

# Council

Monday 27 July  
2009  
7.00 pm

Council Chamber  
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  
Ivor Westmore  
Committee Support Services**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH**

**Tel: Fax: (01527) 65216**

**e.mail: [committee@redditchbc.gov.uk](mailto:committee@redditchbc.gov.uk)**

**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).



# Council

27 July 2009

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

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

<p><b>1. Welcome</b></p>	<p>The Mayor will open the meeting and welcome all present.</p> <p>The Mayor's Chaplain, Canon David Rogers, will lead the Council in prayer.</p>
<p><b>2. Apologies</b></p>	<p>To receive any apologies for absence on behalf of Council members.</p>
<p><b>3. Declarations of Interest</b></p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p><b>4. Minutes</b> Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Council held on 22 June 2009.</p> <p><b>(Minutes circulated in Minute Book 2 - 2009/10 – to follow)</b></p>
<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. Leaders' Questions</b> (Pages 1 - 2) Chief Executive</p>	<p>To consider the following Question for the Leader, which has been submitted in accordance with Standing Order 8A:</p> <p><u>"Himbleton Close - Kitchen Refurbishment"</u> (Mr G Marsden)</p> <p>(Question attached)</p> <p><b>(Lodge Park Ward)</b></p>
<p><b>7. Executive Committee</b> (Pages 3 - 4) Chief Executive</p>	<p>A. To receive the minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee (Decision Notice previously circulated):</p> <p><u>1 July 2009</u></p> <p>Matters requiring the Council's consideration include:</p> <ul style="list-style-type: none"><li>• Proposals for Reinvestment – Economic Downturn;</li><li>• Insurance Premium Savings – Consortium Tenders;</li><li>• Performance Management Framework;</li><li>• Local Development Scheme No. 3;</li><li>• Redditch Economic Development Strategy;</li><li>• Schedule of Buildings of Local Interest – Review and Update;</li><li>• Protocol for Involvement in Pre-application Discussions for Proposed Developments;</li><li>• Review and Proposed Amendment of Local Validation Checklist;</li><li>• Scheme of Delegation to Officers – Planning Enforcement and Planning Obligations;</li><li>• Safeguarding Children's Policy;</li><li>• Hewell Road Swimming Pool; and</li><li>• Asset Management and Disposal Programme.</li></ul> <p><b>(Minutes circulated in Minute Book 2 2009/10 – to follow – Matters arising report attached)</b></p> <p>B. To receive the Decision Notice and consider the recommendations and/or referrals from the following meetings of the Executive Committee:</p> <p><u>22 July 2009</u></p> <p>Matters requiring the Council's consideration may include:</p> <ul style="list-style-type: none"><li>• Council Flat Communal Cleaning Review;</li></ul>

- Constitution – Adoption of New Executive Arrangements;
- Off Street Car Parking Policy;
- Medium Term Financial Strategy and Plan 2010/11 to 2012/13;
- Sustainable Communities Act 2007 – Implications; and
- Arrow Valley Countryside Centre – Review of External Support.

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Matters requiring the Council's consideration include:

- Shared Services Board – Recommendations of the meeting held on 29 June 2009.

**(Separate report later on the agenda refers)**

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.

## 8. Regulatory Committees

Chief Executive

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

Audit and Governance Committee	-	30 June 2009
Planning Committee	-	16 June 2009
Standards Committee	-	24 June 2009

(All decisions here have been fully resolved. There are no matters for the Council's consideration)

<p><b>9. Shared Services Board - Business Case</b> (Pages 5 - 8) Chief Executive</p>	<p>To consider the recommendations of the meeting of the Shared Services Board on 29 June 2009 (and subsequently of the Executive Committee) in respect of the Shared Services arrangements between Redditch Borough Council and Bromsgrove District Council and the post of Acting Joint Chief Executive of the two authorities.</p> <p>(In view of the fact that it contains information relating to an individual or which is likely to reveal the identity of an individual and contemplated consultations or negotiations in connection with labour relation matters between the authority and employees of the authority, this report will not be for publication and will be circulated only to relevant Officers and Members of the Council. In view of this, it is anticipated that discussion of this matter will take place after the exclusion of the public).</p> <p>(Shared Services Board Minutes attached – Covering Report to follow.</p> <p>The Shared Services Business Case has previously been made available to all Members electronically and copies will be provided in the Group Rooms and on request to Committee Services. Otherwise, the Business Case will be available through the Council's Website at a link which will be forwarded to all Members on e-mail.)</p> <p><b>(All Wards)</b></p>
<p><b>10. Administrative Matters</b> Head of Legal, Democratic and Property Services</p>	<p>To consider a number of appointments to West Midland Regional and Worcestershire County Council bodies.</p> <p>(Oral report)</p> <p><b>(No Direct Ward Relevance)</b></p>
<p><b>11. Urgent Business - Record of Decisions</b> Chief Executive</p>	<p>To note the following decision taken in accordance with SO36 since the last meeting of the Council:</p> <p><u>Land Charges Fees</u> (Democratic Services Manager)(Decision Reference 477)</p> <p>The case for urgency was that the Council had to publish the calculation figures by the end of June this year and be able to show the workings for the cost of each Local Land Charges Search or enquiry.</p>



	<p><b>It was therefore RESOLVED that</b></p> <p><b>the Democratic Services Manager, in consultation with the Portfolio Holder for Corporate Management, be authorised to review and amend Local Land Charges Fees to meet the latest statutory requirements and related guidance</b></p> <p>(Report previously circulated for the Executive Committee)</p> <p><b>(All Wards)</b></p>
<p><b>12. Urgent Business - general (if any)</b></p>	<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>
<p><b>13. Exclusion of the Public</b></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><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 1, 2 and 4 of Part 1 of Schedule 12 (A) of the said Act, as amended.”</b></p> <p><b>Item 9 – Shared Services Board - Recommendations</b></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>



## Council

27 July 2009

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### LEADER'S QUESTIONS

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The following question for the Leader has been received in accordance with Standing Order 8A:-

Question submitted by Mr G Marsden:

1. "Himbleton Close - Kitchen Refurbishment"

*"I would like to know why Himbleton Close properties are not getting their kitchens refurbished within the current financial year, in spite of residents having been promised this refurbishment every year since 2000 ?*

*This year the refurbishment has been put back a year yet again. Now we're told that the works are due after April 2010."*



No Specific Ward relevance

## **Council**

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### **EXECUTIVE COMMITTEE, 1 JULY 2009 – MATTERS ARISING**

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

1. **Purpose of Report**

To ask that the Council consider two matters arising from the meeting of the Executive Committee on 1 July 2009 and amendments or additions to the referrals on those particular items

2. **Recommendations**

**INSURANCE PREMIUM SAVINGS – CONSORTIUM TENDER  
(Minute 36)**

**RECOMMENDED that**

- 1) **authority be delegated to the Head of Financial, Revenues and Benefits Services, in consultation with the Risk Monitoring Group and the relevant Portfolio Holder, to utilise these monies; and**

**SCHEME OF DELEGATION TO OFFICERS – PLANNING SERVICES AMENDMENTS RELATING TO PLANNING ENFORCEMENT AND PLANNING OBLIGATIONS (Minute 43)**

**RESOLVED that**

- 2) **the update to the recommendation, as set out in paragraphs 3.3 and 3.4 below, in respect of the implementation of the new scheme be noted.**

3. **Report**

**Key Issues**

- 3.1 The decision taken at the Executive Committee on 1 July in respect of the Insurance Premium Savings mistakenly included a resolution purporting to delegate authority to an Officer of the Council. Clearly, such a decision can only be taken by the Council and so the resolution on that point has been changed to a recommendation as in Paragraph 2, above.
- 3.2 In respect of the Scheme of Delegation to Planning Officers report, further explanation of the delegations has been provided by service Officers, as set out in paragraphs 3.3 and 3.4 below.

- 3.3 With regard to Planning Enforcement, Members should be aware that 'direct action' in this case means that the Council take the action required and put a charge on the land in order to recover costs (see appendix 1)
- 3.4 Members should also be aware that prior to serving notices using delegated powers, Members will receive an email notification of this intent, giving a period of at least 14 days in which Members can call in matters to be considered at planning committee, by emailing or writing in as indicated within the email notification. If the period elapses without further contact, action will be taken by officers under their delegated powers. It is intended to commence the new scheme on 1 September 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 (email: [ivor.westmore@redditchbc.gov.uk](mailto:ivor.westmore@redditchbc.gov.uk)). For more information on either of the matters referred to above, please contact Teresa Kristunas (Head of Financial, Revenues and Benefits Services) on extension 3295 and / or Ailith Rutt (Development Control Manager) on extension 3374.

5. **Appendices**

None.

By virtue of paragraph(s) 1, 2, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted





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Document is Restricted

