

# Planning Committee

Tue 2nd Mar  
2010  
7pm

Council Chamber  
Town Hall  
Redditch



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

# Access to Information - Your Rights

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

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

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

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

**Janice Smyth**

**Member and Committee Support Services Assistant  
Town Hall, Walter Stranz Square, Redditch, B98 8AH**

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**Minicom: 595528**

# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



## **GUIDANCE ON PUBLIC** **SPEAKING**

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The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as follows:

in accordance with the running order detailed in this agenda (Applications for Planning Permission item) and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Councillors' questions to the Officers - to clarify detail.
- 4) Public Speaking - in the following order:-
  - a) Objectors to speak on the application;
  - b) Supporters to speak on application;
  - c) Applicant to speak on application.

Speakers will be called in the order they have notified their interest in speaking to the Planning Officers (by the 4.00 p.m. deadline on the Friday before the meeting) and invited to the table or lecturn.

- Each individual speaker, or group representative, will have up to a maximum of 3 minutes to speak. (Please press button on "conference unit" to activate microphone.)
  - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 5) Members' questions to the Officers and formal debate / determination.

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**Notes:**

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.2, the County Structure Plan (comprising the Development Plan) and other material considerations which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 5.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify Planning Officers by 5.00 p.m. on the Friday before the meeting.

**Further assistance:**

If you require any further assistance prior to the meeting, please contact the Committee Services Officer (indicated at the foot of the inside front cover), Head of Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.

# Welcome to today's meeting.

## Guidance for the Public

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### **Agenda Papers**

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

### **Chair**

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

### **Running Order**

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

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

### **Decisions**

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

### **Members of the Public**

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

### **Special Arrangements**

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

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

### **Further Information**

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

### **Fire/ Emergency instructions**

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

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

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

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

**The emergency Assembly Area is on Walter Stranz Square.**

# Declaration of Interests: Guidance for Councillors

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DO I HAVE A "PERSONAL INTEREST" ?

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

**OR**

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

you have a personal interest.

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

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

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

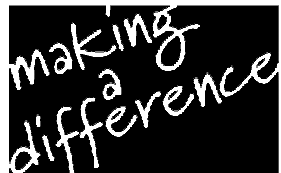
- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these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

**and**

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

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

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



# PLANNING COMMITTEE

2nd March 2010

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:	M Chalk (Chair)	N Hicks
	K Banks (Vice-Chair)	D Hunt
	D Enderby	R King
	J Field	D Smith
	W Hartnett	

### **12. Diversion of Public Footpath No 619 (Part) - Arrow Valley Park, Matchborough West**

(Pages 45 - 50)

Executive Director, Leisure, Environment and Community Services

To consider a diversion of Public Footpath No 619 (Part) Arrow Valley Park, Matchborough West, as shown on the plan attached to the report.

(Report / Plan attached)

**(Matchborough Ward)**





## Planning Committee

Matchborough Ward

2nd March 2010

### DIVERSION OF PUBLIC FOOTPATH NO. 619 (PART) – ARROW VALLEY PARK, MATCHBOROUGH WEST

(Report of the Executive Director of Leisure, Environment and Community Services)

#### 1. Summary of Proposals

To consider the Diversion of Public Footpath No. 619 (Part), Arrow Valley Park, Matchborough West, as shown on the plan attached to the Report

#### 2. Recommendations

The Committee is asked to RESOLVE that:

- 1) approval be given to the making of an Order under Section 257 of the Town and Country Planning Act 1990, to divert Public Footpath No. 619 (Part), Arrow Valley Park, Matchborough West, as shown on the plan attached to the report; and
- 2) It be noted that, in the event of an objection being received during the public consultation period, which cannot be resolved, the Order will have to be submitted to the Secretary of State for the Environment, for confirmation under Section 259 of the Act.

#### 3. Financial, Legal, Policy, Risk and Climate Change/ Carbon Management Implications

##### Financial

- 3.1 The administrative costs involved in making the Order, including all necessary consultations carried out by this Council, are met from the approved Capital Scheme for the provision of the BMX Track, in association with British Cycling

##### Legal

- 3.2 This Authority is empowered to make the necessary Order under Section 257 of the Town and Country Planning Act 1990

## Policy

- 3.3 The Policy implications are detailed in the Report

## Risk

- 3.4 Without the Public Footpath Diversion Order being made, the construction of the BMX Track cannot take place

## Climate Change/Carbon Management

- 3.5 Not applicable

## Report

### 4. Background

- 4.1 Planning consent has been obtained by the Council, to construct a BMX Track within Arrow Valley Park. The existing route of this footpath is affected by such works, thereby necessitating its diversion. A condition of the Planning Consent stipulates that the footpath shall be formally diverted
- 4.2 Two other points have been considered. Firstly, no formal Diversion Order was undertaken when the existing skate board park was constructed some years ago. Secondly, it is also plainly visible on site, that users of the footpath have 'selected' their own preferred route to avoid this feature. Consequently, this proposed Order will formerly 'regularise' the line of the footpath

### 5. Key Issues

- 5.1 To enable this footpath diversion to be carried out, this Council must undertake the making of the necessary Order, under Section 257 of the Town and Country Planning Act 1990
- 5.2 A Committee Resolution is required to enable the Order to be made

### 6. Other Implications

Asset Management	-	None identified
Community Safety	-	The diverted footpath route will provide a more accessible route for users
Health	-	None identified
Human Resources	-	None identified

# Planning Committee

2nd March 2010

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Social Exclusion - None identified

Environmental/  
Sustainability - None identified

## 7. Lessons Learnt

None identified

## 8. Background Papers

Planning Application Ref: 2009/219/RC3

## 9. Consultation

9.1 This report has been prepared in consultation with relevant Borough Council Officers

9.2 Other consultee was Worcestershire County Council

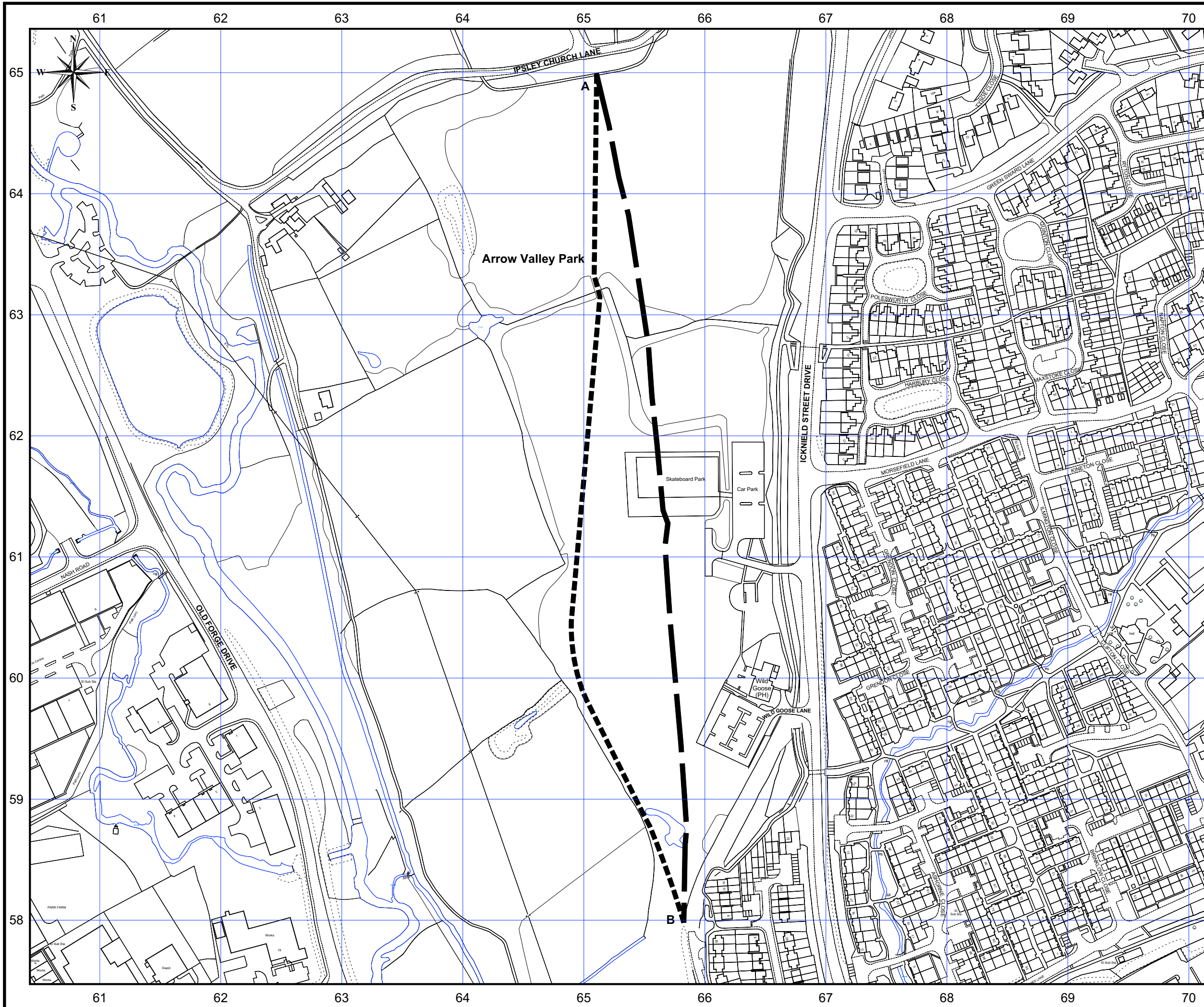
## 10. Author of Report

The author of this report is Pete Liddington (GIS/Design Officer), who can be contacted on extension 3638, (e-mail: [pete.liddington@redditchbc.gov.uk](mailto:pete.liddington@redditchbc.gov.uk)) for more information

## 11. Appendices

Appendix A – Drawing No. P2112/1A –  
Diversion of Public FP No.619 (Part) –  
Layout Details





**Key**

- Existing Public Footpath No.619 (Part) to be Stopped Up
- Proposed Diverted Route of Public Footpath No.619 (Part)

23/02/2010	B	Minor alignment amendments agreed with WCC
21/01/2010	A	Extent of diversion increased
Date	Rev	Details

Project:  
**Diversion of Public Footpath No.619 (Part)**  
**Arrow Valley Park**  
**Matchborough West, Redditch**  
**Section 257, Town and Country Planning Act 1990**

Drawing:  
**Layout Details**

Drawn:	PTL	Scale:	1/3,000
Surveyed:	OS	Date:	Dec 2009

Drawing No: **P2112/1B**

**Asset Maintenance**  
 Town Hall  
 Walter Stranz Square  
 Redditch  
 Worcs B98 8AH



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