



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

TUESDAY, 24TH APRIL, 2007

PRESENT: Councillors C. B. Lanham (Chairman), Mrs. J. M. Boswell (Vice-Chairman), Mrs. S. J. Baxter, A. N. Blagg, Miss D. H. Campbell JP, A. L. Deakin, G. N. Denaro, Mrs. A. E. Doyle, J. T. Duddy, Mrs. J. Dyer M.B.E., B. L. Fuller C.B.E. Q.F.S.M., Mrs. K. M. Gall, M. H. Gill, Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, G. H. R. Hulett, Mrs. J. D. Luck, Ms. J. A. Marshall, D. McGrath, W. R. Newnes, S. R. Peters, N. Psirides JP, J. A. Ruck, C. R. Scurrrell, 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

110/06 **PRAYER**

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

111/06 **MINUTES**

RESOLVED that the minutes of the meeting of the Council held on 27th March 2007 be confirmed as a correct record and signed by the Chairman.

112/06 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Miss S. L. Bushby, A. J. Dent, Mrs. R. L. Dent and P. M. McDonald.

113/06 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

114/06 **ANNOUNCEMENTS FROM THE CHAIRMAN**

- (a) The Chairman referred to the forthcoming Local Elections and conveyed his best wishes to those Members who were standing again. He also acknowledged those Members who were standing down, namely Councillors A. L. Dent, Miss S. L. Bushby, B. L. Fuller, Mrs. K. M. Gall and J. A. Ruck.

- (b) The Chairman paid tribute to Councillor Mrs. M. M. T. Taylor who was standing down after 34 years service on Bromsgrove District Council and presented her with a bouquet as a token of the Council's appreciation of her services.

115/06 **ANNOUNCEMENTS FROM THE LEADER**

The Leader made no announcements.

116/06 **QUESTIONS ON NOTICE**

No questions had been submitted.

117/06 **ORDER OF BUSINESS**

The Chairman announced that the order of business would be changed so that agenda item no. 8 (Recommendations from the Standards Committee) would be considered before agenda item no. 7 (Recommendations from the Executive Cabinet).

118/06 **RECOMMENDATIONS FROM THE STANDARDS COMMITTEE MEETING ON 5TH APRIL 2007**

RESOLVED:

- (a) that, subject to the proviso set out in (b) below, no substitutes be allowed to serve on the Standards Committee;
- (b) that, on the question of Parish Council representation, this should remain at one, but that a Deputy Parish representative be appointed (with full necessary training), who would be allowed to substitute; and
- (c) that, as it was a statutory requirement that at least 25% of the Committee should be made up of Independent Members, their number should remain at three.

119/06 **RECOMMENDATIONS FROM THE EXECUTIVE CABINET MEETING ON 4TH APRIL 2007 AND 24TH APRIL 2007**

(i) **Capital Strategy 2007 – 2010**

RESOLVED that the Capital Strategy for 2007 – 2010 be approved.

(ii) Review of the Council's Constitution

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 C. J. K. Wilson and seconded by Councillor G. H. R. Hulett that the review of the Council's Constitution be deferred to the next meeting of the full Council.

It was moved by Councillor Mrs. S. J. Baxter that the recommendations of the Executive Cabinet be approved except with regard to the further review of the Constitution which should take place within 6 months.

Councillor Hollingworth, as mover of the original motion agreed to accept the change as part of his original motion.

On the amendment moved by Councillor C. J. K. Wilson and seconded by Councillor G. H. R. Hulett being put to the vote, the Chairman declared the amendment to be LOST.

RESOLVED:

(a) that the Constitution be amended in accordance with the drafts appended to the report to take effect from 4 May 2007, subject to the following amendments:

(i) In relation to the Standards Committee:

The Articles be amended as follows:

Paragraph 10.2 a. (i) (*page 19*) be amended to read as follows:

“three District Councillors (other than the Leader) two of whom will be members of the controlling political group and one of whom will not be a member of the controlling political group.”

Paragraph 10.3 m. (*page 20*) be deleted.

Paragraph 15.1 (*page 28*) be amended as follows:

“The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.”

(ii) In relation to the consideration of Scrutiny Steering Board reports the following wording be included in the Cabinet Procedure Rules as para 9.11 – 12 (*page 56*) and to the Scrutiny Procedure Rules as para 15.2 – 4 (*page 64*).

“* The Cabinet will consider all reports and recommendations presented by the Scrutiny Steering Board and will provide the Scrutiny Steering Board with a response.

* A Scrutiny Steering Board report which includes one or more proposals which would require a departure from the Budget and Policy Framework will be considered in the first instance by the Cabinet. The Cabinet will decide whether to recommend to the Council that those proposals be implemented. If the Cabinet decides not to recommend to Council that those proposals be implemented, its decision, together with the reasons for that decision, shall be reported back to the Scrutiny Steering Board.

* The Scrutiny Steering Board may then request the Chief Executive to include the report and those proposals which would require a departure from the Budget and Policy Framework on the agenda for the next available Council meeting.”

(iii) In relation to Article 7.6 b (*page 17*), the wording be amended as follows:

“When a decision regarding a Cabinet function requires attention as a matter of such urgency that formal reporting to Cabinet is not possible, the Leader may take that decision in consultation with the relevant Portfolio Holders, the Chief Executive, the Section 151 Officer and the Monitoring Officer.”

(b) that authority be delegated to the Head of Legal and Democratic Services to correct typographical and/or cross-referencing errors in order to give effect to the Council’s intentions.

(c) that there be a further review of the Constitution within 6 months.

120/06

RECOMMENDATIONS FROM THE APPOINTMENTS COMMITTEE ON 20TH APRIL 2007

RESOLVED that Mr. Noel A. Burke be appointed to serve as an Independent Member on the Standards Committee, and that, in order to retain a uniform “end date” for all of the Independent Members on the Committee, his term of office expire in November 2011.

121/06

MOTION SUBMITTED UNDER NOTICE

With regard to the following Notice of Motion submitted by Councillor P. M. McDonald, the Chairman announced that the wording needed to be changed in order to enable it to be discussed by the Council.

““Bromsgrove District Council has spent an unbelievable £681,459 on consultants, £641,505 on temporary/agency staff and £194,626 on casual payments. This was in spite of a scrutiny exercise carried out recently to control the expenditure on such items. The efforts of the scrutiny task group failed with finances now getting out of control and residents not receiving value for money. Such expenditure has contributed to Bromsgrove increasing the council tax to the highest level permitted without being capped and services being cut.

The total figure of exceptional payments is now a staggering £1.517.590, this cannot continue and every effort must be made to restrict such expenditure and ensure residents of Bromsgrove receive value for money.

To ensure that the finances of the Council are kept under control and that residents do receive value for money: that in future all proposed expenditure on consultants, temporary/agency and casuals payments will be placed on the agenda of all Full council Meetings for Council approval. This will ensure that in future all councillors of Bromsgrove will not only know what is going on with the Council’s finances, but will have a direct say in such expenditure.”

Councillor C. J. K. Wilson indicated that he wished to change the motion by the addition of the following words:

“This full Council agrees the motion is referred to the Executive Cabinet for consideration and report back to the next full Council meeting on the outcome of the discussions at Cabinet”.

The Monitoring Officer advised that the motion requested the Council to exercise a function which in her opinion was a function which was the responsibility of the Cabinet and suggested that the wording of the third paragraph be amended to read as follows to enable discussion to take place at the Council meeting:

“To ensure that the finances of the Council are kept under control and that residents do receive value for money: that in future all proposed expenditure on consultants, temporary/agency and casuals payments will be placed on the agenda of the next available Cabinet meeting for approval. This will ensure that in future all councillors of Bromsgrove will not only know what is going on with the Council’s finances, but will have a direct say in such expenditure.”

Councillors C. J. K. Wilson and G. H. R. Hulett agreed to accept the alteration to the wording of the motion.

Having been moved by Councillor C. J. K. Wilson and seconded by Councillor G. H. R. Hulett, the matter was put to the vote whereupon the Chairman declared the motion to be LOST.

The meeting closed at 7.20 pm

Chairman