

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 21ST APRIL 2010, AT 6.00 P.M.

PRESENT: Councillors C. R. Scurrall (Chairman), Mrs. J. M. L. A. Griffiths (Vice-Chairman), Mrs. J. M. Boswell, A. N. Blagg, Dr. D. W. P. Booth JP (present during Minute Nos. 120/09 to 128/09), Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., D. Hancox, R. Hollingworth, B. Lewis F.CMI, Dr. G. H. Lord, Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, D. L. Pardoe, S. R. Peters (present during Minutes Nos. 114/09 to part of 126/09), S. P. Shannon, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

114/09 **PRAYER**

At the request of the Chairman, the Reverend Andy Lyons opened the meeting with a prayer.

115/09 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ms. H. J. Jones, Mrs. J. D. Luck and C. B. Taylor.

116/09 **MINUTES**

The minutes of the meeting of the Council held on 17th March 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

117/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received at the start of the meeting. The Chairman announced that those Members who were Parish Councillors did not need to declare an interest in item 14 (Parish Council Charter).

During the meeting Councillor S. R. Peters declared a personal interest in Minute No.120/09 (Recommendation from the Cabinet – Fairtrade Town) as a member of the Shared Interest Society which supported Fair Trade across the world. At a later stage, Councillor P. J Whittaker declared a personal interest in Minute No. 123/09 (Question – Cage Free Eggs) as a chicken farmer.

118/09 **ANNOUNCEMENTS FROM THE CHAIRMAN**

(a) Private Alex Kennedy

The Chairman referred to Private Alex Kennedy of the 2nd Battalion Mercian Regiment who had been recently awarded the Military Cross for bravery whilst on active service in Afghanistan. The Chairman took great pride in presenting Private Kennedy with his campaign medal for service in Afghanistan. Mr Bob Prophet, Assistant Secretary to the Mercian Regiment read out the full citation with regard to the award of the Military Cross. The Chamber responded with a standing ovation.

Private Kennedy addressed the Chamber and in doing so requested a minute's silence in memory of Private Robert Laws from Bromsgrove who had been killed in 2009 whilst on active service in Afghanistan.

(b) The Chairman announced that he had recently unveiled the last of Bromsgrove Society's six Bromsgrove Town signs and expressed thanks to the Society for these signs.

(c) The Chairman referred to the success of the Keep on Moving Disability Sports Project. Eighteen months ago there had been no sports activities for adults with learning difficulties. Since then the following had been achieved:

November 2009

Presented at The West Midlands Activity Conference as an example of good practice for all sports and health professionals in the region.

December 2009

One of three finalists in the BBC Midlands Power of Sports Awards. This had been featured on Midlands Today.

March 2010

Herefordshire and Worcestershire County Sports Awards held at Worcester Warriors RFC, Six Ways. Keep on Moving Disability Sports Project won Sports Club of the Year. Regional npower Disability Sports Awards held at Villa Park and featured on Central TV. Keep on Moving Disability Sports Project won Sports Club of the Year.

(d) The Chairman referred to the success of the 'U Decide' event organised by the Council to enable young people to decide how money should be spent on projects that affected them. Various organisations had made presentations in their bids for funding which involved young people from all backgrounds and abilities working together. The winners were Chadsgrove School, Catshill who had bid for £5,000 for their 'Touch It, Feel It' Garden.

(e) The Chairman referred to the success of the recent Civic Dinner which had raised over £3,000 for the Chairman's Charities.

119/09 **ANNOUNCEMENTS FROM THE LEADER**

There were no announcements from the Leader,

120/09 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 7TH APRIL 2010**

(i) **FAIRTRADE TOWN**

RESOLVED:

- (a) that the Council supports Fairtrade, and
- (b) that, by supporting Fairtrade, the Council works with the Fairtrade Bromsgrove Steering Group on working with local businesses on stocking and serving Fairtrade products, works with the Fairtrade Bromsgrove Steering Group on working with local employers on using Fairtrade products, works with the Fairtrade Bromsgrove Steering Group on a PR and marketing campaign to promote awareness and understanding of Fairtrade and generally supports the Fairtrade Bromsgrove Steering Group.

(ii) **COUNCIL PLAN 2010/13 PART 2**

The recommendations from the Cabinet were moved by Councillor R. Hollingworth and seconded by Councillor G. N. Denaro.

On a requisition under Council Procedure Rule 17.5, the following details of voting were recorded.

For the recommendations: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, B. Lewis, Dr. G. H. Lord, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb and P. J. Whittaker (26);

Against the recommendations: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, S. P. Shannon and C. J. K. Wilson (6);

Abstentions: Councillors D. McGrath and W. R. Newnes (2).

RESOLVED that the Council Plan 2010/2013 Part 2 be approved.

(iii) **PRE-APPLICATION PLANNING ADVICE**

The recommendations from the Cabinet were moved by Councillor Mrs. J. Dyer M.B.E. and seconded by Councillor G. N. Denaro.

An amendment was moved by Councillor D. McGrath and seconded by Councillor S. R. Peters that the charges for householder developments be excluded from the proposed scale of charges (i.e. an alteration to recommendation (a)).

On a requisition under Council Procedure Rule 17.5, the following details of voting on the amendment were recorded.

For the amendment: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, D. L. Pardoe, S. R. Peters, S. P. Shannon, L. J. Turner and C. J. K. Wilson (11);

Against the amendment: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, B. Lewis, Dr. G. H. Lord, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (23).

Accordingly the Chairman declared the amendment to be LOST.

The recommendations from the Cabinet were then put to the vote as the substantive motion, whereupon it was

RESOLVED:

- (a) that the Council adopts the principle of introducing a charge for the pre-application planning advice services referred to in the report and the scale of charges proposed, and that these be implemented from 21st April 2010;
- (b) that officers continue to work with colleagues from other authorities to produce an appropriate information leaflet; and
- (c) that the charging arrangements and relevant fees be reviewed in 12 months' time.

121/09 **RECOMMENDATION FROM THE ELECTORAL MATTERS COMMITTEE**

REVIEW OF LICKEY END PARISH COUNCIL

RESOLVED that the sum of £2,500 be released from balances to cover the cost of the consultation in relation to the Community Governance Review of Lickey End Parish Council.

122/09 **MINUTES OF THE MEETING OF THE CABINET HELD ON 7TH APRIL 2010**

The minutes of the Cabinet held on 7th April 2010 were received for information.

123/09 **QUESTIONS ON NOTICE**

Six questions on notice were taken in the order received.

1. Question submitted by Councillor S. R. Peters to the Portfolio Holder for Finance and Resources

“A recent Freedom of Information request on the cost of the garden waste collection service made by Wythall Residents Association on behalf of its members elicited the response that the Council was unable to provide any information as much of the expenditure for 2009 is integrated in the costs of the normal refuse collection service as the same staff and vehicles are used and therefore we do not have the information specific to green bin collections. Why was this incorrect information given and can we be told the true cost of this service?”

Councillor G. N. Denaro replied that the split of the budget for the collection of green waste was to be prepared for the 2010/11 financial year and that the information requested was not available in an accessible format as the accounts were not being prepared at that time for the individual areas that would be forthcoming for the current year. The information was not incorrect. The Freedom of Information Act allowed authorities to refuse to answer requests for information if the cost of complying would exceed the appropriate limit set in the fees regulations. The limit for district councils was £450 and it would have cost in excess of that.

Councillor Peters asked a supplementary question that if you did not know at that time what the service cost, how could you set the charge of £30 per household when a brown bin is known to cost the Council £27 each, and how can you explain to the hard-pressed Council Tax Payer that the service is not being subsidised by the Council Tax or by people who have paid for a brown bin and have not received it?

Councillor Denaro replied that when setting up the initial service the former Head of Street Scene and Waste Management had used his expertise and knowledge to advise an income target for the year that he expected would cover the costs. The Council exceeded that target and this year that target had been greatly exceeded again. He expected that by the end of the year the true results would show that this service was not a burden on Council Tax payers.

2. Question submitted by Councillor S. P. Shannon

“Can the Leader or member of Cabinet with responsibility please inform me how many residents have signed up for the new BDC EBilling Service & Self Serve?”

Councillor G. N. Denaro replied that 262 residents had signed up for the service.

Councillor Shannon asked a supplementary question in which he referred to individual letters instead of emails which had been sent to inform residents of the delay in the introduction of the new electronic service and asked how much this operation had cost. He had been led to believe that the cost could be £3-10 per individual letter to a resident and asked if Councillor Denaro could confirm this amount?

Councillor Denaro replied that he had no specific details on individual items but he could say that the function and the setting up of e-billing had been supplied free to the Council as part of a wider contract that was in place for revenues and benefits. Officers accepted that there was a period of uptake for the service but the Council was obliged to look at all avenues to improve payments and customer access to services and accounts. Councillor Shannon reiterated his question with regard to the cost of letters sent and Councillor Denaro undertook to look into the matter to find out the cost.

3. Question submitted by Councillor E. J. Murray

“Will the Chairman give assurance that senior officers will not receive salary increases over the next year. In light of the large pay increase received by senior officers?”

The Chairman referred the question to the Leader to respond.

The Leader replied that he would not give such an assurance.

Councillor Murray asked a supplementary question that is it a policy of the Council to make the rich work harder by paying them more and the poor work harder by paying them less, yes or no?

The Leader replied that the answer was no.

4. Question submitted by Councillor P. M. McDonald

“Is it true that Council are in negotiation with a developer regarding the Market Hall site?”

The Leader replied that the Council was not in negotiations with anybody on the sale or anything else of the Market Hall site.

Councillor P. M. McDonald did not ask a supplementary question.

5. Question submitted by Councillor Mrs. C. M. McDonald

“What measures will the council now take to ensure the levels of pollution do not increase in Stoke Road which is zoned as an AQMA, in light of this Council’s decision to approve an application from ALDI to trade opposite Morrison’s?”

Councillor P. J. Whittaker replied that the Council was not going to take any extraordinary special measures to ensure the levels of pollution did not increase as it monitored regularly in that area as a matter of course.

Councillor Mrs. McDonald asked a supplementary question as to what is the Council doing to help prevent the air quality from getting worse than it already was as a result of the increased traffic which ALDI would produce and which they expected to increase by 5%?.

Councillor Whittaker replied that an Air Quality Management Area had been recently designated in that area which involved setting up an action plan to prevent air quality levels getting worse and hopefully to reduce these. This Council was talking to the County Council with regard to highways in order to improve the traffic flow and he saw no reason to do other than that.

6. Question submitted by Councillor C. J. K. Wilson to the Chairman of the Council

“Do you agree with me that this Council should support the purchase of cage free eggs?”

The Chairman referred this question to Councillor G. N. Denaro to respond.

Councillor Denaro replied that the answer was yes.

Councillor Wilson made a supplementary comment which the Chairman ruled was not a supplementary question.

124/09 **MOTION - CLEANER STREETS**

Members considered the following motion submitted by Councillor S. P. Shannon:

“That this Council promotes cleaner streets and footpaths throughout the district by informing residents of the procedure to report litter and dog fouling in an effort to raise the performance of the authority in relation to litter and dog faeces removal.”

The motion was moved by Councillor S. P. Shannon and seconded by Councillor E. J. Murray.

An amendment was moved by Councillor M. J. A. Webb and seconded by Councillor G. N. Denaro that the motion be altered to read:

“That this Council continues to promote cleaner streets and footpaths throughout the district.”

Councillor P. M. McDonald contested the amendment by asserting that it negated the original motion. Having received advice from the Monitoring Officer, the Chairman ruled that the amendment was valid.

Having been put to the vote the Chairman declared the amendment to be CARRIED whereupon it became the substantive motion. This substantive motion was then put to the vote and declared by the Chairman to be CARRIED.

125/09 **MOTION - SENIOR MANAGEMENT SALARIES**

Members considered the following motion submitted by Councillor P. M. McDonald:

“In an effort to improve the openness and transparency of this council it should now publicise the salary packages of its entire senior management online.”

The motion was moved by Councillor P. M. McDonald and seconded by Councillor C.J. K. Wilson.

Councillor G. N. Denaro indicated that he was happy to publish the salaries on the internet and this would be actioned shortly. Councillor P. M. McDonald responded that his motion referred to salary packages not just salaries.

On a requisition under Council Procedure Rule 17.5, the following details of voting on the motion were recorded.

For the motion: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, S. R. Peters, S. P. Shannon and C. J. K. Wilson (7);

Against the motion: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, B. Lewis, Dr. G. H. Lord, D. L. Pardoe, S. R. Peters, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb and P. J. Whittaker (27);

Accordingly the Chairman declared the motion to be LOST.

(Note: The Chief Executive, Executive Directors and Head of Legal, Equalities and Democratic Services left the meeting during consideration of this item).

126/09 **MOTION - CCTV LYTTLETON AVENUE RECREATION GROUND**

Members considered the following motion submitted by Councillor Mrs. C. M. McDonald:

“Lyttleton Avenue recreation ground in Charford is one of the last recreation grounds without a CCTV Camera yet it facilitates one of the largest estates in the district. Therefore to reduce the likelihood and fear of crime making the ground safer for all: that this council installs a CCTV Camera at an estimated cost of between £12,000 and £25,000. The funding for this coming from reserves.”

The motion was moved by Councillor Mrs. C. M. McDonald and seconded by Councillor S. P. Shannon.

On a requisition under Council Procedure Rule 17.5, the following details of voting on the motion were recorded.

For the motion: Councillors Ms. J. A. Marshall, Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, S. P. Shannon and C. J. K. Wilson (8);

Against the motion: Councillors A. N. Blagg, Dr. D. W. P. Booth JP, Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella, R. J. Deeming, G. N. Denaro, Mrs. R. L. Dent, J. T. Duddy, Mrs. J. Dyer M.B.E., Mrs. J. M. L. A. Griffiths, D. Hancox, R. Hollingworth, B. Lewis, Dr. G. H. Lord, D. L. Pardoe, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, E. C. Tibby, C. J. Tidmarsh, L. J. Turner, M. J. A. Webb and P. J. Whittaker (25);

Accordingly the Chairman declared the motion to be LOST.

127/09 **WETT - APPOINTMENT TO JOINT COMMITTEE**

Members considered a report of the Head of Legal, Equalities and Democratic Services seeking the appointment of two representatives to the Worcestershire Shared Services Joint Committee.

RESOLVED that, subject the agreement of the Cabinet, Councillors P. J. Whittaker and Mrs. M. Bunker be appointed to the Worcestershire Shared Services Joint Committee until the Annual Meeting of the Council in May 2011.

128/09 **PARISH COUNCIL CHARTER**

Members considered a report which presented a proposed Parish Council Charter. The Charter sought to maintain and enhance the working relationship between the District Council and the Parish Councils and to date had been adopted by seventeen of the Parish Councils within the district.

Having been moved by Councillor R. Hollingworth and seconded by Councillor G. N. Denaro, it was

RESOLVED that the Parish Council Charter, as set out at Appendix 1 to the report, be approved and adopted.

The meeting closed at 7.45 p.m.

Chairman