

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW BOARD

TUESDAY, 31ST MARCH 2009

AT 6.00 P.M.

PRESENT: Councillors P. M. McDonald (Chairman), L. J. Turner (Vice-Chairman),
A. N. Blagg, Mrs. M. Bunker, S. R. Colella and Dr. G. H. Lord

Invitees: Councillor Mrs. J. M. L. A. Griffiths and Mr. D. Balme
(Worcestershire County Council's Highways)

Observers: Councillor C. B. Taylor

Officers: Mr. T. Beirne, Mr. P. Street, Mrs. C. Felton, Mrs. S. Sellers,
Ms. S. Lai and Ms. D. McCarthy

45/08 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Miss D. H. Campbell JP.

46/08 **DECLARATIONS OF INTEREST**

No declarations of interest or whipping arrangements were received.

47/08 **MINUTES**

The minutes of the Overview Board meetings held on 3rd March 2009 and 12th March 2009 were submitted.

RESOLVED that the minutes of both meetings be approved as a correct record.

48/08 **CABINET RESPONSE TO THE ANTI-SOCIAL BEHAVIOUR AND ALCOHOL FREE ZONES TASK GROUP REPORT**

Councillor Mrs. J. M. L. A. Griffiths, Portfolio Holder for Street Scene and Community Safety, presented the Cabinet's response to the Anti-Social Behaviour and Alcohol Free Zones Task Group Report and answered the Board's questions relating to recommendations 3 and 4 regarding Fixed Penalty Notices (FPN) and CCTV.

On behalf of the Board, the Chairman thanked Councillor Mrs. Griffiths for attending the meeting and answering the Board's questions.

RESOLVED that the Cabinet's Response be noted.

49/08 **BIODIVERSITY ISSUES**

Ms. S. Lai, Planning Officer, was introduced to the Board and welcomed to the meeting.

Following the Board's request at the last ordinary meeting on 3rd March 2009 for more information, Mr. P. Street, Executive Director - Partnerships and Projects, tabled the Biodiversity Action Plan Actions together with an example of biodiversity training.

Officers referred to section 1(b) on page 3 of the Biodiversity Action Plan Actions which listed actions which could be taken by Bromsgrove District Council. Members were informed that a pro-forma would need to be completed to demonstrate that actions had been pursued.

It was noted that target dates varied as the Pledge included actions covering a 10 year period. It was explained that officers would need to identify the order in which actions were to be implemented and it was intended that initially, the focus would be on those actions with a deadline of 2010.

Members of the Board believed it was essential that the Council raised awareness of the West Midlands Biodiversity Pledge and Action Plan and officers agreed that necessary publicity would be issued to make certain members of the public were kept informed. It was anticipated that the work undertaken would be monitored by the Climate Change Working Group.

It was confirmed that where appropriate, other agencies would be involved (such as the Environment Agency, Worcestershire Wildlife Trust and Parish Councils). It was noted that such partnership work would also include voluntary sector organisations. However, Mr. Street made it clear that it was Bromsgrove District Council which was the lead authority and therefore was ultimately responsible for ensuring the actions were pursued.

RESOLVED that the update provided be noted.

50/08 **AIR QUALITY - LOW EMISSION ZONES**

Mr. D. Balme from Worcestershire County Council's Highways was welcomed to the meeting and the information he had supplied relating to Low Emission Zones (LEZ) was discussed.

The Board raised a number of questions such as how the scheme would be administered, the costs of such a scheme and appropriate enforcement arrangements.

Clarification was sought on the stages of the process and the Board was advised by Mr. Balme that the key stakeholders would first need to be consulted to find out if they would support the development of a LEZ for Bromsgrove. Depending on the outcome of discussions with key stakeholders, it was believed that the second stage would be for the District Council to apply to the County Council for certain roads to be included within a

LEZ and for both Councils to work together to develop the scheme, if it was decided that such a scheme was necessary and feasible.

There was concern expressed by some Members over the lack of a financial plan at an earlier stage particularly as it was unclear whether or not the scheme could be self-financing.

Mr. Street stated that a number of issues would need to be considered. He informed the Board that as there was no central government legislation, the Greater London authority which had developed a LEZ might have done so using a bylaw. He also advised the Board that when officers had discussed the proposal of developing a LEZ for the areas stated within the recommendation, it appeared it was likely there would be operational difficulties, particularly in relation to the trunk roads in Hagley. Monitoring and enforcement arrangements would also need to be considered carefully.

It was understood that as a local authority, the Council had an obligation to reduce carbon emissions which would include vehicle use, however, Mr. Street advised that the feasibility of a LEZ for Bromsgrove District needed to be tested and financial implications considered.

RESOLVED:

- (a) that, in order to progress the approved recommendation, key stakeholders be consulted to find out what level of support existed for the development of a LEZ within Bromsgrove District, should such a scheme be feasible; and
- (b) that the report be noted.

51/08 **SPONSORSHIP FUNDING - EQUALITIES IMPACT ASSESSMENT**

Members considered the draft Equalities Impact Assessment (EIA) relating to the Council's Sponsorship Policy which had been requested at the last ordinary meeting of the Board.

Mr. Street stated that undertaking an EIA had been a very useful exercise, however, he believed officers still needed to consider the Council's ethical stance. It was explained that at the present time there was a clause within each individual legal agreement relating to the types of adverts allowed. However, it was felt a more encompassing ethical policy was required, particularly as it was hoped that Council sponsorship activities would increase in the future.

It was understood that the current legal agreements clearly stated that certain sponsorship signs would be classed as unacceptable such as those offering or promoting the sale of tobacco or tobacco related products, offering or promoting services of a sexual nature, or in breach of the Council's duties under Equalities legislation. However, it was noted by officers that others had been overlooked which the Overview Board had commented on at its last ordinary meeting including promoting the sale of alcohol and promoting gambling.

It was also accepted that positive messages relating to such items should be allowed if it was of benefit to the community as a whole, for example, highlighting issues surrounding alcohol abuse.

As mentioned at the previous ordinary meeting, Mr. Street confirmed that the Council was exploring the suggestion of working with charities including running events in partnership. Members and officers agreed that it was important to develop the Council's relationship with the third sector with regards to sponsorship activities.

The Board considered whether it wished to put forward recommendations to the Cabinet, however, all Members were satisfied with the continuing work of officers.

RESOLVED that the report be noted.

52/08 **FORWARD PLAN OF KEY DECISIONS**

Consideration was given to the Forward Plan which included key and non-key decisions due to be taken by the Cabinet over the forthcoming months.

Questions were raised regarding item number 10 which related to the commissioning of a countywide Home Improvement Agency (HIA) and the rollout of the Kick Start Equity Release scheme for home improvements to Worcestershire.

With regards to publicity, it was explained that there was a Countywide Project Management Group overseeing the work and there was a Service Design Sub-Group which would focus on issues of service and publicity. It was reported that the District Council would have a role to play in publicising the services and targeting those most in need of assistance. It was stated that this was likely to include publicity leaflets distributed across the County and information and appropriate links on the Council's website.

There was a brief discussion relating to the waiting times for home adaptations and it was explained that using EU procurement legislation, the process had been streamlined and the tendering phase had been removed. This had helped to halve the waiting time and it was continuing to decrease, however, it was accepted that waiting times needed to improve further. It was confirmed that there was a mechanism in place to try and ensure quality of work and value for money and the pre-qualification process for contractors was based on a scoring system with 60% based on price and 40% based on quality.

It was explained that consistency across the County would aim to make application for services as simple as possible. However, in relation to Kick Start, as this was an equity release scheme, it was essential that a lengthy and in depth explanation was given to the client to ensure they fully understood the implications and had sufficient time and opportunity to consider all alternatives available to them.

RESOLVED:

- (a) that, in relation to the Home Improvement Agency (item number 10), the Executive Director - Partnerships and Projects, be requested to inform the Board of the target waiting time from application referral to adaptation installation; and
- (b) that all items on the Forward Plan be noted.

53/08 **ANTICIPATED CABINET REPORTS - SEPTEMBER 2009 TO APRIL 2010**

Members considered the list of anticipated reports which had been split into service areas and which were due to be considered by the Cabinet between September 2009 and April 2010.

Information was requested on Contract and Procedure Rules update (item number 9 under Financial Services), the new Council House accommodation (item number 3 under Legal, Equalities and Democratic Services) and the Arts Strategy (item number 5 under Street Scene and Community). In relation to the Arts Strategy, the Chairman believed there should be some link to reducing crime and anti-social behaviour.

With regards to the first item under Legal, Equalities and Democratic Services, it was explained that Councillor Call for Action (from the Local Government and Public Involvement in Health Act 2007) and Crime and Disorder Scrutiny (from the Police and Justice Act 2006) were due to come into force on 1st April 2009. However, due to relevant guidance being issued late, there was no expectation that local authorities would have appropriate systems and processes in place immediately. Members were informed that a report covering these issues would be considered at the next meeting of Full Council due to be held in April. With regard to managing petitions, it was confirmed that guidance had not yet been finalised.

The boundary review and front line Councillors item were a result of the Local Government and Public Involvement in Health Act 2007 and it was stated that the Head of Legal, Equalities and Democratic Services and Assistant Chief Executive were working together on these issues and would be presenting the information to all Members in due course.

RESOLVED:

- (a) that at the next meeting of the Board due to be held on 2nd June 2009, further information be provided verbally by the Executive Directors on the following items:
 - (i) Contract and Procedure Rules update (item number 9 under Financial Services);
 - (ii) New Council House accommodation (item number 3 under Legal, Equalities and Democratic Services); and
 - (iii) Arts Strategy (item number 5 under Street Scene and Community); and
- (b) that the anticipated Cabinet Reports for September 2009 to April 2010 be noted.

54/08 **WORK PROGRAMME**

The Board considered all the items included within its Work Programme.

RESOLVED that the Overview Board's Work Programme be noted and updated as necessary.

The meeting closed at 7.00 p.m.

Chairman