

Executive Committee

Wed 29th Sept
2010
7.00 pm

Committee Room 2
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 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

29th September 2010

7.00 pm

Committee

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	Carole Gandy (Chair)	Malcolm Hall
	Michael Braley	Gay Hopkins
	Juliet Brunner	Jinny Pearce
	Greg Chance	Debbie Taylor
	Brandon Clayton	

<p>1. Apologies</p>	<p>To receive the apologies of any Member who is unable to attend this meeting.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p>3. Leader's Announcements</p>	<p>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</p> <p>2 any other relevant announcements.</p> <p>(Oral report)</p>
<p>4. Minutes Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Executive Committee held on the 8th September 2010.</p> <p>(Minutes to follow)</p>
<p>5. Worcestershire Joint County and District Council's Scrutiny Report Summer Floods 2007 and other Land Drainage Matters</p> <p>(Pages 1 - 8)</p> <p>Head of Legal, Democratic and Property Services</p>	<p>To consider and approve the recommendations forwarded by the Joint Worcestershire Scrutiny into Flooding Task and Finish Group in February 2009 and any additional suggestions since proposed by relevant Officers from Redditch Borough Council regarding the practical and financial implications of these recommendations for the Council.</p> <p>(Report attached – Appendices available via the Council's Website and as a hard copy in Group Rooms)</p> <p>All Wards</p>

Executive

Committee

29th September 2010

<p>6. Sub-Regional Choice Based Lettings</p> <p>(Pages 9 - 22)</p> <p>Head of Housing</p>	<p>To consider the Council joining a Sub-Regional Choice Based Lettings Scheme.</p> <p>(Report and referral report from the Overview and Scrutiny Committee attached)</p> <p>(No Specific Ward Relevance)</p>
<p>7. Administration of Charities</p> <p>(Pages 23 - 32)</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>To consider a report on the future administration of the Stanley, Skinner and Swann charities.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance)</p>
<p>8. Pitcheroak Golf Course - Operational Options</p> <p>Head of Leisure and Cultural Services</p>	<p>To consider a review of the operation of Pitcheroak Golf Course over the previous 18 months and the options for future provision.</p> <p>(Report to follow)</p> <p>(All Wards)</p>
<p>9. Arrow Valley Countryside Centre - Contractual Arrangements</p> <p>Head of Leisure and Cultural Services</p>	<p>To consider specific options for the contractual arrangements for the Arrow Valley Countryside Centre.</p> <p>(Report to follow – Appendix available via the Council's website and as a hard copy in Group Rooms)</p> <p>(All Wards)</p>
<p>10. Overview and Scrutiny Committee</p> <p>(Pages 33 - 42)</p> <p>Chief Executive</p>	<p>To receive the minutes of the meeting of the Overview and Scrutiny Committee held on the 25th August 2010.</p> <p>There are recommendations to consider.</p> <p>(Minutes attached)</p>
<p>11. 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>12. Advisory Panels - update report (Pages 43 - 46) 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>
<p>13. 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>14. Urgent Business - Record of Decisions Chief Executive</p>	<p>To note the following recent decisions taken in accordance with SO36:</p> <ol style="list-style-type: none"><p><u>Prospective Tenant – Unit 27, Rubicon Business Centre</u> (Head of Planning and Regeneration)(Decision Reference 484)</p><p>The associated report contains exempt information as defined in Paragraph 3 of part 1 of Schedule 12a to the Local Government Act 1972, as amended.</p><p>The case for urgency was that the prospective tenant needed an early decision owing to their commitments.</p><p>(Decision required was a Executive Committee decision).</p><p>It was therefore RESOLVED that</p><p>Kingfisher FM be granted a licence agreement at a reduced rent as set out within the associated report for a period of 12 months for the reasons given in that report.</p><p><u>Discretionary Disabled Facilities Grant</u> (Head of Community Services)(Decision Reference 485)</p><p>This report contains exempt information as defined in Paragraphs 1 and 3 of part 1 of Schedule 12a to the Local Government Act 1972, as amended.</p><p>This adaptation is required to improve the health & well being of the householder. The next Executive Committee is not until September and this would cause a further delay in undertaking this adaptation. (Final authority for the decision</p>

on the Discretionary Disabled Facilities Grant would normally rest with the Executive. There was an additional recommendation, as set out below, to Council in respect of the Scheme of Delegation to Officers which was considered at the meeting of Council on 20th September 2010.)

It was therefore RESOLVED that

- 1) a discretionary disabled facilities grant of up to £1,500 be awarded for the reasons given in the summary above; and**

RECOMMENDED that

- 2) the Council's Scheme of Delegation to Officers be amended to provide the Head of Community Services with the authority to approve discretionary Disabled Facility Grants, in consultation with the Portfolio Holder for Housing, Local Environment and Health.**

15. Exclusion of the Public

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:

“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.”

Executive

Committee

29th September 2010

<p>16. Redditch United Football Club Status</p> <p>(Pages 51 - 68)</p> <p>Head of Leisure and Cultural Services</p>	<p>To consider the financial status of Redditch Football Club and the impact on the Council's Revenue Account.</p> <p>[The report and appendices contain exempt information as defined in S.100 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). In view of this it is anticipated that discussion of these matters will take place after the exclusion of the public.]</p> <p>(Report attached)</p> <p>(All Wards)</p>
<p>17. 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>