



# Walsall Council

## **DEVELOPMENT CONTROL COMMITTEE**

**TUESDAY, 12 DECEMBER 2006 AT 6.00 P.M.**

**In the Council Chamber at the Council House, Walsall**

### **MEMBERSHIP:**

Councillor Mike Bird (Chairman)  
Councillor Leslie Beeley (Vice-Chairman)  
Councillor Dennis Anson  
Councillor Mohammed Arif  
Councillor Clive Ault  
Councillor Arthur Bentley  
Councillor Rose Burley  
Councillor John Cook  
Councillor Brian Douglas-Maul  
Councillor Anthony Harris  
Councillor Bill Madeley  
Councillor Cath Micklewright  
Councillor Jon Phillips  
Councillor Melvin Pitt  
Councillor Rob Robinson  
Councillor John Rochelle  
Councillor David Turner  
Councillor Angela Underhill  
Councillor Mohammad Yasin  
Councillor Zahid Ali

### **Quorum:**

Seven Members

## **Extract from Members' Code of Conduct**

### **Personal interests**

8. (1) A Member must regard himself/herself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 14 and 15 below, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of the authority's area, the well-being or financial position of himself/herself, a relative or a friend or –

- (a) any employment or business carried on by such persons;
- (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
- (d) any body listed in sub-paragraphs (a) to (e) of paragraph 15 below in which such persons hold a position of general control or management.

(2) In this paragraph:-

- (a) "relative" means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and
- (b) "partner" in sub-paragraph (2)(a) above means a member of a couple who live together.

### **Disclosure of personal interests**

9. (1) A Member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Subject to paragraph 12(1)(b) below, a Member with a personal interest in any matter who has made an executive decision in relation to that matter must ensure that any written statement of that decision records the existence and nature of that interest.

### **Prejudicial Interests**

10. (1) Subject to sub-paragraph (2) below, a Member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

(2) A Member may regard himself/herself as not having a prejudicial interest in a matter if that matter relates to:-

- (a) another relevant authority of which he or she is a member;
- (b) another public authority in which he or she holds a position of general control or management;
- (c) a body to which he or she has been appointed or nominated by the authority as its representative;
- (d) the housing functions of the authority where the member holds a tenancy or lease with a relevant authority, provided that he or she does not have arrears of rent with that relevant authority of more than two months, and provided that those functions do not relate particularly to the Member's tenancy or lease;
- (e) the functions of the authority in respect of school meals, transport and travelling expenses, where the Member is a guardian or parent of a child in full time education, unless it relates particularly to the school which the child attends;
- (f) the functions of the authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the Member is in receipt of, or is entitled to the receipt of such pay from a relevant authority; and
- (g) the functions of the authority in respect of an allowance or payment made under Sections 173 to 176 of the Local Government Act 1972 or Section 18 of the Local Government and Housing Act 1989.

### **Participation in relation to disclosed interests**

12. (1) Subject to sub-paragraph (2) below, a Member with a prejudicial interest in any matter must:-

- (a) withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he or she has obtained a dispensation from the authority's Standards Committee;
- (b) not exercise executive functions in relation to that matter; and
- (c) not seek improperly to influence a decision about that matter.

(2) A Member with a prejudicial interest may, unless that interest is of a financial nature, and unless it is an interest of the type described in paragraph 11 above, participate in a meeting of the authority's:-

- (a) Scrutiny and Performance Panels; and
- (b) Joint or area committees,

to the extent that such Committees are not exercising functions of the authority or its Executive.

## A G E N D A

### PART I - PUBLIC SESSION

1. Apologies.
2. Declarations of Interest.
3. Deputations and Petitions.
4. **Local Government (Access to Information) Act, 1985 (as amended):**  
  
To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.
5. Application List for Permission to Develop:-
  - (a) Items subject to Public Speaking;
  - (b) Items "Called-In" by Members;
  - (c) Items not subject to "Call-In"  
- Copy **enclosed**.
6. Confirmation of Tree Preservation Order No. 27 of 2006 – Re: Land at Brownhills West Methodist Church, Severn Road, Walsall – Report of the Head of Environmental Regeneration **enclosed**.
7. Proposed deed of variation following restoration of land to open space, Brewers Drive, Pelsall – Report of the head of Planning and Building Control **enclosed**.
8. 15 Emery Street, Walsall – Head of Planning and Building Control **enclosed**.

9. 27 Daffodil Place, Walsall – Erection of Fence – Report of Head of Planning and Building Control **enclosed.**
10. 88 Howdles Lane, Brownhills – Report of Head of Planning and Building Control **enclosed.**

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