

minute book 8

Council

Monday 29th March
2010
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

INDEX

Meeting **Date** **Page No's.**

SECTION

Council	1st February 2010	1 – 4
	22nd February 2010	5 - 10

SECTION

Executive Committee	27th January 2010	11 – 24
	3rd February 2010	25 – 32
	17th February 2010	33 – 40
	22nd February 2010	41 - 48

SECTION III

Licensing Committee	25th January 2010	49 - 54
Planning Committee	2nd February 2010	55 – 60
	2nd March 2010	61 – 68



Council

1st February 2010

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, R King, W King, C MacMillan, P Mould, W Norton, J Pearce, B Quinney, M Shurmer, D Smith, D Taylor and D Thomas

Also Present:

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

Officers:

K Dicks, S Hanley, T Kristunas, A Marklew, S Mullins, G Revans, L Roberts, S Skinner and J Staniland

Committee Services Officer:

I Westmore

99. WELCOME

The Mayor opened the meeting and welcomed all present.

100. APOLOGIES

There were no apologies for absence.

101. DECLARATIONS OF INTEREST

Councillors Cookson and Fry declared personal interests in Item 7 (Executive Committee) as detailed separately at Minute 105 below.

102. MINUTES

RESOLVED that

the minutes of the meeting of the Council held on 11th January 2010 be confirmed as a correct record and signed by the Chair.

.....
MAYOR, in the Chair

103. 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 last meeting of the Council, he had attended various functions, including: a Digital Camera Competition launch, Chinese celebrations in Worcester, a Citizenship Ceremony, the Annual Redditch Sports Partnership Awards, a Burns Night celebration at Bromsgrove, ferret racing with Pershore Town Council, the Alcester Town Council Civic Service, a visit to the local Territorial Army Centre, the Holocaust Memorial Event and the Special Olympics presentation evening.

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 the University of Worcester Inaugural Lecture and the Mayor's own Cabaret Evening and Charity Auction that coming Saturday.

c) Single Management Team

Members congratulated the successful candidates for the Directors and Heads of Service posts in the recent recruitment and assessment process and placed on record their thanks to Sue Mullins, Head of Legal, Democratic and Property Services and Ken Watkins, Head of Leisure and Arts for their many years of service to the Council.

d) Urgent Business

The Mayor advised that he had accepted two items of Urgent Business, the Decision Notice of the meeting of the Executive Committee on 27th January and a referral from the Licensing Committee meeting of 25th January comprising a number of recommendations to the Council.

104. LEADERS' QUESTIONS/ NOTICES OF MOTION

No questions had been submitted to the Leader and no Notices of Motion had been received.

105. EXECUTIVE COMMITTEE

Members received the Decision Notice of the meeting of the Executive Committee held on 27th January 2010.

RESOLVED that

the decision notice of the meeting of the Executive Committee held on 27th January 2010 be received and all recommendations approved, subject to:

in respect of Minute 218 (Energy Strategy) it being further RESOLVED that

Redditch Borough Council sign up to the 10:10 Campaign;

in respect of Minutes 219 (Worcestershire Enhanced Two Tier (WETT) Programme) and 220 (Capital Strategy 2010 to 2013) it being recorded, in accordance with Standing Order 16, that Labour Group Members voted against the printed recommendations during the voting on these matters; and

in respect of Minute 228 (Easemore Road Site – Consultation with Tenants) it being noted that Officers had undertaken to report back to the Executive Committee at the conclusion of the review of similar leases held by the Council.

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Cookson and Fry declared personal interests in view of Councillor Cookson's membership of Age Concern Redditch and Councillor Fry's personal connection to the management of SureStart Redditch (Minute 228 - Easemore Road Site – Consultation with Tenants).)

106. REGULATORY COMMITTEES

The Council received the minutes of the meeting of the Licensing Committee held on 14th December 2009 and an urgent referral from a meeting of the same Committee held on 25th January 2010.

RESOLVED that

- 1) the minutes of the meeting of the Licensing Committee held on 14th December be received and adopted; and**
- 2) the recommendations from the meeting of the Licensing Committee held on 25th January 2010 be approved**

107. URGENT BUSINESS - RECORD OF DECISIONS

Members noted two Urgent Business decisions which had been approved in accordance with Standing Order 36, namely:

Interest Free Energy Efficiency Loans
(UB Reference 481); and

British Cycling Award – BMX Track adjacent to Redditch Skate Park
(UB Reference 482)

RESOLVED that

the matters be noted.

108. URGENT BUSINESS - GENERAL (IF ANY)

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

The Meeting commenced at 7.00pm
and closed at 8.30pm

.....
MAYOR, in the Chair



Council

22nd February 2010

MINUTES

Present:

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

Also Present:

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

Officers:

K Dicks, K Bradford, A Heighway, A Marklew, S Morgan, J Pickering, S Hanley, J Staniland, C Felton and T Kristunas

Committee Services Officer:

I Westmore

109. WELCOME

The Mayor opened the meeting and welcomed all present.

110. APOLOGIES

Apologies for absence were received from Councillors Chance, Fry and Smith.

111. DECLARATIONS OF INTEREST

There were no declarations of interest.

112. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

As this was not an ordinary meeting of the Council there were not the customary Mayor's Announcements. However, it was reported that the Mayor had accepted one late report for the Council's consideration:

.....
MAYOR, in the Chair

- Arrow Valley Countryside Centre – recommendations from the meeting of the Executive Committee on 17th February.

113. EXECUTIVE COMMITTEE - URGENT REFERRALS

The Council considered the recommendations of the Executive Committee which related to financial decisions relevant to the setting of the Council Tax later in the meeting.

Members were supportive of the proposals for the Countryside Centre, viewing this as an excellent opportunity to enhance and expand the experience offered to users of the Centre and the wider Park.

The Initial Estimates for 2010/11 were agreed without further comment.

RESOLVED that**INITIAL ESTIMATES 2010/11 (3rd February 2010)**

- 1) the Initial Estimates for 2010/11 be approved;
- 2) the Revenue Bids categorised as unavoidable and high detailed in Appendix 14 to the report be approved , as follows:

2010/11	£279,210
2011/12	£ 98,210
2012/13	£ 97,210

- 3) The General Fund bids for capital resources categorised as high set out in Appendix 15 to the report be approved, as follows:

2010/11	£325,000
2011/12	£165,000
2012/13	£845,000;

together with the associated revenue implications as follows:

2010/11	£ 6,500
2011/12	£54,200
2012/13	£96,400
Future years	£188,800;

- 4) the proposal for how the Further Support for Town Centre Grant is utilised as set out in Appendix 17 to the report be approved;

- 5) the bids as recommended by Overview and Scrutiny Committee be approved as follows:

2nd December 2009 - Redditch Matters to be published quarterly. Cost of an additional edition £6,000;
- 6) the bid for Church Hill District Centre Redevelopment for £60,000 2010/11 which was approved in principle at Council on 7th December 2009, be approved;
- 7) that any Direct Action - Enforcement expenditure be funded from balances, pending recovery from the third party, and officers report back to Members on the success of any recovery action;
- 8) that any bids not approved at this stage be brought back to this Committee for reconsideration once the outturn position for 2009/10 is known;
- 9) the bid of £6,000 for the repair and maintenance of street lighting be included in the Initial Estimates 2010/11;

ARROW VALLEY COUNTRYSIDE CENTRE (17th February 2010)

- 10) Option Four Private Sector Management be approved as the way forward for the delivery of the Arrow Valley Countryside Centre Service;
- 11) the Centre be renamed the Arrow Valley Park Visitor Centre for the reasons highlighted within the report;
- 12) authority be delegated to the Head of Leisure and Cultural Services to progress the preferred option;
- 13) the consultants Rural Development Services UK Ltd be contracted to continue to work with officers to progress the preferred option at a cost detailed in the report; and
- 14) the £6,000 required to continue the work be met from General Fund Revenue balances.

114. ADJOURNMENT

RESOLVED that

the meeting of the Council be adjourned to permit a meeting of the Executive Committee to be held to consider the setting of the Council Tax 2010/11 and other associated financial matters.

(At this point - 7.25 p.m. - the meeting adjourned and reconvened at 8.07 p.m.)

115. COUNCIL TAX - YEAR ENDING 31ST MARCH 2011

The Council considered the recommendations of the meeting of the Executive Committee held during the adjournment referred to above, regarding the setting of the Council Tax 2010/11 and other associated financial matters.

Members discussed a number of issues that had contributed towards the overall budget setting process. The management of Pitcheroak Golf Course going forward was the subject of some debate and an additional motion proposing that the Council agree the principle of keeping the Pitcheroak Golf Course open, on current arrangements, subject to satisfactory negotiations, and contracts being drawn up was the subject of the following named vote in accordance with Standing Order 16:

Members voting FOR the motion:

Councillors Cookson, Enderby, Hartnett, Hunt, R King, W King, Mould, Shurmer and Taylor.
(9 votes)

Members voting AGAINST the motion:

Councillors Anderson, Banks, Braley, Brunner, Chalk, A Clayton, B Clayton, Field, Gandy, Hicks, Hopkins, MacMillan, Norton, Pearce, Quinney and Thomas.
(16 votes)

Members abstaining from voting:

Councillor Hall.

Accordingly, the amendment to the Motion fell and an alternative motion proposing that the Council agree the principle of keeping the Pitcheroak Golf Course open was the subject of the second, following named vote in accordance with Standing Order 16:

Members voting FOR the amendment to the motion:

Councillors Anderson, Banks, Braley, Brunner, Chalk, A Clayton, B Clayton, Cookson, Enderby, Field, Gandy, Hartnett, Hicks, Hopkins, Hunt, R King, W King MacMillan, Mould, Norton, Pearce, Quinney Shurmer, Taylor and Thomas.
(25 votes)

Members voting AGAINST the amendment to the motion:

None

Members abstaining from voting:

Councillor Hall.

Members of the Labour Group requested that it be recorded, in accordance with Standing Order 16, that they had voted against Resolution 1, below.

RESOLVED that

- 1) the recommendations of the meeting of the Executive Committee, held earlier in the evening on 22 February 2010, be approved; and**
- 2) the Council agree the principle of keeping the Pitcheroak Golf Course open.**

116. URGENT BUSINESS - GENERAL (IF ANY)

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

The Meeting commenced at 7.00 pm
and closed at 9.00 pm

.....
MAYOR, in the Chair



Executive

Committee

27th January 2010

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

Also Present:

Councillor Banks

Officers:

S Mullins, K Dicks, S Hanley, A Walsh, L Roberts, R Kindon, T Kristunas, G Revans and A Heighway

Committee Services Officer:

I Westmore

212. APOLOGIES

There were no apologies for absence.

213. DECLARATIONS OF INTEREST

There were no declarations of interest.

214. LEADER'S ANNOUNCEMENTS

The Chair advised that the following item of business, scheduled on the Forward Plan to be dealt with at this meeting, had been rescheduled to the meeting on 3rd February 2010. Members were also informed that this report would be going out late as the Council was awaiting further information on a capitalisation request and this would not be received by the Council until 29th January.

- Initial Estimates 2010/11

The Chair also advised that she had accepted the following matter as urgent business:

Item 5 – Public Open Space Consultation Summary and Asset Disposal Programme Update

.....
Chair

215. MINUTES**RESOLVED that**

the minutes of the meetings of the Committee held on 2nd and 9th December 2010 be confirmed as a correct record and signed by the Chair, subject to:

in respect of Minute 201 (Opt-in Chargeable Garden Waste Collection – Business Case – Amended Version) it being agreed that Recommendation 7 be amended to read

- 7) the Council's current collection policy relating to garden waste in grey bins be restated to coincide with the start of the new service to discourage through education garden waste being placed in grey bins.**

216. PUBLIC OPEN SPACE CONSULTATION SUMMARY AND ASSET DISPOSAL PROGRAMME UPDATE

The comments received as a result of the advertising and consultation undertaken in respect of the proposed disposal of various areas of Public Open Space were considered.

Approximately 2,500 individual comments had been received which had been collated by Officers. It was recommended by Officers that two sites be no longer retained in the Asset Disposal Programme, Site 8 (Hunt End Lane) and Site 10 (Moorcroft Gardens) for reasons stated in the report. Officers also commented that Site 3 (Clifton Close) was in Matchborough Ward and not Lodge Park as incorrectly stated in Appendix 1.

It was proposed by Members that two further sites be removed from the Programme, Site 2 (Brooklands Lane) and Site 6 (Harport Road), the first primarily because it formed a part of Arrow Valley Park and the second primarily because of its importance as a buffer to noise pollution from the Warwick Highway.

Site 7 (Heathfield Road) and Site 13 (Petton Close) were also discussed at some length but Members as a whole were not convinced by the arguments for not retaining them on the Programme at this stage. Site 7 was reported to have benefits in terms of car parking in particular at the present time and there was some question over the existing amenity value of Site 13.

The Head of Legal, Democratic and Property Services stated that, in her opinion, no Members of the Planning Committee had fettered their discretion in any subsequent Planning Committee

deliberations through their involvement in the decision-making on the above matters.

RESOLVED that

- 1) **the comments received regarding the proposed disposals be noted;**
- 2) **the sites in Appendix 1, with the exception of Site 2 (Brooklands Lane), Site 6 (Harport Road), Site 8 (Hunt End Lane) and Site 10 (Moorcroft Gardens), be approved for continued inclusion in the Asset Disposal Programme;**
- 3) **the site at the corner of Winyates Way and Moons Moat Drive shown identified on plan 17 in Appendix 2 be declared surplus;**
- 4) **31 Mount Pleasant identified on plan 19 in Appendix 2 be declared surplus; and**
- 5) **authority be delegated to the Property Services Manager in consultation with the Portfolio Holder to progress and conclude disposals of assets contained in the Asset Disposal Programme.**

217. SINGLE EQUALITIES SCHEME

The Committee considered a Single Equalities Scheme setting out how the Council was promoting and taking action on the specific equality duties placed on it in respect of race, disability and gender.

The Committee welcomed the report and the measures that were proposed to bring the Council onto a more sound footing in respect of equalities. Members commented that, from a practical viewpoint, the organisation performed to a higher level than was suggested by the Council's current assessment rating in this area. However, it was noted that the Council needed to achieve improvements in terms of the equality standards process.

Officers highlighted that the Single Equalities Scheme was a living document. Work was being undertaken with bodies such as the Community Forum to ensure that the diverse communities within the town were receiving fair access to services.

There was some disquiet that the inequalities based upon educational under-achievement were not being suitably addressed as this was considered to be a significant issue within the Borough. Members requested that a report/action plan be submitted to a

future meeting of the Committee or Council detailing what the Council, as Community Leader, expected to receive in terms of education provision for the Borough and its children and young people.

RECOMMENDED that

the Single Equalities Scheme and Equalities Action Plan included at Appendix 1 to the report be approved.

218. ENERGY STRATEGY

A draft Energy Strategy and Action Plan was received by the Committee. The current Strategy was out of date and needed replacing. Officers commented that the baseline data in Tables 1 and 2 would need to be amended and highlighted a number of additions to the information within Table 5, information which had not been available at the time of going to print. This new and amended information would be made available prior to the meeting of the Council.

Members welcomed the report and were keen that the Council should be a leader within the local area in the sphere of reducing energy usage and the associated carbon emissions. The majority of the projects included within the action plan were being funded with assistance from an interest free loan from Salix (part of the Carbon Trust). The rationale behind the phasing of the schemes was explained as it appeared that commencement was not based upon the projected payback period. The Committee was informed that those schemes scheduled for the current financial year were already incorporated in the existing Capital programme for other reasons.

The possibility of identifying local actions that could assist in reducing fossil fuel reliance was discussed. Officers confirmed that the Energy Saving Trust had assessed the opportunities for moving to renewable sources of energy and had concluded that the opportunities within Redditch were very limited. The Building Management System was a key scheme and Members sought confirmation that compatibility with the system already in use by the County Council would be achieved. Officers were able to reassure the Committee that discussions were taking place with the County Council.

RECOMMENDED that

the Energy Strategy and Action Plan, as attached at Appendix 1 to the report, be adopted.

**219. WORCESTERSHIRE ENHANCED TWO TIER (WETT)
PROGRAMME**

The Committee received and considered the proposed detailed business cases for two-tier joint working in the areas of Regulatory, Property and Internal Audit Services. These had been developed in late 2009 and the proposals would lead to audit services being hosted by Worcester City Council, regulatory services by Bromsgrove and Redditch and property services by Worcestershire County Council.

There was considerable discussion as to the merits of the proposals. Concerns were expressed that local accountability would be diminished and the governance arrangements, as much as they were known, were inadequate given the scope of the services. The level of Member involvement to date was questioned, as were the possible financial implications of the staffing changes detailed within the proposals. It was also noted that there was an extensive period of notice required and significant financial costs involved should an authority wish to withdraw at a later date from the arrangements.

Officers explained that, certainly for regulatory services, the service would continue to be delivered locally and that the relocation of staff would primarily involve the management team. Both Redditch and Bromsgrove already provided efficient regulatory services and it was anticipated that the Service Level Agreement negotiated by the Council would maintain current service standards. There were, in addition, various external drivers ensuring that standards were maintained. The use of the Hub to receive calls from the public, particularly in respect of regulatory services, was touched upon. Officers informed the Committee that the Hub was investing in new technology to improve the efficiency of the service.

It was acknowledged that the level of detail within the business cases was limited at the present time. Officers highlighted the undertaking that had been made at a recent meeting of the WETT Programme Management Group to provide further detail to the participating Councils on the detailed implementation plan and proposed service standards.

RECOMMENDED that

- 1) the two tier and joint working proposals for Property Services, Regulatory Services and Internal Audit presented within the Worcestershire Enhanced Two Tier detailed business cases referenced in this report be agreed;**

AND

subject to the agreement of the relevant councils out of Worcestershire County Council and the Worcestershire District Councils, namely Worcester City, Bromsgrove District, Redditch Borough, Malvern Hills District, Wychavon District and Wyre Forest District Councils:

A. UNIFIED REGULATORY SERVICES

- 2) a unified Regulatory Service for the Worcestershire Councils, jointly hosted by Bromsgrove and Redditch Councils (with Bromsgrove District Council as the employing authority), be established from 1st June 2010 under the auspices of a Joint Committee, on the basis set out in the Regulatory Service Detailed Business Case V10, Part 1 & Part 2 (Rev.1) and supported by the Regulatory Services, Detailed Business Case Executive Summary V3.2 at 'Appendix A' to this report;
- 3) this Council's functions in relation to Environmental Health and Licensing Services (so far as permissible in law) be delegated to a Joint Committee in accordance with Section 101 of the Local Government Act 1972 and Section 20 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) (Regulations) 2000;
- 4) subject to the agreement in recommendation 1) above being concluded, relevant staff from all Councils which agree to the Regulatory Services business case be transferred to Bromsgrove District Council under TUPE arrangements;
- 5) the financial arrangements for the new service as set out in the Detailed Business Case V10 be approved;
- 6) the Head of Legal, Democratic and Property Services be requested to draft consequent changes to the Council's Constitution to reflect the Shared Services arrangements, establishment of the new Joint Committee

B. PROPERTY SERVICES

- 7) a Shared Property Service, hosted by Worcestershire County Council, on the basis set out in the Property Services Detailed Business Case V6 and the supporting

Detailed Business Case Executive Summary V1 at 'Appendix B' to this report be established;

- 8) the transfer of staff to Worcestershire County Council as service provider be approved on the terms proposed from the Commencement Date;**
- 9) Authority be delegated to the Head of Legal, Democratic & Property Services to enter into a service level agreement on the basis set out in the Property Services Detailed Business Case V6 and supporting Property Services Detailed Business Case V1 (Appendix B), as amended to reflect any final agreement made between the Partner authorities, be approved;**

C. INTERNAL AUDIT SERVICES

- 10) a Shared Internal Audit Service (hosted by Worcester City Council) on the basis set out in the Internal Audit, Detailed Business Case V10 and the supporting Detailed Business Case Executive Summary V2 at 'Appendix C' to this report be established;**
- 11) the transfer of staff to Worcester City Council as service provider be agreed, on the terms proposed, from the Commencement Date;**
- 12) Authority be delegated to the Head of Legal, Democratic & Property Services to enter into a service level agreement on the basis set out in the Internal Audit Detailed Business Case V10 and supporting Internal Audit Detailed Business Case V2 (Appendix B), as amended to reflect any final agreement made between the Partner authorities;**

TIMELINE AND RECRUITMENT

- 13) the timeline proposed at 'Appendix D' to the report, which details the order and dates for each consultation period and decision point in relation to the detailed business case development for Internal Audit, Property and Regulatory Services, be supported.**

Agrees to the creation of and terms of reference for a Joint Appointments Committee comprising one member of each participating Council for the proposed Head of Regulatory Services.

220. CAPITAL STRATEGY 2010 TO 2013

Officers presented a report setting out the Council's Capital Strategy for the coming three years. The Committee was told that capital receipts had changed little since the previous three year period, hence there was little change to the Strategy itself since the last had been agreed in 2009.

RECOMMENDED that

- 1) **the Capital Strategy appended to the report be approved; and**
- 2) **the Capital Strategy be added to the list of the Council's Policy Framework documents and incorporated as such into the Council's formal Constitution.**

221. HOUSING REVENUE ACCOUNT 2010/11

A report was received that set out the initial estimates for 2010/11 and the proposed dwelling rent for the coming year. The actual average rent increase was recommended to be set at a level of 2.6% and there was reported to be scope in the Housing Revenue Account to approve all revenue and capital bids detailed within the report.

The Council's negative housing subsidy position was noted as was the recent consultation exercise undertaken by the Government which was expected to result in councils being offered the opportunity for council housing services to be 'self-financing'. The subsidy position from the Government for the current year was still to be received and could result in change should the Council's own subsidy calculations have been incorrect.

RECOMMENDED that

- 1) **the draft 2010/11 Estimates for the Housing Revenue Account attached to the report at Appendix A, be approved;**
- 2) **the actual average rent increase for 2010/11 be 2.6%;**
- 3) **the Housing Revenue Account bids for revenue resources categorised as unavoidable and high set out in Appendix B be approved as follows:**

2010/11	£63,000
2011/12	£49,000
2012/13	£187,000;

- 4) the Housing Revenue Account bids for capital resources categorised as high and unavoidable set out in Appendix C be approved as follows:

2010/11	£600,000
2011/12	£730,000
2012/13	£6,020,000; and

- 5) the bid as recommended by the Overview and Scrutiny Committee be approved as follows:

Cleaning and maintenance of flooring at Three Storey Flats - estimated cost £6,000.

222. COUNCIL TAX BASE

The Committee received the annual report on the Council Tax Base for the following financial year which was required by the Council's major precepting bodies and parish in order to calculate their precept requirements.

RESOLVED that

- 1) the calculation of the Council's Tax Base for the whole and parts of the area for 2010/11, as detailed in the Appendices to the report, be approved; and
- 2) in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the figures calculated by the Redditch Borough Council as its tax base for the whole area for the year 2010/11 be 27,470.42 and for the parts of the area listed below be:

Parish of Feckenham:	<u>363.54</u>
Rest of Redditch:	<u>27,106.88</u>

223. OVERVIEW AND SCRUTINY COMMITTEE

Members agreed that consideration of the recommendations relating to the Former Covered Market be deferred until that matter was considered by the Executive Committee at its next meeting on 3rd February.

RESOLVED that

- 1) the minutes of the meetings of the Overview and Scrutiny Committee held on 25th November and 16th December 2010 be noted;

and **RECOMMENDED** that

- 2) **Councillor Robin King be nominated to represent the Council as a co-optee on the Worcestershire Hub Scrutiny Group.**

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

There were no minutes or referrals under this item.

225. ADVISORY PANELS - UPDATE REPORT

It was noted that further meetings had been arranged, as follows:

Leisure Contracts Advisory panel – 1st February;
Constitutional Review Working Party – 24th February; and
Climate Change Advisory Panel – 9th March.

RESOLVED that

the report be noted.

226. ACTION MONITORING

RESOLVED that

the report be noted.

227. 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 3 of Part 1 of Schedule 12 (A) of the said Act, as amended.

Easemore Road Site – Consultation with Tenants (as detailed at Minute 228 below);

228. EASEMORE ROAD SITE - CONSULTATION WITH TENANTS

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was

Executive
Committee

27th January 2010

therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to provisional terms of land disposal under negotiation.)

The Meeting commenced at 7.00pm
and closed at 9.39pm

.....
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

Executive Committee

3rd February 2010

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:

R Bamford, B Barr, M Bough, C Flanagan, H Halls, S Hanley, J Homer, R Kindon and T Kristunas

Committee Officers:

D Sunman

229. APOLOGIES

There were no apologies for absence.

230. DECLARATIONS OF INTEREST

There were no declarations of interest.

231. LEADER'S ANNOUNCEMENTS

The Chair advised that she had accepted the following matter as urgent business:

Item 7 – Initial Estimates 2010/11 and Forecasts for 2011/12 and 2012/13.

232. LOCAL DEVELOPMENT FRAMEWORK - OFFICE NEEDS ASSESSMENT

Members considered a report which sought endorsement of an Office Needs Assessment that had been jointly produced by Officers of the Council and GVA Grimley. Officers reported that the study would form part of the evidence base for the Core Strategy Development Plan document.

Members were informed that the Office Needs Assessment had included four key stages as follows:

.....
Chair

Executive Committee

3rd February 2010

- 1) a Survey of Existing Occupiers;
- 2) an Assessment of Floorspace in Redditch town centre;
- 3) a Property Market Review; and
- 4) the Need for Additional Floorspace.

The key issues arising from these stages were:

- a) the town centre was an attractive location for the Office market with:
 - i) affordable rent levels;
 - ii) flexible accommodation; and
 - iii) location accessible to main transport routes.
- b) since January 2000 to March 2009 there had been a gradual increase of office lettings – the average take up being around 3,800 sq.m per annum, the freehold sales market was more limited;
- c) currently 28% of the total stock was vacant, the highest level in a decade;
- d) achieving the WMRSS target of 45,000 sq.m would be challenging given the limited amount of demand for such a high level of office floorspace in the town centre and peripheral zone;
- e) the town centre and peripheral zone could only accommodate half of this requirement;
- f) a revised office target of 30,000 sq.m over the Plan period was recommended;
- g) the study identified some potential sites which could accommodate around 22,000 sq.m, which would mean identifying an additional 2.3ha outside the town centre / peripheral zone in order to achieve the 30,000 sq.m requirement;
- h) in order to attract a wider office market, which traditionally had not wanted to locate in the Borough, marketing of the town centre would be fundamental to its success;
- i) the Council should focus on regional and sub-regional public sector organisations when identifying potential occupiers of

office accommodation in the town centre;

- j) a wider range of 'office products' would be required, i.e. new, modern office buildings with flexible space capable of accommodating medium to large businesses.
- k) support from Economic Development would be required in order to ensure a holistic approach is used in identifying the types of sectors that should be focused upon in the town centre; and
- l) in order to achieve the challenging office requirement policy would need to set precedence over competing uses, e.g. residential and leisure in the town centre.

The Chair of the Planning Advisory Panel (PAP) reported that the draft report had been presented to the Panel and had been discussed at length. He informed Members that a number of key points, which had arisen in these discussions, had been included in the final report.

RECOMMENDED that

the Office Needs Assessment, as attached at Appendix A to the report, be endorsed as part of the Council's Local Development Framework Evidence Base.

233. WATER QUALITY REPORT

Members received a report which sought approval and adoption of a policy in relation to Water Quality in Redditch Borough Council's owned and managed buildings.

Officers reported that the Council's policy for the management of water quality was as follows:

- 1) to have clear procedures for the design and management of water services;
- 2) to have specific lines of responsibility for the management of water services;
- 3) to identify locations with high risk users of premises;
- 4) to identify , where possible, potential risk areas due to materials, storage methods, poor installation etc. within buildings;

- 5) to check on a regular basis the quality of water within buildings;
- 6) to train staff and contractors to ensure that works carried out on water services comply with legislation and the policy;
- 7) to ensure that any risk of contamination is removed or reduces in an efficient, cost effective manner with the minimum disruption to building users.

Members requested that the Council's insurers be asked to comment on the policy.

RECOMMENDED that

- 1) **the policy in relation to water quality in Council-owned and managed buildings, as included at Appendix 1 to the report, be adopted; and**
- 2) **the Council's Insurers be sent a copy of the Water Quality Policy for comment.**

234. PRIVATE SECTOR HOUSING STRATEGY AND ACTION PLAN

The Committee received a report that sought approval and adoption of the Private Sector Housing Strategy and Action Plan, which would replace the Private Sector Housing Strategy 2004.

Officers reported that a stock modelling survey of private housing (all non-social) had been completed in April 2009 by Building Research Establishment (BRE). Based on the evidence from the survey significant issues had been identified in the older areas of the Borough and hot spots in part of the former new town areas. The areas of most need had been identified as the older dwellings in Central and adjacent wards of Lodge Park and Abbey.

Members were informed that a survey had been carried out during the summer of 2009 with private tenants, landlords and owner-occupiers to identify which private sector housing services were seen as a priority.

Resident's priorities had been identified as follows:

- 1) assistance to low-income households on property maintenance and helping arrange subsidised loans;
- 2) returning empty properties back to use;

- 3) helping older people and people with disabilities to live independently in their own homes by providing stairlifts, wider doorways etc.; and
- 4) advice on reducing energy use and combating fuel poverty.

Officers reported that the main strategic aims of the strategy were:

- a) improve housing conditions in the private sector; and
- b) give support and advice to private sector tenants and vulnerable households.

RECOMMENDED that

the Private Sector Housing Strategy, as included at Appendix A to the report, be adopted.

235. INITIAL ESTIMATES 2010/11 AND FORECASTS FOR 2011/12 AND 2012/13

Members received a report which presented the estimates at Directorate level that had been prepared in accordance with the Budget Guidelines, which had been approved by Council on 7th December 2009.

The Head of Resources reported that since consideration of the Medium Term Financial Plan for the period 2010/11 to 2012/13 in July 2009 central government had announced an increase in National Insurance contributions to take effect from April 2011 at an estimated cost of £110k. She also reported that there had been a reduction in income from business centres, leisure services, local land charges and planning fees.

Members were informed that the Executive Committee at their meeting on 18th November 2009 had considered a number of revenue and capital bids. Members had approved the bids for 2009/10 and approved, in principle, the bids for the forthcoming three years, subject to the availability of resources. Following the outcome of the Initial Estimates process for 2010/11 the Strategic Management Team had reviewed the General Fund bids. As a result the following amendments had been made:

- 1) the bid for £110,000 for works to Public Building had been removed pending a further report to Members;
- 2) the bid for the repair and maintenance of street lighting had been changed to medium priority and would be reconsidered

Executive Committee

3rd February 2010

later in the year;

- 3) the bid for Landscape Maintenance had been changed to medium priority pending an investigation into the potential utilisation of Section 106 contributions to support the budget;
- 4) the bid for Direct Action – Enforcement had been removed from the list.
- 5) the capital bid for the Energy Management System had been removed from the list as it had been included in the list of projects for SALIX funding.

The Leader reported that, with the approval of Members, the bid for the repair and maintenance of street lighting at a cost of £6,000 would be included in the Initial Estimates 2010/11.

The Head of Resources reported that the Secretary of State had approved the Council's application for a Capitalisation Direction in respect of the severance costs associated with the Single Management Team. She explained that this would mean that the severance costs could be met from capital receipts as opposed to a direct charge to the General Fund revenue account.

Officers were asked to write, in the first instance, to Worcestershire County Council highlighting the increasing pressure on the Council's budgets for staff pensions.

RECOMMENDED that

- 1) **the Initial Estimates for 2010/11 be approved;**
- 2) **the Revenue Bids categorised as unavoidable and high detailed in Appendix 14 be approved , as follows:**

2010/11	£279,210
2011/12	£ 98,210
2012/13	£ 97,210

- 3) **The General Fund bids for capital resources categorised as high set out in Appendix 15 be approved, as follows:**

2010/11	£325,000
2011/12	£165,000
2012/13	£845,000;

Executive Committee

3rd February 2010

together with the associated revenue implications as follows:

2010/11	£ 6,500
2011/12	£54,200
2012/13	£96,400
Future years	£188,800;

- 4) the proposal for how the Further Support for Town Centre Grant is utilised as set out in Appendix 17 be approved;**
- 5) the bids as recommended by Overview and Scrutiny Committee be approved as follows:**
 - a) 2nd December 2009 Redditch Matters to be published quarterly. Cost of an additional edition £6,000;**
- 6) the bid for Church Hill District Centre Redevelopment for £60,000 2010/11 which was approved in principle at Council on 7th December 2009, be approved;**
- 7) that any Direct Action - Enforcement expenditure be funded from balances, pending recovery from the third party, and officers report back to Members on the success of any recovery action;**
- 8) that any bids not approved at this stage be brought back to this Committee for reconsideration once the outturn position for 2009/10 is known and**
- 9) the bid of £6,000 for the repair and maintenance of street lighting be included in the Initial Estimates 2010/11.**

(This report had been accepted as a matter of Urgent Business – not having met the publication deadline and was considered at the meeting as such, with the approval of the Chair, and in accordance with the Council's constitutional rules and powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree matters of urgency being discussed by reason of special circumstances.

In this case the special circumstances were that the information, which was not available at the time of the agenda going to print, was required to be considered at the present meeting in order to meet statutory requirements.)

Executive Committee

3rd February 2010

236. FORMER COVERED MARKET - INITIAL OPTIONS APPRAISAL

The Committee were asked to consider the options for the use or redevelopment of the former Covered Market site.

RESOLVED that

- 1) the site be declared surplus to the Council's requirements;**
- 2) Property Services, in conjunction with Planning Services, be authorised to work up a development brief to be reported to a future Executive Committee meeting; and**
- 3) the Property Services Manager be authorised to secure any short term interim uses of the former covered market area that would generate income, subject to planning considerations and in consultation with the relevant Portfolio Holder.**

237. CORPORATE SICKNESS STATISTICS

Members received a report that updated them on sickness statistics for the Council for the period July to September 2009. Officers circulated information for the period October to December 2009 at the meeting.

Officers were asked to provide Councillor Hartnett with information regarding the SLA with Worcestershire County Council for the provision of Occupational Health services.

RESOLVED that

- 1) the statistics be noted; and**
- 2) the programme outlined in the report to reduce sickness absence be approved.**

The Meeting commenced at 7.00 pm
and closed at 8.50 pm

.....
Chair



www.redditchbc.gov.uk

EXECUTIVE

Committee

17th February 2010

MINUTES

Present:

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

Also Present:

Councillor J Pearce and Michael Collins (Standards Committee)

Officers:

A Rutt, D Riley, S Hanley, R Cooke, K Stokes, H Halls, J Godwin, D Taylor, J Bough and K Cook

Committee Officers:

D Sunman

238. APOLOGIES

There were no apologies for absence.

239. DECLARATIONS OF INTEREST

There were no declarations of interest.

240. LEADER'S ANNOUNCEMENTS

The Chair advised that the following item of business, scheduled on the Forward Plan to be dealt with at this meeting, had been rescheduled to a later meeting of the Committee:

- Information Management Strategy

The Chair also advised that she had accepted the following matter as urgent business:

Item 9 – Leisure Contracts Advisory Panel – Abbey Stadium Redevelopment

.....
Chair

EXECUTIVE

Committee

17th February 2010

241. MINUTES

RESOLVED that

The minutes of the meeting of the Committee held on 27th January 2010 be confirmed as a correct record and signed by the Chair.

242. PLANNING SERVICES - SCHEME OF DELEGATION TO OFFICERS - AMENDMENTS RELATING TO TREE PROTECTION ORDERS

Members considered a report which sought approval to amend the current scheme of delegation to Officers relating to Tree Preservation Orders in order to provide a more efficient service, with quicker response times, which would improve the natural environment of the Borough.

RECOMMENDED that

- 1) authority be delegated to Officers, as summarised at Appendix 1; and**
- 2) the Scheme of Delegation to Officers, as detailed at Appendix 2 to the report, be adopted.**

243. PLANNING SERVICES - INCREASE IN CHARGING FOR PRE-APPLICATION DISCUSSIONS

Members considered a report which sought approval to alter the current scale of fees for Permitted Development enquiries and pre-application advice to a common county-wide scale of charges and approach to service provision and to maintain the fees at the same level as other districts within Worcestershire. Officers were asked to circulate Appendix 2 prior to the meeting of Council on 29th March 2010. Officers were asked to circulate Appendix 2 prior to the meeting of Council on 29th March 2010.

RECOMMENDED that

- 1) the schedule of charges, detailed at Appendix 1, be adopted and implemented by Planning Services from 1st April 2010; and**
- 2) authority be delegated to Officers to maintain the fees at a standard county-wide level in future.**

EXECUTIVE

Committee

17th February 2010

244. FILM PROPOSAL

The Committee received a report requesting approval for the Council's participation in a documentary film which would be produced by Fatum Films.

Officers reported that following the success of the Morton Stanley Festival in 2009 an approach had been made to the Council by the owner of Fatum Films who was interested in producing a documentary, which would involve media students from NEW College as part of their work experience.

RESOLVED that

participation in a documentary film produced by Fatum Films be approved.

245. IRRECOVERABLE DEBTS

The Committee received a report which sought approval to write off 29 cases of irrecoverable debt amounting to £87,773.62.

Officers reported that all appropriate debt recovery action had been attempted to recover the debts and that no further action could be taken to enforce payments.

Members were asked to note that any debt that had been written off could be retrieved and pursued if it came to the Council's attention that the debtor had the means to pay the debt.

RESOLVED that

the debts totalling £87,773.62 (£40,557.07 General Fund; £47,218.55 Housing Revenue Account), detailed in Appendix 1 of the report be written off as irrecoverable.

(During 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 it included information relating to individuals; the identity of individuals; and the financial or business affairs of particular persons (including the authority holding that information.)

(There is nothing exempt, however, in this record of the proceedings.)

EXECUTIVE

Committee

17th February 2010

246. LEISURE CONTRACTS ADVISORY PANEL - ABBEY STADIUM REDEVELOPMENT

Members received the notes of the meeting of the Leisure Contracts Panel on 1st February 2010 and were asked to approve the associated recommendations.

Officers stated that, in their opinion, no Members of Planning Committee had fettered their discretion in any subsequent Planning Committee deliberations through their involvement in the decision-making on the above matter.

Officers were asked to arrange a visit for Councillors to a leisure centre in Coventry, which had been subject to a similar refurbishment to that being suggested at the Abbey Stadium.

RESOLVED that

- 1) progress to date on the Abbey Stadium redevelopment be noted; and**
- 2) Stage D design, as indicated in the separate 'artists' impression' Appendices, be formally approved for the purposes of seeking planning permission.**

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

There were no minutes of referrals under this item.

248. ADVISORY PANELS - UPDATE REPORT

RESOLVED that

the report be noted.

249. ACTION MONITORING

RESOLVED that

the report be noted.

EXECUTIVE

Committee

17th February 2010

250. 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 paragraphs 1, 2, 3 and 4 of Part 1 of Schedule 12 (A) of the said Act, as amended.

Irrecoverable Debts – [as detailed at Minute 245 (Item 8) above]; and

Arrow Valley Countryside Centre – Review of Alternative Management Arrangements [as detailed at Minute 251 (Item 14) below];

251. ARROW VALLEY COUNTRYSIDE CENTRE - CONSULTANT'S REPORT

(During the 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 the grounds that information would be revealed relating to the financial or business affairs of any person including the authority holding that information and contemplated consultations or negotiations in connection with a labour relations matter between the authority and employees of the authority.)

252. CONFIDENTIAL MINUTES / REFERRALS (IF ANY)

There were no confidential minutes of referrals.

The Meeting commenced at 7.00 pm
and closed at 8.28 pm

.....
Chair

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



Executive Committee

22nd February 2010

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

Also Present:

Councillors K Banks, M Chalk, A Clayton, J Cookson, D Enderby, J Field, M Hall, G Hopkins, D Hunt, R King, W King, P Mould, W Norton, J Pearce, B Quinney, D Taylor, D Thomas, D Andrews (Chair, Standards Committee) and M Collins (Vice-Chair, Standards Committee)

Officers:

K Dicks, S Hanley, J Staniland, C Felton, A Heighway, T Kristunas, S Morgan, J Pickering, A Marklew S Skinner and K Bradford

Committee Services Officer:

I Westmore

253. APOLOGIES

There were no apologies for absence.

254. DECLARATIONS OF INTEREST

There were no declarations of interest.

255. INDEPENDENT REMUNERATION PANEL - RECOMMENDATIONS

The annual report from the Independent Remuneration Panel detailing the recommendations arising from their review of the Scheme of Members' Allowances was considered by the Committee.

Members welcomed the report and generally accepted the recommendations. The matter upon which there was discussion was the reaffirmation of the requirement for an annual inflation increase and whether this should be passed on to Members. All

.....
Chair

were agreed that there should not be an increase in the amount of allowances accepted by Members but the means for achieving this end was a matter of some debate. It was proposed that the increase be built into the budget reserve to ensure that the Council's Scheme would not fall further behind that of neighbouring and comparable authorities in future years.

The Committee agreed that the 1% minimum increase, added to the Members' Allowances budget as a result of a previous 'Standing' Council resolution, be added to the budget reserves and that Members not accept the increase for the 2010/11 financial year.

RESOLVED that

- 1) **the requirement for an annual inflation increase, as a minimum, be re-affirmed with the 1% increase to remain in the Members' Allowances budget reserves for 2010/11 but that Members not take up the increase for 2010/11;**
- 2) **the Council be asked to note the IRP's belief that additional supplementary increases should be made to gradually bring the Borough Council into line with other authorities;**
- 3) **no such additional increase be recommended for 2010/11, in view of the current uncertain financial climate affecting local authorities;**
- 4) **because of a current ambiguity, definitions of "Approved Duties" for mileage/subsistence claims purposes be clarified to specify that SRA is intended to cover the additional costs associated with relevant "Special Responsibility"; and that claims will only be accepted for duties approved in advance by the Council.**

256. COUNCIL TAX SETTING

The Committee received a report setting out the estimated outturn for 2009/10, the General Fund revenue estimates for 2010/11 and the level of Council Tax that was being proposed to fund the Council's spending during the coming year.

It was stated that efforts had been made to keep Council Tax to as low a level as possible whilst trying to maintain and enhance services and take on board other initiatives that Members had proposed. It was stressed that adequate reserves would be maintained to allow worthwhile initiatives from bodies such as the Overview and Scrutiny Committee's Task and Finish Groups to be funded, when appropriate.

RECOMMENDED that

1) the 2010/11 General Fund Revenue estimates as set out in Part A of the report be approved;

2) it be noted that at its meeting on the 27th of January 2010 Council calculated the following amounts for the year 2010/11 in accordance with regulations made under Section 33 (5) of the Local Government Finance Act 1992:

a) **27,470.42**

Being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year;

b) **Feckenham Parish – 363.54**

being the amount calculated by the Council, in accordance with regulation 6 of the regulations, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate;

3) the following amounts be now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

a) **£50,672,330 (excluding bids)**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act.

(2010/11 Gross General Fund Expenditure)

b) **£38,449,561**

being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.

(2010/11 Gross General Fund Income)

c) **£12, 222,769**

being the amount by which the aggregate at 3 (a) above exceeds the aggregate at 3 (b) above, calculated by the Council in accordance with Section 32 (4) of the Act as its budget requirement for the year;

(2010/11 Net General Fund Expenditure)

d) **£6,468,126**

being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-domestic Rates, Revenue Support Grant or additional grant increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97 (3) of the Local Government Finance Act 1988 (Council Tax Surplus) and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charges) directions under Section 98 (4) of the Local Government Finance Act 1988 made on 7 February 1994 (Community Charge Surplus).

(RSG + NDR - Deficit on Collection Fund)

e) **£209.49**

being the amount at 4 (c) above less the amount at 4 (d) above, all divided by the amount at 3 (a) above, calculated by the Council, in accordance with Section 33 (1) of the Act, as the basic amount of Council Tax for the year;

(The average amount Band D properties pay for Redditch Borough Council services)

f) **£8,300**

being the aggregate amount of all special items referred to in Section 34 (1) of the Act;

(Feckenham Parish Precept)

g) **£209.18**

being the amount at 4 (e) above less the result given by dividing the amount at 4 (f) above by the amount at 3 (a) above, calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of Council Tax for dwellings in those parts of the area to which no special item relates.

(The amount Band D properties pay (except within the Parish of Feckenham) for Borough Council Services)

h) **£232.01**

being the amount given by adding to the amount at 4 (g) above, the amount of the special item relating to the Parish of Feckenham, divided by the amount in 3 (b) above, calculated by the Council, in accordance with Section 34 (3) of the Act, as the basic amount of its Council Tax for the year for dwellings in the Parish of Feckenham;

(The amount Band D properties pay within the Parish of Feckenham for Borough Council Services including the Parish Precept)

i)

Valuation Band	Proportion of Band D tax paid	Part of Council's area	
		Parish of Feckenham	All other parts of the Councils area
A	6/9	£154.68	£139.46
B	7/9	£180.46	£162.70
C	8/9	£206.23	£185.94
D	1	£232.01	£209.18
E	11/9	£283.57	£255.67
F	13/9	£335.13	£302.15
G	15/9	£386.69	£348.64
H	18/9	£464.03	£418.37

being the amounts given by multiplying the amounts at 4(g) and 4(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands;

Executive Committee

22nd February 2010

- 4) it be noted that, for the year 2010/11, the Worcestershire County Council, the West Mercia Police Authority and the Hereford and Worcester Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Band	Proportion of Band D tax paid	Precepting Authority		
		Worcestershire County Council	West Mercia Police Authority	H & W Fire & Rescue Authority
A	6/9	£692.71	£119.15	£49.10
B	7/9	£808.16	£139.01	£57.28
C	8/9	£923.61	£158.86	£65.46
D	1	£1,039.06	£178.72	£73.64
E	11/9	£1,269.97	£218.44	£90.01
F	13/9	£1,500.87	£258.15	£106.38
G	15/9	£1,731.77	£297.87	£122.74
H	18/9	£2,078.13	£357.44	£147.28

- 5) having calculated the aggregate in each case of the amounts at 4 (i) and 5 above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2010/11 for each of the categories of dwellings shown below:

Valuation Band	Proportion of Band D tax paid	Part of Council's area	
		Parish of Feckenham	All other parts of the Council's area
A	6/9	£1,015.64	£1,000.42
B	7/9	£1,184.91	£1,167.15
C	8/9	£1,354.16	£1,333.87
D	1	£1,523.43	£1,500.60
E	11/9	£1,861.99	£1,834.09
F	13/9	£2,200.53	£2,167.55
G	15/9	£2,539.07	£2,501.02
H	18/9	£3,046.88	£3,001.22

**Executive
Committee**

22nd February 2010

- 6) the level of General Fund balances to be utilised in 2010/11 be £628,600 (this figure excludes the bids; should the bids be approved, the figure will be £986,310); and
- 7) the level of the Redditch Borough Council demand on the Collection Fund be £5,754,643.

The Meeting commenced at 7.25 pm
and closed at 8.06 pm

.....
Chair



www.redditchbc.gov.uk

Licensing Committee

25th January 2010

MINUTES

Present:

Councillor Michael Braley (Chair), Councillor Kath Banks (Vice-Chair) and Councillors J Cookson, J Field, A Fry, W Hartnett, N Hicks, W King and J Pearce

Officers:

S Garratt, G Revans, Head of Environment and C Flanagan
S Garratt, G Revans, C Flanagan

Committee Officers:

Denise Sunman

21. APOLOGIES

Apologies were received on behalf of Councillors A Clayton, Hunt and Smith.

22. DECLARATIONS OF INTEREST

There were no declarations of interest.

23. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 14th December 2010 be confirmed as a correct record and signed by the Chair.

24. VEHICLE SAFETY INSPECTIONS / IN-HOUSE INSPECTIONS

Members considered a report regarding vehicle testing of Hackney Carriages and Private Hire Vehicles licensed by Redditch Borough Council

Members were informed that a Best Value Inspection in 2003 had recommended that vehicle inspections should be provided externally. Two garages had applied and had been authorised to conduct these inspections. Officers reported that 99% of Hackney Carriage and Private Hire vehicle inspections were currently being carried out by one of these garages.

.....

Chair

The Licensing Manager reported that the Licensing Team, assisted by engineers from Crossgates Depot, had conducted routine spot check inspections of vehicles licensed by the Council. The results of these inspections had raised serious concerns regarding public safety, and clearly indicated that the majority of drivers were not maintaining their vehicles to an acceptable standard throughout the current 12 month test period.

The introduction of 6 monthly testing of vehicles would make a positive contribution in ensuring that all vehicles licensed by Redditch Borough Council would be maintained to an efficient road safety standard, ensure continuous improvement and help ensure that vehicle owners and drivers would maintain their vehicles to appropriate standards. Officers reported that many of the vehicles were in use every day of the year and that it was not uncommon for mileage to be up to 100,000 miles per annum, equivalent to 10 years mileage for an average car user.

RECOMMENDED that

- 1) **vehicle testing to be carried out at 6 monthly intervals;**
- 2) **Hackney Carriage and Private Hire Vehicle Inspection testing be brought back in-house to ensure vehicle standards;**
- 3) **a new post of Vehicle Inspection Engineer be created to sit within the Licensing Team, stationed at Crossgates Depot, to carry out vehicle inspection tests, checks on accident damaged vehicles and other inspection duties, as necessary;**
- 4) **a Hackney Carriage and Private Hire Vehicle Inspection test fee of £50 be introduced, which will be looked at annually as part of fees and charges;**
- 5) **National Inspection Standards for Hackney Carriage and Private Hire Vehicles be adopted;**
- 6) **all Vehicle Engineers at Crossgates Depot be authorised to suspend Hackney Carriage and Private Hire Vehicles, in consultation with the designated Officer in Licensing, for those vehicles found to be not up to MOT / vehicle testing standards;**
- 7) **vehicle conversions be refused without SVA / IVA type approval from VOSA as from 1st April 2010; and**

- 8) **a review of the scheme be carried out 6 months after implementation.**

(Officers to prepare a press release regarding the scheme. The Legal Services Manager to confirm the legality of bringing the service in-house.)

25. **ADDITIONAL TAXI RANKS - EVESHAM ROAD**

Members considered proposals to provide additional and alternative Hackney Carriage Ranks on Evesham Road, Headless Cross.

The Manager of Licensing reported that Evesham Road is mostly residential but has a vibrant night time economy which includes a number of popular licensed premises. The current provision of 3 taxi ranks on a pavement close to "The White Hart" had proved to be inadequate with Hackney Carriages ranking up illegally which had added to existing problems of congestion.

Members were informed that the new proposal of 6 / 7 rank spaces outside "Steps Public House" and 3 spaces opposite "The White Hart" would help legalise Hackney Carriage ranking on Evesham Road and enable Responsible Authorities to enforce the new order, discourage Hackney Carriages parking on pavements and reduce the risk of accidents and road blockages. Existing Bus Stops would be utilised for rank spaces between 7pm and 7am and would be marked as Bus Stop / Taxi Rank.

Officers reported that consultation had taken place between 1st October and 31st December 2009 with Redditch Taxi Association, the Highways Agency and West Mercia Police and all were in agreement with the proposals.

RESOLVED that

- 1) **the new and alternative taxi ranks, as detailed at Appendix 1 of the report, following consultation with Redditch Taxi Association, West Mercia Police and the Highways Agency, be approved and advertised as required under the Local Government (Miscellaneous Provisions) Act 1976:**
 - a) **re-siting of the rank on the pavement outside the White Hart on Evesham Road to on the road opposite the White Hart:**
 - b) **a new rank on Evesham Road outside Steps Public House; and**

Licensing

Committee

25th January 2010

- 2)
 - a) authority be delegated to the Director of Environment and Planning Services, in consultation with the Chair of the Licensing Committee, to finalise the Order where there are no objections; and
 - b) any objections received following public advertisement be reported back to the Licensing Committee for consideration;
- 3) a further report be made to this Committee when consultation has been completed and the proposals are ready for implementation.

26. SCHEME OF DELEGATION TO OFFICERS - HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - AMENDMENT RELATING TO DELEGATED POWERS TO REFUSE

The Committee received a report which sought approval of a "refusal protocol" for Redditch Borough Council relating to the power to refuse initial applications for licences from Hackney Carriage and Private Hire Drivers. Additional delegated authority was sought to allow Officers to make decisions in line with the "refusal protocol".

RECOMMENDED that

- 1) the Scheme of Delegation to Officers be amended to include additions as follows:
 - a) to refuse Hackney Carriage and Private Hire Vehicle Drivers' Licences in line with Redditch Borough Council's refusal protocol and subject to the right of the applicant to appeal against such refusal to the Licensing Sub Committee (Taxis);
 - b) the delegation should incorporate the Head of Environment (HE), Manager of Environmental Health (MEH) and the Manager of Licensing (ML);
- 2) the "refusal protocol", as detailed below, be approved and adopted by the Council with immediate effect;

'Hackney Carriage and Private Hire Vehicle Drivers' Licence Applications

"The Licensing Manager may refuse an initial application for a Licence if the Licensing Manager considers that it

would be likely that the Licensing Sub Committee would do so when applying the Home Office guidance as to the Relevance of Previous Convictions as expounded in pages 63 to 81 of the Council's Taxi Handbook. The Licensing Manager shall immediately inform the applicant of the decision in writing and give the applicant a notice in writing of his / her right to appeal the decision to the Licensing Sub Committee within 21 days of notice of refusal."

Delegated Officers:

HE Head of Environment

MEH Manager of Environmental Health'

ML Manager of Licensing'

- 3) decisions made by Officers using the Scheme of Delegation be reported to the Licensing Sub Committee (Taxis) at their next available meeting.

27. SCHEME OF DELEGATION TO OFFICERS - LICENSING ACT 2003

Members were informed that Central Government had issued supplementary Guidance to Local Authorities under Section 182 of the Licensing Act 2003 on a simplified process for minor variations to Premises Licences and Club Premises Certificates.

The Manager of Licensing reported that the guidance recommended that all decision in the administration of applications for minor variations should be delegated to Licensing Officers. This would simplify the process and enable a minor variation to be made swiftly to a premises licence or club premises certificate, within prescribed time periods.

RECOMMENDED that

- 1) decisions in the administration process for Minor Variations under the Licensing Act 2003 be delegated to the Head of Environment (HE), Manager of Environmental Health (MEH) and Manager of Licensing (ML) as follows:
 - a) change of name and address of someone named in the Premises Licence – Section 33 of the Licensing Act 2003;

Licensing Committee

25th January 2010

- b) application to change the Designated Premises Supervisor – Section 37 of the Licensing Act 2003;
 - c) application in relation to licence for community premises that authorises the sale of alcohol to dis-apply the mandatory conditions concerning the supervision of alcohol sales by a Personal Licence Holder and the need for a Designated Premises Supervisor – Sections 25A and 41D of the Licensing Act 2003;
 - d) application for Minor Variation of Premises Licence to add a licensable activity;
- 2) the Statutory set fee of £89 be entered into the Council's list of Fees and Charges;
 - 3) the Manager of Licensing report any Minor Variations to members of the Licensing Committee, by e-mail, when they occur; and
 - 4) the Manager of Licensing include details of Minor Variations in her reports to this Committee on the Licensing Act 2003.

28. COMMITTEE WORK PROGRAMME 2009/11

Members received an update on the Committee's work programme for 2009/11.

RESOLVED that

- 1) that the Cardiff Report update report be deferred until the meeting on 19th July 2010.
- 2) that a report regarding testing of Hackney Carriage and Private Hire Drivers be added to the agenda for the meeting on 26th April 2010.

The Meeting commenced at 7.00 pm
and closed at 8.25 pm

.....
Chair



Planning Committee

2nd February 2010

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Kath Banks (Vice-Chair) and Councillors B Clayton (substitute for Cllr Smith), D Enderby, J Field, W Hartnett, N Hicks and R King

Also Present:

M Collins (Vice-Chair Standards Committee)

Officers:

R Bamford, S Edden, A Hussain, A Rutt and S Skinner

Committee Services Officer:

J Smyth

86. APOLOGIES

Apologies for absence were received on behalf of Councillors Hunt and Smith.

87. DECLARATIONS OF INTEREST

There were no declarations of interest by Members of the Committee.

Mr Hussain, Legal Advisor to the Planning Committee, declared an Officer interest in Enforcement Report 2009/149/ENF as detailed at Minute 97 below.

88. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 1st December 2009 be confirmed as a correct record and signed by the Chair.

.....
Chair

89. 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 two of the applications being considered.

90. PLANNING APPLICATION 2009/249/FUL – LAND AT 31 WHEATCROFT CLOSE, BROCKHILL

Erection of 1 no. three bedroomed end terraced dwelling
Together with associated parking
Applicant: Mr A Wilkins

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

Mrs Povah – Objector
Mr A Kidd – Objector
Mr Buckley – Objector
Councillor J Pearce – Ward Councillor objector, representing Ward residents
Mr C Berry – Agent for the Applicant

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 development, by reason of its closer proximity to the bund and Brockhill Drive relative to others in Wheatcroft Close is considered to be out of keeping with the character and pattern of development in the area and as such is contrary to Policies B(HSG)6 and B(BE)13 of the Borough of Redditch Local Plan No.3;**
2. **the proposed ingress and egress to parking areas is considered to be inadequate and as such would be likely to result in a danger to highway safety and conflict between vehicle users in the communal parking area to the front of**

the existing and proposed properties. As such the proposal is considered to be contrary to PPG13 which seeks to ensure safe and adequate manoeuvring spaces for vehicles; and

3. the proposed development, by reason of its siting and the resultant loss of garden area to no.31 would result in an overdevelopment of the site that would be visually intrusive within the street scene, and thus is contrary to Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

(This decision was taken contrary to Officer recommendation for the reasons stated above.)

**91. PLANNING APPLICATION 2009/262/FUL –
137 TO 141 EVESHAM ROAD, HEADLESS CROSS**

Change of Use of ground floor
(no's 137 – 139 Evesham Road From A1 (Retail) to A3/A5
(Restaurant and Hot Food Takeaway Use);
new shop front; demolition of existing single storey rear extension
to create new two storey rear extensions and creation of
4 no. flats over no's 137-141 Evesham Road
Applicant: Mr L N Theodorou

Councillor C Gandy - Ward Councillor and objector, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be **REFUSED** for the reasons stated in the report.

**92. PLANNING APPLICATION 2009/267/FUL –
18 CHESTNUT ROAD, ASTWOOD BANK**

Erection of a two-storey, four bedroomed detached dwelling
Applicant: Mr I Osbourne

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 and the following additional condition and informatives:

“11. Access, turning and parking.

Informatives:

2. Highway Note 4 – Private apparatus within the highway.
3. Highway Note 5 – No authorisation for applicant to carry out works within the publicly maintained highway.
4. Drainage details to be in agreement with Severn Trent Water.”

**93. PLANNING APPLICATION 2009/272/ADV –
LAND AT MORTON STANLEY PARK,
WINDMILL DRIVE, WEBHEATH**

New flag and flagpole to fly the Green Flag Award
Applicant: Redditch Borough Council

RESOLVED that

having regard to the Development Plan and to all other material considerations and subject to the expiry of the consultation period on the 3rd February 2010 with no new material considerations being raised, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Permission, subject to the conditions summarised in the report.

94. CALENDAR OF MEETINGS - PLANNING COMMITTEE

The Committee was asked to consider changes to a number of proposed Planning Committee meeting dates in 2011. These were required purely for practical administrative purposes.

RESOLVED that

- 1) the meeting provisionally scheduled for 8th February 2011 be moved back to 1st February;
- 2) the meeting provisionally scheduled for 8th March 2011 be moved back to 1st March; and
- 3) the meeting provisionally scheduled for 5th April 2011 be moved back to 29th March.

95. INFORMATION REPORT

The Committee received information relating to statistics in respect of Enforcement activity in the previous six months.

RESOLVED that

the item of information be noted.

96. ENFORCEMENT OF PLANNING CONTROL

The Committee considered two contraventions of planning law, as detailed in the subsequent minutes below.

**97. ENFORCEMENT REPORT 2009/149/ENF –
IPSLEY STREET, SMALLWOOD**

Non-compliance with a Condition attached to a Planning Permission

RESOLVED that

in relation to a breach of Planning Control, namely the failure to comply with a condition attached to a grant of Planning Permission, authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take Enforcement action by way of the institution of legal proceedings in the Magistrates Court.

(Prior to consideration of this item, Mr Amar Hussain, Legal Advisor to the Planning Committee, declared an Officer interest, in view of the fact that he was acquainted with a party to this case and withdrew from the meeting for the duration of its consideration.)

**98. ENFORCEMENT REPORT 2008/097/ENF –
PROSPECT HILL, TOWN CENTRE**

Breach of Planning Control in respect of the removal of a feature from a Grade II Listed Building

RESOLVED that

in relation to a breach of Planning Control, namely the carrying out of work to a Listed Building without prior consent, authority be delegated to the Head of Legal, Democratic & Property Services, in consultation with the Acting Head of Planning and Building Control, to take the following enforcement action if necessary:

Planning Committee

2nd February 2010

- a) **the serving of a Listed Building Enforcement Notice; and**
- b) **the institution of legal proceedings in the Magistrates Court in the event of any failure to comply with that Notice.**

The Meeting commenced at 7.00 pm
and closed at 8.48 pm

.....
CHAIR



Planning Committee

2nd March 2010

MINUTES

Present:

Councillor Michael Chalk (Chair), and Councillors P Anderson, K Banks, D Enderby, W Hartnett, N Hicks, D Hunt and R King

Also Present:

M Collins (Vice-Chair of Standards Committee)

Officers:

R Bamford, A Hussain, A Rutt, S Skinner and S Williams

Committee Services Officer:

J Smyth

99. APOLOGIES

Apologies for absence were received on behalf of Councillors Field and Smith.

100. DECLARATIONS OF INTEREST

Councillors Banks and Hartnett declared personal and prejudicial interests in Planning Application 2009/271/FUL (application for a residential development on the former Marfield Farm First School Site, Redstone Close, Church Hill) as detailed in minute 104 below.

Additionally, Councillors Hunt and R King withdrew from the meeting during consideration of Planning Application 2009/271/FUL (application for a residential development on the former Marfield Farm First School Site, Redstone Close, Church Hill), also as detailed at minute 104 below.

101. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 2nd February 2010 be confirmed as a record and signed by the Chair.

.....
Chair

102. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined two 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 both of the applications being considered.

103. PLANNING APPLICATION 2009/259/FUL – LAND TO THE SOUTH AND WEST OF THE PROPERTY "HIGH TREES", DARK LANE, ASTWOOD BANK

Erection of five detached dwellings with associated access and parking

Applicant: Mr B Hands, Bradley Design Homes Ltd

Mr J Ferrigno, on behalf of Dr Buckley, Objector and the Solicitor for Mr A Smith, Applicant/Agent, addressed the Committee under the Council's public speaking rules.

RESOLVED that

- 1) **having regard to the Development Plan and to all other material considerations, authority be delegated to the Acting Head of Planning and Building Control to GRANT planning permission, subject to the expiry of the statutory consultation period (5th March 2010) and no additional adverse material planning objections being received which cannot be resolved;**

and subject to:

- a) **a planning obligation to ensure that the County Council is paid appropriate contributions in relation to the development for education provision, and that Redditch Borough Council receives contributions towards the provision and maintenance of playing pitches, play areas and open space provision in the locality; and**
- b) **the conditions and informatives as summarised below:**

- “1) Development to commence within three years.**
- 2) Details of materials (walls and roofs) to be submitted.**
- 3) Landscape scheme including details of boundary treatment to be submitted.**
- 4) Landscape scheme including details of boundary treatment to be implemented in accordance with approved details.**
- 5) Trees to be protected in accordance with tree protection plan.**
- 6) Limited working hours during construction period.**
- 7) Dwellings to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes.**
- 8) Access, turning and parking.**
- 9) No gates/means of enclosure on any of the access roads.**
- 10) Details of the tree planting belt to be provided along the western boundary of the site to be submitted approved and implemented. Failure of planting to be covered under condition number 4.**
- 11) None of the existing hedge planting that fronts Dark Lane to be removed.**
- 12) All hard surfaces to be permeable and retained as such.**
- 13) Development to be carried out in accordance with plans submitted with application.**
- 14) Standard secured by design condition.**
- 15) Appropriate condition to address the recommendations of the protected species survey.**
- 16) Contamination: standard conditions.**

Informatives

- 1) **Drainage details to be in agreement with Severn Trent Water.**
 - 2) **Highway Note 4 – Private apparatus within the highway.**
 - 3) **Highway Note 5 – No authorisation for applicant to carry out works within the publicly maintained highway.**
 - 4) **Development to be built to Secured by Design Standards.**
 - 5) **External security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.**
 - 6) **No burning on site.**
 - 7) **adequate measures to be put in place to prevent migration of dust and particulates beyond the site boundary.”**
- 2) **In the event that the planning obligation cannot be completed by 26th March 2010:**
- a) **authority be delegated to the Acting Head of Planning and Building Control to REFUSE the Application on the basis that without the planning obligation, the proposed development would be contrary to policy and therefore unacceptable owing to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements and an increase in demand for such infrastructure; and**
 - b) **in the event of a refusal on the ground at 2a) above, and the Applicant resubmitting the same or a very similar Planning Application with a completed Legal Agreement attached to cover the points noted, authority be delegated to the Acting Head of Planning and Building Control to GRANT planning permission subject to the conditions and informatives stated at 1 above.**

**104. PLANNING APPLICATION 2009/271/FUL –
FORMER MARLFIELD FARM FIRST SCHOOL,
REDSTONE CLOSE, CHURCH HILL NORTH**

Proposed residential development consisting of
39 no. two bed roomed, 16 no. three bed roomed,
and 13 no. four bed roomed homes
and 21 no. 2 bedroom flats
Applicant: Accord Housing Association

Members noted that, for the purposes of the proposed Section 106 Agreement, the applicant details had been changed from Redditch Co-operative Homes, as stated in the main report, to the Accord Housing Association.

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

Mr G Hodgetts – Objector
Mr S Betteridge – Objector
Mr S Berry – Objector
Miss Kelham – Objector
Mrs S Page – Objector
Mr G Best – Objector
Mr D Radford – Objector
Mr Tooner – Objector
Ms S Saunders – Supporter
Mr J Bedford – on behalf of Accord Design).

RESOLVED that

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

“The proposed development by reason of its position, mass and height would have an overbearing effect on the occupiers of the neighbouring properties. The design of the proposed development is such that it would be out of keeping with the surrounding housing and be of a density that would result in overdevelopment of the site. As such, the proposal would be contrary to Policy B(BE).13 of the Borough of Redditch Local Plan No.3 and Planning Policy Statement 3 Housing.”

(This decision was taken contrary to Officer recommendation for the reasons stated above.)

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000,

Councillors Banks and Hartnett declared personal and prejudicial interests in view of the fact that they were Council appointed Board Members of Redditch Co-operative Homes, part of the Accord Group, and withdrew from the meeting for the duration of its consideration.

Additionally, Councillors Hunt and R King left the room in view of their declared “conflict of conscience, as Church Hill Ward Members, to make an unbiased decision”.)

105. INFORMATION REPORTS

The Committee received information relating to the outcome of an appeal against a Planning decision taken under powers delegated to Officers. The appeal, which had been dismissed, was in respect of the erection of two dwellings on land to the rear of 23 New Road, Astwood Bank.

RESOLVED that

the item of information be noted.

106. ENFORCEMENT OF PLANNING CONTROL

The Committee considered a contravention of planning law, as detailed in the subsequent minute below.

107. ENFORCEMENT REPORT 2009/149/ENF – EVESHAM ROAD, ASTWOOD BANK

Non-compliance with a Planning Condition relating to a fume extraction system.

RESOLVED that

in relation to a breach of Planning Control, namely the failure to comply with a condition attached to a grant of Planning Permission, authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action by way of the institution of Legal proceedings in the Magistrates Court.

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

The Committee was asked to consider a diversion of Public Footpath No. 619(Part) Arrow Valley Park, Matchborough West.

Members were informed that a formally approved diversion of the footpath had been conditioned as part of the approved Planning Application for the construction of the new BMX track within Arrow Valley Park in view of the fact that the line of the existing footpath would be affected by the development.

RESOLVED 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 be submitted to the Secretary of State for the Environment, for confirmation under Section 259 of the Act.**

(This report had been accepted as a matter of Urgent Business – not being published on the agenda nor having met the publication deadline and was considered at the meeting as such, with the approval of the Chair, and in accordance with the Council's constitutional rules and powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree matters of urgency being discussed by reason of special circumstances.

In this case the special circumstances were that an early decision was required to progress the construction of a BMX track in Arrow Valley Park in accordance with a condition attached to approved Planning Application 2009/219/RC3.)

The Meeting commenced at 7.00 pm
and closed at 9.07 pm

.....
CHAIR

