



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE COUNCIL**

**TUESDAY, 27TH FEBRUARY, 2007**

PRESENT: Councillors Mrs. J. M. Boswell (Vice-Chairman, in the Chair), Mrs. S. J. Baxter, A. N. Blagg, Miss D. H. Campbell JP, A. L. Deakin, G. N. Denaro, Mrs. R. L. Dent, Mrs. A. E. Doyle, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. K. M. Gall, M. H. Gill, Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, Mrs. J. D. Luck, Ms. J. A. Marshall, P. M. McDonald, D. McGrath, W. R. Newnes, D. C. Norton, S. R. Peters, N. Psirides JP, C. R. Scurrall, G. G. Selway, S. P. Shannon, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, Mrs. M. M. T. Taylor, E. C. Tibby, C. J. Tidmarsh, P. J. Whittaker and C. J. K. Wilson

87/07 **PRAYER**

At the request of the Chairman, the Reverend Wendy Moore opened the meeting with a prayer.

88/07 **MINUTES**

**RESOLVED:** that the Minutes of the meeting of the Council held on 16th January 2007 be confirmed as a correct record and signed by the Chairman subject to the addition of Councillor W. R. Newnes to the list of those present.

89/07 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Miss S. L. Bushby, A. J. Dent, B. L. Fuller C.B.E. Q.F.S.M., G. H. R. Hulett, C. B. Lanham and J. A. Ruck.

90/07 **DECLARATIONS OF INTEREST**

The following Councillors declared the following interests as set out below:

<b><u>Councillor</u></b>	<b><u>Agenda Item</u></b>	<b><u>Interest</u></b>
Mrs. S. J. Baxter	6(2) Discretionary Rate Relief	Personal - Member of Village Hall Committee

<b><u>Councillor</u></b>	<b><u>Agenda Item</u></b>	<b><u>Interest</u></b>
Mrs. J. Dyer M.B.E.	6(2) Discretionary Rate Relief	Personal - Member of Village Hall Committee
Mrs. J. Dyer M.B.E.	6(4) Medium Term Financial Plan	Personal - Governor of Woodrush Community High School
Ms. J. A. Marshall	5(e) Leaders Announcements	Personal - Member of Bromsgrove Rovers Supporters Society
P. M. McDonald	5(e) Leaders Announcements	Personal - Member of Bromsgrove Rovers Supporters Society
D. C. Norton	6(1) Future of Bromsgrove Museum	Prejudicial - Donor of the Museum
N. Psirides JP	6(1) Future of Bromsgrove Museum	Personal - Member of the Avoncroft Museum Trust
C. R. Scurrall	6(2) Discretionary Rate Relief	Personal - Member of Village Hall Committee
G. G. Selway	6(1) Future of Bromsgrove Museum	Personal - Member of the Avoncroft Museum Trust
S. P. Shannon	5(e) Leaders Announcements	Personal - Member of Bromsgrove Rovers Supporters Society
S. P. Shannon	6(1) Future of Bromsgrove Museum	Personal - Member of the Avoncroft Museum Trust
Mrs. C. J. Spencer	6(1) Future of Bromsgrove Museum	Personal - Member of the Avoncroft Museum Trust
C. J. Tidmarsh	6(1) Future of Bromsgrove Museum	Personal - Member of the Avoncroft Museum Trust

Mr. K. Dicks declared a prejudicial interest in Agenda Item 11 "Appointment of Chief Executive".

91/07

**TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE**

- (a) The Chairman thanked all those who had attended the recent Holocaust Memorial services.

- (b) The Chairman reported the recent death of Councillor Mike Oborski former Leader and chairman of Wyre Forest District Council and a member of Worcestershire County Council.
- (c) The Chairman reminded members of the forthcoming charity evening concert on 24th March at the Artrix Centre which would feature the Treorchy Male Voice choir.
- (d) The Chairman reminded members of the opportunity to purchase tickets for the Civic Dinner Dance which would be held on 27th April.
- (e) The Chairman thanked Mr. John Wright, Democratic Services Manager, who would shortly be leaving the Council's employ, for the work he had done for the Council. The Chairman also thanked Mrs. Carole Slater who had recently left the Council for the work she had done as acting Chairman's Secretary.

92/07

**TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader -

- (a) reported receipt of a letter from Angela Smith MP, Under Secretary of State at the Department for Communities and Local Government, which recognised the considerable progress made by the Council in recent months. The letter re-enforced the need to improve two tier working;
- (b) reminded Members that whilst the costs of this Council's refuse collection may appear to be higher than some other neighbouring authorities there was a need to remember that this Council carried out a higher frequency of collections;
- (c) informed Members that the area working groups in Waseley and Alvechurch continued to work well;
- (d) informed members of a recent LSP away day which had proved most useful; and
- (e) informed Members that following recent press coverage he could confirm that an application for a grant had not been received from Bromsgrove Rovers.

93/07

**RECOMMENDATIONS FROM THE EXECUTIVE CABINET**

(i) **Future Management Of Bromsgrove Museum**

**RESOLVED:** that whilst recognising that funding is assured for the next twelve months, officers are charged to identify a suitable solution which would allow the transfer of Bromsgrove Museum to a trust or other arms length organisation by the end of June 2007 and to report back to this Council in July 2007. Having declared an interest Councillor D. C. Norton left the meeting and took no part in the consideration of this matter.

(ii) **Discretionary Rate Relief Policy**

**RESOLVED:**

- (a) that the policy relating to discretionary rate relief as contained in Appendix A to the report be approved and adopted;

- (b) that the Council's scheme of delegation be amended to grant delegated authority to the Head of Financial Services, in consultation with the Portfolio Holder for Finance to approve the applications for discretionary rate relief within the approved Council policy and that the Executive Cabinet be granted delegated authority to review any appeals against the decisions made;
- (c) that discretionary rate relief be granted for a period of one year and be reviewed on an annual basis;
- (d) that a report containing details of the relief granted to the various organisations be submitted to Executive Cabinet on an annual basis.

(iii) **Capital Programme - 2007/2008 to 2009/2010 and Medium Term Financial Plan 2007/2008 to 2009/2010**

The recommendations of the Executive Cabinet were moved by Councillor R. Hollingworth and seconded by Councillor Mrs M. M. T. Taylor.

It was moved by Councillor P. M. McDonald and seconded by Councillor C. J. K. Wilson that £34,000 relating to an Information Management post be removed from the revenue budget.

On a requisition under Council Procedure Rule 14.4 the following details of voting on the amendment were recorded:-

For the Amendment: Councillors Mrs. S. J. Baxter, A. L. Deakin, Ms. J. A. Marshall, P. M. McDonald, S. P. Shannon and C. J. K. Wilson (7)

Against the Amendment: Councillors A. N. Blagg, Mrs. J. M. Boswell, Miss D. H. Campbell, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. K. M. Gall, Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, Mrs. J. D. Luck, D. McGrath, W. R. Newnes, S. R. Peters, N. Psirides JP, C. R. Scurrall, G. G. Selway, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, Mrs. M. M. T. Taylor, E. C. Tibby, C. J. Tidmarsh and P. J. Whittaker (24)

Accordingly the Chairman declared the motion to be **LOST**.

It was moved by Councillor P.M. McDonald and seconded by Councillor C. J. K. Wilson that £22,000 relating to Bromsgrove Museum be removed from the revenue budget.

On a requisition under Council Procedure Rule 14.4 the following details of voting on the amendment were recorded:-

For the Amendment: Councillors Mrs. S. J. Baxter, A. L. Deakin, Mrs. J. D. Luck, D. McGrath, Ms. J. A. Marshall, P. M. McDonald, S. R. Peters, N. Psirides JP, G. G. Selway, S. P. Shannon and C. J. K. Wilson (11)

Against the Amendment: Councillors A. N. Blagg, Mrs. J. M. Boswell, Miss D. H. Campbell, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., M. H. Gill, Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, W. R. Newnes, C. R. Scurrall, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, Mrs. M. M. T. Taylor, E. C. Tibby, C. J. Tidmarsh and P. J. Whittaker (20)

Accordingly the Chairman declared the motion to be **LOST**.

It was moved by Councillor P.M. McDonald and seconded by Councillor C. J. K. Wilson that £12,000 relating to Utilities be removed from the revenue budget.

On a requisition under Council Procedure Rule 14.4 the following details of voting on the amendment were recorded:-

For the Amendment: Councillors Mrs. S. J. Baxter, A. L. Deakin, Mrs. J. D. Luck, M. H. Gill, Ms. J. A. Marshall, D. McGrath, P. M. McDonald, S. R. Peters, N. Psirides JP, G. G. Selway, S. P. Shannon and C. J. K. Wilson (12)

Against the Amendment: Councillors A. N. Blagg, Mrs. J. M. Boswell, Miss D. H. Campbell, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. K. M. Gall, Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, W. R. Newnes, C. R. Scurrall, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, Mrs. M. M. T. Taylor, E. C. Tibby, C. J. Tidmarsh and P. J. Whittaker (19)

Accordingly the Chairman declared the motion to be **LOST**.

It was moved by Councillor P. M. McDonald and seconded by Councillor C. J. K. Wilson that £152,000 relating to the Improvement Plan, Council Chat, the hit squad, contract hire, holding of car boot sales and the Depot be removed from the revenue budget and that £67,000 be moved from balances to fund Woodrush sports centre for the forthcoming year.

On a requisition under Council Procedure Rule 14.4 the following details of voting on the amendment were recorded:-

For the Amendment: Councillors Mrs. S. J. Baxter, A. L. Deakin, M. H. Gill, Mrs. J. D. Luck, Ms. J. A. Marshall, D. McGrath, P. M. McDonald, S. R. Peters, N. Psirides JP, G. G. Selway, S. P. Shannon and C. J. K. Wilson (12)

Against the Amendment: Councillors A. N. Blagg, Mrs. J. M. Boswell, Miss D. H. Campbell, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. K. M. Gall, Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, W. R. Newnes, C. R. Scurrall, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, Mrs. M. M. T. Taylor, E. C. Tibby, C. J. Tidmarsh and P. J. Whittaker (19)

Accordingly the Chairman declared the motion to be **LOST**.

In accordance with Council Procedure Rule 15.5 Councillor J. T. Duddy requested that he be recorded as having abstained from voting on the part of the above amendment which related to Woodrush sports centre.

It was moved by Councillor R. Hollingworth and seconded that £50,000 be removed from the revenue budget for the Grounds Maintenance income pressure as this had been double counted. To compensate the removal of the pressure the saving in respect of reducing the refunds available to customers using the Dolphin Centre be removed together with the additional charge to be levied against the collection of bulky waste. On being put to the meeting the Chairman declared the amendment **CARRIED**.

In accordance with Council Procedure Rule 15.5 Councillors Mrs. S. J. Baxter and S. R. Peters requested that they be recorded as having voted against the amendment.

**RESOLVED:**

- (a) that the Capital Programme for 2007/2008 to 2009/2010 as detailed in paragraph 9.2 of the report comprising the continuation of the schemes and the new "High" priority capital schemes contained in Appendix A to the report be approved;
- (b) that authority be delegated to the Head of Financial Services, in consultation with the Portfolio Holder for Finance and the relevant Head of Service in relation to individual projects, to release capital funds subject to the receipt of a robust business case and an options appraisal demonstrating that the Council is achieving value for money;
- (c) that the capital budgets for the Dolphin Centre and leisure related schemes totalling £1,244,000 be removed from the Revised Capital Programme for 2006/2007 whilst consideration is being given to alternative ways of providing these services;
- (d) that the carry forward of the estimated under spent budgets totalling £2,233,000 from 2006/2007 to 2007/2008 as detailed in Appendix B to the report be approved;
- (e) that the removal of the Swanslength play area refurbishment capital scheme of £40,000 from the Revised Capital Programme be approved;
- (f) that the budget pressures identified as unavoidable and high in Appendix B of the report be included within the Medium Term Financial Plan be revised in accordance with the reduction in the pressures of £50,000 and to be recorded as:

2007/2008 £1,749,000  
2008/2009 £1,526,000  
2009/2010 £1,565,000

- (g) that the recommended savings/additional income generation identified in Appendix C of the report be included within the

Medium Term Financial Plan be revised in accordance with the reduction in the savings of £50,000 and to be recorded as:

2007/2008 £1,264,000  
2008/2009 £1,521,000  
2009/2010 £2,084,000

- (h) that officers undertake a review of alternative methods of service delivery to achieve savings as identified in Appendix C of the report;
- (i) that the statutory resolutions, set out as appendix A to these minutes, setting a Council Tax for 2007/2008 of £172.46 for a Band D property be approved;
- (j) that the fees and charges set out in Appendix D be approved;
- (k) that the Head of Financial Services be authorised to approve any further increases in fees and charges in consultation with the Portfolio Holder for Finance and other Portfolio Holders as appropriate to the circumstances;
- (l) that in view of the receipt of the petition in relation to charges for car parking permits, officers be requested to investigate means by which the budget of £50,000 can be utilised to ensure the Council's car park facilities may be used to best advantage by disabled persons and all sections of the community;
- (m) that any financial recommendations from Scrutiny Task Groups be considered on the basis that projects which are self funding be considered in the financial year in which they are proposed and that any additional funding requests be approved for consideration as part of the following year's budget process.

In accordance with Council Procedure Rule 15.5 Councillors Mrs. S. J. Baxter and S. R. Peters requested that they be recorded as having voted against the resolution.

(iv) **COUNCIL PLAN 2007-2010 PART 2**

**RESOLVED:**

- (a) that the balanced scorecard for the Council as contained in Appendix 2 to the report be approved;
- (b) that the Council's high level action plan 2007-2010 as contained in Appendix 3 to the report be approved;
- (c) that the corporate set of indicators and targets for the next three years as contained in Appendix 4 to the report be approved;
- (d) that authority to sign off the final version of the published Plan be delegated to the Leader of the Council in consultation with the Leader of the Opposition.

(v) **WRITE-OFF POLICIES**

**RESOLVED:**

- (a) that the increases in the levels of individual debts which can be written off as set out in the report and in the policy be approved,

subject to the amendment of the figure in relation to Council Tax, Benefit and Sundry Debt which can be authorised by Executive Cabinet to read "amounts over £5,000";

- (b) that subject to the above amendment, the write off policy as contained in Appendix A to the report be approved and adopted.

94/07      **RECOMMENDATIONS OF THE STANDARDS COMMITTEE**

**RESOLVED**: that the comments made by the Standards Committee on the consultation on the revised code of conduct be submitted, to the Department for Communities and Local Government as this Council's response to the consultation on the revised code of conduct.

95/07      **QUESTIONS ON NOTICE**

No questions on notice were submitted.

96/07      **AN ALTERNATIVE TO CAR CLAMPING**

**RESOLVED**: that the Head of Street Scene and Waste Management and the Economic Development and Town Centre Manager be authorised to canvass local businesses which are currently using "claspers" to ascertain demand for Council Parking Enforcement on private land and also investigate the possible introduction of the penalty charge system of parking enforcement.

97/07      **APPOINTMENTS COMMITTEE**

**RESOLVED**: that the Appointments Committee be reconstituted on a politically proportionate basis with a membership of five members.

98/07      **APPOINTMENT OF CHIEF EXECUTIVE**

**RESOLVED**: that rather than applying its formal recruitment and selection process:

- (a) The Appointments Committee be requested to interview Mr K. Dicks for the permanent position as the Council's Chief Executive and Head of Paid Service;
- (b) That any appointment be subject to the unanimous agreement of the membership of the Appointments Committee;
- (c) For the purposes of this process the Appointments Committee membership be Councillors Mrs. S. J. Baxter, Mrs. J. M. L. A. Griffiths, R. Hollingworth, P. M. McDonald and N. Psirides JP; and
- (d) The Committee report back its recommendation to the Council in March 2007.

99/07      **ELECTION FEES**

**RESOLVED**: that the Returning Officer be given delegated powers to set, within the approved budget, the fees for various election duties and to make



payments to those employed by the Returning Officer to carryout the duties related to an election.

100/07

**DELEGATION**

**RESOLVED:** that the Head of Legal and Democratic Services be given delegated powers to select and authorise officers to prosecute or defend on the Council's behalf and to select and authorised officers to appear on the Council's behalf in proceedings before a Magistrates' court.

The meeting closed at 9.20 pm

Chairman