

# Council

Mon 11 Aug  
2008  
7.00 pm

Council Chamber  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://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](http://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: Fax: (01527) 65216**

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**Minicom: 595528**

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

ইংরেজি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস [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

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### **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

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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

Monday, 11th August, 2008

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:	J Field (Mayor)	C Gandy
	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
		D Thomas

<b>1. Mayor's Welcome</b>	<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>
<b>2. Apologies</b>	<p>To receive any apologies for absence on behalf of Council members.</p>
<b>3. Declarations of Interest</b>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<b>4. Minutes</b> Acting Borough Director	<p>To confirm as a correct record the minutes of the meeting of the Council held on the 30th of June 2008.</p> <p><b>(Minutes circulated in Minute Book 2 - 2008/09 – To Follow)</b></p>

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<p><b>5. Communications and Mayor's Announcements</b></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><b>6. Foundation Trust Status Consultation - Worcestershire Acute Hospitals NHS Trust</b></p>	<p>To provide an opportunity for formal Council response to the consultation presentation given prior to the meeting by representatives of the Worcestershire Acute Hospitals NHS Trust.</p> <p>(No separate report)</p> <p><b>All Wards</b></p>
<p><b>7. Questions under Standing Order 8 - Matchborough Matters - Youth Art Event</b></p> <p>(Pages 1 - 2)</p>	<p>To consider a Question to the Leader which has been submitted by Councillor Juliet Brunner.</p> <p>(Copy question attached)</p> <p><b>(Matchborough / All Wards)</b></p>
<p><b>8. Executive Committee</b> (Pages 3 - 34) Acting Borough Director</p>	<p>A. To formally receive the minutes from the meetings of the Executive Committee held on the <u>11th of June 2008</u> and <u>30th June 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>2nd July 2008</u></p> <p>Matters requiring the Council's consideration are:</p> <ul style="list-style-type: none"><li>• Worcestershire Countywide Strategy for Telecare 2007-2011;</li></ul>

- Tolerated Trespass Policy – Update; and
- Church Hill District Centre – Redevelopment Update

**(Minutes circulated in Minute Book 2 – 2008/09 – To Follow)**

C. To receive the Decision Notice and consider the recommendations and/or referrals from the following meeting of the Executive Committee:

(Matters arising on the 23rd of July 2008 Decision Notice are detailed in a separate report, which is attached to the agenda)

23rd July 2008

Matters requiring the Council's consideration are:

- Transformational Government Strategy Action Plan;
- Landscape Capital Project – Update;
- One Stop Shop Advisory Panel;
- Rent Payments – Introduction of an Additional Payment Method; and
- Upper Norgrove House – Initial Options Appraisal

**(Decisions Notice previously circulated)**

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.

**9. Regulatory Committees**  
Acting Borough Director

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

Audit Committee - 10th June 2008

Planning Committee - 17th June 2008

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	<p>Standards Committee - 10th July 2008</p> <p>(All decisions here have been fully resolved. There are no recommendations or referrals which require the Council's determination.)</p> <p><b>(Minutes circulated in Minute Book 2 – 2008/09 – To Follow)</b></p>
<p><b>10. Returning Officer's Report - Batchley By-Election</b></p> <p>(Pages 35 - 36)</p>	<p>To consider the outcome of the Batchley Ward By-Election and any subsequent re-allocation of Committee places this may trigger.</p> <p>(Report attached)</p> <p><b>Batchley Ward</b></p>
<p><b>11. 'West Lothian Motion' - Fuel Duty and VAT Revenues</b></p> <p>(Pages 37 - 38)</p>	<p>To consider the Council's position in relation to a Motion sent by the West Lothian Council, regarding Fuel Duty and VAT Revenues.</p> <p>(Report attached)</p> <p><b>(No Specific Ward Relevance)</b></p>
<p><b>12. Constitution - Annual Review</b></p>	<p>To consider the Annual Review of the Council's Constitution and Associated documents.</p> <p>(Report under separate cover – To Follow)</p> <p><b>(No Specific Ward Relevance)</b></p>
<p><b>13. Urgent Business - Record of Decisions</b></p> <p>Acting Borough Director, Acting Borough Director</p>	<p>To note any decisions taken in accordance with SO36 and/or the Overview and Scrutiny Procedure Rules (Constitution), as specified:</p> <p>(None to date)</p>



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<b>14. Urgent Business - general (if any)</b>	<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>
<b>15. Exclusion of the Public</b>	<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><b>“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.”</b></p>
<b>16. Confidential Minutes / Referrals (if any)</b>	<p>To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).</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>