

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE SCRUTINY BOARD

TUESDAY, 30TH JUNE 2009

AT 6.00 P.M.

PRESENT: Councillors D. L. Pardoe (Chairman), C. B. Taylor (Vice-Chairman),
A. N. Blagg and C. J. Tidmarsh

Invitees: Councillors J. T. Duddy and S. R. Colella, Ms. S. Campkin

Officers: Mr. T. Beirne, Mr. P. Street, Mrs. C. Felton, Mr. M. Bell (during
Minute No.'s 09/09 to 12/09), Mrs. S. Sellers and Ms. P. Ross

9/09 **APOLOGIES**

An apology for absence was received from Councillor R. J. Deeming.

10/09 **DECLARATIONS OF INTEREST**

No declarations of interest or whipping arrangements were received.

11/09 **MINUTES**

The minutes of the meeting of the Scrutiny Board held on 19th May 2009 were submitted.

RESOLVED that the minutes be approved as a correct record.

12/09 **SCRUTINY INVESTIGATION PROPOSAL REGARDING HOT FOOD TAKEAWAYS**

The Chairman reviewed the issues that had been discussed at the previous meeting held on 19th May 2009 with regard to a scrutiny investigation proposal regarding hot food takeaways. Members had agreed that further information and investigation was required in order to make an informed decision before deciding whether to establish a Task Group. The Executive Director - Partnerships and Projects and Senior Solicitor informed Members that, whilst officers had been unsuccessful in securing a guest speaker from another local authority, they had received information from Waltham Forest Council detailing its Supplementary Planning Documentation on Hot Food Takeaways dated March 2009. Furthermore, he added that Waltham Forest Council had given a positive response to the possibility of arranging a visit by Members of this Council.

Following further discussion Members agreed that arranging a fact finding visit to Waltham Forest Council be pursued by officers. The Monitoring Officer

advised that those Members visiting Waltham Forest Council would be representing the Board and that a clear and concise criterion for the visit should be agreed with Members and officers.

The Chairman welcomed Councillor J. T. Duddy, Portfolio Holder for Economic Development, Town Centre Regeneration and Revenue Generation to the meeting. Councillor Duddy thanked the Board for the invitation to discuss encouraging a wider range of retail shops in Rubery and throughout the District. He highlighted that trade throughout the United Kingdom had been affected by the current economic climate and as shops became empty property owners wanted to let these properties as quickly as possible and it appeared that fast food retailers were taking up these properties relatively quickly. Bromsgrove District Council currently had no policy in place to prevent this happening and he invited Members to consider investigating a policy, not to stop or limit hot food takeaways, but to look at the pros and cons of hot food takeaways in specific areas. Councillor Duddy informed Members that the Economic Development Officer produced an Industrial and Commercial Property Guide every 3 months detailing vacant shops and properties within the District, and he suggested utilising the guide to include any vacant properties on Rubery High Street free of charge. He informed Members of the Valuation Office rates relief incentives for small businesses and that Bromsgrove District Council's Economic Development Unit offered a range of advice to encourage new firms to come into the District and to help existing firms to grow. He also referred to the Area Action Plan due to be reviewed during 2009 to look at the range of shops and businesses the Council wanted to encourage into different areas throughout the District.

At the Chairman's discretion, Councillor S. R. Colella, Chairman of the Joint Overview and Scrutiny Board spoke in favour of investigating a policy or guidance looking at any type of business that saturates an area in order to provide officers, and the Planning Committee, with specific guidance to help maintain existing businesses and provide a balance to all economies throughout the District. The Joint Overview and Scrutiny Board had received and considered a petition from residents and shopkeepers within the Rubery area highlighting the issues around late night opening of hot food takeaway establishments during the meeting held on 9th June 2009. The Joint Overview and Scrutiny Board had requested that the Scrutiny Board consider the issues on hot food takeaways, namely: Litter, Enforcement and Crime and Disorder.

The Senior Solicitor informed the Chairman that Sarah Campkin, a shop owner in Rubery High Street who had presented the petition to the Joint Overview and Scrutiny Board, had been invited to attend the meeting. The Monitoring Officer re-iterated the specific areas, Litter, Enforcement and Crime and Disorder and advised that officers had been requested to attend the meeting to provide further information on these areas.

The Head of Street Scene and Community, Mr. M. Bell, explained that all business premises are required to have an appropriate waste disposal contract and this authority would act on any evidence received or concerns raised about litter. He briefly informed Members of the Department for

Environment Food and Rural Affairs (defra) voluntary code of practice for reducing litter caused by 'food on the go'. Mr. Bell informed Members that the recommendation was to go through the voluntary stages first and, if the issues were not resolved, the second stage would be to use legislation and enforcement.

Additional information previously requested by the Board on Enforcement was tabled by the Senior Solicitor.

The Chairman welcomed Ms. Campkin to the meeting. Ms. Campkin raised the issue of whether conditions could be placed on premises licenses regarding litter. The Senior Solicitor briefly explained that the licensing review process dealt with any evidence received and conditions on premises licenses as detailed in the subsequent agenda item.

With regards to Crime and Disorder, as the officer requested to attend the meeting was not present, the Monitoring Officer suggested to Members that this area be discussed along with the results of the Waltham Forest Council visit at a future meeting of the Scrutiny Board.

RESOLVED:

- (a) that Senior Solicitor be requested to provide Members with the link to the Waltham Forest Council Supplementary Planning Document on Hot Food Takeaways;
- (b) that the Senior Solicitor be tasked to liaise with officers at Waltham Forest Council and arrange for the Chairman and Councillor S. R. Colella to visit; and
- (c) that the Deputy Head of Street Scene and Community be invited to a future meeting of the Scrutiny Board with regard to Crime and Disorder issues in relation to hot food takeaways.

13/09 **IMPOSING CONDITIONS ON PREMISES LICENCES - WRITTEN UPDATE FROM THE PRINCIPAL LICENSING OFFICER**

Consideration was given to the written update on Imposing Conditions on Premises Licences from the Principal Licensing Officer.

RESOLVED that the written update be noted.

14/09 **SCRUTINY RECOMMENDATION TRACKER**

Members of the Board considered the items contained within the Scrutiny Recommendation Tracker.

RESOLVED that the Scrutiny Recommendation Tracker be noted.

15/09 **WORK PROGRAMME**

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

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

The meeting closed at 6.55 p.m.

Chairman