

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

5TH SEPTEMBER 2018, AT 6.00 P.M.

PRESENT: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),
B. T. Cooper, M. A. Sherrey, C. B. Taylor and P. J. Whittaker

Observers: Councillor L. C. R. Mallett

Officers: Mr. K. Dicks, Mrs. C. Felton, Mr. J. Godwin, Ms J. Willis,
Mr C. Forrester, Mr. M. Dunphy, Ms. B. Houghton and Ms. A. Scarce

16/18 **APOLOGIES**

There were no apologies for absence.

17/18 **DECLARATIONS OF INTEREST**

Councillor G. N. Denaro declared a pecuniary interest in Minute Item No. 25/18 in his capacity as a trustee of the Wythall Community Association which had applied for a New Homes Bonus grant. Consequently he left the room during consideration of the item and he took no part in the discussions or voting thereon.

18/18 **MINUTES**

The minutes of the Cabinet meeting held on 27th June 2018 were submitted.

RESOLVED that the minutes of the Cabinet meeting held on 27th June 2018 be approved as a correct record.

19/18 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 18TH JUNE AND 3RD SEPTEMBER 2018**

The minutes of the Overview and Scrutiny Board meeting held on 18th June 2018 were noted.

The Leader welcomed Councillor L. Mallett, Chairman of the Overview and Scrutiny Board to the meeting and invited him to present the draft minute extract which had been tabled and which contained recommendations from the Board's meeting held on 3rd September 2018.

Councillor Mallett thanked Cabinet for the opportunity to present the recommendations and highlighted that the first was in respect of the Anti-social Behaviour, Crime and Policing Act 2014 (Implementation of Provisions) report. He explained that the Board had held a detailed discussion around this item and had been in agreement with the report. However, Members had discussed and agreed that in respect of the Scheme of Delegations, and in line with the view taken by the Constitution Review Working Group, that, where appropriate these should include in consultation with the Ward Councillor. Councillor Mallett explained that there had been some discussion around whether this was possible in light of data protection and legal restrictions and officers had agreed to look into this matter further.

The Community Safety Manager explained that she had received advice from both the Legal and Information Management Teams, who had advised that should the action taken be against an individual then that should not be shared as it may prejudice any future legal action. It was highlighted that Members were in a similar position as officers, and that the difference needed to be established. It was agreed that this would be further clarified prior to this item being considered at Council, but in principle the recommendation was accepted.

RESOLVED that the Council's Scheme of Delegations be amended, as detailed within the report subject to the inclusion of "in consultation with the Ward Councillor, where appropriate".

Councillor Mallett provided Cabinet Members with the Board's feedback in respect of the Council Tax Support Scheme Review and it was highlighted that the Board had raised a number of questions in relation to the modelling and the organisations which would be consulted on. It had been noted that sight of the consultation document would have been useful. Following discussion it had been agreed that a recommendation in respect of deferral would be put forward, as from the information provided, if the report were to go to the Board on 1st October and Cabinet on 3rd October, the delay in getting the consultation out would only be by a week.

Councillor B. T. Cooper, Portfolio Holder for Finance and Enabling thanked Councillor Mallett and the Board for its input and agreed that modelling in respect of 80% and 85% together with a list of the organisations to be consulted would be useful. He therefore agreed with the recommendation from the Overview and Scrutiny Board. He also confirmed that this would only delay the start of the consultation by one week.

RESOLVED that consideration of the proposed Local Council Tax Support Scheme for 2019/20 be deferred.

20/18

BROMSGROVE DISTRICT PLAN REVIEW - ISSUES AND OPTIONS CONSULTATION

Councillor C. B. Taylor, Portfolio Holder for Planning and Strategic Housing introduced the report and in so doing explained that this was simply a consultation document as part of the process of reviewing the Local Plan. It was a cross party document which had been discussed at a series of meetings of the Strategic Planning Steering Group. It set out the issues and options and would be available to all residents and that Councillors should be aware of it and encourage people to complete it in order for their views to be considered. Whilst the document was lengthy, it was noted that a summary would be available together with separate sections, should people only wish to comment on a particular area of it.

RECOMMENDED:

1. that the Council publishes the BDP Review, Issues and Options documentation for the purposes of public consultation, between 24th September and 19th November 2018 inclusive.

The content being

The BDP review Issues and Options Report
(Appendix A)

The draft Green Belt Purposes Assessment
Methodology (Appendix B)

The draft Site Selection Methodology (Appendix C)
The Sustainability Appraisal (Appendix D)

2. that delegated authority is given to the Head of Planning and Regeneration Services in conjunction with the Portfolio Holder for Planning and Housing, to make any minor technical corrections and editorial changes deemed necessary to aid the understanding of the Issues and Options report prior to final publishing.

21/18

LOCAL COUNCIL TAX SUPPORT SCHEME 2019/20

As detailed in Minute No. 19/18 this item was deferred until the next meeting of the Cabinet, due to be held on 3rd October 2018.

22/18

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (IMPLEMENTATION OF PROVISIONS)

Councillor P. J. Whittaker, Portfolio Holder for Leisure and Cultural Service, Community Safety and Regulatory Services introduced the report and in so doing highlighted that its purpose was to provide an overview of the Anti Social Behaviour Crime and Policing Act 2014 together with any changes in the statutory Home Office guidance which were likely to have a direct impact on the Council. It also proposed a series of amendments to the Council's Scheme of Delegations to enable

the Council to best utilise and implement the ASB tools and powers within the Act.

The Community Safety Manager confirmed that, as detailed in Minute No. 19/18, she had sought advice from both the Legal and Information Management Teams in respect of the inclusion of Ward Councillor where appropriate.

Members discussed Public Space Protection Orders (PSPOs) and how these would be used and it was confirmed that they would replace the Designated Public Place Orders (DPPOs). These were geographical areas which could restrict such things as the need to keep dogs on leads, rather than targeting an individual's behaviour. There were currently 22 DPPOs which would need to be reviewed by April 2020.

RECOMMENDED:

1. that the powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, as amended in Dec 2017 are noted; and
2. that the Council's Scheme of Delegation is amended, in accordance with recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers, subject to the inclusion of "in consultation with the Ward Councillor where appropriate".

23/18

LEISURE AND CULTURAL SERVICES STAFFING RE-STRUCTURE

The Head of Service, Leisure and Cultural Services presented the report together with the Portfolio Holder. The report highlighted the proposed changes to the delivery model for a number of services currently forming part of the Leisure and Cultural Services Shared Service with Redditch Borough Council (RBC). Background information was provided in respect of the service and the proposed changes which were being considered by RBC at its Executive and Council meetings on 11th and 17th September respectively. As this impacted on Bromsgrove, the opportunity had been taken to review the service, details of which were included within the report. Details of the areas to be included in the review, together with the creation of a local trading company at RBC were also highlighted, together with the areas which would be covered by that company. This included the Palace Theatre, the Abbey Stadium, Pitcheroak Golf Course and four community centres, which were all currently funded by RBC.

RESOLVED that the information contained within the report and proposed structure that will be consulted upon with staff be noted.

24/18

FINANCE MONITORING QUARTER 1 REPORT

Councillor B. T. Cooper, Portfolio Holder for Finance and Enabling introduced the report and in so doing highlighted that the Council was on

target for a modest underspend. The report also contained a number of recommendations to Council in respect of accounting measures. Following discussion the wording of the recommendations was slightly amended to that within the report in order to make the intentions of them clearer.

The Financial Services Manager confirmed that whilst quarter one did not show a lot of detail at this stage, further work was being undertaken in respect of those areas with the largest variance, Keep my place safe and looking good and the Corporate Financing. It was also noted that the virements referred to in the recommendations did not impact on the Council's overall financial position.

RECOMMENDED:

1. The approval of an increase in the 2018-19 Capital Programme of £21k for S106 funding to be used for outdoor fitness equipment and artwork at Sanders Park. This is to be added to the existing budget already approved in 2017/18 and carried forward into 2018/19;
2. The approval for the virement of £101k from separate identified housing revenue budgets to be amalgamated into a single budget allocation, as a result of the renegotiation of the Housing contract with BDHT; and
3. The approval for the virement of £41k for budgets relating to housing advice provided by the Citizens Advice Bromsgrove and Redditch (CABR). This virement is requested to consolidate existing budgets into a single budget allocation.

25/18

NHB COMMUNITY GRANTS PANEL REPORT

Councillor B. T. Cooper in his capacity as Chairman of the New Homes Bonus Community Grants panel took the opportunity to thank officers for their work in ensuring that this process once again ran smoothly. He highlighted the application process which had been followed and also thanked the applicants for their efforts.

It was confirmed that the Panel had been made up of cross party Members, Councillors Cooper, May, Colella and Shannon. It was noted that those Members who had supported an application had declared this at the beginning of the meeting of the Panel and not taken any part in the consideration of that application.

Councillor K. J. May, who had sat on the Panel, also took the opportunity to thank officers for their work and reiterated that those supporting applications had taken no part in the ensuing debates.

RESOLVED that the grants, as detailed in the Summary of NHB Grants Panel Recommendations attached at appendix 1 be approved.

(Prior to the start of this item Councillor G. N. Denaro declared a pecuniary interest in the subject in his capacity as a trustee of the Wythall Community Association who had applied for a New Homes Bonus Grant. Consequently he left the room during consideration of the item and he took no part in the discussions or voting thereon. The Deputy Leader therefore chaired the meeting for this item).

26/18

TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, EQUALITIES AND DEMOCRATIC SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

The Leader confirmed that there had been a number of changes to the various LEP groups following a change of portfolio holder at Wyre Forest. The revised membership is detailed below:

	2018/19
Greater Birmingham and Solihull LEP	Councillor Chris Rogers (Wyre Forest) Sub: Councillor David Bush (Redditch)
Greater Birmingham and Solihull LEP ESIF Committee	Councillor Chris Rogers (Wyre Forest) Sub: Councillor Matt Dormer (Redditch)
Worcestershire LEP	Councillor Karen May (Bromsgrove) Sub: Councillor Matt Dormer (Redditch) or Councillor Chris Rogers (Wyre Forest)

Worcestershire Local Transport Body	(Two seats, not drawn from the council supplying the “main” representative on the Worcestershire LEP) Councillor Chris Rogers (Wyre Forest) Councillor David Bush (Redditch)
Worcestershire ESIF Committee	Councillor Chris Rogers (Wyre Forest) Sub: Councillor Matt Dormer (Redditch)
Worcestershire Health and Well-being Board	Councillor Ian Hardiman (Wyre Forest) Sub: Councillor Gareth Prosser (Redditch)
Worcestershire Local Access Forum	Councillor Julian Grubb (Redditch)

27/18

CONFIDENTIAL MINUTES

The Confidential Minute of the Cabinet meeting held on 27th June 2018 were submitted.

RESOLVED that the Confidential Minute of the Cabinet meeting held on 27th June 2018 be approved as a correct record.

(During consideration of this item Members did not discuss matters that necessitated the disclosure of exempt information. The press and public were therefore not excluded from the debate.)

28/18

**LEISURE AND CULTURAL SERVICES STAFFING RESTRUCTURE -
CONFIDENTIAL**

Members did not discuss the confidential appendices to the Leisure and Cultural Services Staffing Restructure, referred to in this item.

(During consideration of this item Members did not discuss matters that necessitated the disclosure of exempt information. The press and public were therefore not excluded from the meeting.)

The meeting closed at 6.33 p.m.

Chairman