

Council

Monday, 30 January 2017

MINUTES

Present:

Councillor Joe Baker (Mayor), Councillor Jennifer Wheeler (Deputy Mayor) and Councillors Tom Baker-Price, Natalie Brookes, Juliet Brunner, David Bush, Michael Chalk, Debbie Chance, Greg Chance, Anita Clayton, Brandon Clayton, Matthew Dormer, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Gay Hopkins, Wanda King, Jane Potter, Gareth Prosser, Antonia Pulsford, Mark Shurmer, Rachael Smith, Yvonne Smith, Paul Swansborough, David Thain, Pat Witherspoon and Nina Wood-Ford

Officers:

Ruth Bamford, Kevin Dicks, Mike Dunphy, Claire Felton, Alison Grimmett, Sue Hanley, Louise Jones and Sheena Jones

Democratic Services Officer:

Debbie Parker-Jones

50. WELCOME

The Mayor opened the meeting and welcomed all present, including a number of members of the public for the 17th January 2017 Executive Committee's recommendations in relation to the Borough of Redditch Local Plan No.4.

51. APOLOGIES

Apologies for absence were received on behalf of Councillor Roger Bennett.

52. DECLARATIONS OF INTEREST

There were no declarations of interest.

53. MINUTES

RESOLVED that

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Chair

the minutes of the meeting of the Council held on 21st November 2016 be agreed as a correct record and signed by the Mayor.

54. ANNOUNCEMENTS

a) The Mayor

The Mayor advised that he had attended a number of events over the Christmas period, which had included:

- carol concerts at Winyates, Woodrow and Churches Together in Redditch;
- a Stourport Choral Society 1960's and 1970's themed event;
- Matchborough Luncheon Club;
- the Council's Christmas Lights Switch On;
- the Mayor's first ever Bake Off competition; and
- the Mayor's Christmas Quiz.

The Mayor had also attended the town's Holocaust Memorial Day event the previous Saturday, and expressed his thanks to Councillor Wheeler for standing in for him at the unveiling of the Spring Sculpture in Walter Stranz Square earlier in the month.

b) The Leader

The Leader reiterated the Mayor's comments in respect of a number of local community events which they had both attended.

The Redditch Holocaust Memorial Day on 28th January had been a very moving day, with the Leader expressing his thanks to the Kerala Cultural Association Redditch (KCAR), the Redditch Polish Youth School, Astwood Bank First School and the Redditch Community Gospel Choir for their involvement with this.

He and several other Members had attended various additional celebrations including 'Yule by the School' in Batchley, Church Hill Christmas Fayre, the town Carol Service at St Stephen's Church, the Redditch Polish Saturday Youth School children's St Nicholas party and the KCAR Christmas and New Year celebrations. Other events had included the opening of the new dance studios at the Abbey Stadium and Polish WOSP Children's Charity event held at the Railway Inn which had raised almost £5,000.

Councillor Hartnett made reference to various other matters/events which he had been involved with in his capacity as Leader, which included:

- the '#LeadersSayNo' project as part of the 16-day White Ribbon Campaign to end domestic violence against women

by men. The Leader had posted a short video on Twitter for this during the first weekend of the Campaign. Other Members had made similar videos and around 8000 pledges nationally had been made during the first day of the Campaign;

- a Polish post-Brexit meeting involving a question and answer session which had taken place with Polish Embassy officials at the Polish Club in Redditch on 10th December;
- the Health Commission meetings which had taken place on 12th, 14th and 19th January. The meetings had been attended by approximately 100 people over the 3 days and the Commission's findings would be reported to special meetings of the Executive and full Council on 2nd March, in advance of the Council submitting its response to the three Worcestershire Clinical Commissioning Groups;
- the Save the Alex Campaign Group had now disbanded, although there would still be some online activity for information only. Thanks were expressed to Neal Stote for 11 his years of campaigning as Chair of the Group;
- the Mayor and Leader had written to the Mayor of Berlin and the Polish Embassy following the tragic events at the Christmas Market in Berlin. A reply had been received from the Polish Embassy in London thanking the Council for its good wishes and letter;
- Whilst not confirmed at this stage, it was highly likely that the bike race would take place in the town in May;
- following an invitation from the Mental Health Commissioner and discussions with Officers, the Leader had signed up to the West Midlands Mental Health Commission Concordat; and
- the sad passing of Reverend Mike Herbert in December was noted. The Leader had sent a letter of condolence to Reverend Herbert's widow Elizabeth and daughter Anne Griffin and some Members had attended Reverend Herbert's funeral.

55. BOROUGH OF REDDITCH LOCAL PLAN NO.4 - EXECUTIVE COMMITTEE RECOMMENDATIONS

The Mayor advised that the 17th January 2017 Executive Committee recommendations in relation to the Borough of Redditch Local Plan No. 4 (BORLP4) – which were listed for consideration at Agenda Item 8 (Executive Committee) – would be dealt with as the next item of business in the light of the public interest in this.

In accordance with the comments made at Executive Committee, members thanked the Strategic Planning Officers for their hard work on the Plan to date. Further thanks were expressed to the various stakeholders and groups involved in the consultation process, and to elected Members for their participation.

In proposing adoption of the Plan, Councillor Greg Chance referred to a very lengthy process, following which the evidence-based Plan had been adjudged sound by the Planning Inspector. The Plan had been examined in public by the Inspector. Proposed modifications to the Plan had also been subject to public consultation. Members noted that Bromsgrove District Council had also recently approved their Plan.

The importance to the Council of having an adopted plan and the many benefits of this, as detailed in the original report to Executive, were noted. This included providing a clear planning framework to deliver the vision and development for the future of the area to 2030. The lack of an up to date plan would make the town vulnerable to ad hoc planning and “planning by appeal”, with the Council’s control over development within the Borough being of vital importance.

Some Members did not support the Plan and stated that they believed it to be flawed. Strong views were expressed that all new house build should take place in the Bordesley area, which it was felt was supported by a better road system and would therefore not create the same traffic issues for residents. The division of new housing on one side of the town and employment on the other was also not felt to make sense. Reference was made to the Council’s existing ‘Employment Land Review’, which involved cross-boundary agreement with Bromsgrove District Council and Stratford-on-Avon District Council in relation to the use of surrounding land for employment purposes, which was felt to be out of date and inaccurate. It was also suggested that the potential employment opportunities from the “Eastern Gateway” were less than had been quoted.

In accordance with Council Procedure Rule 17.5, the recommendations on the adoption of the BORLP4 were the subject of the following named vote:

Members voting FOR the resolutions below:

Councillors Natalie Brookes, Debbie Chance, Greg Chance, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Wanda King, Mark Shurmer, Rachael Smith, Yvonne Smith, Jennifer Wheeler, Pat Witherspoon and Nina Wood-Ford (14)

Members voting AGAINST the resolutions below:

Councillors Tom Baker-Price, Juliet Brunner, David Bush, Michael Chalk, Anita Clayton, Brandon Clayton, Matthew Dormer, Gay Hopkins, Jane Potter, Gareth Prosser, Antonia Pulsford, Paul Swansborough and David Thain (13)

Accordingly, the recommendations were approved and it was

RESOLVED that

- 1) **the content of the Borough of Redditch Local Plan No 4 Planning Inspectorate's Report set out in Appendix 1 to the Executive Committee report, and the associated Schedule of Main Modifications set out in Appendix 2 of the report be noted;**
- 2) **the Borough of Redditch Local Plan No 4 as submitted and subsequently amended by the modifications set out in Appendices 2 and 3 of the report be adopted;**
- 3) **the Borough of Redditch Local Plan No 4 Policies Map as submitted and subsequently amended by the modifications set out in Appendix 3 of the report be adopted;**
- 4) **the Borough of Redditch Local Plan No 4 Adoption Statement and Strategic Environmental Assessment and Sustainability Appraisal Adoption Statement which form Appendices 4 and 5 of the report be noted; and**
- 5) **authority be delegated to the Head of Planning and Regeneration to undertake further minor editorial changes deemed necessary in preparing the adopted Borough Plan for publication, following consultation with the Portfolio Holder for Planning.**

56. QUESTIONS ON NOTICE

The Leader responded to two questions submitted in accordance with Council Procedure Rule 9.2 from Councillors Juliet Brunner (which had been deferred from the Council meeting on 21st November 2016) and Paul Swansborough. The question from Councillor Brunner had been included in with the agenda papers and the question from Councillor Swansborough was tabled at the meeting.

a) Staff Survey Results

Councillor Juliet Brunner asked the following question:

I'm sure the Leader will agree with me that performance management and appraisals are an important part of supporting staff in continuing professional development. Would he comment on the results from latest the Staff Survey and inform this Council why 43% of staff do not feel supported and haven't had a status meeting?

The Leader replied as follows:

Thank you for your question.

The question is a little confused or not quite accurate as the results from the Survey questions do not reflect those matters raised in your question as I will explain during the answer.

For background, 246 employees responded to the staff survey across both Councils (so it is actually 43% of the respondents, not all staff, and it was from across both Councils) which is 25% of all staff. We have approximately 800 staff across both Councils.

The question from the Survey on one-to-one/update and status meetings is Question 36, which says “I have regular one-to-one meetings/status updates with my line manager/supervisor”. The results were:

	<u>2016</u>	<u>2013</u>
Yes	57.0%	54.3%
No	43.0%	45.7%

So the “Yes” figure is up and the “No” figure is down. There is no difference between one-to-one meetings and status meetings.

We want to do more and steps are being taken. In fact a joint Redditch and Bromsgrove Staff Survey Members’ Task Group has been set up. Officers have attended discussions with the Group to explain the planned actions around the work streams detailed below.

The Actions are:

A Staff Survey Programme Board (chaired by Kevin Dicks, Chief Executive, and consisting of a Head of Service, HR Representatives and the Trade Unions) has been set up to progress areas of concern highlighted in the staff survey. Heads of Service have been tasked with developing action plans to look at the top three positives and top three negatives from the Survey for their service areas. Heads of Service were asked to present the action plans to the Board who will be monitoring progress on their delivery. Three key corporate areas have also been identified and are being headed up by senior Officers. The three key work streams are:

- People Management – headed by Deb Poole, Head of Transformation & Organisational Development;

- Meeting Our Customers' Needs – headed by Amanda Singleton, Head of Customer Access & Financial Support; and
- Organisational Culture – headed by Sue Hanley, Deputy Chief Executive.

The three Lead Officers have drawn up corporate action plans and presented them to the Board who will be monitoring the delivery of the actions.

A new System Performance Framework has also recently been developed and is currently being implemented across both Councils. The Framework is designed to support constructive and supportive one-to-one discussions between employees and managers, as well as providing guidance on how to conduct the annual appraisal.

The requirement is that all managers use the framework to ensure that a consistent approach is used across the organisation.

Details of the Staff Survey action plans and the System Performance Framework have also been to both Councils' Executive and Cabinet meetings recently to ensure Members are kept briefed.

The Chief Executive and the Directors have also mentioned the Staff Survey at the recent staff briefings to ensure staff know that actions are being picked up.

As I suggested, the question isn't necessarily accurate as the results from the questions below indicate that staff do feel supported by their managers, even though the instances of one-to-ones is low in some parts of the organisation. There are pockets across the organisations that need a little improvement but hopefully the actions above and the joint Members' Task Group are a clear indication that the findings of the Survey are taken seriously by the organisation as a whole and by the senior Officers in particular.

Question 40 (242 replies), which says "I get the support I need from my line manager". The results were:

	<u>2016</u>	<u>2013</u>
Yes	76.4%	74.9%
No	23.6%	25.1%

So again the "Yes" support figure is up and the "No" figure is down.

And the other question on support is Question 41 (243 replies), which says “I get the support I need from my colleagues”. The results were:

	<u>2016</u>	<u>2013</u>
Yes	91.8%	86.2%
No	8.2%	13.8%

And again the “yes” figure is up and the “No” figure is down.

A supplementary question was raised by Councillor Brunner asking if the Leader would explain to the Council why the Chief Executive Officer had not had a review or target set for the last three years.

The Leader replied that he disagreed with this and that this was in progress.

b) Financial Impact – construction of new housing and business premises on land within neighbouring districts

Councillor Paul Swansborough asked the following question:

Considering the proposal from Her Majesty’s Government to significantly reduce our revenue support grant, could the leader clarify what the financial benefit is to this Council by strategically facilitating the construction of new housing and business premises on land within neighbouring districts resulting in the loss of crucial income that could be generated through Council Tax, Non-domestic Rates and the New Homes Bonus.

The Leader replied as follows:

Thank you for your question.

Any possible financial benefit to a council from the location of new development is not a material planning matter.

Good planning should not have regard to administrative boundaries.

The New Homes Bonus grant included in the Medium Term Financial Plan is based on averages from the previous 3 years.

As Members will be aware, the New Homes Bonus Scheme has been amended significantly to reduce the amount payable to councils to include a 0.4 baseline reduction together with a reduction of years payable from 6 years to 4 years, effective from 2017/18.

Therefore the current financial plan does not depend on any sites that may be developed outside of the Borough.

The Localisation of Business Rates proposals have not yet been confirmed by Central Government and therefore we are unable to predict the future impact of any changes to the current scheme.

A prudent estimation of the growth in business has been made and included in the finance plan.

A supplementary question was raised by Councillor Swansborough asking if the Council allowed the cross-boundary projects to go ahead, would the Leader ask the people of Redditch to increase their council tax by 18%; the estimated figure advised by Officers to plug the £3m shortfall, or would he explore an alternative corporate strategy that would bring tax receipts back to Redditch rather than benefitting Bromsgrove and Stratford-upon-Avon District Councils.

The Leader responded that consideration of the Budget would take place at the next meeting of the Council.

57. MOTIONS ON NOTICE

a) Scrutiny of Executive Decisions

A Notice of Motion had been submitted by Councillor Jane Potter proposing changing the day when Overview and Scrutiny Committee meetings were held to allow extra time to pre-scrutinise reports to Executive Committee meetings. She reported that as Chair of the O&S Committee, she had asked for more time to scrutinise Executive reports and this had not been given. As such, she felt it appropriate to make the request more formal, in order to make for a more open and transparent Council. The Motion was seconded by Councillor Tom Baker-Price.

In proposing the Motion Councillor Potter stated that the Council supported open transparent scrutiny of the Executive decision-making body. However, under current arrangements the Overview and Scrutiny (O&S) Committee had only 24 hours in which to scrutinise the reports that were sent to the Executive Committee for a recommendation or decision. In order to aid the O&S Committee in allowing them more time to scrutinise such reports, it was recommended that in the next municipal calendar O&S Committee meetings be moved back to Thursday.

A number of Members spoke against the Motion. It was stated that whilst all O&S Members had agreed that they wanted more time to

digest Executive papers, the Motion was very unfortunate and politically driven. Members also suggested that the motion was unnecessary given that if Members had any concerns regarding meeting dates set out in the Calendar of Meetings they could raise these with the appropriate Officer(s).

In support of the Motion, Members stated that in the interests of openness and fairness 24 hours was insufficient to read what were often very detailed papers, such as the Budget. As Members had agreed at O&S to look into the possibility of changing the day on which they met, Councillors should support the Motion now before them.

Other Members stated that the Motion was not politically-driven. O&S made important checks and balances and the limited time available to scrutinise papers made it difficult for O&S Members to have a considered opinion. The Motion was a pragmatic solution to avoid having to change the Council's Constitution.

On being put to the vote the Motion was declared lost.

b) No Confidence in Portfolio Holder for Housing

A Notice of Motion had been submitted by Councillor Brandon Clayton proposing a vote of no confidence in Councillor Mark Shurmer, Portfolio Holder for Housing, and calling for Councillor Shurmer's resignation following issues which had arisen in relation to gas safety tests. This was seconded by Councillor David Thain.

In proposing the Motion Councillor Clayton stated that the role of Portfolio Holder held a lot of responsibility. When it was reported that the statutory gas safety tests had not been completed on Council properties on time he was concerned for Council tenants' safety, and the confusion, worry and inconvenience caused in this regard. He stated that this was a whole-Council problem with Councillors being corporately responsible should the worst have happened. Councillor Thain seconded the Motion.

Councillor Brunner stated that whilst she took no pleasure in supporting the Motion, Portfolio Holders were given a Special Responsibility Allowance for the additional work and responsibility involved with their roles, and that there was a clear expectation that this work would be undertaken. She referred to a damning report from the Homes and Communities Agency and tenants having been exposed to possible serious harm. She further stated that despite safeguards and promises further issues had arisen in 2016, with the cost to the Council totalling £68k. She expressed concern at the wider implications of this for both the Council's reputation and tenants' loss of confidence in the Council. She felt that Councillor Shurmer should resign and a new Portfolio Holder for Housing appointed.

The debate then turned to what was understood to be a second breach in late 2016, following the earlier gas safety test issues in 2015. It was queried whether lessons had been learned and assurances were called for this to never happen again. A query was raised as to whether the Health and Safety Executive (HSE) had dealt with all of the alleged breaches. Concerns were also raised that the original contractor was allowed to continue with the contract following the first breach.

Councillor Hartnett stated that when the initial issues had become apparent the Council had reported the matter to the HSE. A full process had then been followed to rectify the situation. He did not feel that anyone could categorically state that there would never be any issues in the future.

It was suggested that all Members understood the seriousness of this matter, and that there was a corporate responsibility to ensure that all possible measures were put in place to avoid any possible problems arising in the future. The view was also expressed that it was unfair to blame any single Portfolio Holder.

Councillor Shurmer responded on the issues raised. In relation to the alleged second breach, he stated that this was not a breach as such. In November 2016 data had showed that there were some deficiencies with the then gas contractor, which mainly related to the capping of gas pipes. The contract had duly been terminated and it was Councillor Shurmer's understanding that the situation had been resolved.

Councillor Shurmer reported that he had worked closely with Officers following the disclosure of issues and had been open and transparent throughout the process. The Council had self-reported to the HCA and all-Member briefings had been arranged and the press informed. Monitoring had shown deficiencies with the contractor in November 2016 and they had been replaced, with there having due diligence throughout. He received regular updates and briefings from Officers and there were currently no gas safety checks outstanding. He stated that both he and Officers continually looked to improve the service and that he would not be resigning.

Following a show of hands the Motion was declared lost.

58. EXECUTIVE COMMITTEE

Members considered the minutes of the Executive Committee meetings of 13th December 2016 and 17th January 2017.

13th December 2016

In relation to the Fees and Charges recommendation, a number of members stated that they did not support this and made particular reference to the significantly increased legal fees and the bereavement fees.

It was noted that the average increase in fees and charges was 3% but that some had risen on a cost-recovery basis, with bereavement fees still falling within the bottom quartile of fees nationally after the proposed increases.

In accordance with Council Procedure Rule 17.5, the fees and charges recommendation was the subject of the following named vote:

Members voting FOR the recommendation:

Councillors Natalie Brookes, Debbie Chance, Greg Chance, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Wanda King, Mark Shurmer, Rachael Smith, Yvonne Smith, Jennifer Wheeler, Pat Witherspoon and Nina Wood-Ford (14)

Members voting AGAINST the recommendation:

Councillors Tom Baker-Price, Juliet Brunner, David Bush, Michael Chalk, Anita Clayton, Brandon Clayton, Matthew Dormer, Gay Hopkins, Jane Potter, Gareth Prosser, Antonia Pulsford, Paul Swansborough and David Thain (13)

17th January 2017

It was noted that the recommendations contained in Minute No. 67 in relation to the Borough of Redditch Local Plan No. 4 had already been dealt with earlier in the meeting (Minute No. 55 above refers).

In relation to the Corporate Performance Strategy recommendation, some Members expressed concerns in relation to money spent by the Council on consultants, systems thinking and Officer time. The view was expressed that the new dashboard was ineffective and that alignment of Key Performance Indicators to new targets was impossible.

In response, other members suggested that continual improvement was reported to be taking place in the Council's processes, which in turn resulted in value for money for the Borough's residents. The Overview and Scrutiny function also gave all members the opportunity to scrutinise the Council's activity and performance.

Regarding the Housing Revenue Account (HRA) Initial Budget 2017/18 – 2019/20, it was noted that Officers had not provided

details of the £19m reserves position which they had confirmed at Executive Committee would be included in the final report to Council. Officers apologised that these details were not included and agreed to update the HRA Budget to reflect this.

RESOLVED that

the minutes of the meetings of the Executive Committee held on 13th December 2016 and 17th January 2017 be received and all recommendations adopted.

59. REGULATORY COMMITTEES

The Council received the minutes of meetings of the Licensing Committee and Planning Committee.

In response to a Member query, the Chair of the Planning Committee provided clarification in relation to the 9th November 2016 Planning Committee's decision on Application 2016/109/FUL (Johnsons Cars Ltd, Clive Road, Enfield – application from McCarthy and Stone Retirement Lifestyle Ltd).

RESOLVED that

- 1) the minutes of the meeting of the Licensing Committee held on 7th November 2016 be received and adopted; and**
- 2) the minutes of the meetings of the Planning Committee held on 9th November 2016 and 14th December 2016 be received and adopted.**

60. APPOINTMENT TO OUTSIDE BODIES - GREATER BIRMINGHAM AND SOLIHULL LOCAL ENTERPRISE PARTNERSHIP AND WORCESTERSHIRE LOCAL TRANSPORT BOARD

The Council noted the appointment of Councillor Ian Hardiman, Wyre Forest District Council, as substitute Member to the Greater Birmingham and Solihull Local Enterprise Partnership and Worcestershire Local Transport Board, who had replaced Councillor Tracy Onslow.

61. URGENT BUSINESS - RECORD OF DECISIONS

There were no urgent decisions to note.

62. URGENT BUSINESS - GENERAL (IF ANY)

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

Council

Monday, 30 January 2017

The Meeting commenced at 7.00 pm
and closed at 9.00 pm

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Chair