

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 17TH SEPTEMBER 2008, AT 6.00 P.M.

PRESENT: Councillors Mrs. C. J. Spencer (Chairman), C. R. Scurrall (Vice-Chairman), Mrs. J. M. Boswell, A. N. Blagg, Dr. D. W. P. Booth JP, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella, R. J. Deeming, Mrs. R. L. Dent, Mrs. A. E. Doyle, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. J. M. L. A. Griffiths, R. Hollingworth, Mrs. H. J. Jones, Mrs. J. D. Luck, Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, E. J. Murray, D. L. Pardoe, S. R. Peters, S. P. Shannon, Mrs. M. A. Sherrey JP, R. D. Smith, E. C. Tibby, C. J. Tidmarsh, L. J. Turner and M. J. A. Webb

40/08 **PRAYER**

At the request of the Chairman, Councillor Mrs. J. Dyer M.B.E. opened the meeting with a prayer.

41/08 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G. N. Denaro, D. Hancox, Dr. G. H. Lord, W. R. Newnes, C. B. Taylor, P.J. Whittaker and C. J. K. Wilson.

42/08 **MINUTES**

RESOLVED that the minutes of the meeting of the Council held on 16th July 2008 be approved as a correct record.

43/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

44/08 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman referred to the Annual Civic Service to be held at All Saints Church on Sunday 21st September 2008 to which all Members were welcome to attend.

45/08 **ANNOUNCEMENTS FROM THE LEADER**

- (a) The Leader apologised for not having included in his announcement at the previous meeting with regard to Member Champions that he had asked Councillor Mrs. H. J. Jones to be Member Champion for Youth.

- (b) The Leader reported that the Council had been awarded Champion Status for dealing with the homeless by the Department for Communities and Local Communities and requested that the Council's congratulations be conveyed to officers.
- (c) The Leader referred to the level of complaints from Members about fellow councillors referred to the Standards Committee and the related staffing implications of dealing with these. He felt that a number of complaints related to trivial issues which Members should be able to sort out between themselves and that only serious matters should be reported. He asked Members to give careful consideration before submitting any complaints.

46/08 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 3RD SEPTEMBER 2008**

(i) **INTEGRATED FINANCE AND PERFORMANCE REPORT (QUARTER 1)**

During the debate on this recommendation Councillor P. M. McDonald requested the Leader to consider re-directing the Local Development Framework underspend of £100,000 towards supporting Area Committees. The Leader explained that this was a one-off saving but indicated that he was willing to discuss the issue with Cabinet Members and officers.

RESOLVED that the Council approve a reduction in revenue budget and corresponding return to revenue balances of £100,000 in relation to the funding requirement for the Local Development Framework – Examination in Public.

(ii) **REVIEW OF THE CAPITAL PROGRAMME**

RESOLVED:

- (a) that the Council approve the carry forward requests from 2007/08, as detailed in Appendix 1 to the report; and
- (b) that the Council approve a reduction to the Capital Programme 2008/09 of £3.935m, as detailed in Appendix 2 to the report, to reflect both the savings achieved through procurement efficiencies and the projects which due to the factors detailed in the report would not be delivered during 2008/09.

(iii) **COMPREHENSIVE PERFORMANCE ASSESSMENT - SELF ASSESSMENT**

The Chairman announced that the recommendations from the Cabinet on this matter had been superseded by a separate report which would be considered later in the meeting at Agenda Item 9.

(iv) **REFUSE COLLECTION AND RECYCLING OPERATION REVIEW**

RESOLVED:

- (a) that a migration away from the current side arm refuse collection fleet to a standard type of refuse collection vehicle similar to those operated by all other Local Authorities in this country be commenced;
- (b) that this be done on a phased basis commencing with 2 vehicles that will be part funded by the vehicle manufacturer in compensation for losses of bins that have occurred since commencement of the existing operation;
- (c) that it be noted that the negotiations for compensation have progressed and that agreement has now been reached;
- (d) that there be a virement of £63,500 from the capital budget relating to containers which will no longer be required for this purpose, which will be utilised in conjunction with the compensation arrangements to enable the Council to acquire two new vehicles; and
- (e) that approval be given to the wider vehicle replacement programme in accordance with the funding provision agreed within the capital programme, with a further report to be provided on how the capital programme is to be funded.

(v) COUNCIL PLAN 2009-2012 PART 1

RESOLVED:

- (a) that the Council's Vision and Council Objectives, as detailed at points 6.1 and 6.3 of Appendix 1 to the report, be reconfirmed;
- (b) that the analysis of the Council's national, regional and local context, as detailed at Appendix 1 to the report, be noted;
- (c) that based on the context referred to at resolution (b) above, the definitions of the Council Objectives detailed at Addendum A to Appendix 1 of the report be agreed; and
- (d) that based on the context referred to at resolution (b) above, a reduction in the number of priorities, as detailed at point 3.5 of the report, be approved.

(vi) WORCESTERSHIRE SUSTAINABLE COMMUNITY STRATEGY 2008-2013

RESOLVED:

- (a) that the progress to refresh the Worcestershire Sustainable Community Strategy be noted;
- (b) that formal approval be given to the refreshed Worcestershire Sustainable Strategy;
- (c) that it be noted that Worcestershire County Council's Cabinet formally endorsed the Bromsgrove Partnership's Sustainable Community Strategy at its meeting on 17th July 2008;
- (d) that the action being taken by the District Council to ensure both the District Local Strategic Partnership and Council strategies are aligned to the countywide Sustainable Community Strategy and Local Area Agreement be noted; and
- (e) that it be noted that this alignment is crucial to the Council achieving a good rating under the new Comprehensive Area

Assessment (CAA) inspection framework which starts in April 2009.

(vii) FREE SWIMMING SCHEME/GRANT 2009/10 AND 2010/11

With the consent of the meeting the Leader proposed that the recommendations from the Cabinet be altered as follows.

Recommendation (a) to remain unchanged. Recommendation (b) to be deleted as a result of the Government's announcement the previous day that free swimming places for the over 60's could not be ringfenced for Bromsgrove District Council residents only and such places would need to be open to anyone over 60. Recommendation (c) to be amended to refer to paragraph 3.12 not 3.11 of the report. With regard to recommendation (d) (to decline the offer of free swimming places for under 16's), the Leader reported that, (using his authority under Article 7.6 (b) of the Constitution) having consulted with Leaders of other authorities, he had asked officers to express interest in the free swimming scheme for under 16's and to explore the matter further and provide more information. He therefore proposed that the Council agree to hold an extraordinary meeting on 13th October 2008 to consider and determine this matter. Recommendations (e) and (f) to remain unchanged.

The revised recommendations, as set out below, were moved by the Leader and seconded by Councillor Mrs. J. M. L. A. Griffiths.

- “(a) that officers be requested to implement the Government's Free Swimming Scheme including coaching/instruction sessions for over 60's for the financial years 2009/10 and 2010/11;
- (b) that agreement be given to limit the availability of free swimming places and based on the definition contained within 3.12 of the report;
- (c) that an extraordinary meeting of the Council be held on 13th October 2008 to determine the Council's position in responding officially on the provision of free swimming for under 16's.
- (d) that officers be requested to not put forward a bid for capital funding due to the limited life expectancy of its swimming pool stock; and
- (e) that the implementation and management of the Scheme be delegated to the Head of Financial Services and the Deputy Head of Street Scene and Community to ensure that the Scheme is established in order to minimise risk and the Medium Term Financial Plan.”

Councillor P. M. McDonald queried whether the Council would be able to re-consider the capital funding bid as referred to in (d) above at the extraordinary meeting on 13th October 2008 if a decision was made that evening. The Leader agreed that the Council should consider this matter at the meeting on 13th October, whereupon it was

RESOLVED:

- (a) that officers be requested to implement the Government's Free Swimming Scheme including coaching/instruction sessions for over 60's for the financial years 2009/10 and 2010/11;
- (b) that agreement be given to limit the availability of free swimming places and based on the definition contained within 3.12 of the report;
- (c) that an extraordinary meeting of the Council be held on 13th October 2008 to determine the Council's position in responding officially on the provision of free swimming for under 16's;
- (d) that the Cabinet recommendation that officers be requested not to put forward a bid for capital funding due to the limited life expectancy of its swimming pool stock be considered at the extraordinary meeting of the Council on 13th October 2008; and
- (e) that the implementation and management of the over 60's Scheme be delegated to the Head of Financial Services and the Deputy Head of Street Scene and Community to ensure that the Scheme is established in order to minimise risk and the Medium Term Financial Plan.

47/08 **MINUTES OF THE MEETING OF THE CABINET HELD ON 3RD SEPTEMBER 2008**

The minutes of the meeting of the Cabinet held on 3rd September 2008 were received for information.

48/08 **QUESTIONS ON NOTICE**

No questions had been submitted.

49/08 **COMPREHENSIVE PERFORMANCE ASSESSMENT - SELF ASSESSMENT**

Members considered a report of the Assistant Chief Executive which presented and sought approval to the Comprehensive Performance Assessment (CPA) self assessment which needed to be submitted to the Audit Commission and formed a crucial part of the CPA. A number of minor comments on the document were put forward by Members which the Leader undertook to forward to the Assistant Chief Executive.

RESOLVED:

- (a) that the CPA self assessment be approved;
- (b) that it be noted that the self assessment is still work in progress but that no material amendments will be made on the version approved by the full Council, just proof reading and referencing;
- (c) that the Council notes that the deadline for submission to the Audit Commission is 26th September 2008;
- (d) that the Council notes that the CPA site visit will take place during the week commencing 10th November 2008.

50/08 **RECOMMENDATIONS FROM THE SHARED SERVICES BOARD**

Members considered a report of the Acting Joint Chief Executive of Bromsgrove District and Redditch Borough Councils on a proposed concordat for joint working between Bromsgrove District and Redditch Borough Councils including terms of reference and decision-making powers of the Shared Services Board, targets and objectives and proposed quick wins.

With reference to recommendation 2.1.5 regarding the offer of membership on the Shared Services Board to the Leaders of the Labour Groups of the respective Councils, the Leader stated that he considered it inappropriate to ask only two Members to provide a written agreement to the principle of Shared Services and he therefore proposed that this recommendation be amended to state "that an offer of membership on the Shared Services Board be offered to the Leader of Bromsgrove District Council's Labour Group and that he be asked to confirm his support in the Chamber tonight to the principle of Shared Services".

Councillor P. M. McDonald subsequently made a statement confirming support for Shared Services

Having been moved by the Leader and seconded by Councillor Mrs. J. M. L. A. Griffiths, the consent of the meeting was given to the amended recommendation.

In response to a query the Leader advised that future meetings of the Shared Services Board would be in public and Members would be informed of dates of meetings.

The revised recommendations having been moved by the Leader and seconded by Councillor Mrs. J. M. L. A. Griffiths were put to the vote, whereupon it was

RESOLVED:

- (a) that approval be given to the terms of reference and governance arrangements detailed within the draft Concordat document attached at Appendix 1 to the report, subject to the recommended arrangements proposed by the Shared Service Board;
- (b) that the six month review process be undertaken by the respective Cabinets of each Council in accordance with the criteria detailed at 4.3 within the draft Concordat attached at Appendix 1 to the report;
- (c) that authority be delegated to Bromsgrove District Council's Monitoring Officer in consultation with the Leader the power to determine appropriate arrangements to resolve any issue that may arise from a conflict of interest during the arrangement of Acting Joint Chief Executive in respect of matters that relate to Bromsgrove District Council; and
- (d) that the quick wins for further joint working / shared services between Redditch and Bromsgrove Councils as recommended by the Shared Services Board and outlined in the Quick Wins report attached at Appendix 3 to the report, namely in respect of

- Elections
- Community Safety
- Performance and financial management
- Equality and Diversity
- Member Development
- Head of Financial Services

- (e) that an offer of membership on the Shared Services Board be offered to the Leader of Bromsgrove District Council's Labour Group.

51/08 **CHANGES TO THE CONSTITUTION**

Members considered a report of the Head of Legal, Equalities and Democratic Services on proposed revisions to the Council's Constitution with regard to the Chairman and Vice-Chairman of the Audit Board and Scrutiny Steering Board.

RESOLVED:

- (a) that the Constitution be amended to insert a mandatory provision that the role of Chairman and Vice-Chairman of the Audit Board and Scrutiny Steering Board be occupied by Members of the opposition groups;
- (b) that authority be delegated to the Head of Legal, Equalities and Democratic Services in consultation with the Leaders of the opposition groups to determine a protocol that would detail the process through which the positions would be allocated.

52/08 **APPOINTMENTS TO THE INDEPENDENT REMUNERATION PANEL**

RESOLVED:

- (a) that Mr. M. Baldrey and Mrs. L. Hawkins be appointed to serve on the Independent Remuneration Panel for a period of four year years expiring September 2012;
- (b) that Mr. J. Browne and Mr. P. Sandhu be re-appointed to serve on the Independent Remuneration Panel for a further period of two years expiring September 2010.

The meeting closed at 7.35 p.m.

Chairman