

Council

Mon 27 Oct
2008
7.00 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

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

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business

undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact

**Steve Skinner
Committee Support Services**

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: 01527 64252 (Ext: 3256) Fax: (01527) 65216

e.mail: committee@redditchbc.gov.uk

Minicom: 595528

آپ انگریزی میں مدد چاہتے ہیں— نسلیاتی رسائی [Ethnic Access] سے رابطہ کریں ٹیلیفون: 01905 25121

ইংরেজি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস্ [Ethnic Access] এর সঙ্গে যোগাযোগ করুন,
টেলিফোনঃ 01905 25121

‘Potrzebujesz pomocy z Angielskim – skontaktuj się z Ethnic Access Tel: 01905 25121’

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 the Ringway Car Park.

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).



Monday, 27th October, 2008

7.00 pm

Council

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	J Field (Mayor)	
	M Hall (Deputy Mayor)	W Hartnett
	P Anderson	N Hicks
	K Banks	D Hunt
	K Boyd-Carpenter	R King
	M Braley	W King
	J Brunner	C MacMillan
	M Chalk	P Mould
	A Clayton	W Norton
	B Clayton	J Pearce
	J Cookson	B Quinney
	D Enderby	M Shurmer
	R J Farooqui	D Smith
	A Fry	D Taylor
	C Gandy	D Thomas

1. Mayor's Welcome	The Mayor will open the meeting and welcome all present. The Mayor's Chaplain, the Reverend Mike Herbert, will lead the Council in prayer.
2. Apologies	To receive any apologies for absence on behalf of Council members.
3. Declarations of Interest	To invite Councillors to declare any interests they may have in items on the agenda.
4. Minutes Chief Executive Officer	To confirm as a correct record the minutes of the meeting of the Council held on 15 September 2008. (Minutes circulated in Minute Book 4 - 2008/09) Various Wards

<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. Local Democracy Day</p>	<p>To receive a brief report from the Council's Youth Champions and the Chair of the Student Council on recent Local Democracy Week Events.</p> <p>(No separate report)</p> <p>(No Specific Ward Relevance)</p>
<p>7. Executive Committee Chief Executive Officer</p>	<p>A. To formally receive the minutes from the meeting of the Executive Committee held on <u>3 September 2008</u>:</p> <p>(All decisions here have previously been fully resolved. There are no outstanding recommendations or referrals which require the Council's consideration.)</p> <p>B. To receive the minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee:</p> <p><u>17 September 2008</u></p> <p>Matters requiring the Council's consideration are:</p> <ul style="list-style-type: none">• Sustainable Community Strategy;• Prudential Indicators 2007/08 and 2008/09;• Sports and Leisure Facilities – Birchensale Playing Fields – Section 106 Improvements;• Microgeneration Technology - Grant Scheme; and• Lease of Unit 1, Matchborough Centre. <p>(Minutes circulated in Minute Book 4 – 2008/09 – to follow)</p> <p>C. To receive the Decision Notices and consider the recommendations and/or referrals from the following meetings of the Executive Committee:</p>

8 October 2008

Matters requiring the Council's consideration are:

- Freedom of Information Act 2000 – Publication Scheme;
- Advisory Panels etc. – Update Report; and
- Redevelopment Clauses within Commercial Leases.

(Decision Notice previously circulated / copy attached)

22 October 2008

Matters potentially requiring the Council's consideration are:

- Hackney Carriage – Fare Tariff;
- Outcomes of Issues and Options Core Strategy Development Plan Document and Sustainability Appraisal Consultation and Preferred Draft Core Strategy; and
- Bromsgrove District Council Town Centre Area Action Plan Issues and Options Consultation – Response.

(Decision Notice to follow)

Any matters arising, not covered elsewhere in the agenda, will be considered under this heading.

Confidential matters may be taken after the Exclusion of the Public, subject to notification at this point in the meeting.

8. Regulatory Committees

Chief Executive Officer

To formally receive the minutes of the following meeting of the Council's Regulatory Committees:

Planning Committee - 9 September 2008

(All decisions here have been fully resolved.)

(Minutes circulated in Minute Book 4 – 2008/09 – to follow)

Various Wards

**9. Outside Bodies -
Council Appointments /
Nominations**

Chief Executive Officer

To review Borough Council representation on the County Council Highways Forum, following changes to the composition of the body: it will now comprise all Redditch County Councillors, plus up to two Borough Councillors.

The Council currently has three representatives: Councillors Boyd-Carpenter, Fry and Field, one of whom, Cllr Fry, will now automatically have a place as a County representative.

In terms of the remaining representatives, the County Council asks for up to two non-voting members "with a mandate for land drainage and street scene". (The closest match for this requirement would be Cllr MacMillan as the Portfolio Holder for Local Environment, Planning and Transport.)

The Council is requested to **RESOLVE**

which Member(s) are now to be appointed.

(No separate report)

(All Wards)

**10. Urgent Business –
Record of Decisions**
Chief Executive Officer

To note the following decisions taken in accordance with SO36 since the last meeting of the Council:

- 1) Improved Lighting in Redditch Town Centre – Unicorn Hill and Bates Hill
(Acting Deputy Chief Executive)
(Decision Reference 473)

The case for urgency was in order that the works might be concluded within proposed timescales and in time for the busy Christmas period. Funding for the scheme is coming from a number of partners, including the Council. To wait for decision at the next full Council meeting on 27 October would have been too late to achieve this.

It was therefore RESOLVED that

Section 106 funding, from the development of the Hewell Road Social Club site, of up to £15,599, be allocated in the Capital Programme to support the scheme.

(Report previously circulated for the Executive Committee)

(Abbey Ward)

-
- 2) Revised 2007/08 Statement of Accounts
(Acting Deputy Chief Executive)
(Decision Reference 474)
- The case for urgency was that the revised 2007/08 Statement of Accounts needed to be agreed by the Council by 30 September 2008 in order to comply with a statutory deadline. To wait for decision at the next full Council meeting on 27 October would have been too late to achieve this.
- It was therefore RESOLVED that**
in principle, the Revised Statement of Accounts be approved.
- As agreed within the terms of the Urgent Approval, the revised statement of accounts, together with District Audit guidance are attached to the agenda for the Council's consideration, subject to which
- the Council is asked to RESOLVE that**
the Revised Statement of Accounts be approved.
- (Report attached)
- (All Wards)**
- 3) Ice Rink Proposal
(Acting Deputy Chief Executive)
(Decision Reference 475)
- The case for urgency was to secure an appropriate operator following the recent opportunity arising to provide a temporary ice skating facility over the Christmas 2008 period in Redditch Town Centre. If the matter was not finalised as a matter of urgency, the operator might no longer have been available to the Council as required. Therefore, the next Council meeting on the 27 October 2008 would have been too late to achieve this.
- It was therefore RESOLVED that**
- 1) **a revenue budget of £29,500 be allocated to provide a synthetic ice skating facility in the former market area for 2008/09; and**
 - 2) **a fee of £3.00 per person be agreed.**

	<p>(Report previously circulated for the Executive Committee)</p> <p>(Abbey Ward)</p>
<p>11. Urgent Business - general (if any)</p>	<p>To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in him by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.</p> <p>(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.)</p>
<p>12. Exclusion of the Public</p>	<p>It may be necessary, in the opinion of the Chief Executive Officer, to consider excluding the public from the meeting in relation to the following items of business on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:</p> <p>“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.”</p>
	<p>(Note: Anyone requiring copies of any previously circulated reports, or supplementary papers, should please contact Committee Services Officers in advance of the meeting.)</p>