

# Council

Mon 26th October  
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**

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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

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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

26th October 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 14th September 2009.</p> <p><b>(Minutes circulated in Minute Book 4 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> Chief Executive</p>	<p>No Questions for the Leader have been submitted according to the requirements of Standing Order 8A.</p>
<p><b>7. Notices of Motion</b> (Pages 1 - 2) Chief Executive</p>	<p>To consider a Notice of Motion submitted by Councillor C MacMillan, concerning St Stephens C of E First School.</p> <p>(Report attached)</p> <p><b>(Abbey Ward)</b></p>
<p><b>8. Executive Committee</b> (Pages 3 - 10) Chief Executive</p>	<p>A. To formally receive the minutes of the meetings of the Executive Committee on 12th and 26th August 2009</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 meetings of the Executive Committee:</p> <p><u>16th September 2009</u></p> <p>Matters requiring the Council's consideration include:</p> <ul style="list-style-type: none"><li>• Complaints Policy – Reviewed Procedure;</li><li>• Town Centre Strategy;</li><li>• Decent Homes Capital Programme;</li><li>• Redditch Crematorium – Cremator Replacement and Building Upgrades;</li><li>• Redditch Open Air Market – Market Regulations 2009/2010;</li><li>• Arrow Valley Countryside Centre – Installation of Bus Stop;</li><li>• Business Case – Shared Services for CCTV and Lifeline; and</li><li>• Business Case – Shared Services for ICT Services.</li></ul> <p><u>22nd September 2009</u></p> <p>Matters requiring the Council's consideration include:</p> <ul style="list-style-type: none"><li>• Benefits Service Improvement Plan – Quarterly Monitoring Report; and</li><li>• Abbey Stadium Sports Centre.</li></ul> <p><b>(Minutes circulated in Minute Book 4 2009/10 – to follow)</b></p>

	<p>C. To receive the decision notice and consider the recommendations and/or referrals from the following meeting of the Executive Committee:</p> <p><u>7th October 2009</u></p> <p>Matters requiring the Council's consideration include:</p> <ul style="list-style-type: none"><li>• Joint Municipal Waste Management Strategy; and</li><li>• Disabled Facilities Grant and the Lifetime Grant.</li></ul> <p>(Decision Notice attached)</p> <p>Any matters arising, not covered elsewhere in the agenda, will be considered under this heading).</p> <p>Confidential matters may be taken after the Exclusion of the Public, <u>subject to notification at this point in the meeting.</u></p>
<p><b>9. Regulatory Committees</b> Chief Executive</p>	<p>To formally receive the minutes of the following meetings of the Council's Regulatory Committees:</p> <p>Audit and Governance Committee - 29th September 2009</p> <p>Licensing Committee - 28th September 2009</p> <p>Planning Committee - 8th September 2009 6th October 2009</p> <p>Standards Committee - 30th September 2009</p> <p>(All decisions here have been fully resolved. There are no outstanding recommendations or referrals which require the Council's consideration.)</p> <p><b>(Minutes circulated in Minute Book 4 2009/10 – to follow)</b></p>
<p><b>10. Urgent Business - Record of Decisions</b> Chief Executive</p>	<p>To note any decisions taken in accordance with Standing Order 36 and/or the Overview and Scrutiny Procedure Rules (Constitution), as specified.</p> <p>(None to date).</p>

<b>11. 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>12. Exclusion of the Public</b>	<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 (to be specified) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</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

### NOTICE OF MOTION – – ST STEPHEN'S FIRST SCHOOL

The following Notice of Motion has been submitted in accordance with Standing Order 6 by Councillor Colin MacMillan:

*“St Stephen’s Church of England First School is a mixed, Church of England, voluntary controlled First School based in Mabey Avenue within the Abbey Ward of Redditch with 157 students on its roll.*

*Ofsted inspected the school on 8-9 July 2009 and gave it the following grades:-*

<i>Overall effectiveness of the school</i>	<i>Outstanding (1)</i>
<i>Effectiveness of the Early Years Foundation Stage</i>	<i>Outstanding (1)</i>
<i>Achievement and Standards</i>	<i>Outstanding (1)</i>
<i>Personal development and well-being</i>	<i>Good (2)</i>
<i>Teaching and Learning</i>	<i>Outstanding (1)</i>
<i>Curriculum and other activities</i>	<i>Outstanding (1)</i>
<i>Care, guidance and support</i>	<i>Outstanding (1)</i>
<i>Leadership and Management</i>	<i>Outstanding (1)</i>

*In a letter to the children Andrew Watters, Her Majesty’s Inspector, described the school as ‘...outstanding, which means that it is one of the best schools in the country...’*

***Would the Council join with me in congratulating Kathy Skan, Headmistress, and all her staff, governors and, of course, the pupils for this great achievement and ask the Chief Executive to write to them expressing the Council’s recognition of their achievement.***

*In addition I would ask the Mayor and Leader of the Council to visit the school to personally pass on their thanks to all concerned.*

*I move that the Council approve the Motion in the Terms stated and that the action indicated in the penultimate paragraph above be pursued.”*

Proposed by: Cllr C MacMillan

Seconded by: Cllr M Braley





## Executive Committee

7th October 2009

### Notice of Decisions

#### Present:

Councillor Michael Braley (Vice-Chair) and Councillors P Anderson, J Brunner, W Hartnett, N Hicks, C MacMillan and M Shurmer

#### Officers:

J Bough, M Bough, J Braithwaite, S Hanley, R Kindon, S Mullins, G Revans, A Rutt and P Wilkins

#### Committee Services Officer:

I Westmore

#### 141. APOLOGIES

Apologies for absence were received on behalf of Councillors B Clayton and Gandy.

#### 142. DECLARATIONS OF INTEREST

Councillor Anderson declared a personal and prejudicial interest in Item 11 (Minutes / Referrals - Urgent Recommendation from the Grants Panel) as detailed separately at Minute 151 below.

#### 143. LEADER'S ANNOUNCEMENTS

The Chair advised that the following items of business, scheduled on the Forward Plan to be dealt with at this meeting, had been rescheduled to a later meeting:

- Energy Strategy
- Easemore Road Community House – Options Appraisal

The Chair also advised that he had accepted the following matters as Urgent Business:

Item 5 - Overview and Scrutiny Committee referral in respect of the Joint Municipal Waste Strategy;

Item 11 - Minutes / Referrals – Urgent Recommendation from the Grants Panel in respect of the grant application from the Caribbean Roots Connection; and

.....  
Chair

Item 15 - REDI Centre – Leasing Options

(Not meeting the publication deadline)

**144. MINUTES**

**RESOLVED that**

**the minutes of the meeting of the Committee held on 12th and 26th August 2009 be confirmed as a correct record and signed by the Chair.**

**145. JOINT MUNICIPAL WASTE STRATEGY**

**RECOMMENDED that:**

- 1) the Council endorses the reviewed Joint Municipal Waste Management Strategy and agrees the adoption of the revised Strategy for Herefordshire and Worcestershire, subject to full consideration of the business case for the collection of garden waste;**
- 2) the Council requests that the County Council provides Worcestershire District Councils with suitable financial support to better enable the authorities to work jointly toward the goals set in the JMWMS. The Head of Environment be delegated responsibility to undertake such negotiations in consultation with the Portfolio Holder for Housing, Local Environment and Health;**
- 3) the Council requests that Worcestershire County Council work with the District Councils to identify any efficiency savings on waste collection and disposal that arise from the revised JMWMS that can be shared amongst the Partners;**
- 4) the Council thank the drafting team of Richard Woodward (Worcestershire County Council), Kenton Vigus (Herefordshire Council) and Sue Horrobin (Redditch Borough Council) for their work producing this document and Bobbie Ashby (Redditch Borough Council) for her graphic design work on both the questionnaire and the final Headline Strategy document.**

**146. DISABLED FACILITIES GRANT AND THE LIFETIME GRANT**

**RESOLVED that**

- 1) the contents of the report relating to budget spend for the Disabled Facilities Grant and Lifetime Grant for 2009/10 be noted; and**

**RECOMMENDED that**

- 2) a re-allocation of funding in the sum of £50,000 from the existing Lifetime Grant capital funding for 2009/10, to the Disabled Facilities Grant funding be approved.**

(Officers undertook to provide a written response to Members in respect of the use, if any, that the Council made of second hand equipment, particularly stairlifts.)

The Chair proposed that the investigation of possible actions to reduce the Priority waiting list be referred to the Overview and Scrutiny Committee.)

**147. PLANNING APPLICATION REQUIREMENTS - NATIONAL CHANGES**

**RESOLVED that**

**the response at Appendix 2 to Communities and Local Government regarding the consultation document 'Streamlining information requirements for planning applications' be endorsed and submitted.**

**148. PUBLICATION OF PLANNING APPLICATIONS - CONSULTATION**

**RESOLVED that**

**the response at Appendix 2 to Communities and Local Government regarding the consultation document 'Publicity for Planning Applications' be endorsed and submitted.**

(Officers were asked to consider a slight expansion of the circulation of notifications of planning applications should these new measures come into effect.)

**149. INCREASED PERMITTED DEVELOPMENT RIGHTS**

**RESOLVED that**

**the response at Appendix 2 to Communities and Local Government regarding the consultation document 'Improving Permitted Development' be endorsed and submitted.**

**150. IRRECOVERABLE DEBTS**

**RESOLVED that**

**the debts totalling £47,922.19 as detailed in the Schedule attached to the report be written off as irrecoverable.**

(It was noted that the Portfolio Holder had requested a briefing for Members on the processes involved in the recovery and write off of debts relating to the Council's property.)

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed concerning the personal details of individuals.

There is nothing exempt, however, in this record of the proceedings.)

**151. MINUTES / REFERRALS - URGENT RECOMMENDATION FROM THE GRANTS PANEL**

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed in respect of the financial or business affairs of other organisations, including the authority holding that information.)

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Anderson declared a personal and prejudicial interests in view of his involvement in a local voluntary sector organisation, and withdrew from the meeting.)

**152. ADVISORY PANELS - UPDATE REPORT**

**RESOLVED that**

**the report be noted.**

(It was noted that there was to be a meeting of the Planning Advisory panel on Tuesday, 20th October 2009, to which all Members would be invited, at which an update on the Regional Spatial Strategy would be provided.)

**153. ACTION MONITORING**

Members noted the Action Monitoring Sheet.

**154. EXCLUSION OF THE PUBLIC**

**RESOLVED 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 matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12 (A) of the said Act, as amended.**

**Irrecoverable Debts (as detailed at Minute 150 above);**

**Minutes / Referrals – Urgent Recommendation from the Grants Panel (as detailed at Minute 151 above);**

**REDI Centre – Leasing Proposals (as detailed at Minute 155 below);**

**155. REDI CENTRE - LEASING OPTIONS**

(Officers undertook to provide Councillor Hartnett with an estimate of the capital value of the property following the meeting.)

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed which could reveal provisional terms of land disposal subject to negotiation which may affect the Council's bargaining position with prospective tenants.)

**Executive**  
Committee

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7th October 2009

The Meeting commenced at 7.05 pm  
and closed at 9.10 pm



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

Document is Restricted

