

Council

27 July 2009

MINUTES

Present:

Councillor Malcolm Hall (Mayor), Councillor Kath Banks (Deputy Mayor) and Councillors P Anderson, M Braley, J Brunner, M Chalk, G Chance, A Clayton, B Clayton, J Cookson, D Enderby, C Gandy, W Hartnett, N Hicks, G Hopkins, D Hunt, R King, W King, C MacMillan, W Norton, J Pearce, B Quinney, M Shurmer, D Smith, D Taylor and D Thomas

Also Present:

B Warwick (Standards Committee) and C Williams (West Midlands Local Government Association).

Officers:

K Dicks, H Halls, S Hanley, T Kristunas, S Mullins, S Skinner, Jackie Smith and D Sunman

Committee Services Officer:

J Smyth.

33. WELCOME

The Mayor opened the meeting and welcomed all present.

34. APOLOGIES

Apologies for absence were received on behalf of Councillors Field, Fry and Mould.

35. DECLARATIONS OF INTEREST

Councillors Banks, Chance, Hartnett and Taylor declared personal and prejudicial interests in Item 8 (Regulatory Committees) as detailed separately at Minute 40 below.

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Chair

36. MINUTES

RESOLVED that

subject to the deletion of Councillor Hopkins' name from the record in relation to Minute 24 (Declarations of Interest) and Minute 27 (Executive Committee), the minutes of the meeting of the Council held on the 22 June 2009 be confirmed as a correct record and signed by the Chair.

37. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

The Mayor's communications and announcements were considered under the following headings:

a) Mercian Regiment

It was with regret that the Mayor announced the death of another member of the, Mercian Regiment, Private Robert Laws of the local 2nd Battalion, who had been killed in action in Afghanistan. The Mayor was proposing to send the Council's condolences to the Regiment and Private Law's family.

b) Mayor's announcements

The Mayor advised that since the previous meeting of the Council he had attended various functions, including: the Redditch Railway Exhibition – display in the Kingfisher Centre; the North Worcestershire Partnership Games presentation at the Abbey Stadium; the opening of Tenacres First School summer fete; the opening of a new Council Park at Overdale Close, Astwood Bank; the formal lowering of the Armed Forces Day flag and its presentation to a local veteran; an Arts & Craft Fair for the Salvation Army at St Stephens; the Alexandra Hospital League of Friends Annual Summer Fete; a celebration of young people's achievements at the Palace Theatre; inspected the Schools Gardens competition entries; attended Lifeline's 25th birthday celebration; attended the official homecoming in Worcester of the Queen's Royal Hussars; attended the Voices & Visions concert at Kingsley Theatre with Lilian Boutte; and opened a further bus shelter which had been decorated by local youngsters in Winyates.

The Mayor thanked Councillor Banks for stepping in and taking on engagements he had been unable to attend and for serving as his Consort at a number of events.

c) Forthcoming events

The Mayor advised that, forthcoming events included, a Monks' supper at Evesham; a charity coffee morning at Droitwich and judging Scarecrows at Arrow Valley Countryside Centre.

The Mayor also advised that, he was hoping to invite to a future suitable occasion, a former serving Officer from HMS Kingfisher whom he had met at the Royal Garden Party at Buckingham Palace.

d) Urgent Business

The Mayor advised that he had accepted late papers for consideration in respect of:

Item 6 – Executive Committee Decision Notice for the 22 July 2009; and

Item 9 – Shared Services Board – Business Case.

e) Additional Matters

During consideration of the Mayor's announcements, he gave permission to a number of Members to make further announcements in relation to matters not listed on the agenda, namely:

i) Standard Newspaper Headlines

The Council Leader raised the matter of the recent front page article in the Redditch Standard Newspaper in relation to results of a national survey which had designated Redditch as one of the worst towns in England. The Leader advised that the negative results of the survey did not, she was sure, reflect the views of the people of Redditch themselves and thanked everyone for their support and positive responses in the Standard's Letter Section and at a recent community roadshow. She also welcomed the Standard's decision to promote the very many positive aspects of Redditch and confirmed that the Council and its partners would be working together to address and respond to the survey.

ii) Retirement of Head Teacher – Oakhill First School

The Council was advised of the recent retirement of Mrs Cherrill Illingworth, Head Teacher at Oakhill First School, following twenty-seven years teaching in Redditch. Members agreed that a letter be sent to Mrs Illingworth in recognition of her services to the education of the children of Redditch.

38. LEADERS' QUESTIONS

The Leader responded to a question which had been submitted in accordance with Standing Order 8A, namely:

“Himbleton Close – Kitchen Refurbishment”
(Mr G Marsden)

Mr Marsden’s question related to delays in the kitchen refurbishment programme for Himbleton Close, Lodge Park.

The Leader responded that financial constraints over several years had resulted in the Council having to review delivery of its Capital Programme, which included such refurbishments. However, earlier in the year, additional funding had been identified and approved which would enable the five year planned programme to be completed. Regular monitoring of the programme would be undertaken and she was able to advise that the refurbishments referred to by Mr Marsden would take place in April / June 2010.

The Leader advised that she understood and appreciated residents’ concerns and extended the Council’s apologies to Mr Marsden and other affected residents for the situation.

39. EXECUTIVE COMMITTEE

Members received the Minutes and Decision Notice of the meetings of the Executive Committee held on the 1st and 22nd July 2009 respectively.

In respect of the minutes of the 1st July 2009 meeting, Members’ received additional information in relation to Minute 36 (Insurance Premium Savings) in respect of the need to change Resolution 36.3 (giving delegated authority to an Officer of the Council) to a recommendation for the Council’s consideration, as detailed in paragraphs 2 and 3.1 of the Matters Arising report.

Members’ also received additional information In relation to Minute 43 (Delegations to Officers – Enforcement Powers) in respect of a further explanation of the delegations, as set out in paragraphs 3.3 and 3.4 of the Matters Arising report.

No decisions were taken in respect of these two matters.

RESOLVED that

- 1) the minutes of the meeting of the Executive Committee held on 1st July 2009 be received and adopted and all recommendations approved; and**

- 2) **the Decision Notice of the meeting of the Executive Committee held on 22nd July 2009 be received and all recommendations approved, subject to:**

in respect of Decision 7 (Min 60) (Off-Street Car Parking Policy), it being recorded, in accordance with Standing Order 16, that Labour Group Members did not support the proposal so approved.

40. **REGULATORY COMMITTEES**

The Council received the minutes of recent meetings of the Council's Regulatory Committees.

Planning Committee 16th June 2009

In respect of Minute 27 (Planning Application 2009/081/ADV – Display of Flags other than permitted National Flags – Town Hall, Walter Stranz Square, Redditch) the Chair of the Planning Committee drew Members' attention to the additional Informative included in the resolution, which related to the Committee's concerns about the potential display of commercial and other inappropriate advertisements at the Town Hall. Officers reported that a referral report on the matter would be taken to the Executive Committee for consideration in the very near future.

RESOLVED that

- 1) **the minutes of the meeting of the Audit and Governance Committee held on 30th June 2009 be received and adopted;**
- 2) **the minutes of the meeting of the Planning Committee held on 16th June 2009 be received and adopted; and**
- 3) **the minutes of the meeting of the Standards Committee held on 24th June 2009 be received and adopted.**

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Banks, Chance, Hartnett and Taylor declared personal and prejudicial interests in Minute 28 (Affordable Housing Tenure Clauses – Variation to a Section 106 Agreement – Former Megabowl Site) of the Planning Committee Minutes for the meeting held on 16th June 2009 in view of the fact that they were Board Members on Redditch Co-operative Homes, the Registered Social Landlord for the development, and refrained from voting in respect of that minute.)

41. SHARED SERVICES BOARD - BUSINESS CASE

The Council considered the recommendations of the meeting of the Shared Services Board of 29th June 2009 and those of the Executive Committee meeting held immediately prior to the Council meeting in respect of the Business Case for joint and shared working arrangements between Redditch Borough Council and Bromsgrove District Council and the post of Acting Joint Chief Executive of the two authorities. Prior to the debate, the Mayor announced his intention to take separate votes on each of the recommendations before Members.

Members were referred to the covering report and recommendations appended under Additional Papers 1 and informed of two amendments which had been agreed by the Executive Committee, to the printed recommendations, namely that recommendation 2.b).i) be deleted, as it dealt with business for Bromsgrove District Council, and 2.b).ii) be amended to correct Officer Titles.

A further amendment to 2.c) to correct an error relating to the reference to recommendation 2.b) was also agreed by Council.

A notice of an amendment was proposed by Councillor Hartnett, Leader of the Opposition. The amendment proposed that:

“decision on all the proposed recommendations be deferred for public consultation.”

On Cllr Hartnett’s requisition, and in accordance with Standing Order 16, the following Named Vote was recorded in respect of the proposed amendment:

Members voting FOR the amendment:

Councillors Chance, Cookson, Hartnett, Hunt, R King, W King, Shurmer and Taylor. (8 votes)

Members voting AGAINST the amendment to the motion:

Councillors Anderson, Banks, Braley, Brunner, Chalk, A Clayton, B Clayton, Enderby, Gandy, Hall, Hicks, Hopkins, MacMillan, Norton, Pearce, Quinney, Smith and Thomas. (18 votes)

Members abstaining from voting:

None.

Accordingly, the amendment fell.

The Council then considered the original motion, to approve recommendation 1, as printed in Additional Papers 1.

On requisition of a Member, and in accordance with Standing Order 16, the following Named Vote was recorded :

Members voting FOR Recommendation 1:

Councillors Anderson, Banks, Braley, Brunner, Chalk, A Clayton, B Clayton, Enderby, Gandy, Hall, Hicks, Hopkins, MacMillan, Norton, Pearce, Quinney, Smith and Thomas. (18 votes)

Members voting AGAINST the motion:

Councillors Chance, Cookson, Hartnett, Hunt, R King, W King, Shurmer and Taylor. (8 votes)

Members abstaining from voting:

None.

Accordingly, the motion was approved and it was therefore

RESOLVED that

1) the creation of a single management team be approved;

Following further debate, notice of an amendment to recommendation 2.e) was given by Councillor Chance and circulated for Members' information.

The amendment proposed that:

- “e) the Council’s approach to the Serco case be that the roll out of shared services will be considered on a case by case basis in order to deliver the best possible services across a range of provision and that, in pursuing this approach, the Council acknowledges that:**
- i) the business case as produced by Serco requires this Council to continue to pursue joint working with its neighbouring Authorities;**
 - ii) the Council is committed to delivering effective and efficient services and, where the sharing of service delivery is in the true interest of the people of Redditch, it will be actively and positively pursued;**

- iii) **in pursuing the Joint working agenda the independence and sovereignty of Redditch will be paramount.”**

On requisition of a Member, and in accordance with Standing Order 16, the following Named Vote was recorded in respect of the proposed amendment to recommendation 2e):

Members voting FOR the amendment to the motion:

Councillors Chance, Cookson, Hartnett, Hunt, R King, W King, Shurmer and Taylor. (8 votes)

Members voting AGAINST the amendment to the motion:

Councillors Anderson, Banks, Braley, Brunner, Chalk, A Clayton, B Clayton, Enderby, Gandy, Hall, Hicks, Hopkins, MacMillan, Norton, Pearce, Quinney, Smith and Thomas. (18 votes)

Members abstaining from voting:

None.

Accordingly, the motion to amend Recommendation 2e) fell.

The Council then considered the original motion, as proposed by Councillor Gandy, to approve, subject to the agreed amendments, the Executive Committee's Recommendation 2.

On requisition of a Member, and in accordance with Standing Order 16, the following Named Vote was recorded in respect of Recommendation 2 and its agreed amendments:

Members voting FOR the motion:

Councillors Anderson, Banks, Braley, Brunner, Chalk, A Clayton, B Clayton, Cookson, Enderby, Gandy, Hall, Hicks, Hopkins, MacMillan, Norton, Pearce, Quinney, Smith and Thomas. (19 votes)

Members voting AGAINST the motion:

Councillors Chance, Hartnett, Hunt, R King, W King, Shurmer and Taylor. (7 votes)

Members abstaining from voting:

None.

Accordingly, the motion was approved and it was therefore

RESOLVED that

- 2) in pursuit of the above:
 - a) the current secondment arrangements in relation to the Acting Joint Chief Executive be extended up to the end of 2012/13;
 - b) authority be delegated to Redditch Borough Council's Head of Legal, Democratic and Property Services and Head of Financial, Revenues and Benefits Services, in consultation with the Leader, to determine and agree the necessary amendments to the Secondment Agreement;
 - c) any costs associated with Recommendation (2b) above be shared equally by Bromsgrove District Council and Redditch Borough Council;
 - d) the post of Acting Joint Chief Executive be re-titled Joint Chief Executive for the duration of the extension to the secondment arrangements;
 - e) the Business Case as produced by Serco be approved in principle noting the management team response;
 - f) the Joint Chief Executive be tasked with preparing and presenting more detailed proposals to the Shared Service Board by the first week of September 2009 in relation to:
 - i) the structure of the single joint management team;
 - ii) the detailed financial arrangements to meet the requirements of both Councils' Medium Term Financial Plans;
 - iii) details in relation to the legal implications, employment implications and implementation arrangements of a single joint management team; and
 - iv) a timetable for the implementation of the Business Case to include specific milestones;

42. ADMINISTRATIVE MATTERS

The Council considered a number of minor administrative matters.

RESOLVED that

the following appointments be made:

- 1) **Relate (Worcestershire) – Councillor A Clayton;**
- 2) **Worcestershire Partnership Theme Groups (Environment) – Councillor B Clayton (Portfolio for Housing, Local Environment and Health); and**
- 3) **Shared Services Board (Named Substitutes) – Councillors Anderson, Braley, Shurmer and Thomas.**

43. URGENT BUSINESS - RECORD OF DECISIONS

Members noted an Urgent Business decision, which had been approved in accordance with Standing Order 36, namely:

Land Charges Fees
(UB Reference 477)

RESOLVED that

the matter be noted.

44. URGENT BUSINESS - GENERAL (IF ANY)

There were no separate Urgent Business items to be considered at this meeting.

45. EXCLUSION OF THE PUBLIC

RESOLVED that

under S.100 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, with the exception of independent member(s) of the Council's Standards Committee, the public be excluded from the meeting for the following matter on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 2, 2 and 4 of Part 1 of Schedule 12(A) of the said Act, as amended.

**Shared Services Board – Recommendations (as detailed at
Minute 41 above).**

The Meeting commenced at 7.00 pm
and closed at 10.33 pm

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CHAIR