

Council

Monday 9th August
2010
7.00 pm

Council Chamber
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
Ivor Westmore
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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).



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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	

1. Welcome	<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>
2. Apologies	<p>To receive any apologies for absence on behalf of Council members.</p>
3. Declarations of Interest	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
4. Minutes Chief Executive	<p>To confirm as a correct record the minutes of the meeting of the Council held on 28th June 2010.</p> <p>(Minutes circulated in Minute Book 2 - 2010/11 – To follow)</p>

<p>5. Petition - REDI Users (Pages 1 - 2) Head of Legal, Equalities and Democratic Services</p>	<p>To consider a petition submitted by the REDI Centre Action Group in respect of the options being explored for future provision of adult education training services currently provided at the REDI Centre.</p> <p>Given the relevance of the recommendation of the Executive Committee on 28th July 2010 in respect of the REDI Centre Options (Minute 44, on decision notice, to follow) to this petition, it has been agreed by the Mayor that both matters will be considered at this point on the agenda. At the discretion of the Mayor, the order of the agenda has also been varied to place this item before Mayor's and Leader's Announcements, Leader's Questions and Notices of Motion.</p> <p>(Report attached)</p> <p>(All Wards in respect of service provision)</p>
<p>6. Communications and Mayor's Announcements</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>7. Leader's Announcements</p>	<p>To receive a report from the Leader on matters considered to be of significance to the Council.</p> <p>(No separate report / oral update)</p>
<p>8. Leaders' Questions Chief Executive</p>	<p>No questions for the Leader had been received in accordance with Standing Order 8A.</p>
<p>9. Notice of Motion (Pages 3 - 4) Chief Executive</p>	<p>To consider a Notice of Motion submitted by Councillor W Norton in accordance with Standing Order 6, concerning concessionary bus travel.</p> <p>(Report attached)</p> <p>(All Wards)</p>

10. Executive Committee

Chief Executive

A. To formally receive the minutes of the meeting of the Executive Committee held on 16th June 2010.

(All decisions here have previously been fully resolved. There are no outstanding recommendations or referrals which require the Council's consideration.)

(Minutes circulated in Minute Book 2 2010/11 – to follow)

B. To receive the decision notice and consider the recommendations and/or referrals from the following meeting of the Executive Committee:

28th July 2010

Matters requiring the Council's consideration may include:

- REDI Centre Options (to be considered earlier on the agenda);
- Council Plan 2010 / 2013;
- Redditch Borough Council's Sheltered Housing Stock; and
- Write Off Policy Update.

(Decision notice to follow)

11. Regulatory Committees

Chief Executive

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

Audit & Governance Committee - 15th June 2010

- 29th June 2010

Licensing Committee - 19th July 2010

Planning Committee - 22nd June 2010

- 20th July 2010

Standards Committee - 30th June 2010

(Minutes circulated in Minute Book 2 – 2010/11 – To follow)

<p>12. Administrative Matter - Taxi Forum</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>To consider the establishment on a formal basis of the Council's existing Taxi Forum, the means by which the authority consults and communicates with local private hire and hackney carriage vehicle licence holders, including the appointment of a Chair from amongst the members of the Council.</p> <p>(No Specific Ward Relevance)</p>
<p>13. Urgent Business - Record of Decisions</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>14. Urgent Business - general (if any)</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>15. Exclusion of the Public</p>	<p>Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:</p> <p>“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.”</p>

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

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PETITION – REDI USERS

Relevant Portfolio Holder(s)	Cllr P Anderson / Cllr J Pearce
Relevant Head of Service	Head of Leisure & Cultural Services
Not a Key Decision <i>(in relation to this specific item)</i>	

A Petition has been received containing over 1,250 signatures in accordance with the new constitutional arrangements / new Petition Scheme. The ‘prayer’ of the petition is as follows:

“We the undersigned would like to petition the Councillors of Redditch to fund the REDI Centre fully until either further funding is found, or the business is transferred to another provider.

We feel as Taxpayers and voters we have the right to ask the Councillors to seriously consider the above request. The Council have a duty of care to the adult population of Redditch to provide opportunities to obtain further skills and qualifications to give us better employment prospects which in turn will help the local economy. Previously when cuts have been suggested we have always had NEW College as an alternative – this is no longer an option as their funding is for 18-19 year olds.

If you close the REDI Centre we have nowhere else that provides a duplication of this service, the qualification courses, learndirect, on-site nursery and Restaurant and Advice and Guidance.”

The recently adopted scheme provides for the ‘petition organiser’, Ms Justine Bailey, to be given the opportunity *“to present the petition at the meeting and the petition will then be discussed by Councillors, with a maximum of 15 minutes being allowed for the consideration of each petition. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the Council’s Executive Committee is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will then receive written confirmation of this decision.”*

AUTHOR OF REPORT

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NOTICE OF MOTION – CONCESSIONARY BUS FARES

Relevant Portfolio Holder(s)	Cllr J Pearce
Relevant Head of Service	Head of Legal, Equalities & Democratic Services
Not a Key Decision	

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

“Redditch Borough Council NOTES that:

1. *the Coalition Government has decided to continue with the policy of the previous government of reorganising the free bus pass system so that in the case of Redditch it will in future be administered by Worcestershire County Council;*
2. *this will involve a reallocation of central government grants from Redditch Borough Council to Worcestershire County Council from April 2011 at the latest;*
3. *as a result of this reorganisation the risk is that free bus pass will in future cover only a core service beginning after 9.30 am, which is narrower than the coverage currently provided by the Redditch-administered bus pass;*
4. *any enhancements to the new bus pass core service will have to be financed by Redditch Borough Council out of other grants and income, and the ability to do so will depend upon the level of grant reallocated from Redditch to Worcestershire County Council by central government;*
5. *despite the fact that this reorganisation was confirmed by Alistair Darling MP in the December 2009 Pre Budget Report, officers of Worcestershire County Council have informed the Overview & Scrutiny Committee that central government has so far failed to confirm the basis on which the reallocation of funds will take place, or the amounts involved.*

Redditch Borough Council REQUESTS the Leader of the Council and the Chief Executive Officer to:

1. *write to the Department for Transport deploring the unreasonable delay in confirming the basis of the reallocation of funding and requesting an early deadline by which time these matters will be notified to us;*

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2. *use their good offices, together with those of the MP for Redditch, to make the Secretary of State for Transport and other relevant ministers aware of the importance to the residents of Redditch of an early resolution of this issue."*

Proposed by: Cllr William Norton

Seconded by: Cllr Graham Vickery