

# Council

Mon 13 Aug  
2007  
7.00 pm

Council Chamber  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

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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](http://www.redditchbc.gov.uk)**

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**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](mailto:committee@redditchbc.gov.uk)**

**Minicom: 595528**

# Welcome to today's meeting.

## Guidance for the Public

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### **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

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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, 13th August, 2007

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:	D Hunt (Mayor)	A Fry
	J Field (Deputy Mayor)	C Gandy
	P Anderson	M Hall
	K Banks	W Hartnett
	I Beech	N Hicks
	K Boyd-Carpenter	P Hill
	M Braley	R King
	J Brunner	W King
	M Chalk	C MacMillan
	G Chance	P Mould
	B Clayton	M Shurmer
	J Cookson	D Smith
	D Dudley	D Taylor
	D Enderby	D Thomas

<b>1. Mayor's Welcome</b>	<p>The Mayor will open the meeting and welcome all present.</p> <p>The Mayor's Chaplain, Deacon Tony Martin, will lead the Council in prayer.</p>
<b>2. Apologies</b>	<p>To receive any apologies for absence on behalf of Council members.</p>
<b>3. Declarations of Interest</b>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<b>4. Minutes</b> (Pages 1 - 12) Borough Director	<p>To confirm as a correct record the minutes of the meeting of the Council held on the 25th of June 2007.</p> <p><b>(Minutes circulated in Minute Book 2)</b></p>

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<p><b>5. Communications and Mayor's Announcements</b></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><b>6. Rt. Hon Jacqui Smith MP</b></p>	<p>To formally note the appointment of the Right Honourable Jacqui Smith MP to the position of Home Secretary.</p> <p>(No Separate report)</p>
<p><b>7. Leaders' Questions</b> (Pages 13 - 14)</p>	<p>To consider the following Question for the Leader which has been submitted in accordance with Standing Order 8A:</p> <ol style="list-style-type: none"><li>1. <u>Management of Council Business</u> (Mr C T Wareing)</li></ol> <p>(Question attached)</p> <p><b>(No direct Ward Relevance)</b></p>

## 8. Executive Committee

Borough Director

A. To formally receive the minutes of the meeting of the Executive Committee held on the 13th of June 2007.

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

**(Circulated in Minute Book 2)**

B. To receive the minutes and consider the recommendations and/or referrals from the following meetings of the Executive Committee :

18th July 2007

Matters of potential interest to the Council are:

- Prosecution Policy
- Voluntary Groups – Core Funding
- Medium Term Financial Strategy & Plan
- Budget Bids – General Fund
- Job Evaluation Scheme (Confidential item)
- Capital Programme
- Irrecoverable Debts
- Leisure Contracts Advisory Panel  
– Abbey Stadium Options (Confidential item)

**(Circulated in Minute Book 2)**

Any matters arising, not covered elsewhere in the agenda, will be considered under this heading.

Confidential matters may be taken after the Exclusion of the Public, subject to notification at this point in the meeting.

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## 9. Regulatory Committees

Borough Director

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

Audit Committee	- 19th June 2007
Planning Committee	- 19th June 2007 - 17th July 2007
Standards Committee	- 23rd July 2007

**(Circulated in Minute Book 2)**

**(Various Wards)**

## 10. Scheme of Delegation to Officers - Licensing

(Pages 15 - 18)

Borough Director

To consider further delegations of authority in relation to Officer administrative requirements of the Licensing Act 2003.

(Proposed revised delegations attached)

**(No Direct Ward Relevance)**

## 11. Planning Advisory Panel

(Pages 19 - 20)

Borough Director

To confirm the appointment of a Planning Advisory Panel, to comprise in 2007/08 Councillor Chance (Portfolio Holder, as Chair) and Councillors Chalk, Cookson, Field, Hall and Hartnett), and the terms of its operation.

(Draft Terms of Reference documents attached)

**(No Direct Ward Relevance)**



## 12. Urgent Business - Record of Decisions

Borough Director

To note the following decisions taken in accordance with SO36 and/or the Overview & Scrutiny Procedure Rules (Constitution), as specified :

- 1) Gas Service Contract – Extension  
(Director of Housing & Asset Management)  
(Decision Reference 467 – 28th June 2007)

The case for urgency was that the contract was due to expire on Saturday the 30<sup>th</sup> of June, and that failure to have a contract in place would have risked the Health and Safety of tenants.

### **RESOLVED that**

**the contract be extended for a further three months.**

- 2) Abbey Cemetery – Relining of Cremators  
(Director of Environment & Planning)  
(Decision Reference 468 – 9th July 2007)

The case for urgency was that during recent servicing of the cremators, additional works were identified. It was not until the end of week commencing the 11th of June that the lead time for booking a slot with the service company became clear, by which time it was too late to get the matter to Council.

### **RESOLVED that**

- 1) **the sum of up to £75,000 be allocated within the Capital Programme for the purpose indicated; and the Programme adjusted accordingly (full Council decision);**
- 2) **an order for the reline of the Cremators be placed as soon as possible (Executive Committee decision);**
- 3) **expenditure of up to the sum indicated be approved in accordance with Standing Order 41 (Executive Committee decision).**

- 3) Arrow Valley Lake – Additional Revetment Works  
(Director of Environment & Planning)  
(Decision 468 – 9th July 2007)

The case for urgency was that the need for the works had only been determined once contractors arrived on site; and it was most cost-effective to undertake the additional works while they were already on site.

### **RESOLVED that**

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<b>13. Urgent Business - general (if any)</b>	<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 can 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>
<b>14. Exclusion of the Public</b>	<p>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:</p> <p><b>“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 (<i>to be specified</i>) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</b></p>
<b>15. Confidential Minutes / Referrals (if any)</b>	<p>To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).</p>
<b>16. -</b>	<p>(Note: Anyone requiring copies of any previously circulated reports, or supplementary papers, should please contact Committee Services Officers in advance of the meeting.)</p>