



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at The Council House, Burcot Lane, Bromsgrove at 6.00 p.m. on Wednesday 21st July 2010, when the business referred to below will be brought under consideration:-

The meeting will be opened with a prayer.

- 1. To receive apologies for absence**
- 2. To confirm the accuracy of the minutes of the meetings of the Council held on 23rd June and 30th June 2010 (Pages 1 - 14)**
- 3. Declarations of Interest**
(Members are reminded that they need to keep their register of interest forms up to date)
- 4. To receive any announcements from the Chairman and/or Head of Paid Service**
- 5. To receive any announcements from the Leader**
- 6. To receive the minutes of the meeting of the Cabinet held on 30th June 2010 (Pages 15 - 20)**
- 7. Questions on Notice**

To deal with any questions on notice from Members of the Council, in the order in which they have been received.

8. **Motion - Bus Shelters**

To consider the following motion submitted by Councillor Mrs. C. M. McDonald which was deferred at the meeting of the Council on 23rd June 2010 pending clarification from officers on responsibility for bus shelters:

“This Council states one of its main objectives is the Sense of Community and Well Being; this is certainly not being met or practiced with the removal of many bus shelters and the appalling state many are now in. Therefore, we call upon the Council to treat bus passengers with dignity and well being in providing bus shelters that are fit for purpose.”

9. **Motion - Charford**

To consider the following motion submitted by Councillor Mrs. C. M. McDonald:-

“It is an absolute disgrace that agencies such as this District Council, County Council and Bromsgrove District Housing Trust can all blame the other for the terrible state some parts of Charford are left in. Therefore, we call upon this Council to facilitate the getting together of all the agencies to resolve the situation and agree upon their obligations to the residents of Charford.”

10. **Motion - 'Together Bromsgrove'**

To consider the following motion submitted by Councillor P. M. McDonald:-

“The ‘Together Bromsgrove’ magazine is seen by many as nothing more than a propaganda machine used to promote the controlling group’s politics and thus does not give a true picture of Bromsgrove District Council.

Therefore, we call upon the Council to cease publication and look at more cost effective and balanced ways of communicating with the public.”

11. **Motion - HUB Parking**

To consider the following motion submitted by Councillor E. J. Murray:-

“The HUB was set up to improve customer relations and improve services in general for the residents of Bromsgrove. To ensure customer relations were not undermined residents having to visit the HUB were not penalised by being charged for parking their cars. Therefore, we call upon the Council to remove the charges immediately.”

12. **Motion - CO2 Emissions**

To consider the following motion submitted by Councillor S. P. Shannon:-

“I call on this Council to reduce the CO2 emissions of the authority as a matter of urgency. This Council must honour its pledge to the 10:10 campaign signed earlier this year to reduce the carbon emissions of the Council by 10% during 2010.”

13. **Motion - Hanging Baskets, Rubery**

To consider the following motion submitted by Councillor C. J. K. Wilson:-

“Rubery has a vibrant high street which attracts many visitors and shoppers contributing to the local economy. The removal of hanging baskets devalues it as an attractive shopping area and gives the impression that it has been downgraded.

Therefore, we call upon the Council to reinstate hanging baskets and treat Rubery as it should, as the gateway to the Lickey’s and the Waseley Hills and not as a forgotten outpost.”

14. **Purchase of George House, 2 Worcester Road, Bromsgrove** (Pages 21 - 28)

To consider a report of the Executive Director - Planning & Regeneration, Regulatory and Housing Services

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

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Agenda Item 2

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 23RD JUNE 2010 AT 6.00 P.M.

PRESENT: Councillors Mrs. J. M. L. A. Griffiths (Chairman), Mrs. J. M. Boswell, A. N. Blagg, Dr. D. W. P. Booth JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis F.CMI, Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, D. L. Pardoe, S. R. Peters, S. P. Shannon, Mrs. M. A. Sherrey JP, R. D. Smith, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, L. J. Turner (present during Minutes Nos. 17/10 to part of Minute No. 28/10), M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

17/10 **PRAYER**

At the request of the Chairman, the Reverend Chris Wingfield opened the meeting with a prayer.

18/10 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell, Mrs. A. E. Doyle, Dr. G. H. Lord, Mrs. J. D. Luck, E. J. Murray, C. R. Scurrrell and Mrs. C. J. Spencer.

19/10 **MINUTES**

The minutes of the meeting of the Annual Council held on 12th May 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

20/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

21/10 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman referred to the following events to be held to raise funds for the Chairman's Charity:

- (a) Barn Dance on 23rd July 2010 at Councillor P. J. Whittaker's farm;
- (b) Summer Garden Evening on 28th August 2010.

22/10 **ANNOUNCEMENTS FROM THE LEADER**

There were no announcements from the Leader.

23/10 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 28TH APRIL 2010**

(i) **OVERARCHING STRATEGIC ALLIANCE/Framework AGREEMENT**

The recommendations were moved by Councillor R. Hollingworth and seconded by Councillor G. N. Denaro.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the recommendations: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis, D. McGrath, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb and P. J. Whittaker (23);

Against the recommendations: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, S. P. Shannon and C. J. K. Wilson (5).

RESOLVED:

- (a) that the overarching Strategic Alliance/Shared Services Framework Agreement, as amended, be approved; and
- (b) that the Leader of the Council be authorised to sign the agreement on behalf of the Authority.

(ii) **NORTH WORCESTERSHIRE ECONOMIC REGENERATION AND DEVELOPMENT**

The recommendations were moved by Councillor R. Hollingworth and seconded by Councillor G. N. Denaro.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the recommendations: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis, D. McGrath, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb and P. J. Whittaker (23);

Against the recommendations: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, S. P. Shannon and C. J. K. Wilson (5).

RESOLVED:

- (a) that the four principal recommendations from the “Inspira” report “Review of Economic Regeneration and Development – Strategy and Arrangements” as amended be approved;
- (b) that the delivery of a North Worcestershire Economic and Regeneration service by a single team hosted by Wyre Forest District Council be approved; and
- (c) that an Implementation Plan be agreed between Bromsgrove District Council, Redditch Borough Council and Wyre Forest District Council with effect from 1st October 2010 or other such date as may be agreed by the three Councils, such Implementation Plan to deal with those matters set out in paragraph 4.27 of the report submitted to the Shared Services Board dated 20th April 2010.

(iii) CHANGES TO GOVERNANCE ARRANGEMENTS

RESOLVED:

- (a) that the Leader and Cabinet Executive (England) Model known as the “Strong Leader” model be the model on which public consultation is based; and
- (b) that the public consultation be undertaken on a modest basis and that views be sought by way of methods such as “Together Bromsgrove” and the Council’s website.

24/10 **MINUTES OF THE MEETINGS OF THE CABINET HELD ON 28TH APRIL AND 2ND JUNE 2010**

The minutes of the meetings of the Cabinet held on 28th April and 2nd June 2010 were received for information.

25/10 **QUESTIONS ON NOTICE**

Three questions on notice were taken in the order received.

1. Question submitted by Councillor J. T. Duddy to the Leader

“Is the Leader aware of any secret plans between Bromsgrove District Council and the Muslim Council of Britain to build a Mosque in our District?”

The Leader replied no.

Councillor Duddy asked a supplementary question that would the Leader welcome a mosque in our District and more particularly in his own Ward of Alvechurch?

The Leader replied that he had no feelings with regard to mosques, Roman Catholic churches, synagogues, Sikh temples, etc. Anybody could apply for planning permission in any place at any time for

anything and any that came forward would be treated in the same way as any other application.

2. Question submitted by Councillor P. M. McDonald to the Leader

“Could the Leader now confirm after taking £129,000 from reserves that those areas who were informed that their green bin would be used for recycling (waste) is now in full operation?”

The Leader referred this to Councillor M. J. A. Webb as the relevant Portfolio Holder.

Councillor Webb replied that the question did not contain factual information. When the Council moved over to comingled waste, £53,000 was required to be taken from reserves so that those residents living in areas where the green bins could not be collected (for instance, houses in narrow lanes) could still use the original recycling boxes. He could therefore confirm that everyone who was offered recycling before the move to comingling, was still being offered a recycling collection. He also added that due to the great success of the comingled recycling service, and the positive comments he was receiving from residents and Members, he had requested a paper to be submitted to Cabinet later in 2010 that would continue to review the service and how the Council could continue to maximise delivery of this important service.

Councillor P. M. McDonald asked a supplementary question as to why Highfield Road which was not a narrow lane was still having to use recycling boxes and not green bins.

Councillor Webb replied that this was an operational issue, he received many queries on operational issues but would look into this matter and then come back with a definitive answer.

3. Question 3 submitted by Councillor S. P. Shannon to the Leader or relevant Portfolio Holder

“After approval from Scrutiny Board, a motion submitted earlier this year to Council that Bromsgrove District Council would sign up to the national 10:10 carbon reduction pledge was approved and agreed. Can the Leader or the appropriate Cabinet Portfolio holder give the meeting an update on any works undertaken by BDC since signing up that have reduced this Councils, and also the Districts carbon footprint?”

The Leader referred this to Councillor P. J. Whittaker as the relevant Portfolio Holder.

Councillor Whittaker replied that the key piece of work was the Climate Change Strategy and the final draft would be ready by the end of the month. This would form a clear framework for climate change activities in the future. The existing Climate Change Working Group had been reviewed and merged with the Better Environment LSP group and

included Councillor C. R. Scurrrell as the Climate Change Champion. Work was being undertaken in Planning to produce a sustainability appraisal to ensure climate change was accounted for in new developments. A project had begun to assess the viability of installing solar photovoltaic systems on Council buildings and should be costed and completed by September. A solar hot water system was to be installed at the pavilion in Sanders Park for the toilets and café this summer. An LED lighting system to be installed at Asda car park would significantly reduce electricity consumption and carbon emissions from this facility. A green fleet review was just beginning with the Energy Savings Trust to identify opportunities to reduce emissions. A project had begun to consider in detail emissions from the Council House, Dolphin Centre and the Depot. So far an issue had been identified with regard to out-of-hours electricity use at the Depot. Staff mileage was increasing and work needed to be done to tackle this urgently, probably as part of the harmonisation of terms and conditions with Redditch Borough Council.

Councillor Shannon asked a supplementary question in which he referred to the Government's commitment to reduce carbon emissions by 10% and was the Council going to match this or was it going to build an extra car park with the potential for further increases in the Council's carbon footprint.

Councillor Whittaker replied that the change of use of the footprint of the (Market Hall) building to a car park was only a temporary measure due to the economic climate.

26/10 **MOTION - DRINKING WATER FOUNTAINS**

Members considered the following motion submitted by Councillor P. M. McDonald:

“Bromsgrove District Council has a main objective of Wellbeing, yet this objective can never be achieved while those young and old cannot access drinking water in any of its main recreation grounds. Therefore, we call upon this Council to install drinking water fountains in all its recreation grounds.”

The motion was moved by Councillor P. M. McDonald and seconded by Councillor C. J. K. Wilson.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the motion: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, S. P. Shannon and C. J. K. Wilson (5);

Against the motion: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis, D. McGrath, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb and P. J. Whittaker (23).

Accordingly, the Chairman declared the motion to be LOST.

27/10 **MOTION - BUS SHELTERS**

Members considered the following motion submitted by Councillor Mrs. C. M. McDonald:

“This Council states one of its main objectives is the Sense of Community and Well Being; this is certainly not being met or practiced with the removal of many bus shelters and the appalling state many are now in. Therefore, we call upon the Council to treat bus passengers with dignity and well being in providing bus shelters that are fit for purpose.”

The motion was moved by Councillor Mrs. C. M. McDonald and seconded by Councillor S. P. Shannon.

During the debate conflicting views were expressed with regard to which body had responsibility for bus shelters. The Leader believed it to be the County Council's responsibility whilst Councillor P. M. McDonald believed it was that of the District Council.

In light of the lack of clarity and with the consent of the mover and seconder of the motion, the Chairman announced that the matter would be deferred pending an officer report.

28/10 **PETITIONS SCHEME**

Members considered a report of the Head of Legal, Equalities and Democratic Services which presented a proposed scheme for handling petitions. The Council was required to establish such a scheme under the Local Democracy, Economic Development and Construction Act 2009.

The recommendations were moved by Councillor G. N. Denaro and seconded by Councillor R. Hollingworth.

An amendment was moved by Councillor P. M. McDonald and seconded by Councillor C. J. K. Wilson that:

the threshold for presenting a petition to Council for debate be 500 signatures and the threshold to trigger calling a senior officer to the Joint Overview and Scrutiny Board be 250 signatures (not 1,250);

there be an agreed set of criteria for the Monitoring Officer to follow for those petitions which did not meet the threshold;

the Joint Overview and Scrutiny Board only advise not determine which officers should be called to account; and

that petitions be acknowledged within 5 working days, not 10.

The Monitoring Officer advised that the wording in the Petitions Scheme with regard to her role could be amended to clarify how petitions below the threshold would be dealt with.

On a requisition under Council Procedure Rule 17.5, the following details of voting on the amendment were recorded.

For the amendment: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, S. P. Shannon and C. J. K. Wilson (6);

Against the amendment: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (21);

Accordingly the Chairman declared the amendment to be LOST.

The report recommendations were then put to the vote as the substantive motion, whereupon it was

RESOLVED:

- (a) that the Petitions Scheme attached at Appendix 1 to the report be approved;
- (b) that the Monitoring Officer be authorised to make consequential amendments to the Council Constitution;
- (c) that an e petitions facility be installed on the Council website to enable submission of petitions online in accordance with the Petitions Scheme by 15th December 2010;
- (d) that the relevant sections of the Petitions Scheme be published on the Council website as soon as possible and that the section on e petitions be published on 15th December 2010;
- (e) that the Monitoring Officer be designated responsibility for receiving, acknowledging and responding to petitions to the Council in the first instance, in accordance with the Petitions Scheme.

29/10 **APPOINTMENTS TO OUTSIDE BODIES**

Members considered a report of the Head of Legal, Equalities and Democratic Services on a number of appointments which needed to be made to outside bodies. The report also reminded Members of a number of ex officio appointments.

Members were informed that there was no longer a need to make appointments to the Leader's Board Strategy Advisory Panel as this body had ceased to exist.

RESOLVED:

- (a) that representatives be appointed or nominated to the outside bodies as listed in Appendix 1 to these minutes;
- (b) that appointments to the Bromsgrove Arts Centre Trust be deferred for consideration at the next meeting of the Council and that a copy of the Memorandum and Articles of Association of the Trust be made available to all Members of the Council.

30/10 **INDEPENDENT REMUNERATION PANEL FOR WORCESTERSHIRE DISTRICT COUNCILS**

Members considered a report on behalf of Worcestershire Democratic Services Officers on a proposal for the current Independent Remuneration Panel which covered the district councils in the south of Worcestershire to become the Joint Panel for all six district councils within the County.

RESOLVED:

- (f) that the current Independent Remuneration Panel for Malvern Hills, Worcester City and Wychavon Councils be appointed as the Joint Independent Remuneration Panel for Bromsgrove, Malvern Hills District, Redditch Borough, Worcester City, Wychavon District and Wyre Forest District Councils;
- (g) that Councillor G. N. Denaro be appointed to a Joint Committee comprising one councillor from each participating authority to review and agree the terms of reference of the Panel, the operating arrangements and other relevant details.

The meeting closed at 8.15 p.m.

Chairman

APPOINTMENTS TO OUTSIDE BODIES WHICH WERE DUE FOR RE-APPOINTMENT 2010/11

| Organisation | Representative(s) Appointed | Length of Term | Expiry of Term of Office |
|---|---|--|--|
| Amphlett Hall Management Committee | Councillor Mrs. J. M. Boswell Councillor Mrs. J. M. L. A. Griffiths Councillor Ms. J. A. Marshall Councillor Mrs. M. A. Sherrey JP | 1 year | May 2011 |
| Bromsgrove Citizens' Advice Bureau | Councillor Mrs. M. A. Sherrey JP Councillor E. C. Tibby | 1 year | May 2011 |
| Bromsgrove Community Engagement Group | Portfolio Holder for Community Services (ex-officio) Councillor Ms. H. J. Jones Councillor Mrs C. J. Spencer Councillor C. J. Tidmarsh | Indefinite 1 year 1 year 1 year | Indefinite May 2011 May 2011 May 2011 |
| Bromsgrove District Housing Trust | Councillor Mrs. M. Bunker Councillor Mrs. C. J. Spencer | 1 year | May 2011 |
| LGA Rural Commission | Councillor C. R. Surrell Councillor P. J. Whittaker | 1 year | May 2011 |
| Shared Services Board Non ex officio nominee | Councillor S. R. Colella | 1 year | May 2011 |
| Non-controlling group nominee | Councillor S. R. Peters | | |
| WCC Health Overview & Scrutiny Committee | Councillor Mrs. J. M. L. A. Griffiths | 1 year | May 2011 |
| WCC Corporate Parenting Steering Group | Councillor Mrs. J. M. L. A. Griffiths | 1 year | May 2011 |

| Organisation | Representative(s) Appointed | Length of Term | Expiry of Term of Office |
|--|---|-----------------------|---------------------------------|
| WCC Highways Partnership (Bromsgrove) Forum | Councillor Mrs. R. L. Dent Councillor B. Lewis | 1 year | May 2011 |
| Worcestershire Shared Services Joint Committee - Named Substitute | Councillor Mrs. M. A. Sherrey JP | 1 year | May 2011 |

BROMSGROVE DISTRICT COUNCIL

EXTRAORDINARY MEETING OF THE COUNCIL

WEDNESDAY, 30TH JUNE 2010 AT 6.00 P.M.

PRESENT: Councillors Miss D. H. Campbell JP (Vice-Chairman), Mrs. J. M. Boswell, Mrs. M. Bunker, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, Mrs. A. E. Doyle, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis F.CMI, Dr. G. H. Lord, Ms. J. A. Marshall, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, D. L. Pardoe, S. R. Peters, C. R. Scurrall, S. P. Shannon, R. D. Smith, E. C. Tibby, C. J. Tidmarsh, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

31/10 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. J. M. L. A. Griffiths (Chairman), A. N. Blagg, Dr. D. W. P. Booth JP, J. T. Duddy, Mrs. J. D. Luck, Mrs. C. M. McDonald, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, C. B. Taylor and L. J. Turner.

32/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

33/10 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 30TH JUNE 2010**

STATEMENT OF ACCOUNTS 2009/10

Further to the copy of the report on the Statement of Accounts for 2009/10 which had been circulated with the agenda, Members received an Errata List which detailed changes arising due the amendment of a single transaction in relation to the Artrix roof. The change of approximately £147,000 impacted across numerous statements and notes but did not affect the previously reported increase in general fund balances for the year.

The recommendations from the Cabinet meeting held earlier that day were tabled and moved by Councillor G. N. Denaro and seconded by Councillor R. Hollingworth.

During the debate a number of comments and queries were raised by Councillor P. M. McDonald to which the relevant Portfolio Holder and Section 151 Officer responded. The Section 151 Officer undertook to provide further information in relation to some matters where she was unable to provide detailed answers.

RESOLVED:

- (a) that the unaudited Statement of Accounts for the year ended 31st March 2010 be approved, subject to any revision based on the matters raised at the meeting in relation to clarification of wording and a note to the accounts;
- (b) that the increase in the 2010/11 Capital Programme of £1.192m in relation to the carry forward requests as set out in Appendix 2 to the report be approved;
- (c) that the Annual Governance Statement be approved; and
- (d) that the outturn position on revenue and capital as detailed in the report be noted.

34/10 **NATIONAL BUDGET FINANCE IMPLICATIONS**

Members considered a report of the Head of Leisure and Cultural Services which drew attention to notification received from the Department of Culture, Media and Sport (DCMS) with regard to the removal of grant funding for the provision of free swimming for over 60s as from 31st July 2010.

The recommendations were moved by Councillor M. J. A. Webb and seconded by Councillor G. N. Denaro.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the recommendations: Councillors Mrs. J. M. Boswell, Mrs. M. Bunker, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, Mrs. A. E. Doyle, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Ms. H. J. Jones, B. Lewis, Dr. G. H. Lord, D. L. Pardoe, S. R. Peters, C. R. Scurrrell, R. D. Smith, E. C. Tibby, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (21);

Against the recommendations: Councillors Ms. J. A. Marshall, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, S. P. Shannon and C. J. K. Wilson (7).

RESOLVED:

- (a) that the removal of the grant funding from the DCMS (£31,000 per annum) for over 60s swimming be acknowledged;
- (b) that officers be instructed to remove the free swimming programme as from 1st August 2010 and prepare a promotional campaign to inform residents of this decision and the circumstances in which it was made;
- (c) that, as part of the reintroduction of charging for over 60s swimming, the current concessions scheme (50% discount) be implemented.

35/10 **APPOINTMENTS TO BROMSGROVE ARTS CENTRE TRUST**

Further to the previous meeting at which consideration had been given to the need to appoint five representatives to the new Bromsgrove Arts Centre Trust and Members having since received a copy of the Memorandum and Articles of Association for the Trust, it was

RESOLVED that representatives be appointed as follows:

| Organisation | Representatives Appointed | Length of Term | Expiry of Term of Office |
|---|---------------------------------------|----------------|--------------------------|
| Bromsgrove Arts Centre Trust – charitable company no 05455644 | Councillor Miss D. H. Campbell JP | 3 years | May 2013 |
| | Councillor Mrs. J. M. L. A. Griffiths | 3 years | May 2013 |
| | Councillor Mrs. M. A. Sherrey JP | 3 years | May 2013 |
| | Councillor R. D. Smith | 2 years | May 2012 |
| | Councillor Mrs. C. J. Spencer | 2 years | May 2012 |

The meeting closed at 7.26 p.m.

Chairman

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Agenda Item 6

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 30TH JUNE 2010 AT 4.00 P.M.

PRESENT: Councillors R. Hollingworth (Chairman), G. N. Denaro (Vice-Chairman),
Mrs. J. Dyer M.B.E., M. J. A. Webb and P. J. Whittaker

Observers: Councillor S. R. Colella

Officers: Ms. S. Hanley, Ms. J. Pickering, Mr. J. Staniland, Mrs. C. Felton,
Mr. J. Godwin, Ms. T. Kristunas, Ms. D. Poole, Mr. G. Revans, Mr. M.
Carr and Ms. R. Cole

17/10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dr. D. W. P. Booth JP
and Mrs. M. A. Sherrey JP.

18/10 DECLARATIONS OF INTEREST

No declarations of interest were received.

19/10 MINUTES

The minutes of the meeting of the Cabinet held on 2nd June 2010 were
submitted.

RESOLVED that the minutes be approved as a correct record.

20/10 OVERVIEW BOARD

The minutes of the meeting of the Overview Board held on 1st June 2010
were submitted.

RESOLVED that the minutes be noted.

21/10 AUDIT BOARD

The minutes of the meeting of the Audit Board held on 7th June 2010 were
submitted.

RESOLVED:

- (a) that the minutes be noted; and
- (b) that recommendations contained at Minute No 10/10 (a) to (e) relating
to Protecting the Public Purse be approved.

- (c) that it be noted that recommendation Minute No 10/10(e) was a matter for the Cabinet to determine and therefore did not need to be referred to the Council.

22/10 **SCRUTINY BOARD**

The minutes of the meeting of the Scrutiny Board held on 10th June 2010 were submitted.

RESOLVED: that the minutes be noted.

23/10 **JOINT OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Joint Overview and Scrutiny Board held on 15th June 2010 were submitted.

RESOLVED: that the minutes be noted.

24/10 **COMMUNITY INVOLVEMENT IN THE DEMOCRATIC PROCESS -
OVERVIEW BOARD/TASK GROUP REPORT**

Councillor G. N. Denaro as the Portfolio Holder for Resources referred to the Overview Board Task Group report on Community Involvement with Local Democracy and acknowledged the importance of increasing democratic participation, particularly in the light of recent events at both national and local level.

The increased level of public involvement in the democratic process through the work of the Joint Overview and Scrutiny Committee in relation to petitions and task group exercises was acknowledged and welcomed.

Councillor Denaro welcomed the recommendations within the report, some of which complemented and extended the work already being undertaken by officers from a number of departments within the Authority and in partnership with colleagues from the County Council. Concern was expressed however regarding the current and forthcoming programme of work to be carried out by officers and the potential impact of the additional recommendations.

Councillor Denaro stated that having discussed the proposals with the Head of Legal, Equalities and Democratic Services he was satisfied that in the main, existing projects and programmes could be extended to include recommendations of the Task Group and that the resources required were largely internal with officer time and activity able to be re-directed. This would need close working between Heads of Service and their respective officers to extend existing work programmes to take account of additional projects.

Members also wished to see that the impact of the work to be undertaken was measured with an increase in the outturn figures in respect of the 2011 local elections.

The Cabinet felt that there were significant resources implications which would need to be addressed in the way suggested by the Portfolio Holder.

At the invitation of the Leader, the Chairman of the Overview Board Councillor S. R. Colella addressed the meeting and referred to the evidence base considered by the Task Group and the significant amount of work undertaken by Members and officers.

The Leader thanked the Task Group on behalf of the Cabinet for their hard work in producing a very good report.

RESOLVED that the recommendations of the Community Involvement in Local Democracy Task Group be approved subject to the programme of implementation being drawn up in consultation with the relevant Heads of Service as referred to in the preamble.

25/10 **IMPROVING RESIDENTS SATISFACTION - SCRUTINY BOARD/TASK GROUP REPORT**

The Cabinet considered the report of the Improving Residents' Satisfaction Task Group. The Leader invited the Chairman of the Task Group, Councillor S. R. Colella to introduce the report.

Councillor Colella referred to the results of the latest Place Survey which had indicated a low level of satisfaction with services provided by the Council. The Task Group had looked in detail at the survey results and identified ways of improving residents' perception, including highlighting areas where the Authority was performing well.

The Cabinet was in agreement with the recommendations but it was highlighted that there were financial implications in respect of some of the recommendations and these would need to go through the normal budget process.

As with the Community Involvement in Local Democracy Task Group, it was felt that there should be close working between relevant Heads of Service and their officers to extend existing work programmes in order to undertake the work arising from the recommendations.

The Leader thanked the Chairman of the Task Group for an excellent report.

RESOLVED that the recommendations of the Improving Residents' Satisfaction Task Group be approved, subject to items with direct financial implications going through the usual budgetary process and to the programme of implementation being agreed with Heads of Service.

26/10 **SHARED SERVICES BOARD**

It was noted that there were no recommendations arising from the meeting of the Shared Services Board held on 24th June 2010 and that the minutes would be submitted to the next Cabinet for noting.

27/10 **BROMSGROVE LOCAL STRATEGIC PARTNERSHIP**

The minutes of the meeting of the Bromsgrove Local Strategic Partnership held on 20th May 2010 were submitted.

RESOLVED that the minutes be noted.

28/10 **EQUALITY AND DIVERSITY FORUM**

The minutes of the meeting of the Equality and Diversity Forum held on 15th April 2010 were submitted.

RESOLVED that the minutes be noted.

29/10 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

The Leader reported on the position in relation to the West Midland Leaders Board, Advantage West Midlands and the West Midlands Regional Improvement and Efficiency Partnership.

30/10 **STATEMENT OF ACCOUNTS 2009/2010**

The Cabinet considered a report on financial information for the year ended 31st March 2010 together with a list of amendments to the Statement of Accounts arising from a single transaction.

The Portfolio Holder and the Executive Director Finance and Corporate Resources responded to questions on the accounts from Members. Arising from the queries raised the Executive Director Finance and Corporate Resources undertook to provide additional financial training to all Members of the Council.

RECOMMENDED:

- (a) that the unaudited Statement of Accounts for the year ended 31st March 2010 be approved;
- (b) that the increase in the 2010/2011 Capital Programme of £1.192m in relation to the carry forward requests as set out in Appendix 2 to the report be approved;
- (c) that the Annual Governance Statement be approved; and
- (d) that the outturn position on revenue and capital as detailed in the report be noted.

31/10 **BENEFIT TAKE UP STRATEGY**

The Cabinet considered a report on the proposed adoption of a Housing Benefit and Council Tax Benefit Take Up Strategy to ensure that residents continue to receive advice and encouragement to claim any benefit to which they may be entitled.

RESOLVED that the Housing Benefit and Council Tax Benefit Take up Strategy attached as an Appendix to the report be approved.

32/10 **IMPROVEMENT PLAN 2010/2011**

The Cabinet considered a draft version of the Improvement Plan 2010/2011.

RESOLVED that the draft Improvement Plan 2010/2011 be approved.

33/10 **PERFORMANCE MONITORING REPORT (MAY 2010)**

The Cabinet considered a report on the Council's performance as at 31st May 2010 (period 2).

RESOLVED:

- (a) that it be noted that 61% of Performance Indicators were stable or improving;
- (b) that it be noted that 45% of Performance Indicators which had a target were meeting their target as at the month end and that 85% were projected to meet their target at the year end;
- (c) that the performance figures for May 2010 as set out in Appendix 2 be noted;
- (d) that the particular areas of improvement as set out in section 4.2 of the report be noted; and
- (e) that the particular areas of concern as set out in section 4.3 of the report be noted.

34/10 **ANNUAL REPORT - NATIONAL INDICATOR OUTTURNS 2009/2010**

Consideration was given to a report on the National Indicator Performance Outturns in 2009/2010 for all National Indicators collected at a District level.

It was reported that a separate Annual Report would be submitted to Cabinet in September 2010 which would summarise achievements against Council priorities and targets.

RESOLVED:

- (a) that the changes to the format and timing of the Annual Report as set out in section 3 be noted; and
- (b) that the performance outturns for all National Indicators as set out in the Appendix to the report be noted.

The meeting closed at 5.30 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

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Purchase of George House, 2 Worcester Road, Bromsgrove

| | |
|---------------------------|--|
| Relevant Portfolio Holder | Cllr D W P Booth (Town Centre Regeneration) Cllr J Dyer (Planning & Regeneration) |
| Relevant Head of Service | Head of Planning & Regeneration – John Staniland |
| Key Decision Yes | |

1. SUMMARY OF PROPOSALS

- 1.1 This report seeks to advise the Council of an urgent decision that has been taken under the Urgent Decision Procedures to purchase the property known George House, situate at number 2 Worcester Road, Bromsgrove.

2. RECOMMENDATIONS

- 2.1 That the Council note the urgent decision taken to purchase 2 Worcester Road Bromsgrove
- 2.2 That the Council note the consequential effect to the Capital Programme and the need for it to be increased by £550k for the period 2010/11 - this being the purchase price (including all other associated costs) of the above mentioned property.

3. BACKGROUND

- 3.1 Members are aware that the redevelopment of the Town Centre is a priority for this Council and that this has been identified on many occasions by residents throughout the District.
- 3.2 Members will also be aware that the current downturn in the economic market together with the lack of properties within the town centre that are within the ownership of the Council has made this process more difficult.
- 3.3 It recently came to officers attention that the above building was being offered for sale by auction.
- 3.4 The building comprises three storeys with retail on the ground floor (presently occupied by Blockbuster) and vacant office accommodation on the upper floors and equates to accommodation of 391.7 square metres. It lies adjacent to the former market hall site and offers the opportunity to achieve a comprehensive and landmark development in this important part

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of the town. The strategic role of the site is referred to in the Town Centre Area Action Plan (Issues & Options version) and the Bromsgrove Town Conservation Area Appraisal (Consultation Draft).

- 3.5 The date of the auction (6th July 2010) gave officers insufficient time to seek prior Council approval for the purchase of the building and therefore an urgent decision was taken in accordance with the rules set out within the Councils constitution to enable the purchase to take place.
- 3.6 Members are advised that in exercising this decision officers were mindful of recent disposals that had been effected on the Aston Fields Industrial Estate that had achieved Capital receipts in the region of £1,000,000.
- 3.7 Given the current status of the investment market at present and the inability for the Council to secure investment rates of any more than 1% it was felt that the purchase of this site in a depressed market was advantageous given the strategic advantages that the site would afford the Council within the wider Town Centre Development plan.

4. KEY ISSUES

- 4.1 The regeneration and revitalisation of Bromsgrove Town Centre is a key Council priority. The redevelopment of certain strategic sites within the town centre is seen as critical to achieving the above priority. In July 2008, the Council produced the Bromsgrove Town Centre Area Action Plan (AAP) (Issues & Options version). This identified a number of potential development opportunity sites and one such site (site 2), comprises the former Market Hall site and George House. The AAP indicates that the site provides an opportunity to develop a landmark building at the western gateway to the High Street and could attract a high quality retailer, environmental improvements and associated car-parking. In addition, it is noted that the Blockbuster building (George House), plays a very important townscape role in terminating the High Street vista (It should be stressed that this role applies to the location of the building and not its architectural merit).
- 4.2 George House lies within the Bromsgrove Town Conservation Area. The Bromsgrove Town Conservation Area Appraisal (Consultation Draft November 2009) provides an assessment of the Area's buildings, spaces, evolution and sense of place and is the first step in developing a management plan for the continued preservation and enhancement of the Conservation Area.
- 4.3 The appraisal identifies George House as lying within Character Zone 3 (Worcester Road) of the Conservation Area and indicates it is of poor

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architectural quality but occupies a highly visible and prominent location where the High Street is at its widest. The building is regarded as making a negative contribution to the Conservation Area. Worcester Road is identified as having the potential to be improved and there are various important views through to the former market hall site and St John's church beyond.

- 4.4 George House lies adjacent to the former market hall site. The appraisal notes that although this latter sites lies outside the Conservation Area, it could set the tone for high quality contemporary design which complements the wider historic context of Bromsgrove.
- 4.5 The purchase of George House will significantly enhance the Council's chances of securing a quality and comprehensive development in this prominent part of the town and make a significant contribution to the vitality and viability of the town centre. It will ultimately improve the street scene, enhance building frontages and make the area a more attractive place for people who live and work in the town and for visitors to the town.

5. FINANCIAL IMPLICATIONS

- 5.1 The redevelopment of the Town Centre is one of the priorities of the Council and therefore it is important to demonstrate the investment of funds into this area.
- 5.2 In February 2010 the Council sold, following approval by Council, a number of industrial properties in Aston Fields as these sites did not support the priorities that had been identified. In addition the servicing and landlord responsibilities were becoming excessive.
- 5.3 The receipts of £1m have been generated and it is proposed that these are utilised to fund the purchase of the George House site. This purchase will enhance to opportunities available to develop the area as part of the Town Centre works.
- 5.4 The purchase of the site will need to be included in the capital programme and it is proposed that a value of £550k is included for 2010/11 to meet all costs and fees associated with the purchase. This will be financed from the capital receipts as identified in 5.3.
- 5.5 The Council will also benefit from the rental that is generated from the unit currently occupied of £45k pa. This will be included in the revenue income for the property once the sale is completed.

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6. LEGAL IMPLICATIONS

- 6.1 In cases of urgency involving expenditure outside the budget and policy framework decisions must be taken in accordance with paragraph 5 (a) of Part Six of the Bromsgrove District Council Constitution – Budget and Policy Framework Procedure Rules,
- 6.2 Such decisions must also comply with the requirements of the Scheme of Delegation as to urgent decisions where formal reporting to Cabinet or Council is not possible due to urgency.
- 6.3 For members information, in accordance with the Constitutional requirements referred to above, the following persons were consulted and gave approval to the urgent decision;
- Chief Executive
 - The Leader of the Council
 - The Section 151 Officer
 - The Monitoring Officer
 - The Chairman of the Scrutiny Board

7. POLICY IMPLICATIONS

- 7.1 The information set out in section 4 of this report demonstrates how the purchase of the site supports the Council's policies and in respect of town centre regeneration and the enhancement of the Bromsgrove Town Conservation area.

8. COUNCIL OBJECTIVES

- 8.1 The regeneration of the town centre is a priority for the Council. It is considered that the purchase of George House will make a significant contribution towards this objective by making comprehensive development of this area more likely.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 9.1 The main risks associated with the details included in this report are:
- The Council was not able to carry out a full inspection of the building and hence assess liability with regard to future maintenance

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- Whilst the ground floor of the building is presently let to Blockbuster, the upper floors are vacant and occupation may be difficult given the poor state of the office market, should the Council wish to rent out the space.

9.2 The risks referred to above are not currently addressed by any risk register and will therefore be managed as follows:

- The building will be surveyed to assess its overall condition and make recommendations with regard to any essential works.
- Consideration will be given as to suitability of the office accommodation for letting on a short term basis

10. CUSTOMER IMPLICATIONS

10.1 The redevelopment of this part of the town will enhance the attractiveness of the town and create a better environment for residents, shoppers and visitors.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 None identified

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 The value of the site is likely to be enhanced by the fact that the Council owns the adjacent land at the former market hall site and adjoining car-park in Hanover Street.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None identified as a direct result of purchasing the site. However, any subsequent redevelopment of the land would need to have regard to minimising the carbon footprint and ensuring any environmental impacts are acceptable.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None identified

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None identified

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16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 Such matters would need to be taken into account in the event of the building becoming vacant or if the site is subsequently redeveloped.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None identified

18. LESSONS LEARNT

18.1 None identified

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 None identified

20. OTHERS CONSULTED ON THE REPORT

| | |
|---|-----|
| Portfolio Holder | No |
| Chief Executive | Yes |
| Executive Director (S151 Officer) | Yes |
| Executive Director – Leisure, Cultural, Environmental and Community Services | No |
| Executive Director – Planning & Regeneration, Regulatory and Housing Services | Yes |
| Director of Policy, Performance and Partnerships | No |
| Head of Service | Yes |
| Head of Resources | No |
| Head of Legal, Equalities & Democratic Services | Yes |
| Corporate Procurement Team | No |

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21. WARDS AFFECTED

All wards

22. BACKGROUND PAPERS

Bromsgrove Town Conservation Area Appraisal (Consultation Draft
November 2009)

AUTHOR OF REPORT

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