

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

23RD SEPTEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors C. J. Spencer (Chairman), H. J. Jones (Vice-Chairman), C. Allen-Jones, S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths, C.A. Hotham, R. E. Jenkins, R. J. Laight, K.J. May, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, M. A. Sherrey, R. D. Smith, C. B. Taylor, P.L. Thomas, M. Thompson, S. A. Webb and P. J. Whittaker

40\15 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B. T. Cooper, P. Lammas, L. C. R. Mallett and L. J. Turner.

Apologies for late arrival were received from Councillor R. E. Jenkins.

41\15 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

42\15 **MINUTES**

The minutes of the meeting of the Council held on 15th July 2015 were submitted.

Councillor C. A. Hotham stated he had not yet received the further information referred to in minute 35/15 in relation to expenditure within Development Control.

RESOLVED that the minutes of the meeting of the Council held on 15th July 2015 be approved as a correct record.

43\15 **ANNOUNCEMENTS FROM THE CHAIRMAN AND THE HEAD OF PAID SERVICE**

The Chairman informed Members that this would be the last meeting of the Council which the Reverend Beverley Robertson would be attending as she was standing down from her role as Chaplain to the Chairman. In view of the impending move to Parkside this role would be taken by Reverend Ray Khan from St. John's Church.

The Chairman thanked Reverend Robertson on behalf of Members for her assistance and support.

44\15 **ANNOUNCEMENTS FROM THE LEADER**

The Leader referred to her attendance at a recent graduation ceremony held at the Artrix for students from the Heart of Worcestershire College . It had been a very successful event which had demonstrated the quality and range of skills within Worcestershire.

The Leader reported that the move to Parkside had been further delayed as the contractors had been unable to meet the previously agreed completion date of September, which would have enabled the move to take place in October following all necessary testing of IT and communications systems. The Leader undertook to ensure that Members received further information on the revised date as soon as it was confirmed.

Reference was made to the potential costs of keeping the existing offices open, which would increase as the weather grew colder. The Leader confirmed that the costs would be largely offset from the underspend on the Council House carried forward from last year.

45\15 **COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

There were no comments, questions or petitions from members of the public on this occasion.

46\15 **AUDIT BOARD ANNUAL REPORT 2014/15**

Members received the Annual Audit Board report for 2014/15.

The previous Chairman of the Board Councillor H.J Jones expressed her thanks to Members and officers for their support.

There were a number of queries from Members in respect of the content of the report and the Portfolio Holder, Councillor G. N. Denaro undertook to provide further information to the Members concerned relating to:

- Single Fraud Investigations Service and the reason why the Council would not join until February 2016;
- Whether the five recommendations from the External Auditors arising from the Annual Audit letter 2013/14 had been implemented in full; and
- Whether ICT weaknesses identified in December 2013 by the External Auditors had been dealt with satisfactorily.

RESOLVED that the Annual Audit Board Report for 2014/15 be noted and endorsed.

47\15 **RECOMMENDATION FROM THE AUDIT, STANDARDS AND GOVERNANCE COMMITTEE**

The recommendations from the Audit Standards and Governance Committee held on 16th July 2015 were proposed by Councillor G. N. Denaro and seconded by Councillor M. A. Sherrey.

RESOLVED:

- (a) that the Procedure Rules of the Audit, Standards and Governance Committee be amended to remove the word “informed” from paragraph 1.3 of the Procedure Rules; and
- (b) that the Head of legal, equalities and Democratic Services be authorised to update the Constitution accordingly.

48\15 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 2ND SEPTEMBER 2015**

(i) **Charging for Street Naming and Numbering Discretionary Services**

The recommendations from Cabinet were proposed by Councillor G. N. Denaro and seconded by Councillor R. L. Laight.

During the debate Members queried the legal background to charging for these services. Councillor Denaro drew attention to the advice given in the legal implications section of the Cabinet report and stated it was hoped that the service would break even.

The Deputy Monitoring officer clarified the basis on which the relevant legislation was proposed to be adopted.

RESOLVED:

- (a) that Sections 64 and 65 of the Town Improvement Clauses Act 1897 and Sections 17, 18 and 19 of the Public Health Act 1925 be adopted by the Council;
- (b) that charges for the discretionary element of Street Naming and Numbering be introduced and that the fees set out at Appendix 1 to the report be adopted; and
- (c) that authority be delegated to the Head of Transformation and Organisational development to make the necessary amendments to the Street Naming and Numbering Policy resulting from the decision at (a) and (b) above.

(ii) **Finance Monitoring Quarter 1 Report 2015/16**

The recommendation from Cabinet was proposed by Councillor G. N. Denaro and seconded by Councillor P. J. Whittaker.

Councillor S. P. Shannon requested reassurance that the proposed Astro Turf pitch at South Bromsgrove High School would be available

for use by local Teams and for community use. Councillor Denaro undertook to provide details of the proposed arrangements.

Members commented on other aspects of the Monitoring Report, including Planning Services budget and the review of Evening Car Parking Charges.

RESOLVED that the 2015/16 Capital programme be increased by £40,000 to include a Section 106 funded project for financial support towards the South Bromsgrove High School 3G Astro Turf pitch.

(iii) **Leasehold Issues at Sherwood Road, Bromsgrove**

The recommendation from Cabinet was proposed by Councillor G. N. Denaro and seconded by Councillor M. A. Sherrey.

Councillor Denaro referred to the background to this matter which had been set out in the Cabinet report and clarified that the recommendation was in relation to the maximum expenses which the Council may incur, they may be below this.

Some Members expressed concern regarding the position which had developed and queried whether the situation could have been avoided. However the view was expressed that in the circumstances the proposal before Councillors aimed to limit the Council's exposure..

RESOLVED that Council set aside £265,000 from revenue balances to cover the expenses which the Council may incur due to its obligations under the current lease arrangements (£200,000) together with estimates to fund potential dilapidation costs (£60,000) and any legal costs arising from the steps set out in the Cabinet Minute no.32/15 (a).

49\15

RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 23RD SEPTEMBER 2015

(i) **Audit Findings Report 2014/15**

The recommendations from the Cabinet were proposed by Councillor G. N. Denaro and seconded by Councillor M. A. Sherrey.

In proposing the recommendations Councillor Denaro drew attention to the fact that an "unqualified opinion" was proposed by the external auditors both for the accounts themselves and in respect of the Value for Money judgement. Whilst the audit was still on-going, these judgements would not change.

RESOLVED:

- (a) that the Audit findings Report 2014/15 be noted;
- (b) that the draft letter of representation as included in the Audit Findings Report be approved.

(ii) **Statement of Accounts 2014/15**

The recommendations from the Cabinet were proposed by Councillor G. N. Denaro and seconded by Councillor C. B. Taylor.

In proposing the recommendations Councillor Denaro referred to the reasons why the Accounts had been submitted late, all of which had been accepted by the external auditors. These included the introduction of a new financial ledger and the restructuring of the finance team.

The Executive Director Finance and Resources was working on developing an Action Plan to address any issues raised by the external auditors. The Action Plan would be monitored by the Audit Standards and Governance Committee. Councillor Denaro would also be actively monitoring budgeting processes during the year.

Arising from consideration of the Statement of Accounts Members raised a number of issues during the debate including the following:

- the importance of setting robust budgets and of learning from experiences in previous years;
- the projects quoted in “Service Successes and Achievements” related mainly to Bromsgrove Town projects and could include those from elsewhere in the District;
- the lack of accuracy in forecasting expenditure which had also occurred in previous years and which had resulted in a significant underspend;
- the position in respect of pension assets and liabilities;
- the level of effectiveness of the “Place “ project.

RESOLVED:

- (a) that the Accounting Policies as detailed in Note 1 of the 2014/15 Statement of Accounts be approved;
- (b) that the Draft Statement of Accounts 2014/15 be noted;
- (c) that in order to enable final sign off of the Statement of Accounts by the auditors, Grant Thornton by 30th September 2015, Cabinet recommends to Council that authority be delegated to the Section 151 Officer to make any final changes required to the Statement of Accounts following consultation with the Chairman of the Council and the Portfolio Holder for Finance, and having taken into consideration any changes to the Audit Findings Report, to make any changes and to approve the final version of the Statement of Accounts 2014/15.

50\15

TO RECEIVE THE MINUTES OF THE MEETING OF THE CABINET HELD ON 2ND SEPTEMBER 2015

The minutes of the meeting of the Cabinet held on 2nd September 2015 were received for information.

51\15

REPORT FROM THE PORTFOLIO HOLDER FOR FINANCE, ICT, HR, EMERGENCY PLANNING AND ENABLING SERVICES

As the Portfolio Holder for Finance, ICT, HR, Emergency Planning and Enabling Services, Councillor G. N. Denaro presented a report on the areas covered by his Portfolio.

Members considered the report and raised a number of issues including further welfare changes and the impact they may have on the Council Tax Support Scheme; and the new Individual Electoral Registration process including the importance of encouraging registration and maintaining the accuracy of the register.

52\15

QUESTIONS ON NOTICE

Question submitted by Councillor M. Thompson

Does the Council have a responsibility, particularly in the context of the deep cultural and religious divisions that occupy the news in recent times (and times past), to better acknowledge the diverse cultural contribution that makes up the fabric of our District. Before every Council meeting we hear from a representative of the Christian church or partake in a Christian prayer. In the 21st century, in multicultural Britain, should we not invite other religious leaders - and members of the public that represent different cultures in our District- perhaps youth club workers, students, nurses etc. – to give us food for reflection before we meet.

The Leader responded that the invitation to deliver a prayer prior to the start of the meeting had always been a matter for the Chairman of the Council. The Chairman indicated Members could speak to her if they wished to make a suggestion in this regard.

Question submitted by Councillor R. Jenkins

What comfort can the Leader of the Council give to the residents of Bromsgrove that this Council will not open up its Greenbelt to Birmingham and Black Country housing overspill?

The Leader referred this question to the responsible Portfolio Holder, Councillor C. B. Taylor.

Councillor Taylor referred to the Bromsgrove District Plan Review and to the possibility of a Green Belt Review. It was unlikely that all of the housing needs of Birmingham could be met within the conurbation.

Question submitted by Councillor S. R. Colella

Would the Portfolio Holder for Planning and Regeneration support a review of the Development Control and Planning Enforcement function into its effectiveness across the District?

Councillor Taylor indicated that he did not support such a review at this time.

53\15 **NOTICE OF MOTION - REFUGEE FAMILIES**

Members considered the following motion submitted by Councillor M. Thompson:

“Council notes the worst refugee crisis since the Second World War that is taking place as we meet, with over 9 million people displaced from Syria since 2011.

Council believes that it is right for Bromsgrove District Council to clearly affirm that refugee families from Syria will be welcome in Bromsgrove.

Council calls on the Leader to meet with the Leader at Worcestershire County Council to agree the support required to offer sanctuary to at least 12 refugee families over the next year.”

The motion was moved by Councillor M. Thompson and seconded by Councillor P. M. McDonald.

The Leader stated that together with Leaders from other District Councils in Worcestershire she had met with the Leader of the County Council and that Bromsgrove was to be included in a joint bid to house refugees in the County. This was on the basis that government funding was forthcoming for five years. Discussions were on going with various organisations to determine what support was available locally.

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

54\15 **NOTICE OF MOTION - LOCAL PLAN FOR BROMSGROVE DISTRICT**

Members considered the following motion submitted by Councillor S. J. Baxter:

“That this Council takes the following actions to address the continuing problems with regards delivery of an adopted local plan for Bromsgrove District.

- (1) Withdraws the existing emerging local plan;
- (2) Completes an urgent green belt review that takes into account the duty to co-operate with both Redditch and Birmingham; and
- (3) Initiates the development of a new local plan that maximises the protection of the green belt and ensures that the infrastructure is in place to deliver the housing needs identified for Bromsgrove District and our obligations to Redditch and Birmingham.”

The motion was moved by Councillor Baxter and seconded by Councillor S.R. Peters.

Councillor Baxter referred to the latest letter received from the Planning Inspector raising concerns regarding the timescales now proposed. In the light of this Councillor Baxter stated she therefore wished to withdraw the Notice of Motion.

There was no further discussion.

55\15

NOTICE OF MOTION - COMBINED AUTHORITIES

Members considered the following motion submitted by Councillor P. M. McDonald:

“Council notes the recently launched “consultation” into associate membership of the proposed West Midlands Combined Authority.

The Labour Group feels that this consultation has a serious deficit in that it fails to recognise that Bromsgrove District is part of Worcestershire County Council and can not act in isolation of this.

Furthermore, the fact that this “consultation” makes no reference to the options for devolved powers for Worcestershire that are under active and developing consideration, renders it both biased and one-sided.

Council therefore resolves to suspend this flawed “consultation” process and urges the Chief Executive and Leader to meet as a matter of urgency with the Leader and Chief Executive of Worcestershire County Council and report back, to allow Bromsgrove Councillors and local residents to make a decision based on the full facts.

Council further resolves that full membership of any Combined Authority should be the subject of a referendum.”

The motion was moved by Councillor McDonald and seconded by Councillor C. J. Bloore.

In proposing the motion Councillor McDonald referred to the limitations of the current consultation process which he stated had not been based on the full facts in relation to any alternative options from Worcestershire County Council. In addition the current consultation was biased in favour of those residents who were IT literate. Councillor McDonald was also concerned that discussions with West Midlands Authorities had not been fully transparent without the benefit of a full public debate.

Councillor Bloore referred to the reduced weight which could be attached to the results of the current consultation as residents would have been unable to make an informed decision in the light of any alternative proposals. There was a need for leadership in terms of which option would be most advantageous for the District.

Some Members felt the consultation was flawed because of the lack of information and should therefore be withdrawn.

The Leader responded that at the time the consultation was launched there was little information available on the Worcestershire proposals. It was confirmed that talks were in progress regarding this option and the Leader had asked the Chief Executive to arrange a briefing for all Members about the latest position regarding this.

During the debate the view was expressed that the Council was being pressured to reach a decision on whether or not to pursue a Combined Authority option with Greater Birmingham. It was generally considered that it would be premature to make a decision on this at the moment in the absence of more detailed information about the proposal. Members were also interested to know more about the potential Devolution Deal for Worcestershire.

On a requisition under Council procedure rule 18.3 , the following details of the voting were recorded:

For the motion: Councillors S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, C. A. Hotham, R.E. Jenkins, P. M. McDonald, C. M. McDonald, S. R. Peters, S. P. Shannon and M. Thompson (11)

Against the motion: Councillors C. Allen-Jones, R. J. Deeming, G. N. Denaro, R. L. Dent, M.Glass, J. M. L. A. Griffiths, H. J. Jones, R. L. Laight, K. J. May, M. A. Sherrey, R. D. Smith, C. B. Taylor, P. L. Thomas, S.A. Webb and P. J. Whittaker (15)

The Chairman declared the motion to be lost.

The meeting closed at 7.45 p.m.

Chairman