

BROMSGROVE DISTRICT COUNCIL

EXTRAORDINARY MEETING OF THE COUNCIL

WEDNESDAY, 24TH FEBRUARY 2010, AT 6.00 P.M.

PRESENT: Councillors C. R. Scurrall (Chairman), Mrs. J. M. L. A. Griffiths (Vice-Chairman), Mrs. J. M. Boswell, Dr. D. W. P. Booth JP, Mrs. M. Bunker, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, Mrs. A. E. Doyle, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, Mrs. J. D. Luck, Ms. J. A. Marshall, Mrs. C. M. McDonald (not present during Minutes Nos. 88/09 to 92/09), P. M. McDonald (not present during Minutes Nos. 88/09 to 92/09), D. L. Pardoe, S. R. Peters, S. P. Shannon, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, P. J. Whittaker and C. J. K. Wilson

88/09 **PRAYER**

At the request of the Chairman, the Reverend Chris Wingfield opened the meeting with a prayer.

89/09 **MINUTE SILENCE**

The Chamber held a minute silence in memory of the late Mike Gill who had been a Member of the Council from 1976 to 1983 and from 1991 to 2007 and Chairman during 2001/02.

90/09 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A. N. Blagg, Miss D. H. Campbell JP, Ms. H. J. Jones, B. Lewis F.CMI, Dr. G. H. Lord, D. McGrath, E. J. Murray, W. R. Newnes and M. J. A. Webb.

91/09 **MINUTES**

The minutes of the meeting of the Council held on 20th January 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

92/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

93/09 **COUNCIL TAX 2010/11**

Further to the Council's budget requirements for 2010/11 agreed by the Council on 20th January 2010, Members received a report of the Head of Financial Services with regard to the setting of the Council Tax for 2010/11.

The Chairman announced that the meeting would be adjourned for around ten minutes to allow Members to peruse the papers which had been made available immediately prior to the meeting. The lateness of the papers was due to the timescale for the receipt of precept information.

Having reconvened the meeting, the recommendations were moved by Councillor G. N. Denaro and seconded by Councillor R. Hollingworth.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the recommendations: Councillors Dr. D. W. P. Booth, Mrs. J. M. Boswell, Mrs. M. Bunker, S. R. Colella, R. J. Deeming, 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, Mrs. J. D. Luck, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner and P. J. Whittaker (23);

Against the recommendations: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, S. P. Shannon, and C. J. K. Wilson (5).

RESOLVED that the recommendations set out as an Appendix to these minutes, setting a Council Tax for 2010/11 of £192.85 for a Band D unparished property be approved.

94/09 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 3RD FEBRUARY 2010**

INTEGRATED FINANCIAL AND PERFORMANCE MONITORING QUARTER 3 2009/10

The recommendations from the Cabinet were moved by Councillor G. N. Denaro and seconded by Councillor R. Hollingworth.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the recommendations: Councillors Dr. D. W. P. Booth, Mrs. J. M. Boswell, Mrs. M. Bunker, S. R. Colella, R. J. Deeming, 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, Mrs. J. D. Luck, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner and P. J. Whittaker (23);

Against the recommendations: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, S. P. Shannon, and C. J. K. Wilson (5).

RESOLVED:

- (a) that the virements in excess of £100,000 as set out in Appendix 6 of the report be approved; and
- (b) that £150,000 be added to the Capital Programme in respect of the CCTV improvements as agreed on 16th September 2009 as part of the Shared Service arrangements.

95/09 **MINUTES OF THE MEETING OF THE CABINET HELD ON 3RD FEBRUARY 2010**

The minutes of the meeting of the Cabinet held on 3rd February 2010 were submitted for information.

During consideration of this item there was an interruption from a member of the public followed by disruption from the public gallery. The Chairman made repeated requests for the public to be quiet, to no avail. The Chairman then announced that the meeting would be adjourned.

The meeting stood adjourned from 6.25 p.m. to 6.35 p.m.

The Chairman then reconvened the meeting. With reference to Minute No. 154/09 (Integrated Financial and Performance Monitoring Quarter 3 2009/10) and the background report which had been submitted as information, a Member drew attention to the commentary with regard to expected expenditure on Travel Concessions. He queried how the figure had been arrived at and whether it was a true reflection of the number of users and actual journeys undertaken or could Council expenditure in this regard be in excess of the level of actual usage for the service.

The Portfolio Holder for Resources responded by referring to the procedures the Council had put in place and indicated that usage had exceeded expectations. He suggested that the queries could be referred to Overview and Scrutiny. The Chairman agreed that the matter be referred to Overview and Scrutiny.

96/09 **WETT REGULATORY SERVICES - JOINT APPOINTMENTS COMMITTEE**

Further to the decision made by the Council on 20th January 2010 with regard to the establishment of a Joint Appointments Committee as part of the way forward with regard to Regulatory Services under the Worcestershire Enhanced Two Tier (WETT) Programme, Members considered a report of the Head of Legal, Equalities and Democratic Services on the proposed terms of reference of the Committee and the need to appoint an Executive Member to serve on the Committee.

Having been moved by Councillor R. Hollingworth and seconded by Councillor E. C. Tibby, it was

RESOLVED:

- (a) that the terms of reference for the Joint Appointments Committee, as set out in the report, be approved;
- (b) that Councillor G. N. Denaro be appointed to represent Bromsgrove District Council on the Joint Appointments Committee.

The meeting closed at 6.45 p.m.

Chairman

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RECOMMENDATIONS:

1. that it be noted at its meeting on 2 December 2009 the Executive Cabinet calculated the following amounts for the year 2010/11 in accordance with the Regulations made under Section 33(5) of the Local Government Finance Act 1992:

(a) 36,416.56 being the amount calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Tax base) Regulations 1992 (as amended), as its Council Tax base for the year (the tax base for the whole district).

(b)

Alvechurch	2272.25
Barnt Green	925.75
Belbroughton	1,211.07
Bentley Paucefoot	186.42
Beoley	459.46
Bournheath	217.01
Catshill and North Marlbrook	2,429.46
Clent	1,203.34
Cofton Hackett	739.53
Dodford with Grafton	402.14
Finstall	297.99
Frankley	51.78
Hagley	2,117.11
Hunnington	238.79
Lickey & Blackwell	2,071.77
Lickey End	1097.81
Romsley	704.48
Stoke	1734.88
Tutnall and Cobley	357.19
Wythall	4,785.66

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which special items relate.

2. that

(i) the Council determines the level of Council Tax discount to be applied to second homes as defined in the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 for

(a) Class A be set at 10%

(b) Class B be set at 10%

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(ii) the Council determines to reduce or remove the Council Tax discount that is applied to long term empty properties defined as Class C to 0% - no discount.

(iii) these powers are delegated to the Head of Financial Services and the Revenues Services Manager to award case by case discounts or exemptions.

3. that the following amounts be now calculated by the Council for 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

- (a) £34,668,975 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (c) of the Act (including Parish Council precepts totalling £647,073.50)
- (b) £21,899,967 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.
- (c) £12,769,008 being the amount by which the aggregate of 3 (a) above exceeds the aggregate at 3 (b) above, calculated by the Council, in accordance with Section 32 (4) of the Act, as its budget requirement for the year.
- (d) £5,099,001 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non Domestic Rates and Revenue Support Grant, and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund directions under Section 98 (4) of the Local Government Finance Act 1988.
- (e) £210.62 being the amount at 3 (c) above less the amount at 3 (d) above, all divided by the amount at 1 above, calculated by the Council, in accordance with Section 33 (1) of the Act, as the basic amount of its Council Tax for the year; (this is an overall average amount of Council Tax, per Band D property, for District and Parish requirements).
- (f) £647,073.50 being the aggregate amount of all special items referred to in Section 34 (1) of the Act; (Parish precepts).
- (g) £192.85 being the amount at 3 (e) above less the result given by dividing the amount at 3 (f) above by the amount at 1 (a) above, calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate. (The District Council element of the tax for Band D dwellings).

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(h)

Parish of:	£
Alvechurch	234.93
Barnt Green	253.34
Belbroughton	238.26
Bentley Pauncefoot	221.01
Beoley	214.80
Bournheath	240.68
Catshill and North Marlbrook	201.63
Clent	237.73
Cofton Hackett	223.74
Dodford with Grafton	217.34
Finstall	219.50
Frankley	228.58
Hagley	226.86
Hunnington	227.40
Lickey & Blackwell	216.36
Lickey End	192.85
Romsley	221.24
Stoke	218.79
Tutnall and Cobley	213.23
Wythall	212.85

being the amounts given by adding to the amounts at 3(g) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided by each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

- (i) the amounts given by multiplying the amounts at 3(g) and 3(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in the proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

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	A	B	C	D	E	F	G	H
Part of the Council's Area	£	£	£	£	£	£	£	£
Alvechurch	156.62	182.72	208.82	234.93	287.14	339.34	391.55	469.86
Barnt Green	168.90	197.04	225.19	253.34	309.64	365.94	422.24	506.68
Belbroughton	158.85	185.31	211.79	238.26	291.22	344.16	397.11	476.52
Bentley Pauncefoot	147.34	171.89	196.45	221.01	270.13	319.24	368.36	442.02
Beoley	143.20	167.06	190.93	214.80	262.53	310.26	358.00	429.60
Bournheath	160.46	187.19	213.94	240.68	294.17	347.65	401.14	481.36
Catshill and North Marlbrook	134.42	156.82	179.22	201.63	246.44	291.24	336.05	403.26
Clent	158.49	184.89	211.31	237.73	290.56	343.38	396.21	475.46
Cofton Hackett	149.17	174.02	198.88	223.74	273.47	323.18	372.91	447.48
Dodford with Grafton	144.90	169.04	193.19	217.34	265.65	313.94	362.24	434.68
Finstall	146.34	170.72	195.11	219.50	268.29	317.06	365.84	439.00
Frankley	152.39	177.78	203.18	228.58	279.38	330.17	380.97	457.16
Hagley	151.24	176.44	201.65	226.86	277.28	327.68	378.10	453.72
Hunnington	151.60	176.86	202.13	227.40	277.94	328.46	379.00	454.80
Lickey & Blackwell	144.24	168.27	192.31	216.36	264.44	312.51	360.60	432.72
Lickey End	128.57	149.99	171.42	192.85	235.71	278.56	321.42	385.70
Romsley	147.50	172.07	196.66	221.24	270.41	319.57	368.74	442.48
Stoke	145.86	170.16	194.48	218.79	267.41	316.03	364.65	437.58
Tutnall and Cobley	142.16	165.84	189.54	213.23	260.62	308.00	355.39	426.46
Wythall	141.90	165.54	189.20	212.85	260.15	307.44	354.75	425.70
Unparished Areas	128.57	149.99	171.42	192.85	235.71	278.56	321.42	385.70

4. It be noted that for the year 2010/11 Worcestershire County Council, West Mercia Police Authority and Hereford and Worcester Fire and Rescue Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below:

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Worcestershire County Council	692.71	808.16	923.61	1,039.06	1,269.97	1,500.87	1,731.77	2,078.12
West Mercia Police Authority	119.15	139.01	158.86	178.72	218.44	258.15	297.87	357.44
Hereford and Worcester Fire and Rescue Authority	49.10	57.28	65.46	73.64	90.01	106.38	122.74	147.28

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5. Having calculated the aggregate in each case of the amounts at 3 and 4 above, Bromsgrove District Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the following amounts as the amounts of Council Tax for the year 2010/11 for each categories of dwelling shown below:

	A	B	C	D	E	F	G	H
Part of the Council's Area	£	£	£	£	£	£	£	£
Alvechurch	1,017.58	1,187.17	1,356.75	1,526.35	1,865.56	2,204.74	2543.93	3052.70
Barnt Green	1,029.86	1,201.49	1,373.12	1,544.76	1,888.06	2,231.34	2574.62	3089.52
Belbroughton	1,019.81	1,189.76	1,359.72	1,529.68	1,869.64	2,209.56	2549.49	3059.36
Bentley Pauncefoot	1,008.30	1,176.34	1,344.38	1,512.43	1,848.55	2,184.64	2520.74	3024.86
Beoley	1,004.16	1,171.51	1,338.86	1,506.22	1,840.95	2,175.66	2510.38	3012.44
Bournheath	1,021.42	1,191.64	1,361.87	1,532.10	1,872.59	2,213.05	2553.52	3064.20
Catshill and North Marlbrook	995.38	1,161.27	1,327.15	1,493.05	1,824.86	2,156.64	2488.43	2986.10
Clent	1,019.45	1,189.34	1,359.24	1,529.15	1,868.98	2,208.78	2548.59	3058.30
Cofton Hackett	1,010.13	1,178.47	1,346.81	1,515.16	1,851.89	2,188.58	2525.29	3030.32
Dodford with Grafton	1,005.86	1,173.49	1,341.12	1,508.76	1,844.07	2,179.34	2514.62	3017.52
Finstall	1,007.30	1,175.17	1,343.04	1,510.92	1,846.71	2,182.46	2518.22	3021.84
Frankley	1,013.35	1,182.23	1,351.11	1,520.00	1,857.80	2,195.57	2533.35	3040.00
Hagley	1,012.20	1,180.89	1,349.58	1,518.28	1,855.70	2,193.08	2530.48	3036.56
Hunnington	1,012.56	1,181.31	1,350.06	1,518.82	1,856.36	2,193.86	2531.38	3037.64
Lickey & Blackwell	1,005.20	1,172.72	1,340.24	1,507.78	1,842.86	2,177.91	2512.98	3015.56
Lickey End	989.53	1,154.44	1,319.35	1,484.27	1,814.13	2,143.96	2473.80	2968.54
Romsley	1,008.46	1,176.52	1,344.59	1,512.66	1,848.83	2,184.97	2521.12	3025.32
Stoke	1,006.82	1,174.61	1,342.41	1,510.21	1,845.83	2,181.43	2517.03	3020.42
Tutnall and Cobley	1,003.12	1,170.29	1,337.47	1,504.65	1,839.04	2,173.40	2507.77	3009.30
Wythall	1,002.86	1,169.99	1,337.13	1,504.27	1,838.57	2,172.84	2507.13	3008.54
Unparished Areas	989.53	1,154.44	1,319.35	1,484.27	1,814.13	2,143.96	2473.80	2968.54

6. That the Head of Financial Services be authorised to make payments under Section 90(2) of the Local Government Finance Act 1988 from the Collection Fund

(a) to Worcestershire County Council the sum of £38,094,176 by ten equal installments on dates between April 2010 to March 2011 agreed with Worcestershire County Council in respect of the precept levied on the Council (£37,839,099) and the distribution of the Surplus on the Collection Fund (£255,077).

(b) to West Mercia Police Authority the sum of £6,552,120 by ten equal installments on dates between April 2010 to March 2011 agreed with West Mercia Police Authority in respect of the precept levied on the Council (£6,508,433) and the distribution of the Surplus on the Collection Fund (£43,687).

(c) to Hereford and Worcester Fire and Rescue Authority the sum of £2,699,894.65 by ten equal installments on dates between April 2010 to March 2011 agreed with Hereford and Worcester Fire and Rescue Authority in respect of the precept levied on the Council (£2,681,885.65) and the distribution of the Surplus on the Collection Fund (£18,009).

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7. That the Head of Financial Services be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £7,721,706.50 being the Council's own demand on the Collection Fund including Parish Precepts of £647,073.50 and the distribution of the Surplus on the Collection Fund (£51,699).

8. That the Head of Financial Services be authorised to make payments from the General Fund to the Parish Councils the sums listed below by two equal installments on 1 April 2010 and 1 October 2010 in respect of the precept levied on the Council

Parish of:	Alvechurch	95,615.00
	Barnt Green	56,000.00
	Belbroughton	55,000.00
	Bentley Pauncefoot	5,250.00
	Beoley	10,083.00
	Bournheath	10,380.00
	Catshill and North Marlbrook	21,327.00
	Clent	54,000.00
	Cofton Hackett	22,846.00
	Dodford with Grafton	9,850.00
	Finstall	7,942.50
	Frankley	1,850.00
	Hagley	72,000.00
	Hunnington	8,250.00
	Lickey & Blackwell	48,700.00
	Lickey End	0.00
	Romsley	20,000.00
	Stoke	45,000.00
	Tutnall and Cobley	7,280.00
	Wythall	95,700.00

9. That the above resolutions 3 to 5 be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes.

10. Notices of the making of the said Council Taxes signed by the Chief Executive be given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.