REDDITCH BOROUGH COUNCIL

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Council

9th September 2013

MINUTES

Present:

Councillor Wanda King (Mayor), Councillor Pat Witherspoon (Deputy Mayor) and Councillors Joe Baker, Rebecca Blake, Michael Braley, Juliet Brunner, David Bush, Michael Chalk, Simon Chalk, Greg Chance, Brandon Clayton, John Fisher, Andrew Fry, Carole Gandy, Adam Griffin, Bill Hartnett, Pattie Hill, Roger Hill, Gay Hopkins, Alan Mason, Phil Mould, Brenda Quinney, Mark Shurmer, Yvonne Smith, Luke Stephens and Debbie Taylor

Also Present:

Mrs Veronica Allen, Mrs Tanweer Dean, Mr Malcolm Glainger and Mr David Rose

Officers:

E Baker, R Bamford, J Carradine, D Etheridge, C Felton, C Flanagan and S Hanley, S Jones, D Parker-Jones, J Pickering, J Staniland

Committee Services Officer:

I Westmore

40. APOLOGIES

Apologies for absence were received on behalf of Councillors Roger Bennett and Derek Taylor.

41. DECLARATIONS OF INTEREST

There were no declarations of interest.

42. MINUTES

RESOLVED that

the minutes of the meeting of the Council held on 22nd July 2013 be agreed as a correct record and signed by the Mayor.

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Chair

43. ANNOUNCEMENTS

(a) Mayor

The Mayor's communications and announcements were as follows:

i) Mayoral Functions

The Mayor advised that since the last meeting of the Council she and the Deputy Mayor had attended a number of engagements, including an iaugural banquet at Worcester Guildhall, a graduation event at Redditch Library, the Scarecrow Weekend at Forge Mill Museum, the send-off for the Borough's Special Olympians, the Palace Theatre Centenary celebrations, the Mayor of Pershore's charity event and a local Alzheimer's Society event.

ii) Forthcoming events

The Mayor advised that forthcoming events included an event hosted by the Kerala Society, a meeting of the Worcestershire Ambassadors and, finally her own Civic Service on 22nd September.

The Mayor thanked her Deputy for standing in for her on those occasions when she was unable to attend an event.

(b) Leader

The Leader's announcements were as follows:

i) Mrs Veronica Allen

The Leader introduced former community leader and community worker, Mrs Veronica Allen, who was visiting Redditch from her home in Jamaica. Mrs Allen presented a gift to the Mayor from the Jamaican Tourist Board to celebrate 50 years of Jamaican independence and expressed her hope that the twinning links between Redditch and St Elizabeth in Jamaica might prosper.

ii) Mrs Tanweer Dean

The Leader led the Council in recognising the outstanding contribution to the community made by Mrs Tanweer Dean through her excellent and dedicated service at the Sandycroft Centre and Mrs Dean was presented with a certificate by the Mayor, Deputy Mayor and Leader.

iii) Mercian Regiment

Following the question at the previous meeting of the Council in respect of the Mercian Regiment, the Leader advised that he had subsequently been in contact with the Adjutant of the 37th Signal Regiment, based at Kohima House, Redditch, and extended an invitation to all Members to attend and observe a military training event in mid-October.

iv Palace Theatre

The Leader advised that he, along with a number of other members of the Council, had attended the celebrations of the centenary of the Palace Theatre the previous weekend and reported that he had subsequently thanked and congratulated the staff at the Palace for their work and dedication.

v) Local Enterprise Partnership

The Leader reported that a meeting had taken place the previous week at which the Leaders of the three north Worcestershire authorities had met with Mr Andy Street from the Greater Birmingham and Solihull Local Enterprise Partnership.

vi) Good Funeral Awards

The Leader led the Council in congratulating two employees of the Council, Amanda Ryan and Martin McEvilly, who had reached the finals of the Good Funeral Awards and had been awarded second place in the category of Crematorium Attendants of the Year.

vii) Special Olympics

The Leader reported on the tremendous success of Redditch athletes at the recent Special Olympics at Bath. The Council was advised that the successful athletes would be invited to attend the following meeting of the Council in order that they might be congratulated in person.

viii) Alexandra Hospital

The Leader advised that, given the lack of response to a previous letter from the MP and Leaders of Redditch Borough, Bromsgrove District and Stratford upon Avon District Councils, a follow up letter had been forwarded to the Secretary of State seeking a reply.

ix) Bandstand Festival

The Leader reflected on a successful summer of musical events at the Bandstand on Church Green and advised that the final show would be taking place that coming weekend.

x) MacMillan Coffee Morning

The Leader advised the Council that the MacMillan Cancer Support World's Biggest Coffee Morning event would be taking place at the Town Hall on Friday 27th September 2013.

44. QUESTIONS ON NOTICE

The Leader responded to two questions submitted in accordance with Procedure Rule 9.2 from Mr David Rose and Mr Malcolm Glainger. Both questions related to the Borough of Redditch Local Plan No.4.

Mr Rose asked the following question:

Why are Redditch Borough Council still advocating building between 600 and 3,400 houses in Webheath, when Redditch Borough Council Planning Committee on 22nd May, 3013 voted against Taylor Wimpey building 200 new houses, (which surely means that Redditch Borough Council have decided not to build in Webheath), because of poor highway infrastructure, over subscribed local schools, poor unsustainable infrastructures (including foul sewage) etc.?

The Leader replied as follows:

Paragraph 3.16 in the Report answers this question and explains why an early planning application from a developer, on part of a proposed site, is different to the consideration of sites for inclusion through the Plan making process.

3.16 "…With regards to Policy 48 Webheath, Officers are aware that the Council refused planning permission on 22nd May 2013 for a proposal on part this Strategic Site set out in the Draft Local Plan No.4. The refusal was based upon the proposal's additional traffic generation on the local road network coupled with the lack of suitable infrastructure to support the development and the lack of contribution towards the wider highway network infrastructure; however this does not alter the fact that the proposal site and the remainder of the Webheath Strategic Site is capable of sustainable delivery in the short to medium term, subject to necessary infrastructure being delivered. This Strategic Site should therefore continue to feature in the Proposed Submission version of the Borough of Redditch Local Plan No.4."

More details will follow later this year on the viability of the site to be able to deliver the necessary infrastructure. This will confirm whether there are showstoppers to the Local Plan's proposed allocated sites being delivered sustainably. The necessary works for the Foxlydiate site will be tested through detailed highway modelling. The costs of wider highway infrastructure and other sustainable transport costs will need to be aggregated to the Webheath site and to the cross boundary site at Foxlydiate in order to test the viability accurately. The cost of implementing necessary sewerage treatment for the two sites is borne by both the developer (for the on-site drainage, connection, pumping station and pressurised sewer) and Severn Trent Water and therefore has little impact on the ability of the site to be delivered, in any case the cost of upgrade works to serve these sites would not be vastly different to the alternative site options.

Mr Rose subsequently asked the following supplementary question of the Leader:

Mr Rose stated that he did not agree with the answer provided by the Leader and briefly recounted the reasons given for refusal of an application to build 200 dwellings at Webheath by the Planning Committee in May of this year, the decision of which body had concluded by declaring that the proposed development was not sustainable. Mr Rose suggested that central Government had given the green light for building on any land provided it was sustainable and enquired whether this would mean that the Borough of Redditch Local Plan No.4 would be declared unsound when it came before the Planning Inspector in due course.

Officers provided an answer to this supplementary question on behalf of the Leader, as follows:

The purpose of the Inspection was to establish whether the decision made by the Council on the Borough of Redditch Local Plan No.4 was sustainable and the Council would have to await the conclusion of the Inspector's deliberations.

Mr Glainger asked the following question:

If central government do not require Bromsgrove District Council to release green belt land for Redditch housing growth, where would RBC propose to build the extra 3400 houses within their own boundaries?

The Leader replied as follows:

It is unlikely that Central Government would make such a judgement about not requiring development for Redditch in Bromsgrove District. At the examination of Redditch's and

Bromsgrove Plans, the Planning Inspectorate will test the soundness of the plans. If there is no such requirement incumbent on Bromsgrove, then the examinations can explore this matter and the Inspector will ultimately take this view and advise the Councils.

There are no locations within Redditch Borough for this amount of housing development to go. If there was any prospect of any other pieces of land within Redditch being developable, the West Midlands Regional Spatial Strategy Panel of Inspectors in their Report of September 2009 would not have suggested that Redditch's requirements would need to be met cross boundary, if they were not satisfied with the evidence. All the recent evidence from Central Government and the Planning Inspectorate points to Councils having to work together under the duty to cooperate.

There are no developers waiting or requesting allocations on larger sites in Redditch green belt. There are no more suitable sites within Redditch's urban area which are able to be allocated for residential development because all potential sites have been counted as a contribution towards offsetting the requirements.

Mr Glainger subsequently asked the following supplementary question of the Leader:

It was declared astonishing that Redditch Borough Council did not have a Plan B or contingency should the present Plan fail to be adopted. Surely if there was no more room to build within the Borough the Council should simply declare that the Borough was full.

Once again, Officers provided an answer to this supplementary question on behalf of the Leader, as follows:

The Council was required to plan for objectively assessed development. Should the Inspector conclude that the land identified in Bromsgrove Borough was not suitable for housing development and there was no land available for additional housing in Redditch the Inspector would report such a finding to the Council accordingly.

45. MOTIONS ON NOTICE

No motions had been submitted.

46. EXECUTIVE COMMITTEE

Members considered the minutes of the Executive Committee meeting of 2nd September 2013.

2nd September 2013

Borough of Redditch Local Plan No.4

At the request of the Mayor, Planning Officers provided a brief summary of the contents of the appendices which made up the Plan and its associated documents.

The Leader noted that the Council was at one stage in a very long process which had started some years beforehand and reiterated the requirement upon the Council to produce such a Plan. Given the assessed need for additional dwelling spaces, the Council had approached Bromsgrove District Council under the Duty to Co-operate and the preferred housing development sites had been selected following the assessment of a number of potential sites.

The Portfolio Holder highlighted that, without a Plan, there would be a free for all, Central Government could impose a Plan and the Council could be forced to spend a great deal of money defending against developers. It was stated that the Plan was based on robust evidence, sound professional advice from Officers and a thorough and proper consultation process. The meeting was reminded that, should the recommendations be approved by the Council, there would follow a period during which the soundness of the Plan might be challenged and Officers would be on hand to assist people to frame such challenges in a way which would be recognised by the Planning Inspector.

A number of other Members of the Council spoke on the proposals before it, with the main points raised being summarised below.

- Not all of the sites identified within the Local Plan for housing development had previously been brought before Members for consideration, including the two sites alongside the A435 in Matchborough and Winyates;

- The transport infrastructure in areas identified for housing development was not suitable;

- The views of the local community should form a major consideration in the making of such decisions;

- Redditch new town had been developed in a planned way with employment land and housing land built in close proximity, which reduced the need for lengthy commuting to work. The present plans separated housing and employment land and went against this principle;

- The numbers of new dwellings which had been identified as being required for the Borough in the period since the West Midlands Regional Spatial Strategy were contested as being too high;

- The types and density of the housing which was being proposed under the Local Plan were not considered suitable;

- A number of green spaces and areas of the Green Belt would be lost as a result of the proposals within the Local Plan;

- Areas surrounding those identified for the major areas of housing development would be rendered vulnerable to flooding as a result of this additional development;

- Redditch would be celebrating 50 years of the New Town next year and dire pronouncements had been made at that time about the future of the town which had proved to be unfounded;

- Members were being asked to approve matters which had not been brought before them by Officers and which were to be the subject of forthcoming briefings, in part because matters were seemingly being rushed through;

- The alternative sites for housing development in Bromsgrove District, principally Bordesley, had not been adequately considered by Officers when assessing which sites were most suitable for additional housing development;

- The proposed development would tie the Borough closer to Bromsgrove town along the already over-used A38 whereas the Borough's major employment contacts with Birmingham were left under-developed;

- The existing infrastructure in and around Bordesley was superior to that to be found in the area around Webheath in areas such as public transport provision and proximity to motorway connections;

- The choice of locations for additional housing growth seemed predicated on choices made by Bromsgrove District Council rather than Redditch Borough Council;

- The level of housing development proposed was in excess of that which would be sufficient to meet the natural growth of Redditch and the additional housing would merely serve to provide cheap housing for people from outside of the Borough

Following considerable discussion the matter was put to the vote and it was

RESOLVED that

1) the Officer responses and actions (Appendix 1) to consultation held on Draft Borough of Redditch Local Plan No.4 be endorsed;

2) the Officer responses and actions (Appendix 2) to consultation held on Redditch Housing Growth be endorsed;

3) the Proposed Submission Borough of Redditch Local Plan No.4 (Appendix 3) and Sustainability Appraisal (Appendix 4) for representations to be made by statutory bodies and members of the public, commencing 30th September 2013 until 11th November 2013 be approved;

4) authority be delegated to the Executive Director of Planning, Regeneration, Regulatory and Housing Services/Head of Planning and Regeneration and the Development Plans Manager following consultation with the Portfolio Holder for Planning and Regeneration and the Leader of the Opposition to review the representations made following the close of the representations period, and that subject to no significant weaknesses being raised to doubt the soundness of the draft Plan (for tests of soundness see paragraph 3.20 of this report), that the Borough of Redditch Local Plan No.4 be submitted to the Secretary of State for examination in December 2013;

5) authority be delegated to the Executive Director of Planning, Regeneration, Regulatory and Housing Services/Head of Planning and Regeneration and the Development Plans Manager following consultation with the Portfolio Holder for Planning and Regeneration and the Leader of the Opposition to prepare and submit the necessary documents to support Submission of the Local Plan; and

6) authority be delegated to the Executive Director of Planning, Regeneration, Regulatory and Housing Services/Head of Planning and Regeneration and the Development Plans Manager following consultation with the Portfolio Holder for Planning and Regeneration and the Leader of the Opposition, to undertake such further revisions, technical corrections and editorial changes deemed necessary in preparing the Local Plan for submission to the Secretary of State and to agree subsequent changes where appropriate during the examination.

(At 8.15pm, following consideration of this item, there was a short adjournment. The meeting reconvened at 8.25pm.)

The remainder of the matters referred to Council by the Executive Committee on 2nd September were then considered by the Council and it was

RESOLVED that

the minutes of the Executive Committee meeting held on 2nd September 2013 be received and all outstanding recommendations adopted.

47. RESTRUCTURE - ENABLING HEADS OF SERVICE

Following the deferral of determination of this matter at the previous meeting of the Council, Members considered a report concerning a proposed restructure of a number of Heads of Service roles and responsibilities within the Finance and Resources Directorate.

RESOLVED that

the business case for the restructure of the Directorate be approved.

(Members of the Conservative group on the Council and Councillor Michael Braley wished it to be recorded that they had abstained from voting on this matter)

48. REGULATORY COMMITTEES

Members received the minutes of recent meetings of the Audit and Governance, Planning and Standards Committees.

RESOLVED that

1) the minutes of the meeting of the Audit and Governance Committee held on 27th June 2013 be received and adopted;

2) the minutes of the meeting of the Planning Committee held on 31st July 2013 be received and adopted; and

3) the minutes of the meeting of the Standards Committee held on 25th July 2013 be received and all outstanding recommendations adopted.

49. THE SCRAP METAL DEALERS ACT 2013

The Council considered a report which set out proposals which would allow the provisions of the Scrap Metal Dealers Act 2013 to be effectively implemented from 1st October 2013.

Members were generally pleased that the Act had come into force and were interested to establish how it might effectively regulate the business within the Borough. It was noted that the fees had been proposed at a level which would cover the costs incurred by the Council in carrying out the procedures and formalities of administering the statutory regime.

The Council noted that the Act primarily affected the activities of scrap metal dealers and had less impact on the activities of collectors, a discrepancy which was the source of disappointment to some who felt that the collectors were an occasional cause of nuisance. Officers highlighted that the Act was primarily to deal with matters other than noise nuisance, a problem which was the realm of the Environmental Protection Act. However, Officers did suggest that the authority could deem the suitability of licence holders, that licences could be revoked and that factors such as complaints under the Environmental Protection Act might form grounds for such action. Officers undertook to report back to Councillor Brunner on measures proposed to be undertaken the previous year to tackle noise nuisance by Regulatory Services. Officers also undertook to confirm for Councillor Hopkins the situation with regard to the Environmental Protection Act and noise emitted from moving as opposed to stationery vehicles

RESOLVED that

1) authority be delegated to Licensing Sub-Committees to refuse applications made under paragraph 2 or 3 of Schedule 1 of the Act for the grant or variation of a licence;

2) authority be delegated to Licensing Sub-Committees to revoke or vary a licence under section 4 of the Act;

3) authority be delegated to the Head of Worcestershire Regulatory Services to carry out all other functions and exercise all other powers provided under the Scrap Metal Dealers Act 2013; and

4) the fees to be charged under the Scrap Metal Dealers Act 2013 be set as shown in the table at Appendix 3 to the report.

50. URGENT BUSINESS - RECORD OF DECISIONS

There were no Urgent Decisions to note.

51. URGENT BUSINESS - GENERAL (IF ANY)

There were no separate items of urgent business to consider at this meeting.

The Meeting commenced at 7.00 pm
and closed at 8.53 pm

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Chair