

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 26TH FEBRUARY 2014 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. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, M. T. Buxton, R. A. Clarke, S. R. Colella, B. T. Cooper, R. J. Deeming, R. L. Dent, 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, C. R. Scurrrell, E. M. Shannon, R. J. Shannon, S. P. Shannon, M. A. Sherrey, C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

53/13 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S. J. Dudley, K. A. Grant-Pearce, J. A. Ruck and L. J. Turner.

54/13 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Item 7 - Medium Term Financial Plan

Councillor S. P. Shannon declared an other disclosable interest as a Board Member of BHI a subsidiary of Bromsgrove District Housing Trust.

Councillor C. R. Scurrrell declared an other disclosable interest as a Member of Belbroughton Parish Council. Councillor Scurrrell left the room during the consideration of the item.

(The Monitoring Officer advised that there was a dispensation in place in respect of Members who were also Members of a Parish Council. Councillor Scurrrell however stated he wished to declare his interest and would leave the room during consideration of the item.)

(A number of Members declared an other disclosable interest in the Notice of Motion - Support to Community Organisations. The Monitoring Officer advised that this Notice of Motion had in fact now been withdrawn.)

55/13 **MINUTES**

The minutes of the meeting of the Council held on 26th November 2013 were submitted.

Councillor S. P. Shannon attempted to raise a matter on minute 49/13 (Questions on Notice) however the Chairman ruled this was not an issue of accuracy of the minutes and should be taken up outside the meeting.

RESOLVED that the minutes of the meeting of the Council held on 26th November 2013 be approved as a correct record.

56/13 **ANNOUNCEMENTS FROM THE CHAIRMAN, THE CIVIC HEAD AND THE HEAD OF PAID SERVICE**

The Chairman thanked fellow Members and officers for the many letters, cards and good wishes she had received whilst she had been undergoing medical treatment and during her subsequent recovery period. Councillor Griffiths also paid tribute to the excellent medical care she had received at the Princess of Wales Hospital.

The Civic Head reported that she had recently attended "The Spirit of Bromsgrove Awards" and thanked officers for the organisation of a very enjoyable event.

57/13 **ANNOUNCEMENTS FROM THE LEADER**

The Leader referred to the works which had now started in Bromsgrove High Street and to the Parkside development which would now commence on 10th March. Together with other developments such as the relocation of the Petrol Station on Birmingham Road, this demonstrated pleasing progress on the regeneration of the Town Centre.

58/13 **POLITICAL BALANCE OF THE COUNCIL**

Members were requested to note a report on the change to the political balance of the Council and the need for resulting changes to the Council's Boards and Committees.

RESOLVED:

- (a) that the Council note the establishment of a new political group, the Independent Alliance;
- (b) that the authority to agree the political balance of the membership of the Committees be delegated to the Head of Legal, Equalities and Democratic Services following consultation with the Group Leaders;
- (c) following agreement at (b) above, that Members be appointed to the Committees in accordance with nominations to be made by the Group Leaders; and
- (d) that the Head of Legal, Equalities and Democratic Services be authorised to make any consequential changes to the Council's Constitution arising from (c) above.

59/13 **RECOMMENDATION FROM THE CABINET MEETING HELD ON 4TH DECEMBER 2013**

(i) **Finance Monitoring – Quarter 2 2013/2014**

The recommendation from the Cabinet was proposed by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey. In proposing the recommendation Councillor Hollingworth referred to the work being undertaken on Transformation in conjunction with Stoke City Council.

Councillor L. C. R. Mallett queried the value of working with Stoke City Council which appeared to be a very different Authority to Bromsgrove District Council. In addition Councillor Mallett questioned what would the benefits be to this Council and what would be achieved above what could be provided in house.

Councillor S. J. Baxter stated that the financial information within the report was now almost five months old and queried whether the Council was still in a position to undertake this expenditure.

Councillor Hollingworth responded that a limited number of Authorities were undertaking a similar programme of Transformation and that geographically Stoke City Council was the closest amongst these. It was felt that there was a significant benefit to Bromsgrove in learning through the experiences of other Authorities.

RESOLVED that £32,000 be vired from Salaries to Other Local Authorities within Business Transformation to fund the proposed Academy to be implemented with Stoke City Council, subject to 50% of this sum being recharged to Redditch Borough Council.

60/13 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 26TH FEBRUARY 2014**

(i) **Medium Term Financial Plan 2014/2015 – 2016/2017**

At the invitation of the Leader the Section 151 Officer gave a brief overview of the background to the preparation of the Medium Term Financial Plan, including key issues such as the impact of the national economy, cuts in government grant settlement and the impact of County Council expenditure cuts.

Reference was made to the work being undertaken on Transformation with a view to finding alternative ways of making further savings and to the utilisation of any funding received through the New Homes Bonus to offset the pressures facing the Council.

Councillor R. Hollingworth emphasised the impact of cuts in the government grant settlement. In addition reference was made to the

grant included within the settlement for 2014/2015 in relation to the impact on Parish Councils from the Council Tax Discount Scheme. Councillor Hollingworth stated that it was proposed that the sum of £45,000 be allocated throughout the District for Members to spend for the benefit of their Wards and not only to the Parished areas. There would be a need for further consideration of the process to enable this.

It was intended to fund borrowing in respect of a new Leisure Centre by way of general fund balances for a period of 3 years after which it was anticipated that the Leisure Centre would be self - funding.

Councillor Hollingworth also referred to the proposal not to allocate £6,000 to support free parking on Small Business Saturday but to utilise this sum to fund general inward investment and economic development opportunities in the District. Reference was also made to the proposed Arts and Cultural Programme to improve the economy and footfall in the Town Centre.

During debate on the item Councillor L. C. R. Mallett stated that he did not support the proposed Medium Term Financial Plan in view of the high level of spending in previous years and the proposed level of borrowing to fund projects such as the Leisure Centre and the Parkside redevelopment. Concern was expressed that the projected New Homes Bonus was being utilised to support the cost of borrowing. Councillor Mallett stated that there was limited opportunity for proper scrutiny of the item or to put forward an alternative Medium Term Financial Plan due to a detailed breakdown of cost information not being available, although he thanked the Section 151 Officer for information supplied to him in recent days.

Councillors also discussed the proposal not to allocate the estimated £45,000 included in the Government settlement to mitigate the impact of the Council Tax Discount Scheme on Parish Councils. The view was expressed that Bromsgrove would be one of very few Authorities not to pass the Central Government grant in respect of the Council Tax Discount Scheme direct to the Parish Councils. It was suggested that although the Council had discretion about whether or not to pass it on, Central Government had clearly indicated that it expected all Councils to do so. The proposal to use New Homes Bonus income to offset budget pressures was also queried.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken on the Medium Term Financial Plan 2014/2015 – 2016/2017.

For the recommendations: Councillors D. W. P. Booth, J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, R. A. Clarke, B. T. Cooper, R. J. Deeming, R. L. Dent, P. A. Harrison, R. Hollingworth, H. J. Jones, R. J. Laight, P. Lammas, M. A. Sherrey, C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (20)

Against the recommendations: Councillors S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. Lewis, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, E. J. Murray, E. M. Shannon, R. J. Shannon, S. P. Shannon and C. J. K. Wilson (13)

RESOLVED:

- (a) that in relation to the revenue bid for £6,000 for Small Business Saturday free parking, included in Appendix 1 of the report, this sum be allocated to fund general inward investment and economic development opportunities in the District ;
- (b) that subject to (a) above, the revenue bids of £206,000 as detailed in Appendix 1 of the report be approved;
- (c) that the following unavoidable pressures as detailed in Appendix 2 of the report be approved:

2014/15 - £369,000
2015/16 - £210,000
2016/17 - £232,000

- (d) that the use of balances of £251,000 for 2014/15 be approved;
- (e) that the savings as detailed in Appendix 3 of the report be approved;
- (f) that the estimated value of grant of £45,000 as included in the Government's Settlement for 2014/15 in relation to the impact on Parish Councils from the Council Tax Discount Scheme, be allocated equally to Ward Councillors to spend within their Ward. (Calculation to be £45,000/39 x number of Members per ward);
- (g) that the increase in Council Tax of 1.9% for 2014/15 be approved; and
- (h) that the Pay Policy as attached at Appendix 4 of the report be approved.

61/13 TO SET THE COUNCIL TAX FOR 2014/2015

Members received a report of the Executive Director (Finance and Corporate Resources) with regard to the setting of the Council Tax for 2014/2015.

Having been moved by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey, it was

RESOLVED that the recommendations as set out as an appendix to these minutes, setting a Council Tax for 2014/2015 of £200.24 for a Band D unparished property be approved.

As required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken on the setting of the Council Tax for 2014/2015.

For the recommendations: Councillors D. W. P. Booth, J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, R. A. Clarke, B. T. Cooper, R. J. Deeming, R. L. Dent, P. A. Harrison, R. Hollingworth, H. J. Jones, R. J. Laight, P. Lammas, C. R. Scurrall, M. A. Sherrey, C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (21)

Against the recommendations: Councillors S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. Lewis, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, E. J. Murray, E. M. Shannon, R. J. Shannon, S. P. Shannon and C. J. K. Wilson (13)

62/13 **MINUTES OF THE MEETINGS OF THE CABINET HELD ON 4TH DECEMBER 2013, 8TH JANUARY 2014 AND 5TH FEBRUARY 2014**

The minutes of the meetings of the Cabinet held on 4th December 2013, 8th January 2014 and 5th February 2014 were received for information.

4th December 2013

In relation to minute 67/13 Councillor M. A. Bullivant undertook to write to Councillor E. J. Murray detailing the Trees and Place interventions which would be trialled in Bromsgrove.

In relation to minute 70/13 Councillor M. J. A. Webb undertook to write to Councillor L. C. R. Mallett setting out what had been recommended by the Council's external auditors and actions agreed.

5th February 2014

In relation to minute 83/13 which referred to changes to Cabinet Portfolios, the Monitoring Officer apologised that Members had not been made aware of these changes at an earlier stage.

In relation to minute 87/13 regarding Fees and Charges, the Leader offered to discuss the increases to Lifeline costs with Councillor Mallett outside the meeting.

63/13 **REPORT AND RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL**

Members' attention was drawn to a report of the Joint Independent Remuneration Panel for Worcestershire District Councils setting out its recommendations to Bromsgrove District Council arising from its review of Members' Allowance for 2014/2015.

It was proposed by Councillor R. Hollingworth and seconded by Councillor M. A. Sherrey and

RESOLVED that for 2014/2015 the current levels of payment and existing structure in respect of Members' Allowances be maintained.

64/13 **MEMBERSHIP OF COMMITTEES**

It was noted that Councillor R. Dent had replace Councillor J. Brogan as a member of the Planning Committee.

65/13 **QUESTIONS ON NOTICE**

Question submitted by Councillor P. M. McDonald

"Please would the Leader tell the Council how many staff were paid in excess of £100,000 18 months ago and what that number is now, and projected in the financial year ahead including vacant posts?"

The Leader referred the question to Councillor M. J. A. Webb. Councillor Webb responded that the answer in each case was two members of staff and that this information was available on the Council's web site and within the Council's Pay Policy. In each case Bromsgrove District Council paid 50% of the salary.

Question submitted by Councillor S. P. Shannon

"Does the Leader of the Council agree and support my campaign to reduce a completely inappropriate speed limit that encompasses the junction of Bromsgrove by-pass with Stoke Road, Charford which is the main crossing point for several hundred local children and parents who twice a day are often stranded on the central reservation with traffic travelling at up to 60mph only inches away?"

The Leader responded that he had not been aware of Councillor Shannon's campaign but he was happy to consider supporting it if Councillor Shannon could provide him with details of the issue in writing.

Question submitted by Councillor E. M. Shannon

"Can the Leader of the Council please explain to us at what stage did he know that EPIC were to leave the TRUNK while also neglecting to tell the local Councillors, and what he did to avoid this action and does he agree that both LSP and this Council failed in their duty to protect services at the TRUNK?"

The Leader responded that knew some time ago that EPIC would be leaving the TRUNK but that he was not aware of interest expressed by local Councillors. The Local Strategic Partnership and the Council had worked very hard to ensure that services were still provided by EPIC from Sidemoor and that provision also covered the Charford area.

Question submitted by Councillor E. J. Murray

Please can the Leader confirm the total spent on redundancies, related pensions strains and compromise agreements since 2008 plus the total spent on transformation/shared services consultants such as SERCO and Vanguard – and what difference in total expenditure budget has been achieved as a result of these cuts and spends between the 2008/09 budget and that he proposes today?”

The Leader responded that the total expenditure on redundancies, pension strains and compromise agreements was £1,100,000, the total amount on transformation/shared services consultants was £142,000, (£99,000 Vanguard and £43,000 SERCO) and that savings had been approximately £1,000,000 per annum. Currently £3,400,000 had been saved in total.

Question submitted by Councillor S. J. Baxter

“The Council meeting held on 13th January 2013 (min 62/12) made the following resolution with regards the Localisation of council tax support and the £52,160 allocated to Bromsgrove from Central Government to protect the positions of the Parish Councils:

- (e) that the residual sum of £12,160 be allocated to the non parished areas within the District

Please can the Leader update Council on how this money has been spent?”

The Leader confirmed that £8,000 had been spent on the bridge in the Town Centre and £2,000 on signage and tidying up in Crown Close. The outstanding amount remained in the budget unspent at present.

Question submitted by Councillor M. T. Buxton

Would the Leader please confirm the total spent on payments to the Vanguard Consultancy company for transformation consultancy including via their Academy scheme and whether any Members or officers have travelled abroad to events connected with Vanguard and if so who, when and to where?”

The Leader asked Councillor M. J. A. Webb to respond. Councillor Webb stated that £93,000 had been paid to Vanguard Consultancy with £18,000 paid to the Academy in this financial year. No officers or Members had been abroad in connection with this.

66/13 **MOTION - MARLBROOK TIP**

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

“Following the recent revelation that thousands more lorry-loads of soil may need to be tipped onto the Marlbrook Tip site in order to make safe the

thousands of tons over tipped already – Council resolves to establish an Independent Public Inquiry into the chain of events from the sale of the land to the present day in order to establish responsibilities and lessons learnt.”

The motion was moved by Councillor Mallett and seconded by Councillor P. M. McDonald.

In moving the motion Councillor Mallett referred to the history of the site, in particular to the conditions on the Planning Permission which had not been effectively enforced and to concerns subsequently raised by local residents which had not been satisfactorily addressed, partially because they had not been treated as “complaints”. This had led to the Environment Agency now recommending that 300mm of additional “restoration” soil be tipped onto the site. Councillor Mallett also referred to the recent public meeting at which the possibility of holding a Public Inquiry had been raised. Concern had been expressed as to how the additional tipping was itself to be monitored.

Councillor McDonald outlined the sequence of events including the grant of the original planning permission for a golf course and the subsequent setting up of a monitoring group. Councillor McDonald stated the group had proved to be unsuccessful in recognising and preventing the over tipping which had taken place despite complaints from residents.

Councillor B. T. Cooper spoke in detail as a Member for the ward in which the site was located and fully acknowledged the mistakes and apparent inaction which had led to the existing situation. In terms of moving forward however Councillor Cooper felt that an Inquiry would not be a helpful step in that it would be a slow process and would not have statutory powers to require attendance from potential witnesses. It was vital instead to direct efforts towards determining the best way of achieving progress on this site and to ensure that a similar situation did not arise elsewhere in the future.

Councillor C. B. Taylor acknowledged that it was a very difficult situation but agreed with Councillor Cooper that it was important to look forward rather than back and to try to find the best solution for residents. Councillor Taylor felt that Members, officers and residents should be able to work together to reach a solution.

(The Chairman agreed to a short adjournment to enable a discussion to take place with the proposer of the Motion on a proposed amendment and the meeting was therefore adjourned from 8.20pm to 8.25pm.)

Following some discussion an amendment to the motion (highlighted in italics) was proposed by Councillor Taylor and seconded by Councillor R. J. Deeming *that a cross party Working Group be established to both evaluate options going forward and to clarify the benefits of an Independent Public Inquiry into the chain of events from the sale of the land to the present day in order to establish responsibilities and lessons learnt.*

Having been put to the vote, the Chairman declared the amendment to be carried.

The amendment was then put to the vote as the substantive motion and the Chairman declared it to be carried.

67/13 **NOTICE OF MOTION - MOVE TO FORMER PARKSIDE SCHOOL**

The following motion had been submitted by Councillor B. Lewis:

“That the financial business plan relating to the proposed move of BDC Council House to the former Parkside School be scrutinised by Members of the Council”

It was noted that this motion had been referred to the Council’s Overview and Scrutiny Board for consideration.

68/13 **MOTION - SUPPORT TO LOCAL COMMUNITY ORGANISATIONS**

It was noted that this motion had been withdrawn.

69/13 **MOTION - LOCAL PLAN**

Members considered the following motion submitted by Councillor C. J. Bloore:

“Council Notes

The decisions taken by Council in October 2013 in relation to the Local Plan.

Council Believes

Since October’s meeting real concerns about the pace of progress and the viability of the proposed Local Plan have been raised.

Council Resolves

Council calls upon the Leader, Cabinet and Portfolio Holder to urgently review these matters and give all Councillors an update on the progress of the Local Plan.”

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

In proposing the motion Councillor Bloore expressed disappointment at the lack of progress on the Local Plan and referred to the difficult and risky position of the Authority without a Local Plan in place. Councillor Bloore stated he was concerned that Bromsgrove was in danger of moving to “dormitory status”.

Members expressed concern that without a Local Plan Bromsgrove with its ring of Green Belt was exposed as a target for developers. Reference was also made to affordable homes and the imbalance of housing in Bromsgrove District.

Councillor C. B. Taylor reminded Members that a series of seminars and workshops had been arranged for Members throughout the Local Plan process to date. At each stage there had been an opportunity for all Members to raise issues and comments with officers or with himself as Portfolio Holder.

The Motion was put to the vote and the Chairman declared it to be lost.

The meeting closed at 9.14 p.m.

Chairman