



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE JOINT OVERVIEW AND SCRUTINY BOARD

TUESDAY 9TH MARCH 2010, AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors S. R. Colella (Chairman), D. L. Pardoe (Vice-Chairman), A. N. Blagg, Mrs. M. Bunker, R. J. Deeming, Mrs. R. L. Dent, Mrs. J. M. L. A. Griffiths, Mrs. J. D. Luck, S. R. Peters, C. R. Scurrall, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh and L. J. Turner

AGENDA

1. To receive apologies for absence
2. Declarations of Interest and whipping arrangements
3. To confirm the accuracy of the minutes of the meeting of the Joint Overview and Scrutiny Board held on 19th January 2010 (Pages 1 - 8)
4. Verbal update on progress of the Worcestershire Hub Joint Scrutiny Task Group (Councillor C. B. Taylor)
5. Bromsgrove Community Safety Partnership - Presentation
6. Work Programme (Pages 9 - 16)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

1st March 2010

Agenda Item 3

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE JOINT OVERVIEW AND SCRUTINY BOARD

TUESDAY, 19TH JANUARY 2010 AT 5.00 P.M.

PRESENT: Councillors S. R. Colella (Chairman), D. L. Pardoe (Vice-Chairman), Mrs. M. Bunker, Mrs. R. L. Dent, Mrs. J. M. L. A. Griffiths, S. R. Peters, C. R. Scurrall, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh and L. J. Turner

Observers: Councillors Dr. D. W. P. Booth JP (Present for Minute No. 18/09), G. N. Denaro (Present from Minute No. 13/09 to 17/09), R. Hollingworth (Present from Minute No. 13/09 to 17/09), P. M. McDonald (Present for Minute No. 13/09 to 18/09) and E. J. Murray (Present for Minute No. 13/09 to 18/09)

Officers: Mr. H. Bennett, Ms. J. Pickering, Mrs. S. Sellers, Mr. P. Michael, Mr. M. Carr and Mrs. A. Scarce

13/09 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. N. Blagg, R. J. Deeming and Mrs. J. D. Luck.

14/09 DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

Councillor S. R. Peters declared a personal interest in the Worcestershire Hub Joint Scrutiny Committee in view of the fact that he was a Member of an Overview and Scrutiny Committee at Worcestershire County Council that was considering the matter.

15/09 MINUTES

The minutes of the meeting of the Joint Overview and Scrutiny Board held on 1st December 2009 were submitted.

RESOLVED that the minutes of the Joint Overview and Scrutiny Board be approved as a correct record.

16/09 MEDIUM TERM FINANCIAL PLAN 2010/11-2012/13

Members considered a report by the Head of Financial Services which provided information to enable them to review the current position on the Medium Term Financial Plan for 2010/11 to 2012/13. The Head of Financial Services introduced the report and presented the key points to the Board including the key assumptions that had been made.

The Head of Financial Services outlined the key unavoidable pressures on the budget for 2010/11-2012/13, together with the key bids and the key savings. Members' attention was also drawn to the Capital Programme for 2010/11-2012/13.

Members asked where the costs of demolition of the Market Hall were in the Medium Term Financial Plan and were informed that these costs were being met out of financial balances.

In response to a query as to whether additional advertising revenue could be raised through advertising in the Older Peoples Directory, the Head of Financial Services advised that it was difficult to gauge how much revenue could feasibly be raised through this in the current economic climate.

The Chairman thanked the Head of Financial Services for her presentation.

RESOLVED that the contents of the report and presentation be noted.

17/09 **PETITION - "FAIRTRADE BROMSGROVE"**

The Board received a public petition entitled "Fairtrade Bromsgrove", submitted by Mr. Art Lavelle. The petition contained approximately 150 signatures. The petition read as follows:

"This petition asks for support for the Fairtrade Bromsgrove Steering Group. In signing this you will be-

- Encouraging Bromsgrove District Council to pass a resolution in favour of gaining Fairtrade status
- Considering seriously purchasing Fairtrade products where they are available in Bromsgrove outlets".

The Chairman summarised the role of the Board in receiving petitions and outlined the process to be followed in consideration of petitions. He explained that the Board considered topics concerning the Council and the District and received evidence from various perspectives.

The Chairman explained that the Board was constitutionally independent from the Cabinet and where appropriate could make recommendations to the Cabinet. He said that the Board would interview key witnesses from different perspectives in respect of the petitions by asking them a series of questions. The Board would then consider if it wished to make any recommendations and if so what these would be.

The Chairman invited the Lead Petitioner, Mr. Art Lavelle to present his petition, allowing up to 5 minutes. Mr. Lavelle explained that the Fairtrade Foundation supported farmers and workers in developing countries to guarantee a minimum income and basic health, educational and community amenities regardless of prevailing market conditions. He said that between 4-20% of the cost of fair trade products went towards community projects, with spending priorities usually decided on a collective democratic basis.

Mr. Lavelle stated that the Fairtrade Foundation encouraged towns to achieve fair trade status and there were 454 towns in the UK with Fairtrade status at that time. He said that there were 5 conditions to achieve Fairtrade status and that one of them was for the Council to support the idea with a resolution.

Mr Lavelle explained that Fairtrade was not a contradiction to free trade and that the Government supported both free trade and Fairtrade. He said that the national Conservative Party also supported Fairtrade. He said that there are 2 billion people world wide that live below the poverty level of \$2 a day and that Fairtrade intended to help alleviate this problem.

Mr. Lavelle indicated that they had contacted local organisations such as churches and the Oxfam shop and started a petition to canvas support and outlined the key reasons why the Council should support the campaign.

- it was a community project where anyone in the community, child or adult, could join in.
- it was something that the Council could do to show community leadership and engender civic pride.
- the cost to the council would be limited as the main costs would be in time commitment and promotion rather than direct financial commitment.
- it would encourage trade in Bromsgrove, as it persuades people to think more about where their food and produce comes from it encourages them to think more about local products produced in their local area as well.

The Chairman thanked Mr. Lavelle for his petition and invited Members of the Board to put questions to him on the petition.

He was asked about the progress towards Fairtrade status at Redditch and responded that they did not yet have Fairtrade status.

Members asked what other qualifications were required, apart from a resolution of Council, to achieve Fairtrade status. Mr. Lavelle advised that there were 5 conditions, including a resolution of Council. There was also the condition that Fairtrade products be available locally, including high street outlets and Council provision at public meetings. Bromsgrove would need at least 18 outlets to sell at least 2 Fairtrade products and he referred to a number of high street products that were already Fairtrade. Mr. Lavelle expressed the view that schools should be involved and other local organisations. He also indicated that a steering group needed to be established with Council representation and that an initial steering group had already been set up.

A Member of the Board commented that Fairtrade products were already available through many outlets and that people were free to support Fairtrade through consumer choice and that it was not necessary for the Council to give direct support. The concern was expressed that if the Fairtrade brands attained too much support from government and become too big this may

upset the balance. It was suggested that consumer choice offered a balance which allows consumer choice to support Fairtrade if they so wished.

The Chairman invited the Assistant Chief Executive to present the officer report. The Assistant Chief Executive said that operationally there would be some minor costs to the Council in terms of staff time but that it would not be a problem to roll out. He said that the issue of whether to support Fairtrade was more of an ideological debate and pointed out that the Adam Smith Institute argued against Fairtrade.

Members asked about the time and resource implications of supporting Fairtrade, especially in terms of officer time to support the steering group. It was pointed out that the Council had made recent decisions not to support bodies because of the resource implications and that committing resources to this may be inconsistent with that.

Mr. Lavelle was asked about the policing of Fairtrade agreements in order that the rules were upheld and there was no corruption. He responded that Fairtrade did regulate producers but that he was not aware of how this was done. The Assistant Chief Executive commented that the big companies involved with Fairtrade such as Cadburys made it more likely that it would be properly regulated, but that more details on this were required.

Concern was expressed by a Member of the Board at the potential resource implications to the Council Overview and Scrutiny Boards of undertaking a Task Group to investigate the issue further, as there were other agreed priorities. Concern was also expressed at the narrow scope of Fairtrade in just supporting Fairtrade organisations. The Assistant Chief Executive clarified that the report stated that there would be no financial implications to the petition but that the costs of supporting Fairtrade had not yet been costed. Members of the Board expressed the view that more information was required on the potential costs and resource implications to the Council of supporting Fairtrade before a decision could be made. It was agreed that the issue should be referred back to the Cabinet along with a full costing of the resource implications of supporting and attaining Fairtrade status.

RESOLVED that the Cabinet receive a report from the Assistant Chief Executive on the full cost implications of supporting Fairtrade status for Bromsgrove.

18/09 **PETITION - "SAVE THE MARKET HALL"**

The Board received a petition submitted by Mr. Fred Stanley entitled "Save the Market Hall". The petition contained over 1000 names and addresses. The petition read as follows:

"We the undersigned feel the market hall should not be pulled down, as this town has had a market hall since the time of King Henry the 8th or even earlier than that. The market hall should be put to another use rather than pulling it down. We are looking for all the support we can get and need people to lobby the council and our local mp's to save our market hall".

The Chairman reiterated the role and purpose of the Joint Overview and Scrutiny Board in considering petitions and explained the process for the petition for the benefit of members of the public that joined the meeting later. He explained that he had agreed to put back consideration of the agenda item on this petition until 6.00 p.m. to allow time for members of the public with an interest in this item to attend.

The Chairman outlined the process for the consideration of the petition as follows:

- Presentation of the petition by the Lead Petitioner, Mr. Fred Stanley, with Mr. Alan Mitchell speaking in substitute on his behalf, allowing up to 5 minutes, followed by questions from the Board,
- Presentation of the officer report by the Economic Development & Town Centre Manager,
- Questions to the Cabinet Portfolio Holders and lead officer,
- Questions to Ward Member, Councillor E. C. Tibby, if required,
- Questions to nominated petition supporters - Councillors P. M. McDonald and E. J. Murray, if required.

The Chairman pointed out that at least one fraudulent signature had been identified in the petition on the Market Hall and that the person concerned had confirmed that his signature had been falsified and that he had not in fact signed the petition. The Chairman warned that fraudulent signatures undermined the credibility of petitions and that the Board would be likely to take a dim view of petitions presented to it which contained deliberately falsified signatures.

RESOLVED that the identified falsified signature entered on the petition "Save the Market Hall" be struck off from the petition.

At this stage of the meeting there was some disturbance and interjections from the public gallery. The Chairman asked members of the public and Councillors not on the Board not to interrupt the proceedings.

The Chairman invited the lead petitioner to present the petition. Mr. Alan Mitchell presented the petition on behalf of Mr. Fred Stanley. Mr. Mitchell presented some key reasons why the petition to save the Market Hall had been organised and presented to the Board.

Mr. Mitchell referred to comments allegedly made by the Leader of the Council that the people of Bromsgrove had agreed to the plans for the regeneration of the town centre, including the planned demolition of the Market Hall site. He said that the plans for the redevelopment of the site had not been made available for public inspection and that the public had not been able to have their say. He said that the people would not have given their approval to the regeneration of the Market Hall site if the details had been available. He expressed the view that the Market Hall belonged to the people of Bromsgrove and should not be demolished without a public meeting or a public referendum and that there was wide support for retention of the market hall from all the wards in the District.

Mr. Mitchell expressed the view that the financial calculations for the revenue to be raised from the car park that was planned to replace the Market Hall structure on the site, which were expected to generate an additional £25,000 a year, were flawed as there was insufficient demand for car parking facilities and existing car parks were not fully utilised.

Mr. Mitchell concluded by stating that if the Market Hall was demolished there was no prospect of the site being redeveloped in the near future, possibility for some years and that the people of Bromsgrove felt passionate about their Market Hall and should be allowed to vote on its future.

The Chairman thanked Mr. Mitchell and invited Members of the Board to ask questions to him on the petition.

The Chairman invited the Economic Development & Town Centre Manager to introduce the officer report on the Demolition of the Market Hall. This provided background information on the decision taken by the Cabinet on 2nd September 2009 to demolish the Market Hall as the first phase of preparation of the site for redevelopment. Members were informed that the Market Hall had been closed in February 2009 and the market stalls transferred to the Bromsgrove High Street for the establishment of a new outdoor market in March 2009. Since then the High Street Market has been running every Tuesday, Friday and Saturday. The Economic Development & Town Centre Manager referred to surveys conducted of market traders and shoppers which indicated that the move of the market stalls to the High Street had been popular and it was felt to have been a successful move.

Income from stall rental had been increased, foot-fall around the market stalls had increased, more life had been added to the high street and that the move had been very popular amongst market stall traders.

The Chairman invited Members of the Board to put questions to the Economic Development & Town Centre Manager.

Members asked about the antiques fair held at the Market Hall and whether there had been any discussion with them about their relocation. He said that there had been several discussions and that the Council had been attempting to assist in finding an alternative location around the town. He reported that the Spadesborne Suite at Burcot Lane was suitable at the weekends but not during the week.

The Portfolio Holder for Street Scene and Project Management of the Town Centre was asked what sort of new developments could be anticipated from redevelopment of the Market Hall site. He advised that retail or hospitality developments were anticipated, but that all options were being considered. The cost of maintaining the building was approximately £40,000 per year and the income generated from the antiques fair and the café was well below this figure. The demolition would save the Council a significant amount of money and would allow the interim solution of extra car parking facilities to be put in

place while negotiations were taking place to find a potential developer for the site.

Members asked whether, despite a very strong case being presented for redevelopment of the site, options had been explored for keeping the Market Hall structure in place. The Portfolio Holder replied that other options had been considered, including auction companies, and a children's play centre, but that other commercial partners tended to require sites near transport interchange points (e.g. near motorways), larger premises and free parking.

A question was raised as to what the implications might be if the redevelopment of the Market Hall site were not to go ahead. The Portfolio Holder responded that the site would become moribund, but that the site would become attractive for redevelopment to a major retailer in the medium term.

Members asked about consultation for the redevelopment of the Market Hall site. In response the Portfolio Holder referred to surveys that had taken place following the relocation of the market from the Market Hall to the High Street. Approximately six weeks after the launch, surveys of customers, shopkeepers and the market traders had been carried out to ask for their views on the relocation of the market to the High Street. Key results from the survey of Shoppers/Customers were outlined.

- Respondents were asked "do you think the new market has made the town centre more interesting for shoppers?" 86% said "yes" and 14% said "no".
- Respondents were asked "what do you like about the market?" (in the high street). The top 4 answers were: "more variety", "brings people in", "better access to market", "improves atmosphere".
- Respondents were asked "overall, are you in favour of the High Street Market continuing?" 86% said "yes" and 14% said "no".

The Portfolio Holder advised that the surveys demonstrated support for the market in the High Street among the key target groups; shoppers, shopkeepers and market traders and that it was also clear that there would be no support among any of these groups (especially market traders) for a re-opening of the Market Hall. A further series of surveys was planned towards the end of 2010 when the High Street market would have been established for 18 months.

It was also noted that traders' attendance at Bromsgrove High Street market had remained steady despite the recession and the cold weather, that stall rental receipts were higher than forecast and that there was every reason to expect the continued success of Bromsgrove market in the High Street.

Members asked the Portfolio Holder to describe the Market Hall; its aesthetics and functionality. He advised that the Hall was 8,000 square feet; purpose built for a market, that it was not suitable for any other use and certainly not for a modern retailing outlet.

At this stage there were interruptions from the public gallery. The Chairman asked people in the public gallery to stop interjecting and to allow the Members of the Board to speak. A Member of the Board protested that they could not ask their question clearly because of the noise and interruptions from the public gallery. At this point, having heard evidence from the lead petitioner, the appropriate officer and relevant Portfolio Holder, it was suggested that the meeting be brought to a conclusion. It was then moved and seconded that the Board taken no further action. Having been put to the vote, it was

RESOLVED that the Board take no further action in respect of the petition "Save the Market Hall".

19/09 **THE WORCESTERSHIRE HUB JOINT SCRUTINY COMMITTEE**

The Board considered a report of the Head of Legal, Equalities and Democratic Services inviting the nomination of a Member to represent Bromsgrove District Council on the Worcestershire County Council Overview and Scrutiny Performance Board task group on the Worcestershire Hub. After discussion it was

RESOLVED that Councillor C. B. Taylor be nominated as the Bromsgrove District Council representative on the Worcestershire County Council Overview and Scrutiny Performance Board task group on the Worcestershire Hub.

The meeting closed at 6.35 p.m.

Chairman

JOINT OVERVIEW & SCRUTINY MEETING SCHEDULE AND WORK PROGRAMME 2009/10

9th March 2010

The role of the Joint Overview & Scrutiny Board (JOSB) is to discharge the following functions:

- ~ Councillor Calls for Action,
- ~ Crime and Disorder (it is The designated as the Crime and Disorder Committee in accordance with the Police and Justice Act 2006),
- ~ To receive Petitions,
- ~ Scrutiny of the Council Budget.

1. ITEMS FOR FUTURE MEETINGS (INCLUDING UPDATES)

1.1 Schedule of meetings and agenda items

See Appendix 1 - Schedule of meetings and agenda items.

1.2 Standing Items

The following items will be considered at regular intervals, as indicated.

Consideration of Crime and Disorder Reduction Partnership (CDRP) Issues - Standing item on each agenda

Consideration of Petitions - Standing item on each agenda

Consideration of Councilor Call for Action items - Standing item on each agenda

Appendix 1 - Schedule of meetings and agenda items

Date of Meeting	Subject & Description	Documentary Evidence	Witnesses Department and Leader Officers Community Partners etc	Decision Maker(s) / Decision Date	Possible Outcomes
	<p>JOSB Work Programme To agree the JOSB Work Programme 2009-2010.</p>	<p><i>A report of the Head of Legal, Equalities and Democratic Services to agree the Work Programme for the JOSB</i></p>	<p><i>Chairman of the JOSB – Cllr S. Colella</i></p> <p><i>Claire Felton – Head of Legal, Equalities and Democratic Services</i></p> <p><i>Sarah Sellers – Senior Soliciter</i></p> <p><i>Michael Carr – Scrutiny Officer</i></p>	<p>JOSB 1st December 2009</p>	<p>Agreement of the JOSB Work Programme.</p>
<p>Tuesday 1st Dec 2009 6.00 p.m.</p>	<p>The Draft Budget Proposals <i>Presentation on the Budget Process, recommended Capital Programme and Draft Base Budget for 2010 -</i></p>	<p><i>Presentations to Scrutiny Steering Board on the budget process, draft Capital Programme and base revenue budget.</i></p>	<p>Cllr G Denaro – Cabinet Member</p> <p><i>Executive Director Services Tony Beirne</i></p>	<p>Full Council 24th February 2010.</p>	<p>Recommendations on amendments to the Capital Programme and Draft Base Budget 2010-2011.</p>

	2011		Head of Financial Services Jayne Pickering		
	The Treasury Strategy To consider the investment portfolio of the Council.		Cllr G Denaro – Cabinet Member Head of Financial Services Jayne Pickering	Cllr G Denaro – Cabinet Member Cabinet March 2010	
	Scrutiny of Crime and Disorder	A report of the Head of Legal, Equalities and Democratic Services to consider the statutory provisions for the scrutiny of crime and disorder.	Claire Felton – Head of Legal, Equalities and Democratic Services Sarah Sellers – Senior Solicitor Michael Carr – Scrutiny Officer		Agreement on the process for drawing up the draft procedures for the scrutiny of crime and disorder partnerships.
Tuesday 5th Jan 2010 6.00 p.m.	The Draft Budget Proposals Consideration by Scrutiny Steering Board	A report of the Head of Financial Services	Cllr G Denaro – Cabinet Member	Full Council 24 th February 2010. 6th Jan. 2010 -	

<p>Rescheduled to Tuesday 19th January 2010 5pm</p>	<p><i>of detailed budget for each area and proposed growth and budget reductions (if required).</i></p>		<p><i>Executive Director Services Tony Beirne</i></p> <p><i>Head of Financial Services Jayne Pickering</i></p>	<p>Consideration by Cabinet of Revenue budget.</p>	
<p>Wednesday 10th February 2010 6.00pm</p>	<p>Councillor Calls for Action</p> <p><i>Deferred pending the outcome of the Community Involvement in Local Democracy Task Group</i></p>	<p>A report of the Head of Legal, Equalities and Democratic Services to consider the statutory provisions for the Councillor Calls for Action and the process for this at Bromsgrove District Council.</p>		<p>The Joint Overview and Scrutiny Board</p>	
<p>Tuesday 9th March 2010 6.00pm</p>	<p>JOSB Work Programme <i>To agree the JOSB Work Programme 2009-2010.</i></p>	<p><i>A report of the Head of Legal, Equalities and Democratic Services to agree the Work Programme for the JOSB</i></p>	<p><i>Chairman of the JOSB – Cllr S. Colella</i></p> <p><i>Claire Felton – Head of Legal, Equalities and Democratic Services</i></p> <p><i>Sarah Sellers – Senior Soliciter</i></p>	<p>JOSB 1st December 2009</p>	<p>Agreement of the JOSB Work Programme.</p>

			<i>Michael Carr – Scrutiny Officer</i>		
	<p><i>Scrutiny of Crime and Disorder</i></p> <p><i>To receive a presentation by the Head of Strategy and Partnerships on the role of the Community Safety Partnership and to consider a report of the Head of Legal, Equalities and Democratic Services to consider and agree the draft process for the scrutiny of crime and disorder partnerships.</i></p>	<p>A report of the Head of Legal, Equalities and Democratic Services to consider and agree the draft process for the scrutiny of crime and disorder partnerships.</p>	<p><i>Cllr M. J. A. Webb – Cabinet Member for Community and Customer Engagement and Community Safety.</i></p> <p><i>John Godwin CDRP Chairman and Dept. Head of Service, Street Scene & Community, BDC</i></p> <p><i>Angela Heighway – Head of Strategy and Partnerships Redditch Borough Council (TBC)</i></p> <p><i>Beverley Houghton - Community Safety Manager (Redditch & Bromsgrove)</i></p>	<p>The Joint Overview and Scrutiny Board</p> <p>The Bromsgrove Community Safety Partnership</p>	<p>A draft protocol on the scrutiny of the crime and disorder reduction partnership (Community Safety Partnership) to be agreed jointly with the Bromsgrove Community Safety Partnership.</p>

			TBC		
2010 /2011	Scrutiny of Crime and Disorder	<i>A report of the Head of Strategy and Partnerships to consider the key issues for crime and disorder scrutiny in Bromsgrove, the key targets and performance indicators for the Bromsgrove Community Safety Partnership.</i>	<p><i>Cllr M. J. A. Webb – Cabinet Member for Community and Customer Engagement and Community Safety.</i></p> <p><i>John Godwin CDRP Chairman and Dept. Head of Service, Street Scene & Community, BDC</i></p> <p><i>Cllr Sheila Blagg - West Mercia Police Authority TBC</i></p> <p><i>Angela Heighway – Head of Strategy and Partnerships Redditch Borough Council (TBC)</i></p> <p><i>Beverley Houghton - Community</i></p>		

			<i>Safety Manager (Redditch & Bromsgrove) TBC</i> <i>Insp Dave Shaw- West Mercia Police TBC</i>		
--	--	--	--	--	--

Appendix 2a - Current JOSB Task Groups

Current Task Groups	Date Report Due	Other Information
NONE		

Appendix 2b - JOSB Task Group Reviews

Task Group	Date of Review (when Task Group is due to reconvene)
NONE	