

Annual Meeting of the Council

Mon 18 May
2009

7.15 pm (or at such time
as the preceding Council
meeting concludes)

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
Ivor Westmore
Committee Support Services**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 (Ext. 3269) Fax: (01527) 65216
e.mail: committee@redditchbc.gov.uk Minicom: 595528**

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).



Annual Meeting of the Council

18 May 2009
7.15 pm (or at such time as
the preceding Council
meeting concludes)

Council Chamber Town Hall

Agenda

Membership:

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

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. Mayor's opening remarks	<p>To receive the Mayor's opening remarks and report on the mayoral year.</p> <p>To give notice of any items of "Urgent Business" accepted by the Mayor for consideration at the meeting.</p> <p>(No separate report)</p>

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5. Election of Mayor	To elect the Mayor for the ensuing municipal year and to take his/her declaration of acceptance of office.
6. Deputy Mayor	To appoint the Deputy Mayor for the ensuing municipal year and to take his/her declaration of acceptance of office.
7. Announcements	To receive the new Mayor's communications and announcements, including: - new Mayor's Chaplain / Mayor's Charity (-ies).
8. Minutes (Pages 1 - 8) Chief Executive	To confirm as a correct record the minutes of the meeting of the Council held on 20 April 2009. (Minutes attached)
9. Executive Committee - Referral (Pages 9 - 14) Head of Legal, Democratic and Property Services	To consider an urgent referral regarding the implementation of shared services for Electoral and Community Safety Services. (In view of the fact that it contains information relating to consultations / negotiations in connection with labour relations matters, the Appendices to the report are not for publication and have been circulated only to relevant Officers and Members of the Council.) (Report attached) (No Specific Ward Relevance)
10. Leader and Deputy Leader of the Council	To appoint members of the Council to hold the offices of Leader and Deputy Leader. (No separate report)

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11. Executive Committee, Overview and Scrutiny Committee, Sub-Committees, Panels, etc. - Chairs and Vice-Chairs - Appointment	<p>To resolve, in accordance with the Council's Constitution and Standing Orders 30, 32 and 36(2), that the Council appoint Committees, Sub-Committees, Panels, Task and Finish Groups, Working Parties, etc.; and their memberships, Chairs and Vice-Chairs (as indicated in the Appendix to the separate Order of Business report).</p> <p>(Detailed Order of Business to follow)</p>
12. Neighbourhood Groups - Appointment	<p>To appoint Councillor representatives to Neighbourhood Groups (a indicated in the Appendix to the separate Order of Business report).</p> <p>(Detailed Order of Business to follow)</p>
13. Outside Bodies	<p>A. To appoint <u>Council Representatives</u> to serve on outside bodies on behalf of the Council.</p> <p>B. To nominate Council Members for appointment to outside bodies, but <u>not to formally represent the Council</u>.</p> <p>(Detailed Order of Business to follow)</p>
14. Members' Allowances Chief Executive	<p>To receive a report on expenses and allowances paid to Members during the financial year 2008/09 under the Local Authorities (Members' Allowances) (England) Regulations 2003.</p> <p>(Report to follow)</p> <p>(No Specific Ward Relevance)</p>
15. Common Seal	<p>To order the Common Seal of the Council to be affixed to any documents necessary to carry into effect any resolutions passed by the Council during the municipal year.</p>

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16. Exclusion of the Public

During the course of the meeting, it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, 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.”

Notes:

- (i) A detailed Order of Business will be circulated separately.
 - (ii) At the conclusion of the meeting, all Council members, Officers, Guests and members of the press and public are invited to join the Mayor in a reception in the Civic Suite.
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Council

20 April 2009

MINUTES

Present:

Councillor Jack Field (Mayor), Councillor Malcolm Hall (Deputy Mayor) and Councillors P Anderson, M Braley, J Brunner, M Chalk, G Chance, A Clayton, B Clayton, J Cookson, D Enderby, A Fry, C Gandy, W Hartnett, G Hopkins, D Hunt, R King, W King, C MacMillan, P Mould, W Norton, J Pearce, B Quinney, M Shurmer, D Smith, D Taylor and D Thomas

Also Present:

D Andrews (Chair, standards Committee) and M Collins (Vice-Chair, Standards Committee)

Officers:

S Mullins, S Skinner, Jackie Smith, K Dicks, S Hanley and H Halls

Committee Services Officer:

I Westmore

136. WELCOME

The Mayor opened the meeting and welcomed all present.

137. APOLOGIES

Apologies for absence were received on behalf of Councillors Banks and Hicks.

138. DECLARATIONS OF INTEREST

Councillors Cookson, Hartnett, Pearce and Taylor declared a personal and prejudicial interest in Item 6 (Executive Committee – Decision Notice of the meeting of 1 April 2009) as detailed separately at Minute 141 below.

139. MINUTES

RESOLVED that

the minutes of the meeting of the Council held on 6 April 2009 be confirmed as a correct record and signed by the Mayor.

.....
Chair

140. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

The Mayor's communications and announcements were considered under the following headings:

a) Former Borough Councillor Cyril Springall

The Mayor noted with regret the recent passing of former Borough Councillor and Deputy Mayor Cyril Springall. Members paid tribute and stood for one minute as a mark of respect to former Councillor Springall and also to former Councillor George Langston whose passing had been reported at the previous meeting of the Council.

b) Mayor's Announcements

The Mayor advised that since the previous meeting of the Council he had attended various functions, including: a service at St Leonard's Church in Beoley for visitors from Burg in Germany, the Kidderminster Charter Trustees Mayor's Springtime Ball and the Scout Association St. George's Day Parade and Service at St. Stephen's Church.

c) Forthcoming events

The Mayor advised that forthcoming events included; Studley Operatic Society's production of the "The Card" at the Palace Theatre, the Young Enterprise Awards Presentation evening at the Town Hall, Worcestershire County Council's Civic Service at the Church of St Philip and St James in Hallow, the Bromsgrove Civic Charity Dinner at Grafton Manor, the visit of a party from our twin town of Gruchet-le-Valasse and Barn Dance at the Town Hall and the Astwood Bank Carnival in May.

d) Urgent Business

The Mayor advised that he had accepted one additional item of "Urgent Business":

Item 11 – Urgent Business – Notice of Motion – Winter Utility Bills.

The Mayor had also accepted two late reports:

Item 8 – Overview and Scrutiny Annual Report;

Item 9 – Housing Revenue Account Amended Determination for 2009.

Other Notices:d) Press Releases

With the agreement of the Mayor, the Leader made a number of points in relation to matters that had been raised through the local and national media recently and which were to be the subject of Press Releases from the Council.

- i) Clarification was provided that weekend car parking charges would apply to the Council Car Park on Trescott Road and not the commercial Car Park at Trafford Park which was not owned by the Council.
- ii) It was hoped that the media could widely advertise the Council's Credit Crunch Advice Pack and the other means of help available through the Council given the recent steep rise in the number of people claiming benefits.
- iii) The recent press story on the Dial-a-Ride Service was considered to give an extremely inaccurate picture of this Service given that the recently agreed budget was not significantly different to that for the previous year. The Leader hoped that the Newspaper concerned might print a retraction.

141. EXECUTIVE COMMITTEE**RESOLVED that**

- 1) the minutes of the meeting of the Executive Committee held on 2 March 2009 be received and adopted;**
- 2) the minutes of the meeting of the Executive Committee held on 11 March 2009 be received and adopted and all recommendations approved, subject to:**

in respect of Minute 259 (Environmental Enhancement Programme) it being further RESOLVED that

a transparent set of criteria and scoring mechanisms be developed as to how the parking and Capital Landscape projects are to be identified and carried out.

- 3) the decision notice of the meeting of the Executive Committee held on 1 April 2009 be received and all recommendations approved, subject to;**

in respect of Minute 278 (Preferred Registered Social Landlords Development Partners) it being further NOTED that

the following Councillors be appointed to the Member Selection Panel:

Councillors Braley, B Clayton, Shurmer (Sub: Chance) and one vacancy (Liberal Democrat)

(A separate sheet was tabled at the meeting detailing a minor change to the recommendations pertaining to the Environmental Enhancement Programme (Minute 259), as one matter had inadvertently been recorded as being resolved by the Executive Committee, in good faith, whereas it should more properly have been a recommendation to Council. During the course of the discussion, the following proposed amendment to Recommendation (formerly Resolution) 2 on the Environmental Enhancement Programme was the subject of a named vote in accordance with Standing Order 16:

“After completion of the already identified project programme and works in Matchborough and Church Hill estates,...” added to the start of the recommendation.

Members voting FOR the amendment to the motion:

Councillors Chance, Cookson, Fry, Hartnett, Hunt, R King, W King, Mould, Shurmer, Taylor and Thomas.
(11 votes)

Members voting AGAINST the amendment to the motion:

Councillors Anderson, Braley, Brunner, Chalk, A Clayton, B Clayton, Enderby, Field, Gandy, Hall, Hopkins, MacMillan, Norton, Pearce, Quinney and Smith.
(16 votes)

Member abstaining from voting:

None.)

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Cookson, Hartnett and Pearce declared a personal and prejudicial interest, in view of the fact that they were members of the Board of Redditch Co-operative Homes and Councillor Taylor declared a personal and

prejudicial interest, in view of her close personal relationship to an officer of that organisation, and all withdrew from the meeting.)

142. REGULATORY COMMITTEES

The Council received the minutes of recent meetings of the Audit and Governance and Planning Committees.

RESOLVED that

- 1) the minutes of the meeting of the Audit and Governance Committee held on 4 March 2009 be received and adopted; and**
- 2) the minutes of the meeting of the Planning Committee held on 3 March 2009 be received and adopted.**

143. OVERVIEW AND SCRUTINY ANNUAL REPORT

The Council received the Overview and Scrutiny Committee Annual Report for 2008/09.

Members were extremely complimentary about the report and the continuing progress that had been made in Overview and Scrutiny over the past year. The work that had been undertaken into the Third Sector was particularly highlighted as an example of good practice and the Chair of the relevant Task and Finish Group acknowledged the praise on behalf of the Group.

It was noted that there were significant challenges coming forward in the year ahead with the roll-out of the Councillor Call for Action and the increasing prominence of an outward-focussed role for the Committee in relation to the Local Area Agreement and the Duty of Partners to Cooperate. It was also noted that the Council magazine, Redditch Matters could significantly enhance the public visibility of Overview and Scrutiny and the opportunities for interaction with the local community.

The Members of the Committee and the dedicated support Officers were both commended for their performance. The success in retaining a non-politicised Overview and Scrutiny function was remarked upon and it was hoped that this situation might continue. Members who were not on the Committee expressed the desire to receive feedback on some of the training events that Overview and Scrutiny Members had attended during the course of the year.

RESOLVED that

the Annual Report of the Overview and Scrutiny Committee for 2008/09 be received and noted.

144. HOUSING REVENUE ACCOUNT AMENDED DETERMINATION FOR 2009

The Council was asked to consider its response to the Department for Communities and Local Government consultation on the Draft Housing Revenue Account Determination 2009/2010 amendments. Given the economic climate the Government had proposed a change to determination levels for authorities to help tenants with the amount of rent they would have to pay for the current year.

It was noted that the consultation period was not due to finish until later in the week but there had previously been a considerable amount of lobbying from local government at the levels of rent that had originally been set in the subsidy determination.

RESOLVED that

- 1) the draft 2009/10 Housing Revenue Account Subsidy determination be amended in line with the consultation from the Department of Communities and Local Government; and**
- 2) the cost of implementing the revised rents be taken from Housing Revenues Account balances.**

145. URGENT BUSINESS - RECORD OF DECISIONS

There were no Urgent Business decisions under Standing Order 36 for consideration at this meeting.

146. URGENT BUSINESS - NOTICE OF MOTION - WINTER UTILITY BILLS

An urgent Notice of Motion had been submitted by Councillor Banks too late to meet Standing Order deadlines but had been accepted by the Mayor for consideration at the meeting on the basis of its broad public interest and the fact that there was not a further ordinary Council meeting before 22 June 2009 which could receive the Motion. The Motion was in respect of winter fuel bills. This was seconded by Councillor Brunner.

There was some discussion of the detail of the motion and there was consideration of a proposed amendment before it was duly

RESOLVED that

the Motion be approved in the following terms:

"The Council asks that the Government investigate the charges made by all gas and electricity (utility) companies in respect of monthly charges made by direct debit.

It has recently come to my attention that householders will this year be required to pay substantial additional amounts per month over and above what they were previously expected to pay.

I'm sure that there are many people throughout the country who have received similar requests and who do not understand why such extortionate contributions will be required each month. Nor do I understand how these companies are calculating their bills or why they are not informing customers soon enough when monthly direct debit contributions are not covering the costs of electricity or gas consumption.

I am concerned about the impact that this may be having on people, particularly the most vulnerable members of society, who may not be willing or comfortable with challenging the utility companies about such excessive demands.

Householders are encouraged to pay their bills on a monthly basis by direct debit so that as customers they don't get into debt, but if monthly repayment requirements are being inflated in this way, it is hard to see how debt may be avoided."

The Meeting commenced at 7.00 pm
and closed at 8.57 pm

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Chair

Annual Meeting of the Council

No Specific Ward relevance

18 May 2009

EXECUTIVE COMMITTEE –REFERRAL

(Report of the Head of Legal, Democratic & Property Services)

1. Purpose of Report

To seek approval of a referral from a recent meeting of the Executive Committee on 22 April that requires consideration prior to the next meeting of the Council in June.

2. Recommendations

RESOLVED that

- 1) that the outcomes of consultation be noted; and**

RECOMMENDED that

- 2) Shared Services for Electoral and Community Safety Services be implemented.**

3. Background

- 3.1 At the meeting of the Executive Committee on 22 April the outcomes of the consultation and an oral update relating to the proposed implementation of shared services for Electoral and Community Safety Services were received and considered.
- 3.2 On the basis of the information presented at the meeting and in previous reports, Members agreed to recommend that the implementation of shared services with Bromsgrove District Council for these two services be implemented.
- 3.3 The appendices to this report are exempt in accordance with S.100 I of the Local Government Act 1972 as they contain information relating to consultations / negotiations in connection with labour relations matters. . For this reason it is felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4. Author of Report

The author of this report is Ivor Westmore (Member and Committee Support Services Manager), who can be contacted on extension 3269 (email: ivor.westmore@redditchbc.gov.uk) for more information.

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5. **Appendices**

Outcomes of consultation (Confidential):

Appendix 1 – Community Safety;

Appendix 2 – Electoral Services.

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Document is Restricted

