

Council

Monday 28th March
2011
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**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 (Extn. 3269) Fax: (01527) 65216
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:-

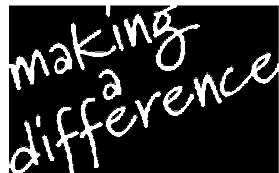
- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these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

28th March 2011

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

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

<p>1. Welcome</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>2. Apologies</p>	<p>To receive any apologies for absence on behalf of Council members.</p>
<p>3. Declarations of Interest</p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p>4. Minutes Chief Executive</p>	<p>To confirm as a correct record the minutes of the meetings of the Council held on 7th and 21st February 2011.</p> <p>(Minutes circulated in Minute Book 8 - 2010/11)</p>
<p>5. 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>6. 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>7. Notices of Motion – Bus Service Consultation Response</p> <p>Chief Executive</p>	<p>In consultation with the Mayor, an urgent cross-party Notice of Motion will be accepted for consideration at the meeting (to follow).</p> <p>Although a Notice of Motion would not normally be considered within a formal election period, it has been agreed exceptionally that, in order for the Borough Council to respond as a body, within the required timescales, to the current County Council consultation on Bus Services, a cross-party motion would be accepted.</p> <p>The results of the consultation process will be considered by the Overview and Scrutiny Committee on Wednesday 23rd March, and the Notice of Motion will be agreed and made available shortly after that.</p> <p>(Motion to follow)</p>
<p>8. Executive Committee</p> <p>(Pages 1 - 78)</p> <p>Chief Executive</p>	<p>A. To formally receive the minutes of the meeting of the Executive Committee held on <u>21st February 2011</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 8 – 2010/11)</p> <p>B. To receive the minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee:</p> <p><u>15th March 2011</u></p> <p>Matters requiring the Council's consideration include:</p> <ul style="list-style-type: none">• Redditch Sustainable Community Strategy; and• River Revetment Works – Old Forge Drive and Park Way. <p>(Reports and decisions attached)</p> <p>(Minutes circulated in Minute Book 8 – 2010/11)</p>

<p>9. Regulatory Committees Chief Executive</p>	<p>To formally receive the minutes and/or consider the recommendations/ referrals arising from of the following meetings of the Council's Regulatory Committees:</p> <p>Planning Committee – 2nd February 2011 1st March 2011</p> <p>(Minutes circulated in Minute Book 8 – 2010/11)</p>
<p>10. Shared Services Board</p>	<p>To consider the minutes and recommendations arising from the meeting of the Shared Services Board held on 22nd March 2011.</p> <p>(Minutes to follow)</p>
<p>11. Overview and Scrutiny Committee - Annual Report</p>	<p>To consider the Annual Report of the Council's Overview and Scrutiny Committee.</p> <p>(Annual Report under separate cover)</p> <p>(No Specific Ward Relevance)</p>
<p>12. Urgent Business - Record of Decisions Chief Executive</p>	<p>To note the following decision taken in accordance with Standing Order 36 since the last ordinary meeting of the Council:</p> <p><u>Housing Act 2004 Delegated authority to Officers to act.</u> (Executive Director - Planning, Regeneration, Regulatory & Housing)</p> <p>All necessary approvals were sought to delegate to an officer of the Council authority to implement the provisions of the Housing Act 2004 as these functions were not transferred to the Worcestershire Regulatory Service and under the current scheme the Delegation is only to the Head of the Regulatory Service. It only recently came to light that as a result of the fact that the Private Sector Housing function was not transferred to the Worcestershire Regulatory Service and that the Head of Regulatory Service holds the delegation, no officer working within the Community Services / Private Sector Housing departments of the Council currently held delegated authority to implement the provisions of the Housing Act 2004, hence the need for urgency.</p> <p>It was therefore RESOLVED that</p> <p>the Scheme of Delegation to Officers be amended to authorise any of the following Officers to act under the provisions of the Housing Act 2004 and to authorise Officers to issue and refuse licences as appropriate :</p>

	<p>EXECUTIVE DIRECTOR - PLANNING, REGENERATION, REGULATORY & HOUSING /HOUSING POLICY MANAGER /ENVIRONMENTAL HEALTH OFFICER / (AREA EHO)(Private Sector Housing)</p>
<p>13. 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>14. 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.)