

minute book 4



Council

Mon 26 Jan
2015
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL



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Executive

Committee

Tuesday, 16 December 2014

MINUTES

Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair) and Councillors Brandon Clayton, Phil Mould, Mark Shurmer, Yvonne Smith and Debbie Taylor

Also Present:

Councillors Carole Gandy, Pattie Hill and Pat Witherspoon

Officers:

Jess Bayley, Clare Flanagan, Sue Hanley, Sam Morgan and Jayne Pickering

Committee Services Officer:

Debbie Parker-Jones

69. APOLOGIES

Apologies for absence were received on behalf of Councillors Juliet Brunner and John Fisher.

70. DECLARATIONS OF INTEREST

There were no declarations of interest.

71. LEADER'S ANNOUNCEMENTS

Additional Papers

Members' attention was drawn to the Additional Papers pack which contained the minutes of the meeting of the Worcestershire Regulatory Services Shared Services Joint Committee held on 27th November 2014. It was noted that there were no recommendations to be considered.

.....
Chair

Executive Committee

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Time To Change Pledge

Following Full Council's endorsement of the Time To Change Pledge on 8th December, the Leader signed a display presentation board for the Council's Pledge.

Work Programme

It was noted that the Review of Financial Resilience report which had originally appeared on the Executive Work Programme for the meeting that evening had not been required and had therefore been deleted.

The Landscape Improvements to the Town Centre Phase II report which was listed on the Work Programme for the 20th January 2015 meeting had been delayed and would at this stage remain on the Work Programme without a set date.

Taliban attack on school in Peshawar, Pakistan

Members noted with great shock and sadness the Taliban attack which had taken place earlier that day on an army school in Peshawar, North-west Pakistan, in which over 100 children and members of staff had lost their lives.

Redditch had a large Pakistani community and Members sent their sincere sympathies and condolences to the families of those who had been injured or killed in the terrorist attack.

The Leader requested that a letter be sent from himself and the Mayor to Redditch Central Mosque and the High Commission for Pakistan in London expressing the Council's deep sadness at the news.

72. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 25th November 2014 be agreed as a correct record and signed by the Chair.

73. PROPOSALS FOR CHANGE TO TUDOR GRANGE ACADEMY SHORT, SHARP REVIEW - FINAL REPORT

Councillor Pat Witherspoon, Chair of the Proposals for Change by Tudor Grange Academy Short, Sharp Review group, presented the group's final report. She was accompanied by Councillors Carole Gandy and Pattie Hill who also took part in the Review.

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The report proposed three recommendations, only the first of which needed to be approved by the Executive Committee as this required action by the Chief Executive. Recommendations 2 and 3 had already been referred direct to Worcestershire County Council and the Executive Committee was therefore asked to note those proposals. The Overview and Scrutiny Committee had endorsed all three recommendations.

The following were noted as the key objectives of the Review:

- To understand the proposals by Tudor Grange Academy to extend the age range of pupils;
- To assess the potential impact on schooling arrangements in the Borough if the proposals were to be implemented; and
- Through investigation of this proposal and the basis on which academy schools operate, to support Ward Councillors and residents in understanding how they can best contribute most effectively to the debate and decision on this issue.

It was specifically noted that the group was not tasked with determining whether the changes proposed by Tudor Grange Academy Redditch (TGAR) should be implemented, the outcome of which Members were not able to influence. Members were also not asked to reach any conclusions about three-tier and two-tier education or which system would be preferable for the Borough in the long-term.

Evidence had been gathered from a range of sources including representatives of Tudor Grange Academy Redditch (TGAR); Karen Lumley MP; Councillor Rebecca Blake, the Redditch Democratic Alliance, local schools and representatives of the Redditch School Changes Action group

The group concluded that TGAR had followed, and in part exceeded, the proper process set out by the government when proposing and consulting on changes to their school admissions. However, the process set down by the government did not address the specific needs of schools and school pyramids in a three-tier education system and it was felt that this needed to be updated to reflect those considerations.

Whilst it was the group's view that TGAR had good intentions with the proposed changes, feedback received from other schools in the town indicated that ideally more action could have been taken when consulting on the changes. Examples of other schools in the area which had consulted informally with parents about a potential change from a three-tier to a two-tier system had shown that

additional steps outside the formal process could have been implemented which would have helped address local concerns.

It was felt that uncertainty surrounding the future of other schools in the pyramid created confusion and in some cases anger amongst parents about the proposed changes. Members felt this uncertainty contributed to the decision by some schools to consult on their own changes which in turn potentially created greater uncertainty. Poor communication, by both TGAR and the County Council, was also found to have compounded confusion amongst parents.

The speed with which the consultation was announced and the lack of significant discussions with other schools prior to TGAR's announcement about the proposed changes led stakeholders to conclude that the proposals were a fait accompli. It was felt that when proposing changes all schools should communicate their rationale to key stakeholders and the extent to which feedback would inform any outcomes of the process.

The group had been informed by the lead officer for the County Council that Worcestershire County Council lacked the power and resources to undertake a whole scale review of the education system in the Borough. Recent legislation had provided academy schools with significant powers and any review conducted by the local education authority could not make decisions that would be binding for academy schools. The group felt that whilst the County Council could not determine the outcomes of TGAR's proposed changes to their admissions policy, as the local education authority, they could have taken more action to co-ordinate consultation responses and to clarify the process that needed to be followed.

The group had attempted to consult with ward Councillors for the TGAR catchment area but were disappointed with the lack of responses received. As such, the group could not form any conclusions about the needs of ward Councillors and had therefore suggested that in future group leaders strongly urge their members to respond when consulted by a scrutiny Task Group.

It was noted that TGAR had originally proposed that the changes would come into effect from September 2015, and that given the nature of the changes these were eligible to be fast tracked. However, in light of feedback received to the consultation, the school Governing Body had, at a meeting on 13th August 2014, decided that they would instead be submitting a business case to the Education Funding Agency (EFA) by September 2014, with the intention to implement any changes from September 2016. It was understood that a decision had not yet been made by the EFA or Regional Schools Commissioner for the West Midlands regarding the school's proposals.

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The Executive welcomed the report and thanked the group for its hard work on this. In relation to the disappointment expressed by the group on the low number of questionnaires submitted by Borough Councillors, and the suggestion that in future the political group leaders take an active role in encouraging their members to respond to any scrutiny consultation, the Leader stated that he would be happy to encourage his members provided he was made aware that such consultation was taking place, which was not the case on this occasion.

RESOLVED that

- 1) **the Chief Executive of Redditch Borough Council should write to the Secretary of State for Education, the Right Honourable Nicky Morgan MP, and the Minister of State for Schools, the Right Honourable David Laws MP, to request that specific guidance be issued to schools about changing the age range of their pupils in a three-tier education system. This guidance should address the process that must be followed in cases where a school unilaterally decides to make changes that will impact on other schools in the local authority area and / or within a school pyramid; and**

RESOLVED to note that Worcestershire County Council had been asked by the Overview and Scrutiny Committee to:

- 2) **consult with Borough Councillors alongside County Councillors when commissioning educational services (within the remit of the Head of Learning and Achievement); and**
- 3) **To produce written guides about the education system and the process that needs to be followed when charges are made to schools. These guides should be produced in plain English and should be made available for parents and other interested stakeholders to access.**

**74. CONSOLIDATED REVENUE & CAPITAL MONITORING REPORT
QUARTER 2 2014/15**

Members considered the consolidated revenue and capital outturn position for the period April to September 2014.

Officers stated that whilst there was currently a shortfall of £212k in identified savings these would be achieved by vacancy management and other savings during the financial year.

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Heads of Service and managers were continuing to look at where savings could be made and whilst carry forwards in budgets could be made available to Heads of Service under delegated authority, Heads of Service would be looking at where savings could be made to ensure that only necessary underspends were carried forward.

The financial commentary detailed in the report in relation to the £740k asbestos underspend was noted, together with the proposed virements from the asbestos budget to address other overspends within the Capital Programme. The £77k requested from Housing Revenue Account reserves to fund the demolition of Upper Norgrove House based on health and safety concerns was also noted.

RESOLVED that

- 1) the current financial position on Revenue and Capital as detailed in the report be noted;**
- 2) the following virements for the Housing Revenue Account (HRA) Capital Programme be approved:**

the Asbestos budget be reduced by £290K to fund the following Capital Schemes:

**£50K Kitchen Upgrades
£200K to Rewiring
£40K to Window Replacements; and**

- 3) £77K be released from the HRA reserves to fund the demolition of Upper Norgrove House.**

75. BUDGET POSITION STATEMENT

Officers provided Members with an oral update on the latest budget position for 2015/16.

Members were advised that whilst there was not currently a balanced budget for the medium term, a 3-year sustainable budget plan would be presented to Full Council in February 2015. This was a similar position to many other local authorities. Officers added that there was a general assumption that by 2019/20 Councils would have to be self-funding.

The original predicted budget shortfall for 2015/16 had been £2,314m, with further predicted shortfalls for 2016/17 and 2017/18 of £432k and £886k respectively. The latest projected shortfalls stood at £462k for 2015/16, which included a one-off use of £500k from reserves, £818k for 2016/17 and £970k for 2017/18.

The figures included a £300k reduction in pension costs as a result of an increase in the number of permitted payment years, total New Homes Bonus of £802k, minimum annual bid of £30k to continue Essential Living Fund Support should funding for this be withdrawn from the County Council and an assumed annual Council Tax increase of 1.9%.

It was assumed that there would be a reduction of approximately £500k in the Government Grant from 2014/15, the final figure for which should be made known within the following week or so, and a pay increase of 2.2%. Any cuts in funding from the County Council would hopefully be made known early in 2015, and Officers had stressed to the County Council that they needed to be informed of any cuts as soon as possible.

Officers advised that a great deal of work would be carried out over the following few weeks to produce a sustainable 3-year budget for Executive Committee on 3rd February 2015. This would then be considered by the Overview and Scrutiny Committee on 17th February, prior to Full Council on 23rd February. More detail would be included in the budget on how the proposed £645k of Strategic Purpose savings would be made, and from which services and transformation projects savings had been made.

Officers stated that the Council's external auditors, Grant Thornton, were comfortable with the approach being taken on the budget for 2015/16 and for the following 2 years.

Members thanked Officers and the Portfolio Holder for their work on the budget and were pleased to hear that Grant Thornton were comfortable with the current position. A measured approach had been taken with the budget in recent years, the results of which were now being seen.

RESOLVED that

the position be noted.

76. OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the minutes of the meeting of the Overview and Scrutiny Committee held on 10th November 2014.

It was noted that there were no recommendations to consider.

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 10th November 2014 be received and noted.

77. WORCESTERSHIRE REGULATORY SERVICES SHARED SERVICES JOINT COMMITTEE

The Committee received, under Additional Papers, the minutes of the meeting of the Worcestershire Regulatory Services (WRS) Shared Services Joint Committee held on 27th November 2014.

It was noted that there were no recommendations to consider.

Members noted that Capita had withdrawn from the strategic partnership procurement process and that WRS Officers would now be determining the shape of future service delivery. Whilst there had been some disappointment expressed at the meeting at Capita's withdrawal, the level of service provided and high reputation gained by WRS had been noted.

The Leader advised that subsequent to the WRS meeting it had been announced that Steve Jorden, Head of Worcestershire Regulatory Services, had obtained a promotion as Head of Paid Service at South Hams District Council and West Devon Borough Council, and would be leaving his current post in the New Year. It was agreed that a letter be sent on behalf of the Executive to express their sincere thanks to Mr Jorden for the work he had undertaken in delivering an excellent Regulatory Services for all in Redditch and wishing him success in his new position.

RESOLVED that

the minutes of the meeting of the Worcestershire Regulatory Services Shared Services Joint Committee held on 27th November 2014 be received and noted.

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

There were no outstanding referrals to consider.

79. ADVISORY PANELS - UPDATE REPORT

Councillor Chance advised that the Economic Theme Group under the Local Strategic Partnership, which had replaced the Economic Advisory Panel, had met on a couple of occasions and was proving to be very successful forum. The membership included

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representatives from local businesses, the Heart of Worcestershire College and Borough Councillors.

RESOLVED that

the report be noted.

80. ACTION MONITORING

Members were advised that no update on the information requested at the 8th September 2014 meeting in relation to the Finance Monitoring Report 2014/15 April to June (Quarter 1) was yet available.

Officers undertook to find out the details for the questions raised and to report back to all members of the Committee on this.

RESOLVED that

the report be noted.

The Meeting commenced at 7.00 pm
and closed at 8.40 pm

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Chair



Licensing Committee

Monday, 3 November 2014

MINUTES

Present:

Councillor Pattie Hill (Chair) and Councillors Roger Bennett, Natalie Brookes, Andrew Fry, Gay Hopkins, Rachael Smith and John Witherspoon

Officers:

K Barnett, L Berry and D Etheridge

Committee Services Officer:

D Parker-Jones

7. APOLOGIES

Apologies for absence were received on behalf of Councillors Alan Mason and Paul Swansborough.

Officers advised that the Leader of the Redditch Democratic Alliance group had confirmed shortly prior to the meeting that Councillor Swansborough would be the Redditch Democratic Alliance member on the Committee.

8. DECLARATIONS OF INTEREST

There were no declarations of interest.

9. MINUTES

RESOLVED that

the minutes of the meeting of the Licensing Committee held on 28th July 2014 be confirmed as a correct record and signed by the Chair.

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Chair

10. SITE MANAGEMENT AGREEMENT BETWEEN PUBLIC FUNDRAISING REGULATORY ASSOCIATION AND REDDITCH BOROUGH COUNCIL

Further to the meeting of the Licensing Committee held on 7th April 2014, the Committee received a report which detailed the final Site Management Agreement. The Agreement had been established by Officers from Worcestershire Regulatory Services and Redditch Borough Council, in conjunction with representatives of the Public Fundraising Regulatory Association (PFRA), in order to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.

The Senior Licensing Practitioner (SLP) explained the background to the establishment of the Agreement. This had followed the Executive Committee's approval in March 2013 of a Redditch Market Task Group recommendation that the Council engage with the PFRA with a view to reaching an agreement on the number of working days and permitted locations of direct debit charity street fundraisers.

The Agreement had now been finalised and clearly set out the parameters in relation to where, when and how collectors would be able to operate. The Agreement restricted the number of fundraisers to be present on any one day to three and set out areas within which a maximum of one fundraiser could be positioned. Under the Agreement fundraising could not take place on more than three non-consecutive days per week.

Members noted the contents of the Agreement which it was hoped would assist in relieving some of the perceived problems associated with the activities of face-to-face direct debit street collectors operating in the Town Centre.

Members queried how the restrictions set out in the Agreement would be controlled. The SLP advised that this was a voluntary Agreement in the form of self-regulation. The PFRA would be responsible for the diary management of the street collectors, with charities needing to contact the PFRA to book available slots a month in advance. The PFRA would therefore take the lead on compliance. Booking details would be forwarded to Lyndsey Berry, Town Centre Coordinator, who was the nominated gatekeeper in the Agreement for the Council.

Ms Berry stated that she had an ongoing relationship with the market traders and that they could contact her should any problems arise. The Agreement included a Statement of Conformity and fundraisers were required to adhere to the Code of Fundraising Practice, PFRA Rules and Site Management Agreement, with the

PFRA having the power to impose penalties and sanctions against those not abiding by the rules.

Members felt that it would be helpful for there to be publicity regarding the associated complaints process. Ms Berry stated that the Redditch Standard was due to run an article on the Agreement and that she would ensure this included details of how complaints could be made. It was also noted that a feature on this had also appeared in the local version of the Sunday Mercury.

RESOLVED that

the contents of the Site Management Agreement between the Public Fundraising Regulatory Association and Redditch Borough Council be noted.

11. DRAFT SCRAP METAL LICENSING POLICY AND GUIDELINES

Further to the meeting of the Licensing Committee held on 28th July 2014, the Committee considered a report which detailed the draft Scrap Metal Licensing Policy and Guidelines for the purpose of consultation with relevant parties.

The Policy set out guidelines for the licensing of scrap metal sites and collectors in the Borough and how the Council would administer and enforce the requirements of the Scrap Metal Dealers Act 2013.

The Senior Licensing Practitioner (SLP) presented the report and advised that the Policy and Guidelines aimed to provide residents, applicants and other agencies with a benchmark of the licensing authority's expectations and would assist in understanding the relevant statutory requirements.

The six district councils in Worcestershire would be asked to adopt a similar policy to improve consistency of practise and decision-making across the county. The SLP brought to Members' attention the various stakeholders who would be consulted as part of the process, as detailed at paragraph 3.11 of the report. The outcomes of the consultation would then be brought back to Members for consideration in 2015.

The SLP responded to Member questions, including how legitimate scrap metal dealers could be recognised, acceptable payment for scrap metal and the verification of scrap metal suppliers' identity.

It was noted that trading without the required licence was a criminal offence and that the Police's co-operation was required to stop moving vehicles that did not appear to be displaying a licence. Members heard that if anybody saw a vehicle which did not appear

to be displaying the appropriate licence they should make a note of the vehicle registration number, make and model of the vehicle, and to pass the details onto Worcestershire Regulatory Services who would then contact to vehicle owners to ascertain the position. It was noted that a 3-year licence cost £145 and the SLP agreed to email Members a copy of a licence for information. Public awareness and publicity of the requirements and the regulatory aspects of the process were deemed important in helping identify those were failing to comply with the requirements.

A Member queried whether there were any restrictions on the maximum permitted height of scrap metal on scrap metal sites. The SLP responded that he did not believe this was covered under the Scrap Metal Dealers Act 2013, which was aimed more at those suitable to deal in scrap metal. Such issues would however be addressed under planning enforcement and other legislation.

RESOLVED that

the draft policy and guidelines be approved for the purpose of consultation with relevant parties.

12. REVIEW OF STANDARD LICENCE CONDITIONS APPLICABLE TO ANIMAL WELFARE LICENCES

The Committee considered a report which sought the approval of standard conditions to be attached to future licences issued by the Council under legislation aimed at securing the welfare of animals. The report also sought delegated authority to the Head of Worcestershire Regulatory Services (WRS) to amend the standard conditions, as appropriate, in certain circumstances as detailed in the report.

The Senior Licensing Practitioner (SLP) presented the report and in doing so highlighted the relevant legislation under which Redditch Borough Council was responsible for issuing licences, as detailed at paragraph 3.4 of the report.

The review of the standard conditions was being undertaken by WRS on behalf of all the district councils across the county with a view to ensuring consistency of standards, with Bromsgrove District Council having so far approved the conditions.

The delegated authority sought to the Head of WRS to amend the proposed standard conditions where variations were recommended in individual cases by either a veterinary practitioner or veterinary surgeon in accordance with the relevant legislation were noted.

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The SLA responded to various Member questions on individual conditions. Members queried why there were no cat breeding conditions included in the report. The SLA responded that, at present, there was no legislation relating to cat breeding. However, the Welfare of Cats Bill had been introduced as a Private Members Bill to the House of Lords in July 2014 and it would be interesting to see whether this ultimately received sufficient support to become law.

RESOLVED that

- 1) the draft standard conditions attached at Appendices 1 to 9 to the report, to be attached to future licences issued by the Council under relevant legislation, be approved; and**
 - 2) authority be delegated to the Head of Worcestershire Regulatory Services to amend the standard conditions as appropriate in the circumstances of an individual case by altering, omitting or adding conditions as recommended by a veterinary practitioner or veterinary surgeon appointed in accordance with the relevant legislation to inspect the premises subject to the licence application.**
- 13. IMPLICATIONS OF THE DEREGULATION BILL - HACKNEY CARRIAGE AND PRIVATE HIRE POLICIES - VERBAL UPDATE**

The Senior Licensing Practitioner (SLP) provided an oral update on the implications to the Council of the Deregulation Bill.

Members were advised that the Deregulation Bill had reached the Committee Stage in the House of Lords. The Bill was scheduled for sittings through to 20th November 2014 and the next sitting was the following day, 4th November. So far the Committee Stage had held debates on clauses 1 to 34 of the Bill.

The Bill was described as:

“A bill to make provision for the reduction of burdens resulting from legislation for businesses or other organisations or for individuals; make provision for the repeal of legislation which no longer has practical use; make provision about the exercise of regulatory functions; and for connected purposes.”

When the Bill was originally published there had been a number of clauses which would impact on the licensing functions of the Council. The version of the Bill that was introduced to the House of Lords contained the following clauses:

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- Clause 10 – Private Hire Vehicles: Circumstances in which driver licence required;
- Clause 11 – Taxis and Private Hire Vehicles: duration of licences;
- Clause 12 – Private Hire Vehicles: sub-contracting;
- Clause 52 – Sale of Alcohol: community events etc and ancillary business sales;
- Clause 53 – Temporary Event Notices: increase in maximum number of events per year;
- Clause 54 – Personal Licences: no requirement to renew;
- Clause 55 – Sale of liqueur confectionary to children under 16: abolition of offence;
- Clause 56 – Late night refreshment;
- Clause 57 – Removal of requirement to report loss or theft of licence etc to the Police; and
- Clause 58 – Exhibition of films in community premises.

The SLA went on to provide further detail in relation to each of the clauses and how these would directly affect the Council.

Notably, Clause 10, which would have allowed an “off-duty” private hire vehicle to be driven by anyone who held a licence to drive, had been withdrawn. This change was welcomed by Members as the Clause had generated a great deal of concern amongst local authorities and charitable organisations involved in the promotion of personal safety, including the Suzy Lamplugh Trust.

Worcestershire Regulatory Services would continue to closely monitor progress with the Bill and would provide further updates on this to the Committee in due course.

RESOLVED that

the position be noted.

14. LICENSING COMMITTEE WORK PROGRAMME

The Committee noted the Licensing Committee Work Programme for the remainder of the 2014/15 Municipal Year.

The Senior Licensing Practitioner stated that the consultation responses on the Draft Scrap Metal Licensing Policy and Guidelines would hopefully be considered at the 2nd March 2015 meeting, along with the Review of the Statement of Gambling Principles.

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The Draft Sex Establishment Licensing Policy and Hackney Carriage and Private Hire Driver Licensing Policy Amendments would hopefully be referred to the March meeting, or a meeting shortly thereafter, with the latter depending largely on progress with the Deregulation Bill.

RESOLVED that

the Licensing Committee Work Programme 2014/15 be noted.

The Meeting commenced at 7.00 pm
and closed at 8.30 pm

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Chair



Planning Committee

10th December 2014

MINUTES

Present:

Councillor Andrew Fry (Chair), Councillor Alan Mason (Vice-Chair) and Councillors Roger Bennett, Andrew Brazier, Yvonne Smith, David Thain and Pat Witherspoon (substituting for Councillor Nina Wood-Ford)

Officers:

Amar Hussain, H Plant and Ailith Rutt

Democratic Services Officer:

Jan Smyth

46. APOLOGIES

Apologies for absence were received on behalf of Councillors Joe Baker and Nina Wood-Ford.

47. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

48. CONFIRMATION OF MINUTES**RESOLVED that**

the minutes of the meeting of the Planning Committee held on 12th November 2014 be confirmed as a correct record and signed by the Chair.

49. UPDATE REPORTS

The Update Report relating to Application 2014/249/FUL was noted.

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Chair

Planning Committee

10th December 2014

**50. PLANNING APPLICATION 2014/189/FUL –
LAND AT PROSPECT HILL, ENFIELD, REDDITCH**

Construction of 14 no. 1 bedroom 1 Person supported living flats and a Community Hub, together with associated car parking, external works and landscaping

Applicant: Mrs Tracey Brewer for Bromford Housing Group

RESOLVED that

having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission, subject to:

1. the satisfactory completion of a Section 106 Planning Obligation ensuring that:
 - a) a contribution be made towards playing pitches and open space in the area, due to increased demand / requirements from future residents, in compliance with the SPD; and
 - b) a contribution be made to provide refuse and recycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire Waste Core Strategy;
2. the Conditions and Informatives as detailed on pages 15 to 19 of the report; and
3. the following additional Condition:
 - “12) The main use of the building shall be for the purposes within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended). Any change of use to another Use Class, such as C3 dwelling houses, is not permitted without the express consent of the Borough Council through the approval of a planning application.

Reason: The parking requirements under Policy CT12 of the Borough of Redditch Local Plan No. 3 and amenity requirements under Policy of the BBE13 Borough of Redditch Local Plan No. 3 associated with an alternative use, may differ from that of the submission.”

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(Having considered the Officer's report, Members were of the view that, to ensure the proposed specific use for the development as supported living accommodation only, an additional Condition be imposed to this effect, as detailed at resolution 3 above.)

**51. PLANNING APPLICATION 2014/249/FUL –
WEBHEATH FIRST SCHOOL, DOWNSSELL ROAD,
WEBHEATH, REDDITCH, B97 5RJ**

School extensions and additional car parking

Applicant: Mr Chris Milward

Mr F Tebbs, objecting, on behalf of Webheath Village Hall, and County Councillor Robin Lunn, supporting as local County Councillor and Trustee of Webheath First School, 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 GRANTED, subject to:

- 1) the conditions detailed in pages 26 to 27 of the main report;**
- 2) the following additional conditions requested by the Council's Arboricultural Officer:**
 - "8) that tree protection is strictly in accordance with the submitted Arb Method Statement (AMS) and Tree Protection Plan (TPP) submitted on the 5th December 2014.**

Reason: in the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3; and

- 9) that prior to any site works, a full and detailed engineering plan and construction method statement is provided and agreed, giving full details of appropriate foundation design and installation, such as Pile and Beam, and no-dig cellular confinement systems used for any hard surfacing within any RPA's.**

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Reason: in the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3; and

3) the following further additional Condition:

10) The proposed parking area shall be finished in a permeable surface and retained as such thereafter.

Reason: To ensure adequate surfacing for the parking area and driveway that enables permeable drainage to prevent potential flood risk and in accordance with Policy B(BE).19 of the Borough of Redditch Local Plan No.3.”

(The Committee noted an Update report for this application in regard to additional information received from the Council's Arboricultural Officer who raised no concerns on proposal, subject to the imposition of two additional conditions to provide protection and mitigation. Members agreed the two additional conditions, as detailed in Resolution 2 above.

The proposed new Staff car park was discussed with Members wishing to see the surface being made of permeable material to ensure surface water drainage. A further additional Condition was therefore agreed as detailed in Resolution 3 above.)

**52. PLANNING APPLICATION 2014/292/FUL –
LAND AT AND ADJACENT TO GRAND VIEW,
SAMBOURNE LANE, ASTWOOD BANK, REDDITCH**

Erection of a two bedroom dormer bungalow with private access off Sambourne Lane and a proposed additional private access off Sambourne Lane to serve the property Grant View

Applicant: Mr and Mrs R P Dodd

Mr N Spalding, objecting, and Mr P. Rawle, the Applicant's Agent, 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 GRANTED, subject to

the conditions and Informative as detailed on Pages 33 to 35 of the report.

53. ENFORCEMENT REPORT - CONDITION OF PREMISES AND SURROUNDING LAND - ST GREGORY'S ROMAN CATHOLIC CHURCH, WINYATES WAY, WINYATES, REDDITCH

Enforcement 2013/246/ENF

The Committee considered a report in relation to a breach of planning control in respect of the condition of St. Gregory's Roman Catholic Church building and the overgrown condition of the land surrounding the building, which was adversely affecting the amenity of the area.

Members noted that the site had been the subject of investigations over a period of years and the issuing of a Section 215 Notice that had not been complied with. Officers reported that every attempt had been made to engage with the owners of the site on numerous occasions to resolve the issues without success, and that it was now considered that the only way forward was for the Council to take direct action using its powers under Section 219 of the Town and Country Planning Act 1990 to undertake clean up works and recover the costs from the owners.

The Committee agreed with Officers that the condition and safety of the site had to be addressed and that the owners had been given every opportunity to undertake the works themselves. Members discussed the various options available to address the condition of the site; whether to tidy up the land or demolish the building as required under the Section 215 Notice and / or seek prosecution for non-compliance of the Section 215 Notice. The Committee also considered a suggestion that an option for a Compulsory Purchase Order be investigated. Members further considered that, in order to deter further vandalism and anti-social behaviour once the works had been undertaken, the site needed to be secured.

RESOLVED that

in relation to a breach of Planning Control, namely the overgrown condition of the land surrounding the building and the condition of the building itself, the subject of Enforcement 2013/246/ENF, authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Head of Planning and Regeneration Services, to take the following action:

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- a) carry out the works specified in steps 1 to 8 of the Section 215 Notice to tidy the site;
- b) secure the site once the works have been carried out;
- c) take all necessary steps to secure the recovery of all costs incurred by the placing of a charge on the site;
- d) prosecute for the non-compliance of the Section 215 Notice if necessary; and
- e) request relevant Officers to investigate the feasibility of a Compulsory Purchase Order for the site.

The Meeting commenced at 7.00 pm
and closed at 8.25 pm

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CHAIR