

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY 24TH MAY 2023, AT 6.00 P.M.

PRESENT: Councillors S. Ammar (Chairman), B. Kumar (Vice-Chairman), A. Bailes, R. Bailes, S. J. Baxter, S. R. Colella, A. M. Dale, J. Elledge, S. M. Evans, D. J. A. Forsythe, E. M. S. Gray, D. Hopkins, C.A. Hotham, R. J. Hunter, H. J. Jones, R. Lambert, M. Marshall, K.J. May, P. M. McDonald, B. McEldowney, D. J. Nicholl, S. T. Nock, S. R. Peters, J. Robinson, S. A. Robinson, H. D. N. Rone-Clarke, J. D. Stanley, D. G. Stewart, C. B. Taylor, S. A. Webb and P. J. Whittaker

In attendance: Mr. R. Laight (Chairman of the Council 2022/23)

Officers: Mr. K. Dicks, Mrs. S. Hanley, Mr P. Carpenter, Mrs. C. Felton, Mrs. J. Bayley-Hill and Mrs J. Gresham

1\23

ELECTION OF CHAIRMAN 2023/24

Mr. R. Laight opened the full Council meeting in his capacity as retiring Chairman of Bromsgrove District Council and welcomed Members to the first meeting of the new municipal year.

Councillor. P. McDonald nominated Councillor S. Ammar for the position of Chairman of Bromsgrove District Council for the 2023/24 municipal year. In doing so it was noted that the election of a woman to the Office of Chairman would support diversity within the Council. It was highlighted that Councillor Ammar was an entrepreneur with a successful business. In addition to this, Councillor Ammar had previously been involved in fundraising for a number of charities within Bromsgrove including the Primrose Hospice. The nomination was seconded by Councillor M. Marshall.

Councillor R. Hunter proposed Councillor J. Robinson for the position of Chairman of the Council for the 2023/24 municipal year. In doing so, it was highlighted that Councillor Robinson was a hardworking member of the Bromsgrove community and would be an exceptionally good ambassador for the citizens of Bromsgrove. This nomination was seconded by Councillor D. Nicholl.

On being put to the vote, it was

RESOLVED that Councillor S. Ammar be elected as Chairman of the Council for the ensuing municipal year.

Councillor Ammar signed the Declaration of Acceptance of Office, thanked Members of the Council and stated that it was an honour to be elected to the Office of Chairman for the 2023/24 municipal year.

2\23

ELECTION OF VICE CHAIRMAN 2023/24

Councillor K. May nominated Councillor B. Kumar to the Office of Vice-Chairman of Bromsgrove District Council for the 2023/24 municipal year. In doing so it was highlighted that Councillor Kumar was a Parish Councillor with a large amount of experience in Local Government. The nomination was seconded by Councillor A. Dale.

On being put to the vote it was

RESOLVED that Councillor B. Kumar be elected Vice-Chairman of the Council for the ensuing municipal year.

Councillor Kumar signed the Declaration of Acceptance of Office and thanked Members of the Council for electing him to the office of Vice-Chairman.

3\23

VOTE OF THANKS TO RETIRING OFFICE HOLDERS

Councillor K. May offered thanks to Mr. R. Laight for his successful time as Chairman of the Council, through some exceptional times during the Covid-19 pandemic.

As a mark of the Council's appreciation of Mr. R. Laight serving as Chairman of Bromsgrove District Council, Councillor S. Ammar presented Mr. R. Laight with several gifts including two past pendants for him and his Consort.

RESOLVED that the thanks of the Council be tendered to Mr. R. Laight for services rendered as Chairman of the Council.

4\23

ELECTION OF LEADER OF THE COUNCIL

Councillor P. Whittaker proposed that Councillor K. J. May to be elected to the position of Leader of the Council. Councillor A. Dale seconded the proposal.

On being put to the vote it was

RESOLVED that Councillor K. J. May be elected as Leader of the Council for a period of four years until the Annual meeting of the Council following the local elections in 2027.

5\23 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

6\23 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

7\23 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 22ND FEBRUARY 2023**

The minutes of the meeting of the Council held on 22nd February 2023 were submitted for Member's consideration.

RESOLVED that the minutes of the meeting of the Council held on 22nd February 2023 be approved as a true and accurate record.

8\23 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE**

The Chairman confirmed her Consort would be her husband for the 2023/24 municipal year and her chosen charity would be announced at the next meeting of the Council in July.

9\23 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER INCLUDING APPOINTMENT OF DEPUTY LEADER AND MEMBERSHIP OF THE CABINET**

Councillor K. May thanked Members for electing her once again as Leader of the Council. It was noted that there had been a clear message sent by the residents of Bromsgrove at the recent local elections which had resulted in a Council that had no overall control. It was highlighted that all parties had been contacted to find a way forward following the elections and the following appointments to Cabinet were subsequently being made by the Leader:

Cllr Karen May	Leader and Cabinet Member for Strategic Partnerships
Cllr Sue Baxter	Deputy Leader and Cabinet Member for Economic Development and Regeneration
Cllr Charlie Hotham	Cabinet Member for Finance and Enabling
Cllr Steve Colella	Cabinet Member for Leisure, Culture and Climate Change
Cllr Shirley Webb	Cabinet Member for Health and Wellbeing and Strategic Housing
Cllr Peter Whittaker	Cabinet Member for Environmental Services and Community Safety (Including Car Parking)
Cllr Kit Taylor	Cabinet Member for Planning, Licensing and WRS

Councillor S. Baxter took the opportunity to address Members following the announcement of her appointment as Deputy Leader of the Council. In doing so, she explained that there were three Members of the 2023 Bromsgrove Independent Group within the Cabinet, and it represented an opportunity to encourage cross-party working. In addition to this, it was reiterated that the electorate had made its feelings clear at the recent local elections and that this new working arrangement within the Cabinet was the first step in initiating future change at Bromsgrove District Council.

10\23

URGENT DECISIONS

The Chairman confirmed that there had been no urgent decisions taken since the previous meeting of the Council.

11\23

APPOINTMENTS TO COMMITTEES 2023/24

The Cabinet Member for Finance and Enabling presented the report regarding the Appointments to Committees 2023/24. In doing so, Council was informed that this was a technical report concerning the political balance within the Council for the ensuing municipal year. The outcome of the recent elections had resulted in a change to the political balance of the Council.

The recommendations in respect of the political balance and appointments to Committees for 2023/24 were proposed by Councillor C. Hotham and seconded by Councillor K. May.

RESOLVED that

- 1) for the ensuing Municipal Year, the Committees set out in the table in Appendix 1 of the report be appointed and that the representation of the different political groups on the Council on those Committees be as set out in that table until the next Annual Meeting of the Council, or until the next review of political representation under Section 15 of the Local Government and Housing Act 1989, whichever was the earlier;
- 2) Members be appointed to the Committees and as substitute Members in accordance with nominations to be made by Group Leaders (Appendix 1 to the minutes); and
- 3) the terms of reference for the Boards and Committees be confirmed.

12\23

APPOINTMENTS TO THE ARTRIX HOLDING TRUST - OUTSIDE BODY APPOINTMENT

The Cabinet Member for Finance and Enabling presented the Appointments to the Artrix Holding Trust report for Members' consideration. Councillors A. M. Dale, J. Elledge, B. Kumar, M. Marshall, B. McEldowney and D. J. Nicholl were nominated to serve on the Artrix Holding Trust for a four-year term. The nominations were proposed by Councillor C. Hotham and seconded by Councillor K. J. May.

RESOLVED that the Members outlined in the preamble above be appointed to serve on the Artrix Holding Trust for a four-year term up to 2027.

13\23

SCHEME OF DELEGATIONS

The Cabinet Member for Finance and Enabling presented the Scheme of Delegations report. In doing so, it was highlighted that the Scheme of Delegations had been considered by the Constitution Review Working Group and was being presented to Council for ratification.

In terms of the report, Members were informed that the Scheme of Delegations allowed some Council decisions, for example minor

Planning application decisions, to be delegated to Officers without being considered by Members.

It was noted that if Members had any concerns in respect of the Scheme of Delegations, these could be raised at future meetings of the Constitution Review Working Group.

The recommendations were proposed by Councillor C. Hotham and seconded by Councillor K. May.

RESOLVED that the current version of the Officer Scheme of Delegations be agreed.

14\23

QUESTIONS ON NOTICE

The Chairman explained that there had been no Questions on Notice received on this occasion.

15\23

MOTIONS ON NOTICE

The Chairman explained that one Motion on Notice had been received for consideration at the meeting.

Committee System

“We call upon the officers of the Council to prepare a report into the transition of the Council from a Cabinet System to that of a Committee System. The report to be presented to an Extraordinary Meeting of the Council to be held in September.”

The Motion was proposed by Councillor P. McDonald and seconded by Councillor H. Rone-Clarke.

In proposing the Motion Councillor P. McDonald noted that there were concerns across many Local Authorities regarding the effectiveness of the Cabinet system. He added that he felt it was necessary to revisit the governance structure at Bromsgrove District Council as a result of the recent local elections.

Members were informed that the Committee system did operate in other Councils across the County and had been successful in allowing all Members to have an equal voice when making decisions for residents.

During consideration of this Motion, Councillor McDonald noted that he was proposing an alteration to the wording of his original Motion (as tabled at the meeting) as follows:

“We call upon the Overview and Scrutiny Board to prepare a report regarding the transition of the Council from a Cabinet System to that of a Committee System. The report to be presented to an Extraordinary Meeting of the Council to be held in September.”

It was noted that the proposal for the Overview and Scrutiny Board to prepare such a report would result in a Member-led and transparent process.

In seconding the Motion, Councillor Rone-Clarke echoed Councillor McDonald’s points regarding residents’ request for change and that a Committee system could reform the way things were done at the Council for the future.

Councillor R. Hunter responded to the Motion and commented that, although he was in support of the proposal, he felt it needed more emphasis on the timing of the implementation. It was with this in mind that he proposed an amendment to the end of the Motion as follows:

“We call upon the Overview and Scrutiny Board to prepare a report regarding the transition of the Council from a Cabinet System to that of a Committee System. The report to be presented to an Extraordinary Meeting of the Council to be held in September *with a view to standing up a Shadow Committee structure as soon as possible.*”

This amendment was seconded by Councillor D. Nicholl.

Members debated Councillor Hunter’s amendment. However, it was noted that it could be viewed as pre-emptive as to the outcome of the scrutiny review and its conclusions with respect to the committee system. Members commented that it was important that a thorough investigation should be carried out, so as to gather all of the evidence required in order to conclude whether the Committee system would be a suitable option for the Council going forward. It was reported that any implementation of a Committee system, if that was what the report recommended, could only be implemented at the next Annual Council meeting due to take place in May 2024 and therefore it would not be possible to implement any changes sooner. Members were assured that there would be a transition period in order to establish any system and to ensure that Portfolios and Committees were aligned effectively.

On being put to the vote the amendment proposed by Councillor Hunter was lost.

Members debated the substantive Motion and in doing so the following was highlighted:

- Should the Committee system be implemented it was hoped that this would encourage greater cross-party working within the Council.
- The importance of making a change for the residents of Bromsgrove particularly in light of the exciting projects in progress as a result of the Levelling Up Funding and UK Shared Prosperity Fund allocation for the District.
- The need to engage and analyse data effectively in the investigation in a transparent and public forum.

In accordance with Procedure Rule 18.3 a recorded vote was taken on this Motion and the voting was as follows:

Members voting FOR the Motion:

Councillor S. Ammar, Councillor A. Bailes, Councillor R. Bailes, Councillor S.J. Baxter, Councillor S. R. Colella, Councillor A.M Dale, Councillor J. Elledge, Councillor S. M. Evans, Councillor D. J. A. Forsythe, Councillor E. M. S. Gray, Councillor D. Hopkins Councillor C. A Hotham, Councillor R. Hunter, Councillor H. Jones, Councillor B. Kumar, Councillor R. Lambert, Councillor M. Marshall, Councillor K. J. May, Councillor P. M. McDonald, Councillor B. McEldowney, Councillor D. J. Nicholl, Councillor S.T. Nock, Councillor S. R. Peters, Councillor J. W. Robinson, Councillor S. A Robinson, Councillor H. D. N. Rone-Clarke, Councillor J. D. Stanley, Councillor D. G. Stewart, Councillor C. B. Taylor, Councillor S. A. Webb and Councillor P. J. Whittaker (31).

Members voting AGAINST the Motion:

(0)

Members ABSTAINING in the vote for the Motion:

(0)

RESOLVED that the Overview and Scrutiny Board prepare a report regarding the transition of the Council from a Cabinet System to that of a

Committee System. The report to be presented to an Extraordinary Meeting of the Council to be held in September.

16\23

OFFICER APPOINTMENTS

The Cabinet Member for Finance and Enabling presented the Officer Appointment report. Members were advised that the report was in respect of the re-appointment of the Interim Section 151 Officer for a period of six months until December 2023.

During consideration of the report, it was highlighted that prior to Mr. P. Carpenter's appointment in April 2022, there had been significant instability within the Finance Team. In addition to this, it was raised that Mr. P. Carpenter had successfully navigated the Council through the issuing of the Section 24 Notice in late 2022. It was with this in mind that Councillor C. Hotham proposed the recommendations within the report. Councillor K. May seconded the recommendations.

Although some Members expressed their disappointment that a permanent appointment had not already been made, it was

RESOLVED that the appointment of the Interim Chief Finance Officer and Section 151 officer approved by Council for twelve months on 22nd June 2022 be extended for up to a further six months until 22nd December 2023.

17\23

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

During consideration of this item, it was reported that a decision needed to be taken urgently to appoint Members to serve on the Worcestershire Regulatory Services (WRS) Board for the 2023/24 municipal year as outside body appointments. Members were advised that nominations needed to be taken as Urgent Business as the first meeting of the WRS Board in the 2023/24 municipal year was due to take place prior to the next meeting of the Council in Bromsgrove. It was noted that there were two vacant seats available to Bromsgrove District Council on the Board together with one named substitute position. Members were informed that one of the main Members of the Board needed to be a Member of Cabinet – the relevant portfolio holder for Regulatory Services.

Councillor K. May nominated Councillor K. Taylor, as the relevant portfolio holder and Councillor H. Jones, who had served on the Board previously, with Councillor M Marshall nominated to serve as substitute. The nominations were seconded by Councillor S. Webb.

On being put to the vote it was

RESOLVED that Councillors K. Taylor and H. Jones be appointed to serve on the Worcestershire Regulatory Services (WRS) Board and Councillor M. Marshall be nominated to serve as substitute on the Board for the 2023/24 municipal year as outside body appointments.

The meeting closed at 7.17 p.m.

Chairman