REDDITCH BOROUGH COUNCIL

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Council

Monday, 25 February 2019

MINUTES

Present:

Councillor Juliet Brunner (Mayor), Councillor Roger Bennett (Deputy Mayor) and Councillors Salman Akbar, Joe Baker, Tom Baker-Price, Joanne Beecham, David Bush, Michael Chalk, Debbie Chance, Greg Chance, Anita Clayton, Brandon Clayton, Matthew Dormer, John Fisher, Andrew Fry, Julian Grubb, Bill Hartnett, Pattie Hill, Wanda King, Anthony Lovell, Gemma Monaco, Gareth Prosser, Antonia Pulsford, Mike Rouse, Mark Shurmer, Yvonne Smith, Craig Warhurst and Pat Witherspoon

Officers:

Kevin Dicks, Claire Felton, Sue Hanley and Jayne Pickering

Senior Democratic Services Officer:

Jess Bayley

79. WELCOME

The Mayor welcomed those present to the meeting.

80. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Jennifer Wheeler.

81. DECLARATIONS OF INTEREST

The Monitoring Officer advised Members that at a meeting of the Audit, Governance and Standards Committee held on 30th July 2018 all Members had been granted a dispensation to make decisions in respect of the Budget, Council Tax and Members' Allowances. For this reason all Members could participate in the discussions and votes in respect of the recommendations from the Independent Remuneration Panel and the Medium Term Financial Plan 2019/20 to 2022/23, including the Council Tax Resolutions.

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Chair

82. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday 28th January 2019 be approved as a correct record and signed by the Mayor.

83. ANNOUNCEMENTS

a) The Mayor's Announcements

The Mayor advised that she had recently visited Mrs Molly Fisher, a Redditch resident who had celebrated her 100th birthday. Mrs Fisher had reported that her longevity was due to hard work. The Mayor had also visited the Snowdrop Festival at Beoley Church.

During the Mayor's announcements Mrs Karen Martin from Inspire Community Training Community Interest Company (CIC) was presented with a certificate in honour of her community work. Ms Martin thanked Members for inviting her to the meeting and noted that she considered the certificate to be an award for the work of the whole team at Inspire Community Training CIC.

b) The Leader's Announcements

The Leader advised that there had been a change in terms of the Government's approach to the review of Local Enterprise Partnerships (LEPs). The implications of this for the Worcestershire and Greater Birmingham and Solihull LEPs would be clarified in due course.

c) Chief Executive's Announcements

The Chief Executive confirmed that he had no announcements to make on this occasion.

84. EXECUTIVE COMMITTEE

Redditch Community Lottery

Members discussed the Redditch Community Lottery in detail and in so doing raised the following points:

- The running costs for the lottery which would be £2,500 per year.
- The management company that would be operating the lottery on the Council's behalf.

- The insurance coverage that would be required by the Council in order to operate a community lottery.
- The potential financial risks arising from the Redditch Community Lottery and the scale of these risks.
- The introduction of policies for the lottery, which would ensure that vulnerable groups within society, including children and young people, were protected.
- The concerns that had been raised in respect of the Redditch Community Lottery at a recent meeting of the Overview and Scrutiny Committee.
- The funding that would be raised from the lottery for local Voluntary and Community Sector (VCS) groups.
- The examples of community lotteries delivered by other local authorities which had been taken into account when the decision had been taken to introduce a Redditch Community Lottery.
- The extent to which gambling was a problem within the Borough of Redditch.

Independent Remuneration Panel Report and Recommendations for 2019/20

There was a detailed discussion about the recommendations from the Independent Remuneration Panel in relation to Members' allowances. During this discussion the following matters were highlighted:

- The Executive Committee had supported the recommendations proposed by the Independent Remuneration Panel and had added a further proposal to increase the allowances available to members of the Executive Committee without portfolio.
- The level of increase in Members' allowances, should the recommendations be approved, which would result in a total increase of £60,000.
- The potential to invest that £60,000 in other Council services.
- The financial difficulties experience by some members of society.
- The significant number of years that had passed since Members' allowances had last increased.
- The reasons why Members had chosen not to increase allowances in previous years.
- The allowances that were already paid to Members and the fact that these were the lowest in the county.
- The extent to which an increase in Members' allowances would encourage more people to stand as candidates in local elections.
- The amount of work required from Chairs of Committees and Portfolio Holders and the suitable level of Special

Responsibility Allowance (SRA) that should be provided to Members in these positions.

- The request that had been submitted by Members in previous years for the Government to determine the level of allowances that should be paid to local Councillors across the country.
- The potential for individual Members to choose not to accept the allowances to which they were entitled.
- The fact that the review of Members' allowances had been conducted by an independent panel of people.

During consideration of this item a named vote was requested in accordance with Council Procedure Rule 17.5 in relation to the Executive Committee's first, second and seventh recommendations on the subject of the Independent Remuneration Panel Report and Recommendations 2019/20.

Members Voting FOR the Resolutions below

Councillors Salman Akbar, Tom Baker-Price, Joanne Beecham, Roger Bennett, Juliet Brunner, Michael Chalk, Anita Clayton, Brandon Clayton, Matthew Dormer, Julian Grubb, Anthony Lovell, Gemma Monaco, Gareth Prosser, Antonia Pulsford, Mike Rouse and Craig Warhurst. (16)

Members Voting AGAINST the Resolutions below

Councillors Joe Baker, Debbie Chance, Greg Chance, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Wanda King, Mark Shurmer, Yvonne Smith and Pat Witherspoon. (11)

The recommendations were therefore carried.

Arrow Valley Countryside Centre – Change of Operator

The Portfolio Holder for Leisure and Tourism, Councillor Mike Rouse, explained that Officers had advised of the need to amend the proposals in respect of the change of operator for the Arrow Valley Countryside Centre which had been made at the Executive Committee on 5th February 2019. The first two recommendations, in respect of the surrender of the current service provider at the Centre of the lease on 31st March 2019 and the transfer of the operation of the centre to Rubicon Leisure Ltd from 1st April 2019, were still applicable. However, Officers had advised that the third recommendation which had been proposed at the Executive Committee in respect of financial implications was not required at this time. This was because the third recommendation reflected figures brought forward by Council Officers and it was premature to incorporate these into the Medium Term Financial Plan. Instead, following the decision at Council there would be negotiations between the Council and Rubicon Leisure Ltd. under the agreement

between them, as to the basis upon which the transfer would be achieved.

Members did, however, need to agree the inclusion of a delegation to officers to implement the Members' decisions regarding the future of the Arrow Valley Countryside Centre. This would activate the mechanism in the agreement between the Council and Rubicon Leisure Ltd. for a negotiation to take place about the detail of the arrangements between them.

During the consideration of this matter Members discussed the proposals for the transfer of the operator for the Arrow Valley Countryside Centre in some detail. Concerns were raised about the possibility that Rubicon Leisure Ltd. Might wish to introduce offices in the Arrow Valley countryside Centre. Members noted that the centre should be available for community use only and that they would not support the use of the centre as office space for Rubicon Leisure Ltd.

Following circulation of the information that had been provided to Councillor Rouse in respect of this matter, Members questioned whether the proposed alteration to the recommendations made by the Executive Committee would result in changes to the level of savings that might be achieved by the Council from the transfer. Members were advised that it was difficult to predict in advance what level of savings could be achieved as this would be subject to the outcome of negotiations with Rubicon Leisure Ltd. However, the ambition of Members to achieve savings through the process was acknowledged and shaped the wording of the final third recommendation in respect of the Arrow Valley Countryside Centre. Officers also undertook to report back to the Executive Committee on the outcomes of the negotiations at a later date.

Council Tax Support Scheme 2019/20

Members noted that originally it had been proposed that the Council Tax Support Scheme should be amended to introduce income bands. However, where this had been introduced at other local authorities, problems had emerged where incorrect details had been inputted for customers and this had resulted in residents not receiving the discounts to which they were entitled. Furthermore, during the consultation process the majority of respondents had indicated that they were not in favour of introducing income bands. Therefore Members were not being asked to proceed with this in 2019/20.

Following the Care Leavers' Short Sharp review in 2018 proposals had been brought forward to amend the Council Tax Support Scheme to provide additional support to care leavers aged up to 25. In addition, amendments to the Council's hardship scheme had been proposed to ensure that where care leavers experienced a

change in circumstances transitional support would be available to enable them to manage this process.

Business Case – Domestic Waste Collection Services

The actions proposed in the Business Case for Domestic Waste Collection Services would result in £80,000 additional investment in those services. This would reduce the need to use agency staff as well as pressures on Council staff and the Council's balances.

Medium Term Financial Plan 2019/20 to 2022/23, Including the Pay Policy Statement and the Council Tax Resolutions

Members discussed the proposed Medium Term Financial Plan 2019/20, including the Pay Policy Statement and Council Tax Resolutions in detail. During consideration of this matter the following points were highlighted:

- The fact that a balanced budget had been achieved for 2019/20 but not for the subsequent three years in the plan.
- The level of uncertainty in respect of local government finances, including for Redditch Borough Council, which was reflected in the three final years of the period covered by the plan.
- The Fair Funding Review for Local Government finances that was being conducted by the Government. The outcomes of this review would have implications for the Council's budget moving forward.
- The increase in Council Tax, which would be at the level of 2.2 per cent rather than the maximum 2.9 per cent that the Council could raise Council Tax before triggering a referendum.
- The removal of unidentified savings from the budget.
- The inclusion of an additional £60,000 investment in Members' allowances following the decision to endorse the proposals made by the Independent Remuneration Panel.
- The costs to the Council in terms of maintaining the Redditch Community Lottery, which would be £2,500 per annum.
- The recent Overview and Scrutiny Committee meeting at which Members had reviewed the proposed Medium Term Financial Plan and the issues that Members had raised at this meeting.
- The budget bid for £20,000 for the Christmas lights and the reasons why this was not being funded from alternative sources of income.
- The hard work of Officers in the Financial Services Team on balancing the budget in 2019/20. Members thanked Officers for their work.

During consideration of this item Councillor Bill Hartnett proposed an amendment to the Medium Term Financial Plan 2019/20 to 2022/23. This amendment was seconded by Councillor Greg Chance.

The amendment proposed the following alternative budget:

	2019-20 £000	2020-21 £000	2021-22 £000	2022-23 £000
Departmental base budget	9,116	9,173	9,387	9,388
Incremental Progression/Inflation on Utilities	132	206	281	483
Unavoidable Pressures	373	287	227	255
Revenue Bids/Revenue impact of capital bids	133	113	105	105
Savings and Additional income	-1,107	-821	-826	-796
Reserve release	-262	0	0	0
Efficiency savings rolled forwards	1,117	1,271	1,282	1,282
Net Revenue Budget Requirement	**9,503**	**10,229**	**10,456**	**10,717**
FINANCING				
Contribution to Worcestershire County Business Rate Pool	-2,855	-2,899	-2,941	-2,986
Council Tax	-6,241	-6,524	-6,857	-7,178
New Homes Bonus	-754	-430	-231	-209
Collection Fund Surplus (Council Tax)	-14	0	0	0
Parish Precept	8	8	8	8
Parish Precept income	-8	-8	-8	-8
Bad Debt Provision	50	50	50	50
Investment Income	-661	-952	-1,349	-1,673
MRP (Principal)	1,004	1,159	1,249	1,610
Interest payable	158	584	1,002	1,237
Recharge to Capital Programme	-38	-38	-38	-38
Discount on advanced pension payment	-193	-50	-50	-50
Funding Total	**-9,543**	**-9,099**	**-9,164**	**-9,237**
General Balances				
-				
Opening Balances	**1,401**	**1,440**	**310**	**-982**
Contribution (from) / to General Balances	40	-1,130	-1,292	-1,481

Agreed in year release of balances				
Closing Balances	**1,440**	**310**	**-982**	**-2,463**

Alternative Budget Includes :

- reinstating the grants budget of £20k

- reducing member allowances to previous year level saving £60k

- improves the financial position by £160k over 4 years

In proposing the alternative budget Councillor Hartnett commented that this would reinstate £20,000 of grant funding for local VCS organisations. The alternative budget also proposed that the increases in Members' allowances should not take place in 2019/20 and this in total would result in a saving of £40,000 per year. Members were advised that the alternative budget would have removed investment in the introduction of a Redditch Community Lottery but this could not happen as the budget had already been spent for this purpose.

Members subsequently discussed the alternative budget proposed in the amendment in detail and during this debate raised the following points:

- The changes to the Council's grant funding process and the role of elected Members in this process in 2019/20.
- The value of small savings in making a contribution to the budget planning process as a whole.
- The introduction of the Redditch Community Lottery and the financial implications for the Council.
- The total of £160,000 savings that would be achieved should the alternative budget be approved over the four year period of the Medium Term Financial Plan.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the proposed amendment to the budget calculation was subject to a named vote.

Members voting FOR the amendment below:

Councillors Joe Baker, Debbie Chance, Greg Chance, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Mark Shurmer, Yvonne Smith and Pat Witherspoon (10)

Members voting AGAINST the amendment below:

Councillors Salman Akbar, Tom Baker-Price, Joanne Beecham, Roger Bennett, Juliet Brunner, David Bush, Michael Chalk, Anita Clayton, Brandon Clayton, Matthew Dormer, Julian Grubb, Anthony

Lovell, Gemma Monaco, Gareth Prosser, Antonia Pulsford, Mike Rouse and Craig Warhurst. (17)

The proposed amendment to the budget calculation was therefore lost.

At the end of the debate, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a named vote was taken in respect of the proposed budget calculation and Council Tax resolutions in the agenda.

Members voting FOR the amendment below:

Councillors Salman Akbar, Tom Baker-Price, Joanne Beecham, Roger Bennett, Juliet Brunner, David Bush, Michael Chalk, Anita Clayton, Brandon Clayton, Matthew Dormer, Julian Grubb, Anthony Lovell, Gemma Monaco, Gareth Prosser, Antonia Pulsford, Mike Rouse and Craig Warhurst. (17)

Members voting AGAINST the amendment below:

Councillors Joe Baker, Debbie Chance, Greg Chance, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Mark Shurmer, Yvonne Smith and Pat Witherspoon (10)

The proposed budget calculation and Council Tax resolutions were therefore carried.

RESOLVED that

1) the minutes of the meeting of the Executive Committee held on Tuesday 5th February 2019 be received and all recommendations adopted except at Minute 88 – Arrow Valley Countryside Centre – Change of Operator – recommendation 3 and subject to including the following resolution:

a) recognising the Council's desire to reduce the overall management fee for Rubicon Leisure Ltd. that authority be delegated to the Head of Legal Democratic and Property Services after consultation with the Portfolio Holder for Leisure and Tourism to take the steps necessary to implement these decisions;

2) the approval of the Unavoidable costs as attached at Appendix1:

2019/20 £373k
2020/21 £287k
2021/22 £227k
2022/23 £255k

3) the approval of the Revenue Bids as attached at Appendix 2:

2019/20 £193k
2020/21 £173k
2021/22 £165k
2022/23 £165k

3) the approval of the Identified Savings as attached at Appendix 3:

2019/20 £1,127k
2020/21 £841k
2021/22 £846k
2022/23 £816k

4) the approval of the Capital Programme bids as attached at Appendix 4:

2019/20 £1.875m
2020/21 nil
2021/22 nil
2022/23 £1.352m

5) the approval of the Pay Policy Statement as attached in Appendix 6;

6) the approval of the Council Tax Resolutions to include the increase of the Council Tax per Band D at 2.2% and the following:

a) that it be noted at its meeting on 8th January 2019, the Executive Committee calculated the Council Tax Base 2019/20

(i) for the whole Council area as 26,096.00 [Item T in the formula in Section 31B of the Local Government Act 1992, as amended (the "Act")]; and

(ii) for dwellings in those parts of its area to which a Parish precept relates; this being Feckenham Parish as 370.10.

b) that the calculation of the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish precepts) is £6,240,858.40.

c) that the following amounts be calculated for the year 2019/20 in accordance with sections 31 to 36 of the Act:

(i) £50,996,528 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (taking into account all precepts issued to it by Parish Councils) *(i.e. Gross expenditure)*

(ii) £44,747,370 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act. *(i.e. Gross income)*

(iii) £6,249,158 being the amount by which the aggregate of 3 (a) above exceeds the aggregate at 3 (b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(iv) £239.47 being the amount at 3 (c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

(v) £8,300 being the aggregate amount of all special items (Feckenham Parish precept) referred to in Section 34 (1) of the Act.

(vi) £239.15 being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

(vii) £261.58 being the amount given by adding to the amount at 3(f), the amount of the special item relating to the Parish of Feckenham 3(e), divided by the amount in 1(b) above.

(viii) The amounts below given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for

the year in respect of categories of dwelling listed in different valuation bands.

Valuation Band	Proportion of Band D tax paid	Parish of Feckenham £	All other parts of the Council's area £
A	6/9	174.38	159.43
B	7/9	203.46	186.01
C	8/9	232.52	212.58
D	1	261.58	239.15
E	11/9	319.70	292.29
F	13/9	377.84	345.44
G	15/9	435.96	398.58
H	18/9	523.16	478.30

d) it be noted that for the year 2019/20, Worcestershire County Council, Warwickshire and West Mercia Police & Crime Commissioner and Hereford and Worcester Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Worcestershire County Council	840.50	980.58	1120.67	1260.75	1540.92	1821.08	2101.25	2521.50
Warwickshire and West Mercia Police and Crime Commissioner	144.44	168.51	192.59	216.66	264.81	312.95	361.10	433.32
Hereford and Worcester Fire and Rescue Authority	56.23	65.60	74.97	84.34	103.08	121.82	140.57	168.68

e) Having calculated the aggregate in each case of the amounts at 4(h) and 5 above, that Redditch Borough Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the amounts shown below as the amounts of Council

Tax for 2019/20 for each part of its area and for each of the categories of dwellings:

Valuation Band	Proportion of Band D tax paid	Parish of Feckenham £	All other parts of the Council's area £
A	6/9	1,215.55	1,200.60
B	7/9	1,418.15	1,400.70
C	8/9	1,620.75	1,600.81
D	1	1,823.33	1,800.90
E	11/9	2,228.51	2,201.10
F	13/9	2,633.69	2,601.29
G	15/9	3,038.88	3,001.50
H	18/9	3,646.66	3,601.80

f) that the Executive Director Finance & Resources be authorised to make payments under Section 90(2) of the Local Government Finance Act 1988 from the Collection Fund by ten equal instalments between April 2019 to March 2020 as detailed below:

	Precept £	Surplus on Collection Fund £	Total to pay £
Worcestershire County Council	32,900,532.00	74,370.00	32,974,902.00
Warwickshire and West Mercia Police and Crime Commissioner	5,653,926.95	12,089.00	5,666,015.95
Hereford & Worcester Fire	2,200,935.39	5,024.00	2,205,959.39

g) that the Executive Director Finance & Resources be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £6,263,532.40 being the Council's own demand on the Collection Fund (£6,240,858.40) and Parish Precept (£8,300) and the distribution of the Surplus on the Collection Fund (£14,374);

h) that the Executive Director Finance & Resources be authorised to make payments from the General Fund to Feckenham Parish Council the sums listed above (£8,300) by instalment on 1 April 2019 in respect of the precept levied on the Council;

i) that the above resolutions 3 to 5 be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes; and

j) that notices of the making of the said Council Taxes signed by the Chief Executive are given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

(During consideration of this item Councillor David Bush arrived at the meeting. As he was not present for the whole of this item he did not take part in all of the named votes.

Also during consideration of this item Councillor Wanda King left the meeting. As she was not present for the whole of this item she did not take part in all of the named votes).

85. CONSTITUTION REVIEW

The proposals detailed in the review of the Constitution were discussed by Members in some depth. During the debate in respect of this item the following points were raised:

- The proposed changes had been considered at a recent meeting of the Constitutional Review Working Party.
- The introduction of an Electoral Matters Committee would help to reduce the length of time spent debating the subject at meetings of Council.
- However, it was also noted that electoral issues were very important an should the Electoral Matters Committee be introduced they would be considered by only a small number of Councillors.
- The delegation of powers to senior officers to consider employment appeals would ensure that the Council's disciplinary policies were more compliant with ACAS guidelines as appeals should be considered as soon as possible and the Employment Appeals Committee process caused delays.
- However, concerns were raised that staff should have an opportunity to appeal to their ultimate employer, elected Members, who could act in an independent capacity.
- There was general consensus that the introduction of public speaking arrangements at more Committee meetings would help to enhance public engagement in the democratic process.

RESOLVED that

1) an Electoral Matters Committee be established and the proposed terms of reference for this Committee be approved;

2) the Officer Scheme of Delegations should be amended so as to delegate Directors with the power to consider appeals by employees in respect of discipline and dismissal for staff below the level of Head of Service;

3) the current employment policies remain in place (including the relevant appeal processes) until such time as replacement policies have been formally approved;

4) the Parental Leave Guidance for Councillors be adopted;

5) public speaking should be permitted to take place at all Committee meetings held in public where there are currently no opportunities for the public to register to speak; and

6) the updated Code of Practice in Relation to Licensing matters under the Licensing Act 2003 and the Gambling Act 2005 be adopted.

86. POLITICAL BALANCE REPORT

Members were advised that the introduction of an Electoral Matters Committee, agreed during consideration of the report in respect of the review of the Council's constitution, impacted on the Council's political balance.

Members agreed the proposals detailed in the report with nobody voting against.

RESOLVED that

1) the political balance of the Committees of the Council be agreed as set out in paragraph 3.5;

2) the arrangement where the seats on the Overview and Scrutiny Committee are not allocated in accordance with the political balance requirements be continued;

2) the arrangement where the seats on the Crime and Disorder Scrutiny Panel are not allocated in accordance with the political balance requirements be continued;

4) appointments by political group leaders to the places on the Electoral Matters Committee be approved;

5) the Council appoints a Chair and a Vice-Chair of the Electoral Matters Committee.

87. URGENT BUSINESS - RECORD OF DECISIONS

There were no urgent decisions to note.

88. URGENT BUSINESS - GENERAL (IF ANY)

There was no general urgent business for Members' consideration.

The Meeting commenced at 7.33 pm
and closed at 9.50 pm