

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 17TH JULY 2013 AT 6.00 P.M.

PRESENT: Councillors J. M. L. A. Griffiths (Chairman), R. J. Laight (Vice-Chairman), S. J. Baxter, C. J. Bloore, D. W. P. Booth, J. R. Boulter, J. S. Brogan, M. A. Bullivant, M. T. Buxton, R. A. Clarke, B. T. Cooper, S. J. Dudley, K. A. Grant-Pearce, P. A. Harrison, R. Hollingworth, H. J. Jones, P. Lammas, B. Lewis, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, E. J. Murray, J. A. Ruck, C. R. Scurrall, E. M. Shannon, R. J. Shannon, S. P. Shannon, M. A. Sherrey, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

14/13 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J. M. Boswell, S. R. Colella, R.J. Deeming, R. L. Dent, C. J. Spencer and C. B. Taylor.

Apologies for late arrival were received from Councillor P. M. McDonald.

15/13 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Item 6 – Council Tax Support

Councillor S. J. Dudley declared a disclosable pecuniary interest as a local planning consultant and agent. Councillor Dudley left the room during the consideration of the item.

Item 12 – Affordable Housing

Councillor S. J. Dudley declared a disclosable pecuniary interest as a local planning consultant and agent. Councillor Dudley left the room during the consideration of the item.

Councillors E. M. Shannon and S. P. Shannon each declared an other disclosable interest as Councillor S. P. Shannon was a Board Member of BHI a subsidiary of Bromsgrove District Housing Trust. Councillors S. P. Shannon and E. M. Shannon both left the room during the consideration of the item.

16/13 **MINUTES**

The minutes of the Annual Meeting of the Council held on 15th May 2013 were submitted.

RESOLVED that the minutes of the Annual Meeting of the Council held on 15th May 2013 be approved as a correct record.

17/13 **ANNOUNCEMENTS FROM THE CHAIRMAN, THE CIVIC HEAD AND/OR HEAD OF PAID SERVICE**

The Chairman announced that she had been invited to visit Fisher House a "home from home" for military patients being cared for at the Queen Elizabeth Hospital, Birmingham and their families.

It was proposed by Councillor E. J. Murray and seconded by Councillor R. Hollingworth and

RESOLVED that the Council's best wishes be conveyed to the patients and their families.

18/13 **ANNOUNCEMENTS FROM THE LEADER**

The Leader referred to a scheme involving the development of 70 timber framed homes in Redditch and stated that if any member wished to visit the site, he would make the necessary arrangements with the Leader of Redditch Borough Council.

19/13 **RECOMMENDATIONS FROM THE CABINET ON 5TH JUNE 2013 AND 3RD JULY 2013**

(i) **Financial Reserves Statement 2013**

The recommendations from the Cabinet were proposed by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey.

The Leader together with the relevant Portfolio Holder responded to questions from a number of Members in relation to the purpose of some of the reserves, whether in some instances the levels were appropriate and why had other reserves had not yet been utilised.

RESOLVED:

- (a) that the establishment of the new reserves of £1,994 as detailed at Appendix 1 be approved subject to the deletion of the "Potential Appeals" item;
- (b) that the movements of £220,000 reserves as included in Appendix 1 which reflects the approval required for January-March 2013 be approved;
- (c) that the addition of new reserves of £158,000 as included in Appendix 1 which reflects the approval required for January-

March 2013 be approved subject to the deletion of the "Potential Appeals" item

- (d) that the carrying forward of capital budgets of £1,607,000 as set out in Appendix 2 to be utilised in 2013/14 be approved ; and
- (e) that the additional capital expenditure of £87,000 as set out in Appendix 2 be approved.

(ii) Restructure of Enabling Heads of Service

In view of the very limited opportunity for Members to consider the comments received as a result of the consultation process with staff in relation to the restructure proposals it was proposed by Councillor R. Hollingworth and seconded by Councillor L.C. R. Mallett and

RESOLVED that consideration of the recommendation from the Cabinet in respect of the Restructure of Enabling Heads of Service be deferred until the next meeting of the Council on 25th September 2013.

(iii) The Council Plan

The recommendations from the Cabinet were proposed by Councillor M. A. Bullivant and seconded by Councillor M. J. A. Webb. Councillor Bullivant referred to the Strategic Purposes within the Plan and the intention that the document should be more visual and simplified than previous lengthy versions and therefore more accessible. It was intended the document would be reviewed on an annual basis.

Councillor L. C. R. Mallett moved an amendment which was seconded by Councillor C. J. Bloore that the matter be referred back to Cabinet for further consideration. In moving the amendment Councillor Mallett stated he felt the document was lacking in detail and did not contain any actions or targets which would contribute to the achievement of the strategic purposes contained within the Plan or would enable progress to be measured. Having been put to the vote the Chairman declared the amendment to be lost.

RESOLVED:

- (a) that the Council Plan attached as Appendix 1 to the report be approved; and
- (b) that as a minimum the Council Plan be reviewed on an annual basis.

(iv) Disposal of the Council House Site

The recommendations from the Cabinet were proposed by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey.

Members queried whether the car parks associated with the existing flats would be included within the sale and The Leader stated they would remain as at present.

RESOLVED:

- (a) that the Council House, Burcot Lane site be marketed for disposal in readiness for the vacation of the site by this Council and the move to the former Parkside Middle School site in 2014/2015; and
- (b) that £20,000 be taken from balances in order to fund any associated pre-sale costs.

(v) Financial Outturn Report 2012/2013

The recommendations from the Cabinet were proposed by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey.

In discussing the recommendation on the outturn report Members commented on apparent inaccuracy of the original budgets. It was suggested that this and subsequent financial management had resulted in a significant underspend at a time of cutbacks in services.

RESOLVED that the outturn financial position for 2012/2013 in respect of Revenue and Capital as detailed in the report be noted, together with the transfer of £513,000 to balances.

(vi) Council Tax Support Scheme

Councillor S. J. Dudley declared a disclosable pecuniary interest in this item and left the room during its consideration and determination.

The recommendations from the Cabinet were proposed by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey.

In proposing the recommendation the Leader reminded Members of the previous decision taken by the Council in February 2013 to take steps to mitigate some of the impact of the changes in the national Council Tax Benefit Scheme. These steps had resulted in the "claw back" of approximately £30,000 of the £61,000 shortfall to this Authority. At that time there had also been a decision to review further the Council Tax Benefit Scheme.

The Leader drew attention to the current recommendation to take no further action to recover the remainder of the shortfall, but in doing so also requested Council to consider whether there should be further public consultation on the proposal. The Leader also referred to the potential impact of the decision on the County Council in terms of loss of income and commented on whether Members who were County Councillors should participate in the discussion and subsequent vote.

Members commented on the need to consult with the public on the proposals in view of the likely costs of undertaking such an exercise.

In order to obtain the view of the Chamber on the matter it was proposed by Councillor R. Hollingworth and seconded by Councillor M.

A. Sherrey that a public consultation be undertaken on the recommendation to take no further action to recover the remainder of the shortfall following changes to the national Council Tax Benefit Scheme. On putting this proposal to the vote the Chairman declared it to be lost and it was

RESOLVED that notwithstanding the previous decision review the Council Tax Benefit Scheme, in the circumstances outlined no further action be taken and the remainder of the shortfall of approximately £31,000 be met by this Council.

20/13 **MINUTES OF THE MEETINGS OF THE CABINET HELD ON 5TH JUNE 2013 AND 3RD JULY 2013**

The minutes of the meetings of the Cabinet held on 5th June 2013 and 3rd July 2013 were received.

21/13 **SCHEME OF DELEGATION**

Members considered a report on the annual review of the Officer Scheme of Delegations.

Councillor M. A. Bullivant drew Members' attention to a number of additional amendments to the Scheme in respect of Strategic Housing issues. Councillor Bullivant proposed a recommendation that the granting of new site Licences under section 3(3) of the Caravan Sites and Control of Development Act 1960 which at present it was proposed within the Scheme be delegated to the Strategic Housing Manager, be deleted from the Scheme of Delegation.

Approval of the Scheme of Delegation to Officers as set out in the report to the Council was moved by Councillor M. A. Bullivant and seconded by Councillor R. Hollingworth.

RESOLVED that subject to the amendment referred to in the preamble above, the current version of the Officer Scheme of Delegations as set out in the report be agreed.

22/13 **APPOINTMENTS TO OUTSIDE BODIES**

Council considered a report of the Head of Legal, Equalities and Democratic Services on a number of appointments to be made to outside bodies. Members' attention was drawn to an amended Appendix to the report. It was noted that it was proposed that the appointment of representatives on the Midland Joint Advisory Council for Environmental Protection be moved from the "List of Bodies to be appointed to by Office" to the "Other Bodies" List.

Attention was also drawn to section 3.5 of the report which set out the proposed amendments to the list covering the appointments made by office since the previous year.

Members also considered the request from Bromsgrove District Housing Trust to cease making appointments to the Board of the Trust.

RESOLVED:

- (a) that the request from Bromsgrove District Housing Trust to amend its Articles to remove the requirement to appoint two representatives from the Council be approved;
- (b) that authority be delegated to the Head of Legal, Equalities and Democratic Services to take the necessary steps to implement the amendment to the Articles;
- (c) that the Portfolio Holder for Human Resources be appointed to West Midland Employers organisation by office;
- (d) that the appointments made by office as set out in the attached Appendix be noted; and
- (e) that the appointments to the other organisations as set out in the attached Appendix be approved.

23/13 **BOUNDARY COMMISSION REVIEW FINAL REPORT AND RECOMMENDATIONS**

Reference was made to the final recommendations of the Local Government Boundary Commission for England in respect of the review of electoral arrangements for Bromsgrove District Council. Details of the final recommendations which included 31 Councillors to represent 29 single-member wards and 1 two-member ward had been made available to Members. Following the necessary Parliamentary procedures, the new arrangements would come into force at the District Council elections in 2015.

A number of Members expressed disappointment at the way in which the Boundary Commission had undertaken the review as it was felt that input from Members had been largely disregarded. There was concern that the approach taken by the Boundary Commission had been over reliant on numerical data and had resulted in the division of communities into different wards.

The Leader stated that whilst the objective of determining the optimum number of Councillors had been achieved he was disappointed in the lack of understanding and logic the Boundary Commission had displayed.

The Monitoring Officer reminded Members that the request for a review had been made by this Council and that Officers had been required to follow the procedures laid down by the Boundary Commission for such reviews.

Members acknowledged the work which had been undertaken by officers during the review process and expressed thanks for this.

RESOLVED that the final recommendations of the Local Government Boundary Commission for England be noted.

24/13 **QUESTIONS ON NOTICE**

Question submitted by Councillor R. J. Shannon

“This year there are no hanging baskets in Bromsgrove High Street, with the removal of the trees nearly a year and a half ago, why has there been no effort made to make the High Street more appealing to shoppers in the summer months?”

Councillor Booth responded that work was on going in the High Street but that he would raise the issue with the relevant officers.

25/13 **MOTION - AFFORDABLE HOUSING**

Councillors S. J. Dudley, E. M. Shannon and S. P. Shannon had declared a disclosable pecuniary interest and other disclosable interests respectively in this item and left the room during its consideration and determination.

Members considered the following motion submitted by Councillor L.C. R. Mallett.

“Council is concerned about its current ability to deliver required numbers of affordable homes within the District to meet our local housing needs.

Council notes the current housing waiting list and the shortages of supply in affordable and smaller properties.

Council reaffirms its commitment to providing affordable homes across the District and maximising the opportunity to secure high quality affordable homes within any developments coming forward. Council further resolves, as a matter of urgency, to instigate an investigation to report on how the affordable housing need can best be met in Bromsgrove and District.”

The motion was moved by Councillor L. C. R. Mallett and seconded by Councillor C. J. Bloore.

In moving the motion Councillor L. C. R. Mallett stated that affordable housing was essential to assist those who would otherwise be unable to afford a property within the District and drew attention to one of the Strategic Purposes within the Council Plan “help me to find somewhere to live in my locality.” Councillor Mallett referred to the current housing waiting list of approximately 3,000 people.

Councillor Mallett also expressed concern in relation to the recent amendment to the previous requirement for developers to provide 40 per cent affordable housing to a requirement of “up to” 40 per cent. This had been an issue during consideration of the recent planning application on The Oakalls where the requirement for affordable housing had been reduced to 20 per cent. He suggested this approach could lead to inconsistency and with a limited land

supply, there would be a need to utilise Green Belt land at an earlier stage than would otherwise be the case.

Councillor D. W. P. Booth stated that whilst the provision of affordable housing was a high priority for the Council, he queried whether the figure of 3,000 people on the Housing Waiting List, and therefore in urgent need of a property, was realistic. This could only be a “snapshot” but investigations had indicated that around 338 people had a high housing need. Work was on going to review the Housing Waiting List and the Allocations Policy with a view to improving the opportunities for local people.

In addition the Authority was working with the Bromsgrove District Housing Trust and with private Landlords to increase the supply of good quality affordable accommodation. The Council would continue to work to ensure there was a continuing supply of affordable homes throughout the District including investing in Bromsgrove District Housing Trust projects. He considered the Council’s approach was realistic and transparent. Applications would be considered on a site by site basis, focussing on those most in need.

Following further discussion the motion was put to the vote and the Chairman declared the motion to be LOST.

26/13 MOTION - CHINESE STYLE LANTERNS

Members considered the following motion submitted by Councillor R. J. Shannon.

“With recent events at the plastic recycling plant in Smethwick, yet again it has been highlighted the risk involved in allowing Chinese style lanterns in our community.

As Bromsgrove is a rural area, we are all only too aware of the dangers these lanterns can cause to crops and animals if ingested.

West Midlands Fire Service has campaigned about the dangers of sky lanterns in the past, and they have now urged community leaders and members of the public to discourage the use of lanterns. This Council should take immediate steps to prohibit the use of Chinese style lanterns on its property, open spaces and parks.”

The motion was moved by Councillor R. J. Shannon and seconded by Councillor P. M. McDonald.

During discussion on the motion the proposer and seconder referred to the increased popularity of this style of lantern over recent years and to the dangers they posed to property, wildlife and livestock. The ban on use on Council owned land would emphasise the dangers.

Councillor M. J. A. Webb supported the sentiments contained within the motion whilst recognising that a large number of lanterns would be launched from land other than that in the ownership of the Authority. In order to address

this he requested that the motion be extended to include the sending of a letter to the relevant Government Department, to be signed by the Leaders of all three parties, calling for a wider ban on the launching of such lanterns. This was acceded to by the proposer and seconder.

The altered motion was put to the vote and it was

RESOLVED:

- (a) that this Council takes immediate steps to prohibit the use of Chinese style lanterns on its property, open spaces and parks; and
- (b) that a letter be sent to Central Government calling for a ban on the launching of such lanterns and that this be signed by the Leaders of each party.

The meeting closed at 8.28 p.m.

Chairman