

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 16TH JULY 2014 AT 6.00 P.M.

PRESENT: Councillors J. M. L. A. Griffiths (Chairman), S. J. Baxter, C. J. Bloore, J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, R. A. Clarke, S. R. Colella, R. J. Deeming, R. L. Dent, K. A. Grant-Pearce, P. A. Harrison, R. Hollingworth, H. J. Jones, P. Lammas, B. Lewis, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, E. J. Murray, J. A. Ruck, C. R. Scurrall, E. M. Shannon, R. J. Shannon, S. P. Shannon, M. A. Sherrey, C. J. Spencer, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

16\14 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D. W. P. Booth, M.T. Buxton, B. T. Cooper, R.J. Laight and C. B. Taylor.

17\14 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Item 7 - Minutes of the Cabinet held on 4th June 2014 – Nomination of an Asset of Community Value Football Ground, Birmingham Road, Bromsgrove

Councillors C. J. Bloore, R. J. Shannon and S. P. Shannon each declared other disclosable interests as members of the Bromsgrove Sporting Supporters Association.

18\14 **MINUTES OF THE ANNUAL MEETING OF THE COUNCIL**

The minutes of the Annual Meeting of the Council held on 14th May 2014 were submitted.

RESOLVED that the minutes of the Annual Meeting of the Council held on 14th May 2014 be approved as a correct record.

19\14 **ANNOUNCEMENTS FROM THE CHAIRMAN, CIVIC HEAD AND/OR HEAD OF PAID SERVICE**

The Chairman referred to the forthcoming first appearance of Bromsgrove Sporting in the Extra Preliminary Round of the FA Cup and congratulated the Club on their success in reaching this stage of the competition.

The Civic Head referred to the support which residents and visitors were giving to the Bromsgrove Festival and encouraged Members of the Council to attend the closing event of this year's Festival in the High Street on Saturday, 19th July.

20\14 **ANNOUNCEMENTS FROM THE LEADER**

There were no announcements on this occasion.

21\14 **RECOMMENDATIONS FROM THE CABINET HELD ON 2ND JULY 2014**

(i) Dolphin Centre Replacement

The recommendations from the Cabinet were proposed by Councillor M. J. A. Webb and seconded by Councillor R. Hollingworth.

In proposing the recommendations Councillor Webb referred to the significant amount of work from Members and officers which had resulted in these proposals for a new Leisure Centre for the District. The process had involved detailed consideration of a both a large amount of background documentation and a number of options, which had culminated in the present recommendations coming forward for consideration.

Councillor Webb expressed his satisfaction that Bromsgrove was considering building a new Leisure Centre when so many Authorities including some nearby, were closing or merging similar facilities. This Council was aware of the popularity of the existing Dolphin Centre and the importance of the facility to the health and well being of residents. Surveys had been undertaken which had found that the Dolphin Centre was the most commonly used venue for physical activity in Bromsgrove and that residents felt the Centre was the "best value" establishment in the District. In addition the survey had shown that the Centre was a strong draw to attract people to the Town Centre and that respondents felt the Leisure Centre should remain within the Town Centre.

Councillor Webb stated that the Cabinet had considered a number of options prior to making the current recommendations. The option recommended was not the cheapest option but was felt to be the facility which was required for Bromsgrove and would best meet the needs of residents.

Councillor L. C. R. Mallett moved a procedural motion under 12 (d) of the Council Procedure Rules that the matter be referred back to the Cabinet for further consideration. This was seconded by Councillor P. M. McDonald.

Councillor Mallett stated that whilst there was support for the provision of a replacement Leisure Centre, there was also concern that the proposed option would result in a "downgraded" version of the existing

facility. The Council may be missing an opportunity by not including a Sports Hall in the proposals and therefore relying on other providers.

In addition the financial model behind the Business Plan was questioned in that it assumed that the number of members would rise from approximately 1,000 to 1,700 as a result of building a new Leisure Centre. The Overview and Scrutiny Board had recommended to the Cabinet that this financial model be validated by the Audit Board but the recommendation had not been accepted by the Cabinet.

Reference was made by Councillor Mallett to the failure of this Council to make a decision at an earlier stage to replace the Leisure Centre which had resulted in the need for the Council to fund the current project through borrowing .

In view of this and some of the uncertainties around the negotiations on the intended public utilisation of the BAM Sports Hall, Councillor Mallett felt there was an important opportunity for the Cabinet to reconsider the Business Case in respect of the current proposal.

Councillor Webb reiterated that the current proposal was not for a “downgraded” facility but would result in an improved new facility which extensive research had shown would meet the requirements of the District and would provide the best value for the Authority.

Councillor Webb undertook to provide details to Councillor B. Lewis of the survey referred to earlier in the discussion.

On being put to the vote the Chairman declared the procedural motion that the matter be referred back to the Cabinet to be lost.

On a requisition under Council Procedure Rule 17.5 the following details of voting on the recommendations from the Cabinet were recorded:

For the recommendations: Councillors C. J. Bloore, J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, R. A. Clarke, R. J. Deeming, R. L. Dent, K. A. Grant-Pearce, P. A. Harrison, R. Hollingworth, H.J. Jones, P. Lammas, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, E. J. Murray, J. A. Ruck, C. R. Scurrall, E. M. Shannon, R. J. Shannon, S. P. Shannon, M. A. Sherrey, C. J. Spencer, C. J. Tidmarsh, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson (28)

Against the recommendations: Councillors S. J. Baxter, S. R. Colella, B. Lewis and L. J. Turner (4)

Abstentions: (0)

RESOLVED:

- (a) that Option 2a, as set out below, be confirmed as the preferred option for the replacement of the Dolphin Centre at a total project cost of £11.5m:

Facility Mix

- Main Pool – 25m by 13m (6 lanes) with 100 spectator seats
 - Learner Pool – 12m by 8m with moveable floor
 - Fitness Suite – 80 stations with functional training spaces supporting up to 1800 members
 - Dance Studio – 2 spaces for up to 60 people
 - Spinning Studio – for up to 25 people
 - Spa facilities and treatment rooms – Sauna, Steam room and Jacuzzi
 - Ancillary facilities includes car park of 200 spaces
- (b) that within the total cost, this Council purchases the Blackmore House site on School Drive from Worcestershire County Council at a value of £1.425m;
- (c) that borrowing of £9.536m be approved to fund the majority of the costs associated with the project;
- (d) that at the completion of the project, the enabling land which will no longer be required on School Drive (currently Car Parking) be considered to be surplus to requirements and be offered to the market to reduce borrowing costs;
- (e) that £100k of balances be used to ensure the total funding of £11.5m for the project is available;
- (f) that officers investigate and implement an option to develop a Dual Use arrangement at North Bromsgrove High School provided that it does not impact on the capital costs incurred by the Council and therefore does not impact on the Medium Term Financial Plan;
- (g) that authority be delegated to the Head of Leisure and Cultural Service and the Executive Director, Finance and Corporate Resources following consultation with the Portfolio Holders, to agree the final terms for the disposal of land associated with this project;
- (h) that authority be delegated to the Head of Legal, Equalities and Democratic Services to enter into the necessary legal documents for the purposes of implementing recommendations (a) to (g) above;
- (i) that officers be requested to provide updates on the project at key milestones as agreed with the Portfolio Holder for Leisure and Cultural Services to include verbal updates at all Cabinet meetings and an update report once final tender submissions are received to confirm the final project position and proposed timescales.

(ii) New Market Stalls

The recommendations from the Cabinet were proposed by Councillor R. L. Dent and seconded by Councillor R. Hollingworth.

Members felt that the new stalls would greatly improve the appearance of the High Street once the Market was relocated.

RESOLVED:

- (a) that the 2014/15 Capital Programme be increased by £60,000 to fund the costs associated with the purchase of the replacement market stalls; and
- (b) that £56,000 be released from balances to fund the majority of the cost with the additional £4,000 to be met from current reserves.

(ii) Financial Outturn and Reserves Statement 2013/2014

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

In proposing the recommendations Councillor Hollingworth referred to the requests made in September to officers to review all expenditure on non essential items. This along with other factors had resulted in £647,000 being returned to balances. Attention was also drawn to the addition of new reserves of £495,000 and the movement of £88,000 in existing reserves. In addition there was a proposal to allocate a capital sum of £80,000 to be funded from S106 contributions to teenage provision in Hagley.

Councillor L. C. R. Mallett raised a number of issues where there had been a significant variance from the predicted budget within the following areas:

- an overspend on Building Control and Development Control;
- an underspend on Economic and Tourism Development;
- an overspend on Refuse and Recycling;
- an underspend in Strategic Planning;
- an underspend in Business Transformation

Councillor Mallett also queried the cost of the Financial Services restructure and when savings would be achieved.

Councillor Hollingworth responded to the matters raised in relation to variations in the budget and indicated that the underspend within the Business Transformation was being reviewed. The Section 151 Officer responded in respect of the Financial Services restructure and confirmed that costs were split equally between Bromsgrove District

Council and Redditch Borough Council and that savings would be realised in two and a half years.

A number of Members expressed concern that significant funding was being returned to balances whilst expenditure had been reduced on services.

RESOLVED:

- (a) that the movement of £88k in existing reserves as included in Appendix A to the report which reflects the approval required for April 2013 to March 2014 be approved;
- (b) that the addition of new reserves of £495k as included in Appendix 1 to the report which reflects the approval required for April 2013 to March 2014 be approved; and
- (c) that the Capital bid of £80k for Hagley teenage provision to be funded from Section 106 contributions be approved

22\14

MINUTES OF THE MEETINGS OF THE CABINET HELD ON 7TH APRIL 2014, 14TH MAY 2014, 4TH JUNE 2014 AND 2ND JULY 2014

The minutes of the meetings of the Cabinet held on 7th April 2014, 14th May 2014, 4th June 2014 and 2nd July 2014 were received for information.

With reference to Minute 117/13 (George House and Hanover Street Car Park, Bromsgrove), in response to a query on progress with the proposal, the Chairman stated this should be addressed to officers.

With reference to Minute 15/14 (Overview and Scrutiny Board), in response to a query on the Staff Survey the Chairman stated this should be addressed to officers.

With reference to Minute 17/16 (Market Stalls Terms and Conditions), in response to a query seeking clarification the Chairman stated this should be addressed to officers.

With reference to Minute 16/14 (Council Tax Support Scheme), it was queried whether this item should be a recommendation to Council and not a matter resolved by the Cabinet. It was noted that the decision not to consult on changes to the Council Tax Support had been made by the Council.

Following two short adjournments to enable the Chairman to take advice on the issue, it was proposed by Councillor L. C. R. Mallett and seconded by Councillor M. A. Sherrey and

RESOLVED that consideration of the Council Tax Support Scheme consultation be referred back to the Cabinet for further consideration and recommendation to Council.

23\14 **APPOINTMENTS TO OUTSIDE BODIES**

Council considered a report of the Head of Legal, Equalities and Democratic Services on a number of appointments to Outside Bodies. Members' attention was drawn to an amended Appendix to the report.

It was noted that it was proposed that the appointment of representatives to the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and the Transport Board for GBSLEP would be considered separately from the remainder of the list of outside bodies to be appointed to by office.

- (a) that the appointments made by office as set out in the attached Appendix be noted;
- (b) that the appointments to the other organisations as set out in the attached Appendix be approved; and
- (c) that Councillor M. A. Sherrey be appointed as this Council's representative on the GBSLEP and the Transport Board for the GBSLEP.

24\14 **SCHEME OF DELEGATION**

Members considered a report on the annual review of the Officer Scheme of Delegations.

Members' attention was drawn to an amendment on the section relating to urgent business (page 16 of the Scheme) to add the wording "together with where appropriate the Chairman of Overview and Scrutiny Board."

Members also queried whether the payment of Grants and Honoraria (page 1 of the Scheme) should include the wording "in consultation with the Portfolio Holder"

RESOLVED that the Scheme of Delegation attached as a Appendix to the report be approved subject to the amendments referred to in the preamble.

25\14 **OVERVIEW AND SCRUTINY ANNUAL REPORT 2013/14**

Members received the Annual Overview and Scrutiny Report for 2013/14.

Members thanked Councillor P. Lammas for his work in Chairing the Board for this period.

Having been moved by Councillor P. Lammas and seconded by Councillor M. A. Sherrey, it was

RESOLVED that the Annual Overview and Scrutiny Report for 2013/14 be noted and endorsed.

26\14 **AUDIT BOARD ANNUAL REPORT 2013/14**

Members received the Annual Audit Board Report for 2013/14.

Having been moved by Councillor P. A. Harrison and seconded by Councillor M. A. Sherrey, it was

RESOLVED that the Annual Audit Board Report for 2013/14 be noted and endorsed.

27\14

QUESTIONS ON NOTICE

Question submitted by Councillor R. J. Shannon

In the summer edition of "Together Bromsgrove" an article on the new Police and Fire Station states that the project "aims to make public services more efficient and convenient". In the light of the fact that the new Police station has no counter staff or reception and members of the public are forced to use an intercom to contact officers, what actions will the leader be taking to ensure that the residents of Bromsgrove will get the counter service that was promised and expected with the new facility? And would the Leader agree that we are not getting a convenient service at present?

The Leader responded that she had been keeping Members up to date with the situation as far as possible but it was understood that a final decision had yet to be made on arrangements in respect of the front counter. The Leader would follow this up on return from her holiday.

Question submitted by Councillor S. P. Shannon

With large sections of Bromsgrove High Street now complete and open for business, there is clear evidence that the High Street traders are able to stock their premises through the rear access points. Vans have been observed in recent days driving on the newly resurfaced section of the street to deliver/collect from premises.

Can the Leader outline what plans are in place to prevent the dilution of Bromsgrove's pedestrianised High Street policy and bring a halt the repeat damaging of the paved surfaces, and also stop the very dangerous practice of allowing vans, trucks and cars to drive between pedestrians on the High Street to make deliveries or collections?

The Leader referred this question to the relevant Portfolio Holder, Councillor R. L. Dent.

Councillor Dent responded that she was pleased that the High Street work was progressing well. The Traffic Regulation Order in respect of the High Street would need to be enforced by the County Council and there would now be gated access to the High Street. In addition all High Street businesses had been requested in writing to continue with access arrangements in place during the work on the High Street.

Question submitted by Councillor C. J. Bloore

Could the Cabinet Member with responsibility please tell me how many consultants or employees not directly employed by the Council are working within the Planning Department?

In the absence of the Portfolio Holder for Planning, the Leader stated that the details were as follows; a case officer working four days per week; a case officer working two or three days per week and an enforcement officer working four days per week (to be leaving very shortly).

Question submitted by Councillor E. J. Murray

In the light of recent events would the Leader please give her views on whether the Sidemoor Health Hub has delivered value for money for the thousands invested in LSP funding and what steps she will take to investigate what has taken place leading to the closure of this facility?

The Leader confirmed she would respond to Councillor Murray in writing.

28\14

MOTION - INFRASTRUCTURE IN BROMSGROVE

Members considered the following motion submitted by Councillor L. C. R. Mallett:

“Council notes the recent debate regarding a feasibility study on the provision of a Western Link road for Bromsgrove at the County Council. Council further notes that the key reason given for not accepting the proposal was the belief that it is Bromsgrove District Council that needs to request such a study from the County Council.

Council is concerned about infrastructure in and around Bromsgrove and notes that currently the plans for infrastructure only run to 2022. Council recognises the significant concerns in our local communities about whether infrastructure planning matches our growth needs. Council believes that this requires urgent consideration by the County as the Highways Authority.

Council believes that there must now be a wide-ranging review of highways issues in and around Bromsgrove and, that options to resolve these issues, including a study to assess the feasibility of a Western Link road solution for Bromsgrove, must now be properly considered and further that the County Council, as the Highways Authority, is responsible for doing this. Council calls on the Group Leaders and Portfolio Holder to write formally, on behalf of the District Council, to the County Council requesting officers conduct such review.”

The motion was moved by Councillor L. C. R. Mallett and seconded by Councillor M. A. Sherrey.

In moving the motion Councillor Mallett stated that the position of Bromsgrove within the motorway network and surrounded by greenbelt made the highways

situation particularly difficult. Councillor Mallett felt that this Council needed to act in accord to formally request the County Council to undertake a review of highways issues around Bromsgrove and in particular a study to assess the feasibility of providing a western link road.

Councillor C. J. Bloore stated he had seconded the motion when it was debated at the County Council, he commended Councillor Sherrey for her seconding of the current motion and in doing so putting the future of Bromsgrove first.

Councillor M. A. Sherrey stated it was important to consolidate the work which was being undertaken by this Council and the County Council to look at all highways issues and not solely to concentrate on a western link road.

Members welcomed the cross party support for the motion and it was requested that the wording "extremely concerned" be included in the first line of the second paragraph of the motion. This was accepted by the mover and seconder.

Having been put to the vote, the Chairman declared the motion to be carried.

The meeting closed at 8.40 p.m.

Chairman

Bromsgrove District Council – 16th July 2014

Appendix 1

Outside Bodies Appointed to by Office

Organisation	Representative (s)	Appointee
North Worcestershire Community Safety Partnership	Cabinet member	Councillor Sherrey
PATROL	Portfolio Holder for Environmental Services and one <u>substitute</u>	Councillor Bullivant <u>Councillor Webb</u>

Other Bodies

Organisation	Number of Representatives	Term of office	Appointee
Amphlett Hall Management Committee	4	1 year	Councillors Boswell Griffiths Sherrey Jones
Bromsgrove Arts Centre Trust – charitable company (terms of office were staggered when the Trust was set up. Future terms of office to be 4 years)	5 3 terms of office by rotation	4 years	Councillors Boswell Grant-Pearce Spencer
Bromsgrove Arts Development Trust (Artrix Holding Trust)	6 3 terms of office end this year	4 years	Councillors Booth Ruck Sherrey
Bromsgrove Citizens' Advice Bureau	2	1 year	Councillors Cooper Ruck

Organisation	Number of representatives	Term of office	Appointee
Bromsgrove Sporting Board (observers only)	2	1 year	Councillors Lammas Whittaker
Greater Birmingham and Solihull Local Enterprise Partnership	1 Councillor representing the 3 Northern Worcestershire District Councils 1 substitute	1 year	Councillor Sherrey Substitute Councillor Mould, Redditch BC
Greater Birmingham and Solihull LEP – Joint Overview and Scrutiny Committee	1	1 year	Councillor Brogan
Greater Birmingham and Solihull Local Enterprise Partnership – Transport Board	1 Councillor representing the 3 Northern Worcestershire District Councils 1 substitute	1 year	Councillor Sherrey
Midlands Joint Advisory Council for Environmental Protection	2	1 year	Councillors Laight S Shannon
Worcestershire County Council Corporate Parenting Steering Group	1	1 year	Councillor Sherrey
Worcestershire County Council Highways (Bromsgrove) Partnership Forum	2	1 year	Councillors Dent Whittaker