

Executive Committee

Wed 17th Feb
2010
7.00 pm

Committee Room 2
Town Hall
Redditch



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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.

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- 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.
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- 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:
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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

**Denise Sunman
Committee Services Officer**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: 01527 64252 (Extn. 3269) Fax: (01527) 65216
e.mail: denise.sunman@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.

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If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

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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 Walter Stranz Square.

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).



Executive Committee

17th February 2010

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	C Gandy (Chair)	W Hartnett
	M Braley (Vice-Chair)	N Hicks
	P Anderson	C MacMillan
	J Brunner	M Shurmer
	B Clayton	

1. Apologies	To receive the apologies of any Member who is unable to attend this meeting.
2. Declarations of Interest	To invite Councillors to declare any interests they may have in items on the agenda.
3. Leader's Announcements	<ol style="list-style-type: none"> 1. To give notice of any items for future meetings or for the Forward Plan, including any scheduled for this meeting, but now carried forward or deleted; and 2 any other relevant announcements. <p>(Oral report)</p>
4. Minutes Chief Executive	To confirm as a correct record the minutes of the meeting of the Executive Committee held on 27th January 2010. (Minutes to follow)
5. Planning Services - Scheme of Delegation to Officers - Amendments relating to Tree Protection Orders (Pages 1 - 10) R Bamford, Acting Head of Planning and Building Control	To seek delegation to Officers of additional powers with regard to Tree Protection Orders (TPO). (Report attached) All Wards

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<p>6. Planning Services - Increase in Charging for Pre-Application Discussions</p> <p>(Pages 11 - 16)</p> <p>R Bamford, Acting Head of Planning and Building Control</p>	<p>To consider changes to the charging structure for non statutory planning advice to provide consistency county-wide.</p> <p>(Report and Appendix 1 attached. Appendix 2 to follow.)</p> <p>All Wards</p>
<p>7. Film Proposal</p> <p>(Pages 17 - 22)</p> <p>Head of Environment</p>	<p>To seek approval for Redditch Borough Council's participation in a documentary film produced by Fatum Films.</p> <p>(Report attached)</p> <p>(No Specific Ward Relevance)</p>
<p>8. Irrecoverable Debts</p> <p>(Pages 23 - 42)</p> <p>Head of Housing and Community Services</p>	<p>To consider irrecoverable debts to be written off.</p> <p>(Report attached)</p> <p>All Wards</p>
<p>9. Leisure Contracts Advisory Panel - Abbey Stadium Redevelopment</p>	<p>To consider the notes of the meeting of the Leisure Contracts Advisory Panel on 1st February 2010 and associated recommendations.</p> <p>(Report to follow)</p>
<p>10. Minutes / Referrals - Overview and Scrutiny Committee, Executive Panels, Neighbourhood Groups etc.</p> <p>Chief Executive</p>	<p>To receive and consider any outstanding minutes or referrals from the Overview and Scrutiny Committee, Executive Panels, Neighbourhood Groups, etc. since the last meeting of the Executive Committee, other than as detailed in the items above.</p>
<p>11. Advisory Panels - update report</p> <p>(Pages 43 - 46)</p> <p>Chief Executive</p>	<p>To consider, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels and similar bodies, which report via the Executive Committee.</p> <p>(Report attached)</p>

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<p>12. Action Monitoring (Pages 47 - 50) Chief Executive</p>	<p>To consider an update on the actions arising from previous meetings of the Committee.</p> <p>(Report attached)</p>
<p>13. Exclusion of the Public</p>	<p>It may be necessary, in the opinion of the Chief Executive, 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>14. Arrow Valley Countryside Centre - Consultant's Report (Pages 51 - 90) Head of Leisure and Cultural Services</p>	<p>To consider the Consultant's report on the Arrow Valley Countryside Centre.</p> <p>(Report attached)</p> <p>(Winyates Ward)</p>
<p>15. Confidential Minutes / Referrals (if any)</p>	<p>To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).</p>

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PLANNING SERVICES - SCHEME OF DELEGATION TO OFFICERS AMENDMENTS RELATING TO TREE PRESERVATION ORDERS

(Report of the Acting Head of Planning & Building Control)

1. Summary of Proposals

To seek Members' consent to amend the current scheme of delegation to Officers relating to Tree Preservation Orders to provide a more efficient service with quicker response times and thus an improved effect on the natural environment of the Borough.

Officers are seeking amendments to the current scheme of delegation from Planning Committee in order to focus the Committee on matters of wider public interest and to assist Officers in working towards best practice. Officers are also seeking such measures in order to be able to take action to protect and/or improve the quality of the natural environment of the Borough as quickly as possible.

Delegated powers are sought for Officers in order that trees can be afforded protection where they merit it.

2. Recommendations

The Committee is asked to **RECOMMEND** that

- 1) **authority be delegated to Officers as summarised at Appendix 1; and**
- 2) **the Scheme of Delegation to Officers, as detailed at Appendix 2 to the report, be adopted.**

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

- 3.1 There are no perceived financial implications for these proposals. However, the reduction in administration that would be required would result in small staff time savings.

Legal

- 3.2 There are no perceived legal implications, however the statutory framework under which planning decisions are made includes:
- 1990 Town and Country Planning Act (as amended).
 - 2004 Planning and Compulsory Purchase Act.
 - 2003 Anti-Social Behaviour Act.
 - 2008 Planning Act.
- 3.3 Section 101 of the Local Government Act 1972: A local authority may arrange for the discharge of any of their functions by an Officer of the authority.
- 3.4 Under the Local Authorities' (Functions & Responsibilities) Regulations 2000, the Council's Town and Country Planning functions are reserved to Full Council and delegation of any Town & Country Planning powers can only be made by Council.
- 3.5 A Tree Preservation Order (TPO) affords specified tree(s) protection from felling, pruning and other works. The owner must first seek consent from the Council prior to carrying out such works, and the Council will only allow those works in which the health and safety of the tree or residents would otherwise be in danger, or where the works will improve the merit of the tree and assist in its longevity.
- 3.6 It is likely that changes will be made to the legislation regarding TPOs in the near future that mean that certain types of existing TPOs could not continue to be relied upon, and thus replacement TPOs that fall under the new or another existing legal framework would need to be made.

Policy

- 3.7 The decisions and actions of Officers would remain in accordance with the adopted policies of the Council and other bodies as appropriate.

Risk

- 3.8 There are no perceived additional risks arising from the proposal.

Sustainability / Environmental

- 3.9 There is no perceived additional harmful impact arising from the proposal. Indeed, the ability to take action more quickly to protect trees would have a positive impact on the quality of the environment

and implementation of the biodiversity objectives of the planning framework.

Report

4. Background

- 4.1 Currently, there are four types of TPOs that can be served: individual, group, woodland and blanket. An individual TPO is served on an individual tree of merit, a group TPO is served on a specified group of trees identified within the order, and a woodland TPO covers a woodland.
- 4.2 A blanket TPO covers a large area, and only those trees within that area that were present on site when the order was made are protected by it. Thus, trees now worthy of merit but not in existence 40 years ago when an order was served remain unprotected. Further, individual or group TPOs cannot be served in an area where a blanket TPO exists. Thus to protect such trees, the original blanket TPO must be revoked and replacement individual/group TPOs served for all trees of merit within the original blanket TPO area.
- 4.3 It is also apparent that the legislation is due to change such that blanket TPOs will become void. It will therefore be necessary to consider the position in which the Council would find itself if these blanket TPOs fall away, and the alternative means of protection that would be required to preserve and enhance the natural environment of the Borough. A review is likely to be necessary in the future, and Officers are considering an appropriate approach.
- 4.4 Where protected trees are damaged and criminal offences occur, Officers already have delegated authority to serve tree replacement notices where appropriate, although prosecution proceedings must first be authorised by Members at Planning Committee due to the cost implication.

5. Key Issues

Tree review

- 5.1 At present, the Borough has 36 blanket TPOs, known as New Town TPOs, as they were made when the new town came into existence. These cover large areas of the town, and whilst there are many trees of merit worthy of the protection afforded to them by the blanket TPOs, there are also many properties within them where there are no trees, or a least none afforded protection. Further, since the

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TPOs were served it follows that the natural and built environment of these areas has drastically changed and impacted upon the current tree population.

- 5.2 Officers are considering how to approach the task of reviewing trees prior to their loss of protection when the legislation, and the powers sought here are likely to benefit this process in the future.

Delegated powers

- 5.3 Due to the procedures dictated by statute, the serving of TPOs is a lengthy process, which is elongated by the requirement to seek Member authorisation first. Whilst clearly Officers would still need to act within the procedural requirements of the legislation, there are benefits to being able to deal with matters more quickly, especially on the greenness of the visual impact on the Borough.
- 5.4 In order to acknowledge public interest and in order to ensure transparency and accountability, Officers propose to report some proposed new TPOs to Members for determination. This would be where a TPO is proposed on a tree that has not previously benefited from protection and objections have been received, or on rare occasions where TPOs are proposed for Council-owned trees.

6. Other Implications

- | | | |
|------------------------------|---|--|
| Asset Management | - | No perceived implications. |
| Community Safety | - | No perceived implications. |
| Health | - | No perceived implications. |
| Human Resources | - | No major perceived implications, although fewer committee reports will result in additional staff time spent on resolving case work. Staff time carrying out the tree survey and supporting administration can be done using existing staff resources. |
| Social Exclusion | - | No perceived implications. |
| Environment / Sustainability | - | No perceived implications. |

7. Lessons Learnt

Blanket TPOs are clearly not such a powerful or effective tool as was anticipated when they were introduced many decades ago. Although still in existence in the Borough, blanket TPOs are no longer used as a tool in this authority, favouring instead the more specific orders that can respond more directly with the environment.

8. Background Papers

Current Scheme of Delegation to Officers.

Report to Executive Committee 3rd December 2008 relating to delegated planning powers.

Report to Planning Committee 3rd February 2009 relating to delegated enforcement powers.

9. Consultation

There has been no consultation other than with relevant Borough Council Officers.

10. Author of Report

The authors of this report are Ailith Rutt (Development Control Manager) and Nina Chana (Planning Assistant), who can be contacted on extensions 3374 and 3207 respectively (e-mail: nina.chana@redditchbc.gov.uk) for more information.

11. Appendices

Appendix 1 - Additional delegated powers sought.

Appendix 2 - Proposed schedule for insertion into the constitution relating to delegated powers.

Additional delegated powers sought

Serve a TPO – individual, group or woodland.

Revoke a blanket TPO and replace with other TPOs where appropriate.

Exceptions to be specified as per paragraph 5.4 of the main report.

**PROPOSED SCHEDULE FOR INSERTION INTO THE CONSTITUTION
RELATING TO DELEGATED POWERS**

Tree Preservation Orders (TPOs)

All planning decisions, actions or advice/responses on behalf of the Local Planning Authority that relate to the protection of trees and fall within the list of Planning and Associated legislation/regulations, are considered to fall within the delegation scheme and will be determined by Officers (HP&BC) unless:-

- 1) Objections have been received where it is proposed that a TPO protect a tree/trees previously unprotected; or
- 2) It is proposed that a tree be protected which is located on Council-owned land.

In all cases, decisions made using delegated powers shall be reported to Members at Planning Committee within six months of the decision being made, for information purposes.

In all cases, the Ward Member will be included in the notification process, for information.

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PLANNING SERVICES – INCREASE IN CHARGING FOR PRE-APPLICATION DISCUSSIONS

(Report of the Acting Head of Planning and Building Control)

1. Summary of Proposals

To alter the current scale of fees and charges for PD enquiries and pre-application advice to a common county-wide scale of charges and approach to service provision, and to maintain the fees at the same level as the other districts within Worcestershire.

2. Recommendations

The Committee is asked to **RECOMMEND** that

- 1) the schedule of charges, detailed at Appendix 1, be adopted and implemented by Planning Services from 1st April 2010; and
- 2) authority be delegated to Officers to maintain the fees at a standard county-wide level in future.

3. Financial, Legal, Policy, Risk and Climate Change / Carbon Management Implications

Financial

- 3.1 Permitted Development enquiries and pre-application advice are already provided here in Redditch to this level of service. There would be a financial benefit from increasing the current level of charging.

Legal

- 3.2 The authority cannot make profit from charging for services. However it is able to cover the administrative and overhead costs of service provision, providing this is made clear at the point of charging. Therefore, the proposed fees would not be charging for the advice provided.

Policy

- 3.3 It has been the policy of Planning Services to provide these services because they are perceived to be of benefit to customers, the wider community, Officers and the overall quality of the built environment of Redditch Borough.

Risk

- 3.4 In adopting the proposed fees and charges, there may be a small risk that some people would not seek advice prior to implementing developments, and that this could lead to additional enforcement caseload. However this risk is considered to be minimal, and could be covered by existing arrangements.

Climate Change / Carbon Management

- 3.5 These are material planning considerations central to the process and thus need no further consideration here.

Report**4. Background**

- 4.1 Following an O&S fees task and finish group, Planning Services considered introducing fees for non-statutory planning functions such as Permitted Development Enquiries and Pre-application Discussions. The principles of charging for such matters were agreed, the details were refined and the charging began on 1st January 2009.
- 4.2 Concurrently with this process, Planning Officers from the six districts across the County were considering the implications of such charging and the benefit or otherwise of bringing in a standard table of fees to provide consistency and clarity of approach. When the fees were introduced in Redditch, they were therefore considered to be a pilot scheme for a County-wide approach, with a review period included.
- 4.3 Following further discussions at Head of Service and Manager level across the County, details of how such a scheme could be implemented consistently across the county have now been agreed, and a scale of fees proposed.

5. Key Issues

- 5.1 Whilst the scale of fees and service level has been agreed County-wide, there are some small variations, for example one authority also chooses to charge for services that Redditch do not provide, and one authority has chosen not to make charges on householder schemes, in order that enquirers are not put off, despite the low charge proposed.
- 5.2 The table of charges attached at appendix one for adoption is therefore the extract which would apply for Redditch, as proposed by Officers. These relate to Permitted Development enquiries (asking whether permission is needed for proposed development) and pre-application discussions (relating to requirements for the submission of an application, likely outcomes, and the policy framework that should be taken into account when proposing a development).
- 5.3 The proposed charges are higher than those previously charged here in Redditch. There are two main reasons for this. Firstly, the principle of charging for these services has now been shown to work with a minimum level of fees set, without covering all the internal charges, and so it is considered reasonable to increase the fees. Secondly, having considered the fees charged by other authorities nationally, and particularly beyond the Worcestershire fringes (e.g. Tewkesbury, Stratford-on-Avon) it is considered reasonable to levy similar scales of charges. This would also ensure that the service was provided to a high and consistent standard, raising customer service levels and giving credibility to the process, as well as removing from the system any inappropriate enquiries.

6. Other Implications

Asset Management	-	None known.
Community Safety	-	None known (material consideration dealt with in the planning process).
Health	-	None known.
Human Resources	-	None known.
Social Exclusion	-	None known (material consideration dealt with in the planning process).
Environment / Sustainability	-	None known (material consideration dealt with in the planning process).

7. Lessons Learnt

So far, the benefits of charging for these services have been an increase in income generation of approximately £5000 in a 12 month period, an improvement in the quality of information provided when advice is sought, and which leads to a more thorough consideration of and response to proposed schemes, a reduction in wasted officer time and a general acceptance of the principle of charging. There have been no complaints in the first twelve months of operating the scheme, nor has there been a reduction in the number of enquiries made to the development control team.

8. Background Papers

The previous reports to exec were sent on 2nd April 2008 and 19th November 2008. They also note other relevant background documents within them.

9. Consultation

There has been no consultation other than with relevant Borough Council Officers.

10. Author of Report

The author of this report is Ailith Rutt (Development Control Manager), who can be contacted on extension 3374 (email: ailith.rutt@redditchbc.gov.uk) for more information.

11. Appendices

Appendix 1 - Proposed new scale of fees and charges.

Appendix 2 - Proposed guide to service – to be provided separately, electronically.

APPENDIX 1 - PROPOSED NEW SCALE OF FEES AND CHARGES

Permitted development enquiries

Proposed development type	Cost
Householder	£25
Other	£50

Pre-application discussions

Proposed development type			Cost	Cost of additional meetings (each)
Householder			£40	£20
1-4 dwellings			£250	£100
<i>Equivalent scales of development:</i>				
5-9 dwellings	<1ha	<1000m ²	£500	£100
10-49 dwellings	1-1.25ha	1000-2499m ²	£1000	£500
50-199 dwellings	1.26-2ha	2,500-9,999m ²	£2000	£750
200+ dwellings	2+ha	10,000m ² +	£3000	£1000
Planning Performance Agreement (PPA)			Cost to be agreed in each case, at a minimum of £3000	

NB Each discussion would include up to 3 meetings, and the additional charge would only apply beyond that point.

For comparison purposes, the existing scale of charges is set out below

Type of enquiry	Size of proposal	Charge
PD Enquiry	Householder	£15
	Other	£35
Pre-application discussions	Householder	£25
	Minor/other	£50
	Major (small scale)	£100
	Major (large scale)	£250
Post-decision amendments	Householder	£15
	Minor/other	£25
	Major	£50

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Additional charges

Cost of a meeting	£50
Cost of additional correspondence	£20
PPA	To be agreed by relevant parties as part of process

All charges include VAT.

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No particular Ward
Relevance

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FILM PROPOSAL

Report of the Head of Environment

1. **Summary of Proposals**

To seek Members' approval for Redditch Borough Council's participation in a documentary film produced by Fatum Films

2. **Recommendations**

The Committee is asked to RESOLVE that participation be approved.

3. **Financial, Legal, Policy Risk and Sustainability Implications**

Financial

- 3.1 It is envisaged that the small financial outlay of £2000 can be met by existing budgets, namely the Environmental Services' event and marketing budget. There is also the possibility of financial return to the Council subject to the documentary being sold.

Legal

- 3.2 There are no evident legal implications. It has been agreed through preliminary discussion that editorial rights will be retained by the Council and that the production will remain in the joint ownership of Redditch Borough Council and Fatum Films satisfying intellectual property rights.

Policy

- 3.3 This proposal sits within the priority of 'an enterprising community' and potentially raises the profile of Redditch Borough Council and the town as a whole

Risk

- 3.4 Any potential risk relates to the Council's reputation as a well managed organisation. The documentary would portray Council staff and members going about day-to-day Council business. There is a risk that this could be portrayed in a less than flattering light. However this is addressed through the retention of editorial rights and joint ownership. Redditch Borough Council would retain the right to edit any footage that was deemed potentially damaging.

Sustainability / Environmental

- 3.5 The project demonstrates the Council's commitment to environmental issues and management by including these important considerations in the planning process of Morton Stanley Festival, which is the proposed subject of the documentary.

Report**4. Background**

- 4.1 Following the success of 2009's Morton Stanley Festival, the Landscape and Countryside section were approached by Mr Chris Deighton of Fatum Films
- 4.2 Mr Deighton was drawn to the festival and the innovative approaches of Redditch Borough Council in consulting and engaging with the local community and the links developed with partner organisations and local charities.
- 4.3 As a local filmmaker Mr Deighton was also keen to invest his talents and experience back into his local community and to work with NEW College, enabling media students to develop necessary skills and vital experience within the media industry.
- 4.4 NEW College have confirmed their involvement by offering this project as practical work experience to their media students. Currently the media department enables students to gain industry experience through either college or externally- based projects.
- 4.5 The College feel that this is a 'superb' project and that students would be keen to participate and that the experience gained would be invaluable.
- 4.6 Informal meetings were held and the concept of a documentary focussing on individuals involved with the planning of the Morton Stanley Festival 2010 (and indirectly Council key business) was discussed.

- 4.7 The festival offers a 'destination' for a documentary-style production and would portray the Council consulting with younger residents and engaging with a wide variety of both statutory and voluntary partners.

5. Key Issues

- 5.1 The Officer perception of the proposal and the key outcomes are that the project will:
- a) raise the profile of the town, portraying a vibrant and modern place
 - b) provide an opportunity to challenge traditional perceptions of local authorities as being 'out of touch' with younger residents
 - c) give future filmmakers and media students practical/professional experience
 - d) showcase local talent
 - e) demonstrate the Council's partnership working with both statutory and voluntary organisations.

6. Other Implications

- Asset Management - None
- Community Safety - None
- Human Resources - None
- Environmental/
Sustainability - None

7. Lessons Learnt

None

8. Background Papers

None

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9. **Consultation**

This report has been prepared in consultation with:
Councillor Carole Gandy, Kevin Dicks, Sue Hanley, Guy Revans and
Communications

10. **Author of Report**

The author of this report is Karl Stokes, (Capital Projects and Green
Space Development Manager) who can be contacted on extension
3377, e-mail: karl.stokes@redditchbc.gov.uk for more information.

11. **Appendices**

Appendix 1 - Fatum Films/Chris Deighton

FATUM FILMS

Chris Deighton is the founder and Managing Director of Fatum Films Ltd formed in 2006.

A filmmaker since the age of 16, Chris undertook formal media studies at NEW College and retains local links.

Chris has wide experience of both filming and production in both this country and abroad. He is currently in talks with Channel 4 and ITV alongside other networks regarding the screening of his current project *The Idiot's Guide to Britain*.

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No Specific Ward Relevance

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IRRECOVERABLE DEBTS

(Report of the Head of Housing and Community Services)

1. Summary of Proposals

The purpose of this report is to consider writing off 29 cases of irrecoverable debt amounting to £87,773.62.

It is considered by Officers that all appropriate debt recovery action has been attempted to recover the debts listed in Appendix 1 of this report and no further action can be taken to enforce payments.

NB: If a debt is written off, it can be retrieved and pursued if it comes to the Council's attention that the debtor now has the means to pay the debt.

2. Recommendations

The Committee is asked to **RESOLVE** that

the debts totalling £87,773.62 (£40,557.07 General Fund; £47,218.55 Housing Revenue Account) detailed in the schedule attached to this report be written off as irrecoverable.

3. Financial, Legal, Policy, Risk and Climate Change / Carbon Management Implications

Financial

3.1 Provision is made within the Council's budget for write-offs.

3.2 The table below shows the current position from 1st April 2009 to 31st December 2009 by debt type:

Debt Type	Debit raised	Payments	Written-off	Written off against debit raised
Council Tax	£40,509,040	£37,395,688	£43,996	0.11%
Non Domestic Rates	£35,195,896	£31,850,804	£89,247	0.25%
Sundry Debts (GF inc OAB)	£3,723,311	£4,528,706	£148,211	3.9%
Sundry Debts (HRA inc FT's)	£437,393	£384,451	£89,143	20%

Key: OAB = Over allowed Housing Benefit; FT = Former Tenant Arrears

Note: General Fund Sundry debt payments are higher than raised due to reduction of arrears brought forward from previous years debit raised.

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Legal

- 3.3 Under Section 151 of the Local Government Act 1972, a local authority must make arrangements for the proper administration of its financial affairs and appoint an Officer to oversee such administration.
- 3.4 The appendix in this report is exempt in accordance with S100.1 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains the personal details of individuals. For this reason it is felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Policy

- 3.5 The Joint Chief Executive and Director of Housing, Leisure and Customer Services are the designated Officers for this purpose, and write-offs require their sanction. If a debt is written off, it can be retrieved and pursued if it comes to the Council's attention that the debtor now has the means to pay the debt. In the case of County Court Judgements, the Council can pursue payment for up to 6 years after the judgement is given.

Risk

- 3.6 No risk implications have been identified in this report.

Climate Change / Carbon Management

- 3.7 No sustainability, environmental or climate change implications have been identified in this report.

Report

4. Background

The detail of the report is contained within the attached schedule.

5. Key Issues

The key issues are detailed within the attached schedule. Details are specific to each case listed.

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6. Other Implications

Asset Management	-	None.
Community Safety	-	None.
Health	-	None.
Human Resources	-	None.
Social Exclusion	-	None.

7. Lessons Learnt

None.

8. Background Papers

Personal Recovery Files (not for publication).

9. Consultation

There has been no consultation other than with relevant Borough Council Officers.

10. Author of Report

The author of this report is Jayne Bough (Housing Services Manager), who can be contacted on extension 3131 (e-mail: jayne.bough@redditchbc.gov.uk) for more information.

11. Appendices

Appendix 1 - Schedule of irrecoverable debts.

12. Key

A	=	Letter or Recovery
B	=	Visit
C	=	Bailiff
D	=	Internal Trace
E	=	External Trace
F	=	Attempted AOE (Attachment of Earnings Order)
G	=	Attempted ABO (Attachment of Benefits Order)
H	=	Committal Procedure
I	=	Collection Agency
J	=	Attempted Legal Recovery
SWL	=	Saffron Waiting List
S	=	Saffron Rents System Checked
HB	=	Housing Benefits System Checked
IS	=	Other Internal Systems Checked

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Executive Committee

No direct Ward relevance

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ADVISORY PANELS, WORKING GROUPS, ETC - UPDATE REPORT

(Report of Chief Executive)

1. Purpose of Report

To provide, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels, and similar bodies which report via the Executive Committee.

2. Recommendation

The Committee is asked to **RESOLVE** that

subject to Members' comments, the report be noted.

3. Updates

A. ADVISORY PANELS

	<u>Meeting :</u>	<u>Lead Members / Officers :</u> (Executive Members shown underlined)	<u>Position :</u> (Oral updates to be provided at the meeting by Lead Members or Officers, if no written update is available.)
1.	Climate Change Advisory Panel (formerly Environment Advisory Panel)	Chair <u>Cllr B Clayton</u> / Guy Revans.	Next meeting - 9th March 2010.
2.	Community Safety Advisory Panel	Chair <u>Cllr Brunner</u> / Vice-Chair Cllr Banks Angie Heighway	Date to be arranged.
3.	Economic Advisory Panel	Chair <u>Cllr MacMillan</u> John Staniland / Georgina Harris	Next meeting – 8th February 2010.

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4.	Housing Advisory Panel	Chair <u>Cllr B Clayton</u> / Vice-Chair Cllr Pearce Jackie Smith	Last meeting – 17th November 2009.
5.	Leisure Contracts Advisory Panel	Chair <u>Cllr Anderson</u> / Vice-Chair Cllr MacMillan Ken Watkins / Kevin Cook	Last meeting – 1st February 2010.
6.	Customer Services Advisory Panel	Chair <u>Cllr Braley</u> Jackie Smith / Jane Smith	Last meeting – 10th December 2009.
7.	Planning Advisory Panel	Chair <u>Cllr MacMillan</u> / Vice- Chair Cllr Chalk John Staniland / Ruth Bamford	Next meeting – 10th February 2010

B. OTHER MEETINGS

8.	Constitutional Review Working Party	Chair Cllr MacMillan / Vice Chair <u>Cllr Braley</u> Steve Skinner	Next meeting - 24th February 2010.
9.	Grants Panel	Chair Cllr Chance / Vice Chair <u>Cllr Braley</u> Angie Heighway	Next meeting – to be arranged.
10.	Independent Remuneration Panel	Independent Members / Chair Mr Andrew Powell	Last meeting – 5th February 2010.

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11.	Member Development Steering Group	Chair <u>Cllr MacMillan</u> / Vice-Chair Cllr Brunner Steve Skinner / Trish Buckley	Next meeting – 9th February 2010
12.	Procurement Steering Group	Chair <u>Cllr Braley</u> / Vice-Chair Cllr Hall Sue Hanley	Last meeting – 18th January 2010.
13.	Church Hill District Centre – Members' Panel	Chair <u>Cllr B Clayton</u> Rob Kindon / Jim Prendergrast	Last meeting – 25th November 2009.

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 (e-mail: ivor.westmore@redditchbc.gov.uk) for more information.

5. Appendices

None.



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No direct Ward relevance

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ACTION MONITORING

(Report of the Chief Executive)

Portfolio Holder(s) / Responsible Officer	Action requested	Status
13th January 2009		
Cllr Gandy / Executive Committee	Third Sector Task and Finish Group The Executive to consider the further work to be undertaken (detailed in recommendation 5) and come back with suggestions for further work in due course.	Awaiting further consideration by relevant Members.
22nd April 2009		
Cllr MacMillan/ Ruth Bamford	Action Monitoring – Economic Advisory Panel Economic Development Strategy - Visits to Redditch businesses being arranged.	
16th September 2009		
Cllr Braley / Teresa Kristunas	Prudential Indicators Councillor Braley enquired as to the maximum and minimum borrowing rates that had existed over the past 25 years and also the magnitude of the interest rate in 1979.	
22nd September 2009		
All Portfolio Holders / A Heighway	Quarterly Performance Monitoring, Quarter 1 – April – June 2009 Members requested that the order of columns in the Corporate Performance	

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	Exception Report be amended. Officers undertook to circulate information on Recovery Plans and the pilot project on Smart Cards be circulated with the minutes.	
7th October 2009		
Cllr C MacMillan / R Bamford / A Rutt	Publication of Planning Applications – Consultation Officers were asked to consider a slight expansion of the circulation of notifications of planning applications should these new measures come into effect.	
18th November 2009		
Cllr M Braley / D Riley	Benefits Improvement Plan Officers were requested to highlight the Inspector's comments regarding Overview and Scrutiny Committee's involvement in overseeing the management of performance. [Appendix 1 (R7a)]	
9th December 2009		
Cllr Anderson / A Highway	Voluntary Sector Grant Applications Members were keen that photographs be included in Redditch Matters to publicise the grant funding that was being provided.	Officers highlighted the publicity that was already being planned.
Cllr Braley / G Revans / S Garratt	Fees and Charges 2010/11 Officers undertook to get back to Councillor Hartnett with information regarding the fees levied for Magnets and DVLA enquiries (Taxi Licensing)	
27th January 2010		

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Cllr Gandy / A Heighway	Single Equalities Scheme Members requested that a report/action plan be submitted to a future meeting of the Committee or Council detailing what the Council, as Community Leader, expected to receive in terms of education provision for the Borough and its children and young people.	
Cllr Gandy / K Dicks	Worcestershire Enhanced Two Tier (WETT) Programme Officers highlighted the undertaking that had been made at a recent meeting of the WETT Programme Management Group to provide further detail to the participating Councils on the proposed service standards and related information (due April 2010)	
Cllr Braley / R Kindon / B Haycock	Easemore Road Site – Consultation with Tenants Officers undertook to carry out a basic check of all such Leases held by the Council by the end of the financial year.	
3rd February 2010		
Cllr Braley / T Kristunas	Initial Estimates 2010/11 Officers to write, in the first instance, to Worcestershire County Council highlighting the increasing pressure on the Council's budgets for staff pensions.	
Cllr Braley / B Barr	Corporate Sickness Statistics Officers were asked to provide Councillor Hartnett with information regarding the SLA with Worcestershire County Council for the provision of Occupational Health services.	
Note:	<i>No further debate should be held on the above matters or substantive decisions taken, without further report OR unless urgency requirements are met.</i>	Report period: 13/01/09 to 3/2/10

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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