

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

15TH JULY 2015 AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Vice-Chairman), C. Allen-Jones, S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths, C.A. Hotham, R. J. Laight, P. Lammas, L. C. R. Mallett, K.J. May, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, M. A. Sherrey, R. D. Smith, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, S. A. Webb and P. J. Whittaker

27\15 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R.E. Jenkins and C.J. Spencer.

28\15 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

29\15 **MINUTES**

The minutes of the meeting of the Council held on 17th June 2015 were submitted.

RESOLVED that the minutes of the meeting of the Council held on 17th June 2015 be approved as a correct record.

30\15 **ANNOUNCEMENTS FROM THE CHAIRMAN AND THE HEAD OF PAID SERVICE**

There were no announcements on this occasion.

31\15 **ANNOUNCEMENTS FROM THE LEADER**

The Leader informed Council that following discussions with the County Council and the Contractor, there was a revised completion date of the end of October 2015 in respect of the Parkside development. This date would also enable full testing of IT and Communications systems to take place prior to occupation of the building.

The Leader also confirmed that she would be meeting on a regular basis with the Contractor and Senior County Council officers in order to address any further issues.

Councillor L.C. R. Mallett thanked the Leader for the update on the revised completion date. He queried the potential costs to the Council of further delay.

The Portfolio Holder for Finance, Councillor G. N. Denaro responded that it was likely that a proportion of any additional costs could be recouped from the Contractor via clauses within the contract.

32\15 **COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

There were no comments, questions or petitions from the public on this occasion.

33\15 **QUESTIONS ON NOTICE**

Question submitted by Councillor L. C. R. Mallett

In the light of developments since our full Council does the Leader want Bromsgrove to join the Combined Authority?

The Leader responded that no decision had been taken in relation to any Combined Authority. It was her intention to involve other Group Leaders in the decision making process and the final decision would of course be a matter for Council.

Question submitted by Councillor M. Thompson

Does the Leader of the Council agree with me that the District has different needs from other areas that might become part of the West Midlands Combined Authority?

The Leader agreed that all the Authorities who may potentially be involved in a West Midlands Combined Authority, including Bromsgrove District would have different needs.

Question submitted by Councillor P. M. McDonald

Would the Leader not agree with me that residents should be consulted regarding any move to be part of a Combined Authority?

The Leader agreed that there should be public consultation on any proposals to be part of a Combined Authority.

34\15

RECOMMENDATION FROM THE CABINET MEETING HELD ON 4TH MARCH 2015

Finance Monitoring Report - Quarter 3 2014/15

The recommendation from the Cabinet was proposed by Councillor G. N. Denaro and seconded by Councillor C. B. Taylor.

In proposing the recommendation, which had been deferred at the previous Council meeting for additional information, Councillor Denaro clarified that the terms of the Section 106 agreement restricted the use of the funding to the improvement of parks and public open spaces in and around The Oakalls.

Members debated whether in future consideration could be given to utilising Section 106 agreements in a broader way to address traffic issues around the developments.

RESOLVED that the Capital Programme for 2015/16 be increased by £40,000 in respect of S106 monies (from land off Regent Road, The Oakalls) and that this be utilised to improve the quality of parks and open spaces in and around the Oakalls.

35\15

RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 1ST JULY 2015

(i) **Worcestershire Shared Services – Future Arrangements for the Joint Committee and Worcestershire Shared Services**

The recommendations from the Cabinet were proposed by Councillor P. J. Whittaker and seconded by Councillor R. J. Laight.

In proposing the recommendations, Councillor Whittaker referred to the background to the Worcestershire Shared Services Agreement.

Worcestershire County Council had decided to withdraw from the Worcestershire Shared Services Partnership and enter into a Service Level Agreement for the provision of Trading Standards services which meant that a new Partnership Agreement was now required. Councillor Whittaker also referred to the proposed new “flatter” management structure for WRS.

During the debate on this matter some Members expressed concern in respect of a number of issues including:

- the standard of service provided by WRS, particularly in relation to Trading Standards;
- Whether the action currently proposed would address the difficulties and ensure the continuation of a viable service;
- the level of expenditure proposed for 2016/2017;

- the outcome of the Joint Countywide Overview and Scrutiny exercise, which had raised some issues regarding the future viability of the service, and whether these had been addressed by this proposal;
- Whether the service was still operating under the three key service principles established in 2009.

With regard to the Overview and Scrutiny exercise, Councillor R. J. Laight responded that the situation had changed since this had been undertaken. At the time there was a proposal to enter into an arrangement with a Private Company to undertake support services. This no longer applied. The six remaining Local Authorities were intending to work together and to move forward.

Councillor Whittaker undertook to provide any further information in writing if Members wished to submit written requests to him.

RESOLVED:

- (a) that the current Worcestershire Shared Services Partnership be dissolved by mutual agreement on 31st March 2016;
- (b) that a new Worcestershire Shared Services partnership comprising the six District Councils be created on 1st April 2016 in accordance with the terms set out in appendix 2 to the report (as amended); and that the composition of partner authority Member representatives on the Joint Committee be reviewed after a period of one year;
- (c) that the new Worcestershire Shared Services partnership enters into a service level agreement with Worcestershire County Council for the provision of Trading Standards services in accordance with terms to be agreed by the Acting Head of Worcestershire Regulatory Services;
- (d) that all existing contracts and service level agreements between the existing Worcestershire Shared Services partnership and other Local Authorities be novated to the new Worcestershire Shared Services Partnership;
- (e) that the new management structure for Worcestershire Regulatory Services set out in appendix 4 be approved for consultation with staff and recognised trade unions;
- (f) that authority be delegated to the Acting head of Worcestershire Regulatory Services, having consulted with the Chair of the Joint Committee to finalise the future management structure and undertake recruitment in accordance with the terms set out in the Worcestershire Shared Services Partnership Agreement;
- (g) that an Appointment Sub Committee be established comprising 3 Members of the Joint Committee; an Executive Member from the Host Authority and the Chairman and Vice Chairman supported by officers as detailed in the legal obligations contained within the report;

- (h) that the Councils functions in relation to Environmental Health and Licensing (other than those Licensing functions which cannot be delegated) be delegated to the new Joint Committee in place from 1st April 2016 in accordance with Section 101 of the Local Government Act 1972 and Section 20 of the Local Authorities (Arrangements for the Discharge of Functions) (England) (regulations) 2000 as amended.

(ii) **Risk Based Verification for Housing Benefit and Council Tax Support**

The recommendation from the Cabinet was proposed by Councillor G. N. Denaro and seconded by Councillor R. J. Laight.

In proposing the recommendations, Councillor Denaro stated that it was intended to focus on areas classified as high risk and so reduce waste and release resources to deal with applicants who had more complex needs. This would assist with meeting the Strategic Purpose “help me to be financially independent”.

Councillor Denaro stated that many other Local Authorities had adopted this approach and had achieved impressive results in terms of efficiencies.

During the debate Members raised a number of questions to which the Portfolio Holder responded. These included IT software implications, the impact on identifying and dealing with fraud, whether there was a disproportionate equalities impact and whether there would be an impact on processing times for applications.

Councillor Denaro undertook to share with any interested Members the draft results of on-going work and analysis of the results once the new policy was in use.

RESOLVED that the Risk Based Verification Policy in respect of Housing Benefit and Local Council Tax Support as set out in appendix 1 to the Cabinet report be approved.

(iii) **Financial Outturn 2014/2015**

The recommendations from the Cabinet were proposed by Councillor G. N. Denaro and seconded by Councillor R. J. Laight.

In proposing the recommendations, Councillor Denaro also drew attention to the revenue position which showed an underspend of £403k. Councillor Denaro explained that this was partially due to anticipated interest payments not being required as some capital projects had not yet commenced.

Councillor Denaro reported that he had requested the Corporate Director Finance and Resources to explore further with relevant Heads of Service and Portfolio Holders items which were more than 10 percent at variance with the predicted spend. This approach was welcomed by Members.

Councillor S. J. Baxter queried an apparent anomaly between the Quarter 3 Finance report and this report in relation to Leisure and Cultural Services. Councillor Denaro undertook to provide a detailed response to this matter in writing.

Councillor C. A. Hotham drew attention to additional expenditure within the Planning Development Control section of £136k and what this had involved. Councillor Denaro undertook to let Councillor Hotham have further details of this.

Further queries included: why the deadline had been missed for submission of the Statement of Accounts for 2014/15. Councillor Denaro stated that there had been a few issues with the new finance system which had required a short time to resolve. There had not been any adverse impact.

RESOLVED:

- (a) that the movements of £237k in existing reserves as included in appendix 1 to the report which reflects the approval required for April-March 2015 be approved; and
- (b) that the addition of new reserves of £600k as included in appendix 1 to the report which reflects the approval required for April- March 2015 be approved.

36\15

TO RECEIVE THE MINUTES OF THE MEETING OF THE CABINET HELD ON 1ST JULY 2015

The minutes of the meeting of the Cabinet held on 1st July 2015 were received for information.

Members commented on the following issues:

- Council Tax Support Scheme Review and Hardship Policy;
- Economic Strategy and the Town Centre;
- Future Management of the Bromsgrove Market

Portfolio Holders responded accordingly.

Further to Minute No. 20/15 Councillor L. C. R. Mallett requested clarification on the position regarding Leasehold Issues at Sherwood Road.

Councillor G. N. Denaro, the Portfolio Holder for Finance stated that the Head of Legal, Equalities and Democratic Services would not be exercising the authority delegated to her to take any further action in this matter, pending the receipt of additional information and advice. There would be a further report to the Cabinet on this in the Autumn. In addition the Leaders of the opposition groups would be fully briefed on the additional information.

At the request of the Chairman there was a short adjournment to enable her to take advice on this matter.

On the resumption of the meeting Councillor Denaro referred to the detailed briefings which had taken place on this matter with the opposition leaders, and to the risks which were fully set out in the Cabinet report. The legal and commercial advice obtained by the Council was confidential and exempt from public discussion at this stage. The Cabinet minutes were on the agenda for information and questions of clarification only.

It was proposed by Councillor Mallett and seconded by Councillor C. J. Bloore that the Council go into private session in order to consider the matter more fully. On being put to the vote the Chairman declared the proposal to be lost.

It was put to the vote and carried that there be no further discussion.

37\15

REPORT FROM THE PORTFOLIO HOLDER FOR HEALTH AND WELLBEING, COMMUNITY SAFETY AND PARTNERSHIPS

As the Portfolio Holder for Health and Wellbeing, Community Safety and Partnerships, Councillor M. A. Sherrey presented a report on the areas covered by her Portfolio.

Members welcomed the new provision for Portfolio Holders to submit a report to the Council and following the presentation of this first such report, Members raised a number of issues including:

- Worcestershire Children's Safeguarding Board and concern over a reduction in funding from Worcestershire County Council;
- CCTV operations in the District and the possibility of introducing additional cameras in areas such as Rock Hill;
- The role of the Better Environment Theme Group and whether it could address the issue of poor air quality in some parts of the District together with carbon dioxide monitoring;
- Bromsgrove Partnership and the Sunrise Project in Charford
- Community Safety Partnership and its funding, including potential reduction of funding for projects addressing Domestic Violence.

Councillor Sherrey responded to the above matters and undertook to raise Members' concerns about any proposals for additional cuts in funding with the Leader of the County Council.

38\15 **MOTION - CCTV CAMERAS**

Councillor P. M McDonald requested discussion of an urgent Notice of Motion in respect of the need to undertake a district wide review of the operation of CCTV Cameras.

Councillor McDonald referred to a number of recent instances in Rubery, including significant vandalism within a Play Area, where it appeared that the incidents had not been satisfactorily recorded by the existing CCTV cameras. Councillor McDonald expressed the view that this may lead to a lack of confidence in the CCTV system .

The Chief Executive offered to meet with Councillor McDonald with a view to establishing a small cross party Working Group if appropriate to review the effectiveness of the CCTV Scheme.

On being put to the vote, this approach was agreed.

39\15 **MOTION - UN-ADOPTED ROADS APPRAISAL**

Members considered the following motion submitted by Councillor P. M. McDonald:

Council carries out a full appraisal of all un-adopted roads in the District and puts pressure on the County Council to fulfil its obligations as the Highway Authority in adopting the roads.

The motion was moved by Councillor McDonald and seconded by Councillor S. P. Shannon.

In proposing the motion Councillor McDonald spoke about the practice of the County Council of declining to adopt any highways within a particular housing development until the whole development was complete, which could lead to significant delays. This meant that residents were paying Council Tax but were receiving a lesser service in terms of highway maintenance. The delay in adoption may also have an impact on the actions the Police could take in enforcing particular traffic legislation.

Other Members stated it had often been necessary for them to attempt to put pressure on the County Council over a long period of time in order to ensure that particular roads were adopted.

Whilst there appeared to be broad support for the notice of motion in principle, Members debated whether the motion as submitted was the most appropriate way to address the issue.

The following amended motion was put forward with the agreement of the proposer and seconder:

That a cross party Group to include the three Group Leaders be established and the Group meet initially with this Council's Chief Executive in order to consider how best to bring pressure on the County Council to improve the existing process of Highway adoption in the District.

Having been put to the vote the Chairman declared the motion as amended to be carried.

The meeting closed at 7.55 p.m.

Chairman