

COUNCIL MEETING
COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN
WEDNESDAY 19TH MAY 2004 (6.00 P.M.)

PRESENT:

Councillors: Mrs P V Hayward (Chairman), Mrs M B Aston (Vice-Chairman), A D Adams, N D Addison, L W Barton, S J M Clee, Mrs E M Davies, N J Desmond, Mrs I M Dolan, J W Dudley, Mrs H E Dyke, P Dyke, G H Eeles, Mrs J Fairbrother-Millis, B T Glass, A H Greenfield, P B Harrison, M J Hart, Mrs S M Hayward, G J Hinton, Mrs L Hyde, Rachel L Lewis, Miss A Mace, H J Martin, Miss M A Mason, C D Nicholls, Mrs F M Oborski, M M G Orborski, Ms K A Poller, Mrs Pat Rimell, K R Robertson, Mrs J L Salter, J A Shaw, Mrs M Spragg, K J Stokes, R Wheway, R White and S J Williams.

CM.743 **PRAYERS**

Prayers were said by the Reverend Charles Raven, Christ Church.

CM.744 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs M H Baillie, G W Ballinger and Miss S Meekings.

CM.745 **DECLARATION OF INTERESTS**

Councillor N D Addison declared his prejudicial interest in agenda item 12, Motion submitted under Standing Order D 1(7), Loss of Direct Kidderminster to Birmingham New Street Rail Link, (Minute CM 754 refers) as he was an employee of Central Line West.

CM.746 **MINUTES**

DECISION: The minutes of the meeting held on 25th February 2004 be confirmed as a correct record and signed by the Chairman.

CM.747 **QUESTIONS**

The Council received a report setting out a range of questions (and answers) under Standing Order A5, directed at the Leader of the Council and Portfolio Holders.

The questions and answers are set out in full in Appendix 1 (attached).

CM.748 **CHAIRMAN'S COMMUNICATIONS**

Members received a list of functions, which the Chairman and Vice-Chairman had attended recently. The Chairman thanked the Vice-Chairman for deputising for her during her recent holiday.

She also drew particular attention to a recent charity concert that she and her consort had attended, which had been one of a series of events organised over the past year in aid of the Kidderminster War Memorial Trust. She thanked the Councillors who had supported some of these events and encouraged more to do so in future.

As this was the last Council meeting of the current municipal year, the Chairman took the opportunity to thank all Councillors for their hard work over the past year on behalf of their Wards and the District generally. She highlighted the effort involved for those Councillors who were carrying out their civic duties in addition to full-time employment. She expressed appreciation to Councillors L W Barton, Miss A Mace, Ms K A Poller and R White, who would not be standing for re-election in the forthcoming District Council elections and extended best wishes to those who were standing again.

In conclusion, the Chairman drew attention to the accolades achieved by Wyre Forest District Council and the esteem in which its name was held. Accordingly, she cautioned that care should be taken to ensure that actions taken for party political purposes did not have any adverse implications for the Council.

CM.749 LEADER'S ANNOUNCEMENTS AND REPORT

The Leader made the following announcements:

a. Investor in People Status – Planning, Health and Environment Division

The Leader was pleased to announce that the Planning, Health and Environment Division had been awarded Investor in People (IIP) status in May 2004. He congratulated the Head of Service and his staff for this achievement. The Council noted that this was the second Division to gain this award (Human Resources having been the first).

b. Advantage West Midlands

On 3rd June 2004, the Leader would meet with senior officers from Advantage West Midlands, the Government Office for the West Midlands, Worcestershire County Council, the Chief Executive and the Economic Development and Tourism Manager to discuss issues relating to economic development and regeneration in the District.

c. Meeting with Liberal Democrat MEP

The Leader placed on record his thanks to the Liberal Democrat Group for including him and the Chief Executive in a meeting on 18th May 2004 with Liz Lynne, Liberal Democrat Minister for the European Parliament for the West Midlands. He advised that the opportunity had been taken to raise concerns over the virtual lack of European funding for the Wyre

Forest area, the importance of a relief road for Stourport and issues concerning local regeneration.

Ms Lynne had intimated that Advantage West Midlands had funds available for Objective 2 plans (economic development and regeneration) and Objective 3 plans (training and skills) and that this Council was likely to qualify only for Objective 3 grants.

d. Capping of Hereford and Worcester Authority's Budget 2004/2005

The Leader announced that the Hereford and Worcester Fire Authority had appealed against the capping of its 2004/2005 budget at £2 million less than the current precept. He explained that, after considering the Fire Authority's evidence, the Government had two options. It could either continue to cap the budget, which would mean that the District Council would have to re-bill all Council Taxpayers accordingly, or it could withdraw the capping proposals for 2004/2005, but impose conditions on the subsequent year's budget. He outlined the financial and other implications involved, as detailed in a briefing note from the Head of Financial Services, which would be circulated to all Members.

e. Office Moves – Duke House, Kidderminster

The Leader announced that the Planning Section had now moved to Duke House and that the Financial and Environmental Services would follow shortly.

f. Chairman of Council

The Leader thanked the Chairman of Council for her excellent chairmanship of Council meetings during her year in office. He also paid tribute to the manner in which she had carried out her civic role, which he felt had been a credit to the District.

g. Councillors not Standing for Re-election

The Leader thanked the four Councillors, who would not be standing again in the forthcoming District Council elections, for their services, namely, Councillors L W Barton, Miss A Mace, Ms K A Poller and R White.

He drew attention to the contributions made by Councillors Miss Mace and Ms Poller, which had been very well received and highlighted the services of Councillor Barton, over the past two years, as Chairman of the Planning (Development Control) Committee. In particular, Members thanked Councillor Ms Poller for her work as Portfolio Holder for Housing, Planning, and Environment and recorded their appreciation for the manner in which Councillor Barton had piloted the successful introduction of public speaking at the Planning (Development Control) Committee.

The Leader paid tribute to the long service of Councillor White and

pointed out that he had also made a significant contribution in the District during his years as a union leader in the carpet trade.

Members endorsed these sentiments and also recorded appreciation for Councillor White's service to rural parishes and communities in the District.

In conclusion, the Leader said that he had enjoyed his year as Leader of Council and thanked Councillors for the consideration extended to him.

CM.750

POLICY AND BUDGET FRAMEWORK – MATTERS WHICH REQUIRE A DECISION BY COUNCIL

a. Recommendations from the Executive – 22nd April 2004

i) Media Protocol

The Council considered a recommendation from the Executive regarding a proposed Media Protocol to set out the context in which the Council carried out media communications. This took account of points raised by the Ethics and Standards Committee at its 25th June 2003 meeting. The addenda handed out at the Executive meeting concerning press briefings was also circulated to the Council.

DECISION:

- 1. the media protocol, as suggested by the Ethics and Standards Committee, be adopted, subject to the following amendments: that item 3.6. be inserted at the front of 7.2. and in section 6 the addenda handed out at the Executive meeting concerning press briefings be inserted into the Protocol;**
- 2. the Council guidance 'Making the News' be incorporated into the media protocol to make one document;**
- 3. the Public Relations and Marketing Section ensure that each Councillor receives a copy of the media protocol; and**
- 4. all new Councillors receive media training as part of their induction programme and other members who have not previously received such training be invited to participate also.**

ii) Benefits – Customer Care Policy, Customer Care Charter and Benefits Service Strategy

The Council considered a recommendation from the Executive, which proposed the policy, charter and strategy detailed in the

decision below. The Portfolio Holder agreed that public copies would be made available in black print on yellow paper for people with visual impairment.

DECISION:

1. **the Benefits - Customer Care Policy and the Benefits - Customer Care Charter, attached in Appendices 1 to 2 of the report to the Executive, be adopted by the Council pending the development of a Corporate Customer Services Policy;**
2. **the Benefits – Service Strategy attached in Appendix 3 of the report to the Executive, be adopted by the Council; and**
3. **leaflets and notices concerning benefits be translated into other languages by the Ethnic Access Centre when required.**

iii) North Worcestershire Home Improvement Agency

The Council considered a recommendation from the Executive, which sought approval to introduce a fee for Home Improvement Agency services in Wyre Forest.

DECISION:

1. **with immediate effect a 10% fee be charged on private sector grants awarded as Disabled Facilities Grants and other Discretionary Grants to be pooled and used to support the establishment of and continued operation of the North Worcestershire Home Improvement Agency; and**
2. **the Head of Planning, Health and Environment keep under review the impact of fee charging and report to the Executive as necessary on any changes to the fee.**

b. Recommendations from the Executive – 18th May 2004

i) Annual Report on the Council's Internal Control Environment 2003/04

The Council considered a recommendation from the Executive regarding the Council's Internal Control Environment 2003/04.

DECISION: the Annual Report on the Council's Internal Control Environment 2003/04, attached as Appendix 1 of the report to the Executive, be noted.

ii) **Housing Benefits Overpayments Policy**

The Council considered a recommendation from the Executive regarding a Housing Benefits Overpayments Policy. The Portfolio Holder confirmed that action was being taken to address problems relating to information technology links between the District Council and Worcestershire County Council's Supporting People Section.

DECISION: the Housing Benefits Overpayments Policy, attached as Appendix 1 to the report to the Executive, be adopted.

iii) **Human Resources Strategy**

The Council considered a recommendation from the Executive regarding a revised Human Resources Strategy and congratulated the officers responsible for drafting it.

DECISION: the revised Human Resources Strategy, attached to the report to the Executive, be adopted.

CM.751 RECOMMENDATION FROM THE LICENSING AND ENVIRONMENTAL COMMITTEE – 29TH MARCH 2004

Protocol for Members of the Licensing and Environmental Committee and Appointments and Appeals Committee

The Council considered a recommendation from the Licensing and Environmental Committee regarding a proposed protocol for members at meetings of that Committee and the Appointments and Appeals Committee.

DECISION: the protocol for members of the Licensing and Environmental Committee and Appointments and Appeals Committee, as attached to the report, be adopted, subject to the deletion of the final sentence in paragraph 2.9.

CM.752 RECOMMENDATION FROM THE PLANNING (DEVELOPMENT CONTROL) COMMITTEE – 15TH APRIL 2004

New Code of Practice for Planning matters

The Council considered a recommendation from the Planning (Development Control) Committee regarding a revised Code of Practice for planning matters.

DECISION: the Code of Good Practice as set out in the Appendix to the report to the Planning (Development Control) Committee be adopted with immediate effect.

CM.753 MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (1)

There were no motions submitted under Standing Order D1 (1).

CM.754

MOTION SUBMITTED UNDER STANDING ORDER NO. D1 (7)

The Council considered the following motion submitted on behalf of the Liberal Party Focus Save our Hospital Group by Councillors P B Harrison, Mrs S M Hayward, Mrs R L Lewis, Mrs F M Oborksi and M M G Oborski and R Wheway:

Loss of Direct Kidderminster to Birmingham New Street Rail Link

“Council deplores the loss of the direct Kidderminster to Birmingham New Street rail link believing that this will not only cause real hardship to many local residents but that it is also potentially damaging to the economic status and attractiveness of the District.

Council calls upon the appropriate authorities to reverse this decision and to guarantee the continuance of this service as a matter of urgency.”

The Council endorsed the views expressed in the motion and the following points were made in the course of the debate:

- New Street was a hub for the national rail network and the loss of the service into New Street would cause difficulties for many people needing to change trains, particularly people carrying luggage, those with mobility problems, the elderly and families with young children. Changing at Smethwick Galton Bridge was considered unacceptable for such passengers in view of the need to change platforms. It was also considered to be an intimidating place in the evenings when it was unstaffed.
- An earlier survey had indicated that 36% of passengers from Kidderminster to Birmingham needed to change at New Street and Councillors considered that this pattern of usage continued to apply.
- The removal of the direct link from Kidderminster to Birmingham New Street was very likely to result in more people using their cars instead, with resultant environmental and health implications.
- Furthermore, an integrated transport policy was essential for the economic development of the area as it was a factor which many businesses took into consideration when planning their location or relocation.

In conclusion the motion was adopted.

DECISION:

- 1. Council deplores the loss of the direct Kidderminster to Birmingham New Street rail link believing that this will not only cause real hardship to many local residents but that it is also potentially damaging to the economic status and attractiveness of the District.**
- 2. Council calls upon the appropriate authorities to reverse this**

decision and to guarantee the continuance of this service as a matter of urgency.

(Prior to the commencement of the meeting and in accordance with the powers vested in her under the relevant provisions of the Local Government Act 2000 and the Council's Constitution, the Chairman agreed to accept the motion detailed in Minute CM 754 above as a matter of urgency by virtue of special circumstances. The special circumstances in this case were to enable representations to be made before the direct Kidderminster to Birmingham New Street rail link was withdrawn on 23rd May 2004.)

CM.755

WORCESTERSHIRE COUNTY COUNCIL – PUBLIC CONSULTATION REVIEW OF PROVISION FOR SPECIAL EDUCATIONAL NEEDS IN WORCESTERSHIRE

Further to Minute CM 703 of its 14th April 2004 meeting, the Council considered the draft response drawn up by the Working Group in relation to Worcestershire County Council's public consultation on its Review of Provision for Special Educational Needs In Worcestershire.

In presenting the proposed response, the Working Group's Chairman thanked the Members of the Working Group and the Committee officers involved for their work in compiling the document. It was noted that the Members had undertaken their own research for this purpose.

Giving an update on the decision which had already been taken to close Alexander Patterson Special School, the Group's Chairman reported that this was to be referred the County Council's Schools Organisation Committee and she had asked to speak at its meeting. She advised that some parents of pupils at the school had initiated legal proceedings for a judicial review of the decision to close the school. She gave an indication of some of the grounds for this action.

Members endorsed the draft response to the consultation on the Review of Provision for Special Educational Needs In Worcestershire. They considered it to be well researched, factual and fair.

DECISION:

- 1. The draft response to Worcestershire County Council's public consultation on its Review Of Provision for Special Educational Needs In Worcestershire, as circulated to Councillors, be adopted for submission to the County Council;**
- 2. Copies of the response be circulated to:**
 - a) Richard Taylor, MP**
 - b) Leader of Worcestershire County Council;**
 - c) Chairman of Worcestershire County Council's Schools Organisation Committee;**
 - d) All other County Councillors (except for those who are also District Councillors and have already received a copy);**

- e) **Chief Executive, Corporate Services, Worcestershire County Council;**
- f) **Director of Public Services, Worcestershire County Council;**
- g) **The Head Teacher, Alexander Patterson Special School;**
- h) **Mortimers Solicitors, Bridgnorth.**

The meeting ended at 7.05pm.