

Council

Monday, 16 November 2020

MINUTES

Present:

Councillor Gareth Prosser (Mayor), Councillor Julian Grubb (Deputy Mayor) and Councillors Salman Akbar, Joe Baker, Tom Baker-Price, Roger Bennett, Joanne Beecham, Michael Chalk, Debbie Chance, Greg Chance, Brandon Clayton, Matthew Dormer, John Fisher, Peter Fleming, Andrew Fry, Bill Hartnett, Pattie Hill, Ann Isherwood, Wanda King, Anthony Lovell, Gemma Monaco, Nyear Nazir, Mike Rouse, Mark Shurmer, Yvonne Smith, David Thain, Craig Warhurst and Jennifer Wheeler

Officers:

Kevin Dicks, Claire Felton and Chris Forrester

Senior Democratic Services Officer:

Jess Bayley

39. WELCOME

The Mayor welcomed all those present to the meeting.

40. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Juliet Brunner.

41. DECLARATIONS OF INTEREST

There were no declarations of interest.

42. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday, 21st September 2020 be approved as a true and correct record and signed by the Mayor.

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Chair

43. ANNOUNCEMENTS

The following Announcements were made during the meeting:

a) The Mayor's Announcements

The Mayor advised that he had attended a number of engagements since the previous meeting of Council. This included attendance at the virtual Remembrance Sunday commemorations. The Mayor and the Deputy Mayor had also attended an Armistice Day service on 11th November 2020.

b) The Leader's Announcements

The Leader announced that he had attended a number of important meetings since the previous meeting of Council. This included meetings of the West Midlands Combined Authority (WMCA) Board and the Worcestershire Local Outbreak Board.

Members were advised that unfortunately the number of people testing positive for Covid-19 in Redditch was 344 per 100,000 population. Those aged 60 or over, who were more vulnerable if they contracted Covid-19, were testing positive at a rate of 222 per 100,000 population which was very worrying. The Leader invited Members to join him in communicating the need for all residents to be as careful as possible and to observe the rules in respect of social distancing, mask wearing and hand washing.

c) The Chief Executive's Announcements

The Chief Executive confirmed that he had no announcements to make on this occasion.

44. QUESTIONS ON NOTICE (PROCEDURE RULE 9)

There were no Questions on Notice on this occasion.

45. MOTIONS ON NOTICE (PROCEDURE RULE 11)

There were no Motions on Notice on this occasion.

46. EXECUTIVE COMMITTEE

Members considered the Council's response to the Planning for the Future Government White Paper. In proposing the recommendations detailed in the report, Members thanked Officers for their hard work in reviewing and responding to the proposals detailed in the white paper.

During consideration of this item the following matters were discussed:

- Information had been shared with Members about the content of the white paper at a recent meeting of the Planning Advisory Panel (PAP).
- Whilst the deadline had passed for feedback in the white paper consultation process, Members had been assured that they could submit comments after this point.
- Some of the proposals in the white paper would help to make the local planning process more efficient and streamlined.
- Concerns were raised that other proposals in the white paper would result in the centralisation of the planning system, removing power from the local level.
- The role of local Councils in the existing planning system was discussed and it was noted that on occasion, whilst the Council might have granted planning permission, the developer chose not to act immediately and this could cause delays.
- In future Local Plans would take into account three zonings; growth areas, renewal areas and protected areas. Members queried how decisions would be made about classifying land in accordance with these zones and who would make the decision.
- The proposals, should they be agreed, would remove the right for the public to be heard. The Council's response was suggesting that this should remain in place.
- The proposals would raise the threshold for affordable housing to be included in applications, from developments of 11 or more houses to those of 40 or 50 houses.
- Concerns were raised that, should these proposals in relation to affordable housing be incorporated into legislation, this could result in a reduction in social housing.
- Members noted that the organisation Shelter had recently reported that an increase in demand for Council houses was anticipated as a result of the impact of the Covid-19 pandemic.
- The Council was in the process of building Council houses which would help to meet the needs of Redditch residents.
- There was no guarantee that all of the changes proposed in the Government White Paper would be incorporated into legislative changes.

RESOLVED that

the minutes of the meeting of the Executive Committee held on Tuesday, 27th October 2020 be received and all recommendations adopted.

47. CONSTITUTION

Members discussed proposed changes to Part 5 of the Constitution: The Scheme of Delegation. Two areas of proposed changes, in respect of Section 106 funding and the planning process, had been discussed at a recent meeting of the Constitutional Review Working Party. A further recommendation had been presented which built on previous decisions to delegate authority to officers in respect of taxi licensing for a temporary period.

The following points were discussed in respect of the proposed new delegations:

- The three proposals detailed in the report and the extent to which they would help to streamline processes at the Council.
- The changes that had been proposed to planning delegations and the impact that this might have on the local democratic process.
- The potential for Members to continue to call in applications that might not automatically go before the Planning Committee, should changes be agreed to the number of objections required to trigger a debate at Committee.
- The role of the Chair of the Planning Committee moving forward and the potential for the Chair to call for specific planning applications to be debated at a Committee meeting which would otherwise be resolved under delegated authority to Officers.
- The reduction in local influence over the planning process should the proposals in the Government White Paper in respect of the future of the planning process be approved and the need for Members to retain some involvement in the process.
- The significant number of planning applications that were being considered by the Planning Committee under existing rules, including those where there was no material reason, and the impact that this had had on the number of Planning Committee meetings that had been required during the year.
- The potential for Planning Officers to engage with members of the public when dealing with applications under delegated authority.
- The need for transparency in respect of decisions about important areas such as planning applications.
- The timescales that would apply to the extension of the temporary delegation in respect of taxi licensing to the end of the 2020/21 municipal year.
- The discussions that had been held at the meeting of the Constitutional Review Working Party earlier in the month. Members noted that a further recommendation would come forward in May 2021 in respect of the membership of the Audit, Governance and Standards Committee.

- The delegations that had been granted to Officers over the previous 18 months and the extent to which Officers should be provided with more authority to determine local matters.

During consideration of this item an amendment was proposed to the wording of the third recommendation in the report by Councillor Bill Hartnett. This amendment was seconded by Councillor Greg Chance.

The amended wording of recommendation 3 was as follows:

“For a temporary period, up to *the end of January 2021*, the delegation to the Head of Regulatory Services (Worcestershire Regulatory Services) shall be to determine all matters in relation to Hackney Carriage and Private Hire Operators, Vehicles and Drivers.”

In proposing the amendment Councillor Hartnett explained that it was not based on a criticism of officers or a mistrust of their work. Instead, the amendment had been proposed due to concerns that elected Members needed to take responsibility for determining matters relating to Hackney Carriages, Private Hire Operators, vehicles and drivers and also needed to be seen to be doing so. Given the current lockdown arrangements it was accepted that a short extension to the existing temporary delegation in respect of this matter was needed but only until the end of January 2021. Members were asked to note that, should this amendment be defeated, there would have been a whole municipal year where there had been no Member input in respect of determining taxi licensing matters. Councillor Hartnett concluded by suggesting that meetings of the Licensing Sub-Committee that considered taxi licensing matters could take place virtually.

In seconding the amendment Councillor Greg Chance explained that the amendment was designed to be pragmatic. The taxi licensing process involved reviewing matters that could impact on people’s livelihoods and it was therefore important to take the matter seriously. Whilst the Covid-19 pandemic had impacted on general working life and the lockdown required certain adjustments, the local democratic process needed to continue. Councillor Chance expressed concerns that a whole year without any Member involvement in the taxi licensing process would be unacceptable.

Members discussed the amendment and in so doing noted the following:

- The length of time covered by the proposed amendment to the temporary delegation for taxi licensing.

- The extent to which it was likely that the issues arising from the Covid-19 pandemic would be resolved by the end of January 2021.
- The level of immunity that might have developed within the local population and the extent to which a vaccination in respect of Covid-19 would be available to elected Members by the end of January 2021.
- The possibility that Members would need to reconsider whether to extend the temporary delegation again at the meeting of Council due to take place on 25th January 2021, should this amendment be approved.
- The number of occasions on which extensions to this temporary delegation had already been agreed at meetings of Council during the 2020/21 municipal year.
- The need for the Council to comply with Government guidelines in respect of Covid-19 and to avoid placing Members, Officers and drivers at risk of contracting Covid-19.

On being put to the vote the amendment was lost.

RESOLVED that

- 1) **authority to spend S106 monies up to a value of £50k be delegated to the S151 officer to spend in line with the S106 agreement which caused the receipt of the S106 monies;**
- 2) **the proposed revisions to the Scheme of Delegations for Development Management be approved; and**
- 3) **for a temporary period up to the end of the 2020/21 municipal year, the delegation to the Head of Regulatory Services (Worcestershire Regulatory Services) shall be to determine all matters in relation to Hackney Carriage and Private Hire Operators, Vehicles and Drivers.**

48. URGENT BUSINESS - RECORD OF DECISIONS

Members were informed that there had been three urgent decisions taken since the previous Council meeting. These urgent decisions related to the management fee for Rubicon Leisure Limited, the Council's participation in the Worcestershire Business Rates Pool in 2021/22 and Green Homes Local Authority Delivery grant funding.

49. URGENT BUSINESS - GENERAL (IF ANY)

There were no general items of urgent business for consideration on this occasion.

The Meeting commenced at 7.00 pm
and closed at 8.43 pm