

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 28TH APRIL 2010, AT 6.00 P.M.

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

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

Officers: Mr. K. Dicks, Ms. S. Hanley and Ms. R. Cole.

193/09 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M. J. A. Webb and P. J. Whittaker.

194/09 **DECLARATIONS OF INTEREST**

Councillors Mrs. M. A. Sherrey JP and R. D. Smith declared a personal and prejudicial interest in the matter raised under agenda item 16 as a matter of urgency (the Artrix) as members of the Bromsgrove Arts Centre Operating Trust and left the meeting during consideration of this item.

195/09 **MINUTES**

The minutes of the meeting of the Cabinet held on 7th April 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

196/09 **OVERVIEW BOARD**

The minutes of the meeting of the Overview Board held on 30th March 2010 were submitted. The Chairman of the Board, Councillor S. R. Colella also gave a brief verbal update on items discussed at the meeting of the Board held on 27th April 2010.

RESOLVED that the minutes be noted.

197/09 **LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY**

The minutes of the meeting of the Local Development Framework Working Party held on 15th April 2010 were submitted.

RESOLVED:

- (a) that the minutes be noted;
- (b) that the recommendation contained at Minute No 28/09 relating to the Revised Local Development Scheme be approved; and
- (c) that the recommendation contained at Minute No 31/09 relating to Managing Housing Supply SPG10 be approved.

198/09 **PERFORMANCE MANAGEMENT BOARD**

The minutes of the Performance Management Board held on 19th April 2010 were submitted.

RESOLVED:

- (a) that the minutes be noted.
- (b) that the recommendation contained at Minute No 95/09 relating to the Lean Management Process be approved.

199/09 **BROMSGROVE LOCAL STRATEGIC PARTNERSHIP**

The minutes of the meeting of the Bromsgrove Local Strategic Partnership held on 23rd March 2010 were submitted.

RESOLVED that the minutes be noted.

200/09 **SHARED SERVICES BOARD**

The minutes of the meeting of the Shared Services Board held on 20th April 2010 were submitted.

RESOLVED that the minutes be noted.

RECOMMENDED:

Overarching Strategic Alliance /Framework Agreement

- (a) that the overarching Strategic Alliance/Shared Services Framework Agreement , as amended, be approved; and
- (b) that the Leader of the Council be authorised to sign the agreement on behalf of the Authority.

North Worcestershire Economic Regeneration and Development

- (a) that the four principal recommendations from the “Inspira” report “Review of Economic Regeneration and Development – Strategy and Arrangements” as amended be approved; and
- (b) that the delivery of a North Worcestershire Economic and Regeneration service by a single team hosted by Wyre Forest District Council be approved.

Implementation Plan

- (a) that an Implementation Plan be agreed between Bromsgrove District Council, Redditch Borough Council and Wyre Forest District Council

with effect from 1st October 2010 or such other date as may be agreed by the three Councils, such Implementation Plan to deal with those matters set out in paragraph 4.27 of the report submitted to the Shared Services Board dated 20th April 2010.

201/09 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

The Leader reported on a meeting of the West Midlands Leaders Board which he had recently attended and a forthcoming meeting of the City Region Board. In addition reference was made to the Birmingham to Worcester Investment Vehicle (formerly Central Technology Belt).

The Deputy Leader referred to a recent meeting of the Worcestershire Partnership which he had attended with the Chief Executive.

202/09 **WORCESTERSHIRE ENHANCED TWO TIER - APPOINTMENT TO JOINT COMMITTEE AND DELEGATION OF REGULATORY SERVICES FUNCTIONS**

The Cabinet considered a report relating to the Worcestershire Enhanced Two Tier (WETT) programme and in particular the arrangements for the Worcestershire Shared Services Joint Committee.

It was reported that whilst the Joint Committee would be overseeing shared services provided under the WETT programme, each Council would still be deciding its own policy on the services provided.

RESOLVED:

- (a) that the Council's nomination of Councillor Mrs. M. Bunker and Councillor P. J. Whittaker as this Council's representatives on the Worcestershire Shared Services Joint Committee be approved and that their term of office continue until the Annual Council Meeting in 2011;
- (b) that the Regulatory Services functions currently delegated to Cabinet be delegated to the Worcestershire Shared Services Joint Committee.

203/09 **CHANGES TO GOVERNANCE ARRANGEMENTS**

The Cabinet considered a report on the requirement of the Local Government and Public Involvement in Health Act 2007 that every Authority operating a Leader and Cabinet model change its executive arrangements in accordance with a statutory timetable. Following discussion it was

RECOMMENDED:

- (a) that the Leader and Cabinet Executive (England) Model known as the "Strong Leader" model be the model on which public consultation is based; and
- (b) that the public consultation be undertaken on a modest basis and that views be sought by way of methods such as "Together Bromsgrove" and the Council's website.

204/09 **ECONOMIC DEVELOPMENT STRATEGY**

Consideration was given to a report on Economic Development Priorities for the District.

It was noted that the report largely focused on the achievements so far and contained a schedule of items to be progressed in the future.

It was recognised that the development of the North Worcestershire Strategy, through working in partnership with Redditch Borough Council and Wyre Forest District Council, was the way forward and that priorities and activities in relation to the Bromsgrove District would be included within the Joint Strategy.

RESOLVED:

- (a) that the contents of the report be noted and officers be requested to continue to address the actions and priorities set out in the report ;and
- (b) that the North Worcestershire Economic Development Strategy be progressed as soon as possible including priorities and actions focussing upon the needs and aspirations of the Bromsgrove District.

205/09 **HOT FOOD TAKEAWAYS - SUPPLEMENTARY PLANNING DOCUMENT**

The Cabinet considered a report giving an update on the position relating to the draft Hot Food Takeaways Supplementary Planning Document (SPD).

The report set out in detail the background work which had been undertaken by the Council's Strategic Planning Team in preparing a draft SPD.

It had become apparent that the Government Office West Midlands were unwilling to allow Authorities to use SPDs to introduce new policies rather than supplementing existing policy. This had already been demonstrated in relation to the attempt to introduce an Affordable Housing SPD. Officers were of the opinion that the Hot Food Takeaways SPD did not expand on existing policies within the Bromsgrove District Local Plan but introduced new policy.

In addition, in relation to Hot Food Takeaways, it had proved impossible to gather the necessary justifying evidence in relation to either health or public order issues to support the production of an SPD.

The Cabinet recognised the work which had been undertaken previously on this issue by Members through the Scrutiny process and by officers and expressed disappointment that the production of an SPD at this time would appear to be extremely unlikely to succeed. It was felt that it would be important to communicate to the public the reasons for not proceeding at this time.

RESOLVED that in view of the lack of a supporting policy in the adopted Bromsgrove District Local Plan, together with the insubstantial local evidence that Hot Food Takeaways are directly impacting on the sense of community and well being and the environment, no further action be taken in respect of

the production of a Hot Food Takeaway SPD at this time but that the position be kept under review.

206/09 **IMPROVEMENT PLAN EXCEPTION REPORT (MARCH 2010)**

Consideration was given to the Improvement Plan Exception report for March 2010 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 approved; and
- (b) that it be noted that for the 85 actions highlighted for March within the plan 67.1 percent were on target (green), 4.7 percent were one month behind (amber) and 3.5 percent were over one month behind (red). In addition it was noted that 24.7 percent of actions had been reprogrammed or suspended with approval.

207/09 **PERFORMANCE MONITORING REPORT (MARCH 2010)**

The Cabinet considered a report on the Council's performance as at 31st March 2010 (period 12).

The Cabinet noted the good level of performance but raised the general issue of whether targets were now sufficiently challenging.

In addition concern was expressed regarding the rise in the number of violent crimes. The Executive Director (Leisure, Culture, Environment and Community Services) reported that the Community Safety Partnership was addressing this and violent crime was priority for 2010/2011. An action plan was being developed by the Partnership and the Tasking Groups would be "drilling down" in detail to individual cases.

RESOLVED:

- (a) that it be noted that 49 percent of Performance Indicators were stable or improving;
- (b) that it be noted that 69 percent of Performance Indicators that had a target had met or were projected to meet their target as at the year end;
- (c) that the performance figures for March 2010 as set out in the report be noted;
- (d) that the particular areas of improvement as set out in section 4.2 of the report be noted;
- (e) that the areas of concern as set out in section 4.3 of the report be noted;
- (f) that the Performance Management Board be requested to consider whether the targets set are now sufficiently challenging and whether the indicators contained within the Council Plan are the most appropriate for measuring the Council's own priorities.

208/09 **THE ARTRIX**

(The Leader agreed to the consideration of this item as a matter of urgency as a decision was required prior to the next meeting of the Cabinet).

The Leader reported on the requirement for the potential Blue Light Campus to gain access over part of the land leased by the Artrix Operating Trust. Negotiations were ongoing with the appropriate parties regarding the arrangements for the drawing up of the necessary legal documentation although information was awaited from the Police. Following discussion it was

RESOLVED: that officers be requested to progress the necessary legal requirements to allow the Blue Light Centre to gain access over land leased by the Artrix Operating Trust as soon as possible.

The meeting closed at 7.55 p.m.

Chairman