

Council

Mon 21st February
2011
7.00pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL


*making
a
difference*

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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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

21st February 2011

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	

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. Communications and Mayor's Announcements	<p>To receive any exceptional announcements from the Mayor. (Regular communications and announcements will be considered at the next ordinary meeting of the Council on 28th March).</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>
5. Leader's Announcements	<p>To receive any exceptional announcements from the Leader on matters considered to be of significance to the Council.</p> <p>(No separate report / oral update)</p>

<p>6. Executive Committee / Council - Referrals (Pages 1 - 36) Chief Executive</p>	<p>To consider two referrals, the first from the Executive Committee on 1st February and the second from the Council meeting on 7th February which relate to financial decisions relevant to tonight's business.</p> <ul style="list-style-type: none">• Independent Remuneration Panel for Worcestershire District Councils – Annual Report and Recommendations for 2011/12 (Agreed to defer to this meeting at the meeting of the Executive Committee on 1st February to allow adequate time for consultation between Group Leaders); and• Introduction of a Private Sector Home Support Service (Deferred at the meeting of the Council on 7th February to allow Officers the opportunity to provide definitive guidance on the funding of private sector users of the service and any potential impact on the Housing Revenue Account). <p>(Decisions and reports attached)</p> <p>(All Wards)</p>
<p>7. Adjournment</p>	<p>To adjourn the meeting to permit a meeting of the Executive Committee to be held to consider the setting of the Council Tax for 2011/12 and any associated financial items.</p>
<p>[Meeting of Executive Committee]</p>	
<p>8. Fees and Charges Review 2011/12 Head of Finance and Resources</p>	<p>On the resumption of the meeting, to receive and consider recommendations from the Executive Committee and to pass the appropriate resolutions in respect of the review of Fees and Charges 2011/12.</p> <p>(Executive Committee Report refers)</p> <p>(All Wards)</p>
<p>9. Initial Estimates Report 2011/12 - 2013/14 Head of Finance and Resources</p>	<p>On the resumption of the meeting, to receive and consider recommendations from the Executive Committee and to pass the appropriate resolutions in respect of the Initial Estimates 2011/12 – 2013/14.</p> <p>(Executive Committee Report refers)</p> <p>(All Wards)</p>

<p>10. Council Tax – Year ending 31st March 2012</p> <p>Head of Finance and Resources</p>	<p>On the resumption of the meeting, to receive and consider recommendations from the Executive Committee and to pass the appropriate resolutions fixing the Council Tax for the year ending 31st March 2012.</p> <p>(Executive Committee Report refers)</p> <p>(All Wards)</p>
<p>11. 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 her 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>12. 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.)