

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

23RD NOVEMBER 2016 AT 6.00 P.M.

PRESENT: Councillors M. Glass (Vice-Chairman), S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, J. M. L. A. Griffiths, C.A. Hotham, R. E. Jenkins, R. J. Laight, 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. J. Spencer, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, S. A. Webb and P. J. Whittaker.

58\16 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C. Allen - Jones and H. J. Jones.

59\16 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this stage.

60\16 **FORMER COUNCILLOR P. LAMMAS**

The Chairman held a minutes silence in memory of the late Councillor P. Lammas. Members and officers stood in silence in tribute to his memory.

Councillors G. N. Denaro and L. C. R. Mallett both paid tribute to Councillor Lammas and recognised the work which he had undertaken on behalf of Bromsgrove. Sincere condolences were expressed on behalf of Members to his family.

Thanks were expressed to all Members, officers and members of the public for their condolences and it was noted that a book of condolence had been arranged and was available from the Chairman's Secretary.

61\16 **MINUTES**

The minutes of the meeting of the Council held on 21st September 2016 were submitted.

RESOLVED that the minutes of the meeting of the Council held on 21st September 2016 be approved.

The minutes of the meeting of the Council held on 13th October 2016 were submitted.

Councillor L. C. R. Mallett drew attention to the question he had asked at that meeting i.e. Would the Leader resign if the Efficiency Plan was not delivered?.

RESOLVED that the minutes of the meeting of the Council held on 13th October 2016 be approved.

62\16

ANNOUNCEMENTS FROM THE VICE-CHAIRMAN

The Vice – Chairman of the Council announced that on 26th November he would be attending the Rubery Christmas Lights Switch on event and on 14th December he would be attending the Carol Service at St John's Church. All members were invited to attend these events.

63\16

ANNOUNCEMENTS FROM THE LEADER

The Leader made the following announcements:

A letter had been received from Marcus Jones MP Minister for Communities and Local Government which formally confirmed the Government's multi year settlement offer which would cover the years 2016/17 to 2019/20. This followed the submission of this Council's Efficiency Plan. The letter expressed the view that this was a first step towards Local Government becoming financially self sufficient.

Two Emails had been received from the Redditch and Bromsgrove Clinical Commissioning Group (CCG). The first related to a proposed transfer of stroke beds from the Princess of Wales Community Hospital to Evesham from early 2017. There had been no consultation regarding this but it was claimed it was necessary for reasons of clinical safety. A joint letter expressing concerns including increased travel time for residents of Bromsgrove and Redditch was to be sent in conjunction with the Leader of Redditch Borough Council.

The second Email related to the financial challenge facing the Redditch and Bromsgrove Clinical Commissioning Group. It was unlikely that the CCG would be able to deliver the savings requirement in 2016/17. The CCG had an unmitigated financial risk of £8.7m and was not expecting to be able to meet the required 1% surplus mandated by NHS England. The Email set out the actions to be taken by the CCG, including a detailed Financial Recovery Plan to address the deteriorating financial position.

A number of Members expressed concerns regarding the RBCCG position. It was noted that Hagley and Alvechurch Wards were covered by other CCGs and no information was available. Councillor K. J. May confirmed that she would be attending a meeting with the Chief Officer of RBCCG on 1st December and would raise the concerns of Members.

The Leader also gave an update on the work undertaken in conjunction with Worcestershire County Council on the traffic and highways situation

in the District. Consultant Highways Engineers, Mott McDonald had been appointed to undertake various tasks including assessment of the reliability of the Barham Traffic Model now used by the County Council when assessing Planning applications.

Councillor L. C. R. Mallett queried details of the work being carried out by Mott McDonald as he was aware that other similar reviews were being undertaken and it was important that work was not unnecessarily duplicated. Councillor C. B. Taylor confirmed that Mott McDonald were taking a “holistic approach” to examining the validity of the Barham model and would be consulting widely across the spectrum and not solely with applicants. No major Planning Applications would be considered by the Planning Committee until all issues had been addressed.

Councillor Mallet asked for details of progress on the heating works in the Parkside Suite. The Leader confirmed that the works would be taking place in January and February 2017 so they would not affect Christmas bookings.

64\16

COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC

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

65\16

RECOMMENDATIONS FROM THE CABINET - 2ND NOVEMBER 2016

Worcestershire Regulatory Services Board – Enforcement Policy

The recommendation from Cabinet was proposed by Councillor G. N. Denaro and seconded by Councillor P. J. Whittaker.

RESOLVED that subject to the minor amendment detailed in WRS minute 15/16, the Worcestershire Regulatory Services Enforcement Policy be adopted.

Medium Term Financial Plan 2017/18 – 2020/21 – Budget Assumptions

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

In proposing the recommendation Councillor Denaro referred to the proposed budget parameters which were set out on page 69 of the agenda pack and which would be incorporated into the budget process.

During the discussion there was mention of the lack of reference to the Council's Efficiency Plan within the report. There was some concern expressed regarding the proposal to set price inflation at 0% in view of the current economic climate and Members also wished to see a Capital Review undertaken as soon as possible.

As an amendment it was proposed by Councillor C. A. Hotham and seconded by Councillor S. R. Colella that the recommendation from the Cabinet also include a requirement that the Medium Term Financial Plan be extended to cover the next four years. The amendment was accepted by the proposer and seconder.

RESOLVED

- (a) that the revenue assumptions as detailed in paragraph 3.4 of the Cabinet report (relating to increase in Council tax; pay award; funding the pension liability; price inflation; utilities inflation and discretionary fees and charges) be incorporated into the budget setting process; and
- (b) that the Medium Term Financial Plan be set for a four year period up to the financial year 2020/2021.

Council Tax Support Scheme 2017/2018

The recommendations from Cabinet were proposed by Councillor G. N. Denaro and seconded by Councillor C. B. Taylor.

In proposing the recommendations Councillor Denaro referred to the intention to simplify the administrative process in respect of the Council Tax Support Scheme (CTSS). The proposed changes would not impact on current claims but on new claims and on re-assessed claims. The Scheme was locally funded and it was important that the scheme was kept in line with the Housing Benefit Scheme in order to simplify the administration and enable claims to be dealt with in tandem. Officers would continue to work with residents suffering hardship to provide additional support and financial advice. The simplification of the consultation process would still enable the public and partner organisations to give their views and would enable the Authority to react more easily to changes in Government guidance.

Some Members were concerned that the Scheme was not helping those in the most need. There was some concern that the impact of the changes on Benefit claimants could not at present be analysed accurately. It was also queried whether a hardship fund of £25,000 was sufficient and whether there was enough flexibility in this.

Councillor Denaro recognised the limited information available at present, but stressed the changes would not impact on current claimants. It was anticipated that the new Benefits and Council Tax System would enable better feedback to be provided in future.

RESOLVED:

- (a) that the Council Tax Support Scheme be implemented as amended, namely :

- (i) that the backdating of Council Tax support be reduced in line with the changes in Housing Benefit announced by Central Government;
 - (ii) that claims be processed based on information provided by the Department of Work and Pensions without the need for further information;
 - (iii) the removal of the Family Premium on claims made from 1st April 2017 to bring Bromsgrove District Council's Council Tax Support Scheme in line with the changes in Housing Benefit announced by Central Government;
- (b) that future "uprating" of some of the figures be approved to take account of other national changes in benefits and allowances;
- (c) that authority be delegated to the Head of Customer Access and Financial Support to carry out statutory consultation on future draft CTSS in accordance with the legislative guidelines, in consultation with the Portfolio Holder; and
- (d) that the continuation of the Hardship Scheme be approved.

The Council Plan

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

In proposing the recommendation Councillor Denaro referred to the unfavourable financial settlement received by the Authority and to the possibility that in 2019/20 there would be a "negative grant" payment to the Government of £750,000. In addition there was limited clarity at present regarding the Business Rates Localisation Framework.

Councillor Denaro stressed that the Council Plan had been developed on the basis of the requirement to understand what services residents need and want the Council to provide and that Economic Development and Income Generation were the prime drivers in order to achieve financial stability. It would be important to review all Council owned assets with a view to maximising income. If necessary land or other assets should be purchased to support Council priorities such as Business Units to enable local businesses to expand. In order to improve wages growth, it was important that Bromsgrove was not a dormitory town and that the Town Centre and other Local Centres across the District be supported. This was underway through the work of the Centres Manager.

Councillor Denaro reported that it was intended to retain the 6 Strategic Purposes as previously agreed but that their supporting aims had been reviewed to ensure they followed the new priorities. There would be a need for officers and Members to work as a team and reviews would be undertaken to revise priorities as work progressed.

Councillor Denaro referred to the following key areas which he was proposing would be areas for focus:

- Financial Stability;
- Economic Development
- Urban and Rural balance (particularly for housing needs);
- Delivery through Partnerships and Joint Ventures;
- Quality services for residents with affordable charges;
- Working with Worcestershire County Council to reduce congestion in the Town Centre and other Centres

Councillor Denaro acknowledged that the Council Plan could not cover every eventuality over the next 4 years, but would be a guide and would be updated as necessary. Some aspects would require a change in mind sets in order for the Authority to move forward.

During discussion on the recommendation some Members expressed views that the Council Plan document was at present confusing and imprecise. There was some concern that the priority areas which Councillor Denaro had raised did not feature significantly within the currently proposed Council Plan.

Councillor Denaro indicated whilst he supported the Plan he was in agreement with the inclusion of additional key areas and the amendment of the Plan to reflect these.

Arising from the debate it was generally agreed that consideration of the Council Plan be deferred to enable further consideration.

RESOLVED That consideration of the Council Plan be deferred.

ICT Infrastructure Resource

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

In proposing the recommendation Councillor Denaro made a slight amendment to clarify that any decision to award a contract would be considered by both Cabinet and Council.

RESOLVED:

- (a) that authority be delegated to the Head of transformation and organisational Development to undertake a tendering process to identify a potential supplier to undertake the ICT infrastructure functions; and
- (b) that a decision on any proposed contract be subject to a further report to Cabinet and Council containing details of the proposals and their impact on the service and budget.

Development Management Shared Services Business Case

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

In proposing the recommendation Councillor Taylor drew attention to the Executive Summary within the Business Case. The proposal would consolidate existing working arrangements and had been recommended for approval by the Shared Services Board after detailed consideration. Councillor Taylor in particular referred to:

- the additional cost of £25,000 which would be more than offset by additional fees;
- that the costs would be split 67% BDC to 33% RBC to reflect the additional applications at BDC and each Council would keep their own fees;
- that there would be two managers;
- the reasons for the staffing costs increase which were set out on page 134 of the agenda pack

During the debate a number of concerns were raised including:

- the current proposal was that this Council would host the service and meet two thirds of the costs of it, but the majority of staff would be working from Redditch;
- it was difficult to make a true comparison of staff costs from the table on page 134 of the agenda as there was insufficient evidence included;
- each Council would have a manager with the main role of managing a Planning Committee but Bromsgrove would be paying two thirds of the cost and would be losing part of their existing staff resource;
- it was suggested that the existing informal shared service arrangements had not proved to be wholly successful;
- there was an inconsistency between the costs shown within the Business Case and the Council Plan;
- costs of redundancy were queried together with the pension scheme liability.

Councillor Taylor referred to the improvements in working practices which had resulted in reductions in the time taken in dealing with applications. Efficiencies had been achieved through working as a shared service. The main thrust of the proposal was not just about finances but also involved being able to deal efficiently with larger applications which would involve both managers.

Some Members were concerned that there was a lack of clarity regarding in particular the true costs of the proposals and the cost around the TUPE transfer of staff.

With the agreement of the Chairman the meeting was adjourned from 8.20pm to 8.40pm to enable discussions to take place.

Following the resumption of the meeting it was proposed by Councillor L. C. R. Mallett and seconded by Councillor M. Thompson and

RESOLVED that the item be deferred to enable cross party discussions to be held on financial risk and cost apportionment.

66\16

MINUTES OF THE MEETINGS OF THE CABINET HELD ON 5TH OCTOBER 2016, 13TH OCTOBER 2016 AND 2ND NOVEMBER 2016

The minutes of the meetings of the Cabinet held on 5th October 2016, 13th October 2016 and 2nd November 2016 were received for information.

67\16

REPORT FROM THE PORTFOLIO HOLDER FOR ENVIRONMENTAL SERVICES, REGULATORY SERVICES AND COMMUNITY SAFETY

It was agreed that consideration of this item be deferred until the following Council meeting as the Portfolio Holder, Councillor R. D. Smith was unable to speak.

It was confirmed that the report would be amended to include the new WRS Enforcement Policy. It was also agreed there would be information relating to the maintenance and repair of playgrounds.

68\16

MEMBERSHIP OF COMMITTEES

RESOLVED that the appointment of Councillor J. M. L. A. Griffiths to the Licensing Committee in place of the late Councillor P. Lammas be noted.

69\16

QUESTIONS ON NOTICE

Question submitted by Councillor C. M. McDonald

“Why has Bromsgrove District Council sat back and allowed an unlicensed tip to develop on the Rose and Crown car park in Rubery: has it learned nothing from what happened at the Marlbrook Tip?”

Councillor C. B. Taylor responded that the site was under investigation by a Planning Services Case Officer and that Councillor McDonald had been contacted regarding this. The matter had been reported on 20th October and would be addressed fully when all the facts were known.

Councillor McDonald referred to an earlier reporting of the matter in August 2016.

Question submitted by Councillor M. Thompson

“Can the Leader give an update on the potential and long overdue agreement with BAM regarding the demolition of the Town’s sports hall?”

Councillor P. J. Whittaker responded that Councillor Thompson appeared to be under a misapprehension that BAM were connected to the demolition of the sports hall.

Councillor Whittaker reported that the agreement with BAM regarding access to the sports hall and gym at North Bromsgrove High School was nearing completion. The last meeting had taken place the previous week and the legal section was now finalising the agreement for signature. This however was nothing to do with the demolition of the sports hall.

Councillor Thompson stated that he was fully aware that the two issues were unconnected.

Question submitted by Councillor P. M. McDonald

“Would the Chairman please inform me how much monies has been paid to employees while on suspension over the last two years (April 2014-16)?”

Councillor G. N. Denaro responded that the sum was £7,093.

70\16

NOTICE OF MOTION - NEW HACKNEY CABS

Members considered the following notice of motion submitted by Councillor C. M. McDonald:

“That this Council takes positive action in adopting a policy that ensures all new Hackney Cabs will be wheelchair accessible vehicles.”

The motion was proposed by Councillor C. M. McDonald and seconded by Councillor S. P. Shannon.

In moving the motion Councillor McDonald referred to the difficulties those people using wheelchairs experienced when trying to travel. Many authorities had already implemented this requirement for new Hackney Carriages and in her opinion there was no reason why this Council could not do the same. It was important in furthering the wellbeing of residents.

Councillor Shannon supported the motion and referred to passengers using the new Railway Station in Bromsgrove which was accessible but then being unable to complete their journeys due to inaccessible Hackney Carriages.

Councillor R. L. Dent indicated she was aware of the potential benefits of such a policy but stated that there was a report due to be considered at Licensing Committee on this matter in March 2017 and it would be more appropriate to await that report and to allow Licensing Committee to consider the matter in the light of the information contained in the report. This approach had been agreed at the recent meeting of the Committee.

A number of Members felt that there was insufficient evidence at present to make a decision on the motion and that there was a process in place which would allow for a decision to be made in March 2017.

Some Members felt it was important to support the motion and to begin the process of requiring Hackney Carriages to be wheelchair accessible. It was recognised this would only be in new vehicles and so would take some time to come fully into force. It was stated there had already been some delay in bringing the report forward to the Licensing Committee.

As an amendment it was proposed by Councillor K. J. May and seconded by Councillor G. N. Denaro that the Council reviews the policy on wheelchair accessible vehicles in the light of the Licensing Committee debate in March 2017. In accordance with Council Procedure Rule 18.3 a recorded vote was taken on the amendment and voting was as follows:

For the amendment: Councillors S. J. Baxter, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, J. M. L. A. Griffiths, C. A. Hotham, R. E. Jenkins, R. J. Laight, K. J. May, S. R. Peters, M. A. Sherrey, R. D. Smith, C. J. Spencer, C. B. Taylor, P. L. Thomas, L. J. Turner, S. A. Webb and P. J. Whittaker (20).

Against the amendment: Councillors C. J. Bloore, M. T. Buxton, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, S. P. Shannon and M. Thompson (7).

On being put to the vote the amendment was declared to be carried.

As a further amendment it was proposed by Councillor C. Bloore, seconded by Councillor C. McDonald, that the Licensing Committee meets within 8 weeks to consider the matter. In accordance with Council Procedure Rule 18.3 a recorded vote was taken on the amendment and voting was as follows:

For the amendment: Councillors S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, C. A. Hotham, R. E. Jenkins, L. C. R. Mallett, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, M. Thompson and L. J. Turner (13);

Against the amendment: Councillors B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, J. M. L. A. Griffiths, R. J. Laight, K. J. May, R. D. Smith, C. J. Spencer, C. B. Taylor, P. L. Thomas, S. A. Webb and P. J. Whittaker (13);

Abstention: Councillor M. A. Sherrey (1)

The Chairman exercised his casting vote against the amendment and it was therefore declared lost.

Councillor P. M. McDonald proposed a further amendment, seconded by Councillor M. Thompson, that the Licensing Committee meets within 8 weeks and 1 day to consider the matter.

The meeting was adjourned between 9.33 and 9.54pm to enable discussion of the amendment.

Following the restart of the meeting, the amendment was put to the vote and declared lost.

A further amendment was proposed by Councillor L.C. M. Mallett, seconded by Councillor M. Thompson, that the Licensing Committee meets within 8 weeks and 3 days.

On being put to the vote the amendment was declared carried.

On being put to the vote the substantive motion was declared carried in the following terms:

That the Council reviews its policy for wheelchair accessible vehicles in light of the Licensing Committee's deliberations, the meeting of the Committee to be held within 8 weeks and 3 days.

71\16

URGENT ITEM - CONSULTATION ON TIMETABLE CHANGES

The Chairman agreed to consideration of this item as urgent on the basis that the consultation closed before the next meeting of the Council.

Councillor C. J. Spencer declared an Other interest in this item as a member of the Bromsgrove Rail User Group.

Councillors L.C.M Mallett and S. P Shannon referred to a letter from the Bromsgrove Rail Users Group outlining concerns about proposed changes to the timetable for Cross Country Trains. A copy was circulated to Councillors for their information.

The Council noted that the proposed changes to the timetable would reduce the number of Cross Country trains calling at Bromsgrove station with effect from December 2017. It was suggested that the proposals would adversely affect residents, particularly those using the service to travel to destinations the south of the town.

Councillors unanimously agreed that the Chief Executive should write to Cross Country trains expressing the Council's concerns at the proposals.

RESOLVED:

That the Chief Executive respond to the consultation on timetable changes for Cross Country train services, expressing concerns on behalf of the Council.

The meeting closed at 10.15 p.m.

Chairman