



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY 18TH NOVEMBER 2015, AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

SUPPLEMENTARY DOCUMENTATION

The attached papers were specified as "to follow" on the Agenda previously distributed relating to the above mentioned meeting.

9. Representation from the Council on the Artrix (Pages 1 - 2)
13. Motions on Notice (Pages 3 - 8)

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

13th November 2015

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Appointments to the Bromsgrove Arts Centre (Operating) Trust – Charitable Company

Relevant Portfolio Holder	Councillor Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	N/A
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non key

1. SUMMARY OF PROPOSALS

- 1.1 This report notifies the Council of changes to the governing documents for the Bromsgrove Arts Centre Trust, known as the Operating Trust, and seeks a decision about the consequential change to council representation on its governing body.

2. RECOMMENDATIONS

- 2.1 That the changes to the Articles of Association for the Bromsgrove Arts Centre Trust charitable company be noted;
- 2.2 That, in accordance with the new Articles, the Council agrees representation on the Board of Directors of the Trust.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising directly from this report. Council currently allocates £60k by way of a service level agreement with the Operating Trust to deliver certain services to the community in the District.

Legal Implications

- 3.2 The number of Council representatives on the Operating Trust, which is a charitable company, is determined by its Articles and memorandum. The Operating Trust is governed by charity and company law.

Service / Operational Implications

- 3.3 At its meeting in June the Council appointed 5 representatives to the Operating Trust with staggered terms of office (end of term of office shown in brackets below). The appointments complied with requirements of the governing document in place at the time:

Councillors:

Glass (2018)

Griffiths (2017)

Jones (2017)

Smith (2018)

Spencer (2018)

- 3.4 The Operating Trust has notified the Council that it has changed its governing documents and the number of representatives from the Council in future will be 2 instead of 5. The change takes place immediately and the Council therefore needs to reduce its representation accordingly. Under the new Articles the Council's appointees may be, but do not have to be, a member or employee of the Council.
- 3.5 The terms of office of the two appointees will be 4 years from their date of appointment.

Customer / Equalities and Diversity Implications

- 3.6 There are no implications arising from this report.

4. RISK MANAGEMENT

- 4.1 If the council fails to make appointments within 3 months of a vacancy occurring then it risks the Operating Trust not complying with the requirements of its governing documents and the Council not being able to take up places on the Operating Trust's Board of Directors.

5. APPENDICES

None

6. BACKGROUND PAPERS

Memorandum and Articles for the Bromsgrove Arts Centre Trust – charitable company.

7. KEY

AUTHOR OF REPORT

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COUNCIL

18th November 2015

NOTICE OF MOTION – DOLPHIN CENTRE REGENERATION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor C.J. Bloore:

“Council notes the outpouring of public concern about the removal of the sports hall from the current Dolphin Centre redevelopment.

Council notes the current and growing number of names to a local petition asking for a sports hall to be part of the redevelopment of the Dolphin Centre.

Council notes the changes in business rates proposed by the Chancellor George Osborne that could give the Council more income than first thought to build a leisure centre.

Council notes the lack of evidence presented to Councillors proving there is no need for a sports hall as part of the redeveloped Dolphin Centre.

Council believes the lack of indoor sports facilities in Bromsgrove and the shortage of available court and pitch spaces in all weather facilities across Bromsgrove will limit the ability of local people to stay fit and for clubs to train.

Council believes there is real difficulty for local residents to have access to privately run sports hall facilities in Bromsgrove.

Council believes that the intended Olympic legacy of the London 2012 games was to promote sports participation and healthy living through the maintaining and improvement of sporting facilities in local communities.

Council believes that Bromsgrove’s residents deserve a regenerated leisure centre that meets the needs of its residents. A leisure centre that includes an onsite sports hall open to the public.

Council resolves to suspend all activities to build a leisure centre that does not contain an onsite sports hall.

Council resolves urgently to revisit and review the financial plan to redevelop the leisure centre to include the building of an onsite sports hall as soon as possible.

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NOTICE OF MOTION – COUNCIL PROCUREMENT

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor S. P. Shannon:

“This Council notes that the UK Government has taken steps to tackle the issue of tax abuse by companies seeking to secure government contracts for the supply of goods and services and has issued Policy Note 03/14: promoting tax compliance.

Subject to BDC officers reviewing the practical implementation issues, we request that Council incorporate Procurement Policy Note 03/14 into all procurement procedures including tenders, also this motion calls for the Council’s procurement policies to be amended to ensure that all bidders for Council contracts self-certify that they are fully tax compliant in line with central government practice.”

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NOTICE OF MOTION – ANIMAL WELFARE

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor M. Thompson:

“Whilst humans and animals often enjoy a harmonious and mutually beneficial relationship, there are numerous examples of animals suffering extreme and unnecessary cruelty at the hands of humans; sadly and often , in the name of entertainment. Bromsgrove District Council should be a Council that promotes animal welfare and as such be a compassionate beacon to other Districts. This motion, therefore, proposes that on its land and premises the Council:

- (i) Does not allow circuses that use animals;
- (ii) Does not allow the use of animals as prizes (for example: goldfish in fairs)
- (iii) Uses only environmentally cleaning products and products that have not been tested on animals.

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