

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

19TH JANUARY 2010

PETITION - "SAVE THE MARKET HALL"

Responsible Portfolio Holder For Overview and Scrutiny	Councillor G. N. Denaro – Deputy Leader of the Council and Portfolio Holder for Resources
Responsible Head of Service For Overview and Scrutiny	Mrs. Claire Felton – Head of Legal, Equalities and Democratic Services
Non Key Decision	

1. SUMMARY

- 1.1 To consider a petition entitled "Save the Market Hall" submitted on 2nd December 2009.

2. RECOMMENDATION

- 2.1 Members of the Joint Overview and Scrutiny Board are asked to consider the petition and to either:
- a. take no further action;
 - b. request further information from a relevant source and re-consider once that information is available;
 - c. agree the topic is included in the work programme of either the Scrutiny Board or Overview Board and that the relevant board carry out an investigation;
 - d. make recommendations to Cabinet.

3. BACKGROUND

- 3.1. A petition entitled "Save the Market Hall" was submitted by Mr F. W. Stanley and received by the Monitoring Officer on 2nd December 2009 and in accordance with Article 2, 6.8 of the Council Constitution has been referred for consideration by the Joint Overview and Scrutiny Board (JOSB).
- 3.2. Overview and Scrutiny Committees cannot make executive decisions, but can make recommendations to the Cabinet and other decision makers. In accordance with the designated role of Joint Overview and Scrutiny Board, Members of the Board are asked to consider the petition and after receiving appropriate evidence to decide either to take no further action or, where it deems necessary to make recommendations for consideration by the Cabinet.

4. PROCEDURE FOR CONSIDERATION OF PETITIONS

- 4.1. In the consideration of the petition the JOSB may receive evidence and interview key stakeholders to determine what action, if any, to take in respect of the petition. It is anticipated that the JOSB will receive evidence from the lead petitioner who will introduce the petition, the Executive Director, Partnerships & Projects who will present a written report and the relevant Cabinet Portfolio Holder.
- 4.2. In order to ensure petitions are presented in a fair, consistent and efficient manner, Members of the JOSB are asked to adopt the following procedure:
- Introduction of the petition by the lead petitioner, allowing up to 5 minutes
 - Presentation of a report by the Executive Director and interview
 - Interview with the Cabinet Portfolio Holder
 - Discussion and consideration of what action, if any, to take in respect of the petition.
- 4.3. The consideration of any further evidence will be at the discretion of the Chairman and Members of the JOSB.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this report.

6. LEGAL IMPLICATIONS

- 6.1 The Local Government Act 2000 requires Councils operating Executive Arrangements to include one or more Overview and Scrutiny Committees within their Constitution, which may be composed of any councillors who are not on the Executive Committee of the Council.
- 6.2 Executive arrangements by a local authority must ensure that their overview and scrutiny committee has power (or their overview and scrutiny committees have power between them) to:
- a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
 - b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,
 - c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,
 - d) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive,

- e) to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area.

7. COUNCIL OBJECTIVES

- 7.1 Overview and Scrutiny links to Council Objective Three: Sense of Community and Wellbeing.

8. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

There are no direct risks associated with this report.

10. CUSTOMER IMPLICATIONS

- 10.1 Overview and Scrutiny aids transparency and accountability of local services to service users, council tax payers and other local residents through elected councillors.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

- 11.1 There are no implications of the Council's Equalities and Diversity Policies arising from this report.

12. VALUE FOR MONEY IMPLICATIONS

- 12.1 There are no value for money implications arising from this report.

13. CLIMATE CHANGE AND CARBON IMPLICATIONS

- 13.1 There are no climate change and carbon implications arising from this report.

14. OTHER IMPLICATIONS

Procurement Issues None
Personnel None
Governance/Performance Management In accordance with Article 2, 6.8 of the Council Constitution petitions are referred for consideration by the Joint Overview and Scrutiny Board.
Community Safety including Section 17 of Crime and Disorder Act 1998 None

Policy None
Biodiversity None

15. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	Yes
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

16. WARDS AFFECTED

All Wards.

17. APPENDICES

Appendix 1 - Demolition of the Market Hall

18. BACKGROUND PAPERS

No background papers were used in the preparation of this report.

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