

**Wyre Forest District Council
CABINET
Thursday 17th February 2005**

PRESENT: S J M Clee (Leader - Chairman), M J Hart (Deputy Leader - Vice-Chairman), Mrs M B Aston, J W Dudley and N J Desmond.

OBSERVERS: Councillors J Baker, G W Ballinger, Mrs J Fairbrother-Millis, B T Glass, Mrs A Hingley, M J Kelly, Mrs L Hyde, C D Nicholls, Mrs F M Oborski, M M G Oborski, Mrs J L Salter, J A Shaw, M J Shellie, J C Simmonds and M J Stokes,

CM.653 APOLOGIES FOR ABSENCE

Apologies were received from Councillor J-P Campion.

CM.654 DECLARATIONS OF INTEREST

Councillor N J Desmond declared a personal interest with regard to agenda item 10.1. relating to Neighbourhood/Street Wardens as he is a board member of Wyre Forest Community Housing.

CM.655 MINUTES

DECISION: The minutes of the Cabinet meeting held on 13th January 2005 were confirmed as a correct record and were signed by the Chairman.

CM.656 CALL INS

No decisions had been called in since the last Cabinet meeting.

CM.657 ITEMS REQUIRING URGENT ATTENTION

There were no items requiring urgent attention.

CM.658 LEADER'S ANNOUNCEMENTS

The Leader made no announcements.

CM.659 RECOMMENDATIONS FROM POLICY AND SCRUTINY PANELS

1. **Recommendations from the Community and Leisure Services Policy and Scrutiny Panel meeting held on the 6th January 2005 Neighbourhood/Street Warden Schemes**

The Chairman of the Community and Leisure Services Policy and Scrutiny Panel was in attendance to present the recommendations made on Neighbourhood/Street Warden Schemes.

On the 6th January 2005 officers had given a presentation from Wyre Forest Community Housing on Neighbourhood/Street Wardens. This scheme was held in very high regard. Although it was recognised that the scheme did not cover the whole of the district it did cover approximately 5,500 properties. However the Policy and Scrutiny Panel noted that the funding of the scheme was unfair in that Members felt that there should be a contribution from owner-occupiers and private tenants not just tenants of Wyre Forest Community Housing. The Panel had therefore requested that the Cabinet ask Council to carry on supporting the principle of a continued, secure Neighbourhood/Street Warden Service and to agree that the funding was unfair. They requested that the Council fund the total cost of the Existing Warden Scheme which was £230,000 per annum and that the money be included in the Council's Base Budget from April 2007 when the funding ceased.

The Leader commented that his administration was in favour of the Warden Scheme and recognised its value and benefit to the communities they served. He acknowledged the unfairness of the scheme in that the poorest and most vulnerable residents were funding the scheme whilst private tenants paid nothing for the scheme. The administration wished to take steps to alter this imbalance.

DECISION: the recommendations be noted.

2. **Recommendations from the Housing Health and Rural Affairs Panel 19th January 2005**

The Chairman of the Housing, Health and Rural Affairs Panel was in attendance to present his Panel's recommendations.

He commented that the full report to the Panel provided more comprehensive information than the summary presented to the Cabinet. He therefore asked that Cabinet Members be sent a copy.

He explained that the Panel had undertaken a fascinating and worthwhile scrutiny exercise into two main areas - the Lifeline Service and Disabled Facilities Grants. The Panel had realised that there were so many services available for older people that it was better to concentrate the scrutiny exercise on just two areas. He provided the following information:-

Lifeline Service

The Lifeline Service would be losing its dowry from the Council on the 31st March 2005. It was clear from the scrutiny exercise that this was a very worthwhile and much needed service and the panel was concerned to ensure that vulnerable people would not be left without a service.

A series of meetings had been held with staff from Wyre Forest Community Housing and they had given reassurances that vulnerable people would not lose the service on the 31st March 2005. A consultation on the future of the service was being carried out. To date 611 people had confirmed their ability to pay, 249 were unable to pay, 153 people were undergoing benefit checks, 26 people had not responded and 23 people had requested a visit to talk the matter over further.

Disabled Facilities Grants

There was a problem in getting people assessed for Disabled Facilities Grants in that there were not enough Occupational Therapists to do the assessments. It was hoped that the appointment of additional Occupational Therapists would help to rectify the problem. However one solution that had been identified was to appoint technicians on a lower grade who would be able to assess people who required small adaptations.

DECISION:

1. **Services for Older People**

The recommendations be noted.

2. **Wyre Forest Primary Care NHS Trust**

The recommendations be noted.

3. **Wyre Forest Community Housing**

The recommendations be noted.

4. **Schools Waste/Waste Minimisation in Schools**

The recommendations be noted.

The Chairman of the Housing, Health and Rural Affairs Panel was thanked for his comprehensive report.

RECOMMENDATIONS FROM THE FINANCE AND CORPORATE AFFAIRS POLICY AND SCRUTINY PANEL MEETING HELD ON 3RD FEBRUARY 2005 (OTHER THAN BUDGET RECOMMENDATIONS)

The Chairman of the Budget Scrutiny Task and Finish Group was in attendance and presented the findings of the Group.

He commented on the lack of time that his Group had had to complete a proper scrutiny exercise. However he believed that although scrutiny exercises in the past on the budget had not worked, more effective scrutiny work had been achieved this year even allowing for the lack of time. One of the main problems the Group had had to deal with was the late announcement from central Government on what the Council's settlement.

The Group had managed to scrutinise 13 topics. The Group's Chairman conceded that it would probably have been better to scrutinise what was not being done rather than what was being done!

The Chairman highlighted the following parts of his Group's report:

- (a) There was an issue with regard to the Rowland Hill Conveniences concerning the Council's obligations/responsibilities that had not been recognised in the past. This may have distorted the handling of this matter but everyone was happy with the way it was being dealt with now. At some stage the frequency of cleansing of these toilets needed to be considered.
- (b) Any confusion concerning the White Wickets Changing Facilities had been resolved and the same applied to car parking.
- (c) The Group had not been in a position to say it supported any issue because it recognised the role of political groups in formulating their own opinions.
- (d) Some items gave cause for concern and dispute eg. the Town Hall Arts Centre Project. There was concern regarding the financial expenditure for this project and whether the allocation in 2007/08 was early enough to support the Project.
- (d) With regard to Single Site, there had been a clear failure to resolve this issue and it needed to be concluded quickly.
- (e) The controversy over the charges for the cemetery would need to be resolved when the cemetery opened.
- (f) The logic behind the proposal for car parking charges needed to be reviewed annually rather than biennially was understood by the Group.
- (g) Environment and economic regeneration needed to be separated out in more detail.
- (h) The commitment to a cinema needed to be made clearer to the public. They needed to know the distinction between the small cinema that would shortly be opening in Green Street, Kidderminster and the need for a large multi-screen facility elsewhere in the town.

The Chairman of the Task and Finish Group thanked Officers and Members of the Group for their hard work in difficult circumstances. He specifically thanked Councillor Campion who had attended every meeting of the Task and Finish Group for his openness and frankness. He had been very clear and helpful in his assistance and the Group had enjoyed a good working relationship with him for which the Chairman was grateful.

The Chairman was thanked by the Leader for his report.

CM.660 BUDGET PROPOSALS 2005/2006

The Leader presented the Budget Proposals on behalf of the Cabinet Member for Finance and Corporate Affairs.

He drew Members' attention to the Key Commitments as contained in the report.

He stated that the Cabinet was proposing a Council Tax increase of 3.94%, which equated to £174.66 for a Band D property. This was a rise of £6.62 compared to 2004/2005 when the charge was £168.04.

The Leader highlighted that the Cabinet had taken on board comments about the Civic Hall in Stourport and had included money for its redecoration and lighting from the Revenue Budget.

The Cabinet had also taken note of a recommendation from the Housing, Health and Rural Affairs Scrutiny Panel regarding Neighbourhood/Street Wardens and £60,000 had been included in the Revenue Budget for this.

Proposals regarding the Town Hall had been considered and the Leader reminded members that the Council had already included money to support Disability Discrimination works at Kidderminster Town Hall in the Capital Programme.

DECISION:

A. BUDGET AND FRAMEWORK STRATEGY

The Cabinet, having considered the Budget and Policy Framework Strategy, recommended on 13th January 2005, the Budget Reports, including the recommendations of the Finance & Corporate Affairs Policy and Scrutiny Panel, and the results of the Consultation exercise, *RECOMMEND TO COUNCIL :-*

1. COUNCIL TAX LEVY 2005/2006

A Council Tax for Wyre Forest District Council on a Band D Property of £174.66 for 2005/2006 (£168.04 2004/2005) an increase of 3.94% (£6.62 over 2004/2005).

2. THREE YEAR BUDGET AND POLICY FRAMEWORK 2005/2008

(* Unless otherwise stated page references relate to the pink book of budget reports 2005/2006 circulated with the Cabinet agenda of 28th November 2004

2.1 The following General Fund Revenue Budget be **APPROVED** including Expenditure and Income Service Options identified in Appendices 1 and 2 :-

	Revised 2004/05 £	2005/06 £	2006/07 £	2007/08 £
Net Expenditure on Services (per paragraph 4.1, of the Budget & Policy Framework Report Page 3)	11,886,610	12,445,840	13,210,590	13,826,510
<u>Less</u> Capitalisation of Revenue Expenditure as per paragraph 10 of Budget & Policy Framework Report Page 7)		266,000		
Income Service Options identified in Appendix 2 of the report	-	80,910	100,490	100,490

	11,886,610	12,098,930	13,110,100	13,726,020
<u>Add</u>				
Expenditure Service Options identified in Appendix 1 of the report	-	463,500	371,410	590,060
<u>Less</u>				
Use of Reserves	<u>546,320</u>	<u>479,180</u>	<u>958,120</u>	<u>1,324,230</u>
Net Expenditure	11,340,290	12,083,250	12,523,390	12,991,850
<u>Less</u>				
Business Rate, Government Grant and Collection Fund Surplus (Page 3) Assumes 2½% increase in grant 2006/07 onwards	<u>5,656,510</u>	<u>6,126,470</u>	<u>6,268,870</u>	<u>6,424,590</u>
Council Tax Levy	<u>5,683,780</u>	<u>5,956,780</u>	<u>6,254,520</u>	<u>6,567,260</u>
Wyre Forest District Council Tax Level assuming 3.94% increase for 2005/06 and 5% 2006/07 onwards	£168.04	£174.66	£183.39	£192.56

The Council:

- 2.2 **PROMOTE** efficiencies within the Council through organisational change in accordance with ‘Gershon’ principles, including the completion of an annual efficiency statement to enable us to divert funding to front line services and away from bureaucracy, together with the need in future years to maintain a balanced and sustainable budget.
- 2.3 **REAFFIRM** the Council’s policy relating to Working Balances, Reserves and Provisions and notes the amount of Reserves and Provisions available for use in the Budget process. (pages 22-23)
- 2.4 **REAFFIRM** the Council’s updated medium term Finance Strategy. (pages 24-30)
- 2.5 **APPROVE** the Capitalisation of revenue expenditure identified in paragraph 10.2 of the Budget Strategy Report (page 7) in order to generate additional revenue resources in 2005/2006. This has been accounted for by means of a Capital Service Option.
- 2.6 **RESTORE** its participation at future Local Government Association Annual Conferences.
3. **COUNCIL TAX BASE** (pages 39-43)
- 3.1 **APPROVE** a Council Tax base for Wyre Forest District of 34105 as detailed in the report on Calculation of Council Tax Base 2005/2006.
- 3.2 **CONTINUE** council tax discounts for **Second Homes and Long Term Empty Properties** continue at 25% for 2005/2006 onwards.
4. **CAPITAL PROGRAMME 2005/2006 ONWARDS** (pages 44-60)

- 4.1 **APPROVE** the Base Capital Programme and Vehicles and Equipment Renewal Schedule.
- 4.2 **NOTE** the availability of the unallocated Capital Receipts and the ability to use Prudential Borrowing for new Capital Service Options.
- 4.3 **APPROVE** Capital Service Options and associated funding as identified in the schedule of proposed Expenditure Service Options - see Appendix 1 of the report.
- 4.4 **REAFFIRM** the Council's Capital Strategy.
- 4.5 **CONTINUE TO DELEGATE AUTHORITY** to the Head of Financial Services in consultation with the Cabinet Member for Finance and Corporate Affairs to determine the most advantageous option of how to fund vehicle and equipment renewals in order to obtain value for money, by means of either medium term Borrowing (based upon anticipated life of vehicle and equipment) or by Leasing.
- 4.6 **CONTINUE** to dispose of surplus assets in order to generate new usable capital receipts, where this is proven to be economically viable in accordance with the Asset Management Plan.
5. **PRUDENTIAL SYSTEM OF LOCAL GOVERNMENT FINANCE AND THE TREASURY MANAGEMENT STRATEGY REPORT 2005/2006** (Pages 61-73)
- 5.1 **ADOPT** the Prudential Indicators and limits within Sections 3-6 of the Report.
- 5.2 **APPROVE** the Treasury Management Strategy 2005/2006 within Sections 7-11 and associated Prudential Indicators within Section 12 of the Report.
- 5.3 **REVISE** these Indicators following the approval of the Council's Budget Strategy as the indicators are based upon current approvals.
6. **EXPENDITURE SERVICE OPTIONS** (pages 74-90)
- 6.1 **APPROVE** Expenditure Service Options and associated funding as identified in Appendix 1 of the report.
7. **INCOME SERVICE OPTIONS** (pages 91-114)
- 7.1 **APPROVE** Income Service Options and associated fees and charges as identified in Appendix 2 of the report .
- 7.2 **APPROVE** the schedule of Car Parking Charges and authority to amend the car parking places order (as set out in Cabinet Agenda Item 7(e)).

8. RISK MANAGEMENT AND THE BUDGET PROCESS (pages 115-121)
- 8.1 **ENDORSE** the Budget Risk Management process identified in the Risk Management and Budget Report and **NOTE AND ENDORSE** the Budgetary Response to identified risks as detailed on the Budget Risk Matrix Appendix 1 of the Report.
- 8.2 **MONITOR** ongoing Budget Risk quarterly as part of the Budget Monitoring process.
9. KEY COMMITMENTS 2005/2006
- 9.1 **APPROVE** the following Key Commitments for 2005/2006 :-
1. **Financial Accountability**
 2. **Environment and Economic Regeneration**
 3. **Worcestershire Hub**
 4. **Single Site (office centralisation)**
 5. **Kidderminster Cinema**
- 9.2 Appendix 3 sets these in the context of national, regional and countywide priorities.
- 9.3 Appendix 4 provides strategic statements for each Key Commitment.
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CM.661 **B. RECOMMENDATIONS OF THE FINANCE AND CORPORATE AFFAIRS POLICY AND SCRUTINY PANEL**

DECISION:

The recommendations of the Finance and Corporate Affairs Scrutiny Panel from its meeting held on 3rd February 2005, as set out in the report of its Budget Scrutiny Task and Finish Group circulated with the Cabinet agenda be approved.

c. CONSULTATION ON THE CABINET'S BUDGET PROPOSALS 2005-2008

DECISION:

That the report be noted.

d. **FINAL DETERMINATION OF THE LOCAL GOVERNMENT FINANCE SETTLEMENT AND COLLECTION FUND SURPLUS 2005/2006**

DECISION:

The final settlement and formal calculation of the Collection Fund surplus as detailed in the report be incorporated into the Council's Budget Strategy and resultant Council Tax Levy for 2005/2006.

e. **INCOME SERVICE OPTION - PROPOSED CAR PARKING CHARGES**

DECISION:

The proposed charges be noted as these are included as one of the Council's income service options.

f. **ADDITIONAL CAPITAL RESOURCES (LETTER FROM THE HEAD OF FINANCE SERVICES)**

DECISION:

The letter from the Head of Financial Services outlining additional Capital and Revenue resources be noted.

CM.662 REPORT ON BUDGET MONITORING

A report was considered from the Head of Financial Services that reported on the monitoring of the Revenue Budget and Capital Programme in accordance with the Local Government Act 2003 and Comprehensive Performance Assessment (CPA) guidelines.

DECISION:

- 1) The projected budget variations and comments outlined within this report be noted;
- 2) The Heads of Service continue to monitor closely the Revenue Budget and Capital Programme;
- 3) The Head of Financial Services submit further reports to the Cabinet on a quarterly basis;
- 4) The revised Prudential Indicators 2004/2007 be noted; and
- 5) The Budget Risk Management Matrix be noted.

CM.663 NEW CONSERVATION AREA FOR STONE, NR. KIDDERMINSTER

The Leader welcomed Mr M Hobson, (representing the Chairman of Stone Parish Council) to the meeting.

The Cabinet considered a report from the Head of Planning, Health and Environment. Members were advised that the Planning (Listed Buildings and Conservation Areas) Act 1990 placed a duty on every local planning authority from time to time, to determine which parts of their area were of special architectural and/or historic interest, the character of which it was desirable to preserve or enhance and to designate them as Conservation Areas.

Although it was not a statutory requirement to consult prior to the agreement of a Conservation area, advice in PPG.15 stated that there should be consultation with local residents and other local interested parties. It was therefore agreed to undertake a public consultation on the possibility of Stone being designated as a Conservation Area in September 2004.

It became clear during the public consultation that there were a number of problems. Firstly that the area was too wide and took in an area named Fenney Wood which was managed woodland. It was also clear that the buildings already listed in Stone were protected by their listing. The other buildings in Stone were not of such great architectural importance to the District and therefore did not need to be considered as part of the conservation area. The land around Stone was designated green belt and this meant that it would be difficult to get planning permission for development.

When designating areas as conservation areas it was important to have the agreement of local residents as the Council would need to prepare proposals for the preservation and enhancement of the Area. In order to secure the implementation of such proposals the support of residents and landowners was highly desirable.

The Leader asked Councillor Hobson for his comments. Mr Hobson read extracts from a letter from Stone Parish Council members that outlined their reasons for not wishing Stone to be designated a Conservation Area. He also commented that he believed that the Council should have published details of the public consultation in the local newspaper and on the local Parish Council noticeboard. The Leader thanked Councillor Hobson for his contribution to the meeting.

In view of the results of the consultation the Cabinet Member proposed not to proceed with the designation of the Conservation area at this time.

DECISION:

It be agreed not to proceed at this time with the designation of a Conservation Area in Stone, Nr Kidderminster.

CM.664 DRAFT LOCAL DEVELOPMENT SCHEME

A report was considered from the Head of Planning, Health and Environment that informed Members of feedback received from Government Office for the West Midlands (GOWM) regarding the initial Draft Local Development Scheme (LDS) agreed by the Cabinet on the 16th December 2004 (minute number CM.577 refers).

Members noted that the purpose of a Local Development Scheme was to communicate the District Council's intended work programme for planning policy over the next 3 years. It had been requested that the Local Development Scheme for this Council be submitted to the Secretary of State before 28th March 2005.

The Head of Planning, Health and Environment stated that it had been intended that the Government Office would be sent all the documentation relating to the Local Development Scheme. However the Government Office West Midlands had advised that the Planning Inspectorate had raised concerns regarding the grouping of the Core Strategy with the Site Allocations and Development Control Policies Development Plan documents. It considered that the Core Strategy Development Plan Documents should be submitted and examined before the other two Development Plan Documents in order to ensure that the strategic issues were dealt with first. In its opinion this would avoid strategic matters getting slowed down in detail and also avoid the possibility of abortive work being carried out on the Site Allocations Development Plan Document.

The Head of Planning, Health and Environment envisaged that as the Local Development Plan was straightforward, it was likely to be approved and then it would come into effect 4 weeks after submission.

DECISION

- 1. The Local Development Scheme for Wyre Forest District be based on the draft dated 2nd December 2004 as amended by Appendices 1 and 2 of the Report.**
- 2. Subject to not receiving any notification from the Secretary of State, under Regulation 11 (3b or 3c) of the Town and Country Planning (Local Development) (England) Regulations 2004, the submitted Local Development Scheme shall have effect from 27th March 2005.**

CM.665 FEASIBILITY STUDY TO PROVIDE 250 EXTRA CAR PARKING SPACES FOR THE DISTRICT

A report was considered from the Head of Cultural, Leisure and Commercial Services that outlined options available relating to the provision of a multi-storey car park in Kidderminster Town Centre.

The Cabinet was advised that the Council's consultants, Colin Buchanan and Partners had undertaken a parking review in December 2003 covering the three town centres of Kidderminster, Stourport and Bewdley. The resulting report concluded that there was a need for additional off-street parking in Kidderminster town centre. At the Executive meeting on 22nd April 2004 officers had been instructed to engage consultants to identify the preferred site and design option for the provision of an additional 250 car parking spaces (minute number ED.305 refers).

DECISION:

- 1. Pike Mills be the site of the new multi-storey Car Park.**

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2. **Approval be given in principle to the provision of a multi-storey car park based on a brickwork clad construction with the provision of retail space at street level with ground, first and second floor parking.**
 3. **The Head of Cultural, Leisure & Commercial Services, in consultation with the Cabinet Member for Environment and Economic Regeneration, the Head of Financial Services and the Head of Legal & Democratic Services appoint consultants to undertake:-**
 - i. **Traffic Assessment**
 - ii. **Business Case Analysis**
 - iii. **Design, Costing & Planning**
 4. **The Head of Cultural, Leisure & Commercial Services be authorised to undertake £25,000 of capital expenditure from the car parks service option to improve the lighting at the Bromsgrove Street surface level car park.**
 5. **The Head of Cultural, Leisure & Commercial Services, in consultation with the Cabinet member for Environment & Economic Regeneration, be authorised to spend the balance of the car park improvement budget on traffic management improvements, infill improvements and general maintenance work on the Council's existing car parks.**

CM.666 IMPLICATIONS OF THE CHILDREN'S ACT 2004 ON DISTRICT COUNCILS

A report was considered from the Head of Cultural, Leisure and Commercial Services that advised Members of the responsibilities for District Councils arising from the Children's Act (2004).

It was noted that there were 5 key areas for the District Council where the Children's Act would have an impact. These were:-

- Housing and Homelessness
- Leisure and Play
- Planning, public space and the built environment
- Partnerships with voluntary and statutory agencies
- Crime and Disorder Reduction Partnerships

It was proposed that the Council should have a Lead Councillor and Lead Officer who could ensure that Children's Services were considered at every opportunity. There were no financial implications arising from these proposals.

RECOMMENDED TO COUNCIL:

1. The report be noted
2. The Cabinet Member for Community & Leisure Services and the Head of Cultural, Leisure & Commercial Services (or his authorised representative) be Lead Councillor and Lead Officer respectively for Children's Services and to ensure that the requirements of the Act are carried through.
3. The Head of Cultural, Leisure & Commercial Services (or his authorised representative) represent the Council on the Children's Fund Board.

CM.667 EXCLUSION OF THE PRESS AND PUBLIC:

DECISION:

"That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs 7 of Part 1 of Schedule 12A to the Act.

CM.668 SUMMARY OF MINUTES

1. **MINUTES**

The minutes of the Cabinet meeting held on the 13th January 2005 were confirmed as a correct record and were signed by the Chairman.

2. **COUNCIL TAX AND NATIONAL NON-DOMESTIC RATES WRITE OFF OF AMOUNTS OUTSTANDING**

The Cabinet agreed to write off sums in respect of National Non-Domestic Rates and Council Tax as detailed in the report considered by Cabinet.