



## **BROMSGROVE DISTRICT COUNCIL**

**YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at The Council House, Burcot Lane, Bromsgrove at 6.00 pm on Wednesday, 18th July, 2007, when the business referred to below will be brought under consideration:-**

**The meeting will be opened with a prayer.**

**1. Minutes (Pages 1 - 4)**

To confirm the accuracy of the Minutes of the Extraordinary Meeting of the Council held on 27<sup>th</sup> June 2007

**2. Apologies for absence**

**3. Declarations of Interest**

**4. Presentation on the Children's Fund**

**5. Announcements from the Chairman**

**6. Announcements from the Leader**

**7. Recommendations from the Cabinet (Pages 5 - 10)**

To receive any recommendations made by the Cabinet at its meetings held on 10<sup>th</sup> July 2007 and 18<sup>th</sup> July 2007 (attached)

***(Members are asked to bring their copies of the Cabinet agenda to the Council meeting)***

**8. Recommendations from the Standards Committee (Pages 11 - 12)**

To consider the recommendations from the meeting of the Standards Committee held on 14<sup>th</sup> June 2007

***(Members are asked to bring their copies of the Standards Committee agenda to the Council meeting)***

**9. Appointment of Parish Council Representatives to the Standards Committee (Pages 13 - 16)**

**10. Questions on Notice**

To deal with any questions on notice from Members of the Council, in the order in which they have been received.

**11. Motion submitted under notice**

To consider the following motion submitted by Councillor P. M. McDonald:-

“To ensure confidence in local democracy it is essential to maintain an open and inclusive society. In the spirit of diversity and equality this Council replaces prayers at the start of council meetings with two minutes of reflection.

Reflection meets the spiritual needs and ensures freedom of religious expression to all.”

**12. Motion submitted under notice**

To consider the following motion submitted by Councillor S. P. Shannon:-

“That this Council sets up a cross-party task group to implement environmental initiatives to tackle climate change and reduce the Council’s Carbon Footprint.”

**13. Appointment of the Council's representatives on outside bodies (Pages 17 - 22)**

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL



## B R O M S G R O V E D I S T R I C T C O U N C I L

### EXTRAORDINARY MEETING OF THE COUNCIL

WEDNESDAY, 27TH JUNE, 2007

**PRESENT:** Councillors Mrs. J. M. Boswell (Chairman), Mrs. C. J. Spencer (Vice-Chairman), A. N. Blagg, Dr. D. W. P. Booth JP, Mrs. M. Bunker, S. R. Colella, G. N. Denaro, Mrs. R. L. Dent, Mrs. A. E. Doyle, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, B. Lewis F.CMI, Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, D. L. Pardoe, S. R. Peters, C. R. Scurrell, G. G. Selway, S. P. Shannon, R. D. Smith, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

15/07

### PRAYER

At the request of the Chairman, Councillor Mrs. C. J. Spencer opened the meeting with a prayer.

16/07

### MINUTES

**RESOLVED** that the minutes of the Annual Meeting of the Council held on 15<sup>th</sup> May 2007 be confirmed as a correct record and signed by the Chairman.

17/07

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R. J. Deeming, Mrs. H. J. Jones, Dr. G. H. Lord, Mrs. J. D. Luck, Mrs. M. A. Sherrey JP and C. B. Taylor.

18/07

### DECLARATIONS OF INTEREST

There were no declarations of interest.

19/07

### ANNOUNCEMENTS FROM THE CHAIRMAN

(a) The Chairman referred to a reception to be held on 28<sup>th</sup> June 2007 for Bromsgrove Rovers Football Club to celebrate the Club's recent promotion.

- (b) The Chairman referred to the national 'Shades Day' to be held on 29<sup>th</sup> June 2007 to raise funds for Guide Dogs for the Blind and encouraged Members to participate.
- (c) The Chairman referred to the annual Bromsgrove Carnival to be held on 30<sup>th</sup> June 2007 and hoped that as many Members as possible would be able to attend.

20/07

### **ANNOUNCEMENTS FROM THE LEADER**

- (a) The Leader referred to the significant improvements in Member/Officer relations which had been achieved in the past 12-18 months and he emphasised, particularly for the benefit of those who had been newly elected, the need for Members to show respect to officers at meetings.
- (b) At the end of the meeting the Leader announced that Councillor A. N. Blagg had resigned from the Cabinet due to pressure of work and that he had asked Councillor R. D. Smith to replace him as Portfolio Holder for HR and Legal and Democratic Services.

21/07

### **RECOMMENDATIONS FROM THE CABINET MEETINGS HELD ON 13TH JUNE 2007 AND 27TH JUNE 2007**

#### **(i) TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY**

The recommendations having been moved and seconded, Councillor P. M. McDonald referred to the need for the Council to have an ethical/social responsibility policy for banks and organisations that it dealt with. The Leader subsequently agreed to his suggestion that this was a matter which could be looked into by the Audit Board.

#### **RESOLVED:**

- (a) that the Strategy attached to the Cabinet report be approved and adopted;
- (b) that the Authorised Limit for borrowing be set at £6,000,000 as required by CIPFA; and
- (c) that the maximum level of investment to be held within each organisation be set at £3,000,000.

#### **(ii) RESTRUCTURE OF STREET SCENE AND WASTE MANAGEMENT DEPARTMENT**

**RESOLVED** that the proposed changes to the structure be approved and that the cost of £95,478 be met from Council balances and refunded to balances over a period of approximately two years.

**(iii) INTEGRATED PERFORMANCE AND FINANCIAL OUTTURN REPORT 2006/07**

**RESOLVED:**

- (a) that the considerable improvement in the Council's performance be noted, in particular, that 38% of the Council's indicators are now above the local authority average compared to 21% in 2005/06;
- (b) that the net revenue outturn position of £11.092 million against the Budget of £11.564 million giving an underspend of £472,000 be noted;
- (c) that the list of revenue items to be carried forward be approved;
- (d) that the use of General Fund Revenue Balances and earmarked reserves be approved;
- (e) that the capital underspend of £2.597 million against the total Profiled Capital Budget be noted together with the progress made on capital schemes;
- (f) that the additional Capital Budget carry forwards totalling £345,000 be approved;
- (g) that the financing of capital expenditure totalling £4.077 million for the year 2006/07 be noted.

**(iv) ANNUAL REPORT 2006/07 PARTS 1 TO 4**

**RESOLVED:**

- (a) that the information contained in Parts 2, 3 and 4 of the Annual Report be noted together with the intention that Part 1 in "Together Bromsgrove" be based on the approved information contained in Parts 2, 3 and 4;
- (b) that Part 2, the unaudited Annual Report Performance, be approved in accordance with the Local Government Act 1999 (Best Value);
- (c) that Part 3, the unaudited Statement of Accounts for the year ended 31st March 2007, be approved in accordance with the Accounts and Audit Regulations 2003 (amended 2006);
- (d) that the Statement of Internal Control be approved.

22/07

**DELEGATION**

**RESOLVED** that authority be delegated to the Head of Planning and Environment Services and his nominated deputies to authorise Officers to implement the provisions of the Health Act 2006 and Regulations made thereunder.

The meeting closed at 6.25 pm

Chairman

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# Agenda Item 7

## CABINET

### RECOMMENDATIONS TO THE COUNCIL

**10TH JULY 2007**

**1. COMPREHENSIVE PERFORMANCE ASSESSMENT AND IMPROVEMENT PLAN 2007/08**

The Cabinet has given consideration to a report on the Audit Commission's Comprehensive Performance Assessment together with the new Improvement Plan for July 2007 to June 2008.

It is therefore RECOMMENDED:

- (a) that the Audit Commission's Comprehensive Performance Assessment report and in particular the areas for improvement set out on page 7 of the report be noted;
- (b) that the Improvement Plan 2007/2010 be approved;
- (c) that it be noted that the Improvement Plan cross references to the recommendations contained in the Audit Commission's Comprehensive Performance Assessment report but also contains other actions for 2007/2008 designed to deliver the Council Plan 2007/2010;
- (d) that the changes to the Council Plan set out in section 3.4 of the report, based on the Corporate Management Team's view of the Council's capacity to deliver the Council Plan 2007/2010 be approved; and
- (e) that it be agreed that further updates to the Improvement Plan for 2007/08 may be required as determined by discussions between the Improvement Director and Corporate Management Team.

**2. CAPITAL PROGRAMME INCREASE – OAKALLS PLAY FACILITY**

The Cabinet has given consideration to a report on the amendment of the Capital Programme to include an additional £25,000 in respect of the provision of play facilities on the Oakalls Estate in Bromsgrove.

It is therefore RECOMMENDED:

- (a) that the payment of an additional £25,000 in respect of play facilities at the Oakalls Estate in Bromsgrove from Section 106 monies be approved; and
- (b) that the Capital Programme for 2007/2008 be amended accordingly.

### **3. TOWN CENTRE REGENERATION**

The Cabinet has considered a report on the regeneration of Bromsgrove Town Centre.

It is therefore RECOMMENDED:

- (a) that a Development Partner be sought either by way of the Official Journal of the European Union process or other appropriate mechanisms;
- (b) that specialist expertise be obtained to assist with the project management of the regeneration of the Town Centre until March 2008 and that this be funded from the Town Centre budget; and
- (c) that authority be delegated to the appropriate officers to issue Compulsory Purchase Orders to facilitate the redevelopment of the Town Centre in accordance with an agreed Area Action Plan.

### **4. CAPITAL PROGRAMME INCREASE – DOLPHIN CENTRE CATERING CONTRACT**

The Cabinet has considered a report on the catering contract at the Dolphin Centre.

It is therefore RECOMMENDED:

- (a) that the payment of £45,000 in respect of the capital investment relating to the cancellation of the current catering contract at the Dolphin Centre be approved;
- (b) that the Capital Programme for 2007/2008 be amended accordingly; and
- (c) that in order to ensure the availability of the catering service to customers and having regard to the income implications, the continuation of the service on site until at least 31st October 2007 be approved.

## **Additions to Improvement Plan (Cabinet 10/07/07)**

1. Section 4.1 and 14.1 Streamline Customer survey arrangements for the Annual Business Planning process and service Questionnaires
2. Section 7.1 Determine Extent and Hierarchy of public influence arrangements
3. Section 10.1 Review Planning moratorium
4. Section 11.1 Determine Value for Money Strategy and Action Plan for 2007/8 by September 2007
5. Section 12.1 Engrain Business Planning approach and Annual timetable with all members and senior managers and above
6. Section 15.1 Create small resource (staff) to tackle hotspots
7. Section 16.3 Add Peer support to political groups; visits to and from Other Local Authorities and lead officers for each Committee/Board
8. Section 17.1 Review overall progress of Spatial project
9. Section 20 Develop tomorrows stars
10. Section 22 Re-enforce performance driven culture
11. Firm action to seek improved working with the County
12. Firm up overall reporting arrangements for key projects

(List Submitted by Mr. W. Roots, Improvement Director, in relation to minute 26/07 of Cabinet held on 10th July 2007)

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## **CABINET**

### **RECOMMENDATIONS TO THE COUNCIL**

**18TH JULY 2007**

**1. FUTURE SENIOR MANAGEMENT RESTRUCTURE**

The Cabinet has given consideration to a confidential report on the proposed Senior Management Restructure.

It is therefore RECOMMENDED:

- (a) that the proposed structure as set out in Appendix A to the report be approved for implementation with effect from 19th July 2007;
- (b) that the statutory function of Chief Finance Officer/Section 151 Officer be permanently transferred from the Corporate Director (Resources) to the Head of Financial Services with immediate effect;
- (c) that the use of external recruitment consultants to recruit to the vacant Executive Director post be approved and that the recruitment costs be funded from the accumulated savings generated from the vacant Corporate Director (Resources ) post;
- (d) that the increase in salaries associated with Head of Financial Services and the Head of Legal , Equalities and Democratic Services be approved and be funded in 2007/08 from the accumulated savings generated from the vacant Corporate Director (Resources) post and in future years it be factored into the review of the medium term financial plan;
- (e) that the Chief Executive be granted delegated Authority in consultation with the Leader of the Council to interview the Corporate Director (Services) in order to determine into which post he should be redeployed; and
- (f) that the Appointments Committee be informed of the need to take responsibility for the appointment of the vacant Executive Director post.

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# Agenda Item 8

## STANDARDS COMMITTEE - 14<sup>TH</sup> JUNE 2007

### RECOMMENDATIONS TO THE COUNCIL

#### NEW CODE OF CONDUCT FOR MEMBERS

The Committee has considered a report outlining the new Code of Conduct for Councillors and co-opted members of the Council, together with accompanying guidance notes. Members were advised that local authorities were required to adopt a Code of Conduct by October 2007, and that they may adopt either the Model Code of Conduct drafted by the Department for Constitutional Affairs or its own local Code of Conduct.

It was reported that officers had attended a number of training courses on the new Code of Conduct, and, consequently, Members were asked to consider a number of suggested possible local amendments to the Model Code. Whereupon it was

#### RECOMMENDED:

- (a) that, subject to the amendments set out in (b) below, the Model Code of Conduct be recommended to the Council for adoption; and
- (b) that the following local amendments be made to the Code, i.e.,
  - (i) (in order to ensure that officers were not compromised or were not seen to be compromised), the addition of an extra clause to form Paragraph 3(e), as follows:  
“No Member shall provide, or offer to provide, a reference for any candidate for employment or promotion with the Authority”
  - (ii) (to cut out the possibility of a loophole), re-draft Paragraph 6 to read as follows:  
“(b) must not, when using or authorising the use of resources of, or under the control of, the Authority . . . .”
  - (iii) (the drafting of the Model requires Members to have regard only to the advice of the Section 151 Officer or the Monitoring Officer, but does not require Members to have regard to the advice of other professional officers such as Planning Officers) therefore re-draft Paragraph 7 to read as follows:  
“When reaching decisions on any matter you must have regard to any relevant advice provided by your Authority’s officers, and in particular by (i) your Authority’s Chief Finance Officer; (ii) your Authority’s Monitoring Officer; or (iii) the Chief Legal Officer”; and
  - (iv) (to ensure openness and transparency at all times, and to gain the confidence of the public in the robustness of decision-making) to consider applying the need to declare personal and prejudicial interests at all meetings, including informal meetings, by revising the wording of Paragraph 1(4) of Paragraphs 9 to 12 by inserting the following additional clause;  
“(d) Any other meeting at which you are conducting the business of your Authority or are acting, claiming to act, or giving the impression that you are acting as a representative of your Authority”.

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## BROMSGROVE DISTRICT COUNCIL

### COUNCIL

18<sup>th</sup> JULY 2007

#### APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES TO THE STANDARDS COMMITTEE

Responsible Portfolio Holder	Councillor R. D. Smith
Responsible Head of Service	Claire Felton

#### **1. SUMMARY**

1.1 To approve the appointment of a Parish Member and a substitute Parish Member on the Standards Committee.

#### **2. RECOMMENDATIONS**

2.1 That Mr J. Cypher be appointed to serve as the Parish Member on the Standards Committee for the remainder of the 2007/08 Municipal Year.

2.2 That Mr I. Hodgetts be appointed to serve as the substitute Parish Member on the Standards Committee for the remainder of the 2007/08 Municipal Year.

#### **3. BACKGROUND**

3.1 The Articles of the Council's Constitution provide that the membership of the Standards Committee shall include one member of a Parish Council wholly or mainly in the Council's area (the Parish Member) to be appointed by the Council. The Parish Member is entitled to vote at meetings.

3.2 In addition, the Articles provide that the Council will appoint a nominated substitute Parish Member who may attend, participate in and vote at Standards Committee meetings in the absence of the Parish Member.

3.3 The Parish Member or the substitute Parish Member must be present when matters relating to parish councils or their members are being considered.

3.4 Nominations for the Parish Member and substitute Parish Member for the 2007/08 Municipal Year have been sought from the Bromsgrove Area of CALC (County Association of Local Councils).

3.5 The nominations received are as follows:

Parish Member - Mr John Cypher, Alvechurch Parish Council

Substitute Parish Member – Mr Ivan Hodgetts, Romsley Parish Council

3.6 The Council is therefore requested to appoint these persons to the Standards Committee.

#### **4. FINANCIAL IMPLICATIONS**

4.1 Not applicable

#### **5. LEGAL IMPLICATIONS**

5.1 The membership of Standards Committee is governed by Section 55 of the Local Government Act 2000.

#### **6. CORPORATE OBJECTIVES**

6.1 Effective governance is aligned to the Council's Improvement objective.

#### **7. RISK MANAGEMENT**

7.1 There are no significant risks associated with this item.

#### **8. CUSTOMER IMPLICATIONS**

8.1 None.

#### **9. OTHER IMPLICATIONS**

Procurement Issues None
Personnel Implications None
Governance/Performance Management None
Community Safety including Section 17 of Crime and Disorder Act 1998 None
Policy None
Environmental None
Equalities and Diversity None

**10. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	<b>No</b>
Chief Executive	<b>No</b>
Corporate Director (Services)	<b>No</b>
Assistant Chief Executive	<b>No</b>
Head of Service	<b>Yes</b>
Head of Financial Services	<b>No</b>
Head of Legal & Democratic Services	<b>Yes</b>
Head of Organisational Development & HR	<b>No</b>
Corporate Procurement Team	<b>No</b>

**11. APPENDICES**

None

**12. BACKGROUND PAPERS**

None

**CONTACT OFFICER**

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## SCHEDULE OF THE COUNCIL'S CURRENT REPRESENTATIVES ON OUTSIDE BODIES (2006-2007)

(\* Denotes expiry of term during current municipal year - nominations required)

<b>BODY</b>	<b>REPRESENTATIVE(S) APPOINTED</b>	<b>EXPIRY OF TERM OF OFFICE (IF NOT FOR AN INDEFINITE PERIOD)</b>	
Age Concern (Hereford and Worcester County Committee)	Councillor Mrs. A. E. Doyle	May 2007	*
Bishop Hall's Bible Charity	Mr. D. G. Hughes	December 2008	
Bromsgrove Arts Centre Operating Trust	Miss D. H. Campbell Councillor J. T. Duddy Councillor Mrs. J. M. L. A. Griffiths Mr. C. B. Lanham Mr. D. C. Norton	April 2007 April 2009 April 2009 April 2009 April 2007	*
Bromsgrove Arts Centre Holding Trust	Mr. M. Horton Councillor Ms. J. A. Marshall Councillor D. McGrath Mr. R. Moule Mr. D. Slade Mr. A. Turpin	April 2007 April 2009 April 2007 April 2009 April 2009 April 2007	*
Bromsgrove Institute	Councillor E. C. Tibby	7th February 2009	
Bromsgrove United Charities	Mrs. K. M. Gall Councillor Mrs. J. M. L. A. Griffiths Mr. D. C. Norton	7th May 2009 27th July 2007 10th January 2010	*
The Court of Birmingham University	Mr. B. L. Fuller C.B.E. Q.F.S.M.	31st December 2007	*

<b>BODY</b>	<b>REPRESENTATIVE(S) APPOINTED</b>	<b>EXPIRY OF TERM OF OFFICE (IF NOT FOR AN INDEFINITE PERIOD)</b>	
Trustee Body of White's Cottage Homes Charity	Mrs. M. W. V. Firminger	May 2007	*
West Midland Reserve Forces and Cadets Association - County Committee	Councillor C. J. Tidmarsh	31st March 2008	*
Alvechurch Village Society	Councillor Mrs. J. M. L. A. Griffiths		
Amphlett Hall Management Committee	Councillor Mrs. R. L. Dent Mr. G. H. R. Hulett Councillor Ms. J. A. Marshall Mr. J. A. Ruck		
Avoncroft Museum of Buildings Management Council	Councillor Mrs. C. J. Spencer		
Bromsgrove Citizens' Advice Bureau	Councillor Mrs. M. A. Sherrey Councillor E. C. Tibby		
Bromsgrove District Housing Trust Board	Councillor S. P. Shannon Councillor Mrs. C. J. Spencer		
Bromsgrove District Sports Council	Mrs. K. M. Gall Mr. J. A. Ruck Councillor C. J. K. Wilson		
Bromsgrove District Twinning Association	Chairman of the Council (ex-officio - Councillor Mrs. J.M. Boswell) Councillor D. McGrath Councillor C. R. Scurrell (One vacancy)		
Bromsgrove Festival Committee	Mr. D. C. Norton Mrs. P. Norton		

<b>BODY</b>	<b>REPRESENTATIVE(S) APPOINTED</b>	<b>EXPIRY OF TERM OF OFFICE (IF NOT FOR AN INDEFINITE PERIOD)</b>
Bromsgrove Hospital Carnival Committee	Councillor Mrs. J. M. Boswell	
Bromsgrove Police Sub-Division Community Consultative Group	Councillor S. R. Peters Councillor Mrs. M. A. Sherrey Councillor Mrs. C. J. Spencer Councillor C. J. Tidmarsh <i>plus one "floating" member</i>	
Bromsgrove Youth Strategy Group	Councillor J. T. Duddy Councillor Mrs. J. M. L. A. Griffiths	
Clent Hills Advisory Committee	Councillor Mrs. M. A. Sherrey	
Council for the Protection of Rural England (Worcestershire Branch) - Bromsgrove District Group	Councillor Mrs. J. Dyer M.B.E.	
Gateway Women's Refuge	Councillor Mrs. J. M. L. A. Griffiths	
Hagley Community Association	Mrs. K. M. Gall Councillor C. R. Scurrell	
Local Government Association General Assembly	Councillor R. Hollingworth	
Local Government Association Rural Commission	Councillor Mrs. J. D. Luck Councillor P. J. Whittaker	
Marlbrook Tip Advisory Group	Mr. B.L. Fuller C.B.E., Q.F.S.M. (One vacancy)	
Midlands Joint Advisory Council for Environmental Protection	Miss D. H. Campbell Councillor C. R. Scurrell	

<b>BODY</b>	<b>REPRESENTATIVE(S) APPOINTED</b>	<b>EXPIRY OF TERM OF OFFICE (IF NOT FOR AN INDEFINITE PERIOD)</b>
Multi-Agency Resource Centre, Charford	Councillor S. P. Shannon	
Shared Services Members' Board	Councillor R. Hollingworth	
West Midlands Association of Leisure Chairmen	Portfolio Holder for Community Safety & Leisure Services (ex-officio - Councillor Mrs. J.M.L.A. Griffiths)	
West Midlands Local Government Association: (i) Council (ii) Regional Planning Partnership (iii) Provincial Council (iv) Regional Housing Partnership	Executive Leader of the Council (ex-officio - Councillor R. Hollingworth)  Portfolio Holder for Planning (ex-officio – Councillor Mrs. J. Dyer MBE)  Portfolio Holder for Finance (ex-officio - Councillor G.N. Denaro)  Portfolio Holder for Strategic Housing (ex-officio - Councillor P.J. Whittaker)	
West Midlands Regional Assembly	Councillor R. Hollingworth (Executive Leader of the Council) Councillor Mrs. J. M. L. A. Griffiths (Deputy)	

<b>BODY</b>	<b>REPRESENTATIVE(S) APPOINTED</b>	<b>EXPIRY OF TERM OF OFFICE (IF NOT FOR AN INDEFINITE PERIOD)</b>
Worcestershire County Council Health Overview and Scrutiny Committee	Councillor D. McGrath	
Worcestershire County Council's Highways Partnership (Bromsgrove) Forum	Councillor R. Hollingworth Mr. D. C. Norton Councillor C. J. K. Wilson	
Worcestershire Hub Board	Councillor Mrs. J. M. L. A. Griffiths Councillor R. Hollingworth	

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