

# Council

Monday 28th June  
2010  
7.00pm

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: (01527) 64252 (Extn. 3269) Fax: (01527) 65216  
e.mail:[ivor.westmore@redditchbc.gov.uk](mailto:ivor.westmore@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 **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

28th June 2010

7.00pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:	Kath Banks (Mayor)	Bill Hartnett
	Anita Clayton	Nigel Hicks
	Peter Anderson	Roger Hill
	Michael Braley	Gay Hopkins
	Andrew Brazier	Robin King
	Juliet Brunner	Wanda King
	Michael Chalk	William Norton
	Simon Chalk	Jinny Pearce
	Greg Chance	Brenda Quinney
	Brandon Clayton	Mark Shurmer
	Jack Cookson	Debbie Taylor
	Andrew Fry	Derek Taylor
	Carole Gandy	Diane Thomas
	Adam Griffin	Graham Vickery
	Malcolm Hall	

<p><b>1. Welcome</b></p>	<p>The Mayor will open the meeting and welcome all present.</p> <p>The Mayor's Chaplain, the Reverend Jo Musson, 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 the 24th May and 14th June 2010.</p> <p><b>(Minutes circulated in Minute Book 1 - 2010/11 – 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>

<b>6. Leader's Announcements</b>	To receive a report from the Leader on matters considered to be of significance to the Council.  (No separate report / oral update)
<b>7. Leaders' Questions / Notices of Motion</b>  Chief Executive	No questions for the Leader/Notices of Motion have been submitted according to the requirements of Standing Order 8A.
<b>8. Executive Committee</b> Chief Executive	A. To receive the minutes and consider the recommendations and/or referrals arising from the following meeting of the Executive Committee:  <u>26th May 2010</u>  Matters requiring the Council's consideration include: <ul style="list-style-type: none"><li>• Employment Land Review Update;</li><li>• Worcestershire Supporting People Strategy 2010 to 2013;</li><li>• Capital Budget Provision 2009/10 and 2011/12 for Asbestos Removal;</li><li>• Spring Industry Public Art Project; and</li><li>• Shared Services Board – Recommendations.</li></ul> <b>(Minutes circulated in Minute Book 1 – 2010/11 – To follow)</b>  B. To receive the decision notice and consider the recommendations and/or referrals from the following meeting of the Executive Committee:  <u>16th June 2010</u>  Matters requiring the Council's consideration include: <ul style="list-style-type: none"><li>• Petition Scheme;</li><li>• Worcestershire Partnership – Terms of Engagement;</li><li>• Business Centre Review; and</li><li>• REDI Centre – Options.</li></ul> <b>(Decision notice to follow)</b>

<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 &amp; Governance Committee - 20th April 2010</p> <p>Licensing Committee - 17th May 2010 - 3rd June 2010</p> <p>Planning Committee - 27th April 2010 - 25th May 2010.</p> <p><b>(Minutes circulated in Minute Book 1 – 2010/11 – To follow)</b></p>
<p><b>10. Independent Remuneration Panel for Worcestershire District Councils</b> (Pages 1 - 4)</p>	<p>To consider a proposal to establish a joint Independent Remuneration Panel to serve the 6 District Councils within Worcestershire.</p> <p>Please note that the attached report has been produced by Officers of Wychavon District Council on behalf of and in consultation with Democratic Services Officers from all District Councils within the County.</p> <p>(Report attached)</p> <p><b>(All Wards)</b></p>
<p><b>11. Administrative Matters</b> Chief Executive</p>	<p>To consider a number of administrative matters including appointments to the following positions / bodies:</p> <p>Joint Committee for Worcestershire Enhanced Two Tier Regulatory Service – named substitutes;</p> <p>Standards Committee – Councillors Jinny Pearce, Greg Chance and Malcolm Hall were nominated at the Annual Meeting but only one Executive member is allowed;</p> <p>Shared Services Board – noting the appointment of Councillor Jinny Pearce as the fourth substitute to the Shared Services Board.</p> <p><b>(No Direct Ward Relevance)</b></p>

<p><b>12. Urgent Business - Record of Decisions</b></p> <p>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>
<p><b>13. 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>14. 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 rounds 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>

(Note: Anyone requiring copies of any previously circulated reports, or supplementary papers, should please contact Committee Services Officers in advance of the meeting.)





**Report To: Council - 29<sup>th</sup> June 2010 (RBC 28<sup>th</sup> June 2010)**

**By: Democratic Services Officers from Bromsgrove, Malvern Hills, Redditch, Worcester City, Wychavon and Wyre Forest Councils**

<b>Title: Independent Remuneration Panel for Worcestershire District Councils</b>	Ward Councillor/s  <b>All</b>
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Background Papers: None

**1. Summary**

- 1.1. This report outlines proposals to establish a joint Independent Remuneration Panel to serve the 6 District Councils within Worcestershire.

**2. Recommendations**

- 2.1. That the current Independent Remuneration Panel for Malvern Hills District, Worcester City and Wychavon Councils be appointed as the Joint Independent Remuneration Panel for Bromsgrove District, Malvern Hills District, Redditch Borough, Worcester City, Wychavon District and Wyre Forest District Councils; and
- 2.2. That one Councillor from each participating authority be appointed to a Joint Committee to review and agree the terms of reference of the Panel, the operating arrangements and other relevant details.

**3. Implications & Impact**

**3.1. Council Priorities and Community Plan Themes**

Successful - delivering excellent and value for money services

**3.2. Resource Implications**

- Financial implications - we estimate the costs of the Panel will be met within existing budgets.

- Staffing implications – by rotating support for the Panel there should be no staffing implications except in the period that a particular authority is administering it.
- Risks – if the Panel is not established there is a risk that some of the District Councils will not be able to take independent advice on their allowances in time for budget discussions. The Panel will have a tight timescale to report to this year and if there is a delay in establishing it there is a risk that it cannot complete its work in time.
- Legal – the proposals comply with relevant legislation.
- Property – none.

### **3.3 Diversity Impact Assessment**

Not required.

## **4. Background**

- 4.1. The Local Government Act 2000 established a requirement for an Independent Remuneration Panel (IRP) to review and recommend allowances for Councillors. The Panel can also be used to do similar work for Parish Councils.
- 4.2. Officers from each authority in Worcestershire have been discussing potential areas for achieving savings and efficiencies in legal and democratic services. As part of these discussions, it has been suggested that we consider appointing a single Independent Remuneration Panel for the Worcestershire District Councils. The Panel would consider and make recommendations on the level of allowances for Councillors on each Council and would be the remuneration panel for the Parish Councils in each area.
- 4.3. Malvern Hills, Worcester and Wychavon have shared a Panel since 2001. The other 3 Districts have used individual Panels but in some cases they have vacancies on them. It is therefore opportune to consider establishing a Panel for all the Districts.
- 4.4. The Officers have discussed whether to ask the County Council's Independent Panel to take in the work for all Councils in Worcestershire. They have discounted this option for a number of reasons including workload and the differences in responsibilities between County and District Councillors.
- 4.4 The advantages of sharing a Panel are:
  - Efficiencies in servicing and recruiting to one Panel rather than duplicating work across each authority;
  - Sharing costs associated with the Panel's work;

- One Panel can develop expertise in the way Local Government works across Worcestershire and apply a consistent approach across all the Councils;
- 4.5 The potential disadvantages of a shared Panel include:
- Heavy workload meaning it is unable to make timely recommendations;
  - Not sufficiently aware of each Council's individual circumstances leading to recommendations which do not appear credible.
- 4.6 We have experience of a shared Panel within the County and this has generally worked well. The key to achieving credible recommendations within timescale is for the members of the Panel to be selected carefully and having good support from each participating authority. We envisage that a Panel of Councillors would be used to select members of the IRP. Each Council will be expected to provide appropriate officer input to support the Panel and to act as conduit for consultation, research and information purposes. This will not generally require any additional commitment to that already provided by each authority.
- 4.7 The current shared Panel has rotated responsibility for arranging and co-ordinating meetings and agendas between the three participating authorities. We suggest that this approach continues with each participant providing such support for 2 years at a time.
- 4.8 The Panel would not produce one single scheme applicable to all participating authorities, but would review and report to each authority separately, taking into account their own circumstances and operating arrangements. In practice however, the Panel will carry out consistent research across all authorities as well as benchmarking against the national picture.
- 4.9 *Usually Councils require a report from the Panel in December each year in order to consider recommendations as part of the budget process. In view of this we suggest that the current Panel for South Worcestershire is invited to become the IRP for the Worcestershire Districts, starting work immediately.*
- 4.10 *The current Panel has 5 members, who are due to retire by rotation. We suggest that members of the Panel are recruited from the additional Districts' areas as vacancies occur. The first vacancy is due to arise in December 2010.*
- 4.11 If the Council agrees to the proposal, we recommend that one Councillor is appointed to a joint Working Party to review and agree the Terms of reference for the IRP, the operating arrangements and other relevant details.

- 4.12 Currently there are different arrangements for payment of Panel members and costs involved in advertising schemes. We estimate the direct costs of supporting a Joint Panel will be less than currently incurred overall, excluding advertising costs which are likely to remain the responsibility of each authority.