

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 7TH SEPTEMBER 2011 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), Dr. D. W. P. Booth JP, M. A. Bullivant, C. B. Taylor and M. J. A. Webb

Observers: Councillor S. P. Shannon

Officers: Mr. K. Dicks, Ms. S. Hanley, Mr. J. Staniland, Mrs. C. Felton, Mr. G. Revans and Ms. R. Cole.

30/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

31/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

32/11 **MINUTES**

The minutes of the meeting of the Cabinet held on 20th July 2011 were submitted.

RESOLVED that the minutes be approved as a correct record.

33/11 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 25th August 2011 were submitted. The Leader referred to the Review of the Recreation Road Car Park Task Group report and it was noted this would be dealt with as a recommendation to Cabinet.

RESOLVED:

- (a) that the minutes be noted; and
- (b) that the recommendation contained at minute no. 31/11 relating to the Marlbrook Tip be approved.

34/11 **OVERVIEW AND SCRUTINY TASK GROUP REPORT - RECREATION ROAD SOUTH CAR PARK**

The Leader invited the Chairman of the Recreation Road South Car Park Task Group, Councillor S. P. Shannon to introduce the report of the Task Group on the review of that car park.

Councillor Shannon gave background information on the purpose of the Task Group and the evidence which had been gathered during the investigation. Councillor Shannon also made reference to some additional information he had obtained following the completion of the report.

Councillor Shannon acknowledged that the Task Group Members had initially had a negative perception of the operation of the car park, particularly in relation to fixed penalty notices and appeals against these. As a result of the investigation this had largely been dispelled.

The Leader and the Portfolio Holder for Environmental Services, Councillor M. J. A. Webb responded to the points raised by Councillor Shannon and to the recommendations contained within the report. The Cabinet generally recognised the benefits of the recommendations from the Task Group although clearly timing and financial implications were issues which had to be addressed, particularly in terms of recommendations 3, 4 and 5.

The Leader thanked Councillor Shannon and the other Members of the Task Group for their work in producing the report which had provoked an interesting debate. The Leader also thanked Ms. A. Scarce, Committee Services Officer for her work in supporting the Task Group.

RESOLVED that the response to each of the recommendations within the report of the Review of the Recreation Road South Car Park Task Group be as set out below:

Recommendation 1

That a PR exercise be carried out to promote the Recreation Road South Car Park (and all other car parks) and to highlight the qualities of the car parks and the benefits of the Pay on Foot system.

Cabinet Response

That officers be requested to report back on the publicity and promotion currently planned over the next twelve months in relation to encouraging use of Council owned car parks together with the benefits Pay on Foot system. It was felt this programme could be reviewed and amended if necessary in the light of the findings of the Task Group.

Recommendation 2

That the standard letter templates used by the Car Parking Team be reviewed to ensure they are in line with the Customer Service Strategy Guidelines.

Cabinet Response

That the recommendation be agreed and as part of the review to be undertaken, and in line with best practice from other Authorities, an explanation for the issue of the Fixed Penalty Notice be provided to the recipient of the Notice in each case.

Recommendation 3

That the Pay on Foot system be expanded to other car parks wherever possible.

Cabinet Response

That the benefits of the Pay on Foot system be fully acknowledged, however in view of the Town Centre regeneration project which includes a comprehensive traffic management review, it would be premature to consider the introduction of a Pay on Foot system on other car parks at this stage.

Recommendation 4

That free car parking be provided (in all car parks) all day on a Sunday in order to encourage people to visit the Town Centre.

Cabinet Response

That the operation of the car parking service would be reviewed as part of the Shared Services and Transformation Programme and matters such as the structure of car parking fees would be considered as part of that review. It was acknowledged however that the financial implications of this recommendation would inevitably be a significant issue.

Recommendation 5

That free car parking be provided (in all car parks) after 7.00pm in order to encourage people to visit the Town Centre.

Cabinet Response

That the operation of the car parking service would be reviewed as part of the Shared Services and Transformation Programme and matters such as the structure of car parking fees would be considered as part of that review. It was acknowledged however that the financial implications of this recommendation would inevitably be a significant issue.

35/11 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

Councillor C. B. Taylor reported he had recently attended a meeting with Bromsgrove District Housing Trust.

36/11 **TOWN CENTRE FRONTAGE IMPROVEMENT SCHEME**

The Cabinet considered a report which requested Members to consider an amendment to the existing Town Centre Frontage Improvement Scheme.

Members were reminded that a total budget of £70,000 had been allocated to the scheme which had been established to assist landowners and tenants within the Town Centre to improve the frontages of their properties as part of the Town Centre Regeneration Programme. It was noted that four applications had been approved so far totalling £15,460.

The original terms of the scheme had limited applications to £4,000 but it was now requested that this limit be removed in order to maximise the opportunities to improve the character and appearance of the High Street for instance by re-instating an historic shop front. This was also likely to be of benefit to the second stage of the Council's bid under the National Lottery Townscape Heritage Initiative.

RESOLVED:

- (a) that the current limit of £4,000 for applications under the Town Centre Frontage Improvement Scheme be removed; and
- (b) that the Executive Director of Regeneration, Regulatory and Housing Services be authorised to determine, in consultation with the relevant Portfolio Holders, the appropriate level of funding to be awarded in each case under the scheme.

37/11 **WASTE AND STREET SCENE PUBLICITY PLAN 2011/13**

The Cabinet considered a report on the Waste and Street Scene Publicity Plan 2011-2013. It was noted that the plan had been produced in co-ordination with Redditch Borough Council as much of the work in relation to publicity and information campaigns was applicable to both Councils.

Members were reminded that there was a range of actions available to officers in relation to enforcement of matters such as littering and dog fouling covered by the Environmental Protection Act 1990. It was felt however that during the periods of publicity campaigns, Fixed Penalty Notices should be issued as a matter of course where an enforcement officer was present.

RESOLVED:

- (a) that the Waste and Street Scene Publicity Plan 2011-2013 as set out in appendix 1 to the report be approved; and
- (b) that during publicity campaign periods Fixed Penalty Notices be issued in respect of all dog fouling and littering offences provided an enforcement officer is present.

38/11 **BUDGET PREPARATION GUIDELINES - 2012/13 INITIAL ESTIMATES AND PROJECTIONS FOR 2013/14 TO 2014/15**

The Cabinet considered a report on recommended guidelines for the preparation of the 2012/2013 estimates and the projections for 2013/2014 and 2014/2015.

Following discussion it was

RECOMMENDED that the Budget Preparation Guidelines as set out in appendix 1 to the report be approved.

39/11 **FINANCE MONITORING REPORT - QUARTER 1 2011/12**

Members considered a report on the Council's financial position for the period April to June 2011.

Following discussion it was

RESOLVED that the current financial position on both Revenue and Capital as set out in the report be noted and that officers be requested to consider measures to mitigate any predicted overspend.

40/11 **CORPORATE PERFORMANCE REPORT - QUARTER 1 2011/12**

The Cabinet considered a report on the Council's performance during the first quarter of 2011/2012. Members commented on the improved performance in a number of areas such as Council Tax and Housing Benefits and congratulated officers on the progress made. Whilst there were a few areas of concern the overall picture was very positive.

RESOLVED that the position on key performance indicators for the period April – June 2011 be noted.

41/11 **SHARED SERVICES BOARD**

The minutes of the meeting of the Shared Services Board held on 18th August 2011 were submitted.

RESOLVED that the minutes be noted.

42/11 **DEDICATION OF COUNCIL CAR PARK LAND TO HIGHWAY**

The Cabinet considered a report relating to highway improvements necessary at the crossroads of Stourbridge Road, Market Street and Birmingham Road, Bromsgrove in order to meet the requirements of one of the conditions included within the Planning Permission granted for the proposed new Sainsbury's supermarket on Birmingham Road, Bromsgrove.

It was noted that the highway improvements would require the incorporation within the highway of a strip of Council owned land at present forming part of the Market Street Car Park. It was reported that the proposal would result in the net loss of 4 car park spaces but that the company would fund the necessary resurfacing, levelling and relining of the car park and would pay to the Council the sum of £50,000 to offset the loss of the car park spaces and any loss of revenue during the necessary works.

Following discussion it was

RESOLVED:

- (a) that the dedication to highway land of part of the Market Street Car Park to enable improvements to be undertaken to the crossroads of Stourbridge Road, Market Street and Birmingham Road be approved and that the Council enter into an agreement under section 278 of the Highways Act 1990 for the sole purpose of dedicating the said land as public highway;
- (b) that Sainsbury PLC and their appointed representatives and contractors be permitted to carry out the agreed and necessary levelling, re-engineering and re-instatement works to the Market Street Car Park;
- (c) that Sainsbury PLC and their appointed representatives and contractors be permitted have such access to the Market Street Car Park for plant and storage that they shall need to execute the highway improvements, within defined limits and an agreed timescale; and
- (d) that the offer of £50,000 from Sainsbury PLC in consideration of the net loss of 4 car park spaces resulting from the dedication be accepted.

RECOMMENDED that the sum of £50,000 from Sainsbury PLC be allocated to the Town Centre Regeneration Programme Capital Budget 2011/2012.

43/11 **LOCAL GOVERNMENT ACT 1972**

That under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the item of business the subject of the following minute on the grounds that it involves the likely disclosure of "Exempt Information" as defined in Part 1 of Schedule 12A to the Act the relevant paragraphs of that part being as set out below and that it is in the public interest to do so.

<u>Minute No</u>	<u>Paragraphs</u>
44/11	1 and 4

44/11 **RECOMMENDATIONS OF THE SHARED SERVICES BOARD HELD ON 18TH AUGUST 2011 (RELATING TO CONFIDENTIAL ITEMS)**

Consideration was given to the recommendations of the Shared Services Board held on 18th August 2011.

Land Drainage and Watercourses – Business Case

RECOMMENDED:

- (a) that the shared Land Drainage Service proposals detailed in the Business Case (Option 3) be approved, in accordance with the previously agreed Project Initiation Document dated 22nd June 2011;
- (b) that it be agreed that this new service be known as the "North Worcestershire Land Drainage Service"; and
- (c) that all initial set up costs be met from existing budgets.

Single Business Case – Seven Services

RECOMMENDED:

- (a) that the Single Business Case proposals be approved in respect of shared services for the following seven services:
- Community Services
 - Customer Services
 - Environmental Services
 - Financial Services
 - Legal and Democratic Services
 - Planning and Regeneration
 - Secretariat and Directorate Support Services; and
- (b) that the detail within the Operational Shared Services Agreement be noted and that subject to the change of date in Section 14, which will remain blank until agreement has been reached by Full Council and the need for the appendices to be populated, the Agreement be endorsed and signed on behalf of the Full Council.

Car Parking – Business Case

RECOMMENDED:

- (a) that Option 2 (to “extend Wychavon District Council’s service to include Bromsgrove District Council”) be approved as the preferred option for the future delivery of the car parking shared service.
- (b) that the Council introduce Civil (Decriminalised) Parking Enforcement in partnership with Wychavon District Council;
- (c) that authority be delegated to the Head of Environmental Services to exercise the Council’s Civil Parking Enforcement powers within the District of Bromsgrove when Civil Parking Enforcement within the District comes into effect;
- (d) that the Council enter into a Deed of Arrangements with the Parking and Traffic Regulations Outside London Adjudication Joint Committee for the functions in relation to adjudicators under Part 6 of the Traffic Management Act 2004;
- (e) that authority be delegated to the Head of Legal, Equalities and Democratic Services to sign any necessary agreements or other documents to enable the introduction of Civil Parking Enforcement within the District; and
- (f) that up to £75,000 be made available within this Council’s budgets to meet the set up costs of Civil Parking Enforcement.

Emergency Planning

RECOMMENDED that the proposal in respect of an Emergency Planning shared service as detailed in the Business Case under Option 3 (for a North Worcestershire Shared Service) be approved.

Cabinet
7th September 2011

The meeting closed at 8.10 p.m.

Chairman