

Council

Mon 11th Jan
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
Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: Fax: (01527) 65216**

e.mail: committee@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

Monday, 11th January, 2010

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	M Hall (Mayor)	N Hicks
	K Banks (Deputy Mayor)	G Hopkins
	P Anderson	D Hunt
	M Braley	R King
	J Brunner	W King
	M Chalk	C MacMillan
	G Chance	P Mould
	A Clayton	W Norton
	B Clayton	J Pearce
	J Cookson	B Quinney
	D Enderby	M Shurmer
	J Field	D Smith
	A Fry	D Taylor
	C Gandy	D Thomas
	W Hartnett	

1. Welcome	The Mayor will open the meeting and welcome all present. The Mayor's Chaplain, Canon David Rogers, 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.

COUNCIL

Monday, 11th January, 2010

<p>4. Minutes Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Council held on 7th December 2009.</p> <p>(Minutes circulated in Minute Book 6 - 2009/10 – To follow)</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. Leaders' Questions Chief Executive</p>	<p>No questions for the Leader have been submitted according to the requirements of Standing Order 8A.</p>

7. Executive Committee

(Pages 1 - 2)

Chief Executive

- A. To formally receive the minutes of the meeting of the Executive Committee on 2nd December 2009.
- (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 6 – 2009/10 – To follow)**
- B. To receive the minutes and consider the recommendations and/or referrals from the following meeting of the Executive Committee:
- 9th December 2009
- Matters requiring the Council's consideration include:
- Tenant Involvement Strategy 2009-12;
 - Voluntary Sector Grant Applications 2009/10;
 - 'Opt-in' Chargeable Garden Waste Collection – Business Case;
 - Feckenham Allotments;
 - Fees and Charges 2010/11; and
 - Community Centre Service – Options for Future Delivery.
- (Matters arising report attached – minutes circulated in Minute Book 6 – 2009/10 – To follow)**
- C. To receive the decision notice and consider the recommendations and/or referrals from the following meeting of the Executive Committee:
- 6th January 2010
- Matters requiring the Council's consideration include:
- Worcestershire Enhanced Two Tier (WETT) Programme;
 - Local Development Framework – Office Needs Assessment;
 - Water Quality Policy; and
 - Private Sector Housing Strategy 2010-2015.
- (Decision notice to follow)**

COUNCIL

Monday, 11th January, 2010

<p>8. Regulatory Committees Chief Executive</p>	<p>To formally receive the minutes of the following meetings of the Council's Regulatory Committees:</p> <p>Audit and Governance Committee - 29th September 2009</p> <p>(The minutes of the meeting of the Audit and Governance Committee on 29th September 2009 had previously been submitted to Council on 26th October 2009 but, at the request of the Chair, were withdrawn to be re-submitted to a later meeting of the Council.)</p> <p>Planning Committee - 1st December 2009</p> <p>Standards Committee - 8th December 2009</p> <p>(Minutes circulated in Minute Book 6 – 2009/10 – To follow)</p>
<p>9. Urgent Business - Record of Decisions 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>10. 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>

11. 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.”

Council

11th January 2010

EXECUTIVE COMMITTEE – MATTERS ARISING REPORT

Executive Committee 9th December 2009

A. OPT-IN' CHARGEABLE GARDEN WASTE COLLECTION – BUSINESS CASE (Minute 201)

1. Summary

The Joint Municipal Waste Management Strategy (JMWMS) 2009 sets the Partnership a target of 43% recycling / composting by 2014. As a signatory to the JMWMS 2009, Redditch Borough Council has committed to play its part and increase its recycling / composting rate (NI 192) to help achieve this.

This supplementary report requests Members' approval to introduce a paid for 'opt in' garden waste collection service during 2010/11.

2. Additional Recommendation

The Council is asked to RESOLVE that

- 11) to ensure that there is maximum take up and that ongoing promotion of the new service is effective, there be an option to reduce the charge for residents who take up the service later in the year; and
- 12) authority to set and/or vary the level of charges, in relation to the overall agreed annual charge, be delegated to the Head of Environment (or equivalent successor position) in consultation with the Portfolio Holder for Housing, Local Environment and Health; and that the Scheme of Delegation to Officers be amended accordingly.

3. Key Issues

Reasons for the additional recommendations:

- to increase participation and take up of new service
- to support the ongoing promotion of new service
- to be fair to residents who take up the service partway through a year
- to help to cover the costs of the service.

Council

11th January 2010

3. Author of report

The authors of this report are Guy Revans (Head of Environment), who can be contacted on extension 3292 (e-mail guy.revans@redditchbc.gov.uk) and Sue Horrobin (Waste Management Manager) who can be contacted on extension 3706 (e-mail: sue.horrobin@redditchbc.gov.uk) for more information.

**B. FEES & CHARGES – LOCAL LAND CHARGES SEARCHES
(Minute 203)**

1. Summary

In the table of fees and charges for Local Land Charges Searches reported to the Executive Committee, one figure requires correction.

2. Additional Recommendation

The Council is asked to RESOLVE that

- 4) the figure proposed in relation to searches of the Local Land Charges Register (Form LLC1 Searches) be noted as £22.00, rather than the £12.50 reported in error to the Executive Committee and approved for implementation from 1st January 2010.**

3. Author of report

The author of this report is Steve Skinner (Democratic Services Manager), who can be contacted on extension 3256 (e-mail steve.skinner@redditchbc.gov.uk) for more information.