

Council

14th September 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, J Field, A Fry, C Gandy, W Hartnett, N Hicks, G Hopkins, D Hunt, R King, W King, P Mould, W Norton, J Pearce, B Quinney, M Shurmer, D Smith, D Taylor and D Thomas

Also Present:

D Andrews (Chair, Standards Committee), M Collins (Vice Chair, Standards Committee) and C Williams (West Midlands Local Government Association)

Officers:

Jackie Smith, K Dicks, S Hanley, J Staniland, S Mullins, S Skinner and A Marklew

Committee Services Officer:

I Westmore

46. WELCOME

The Mayor opened the meeting and welcomed all present.

The Reverend Julie Humphries had kindly agreed to deputise for the Mayor's Chaplain, Canon David Rogers, who was unable to attend.

47. APOLOGIES

Apologies for absence were received on behalf of Councillor MacMillan.

48. DECLARATIONS OF INTEREST

Councillors Banks, Chance, Hartnett and Taylor declared personal and prejudicial interest in Item 7 (Executive Committee) as detailed separately at Minute 52 below.

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Chair

49. MINUTES

RESOLVED that

subject to the deletion of Councillor Cookson's name from the list of those voting against the original motion to approve, subject to the agreed amendments, the Executive Committee's Recommendation 2 in relation to Minute 41, (Shared Services Board – Business Case), the minutes of the meeting of the Council held on 27th July 2009 be confirmed as a correct record and signed by the Chair.

50. REDDITCH RUGBY CLUB - LEAGUE CHAMPIONS

The Council held a Civic Reception immediately prior to the meeting at which Redditch Rugby Club were honoured for achieving league championship successes during the last two rugby union seasons. The club had won the Midlands Six South West Division in the 2007/08 season followed by victory in the Midlands Five West South Division during the 2008/09 season.

There was an exchange of gifts between the Mayor and the rugby club Chairman, Mr Tom Cresswell, and it was formally

RESOLVED that

the warm congratulations of the Council to Redditch Rugby Club on their achievements in the past two seasons be placed on record.

51. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

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

a) Announcements of losses to the Borough

It was with regret that the Mayor announced the death of former Councillor and District Council Chairman, John Coleman.

The Mayor also recorded the passing of two other significant local characters, Mr John Emms a popular professional and amateur actor and Mr Philip Rowland, secretary of the Redditch Disabled Access Group.

The Mayor announced the death of Lance Corporal Dale Hopkins of the Paratroop Regiment who had been killed in action in

Afghanistan. The funeral for Lance Corporal Hopkins had been attended by the Mayor and a number of other Councillors.

It was with regret that the Mayor announced the death of another member of the Mercian Regiment, Acting Sergeant Michael Lockett MC of the local 2nd Battalion, who had been killed in action in Afghanistan.

The Mayor asked the Council to join him in a minute's silence and stated that he either already had or was proposing to send the Council's condolences to the families of the bereaved, as appropriate.

b) Mercian Regiment – Returning Home Parade

The Mayor announced that two dates were being consulted upon for a Returning Home Parade through the town by the 2nd Battalion the Mercian Regiment in the spring of 2009. The proposed dates were Saturday 6th or Saturday 20th March 2010.

c) Bus Shelter Artwork

The Mayor drew Members' attention to the signed and framed prints on display in the Chamber. The artwork had been created in collaboration with local young people and used to adorn a number of the bus shelters around the town. The Council was delighted to have received the copies of the original artwork and it was agreed that Officers be requested to investigate the permanent siting of these initial pieces around the Council Chamber.

d) Ron Passingham

The Mayor asked the Council to join him in congratulating ex-Mayor and ex-Councillor Ron Passingham on reaching the age of 90 at the beginning of September.

e) Mayor's Announcements

The Mayor advised that since the previous meeting of the Council he had attended various functions, including: Redditch Ability Football Club presentation evening, a Monks Supper at Wychavon, the opening of the Massala Club restaurant at Headless Cross, the Graffiti art project at Batchley, the unveiling of the Youth Arts project skate ramps at Lowlands Lane skate park, a Scarecrow Day competition at Arrow Valley Countryside Centre, the welcome service for the Reverend Bob Thomas at the Ecumenical Centre, a visit to the County Air Ambulance Service at its Strensham base, the Council's Best Garden Competition, the Masonic Open Day, the "Freedom" event at Forge Mill and a Civic Service at Tenbury

The Mayor thanked Councillor Banks for stepping in and taking on engagements he had been unable to attend.

f) Forthcoming events

The Mayor advised that forthcoming events included, the West Midlands Ambulance Service Awards Ceremony, the 150th Birthday of Redditch Railways, the “We are Redditch” cultural community event in the Town Centre, Civic Services at Bromsgrove DC and Upton upon Severn TC and the County Harvest Festival at Worcester Cathedral.

g) Urgent Business

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

Item 12 – CCTV Lifeline Shared Services Business Case – Procurement Process; and

Item 13 – Minutes of the meeting of the Shared Services Board on 8th September which had been circulated to Members at the end of the previous week and were now being tabled, together with a proposal for a Joint Appointments Committee, to be considered with the SSB recommendations.

h) 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) Wolverhampton Swimming Gala

The Deputy Mayor recounted her experience at a recent swimming gala in Redditch attended by a number of local young people. The young swimmers, who trained at Hewell Road, showed great commitment and were reported to be a credit to the Borough.

ii) Congratulations and plaudits

The Council Leader congratulated the Council’s Landscape and Countryside staff on gaining Green Flags for the Arrow Valley Park and Morton Stanley Park.

The Council's Contact Centre staff were also congratulated on winning the Contact Centre Technology Award at the Good Communication Awards 2009.

The Leader made special mention of Anti-Social Behaviour Co-ordinator, Martin Kingscott, who had bravely come to the aid of a woman and her young daughter in Birmingham, tackling an assailant who was armed with a knife. She remarked that she was very proud of his actions.

52. EXECUTIVE COMMITTEE

Members received the minutes of the meetings of the Executive Committee held on 10th June, 22nd July and 27th July 2009 and the decision notices of the meetings of the Executive Committee on 12th and 26th August 2009.

In addition, in relation to the Executive Committee minutes of 1st July 2009, in respect of minute 36 (Insurance Premium Savings), Members' received additional information with regard to the need to amend 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.

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

INSURANCE PREMIUM SAVINGS – CONSORTIUM TENDER (Minute 36)

RESOLVED that

- 1) authority be delegated to the Head of Financial, Revenues and Benefits Services, in consultation with the Risk Monitoring Group and the relevant Portfolio Holder, to utilise these monies;**

SCHEME OF DELEGATION TO OFFICERS – PLANNING SERVICES AMENDMENTS RELATING TO PLANNING ENFORCEMENT AND PLANNING OBLIGATIONS (Minute 43)

RESOLVED that

- 2) the update to the recommendation, as set out in paragraphs 3.3 and 3.4 below, in respect of the implementation of the new scheme be noted;**

MINUTES AND DECISION NOTICES

RESOLVED that

- 3) the minutes of the meetings of the Executive Committee held on 10th June, 22nd July and 27th July be received and adopted;
- 4) the decision notice of the meeting of the Executive Committee held on 12th August 2009 be received and all recommendations approved; and
- 5) the decision notice of the meeting of the Executive Committee held on 26th August 2009 be received and all recommendations approved, subject to:

in respect of Minute 101 (Governance Arrangements – Adoption of Written Role Descriptors) it being recorded, in accordance with Standing Order 16, that Labour Group Members did not support the proposal so approved;

in respect of Minute 102 (Irrecoverable Debts – Market Kiosks) the assertion from Officers that the information in Appendix 2 to this report was now considered to be suitable to be in the public domain being formally recorded;

in respect of Minute 103 (Overview and Scrutiny Committee) it being noted that the Overview and Scrutiny Committee had been requested to reconsider the proposed size of the Crime and Disorder Scrutiny Panel; and

in respect of Minute 110 (Arrow Valley Social Club) it being noted that Officers had undertaken to provide a written response to Councillor Hartnett in respect of the actions that had followed the decisions taken in respect of this matter; and

(Prior to 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 a personal and prejudicial interest in view of their personal connection to (Taylor) or as Board Members of (Banks, Chance and Hartnett) Redditch Co-operative Homes.

53. REGULATORY COMMITTEES

The Council received the minutes of recent meetings of the Audit and Governance and Planning Committees.

RESOLVED that

- 1) the minutes of the meeting of the Audit and Governance Committee held on 4th August 2009 be received and adopted and all recommendations approved; and
- 2) the minutes of the meetings of the Planning Committee held on 14th July and 11th August 2009 be received and adopted.

54. URGENT BUSINESS - RECORD OF DECISIONS

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

The Redditch Borough Council Group Life Assurance Scheme
(UB Reference 478)

GCSx (Government Connect Secure Exchange) Personal Commitment Policy
(UB Reference 479)

RESOLVED that

the matters be noted.

55. URGENT BUSINESS - GENERAL (IF ANY)

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

56. 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 Mr Colin Williams of the West Midlands Local Government Association, the public be excluded from the meeting for the following matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12(A) of the said Act, as amended:

**CCTV and Lifeline Shared Services Business Case –
Procurement Process (as detailed at minute 57, below)**

**Shared Services Board – Recommendations (as detailed at
minute 58, below).**

**57. CCTV AND LIFELINE SHARED SERVICES BUSINESS CASE -
PROCUREMENT PROCESS**

The Council considered a report seeking authority to proceed with procurement processes relating to the CCTV Lifeline Shared Services proposal to meet required timelines.

RESOLVED that

authority be delegated to the Director of Housing, Leisure and Customer Services to commence the procurement process in advance of consideration of the recommendations of the Executive Committee of the business case for a shared service for CCTV and Lifeline services and their referral to full Council on 26th October 2009.

During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to expenditure proposed to be incurred by the Council in future contracts, disclosure of which was not considered to be in the public's best interests.

There is nothing exempt, however, in this record of the proceedings.)

58. SHARED SERVICES BOARD

The Council considered and approved detailed proposals for a single team of Officers to manage both Redditch and Bromsgrove Councils.

The report, and subsequent debate, was considered in confidential session in view of the fact that information relating to individual Officers and their financial affairs, together with labour relations matters still under negotiation, was to be discussed. It was agreed that as full as possible a public record be provided, as soon as possible after the meetings of both Redditch and Bromsgrove Councils had taken place. The following is the full list of decisions taken at the meeting:

The Council AGREED that

- 1) subject to the change of title of the proposed Assistant Chief Executive to 'Director of Policy, Performance & Partnerships', the proposed Single Management Structure attached at Appendix 3 to the Shared Services Board (SSB) report be adopted for formal consultation with the affected staff and trade unions;**
- 2) the proposed Timetable attached at Appendix 5 to the SSB report be approved, together with the Ringfencing proposals detailed in the preamble to the SSB minutes of the 8th September 2009 (Minute 5 d) final paragraph - Recruitment and Selection Processes refers *);**
- 3) the proposal to seek volunteers from the directly affected staff in the first instance for Voluntary Compulsory Redundancy / Early Retirement, in order to minimise the number of Compulsory Redundancies, be approved;**
- 4) the proposal to make a payment, subject to consultation with the affected staff and trade unions, of pay in lieu of notice (PILON) to anyone unsuccessful in securing a post on the Single Management Team be approved, for the reasons outlined at section 13.12 of the SSB report, from 30th March 2010;**
- 5) the proposed salary levels of the Single Management Team posts, as independently evaluated and outlined at paragraph 4.16 of the SSB report, be approved; all new posts to have an incremental salary range, with progression subject to satisfactory performance;**
- 6) it be noted that independent advice on outstanding job evaluation to existing members of the Corporate Management Team for Redditch Borough Council has been sought and the potential impact on severance costs also be noted;**
- 7) it be noted that the offer of employment contracts to members of the Single Management Team may need to be provisional because of the more detailed work on terms and conditions that is required;**
- 8) the potential need for the application of salary protection, where displaced members of the existing management teams may be redeployed into lower level posts within the proposed new structure, be noted;**

- 9) the preliminary response of the recognised trade unions to the timetable and proposed structure be noted;
- 10) the projected savings of £1.282m over the 5 year period arising as a result of the Single Management Team proposals be noted and endorsed;
- 11) the sum quoted in the main body of the SSB report be split between the two Councils and released from balances to cover the potential costs associated with progressing to a Single Management Team;
- 12) a potential Capitalisation direction be pursued from the Department of Communities and Local Government;
- 13) a Joint Appointments Committee be appointed, comprising three members of each Council for proposed new posts reporting directly to the Joint Chief Executive; and that Terms of Reference and Redditch Borough Council membership be agreed as follows:

"CHIEF OFFICER JOINT APPOINTMENT COMMITTEE"

(RBC) Approved Terms of Reference

In accordance with the Councils' Constitutions (including the Officer Employment Procedure Rules) and relevant approved employment policies, to deal with all processes in connection with the recruitment of "Chief Officers, Deputy Chief Officers and Political Advisers" other than those specifically reserved to the full Councils or delegated to the Joint Chief Executive / Joint Head of Paid Service; and

- A. *in the case of the Head of Paid Service, to make recommendations to the Council on any proposed appointment; and*
- B. *in the case of other "Chief Officers, Deputy Chief Officers or Political Advisers" (currently Executive Directors and Assistant Chief Executive only [under whatever titles are finally agreed]), to act with full authority on any proposed appointment, in consultation with the Joint Chief Executive.*

Membership

3 members from each Council.

*(RBC members to comprise the Leaders of the 3 Party Groups:
Cllr Gandy (Cons), Cllr Hartnett (Lab) and Cllr Hall (LD).*

At least one of the above Members from each Council to be also a member of the Council's Executive Committee / Cabinet.

The Chair(man) to be elected at the commencement of each meeting of the Committee.

Voting

Each member of the Committee to have one vote; the Chair(man) to have a second or casting vote.

- 14) **the Shared Services Board Concordat be reviewed;**
- 15) **the Executive Director (Section 151 Officer) and Head of Legal Equalities and Democratic Services be designated as each Council's Section 151 Officer and Monitoring Officer respectively;**
- 16) **a conflicts management policy be created; and authority delegated to the Joint Chief Executive to prepare this, in consultation with both Councils' statutory officers, subject to further report;**
- 17) **an overarching shared services agreement be created to enable the Officers of one authority to deliver services on behalf of the other authority, subject to further report;**
- 18) **the need for external support to support both Councils in recruitment to the Single Management Team, be agreed subject to further report;**
- 19) **the support mechanisms (outlined at paragraph 13.2 of the SSB report) that are proposed to support affected staff throughout this period, be agreed; and**
- 20) **further harmonisation of the two Councils' Terms and Conditions of employment be sought, subject to appropriate staff and Trade Union consultation, and further reports to both authorities.**

(In view of his previously declared personal interest in matters relating to Officer salaries, Chief Executive Mr Dicks left the room while discussion took place on this matter.)

(Labour Group voting was, on Labour Members' requisition, recorded as follows:

Recommendations 1), 5) and 10) – Labour Group opposed;
Recommendations 2), 11) and 12) – Labour Group abstained.
Other 14 recommendations supported by Labour Group.)

(Appendices 1 to 5 of the Shared Services Board report attached.)

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed relating to contemplated consultations or negotiations in connection with labour relations matters between the authority and employees of the authority, disclosure of which was not considered to be in the public's best interests.

There is nothing exempt, however, in this record of the proceedings.)

The Meeting commenced at 7.00pm
and closed at 10.12pm.

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Chair