

Council

Monday 25th July
2011
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL



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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Committee Support Services**

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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).



Council

25th July 2011

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Anita Clayton (Mayor)	Roger Hill
	Peter Anderson	Gay Hopkins
	Michael Braley	Robin King
	Rebecca Blake	Wanda King
	Andrew Brazier	Phil Mould
	Juliet Brunner	William Norton
	Michael Chalk	Jinny Pearce
	Simon Chalk	Brenda Quinney
	Greg Chance	Mark Shurmer
	Brandon Clayton	Debbie Taylor
	Andrew Fry	Derek Taylor
	Carole Gandy	David Bush
	Adam Griffin	Alan Mason
	Malcolm Hall	Luke Stephens
	Bill Hartnett	

1. Welcome	<p>The Mayor will open the meeting and welcome all present.</p> <p>The Mayor's Celebrant, Ms June Saville, will lead the Council in a moment's reflection.</p>
2. Apologies	<p>To receive any apologies for absence on behalf of Council members.</p>
3. Declarations of Interest	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
4. Minutes Chief Executive	<p>To confirm as a correct record the minutes of the meeting of the Council held on 6th June 2011.</p> <p>(Minutes circulated in Minute Book 2 - 2011/12 – To follow)</p>

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<p>5. Communications and Mayor's Announcements</p>	<p>To receive a report from the Mayor on civic matters which have arisen since the last meeting or events which may be occurring in the near future.</p> <p>To give notice of any variation to the items listed in the Forward Plan and/or items accepted as "Urgent Business".</p> <p>(No separate report / oral update)</p>
<p>6. Leader's Announcements</p>	<p>To receive a report from the Leader on matters considered to be of significance to the Council.</p> <p>(No separate report / oral update)</p>
<p>7. Questions on Notice Chief Executive</p>	<p>No questions had been submitted to the Mayor, a member of the Executive Committee or the Chair of any committee or sub-committee in accordance with Procedure Rule 9.2 at the time of publication of the agenda.</p>
<p>8. Motions on Notice Chief Executive</p>	<p>There are no Motions on Notice in accordance with Procedure Rule 11.</p>
<p>9. Executive Committee (Pages 1 - 156) Chief Executive</p>	<p>To receive the minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee:</p> <p><u>21st June 2011</u></p> <p>There are no outstanding matters requiring the Council's consideration.</p> <p><u>12th July 2011</u></p> <p>Matters requiring the Council's consideration may include:</p> <ul style="list-style-type: none">• Consolidated Revenue Outturn – Financial Year 2010/11;• Shared Services Business case – Land Charges;• Shared Services Business Case – Building Control;• Shared Services Board – Progress Report <p>(Reports and decisions attached)</p> <p>(Minutes circulated in Minute Book 2 – 2011/12 – To follow)</p>

<p>10. Regulatory Committees Chief Executive</p>	<p>To formally receive the minutes of the following meetings of the Council's Regulatory Committees:</p> <p>Audit and Governance Committee - 29th June 2011</p> <p>Planning Committee - 25th May 2011 15th June 2011</p> <p>(Minutes circulated in Minute Book 2 – 2011/12 – To follow)</p>
<p>11. Urgent Business - Record of Decisions (Pages 157 - 160) Chief Executive</p>	<p>To note the following decision taken in accordance with the Council urgency procedures since the last ordinary meeting of the Council:</p> <p><u>Church Hill Redevelopment Scheme – Acquisition Of The Leasehold Interest In The Public House (Ref. 491)</u></p> <p>(Executive Director – Finance and Corporate Resources)</p> <p>In order that the Council can deliver the land to the developer, and avoid an unnecessary conditionality on the main legal contract it was necessary for the Council to acquire the leasehold interest. Admiral Taverns, via their solicitors, advised that the agreed deal should proceed immediately, or they might withdraw. They consequently forwarded the contract to the Council with an understanding that the contract should be exchanged on Friday 27th May 2011. The developer will still be under a contractual obligation to reimburse the Council this full amount when the residential phase two land sale contract is signed which will not be unconditional until the planning permission has been obtained The Pub is an integral part of the delivery of the land for redevelopment that is best secured as soon as possible.</p> <p>It was therefore RESOLVED that</p> <p>1) a sum of £150,000 be allocated in the 2011/12 the capital programme for the acquisition of the leasehold interest in the Book & Candle Public House from Admiral Taverns; and</p> <p>(Council decision)</p> <p>2) authority be given for the acquisition of the Book and Candle Public House as soon as possible by entering into a contract to purchase this property</p>

for up to the sum detailed in 1), above, for the reasons summarised on the [Urgent Business] form.

(Executive decision)

(No separate report)

CONTAMINATED LAND - Determination of a number of addresses as Contaminated Land under Part 2A Environmental Protection Act 1990 and approval of urgent remediation works (Ref. 492)

(Deputy Chief Executive)

The report contains exempt information as defined in Paragraph 3 of S.100 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of particular persons or organisations (including the authority holding that information) and that the authority proposed to make a direction under an enactment. In view of this it is anticipated that discussion of this matter will take place after the exclusion of the public.]

(In view of the fact that the report contains exempt information, the report has been circulated to Members and relevant Officers only)

12. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in her by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(This power should be exercised only in cases where there are genuinely special circumstances which require consideration of an item which has not previously been published on the Order of Business for the meeting and/or on the Leader's Forward Plan.)

13. Exclusion of the Public

Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged it may be necessary to move the following resolution:

“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(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (*to be specified*) of Part 1 of Schedule 12 (A) of the said Act, as amended.”

(Note: Anyone requiring copies of any previously circulated reports, or supplementary papers, should please contact Committee Services Officers in advance of the meeting.)
