

Council

Mon 9 Mar
2009
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

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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 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).



Council

9 March 2009

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	J Field (Mayor)	N Hicks
	P Anderson	D Hunt
	K Banks	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
	A Fry	D Smith
	C Gandy	D Taylor
	M Hall (Deputy Mayor)	D Thomas
	W Hartnett	

1. Welcome	<p>The Mayor will open the meeting and welcome all present.</p> <p>The Mayor's Chaplain, the Reverend Mike Herbert, will lead the Council in prayer.</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. Kieth Boyd-Carpenter	<p>To pay tribute to the recently retired Councillor Kieth Boyd-Carpenter in recognition of his service to the Borough.</p>
5. Minutes Chief Executive	<p>To confirm as a correct record the minutes of the meetings of the Council held on 19 January and 23 February 2009.</p> <p>(Minutes circulated in Minute Book 7 - 2008/09)</p>

6. Communications and Mayor's Announcements

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.

To give notice of any variation to the items listed in the Forward Plan and/or items accepted as "Urgent Business".

(No separate report / oral update)

7. Executive Committee
Chief Executive

A. To formally receive the minutes of the meetings of the Executive Committee held on 7 January 2009, 13 January 2009 and 28 January 2009.

(All decisions here have previously been fully resolved. There are no outstanding recommendations or referrals which require the Council's consideration.)

(Minutes circulated in Minute Book 7 2008/09 – to follow)

B. To receive the Minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee (Decision Notice for 18 February 2009 previously circulated):

18 February 2009

Matters requiring the Council's consideration include

- Freedom of the Borough – Mercian Regiment;
- Treasury Management Strategy 2009/10;
- Prudential Indicators and Minimum Revenue Provision Policy;
- Enforcement Policy;
- Redditch Children and Young People's Action Plan;
- Empty Homes Strategy;
- Interim Management Orders; and
- Constitutional Review Working Party.

C. To receive the Minutes from the following meeting of the Executive Committee:

25 February 2009

All decisions here have been previously resolved.

(Minutes circulated in Minute Book 7 2008/09 – to follow)

D. To receive the Decision Notice and consider the recommendations and / or referrals from the following

meeting of the Executive Committee:

2 March 2009

Matters requiring the Council's consideration include

- Consideration of the Preferred Draft Core Strategy Evidence Base.

(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.

<p>8. Regulatory Committees Chief Executive</p>	<p>To formally receive the minutes of the following meetings of the Council's Regulatory Committees:</p> <table data-bbox="611 1041 1460 1332"><tr><td>Audit Committee 2009</td><td>-</td><td>21 January</td></tr><tr><td>Planning Committee 2009</td><td>-</td><td>6 January</td></tr><tr><td></td><td>-</td><td>3 February 2009</td></tr></table> <p>(There is one recommendation from the Audit Committee that requires the Council's consideration. Otherwise, all decisions here have been fully resolved.)</p> <p>(Minutes circulated in Minute Book 7 – 2008/09 – To follow)</p>	Audit Committee 2009	-	21 January	Planning Committee 2009	-	6 January		-	3 February 2009
Audit Committee 2009	-	21 January								
Planning Committee 2009	-	6 January								
	-	3 February 2009								
<p>9. Fees and Charges - 2009/10 (Pages 1 - 14) Head of Leisure and Arts</p>	<p>To present the fees and charges for 2009/10 for Leisure Services that were the subject of a request for further Officer consideration at the Council meeting on 19 January 2009. This item updates the Fees and Charges report presented to the Executive Committee on 7 January and includes a recommendation to approve the Fees and Charges in their entirety as submitted at that time. Should any Member wish to receive a further copy of the entire Fees and Charges Booklet please contact Committee Services.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance)</p>									

<p>10. Administrative Matters - Additional meetings of the Council</p> <p>Chief Executive</p>	<p>To consider the convening of an additional meeting of the Council and the delegation of to Officers, in consultation with certain Members over the scheduling of a further extraordinary meeting of the Council.</p> <p>There is a need for a further meeting of the Council at the conclusion of the consultation period over the General Fund Revenue Budgets and Capital Bids 2009/10 – 2011/12 as indicated at the meeting of the Council at which the Council Tax was set for the coming year. A second meeting is required on 27 July 2009 in order to consider the twelve month trial period for the Post of Acting Joint Chief Executive. In addition, there is a need for an extraordinary meeting of the Council to be convened at which the Freedom of the Borough of Redditch might be granted to the Mercian Regiment. A date has not been established for this meeting as yet and it is proposed that Officers continue to consult with the Mercian Regiment in order that a mutually convenient date might be established.</p> <p>RECOMMENDED that</p> <ol style="list-style-type: none">1) additional meetings of the Council be held on 6 April 2009 and 27 July 2009; and2) authority be delegated to Officers, in consultation with the Mayor and the Leader of the Council, to establish a date for an extraordinary meeting of the Council at which the Freedom of the Borough might be granted to the Mercian Regiment. <p>(No Specific Ward Relevance)</p>
<p>11. Urgent Business - Record of Decisions</p> <p>Chief Executive</p>	<p>To note any decisions taken in accordance with Standing Order 36 and/or the Overview and Scrutiny Procedure Rules (Constitution), as specified.</p> <p>(None to date).</p>
<p>12. Urgent Business - Civil Parking Enforcement - Delegations and Authorisations</p>	<p>To request delegated powers in respect of Civil (Decriminalised) Parking Enforcement in the Borough and to seek authority to enter arrangements required by legislation for adjudication.</p>

13. Exclusion of the Public	<p>It may be necessary, in the opinion of the Acting Borough Director, 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 rounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs <i>(to be specified)</i> 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>