

additional papers 1

Council

Monday 16th January
2012
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
www.redditchbc.gov.uk

**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact
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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



Council

16th January 2012

7.00 PM

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8. Executive Committee

To receive the minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee:

10th January 2012

Matters requiring the Council's consideration include:

- Core Strategy Consultation; and
- Constitutional Review Working Party - Minutes of meeting on 12th December 2011

(Minutes attached)



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Executive

Committee

10th January 2012

MINUTES

Present:

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

Also Present:

Councillors Peter Anderson, Andrew Brazier, David Bush and Brenda Quinney

Officers:

E Baker, R Bamford, C Flanagan, S Hanley, S Morgan and J Pickering and S Skinner

Committee Services Officer:

I Westmore

137. APOLOGIES

An apology for absence was received on behalf of Councillor Brandon Clayton.

138. DECLARATIONS OF INTEREST

There were no declarations of interest.

139. LEADER'S ANNOUNCEMENTS

The Chair advised that the following item of business, scheduled on the Forward Plan to be dealt with at this meeting, had been removed from the Plan as it was determined that the matter could be resolved without the need for a Committee decision:

- Brockhill East – New Area Name

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Chair

The Chair also advised that consideration of Appendix 3 (Transport Assessment) to Item 7, Core Strategy Consultation was to be deferred to a future meeting of the Committee.

140. MINUTES**RESOLVED that**

the minutes of the meeting of the Executive Committee held on 6th December 2012 be confirmed as a correct record and signed by the Chair.

141. BUDGET SETTING 2012/13

The Executive Director of Finance and Resources provided an oral update and presentation on the current proposals for the prioritisation of the Capital and Revenue Bids for the coming financial year.

Members' attention was drawn to several significant developments since the previous budget update provided by Officers. Following consultation on the localisation of the Non-Domestic Rates, the Government had reassessed the potential benefit accruing to the collecting authority with the result that around 80% of the rates were now anticipated to be received by the Borough Council, as opposed to the 20% which had previously been suggested. There had also been some movement on the reduction in provision of Council Tax Benefit with the Borough Council having the potential to share the burden with other precepting authorities. Nevertheless, the Council still faced the prospect of having to find further savings going forward.

The Committee was informed that the Overview and Scrutiny Committee had considered the bids and had supported the prioritisation as determined by Officers subject to two amendments. These were for the removal of Footpath Maintenance in Morton Stanley Park from the Capital Bids and for the deferral of the bid for the Energy Advisor subject to a further report to the next meeting of the Overview and Scrutiny Committee.

Members supported the prioritisation of the bids and the proposal to seek further advice on the Energy Advisor bid, subject to the downgrading of the bid for Data Analysis for Procurement from High to Medium. However, it was considered that it was in the Council's best interest to maintain its physical assets and so the bid for Morton Stanley Park was recommended for retention.

RESOLVED that

- 1) **the priority levels for the Revenue and Capital Bids be supported subject to the following amendments:**
 - a) **the bid for Data Analysis for Procurement be downgraded from high to medium;**
 - b) **the bid for the Energy Advisor be deferred to allow Officers to obtain additional information and report back to the Overview and Scrutiny Committee; and**
- 2) **the presentation and oral update be noted.**

142. COUNCIL TAX BASE 2012/13

Members received a report setting out a summary of the information provided to the Department for Communities and Local Government in October 2011, updated where necessary, that would enable the Council to notify the major precepting authorities of the Tax Base for the Borough for the coming financial year.

RESOLVED that

- 1) **the calculation of the Council's Tax Base for the whole and parts of the area for 2012/13, as detailed in the Appendices to the report, be approved; and**
- 2) **in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the figures calculated by the Redditch Borough Council as its tax base for the whole area for the year 2012/13 be 27,611.67 and for the parts of the area listed below be:**

Parish of Feckenham	363.60
Rest of Redditch	<u>27,248.07</u>
	<u>27,611.67.</u>

143. CORE STRATEGY CONSULTATION

The Committee considered material related to the previous consultation on the Borough's Revised Preferred Draft Core Strategy in early 2011 and material that was to contribute towards the evidence base. Officers confirmed that, other than the Landscape Character Assessment, the documents under consideration would carry very limited weight in terms of the consideration of planning applications at present.

Consideration of Appendix 3, the Transport Assessment, was deferred to a later meeting to permit further discussion of its content with the authors.

Officers advised that some street names in Appendix 7, the Affordable Housing Viability Assessment, needed to be amended. Officers also advised that comments from external parties had been received on Appendix 4, the Employment Land Review, more recently and that Officers would consider and, if necessary, respond to these in the normal course of events.

RECOMMEND that

- 1) **the Officers' responses to the Revised Preferred Draft Core Strategy consultation, as attached at Appendix 1 to the report, be endorsed as the Borough Council's responses to comments received during consultation;**
- 2) **the Worcestershire Landscape Character Assessment Supplementary Guidance document, attached as Appendix 2, be endorsed and that it now be used as a material consideration in Development Management decision making;**
- 3) **Appendices 4 to 8 be noted as forming part of the Core Strategy Evidence Base; and**
- 4) **the Officers' response to the draft national planning policy framework, as attached at Appendix 9, be retrospectively endorsed as the Borough Council's response.**

144. OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the minutes of a recent meeting of the Overview and Scrutiny Committee. In response to a question on the outcome of the petition regarding the Time 4 U Sexual Health Service, it was reported that the Primary Care Trust were considering a number of proposals in this regard.

RESOLVED that

the minutes be noted.

145. SHARED SERVICES BOARD

The Committee received the minutes of the most recent meeting of the Shared Services Board. There were no outstanding recommendations for the Committee's consideration.

RESOLVED that

the minutes be noted.

146. CONSTITUTIONAL REVIEW WORKING PARTY

The notes of recent meetings of the Constitutional Review Working Party were considered by the Committee. A number of recommendations were outstanding from the meeting of the Panel in December, including items such as the Petitions Scheme, the Planning Committee Procedure Rules and the procedure rules around announcements at Council meetings.

Members acknowledged that the amended rules would allow local residents to get a better outcome in terms of easier access to public speaking at the Planning Committee or a more appropriate and timely response to any petition submitted to the Council. Officers did report, however, that the recommendation to raise the Planning Committee quorum from three to five had been reconsidered and they were now advising that the existing quorum of three be retained.

RECOMMENDED that**Electoral Matters Committee**

- 1) **no further action be taken in respect of the proposal to create an Electoral Matters Committee;**

Council Procedure Rules

- 2) **the minor addition to the Constitution in respect of Announcements detailed below be approved, with immediate effect:**

Announcements at full Council may be made by the Mayor, Leader, and/or Chief Executive Officer.

Planning Committee Procedural Rules / Terms Of Reference / Public Speaking

- 3) the amendments to the Constitution in respect of the Planning Committee, as detailed at Appendix 2 to the Panel's Notes, be approved for implementation with immediate effect, subject to retention of the Planning Committee quorum at three; and

Petitions Scheme

- 4) the amendments to the Petition Scheme, as detailed at Appendix 3 to the Panel's Notes, be approved for implementation with immediate effect.

147. WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

The Committee received the minutes of the most recent meeting of the Worcestershire Shared Services Joint Committee.

RESOLVED that

the minutes be noted.

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

There were no minutes or referrals.

149. ADVISORY PANELS - UPDATE REPORT

The Committee considered the latest Advisory Panels report. It was agreed that the Leisure Contracts Advisory Panel should be deleted and reference removed from future monitoring reports.

RESOLVED that

subject to the amendment detailed in the preamble, above, the report be noted.

150. ACTION MONITORING

Members considered the Committee's Action Monitoring report. It was noted that the gritting and snow clearance item could be removed from the report.

Executive

Committee

10th January 2012

RESOLVED that

subject to the amendment detailed in the preamble, above, the report be noted.

The Meeting commenced at 7.07 pm
and closed at 8.08 pm

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Chair

