility and engagement and is proving to be our residents preferred form of engagement.

Recognising that this is a hugely important topic and the tremendous response that we have received to date. I think we should respond to our

residents requests to extend the time by 4 weeks to maximise public engagement”

Clarification was provided that should Members be in agreement then additional communications would commence in order to inform residents that the consultation period was being extended by 4 weeks.

In response Councillors S. J. Baxter and P. J. Whittaker both commented that they were also in attendance at the Overview and Scrutiny meeting and were in agreement with extending the consultation period by 4 weeks.

Members subsequently discussed the consultation and commented that they had found the commonplace platform easy to use but it was very cumbersome. Some had therefore submitted a response to the consultation via email.

Members questioned if there would be any concerns or response from the Government should Members agree to extending the consultation period.

In response the Assistant Director for Planning, Leisure and Culture Services informed Members that the Government was extensively promoting Local Plan making, seeking significant building developments. The Government might not comment on an extension to the consultation period by 4 weeks. However, going forward, each time the Council changed the Local Development Plan (LDP), the Council could be challenged.

The Assistant Director for Planning, Leisure and Culture Services further stated that there were two elements to consider, the Council’s Website and the commonplace platform. Officers could change the information on the Council’s website, but not on the commonplace platform. The Council’s website included a section on ‘Frequently asked questions’ and could more prominently place and promote the phone number that was manned between 10:00am and 4:00pm, Monday to Friday.

Members added that there had been mixed reviews from residents. Some had found the commonplace platform ‘clunky’ whilst others had not. Residents in one ward area had produced a ‘user’ video to assist other residents.

Members suggested that having a ‘step by step’ guide on the Council’s website would be helpful.

The Leader commented that she would welcome anything that helped to make the commonplace platform easy to use and encouraged residents to respond.

Members questioned if an extension to the consultation period would affect the confidence of developers.

In response the Assistant Director for Planning, Leisure and Culture Services commented that a 4 week extension could be viewed differently by different people. The Council could be seen as 'dragging our feet'. The pragmatic response to residents was that the Council was progressing and trying to adhere to the Council's LDP timelines and that any further re-jigging would be as tight as possible. To date Officers had not received any significant comments from developers, however, Officers were expecting comments to be received later.

As highlighted by the Leader, there were a number of ways for residents to respond to the consultation.

Cabinet then discussed the information with regards to the number of visitors to the commonplace platform (23137), the different respondents (1901) and the individual respondents (4377).

Members commented that this should not reflect on the effort made by Officers who had organised and attended 19 different events to inform and engage with residents on the LDP.

The Leader then invited Councillor S. R. Colella to address the Cabinet.

Councillor Colella thanked Members for being given the opportunity to raise his concerns.

He explained that he had been informed that the commonplace platform software issues were raised at the Overview and Scrutiny Board meeting on 9th September 2025, and that Board Members had discussed an extension to the consultation period.

As a District Councillor he had raised his concerns and the concerns of his residents about the commonplace platform with the Councils' Strategic Planning and Conservation Manager. Two of his residents had looked at the commonplace software and had found it to be 'clunky' and full of bugs. They had also carried out analytical and output performance checks.

Concerns were raised that the commonplace platform was too complicated to complete a response. Ultimately, this needed to be looked into. Some Cabinet Members had commented that they had found it 'clunky' and difficult to navigate. Residents had lost information on their responses and information submitted was not always saved.

Cabinet was urged not to extend the consultation period, but instead to look at the issues / concerns raised. Residents had encouraged other residents to respond. Members should focus on the consultation ending on 22nd September 2025. Concerns were raised that extending the consultation period would be received negatively. Instead, it was suggested that Members should close the consultation on the agreed date, pause and then take stock of the whole consultation. Questions were raised about whether the consultation had reached everyone and whether people returning from holiday were not aware of the consultation.

The suggestion was made that the Council should close the consultation and go through the analytical and statistical data.

In response the Assistant Director for Planning, Leisure and Culture Services, highlighted that whole Local Plan process was complicated, and there was a high level of scrutiny. People would have to invest time in what would be a long process and then be invited to sit before the Planning Inspectorate. It was positive that the Council had enabled residents to have their say via a range of forums and to put forward their views, in what was a complicated process. The commonplace platform was introduced to give people another choice to respond.

If people were experiencing problems, there was a team of Officers who were ready to serve residents. Officers kept a log of issues received and Officers were happy to speak with residents directly. Officers expressed hopes that people would think that shaping the district up to 2024 was an important process to engage in.

Cabinet was informed that people were put off by the complexities of the system and questions were raised about how much the software cost? The suggestion was made that the Council had invested heavily, and it was not a good use of public money. In this context, it was suggested that it would not increase the response rate by extending the consultation period. The diagnostic data needed to be looked at.

At the invitation of the Leader, Councillor S. T. Nock also addressed the Cabinet.

Councillor Nock stated that he would emphasise that at the Overview and Scrutiny Board meeting on 9th September 2025, Board Members had unanimously voted in favour of taking action that would extend the consultation period.

At the invitation of the Leader, Councillor J. W. Robinson subsequently addressed the Cabinet.

Councillor Robinson took the opportunity to express his thanks to the Assistant Director for Planning, Leisure and Culture Services and her team, and also to the Councils' Strategic Planning and Conservation Manager, and his team.

Councillor Robinson stated that he had attended four consultation events over a period of ten weeks. He would ask Members as to why they wanted to extend the consultation period. A problem with the commonplace platform had been identified by residents, the system needed to be sound, and the Council needed to be open. Cabinet Members were looking to go out with further communications about extending the consultation period, with a system that was 'clunky.' Instead, it suggested that the Council needed to give residents assurances that the system was working.

In response the Leader explained that Members were looking to extend the consultation period as there had been a tremendous response and Members wanted to enable residents that had experienced issues to be helped and assisted by Officers. The additional communications would show residents that their voices should be heard and that Members wanted to ensure that everyone had had a chance to respond. For transparency the Council wanted people to be fully engaged and encouraged to respond / assisted to respond.

Cabinet Members added that for the number of hits received, the response rate to the consultation was good, the Council had achieved 10%, which was a good conversion rate.

Questions were raised again regarding the reasons given for extending the consultation period.

The Leader emphasised, that as highlighted during the course of the meeting, there were a number of ways for residents to respond to the

consultation. Future communications would detail this, and also useful information / guidance should people choose to use the commonplace platform.

At the invitation of the Leader, Councillor C. A. Hotham also addressed the Cabinet.

Councillor Hotham explained that he clearly understood the issues raised, but he had some questions with regards to the constitution, the urgent decision and what would happen if Members decided not to go ahead with extending the consultation period.

The Assistant Director Legal Democratic and Procurement Services (and Monitoring Officer), reassured Members that the correct process had and would be followed. As this was a Council decision, ultimately Cabinet could not determine the matter but could make a recommendation to Council. Should Members conclude that an extension was required, this would need to be determined as a Council function through an urgent decision.

The Assistant Director for Planning, Leisure and Culture Services took the opportunity to respond to questions raised by Members on the number of new dwellings to meet the Council's housing land supply by 2043 (12,000), the number of dwellings included in current developments (3,000), with 9,000 dwellings left to be provided. Between now and the adoption of the LDP, any large windfall sites would be taken off the 9,000.

Further questions and debate followed on the Council's 5 year housing land supply.

Members commented that it needed to be made clear in any communications, how to use the commonplace platform and other ways to respond. People may have been looking at gathering information and were now ready to respond.

The Assistant Director for Planning, Leisure and Culture Services assured Members that a well prepared press release / messages would be generated, also taking into account the comments and suggestions made by Members during the course of the meeting. Officers were there to help and it was noted that very few Members had passed on information with regards to residents experiencing issues or needing help with replying to the consultation.

The Leader thanked all Members in attendance for their input.

RECOMMENDED that the Local Plan consultation period be extended by four weeks.

39/25

ADOPTION OF FIXED PENALTY CHARGE FOR BREACH OF COMMUNITY PROTECTION NOTICE

The Principal Officer (Planning & Enviro- Crime Enforcement), Worcestershire Regulatory Services (WRS), presented the report for Members' consideration.

As detailed in the report, in June 2024 responsibility for enforcement of Planning Enforcement, such as fly-tipping, littering, duty of care of waste offences and dog fouling had been passed onto WRS. One of the tools for dealing with some of these issues was a Community Protection Notice (CPN) under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Whilst WRS had a remit to undertake enforcement of Planning Enforcement related matters, CPNs could be used to tackle a wider range on anti-social behaviours by the Police or other Council departments.

In accordance with the Council's enforcement policy, there were alternatives to prosecution which should also be considered for use where appropriate. Section 52 of the Act provided that an authorised person may issue a Fixed Penalty Notice (FPN) as an alternative to prosecution for breach of a CPN.

Payment of the FPN within 14 days from the date of issue had the effect of discharging any liability to convict for the offence but allowed for action to be taken for any subsequent offences.

A fixed penalty could not be more than £100.

The use of FPNs would be an additional enforcement tool for WRS Officers to use.

In response to questions from Members, the Principal Officer (Planning & Enviro- Crime Enforcement), explained that the use of a CPN or FPN would be determined on a case by case basis. An FPN might not be appropriate. If there was a total disregard of a CPN or part compliance, this would be considered by Officers as to how best to proceed. It would

also show the Courts, should it go for prosecution, that Officers had followed a process. The use of FPNs would provide Officers with an alternative option if necessary.

The Leader took the opportunity to thank the WRS Officers.

RECOMMENDED that Council adopt a Fixed Penalty Notice Charge of £100 for failure to comply with a Community Protection Notice.

40/25

QUARTER 1 2025/26 FINANCE AND PERFORMANCE MONITORING REPORT

The Deputy Chief Executive and Finance Officer presented the Quarter One Revenue and Performance Report 2025/26 for Members' consideration.

It was noted that this report had been pre-scrutinised by the Finance and Budget Working Group (FBWG) at the meeting held on 5th September 2025.

During consideration of this report, Members were informed of the following:

- As of the end of Quarter 1, the Council was forecasting a £0.173 million revenue overspend for the full financial year.
- The Council had delivered £0.398 million of its £0.913 million savings target.
- Treasury Management Position – the Council had no long term debt and had complied with all prudential indicators.
- Ward Budget Spending Quarter 1, which was running under 10%.

Members' attention was drawn to recommendation 3. There was some concern that the Council may not achieve all of the savings by the year-end. However, this would be closely monitored by Officers.

Members were further informed that the Quarter 2 Finance and Performance Report 2025/26 would be more detailed separate reports for further transparency.

Members referred to paragraph 4.4.8 of the report, which detailed '.... as a result of the introduction of the 2-hour free parking', which was incorrect. Officers agreed to amend the report prior to consideration at Council, as the free parking was for 30 minutes.

In response to Members, the Deputy Chief Executive and Finance Officer briefly explained external debt / borrowing compared to internal borrowing, using Capital expenditure.

The Policy Manager subsequently presented the performance monitoring information.

The Policy Manager stated that with regards to performance monitoring it was the responsibility of service areas to take ownership of their measures and to liaise with her.

The report had evolved further with more targets and more RAG rating. A lot of hard work was being carried out in order to achieve this. There were one or two measures that could be beneficial to Portfolio Holders. Work was also being carried out with Worcestershire Regulatory Services (WRS) in respect of fly-tipping, and Economic Development to improve and include further context.

Freedom of Information (FOI) measures would be included in Quarter two and future reports. Going forward each Assistant Director would look at including data from any Corporate surveys for Members consideration.

The Leader took the opportunity to thank Officers.

RESOLVED Cabinet note

- 1) the current Revenue position of £0.173 million unfavourable variance.
- 2) the current Capital spending of £3.326 million against a revised budget of £21.876 million.
- 3) the current savings delivery was £0.398 million against an annual target of £1.733 million for 2025/26. This was included in the above Revenue position
- 4) the Earmarked Reserves balances of £11.266 million.
- 5) the Ward Budget allocation position to date with 6 approved allocations at £5,450, leaving a balance of £56,550 to be allocated before year end.
- 6) there was an updated procurements position set out in Appendix D, with any new items over £200,000 to be included on the forward plan.
- 7) the position on Council Tax and Business Rates.
- 8) the position on benefits processing.

- 9) the Performance data for the period April to June 2025 (Quarter 1).

RECOMMENDED following the amendment, in respect of the free car parking, as detailed in the preamble above, that

- 10) the Balance Sheet Monitoring Position for Quarter 1 be noted – which was the Treasury Monitoring Report and was required to be reported to Council.

(During consideration of this item, Councillor K. Taylor left the meeting.)

41/25

MEDIUM TERM FINANCIAL PLAN SCENE SETTING REPORT 2026/2027

The Deputy Chief Executive and Finance Officer presented the Budget Setting proposal for Members' consideration.

It was noted that there was a typographical error on page 69 of the main agenda pack, as follows:-

- Final budget approved by CWG

It was agreed that this be amended to:

- Final budget reviewed by CWG

The Deputy Chief Executive and Finance Officer stated that he would like to clarify some points with Members, in that the Finance and Budget Working Group (FBWG) had expressed the view that, as previously, a two staged approach should be re-introduced. Members were reassured that for transparency that a two staged approach would be used in December 2025.

The FBWG had also suggested that an all Member budget briefing be held in January 2026. This suggestion was well received by the Cabinet.

Members were informed that with the Government's budget being announced late, that this would have a knock on effect on local Government Grants. It was anticipated that the Government Grants settlement would be announced in December.

Members were referred to the Government's fairer funding review; which would be in time for the provisional financial settlement in December.

Also, whilst considering the Fairer Funding review, the Government had indicated that it was considering reviewing how council tax was assessed and determined.

Included in the base assumptions to be used in developing the budget were:

- Pay Award for next year to be budgeted at 2% in line with the HMT inflationary targets.
- There would also be an additional 1% cost of living increment built in as contingency in the case of a higher than budgeted pay settlement.

The Deputy Chief Executive and Finance Officer commented that there was a good level of transparency and an opportunity for everyone to be involved in the budget setting process.

RESOLVED that the budget process outlined in the report, and as amended in the preamble above, be followed for the 2026/27 annual budget and for the Medium Term Financial Plan up to 2028/29.

(During consideration of this item, Councillor K. Taylor returned to the meeting.)

42/25

EXPANSION OF COMMERCIAL WASTE COLLECTION SERVICE

The Assistant Director of Environmental and Housing Property Services presented the Expansion of Commercial Waste Collection Service report for Members' consideration.

The report detailed the requirements of the Environment Act 2021 which required businesses with more than 10 employees to separate food waste. This would expand to micro-businesses (with fewer than 10 employees) by 2027.

As detailed in the report, during 2021 and 2024 the Commercial Waste Service had delivered a surplus each year but had seen increased costs in 2023/24 as a result of wider fleet and maintenance issues that had impacted on the resilience of the service and the need for the increased use of hire vehicles.

Having recently successfully recruited into vacant positions within the workshop, and delivery of a new Domestic Waste Fleet in late 2025, these expenses were expected to reduce considerably and see a return to the Council's previous financial performance levels. The Council was also now compliant with the Environment Act 2021.

With the unexpected exit of Dudley Metropolitan Council from the commercial waste market, this had created an immediate opportunity as well as a pressure on the Council's service. Businesses were keen to work with a Local Authority, and a number of the authority's peers had actively sought the Council's support as a nearby waste provider.

This was seen as a potential to further increase the Council's customer base in this area to maximise the efficiency of operating the service in a high-density area for businesses. With over £135,000 of new enquiries and 50+ new customers signed by April 2025, this had left the existing service with little to no capacity to take on additional customers.

The Assistant Director of Environmental and Housing Property Services highlighted that service failures could quickly result in complaints or lost contracts, and compliance failures could result in significant penalties or even the loss of the authority to operate a vehicle fleet, which would impact on all services.

By appointing a new Commercial Waste Coordinator this would address these daily risks ensuring that services were delivered to schedule and any issues were identified quickly and acted upon.

Members briefly discussed the recent communications on the Council's social media with regards to leaving bins out until 5pm and the letters that had been sent to all residents on the 'Changes to your wheeled bins'.

The Assistant Director of Environmental and Housing Property Services reassured Members that Officers were working with the Council's Communications Team in order to get the message out and to make everyone aware of the new wheeled bins and the collection days / times in specific roads.

The Leader took the opportunity to thank the Assistant Director of Environmental and Housing Property Services.

RECOMMENDED that

- 1) Capital Funding of £489,760 be added to the Capital Programme for 2026/27 to purchase two Refuse Collection Vehicles (RCV's)
- 2) the Council allocate Capital funding of £35,000 annually in the Medium-Term Financial Plan from the 2025/26 financial year to fund wheeled bins for Commercial Services.
- 3) the Council allocate £334,342 Revenue Funding in the Medium-Term Financial Plan to fund operational costs of providing the expanded service from 2025/26.

43/25

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 22ND JULY 2025

The Leader explained that the confidential minutes of the Overview and Scrutiny Board meeting held on 22nd July 2025 had been included for consideration at the end of the meeting and notice had been provided that the Cabinet might have needed to go into exempt session to consider the content of those minutes.

However, Members agreed to stay in public session for this item, as there were no recommendations to consider, the confidential minutes were for noting only.

RESOLVED that the confidential minutes of the meeting of the Overview and Scrutiny Board held on 22nd July 2025 be noted.

The meeting closed at 7.50 p.m.

Chairman