

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 4TH APRIL 2012 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), Dr. D. W. P. Booth JP, M. A. Bullivant, C. B. Taylor and M. J. A. Webb

Invitees: Councillor S. R. Colella

Officers: Ms. S. Hanley, Ms. A. Heighway, Ms. C. Flanagan, Mr. M. Dunphy, Mr. D. Thomas and Ms. R. Cole.

125/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

126/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

127/11 **MINUTES**

The minutes of the meeting of Cabinet held on 7th March 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

128/11 **Longbridge - Statement of Principles Regarding Affordable Housing Provision**

The Cabinet considered a report on the proposal to adopt a jointly agreed Statement of Principles regarding the provision of affordable housing on Longbridge development sites.

It was reported that the Statement of Principles was designed to guide the approach of this Council and Birmingham City Council throughout the regeneration of Longbridge sites in respect of the provision of affordable housing.

During consideration of this item the Cabinet also took into account the recommendation of the Overview and Scrutiny Board as contained in minute 106/11 of the meeting of the Board held on 26th March 2012.

The Board had recommended that the Cabinet defer the approval of the Statement of Principles pending the submission of a more detailed report to

the Overview and Scrutiny Board on a number of areas contained within the Statement of Principles to enable the Board to contribute to the decision making process.

The Cabinet felt it was appropriate for the Overview and Scrutiny Board to consider the contents of the Statement of Principles in more detail. The Cabinet were concerned however that this may result in this Authority losing the 50% nomination rights (as referred to in item 6 in the Statement of Principles) to dwellings in respect of the development on the Birmingham City Council site at Lickey Road/Lowhill Lane.

RESOLVED:

- (a) that further consideration of the Longbridge Statement of Principles Regarding Affordable Housing Provision be deferred to enable the Overview and Scrutiny Board to consider the issue in more detail; and
- (b) that in the meantime the Council accept their 50% nomination rights to dwellings on the Lickey Road/Lowhill Lane development.

129/11 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meetings of the Overview and Scrutiny Board held on 27th February 2012 and 26th March 2012 were submitted.

Minutes of the meeting held on 27th February 2012

RESOLVED that the minutes be noted.

Minutes of the meeting held on 26th March 2012

RESOLVED:

- (a) that the recommendation contained in minute 106/11 relating to the Longbridge Statement of Principles be approved; and
- (b) that the remainder of the minutes be noted.

130/11 **BROMSGROVE TOWN CENTRE TOWNSCAPE HERITAGE INITIATIVE - SECOND ROUND SUBMISSION**

Consideration was given to a report on the second round submission to the Heritage Lottery Fund (HLF) in respect of a Townscape Heritage Initiative (THI) in Bromsgrove Town Centre Conservation Area. Members were reminded that in April 2010 the Council was provisionally awarded £1.2m from the HLF for this purpose.

It was noted that the second round submission provided much clearer detail on the Conservation Area, the issues to be faced and the management of those issues. In addition, detail was required on how the funding would be used in order to add lasting improvements and historic value to the area.

Members' attention was drawn to both the bid document itself and the Conservation Area Appraisal and Management Plan which had both been the subject of a period of public consultation. Responses received had been taken into consideration when compiling the final content of the bid document.

The Cabinet acknowledged the extensive work undertaken by officers in drawing up what was felt to be an impressive bid.

RESOLVED:

- (a) that subject to any final recommendation from the HLF monitor (to be approved by the Executive Director Planning and Regeneration, Regulatory and Housing Services), the Bromsgrove Town Centre THI second round bid be approved for submission to HLF for consideration; and
- (b) that the Bromsgrove Town Centre Conservation Area Appraisal and Management Plan be adopted as a material consideration for planning purposes.

131/11 **SHARED SERVICES BOARD**

The minutes of the meetings of the Shared Services Board held on 26th January 2012 and 8th March 2012 were submitted.

RESOLVED that the minutes be noted in each case.

132/11 **WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

The minutes of the meeting of the Worcestershire Shared Services Committee held on 23rd February 2012 were submitted.

RESOLVED that the minutes be noted.

133/11 **OVERVIEW AND SCRUTINY TASK GROUP PLANNING POLICY REPORT**

The Leader invited the Chairman of the Planning Policy Task Group Councillor S. R. Colella to introduce the report of the Task Group on the review of Planning Policy.

Councillor Colella explained that the Task Group had been set up to investigate the effectiveness of planning conditions and the enforcement of breaches of these conditions. The role of the Task Group had been to use existing case studies to look at the effectiveness of planning conditions and the Council's Enforcement Policy and to suggest where improvements could be made.

Councillor Colella thanked the Members of the Task Group for their work which he felt had resulted in a robust and detailed investigation. In addition thanks were expressed to officers for their assistance to the Task Group and

for their open approach and willingness to recognise where services could be improved. The Task Group had recognised that some improvements were already in place. Thanks were also expressed to the members of the public who had participated in the process.

The Cabinet then considered the recommendations of the Task Group in detail and sought clarification of some issues from Councillor Colella.

As the Cabinet's response to some of the Task Group's recommendations would require further consideration from the Overview and Scrutiny Board, it was felt appropriate to defer a final Cabinet response to the Task Group report until the Board had had the opportunity to consider these issues further.

The Leader thanked Councillor Colella and the other Members of the Task Group for their work to date which had resulted in some very good recommendations. The Leader also thanked Ms. A. Scarce, Democratic Services Officer for her work in supporting the Task Group.

RESOLVED that the response to each of the recommendations within the report of the Planning Policy Task Group be as set out below:

Recommendation 1

That a mechanism be put in place to ensure that :

- (a) where conditions cannot be monitored within existing resources, an estimate of the resources required to monitor those conditions be clearly identified ;
- (b) the applicant be made aware at the earliest possible stage of the need to ensure that these conditions are adhered to and properly monitored in line with the conditions applied; and
- (c) where the planning officer recommends refusal of a planning application and the Planning Committee go against the recommendation, sufficient time should be given within the Planning Committee Meeting to discuss conditions.

Cabinet Response

- (a) there was concern that it may often be difficult to decide what additional resources would be appropriate and therefore to estimate that cost. In addition, whilst an estimate may be made the Council may not then have the resources to meet that cost. It was therefore felt that that this part of the recommendation should be referred back to the Overview and Scrutiny Board for further consideration;
- (b) this was agreed;
- (c) this was agreed;

Recommendation 2

- (a) that a review of the Bromsgrove Standard Planning Conditions be carried out as soon as practicably possible, but within six months of this report being presented to the Cabinet; and
- (b) that Planning officer training be formalised to ensure appropriate conditions are identified for routine and non-routine applications.

Cabinet Response

- (a) this was agreed; and
- (b) this was agreed but in addition it was felt that a suitable level of Member training in this regard should also be undertaken to assist Members in understanding the appropriateness of conditions.

Recommendation 3

That monitoring groups are not used in the future. However it is recognised that on occasion there may need to be some form of community engagement for larger more complex planning applications.

Cabinet Response

It was felt that there may be a place for monitoring groups in some circumstances and that in the past confusion had been caused because of the lack of proper terms of reference and reporting lines. This recommendation was therefore referred back to the Overview and Scrutiny Board with a request that consideration be given as to how any future monitoring group could be set up to work more effectively.

Recommendation 4

That a detailed review of the Planning Enforcement Policy, which was adopted in April 2011 (as encouraged in Section 8 – Conclusion), be carried out giving particular attention to Sections 4 – Enforcement Procedures (Informal) and 7 – Council's Commitment to Complainants.

Cabinet Response

This was agreed.

Recommendation 5

That a case officer be appointed and remain responsible as the point of contact for each enforcement case to ensure continuity and an electronic case file be set up and open to view by colleagues and management.

Cabinet Response

This was agreed.

Recommendation 6

That a mechanism be put in place in order for control systems to be developed to ensure enforcement cases are recorded and available upon request to Ward Members.

Cabinet Response

It was queried whether this information was already available and what advantage there would be in establishing a further mechanism. This recommendation was therefore referred back to the Overview and Scrutiny Board for further consideration.

Recommendation 7

That the Planning Committee receives a quarterly report in respect of all new and outstanding planning enforcement cases.

Cabinet Response

This was agreed.

Recommendation 8

That thorough the Transformation programme a review and mapping exercise be carried out in respect of the process post planning application approval stage and that the results of this be shared with the Overview and Scrutiny Board.

Cabinet Response

This was agreed.

Recommendation 9

That the Internal Audit Report recommendations be supported and included within the Overview and Scrutiny Board's Quarterly Recommendation Tracker report to ensure that progress on the implementation is monitored in an appropriate and timely manner.

Cabinet Response

This was agreed.

Recommendation 10

That a quarterly report be made available to the Overview and Scrutiny Board to enable Members and officers to be aware of repeat or common themed compliments and complaints (in order to address such complaints).

Cabinet Response

This was agreed

Recommendation 11

That all Heads of Service ensure mechanisms are in place to ensure that when a service request escalates to the extent that there is or could be a critical failure of any nature, they are immediately made aware of the situation and

- (a) that Heads of Service ensure all staff are made aware of and understand the definitions of a complaint; and
- (b) that the Head of Customer Service provides additional guidance in respect of recording service requests which may also be a valid complaint.

Cabinet Response

This was agreed.

Recommendation 12

That the Head of Customer Service and Human Resources work together to establish a mandatory management training programme to:

- (a) ensure that all managers of the Council are given support to enable them to respond, both verbally and in writing, to all customers in a timely and appropriate manner, with regular reviews of the success of such training carried out; and
- (b) ensure that the Overview and Scrutiny Board receive regular updates to ensure this has been implemented.

Cabinet Response

This was agreed.

134/11 VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY

The Leader reported that he had attended an event at NewStart.

Councillor Mrs M. A. Sherrey reported that she had attended a meeting of the Health and Well Being Board.

135/11 **WORCESTERSHIRE EXTRA CARE HOUSING STRATEGY 2011**

Consideration was given to a report on the Worcestershire Extra Care Housing Strategy 2011-2026 which had been developed by the District Councils in Worcestershire together with the County Council. The Strategy was intended to provide a framework for the future development of Extra Care Housing in Worcestershire for the period 2011 to 2026.

It was reported that the Strategy identified Local Authorities as having a leading role in developing Extra Care Housing by encouraging providers from the social, charitable and private sectors to deliver the Extra Care Housing required in Worcestershire.

The Head of Community Services reported that it was intended that an Action Plan for delivery of the Strategy would be developed in respect of the Bromsgrove District by the Council's officers.

Members supported the Strategy but requested additional clarification on the definition of "Extra Care Housing".

RESOLVED that the Worcestershire Extra Care Housing Strategy 2011 – 2026 be approved in principle, subject to the Leader and Portfolio Holder for Strategic Housing being satisfied with the definition of the term "Extra Care Housing".

136/11 **PERFORMANCE MONITORING QUARTER 3 2011/12**

The Cabinet considered a report on the Council's corporate performance for the period ending 31st December 2011.

It was noted that of the 15 remaining indicators, performance had improved in respect of 8 indicators and had declined in respect of 7 indicators since the same period the previous year.

Members noted a number of areas of improvement including the reduction in new Benefits Claims processing time and the increase in usage of the Artrix. The main area of concern, the number of households living in temporary accommodation was also noted although Cabinet were aware that a strategy had been developed to address this as far as possible.

The Deputy Chief Executive referred briefly to the further changes which would evolve in respect of performance reporting as Departments developed "measures" and Transformation work proceeded.

RESOLVED that the updated information on key performance indicators for the period ended 31st December 2011 be noted.

137/11 **LOCAL GOVERNMENT ACT 1972**

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 the relevant paragraphs of that part being as set out below and that it is in the public interest to do so.

<u>Minute No</u>	<u>Paragraph</u>
138/11	3

138/11 **MARKETING EXERCISE - INCLUSION OF COUNCIL OWNED ASSETS (HANOVER STREET CAR PARK, GEORGE HOUSE AND STOURBRIDGE ROAD CAR PARK)**

The Cabinet considered a report on the possible inclusion of Council owned assets at Hanover Street Car Park, George House and Stourbridge Road Car Park in marketing exercises.

Following discussion it was

RESOLVED:

- (a) that the incorporation of Council owned assets at the Hanover Street Car Park and George House site and the Stourbridge Road Car Park in marketing exercises be approved and that the marketing be carried out by Commercial Property Consultant John Dillon; and
- (b) that authority to sign the agreement in respect of the marketing exercises be delegated to the Regeneration Programme Manger.

The meeting closed at 8.00 p.m.

Chairman