

minute book 6

Council

Mon 11th Jan
2010
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

INDEX

Meeting

Date

SECTION

Council

7th December 2010

SECTION

Executive Committee

2nd December 2009

9th December 2009

SECTION III

Audit and Governance Committee

29th September 2009

Planning Committee

1st December 2009

Standards Committee

8th December 2009



Council

7th December 2009

MINUTES

Present:

Councillor Malcolm Hall (Mayor), Councillor Kath Banks (Deputy Mayor) and Councillors P Anderson, M Braley, J Brunner, M Chalk, G Chance, A Clayton, B Clayton, J Cookson, D Enderby, J Field, A Fry, C Gandy, W Hartnett, N Hicks, G Hopkins, D Hunt, C MacMillan, P Mould, W Norton, J Pearce, B Quinney, M Shurmer, D Smith and D Taylor

Also Present:

M Collins (Vice-Chair, Standards Committee)

Officers:

K Dicks, S Hanley, T Kristunas, S Morgan, S Mullins, S Skinner, J Smith, A Walsh and M Guest

Committee Services Officer:

I Westmore

75. WELCOME

The Mayor opened the meeting and welcomed all present.

76. APOLOGIES

Apologies for absence were received on behalf of Councillors R King, W King and Thomas.

77. DECLARATIONS OF INTEREST

There were no declarations of interest.

78. MINUTES

RESOLVED that

the minutes of the meetings of the Council held on 26th October and 16th November 2009 be confirmed as a correct record and signed by the Chair.

.....
Chair

Council

79. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

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

a) Mayor's Announcements

The Mayor advised that since the previous meeting of the Council he had attended various functions, including: a visit by some New Zealand Rotarians, together with their Redditch counterparts, the Welsh Society's Annual Concert on 31st October, the AGM of the League of Friends of the Alexandra Hospital, the Student Council's Big 5 Event (funded by FLOSS), the annual Fireworks Extravaganza at Arrow Valley Park, the Stratford-on-Avon DC Chairman's Charity Race Night, the Youth House 40 years celebration, a concert by the Bel Canto Singers, Remembrance Sunday events, Terry Spring Court's 9th Birthday party, The Come and Sing Messiah, Bulb planting in Matchborough, Redditch Operatic Society's 'Hot Mikado' and a visit to Astwood Bank Operatic Society rehearsing Trial by Jury & HMS Pinafore, an Indigo Arts Concert, the Homecoming Service for the Mercian Regiment at Worcester Cathedral and Parade, the Redditch Blind Association Christmas Party, and the Christmas Carols before the meeting that night.

The Mayor thanked Councillor Banks for stepping in to take on engagements he had been unable to attend

b) Forthcoming events

The Mayor advised that forthcoming events included: Kingsley College Awards Evening, turning on the Christmas Tree lights at Batchley, the Arrow Vale Singers Christmas Concert and the Council's own Pantomime, Jack & the Beanstalk, at the Palace Theatre.

c) Local Democracy Day

The Mayor presented the awards for being voted the most popular Councillor at the recent Local Democracy Day Event to Councillors Gandy (Winner) and Banks (Runner-up).

d) Mayor's Christmas Card Competition

The Mayor announced that the winner of the competition to design his Christmas Card for Christmas 2009 was Sophie Taylor of Year Five, Birchensale Middle School.

e) Additional matters

During consideration of the Mayor's announcements, he gave permission to a number of Members to make further announcements in relation to matters not listed on the agenda, namely:

f) Procurement Award

The Leader announced that the Council had been presented with an award by the Society of Procurement Officers for work that had been undertaken in conjunction with other Worcestershire and West Midlands authorities. Teresa Kristunas, Head of Financial, Revenues and Benefits Services, Sam Morgan, Accounts Manager and Matt Guest, Insurance Manager attended the meeting to receive the congratulations of the Council

f) Palace Theatre

The Leader drew Members' attention to a letter the Council had received from the Armand Theatre Company thanking the staff of the Palace Theatre for all the support and assistance they had provided whilst the company was putting on its show at the Theatre earlier in the year.

g) Urgent business

The Mayor advised that he had accepted one late report, the Update on the Church Hill District Centre Redevelopment, but no other items of urgent business.

80. LEADERS' QUESTIONS

No questions had been submitted to the Leader.

81. NOTICES OF MOTION

A Notice of Motion had been submitted by Councillor Brunner in respect of speech, language and communication therapy across the County. This was seconded by Councillor Banks.

The provision of this service had always been prioritised by the Primary Care Trusts in the north of the County whereas, in the south, less resources had been directed to assessment and treatment of these conditions. It was noted that the need for this service was generally higher in areas of greater deprivation which was a reason for the greater emphasis placed upon it in the north of the County.

Members were very concerned at the proposals and it was therefore

RESOLVED that

the Motion be approved in the following terms:

the Leader of the Council write on behalf of Redditch Borough Council to Dr Richard Harling and Councillor Marcus Hart, Commissioners at Worcestershire County Council for this service, and inform them of the Council's objection to this proposal.

82. EXECUTIVE COMMITTEE

Members received the minutes of the meetings of the Executive Committee held on 7th October, 28th October and 18th November 2009 and the decision notice of the meeting of the Executive Committee held on 2nd December 2009.

RESOLVED that

1) **the minutes of the meeting of the Executive Committee held on 7th October 2009 be received and adopted;**

2) **the minutes of the meeting of the Executive Committee held on 28th October 2009 be received and all recommendations approved subject to:**

in respect of Minute 162 (Corporate Plan – Phase 1) it being recorded, in accordance with Standing Order 16, that Labour Group Members abstained during the voting on this matter;

3) **the minutes of the meeting of the Executive Committee held on 18th November 2009 be received and all recommendations approved, subject to:**

in respect of Minute 173 (Community Management and Ownership of Assets – Proposed Policy and Procedure) it being further RESOLVED that

as a result of further information becoming available on consultation with the voluntary sector, this Policy and these Procedures be approved; and

4) **the decision notice of the meeting of the Executive Committee held on 2nd December 2009 be received and all recommendations approved.**

83. REGULATORY COMMITTEES

The Council received the minutes of recent meetings of the Licensing and Planning Committees.

RESOLVED that

- 1) **the minutes of the meeting of the Licensing Committee held on 2nd November 2009 be received and all recommendations approved; and**
- 2) **the minutes of the meeting of the Planning Committee held on 3rd November 2009 be received and adopted.**

84. CHURCH HILL DISTRICT CENTRE - REDEVELOPMENT UPDATE

A report outlining the outcome of the first stage of the Church Hill District Centre Redevelopment Scheme was considered. At a recent meeting of the Church Hill District Centre Members' Panel, the prospective development partners had been identified. The Council was being asked to release additional funds to allow the scheme to progress to the point of signing contracts with one of these prospective partners and final project evaluation.

Members were pleased to note the expressions of interest from developers in the scheme. However, it was proposed that the additional funding should more properly be considered alongside the other capital and revenue bids for 2010/11.

RESOLVED that

- 1) **progress on stage One of the scheme be noted; and**
- 2) **additional revenue funding of £60,000 be approved in principle and be considered alongside the other Capital and Revenue bids for 2010/11 to progress the scheme for the years 2009/10 and 2010/11, to the point of signing contracts and final project evaluation.**

(In view of the fact that it contained information relating to the business affairs of the Council's tenants and financial information relating to other organisations, part of this discussion took place after the exclusion of the press and public. There is nothing exempt, however, in this record of the proceedings.)

Council

85. ADMINISTRATIVE MATTER - AMENDMENT TO THE SCHEME OF VIREMENT

Members considered a proposed minor 'technical' amendment to the Scheme of Virement through which Officers were seeking to clarify an ambiguous financial regulation that dealt with virements.

RESOLVED that

Provision Seven of the Council's Scheme of Virement be amended to read:

7. Virements **between cost centres** in excess of £1,000 must be approved by the Executive Committee prior to the virement taking place.

86. URGENT BUSINESS - RECORD OF DECISIONS

There were no Urgent Business decisions under Standing Order 36 for consideration at this meeting.

87. URGENT BUSINESS - GENERAL (IF ANY)

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

88. 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 3 of Part 1 of Schedule 12 (A) of the said Act, as amended.

Church Hill District Centre – Redevelopment Update (as detailed at Minute 84 above).

The Meeting commenced at 7.00 pm
and closed at 9.40 pm

.....
Chair



Executive

Committee

2nd December 2009

MINUTES

Present:

Councillor Carole Gandy (Chair), Councillor Michael Braley (Vice-Chair) and Councillors P Anderson, B Clayton, W Hartnett, N Hicks, C MacMillan and M Shurmer

Also Present:

Councillors Banks, Enderby, R King, Pearce, M Collins (Vice-Chairman, Standards Committee) and Inspector Joseph (West Mercia Police)

Officers:

J Bayley, D Riley, S Hanley, S Mullins, A Marklew, A Baldwin and T Kristunas

Committee Services Officer:

I Westmore

186. APOLOGIES

Apologies for absence were received on behalf of Councillor Brunner.

187. DECLARATIONS OF INTEREST

There were no declarations of interest.

188. LEADER'S ANNOUNCEMENTS

The Chair advised that the following item of business, attached as Item 5 to the agenda for that evening's meeting, be deferred and re-scheduled to a later meeting:

- Single Equalities Scheme.

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

Item 4 – Neighbourhood Groups Task and Finish Group Recommendations;

.....
Chair

Item 6 – Annual Monitoring Report 2008/09;

Item 7 - Council Tax and Business Rate Recovery Policy; and

Item 8 – Procurement Strategy and Corporate Procedure Rules.

**189. NEIGHBOURHOOD GROUPS TASK AND FINISH GROUP
RECOMMENDATIONS**

Councillor Banks and other members of the Neighbourhood Groups Task and Finish Group attended the meeting to present their report. Councillor Banks stated that the Group had come to the conclusion that the Neighbourhood Groups should be discontinued because all the evidence that had been gathered indicated that they were no longer fit for purpose. Instead, it was suggested that the actions being recommended would enhance the Council's ability to communicate and consult with residents effectively both today and into the future.

The low attendance figures and high costs of the Neighbourhood Groups, as well as feedback indicating the Neighbourhood Groups were not effective, had convinced the Group that they should be discontinued. The Group proposed that re-launched Police and Community Together (PACT) meetings would ensure that the Council continued to provide an opportunity for face to face contact at public meetings. It was stressed, however, that PACT involved other face to face contact such as Street Briefings. Importantly, residents expressed support for PACT because they felt it was a constructive process.

The meeting was informed that increasingly there were developments which offered new consultation opportunities. The Council was encouraged to take advantage of new opportunities as and when they arose. A number were highlighted, including Facebook, FixMyStreet, Councillor Calls for Action, Citizens Panels, road shows and Environment Visual Audits

In conclusion, the Group stated that its recommendations would help to improve the Council's ability to inform, engage and consult with local residents and demonstrate the Council's commitment to partnership working.

Inspector Ian Joseph of West Mercia Police advised the Committee of the views of his service on the strengths of the PACT process and the advantages of bringing all Partners together under that banner. The Police were quite clear that PACT was the method by which they could most effectively communicate with the community. It was acknowledged that the Council and Police might have slightly different aims for their interactions with the community but the

benefit of being able to respond positively to the needs of local residents was emphasised. Several challenges still existed and the PACT process was in a continual state of evolution. Inspector Joseph added that his role now was as much about increasing levels of satisfaction and confidence across the community as about crime levels and the solving of crimes.

The Committee asked questions of the Group and Inspector Joseph. A number of minor amendments to the recommendations were proposed and accepted. It was agreed that the re-launched PACT meetings should not be provided with budgets to be spent at the discretion of the Groups as, previously, the Neighbourhood Groups were not considered to have been an effective means of disbursing Council funds. Instead, it was agreed that suitable funds be provided to allow for the organisation of ad hoc meetings in localities as considered appropriate.

Councillor Banks stated that the present recommendations represented the start of a number of processes and that any savings or re-allocation of funds would be dependent on the outcomes of further detailed discussion over what was to replace the Neighbourhood Groups in their current form.

RECOMMENDED that

- 1) the Neighbourhood Groups are not now fit for purpose and should be discontinued in their present form;**
- 2) following consultation with the Police, the Partners and Communities Together (PACT) group meetings should be re-launched and delivered as an equal partnership arrangement;**
 - a) Redditch Borough Council should work with the Police and other local agencies participating in Partners and communities Together (PACT) to agree funding and administration for PACT meetings;**
 - b) a protocol should be jointly developed outlining the roles and responsibilities of all agencies in the re-launched Partners and Communities Together Groups;**
 - c) the Chairs of all Partners and Communities Together meetings should be independent members of the community;**

- d) **promotion of the re-launched Partners and Communities Together (PACT) meetings should be appropriately targeted towards clarifying the meaning of the new arrangements for residents living in areas where PACT and Neighbourhood Group meetings currently only take place on the same night;**
 - e) **the existing Neighbourhood Groups Hire of Premises budget (0630 3551) be retained and made available for the re-launched Partners and Communities Together groups to be spent as considered appropriate for the arrangement of ad hoc meetings;**
- 3) **to supplement the new arrangements a further variety of methods that will enable Redditch Borough Council to inform and consult more effectively with local residents should be considered;**

these alternative methods should include the following:

- a) **subject to a successful revenue bid, the Council should publish quarterly editions of Redditch Matters during the year to inform residents about local public services, activities and Council business;**
- b) **Redditch Borough Council should continue to host road shows throughout the Borough;**
- c) **Redditch Borough Council should embrace the Worcestershire Viewpoint Citizens Panel and use every opportunity to work with the Panel to consult with residents over local issues;**
- d) **the Council should promote web based systems, such as the Worcestershire Hub and FixMyStreet, that can be utilised to resolve residents' individual issues;**
- e) **social networking should be used by the Council to inform and consult with residents in appropriate circumstances;**
- f) **the use of Councillor Calls for Action be promoted in order to be used to resolve local neighbourhood issues;**

- g) more effort should be made by the Council to advertise the fact that residents should resolve individual issues through direct contact with Councillors, Officers and the One-Stop-Shops;
 - h) the Council should work in equal partnership with the Police and other local agencies to advertise Street Briefings and Environment Visual Audits to local residents;
- 4) Redditch Borough Council should continue to seek ways to better engage and consult with a more diverse range of residents;
 - 5) the Council should have a robust monitoring system in place to assess the effectiveness of each of the mechanisms used to inform, engage and consult with local residents;
 - 6) the Community Forum and similar groups which engage and consult with local residents should report to the Executive Committee;
 - 7) the Council should have a central electronic database which would be used for the purposes of consultation with key partners in the Borough; and
 - 8) the February round of Neighbourhood Groups be the last in their current format; and that the intention is to re-launch the revised Partners and Communities Together (PACT) meetings from the beginning of the new municipal year.

190. SINGLE EQUALITIES SCHEME

This item was deferred.

191. ANNUAL MONITORING REPORT (AMR) - APRIL 2008 TO MARCH 2009

The Committee received the fifth Annual Monitoring Report (AMR) which, when endorsed, was to be submitted to the Government Office for the West Midlands (GOWM). Officers explained that the document was a factual report produced for monitoring purposes. Members were asked to agree that future AMRs be submitted to GOWM by Officers subject to their being no policy implications arising from the report.

It was reported that the AMR met all three of the requirements as set out in Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004.

Officers informed the Committee that the delay in the preparation of the Core Strategy had been as a result of an extended period of public consultation imposed externally and that this had been noted and accepted by GOWM.

RESOLVED that

- 1) the Annual Monitoring Report 2008/90 (as attached at Appendix A to the report to the Committee) be approved for submission to the Government Office for the West Midlands and for subsequent publication; and**
- 2) from the 2009/10 Annual Monitoring Report period onwards, Officers submit the Annual Monitoring Report subject to there being no indications that policies need to be reviewed.**

192. COUNCIL TAX AND BUSINESS RATE RECOVERY POLICY

A report was considered that set out a proposed policy and procedures for the recovery of Council Tax and Non-Domestic Rates. A second matter that Members were asked to consider was approval of the use of "second referral" bailiffs in appropriate cases.

Members were reassured that consultation had been undertaken with groups representing the views of debtors and that the second referral bailiffs that the Council were looking to engage complied with the authority's standards in the same way as the Council's existing contractor. It was explained that the second referral bailiff would operate in essentially the same manner as the first but that the engagement of a second firm was considered worthwhile inasmuch as it focussed the main contractor on their performance.

RECOMMENDED that

- 1) the Council Tax and Non-Domestic Rates Recovery Policy attached at Appendix 1 to the report to the Committee be approved; and**

RESOLVED that

- 2) the use of a second referral bailiff company to take action in the cases determined in accordance with the Council Tax and Non-Domestic Rates Recovery Policy be approved.**

193. **PROCUREMENT STRATEGY AND CORPORATE PROCEDURE RULES**

The Committee considered a draft Procurement Strategy. Members were informed that the Strategy would set out a clear framework for procurement and increase the effectiveness of the whole procurement process. The main aims were:

- to allow the Council to pay less for what it currently bought;
- to allow the Council to buy more for the same price or a lower price; and
- to improve the Council's procurement practices.

There was some discussion as to the importance placed upon whole life costs within the Strategy. Officers confirmed that an appropriate amount of weight would be given to whole life costs but the point was made that it was just one tool amongst others that allowed the correct procurement decisions to be made.

The impact of the shared services agenda on the Strategy was also considered. Officers stated that the Strategy under consideration was a Redditch Borough Council document but that consultation over harmonisation with Bromsgrove District Council would take place at some point in the future.

RECOMMENDED that

- 1) **the draft Procurement Strategy for 2009-2012 attached at Appendix 1 to the report to the Committee be adopted; and**
- 2) **the draft Contract Procedure Rules attached at Appendix 2 to the report to the Committee be adopted.**

194. **MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS, NEIGHBOURHOOD GROUPS ETC.**

There were no minutes or referrals under this item.

The Meeting commenced at 7.00 pm
and closed at 8.52 pm

.....
Chair



Executive Committee

9th December 2009

MINUTES

Present:

Councillor Carole Gandy (Chair), Councillor Michael Braley (Vice-Chair) and Councillors P Anderson, J Brunner, B Clayton, W Hartnett, N Hicks, C MacMillan and M Shurmer

Officers:

J Bough, K Cook, K Dicks, S Hanley, A Heighway, T Kristunas, A Marklew, S Morgan, S Mullins, G Revans, Head of Environment and K Watkins

Committee Services Officer:

I Westmore

195. APOLOGIES

There were no apologies for absence.

196. DECLARATIONS OF INTEREST

Councillors Anderson and B Clayton declared personal and prejudicial interests in Item 6 (Voluntary Sector Grant Applications 2009/10) as detailed separately at Minute 200 below.

197. LEADER'S ANNOUNCEMENTS

The Chair advised that the following items of business, scheduled on the Forward Plan to be dealt with at this meeting, had been rescheduled to either earlier or later meetings of the Executive Committee:

- Former Covered Market;
- Easemore Road – Community House – Options Appraisal;
- Annual Monitoring Report;
- Shopmobility – Business Case Review;
- Dial-a-Ride – Business Case Review;
- Single Equalities Scheme;

.....
Chair

- Worcestershire Enhanced Two Tier Programme;
- Council Tax and Business Rate Recovery Policy; and
- Procurement Strategy and Corporate Procedure Rules

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

Item 7 – Opt-in Chargeable Garden Waste Collection – Business Case

Item 9 – Fees and Charges 2010/11

198. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 18th November 2009 be confirmed as a correct record and signed by the Chair.

199. TENANT INVOLVEMENT STRATEGY 2009-12

Members considered the introduction of the first Redditch Borough Council Tenant Involvement Strategy. The Strategy and Action Plan were welcomed by the Committee and it was noted that widespread consultation had been undertaken during its preparation.

The new model offered flexibility as to how the Council took forward the concept of partnership working with its tenants, with the scope for as many Panels as was required and based upon tenants' interests rather than geographical areas, for instance. Officers stressed that the thrust of the new Strategy was the development of services in partnership with the Council's tenants.

RECOMMENDED that

the Tenant Involvement Strategy and Action Plan be implemented.

200. VOLUNTARY SECTOR GRANT APPLICATIONS 2009/10

The Committee received a report setting out the recommendations of the Grants Panel for utilisation of the remainder of funds from the 2009/10 financial year and proposing a figure for the grants budget for the following year. A further key element of the report was the proposal to enhance the role of the post of Grants Support Officer.

In response to questions from Members, it was clarified that the Grants Support Officer post would be a temporary post for a minimum of two years. Grant funding for this post from the County Council was, however, available for a period of five years.

Members were assured that the performance of the Citizen's Advice Bureau was of a level that provided no cause for concern to the Council and that the Council actively engaged with the Bureau in a performance management process.

Members were keen to demonstrate the work of organisations that benefited from Council grant-funding and it was suggested that this be show-cased in the Council's civic newspaper.

RECOMMENDED that

- 1) **the budget for grants to voluntary sector organisations for 2010/11 be set at £244,800;**
- 2) **the Grants Support Officer post role be enhanced to a full time post to provide support and strategic focus on the voluntary sector, and the associated costs arising from the development of this post be approved;**

and RESOLVED that

- 1) **grants be awarded to voluntary sector organisations as detailed in paragraphs 5.4 of this report, and**
- 2) **authority be delegated to the Head of Strategy & Partnerships to withdraw grant funding to Rainbow Redditch should the full funding not be obtained to complete the project.**
- 3) **the 'core funded' organisations be requested to complete a grant application for 2010/11 at a level not exceeding their current level of grant funding.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Anderson (Play Council) and Clayton (Citizen's Advice Bureau) declared personal and prejudicial interests in view of their involvement in local third sector organisations and withdrew from the meeting.)

**201. 'OPT-IN' CHARGEABLE GARDEN WASTE COLLECTION -
BUSINESS CASE - AMENDED VERSION**

Following the discussions that had taken place at the meeting on 18th November and the inability of the Committee to agree any definitive recommendations on the matter, Members considered an updated report from Officers that addressed the concerns that had been raised previously.

With regard to the means to be employed to discourage the placing of garden waste in grey bins, the Committee was advised that a similar approach would be used to that in existence during the early weeks of the Alternate Weekly Collection. The emphasis would be very much on education of residents and the promotion of composting and recycling. It was made clear that the promotion campaign would cover the entire Borough and not simply the pilot area for the garden waste collection service.

RECOMMENDED that:

- 1) the Council introduces a pilot chargeable 'opt-in' garden waste collection service in targeted areas of the Borough during the first half of 2010;**
- 2) depending on the outcomes and evaluation of the pilot, including financial implications, the effect on performance, publicity requirements, administration and environmental and operational impacts, the service be rolled out across the Borough during 2011/12;**
- 3) the pilot be carried out in the areas identified in the business case and that any additions or amendments to these areas be delegated to the Head of Environment in Consultation with the Leader and the Portfolio Holder for Housing, Local Environment and Health;**
- 4) the service standard for the collection of garden waste (Appendix B to the report to the Committee) be adopted;**
- 5) the preferred option for the service, Option Two at a customer charge of £35.00 as detailed in the Business Case at Appendix A to the report to the Committee, be agreed;**
- 6) bins be provided free of charge;**
- 7) the Council's current collection policy relating to garden waste in grey bins be amended to coincide with the start**

of the new service to discourage garden waste being placed in grey bins;

- 8) the Council's current collection policy relating to the sale of orange sacks continues unaffected in the pilot areas but that residents purchasing orange sacks who live in the pilot areas will be provided with information about the new service, home composting and what happens to waste disposed of in orange sacks;
- 9) that the orange sack policy be further considered as part of the evaluation of the pilot and the update report to Members; and

RESOLVED that

- 10) an update report on the pilot service and recommendations for the roll out or cessation of the service be brought back to a future meeting of this Committee during 2010/11.

202. FECKENHAM ALLOTMENTS

Officers informed the Committee that it was recommended to provide a grant of £5,000 to Feckenham Parish Council / Feckenham Village Green Trust funded from savings in existing budgets without detriment to the service. There was a prospect of the allotments being lost should the money not be forthcoming, although the grant from the Council only made up a proportion of the total amount required.

Members discussed the possibility of protecting the Council's investment. Officers explained that legal means would be explored to ensure that the grant funding would not be jeopardised and undertook to try and provide details of this by the next meeting of Council. The Committee was informed that, as this was the only allotment site in Feckenham, the outlay was considered reasonable, particularly given the maintenance budgets available to other allotment sites in the Borough. The prospect of this funding being obtained through the Council's Grants process was raised, although it was conceded that timescales would not have made this a realistic possibility and there was uncertainty as to whether allotments would meet the criteria for receiving funding through this route in any event.

RECOMMENDED that

- 1) a grant of £5,000 be made to Feckenham Parish Council / Feckenham Village Green Trust towards the purchase of the Feckenham Allotment Site; and

RESOLVED that

- 2) authority be delegated to the Head of Environment and the Head of Legal, Democratic and Property Services to negotiate the terms under which the grant is given; and
- 3) permission be given to vire £5,000 from existing Environment Services budgets as detailed at paragraph 3.2 in the report to fund the grant payment.

203. FEES AND CHARGES 2010/11

The proposed Fees and Charges for 2010/11 were considered by the Committee. Officers reported that the budget preparation guidelines had set the increase for the year at an average of 2% across a service.

It was noted that rises had not been applied in Leisure Services. It was explained that, as a result of the re-imposition of a VAT rate of 17.5% and the economic downturn, it was not considered sensible to raise Leisure Services charges further as this was an area of discretionary spending that tended to decline during difficult economic circumstances.

Members agreed that, as the Home Support Service was currently undergoing a review, it would be appropriate to increase the charges for this service by no more than the 2% average. Once the review was concluded the charges might be revisited.

Officers advised that the Fees and Charges detailed on pages 125-126 of the report to the Committee be deleted as the Council was no longer able to charge for these services and that the figure for garage rents on page 131 of the report was inclusive of VAT.

Officers undertook to get back to Councillor Hartnett with information regarding the fees levied for Magnets and DVLA enquiries (Taxi Licensing) on page 116.

RESOLVED that

- 1) other than in cases where:-
 - a) fees or charges are statutory;

- b) fees and charges are set externally (for example under the Model Scheme of Charges for Building Control fees & charges);
- c) the Council has delegated authority for Officers to vary fees and charges to take account of various circumstances; or
- d) fees and charges are established under separate processes, for example the setting of Taxi Fares, or service charges set to recover actual costs

the proposed fees and charges for 2010/11, where for each Service area/Directorate they achieve an overall increase of at least 2% in income budgets and the fees and charges proposals have been agreed with the relevant Portfolio Holders, the proposed fees and charges for 2010/11, as listed in the appendices to the report, be approved; and

RECOMMENDED that

- 2) in cases where fees and charges for 2010/11 have not been increased by an overall 2% as detailed in Appendix H attached to the report, the proposed fees and charges for 2010/11, as listed in the appendices to the report, be approved; and
- 3) in the case of the Home Support Service detailed in Appendix F, it be **RESOLVED** that

the charge for the service be increased by 2%, as per the budget preparation guidelines, to £10.50 per week.

204. CHURCH HILL DISTRICT CENTRE - REDEVELOPMENT UPDATE

Further to the decision of Council on 7th December to give in principle support to funding of the next stage of the redevelopment scheme, the Committee was asked to agree the recommendations of the Church Hill District Centre Members' Panel as to the selection of prospective development partners.

RESOLVED that

the selection of three parties to progress to stage 2, as detailed at Appendix A of the report to Council, be approved.

205. REDDITCH BOROUGH COUNCIL ESTABLISHMENT

Members considered the update on the vacant posts held by the authority as at the end of October. It was noted that any post coming free at the present time was being made available for redeployment. The Committee was pleased to see that the Council was still showing a commitment to the use of apprenticeships.

RESOLVED that

the report be noted.

206. OVERVIEW AND SCRUTINY COMMITTEE

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 4th November 2009 be noted.

207. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS, NEIGHBOURHOOD GROUPS ETC.

There were no minutes or referrals under this item.

208. ADVISORY PANELS - UPDATE REPORT

RESOLVED that

the report be noted.

209. ACTION MONITORING

RESOLVED that

the report be noted.

210. 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 paragraph 4 of Part 1 of Schedule 12 (A) of the said Act, as amended.

**Options for Future Delivery of the Community Centre Service
(as detailed at Minute 211 below);**

**211. COMMUNITY CENTRE SERVICE - OPTIONS FOR FUTURE
DELIVERY**

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to contemplated consultations or negotiations in connection with labour relation matters arising between the authority and employees of the authority.)

The Meeting commenced at 7.02 pm
and closed at 8.46 pm

.....
Chair

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

Document is Restricted



www.redditchbc.gov.uk

Audit & Governance

Committee

29th September 2009

MINUTES

Present:

Councillor Robin King (Chair), Councillor Greg Chance (Vice-Chair) and Councillors M Braley, G Hopkins and W Norton

Also Present:

B Warwick (Standards Committee),
E Cave and D Evans (Audit Commission)

Officers:

S Hanley, T Kristunas and S Mullins

Committee Officer:

D Sunman

31. APOLOGIES

There were no apologies for absence.

32. DECLARATIONS OF INTEREST

There were no declarations of interest.

33. MINUTES

RESOLVED that

the minutes of the meeting held on 4th August 2009 be confirmed as a correct record and signed by the Chair.

34. AUDIT COMMISSION - ANNUAL GOVERNANCE REPORT

Members considered two reports.

1) **Annual Governance Statement – Statement of Accounts 2008/09.**

Members received a report from the Head of Financial, Revenues and Benefits Service.

.....
Chair

Audit & Governance

Committee

29th September 2009

She reported that a number of issues had been identified by the Audit Commission during the course of their audit, which had taken place during August and September. Members were informed that some of the issues required amendments to be made to the Statement of Accounts, which had been previously approved by the Audit and Governance Committee on 30 June 2009.

Officers from the Audit Commission suggested that Members consider their Annual Governance Report at this stage in the meeting as it would clarify a number of issues.

2) Annual Governance Report

Officers from the Audit Commission presented their Annual Governance Report 2008/09 for Redditch Borough Council.

Members were informed that the report summarised the findings from the 2008/09 audit. It included messages that arose from the audit of the Council's financial statements together with the results of work which had been undertaken to assess how well resources had been used and managed to deliver value for money and better and sustainable outcomes for local people.

The key messages from the Auditors were:

1) Audit Opinion

The Auditors confirmed that they would be able to issue an unqualified opinion as there had been no outstanding matters that needed to be cleared.

2) Financial statements

The financial statements that had been submitted were free from material errors, substantially complete and had been produced by the agreed target date.

3) Use of resources

The Auditors were able to conclude that the Council had arrangements in place to secure economy, efficiency and effectiveness. They identified one exception in that the Council did not have adequate arrangements in place for planning, organising and developing its workforce effectively in order to support

Audit & Governance

Committee

29th September 2009

the achievement of its strategic priorities.

Members were asked to:

- i) consider the matters raised in the report before approving the financial statements;
- ii) note the adjustments to the financial statements;
- iii) note the Value For Money (VFM) conclusion; and
- iv) approve the letter of representation on behalf of the Council.

RESOLVED that

- 1) the amendments to the Statement of Accounts, be noted, as appended to these minutes at Appendix 1;**
- 2) the revised Statement of Accounts 2008/09 be approved, as appended to these minutes at Appendix 2; and**
- 3) a copy of the Statement be signed at the meeting by the Chair.**

(The vote having been taken on the above Resolutions, the Chair signed the letter of Representation, with the agreed amendments, on behalf of the Council.)

(The meeting adjourned at 7.30pm to allow Officers from the Audit Commission and the Council to discuss suggested amendments to the letter of representation. The meeting reconvened at 7.40pm.)

(Members agreed to hold an informal meeting immediately following the close of the Committee's business, to discuss concerns about the conduct of business during the meeting.)

The Meeting commenced at 7.04 pm
and closed at 7.50 pm

.....
Chair



Planning Committee

1st December 2009

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Kath Banks (Vice-Chair) and Councillors D Enderby, J Field, N Hicks, D Hunt, R King and D Smith

Also Present:

M Collins (Vice-Chair, Standards Committee)

Officers:

S Edden, C Flanagan, A Rutt and I Westmore

Committee Services Officer:

J Smyth

78. APOLOGIES

An apology for absence was received on behalf of Councillor Hartnett.

79. DECLARATIONS OF INTEREST

There were no declarations of interest declared.

(Councillor King had indicated that he was acquainted personally with Mr Rooke, a public speaker for Application 2009/219/RC3 (Proposed new floodlit BMX Track and associated works, land at Arrow Valley Park, Icknield Street Drive), but not sufficiently to warrant a declaration of interest.

Councillors Chalk and Hunt indicated that they were acquainted personally with Mr Marshall, also a public speaker for Application 2009/219/RC3 (proposed new floodlit BMX Track and associated works, land at Arrow Valley Park, Icknield Street Drive), but again not sufficiently to warrant a declaration of interest.)

.....
Chair

80. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on the 3rd November 2009 be confirmed as a correct record and signed by the Chair.

81. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined four Planning Applications as detailed in the subsequent minutes below.

Officers tabled an update report detailing any late responses to consultation, changed recommendations, further conditions and any additional Officer comments in relation to each application. This report was further updated orally at the meeting as appropriate to each application.

Public speaking was permitted in accordance with the Council's agreed procedures, in relation to one of the applications being considered.

**82. PLANNING APPLICATION 2009/219/RC3 –
LAND AT ARROW VALLEY PARK,
ICKNIELD STREET DRIVE, MATCHBOROUGH**

Proposed new floodlit BMX track, perimeter fencing to track and clubhouse facility; alterations to existing changing rooms, storage facilities, social activity / club space and minor office accommodation; and diversion of footpath 619 around BMX track enclosure

Applicant: Redditch Borough Council

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

Ms H Wood – Objector
Mr R Mitchell – Objector
Mr S Rooke – Supporter
Mr S Beaumont - Supporter
Mr D Littke – Supporter
Mr S Marshall - Supporter
Mr K Cook - on behalf of the Applicant
Mr N Mason – Agent for the Applicant

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 with the exception of Condition 2, which was amended to read as detailed below and the addition of two further Conditions also as summarised below:

- “2. a safe pedestrian footpath to be maintained at all times during the construction period.**
- 8. hours of construction limit.**
- 9. tannoy system operation limits.”**

**83. PLANNING APPLICATION 2009/220/FUL –
LAND AT 360 EVESHAM ROAD, CRABBS CROSS**

Partial demolition of existing retail and storage buildings
and erection of three dormer bungalows

Applicant: Mr A Bray

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.

**84. PLANNING APPLICATION 2009/223/ADV –
LAND AT ARROW VALLEY PARK,
ICKNIELD STREET DRIVE, MATCHBOROUGH**

New signage to identify the new floodlight
BMX track facility position, name and funders

Applicant: Redditch Borough Council

RESOLVED that

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

**85. PLANNING APPLICATION 2009/226/COU –
UNITS 5A4 AND 5A5, MILLSBOROUGH HOUSE,
IPSLEY STREET, SMALLWOOD**

Change of use to hot food take-away (A5 Use)
and new entrance to Ipsley Street and Lodge Road
Applicant: Mr D Gough

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the following reasons:

- 1) the proposed means of extraction, ventilation and control of odour to serve the proposed hot food take-away use would represent an incongruous feature in the street scene by virtue of its design, height and siting, harming the character and appearance of Millsborough House and the visual amenities of the area. As such, the proposal would be contrary to Policies B(BE).11 and B(BE).13 of the Borough of Redditch Local Plan No.3; and**
- 2) the proposed ramped wheelchair access, new door to Lodge Road and removal of fence and wall section to Ipsley Street to allow access to the wheelchair ramp would represent external alterations to the building that would harm the character and appearance of Millsborough House and the visual amenities of the area. As such, the proposal would be contrary to Policies B(BE).11 and B(BE).13 of the Borough of Redditch Local Plan No.3.**

The Meeting commenced at 7.00 pm
and closed at 8.24 pm

.....
CHAIR



www.redditchbc.gov.uk

Standards

Committee

8th December 2009

MINUTES

Present:

Independent Members:

D Andrews (Chair), M Collins and B Warwick

Borough Council Members:

Councillors J Field, M Hall, P Mould,

Parish Council Members:

Councillor L Venables

Officers:

S Mullins

Committee Officers:

D Sunman

20. APOLOGIES

Apologies for absence were received on behalf of Councillors A Clayton and Pearce.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 30th September 2009 be confirmed as a correct record and signed by the Chair subject to the following amendment to Minute 19:

“under Section 81 of the Local Government Act 2000 Regulation 17 of the Standards Committees (Further Provisions) (England) Regulations 2009, a dispensation be granted the Council remove from to all current and future Members of the Feckenham Parish Council for a period of four years from the granting of the dispensation 30th September

.....

Chair

Standards Committee

8th December 2009

2009 to enable Parish Council Members to speak and vote when transacting business ~~the disability imposed on them in relation to conducting any business relating to the Feckenham Village Amenity Trust.~~

The Standards Committee granted this dispensation because, as a result of the mandatory provisions of the Code of Conduct, more than 50% of the Members of the Parish Council would be ~~disabled~~ prohibited from voting on any business of the Parish Council which related to the Feckenham Village Amenity Trust and this would impede the transaction of the business of the Parish Council."

23. MATTERS ARISING

The Monitoring Officer reported that the Planning Committee, at their last meeting, had not approved the Members' Planning Code of Good Practice. The Committee had requested that an all Member briefing session be held. She reported that this session would be arranged for early 2010 with any suggested amendments being reported to the Standards Committee. She confirmed that the current Members' Code of Good Practice would remain operational until the new Code had been adopted by Council.

24. VISIT FROM REPRESENTATIVES OF BROMSGROVE DISTRICT COUNCIL STANDARDS COMMITTEE

Members were informed that the representatives from Bromsgrove District Council's Standards Committee were unable to attend because of ill health. However, arrangements would be made for them to attend the next meeting of this Committee.

25. STANDARDS BOARD INTERVENTIONS, JOINT STANDARDS COMMITTEES AND DISPENSATIONS

The Committee considered a report on the new Standards Committee (Further Provisions) (England) Regulations 2009 (SI 2009/1255), which came into force from 15th June 2009.

The Monitoring Officer outlined the provisions of the Regulations.

1) Suspension of Standards Committee Functions

Members were informed that the Regulations allow the Standards for England (SBE) to suspend the functions of a local Standards Committee where the Committee has failed to perform its functions satisfactorily. An intervention could be triggered where:

Standards Committee

8th December 2009

- a) it is the view that an Authority's Standards Committee has failed:
 - i) to have regard to SBE guidance;
 - ii) to comply with a direction from SBE;
 - iii) to carry out its functions within a reasonable time or in a reasonable manner;
 - b) it is the view that the Authority's Monitoring Officer had failed to carry out his/her functions within a reasonable time or in a reasonable manner;
 - c) the Authority or its Standards Committee has requested the Standards Board to intervene.
- 2) Joint Standards Committee

Officers reported that the Regulations empower Authorities to establish Joint Standards Committees. Where Authorities wish to establish a Joint Standards Committee the full Council of each of the participating Authorities would need to resolve:

to establish the Joint Standards Committee:

- a) which standards functions would be allocated to the Joint Committee and which, if any, would be retained by the Authority's own Standards Committee;
- b) the administrative arrangements to support the Joint Standards Committee;
- c) whether standards complaints should be addressed directly to the Joint Standards Committee, or should continue to be addressed to the individual Authority;
- d) the number of members, including Independent and Parish members, to be appointed to the Joint Standards Committee by each participating Authority, and their terms of office;
- e) make provision for the Joint Standards Committee to appoint members to its Referrals, Review and/or Hearings Sub- Committees, as required;

Standards Committee

8th December 2009

- f) provide for payment of allowances to members of the Joint Standards Committee; and
- g) provide a procedure for an Authority to withdraw from the Joint Standards Committee; and
- h) provide how the cost incurred by the Joints Standards Committee should be shared between the participating Authorities (or in default be determined by an arbitrator).

3) Dispensations

The Committee was informed that the Regulations extend the powers of Standards Committees to give Members dispensations where they would otherwise be prohibited on a matter because of a prejudicial interest.

RESOLVED that

- 1) **the changes made by the Regulations be noted;**
- 2) **the creation of a Dispensation Sub-Committee with Terms of Reference as detailed in Appendix 1 of the report be approved;**
- 3) **the Dispensation Application Form and Guidance, attached at Appendix 2 of the report, be approved; and**
- 4) **the Monitoring Officer advise all Members of the new grounds for dispensation in respect of prejudicial interests.**

(The Monitoring Officer to investigate the feasibility of adding an Appeals mechanism to the process and obtain the view of the SBE.)

26. RAISING AWARENESS OF STANDARDS AND THE STANDARDS COMMITTEE WITHIN AND OUTSIDE THE COUNCIL

Members considered a report which sought options for and approaches to raising the profile of Standards and the Standards Committee inside and outside the Council.

RESOLVED that

the following additional options and approaches be pursued:

Standards

Committee

8th December 2009

- 1) **Receiving, assessing and reviewing complaints:**
 - a) **giving information about how to make a complaint to the Citizens Advice Bureau;**
 - b) **having a dedicated website page for standards issues;**
 - c) **engaging in local press interviews; and**
 - d) **placing an article Redditch Matters.**
- 2) **Local Investigations**
 - a) **Informing Members of the results of investigations:**
 - i) **communicating the information to full Council, Group Leaders and Parish Councils;**
 - ii) **ensuring Parish Councils are kept informed;**
 - iii) **using complaint outcomes in training sessions; and**
 - iv) **Sending copies of press releases to all Members.**
 - b) **Informing the public of the results of investigations:**
 - i) **produce a media protocol that sets out publicity issued at the various stages of dealing with complaints.**
- 3) **Promotion of standards of conduct in public life:**
 - a) **Examples of Standards Committee involvement in more specialised training include:**
 - i) **training on member roles, such as what the requirements of being a Parish Councillor or Independent Member are;**
 - ii) **chairing skills;**

Standards

Committee

8th December 2009

- iii) understanding and preparing for interaction with the media;
- iv) equality and diversity.
- b) **Examples of training methods and approaches used by Local Authorities:**
 - i) in-house training delivered by the Standards Committee or other people in the Local Authority;
 - ii) induction of new Members;
 - iii) group workshops using case study style materials;
 - iv) approaching SBE training materials and attending the Annual Assembly;
 - v) approaching SBE to discuss inviting representatives to speak at meetings or contribute to seminars;
 - vi) joint training events with other Local Authorities;
 - vii) online training on Member's only pages;
 - viii) the Standards Committee be involved in agreeing the Member training and development each year based on feedback from the previous year's programme, discussions with the party whips, and from responses to an annual Members' survey. The programme is split into specific skills training, knowledge based events, 1:1 support and group support.
- c) **Meetings of Council:**
 - i) placing a standing item about standards on the agenda of other meetings. This ensures that standards issues are regularly discussed and remain at the forefront of the Council;
 - ii) The chair of the Standards Committee or the Monitoring Officer could bring regular

Standards

Committee

8th December 2009

- updates on the Code and standards' issues to the full Council meeting;
- iii) **Joint meetings of the Standards Committee with other Committees or groups. This includes the Overview and Scrutiny Committee, Audit and Governance Committee. Many Standards Committees also hold regular meetings with their parish groups.**
- d) **Publications:**
 - i) **use of an intranet site;**
 - ii) **Standards Committees having their own section on the Council website and intranet, where news items, training materials, minutes and reports could be published;**
 - iii) **production of an annual report on the Standards Committee's work, to promote standards issues both internally and externally;**
 - iv) **conduct poster campaigns.**
- e) **Informing and engaging the public:**
 - i) **Conduct a survey of public perceptions to gain awareness of current understanding before starting to build up the Standards Committee's profile and, in turn, public confidence.**
- f) **Other ways of promoting standards:**
 - i) **self assessment and standards surveys;**
 - ii) **staging 'ethical awareness weeks', where standards issues are brought to the fore;**
 - iii) **contribute to inductions and training, and ensure that ethical standards are considered in relation to recruitment or performance appraisal procedures.**

Standards

Committee

8th December 2009

4. Standards Committees and Leadership:

- a) **the Chief Executive attend a Standards Committee meeting once a year to discuss ethical issues.**

27. CHAIR'S / MEMBERS' REPORTS

There were no additional reports from the Chair or other Members of the Committee.

28. PARISH COUNCIL REPORT (IF ANY)

There was no additional report from the Parish Council.

29. WORK PROGRAMME

Members considered the Committee's Work Programme for 2009/10.

RESOLVED that

- 1) **that a Working Party be convened to formulate a questionnaire which will be sent to Members to canvass their opinion on what they require Standards Committee to do and where the Committee could be more active.**

The Meeting commenced at 7.00 pm
and closed at 9.30 pm

.....
Chair