

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 3RD JULY 2013 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), M. A. Bullivant and M. J. A. Webb

Observers: Councillor C. R. Scurrall

Officers: Ms S. Hanley, Ms J. Pickering, Mrs T. Kristunas, Mr M. Dunphy, Mrs S. Sellers Ms R. Dunne and Ms R. Cole.

11/13 **APOLOGIES**

Apologies for absence were received from Councillors Dr. D. W. P. Booth and C. B. Taylor.

12/13 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

13/13 **MINUTES**

The minutes of the meeting of the Cabinet held on 5th June 2013 were submitted.

RESOLVED that the minutes of the Cabinet held on 5th June 2013 be approved as a correct record.

14/13 **BROMSGROVE MUSEUM**

The Cabinet considered a report containing an update in relation to negotiations to dispose of the Bromsgrove Museum Building.

The report set out the background to the present situation, including the decision by Cabinet in April 2011 to grant the Friends of the Norton Collection Charitable Trust (now the Norton Collection Museum Trust) an option to purchase the museum building for a sum of £285,000 on terms to be agreed. It was noted that since that time negotiations had been on going in respect of the disposal of the artefacts and the historic terms of the trust deed.

The report also informed members that an agreed position was "in sight" in relation to the cataloguing of the artefacts and this would need to be resolved by the completion of the sale.

Members had previously acknowledged the value of the museum to the town and the benefit of the project to the Town Centre. In addition Members were aware of the costs associated with continuing to store, maintain and catalogue the items together with the costs of maintaining the building and non-business rates.

It was reported that further advice had been received that the disposal of the Building to the Trust at a sum of £200,000 with the appropriate restrictive covenants and claw back provisions would be reasonable in the current property market.

Members noted that it would be appropriate to include a restrictive covenant and claw back provision as part of the disposal of the property to ensure that the building continued to be used as a museum or that, in the event it is subsequently developed for other purposes the Council would benefit from such development by the receipt of fifty per cent of any increase in value of the building upon planning permission being granted for such development.

It was felt that given the lengthy history to this matter, it was advantageous for a resolution to be found as expeditiously as possible. Therefore completion should be achieved within six months.

RESOLVED:

- (a) that in view of the information received from the Valuation Service Officers, the offer put forward by the Norton Collection Museum Trust (formerly known as the Friends of the Norton Collection Charitable Trust) to purchase the museum building at 26 Birmingham Road, Bromsgrove for the sum of £200,000 be accepted on terms to be agreed, to include a claw back provision and completion of the sale within a six month period; and
- (b) that authority be delegated to the Executive Director of Finance and Resources and the Head of Legal, Equalities and Democratic Services in consultation with the Leader of the Council, to determine the terms for the disposal of the museum building.

15/13 **THE COUNCIL PLAN**

The Cabinet considered a report in relation to a proposed new Council Plan including the Council's Strategic Purposes and Corporate Principles.

It was noted that the new Council Plan was a far more concise document than previously and had been developed through working closely with officers and Members. Service areas would be working towards achieving the Strategic Purposes which had been developed through the Council's Transformation Programme. The Strategic Purposes would be supported by operational purposes and measures to ensure that everything undertaken by the Council related to meeting the demands and needs of customers.

It was reported that the final version of the Council Plan had yet to be completed as additional design work was required. It was anticipated however that the document would be updated as situations changed and as transformation work progressed. In addition the foreword was yet to be completed and it was felt this should be written jointly by the Chief Executive and the Leader of the Council.

It was noted that any major changes such as amendments to Strategic Purposes would need to be brought before Members for consideration and the Council Plan would be reviewed on an annual basis in any event.

RECOMMENDED:

- (a) that the Council Plan attached as Appendix 1 to the report be approved; and
- (b) that as a minimum the Council Plan be reviewed on an annual basis.

16/13 **REVISED LOCAL DEVELOPMENT SCHEME 2013 AND COMMUNITY INFRASTRUCTURE LEVY**

The Cabinet considered a report on a revised and updated Local Development Scheme (LDS) which updated the programme of preparation of Local Planning Policy Documents. It was noted that the LDS also reflected the requirements of the Localism Act 2011 and the National Planning Policy Framework (NPPF).

It was reported that one of the changes to the LDS was that the publication version of the District Plan would now be considered by Cabinet and Council in September 2013. In addition, in line with NPPF there would no longer be a separate production of the Town Centre Area Action Plan and the policies would be incorporated into the District Plan.

The report also referred to the introduction of the Community Infrastructure Levy (CIL) which represented a new system of collecting monies from Developer contributions to fund infrastructure, intended to benefit the development of an area. Members noted the differences between a CIL and other planning obligations such as Section 106 and Section 278 legal agreements.

It was noted that nationally, the production and use of CILs was at an early stage with some aspects still uncertain. It was felt however that it would be appropriate for officers to commence work in connection with the preparation of a CIL for Bromsgrove District. The document would be submitted to Cabinet and Council for consideration in accordance with the LDS timetable.

RESOLVED:

- (a) that the contents of the report and the proposed amendments to the Local Development Scheme be noted;
- (b) that Appendix A to the report be approved as the Council's forthcoming programme for Planning Policy Documents from 4th July 2013; and

- (c) That officers be requested to commence preparation of a Community Infrastructure Levy for the Bromsgrove District.

17/13 **DISPOSAL OF THE COUNCIL HOUSE SITE**

The Cabinet considered a report relating to the proposed marketing and disposal of the Council House, Burcot Lane in readiness for the vacation of the building and the move to the former Parkside School site.

The report included the background to the proposed move to the former Parkside School site and highlighted the reasons for the move including the opportunity for redevelopment of the Burcot Lane site which was now inefficient and unsuited for its present use, and the benefit to the regeneration of the Town Centre.

It was noted that it would be advantageous to put arrangements for the marketing and disposal of the Burcot Lane site in place in advance, in order to minimise the risks and costs of managing the Burcot Lane site as an empty property.

RECOMMENDED:

- (a) that the Council House, Burcot Lane site be marketed for disposal in readiness for the vacation of the site by this Council and the move to the former Parkside Middle School site in 2014/15;
- (b) that £20,000 be taken from balances in order to fund any associated pre-sale costs.

18/13 **FINANCIAL OUTTURN REPORT 2012/2013**

Members considered a report on financial information for the year ended 31st March 2013. The report included financial outturn information 2012/13 for both Revenue and Capital spend.

The Executive Director (Finance and Corporate Resources) confirmed that work was on going with Heads of Service to ensure that financial planning and monitoring was as efficient as possible. The role of Portfolio Holders was also of key importance within this process. It was noted that officers had been requested to ensure that expenditure on non-essential items was constantly reviewed in order to protect the position of the Council's balances in the light of anticipated further cuts. This together with other contributory factors referred to in the report had resulted in a significant underspend.

RECOMMENDED that the outturn financial position for 2012/13 in respect of Revenue and Capital as detailed in the report be noted, together with the transfer of £513,000 to balances.

19/13 **COUNCIL TAX SUPPORT SCHEME**

The Executive Director (Finance and Corporate Resources) reminded the Cabinet of the background to this matter and the decisions taken by the Council in February 2013.

At that time it had been reported that the existing national Council Tax Benefit Scheme would cease from 2013/14 and in future the Government funding would be restricted to 90% of forecasted subsidised Council Tax expenditure for 2013/14. For Bromsgrove this was estimated to be a reduction of £478,000 in total, of which the District Council's shortfall would be £61,000.

The Council had taken a number of decisions aimed at mitigating the impact of the changes. This had involved the removal of the Council Tax discount on second homes and limiting the amount of Council Tax discount on short term empty property to 50%. This had resulted in the "claw back" of approximately £30,000 of the shortfall by this Authority. In addition, a decision had been taken to undertake a further review of local Council Tax support from 2014/15.

The Executive Director (Finance and Corporate Resources) explained that any further proposed change would require public consultation and therefore the matter required consideration by the Cabinet and Council to allow time for this to be undertaken.

The Executive Director (Finance and Corporate Resources) referred to a number of possible options these being:

- Introduction of minimum Council Tax support levels of £5 or £10 per week (currently there is no minimum support amount);
- Restriction of all Council Tax support to Band D equivalent amounts;
- Introduction of a minimum payment of 20% of Council Tax for all claimants of working age. Only 80% of Council Tax liability to be assessed for Council Tax support;
- Introduction of a minimum payment of 10% of Council Tax for all claimants of working age. Only 90% of Council Tax liability to be assessed for Council Tax support; and
- Withdrawal of all Council Tax exemption for short term empty property (Class C) Currently 50% for 6 months (excluding new developments).

The possible options were considered in detail. Members took into account the Council's wish to prevent the cost burden falling disproportionately upon the working poor, together with the increased administration costs associated with a number of the options for what would be a relatively small return to this Authority.

It was therefore felt that no further action should be taken to reduce the remaining shortfall of approximately £31,000. It was noted that this cost would therefore be borne by the Council.

RECOMMENDED that notwithstanding the previous decision to review the Council Tax Benefit Scheme, in the circumstances outlined, no further action be taken and the remainder of the shortfall of approximately £31,000 be met by this Council.

20/13 **NOMINATION OF AN ASSET OF COMMUNITY VALUE - THE DODFORD INN**

The Cabinet considered a report relating to a request received from Dodford with Grafton Parish Council that the Dodford Inn be listed as an Asset of Community Value.

Members were reminded that the Localism Act included the “Community Right to Bid”. This gave communities the right to identify a building or other land which they believed to be of importance to their community’s social well-being. If this building or land then became available for sale there would be a six month period during which the community group could prepare their bid to purchase the asset. This would be at the open market value.

The Cabinet were aware that this was still a relatively new procedure and felt it would be useful to obtain additional information on the process. It was noted that in this instance the Asset nominated for listing by the Parish Council was an existing business and it was queried how this would be taken into account in the valuation of the Asset and in the potential sale to the community.

Members also requested that the nomination form be amended to require an application for listing submitted by Parish Councils to include the appropriate minute of the Parish Council decision on the matter.

In the circumstances Members felt they required additional information before a decision whether or not to support the listing of the Dodford Inn as an Asset of Community Value could be made.

RESOLVED:

- (a) that consideration of the application from Dodford with Grafton Parish Council to list The Dodford Inn as an Asset of Community Value be deferred and that additional information be sought on the position regarding valuation where the asset is an existing business;
- (b) that the nomination form be amended to require that when the request for listing is submitted by a Parish Council, the completed form is accompanied by the relevant minute of that Council, covering the decision to submit a request for listing.

Cabinet
3rd July 2013

The meeting closed at 7.25 p.m.

Chairman