

# **BROMSGROVE DISTRICT COUNCIL**

## **MEETING OF THE EXECUTIVE CABINET**

Wednesday, 22nd June 2005 at 6.00 p.m.

PRESENT: Councillors D. C. Norton (Executive Leader), Mrs. M. M. T. Taylor (Deputy Executive Leader), B. L. Fuller C.B.E. Q.F.S.M., Mrs. J. M. L. A. Griffiths, R. Hollingworth and P. J. Whittaker

Observers: Councillors P. M. McDonald, W. R. Newnes, N. Psirides and C. J. K. Wilson

### 20/05 **MINUTES**

The Minutes of the Meetings of the Executive Cabinet held on 18th May and 24th May 2005 were submitted.

**RESOLVED:** that the Minutes of the Meetings be approved and confirmed as a correct record.

### 21/05 **LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY**

The Minutes of the Local Development Framework Working Party held on 7th June 2005 were submitted.

#### **RESOLVED:**

- (a) that with reference to Minute No. 05/05, the Statement of Community Involvement be approved for submission to the Secretary of State for independent examination;
- (b) that the remainder of the Minutes be noted.

### 22/05 **ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**

#### **FLYPOSTING**

Members considered the final report from the Flyposting Task Group which had been approved by the Housing and Planning Policy Scrutiny Committee.

**RESOLVED:** that the report be noted.

### 23/05 **MOTIONS REFERRED FROM COUNCIL UNDER COUNCIL PROCEDURE RULE 10**

#### **Capital Receipts/Assets**

Councillors P. M. McDonald and C. J. K. Wilson were invited to speak in support of the motion that no money is taken from Capital receipts/assets until a Joint Committee is set up to carry out a cost benefit analysis.

In connection with this matter, the Cabinet considered an officer report on Recovery Plan Spending Priorities 2005/2006 which recommended the expenditure of available resources, together with a bid to the Capacity Building Fund to achieve the delivery of the recovery plan and sustainable transformational change within the authority. It was

**RESOLVED:** that no action be taken with regard to the motion.

**RECOMMENDED:** that the spending proposals set out in the report be endorsed and that approval be given to the release of the appropriate funds in order that officers can seek to procure the appropriate solutions.

24/05      **REVENUES SERVICES BUSINESS PLAN 2005/2006**

Consideration was given to the Revenues Services Business Plan for 2005/2006. Following discussion, it was

**RESOLVED:** that the Business Plan be approved.

25/05      **LEISURE SERVICES BUSINESS PLAN 2005/2006**

Consideration was given to the Leisure Services Business Plan for 2005/2006. Following discussion, it was

**RESOLVED:** that the Business Plan be approved.

26/05      **ANNUAL PERFORMANCE PLAN 2005/2006**

Consideration was given to the Annual Performance Plan for 2005/2006. Following discussion, it was

**RECOMMENDED:** that the Annual Performance Plan for 2005/2006 be approved.

27/05      **A FRAMEWORK FOR PERFORMANCE MANAGEMENT**

Members considered a report which set out a new framework for Business Planning and Performance Management in order to improve the effectiveness of such activities within the authority. Following discussion, it was

**RESOLVED:**

- (a) that the proposal for undertaking workshops to improve and embed Business Planning and Performance Management across the Council be approved;
- (b) that the Cabinet agrees that it will recommend clear priorities for the next three years so that these can drive the review of the medium term financial plan and the preparation of next year's Service Business Plans;
- (c) that the annual cycle and procedure for preparing Service Business Plans and the Budget is modified to better reflect the linkages between service improvement and the allocation of resources;
- (d) that a cross-party and politically balanced Member Performance Management Board be set up as a Committee of the Cabinet to comprise four Conservative Members and three opposition Members, with overall responsibility for monitoring and driving performance;
- (e) that the proposed Performance Management Framework for the Council as set out in the report be approved.

28/05      **PROCUREMENT**

The Cabinet considered a report which summarised key activities being undertaken with regard to procurement and presented a proposed Corporate Procurement Strategy and a Guide on Selling to the Council. Following discussion, it was

**RESOLVED:**

- (a) that the current and future activity in relation to procurement be noted and endorsed;
- (b) that the "How to do Business with Bromsgrove" Guide on Selling to the Council be approved;
- (c) that approval in principle be given to changing the amount above which formal tenders are sought to £75,000, and that the Standards Committee be

requested to consider this matter at the same time as reviewing the Contract Procedure Rules.

**RECOMMENDED:** that the draft Corporate Procurement Strategy be approved and adopted.

29/05

**DEVELOPMENT OF A REVISED HOUSING STRATEGY FOR BROMSGROVE**

Having considered the proposed process for the review and development of a revised Housing Strategy for the District, it was

**RESOLVED:** that the report be noted.

30/05

**WEST MIDLANDS DRAFT REGIONAL HOUSING STRATEGY AND REGIONAL ALLOCATION STRATEGY - CONSULTATION**

Having considered a report on the draft Regional Housing Strategy, together with the officer response submitted by districts that made up the Southern Housing Market area, it was

**RESOLVED:**

- (a) that the delivery of the Regional Housing Strategy be noted;
- (b) that the actions taken by officers in preparing and submitting a draft response on behalf of the districts of the Southern Housing Market Area be endorsed;
- (c) that officers be requested to make representations regarding the need for local authorities to be given greater freedoms so that they do not have to seek consent from the Office of the Deputy Prime Minister to dispose of land at less than best consideration for the provision of affordable housing.

31/05

**AFFORDABLE HOUSING CAPITAL PROGRAMME**

Having considered a report on the Affordable Housing Capital Programme, it was

**RESOLVED:**

- (a) that the detail of affordable housing dwellings that have been delivered and those projected be noted;
- (b) that the affordable housing schemes recommended for spend against approved capital budgets itemised in Column III of the table set out in 5.3 of the report be approved;
- (c) that the Head of Strategic Housing be authorised, in consultation with the Portfolio Holder for Community Safety and Strategic Housing, to allocate the funding remaining within the approved capital budgets and where necessary approve adjustments to the allocations made to schemes within the approved capital budgets.

**RECOMMENDED:** that approval be given to the slippage of grant funding committed to the two affordable housing schemes detailed in 5.2 of the report from the 2004/05 Capital Programme to 2005/06.

32/05

**LOW COST HOUSING DEVELOPMENT - EACHWAY, RUBERY**

Following consideration of an update report regarding the provision of low cost affordable housing on a garage site at Eachway, Rubery, it was

**RESOLVED:**

- (a) that approval be given for the land within the development site at Eachway Garage Site and Maple Road, Rubery to be conveyed to a Registered Social Landlord at zero, market or below market value, as necessary, to achieve the

- provision of affordable housing to rent and for Low Cost Fixed Equity sale, and if appropriate, any capital receipt be recycled as social housing grant;
- (b) that the Corporate Director (Resources) be authorised to negotiate the best terms for funding the provision of low cost housing on the site;
  - (c) that approval be given for an application to the Office of the Deputy Prime Minister for consent under Section 25 of the Local Government Act 1988 to dispose of the land identified in the report.

33/05

**ARRANGEMENTS FOR THE REVIEW OF DECISIONS UPON HOMELESSNESS OR NON-ACCEPTANCE ON THE COUNCIL'S HOUSING REGISTER**

In order to ensure that the appeals process for the review of decisions regarding homelessness or non-acceptance on to the Council's Housing Register was fairer and more transparent, it was.

**RESOLVED:**

- (a) that a two stage housing appeal process be introduced whereby each request for a review of a homelessness housing decision should firstly be considered by a senior officer of the Council or an independent body acting as an agent for the housing authority, and that where the applicant is not happy with the review decision they be entitled to request that the case be heard by the Council's Appeals Panel;
- (b) that for a probationary period of twelve months, one representative of Bromsgrove District Housing Trust continue to be invited to form part of the Appeals Panel when cases are reviewed at the second stage;
- (c) that the officer carrying out the first stage review, in addition to considering written submissions, should in all cases, when minded to make a decision that is against the applicant's interests, invite the applicant to make an oral representation;
- (d) that the Council's Head of Legal Services be authorised to investigate and make the necessary arrangements to provide the review procedures set out in resolutions (a) and (b) above.

34/05

**TENDERS FOR SHOPMOBILITY FACILITY - BUDGET SHORTFALL**

Having considered a report on the revised costs for the proposed Shopmobility scheme in Bromsgrove Town Centre and the funding options to address the shortfall in the budget allocated for the scheme, it was

**RECOMMENDED:** that the revised project cost of £99,431 be accepted and that the budget shortfall of £25,000 be met by savings of £8,500 from the re-roofing of the Spadesbourne Suite, with the remaining £16,500 to be met from working balances in 2005/2006.

35/05

**IMPLEMENTING ELECTRONIC GOVERNMENT (IEG) 4.5 RETURN AND THE NATIONAL STRATEGY FOR LOCAL E-GOVERNMENT**

Having considered a report on the Government's latest statement on the National Strategy for Local e-Government and on the Council's position with regard to the Implementing Electronic Government (IEG) 4.5 Statement, it was

**RESOLVED:**

- (a) that the contents of the Government's latest report on the National Strategy for Local e-Government be noted;
- (b) that the Corporate Director (Resources) be authorised, in consultation with the Member e-champion and the Portfolio Holder for Resources, to agree the content of the Council's IEG 4.5 submission to the Office of the Deputy Prime Minister, to be submitted by 18th July 2005.

36/05

**LOCAL GOVERNMENT ACT 1972**

**RESOLVED:** that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the Meeting during the consideration of the items of business the subject of the following Minutes on the grounds that they involve the likely disclosure of "Exempt Information" as defined in Part I of Schedule 12A to the Act, the relevant paragraph of that part being as set out below:-

<u>Minute No.</u>	<u>Paragraph(s)</u>
37/05	8
38/05	7
39/05	1

37/05

**HOUSING AGENCY AGREEMENT - BROMSGROVE DISTRICT HOUSING TRUST**

Following consideration of the report, it was

**RESOLVED:**

- (a) that the increased cost of £781 detailed in paragraph 3.7 of the report for the provision of Housing Agency and Caravan site and Hostel management services, to be met from within the overall Revenue Budget of the Council for 2005/2006, be noted;
- (b) that the revised gross baseline cost set out in paragraph 3.8 of the report be approved for acceptance, subject to a strengthened service level agreement being agreed and the proposal by Bromsgrove District Housing Trust to fix costs (other than inflation) for a period of eight years.

38/05

**ARTRIX FUNDING**

Having received advice from the Monitoring Officer, Members agreed that Mr. A. Woods, Manager of the Artrix, be allowed to join the Meeting in order to respond to questions. Mr. Woods was not present during the ensuing discussion and decision-making.

Following consideration of the report, it was

**RESOLVED:**

- (a) that the payment of the sum of £120,000 per year, which the Council has previously committed to making available to the Artrix by way of maximum shortfall deficit funding, now be paid in quarterly instalments in advance for a period of three years from 1st April 2005, as a cash flow subsidy;
- (b) that at the end of each financial year there be an accounting exercise to determine the extent of any budgetary shortfall incurred by the Artrix, and that in the event of it not amounting to £120,000, that any difference between such amount and the amount actually paid by the Council during that financial year be recovered from the Artrix;
- (c) that the Artrix Trust be required to present a more detailed cash flow statement to the Corporate Director (Resources) before any payments are made;
- (d) that this arrangement be reviewed in January 2008, prior to the end of year three by the Corporate Director (Resources) and the Portfolio Holder for Finance and that a report be prepared for the Cabinet;
- (e) that the Trust be advised that there will be no further revenue funding available from the Council in the current financial year;
- (f) that because of the urgency of the matter, the decision regarding the first two quarterly payments be not subject to the Council's scrutiny call-in procedure.

(Note: Councillors D. C. Norton and Mrs J. M. L. A. Griffiths declared a personal interest in this matter as members of the Arts Centre Operating Trust. Councillor R. Hollingworth declared a prejudicial interest in this matter as a former member of the

Arts Centre Operating Trust and left the Meeting during consideration of the item. Councillor W. R. Newnes left the Meeting as an observer during consideration of this item).

39/05

**APPLICATION FOR REDUNDANCY**

Following consideration of the report, it was

**RESOLVED:** that the action taken by the Head of Environmental Services regarding the compulsory redundancy of an employee earning less than £30,000 per year be noted and endorsed.

The Meeting closed at 7.50 p.m.

Chairman