

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 2ND APRIL 2014 AT 6.00 P.M.

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

Observers: Councillors C. J. Bloore, L.C. R. Mallett and E. J. Murray

Officers: Ms J. Pickering, Mrs S. Sellers, Mr D. Allen and Ms R. Cole

103/13 **APOLOGIES**

There were no apologies for absence.

104/13 **DECLARATIONS OF INTEREST**

Councillor M. A. Sherrey declared a Disclosable Pecuniary Interest in item 7 - Homelessness Grant Funding as a Trustee of Citizens' Advice Bureau and Basement. Councillor Sherrey left the room during the consideration of this item.

Councillor R. Hollingworth declared an Other Disclosable Interest in item 12 – Nomination of an Asset of Community Value as a Member of Alvechurch Sports and Social Club.

105/13 **BROMSGROVE MUSEUM**

The Cabinet considered a detailed report updating Members in relation to the Bromsgrove Museum Building in Birmingham Road, Bromsgrove. The report also set out a number of options available to the Authority for the potential sale or alternative use of the Museum Building.

Members were reminded of the extensive background to this matter dating back over a number of years. Since the closure of the Museum in 2008 various options to reopen the Museum had been pursued by the former donor of the Collection, by the Friends of the Norton Charitable Trust which was now known as the Norton Collection Museum Trust. This had culminated in Cabinet approval in July 2013 of an offer from the Trust to purchase the Museum Building for the sum of £200,000 to include completion of the sale within 6 months.

It was noted that since that decision officers had continued to negotiate with the Solicitors acting for the former donor of the Norton Collection and the

Norton Collection Museum Trust to reach an agreed position regarding the status of the artefacts and the historic terms of the Trust Deed. In addition, since July 2013, officers had been informed on two occasions that the Trust were attempting to secure an alternative site for the Museum firstly at the former United Reformed Church and then Steps House. In the event these efforts proved to be unsuccessful and therefore the Trust were now putting forward further proposals to secure the use of the Birmingham Road site.

The report set out in full the two options put forward by the Trust. In essence these were:

- (a) the grant to the Trust of a long term lease (at least 25 years) at a peppercorn or substantially discounted rent. The Trust would be responsible for repair and upkeep of the building and had offered to provide a Tourist Information Service (with a grant payable towards this by this Council); and
- (b) the purchase the building for the sum of £150,000 with half to be paid on completion and the other half to be paid over a 25 year period. It was clarified that this would result in a £75,000 loss of capital receipt to the Council.

Officers explained that if Members wished to pursue option (a) above this proposal would need to be amended to refer to the payment of a commercial rent and the payment of a grant by the Council to the Trust. It was confirmed that no budget provision had been made in this regard.

Members considered the options and the detailed information contained within the report. The Section 151 Officer confirmed that the Asset Management Group had considered these two options and were concerned that the proposals would not support the delivery of value for money in relation to the management of the Council's assets. The Asset Management Group had also suggested an alternative option of sale of the building on the open market following confirmation of the position regarding the artefacts and the legal considerations. A further option, as the Town Centre redevelopment progresses, would be to consider leasing the building on a commercial basis.

Officers confirmed that it was still open to the Trust to make an approach to either lease or purchase the building but this would need to be at market value and would be considered alongside any other expressions of interest. The Museum Trust had previously been given an option to purchase the building but had failed to raise the requisite funding during the relevant time period and the option had therefore expired.

The Cabinet fully acknowledged the work which had been undertaken by the former donor of the Museum and by the Trust to attempt to generate the funding required for this project including the recent open day where members of the public had been able to visit the Museum for free. Members also referred to the extensive work undertaken by officers over a long period to attempt to meet the requests and requirements of the Trust and to enable the Museum to reopen.

The Cabinet considered the options set out in the report in the light of the Council's duty to obtain best value from the Council's assets, and the need to ensure that there was wider community benefit from the presence of a Museum in Bromsgrove in a time of significant financial restraint. It was

RESOLVED:

- (a) that officers be instructed to explore the dual options of either leasing the building on a commercial basis or disposal of the building to generate the best return for the Authority; and
- (b) that authority be delegated to the Executive Director (Finance and Resources) and the Head of Legal, Equalities and Democratic Services, in consultation with the Leader of the Council, to determine the precise terms for dealing with the Museum Building going forward in an arrangement for either lease or sale.

106/13 **MINUTES**

The minutes of the meeting of the Cabinet held on 5th March 2014 were submitted.

RESOLVED that the minutes be approved as a correct record.

107/13 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 24th February 2014 were submitted.

RESOLVED that the minutes be noted.

108/13 **WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 20th February 2014 were submitted.

Members considered the recommendation contained within minute no. 40/13 relating to the work undertaken by Worcester City Council in piloting "self-help" working in relation to certain classes of nuisance complaints and when dealing with planning consultations.

It was noted that the pilot working, including the development of an algorithm to enable planning officers to make decisions on certain applications without the need to refer to WRS officers, had been successful in reducing the need for consultations at a time when the number of planning applications had increased.

Members were in agreement with consideration being given to introducing the pilot methodology and the "self- help" element for certain classes of nuisance complaints, provided that the Head of Planning and Regeneration was satisfied that this would not increase the workload of Planning Officers.

RESOLVED:

- (a) that the recommendation contained at minute no. 40/13 be approved subject to the Head of Planning and Regeneration being satisfied that it would not increase the workload of Planning Officers; and
- (b) that the remainder of the minutes be noted.

109/13 **HOMELESSNESS GRANT FUNDING 2014/2015**

The Cabinet considered a report on the proposed utilisation of part of the Homelessness Grant available for 2014/15.

It was noted that this Council had been allocated grant funding of £112,830 from the Department for Communities and Local Government (DCLG) for 2014/15 and that there was an estimated balance of £13,088 to be carried forward from 2013/14. Therefore the amount of grant funding available to prevent and tackle homelessness was £125,918. This Council would determine the most effective and appropriate use of the funding to meet the needs of the District.

The Strategic Housing Manager reported that the process of awarding the grant funding had been more challenging this year due to uncertainty around funding for a number of providers from Worcestershire County Council. The County Council's Future Lives agenda had led to a number of changes in how housing related support may be provided. Over the last few weeks however the position had become clearer and some transitional arrangements had been made available by the County Council.

It was noted that committed expenditure for 2014/15 totalled £35,434. The Strategic Housing Team had considered and evaluated an additional six bids for funding and three of these had been recommended for prioritising for immediate support with quarterly payments. It was intended that further information and recommendations in respect of the remaining bids would be considered by Cabinet in June 2014.

RESOLVED:

- (a) that full or quarterly payments to be made from the Council's 2014/15 Homelessness Grant funding be approved, as recommended by the Strategic Housing Manager and as set out in the report, for funding during 2014/15;
- (b) that it be noted that a further report will be submitted to Cabinet in June 2014 to include details of the schemes which are currently being fully assessed by officers and have not yet been allocated funding and of the performance of schemes funded during 2013/14; and
- (c) that officers be requested to refresh the policy and procedure for the allocation of DCLG Homelessness Grant funding in respect of the 2015/16 allocation process.

110/13 **AIR QUALITY TASK GROUP - FURTHER COMMENTS FROM OVERVIEW
AND SCRUTINY TASK GROUP ON CABINET RESPONSE**

The Cabinet considered additional comments from the Air Quality Task Group on the Cabinet's original response to the recommendations put forward in the Task Group's report response.

The further response from the Cabinet was as follows:

**Recommendation 1 (encompassing 4 matters arising from the previous
Task Group report on Air Quality in 2007)**

Recommendation 1(from 2007) – Low Emissions Zones

The Cabinet re-iterated previous comments that this was not supported in view of the finance implications.

Recommendation 7 (from 2007) – Town Centre Redevelopment

It was stated that there was not a replacement group for the Town Centre Redevelopment Group but it was anticipated that WRS expertise would be drawn on as and when required in respect of Town Centre issues in the usual way.

Recommendation 8 (from 2007) – Traffic Lights at High Street and The Strand

It was stated that changes to the junction and to the traffic lights were incorporated into the changes around the Sainsbury's development.

Recommendation 17(from 2007) - Taxi Ranks

Overview and Scrutiny were able to request this report from WRS.

Recommendation 2 - Separate Air Quality Action Plans

The additional comments were noted but the Cabinet did not wish to amend its previous decision.

Recommendation 3 - Separate Air Quality Steering Groups

The additional comments were noted but in view of the decision on recommendation 2 above the Cabinet did not wish to amend its previous decision.

**Recommendation 4 – Regular Progress Reports from the Air Quality
Steering Groups**

In view of the decision on recommendations 2 and 3 above the Cabinet did not wish to amend its previous decision.

Recommendation 5 – Application for funding from DEFRA Air Quality Grant Programme

The Cabinet did not wish to amend its previous decision particularly in view of the WRS resources which would be required to prepare and submit an appropriate and fully evidenced funding application.

Recommendation 6 – Request the WCC to apply for funding from the Worcestershire Local Transport Body

The Portfolio Holder undertook to write to the WCC Portfolio Holder on this issue.

Recommendation 7- Request the WCC to liaise with local Bus Operators on the establishment of a Local Bus Quality Partnership

The Portfolio Holder undertook to write to the WCC Portfolio Holder on this issue.

Recommendation 8 – Worcestershire Health Overview and Scrutiny Committee

The Cabinet had no objection to the District Council representatives on the HOSC raising this issue with the Committee.

Recommendation 9 – Regular Monitoring of particulate air pollutants within the AQMAs by carried out by WRS

The Cabinet did not wish to amend its previous decision particularly in view of the WRS resources which would be required to prepare and submit an appropriate and fully evidenced funding application.

Recommendation 10 – Letter to be sent to the relevant Government Minister in relation to HGV emission levels

The Portfolio Holder undertook to action this recommendation.

Recommendation 11 – Letter to be sent to the relevant Government Minister regarding a review of the role of those responsible for Air Quality

The Portfolio Holder undertook to action this recommendation.

111/13 **CAPITAL BIDS 2014/2015 - 2016/2017**

The Cabinet considered a report on proposed Capital bids and re-profiling of Capital expenditure for 2014/15.

Members queried the funding of projects through Section 106 monies and felt it would be advantageous to have more information in respect of the Section 106 provisions. Officers undertook to give consideration to the best way to provide Members with additional information on the Section 106 process.

Members requested additional information on the Capital bid for £80,000 in respect of teenage provision in Hagley prior to making a recommendation on the matter.

Following discussion it was

RECOMMENDED:

- (a) that consideration of the Capital bid in respect of Hagley – teenage provision be deferred pending further information on the proposal from officers;
- (b) that the remainder of the Capital bids as contained in Appendix 1 to the report and totalling £940,000 for 2014/15, £78,000 for 2015/16 and £1.003m 2016/17 be approved;
- (c) that the reduction in the Capital bid in respect of the replacement Leisure Centre by £1.5m be approved and re-profiled as contained in Appendix 1 to the report ; and
- (d) that the re-profiling of the Vehicle Replacement Programme including the reduction of the 2014/15 budget by £80,000 and the increase to the 2015/16 budget by £80,000 as contained in Appendix 1 to the report be approved.

112/13 NOMINATION OF ASSET OF COMMUNITY VALUE - ALVECHURCH SPORTS AND SOCIAL CLUB

Members considered a report on a request to list the Alvechurch Sports and Social Club as an Asset of Community Value.

Having considered the application in detail together with the provisions of the relevant legislation it was

RESOLVED that the listing of the Alvechurch Sports and Social Club as an Asset of Community Value be supported.

113/13 BROMSGROVE OUTDOOR MARKET

(The Chairman agreed to the consideration of this item as a matter of urgency as a decision was required thereon prior to the next meeting of the Cabinet)

Cabinet considered a report on a request on behalf of regular Bromsgrove Market Traders for a reduction in the fee for market stalls whilst the market is located temporarily on the pedestrian area outside Asda.

It was reported that the request was as a result of a reduction in income following the relocation of the Market from the High Street whilst the public realm works were carried out.

Members noted that it was anticipated that the reduction if approved would be in place from 8th April to 15th July 2014.and that that this would result in a loss of income to the Authority of approximately £6,000. It was further noted

that it was proposed that the shortfall in income be met from within existing budgets and income generated in 2014/15.

Members wished to support the regular market traders and their commitment to Bromsgrove and following discussion it was

RESOLVED:

- (a) that on a temporary basis, whilst the market is located outside Asda, a reduction in the charge from £81 per week to £40.50 per week be approved in respect of regular market traders who trade three days per week; and
- (b) that the reduced charges be applied from 8th April to 15th July 2014, but that Authority be delegated to the Head of Planning and Regeneration to extend the period during which the reduced charge is applied in the event that the relocation of the market back to the High Street is delayed.

The meeting closed at 7.40 p.m.

Chairman