

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 3RD FEBRUARY 2010 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Chairman), G. N. Denaro (Vice-Chairman), Dr. D. W. P. Booth JP, Mrs. J. Dyer M.B.E., Mrs. M. A. Sherrey JP, R. D. Smith, M. J. A. Webb and P. J. Whittaker

Observers: Councillors S. R. Colella, D. L. Pardoe, C. B. Taylor and E. C. Tibby

Officers: Mr. H. Bennett, Ms. J. Pickering, Mrs. C. Felton, Ms. D. Poole, Mr. D. Mellors, Mr. R. Goundry and Ms. R. Cole

144/09 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor. J. T. Duddy.

145/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

146/09 **MINUTES**

The minutes of the meeting of the Cabinet held on 6th January 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

147/09 **PERFORMANCE MANAGEMENT BOARD**

The minutes of the meeting of the Performance Management Board held on 18th January 2010 were submitted. It was noted that in relation to Minute No 66/09 (Selby Benchmarking Visit), items (a) to (l) were in fact recommendations to Cabinet rather than resolved items. In relation to recommendation (d), the Executive Director – Finance and Corporate Resources felt the production of a five year Medium Term Financial Strategy would be difficult to achieve at present due to the number of assumptions which would need to be made.

RESOLVED:

- (a) that recommendations (a) to (c) and (e) to (i) together with (k) and (l) contained at Minute No 66/09 be approved, that recommendation (d) relating to the production of a five year Medium Term Financial Strategy be recognised as a longer term aim and that consideration of recommendation (j) relating to the Community Engagement Programme

- be deferred pending consideration by the Community Involvement in Local Democracy Task Group;
- (b) that the recommendation contained at Minute 67/09 relating to the Town Centre be approved and that it be noted the review was already underway;
- (c) that the remainder of the minutes be noted; and
- (d) that this Council's thanks be expressed to Selby District Council for the assistance and information provided both during and following the recent benchmarking visit.

148/09 **SCRUTINY BOARD**

The minutes of the meeting of the Scrutiny Board held on 19th January 2010 were submitted.

RESOLVED that the minutes be noted.

149/09 **JOINT OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Joint Overview and Scrutiny Board held on 19th January 2010 were submitted.

RESOLVED that the minutes be noted.

150/09 **LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP**

The minutes of the Local Development Working Party held on 19th January 2010 were submitted.

RESOLVED that the minutes be noted.

151/09 **LOCAL STRATEGIC PARTNERSHIP**

The minutes of the meeting of the Bromsgrove Local Strategic Partnership held on 10th December 2009 were submitted.

RESOLVED that the minutes be noted.

152/09 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

The Leader reported on three meetings he had recently attended

- West Midlands Leaders Board
- Shenstone Group
- Worcestershire Partnership

153/09 **AIR QUALITY MANAGEMENT AREAS**

The Cabinet considered a report on the possibility of designating locations at Redditch Road, Stoke Heath, Bromsgrove and Kidderminster Road, Hagley as Air Quality Management Areas (AQMA).

It was reported that under the Environment Act 1995 all Local Authorities were required to undertake an Air Quality Assessment in order to determine whether air quality objectives set by Central Government were likely to be met. Where the results of the assessment and review process indicated the likelihood that there would be difficulties in attaining the objectives, the Local Authority was under a statutory obligation to declare an AQMA. The detailed assessments undertaken at the two locations referred to had indicated that the air quality objective for nitrogen oxide was being exceeded.

It was noted that following designation of the AQMAs there was a requirement to prepare an action plan setting out measures to ensure that the air quality objectives within the areas covered by the AQMA were not exceeded.

Following discussion it was

RESOLVED:

- (a) that an AQMA be declared in Redditch Road, Stoke Heath, Bromsgrove in respect of nitrogen dioxide because the air quality objectives are unlikely to be met;
- (b) that an AQMA be declared in Kidderminster Road, Hagley in respect of nitrogen dioxide because the air quality objectives are unlikely to be met;
- (c) that the AQMA be designated within the relevant areas under section 83(1) of the Environment Act 1995 by means of an official order;
- (d) that the AQMAs include as a minimum, all those areas identified as having exceedences of air quality objectives as shown in figures 1 and 2 of the Detailed Assessment report and that the boundary be set at the 36g/m³ contour line;
- (e) that an Air Quality Steering Group be established, to include relevant officers from District and County Councils and local members, together with representatives from outside bodies and local community groups, to develop and implement an Air Quality Action Plan to address the relevant air quality objectives;
- (f) that the Air Quality Steering Group be chaired by a senior officer from Bromsgrove District Council;
- (g) that a provisional Air Quality Action Plan be completed within 18 months of declaration of the AQMAs; and
- (h) that a further assessment of existing and likely future air quality in the AQMAs be undertaken within 12 months of designation.

154/09 **INTEGRATED FINANCIAL AND PERFORMANCE MONITORING QUARTER 3 2009/2010**

Consideration was given to a report on the Council's performance and financial position as at 31st December 2009.

RESOLVED:

- (a) that it be noted that 47 percent of Performance Indicators for which data was available were improving or stable;
- (b) that it be noted that 61 percent of Performance Indicators for which data was available were achieving their year to date target;
- (c) that it be noted that 78 percent of Performance Indicators for which data was available were predicted to meet their target at year end;
- (d) that the successes and areas for potential concern as set out in the Council Summary be noted;
- (e) that the current financial position on Revenue and Capital as detailed in the report be noted;
- (f) that the release of previously approved earmarked reserves of £687,000 as set out in Appendix 5 of the report be noted;
- (g) that the budget virements between £15,000 and £100,000 as listed in Appendix 6 of the report be noted;
- (h) that it be noted that although complaints increased by 12 percent compared to quarter 2, the number of complaints had decreased by 30 percent when compared to quarter 3 last year; and
- (i) that it be noted that compliments had increased from quarter 2 and had increased by more than 50 percent in comparison with quarter 3 the previous year.

RECOMMENDED:

- (a) that the virements in excess of £100,000 as set out in Appendix 6 of the report be approved;
- (b) that £150,000 be added to the Capital Programme in respect of the CCTV improvements as agreed on 16th September 2009 as part of the Shared Service arrangements.

155/09 **IMPROVEMENT PLAN EXCEPTION REPORT (DECEMBER 2009)**

Consideration was given to the Improvement Plan Exception report for December 2009 together with the corrective action being taken.

RESOLVED:

- (a) that the revisions to the Improvement Plan Exception report together with the corrective action being taken be noted;
- (b) that it be noted that for the 93 actions highlighted for December within the plan 75.3 percent were on target (green), 5.4 percent were one month behind (amber) and 4.3 percent were over one month behind (red). In addition it was noted that 15 percent of actions had been reprogrammed or suspended with approval.

The meeting closed at 7.20 p.m.

Chairman