

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 18TH JULY 2012 AT 6.00 P.M.

PRESENT: Councillors Mrs. J. M. L. A. Griffiths (Chairman), R. J. Laight (Vice-Chairman), Mrs. S. J. Baxter, C. J. Bloore, Dr. D. W. P. Booth JP, Mrs. J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, Ms. M. T. Buxton, R. A. Clarke, S. R. Colella, Dr. B. T. Cooper, R. J. Deeming, S. J. Dudley, Miss P. A. Harrison, R. Hollingworth, Mrs. H. J. Jones, P. Lammas, B. Lewis F.CMI, L. C. R. Mallett, Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, J. A. Ruck, Mrs. E. M. Shannon, R. J. Shannon, S. P. Shannon, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

18/12 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs R. L. Dent, K. A. Grant-Pearce and C. R. Scurrall.

19/12 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Item 12 – Disabled Persons’ Parking Badges Private Members’ Bill

Councillors R. Hollingworth, C. J. Tidmarsh, Mrs H. J. Jones and C. B. Taylor each declared an other disclosable interest as they had a close relative(s) who were blue badge holders.

Item 13 – Local Government Pension Scheme 2014 – Employer Consultation on Revisions to the Scheme

Councillors Ms. M. T. Buxton and R. J. Shannon each declared a disclosable pecuniary interest as they were the treasurers of branches of a Trades Union which had been a party to the consultation with employers. These Councillors left the meeting during consideration of this item.

Item 15 – Motion - Worcestershire Joint Service Review

Councillor Dr D. W. P. Booth JP declared a disclosable pecuniary interest as he had a close relative employed at the Alexandra Hospital and left the meeting during consideration of this item. Councillors J. S. Brogan, Dr. B. T. Cooper and L. C. R. Mallett each declared an other disclosable interest as

they had either contracts with other Health Trusts or worked for organisations which had affiliated staff at the Alexandra Hospital.

20/12 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL HELD ON 19TH JUNE 2012**

The minutes of the Extraordinary meeting of the Council held on 19th June 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

21/12 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN, CIVIC HEAD AND/OR HEAD OF PAID SERVICE**

The Civic Head referred to the following event:

A concert in the Spadesbourne Suite on behalf of her charities on 14th September 2012.

22/12 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader informed Members that he had received a letter from Redditch Borough Council in respect of the duty to co-operate on the feasibility of the District accommodating a proportion of that Borough's overspill housing allocation.

23/12 **RECOMMENDATIONS FROM THE CABINET**

(i) **FINANCIAL RESERVES STATEMENT 2011/12**

The recommendations from the Cabinet were moved by Councillor R. Hollingworth and seconded by Councillor Mrs M. A. Sherrey JP.

RESOLVED

- (a) that the establishment of new reserves of £582,000 as set out in appendix 1 to the report be approved;
- (b) that the release of reserves of £612,000 which reflects the approval required for January – March 2012 as set out in appendix 1 to the report be approved;
- (c) that the addition to existing reserves of £497,000 which reflects the approval required for January – March 2012 as set out in appendix 1 to the report be approved; and
- (d) that the carry forward of capital budgets of £812,000 to be utilised in 2012/2013 as set out in appendix 2 to the report be approved.

(ii) **INCOME MANAGEMENT AND PAYMENT CARD INDUSTRY COMPLIANCE**

The recommendations from the Cabinet were moved by Councillor M. A. Bullivant and seconded by Councillor Dr. D. W. P. Booth JP.

Councillor P. M. McDonald expressed concern that the publication of a figure for inclusion in the Capital Programme had indicated to potential contractors how much money the Council had available to spend in the procurement exercise and that that this information should have been treated as exempt. Councillor Mrs S. J. Baxter questioned why the sum requested appeared to have increased so markedly since the report had initially been prepared.

The Director of Finance and Resources and Section 151 Officer informed the Council that, as with any bid for inclusion of an item in the Capital Programme, Members had been requested to allocate a sum of money which was the maximum available to Officers to spend for the purposes detailed in the report. In response to the point regarding the increase in cost, it was stated that the specification required of all local authorities had been increased following the initial notification of the need to upgrade the income management system.

Upon a requisition under Council Procedure Rule 17.5 from Councillor S. P. Shannon, the following details of voting on the recommendations were recorded:

For the recommendations: Councillors Mrs S. J. Baxter, Dr. D. W. P. Booth JP, Mrs J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, R. A. Clarke, S. R. Colella, Dr B. T. Cooper, R. J. Deeming, S. J. Dudley, Miss P. A. Harrison, R. Hollingworth, Mrs H. J. Jones, R. J. Laight, P. Lammas, B. Lewis F.CMI, J. A. Ruck, Mrs M. A. Sherrey JP, Mrs C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, L. J Turner, M. J. A. Webb and P. J. Whittaker (26);

Against the recommendations: Councillors C. J. Bloore, Ms M. T. Buxton, L. C. R. Mallett, Mrs C. M. McDonald, P. M. McDonald, E. J. Murray, Mrs E. M. Shannon, R. J. Shannon, S. P. Shannon and C. J. K. Wilson (10);

Abstentions: 0

Accordingly the Chairman declared the recommendations to be carried.

RESOLVED

- (a) that, in order to achieve compliance with the Payment Industry Data Security Standard, the upgrade/replacement of the Council's existing income management system be approved;

- (b) that the sum of £25,000 be included in the 2012/13 Capital Programme to be funded from £10,000 included in the Revenue Budget and up to £15,000 from capital receipts; and
- (c) that, in order to achieve best value, a joint procurement exercise be undertaken with Redditch Borough Council.

24/12 **TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 6TH JUNE AND 4TH JULY 2012**

The minutes of the meetings of the Cabinet held on 6th June and 4th July 2012 were received.

Councillor P. M. McDonald asked that, in future, written reports be prepared by the Leader and/or other Cabinet members in respect of updates from meetings attended by them in an ex—officio capacity. Councillor R Hollingworth noted that the meetings of the Cabinet were open to the public and that, should members of the Council or the public wish to receive the updates, they could attend the meeting. Councillor P. M. McDonald requested the tape recordings of the meeting of the Cabinet on 6th June 2012.

25/12 **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

Members received the Annual Overview and Scrutiny Report for 2011/12.

Councillor S. R. Colella, as Chairman of the Overview and Scrutiny Board, presented the report to Members.

Having been moved by Councillor S. R. Colella and seconded by Councillor M. A. Bullivant, it was

RESOLVED that the Annual Overview and Scrutiny Report for 2011/12 be noted and endorsed.

26/12 **CHANGES TO THE CONSTITUTION - TIMETABLE OF COUNCIL MEETINGS**

The Council considered a report of the Head of Legal, Equalities and Democratic Services regarding a proposal to amend the Calendar of Council meetings for the Municipal Year 2012/13.

Councillor R. Hollingworth altered the written recommendation through inclusion of a sixth meeting of the Council on 17th April and then proposed the amended recommendation, this being seconded by Councillor Mrs M. A. Sherrey.

During consideration of this item the view was expressed that reducing the number of planned meetings of the Council would lead to the authority's business being less transparent. Whilst it was noted that Extraordinary meetings of the Council could be arranged when business required this, it was suggested that the existing meetings be retained in the Calendar of Council meetings and be cancelled thereafter should there be no business to conduct.

Upon a requisition under Council Procedure Rule 17.5 from Councillor P. M. McDonald, the following details of voting on the recommendation, as altered, were recorded:

For the recommendations: Councillors Dr. D. W. P. Booth JP, Mrs J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, R. A. Clarke, S. R. Colella, Dr B. T. Cooper, R. J. Deeming, S. J. Dudley, Miss P. A. Harrison, R. Hollingworth, Mrs H. J. Jones, R. J. Laight, P. Lammas, B. Lewis F.CMI, J. A. Ruck, Mrs M. A. Sherrey JP, Mrs C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (24);

Against the recommendations: Councillors Mrs S. J. Baxter, C. J. Bloore, Ms M. T. Buxton, L. C. R. Mallett, Mrs C. M. McDonald, P. M. McDonald, E. J. Murray, Mrs E. M. Shannon, R. J. Shannon, S. P. Shannon, L. J Turner and C. J. K. Wilson (12);

Abstentions: 0

Accordingly the Chairman declared the recommendation, as altered to be carried.

RESOLVED that the amendments, below, to the Calendar of Council meetings for the Municipal Year 2012/13 be approved:

COUNCIL MEETINGS

Current Schedule 2012/13	Proposed Schedule 2012/13
18 July 2012	18 July 2012 (ordinary meeting)
12 September 2012	
26 September 2012 (Special – Accounts)	26 September 2012 (ordinary meeting)
21 November 2012	21 November 2012 (ordinary meeting)
16 January 2013	
20 February 2013 (Special – Budget/ Council Tax)	20 February 2013 (ordinary meeting)
13 March 2013	
17 April 2013	17 April 2013 (ordinary meeting)

15 May 2013 (AGM)	15 May 2013 (AGM)
Total = 9	Total = 6

27/12 **JOINT HEALTH AND WELL-BEING STRATEGY - CONSULTATION**

Councillor M. J. Sherrey presented a consultation from the Worcestershire Health and Well-Being Board on its Joint Health and Well-being Strategy for 2012-15 for the Council's consideration. She requested that comments on the consultation be forwarded through the Group Leaders to her by 17th August 2012.

Councillor S. P. Shannon commended the document for demonstrating what local authorities could do to help people to live well as the population increasingly lived longer. He noted the references throughout to the growing levels of obesity and asked that a Supplementary Planning Document be prepared for inclusion in the emerging Core Strategy as previously proposed by the Overview and Scrutiny Board to regulate the proliferation of hot-food takeaways in the District. Councillor R. Hollingworth agreed with the comments of Councillor S. P. Shannon on hot-food takeaways and added that the preparation of such a Supplementary Planning Document had not been undertaken previously on the advice of the Government Office for the West Midlands.

Councillor S. J. Baxter referred to the Acute Hospital Services referred to in the report and proposed that there be included within the final document metrics demonstrating issues around accessibility for those visiting patients in hospital.

RESOLVED that the Joint Health and Well-being Strategy 2012-15 be noted and endorsed, subject to the comments in the preamble, above and any further comments provided by Members to the Portfolio Holder by 17th August 2012.

28/12 **APPOINTMENTS TO OUTSIDE BODIES**

A report was considered which detailed nominations of Council-appointed representatives to sit on a number of local community organisations and other bodies in the county and the region. In response to a query from Councillor L. C. R. Mallett in respect of the Bromsgrove Community Engagement Group, Councillor R. Hollingworth undertook to enquire into the reason for Councillor L. C. R. Mallett not receiving invitations to meetings of this Group during the preceding year. The Leader also undertook to establish whether this Group was still operating and report back to the Council on both matters.

The Leader updated Members with regard to the ex-officio appointment to the Greater Birmingham and Solihull Local Enterprise Partnership (LEP). The Leader represented Bromsgrove District Council, Redditch Borough Council

and Wyre Forest District Council on this organisation. Given the transformation of the LEP into a company, there was a requirement for the appointment of an alternate Director as opposed to a named substitute and it was proposed by Councillor R Hollingworth and seconded by Councillor Mrs M. A. Sherrey that Councillor W. P. Hartnett, Leader of Redditch Borough Council, be appointed to this position.

RESOLVED:

- (a) that representatives be appointed to the bodies as listed in appendix 1 to these minutes;
- (b) that the current list of ex-officio appointments set out at appendix 2 to the report, including the additional appointment detailed in the updated information set out above, be noted.

29/12 **DISABLED PERSONS' PARKING BADGES PRIVATE MEMBERS' BILL**

The Council received and considered information provided on Simon Kirby, M.P.'s Disabled Persons' Parking Badges Bill. The Portfolio Holder for Leisure, Cultural Services, Environmental Services and Emergency Planning, Councillor M. J. A. Webb proposed that the Council demonstrate its support for this Private Members' Bill, this being seconded by Councillor M. A. Sherrey. Councillor M. J. A. Webb stated that Disabled Persons' Parking Badges were abused in Bromsgrove as in every other local authority, to the detriment of those who genuinely required such badges.

Councillor L. C. R. Mallett commented that the Labour Group broadly supported the Bill but questioned the inclusion of this item on the agenda, given that it had no greater impact on Bromsgrove than elsewhere. He also noted that the proposed legislation would not cover off-street parking and that Bromsgrove was the only Worcestershire District which charged disabled residents for parking.

The Head of Legal, Equalities and Democratic Services responded that the Council's support for this Bill had been sought and that, following consultation with the Leader and Chief Executive, the matter had been included on the agenda.

RESOLVED that the Council demonstrate its support for the Disabled Persons' Parking Badges Bill through submission by Officers of a suitable letter to the M.P. for Bromsgrove.

30/12 **LOCAL GOVERNMENT PENSION SCHEME 2014 - EMPLOYER CONSULTATION ON REVISIONS TO SCHEME**

The Council considered a consultation document from the Local Government Association in respect of the revised Local Government Pension Scheme to be implemented from 1st April 2014.

Councillor R. Hollingworth proposed that the Council approve the proposals as agreed by the Local Government Association and the local government

unions, this being seconded by Councillor M. A. Sherrey and it was subsequently

RESOLVED that the Council support the proposals as set out in the Local Government Association consultation document.

31/12 **QUESTIONS ON NOTICE**

No questions on notice had been received.

32/12 **MOTION - WORCESTERSHIRE JOINT SERVICES REVIEW**

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

This Council fully supports the community-led "Save the Alex" Campaign which is totally opposed to the closure of Accident & Emergency and Maternity services at the Alexandra Hospital.

It has been confirmed by Professor Rod Griffiths, the Independent Chair of The Joint Services Review Stakeholder Reference Board, at a public meeting on 21st June that the reason for the potential loss of services at the Alexandra Hospital is because going forward "we have a lot less money"

Encouraged by Professor Rod Griffiths' statements, Council agrees to write to the Health Minister, Andrew Lansley MP, requesting that the shortfall of funding for Worcestershire NHS, said to be £200 Million over 4 years or approximately £1 Million per week (of which the acute hospitals share is £50 Million), is funded by Government, thus safeguarding all services in the County.

Also requesting the Minister receives a delegation of leaders from Redditch Borough Council, Bromsgrove District Council, Stratford-on Avon District Council and the "Save The Alex" campaign so that we can make our case. Further, the Chief Executive, the Leader of the Council and the Leader of the Opposition are tasked to:-

- (1) vigorously represent the Council's position to Worcestershire Acute Hospitals Trust (WAHT), Worcestershire Health Care Trust (WHCT) and Worcestershire NHS;
- (2) pursue with all Worcestershire and Neighbouring NHS Trusts all alternative organisational strategies which will safeguard services in Redditch; and
- (3) join with any campaigns which advance and promote the Council's position."

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

Councillor P. M. McDonald stated that, under the proposals being put forward for consultation, both Accident and Emergency Services and Maternity Services at the Alexandra Hospital were threatened with closure. Councillor P. M. McDonald declared that the proposals were outrageous, the overall risk was a rise in ill-health and preventable deaths and that the Government should provide adequate funding for the health service.

The Leader supported the sentiments contained within the Motion, however, it was suggested that there was no evidence that the current proposals were the result of reduced funding. Other, service-related reasons had been cited by the NHS Trust at the recent Overview and Scrutiny Board meeting for proposing these changes. It was proposed that the Majority Group would support the Motion should the second and third paragraphs be removed, and this request was acceded to by the proposer and seconder and the Motion altered accordingly. Councillor S. J. Baxter welcomed the cross-party consensus and added her support to the altered Motion.

The altered Motion was then put to the vote and the Chairman declared it to be unanimously CARRIED in the following terms.

RESOLVED that "this Council fully supports the community-led "Save the Alex" Campaign which is totally opposed to the closure of Accident & Emergency and Maternity services at the Alexandra Hospital.

Also requesting the Minister receives a delegation of leaders from Redditch Borough Council, Bromsgrove District Council, Stratford-on-Avon District Council and the "Save The Alex" campaign so that we can make our case. Further, the Chief Executive, the Leader of the Council and the Leader of the Opposition are tasked to:-

- (1) vigorously represent the Council's position to Worcestershire Acute Hospitals Trust (WAHT), Worcestershire Health Care Trust (WHCT) and Worcestershire NHS;
- (2) pursue with all Worcestershire and Neighbouring NHS Trusts all alternative organisational strategies which will safeguard services in Redditch; and
- (3) join with any campaigns which advance and promote the Council's position."

In the light of the agreement reached, above, Councillor R. Hollingworth withdrew the second Motion which had been submitted on the same subject and under the same heading.

33/12 **RECOMMENDATION FROM THE APPOINTMENTS COMMITTEE**

The Council considered an oral update from the Head of Legal, Equalities and Democratic Services on the outcome of a meeting of the Appointments Committee held on 10th July 2012 regarding the appointment of Independent Persons for the new Standards regime. It was reported that the Committee

had been unable to recommend anyone to fill the position of Independent Person at the present time and the Leaders of the two largest Groups on the Council had agreed that, in the interim, the Council seek support from Redditch Borough Council.

RESOLVED that, in the period preceding the appointment of Independent Persons to serve the Council, the Head of Legal Equalities and Democratic Services be authorised to

- (a) deal with any complaints against elected or co-opted Members in consultation with the Leaders of the two largest Groups on the Council; and
- (b) consult with Redditch Borough Council over the provision of support from its Independent Person.

The meeting closed at 7.58 p.m.

Chairman

Appendix 1

OUTSIDE BODIES APPOINTMENTS (NON EX-OFFICIO)

Organisation	Appointed representative(s)	Length of term
Amphlett Hall Management Committee	Councillor Mrs Boswell Councillor Mrs Griffiths Councillor Mrs Sherrey Councillor Mrs Jones	1 year
BDHT (Bromsgrove District Housing Trust)	Councillor Booth Councillor Webb	3 years
Bromsgrove Arts Centre Trust – charitable company no 05455644	Councillor Boulter Councillor Mrs Spencer Councillor Boswell	2 years
Bromsgrove Arts Development Trust (Holding Trust)	Councillor Booth Councillor Mrs Sherrey Councillor Clarke Councillor Laight Councillor Lammas Councillor Ruck	3 years
Bromsgrove Citizens' Advice Bureau	Councillor Mrs Sherrey Councillor Ruck	1 year

Bromsgrove Community Engagement Group	Councillor Mrs Jones Councillor Mrs Spencer Councillor Tidmarsh Councillor Miss Harrison	1 year
Bromsgrove Local Children's Partnership	Councillor Mrs Griffiths	1 year
Bromsgrove Sporting (Observers only)	Councillor Webb Councillor Lammas	1 year
Shared Services Board Non-ex officio nominees	Councillor Colella Councillor Webb Councillor Bullivant (named substitute)	1 year
WCC Health Overview & Scrutiny Committee (Note: nominee must be a member of the Overview and Scrutiny Board).	Councillor Cooper	1 year
WCC Corporate Parenting Steering Group	Councillor Mrs Griffiths	1 year
WCC Highways Partnership (Bromsgrove) Forum	Councillor Mrs Dent Councillor Lewis	1 year

<p>Worcestershire Shared Services Joint Committee</p> <p>Note: Two appointees are required to include the relevant Portfolio Holder and one other member from the controlling group and a named substitute</p>	<p>Councillor Taylor</p> <p>Councillor Bullivant</p> <p>Councillor Mrs Sherrey (named substitute)</p>	<p>1 year</p>
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