

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 5TH MARCH 2008 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. J. M. L. A. Griffiths (Deputy Leader), Dr. D. W. P. Booth JP, G. N. Denaro, Mrs. J. Dyer M.B.E., R. D. Smith, Mrs. M. A. Sherrey JP, M. J. A. Webb and P. J. Whittaker

Observers: Mr. J. Edwards, Lead Official and Councillor P. M. McDonald

Officers: Mr. K. Dicks, Mr. T. Beirne, Mr. P. Street, Mr. H. Bennett, Mrs. C. Felton, Mr. J. Godwin, Ms. J. Pickering, Ms. J. Pitman, Ms. D. Poole and Ms. D. Parker-Jones

141/07 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

142/07 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

143/07 **MINUTES**

The minutes of the meeting of the Cabinet held on 6th February 2008 were submitted.

RESOLVED that the minutes be approved as a correct record, subject to:

- (a) it being noted that Councillor Mrs Dyer had been present during Minute No's 131/07 to 140/07;
- (b) the list of those present at the meeting being amended to record Councillors Mr and Mrs McDonald as having been in attendance; and
- (c) the amendment of Minute No. 135/07 (Motion - Allocation Policy) to reflect the following points raised by Councillor Mrs McDonald:

Councillor Mrs McDonald stated that the Exception Site Policy:

- ignored the needs and living conditions of those living throughout the district and concentrated on the parish few;
- created a division between those living in the urban and rural areas of Bromsgrove; and
- whilst not illegal, did not support the true value of British justice, fairness and equality.

It was Councillor Mrs McDonald's personal view that the Policy breached the Race Relations Act inasmuch as the overwhelming majority of black and minority ethnic (BME) people lived in the urban area of Bromsgrove, thus indirectly discriminating against the few BME members of society who lived in the parishes. Councillor Mrs McDonald stated that no figures or statistics had been put forward to argue against this and that the Policy was used to keep BME people out of the parishes, which was contrary to the Council's Equality and Diversity Policy. Councillor Mrs McDonald added that no dual District/Parish Councillors had declared an interest in this item.

144/07 **SCRUTINY STEERING BOARD**

The minutes of the Scrutiny Steering Board held on 5th February 2008 were submitted.

RESOLVED that, it being noted that the Recommendation at Minute No. 85/07 (Calls for Action - CLG Consultation) had already been dealt with via a separate report to the Council on 27th February 2008, the minutes be noted.

145/07 **PERFORMANCE MANAGEMENT BOARD**

The minutes of the Performance Management Board held on 19th February 2008 were submitted.

RESOLVED:

- (a) that the minutes of the meeting be noted; and
- (b) that, subject to it being noted that the Cabinet would, in future, be monitoring, very closely, any underspends on capital budgets in order to avoid carry forwards of this nature, the Recommendation at Minute No. 79/07 (Integrated Finance and Performance Report (Quarter 3 December 2007)), be approved.

146/07 **AIR QUALITY SCRUTINY REPORT - RECOMMENDATION 1**

Further to the meeting of the Cabinet on 5th February 2008, the Cabinet re-considered its response to the first recommendation contained within the Air Quality Scrutiny Report in relation to Low Emission Zones.

The Leader advised that whilst further information had now been received on the Low Emission Zone scheme which was being implemented in London, this was not an issue which the authority, as a District Council, could have a direct impact on and that this therefore needed to be progressed by the County Council.

RESOLVED that the relevant Portfolio Holder, in conjunction with the Chairman of the Air Quality Task Group (should the Task Group Chairman so wish), take this matter forward with the appropriate officers of the County Council and that the Portfolio Holder keep the Scrutiny Steering Board (SSB) updated, via the SSB's Recommendation Tracker Report, as to any progress regarding implementation of a Low Emission Zone Scheme in the roads/areas detailed in the original recommendation.

147/07 **PUBLIC TRANSPORT (BUSES) SCRUTINY REPORT**

The Cabinet considered the recommendations contained within the Public Transport (Buses) Task Group Scrutiny Report. The Leader acknowledged the work undertaken by the Task Group and it was noted that the Chairman of the Scrutiny Steering Board was present to respond to any issues raised on the report.

It was noted that a large number of the recommendations were matters which fell within the remit of the County Council and/or other agencies. As such, it was felt that the relevant Portfolio Holder, in conjunction with the Chairman of the Task Group (should the Task Group Chairman so wish as it was noted that this was outside of their terms of reference) should refer various matters onto the appropriate body and that the Portfolio Holder should keep the Scrutiny Steering Board updated, via the Board's Recommendation Tracker System, on any progress with the matters in question. Following discussion, it was

RESOLVED:

- (a) that in relation to Recommendation 1, this matter be referred to the Town Centre Steering Group for it to decide how best to deal with the required interface with the relevant stakeholders for a new bus station for Bromsgrove (including the establishment of any required sub-committee of the Group in order to progress the new bus station), and that the relevant Portfolio Holder, in conjunction with the Chairman of the Public Transport (Buses) Task Group, keep updated as to any developments and update the Scrutiny Steering Board (SSB), via the SSB's Recommendation Tracker Report, on any progress in this regard;
- (b) that in relation to Recommendation 2, the Portfolio Holder and the Chairman of the Task Group refer this matter to the County Council and the Local Strategic Partnership Transport Theme Group, and that the Portfolio Holder report back to the Scrutiny Steering Board on any progress in this regard;
- (c) that in relation to Recommendation 3, the Portfolio Holder and the Chairman of the Task Group refer this matter to the County Council, the Local Strategic Partnership Transport Theme Group and the Town Centre Steering Group, and that the Portfolio Holder report back to the Scrutiny Steering Board on any progress in this regard;
- (d) that in relation to Recommendation 4, the Portfolio Holder and the Chairman of the Task Group refer this matter to the County Council, with any involvement on the part of this Council in becoming a proactive partner in future bids for rolling stock to be put on hold until such time as the draft Local Transport Bill becomes law, and that the Portfolio Holder report back to the Scrutiny Steering Board on any progress in this regard;
- (e) that in relation to Recommendation 5, this matter be referred to the Local Strategic Transport Theme Group for investigation and that the Group be requested to provide the Cabinet with a report in six months time detailing progress in this regard;

- (f) that in relation to Recommendations 6 and 7, the Portfolio Holder and the Chairman of the Task Group refer these matters to the County Council, and that the Portfolio Holder report back to the Scrutiny Steering Board on any progress in this regard;
- (g) that in relation to Recommendation 8, it being noted that the County Council was considering production of a new strategy on the marketing and delivery of information on passenger transport services in Worcestershire, this Council look at establishing website links to consult with the public further to support the County's new strategy, and that the Portfolio Holder report back to the Scrutiny Steering Board on any progress in this regard;
- (h) that in relation to Recommendation 9, this Council offer itself as a pilot authority to work with the County Council for the introduction of Real Time Passenger Information at major amenities, and that the Portfolio Holder report back to both the Scrutiny Steering Board and the Cabinet on any progress in this regard;
- (i) that in relation to recommendation 10, the Portfolio Holder and the Chairman of the Task Group arrange for the feasibility of producing a London Underground style bus route map to be looked into with the County Council, and that the Portfolio Holder report back to the Scrutiny Steering Board on any progress in this regard;
- (j) that in relation to Recommendation 11, this be referred direct to the County Council for action as these were not matters which fell within the remit of this Council;
- (k) that in relation to Recommendation 12, it be noted that Councillors Mrs Dyer and Mrs Sherrey were members of the group which was looking into the Worcestershire County Council Transport Strategy and that they would continue to have proactive involvement in this;
- (l) that in relation to Recommendation 13:
 - (i) it be noted that the issue of establishing a new bus station had already been dealt with under Recommendation 1;
 - (ii) it be agreed that the re-location of the existing toilet block as detailed at Recommendation 13 (c) be rejected as this was already being progressed;
 - (iii) that the Portfolio Holder discuss with the Executive Director - Projects and Partnerships the possibility of establishing a Shopmobility unit close to the re-located toilet block and that the Portfolio Holder report back to the Cabinet in this regard; and
 - (iv) that the Portfolio Holder and the Chairman of the Task Group report back to the Scrutiny Steering Board on progress on the above; and
- (m) that in relation to Recommendation 14, the membership of the Joint County and District Town Centre Steering Group remain as at present but that input be sought from Councillor Lewis, as Chairman of the Task Group, on any transport related issues.

148/07 **DEDICATION OF CYCLEWAY**

Consideration was given to the proposed dedication of the part of a cycleway at Catshill, that being part of Sustrans Route Cycle Path between Milton Road and Stourbridge Road (the Cycleway), which was within the Council's

ownership. In relation to the request for authority to be delegated to the Head of Legal, Equalities and Democratic Services to deal with such matters where no objections were received, the Leader stated that the Portfolio Holder would be expected to keep abreast of any delegations exercised.

RESOLVED that the part of the Cycleway within the Council's ownership be approved for Dedication as a public cycle path; and

RECOMMENDED that the Scheme of Delegation be amended to delegate authority to the Head of Legal, Equalities and Democratic Services to approve dedications of cycleways, bridleways, footways, footpaths and highways where no objections to the proposal have been received.

149/07 **COUNCIL PLAN 2008-2011 PART 2**

The Cabinet considered the Draft Council Plan for 2008-2011. The Plan also included a high level action plan for the Council's priorities for 2008-2011.

RECOMMENDED that the Draft Council Plan 2008-2011, including the new Balanced Scorecard for the Council on page 16 and the Council's Strategic Action Plan 2008-2011, as attached at Appendix 1 to the report, be approved.

150/07 **IMPROVEMENT PLAN EXCEPTION REPORT (DECEMBER 2007)**

Consideration was given to the updated Improvement Plan Exception Report for December 2007, together with the corrective action being taken.

In relation to the delayed community consultation as part of the preparation of the Area Action Plan for the Town Centre, Members noted the importance of appointing, as soon as possible, a developer for the Market Hall site and that any further slippage with the consultation would have an affect on such an appointment. It was also noted that Portfolio Holders would, at the next meeting of the Cabinet, be asked to report back as to the reasons for any slippages for January (Quarter 4).

RESOLVED:

- (a) that the revisions to the Improvement Plan Exception Report and the corrective action being taken be noted and approved; and
- (b) that it be noted that of the 147 actions highlighted within the Plan for December 2007, 82.3% of the Plan was on target (green), 11.6% was one month behind (amber) and 2.0% was over one month behind (red). 4.1% of actions had been rescheduled or suspended with approval.

151/07 **DECEMBER (QUARTER 3) PERFORMANCE REPORTING**

The Cabinet considered a report setting out the Council's performance at 31st December 2007 (period 9, Quarter 3).

It was noted that although the number of Performance Indicators which were Improving or Stable had fallen in comparison with the previous Quarter, these had been addressed and as at the end of January 74% were Improving or

Stable, with 85% achieving their Year to Date target. As had been pointed out under the minutes of the meeting of the Performance Management Board, Officers were due to look at the issue of budget underspends in order to ensure these were more appropriately managed, thus avoiding such carry forwards. Details of carry forwards would, in future, be available on a quarterly basis and it was noted that a new Accountancy Manager was to commence employment with the Council at the end of March, both of which would assist with this.

RESOLVED:

- (a) that it be noted that 55% of Performance Indicators (PIs) were Improving or Stable, compared to 83% at Quarter 2;
- (b) that it be noted that 73% of PI's were achieving their Year To Date target, compared to 72% at Quarter 2;
- (c) that it be noted that 75% of PI's were predicted to meet their target at year end, compared to 79% at Quarter 1; and
- (d) that the financial position for both revenue and capital funding for the second quarter of £198k underspend and £840k respectively be noted; and

RECOMMENDED that approval be given for the carrying forward of the estimated under spent budgets totalling £2.250m from 2007/08 to 2008/09, as detailed at Appendix 5 to the report.

152/07 **CAPITAL STRATEGY 2008-2011**

Consideration was given to an updated Capital Strategy for the Council for 2008-2011. The Strategy brought together work undertaken by the Council in recent years on the Sustainable Community Strategy and the Council Plan, which together set out a vision for Bromsgrove for 2008 and beyond.

RECOMMENDED that the Capital Strategy 2008-2011 be approved.

153/07 **TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2008-09 TO 2010-11**

The Cabinet considered a strategy statement for the treasury management and investments in relation to the Council required for compliance with the Local Government Act 2003 and to ensure the Council demonstrated accountability and effectiveness in the management side of its funds.

RECOMMENDED:

- (a) that the Strategy and Prudential Indicators shown at Appendices A and B to the report be approved and adopted;
- (b) that the Authorised Limit for borrowing be set at £6m as required by the Chartered Institute of Public Finance and Accountancy (CIPFA), that being the same as the Affordable Borrowing Limit required by section 3(1) of the Local Government Act 2003; and
- (c) that the maximum level of investment to be held within each organisation (i.e. bank or building society) as detailed be set at £3m.

154/07 **FEES AND CHARGES 2008-09**

Consideration was given to the fees and charges to be levied on services provided by the Council, which were used as the basis for income targets in the Medium Term Financial Plan 2008-09 to 2010-11.

Members were advised of the following updates to the details set out in the report:

- (i) Dolphin Centre - up to one hour: 70p, up to three hours: £2.10p and all day: £3;
- (ii) Recreation Road North - all day: £3;
- (iii) Recreation Road South - up to five hours: £3.50p.

Additionally, the Churchfields Multi Storey and Hanover Street car parks had been listed as short stay in error.

RESOLVED that, subject to the amendments detailed in the preamble above, the fees and charges detailed in Appendix 1 to the report be approved.

155/07 **LOCAL HOUSING ALLOWANCE (LHA) POLICY**

The Cabinet considered a report which provided details of a new Local Housing Allowance Scheme which was being introduced on 1st April 2008 and set out a new policy to support the delivery of the new scheme.

RESOLVED that the changes to the Housing Benefit Scheme, as detailed in the report, be noted, and the policy at Appendix 1 be approved and adopted.

156/07 **DISCRETIONARY HOUSING PAYMENT (DHP) POLICY**

Consideration was given to a report which presented members with a Discretionary Housing Policy for the Authority.

RESOLVED that the changes to the Housing Benefit Scheme, as detailed in the report, be noted, and the policy shown at Appendix 1 be approved and adopted.

157/07 **EXCLUSION OF THE PUBLIC**

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the item of business the subject of the following minute on the grounds that it involves the likely disclosure of "Exempt Information" as defined in part 1 of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being as set out below, and that it is in the public interest to do so:

Minute No
158/07

Paragraphs
1 and 3

158/07 **WRITE OFF - SUNDRY DEBT**

Consideration was given to the writing off of a Sundry Debt which had been identified as irrecoverable.

RESOLVED that the balance detailed in the report be written off as irrecoverable.

The meeting closed at 7.38 p.m.

Chairman