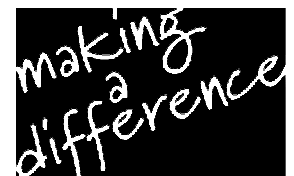


minute book 6

Council

Monday 16th January
2012
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

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Council

5th December 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, Carole Gandy, Adam Griffin, Malcolm Hall, Roger Hill, Alan Mason, Phil Mould, William Norton, Jinny Pearce, Mark Shurmer, Luke Stephens, Debbie Taylor and Derek Taylor

Also Present:

Mrs D Andrews (Chair, Standards Committee) and Mr M Collins (Vice-Chair, Standards Committee)

Officers:

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

Committee Services Officer:

I Westmore

69. WELCOME

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

70. APOLOGIES

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

71. DECLARATIONS OF INTEREST

There were no declarations of interest.

.....
Chair

72. MINUTES

RESOLVED that

the minutes of the meeting of the Council held on 17th October 2011 be confirmed as a correct record and signed by the Mayor.

73. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

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

a) 2nd Battalion, The Mercian Regiment

The Mayor informed the Council of the recent sad death of a member of the 2nd Battalion, the Mercian Regiment, Private Matthew Haseldin, 21 years old from Settle in North Yorkshire. A letter of condolence had been sent on the Council's behalf to the Regiment.

b) Canon David Salt

The Mayor advised the Council that Canon David Salt, former Vicar of St. Stephens, would shortly be retiring to Wiltshire. On behalf of the Council, the Mayor wished David and Mrs Salt the very best for their retirement.

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 Dinner, a Charity Quiz Night and the Sports Awards 2011 in Worcester, at which Redditch's Richard Murphy and Stevan Walton were presented with awards.

d) Forthcoming events

The Mayor advised that forthcoming events included the Town Centre Carol Concert that coming Thursday evening and the Pantomime at the Palace Theatre.

74. LEADER'S ANNOUNCEMENTS

There were no announcements.

75. QUESTIONS ON NOTICE

The Leader responded to a question submitted in accordance with Procedure Rule 9.2 from Councillor Juliet Brunner. Councillor Brunner's question related to the White Ribbon Campaign and 16

Days of Action against domestic abuse that was taking place within Redditch and across the world.

The Leader responded by thanking Councillor Brunner for drawing attention to this campaign. The Council was informed that the Police in Redditch had recently launched a new method of dealing with incidents of domestic violence which focussed upon keeping the victims within their homes whilst removing the perpetrators for a period of time. The local Community Safety Partnership was behind moves to increase the protection available to vulnerable individuals and enhance home security in such instances. The education of younger people as to the unacceptability of abusive behaviour was highlighted as a key measure in tackling this problem in the long term.

76. MOTIONS ON NOTICE

No motions had been received.

77. EXECUTIVE COMMITTEE

Members received the minutes of the meeting of the Executive Committee held on 15th November 2011.

RESOLVED that

the minutes of the meeting of the Executive Committee held on 15th November 2011 be received and all recommendations adopted, subject to:

in respect of Minute 112 (Solar Panels – Government Consultation) it being noted that Officers had undertaken to provide Councillor Debbie Taylor with information on the impact on employment within the Borough of the reduction in the solar photo voltaic feed-in tariff.

78. 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 15th November 2011 be received and adopted, subject to:**

in respect of Minute 23 (Internal Audit – Update on Delivery Against 2011/12 Plan) it being noted that the electronic updates on amendments to the Audit Plan following Officer meetings had not been provided and

that this matter should be expedited by the Officers concerned; and

- 2) a) the minutes of the meetings of the Planning Committee held on 3rd October, 5th October and 2nd November 2011 be received and adopted; and
- b) the Scheme of Delegation to Officers be updated to include authority for Officers, in consultation with the Committee Chair, in exceptional and urgent circumstances to vary deadline dates set by the Planning Committee for conclusion of Section 106 agreements.

79. URGENT BUSINESS - RECORD OF DECISIONS

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

80. URGENT BUSINESS - GENERAL (IF ANY)

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

The Meeting commenced at 7.03 pm
and closed at 7.50 pm

.....
Chair



Executive Committee

6th December 2011

MINUTES

Present:

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

Officers:

R Cooke, K Dicks, C Flanagan, J Godwin, L Jones, T Kristunas, S Morgan, J Pickering and S Shammon

Committee Services Officer:

D Sunman

120. APOLOGIES

An apology for absence was received on behalf of Councillor Juliet Brunner.

121. DECLARATIONS OF INTEREST

There were no declarations of interest.

122. LEADER'S ANNOUNCEMENTS

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

- Hewell Road Pool – Play Area

(Not meeting the publication deadline.)

123. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 15th November 2011 be confirmed as a correct record and signed by the Chair.

.....
Chair

124. MEDIUM TERM FINANCIAL PLAN 2012/13 - 2014/15

The Committee received an oral report outlining the high and medium priority bids that had been identified for inclusion in the Council's capital and revenue budgets for 2012/13. Members were advised to contact Directors and Heads of Service should they require more in depth information on any of the bids.

Officers reported that a further update would be made at the next meeting of the Executive Committee.

RESOLVED that

the report be noted.

125. HOMES INSULATION - FUNDING OPPORTUNITY

The Committee received a report which sought approval to accept an offer of £40,000 funding from Worcestershire County Council (WCC) to install free cavity wall, draught-proofing and loft insulation measures for home owners in the Borough aged 60 years or over. The offer was subject to acceptance of a number of conditions specified by WCC; that funding had to be spent by 31st December 2012, preferred use of Worcestershire based contractors and promotional branding recognition for Warmer Worcestershire.

Members discussed publication of the scheme and the criteria for allocation of the funding. They were informed that all applications would be dealt with through 'Act on Energy' who would signpost applicants to the most suitable source of funding for each application.

Officers were asked to approach WCC to investigate whether the extension of the offer to any resident irrespective of age could be amended to include them from the start of the scheme rather than from April 2012.

RECOMMENDED that

- 1) the funding of £40,000 from Worcestershire County Council be incorporated into the Council's existing Energy Efficiency Installations budget and the Capital Programme be amended accordingly; subject to which**

RESOLVE that

- 2) authority be delegated to the Head of Community Services to formally accept, and account for expenditure of, the Worcestershire County Council 'Home Energy**

Efficiency Improvements' funding offer of £40,000 and associated funding conditions;

- 3) applications be invited from homeowners within the Borough aged 60 or over to have loft and/or cavity wall insulation and draught-proofing measures installed in their homes free of charge; and**
- 4) the Head of Community Services, in consultation with the Portfolio Holder for Housing, Local Environment and Health be authorised**
 - a) to expend up to the sum approved by the Council, for the purposes indicated in the report; and**
 - b) subject to further discussions with Worcestershire County Council, to utilise such funding remaining at 1st April 2012 to extend the insulation offer to any Borough resident irrespective of age or ownership status or for other Home Energy Efficiency initiatives.**

126. QUARTERLY PERFORMANCE REPORT - QUARTER 2 - JULY TO SEPTEMBER 2011

The Committee received a report on the Council's performance for Quarter 2 of the 2011/12 financial year.

Members were asked to consider a range of options for future reporting of performance in response to changing demands resulting from the transformation programme.

Officers reported that information had been provided on 27 indicators for Quarter 2. Of those, 10 had improved in performance and 16 had declined compared to the same period last year. In addition, 1 indicator had remained static with performance at optimum level.

Members were informed that of the indicators that showed a decline in performance only 2 were of particular concern and action had been taken to remedy the problem in each case.

RESOLVED that

- 1) the Corporate Management Team, in conjunction with Members, select key performance indicators of concern and remedial action to be taken, for reporting on a quarterly basis;**

- 2) **the Committee consider future proposals for performance reporting as the Council progresses the Transformation agenda; and**
- 3) **the update on key performance indicators for the period ending 30th September 2011 be noted.**

127. QUARTERLY BUDGET MONITORING - QUARTER 2 - JULY TO SEPTEMBER 2011

The Committee considered an overview of the General Fund budget situation, including the achievement of approved savings for the second quarter of 2011/12. Explanations were provided for variances in the budget for the second quarter.

The over-ambitious income projection targets for the Pitcheroak Golf Course were noted. Officers reported that good work continued to be carried out by the Hereford and Worcestershire Golf Partnership to increase use of the course.

Officers reported that projected loss on car parking income was the subject of ongoing work.

RESOLVED that

- 1) **the current financial position on Revenue and Capital be noted; and**

RECOMMENDED that

- 2) **re-allocation of £40,000 of Regional Housing Pot grant currently allocated to Interim Management Order to Houses in Multiple Occupation (HMO) Grants be approved.**

128. QUARTERLY MONITORING - WRITE OFF OF DEBTS - QUARTER 2 - JULY TO SEPTEMBER 2011

The Committee received a report which outlined the action taken by Officers in respect to the write off of debts during the first half of the financial year 2011/12.

RESOLVED

that the report be noted.

129. QUARTERLY MONITORING OF THE BENEFITS SERVICE IMPROVEMENT PLAN - QUARTER 2 - JULY TO SEPTEMBER 2011

A report was received which advised Members of the performance of the Benefits service during the second quarter of 2011/12.

Members were informed that as a result of the transformation programme that Benefits Officers had been based at the One Stop Shop since October to deal directly with customers. This had resulted in quicker decisions being made about entitlement to benefit.

Officers agreed to provide a breakdown on the reporting of counter fraud to Councillor Derek Taylor.

RESOLVED that

the report be noted.

**130. QUARTERLY CUSTOMER SERVICES MONITORING -
QUARTER 2 - JULY TO SEPTEMBER 2011**

A report was received which gave an update on progress against the 'Every Customer Every Time' customer experience strategy and customer feedback data for the second quarter of 2011/12.

Members highlighted problems experienced by visitors accessing the car park at the Town Hall and / or queuing in the Reception area to announce their arrival. It was suggested that Reception should be advised when Officers are expecting visitors to allow them to be advised of their visitor's arrival.

RESOLVED that

the update for the period 1st July to 30th September 2011 be noted.

**131. SICKNESS ABSENCE PERFORMANCE AND HEALTH FOR
PERIOD ENDING 30 SEPTEMBER 2011**

The Committee received a report on the Council's performance in relation to sickness absence for the period 1st April to 30th September 2011, which showed an improvement against the same period in the previous financial year.

Officers reported that all services, with the exception of Housing and Environmental Services were expected to fall below the target of 8.75 days per full time employee.

Members were informed that it was assumed that the higher rates of sickness in Housing and Environmental services was because of

the nature of the work in both areas. Officers were asked to set up separate targets for these areas of business to compare with performance with similar businesses in the private sector.

RESOLVED

that the report be noted.

132. HEWELL ROAD POOL - PLAY AREA

The Committee received a report regarding the current play area adjacent to Hewell Road Pool following the pool's closure as an operational building.

RESOLVED that

- 1) until such time as the site is disposed of, the play area adjacent to Hewell Road Pool be secured from the rest of the site to allow for its continued use following the demolition of the pool and clearing of the site; and**
- 2) during future development should the play area be repositioned on the site or replaced and improved elsewhere using Section 106 monies, Ward Councillors be consulted.**

133. OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the minutes of the meeting of the Overview and Scrutiny Committee held on 8th November 2011.

Officers reported that all recommendations had been considered at the meeting of this Committee held on 15th November 2011.

RESOLVED that

the minutes be noted.

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

There were no minutes or referrals.

135. ADVISORY PANELS - UPDATE REPORT

The Committee considered the latest Advisory Panels update report.

RESOLVED that

Executive
Committee

6th December 2011

the report be noted.

136. ACTION MONITORING

The Committee's Action Monitoring report was considered. It was noted that a number of actions were now complete and could be deleted from future reports.

RESOLVED that

the report be noted.

The Meeting commenced at 7.02 pm
and closed at 9.25 pm

.....
Chair



Planning Committee

13th December 2011

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Peter Anderson, Bill Hartnett, Alan Mason (substituting for Councillor Robin King) and Brenda Quinney

Also Present:

Cllr Jinny Pearce (observer as Portfolio Holder) and M Collins (observer for Standards Committee)

Officers:

S Edden, A Hussain, A Rutt and S Skinner

Committee Services Officer:

J Smyth

52. APOLOGIES

Apologies for absence were received on behalf of Councillors Robin and Wanda King.

53. DECLARATIONS OF INTEREST

Councillors Bill Hartnett and Roger Hill, declared personal and prejudicial interests in relation to Item 8 (Former Marlfield Farm First School Site, Redstone Close, Church Hill – Variation of Section 106 Planning Obligation Agreement) as detailed separately at Minute 59 below.

54. CONFIRMATION OF MINUTES

The Committee received for approval, two sets of Minutes from the 3rd October and 2nd November Planning Committee meetings.

Further to the deferral of the 3rd October minutes at the Committee's previous meeting, Members disputed the accuracy of Minute 35, in respect of an additional agreed matter (relating to waiting time restrictions on the proposed car park). The Committee agreed that a matter recorded as an 'Informative', ought properly to be recorded instead as a formal planning Condition.

.....
Chair

Accordingly it was

RESOLVED that

subject to deletion of Informative 3) 6 of Minute 35 (Planning Application 2011/227/FUL – Church Hill District Centre, Tanhouse Lane, Church Hill) of the 3rd October Planning Committee meeting and its recording instead as Condition 22 on the approved Planning Permission;

the minutes of the meetings of the Committees held on 3rd October and 2nd November 2011 be confirmed as correct records and signed by the Chair.

**55. PLANNING APPLICATION 2011/282/COU –
TRAFFORD PARK, UNIT 19 TRECOTT ROAD, REDDITCH**

Change of use from redundant factory unit (Class B.1)
to form fitness suite (Class D.2)

Applicant: Competition Line UK Ltd

Mr J Taylor, Architect and Agent and Mr G Hall, 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 REFUSED for the reasons stated in the main report.

**56. PLANNING APPLICATION 2011/286/FUL –
PHOENIX MEGASTORE, SMALLWOOD STREET, REDDITCH**

Proposed restaurant, new retail and storage area
and new self-contained flat

Applicant: Hawkfield Investments Ltd

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informatives summarised in the main report.

**57. PLANNING APPLICATION 2011/296/FUL –
LAND AT TEARDROP SITE, BORDESLEY LANE, REDDITCH**

Erection of a C1 Hotel (Premier Inn)
and A3 Restaurant (Beefeater)

Applicant: Whitbread

Mrs A Reeves, objector representing Scottish Widows, and Miss J Patel, 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 summarised in the main report and update report and the following additional condition:

“12, All parking spaces to be provided on site prior to first use/occupation.”

(In order to ensure sufficient spaces were provided on the site to accommodate both uses and any future extension of the hotel to accommodate the additional 18 bedrooms, approved under the permission, Members considered it prudent to condition the proposed car parking allocation as detailed in additional Condition 12 above.)

(Informally, Officers agreed to approach the Applicant to ascertain if they would be willing to consider providing some additional appropriate off-site hedgerow planting (such as Laurels) along Bordesley Lane to afford the Crematorium on the opposite side of the road from the development some additional privacy.)

**58. PLANNING APPLICATION 2011/306/FUL –
7 OAKHAM CLOSE, OAKENSHAW**

Porch, ground floor extension, internal alterations
and first floor extension

Applicant: Mr J Bonner

Mr Bonner, 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.

(In considering the planning application, which Officers had recommended for refusal on grounds detailed in the Update report, and whilst acknowledging the Council's Policy on encouraging good design and particularly the set-back guide, Members were of the opinion that, as a number of houses in close proximity to the applicant's property had, over recent years, been extended similarly to that proposed, a flush 2nd floor extension in this location would not have a dominating effect on the design, character and appearance of the dwelling or be detrimental to the street scene.)

**59. FORMER MARLFIELD FARM FIRST SCHOOL SITE,
REDSTONE CLOSE, CHURCH HILL –
VARIATION OF SECTION 106 PLANNING OBLIGATION
AGREEMENT**

The Committee considered a variation to a Section 106 Agreement associated with Planning Permission 2010/253/FUL in relation to the development of 79 houses on the former Marfield Farm First School site in Redstone Close, Church Hill.

Members were asked to release the other parties involved in the agreement from the requirement for a financial contribution towards education facilities that was no longer appropriate as a result of a revision to the proposed tenure of the development, which would see the ten dwellings originally designated for sale on the open market becoming shared ownership homes, which did not require a contribution.

Some concerns were expressed that, whilst the need for social housing was important, the loss of affordable starter homes was disappointing. Officers clarified that shared ownership would give tenants the opportunity to part own their properties and provide a potential stepping stone to full ownership in the future.

RESOLVED that

the variation to the Section 106 Agreement, dated 17th January 2011 and made between:

- 1) Accord Housing Association Ltd**
- 2) Worcestershire County Council, and**
- 3) Redditch Borough Council,**

regarding the amendment to the tenure of the development in relation to affordable housing and education obligations therein, be agreed, namely:

that the tenure of the development shall be 100% affordable housing and that the requirement for the payment of a contribution towards education facilities be deleted from the Section 106 Agreement, as the contribution is now unnecessary and not required.

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

Councillor Hill also declared a personal and prejudicial interest as a member of Redditch Co-operative Homes and withdrew from the meeting prior to the Committee's discussion of the item.)

60. PLANNING COMMITTEE - CONSTITUTION – PROCEDURE RULES

The Committee was asked to consider and comment upon a draft Planning Committee Procedure Rules' document, which incorporated a number of minor amendments to current procedure, to be built into the Council's revised Constitution for 2012. It was noted that further minor amendments had been made to the published draft document at a meeting of the Constitution Review Working Party Group the previous evening. Copies of the updated document were tabled at the meeting.

Members noted and generally supported the proposed Procedure Rules, which generally only reflected existing practice. Some Members expressed concern, however, with regard to a number of the Rules, namely those relating to:

- 3.4 the Leader of the Council not being able to sit on the Planning Committee as a member or substitute;
- 4.2 neither the Chair nor the Vice-Chair, if a member of the Controlling Party Group, being a member of the Executive Committee; and
- 11. formal site visits being routinely arranged for Committee Members before consideration of major applications.

Planning Committee

13th December 2011

In respect of paragraphs 3.4 and 4.2, some Members considered the proposals might prove too restrictive on Members interested in serving on the Planning Committee, and should therefore be rejected.

Some concern was also expressed that proposals for formal pre-meeting site visits for major applications might also restrict Members ability to serve on the Committee, particularly if ever made compulsory. A formal Motion to delete these elements was therefore put to the vote but failed. The Committee did agree, however, that the word "major" should be changed, in relation to applications which would benefit from formal site visits, to "significant", as "major application" had a very specific meaning in Planning terms.

Officers clarified that the need for such site visits would be determined by Planning Officers, in consultation with the Committee Chair, on a case by case basis. The current recommended practice that Members familiarise themselves with sites on an informal basis would also continue to be encouraged.

RECOMMENDED that

subject to the word "major" in Item 11 (Site Visits) being changed to read "significant", the proposed Planning Committee Rules of Procedure be approved.

The Meeting commenced at 7.00 pm
and closed at 9.12 pm

.....
CHAIR



Planning Committee

4th January 2012

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Andrew Brazier and Bill Hartnett

Also Present:

Jinny Pearce (Portfolio Holder/observer)

Officers:

R Bamford, A Hussain, A Rutt and S Skinner

Committee Services Officer:

J Smyth

61. APOLOGIES

Apologies for absence were received on behalf of Councillors Robin King, Wanda King and Brenda Quinney.

62. DECLARATIONS OF INTEREST

No declarations of interest were made.

63. PLANNING APPLICATION 2011/315/EXT – HOMEBASE LTD, ABBEY RETAIL PARK, REDDITCH

Extension of time application
External alterations to building and internal works
to create one additional unit as approved under
Planning Application 2008/362/FUL

Applicant: Essex County Council Pension Fund

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 report.

.....
Chair

**64. APPEAL OUTCOME –
30 HEWELL ROAD, REDDITCH**

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

Planning Application 2010/275/COU
Change of use of retail / warehouse to a restaurant

The appeal against the Council's decision to refuse planning permission had been dismissed, on the grounds that a lack of car parking to serve the development would likely be detrimental to highway safety and that the proposal would represent inappropriate development in the proposed location.

RESOLVED that

the report be noted.

**65. APPEAL OUTCOME –
LAND ADJACENT TO 656 EVESHAM ROAD, REDDITCH**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of planning permission, taken by Officers under delegated powers, namely:

Planning Application 2011/008/FUL
Erection of a two-bedroomed detached dwelling

The appeal against the Council's decision to refuse planning permission had been dismissed, on the grounds that the proposed dwelling would, by virtue of its siting, design and appearance, represent inappropriate development in the location and would have an adverse impact upon the visual amenities of the area.

RESOLVED that

the report be noted.

The Meeting commenced at 7.00 pm
and closed at 7.09 pm

.....
CHAIR