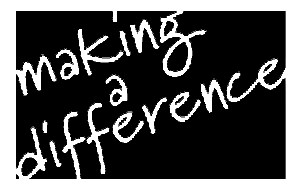


minute book 5

Council

Monday 1st November
2010
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

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Council

20th September 2010

MINUTES

Present:

Councillor Kath Banks (Mayor), Councillor Anita Clayton (Deputy Mayor) and Councillors Peter Anderson, Michael Braley, Andrew Brazier, Juliet Brunner, Michael Chalk, Simon Chalk, Greg Chance, Brandon Clayton, Jack Cookson, Andrew Fry, Carole Gandy, Adam Griffin, Malcolm Hall, Bill Hartnett, Nigel Hicks, Roger Hill, Gay Hopkins, Robin King, Wanda King, William Norton, Jinny Pearce, Brenda Quinney, Mark Shurmer, Derek Taylor and Diane Thomas

Also Present:

Mrs Deborah Andrews (Chair, Standards Committee) and Mr Michael Collins (Vice-Chair, Standards Committee)

Officers:

C Felton, S Hanley, A Marklew, J Pickering, S Powell, Jim Prendergrast, J Staniland and L Tompkin

Committee Services Officer:

I Westmore

36. WELCOME

The Mayor opened the meeting and welcomed all present. The Mayor's Chaplain, the Reverend Jo Musson, led the Council in prayer.

37. APOLOGIES

Apologies for absence were received on behalf of Councillors Debbie Taylor and Graham Vickery.

38. DECLARATIONS OF INTEREST

Councillors Greg Chance, Adam Griffin, Bill Hartnett and Roger Hill declared personal and prejudicial interests in item 9 (Executive Committee) as detailed separately at Minute 44 below.

.....
Chair

39. MINUTES**RESOLVED that**

the minutes of the meeting of the Council held on 9th August 2010 be confirmed as a correct record and signed by the Chair.

40. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

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

a) Mrs Norma Uphill

The Mayor informed the Council of the recent sad death of Mrs Norma Uphill, wife of former Councillor Jim Uphill. The Council was advised that condolences had been sent to Mr Uphill.

b) Mayor's Announcements

The Mayor advised that since the previous meeting of the Council she had attended various functions, including: the No Barriers Awards for local businesses, Wychavon District Council's Chairman's Barbecue, the Morton Stanley Park weekend festivities, a Redditch Crematorium open day, Woodrow District Centre 40th Anniversary celebrations, a Help4Heroes event at the Black Horse, an Archery Tournament at Kingsley College, Bromsgrove District Council Chair's summer evening event, the opening of new pitch at Redditch Rugby Club, a Scarecrow Day at Arrow Valley Countryside Centre. A Girlguiding Association evening of Celebration, an Army Cadets event at Tiddsley Wood Centre, Pershore, watching Redditch Swimming Club competing in the Annual Finals at Wolverhampton, a Redditch Rotary Club lunch, a visit to Setubal, Portugal, the grand opening of SAPA Pole Products new premises at Ravensbank Drive and the Boys Brigade 50th Anniversary Social and Church Service

c) Forthcoming events

The Mayor advised that forthcoming events included: the Worcester Council for Voluntary Youth Services AGM, MacMillan World's Biggest Coffee Morning at the Town Hall, the Boys' Brigade Worcester Battalion 50th Anniversary Service, Launch of a new Consortium, Carers Action Worcestershire and the Council's own Civic Service on Sunday, 10th October.

d) Local Democracy Day

Members were advised that Local Democracy Day would be taking place on Wednesday, 20th October and invited to attend and take part in some of the activities.

41. LEADER'S ANNOUNCEMENTS

The Leader's Announcements were considered under the following headings:

a) Morton Stanley Park Festival

The Leader thanked all the staff who had worked so hard to organise such a good event and those who had given their time freely over the weekend in question as volunteers in a variety of roles.

b) Heart of England – Britain in Bloom

The Leader was delighted to inform the Council that Redditch had been awarded a Silver Gilt award in the large town / small city category in the Heart of England Britain in Bloom competition 2010. The Leader announced that she intended to write to all of those involved on behalf of the Council for their efforts which had helped to secure this accolade.

42. LEADERS' QUESTIONS

The Leader responded to a question which had been submitted by Mr Mike Chawner in accordance with Standing Order 8A, namely:

Housing for Older Persons

Mr Chawner's question related to the Older Person's Housing and Support Strategy and the role of the Borough Tenants' Panel during the development of the Strategy.

The Leader thanked Mr Chawner for the question, responded that she was pleased the Panel had given its full support to the proposals which had come out of the review of sheltered housing and stressed the importance of gaining the support of groups such as the Panel.

The Leader clarified the comments made at the last meeting by the Portfolio Holder for Housing, Local Environment and Health in this regard and noted that the Strategy had been the subject of the most comprehensive consultation ever undertaken by the Council.

The Leader confirmed that the Council had ensured that the Strategy was responsive to demographic change and would meet the needs of older people in the future and that consultation would be undertaken should further change be required to the Strategy.

43. NOTICES OF MOTION

A Notice of Motion had been submitted by Councillor William Norton in respect of Concessionary Bus Fares. This was seconded by Councillor Diane Thomas.

The Council was advised that the Coalition government was continuing the policy of the previous government of reorganising the free bus pass system. The system in Redditch would in future be administered by Worcestershire County Council. It was noted that any enhancements to the core service to be provided by the County Council would have to be funded locally but there was still a lack of information on the reallocation of funds from the Districts to the County. Given that the changes were to be introduced from April 2011 at the latest it was imperative that the Council received this information as soon as possible in order that the financial implications could be determined.

An amendment to the motion proposing that the Council commit to maintaining the current level of service in the Concessionary Fares Scheme and fund any shortfall in funding from the County Council was the subject of the following named vote in accordance with Standing Order 16:

Members voting FOR the amendment to the motion:

Councillors Greg Chance, Jack Cookson, Andy Fry, Bill Hartnett, Robin King, Wanda King and Mark Shurmer.
(7 votes)

Members voting AGAINST the amendment to the motion:

Councillors Peter Anderson, Kath Banks, Michael Braley, Andrew Brazier, Juliet Brunner, Michael Chalk, Simon Chalk, Anita Clayton, Brandon Clayton, Carole Gandy, Adam Griffin, Malcolm Hall, Nigel Hicks, Roger Hill, Gay Hopkins, William Norton, Jinny Pearce, Brenda Quinney and Derek Taylor.
(19 votes)

Members abstaining from voting:

Councillor Diane Thomas.

Accordingly, the amendment to the Motion fell and the substantive motion as originally submitted to the Council was the subject of the following named vote in accordance with Standing Order 16:

Members voting FOR the motion:

Councillors Peter Anderson, Kath Banks, Michael Braley, Andrew Brazier, Juliet Brunner, Michael Chalk, Simon Chalk, Greg Chance,

Anita Clayton, Brandon Clayton, Jack Cookson, Andy Fry, Carole Gandy, Adam Griffin, Malcolm Hall, Bill Hartnett, Nigel Hicks, Roger Hill, Gay Hopkins, Robin King, Wanda King, William Norton, Jinny Pearce, Brenda Quinney, Mark Shurmer, Derek Taylor and Diane Thomas.
(27 votes)

Members voting AGAINST the motion:

None.

Members abstaining from voting:

None.

Accordingly it was

RESOLVED that

- 1) it be noted that
 - a) the Coalition Government has decided to continue with the policy of the previous government of reorganising the free bus pass system so that in the case of Redditch it will in future be administered by Worcestershire County Council;
 - b) this will involve a reallocation of central government grants from Redditch Borough Council to Worcestershire County Council from April 2011 at the latest;
 - c) as a result of this reorganisation the risk is that free bus pass will in future cover only a core service beginning after 9.30 am, which is narrower than the coverage currently provided by the Redditch-administered bus pass;
 - d) any enhancements to the new bus pass core service will have to be financed by Redditch Borough Council out of other grants and income, and the ability to do so will depend upon the level of grant reallocated from Redditch to Worcestershire County Council by central government;
 - e) despite the fact that this reorganisation was confirmed by Alistair Darling MP in the December 2009 Pre Budget Report, officers of Worcestershire County Council have informed the Overview & Scrutiny Committee that central government has so far failed to confirm the basis on which the

reallocation of funds will take place, or the amounts involved; and

- 2) the Leader of the Council and the Chief Executive Officer be requested to:
 - a) write to the Department for Transport deploring the unreasonable delay in confirming the basis of the reallocation of funding and requesting an early deadline by which time these matters will be notified to the Council; and
 - b) use their good offices, together with those of the MP for Redditch, to make the Secretary of State for Transport and other relevant ministers aware of the importance to the residents of Redditch of an early resolution of this issue.

44. EXECUTIVE COMMITTEE

Members received the minutes of the meeting of the Executive Committee held on 28th July 2010 and the decision notice of the meeting held on 8th September 2010.

In respect of Minute 60, Officers undertook to speak to Councillor Hartnett about the implementation of additional charges for building control services following the meeting.

In respect of Minute 63, Review of Redditch Borough Council's Sheltered Housing Stock – Customer Feedback Update, Councillors Carole Gandy and Diane Thomas requested that their thanks to Sharon Powell, Trainee Housing Manager, for the work she had undertaken over the course of the review of the sheltered housing stock be formally recorded.

RESOLVED that

- 1) the minutes of the meeting of the Executive Committee held on 28th July 2010 be received and adopted; and
- 2) the decision notice of the meeting of the Executive Committee held on 8th September 2010 be received and all recommendation approved, subject to:

in respect of Minute 63 (Review of Redditch Borough Council's Sheltered Housing Stock – Customer Feedback Update) it being further resolved that the following decision relating to that item be amended to read as set out below:

- 1) **Officers' findings now be considered conclusive; and, further to Council Minute 31(2), the proposals for the Review of Sheltered Housing, subject to Resolution 2 below, now be fully approved and adopted;**

and the original decision taken by the Council on 9th August 2010 be varied by the following additional decision, namely that it be RESOLVED that

- 2) **the Council deem Auxerre House to be unsuitable accommodation for older persons in the future and that authority be delegated to officers to investigate, subject to the outcome of the Housing Market and Viability Assessment, the options available for first time buyers.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Greg Chance, Adam Griffin, Bill Hartnett and Roger Hill declared personal and prejudicial interests in view of the fact that they were Board Members of Redditch Co-operative Homes and took no part in the voting on the relevant recommendations (Minute 69 – Church Hill Redevelopment Project)

45. REGULATORY COMMITTEES

The Council received the minutes of a recent meeting of the Planning Committee.

RESOLVED that

the minutes of the meeting of the Planning Committee held on 17th August 2010 be received and adopted.

46. SCHEME OF DELEGATION TO OFFICERS

The Council considered a minor addition to the Scheme of Delegation to Officers.

RESOLVED that

the Council's Scheme of Delegation to Officers be amended to provide the Head of Community Services with the authority to approve discretionary Disabled Facility Grants, in consultation with the Portfolio Holder for Housing, Local Environment and Health.

47. URGENT BUSINESS - RECORD OF DECISIONS

The Council noted an Urgent Business decision which had been approved in accordance with Standing Order 36, namely:

Portfolio Holder – Committee Places Adjustments
(UB Reference 486)

RESOLVED that

the matter be noted.

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

The Council considered a referral from the Joint Health Consultative Committee in respect of the ongoing consultation over the NHS White Paper, “Equity and Excellence: Liberating the NHS”. That Committee had discussed the implications of the White Paper, particularly as it applied to Redditch and Worcestershire, and commented on the proposals with the intention of these comments forming the basis of a consultation response.

RESOLVED that

the comments of the Joint Health Consultative Committee on the NHS White Paper “Equity and Excellence: Liberating the NHS” as detailed below, be adopted as the formal Council response to the consultation.

- 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.

The Meeting commenced at 7.00pm
and closed at 9.12pm

.....
Chair



Executive

Committee

8th September 2010

MINUTES

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, Jim 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 69 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:

.....
Chair

Item 14 – Budget Guidance and Timetable 2011/12

(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

The Committee received the final report of the Local Strategic Partnership Task and Finish Group, as approved by the Overview and Scrutiny Committee.

Members welcomed the report and were happy to endorse the recommendations contained therein, with the exception of that pertaining to the funding of a full-time post. On this issue Members did not feel that they were able to consider such a financial commitment in isolation from the overall budget setting process.

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

Officers reported that they were seeking the introduction of additional charges for building control services in order to offset the cost of Officer time and in order to increase customer satisfaction overall. The introduction of such charges was broadly in line with what other local authorities were undertaking.

It was noted that these changes would create additional work for Officers in the short term but that this could be absorbed by the current levels of staffing. The longer term benefit would be in tidying up a considerable number of outstanding applications.

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

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.

RESOLVED that

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

(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

Members were pleased to note that monitoring of capital spend was being undertaken rigorously and, in particular, that the spending on asbestos removal had been incorporated into the current report.

It was noted that a number of properties had had their work deferred owing to the review of the Sheltered Housing Stock as it was not considered a good use of resources to undertake the work in advance of decisions being taken on the future categorization of various schemes.

Officers provided an update to members on the course of action followed in those cases where tenants refused access to the property. Where there was not a health and safety concern there was no right for the contractor to enter the property. There was an increasing requirement on the tenants concerned to sign documentation detailing their wish not to have the specified works carried out.

RESOLVED that

the contents of the report be noted.

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

Further to earlier decisions to agree in principle the proposals submitted to previous meetings of the Executive Committee and Council, Officers informed Members of the outcome of the period of information sharing with tenants which had taken place over recent weeks.

A number of responses had been received from tenants, which were included in the papers presented to Members. It was contended that no substantially new issues had arisen during this process but tenants seemed appreciative of the time that Officers had spent going over the proposals with them.

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**

The latest quarter's performance figures for key aspects of the Council's performance across a range of services were considered.

Members were generally happy with the trends in performance and in the manner of presentation. One issue that was highlighted was the performance against the recycling target (NI 192) where it was noted that problems with contamination at a new County facility was leading to increased rejection rates across the districts.

RESOLVED that

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

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

The latest budget monitoring report submitted to Members was considered by the Committee.

RESOLVED that

the report be noted.

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

Officers provided an update on the performance of the benefits service. The service was generally making progress across the range of objectives identified in the Benefits Service Improvement Plan with the Council on target to receive the maximum possible subsidy.

The current financial climate had led to an expansion of the work for the service as people were taking on low paid work but were still requiring additional benefits besides. The most recent data on overpayment recovery was brought to the attention of Members, demonstrating that this area was beginning to show signs of improvement.

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

The Committee considered the most recent information on the monitoring of complaints and compliments. Members were informed that the Stage One complaints referred to at Appendix 1

represented fourteen separate individuals with complaints as opposed to multiple complaints by fewer individuals.

RESOLVED that

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

68. BUDGET GUIDANCE AND TIMETABLE 2011/12

Members received an update on the process that was to be followed to enable development and consideration of the forthcoming financial plan. Members were particularly interested to hear of the recruitment of a budget jury.

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

Members received the minutes of recent meetings of the Overview and Scrutiny Committee. It was noted that the Council was still in the process of developing its procedures for dealing with petitions following the implementation of the new Petitions Scheme, including those dealt with through the Overview and Scrutiny Process.

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

The Committee received the minutes of the most recent meeting of the Shared Services 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:

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

.....
Chair

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

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Executive Committee

29th September 2010

MINUTES

Present:

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

Also Present:

Councillors Peter Anderson and Andrew Brazier

Officers:

J Godwin, C Felton, S Hanley, R Cooke, A Walsh, E Hopkins, L Tompkin and C Wilson

Committee Services Officer:

I Westmore

76. APOLOGIES

There were no apologies for absence.

77. DECLARATIONS OF INTEREST

Councillor Peter Anderson declared an interest in Item 9 (Arrow Valley Countryside Centre – Contractual Arrangements) as detailed separately at Minute 84 below.

78. LEADER'S ANNOUNCEMENTS

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

- Town Centre Landscape Improvements; and
- Update on Garden Waste Collection.

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

.....
Chair

Item 8 – Pitcheroak Golf Course – Referral from the Overview and Scrutiny Committee.

(Not meeting the publication deadline as the Overview and Scrutiny meeting post-dated the agenda despatch)

79. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 8th September 2010 be confirmed as a correct record and signed by the Chair, subject to it being noted under Minute number 69 that Councillor Taylor had declared an interest in view of her personal connection to that organisation and not because she was a Member of the Board of Redditch Co-operative Homes.

80. WORCESTERSHIRE JOINT COUNTY AND DISTRICT COUNCIL'S SCRUTINY REPORT SUMMER FLOODS 2007 AND OTHER LAND DRAINAGE MATTERS

The Committee received a presentation updating it on progress with regard to the Joint Scrutiny Report into the 2007 floods and other land drainage strategies. The Members were reminded that Redditch had been in a significantly better position than many other Worcestershire Districts at the time of the 2007 floods as the Borough's records were far more advanced and complete than was the case in other districts. It was noted that progress in respect of more recent legislation could not be made at present as guidance and Commencement Orders were still to be received from central Government.

The Committee commended the Operations Manager on his expertise in this field and stressed the tremendous benefit he had brought to the Borough through his work on drainage over a number of years. Members noted that the Council's Operations Manager was attending the two day Flood Management 2010 conference on behalf of the Borough and County.

RESOLVED that

- 1) the Council's response to the Joint County and District Councils' Scrutiny Report into the Summer Floods 2007 be approved, including additional comments by Officers listed in the report submitted;**
- 2) the Council's policies on ditches be initially applied to Arterial Ditches only;**

- 3) **the Council notes its position in the light of the Flood Risk Regulations 2009 and the Flood Water Management Act 2010, subject to the Commencement Orders; and**
- 4) **a report be prepared by Officers, as previously instructed by Members, setting out proposals for a joint North Worcestershire Land Drainage Partnership in accordance with the above guidance.**

81. SUB-REGIONAL CHOICE BASED LETTINGS

The Committee considered a report that sought the views of Members on how the Council should proceed in respect of its Housing Allocations Policy. The options presented to Members were either to continue with its current Policy and Redditch Home Choice scheme or continue to work alongside members of the sub-regional partnership with the option of adopting the common sub-regional Housing Allocations Policy and lettings scheme.

Officers highlighted the legal review of the sub-regional scheme that was being undertaken which would influence the Council's choice as to whether to consider adopting this scheme. The other significant issue in this regard was the inclusion within the present Redditch scheme of the priority given to those with medical, homelessness or other special needs which was not a feature of the sub-regional scheme. It was noted, however, that the sub-regional scheme did make use of digital technology which expanded the means and ease by which prospective tenants could bid for local properties.

The Committee was made aware of the recommendations of the Overview and Scrutiny Committee which had received a presentation on this subject the previous week. Contrary to that recommendation, the Executive Committee considered that there was nothing to be lost and potentially something to be gained from continuing to work with sub-regional partners whilst not committing to a particular course of action at this stage.

RESOLVED that

- 1) **the report be noted;**
- 2) **the decision to join the Home Choice Plus be delayed until the outcome of the legal review into the scheme is known, but Officer resources be committed to continue to work alongside the existing members of the Sub-Regional Partnership and a further report brought back**

to the Committee to report progress and make further recommendations; and

- 3) the Borough Tenants' Panel be provided with the opportunity to consider and comment upon the Sub-Regional Housing Allocations Policy report.

82. ADMINISTRATION OF SMALL CHARITIES BY THE COUNCIL

A report was received which put before Members the option of transferring the administration of three small charities to the Worcestershire Community Foundation. Officers confirmed that, having sought further information on the benefit that had accrued to Redditch through the Community Foundation, it was apparent that a considerable number of grants had been made to organisations in the Borough during recent times.

RECOMMENDED that

- 1) the administration of the Stanley, John Jordan Skinner and Caroline Swann Charities be transferred to the Worcestershire Community Foundation;
- 2) Mr Colin Evans, Trust Transfer expert of the Community Foundation for Greater Manchester, be appointed to effect the transfer; and
- 3) the sum of £129.62 in the Redditch Disaster Fund be transferred to the Mayor's Charity.

83. MANAGEMENT OPTIONS APPRAISAL FOR PITCHEROAK GOLF COURSE

Officers reported that the present 18 month operating arrangement with the Worcestershire Golf Partnership was near its end and updated Members on the performance of the Partnership to date.

The Committee was informed that the Partnership had done a good job with the course, increasing membership at a time when memberships nationally were falling and, in particular, achieving a very significant increase in the numbers of junior members and younger (under 30 years of age) members. These increases had come against a backdrop of inclement weather both in the summer and winter time which served to emphasise the good performance of the Partnership.

Members were advised that the Partnership was generally not in the business of running golf courses and this was the first occasion on which they had undertaken a venture of this nature. The

Partnership was seeking a further 12 month extension to the current arrangement in order that the benefits they had brought to the course could properly be assessed. It was anticipated that the work the Partnership was undertaking would accrue further benefit to the Council in due course. Members were very appreciative of the Partnership's efforts in making a success of the golf course and were keen that the arrangement might be continued.

RECOMMENDED that

- 1) **the arrangement with the Worcestershire Golf Partnership be extended for a further 12 month period to work up a medium/long term operating solution, with negotiations commencing immediately; and**

RESOLVED that

- 2) **a service review of the non golf related elements of the operation be undertaken; and**
- 3) **the report be noted.**

(The referral report from the Overview and Scrutiny Committee 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, 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 Overview and Scrutiny Committee meeting post-dated the agenda despatch and the referral report needed to be considered at the present meeting to have any bearing on the decision-making process in respect of this matter.)

84. ARROW VALLEY COUNTRYSIDE CENTRE - CONTRACTUAL ARRANGEMENTS

Following an earlier Council decision to go down the route of private sector management of the Countryside Centre, a report was considered which sought approval of the specification format for these new management arrangements.

Officers reported that six companies were to be invited to tender for the contract following receipt of pre-qualification questionnaires from a number of prospective contractors. Members were reminded that it had been agreed that the Council enter into a specific

contract agreement rather than enter into a service level agreement.

The Committee were generally of the view that the Countryside Centre had tremendous potential and, although well used, could be developed to increase footfall significantly.

RESOLVED that

the specification format for the tendering process for the alternative management arrangements as set out in the appendices to the report be approved.

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Peter Anderson declared an interest in view of his membership of Redditch Sailing Club, a user of Arrow Valley Lake)

85. OVERVIEW AND SCRUTINY COMMITTEE

Members considered the minutes of recent meetings of the Overview and Scrutiny Committee, including a number of recommendations.

RESOLVED that

Climate Change Strategy

- 1) **consideration of the recommendations of the Overview and Scrutiny Committee be deferred subject to consideration of the Climate Change Strategy at the meeting of the Executive Committee on 10th November 2010.**

Drainage – Update Report

- 2) **the Council's policies on ditches be initially applied to Arterial Ditches only;**
- 3) **the Council notes its position with regard to the implications of the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010, subject to the Commencement Orders; and**
- 4) **a report be prepared by Officers, as previously instructed by Members, setting out proposals for a Joint North Worcestershire Land Drainage Partnership, in accordance with the guidance provided in the documents referred to in recommendation 3 above.**

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

There were no minutes or referrals under this item.

87. ADVISORY PANELS - UPDATE REPORT

Members considered the latest update report on Advisory Panels and other Council bodies. Officers undertook to update the details of Chair and Vice Chairs subsequent to recent changes.

RESOLVED that

the report be noted.

88. ACTION MONITORING

RESOLVED that

the report be noted.

89. URGENT BUSINESS - RECORD OF DECISIONS

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

Prospective Tenant – Unit 27, Rubicon Business Centre
(UB Reference 484)

Discretionary Disabled Facilities Grant
(UB Reference 485)

RESOLVED that

the matters be noted.

90. EXCLUSION OF THE PUBLIC

RESOLVED that

under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter on the grounds that it involves the likely disclosure of exempt information as defined in the relevant paragraph 3 of Part 1 of Schedule 12 (A) of the said Act, as amended:

**Redditch United Football Club – Financial Position Statement
(as detailed at Minute 91 below).**

91. REDDITCH UNITED FOOTBALL CLUB STATUS

(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 affair of any particular body (including the authority holding that information.)

The Meeting commenced at 7.00pm
and closed at 8.57pm

.....
Chair

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

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Audit & Governance Committee

28th September 2010

MINUTES

Present:

Councillor Bill Hartnett (Chair), and Councillors Peter Anderson, Michael Braley, Andrew Brazier, Malcolm Hall and William Norton

Also Present:

Elizabeth Cave and David Evans (Audit Commission)

Officers:

T Kristunas, S Morgan and J Pickering,
B Haycock and G Tanfield (Worcestershire Internal Audit Shared Services)

Committee Services Officer:

D Sunman

15. APOLOGIES

Apologies for absence were received on behalf of Councillor Robin King.

16. DECLARATIONS OF INTEREST

There were no declarations of interest.

17. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 29th June 2010 be confirmed as a correct record and signed by the Chair.

18. AUDIT COMMISSION ANNUAL GOVERNANCE REPORT AND STATEMENT OF ACCOUNTS 2009/10.

The District Auditor presented her Annual Governance Report 2009/10 that summarised the findings from the 2009/10 audit.

.....
Chair

Audit & Governance Committee

28th September 2010

She confirmed that the accounts were free from material errors and concluded that an unqualified opinion on the accounts would be issued together with an unqualified Value for Money conclusion subject to the following recommendations:

- 1) Assets under construction – Officers had been asked to review the capital costs associated with the initial professional fees relating to the Abbey Stadium to ensure that these are directly attributable to the scheme which was finally approved;
- 2) Bad Debts – all Council departments should be reviewed and bad debt provision created based on the age and collection history of the debt; and
- 3) Working Papers – the Audit Commission accepted that the papers had improved but it also recommended that they should be subject to a more robust quality check to ensure that all financial statements could be evidenced in a formally documented way.

Members were informed that an Action Plan had been developed to ensure that all recommendations would be addressed as part of the 2010/11 final accounts planning process.

RESOLVED that

- 1) **the recommendations included in the Annual Governance Report 2009/10 be noted and that an Action Plan be developed to address the issues raised in the report;**
- 2) **the amendments to the Statement of Accounts be noted;**
- 3) **the 2009/10 Statement of Accounts, as attached to the report, be approved; and**
- 4) **a copy of the Statement be signed at the meeting by the Chair.**

Audit & Governance

Committee

28th September 2010

19. AUDIT COMMISSION AUDIT FEE 2010/11

The District Auditor outlined the implications for future provision of audit services as follows:

- 1) The 2010/11 Audit would be carried out by the Audit Commission and would include new criteria including Value for Money, Financial Resilience and Priority of Resourcing. There would be a modest rebate on fees as no scored judgement would be included in the Audit; and
- 2) The 2011/12 Audit would be the final one carried out by the Audit Commission and reduction in fees of 10% - 15% could be expected.

RESOLVED that

- 1) **that the report be noted; and**
- 2) **further reports be submitted to the Committee on the future of external audit services, when the information is available.**

20. INTERNAL AUDIT - OUTTURN STATEMENT - 1ST APRIL TO 30TH JUNE 2010

The Chair welcomed Gillian Tanfield who had taken up her post as Worcestershire Internal Audit Shared Services (WIASS) Manager on 1st September 2010

Members received a report from the Internal Audit Manager regarding the use of resources in the first three months of 2010/11 and provided the First Quarter Outturn Statement. Members noted that sickness levels within Internal Audit were continuing to impact on the throughput of the unit. The WIASS Manager reported that she would be addressing sickness levels as a priority through shared services.

Members were informed that a larger resource pool would be accessed through shared services.

RESOLVED that

the report be noted.

Audit & Governance

Committee

28th September 2010

21. INTERNAL AUDIT - PROGRESS REPORT

Members received a report regarding audits completed by the Internal Audit Team since the previous progress report to this Committee on 20th April 2010. In response to questions, Officers confirmed that follow up work would be carried out to confirm that all recommendations from the audits had been implemented.

RESOLVED that

- 1) the report be noted.**

(Officers to check and confirm that the Service Level Agreements with regard to Civil Parking Enforcement have been signed.)

22. AUDIT & GOVERNANCE COMMITTEE - DRAFT WORK PROGRAMME

Members were asked to approve the timetable of meetings for the Work Programme 2010/12 as follows:

2011

24th January (replaces 14th December 2010)
18th April (replaces 31st March)
20th June
29th June (Statement of Accounts)
26th September

2012

23rd January
23rd April

RESOLVED that

the timetable of meetings be approved.

The Meeting commenced at 7.00pm.
and closed at 8.35pm

.....
Chair



Planning Committee

14th September 2010

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Nigel Hicks (Vice-Chair), and Councillors Peter Anderson, Adam Griffin (substituting for Councillor Kath Banks), Bill Hartnett, Roger Hill, Robin King and Wanda King

Also Present:

M Collins (Standards Committee Observer)

Officers:

S Edden, A Hussain, A Rutt and S Skinner

Committee Services Officer:

A C Stephens

30. APOLOGIES

Apologies for absence were received on behalf of Councillors K Banks and B Clayton.

31. DECLARATIONS OF INTEREST

Councillor Chalk declared a personal but not prejudicial interest in relation to Planning Application 2010/166/FUL (Residential development of 23 apartments and associated landscaping on land at the former Mayfields Works, The Mayfields, Redditch) as detailed separately at Minute 34 below.

32. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 17th August 2010 be confirmed as a correct record and signed by the Chair.

.....
Chair

**33. PLANNING APPLICATION 2010/192/COU –
64 CRABBS CROSS LANE, CRABBS CROSS**

Proposed change of use of existing premises
from shop (Class A1) to use as a
Hot Food Takeaway (Class A5)
Applicant: Mr T Tatli

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

Mr G Cardy - Objector
Mr S Nichol - Objector
Mr G Smith - Objector
PC S Baker, West Mercia Constabulary Crime Risk Manager -
Objector
Mrs R Baig - Supporter (by way of letter read out to the Committee
by Mr Hussain, Redditch Borough Council Legal Advisor to the
Committee)
Mr T Tatli - Applicant

RESOLVED that

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

**34. PLANNING APPLICATION 2010/166/FUL –
LAND AT FORMER MAYFIELDS WORKS, THE MAYFIELDS**

Residential development of 23 apartments
and associated landscaping
Applicant: Mr A Coupe

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

Mrs R Martin - Objector
Mr J Stanley - Objector
Mr R Ranford - Applicant's Agent

RESOLVED that

consideration of this Planning Application be DEFERRED to allow for a resolution of the current uncertainties over the Section 106 Agreement and subsequent simplified recommendations to be presented.

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Chalk declared a personal but not prejudicial interest as he was acquainted with one of the public speakers, namely, Mr J Stanley. Other Members mentioned their acquaintance with Mr Stanley, as he was a former Member of the Council, but declared no formal interests.)

**35. PLANNING APPLICATION 2010/182/COU –
UNIT 14 KINGFISHER SQUARE, KINGFISHER CENTRE,
TOWN CENTRE**

Change of use from Retail (A1)
to an adult gaming centre (sui generis use)
Applicant: Direct Leisure Partners, Birmingham

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.

**36. PLANNING APPLICATION 2010/191/COU –
REDDITCH BUS STATION, KINGFISHER WAY,
TOWN CENTRE**

Reconfiguration and change of use of internal
circulation space and existing units to provide
a coffee shop (Class A3) and associated
permanent seating at the bus station
Applicant: Scottish Widows plc and
Scottish Widows Unit Funds

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 informative:

“2. The Committee confirmed that glass partitions instead of corraling fencing would also be accepted. If the fencing was to be replaced with this at a later date, and providing relevant legislation had not changed, then planning provision would not be required.”

**37. PLANNING APPLICATION 2010/205/COU –
BAR FEVER, 11 AND 12 MARKET PLACE, TOWN CENTRE**

Proposed change of use of part of first floor
to Class A4 use (Drinking Establishment)

Applicant: Mr N Blair

RESOLVED that

having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration Services to GRANT planning permission, upon the expiry of the period for statutory consultations on 24th September 2010, and no additional adverse material planning objections being received which cannot be resolved, subject to the conditions and informatives summarised in the main report.

The Meeting commenced at 7.00 pm
and closed at 8.36 pm



Planning Committee

12th October 2010

MINUTES

Present:

Councillor Michael Chalk (Chair), and Councillors Peter Anderson, Brandon Clayton, Adam Griffin, Malcolm Hall, Bill Hartnett, Roger Hill, Robin King and Wanda King

Also Present:

M Collins (Standards Committee Observer)

Officers:

R Bamford, S Edden, C Felton, C Flanagan, A Rutt and S Skinner

Committee Services Officer:

J Smyth

38. APOLOGIES

Apologies for absence were received on behalf of Councillors K Banks and N Hicks.

39. DECLARATIONS OF INTEREST

Councillor Chalk declared personal but not prejudicial interests in relation to Planning Applications 2010/166/FUL (Land at former Mayfields Works, The Mayfields) and 2010/194/OUT (Upper Norgrove House, Church Road, Webheath), as detailed separately at Minutes 41 and 42 respectively, below.

Councillor Hall declared a personal but not prejudicial interest in relation to Planning Application 2010/166/FUL (Land at former Mayfields Works, The Mayfields) as detailed separately at Minute 41 below.

Councillor B Clayton declared a personal but not prejudicial interest in relation to Planning Application 2010/213/FUL and Listed Building Consent Application 2010/214/LBC (The Cedars Nursing Home, Cedar Park Road, Batchley) as detailed separately at Minute 44 below.

.....
Chair

40. CONFIRMATION OF MINUTES**RESOLVED that**

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

**41. PLANNING APPLICATION 2010/166/FUL –
LAND AT FORMER MAYFIELDS WORKS, THE MAYFIELDS**

Residential development of 23 apartments
and associated landscaping
Applicant: Mr A Coupe

Mr J Stanley, objector and Mr R Ranford, 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 REFUSED for the following reasons:

- 1) the shortfall in parking provision relative to the maximum standard is considered to be so significant that it would be likely to result in the displacement of parking onto surrounding highways where this is an existing on-street parking problem. Therefore, it would be likely to result in a danger to highway safety by exacerbating the existing problem, and would be contrary to Policy CT12 of the Borough of Redditch Local Plan No.3 and PPG13; and**
- 2) the lack of provision of affordable housing proposed, despite the supporting information regarding viability, is not considered to be acceptable in this case and would be likely to cause a detrimental impact on the supply of housing of this type in the future, contrary to Policies CS6, CS5 and B(HSG)5 of the Borough of Redditch Local Plan No.3 and to the adopted SPG document Affordable housing Provision.**

(This decision was taken contrary to Officers' 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, Councillor Chalk declared a personal but not prejudicial interest as he was acquainted with one of the public speakers, namely, Mr J Stanley.

During consideration of this item, Councillor Hall declared a personal but not prejudicial interest as he also was personally acquainted with Mr J Stanley.)

**42. PLANNING APPLICATION 2010/194/OUT –
UPPER NORGROVE HOUSE, CHURCH ROAD, WEBHEATH**

Outline Planning Application for residential development

Applicant: Redditch Borough Council

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

Mr D Rose – Objector
 Mr M Philpotts – Objector
 Mr A Wharby – Objector
 Mrs Clulow – Objector
 Ms V Kendrick – on behalf of CPRE
 Mr B Sinclair – Objector
 Mr A Bedford-Smith – Objector
 County Councillor D Thain - Objector
 Mr McQuaid – Objector
 Mr M Williams – Agent for the Applicant

RESOLVED that

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

“The application site forms part of a larger area of land reserved for future development beyond 2011, where decisions on its development before then must have regard for the countryside policies. It is therefore considered that it would be contrary to Policies B(RA)3 and B(RA)2 to allow this development on this site at this time.”

(This decision was taken contrary to Officers' recommendation for the reason provided above.)

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

Councillor Chalk declared a personal but not prejudicial interest as he was acquainted with one of the public speakers, namely, Mr A Bedford-Smith.)

**43. PLANNING APPLICATION 2010/207/FUL –
FORMER METAL PRESSINGS, STUDLEY ROAD, LODGE PARK**

Retention of existing office block,
demolition of existing low level warehousing and
construction of new warehouse with
associated HGV parking area
Applicant: Langdon Industries Ltd

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informatives summarised in the main report but subject to Condition 3 being amended to read:

“3. Landscaping to be enhanced within the boundary of the site.”

**44. PLANNING APPLICATION 2010/213/FUL AND
LISTED BUILDING CONSENT APPLICATION 2010/214/LBC -
THE CEDARS NURSING HOME, CEDAR PARK ROAD,
BATCHLEY**

Planning Application and Listed Building Consent
for a two-Storey extension to rear of existing
building to provide nine single rooms and
associated facilities and new visitors car park
Applicant: Mr Robert Delaney

RESOLVED that

having regard to the Development Plan and to all other material considerations,

1) Planning Permission be GRANTED, subject to the conditions and informatives summarised in the main report and the following additional conditions:

“5. Tree protection details to be agreed prior to implementation of car parking to front garden area; and

6. Limit hours of construction”; and

- 2) **Listed Building Consent be GRANTED, subject to the conditions and informatives summarised in the main report.**

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor B Clayton declared a personal but not prejudicial interest in view of the fact that he was acquainted with the applicant.)

45. ENFORCEMENT REPORT 2009/047/ENF AND 2010/070/ENF - GRANGE WORKS, GRANGE ROAD, ST GEORGES

Insertion of UPVC windows into a Listed Building

RESOLVED that

in relation to a breach of Planning Control, namely the insertion of UPVC windows to a Listed Building, authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Head of Planning and Regeneration, to take the following actions:

- 1) **a Listed Building Enforcement Notice, alleging the unauthorised insertion of UPVC windows, be issued; and**
- 2) **legal proceedings be instigated in the Magistrates Court in the event of any failure to comply with the Notice.**

46. ENFORCEMENT REPORT 2007/097/ENF – 63 FELTON CLOSE, MATCHBOROUGH

Condition of property

RESOLVED that

in relation to a breach of Planning Control in respect of the overgrown condition of the front and rear of the property, authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Head of Planning and Regeneration, to take the following actions:

- 1) **the appointment of Contractors to carry out the works specified in the served Section 215 Notice, namely the clearing of all overgrown vegetation from the front and rear gardens, including any growing on the wall of the property; and**

Planning Committee

12th October 2010

- 2) **Legal Services Officers be instructed to take all necessary steps to secure the recovery of all costs incurred by the placing of a charge on the property.**

The Meeting commenced at 7.00 pm
and closed at 9.00 pm

.....
CHAIR



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STANDARDS

Committee

13th October 2010

MINUTES

Present:

Independent Members:

Deborah Andrews (Chair)
Michael Collins (Vice-Chair)
Brian Warwick

Redditch Borough Councillors:

Andrew Fry
Malcolm Hall
William Norton
Brenda Quinney
Derek Taylor

Also Present:

Councillor Michael Braley

Officers:

D Parker-Jones, C Felton and C Flanagan

Committee Officers:

I Westmore

10. APOLOGIES

Apologies for absence had been received on behalf of Borough Councillor Anita Clayton and Parish Councillors Antonia Pulsford and Louisa Venables.

11. DECLARATIONS OF INTEREST

There were no declarations of interest.

12. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 30th June 2010 be agreed as a correct record and signed by the Chair.

.....
Chair

STANDARDS

Committee

13th October 2010

13. MONITORING OFFICER'S REPORT

Training

The Monitoring Officer informed the Committee that training was to be provided to members of the Standards Committee prior to the first hearing that was shortly to be undertaken. It was noted that the cut-off for the hearing of complaint reference 01/2010 was 23rd November 2010.

More generally, it was noted that Officers intended to develop a Member Training Programme based upon what Councillors considered they needed to know in order to fulfil their roles. It was hoped that a draft programme could be circulated to Members prior to Christmas. This process was being managed through the Member Development Steering Group. In parallel with this, it was also recognised that Members were under-resourced in terms of IT provision and it was intended that money would be sought to remedy this shortcoming.

Standards for England regime

The Monitoring Officer commented that the Council was awaiting further information from the Government on this but it was expected that Standards for England would be abolished and the Standards Committee process with it. Central Government considered that the present regime was 'a sledgehammer to crack a nut'. It was anticipated that complaints would be dealt with through the Local Government Ombudsman or the criminal justice system, depending on the nature or severity of the case.

The Committee was informed that, until any replacement process came on stream, the existing regime would continue in its current form, probably for the next 18 months or thereabouts.

Member Investigations

It was reported that there were three ongoing Member investigations at the present time. Two were at the stage of the Investigating Officer's report being compiled. The third had been the subject of an investigation and was now ready to go to a hearing.

Members noted with some concern that it had taken approximately six months for the latter complaint to reach the culmination of the process. The different stages of the process were explained by Officers and the requirements set out in the Guidance from Standards for England highlighted. The fact that the Council

STANDARDS

Committee

13th October 2010

adopted a Sub-Committee procedure for dealing with complaints throughout also meant that the majority of Members were unaware of the progress of complaints through these different stages.

RESOLVED that

the report of the Monitoring Officer be noted.

14. LOCAL ASSESSMENT OF COMPLAINTS

The Deputy Monitoring Officer reported that, in the light of Officers' experiences in undertaking recent assessment and investigation of complaints, a number of changes were being proposed to the process in order that apparent anomalies might be overcome.

The first and most substantial change was in the timing of the notification to the subject Member that a complaint had been received about them. At present the Monitoring Officer could only provide the subject Member with notification that a complaint had been received and the general nature of the complaint but that a written summary of the allegation would only be provided once the Standards Assessment Sub-Committee had met to carry out its initial assessment of that complaint. It was considered that this might cause Members unnecessary concern in respect of a matter which the Assessment Sub-Committee might determine does not constitute a valid complaint and which would therefore go no further.

Some Members took the contrary view, suggesting that Members should be made aware that complaints had been received about them at the outset. To an extent, the present rules appeared to go against the rules of natural justice and the proposed change did not appear to remedy this. It was clarified for the benefit of the Committee that it was due to the legislation (Local Government Act 2000 (as amended)) that only the Standards Committee had the power to give a written summary of an allegation to the subject member. This time lapse between the fact of the complaint and the details of it, was the source of the problem which the change in procedure was hoped to remove. The most recent complaint received by the Monitoring Officer had been a case in point, causing a considerable amount of stress for the subject Member and resulting in strained Member / Officer relations. It was also noted that there was a definite period of time within which the Assessment Sub-Committee would be expected to make an initial assessment, hence the period between the receipt of the complaint and this stage was not unduly long.

STANDARDS

Committee

13th October 2010

The second proposal was a largely administrative change, seeking amendment to those parts of the local procedure which related to the request for information from the subject Member and complainant as there was presently duplication in the roles played by the Monitoring Officer and Investigating Officer. It was suggested that questions to the complainant and subject Member regarding suggested evidence and lines of enquiry might more properly come from the Investigating Officer.

It was noted that there were, in addition, a number of small changes required to the terminology within the procedure to fulfil certain statutory requirements.

RESOLVED that

- 1) **the proposed amendments to the Procedure for the Local Assessment and Investigation of Complaints that Councillors have breached the Code of Conduct as set out at Appendix 1 to the report be adopted; and**
- 2) **delegated authority be given to the Monitoring Officer to make amendments to the Procedure for the Local Assessment and Investigation of Complaints in line with statutory provisions and guidance.**

15. CHAIR'S / MEMBERS' REPORTS

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

16. PARISH COUNCIL REPORT (IF ANY)

Given the absence of the Parish Council representatives, there was no report from the Parish Council.

17. PUBLICATIONS

Members considered the Standards for England Bulletin No. 48 (August 2010) and the Press Release from the Department for Communities and Local Government published on 20th September 2010 on the future of the Standards regime.

Members were not convinced that the Press Release indicated a proper understanding of the nature of most Standards cases and focussed unnecessarily on those very rare cases of corruption which occurred. The Committee was advised that they could make their views on the matter known via the website of Local Government Improvement and Development (formerly the IDeA).

STANDARDS

Committee

13th October 2010

RESOLVED that

the publications be noted.

18. WORK PROGRAMME

The Monitoring Officer indicated her intention to provide additional training on the Council's Code of Conduct, both now for existing Members and also following the elections in May 2011 for new Members. It was indicated that this could be provided to individual Groups should that be more convenient.

RESOLVED that

subject to the preamble above, the Committee Work Programme be noted.

The Meeting commenced at 7.00 pm
and closed at 8.31 pm

.....
Chair

