

# Overview and Scrutiny Committee

Wed 17 Jun  
2009  
7.00 pm

Committee Room Two  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

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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.

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)**

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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  
Jess Bayley and Helen Saunders  
Overview and Scrutiny Support Officers**

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Minicom: 595528**

# 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).



# Overview and Scrutiny Committee

Wednesday, 17 June 2009

7.00 pm

Committee Room 2 Town Hall

## Agenda

### Membership:

Cllrs: P Mould (Chair) W Norton  
D Smith (Vice-Chair) J Pearce  
K Banks D Taylor  
G Chance D Thomas  
R King

<b>1. Apologies and named substitutes</b>	To receive apologies for absence and details of any Councillor (or co-optee substitute) nominated to attend this meeting in place of a member of this Committee.
<b>2. Declarations of interest and of Party Whip</b>	To invite Councillors to declare any interest they may have in items on the Agenda and any Party Whip.
<b>3. Minutes</b> (Pages 1 - 22)	To confirm the minutes of the most recent meeting of the Overview and Scrutiny Committee as a correct record.  (Minutes attached)  <b>All Wards</b>
<b>4. Actions List</b> (Pages 23 - 24)	To note the contents of the Overview and Scrutiny Actions List.  (Report attached)  <b>All Wards</b>
<b>5. Call-in and Pre-Scrutiny</b>	To consider whether any Key Decisions of the Executive Committee's most recent meeting(s) should be subject to call-in and also to consider whether any items on the Forward Plan require pre-scrutiny.  (No separate report).  <b>All Wards</b>

# Overview and Scrutiny

Committee

Wednesday, 17 June 2009

<p><b>6. Task &amp; Finish Reviews - Draft Scoping Documents</b></p>	<p>To consider any scoping documents provided for possible Overview and Scrutiny review.</p> <p>(No reports attached)</p> <p><b>All Wards</b></p>
<p><b>7. Task and Finish Groups - Progress Reports</b></p>	<p>To consider progress to date on the current reviews against the terms set by the Overview and Scrutiny Committee.</p> <p>The current reviews in progress are:</p> <ol style="list-style-type: none"><li>1. Council Flat Communal Cleaning – Chair, Councillor P Mould;</li><li>2. Dial-A-Ride – Chair, Councillor R King;</li><li>3. National Angling Museum – Chair, Councillor P Mould; and</li><li>4. Neighbourhood Groups – Chair, Councillor K Banks.</li></ol> <p>(Oral reports)</p> <p><b>All Wards</b></p>
<p><b>8. Worcestershire Land Drainage Protocol</b></p> <p>(Pages 25 - 52)</p>	<p>To receive a presentation on the subject of the Worcestershire Land Drainage Protocol.</p> <p>(In view of the fact that it contains information relating to the financial or business affairs of any particular person the Appendix to the report is not for publication and has been circulated only to relevant Officers and Members of the Council).</p> <p>(Reports attached and presentation to follow).</p> <p><b>All Wards</b></p>
<p><b>9. Council Flat Communal Cleaning Task and Finish Group</b></p>	<p>To consider the draft final report and recommendations from the Council Flat Communal Cleaning Task and Finish Group.</p> <p>(Report circulated separately).</p> <p><b>All Wards</b></p>

# Overview and Scrutiny

Committee

Wednesday, 17 June 2009

<b>10. Councillor Calls for Action (CCfAs) - Procedure</b>	To consider the Councillor Call for action procedures adopted at other local authorities and to recommend suitable arrangements for CCfAs at Redditch Borough Council.  (Reports previously circulated)
<b>11. Feedback from June Scrutiny Conferences</b>	To consider information from Members and Officers regarding the Centre for Public Scrutiny Conference and Crime and Disorder Scrutiny Conference.  (Oral reports).  <b>All Wards</b>
<b>12. Referrals</b>	To consider any referrals to the Overview & Scrutiny Committee direct, or arising from: <ul style="list-style-type: none"><li>• The Executive Committee or full Council</li><li>• Other sources.</li></ul> (No separate report).  <b>All Wards</b>
<b>13. Work Programme</b> (Pages 53 - 58)	To consider the Committee's current Work Programme, and potential items for addition to the list arising from: <ul style="list-style-type: none"><li>• The Forward Plan / Committee agendas</li><li>• External publications</li><li>• Other sources.</li></ul> (Report attached)  <b>All Wards</b>

# Overview and Scrutiny

Committee

Wednesday, 17 June 2009

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## **14. Exclusion of the Press and Public**

Should it be necessary, in the opinion of the Borough Director, during the course of the meeting to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

“That, under S.100 (A) (4) of the Local Government Act 1972, 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”.

**All Wards**

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