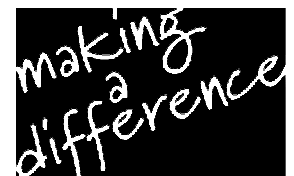


minute book 6

Council

Monday 26th November
2012
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk



Council

15th October 2012

MINUTES

Present:

Councillor Alan Mason (Mayor), Councillor Wanda King (Deputy Mayor) and Councillors Joe Baker, Roger Bennett, Rebecca Blake, Michael Braley, Andrew Brazier, Juliet Brunner, David Bush, Simon Chalk, Greg Chance, Brandon Clayton, John Fisher, Andrew Fry, Carole Gandy, Adam Griffin, Bill Hartnett, Pattie Hill, Roger Hill, Gay Hopkins, Phil Mould, Mark Shurmer, Yvonne Smith, Luke Stephens, Debbie Taylor, Derek Taylor and Pat Witherspoon

Officers:

K Dicks, C Flanagan, S Hanley, S Jones, R Brown and J Cochrane

Committee Services Officer:

I Westmore

59. MAYOR'S WELCOME

The Mayor opened the meeting and welcomed all present. Prior to the commencement of the meeting, Rauf and Hussain Shah entertained the Council with a performance on sitar and mutka.

60. APOLOGIES

Apologies for absence were received on behalf of Councillors Michael Chalk and Brenda Quinney.

61. DECLARATIONS OF INTEREST

There were no declarations of interest.

62. MINUTES

RESOLVED that

the minutes of the meeting of the Council held on 5th September 2012 be confirmed as a correct record and signed by the Mayor.

.....
MAYOR, in the Chair

63. ANNOUNCEMENTSa) Mayor

The Mayor's communications and announcements were as follows:

i) Mayoral Functions

The Mayor advised that, since the last meeting of the Council, he had attended a number of engagements, including the Mayor of Evesham's Monks' Supper, the Bandstand musical event, the Mayor of Bewdley's Charity Dinner, the NEW College Graduation Ceremony, a Murder Mystery evening at Forge Mill, a musical spectacular at Redditch Arts Centre, a visit to a resident of Terryspring Court on the occasion of their 100th birthday and visits to most of the Council's Sure Start Children's Centres.

ii) Forthcoming Engagements

The Mayor advised that forthcoming engagements included a Rotary Club meal at the Foxlydiate Hotel, the Mayor of Worcester's charity dinner, the annual Firework Display at Arrow Valley Park, the University of Worcester Awards Ceremony, 12th Anniversary celebrations at Terryspring Court, the League of Friends of the Alex Hospital AGM, Redditch Operatic Society's production of Summer Holiday and the Remembrance Day Parade.

b) Leader's Announcements

The Leader's announcements were as follows:

i) Keralan Indian Association

The Leader introduced to the Council three representatives of the Keralan Indian Association, a new local body established by members of that community, who were in attendance at the meeting.

ii) Olympics / Paralympics 2012

The Leader of the Council was delighted to introduce three individuals with local connections who had played a part in the London Olympics and Paralympics 2012.

Katrina Harte shared with the meeting her experiences of competing at the London Paralympics and showed off the Bronze Medal that she had won as part of the Women's 4x100 Metres Relay team. Katrina had not quite achieved the success that she had hoped for in the individual sprint events but was justifiably delighted at her performance in the Relay.

Glenn Scott, a former student of Kingsley College, was unfortunate to not get the chance to compete in the London Paralympics but was able to speak about the wonderful experience of being an Olympic Torch bearer in the run up to the Games and of his hopes to be a part of the squad for the 2016 Paralympic Games in Rio de Janeiro.

A local resident, Mumtaz Shah, told the meeting about his experience as a Games Maker and having the opportunity to be present at the Olympics Volleyball tournament. He commented that the experience had been two of the best weeks of his life.

iii) Helen Gregory

The Leader was very sad to have to report the death following a short illness of Helen, the wife of Ian Gregory, the Council's Bereavement Services Manager. The Leader led the Council in expressing his sincere condolences to Ian at this difficult time.

iv) Bandstand Festival

The Leader spoke of the success of the Bandstand Festival held several weeks earlier on Church Green and his desire that the event should be repeated in years to come.

v) Alexandra Hospital

Following the sending of a letter to the Minister for Health, the recent Ministerial changes had altered plans for a meeting with representatives of Redditch Borough and Bromsgrove and Stratford on Avon District Councils. The intention now was for a meeting to take place between the Council representatives, the local MP and Dr Dan Poulter, Parliamentary Under Secretary of State for Health, on 13th November.

vi) Midlands BMX Championships

The Leader reported on the success of the Midlands BMX Championships which had been held at the Redditch BMX track the previous weekend. Steve Rooke and his colleagues at the track were congratulated on the event which had attracted around 500 competitors.

vii) Britain in Bloom

It was reported that Redditch had received a Gold Medal in the Small Cities category of the annual Britain in Bloom competition 2012.

viii) Audit and Governance Committee

The Council was advised that Councillor Alan Mason was to replace Councillor Mark Shurmer on the Audit and Governance Committee with immediate effect.

64. QUESTIONS ON NOTICE

No questions had been received.

65. MOTIONS ON NOTICE

No motions had been received.

66. EXECUTIVE COMMITTEE

Members received the minutes of the meeting of the Executive Committee held on 18th September 2012.

RESOLVED that

the minutes of the meeting of the Executive Committee held on 18th September 2012 be received and all recommendations adopted.

67. REGULATORY COMMITTEES

The Council received the minutes of a recent meeting of the Planning Committee.

RESOLVED that

the minutes of the meeting of the Planning Committee held on 5th September 2012 be received and adopted.

68. THE ALEX - A COUNCIL COMMISSION

The Leader of the Council informed the meeting of the intention to create a Council Commission to allow local residents, NHS staff, local groups, organisations and businesses the opportunity to give their feedback on the latest proposals. The Commission was to be cross-party and comprise all members of the Executive Committee. It was intended to use the views of local people to inform the Council's response to the Joint Services Review.

The Leader took the opportunity to clarify a number of points contained within the covering reporting in addition to tabling amended recommendations in the light of an announcement from NHS Worcestershire on 11th October 2012.

Members were united in their disappointment at the failure of the NHS to come forward with a short-list of healthcare options which clearly affected the ability of the Council and local residents to put forward their views. There was also a concern that uncertainty at the possible outcomes of the Review was affecting morale amongst staff at the Alexandra Hospital. This was not helped by a feeling amongst staff that they were unable to comment in public on any proposals.

The Council was pleased at the amount of media coverage, both local and national, that the threat to the Alexandra Hospital had received, singling out the local newspapers for praise for their part in raising this issue.

RESOLVED that

- 1) **the Executive Committee be set up as a Commission to examine the Joint Service Review, in particular the proposals affecting the Alexandra Hospital and the fact that that Alexandra Hospital has been highlighted as one of the sites that is most likely to be adversely affected by the Review; and**
- 2) **the evidence gathered by the Commission be used to inform the Council's response to the consultation as well as form the basis of a report to Worcestershire NHS for consideration as part of their consultation.**

69. URGENT BUSINESS - RECORD OF DECISIONS

The Council considered an Urgent Business decision which had been approved in accordance with the Council's urgency procedures, namely:

Local Transport Bodies

The decision was in respect of a response to the Department for Transport on the establishment of Local Transport Bodies.

RESOLVED that

the decision be noted.

70. URGENT BUSINESS - GENERAL (IF ANY)

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

Council

15th October 2012

The Meeting commenced at 7.20 pm
and closed at 8.18 pm

.....
MAYOR, in the Chair



Executive Committee

16th October 2012

MINUTES

Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair) and Councillors Michael Braley, Carole Gandy, Phil Mould, Mark Shurmer, Luke Stephens and Debbie Taylor

Also Present:

Councillor Andrew Brazier

Officers:

E Baker, T Beech, R Griffin, E Greenfield, S Hanley, J Pickering, D Poole, K Stokes and J Willis

Committee Services Officer:

D Sunman

78. APOLOGIES

There were no apologies for absence.

79. DECLARATIONS OF INTEREST

There were no declarations of interest.

80. LEADER'S ANNOUNCEMENTS

The Leader advised that the following items of business, scheduled on the Executive Work Programme to be dealt with at this meeting, had been rescheduled to a later meeting of the Committee:

- Sickness Policy - Review; and
- Concessionary Rents Policy.

He also advised that he had received the following items as Urgent Business:

- Item 8 – Dial a Ride Extended Services – Feasibility Report

.....
Chair

(Not meeting the publication deadline owing to the need for the report to be agreed by the Overview and Scrutiny Committee prior to its submission to the Executive Committee.)

- Item 9 – Localism Act: Community Right to Bid – Assets of Community Value
- Item 16 – Proposed Revised Arrangements for Performance Reporting

(Not on the Executive Work Programme for this meeting.)

81. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 18th September 2012 be confirmed as a correct record and signed by the Chair.

82. LOCAL DEVELOPMENT SCHEME

The Committee received a report, which detailed the timescales within the Local Development Scheme (LDS) No 5 for the production of Development Plans.

Officers reported that the LDS No 4 set out what plans would be produced including timescales for their production for the period July 2010 to February 2014.

Members were informed that LDS No 5 had been produced to update these timescales.

RECOMMENDED that

the timescales within the Local Development Scheme No 5, attached at Appendix A to the report, be agreed and published.

83. FIELDS IN TRUST - QUEEN ELIZABETH II DEDICATION

Members considered a report on the Fields in Trust (FIT) programme to dedicate, as part of Queen Elizabeth II Diamond Jubilee celebrations, key open spaces / playing fields in the Borough as follows:

- a) Batchley Pond;
- b) Greenlands;
- c) Headless Cross Green; and
- d) Overdale Park.

Officers reported that dedication of the sites would enable them to be protected as local outdoor spaces, specifically for use as playing fields for sport, play and recreation as well as contributing to the overall legacy of Jubilee celebrations. A dedication plate and notice board would be installed at each site.

Officers were requested to review and confirm the boundaries for the scheme at Headless Cross Green and amend the site plan accordingly.

Members were informed that further sites could be included in future FIT programmes.

RESOLVED, subject to the review of the site plan of Headless Cross Green, that

- 1) approval be granted for the four sites, listed in the preamble above, to be formally dedicated for use as playing fields by way of a Covenant / Deed of Dedication under the Fields in Trust programme.**
- 2) authority be delegated to the Heads of Leisure and Cultural Services and Legal, Equalities and Democratic Services to take the necessary steps to finalise the agreement with FIT in relation to the four sites and complete the Deeds of Dedication.**

84. CONCESSIONARY FARES - PRE 9.30AM

The Committee received a report regarding the implementation of pre-9.30 concessionary bus travel to those Redditch residents eligible for a concessionary bus pass.

A member of the Committee presented a written list of questions about issues regarding Value for Money (VFM), Accountability and Equality advising that answers were not expected at this meeting but would be made available to members of the Executive Committee before the next meeting of full Council.

Another member of the Committee expressed concern that the amount set aside to implement the scheme might not be enough to cover all costs and that some areas might not have a bus service.

RESOLVED that

- 1) delegated authority be given to the Head of Community Services and the Head of Legal, Equalities and Democratic Services to agree with the bus operators the detailed arrangements necessary to implement a pre-**

09.30 concessionary bus travel scheme; and

- 2) **to enter into a legal agreement with the bus operators to reflect those arrangements.**

85. **DIAL A RIDE EXTENDED SERVICE - FEASIBILITY STUDY**

The Committee received a report on a feasibility study for an extended Dial a Ride service to include transporting young people to local events and festivals and making the vehicles available for hire out of hours to other groups with transport needs.

The Overview & Scrutiny Committee considered the report at its meeting on 9th October 2012 and made the following recommendations to the Executive Committee:

- 1) the Dial-a-Ride scheme operated under a permit issued under section 19 of the Transport Act 1985, be extended to include making the Dial-a-Ride vehicles available to those community organisations registered with the Council for use during evenings and weekends;
- 2) that the charging schedule, as set out in Appendix 1 or the report, be adopted; and
- 3) that the scheme is based on the examples presented in appendix 2 of the report; and
- 4) subject to the extended Dial a Ride scheme being approved, the Overview and Scrutiny Committee receive a monitoring update report on the subject 12 months after the scheme's introduction.

RESOLVED that

the recommendations of the Overview and Scrutiny Committee, as listed in the preamble above, be approved.

86. **LOCALISM ACT : COMMUNITY RIGHT TO BID - ASSETS OF COMMUNITY VALUE**

The Committee received a report which outlined the provisions relating to the 'Community Right to Bid' and the implications for the Council resulting from the requirement to hold a 'List of Assets of Community Value'. Officers reported that these requirements came into force on 21st September 2012.

Members were asked to note amendments to the report as follows:

Para 3.22: The provisions indicate that the review is to be undertaken by a ~~Senior Officer~~ **the Head of Planning & Regeneration.....**

Para 3.23: It is proposed that the Executive Director Planning and Regeneration undertakes the review in ~~consultation with the Leader.~~

Para 3.25: It is proposed that Officers assess the compensation claims and decisions on eligible costs and levels of compensation are made by the ~~Executive Director Finance and Resources in liaison with the Head of Planning and Regeneration~~ **the Executive Director (Planning, Regeneration, Regulatory and Housing Services).**

Officers confirmed that land as well as buildings could be listed as Assets of Community Value.

RESOLVED that

- 1) **the process for compiling the 'list of assets of community value' be approved;**
- 2) **the process for the internal review of the listing decisions be approved;**
- 3) **the proposal that compensation decisions be undertaken by the Executive Director of Finance and Resources in liaison with the Head of Planning & Regeneration; and**

RECOMMENDED that

- 4) **delegation to the 151 Officer to make provision in the Medium Term Financial Plan for compensation sums (£20,000) be approved.**

87. OVERVIEW AND SCRUTINY COMMITTEE

The minutes of the meeting of the Overview and Scrutiny Committee held on 11th September 2012 were considered by the Committee

RESOLVED that

The minutes of the Overview and Scrutiny Committee held on 11th September 2012 be received and noted.

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

There were no minutes or referrals to consider under this item.

89. ADVISORY PANELS - UPDATE REPORT

The Committee received the most recent report on the activity of the Council's Advisory Panels and similar bodies.

RESOLVED

that the report be noted.

90. ACTION MONITORING

The Committee received the latest Action Monitoring report.

RESOLVED that

the report be noted.

91. PROPOSED REVISED ARRANGEMENTS FOR PERFORMANCE REPORTING

Members received a presentation which contained details about the Council's new Performance Management Framework that would be required following a change of focus from performance indicators to local measures created through system thinking interventions.

Officers reported that new style performance reports would be operational from April 2013.

The presentation was received and noted.



Audit & Governance

Committee

26th September 2012

MINUTES

Present:

Councillor Derek Taylor (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Roger Bennett and Yvonne Smith

Also Present:

Elizabeth Cave and Zoe Thomas (Audit Commission)

Officers:

A Bromage, T Kristunas and S Morgan

Committee Services Officer:

D Parker-Jones

11. APOLOGIES

Apologies for absence were received on behalf of Councillor Joe Baker.

12. DECLARATIONS OF INTEREST

There were no declarations of interest.

13. MINUTES

RESOLVED that

the minutes of the Committee held on 28th June 2012 be confirmed as a correct record and signed by the Chair.

14. COMMITTEE WORK PROGRAMME AND ACTION LIST

Members considered the Committee's Work Programme for the remainder of the 2012/13 Municipal Year. This included a new 'Action List' which had been established at the request of the Chair to ensure that any matters highlighted at meetings for Officer action were actioned and reported back on to Members. Once any actions

.....
Chair

Audit & Governance

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26th September 2012

had been completed and reported back on by Officers the item would then be removed from the Action List.

In relation to the Action List before Members that evening, Officers advised that a response had been received from the Department for Communities and Local Government on the Audit Commission's qualification letter on the Housing Revenue Account (HRA) subsidy. As a consequence of this, Officers stated that it was not practical to carry out a full review and that the Geographical Information System could be used as a possible solution, which both Members and Officers were satisfied with.

The Chair stated that there were some items to be actioned and reported back on arising from the minutes of the 23rd April 2012 meeting, which it was agreed he would email Officers a list of after the meeting for inclusion in the Action List. In response to questions from the Chair, Officers present from the Audit Commission provided further clarification in respect of the Housing Benefit Claim and HRA Subsidy (at Minutes 39 (1) and (2) - Audit Commission - Annual Grants Report 2010/11) of the 23rd April 2012 minutes, which did not require any further action.

The Chair requested that an item on the cumulative effect of there being no increase in Council Tax over the next 7 years be added to the Action List. He also clarified the detail regarding the Counter Fraud Initiative feasibility item already included in the Action List, which needed to cover social housing, sub-lettings, state benefits and procurement.

A further request was made by the Chair for Officers to look at what controls the Council had in place for those selling out funds and whether those controls were being properly operated, which Officers confirmed was already covered within the Audit Plan.

In relation to risk monitoring generally, it was agreed that Councillors Roger Bennett and Yvonne Smith would periodically examine the Council's Risk Registers to ensure that there were no issues arising which needed to be brought to the Committee's attention, and that they would report back on this to each meeting of the Committee.

Regarding the Committee Work Programme, Officers advised that the 'Review of effectiveness of Audit & Governance Committee' item which appeared under both the January 2013 and April 2013 meeting dates applied to the April meeting alone.

A request was made by the Chair, and supported by the Committee, that the draft Statement of Accounts in future be presented to the Committee for initial consideration at the point the

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26th September 2012

Statement is issued to the External Auditors. This suggestion was supported by officers present from the Audit Commission who stated that it would be good practice for this to happen and that Grant Thornton (who were soon to be the Council's new External Auditors) would support reviewing the format of the Annual Accounts to reduce the volume of information currently included in these.

In relation to the Internal Audit annual programme of audits, Members requested that the Committee be permitted to add one area for audit to the programme each year, the subject matter of which would need to be agreed by the Committee. Officers advised that the draft programme of internal audits would be referred to the Committee for consideration in January, which would allow opportunity for consideration of an additional item for inclusion in the programme at that point. The programme would then be referred back to the Committee in April for final approval.

RESOLVED that

subject to the comments detailed in the preamble above, the Work Programme and Action List be noted and the amendments and updates raised to these be agreed.

15. AUDITED STATEMENT OF ACCOUNTS 2011/12

The Committee received the Council's Statement of Accounts 2011/12 for approval. A slightly updated version of the Statement to that included in the agenda papers was tabled by Officers, which it was confirmed contained minor typographical amendments and data changes.

Officers confirmed that the accounts had been signed off by the Executive Director of Finance and Corporate Resources on 30th June, and that in order to meet statutory requirements the Authority had until 30th September by which to gain Member approval on the Statement.

It was noted that changes had been made to the original Statement following submission to the District Auditors, which had focussed on:

- revised valuations of the Abbey Stadium and housing stock;
- additional notes regarding heritage assets (specifically the Paolozzi Murals);
- additional disclosures regarding shared services in accounting policies; and
- additional notes regarding financial instruments and trust funds.

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Members discussed elements of the changes, the most significant of which related to the revised valuations of the Abbey Stadium and housing stock.

Officers present from the District Auditors highlighted the fact that a new accounting requirement had this year been introduced in respect of heritage assets. The issue with the Paolozzi Murals related to who owned these and the District Auditors recommended that before next year's Statement the Authority should resolve the legal issue of ownership. If it were then found that the Murals belonged to the Authority they would need to be included in the balance sheet.

RESOLVED that

- 1) **the updated 2011/12 Statement of Accounts, as tabled at the meeting, be approved; and**
- 2) **a copy of the Statement be signed at the meeting by the Chair.**

16. ANNUAL AUDIT OPINION 2011/12

The District Auditor presented her Annual Governance Report 2011/12 which summarised the findings from the 2011/12 audit.

She ran through the key messages contained in her report and confirmed that a material amendment had been made to the accounts following an error in the valuation of the Abbey Stadium. She concluded that she would be issuing unqualified opinions on the accounts and value for money (VFM) by the statutory deadline of 30th September 2012.

She outlined improvements which she felt still needed to be made to the Authority's accounts process before the accounts were submitted to the External Auditors, which included a more robust quality review of the accounts. However, none of the accounting issues were deemed to be substantial. In this regard, she reiterated her support for the suggestion made by the Chair earlier in the meeting that the draft Statement of Accounts be presented to the Committee earlier in the process.

Regarding VFM, Members' attention was drawn to the District Auditor's finding that the Council could not continue to rely on using balances to support expenditure, with considerable savings being necessary over the next 3 years. The Council would face considerable challenges in making savings at the same time as maintaining or improving services to the public. Whilst the 2012/13

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budget still contained unidentified savings which it was anticipated would be met by the shared services and transformation programmes, it was noted that it was difficult to specify transformation savings in advance. The District Auditor added that the Council's arrangements for managing its financial risks and for reporting delivery of savings needed to be more detailed and robust.

Members queried the reason for the significant initial undervaluation by the County Council of the Abbey Stadium. The District Auditor advised that this appeared to have arisen as a consequence of a miscalculation in the area size of the development, and added that the Council might therefore wish to set out to the County Council exactly what it expected by way of valuations in the future. The District Auditor further advised that following the valuation problems the Audit Commission had checked a sample of other valuations undertaken by the County Council, which had not raised any concerns.

The District Auditor went on to highlight her concerns with the Council's current risk management arrangements, and in doing so, reiterated her support of the suggestion made earlier in the meeting for two members of the Committee to be charged with reviewing the Council's Risk Registers.

Specific areas which the District Auditor felt required attention before the 2012/13 Statement of Accounts included:

- asset valuations: in light of the revised valuations necessary for the Abbey Stadium and housing stock;
- heritage assets: in particular the Paolozzi Murals to establish the issue of ownership of these;
- accounting policies for shared services: to simplify the current process for recharges and to look at introducing recharging of staff overheads and capital charges which were not currently recharged; and
- transformation: to produce detailed plans for savings which had been achieved from transformation as it was not apparent at present whether there had been clear financial savings as a consequence of transformation. The external auditors ideally wished to see reports on exactly what had been achieved by transformation projects and what savings had been made as a consequence, and if no savings had been made the reasons for this together with any planned actions.

Council Officers would be working with the District Auditors on the above issues. In relation to shared services, they would look at how charges should be split between the two Councils and

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subsequently recharged, together with which costs would not be included and therefore kept separate, in line with Members' expectations.

In relation to Housing Benefit transformation work, Officers commented that this was currently ongoing meaning that it was not possible to quantify savings at the present time, but that this would happen later this year. The District Auditor commented that Members could seek to have a timetable for when they would receive reports detailing progress with shared services and transformation. Members queried which Committee would receive such reports, to which the District Auditor responded that these would ultimately be for consideration by the Executive Committee (to consider savings plans and the delivery of any such savings), with it being the Audit & Governance Committee's role to ensure this process happened.

The District Auditor commented that the Executive Director of Finance and Resources needed to respond to the recommendations contained in the Action Plan at Appendix 4 to the Annual Governance Report. It was therefore agreed that a response be drawn up by Officers and considered at an additional meeting of the Committee which would ideally take place by the middle of November.

Members noted the contents of the Annual Audit Letter 2011/12 and the key challenges which lay ahead for the Council.

RESOLVED that

- 1) the Annual Governance Report 2011/12 be considered and noted;**
- 2) the draft letter of representation on behalf of the Council be approved;**
- 3) the Committee formally note the Annual Audit Letter 2011/12; and**
- 4) an additional meeting of the Committee be arranged, ideally to take place by the middle of November, to consider a response from the Executive Director of Finance and Resources to the recommendations set out in the District Auditor's Action Plan at Appendix 4 to the Annual Governance Report 2011/12.**

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Committee

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17. INTERNAL AUDIT - MONITORING REPORT

Further to the discussion earlier in the meeting under the Committee Work Programme and Action List regarding the addition of an item by the Committee to the Internal Audit programme of audits (Minute 14 above refers), Members considered the Internal Audit Monitoring Report as at 31st August, together with an update on Internal Audit matters raised by the Audit and Governance Committee at its meeting on 28th June 2012. Appendix 4 to the report provided an organisation structure of the Worcestershire Internal Audit Shared Service, which had been requested by the Committee at its last meeting.

Officers advised that further to publication of their report to the Committee that evening the Garages audit report had been issued and had been given a final Assurance Level of Significant. The Anti-Fraud and Corruption Survey had also been completed with no further risks having been identified with this.

Various other audits detailed in the report remained in progress, with the general direction of travel still being one of forward. Officers advised that where completed audits resulted in recommendations of either a high or medium priority, the recommendations would be brought to the Committee for monitoring.

Officers provided general clarifications in response to Members' questions on certain recommendations contained in the confidential Appendix 3 to the report. Officers were asked to check the position in relation to an invoicing matter and associated formulae (detailed at reference 2 to the Appendix) in order to avoid any repeat occurrence of this.

Members queried in general how they would know when any required actions had been completed. Officers confirmed that Internal Audit would usually bring to the Committee any exceptions, which included any inactions. Members could then decide how to take them forward. Officers present from the External Auditors confirmed that recommendation tracking which showed matters that had been actioned and completed was common practice and Officers agreed therefore that they would in future provide Members with an analysis of which actions remained ongoing.

RESOLVED that

the report be noted and that Officers in future provide the Committee with an analysis of which actions remained ongoing.

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(During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on Appendix 3 to the report ('High' and 'Medium' priority recommendations) on the grounds that information would be revealed relating to the prevention, investigation or prosecution of crime. However, there is nothing exempt in this record of the proceedings.)

18. 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 matter on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12 (A) of the said Act, as amended:

- **Internal Audit - Monitoring Report (as detailed at Minute 17 above)**

The Meeting commenced at 7.00 pm
and closed at 8.49 pm



Planning Committee

31st October 2012

MINUTES

Present:

Councillor Bill Hartnett (Chair), and Councillors Andrew Fry (from 7.20pm), Michael Chalk, Brandon Clayton, Roger Hill, Wanda King, Yvonne Smith and Pat Witherspoon (substituting for Councillor Joe Baker)

Officers:

S Edden, A Hussain and A Rutt.

Committee Services Officer:

J Smyth

34. APOLOGIES / APPOINTMENT OF CHAIR

In the absence of the Chair, Councillor A Fry, who had been unexpectedly delayed, and also in the absence of the Vice-Chair, Councillor J Baker, who had previously given his apologies for the meeting, the Council's Legal Services Officer opened the meeting and welcomed those present.

Members were informed that, in the absence of both the Chair and Vice-Chair, it would be necessary, in order to conduct the business of the Agenda, to nominate and appoint a Chair for the duration of the meeting.

RESOLVED that

Councillor Bill Hartnett be appointed Planning Committee Chair for the meeting.

35. DECLARATIONS OF INTEREST

There were no declarations of interest declared.

.....
Chair

36. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Planning Committee held on 5th September 2012 be confirmed as a correct record and signed by the Chair.

**37. LISTED BUILDING APPLICATION 2012/240/LBC –
ASTWOOD FARM HOUSE, ASTWOOD LANE,
ASTWOOD BANK**

Retrospective application for replacement of UPVC
patio door / window with wooden French doors.

Applicant: Mr J Lavery

RESOLVED that

having regard to the Development Plan and to all other material considerations, Listed Building Consent be GRANTED, subject to the informative as summarised in the report and the following additional informative:

- “2) The Applicant is reminded of their responsibilities under relevant legislation, including the Planning (Listed Building and Conservation Areas) Act 1990, in that the carrying out of unauthorised works to a listed building is a criminal offence where owners can be prosecuted. The softwood framed opening should be maintained to the satisfaction of the Local Planning Authority at all times and advice should be sought from the Council in the case of any future request to replace the opening. Such works would require a separate application for Listed Building Consent. Contact 01527 534062 for further advice.”**

(In considering the application, and given the listed building status afforded to the farm house, Members considered that the additional informative, as detailed above, was appropriate to encourage the maintenance of the softwood frames and remind the Applicant of the need to seek prior Listed Building Consent to any proposed changes to the windows in the future.)

(Owing to his delayed arrival at the meeting, Councillor Fry was not present when the Committee considered and voted on this matter.)

**38. PLANNING APPLICATION 2012/254/FUL –
LAND AT PAPER MILL DRIVE, CHURCH HILL**

Erection of car showroom, workshop with
MOT testing bay and valeting area

Applicant: Mr C Jay

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 report but with Condition 6 (H.13 Access, turning and Parking) to include a requirement that the transporter turning area be kept clear at all times and that all parking spaces be marked out as appropriate; and the following additional condition:

“7 The hours of opening of the uses hereby permitted shall be between the following hours:

0830 till 1800 hours	Monday to Friday
0830 till 1700 hours	Saturdays
1100 till 1600 hours	Sundays and Public Holidays.

The premises shall not be open to the public or the trade outside these hours on any day.”

(During consideration of the application, concerns for the potential issue of overspill parking onto Paper Mill Drive were highlighted. Officers were asked to discuss the matter and how it could be addressed should it arise, with the County Council’s Highways Authority.)

(In view of his late arrival during the Committee’s consideration of this item, and in line with Council Policy, Councillor Fry took no part in or voted on the matter.)

**39. APPEAL OUTCOME –
TRAFFORD PARK, UNIT 19 TRECOTT ROAD, REDDITCH**

The Committee received an item of information in relation to the outcome of an appeal made against the Committee’s refusal of a consent for a change of use, namely:

Planning Application 2011/282/COU
Change of use from redundant factory
unit to form fitness suite

Members were pleased to note that the appeal against the Council's decision to refuse consent for a change of use had been considered and dismissed by the Inspector on the grounds that, whilst the proposed change of use would cause no harm to the current or future employment use of the neighbouring properties, this was outweighed by the adverse harm caused to the vitality and viability of the town centre and supply of employment premises.

RESOLVED that

the item of information be noted.

**40. APPEAL OUTCOME –
12 CRUMPFIELDS LANE, WEBHEATH**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of Planning Permission relating to a proposed new dwelling, made by Officers under delegated powers, namely:

Planning Application 2011/323/FUL
Replacement Dwelling

Members noted that the appeal against the Council's decision to refuse Planning Permission had been allowed by the Inspector, subject to the imposition of a number of specified conditions, on the grounds that, they did not consider that the proposed development would be overbearing, over-dominant or unduly obtrusive within its context.

RESOLVED that

the item of information be noted.

**41. APPEAL OUTCOME –
LITTLE INDIA, 1207 EVESHAM ROAD, ASTWOOD BANK**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of Planning Permission relating to the development of land without complying with a condition, subject to which a previous planning permission had been granted, made by Officers under delegated powers, namely:

Planning Application 2012/049/S73
Variation to Condition 1. applied to Planning Permission
2010/135/COU
Which states that, premises shall not be open for customers outside
the following hours:

11.00 to 23.30 on Mondays to Saturdays
12.00 to 18.00 on Sundays

Members noted that the appeal against the Council's decision to refuse consent to a change in opening hours had been considered and dismissed by the Inspector on the grounds that, they considered that the original condition was reasonable and necessary in order to protect the living conditions of the occupiers of neighbouring residential properties in terms of noise and disturbance.

RESOLVED that

the item of information be noted.

The Meeting commenced at 7.00 pm
and closed at 7.51 pm

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CHAIR



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STANDARDS

Committee

22nd October 2012

MINUTES

Present:

Councillor Michael Braley (Chair) and Councillors Phil Mould and Derek Taylor

Also Present:

Fiona Hawker, Feckenham Parish Council Representative (Co-opted non-voting member)

Officers:

K Barnett, C Felton and C Flanagan

Democratic Services Officer:

I Westmore

8. APOLOGIES

There were no apologies for absence, although it was noted that Councillors Pat Witherspoon and Debbie Taylor were both absent as they were the subject of reports at Item 3 on the agenda.

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. APPLICATIONS FOR DISPENSATION

The Committee considered three requests to grant a dispensation to allow Members to participate in a meeting of the Council's Licensing Sub-Committee. The Monitoring Officer described the arrangements that were in place for dealing with requests for dispensation, explaining that it had been agreed by Council that all such requests would be directed to her in the first instance and thereafter passed to the Committee for determination.

The Committee considered the requests from Councillors Greg Chance and Debbie Taylor in the first instance. Both Councillors were the relevant Ward Councillors in respect of an application to vary a premises licence which was to be the subject of a hearing of the Licensing Sub-Committee. Both also lived in close proximity to

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Chair

STANDARDS

Committee

22nd October 2012

the licensed premises and, therefore, had a disclosable interest in the variation application. The Deputy Monitoring Officer informed the Committee that the dispensation would only allow the Ward Councillors to speak on behalf of local residents and to put forward the views of those residents rather than their own personal views on the application. On this understanding the Committee was minded to grant these dispensations.

The request from Councillor Pat Witherspoon was in respect of the same application to vary a premises licence, however her involvement was as a near neighbour and a party to the hearing as she had made relevant representations. The reason given for granting the dispensation to Councillor Witherspoon was to allow her the same right to represent her views to the Licensing Sub-Committee as would be enjoyed by any other resident. It was noted that the report in respect of Councillor Witherspoon incorrectly asserted that she would be representing residents who had asked her to represent them. It would be made clear that Councillor Witherspoon was there in her capacity of a Councillor with a dispensation should the dispensation be granted and that she should leave the Chamber once she had presented her views to the Sub-Committee. Again, the Committee was minded to grant the dispensation.

RESOLVED that

- 1) Councillor Greg Chance be granted a dispensation as it was considered to be in the interests of persons living in the authority's area and in view of the circumstances of this matter as set out in the report;**
- 2) Councillor Debbie Taylor be granted a dispensation as it was considered to be in the interests of persons living in the authority's area and in view of the circumstances of this matter as set out in the report; and**
- 3) Councillor Pat Witherspoon be granted a dispensation as it was considered to be otherwise appropriate to grant such a dispensation and in view of the circumstances of this matter as set out in the report.**

The Meeting commenced at 5.15 pm
and closed at 5.30 pm

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Chair