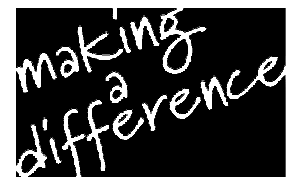


minute book 5

# Council

Monday 5th December  
2011  
7.00 pm

Council Chamber  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)



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## Council

17th October 2011

## MINUTES

### Present:

Councillor Anita Clayton (Mayor), Councillor Gay Hopkins (Deputy Mayor) and Councillors Peter Anderson, Michael Braley, Rebecca Blake, Andrew Brazier, Juliet Brunner, David Bush, Michael Chalk, Simon Chalk, Greg Chance, Brandon Clayton, Andrew Fry, Adam Griffin, Bill Hartnett, Roger Hill, Robin King, Wanda King, Alan Mason, Phil Mould, Jinny Pearce, Brenda Quinney, Mark Shurmer, Luke Stephens, Debbie Taylor and Derek Taylor

### Officers:

T Buckley, C Felton, C Flanagan, S Hanley, T Kristunas, S Skinner and A Walsh

### Committee Services Officer:

I Westmore

### 56. WELCOME

The Mayor opened the meeting and welcomed all present. The Mayor's celebrant, June Saville, led the Council in a moment's reflection.

### 57. APOLOGIES

Apologies for absence were received on behalf of Councillor William Norton.

### 58. DECLARATIONS OF INTEREST

Councillor Jinny Pearce declared a personal and prejudicial interest in Item 9 (Executive Committee – Redditch Borough Council's Grants Programme 2012/13 as detailed at Minute 64 below.

### 59. MINUTES

**RESOLVED that**

.....  
MAYOR, in the Chair

**the minutes of the meeting of the Council held on 5th September 2011 be confirmed as a correct record and signed by the Mayor.**

**60. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS**

The Mayor's communications and announcements were considered under the following headings:

a) Redditch One World Link – Mtwara visit

The Mayor advised the Council that representatives of Redditch One World Link (ROWL) were present to inform Members about their recent visit to Redditch's twin town of Mtwara in Tanzania. Mrs Pat Witherspoon introduced the presentation before handing on to Mrs Jackie Morgan who narrated a slide and film show about the visit. The Mayor, Deputy Chief Executive and Leader of the Council then accepted gifts on behalf of the Borough Council from the Mtwara municipal authority.

Members thanked the representatives of ROWL for attending and sharing with the Council news of their visit. Several Members spoke warmly of their experiences either in Mtwara or in Africa more generally and expressed their wish that the Council might more actively foster this twinning link in the future.

b) West Midlands 'Green Leader'

The Mayor advised that Miss Ceridwen John, the Council's Climate Change Manager had recently been designated a West Midlands 'Green Leader' by Sustainability West Midlands, in part thanks to her role in the Council's Crematorium energy recovery project. The Council joined the Mayor in congratulating Miss John on the award of this accolade.

c) Mayor's Announcements

The Mayor advised that since the previous meeting of the Council she had undertaken a number of engagements in her civic capacity including her own Civic Service at St. Stephen's Church, the MacMillan Coffee Morning at the Town Hall and the presentation of the Silver Award for the Heart of England in Bloom at Matchborough First School.

d) Forthcoming events

The Mayor advised that forthcoming events included her own Civic Dinner the following week and the Local Democracy Day events at the Town Hall that coming Thursday.

Urgent Business

The Mayor advised that she had not accepted any items of urgent business.

#### **61. LEADER'S ANNOUNCEMENTS**

The Leader's announcements were considered under the following headings:

a) North Worcestershire Lifeline Service

The Leader advised Members that the North Worcestershire Lifeline Service had recently been inspected by the national regulator and had been highly praised for the service it provided. The regulators were delighted to see the pride that the staff took in the service and stated that the service was of the highest standard. Staff were congratulated by Members for their achievements.

b) Britain in Bloom Awards

The Leader was delighted to advise the Council that Redditch had been presented with a gold award by the judges for the Britain in Bloom competition. The Leader detailed for Members the comments made by the judges following their visit, the itinerary for which had included such locations as the Arrow Valley Country Park and Southcrest Woods. Again, staff were congratulated for the hard work they undertook on a daily basis to keep the town looking so attractive.

#### **62. QUESTIONS ON NOTICE**

No questions had been received.

#### **63. MOTIONS ON NOTICE**

No motions had been received.

#### **64. EXECUTIVE COMMITTEE**

Members received the minutes of the meetings of the Executive Committee held on 13th September and 5th October 2011.

#### **RESOLVED that**

- 1) **the minutes of the meeting of the Executive Committee held on 13th September 2011 be received and all recommendations adopted, subject to:**

**in respect of Minute 78 (ICT Policies) it being agreed that the policies be reviewed after a period of six rather than twelve months; and**

- 2) the minutes of the meeting of the Executive Committee held on 5th October 2011 be received and all recommendations adopted, subject to:

**in respect of Minute 97 (Hewell Road Pool – Disposal) it being noted that a further report be submitted to the Executive Committee in due course in respect of the play area on this site.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Jinny Pearce declared a personal and prejudicial interest in view of her involvement with a VCS group who might be making applications for grant funding and took no part in the discussion or voting on this item.)

#### 65. REGULATORY COMMITTEES

The Council received the minutes of recent meetings of the Audit and Governance Committee and Planning Committee.

##### RESOLVED that

- 1) the minutes of the meeting of the Audit and Governance Committee held on 26th September 2011 be received and adopted, subject to:

**in respect of Minute 15 (Internal Audit - Interim Monitoring Report 2011/12) it being noted that the Chair of the Committee, Councillor Bill Hartnett, undertook to speak to Officers in respect of the targets set out in the Internal Audit Annual Audit Plan and a planned meeting in that regard; and**

- 2) the minutes of the meeting of the Planning Committee held on 9th September 2011 be received and adopted.

#### 66. LGA INLAND FLOOD RISK MANAGEMENT GROUP - NOMINATION

The Council considered a request from West Midlands Councils for a nomination for a representative to fill a vacancy on the Local Government Association Inland Flood Risk Management Group.

##### RESOLVED that

**Councillor Michael Chalk be the Council's nominee for the vacant position on the LGA Inland Flood Risk Management Group.**



**67. URGENT BUSINESS - RECORD OF DECISIONS**

There were no Urgent Business decisions under the Council's urgency procedures for consideration at this meeting.

**68. URGENT BUSINESS - GENERAL (IF ANY)**

There were no separate items of Urgent Business for consideration at this meeting.

The Meeting commenced at 7.02 pm  
and closed at 8.12 pm

.....  
MAYOR, in the Chair





## Executive Committee

15th November 2011

### MINUTES

#### Present:

Councillor Carole Gandy (Chair), Councillor Michael Braley (Vice-Chair) and Councillors Juliet Brunner, Greg Chance, Brandon Clayton, Malcolm Hall, Debbie Taylor and Derek Taylor

#### Also Present:

Councillors Peter Anderson, Andrew Brazier and Phil Mould

#### Officers:

K Dicks, C Flanagan, S Hanley, A Heighway, S Horrobin, C John, J Pickering, G Revans and J Willis

#### Committee Services Officer:

I Westmore

#### 103. APOLOGIES

An apology for absence was received on behalf of Councillor Jinny Pearce.

#### 104. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 105. LEADER'S ANNOUNCEMENTS

The Chair advised the Committee that the following item of business, scheduled on the Forward Plan to be dealt with at this meeting, had been rescheduled to a later meeting of the Committee:

- Housing Revenue Account – Outcome of Review

The Chair also advised that she had accepted the following matters as Urgent Business:

- Solar Panels – Government Consultation Response

.....  
Chair

(Not on the Forward Plan and not meeting the publication deadline)

- Referrals from meetings of the Overview and Scrutiny Committee, Shared Services Board and Constitutional Review Working Party

(Not meeting the publication deadline)

#### **106. MINUTES**

##### **RESOLVED that**

**the minutes of the meeting of the Executive Committee held on 4th October 2011 be confirmed as a correct record and signed by the Chair.**

#### **107. MEDIUM TERM FINANCIAL PLAN 2012/13 - 2014/15**

The Committee received an oral report setting out a broad overview of the financial environment within which the Council's budget for 2012/13 was to be developed.

A number of the more significant national challenges were identified, including the significant erosion of the earlier proposals to localise business rates and the proposal for localisation of Council Tax benefit. It was anticipated that measures contained within the Localism Bill could have some financial impact on the authority and there was concern that the introduction of Universal Credit might have an adverse effect on service delivery during the transitional period.

Locally, shared services, transformation and efficiencies were providing substantial savings and it was expected that continuation of these measures would help to offset the further reduction in grant funding from central Government.

A number of assumptions were set out, including the projected inflation figures going forward and the expected increase in costs for utilities and, as a result, an anticipated shortfall of around £500,000 was reported. It was recommended that the balances currently held in reserve be retained as far as was possible to provide a financial cushion for the authority.

#### **108. GRITTING AND SNOW CLEARANCE - REDDITCH BOROUGH COUNCIL APPROACH**

The Committee considered a report setting out the Council's proposed approach to gritting and snow clearance during bad weather events.

Officers made it clear that the County Council was the authority with responsibility to carry out the majority of gritting and snow clearance within the Borough and the matters under consideration focussed upon measures to be undertaken on Council land and only in other areas of the Borough where the necessary resources were available.

The Leader of the Council expressed her concern that some of the original Overview and Scrutiny recommendations had not been addressed. Following the passing of correspondence received by the Leader from the County Council on to the relevant Redditch Borough Council Task and Finish Group there had been no further comment received by the Leader and an assumption made that matters were in hand. This misunderstanding aside, the Leader provided further feedback on the discussions that she and Officers had had with Members and Officers of the County. It was clear that the County would not entertain delegation of responsibility during adverse weather to the Borough Council. It was also noted that the County was investigating the use of snow-plough attachments which would allow for the removal of a greater depth of snow and ice. Significantly, there had been an acknowledgement that they had not performed as well as they would have hoped in clearing and gritting roads in Redditch last winter.

Members commented that there was some understanding locally that the Borough Council had performed well during the adverse weather and that shortcomings had generally been the result of County Council failings. There had clearly been a lack of recognition at the outset at the scale of the problems facing Redditch, with resources possibly being allocated on the basis of anticipated problems from previous episodes of severe weather.

The measures being considered for adoption locally by the Council were considered in some detail. Members were encouraged to let Officers know which roads they considered to be priority routes for gritting should the Council have the resources available in future winters to carry out gritting over and above that provided by the County Council. A list of priority sites was still being worked up by Officers and this additional information would assist in the process. Discussion ensued around the gritting of the Council's sheltered housing schemes, with Officers highlighting the Council's priority as being to enable access to the properties by Home Support workers. The provision of up to date information to local residents by the Council on where gritting had taken place and the state of the roads

and pavements was suggested as a measure that could be undertaken using the Council's website.

**RECOMMENDED that**

- 1) **the following policy be adopted with regard to gritting and snow clearance:**

**Redditch Borough Council will strive to keep the following areas clear of snow and ice and safe to use:**

- a) **crematorium and cemeteries to allow funerals to continue;**
- b) **Redditch Borough Council staff car parks to ensure that there are suitable parking areas for Council staff who are getting into work to provide essential services;**
- c) **key Council sites like the Town Hall and district centres to assist local shops and businesses and enable residents to access services;**
- d) **gritting/snow clearance at other areas including Council sheltered accommodation will only be carried out subject to available resources; gritting/snow clearance at Council owned sheltered accommodation will be to allow the home Support Service Access to residents;**

**and RESOLVED that**

- 2) **the Council will not provide grit bins on any highway land but may provide grit bins on its own land to enable gritting to take place – e.g. at leisure sites;**
- 3) **further publicity is undertaken to ensure that residents are aware of how the Council will deal with gritting/snow clearance and what to do when bad weather affects their waste collection service;**
- 4) **Officers purchase appropriate snow clearance and gritting equipment from within existing budgets; and**
- 5) **relevant Officers from Redditch Borough Council arrange a meeting with relevant Officers from Worcestershire County Council in advance of winter 2011/12 to discuss additional issues raised in the Gritting Short, Sharp Review Group's final report and**

**arrangements for gritting and snow clearance in  
Redditch for the winter.****109. NORTH WORCESTERSHIRE COMMUNITY SAFETY  
PARTNERSHIP - PROPOSED MERGER**

A report was considered which set out proposals for the creation of a North Worcestershire Community Safety Partnership. Officers explained the rationale for bringing this measure forward at this stage. The Home Office grant each year to fund community safety activity had been reduced in recent years and was facing further reductions in 2012/13. Local Responsible Authorities had capacity issues and were finding it increasingly difficult to bring forward suitable representatives for the meetings of the relevant Partnerships across the County. Furthermore, it was unclear as to how the introduction of Police and Crime Commissioners would impact on the activities of the Partnerships.

The other Responsible Authorities within Worcestershire had had the opportunity to consider and comment upon a move to either a single county-based Partnership or to two Partnerships, in the north and south of the County. There had been agreement that the status quo was unsustainable and that a move to two Partnerships be supported.

It was noted that the Overview and Scrutiny Committee had discussed the proposed merger of the Partnerships in the north of the County and had recommended that the status quo be maintained in order that a local Redditch focus be retained and in order that scrutiny might more adequately be carried out. In order to allay some concerns it was noted that the delivery arm for community safety would be unaffected and the tasking group structure would remain the same. In addition, the relevant Portfolio Holder undertook to discuss with relevant representatives from the south of the County any issues that had arisen with the scrutiny of the Joint Partnership operating across those three Districts.

**RECOMMENDED that**

- 1) Redditch Borough Council approve the merger of Redditch Community Safety Partnership with Bromsgrove Community Safety Partnership and Wyre Forest Community Safety Partnership resulting in the creation of a North Worcestershire Community Safety Partnership; and**
- 2) subject to endorsement by each of the Responsible Authorities of the merger, authority be delegated to Officers to take the necessary steps to implement the**

**merger, including the establishment of governance arrangements and entering into any agreements, also subject to endorsement by the relevant Community Safety Partnerships;**

**and RESOLVED that**

- 3) Members note the continuation of locality-based operational and responsive partnership working through the operational Tasking Group and its theme groups; and**
- 4) Members note the intention to review the County-wide partnership arrangements by 2014.**

**110. SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY**

The Committee considered the adoption of a Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure.

The Committee was happy to endorse the Policy, concluding that it was extremely comprehensive. Clarification was sought on the question of Criminal Record Bureau checks for elected Members. Officers confirmed that specific guidance was available for Members but that, generally, Borough Councillors would not fulfil the criteria for requiring such a check to be carried out.

**RECOMMENDED that**

**the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure attached at Appendix 1 of the report be approved.**

**111. COMMISSIONING OF CHILDREN'S CENTRE SERVICES**

Members were informed that the contracts for the management of the Children's Centres within the Borough, which at the present time was carried out by the Borough Council and a partner organisation, Redditch YMCA, were due to expire at the end of March 2012. It was proposed that the two organisations submit tenders to continue to deliver Children's Centres Services from that date.

The Committee noted that there were definite indications that the provision of support through the Children's Centres was having a positive impact on the skills and abilities of very young children as they entered full-time education. There was less evidence available



at present as to how this carried through to achievement at GCSE level and above. It was also noted that socialisation of young children and parents was an important role for the Children's Centres alongside an improvement in educational attainment.

Officers undertook to provide members of the Committee with further information on the impacts and outcomes from the activities carried out by the Children's Centres following the meeting.

**RESOLVED that**

- 1) **option 2 as outlined in Appendix 1 of the report be approved in relation to the submission of a tender to deliver Children's Centre services in Redditch subject to the Council being the 'lead' organisation if this is required in respect of a partnership bid; and**
- 2) **subject to any tender being successful, a Contract be entered into with Worcestershire County Council.**

**112. SOLAR PANELS - GOVERNMENT CONSULTATION**

The Committee was provided with an update on an ongoing Government consultation on fast-tracking changes to the current solar photo voltaic (PV) feed-in tariff scheme. The main impact of such a change was that the payback time for the Council's schemes would be doubled.

The Committee was generally disappointed that the feed-in tariff scheme was potentially to be changed to the detriment of the Council. The potential effects on the solar energy industry were also noted, although there was some recognition that such a change was not unexpected. It was also noted that, due to the prompt action of Officers in pushing through such schemes at an early stage, the Council would be less adversely affected than a considerable number of other authorities. Members were keen that the Council retain its commitment to the installation of solar panels.

**RESOLVED that**

- 1) **authority be delegated to the Climate Change Manager, in consultation with the Portfolio Holder for Health and Housing, to respond to the consultation based on the Committee's comments; and,**

**taking into account the revised financial projections as detailed in Appendices 1- 3 to the report,**

- 2) the Council proceed in accordance with existing approvals for the installation of solar panels at the three main sites identified (Town Hall, Palace Theatre and Crematorium);
- 3) the Council proceed in accordance with the existing approvals for social housing projects, although acknowledging that further delay may result in fewer sites being completed by 31st March 2012; and
- 4) Officers be instructed to continue to prioritise installation of solar panels at the four main sheltered schemes.

(The report had been accepted as a matter of Urgent Business –not on the Forward Plan and not having met the publication deadline – and was considered at the meeting as such, with the approval of the Chair, in accordance with the Council’s constitutional rules and the powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree to matters of urgency being discussed by reason of special circumstances.

In this case the exceptional circumstances were the need to agree a response to the consultation because of the proposed reference date for changes of 12th December 2011 and the action to be taken by the Council if the proposals were to be implemented.)

## 113. **OVERVIEW AND SCRUTINY COMMITTEE**

The Committee received the minutes of the meetings of the Overview and Scrutiny Committee held on 27th September and 18th October and considered the recommendations contained therein.

### **27th September 2011**

#### **External Refurbishment of Housing Stock Short, Sharp Review – Update Report**

#### **RESOLVED that**

- 1) based on the costs involved, no further action be taken regarding repainting the pebble dashed facades of properties located on Ombersley Close and Rushock Close;
- 2) no further consultation work be undertaken in respect of the repainting of pebble dashed facades;

### **18th October 2011**

**Petition – War Memorial**

**RESOLVED that**

- 3) **that planters be installed around the war memorial to deter people from sitting on the war memorial;**
- 4) **a campaign of education about the war memorial be launched to increase awareness of the purpose of the war memorial;**
- 5) **Officers be asked to investigate the possibility of introducing improved signage for the war memorial;**
- 6) **Officers be asked to investigate the possibility of introducing seating in the area;**
- 7) **Officers be asked to investigate the possibility of installing an extra litter bin in the area; and**

**Meeting of the Chair with the Leader of the Council – Feedback**

**RECOMMENDED that**

- 8) **the quarterly meetings between the Chair of the Overview and Scrutiny Committee and the Leader of the Council be removed as a requirement from the Council's Constitution.**

**114. WORCESTERSHIRE SHARED SERVICE JOINT COMMITTEE**

The Committee considered endorsement of a single Enforcement Policy to be used across the County in relation to all enforcement activities. The Policy had been recommended for adoption at the preceding meeting of the Worcestershire Shared Services Joint Committee.

**RECOMMENDED that**

**the Council adopt the Worcestershire Regulatory Services Enforcement Policy.**

**115. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.**

The Committee considered a number of urgent referrals from the Shared Services Board and the Constitutional Review Working Party.

**Shared Services Board – 10th November 2011**

The current management arrangements of the Council were considered and reviewed.

(In view of the fact that information would be revealed relating to individual employees and their personal / financial details, together with employee relations matters, disclosure of which is not considered to be in the public's best interest, this matter was considered following the exclusion of the public and the press.)

**Constitutional Review Working Party – 10th November 2011**

Members considered recommendations from the Constitutional Review Working Party, including a number relating to the Council's current policies for handling statutory Housing and statutory Employee Grievance appeals. It was noted that in both cases there was currently a non-statutory step involving a hearing before a panel of elected Members.

The Housing Appeal policy was currently at risk of challenge by a Judicial Review to seek a declaration from the High Court that the policy was invalid because the non-statutory hearing was included. There was some concern amongst Members that what had been initiated as an assistance to appellants was now the subject of such a challenge. Officers confirmed that the individual concerned had adopted a contrary view and the Council would be advised to defend its position and remove the cause of offence in the light of recent case law.

**(a) Meeting Cycles – Executive Committee / O&S****RECOMMENDED that**

- 1) **meetings of the Executive Committee and Overview and Scrutiny Committee be scheduled on a 4-weekly cycle, rather than the current 3-weekly cycle in future calendars of meetings;**

**(b) Housing Appeals****RESOLVED that**

- 2) **for the reasons detailed within the report, the amended Housing Appeals Procedure attached at Appendix 1 to the attached report be approved and adopted with immediate effect; but**

- 3) **Officers seek further legal advice as to possible alternative means for a Member-level involvement in appeals against Officer decisions (with regard to Homelessness and Housing Allocation cases); and**
- 4) **Employment Appeal Processes be similarly reviewed in due course, subject to any necessary further consultation, negotiation and report.**

(These urgent referrals had been accepted as matters of Urgent Business –not having met the publication deadline – and were considered at the meeting as such, with the approval of the Chair, in accordance with the Council’s constitutional rules and the powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree to matters of urgency being discussed by reason of special circumstances.

In this case the exceptional circumstances were that these specific referrals required attention sooner than the next available meeting of the Committee, to which the full minutes would be reported. “Recommended” items required consideration at the full Council meeting on 5th December 2011.)

#### **116. ADVISORY PANELS - UPDATE REPORT**

The Committee considered the latest Advisory Panels update report.

**RESOLVED that**

**the report be noted.**

#### **117. ACTION MONITORING**

The Committee’s Action Monitoring report was considered. It was noted that there was no reference within the report to any update on the play area at Hewell Road following the agreement to demolish the swimming pool. Officers agreed to include this matter on future reports until such a time as the matter had been resolved.

**RESOLVED that**

**the report be noted.**

#### **118. EXCLUSION OF THE PUBLIC**

**RESOLVED that**

under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 of Part 1 of Schedule 12 (A) of the said Act, as amended.”

- Referral from the Shared Services Board – Management Arrangements (Minute 115); and
- Sandycroft – Future of the Site (Minute 119)

**119. SANDYCROFT - FUTURE OF SITE**

The Committee discussed the future of the site known as Sandycroft and took decisions regarding the freehold interest and leasing of the site.

(In view of the fact that information would be revealed relating to individual third party organisations, their financial affairs and terms under negotiation, disclosure of which is not considered to be in the public’s best interest, this matter was considered following the exclusion of the public and the press.)

The Meeting commenced at 7.00 pm  
and closed at 9.05 pm

.....  
Chair

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Audit & Governance

## Committee

15th November 2011

## MINUTES

### Present:

Councillor Bill Hartnett (Chair), Councillor Rebecca Blake (Vice-Chair) and Councillors Peter Anderson, Michael Braley, Andrew Brazier and Luke Stephens

### Officers:

T Kristunas, J Pickering and G Tanfield - Worcestershire Internal Audit Shared Service Manager

### Committee Services Officer:

D Sunman

### 20. APOLOGIES

There were no apologies for absence.

The Chair welcomed members to a special meeting of the Audit and Governance Committee, which had been called to provide an update on the Internal Audit Plan.

### 21. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 22. MINUTES

#### RESOLVED that

the minutes of the meeting of the Committee held on 26th September 2011 be confirmed as a correct record and signed by the Chair.

.....  
Chair

# Audit & Governance

## Committee

15th November 2011

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### **23. INTERNAL AUDIT - UPDATE ON DELIVERY AGAINST 2011/12 PLAN**

The Committee received a report that provided an update:

- a) on delivery against the 2011/12 Internal Audit Plan as at 30th October 2011; and
- b) on the actions that Internal Audit had taken to ensure the management and those charged with governance had been provided with the required coverage and assurances over the system for internal control for 2011/12.

Officers reported that significant progress had been made since 31st July 2011 towards delivering the Internal Audit Plan and achieving the targets set for 2011/12.

Members were informed that chargeability and productivity had increased from 17% to 55% and 33% to 48% respectively and that a total of 191 chargeable days had been delivered against a target of 479 days for 2011/12.

The Committee was informed that a number of steps had been put in place to ensure delivery against the Internal Audit Plan 2011/12 and to give the required assurances to Members, District Auditor (Audit Commission) and management over the system of internal control, the Annual Governance Statement and Statement of Accounts.

These steps had included:

- (i) the Worcestershire Internal Audit Shared Service Manager had met with Executive Director of Finance and Resources, in her role as the Council's Section 151 Officer, to discuss progress against the plan and actions taken to assist with the delivery of the plan;
- (ii) two experienced auditors had been recruited to the team and resource within the team had been managed to accelerate delivery against the plan and ensure effective service. ;
- (iii) the plan would continue to be rigorously monitored to ensure performance and continued improvement and that risk would be managed effectively; and
- (iv) absenteeism had been proactively and rigorously managed.

# **Audit & Governance**

Committee

15th November 2011

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Members were assured that Officers were confident that, with continued monitoring of performance, delivery against the Audit Plan for 2011/12 would continue to accelerate and would include all high and medium risk areas.

Officers would be meeting to further discuss delivery of the remainder of the Plan. Officers agreed to inform Members of the Committee, by the end of November 2011, of any changes to the Plan.

Members requested that the district auditors (the Audit Commission) be kept informed of all discussions regarding amendments to the Audit Plan for 2011/12.

## **RESOLVED that**

- 1) the report be noted;**
- 2) Members receive electronic updates on any amendments to the Audit Plan by the end of November 2011 following Officer meetings;**
- 3) the District Auditor (Audit Commission) be kept informed of any decision to make amendments to the Audit Plan.**
- 4) that a further update report be prepared for the next meeting of this Committee.**

The Meeting commenced at 6.00 pm  
and closed at 6.55 pm

.....  
Chair





# Planning Committee

3rd October 2011

## MINUTES

### Present:

Councillor Michael Chalk (Chair), and Councillors Peter Anderson, Andrew Brazier, David Bush, Andrew Fry, Wanda King and Alan Mason (substituting for Councillor Bill Hartnett)

### Also Present:

M Collins (observer for Standards Committee) and Mr B Sharp (Worcestershire County Council Highways Engineer)

### Officers:

R Bamford, N Chana, A Hussain, A Rutt and I Westmore

### Committee Services Officer:

J Smyth

### 33. APOLOGIES

Apologies for absence were received on behalf of Councillors Bill Hartnett, Roger Hill and Robin King.

### 34. DECLARATIONS OF INTEREST

Councillors Bill Hartnett and Roger Hill, in the public gallery, declared personal and prejudicial interests in relation to Planning Application 2011/227/FUL (Church Hill District Centre, Tanhouse Lane, Church Hill) as detailed separately at Minute 35 below. Councillor Robin King, also in the public gallery, declared an interest as a Church Hill Ward member, also as detailed separately at Minute 35.

.....  
Chair

**35. PLANNING APPLICATION 2011/227/FUL –  
CHURCH HILL DISTRICT CENTRE, TANHOUSE LANE,  
CHURCH HILL**

Mixed use development including medical centre and retail building with car parking and landscaping, 51 dwellings, new high street and associated open space, to form a regenerated district centre

Applicant: LSP Developments, Bellway Homes and Accord Housing Association

The following people addressed the Committee under the Council's public speaking rules:

- |                 |   |   |
|-----------------|---|---|
| Mr H Croft      | - | Objector  |
| Miss A New      | - | Objector on behalf of Year 4 –<br>Abbeywood First School  |
| Master B Lowe   | - | Objector on behalf of Year 4 –<br>Abbeywood First School  |
| Cllr B Hartnett | - | Ward Councillor and objector                              |
| Cllr R King     | - | Ward Councillor and objector on behalf of local residents |
| Mr E Sutton     | - | Joint Applicant   |
| Mr M Wright     | - | Applicant's Agent   |

During the debate, the Chair also exceptionally allowed Mr B Sharp (a Worcestershire County Council Highway Engineer present at the meeting), to respond to a number of Members' questions in relation to highways matters.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planner permission subject to:**

- 1) **the completion of a Section 106 Planning Obligation to ensure**
  - a) **the on-site open space is provided and maintained as such in perpetuity;**
  - b) **the 39 units are for the provision of social housing in perpetuity; and**
  - c) **a Bond is secured for Traffic Regulation Order measures such as weight restrictions and giving priority to oncoming vehicles on the new boulevard south of Church Hill Way and any other off-site junction improvements required; and**

- 2) the conditions and informatives as stated in the main report and as summarised below:
- 1) Time limit for commencement of development – three years from decision date;
  - 2) Materials to be agreed prior to commencement of development (by phase);
  - 3) Surfacing materials to be agreed prior to commencement of development;
  - 4) All hard surfacing to be permeable or sustainably drained – where not permeable, drainage details to be supplied and agreed prior to their implementation;
  - 5) Planting and replacement details to be agreed;
  - 6) Gated rear garden accesses - details to be agreed in order to ensure that they are secure;
  - 7) Shop windows to remain transparent to allow for passive surveillance and security;
  - 8) Shop shutters to be internal only, if necessary;
  - 9) Implement tree protection prior to and throughout construction phase;
  - 10) Contaminated land to be dealt with appropriately, if found;
  - 11) To be built to sustainability standards as detailed in the submission (CSH3/BREEAM);
  - 12) removal of Permitted Development Rights from residential properties to prevent over development of gardens;
  - 13) Details of ventilation and extraction leading to flues shown on plans;
  - 14) Approved plans specified;
  - 15) Flat roof materials and details to be submitted and agreed (to prevent public access);
  - 16) Fencing details to be submitted and agreed;
  - 17) Street furniture details to be submitted and agreed; and
  - 18) Allotment access gate details to be submitted and agreed.

**Informatives**

- 1) Reason for approval

- 2) **Advertisement consent application(s) will be required prior to display of any signage, for instance on district centre building**
  - 3) **NB S106 attached**
  - 4) **Highways informatives.**
- 3) **the following additional Conditions and Informatives:**

**Conditions**

- “19) **a Bat Survey to be implemented, including installation of bat boxes and dark corridors.**
- 20) **Details of the layout and access arrangements of the allotments to be agreed prior to their implementation.**
- 21) **Pedestrian crossing between car park and retail building to be agreed and implemented as such.”**

**Informatives**

- “5. **The applicant should discuss appropriate CCTV installation with the Council’s CCTV team; and**
6. **The Applicant should consider implementing limited waiting time restrictions in the car park to 2 to 3 hours maximum, to prevent all day parking displacing some parking elsewhere.”**

**OR:**

- 4) **In the event that the Planning Obligation cannot be completed by 22nd November 2011, authority be delegated to the Head of Planning and Regeneration REFUSE the Application on the basis that, without the Planning Obligation, the proposed Development would be contrary to Policy and therefore unacceptable, due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements.**

(In considering the Planning Application and having given due regard to the representations made by public speakers, the Committee agreed that there was a need to secure a Bond, as part of the Section 106 Planning Obligation, to provide for Traffic



Regulation Orders in relation to additional improvement measures within the Application site and off-site junctions, if required, as detailed in Resolution 1 c) above.

Members also agreed three additional conditions in relation to the protection of bats and their habitats; access and design of the allotments; and provision of a pedestrian crossing from the Car Park to the Centre, as detailed in Resolution 3 above.

Two additional informatives were agreed in relation to provision of CCTV and limiting car parking waiting times, also as detailed in Resolution 3 above.

Members noted that, in light of the need to secure the agreed additional Bond for Traffic Regulation Orders, if further time was likely to be required to finalise the Section 106 Agreement, Officers would bring a report to the 2nd November 2011 Planning Committee meeting for the Committee to consider an extension to the current completion deadline of 22nd November 2011 (as detailed at Resolution 4 above).

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, from the public gallery, Councillor Bill Hartnett declared a personal and prejudicial interest as a Board Member of Redditch Co-operative Homes and additionally of Accord Housing Association, and as he also intended to exercise his right to speak as a Ward member / objector. He therefore withdrew from the meeting prior to the Committee's debate on the Application.

Also prior to consideration of this item and from the public gallery, Councillor Roger Hill declared a personal and prejudicial interest as he was a member of Redditch Co-operative Homes, and additionally of Accord Housing Association and the Council's Church Hill Panel, and withdrew from the meeting prior to the Committee's debate on the Application.

From the public gallery, Councillor Robin King declared an interest in that he was exercising his right to speak as a Ward member and objector on behalf local residents of his Ward.)

The Meeting commenced at 7.00 pm  
and closed at 8.34 pm

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CHAIR





# Planning Committee

5th October 2011

## MINUTES

### Present:

Councillor Michael Chalk (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Peter Anderson, Andrew Fry, Malcolm Hall, Alan Mason and Brenda Quinney

### Also Present:

M Collins (observer for Standards Committee)

### Officers:

R Bamford, S Edden, A Hussain, A Rutt and I Westmore

### Committee Services Officer:

J Smyth

### 36. APOLOGIES

Apologies for absence were received on behalf of Councillors Andrew Brazier, Bill Hartnett, Robin King and Wanda King.

### 37. DECLARATIONS OF INTEREST

No declarations of interest were made.

### 38. CONFIRMATION OF MINUTES

#### RESOLVED that

the minutes of the meeting of the Committee held on 7th September 2011 be confirmed as a correct record and signed by the Chair.

.....  
Chair

**39. PLANNING APPLICATION 2011/205/FUL –  
LAND ADJACENT TO 4A UPPER HALL CLOSE, IPSLEY**

Erection of new dwelling and garage

Applicant: Mr A Willis

Mr A Willis, the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informatives as summarised in the main report.**

**40. PLANNING APPLICATION 2011/209/FUL –  
ABBEY HOTEL GOLF AND COUNTRY CLUB,  
DAGNELL END ROAD, REDDITCH**

Improvements to leisure facilities at existing driving range, replacement of single storey range building with two storey building to increase the number of golfing bays to 31, improvements to range green to include lake and lighting system, provision of ancillary car parking, access, landscaping and security measures.

Applicant: RSM Leisure Ltd

Mr C MacMillan, objector, and Mr P Downes, the Applicant's Agent, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informatives as summarised in the main report, and the following additional condition:**

**“7. No ball collections to take place between the hours of 10pm and 8am.”**

(In considering the Planning Application and representations made by Public speakers, and in particular, in relation to use of ball collection machines, Members agreed the imposition of a further condition to prohibit their use between 10pm and 8am.)

**Planning**  
Committee

5th October 2011

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The Meeting commenced at 7.00 pm  
and closed at 7.43 pm

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CHAIR





# Planning Committee

2nd November 2011

## MINUTES

**Present:**

Councillor Roger Hill (Vice-Chair in the Chair) and Councillors Peter Anderson, Bill Hartnett, Wanda King, Alan Mason (substituting for Cllr Robin King) and Brenda Quinney

**Also Present:**

M Collins (Observer for Standards Committee)

**Officers:**

S Edden, A Hussain, A Rutt and I Westmore

**Committee Services Officer:**

J Smyth

**41. APOLOGIES**

Apologies for absence were received on behalf of Councillors Mike Chalk, Malcolm Hall and Robin King.

**42. DECLARATIONS OF INTEREST**

Councillor Bill Hartnett declared a personal and prejudicial interest in relation to Item 6 (Church Hill District Centre Application – Extension of time for completion of Planning Obligation), as detailed separately at Minute 46 below.

**43. CONFIRMATION OF MINUTES**

**RESOLVED that**

- 1) the minutes of the meeting of the Committee held on 3rd October 2011 be deferred for Officers to seek further clarification on the accuracy of the record in relation to the inclusion of additional conditions in respect of Planning Application 2011/227/FUL (Church Hill District Centre, Tanhouse Lane, Church Hill); and**

.....  
Chair

- 2) the minutes of the meeting of the Committee held on 5th October 2011 be confirmed as a correct record and signed by the Chair.

44. **PLANNING APPLICATION 2011/219/FUL –  
J SAINSBURY'S SUPERMARKET,  
ALVECHURCH HIGHWAY, REDDITCH**

Erection of Class A1 store extensions to side and front, elevational changes including new shop front and canopy, alterations to car park layout, new landscaping, relocated recycling facilities and associated plant, and removal of petrol filling station from site

Applicant: Sainsbury's Supermarkets Ltd

Mr D Lazenby, Town Planning Manager for Sainsbury's Supermarkets Ltd, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT Planning Permission subject to:**

- 1) the completion of a Section 106 Planning Obligation towards:
- a) Fishing Line Road cycle lane works;
  - b) Lydham Close underpass works;
  - c) pedestrian signage works; and
  - d) Riverside roundabout works;
- 2) the Conditions and Informatives as stated in the main report and as summarised below:

**Conditions:**

- 1. Commencement within three years
- 2. Fishing Line Road access point – details of restriction to bus/emergency vehicle use only and measures in the event of failure to be agreed and implemented
- 3. Uses as specified and not for any other, even those within the same Use Class



4. Extensions not to be brought into use until the parking area is fully laid on surfaced and marked out
5. Bus shelter to be provided prior to occupation of extended store (adjacent to bus stop)
6. Hard and soft landscaping details to be submitted and agreed
7. Hard and soft landscaping implementation timing restriction
8. Construction hours on site (to protect nearby residential amenity in Birmingham Road)
9. Parking during construction to be agreed
10. Details of phasing of development to be provided and agreed to ensure customer safety and vehicle accessibility during construction
11. No external storage on the site at all at any time
12. As requested by STW
13. CCTV details to be submitted and agreed
14. Approved plans specified
15. The entire store resulting on site from the implementation of this consent shall continue to comply with condition 2 of consent reference 1987/693/OUT in order to protect the town centre

### Informatives

- i) Reason for approval
- ii) S106 Agreement to be read in conjunction with consent
- iii) Adverts may need separate consent, except where replacing existing
- iv) As requested by Severn Trent Water
- v) For advice on Secured by Design contact Crime Risk Manager;

**OR:**

3. In the event that the planning obligation cannot be completed by 7th November 2011, authority be delegated to the Head of Planning and Regeneration to REFUSE the Application on the basis that, without the planning obligation, the proposed development would be contrary to policy and therefore unacceptable owing to the resultant detrimental impacts it could cause to community infrastructure, by a lack of provision for their improvements; and

- 4) **In the event of a refusal on this ground and the Applicant resubmitting the same or a very similar Planning Application with a completed legal agreement attached, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission, subject to the conditions and informatives as stated in Resolution 2 above.**

(Members noted that, as satisfactory amended plans showing the access onto Fishing Line Road being restricted to buses only, had been received, the reference to this outstanding matter in the Officer's recommendation was, therefore, no longer relevant.)

**45. PLANNING APPLICATION 2011/245/COU –  
SHRUBBERY HOUSE, 47 PROSPECT HILL, REDDITCH**

Change of use from B1 (Office) to  
D1 (Non-Residential Institution) for an  
education centre offering English, maths  
and science tuition for 6 – 16 age groups

Applicant: Mr J Hussain

Mr J Hussain, the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informative summarised in the main report and the following additional informative:**

- “2. In the interests of highway safety and in order to prevent vehicular / pedestrian conflict, the Applicant is obliged to refer persons visiting the premises by motor vehicle to the availability of nearby parking facilities located outside, but in close proximity to, the application site and that parking within the application site by such persons is prohibited at all times.”**

(In considering the Planning Application Members felt it appropriate, in the interests of highway and pedestrian safety, to include an additional Informative requesting the Applicant to consider referring its visitors to a nearby car park and prohibiting parking within the application site.)

**46. CHURCH HILL DISTRICT CENTRE APPLICATION –  
EXTENSION OF TIME FOR COMPLETION OF PLANNING  
OBLIGATION**

The Committee considered a report relating to extending the deadline for completion of a Section 106 Agreement in respect of Planning Application 2011/227/FUL (Church Hill District Centre, Tanhouse Lane), which was granted at the Planning Committee meeting held on 3rd October 2011, subject to various conditions and informatives and the completion of a Section 106 Agreement by the 22nd November 2011.

Members were advised that, owing to the complexities of the legal document, the Section 106 Agreement had been unlikely to be completed by the due date and Officers had sought a short extension to the deadline rather than issue a refusal as the matter was nearing completion. It was noted that the Chair, Councillor Mike Chalk, had already been consulted and had been agreeable to the extension.

Members were also asked to consider recommending to the Council that the current Scheme of Delegation to Officers be updated to include such exceptional variations to deadline dates, in consultation with the Committee Chair, in similar future circumstances.

**RESOLVED that**

**the deadline for completion of the necessary Section 106 Planning Obligation be changed from 22nd November 2011 to 31st January 2012; and**

**RECOMMENDED that**

**the Scheme of Delegation to Officers be updated to include authority, in consultation with the Committee Chair, to vary such deadline dates in similar circumstances in the future.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Bill Hartnett declared a personal and prejudicial interest as a Board Member of Redditch Co-operative Homes and Accord Housing Group and withdrew from the meeting prior to the Committee's consideration of the item.)

**47. APPEAL OUTCOME –  
THE TIN HOUSE, BLAZE LANE, HUNT END**

The Committee received information relating to the outcome of an appeal against a refusal of planning permission, namely:

Planning Application 2010/227/OUT  
Outline Planning Permission for the  
erection of a replacement dwelling with  
detached garage and store

**RESOLVED that**

**Members note that, the appeal against the Council's decision to refuse planning permission, taken by Officers under delegated powers, on grounds of it being considered inappropriate development in the Green Belt, had been DISMISSED.**

**48. APPEAL OUTCOME –  
9 MATCHBOROUGH CENTRE, MATCHBOROUGH WAY**

The Committee received information relating to the outcome of an appeal to remove a condition imposed under a retrospective Planning Permission, namely:

Planning Application 2010/244/COU  
Change of use of premises from  
A1 (Shops) to A5 (Hot Food Takeaway)

**RESOLVED that**

**Members note that, the appeal to remove Condition 2 of the Planning Permission, relating to restricting the hot food takeaway element to pizzas only, as stated in the original Decision Notice, had been ALLOWED subject to an alternative Condition being imposed to allow other hot foods, with the exception of fried foods, to be sold for takeaway.**

(In acknowledging the Inspector's decision, Members requested that Officers monitor the situation to ensure compliance with the new condition.)

**49. APPEAL OUTCOME –  
HIGHWAY VERGE OFF CLAYBROOK DRIVE**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of prior approval, namely:

Planning Application 2011/030/GDO  
Siting and design of a 15m monopole,  
equipment cabinet and ancillary apparatus

**RESOLVED that**

**Members note that, the appeal against the Council's decision to refuse prior approval, on the grounds of the siting and appearance of the installation, had been ALLOWED.**

**50. APPEAL OUTCOME –  
STABLES FARM SHOP, ASTWOOD LANE, ASTWOOD BANK**

The Committee received an item of information in relation to the outcome of an appeal against two refusals of Planning Permission and an Enforcement Notice, which the Planning Inspectorate chose to link together for one hearing as they were all related to the same application site, namely:

Planning Applications 2011/039/S73 and 2011/052/S73  
Variation of conditions relating to the source of produce  
sold in the farm shop, opening hours of the farm shop  
and tea room and number of covers in the tea room

Enforcement Notice 2010/195/ENF  
Alleged change of use of ancillary shop floor to retail,  
of field to car parking, erection of storage units,  
WC extension and canopy porch and  
insertion of windows in team room

**RESOLVED that**

**Members note that, the appeal against the Council's decision to refuse the application for a variation of conditions, taken by Officers under delegated powers, on the grounds that the terms put forward by the Applicant could not be varied, was ALLOWED in part in that both the terms of the Conditions and the Enforcement Notice were varied.**

**51. APPEAL OUTCOME –  
32 PETERBROOK CLOSE, OAKENSHAW**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of planning permission, namely:

Planning Application 2011/107/FUL  
Two-storey extension to side and  
single-storey extension to rear

**RESOLVED that**

**Members note that, the appeal against the Council's decision to refuse planning permission, taken by Officers under delegated powers, on grounds relating to the proposed development having a disproportionate, dominating and adverse effect on the design, character and appearance of the existing dwelling and street-scene, had been ALLOWED in relation to the single-storey rear extension and DISMISSED in relation to the two-storey side extension.**

The Meeting commenced at 7.00 pm  
and closed at 8.15 pm

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CHAIR