

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 County’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