

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 15TH SEPTEMBER 2010, AT 6.00 P.M.

PRESENT: Councillor Mrs. J. M. L. A. Griffiths (Chairman), Councillor Miss D. H. Campbell JP (Vice-Chairman), Councillor Mrs. J. M. Boswell, Councillor Mrs. M. Bunker, Councillor R. J. Deeming, Councillor Mrs. R. L. Dent, Councillor Mrs. J. Dyer M.B.E., Councillor R. Hollingworth, Councillor Ms. H. J. Jones, Councillor B. Lewis F.CMI, Councillor Mrs. C. M. McDonald, Councillor P. M. McDonald, Councillor D. McGrath (present during Minute No. 52/10 to 63/10), Councillor E. J. Murray, Councillor W. R. Newnes, Councillor D. L. Pardoe, Councillor S. R. Peters, Councillor C. R. Scurrall, Councillor S. P. Shannon, Councillor Mrs. M. A. Sherrey JP, Councillor R. D. Smith (present during Minute No. 62/10 to 67/10), Councillor Mrs. C. J. Spencer, Councillor C. B. Taylor, Councillor E. C. Tibby, Councillor C. J. Tidmarsh, Councillor L. J. Turner, Councillor M. J. A. Webb, Councillor P. J. Whittaker and Councillor C. J. K. Wilson

52/10 **PRAYER**

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

53/10 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A. N. Blagg, Dr. D. W. P. Booth JP, S. R. Colella, G. N. Denaro, J. T. Duddy, D. Hancox, Mrs. J. D. Luck, Dr. G. H. Lord and Ms. J. A. Marshall.

The Chairman referred to the illness of Councillor D. Hancox and stated that his health was now improving. It was requested that the Council's best wishes for a speedy recovery be sent to Councillor Hancox.

54/10 **MINUTES**

The minutes of the meeting of the Council held on 29th July 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

55/10 **DECLARATIONS OF INTEREST**

Councillor C. B. Taylor indicated that he intended to declare a personal interest in agenda item 15 (Performance Management Board).

At this point the Leader stated that he wished to withdraw item 15 relating to the Performance Management Board at the present time as he was working with officers to undertake a more fundamental review of the Authority's Governance arrangements. This would include looking at the extent to which the roles of Boards, Committees and the Cabinet needed to be adjusted to reflect the current operation of the Council.

The Leader stated he hoped to present more details at the next meeting of the Council.

56/10 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman referred to her recent attendance at the Rubery Tattoo and expressed her thanks to the organisers of the event for their invitation.

57/10 **ANNOUNCEMENTS FROM THE LEADER**

The Leader made the following announcements:

- (a) The Leader referred to the recent national survey commissioned by the BBC which measured how resilient Council's were in respect of the economic situation. The survey had placed Bromsgrove 6th in the West Midlands and 109th in the country. he felt this reflected the good work undertaken by Members and officers;
- (b) Progress was being made on a local level in relation to the reduction and rationalisation of a number of "Quangos".
- (c) He had requested officers to begin the process of consulting with the Boundary Commission regarding the case for a reduction in the number of Members of the District Council by way of the introduction of "One Member Wards". This would form part of a more general review of Governance arrangements including roles of Committees and Boards and Cabinet Portfolios referred to in minute no. 55/10 above and was intended to make financial savings as well as increasing efficiency;
- (d) Bromsgrove Sporting had now signed the lease in respect of the Victoria Ground;
- (e) The Leader referred to a letter sent to all Members by representatives of the Friends of Bromsgrove Museum. The Leader confirmed that discussions were still ongoing and that he would report further as soon as possible;
- (f) The Leader reported that the Recreation Road Car Park had been granted a safe parking award and congratulated officers on this.

58/10 **RECOMMENDATIONS FROM THE CABINET**

There were no recommendations from the meeting of the Cabinet held on 8th September 2010.

59/10 **MINUTES OF THE MEETING OF THE CABINET HELD ON 4TH AUGUST 2010**

The minutes of the meeting of the Cabinet held on 4th August 2010 were received for information.

60/10 **RECOMMENDATIONS FROM THE LICENSING COMMITTEE**

REGULATION OF SEXUAL ENCOUNTER VENUES

RESOLVED

- (a) that the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 be re-affirmed and that Section 27, paragraph 2(2) of Schedule 3 to the Policing and Crime Act 2009 be adopted with effect from 16th September 2010;
- (b) that the fee for a sex shop and / or Sexual Encounter Venue Licence be set as below and that these be included within the Council's Fees and Charges register as follows:-
- | | |
|------------|---------|
| ▪ Grant | £920.00 |
| ▪ Renewal | £890.00 |
| ▪ Transfer | £135.00 |
- (c) that the powers under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and Section 27, paragraph 2(2) to the Policing and Crime Act 2009 be delegated to the Head of Regulatory Services.

61/10 **QUESTIONS ON NOTICE**

Two questions on notice had been received within the two day time limit and one urgent question had been received which the Chairman had agreed could be included. The questions were taken in the order they had been received.

1. **Question submitted by Councillor Mrs. R. L. Dent to the Leader**

"The pay on foot parking scheme has now been operational for 5 months, can the Leader please advise the Council if the revenue generated is as expected and the scheme working as intended?"

The Leader referred this question to Councillor M. J. A. Webb as the relevant Portfolio Holder.

Councillor Webb replied that the pay on foot scheme was a new initiative and as such the scheme was being reviewed and altered as required. The number of vehicles using the car park had increased year on year and the average cost had reduced in comparison with last year with fewer Excess Charge Notices being issued.

Following consultations and feedback from customers It had been recognised that further improvements could be made, for instance at present customers were waiting too long to pay at some peak times and it was intended to install an additional payment machine to relieve

this issue. In addition, in response to concerns raised, it was intended to amend the payment structure so that charges were in increments of 10 minutes.

The average cost of parking was better value than previously and the introduction of the 10 minute increment would reduce the average cost further. The cost of parking would be cheaper than ever in these car parks. The changes would however have an impact on the Council's revenue and officers would need to identify how this reduction could be mitigated. This would inevitably lead to difficult decisions on other services during the Budget discussions.

Councillor Mrs. Dent did not ask a supplementary question.

2. Question submitted by Councillor C. R. Scurrall to the Portfolio Holder for Planning

"Is it true that the free drop-in service for planning queries at the Customer Service Centre has been scrapped?"

Councillor Mrs. J. Dyer M. B. E. Portfolio Holder for Planning replied that the drop-in sessions had not ceased and it was unfortunate that inaccurate information had been publicised as this was a disservice to the public who may wish to use the service. The free service continued on Tuesday mornings and Thursday afternoons at the Customer Service Centre.

In line with other Planning Authorities in Worcestershire, Bromsgrove was making a charge to developers for detailed pre-application advice in respect of larger applications.

Councillor Scurrall did not ask a supplementary question.

3. Urgent Question submitted by Councillor P. M. McDonald to the Chairman

"What action is the Council taking to ensure that we have no further incidents such as occurred in St. Chad's Park on 19th August 2010 in relation to fairground rides?"

The Chairman referred this question to Councillor M. J. A. Webb as the relevant Portfolio Holder.

Councillor Webb replied that the incident on 19th August was indeed unfortunate and that the Authority would always take all steps to avoid any potential incidents and to ensure that third parties complied fully with their responsibilities. In the case referred to the fair owner had correctly contacted the Health and Safety Executive.

The Council was undertaking its own review to discover whether any lessons could be learned from the incident which could further improve

current procedures regarding third party use of Council land. Whilst no errors had been made in terms of the current procedures it was important to ensure that these were further reviewed and amended where appropriate. Officers would be making any necessary recommendations in this regard.

62/10 **MOTION - HUB PARKING**

Members considered the following motion submitted by Councillor E. J. Murray which stood deferred from the last meeting of the Council:

“The HUB was set up to improve customer relations and improve services in general for the residents of Bromsgrove. To ensure customer relations were not undermined residents having to visit the HUB were not penalised by being charged for parking their cars. Therefore, we call upon the Council to remove the charges immediately.”

The motion was moved by Councillor E. J. Murray and seconded by Councillor P. M. McDonald.

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

For the motion: Councillors Mrs. C. M. McDonald, P. M. McDonald, D. McGrath, E. J. Murray, W. R. Newnes, S. P. Shannon and C. J. K. Wilson (7);

Against the motion: Councillors Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell, R. J. Deeming, Mrs. R. L. Dent, Mrs. J. Dyer M.B.E., R. Hollingworth, Ms. H. Jones, B. Lewis, D. L. Pardoe, S. R. Peters, C. R. Scurrall, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (20);

Abstentions: Councillor L.J. Turner (1);

Accordingly the Chairman declared the motion to be LOST.

63/10 **MOTION - CO2 EMISSIONS**

Members considered the following motion submitted by Councillor S. P. Shannon which stood deferred from the previous meeting of the Council:

“I call on this Council to reduce the CO2 emissions of the authority as a matter of urgency. This Council must honour its pledge to the 10:10 campaign signed earlier this year to reduce the carbon emissions of the Council by 10% during 2010.”

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

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

For the motion: Councillors Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, S. P. Shannon and C. J. K. Wilson (5);

Against the motion: Councillors Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell, R. J. Deeming, Mrs. R. L. Dent, Mrs. J. Dyer M.B.E., R. Hollingworth, Ms. H. J. Jones, B. Lewis, D. L. Pardoe, C. R. Scurrall, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (19);

Abstentions: Councillors W. R. Newnes, S. R. Peters and L. Turner (3);

Accordingly the Chairman declared the motion to be LOST.

64/10 **MOTION - HANGING BASKETS, RUBERY**

Members considered the following motion submitted by Councillor C. J. K. Wilson which stood deferred from the previous meeting of the Council:

“Rubery has a vibrant high street which attracts many visitors and shoppers contributing to the local economy. The removal of hanging baskets devalues it as an attractive shopping area and gives the impression that it has been downgraded.”

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

On a requisition under Council Procedure Rules 17.5, the following details of voting were recorded:

For the motion: Councillors Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, S. P. Shannon and C. J. K. Wilson (5);

Against the motion: Councillors Mrs. J. M. Boswell, Mrs. M. Bunker, Miss D. H. Campbell, R. J. Deeming, Mrs. R. L. Dent, Mrs. J. Dyer M.B.E., R. Hollingworth, Ms. H. J. Jones, B. Lewis, W. R. Newnes, D. L. Pardoe, S. R. Peters, C. R. Scurrall, Mrs. M. A. Sherrey JP, R. D. Smith, Mrs. C. J. Spencer, C. B. Taylor, E. C. Tibby, C. J. Tidmarsh, L. Turner, M. J. A. Webb and P. J. Whittaker (22);

Accordingly the Chairman declared the motion to be LOST.

At this stage, with two Notices of Motion outstanding, the Chairman announced that the one hour time limit for the consideration of such motions had expired. The motions would be included on the agenda for the next meeting of the Council if this was the wish of the Members concerned.

65/10 **PERFORMANCE MANAGEMENT BOARD**

This item was withdrawn.

66/10 **OUTSIDE BODIES - LGA RURAL COMMISSION**

Members considered a report of the Head of Legal, Equalities and Democratic Services on the removal of the Local Government Association Rural Commission from the list of non ex-officio bodies to which Council representatives were appointed.

Having been moved by Councillor R. Hollingworth and seconded by Councillor Mrs. M. A. Sherrey JP, it was

RESOLVED:

- (a) that the LGA Rural Commission be removed from the list of non ex-officio bodies to which representatives are appointed by the Council;
- (b) that the outside body appointments made to the LGA Rural Commission on 23rd June 2010 be rescinded.

67/10 **STATEMENT OF ACCOUNTS 2009/2010**

Members considered a report of the Head of Resources relating to the revised Statement of Accounts 2009/2010 and the proposed delegation to the Audit Board of approval of the revised Statement of Accounts following immaterial amendments. It was noted that very positive comments had been received from the Audit Commission and the amendments to be made were minor in nature.

Having been moved by Councillor R. Hollingworth and seconded by Councillor Mrs. M. A. Sherrey JP, it was

RESOLVED that the authority to consider and formally approve by resolution the Council's Statement of Accounts 2009/2010 in accordance with Regulation 10 (3) of the Accounts and Audit Regulations 2003 be delegated to the Audit Board.

The meeting closed at 7.40 p.m.

Chairman