

additional papers 1

Council

Monday 20th Sept
2010
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

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

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
www.redditchbc.gov.uk

**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact
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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

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

Chair

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

Running Order

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

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

Decisions

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

Members of the Public

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

Special Arrangements

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

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

Further Information

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

Fire/ Emergency instructions

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

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

Do Not stop to collect personal belongings.

Do Not use lifts.

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

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

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

OR

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

you have a personal interest.

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

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

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

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

and

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

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

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



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9. Executive Committee

B. To receive the decisions notice and consider the recommendations and/or referrals from the following meeting of the Executive Committee:

8th September 2010

Matters requiring the Council's consideration may include:

- Building Control – New Supplementary Charges;
- Review of Redditch Borough Council's Sheltered Housing Stock – Customer Feedback Update; and
- Church Hill District Centre – Redevelopment Report

(Decision Notice attached)

14a. Council Response to the NHS White Paper – “Equity And Excellence: Liberating the NHS” – Recommendation from the Joint Health Consultative Committee

To conclude a Council response to the invitation to comment on the recent NHS White Paper.

(Referral from the Joint Health Consultative Committee attached)

(All Wards)



Executive Committee

8th September 2010

Notice of Decisions

Present:

Councillor Carole Gandy (Chair), Councillor Michael Braley (Vice-Chair) and Councillors Juliet Brunner, Greg Chance, Brandon Clayton, Malcolm Hall, Gay Hopkins and Debbie Taylor

Also Present

Councillors Kath Banks, Andrew Brazier and Derek Taylor

Officers:

C Audritt, R Bamford, J Bayley, H Bennett, K Dicks, C Felton, S Hanley, T Kristunas, J Pickering, S Powell, J Prendergrast, I Ranford, D Taylor, L Tompkin and A Walsh

Committee Services Officer:

I Westmore

55. APOLOGIES

Apologies for absence were received on behalf of Councillor Jinny Pearce.

56. DECLARATIONS OF INTEREST

Councillors Greg Chance and Debbie Taylor declared personal and prejudicial interests in Item 15 (Church Hill District Centre – Redevelopment Report) as detailed separately at Minute 61 below.

57. 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:

- Review of Financial Regulations

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

Item 14 – Budget Review Guidance 2011/12 to 2013/14

(Not on the Forward Plan for this meeting and not meeting the publication deadline)

58. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 28th July 2010 be confirmed as a correct record and signed by the Chair.

**59. LOCAL STRATEGIC PARTNERSHIP TASK AND FINISH GROUP
- FINAL REPORT**

RESOLVED that

Recommendations 1-8 detailed in an interim report endorsed previously on 17th March and approved by both the Executive Committee and the Redditch Partnership Management Board, as detailed in Appendix 8 to the report, be noted; and

RECOMMENDED to the Redditch Partnership that

Monitoring: ensuring that the Redditch Partnership is subject to regular overview and scrutiny by Councillors:

- 9) there should be pre-scrutiny of each new Redditch Sustainable Community Strategy (SCS) by the Overview and Scrutiny Committee;**
- 10) there should be a full review and audit of each completed SCS by the Overview and Scrutiny Committee;**
- 11) the Redditch Partnership and SCS should be subject to six-monthly monitoring sessions by the Committee;**

Operational: suggestions for improving the future work of the Redditch Partnership and the next SCS:

- 12) the next SCS should have fewer, more focussed targets (perhaps four – six) which are specific, measurable, achievable, relevant and time-bound;**

- 13) for the foreseeable future, the SCS should contain targets relating to health and educational inequalities in Redditch;
- 14) the priorities within the SCS should reflect residents' priorities (as identified through consultation) and also dovetail with those of the Worcestershire Partnership; and

RESOLVED that

- 15) the comments made in respect of the LSP requiring the support of a full-time permanent Partnership Manager reporting directly to the Director of Policy, Performance and Partnerships be noted but the matter be subject to consideration alongside other budget bids as part of the budget setting process.

60. BUILDING CONTROL - FEES AND CHARGES

RECOMMENDED that

implementation of additional charges for building control services be approved as follows:

- 1) for retrospective Completion Certificates for archived applications as detailed in Appendix 1 to the report;
- 2) for processing the withdrawal of applications as detailed in Appendix 1 to the report; and
- 3) for processing the transfer of obligations to a third party including the re-direction of inspection fees and issue of copy documents as detailed in Appendix 1 to the report.

61. IRRECOVERABLE DEBTS

RESOLVED that

the debts totalling £54,754.90 as detailed in Appendix 1 of the report be written off as irrecoverable.

(It was noted during the course of the debate that no further routine quarterly reports on the write-off of irrecoverable debts were to be submitted to the Executive Committee following a decision taken at Council in August.

Officers undertook to respond to Councillor Braley as to whether the damage inflicted upon void properties constituted criminal damage.)

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed which contained the personal details of individuals. There is nothing exempt in this record of proceedings, however.)

62. DECENT HOMES CAPITAL PROGRAMME AND ASBESTOS REMOVAL

RESOLVED that

the contents of the report be noted.

63. REVIEW OF REDDITCH BOROUGH COUNCIL'S SHELTERED HOUSING STOCK - CUSTOMER FEEDBACK UPDATE

RECOMMENDED that

- 1) Officers findings now be considered conclusive and the matter progress through Full Council on 20th September, 2010; and**

RESOLVED that

- 2) sufficient consultation and opportunity for interested parties to feed back on the outcomes of the Review of Sheltered Housing have taken place; and**
- 3) in order to achieve the desired outcomes included in the Action Plan of the Older Persons Housing and Support Strategy, as approved by Full Council on 18th September 2009 the thoughts of interested parties be noted but proposals as approved by the Executive Committee on 28th July 2010 remain unchanged.**

64. QUARTERLY PERFORMANCE MONITORING - QUARTER 1 - APRIL TO JUNE 2010

RESOLVED that

the update on key performance indicators for the period ending June 2010 be noted.

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65. QUARTERLY BUDGET MONITORING - QUARTER 1 - APRIL TO JUNE 2010

RESOLVED that

the report be noted.

66. QUARTERLY MONITORING OF THE BENEFITS SERVICE IMPROVEMENT PLAN - QUARTER 1 - APRIL TO JUNE 2010

RESOLVED that

- 1) the report be noted;**
- 2) the secondment of the Improvement Plan Project Officer be extended until 31st March 2011; and**
- 3) £11,950 be allocated from the balance of Department of Works and Pensions monies received in 2008/09.**

67. QUARTERLY MONITORING OF FORMAL COMPLAINTS AND COMPLIMENTS - QUARTER 1 - APRIL TO JUNE 2010

RESOLVED that

the update on complaints and compliments for the period April-June 2010 be noted.

68. BUDGET REVIEW GUIDANCE 2011/12 TO 2013/14

RESOLVED that

the timetable be noted.

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

the earlier milestones on the timetable might be reported to Members prior to these milestones being attained.)

69. CHURCH HILL REDEVELOPMENT PROJECT

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed relating to the financial or business affairs of any particular person (including the authority holding that information).

Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Greg Chance and Debbie Taylor declared personal and prejudicial interests in view of their positions on the Management Board of Redditch Co-operative Homes]

70. OVERVIEW AND SCRUTINY COMMITTEE

RESOLVED that

- 1) **the minutes of the meetings of the Overview and Scrutiny Committee held on 14th July, 22nd July and 4th August 2010 be received and noted;**

Bus Pass Scheme: County Provision – Update

- 2) **a motion be put to full Council on 9th August 2010 asking that a letter be sent to the Department of Transport expressing concern about the lack of detailed information regarding funding for concessionary fares in 2011;**
- 3) **the Executive Committee request that the Member of Parliament for Redditch be requested to make representations on behalf of the Council to the Department for Transport regarding funding for concessionary fares in 2011;**

Council Flat Communal Cleaning Task and Finish Review – Monitoring – Consultation Update Report

- 4) **no further action on consultation regarding cleaning of communal areas in Council properties take place unless groups of residents in properties, not currently included**

in the cleaning contract, approach the Council for a cleaning service;

Petition – Against Anti-Social Behaviour in Lowlands Lane Park

- 5) a multi-agency approach be adopted to discourage drinking and anti-social behaviour in Lowlands Lane Park

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

There were no minutes or referrals under this item.

72. SHARED SERVICE BOARD

RESOLVED that

the minutes of the meeting of the Shared Services Board on 19th August 2010 be noted.

73. ADVISORY PANELS - UPDATE REPORT

RESOLVED that

the report be noted.

74. ACTION MONITORING

RESOLVED that

the report be noted.

75. 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 the relevant paragraphs 1, 2 and 3 of Part 1 of Schedule 12 (A) of the said Act, as amended:

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Irrecoverable Debts (as detailed at Minute 61 above); and

Church Hill District Centre – Redevelopment Report (as detailed at Minute 69 above).

The Meeting commenced at 7.00 pm
and closed at 10.05 pm

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

Document is Restricted

REDDITCH BOROUGH COUNCIL**COUNCIL**

20th September 2010

COUNCIL RESPONSE TO THE NHS WHITE PAPER – “EQUITY AND EXCELLENCE: LIBERATING THE NHS” – RECOMMENDATION FROM THE JOINT HEALTH CONSULTATIVE COMMITTEE

Relevant Portfolio Holder(s)	Cllr B Clayton
Relevant Head of Service	Head of Community Services
Not a Key Decision	

1. SUMMARY OF PROPOSALS

To conclude a Council response to the invitation to comment on the recent NHS White Paper.

2. RECOMMENDATIONS

The Council is asked to **RESOLVE** that

the comments of the Joint Health Consultative Committee on the NHS White Paper “Equity and Excellence: Liberating the NHS” as included at paragraph 4.2, below, be adopted as the formal Council response to the consultation, subject to Members’ comments.

3. BACKGROUND

- 3.1 In July 2010 the Government published a White Paper, “Equity and Excellence: Liberating the NHS” (the Executive Summary of which is attached to this report).
- 3.2 The Council was fortunate to be able to receive a briefing on the proposed changes as they might affect Worcestershire from Dr Richard Harling, Director of Public Health, NHS Worcestershire PCT, on 9th August 2010. Following on from this, the Joint Health Consultative Committee on 13th September 2010 considered the broad scope of the changes proposed in order that it might come forward with a corporate response to the White Paper. The Government is seeking comments on the White Paper by 5th October 2010.

4. KEY ISSUES

- 4.1 The Joint Health Consultative Committee considered the information provided by Dr Richard Harling, the Executive Summary of the NHS White Paper and drew upon its collective knowledge of the details of the proposals as included in the White Paper.

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4.2 The Committee considered that the White Paper proposals represented a very significant change in the manner that healthcare provision was organised. Some of the proposals contained within the White Paper were viewed as potentially being of benefit to healthcare provision within the Borough whereas others were viewed more as potential risks. The comments of the Joint Health Consultative Committee are summarised below:

- 1) The locality focus of the proposals contained within the White Paper is broadly welcomed. However, it is recognised that the resultant GP Commissioning Consortia within Worcestershire may well cover populations and geographical scope that are widely differing in their size;
- 2) There is concern that the potential budgetary implications of the changes are unpredictable. The impact of the replacement of Strategic Health Authorities and Primary Care Trusts by GP Commissioning Consortia on administrative and managerial costs are difficult to quantify at present. In addition, the ring-fencing of the health improvement budgets to local authorities is guaranteed at the present time but there is the possibility that situation could change over time;
- 3) The speed with which the proposed changes are to be implemented is considered to be a possible risk to the provision of healthcare within the County given the level of potential disruption that might ensue;
- 4) The greater involvement of local authorities in the provision of healthcare is welcomed although it is recognised that much of this influence would fall to upper tier authorities; and
- 5) There is a realisation that the Borough would need to work hard to ensure that its voice is heard at the County level but there is also a belief that the GP Commissioning Consortia covering Redditch could, in due course, represent a net benefit to the local population.

5. APPENDICES

Appendix 1 – NHS White Paper, “Equity and Excellence: Liberating the NHS” – Executive Summary

AUTHOR OF REPORT

Name: Ivor Westmore, Member and Committee Support Services Manager
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Tel: 01527 64252 ext 3269

Equity and excellence: Liberating the NHS

White Paper executive summary

1. The Government upholds the values and principles of the NHS: of a comprehensive service, available to all, free at the point of use and based on clinical need, not the ability to pay.
2. We will increase health spending in real terms in each year of this Parliament.
3. Our goal is an NHS which achieves results that are amongst the best in the world.

Putting patients and public first

- 4 We will put patients at the heart of the NHS, through an information revolution and greater choice and control:
 - a) Shared decision-making will become the norm: no decision about me without me.
 - b) Patients will have access to the information they want, to make choices about their care. They will have increased control over their own care records.
 - c) Patients will have choice of any provider, choice of consultant-led team, choice of GP practice and choice of treatment. We will extend choice in maternity through new maternity networks.
 - d) The Government will enable patients to rate hospitals and clinical departments according to the quality of care they receive, and we will require hospitals to be open about mistakes and always tell patients if something has gone wrong.
 - e) The system will focus on personalised care that reflects individuals' health and care needs, supports carers and encourages strong joint arrangements and local partnerships.
 - f) We will strengthen the collective voice of patients and the public through arrangements led by local authorities, and at national level, through a powerful Commission.
 - g) We will seek to ensure that everyone, whatever their need or background, benefits from these arrangements.

Improving healthcare outcomes

- 5 To achieve our ambition for world-class healthcare outcomes, the service must be focused on outcomes and the quality standards that deliver them. The Government's objectives are to reduce mortality and morbidity, increase safety, and improve patient experience and outcomes for all:
 - h) The NHS will be held to account against clinically credible and evidence-based outcome measures, not process targets. We will remove targets with no clinical justification.
 - i) A culture of open information, active responsibility and challenge will ensure that patient safety is put above all else, and that failings such as those in Mid-Staffordshire cannot go undetected.

- j) Quality standards, developed by NICE, will inform the commissioning of all NHS care and payment systems. Inspection will be against essential quality standards.
- k) We will pay drug companies according to the value of new medicines, to promote innovation, ensure better access for patients to effective drugs and improve value for money. As an interim measure, we are creating a new Cancer Drug Fund, which will operate from April 2011; this fund will support patients to get the drugs their doctors recommend.
- l) Money will follow the patient through transparent, comprehensive and stable payment systems across the NHS to promote high quality care, drive efficiency, and support patient choice.
- m) Providers will be paid according to their performance. Payment should reflect outcomes, not just activity, and provide an incentive for better quality.

Autonomy, accountability and democratic legitimacy

- 6 The Government's reforms will empower professionals and providers, giving them more autonomy and, in return, making them more accountable for the results they achieve, accountable to patients through choice and accountable to the public at local level:
 - n) The forthcoming Health Bill will give the NHS greater freedoms and help prevent political micromanagement.
 - o) The Government will devolve power and responsibility for commissioning services to the healthcare professionals closest to patients: GPs and their practice teams working in consortia.
 - p) To strengthen democratic legitimacy at local level, local authorities will promote the joining up of local NHS services, social care and health improvement.
 - q) We will establish an independent and accountable NHS Commissioning Board. The Board will lead on the achievement of health outcomes, allocate and account for NHS resources, lead on quality improvement and promoting patient involvement and choice. The Board will have an explicit duty to promote equality and tackle inequalities in access to healthcare. We will limit the powers of Ministers over day-to-day NHS decisions.
 - r) We aim to create the largest social enterprise sector in the world by increasing the freedoms of foundation trusts and giving NHS staff the opportunity to have a greater say in the future of their organisations, including as employee-led social enterprises. All NHS trusts will become or be part of a foundation trust.
 - s) Monitor will become an economic regulator, to promote effective and efficient providers of health and care, to promote competition, regulate prices and safeguard the continuity of services.
 - t) We will strengthen the role of the Care Quality Commission as an effective quality inspectorate across both health and social care.
 - u) We will ring-fence the public health budget, allocated to reflect relative population health outcomes, with a new health premium to promote action to reduce health inequalities.

APPENDIX 1



Cutting bureaucracy and improving efficiency

- 7 The NHS will need to achieve unprecedented efficiency gains, with savings reinvested in front-line services, to meet the current financial challenge and the future costs of demographic and technological change:
- v) The NHS will release up to £20 billion of efficiency savings by 2014, which will be reinvested to support improvements in quality and outcomes.
 - w) The Government will reduce NHS management costs by more than 45% over the next four years, freeing up further resources for front-line care.
 - x) We will radically delayer and simplify the number of NHS bodies, and radically reduce the Department of Health's own NHS functions. We will abolish quangos that do not need to exist and streamline the functions of those that do.

Conclusion: making it happen

- 8 We will maintain constancy of purpose. This White Paper¹ is the long-term plan for the NHS in this Parliamentary term and beyond. We will give the NHS a coherent, stable, enduring framework for quality and service improvement. The debate on health should no longer be about structures and processes, but about priorities and progress in health improvement for all.
- 9 This is a challenging and far-reaching set of reforms, which will drive cultural changes in the NHS. We are setting out plans for managing change, including the transitional roles of strategic health authorities and primary care trusts. Implementation will happen bottom-up.
- 10 Many of the commitments made in the White Paper of which this is an executive summary require primary legislation and are subject to Parliamentary approval.

Responding to the White Paper

We are consulting on how best to implement these changes and draw your attention to the full version of the White Paper and to related consultation documents, available on the Department of Health website at www.dh.gov.uk/liberatingthenhs. In particular, the Department would welcome comments on the implementation of the proposals requiring primary legislation, and will publish a response to the views raised on the White Paper and the associated papers, prior to the introduction of the Bill. Comments should be sent to: nhswhitepaper@dh.gsi.gov.uk or the White Paper Team, Room 601, Department of Health, 79 Whitehall, London SW1A 2NS.

