

Council

Monday 1st November
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
Committee Support Services**

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e.mail: ivor.westmore@redditchbc.gov.uk Minicom: 595528**

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:-

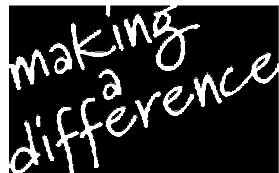
- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these 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).



Council

1st November 2010

7.00 pm

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	The Mayor will open the meeting and welcome all present. The Mayor's Chaplain, the Reverend Jo Musson, will lead the Council in prayer.
2. Apologies	To receive any apologies for absence on behalf of Council members.
3. Declarations of Interest	To invite Councillors to declare any interests they may have in items on the agenda.
4. Minutes Chief Executive	To confirm as a correct record the minutes of the meeting of the Council held on 20th September 2010. (Minutes circulated in Minute Book 5 - 2010/11)
5. Petition - Webheath ADR (Pages 1 - 2)	To consider a petition submitted by Mr D Rose in respect of land at Webheath. (Report attached)

<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. Leaders' Questions / Notices of Motion</p> <p>Chief Executive</p>	<p>No questions had been submitted to the Leader and no Notices of Motion had been received.</p>
<p>8. Executive Committee (Pages 3 - 128) Chief Executive</p>	<p>A. To formally receive the minutes of the meeting of the Executive Committee held on <u>8th September 2010</u></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>(Minutes circulated in Minute Book 5 – 2010/11)</p> <p>B. To receive the minutes and consider the recommendations and/or referrals arising from the following meeting of the Executive Committee:</p> <p><u>29th September 2010</u></p> <p>Matters requiring the Council's consideration include:</p> <ul style="list-style-type: none">• Administration of Small Charities by Page 3 the Council; and• Management Options Appraisal for Page 15 Pitcheroak Golf Course. <p>(Reports and decisions attached)</p> <p>(Minutes circulated in Minute Book 5 – 2010/11)</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>20th October</u></p> <p>Matters requiring the Council's consideration include:</p>

- Council Plan 2011/14 – Part 1 Page 27
- Customer Feedback Policy; Page 57
- Garden Waste Collection Service – Page 65
Outcome of trial;
- Home Repairs Assistance Policy Page 93
2010; and
- Regional Housing Pot Grant Page 113
Proposals
- Joint Committee for Worcestershire Page 121
Enhanced Two Tier Regulatory
Service.

(Reports and decisions attached)

(Decision notice to follow)

9. Regulatory Committees

Chief Executive

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

Audit and Governance Committee - 28th September 2010

Planning Committee - 14th September 2010

- 12th October 2010

Standards Committee - 13th October 2010

(Minutes circulated in Minute Book 5 – 2010/11)

10. Constitution - Update - Contract Procedure Rules

Head of Legal, Equalities and Democratic Services

To confirm the new Contract Procedure Rules, and substitute these for the previous Standing Order 46 for Contracts.

The Council is advised that it approved and adopted revised Contract Procedure Rules at its meeting in December 2009. Officers wish to fully implement these revised procedures, now that the training of all relevant Staff in the revised arrangements has been completed.

It is therefore RECOMMENDED that

the Revised Contract Procedure Rules formally supersede Standing Order 46 in the pack of Constitutional documents.

(Documents previously circulated to all Members and approved in December 2009. Further copies available on request.)

(No Direct Ward Relevance)

11. Urgent Business - Record of Decisions

Chief Executive

To note the following decision taken in accordance with SO36 since the last meeting of the Council:

Interest Free Energy Efficiency Loans

(Director of Policy, Performance and Partnerships)(Decision Reference 487)

On 6th September it came to the attention of officers that Salix (part of the Carbon Trust) had opened a new round of bids for funding for local authorities to install energy efficiency measures. The available funding would be distributed to bids which met the criteria in the order that they were received. Accordingly officers, having urgently completed the relevant bid documentation for a programme of works to Council owned buildings, required authority to pursue the funding application on an urgent basis. The urgency was such that there was not time for this matter to be formally reported to Full Council

It was therefore RESOLVED that

- 1) authority be delegated to the Director of Policy, Performance and Partnerships to apply for an interest free loan from Salix in the sum of £14,840 to fund energy efficiency measures within Council buildings, in the terms detailed in the report; and**
- 2) if the loan is granted by Salix, the Council set aside a budget for repayment of the loan, based on savings made on energy bills as a result of the installation of energy efficiency measures.**

12. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in her by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(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.)

13. Exclusion of the Public

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:

“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.”

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