

FOREST DISTRICT COUNCIL
COUNCIL MEETING
COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN
WEDNESDAY 20th APRIL 2005 (6.00 P.M.)

PRESENT:

Councillors: J C Simmonds (Chairman), Mrs P V Hayward (Vice-Chairman), Mrs M B Aston, Mrs M H Baillie, J Baker, G W Ballinger, A J Buckley, J-P Campion, S J M Clee, N J Desmond, J W Dudley, P Dyke, Mrs L Edginton, Mrs J Fairbrother-Millis, B T Glass, P B Harrison, M J Hart, Mrs S M Hayward, M A W Hazlewood, Mrs A T Hingley, Mrs L Hyde, M B Kelly, Mrs R L Lewis, Miss M A Mason, Miss S C Meekings, C D Nicholls, Mrs F M Oborski, M M G Oborski, M W Partridge, Mrs A R A Poole, Mrs P A Rimell, Mrs J L Salter, J A Shaw, M J Shellie, K J Stokes, R Wheway, and S J Williams.

CM.950 **PRAYERS**

Prayers were said by the Reverend Stephen Owens, Far Forest Church, Kidderminster.

NORMAN BROOME

On behalf of the Council, the Chairman paid tribute to former District and Stourport Town Councillor, Norman Broome, who died recently. The Chairman drew attention to the fact that Mr Broome had twice been Chairman of the District Council, in 1982 and 1990, and had served the community well. All present stood for one minute's silence in his honour.

CM.951 **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Mrs I M Dolan, Mrs H E Dyke, J Holden, W G Jones and A D Williams.

CM.952 **DECLARATION OF INTERESTS**

Councillors J-P Campion and N J Desmond declared personal interests in agenda item 10b, Amendment to Scheme of Delegation to Officers, Surrender of Leases and Tenancies, in view of being commercial tenants of premises owned by the District Council.

Councillor Mrs F M Oborski declared a personal interest in agenda item 10c, Herefordshire and Worcestershire Social Enterprise Support Partnership, Memorandum of Understanding, in view of being a Board Member of the new Wyre Forest Community Housing Sheltered Housing Company.

CM.953 **MINUTES****DECISION:**

The minutes of the meeting held on 23rd February 2005 be confirmed as a correct record and signed by the Chairman.

CM.954 **PUBLIC PARTICIPATION**

No members of the public had asked to participate at this meeting.

CM.955 **QUESTIONS - STANDING ORDER A5**

The Council received a report setting out questions from a Councillor, directed at the Leader of the Council. The questions and answers are set out in full in Appendix 1 (attached).

CM.956 **CHAIRMAN'S COMMUNICATIONS**

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting. The Chairman advised that the events that he had attended had been interesting and informative. They had enabled him to forge links across a wide area on behalf of the Council.

CM.957 **LEADER'S ANNOUNCEMENTS AND REPORT**

The Leader of the Council made no announcements on this occasion.

REVIEW OF RESTRICTION ON NUMBER OF TAXI LICENCES ISSUED WITHIN WYRE FOREST DISTRICT.

Further to Minute CM 537 of its 8th December 2004 meeting and the licensing seminar for Councillors on 11th April 2005, the Head of Planning, Health and Environment submitted a report on the outcome of a survey by independent transport consultants, Halcrow Group Limited. This had been commissioned to assess whether there was significant unmet demand for Hackney Carriage services in the District, to enable the Council to decide future policy in respect of Hackney Carriage numbers.

The Leader of the Council advised that he and the Chief Executive had met representatives from the Wyre Forest Taxi Drivers' Association the previous week, when the Association had raised a number of queries in relation to the consultant's report. Group Leaders had discussed this, before the Council meeting, and the consensus was that the issues raised by the Association needed to be investigated, before the consultant's report could be considered. In addition, it was suggested that these issues should be reviewed by the relevant Policy and Scrutiny Panel.

DECISION:

Consideration of the report, including the survey report by Halcrow Group Limited, be deferred to the Council's Annual Meeting on 18th May 2005 and prior to that meeting:

- 1. issues raised by the Wyre Forest Taxi Drivers' Association, in relation to Halcrow Group Limited's report, be investigated; and**
- 2. the issues referred to in 1 above be reviewed by the Environment and Economic Regeneration Policy and Scrutiny Panel.**

(The Panel meeting was arranged subsequently for 16th May 2005)

CM.958

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

a. Recommendation from the Planning (Development Control) Committee – 8th March 2005

Amendment to Scheme of Delegation to Officers – Review of Procedure for Determining Applications Requiring a Section 106 Agreement

The Council considered a recommendation from the Planning (Development Control) Committee regarding proposed changes to the way in which planning applications requiring a Section 106 obligation were handled, in order to improve performance. In presenting this recommendation, the Committee's Chairman advised that he was impressed with the expertise of the Council's Planning Officers. However, that expertise was not reflected adequately in relevant performance statistics, in view of difficulties which could arise in the completion of Section 106 agreements.

DECISION:

Authority be delegated to the Head of Planning, Health and Environment, in consultation with the Head of Legal and Democratic Services, to refuse planning applications where the Section 106 obligation is not completed within the time period notified to the Applicant.

b. Recommendations from the Cabinet – 17th March 2005

Amendment to Scheme of Delegation to Officers – Surrender of Leases and Tenancies

The Council was advised that the Cabinet had approved the acceptance of surrenders of the tenancies of Units 8, 9 and 21 Hoobrook Enterprise Centre and had recommended the Council to authorise the relevant Head of Service to accept surrenders of leases and tenancies where advantageous to the Council.

DECISION:

The Scheme of Delegation to Officers be amended to give the Head of Cultural, Leisure and Commercial Services authority to accept surrenders of leases and tenancies where advantageous to the Council.

Herefordshire and Worcestershire Social Enterprise Support Partnership

The Council considered a recommendation from the Cabinet regarding the development of a Herefordshire and Worcestershire Social Enterprise Support Partnership. The Cabinet had asked the Council to support the Partnership and its activities by approving a Memorandum of Understanding

DECISION:

The Council sign up to the principles set out in the Herefordshire and Worcestershire Social Enterprise Support Partnership's draft Memorandum of Understanding, as detailed in the Appendix to the report to the Cabinet on 17th March 2005.

c. Recommendations from the Cabinet – 14th April 2005

Amendment to Scheme of Delegation to Officers - Delivering Efficiency Savings in Local Government - Annual Efficiency Statements

The Council considered a recommendation from the Cabinet regarding annual efficiency savings, required by the Office of the Deputy Prime Minister (ODPM). The Cabinet had approved the 2005/06 forward-looking part of the Council's first Annual Efficiency Statement for submission to the ODPM and recommended the Council to delegate authority, as detailed below, for the submission of future Statements.

DECISION:

Authority be delegated to the Chief Executive and the Head of Financial Services, in consultation with the Leader of the Council and the Cabinet Member for Finance and Corporate Affairs, to approve and submit future Annual Efficiency Statements.

Supporting People Progress Report and Five Year Strategy

The Council considered a recommendation from the Cabinet on the implementation of the Supporting People regime and the approval of a draft 5-year strategy, prior to countywide consultation.

DECISION:

1. The latest position regarding service reviews and the financial position of the Supporting People Service, as detailed in the

report to the Cabinet on 14th April 2005, be noted.

- 2. The Draft 5-Year Strategy, as circulated separately from the report, be approved prior to the three-month consultation process.**

Kidderminster Economic Development and Regeneration Strategy

The Council considered a recommendation from the Cabinet seeking approval of the above Strategy.

DECISION:

The Kidderminster Economic Development and Regeneration Strategy, as detailed in the report to the Cabinet on 14th April 2005, be approved.

Worcestershire Local Transport Plan 2 (LTP2) 2006/2011
Consultation Draft February 2005

The Council considered a recommendation from the Cabinet seeking approval for its proposed response to the consultation on the Worcestershire Local Transport Plan 2. Members were advised that the Cabinet had included comments from the Environment and Economic Regeneration Policy Scrutiny Panel, at its meeting on 6th April 2005.

DECISION:

- 1. The comments set out in Appendix 1 of the report to the Cabinet on 14th April 2005, together with the comments from the Environment and Economic Regeneration Policy and Scrutiny Panel (as listed in Cabinet Minute CM. 924), be approved as the District Council's response to the Draft Local Transport Plan 2, for submission to Worcestershire County Council.**
- 2. The Head of Planning, Health and Environment be authorised to submit Wyre Forest District Council's representations on the Consultation Draft Local Transport Plan 2 to Worcestershire County Council by 29th April 2005.**

Wyre Forest District Local Development Framework:
Statement of Community Involvement (SCI)

The Council considered a recommendation from the Cabinet seeking approval for the above Statement of Community Involvement and a proposal to take it forward into a 6-week consultation period.

DECISION:

- 1. The Draft Statement of Community Involvement, as detailed in Appendix 1 to the report to the Cabinet on 14th April 2005, be approved for the purposes of pre-submission public participation**

in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004.

2. **The Head of Planning Health and Environment be authorised to make the appropriate arrangements to publish the Draft Statement of Community Involvement for a 6-week consultation period commencing on 28th April 2005.**

Draft Wyre Forest District Community Safety Strategy (2005 - 2008)

The Council considered a recommendation from the Cabinet seeking approval of the draft Community Safety Strategy (2005-2008), produced by the Wyre Forest Community Safety Partnership.

DECISION:

The Wyre Forest Community Safety Partnership's draft Community Safety Strategy for the period 2005 to 2008, as circulated as a separate appendix to the report to the Cabinet on 14th April 2005, be approved.

CM.959 MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (1)

No notices of motion were received in accordance with Standing Order D1(1).

CM.960 URGENT MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (7)

No notices of motion were received in accordance with Standing Order D1(1).

CM.961 AMENDMENT TO SCHEME OF DELEGATION TEMPORARY STOP NOTICES

The Council considered a report from the Head of Planning, Health and Environment which advised Members of a new tool for enforcing against breaches of planning control. The Cabinet Member for Environment and Economic Regeneration explained that the Planning and Compulsory Purchase Act 2004 gave local planning authorities power to issue Temporary Stop Notices which were effective for 28 days. He advised that the delegation of authority to an officer to issue the notices would enable immediate action to be taken against unauthorised development.

DECISION:

Delegated power be given to the Head of Legal and Democratic Services, in consultation with the Head of Planning, Health and Environment to serve or withhold a Temporary Stop Notice following consultation with the Chairman, or in his absence the Vice Chairman, of the Planning (Enforcement) Committee.

CM.962 **CALENDAR OF MEETINGS**

The Leader of the Council advised that the draft Calendar of meetings was normally agreed at the Council's Annual Meeting, but consideration of it had been brought forward as there were no District Council elections that year. He advised Members of two proposed amendments, as detailed below, and asked Group Leaders to contact the Committee Section if they had any problems with dates proposed for scrutiny meetings.

It was noted that the earlier approval of the calendar would enable officers to issue the Council Year Book sooner than usual, this year.

DECISION:

The calendar of meetings for the 2005/2006 municipal year be approved subject to:

- 1. the Miscellaneous Functions Committee meeting being rescheduled from 25th July to 13th July 2005;**
- 2. the Cabinet meeting being rescheduled from 26th May to 25th May 2005; and**
- 3. the Head of Legal and Democratic Services being authorised to agree amendments to scrutiny meeting dates in the light of any comments from Group Leaders received within 24 hours.**

CM.963 **EXCLUSION OF THE PRESS AND PUBLIC****DECISION:**

Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Act.

CM.964 **MINUTES****DECISION:**

The exempt minutes of the meeting held on 23rd February 2005 be confirmed as a correct record and signed by the Chairman.

The meeting ended at 6.27 p.m.

WYRE FOREST DISTRICT COUNCIL
COUNCIL MEETING – 20TH APRIL 2005
AGENDA ITEM 6

QUESTION TIME AT COUNCIL MEETINGS - STANDING ORDER A5

Question by Councillor P B Harrison

To the Leader of the Council

Does the Leader agree with me that West Mercia Police Authority offers a poor service, particularly in respect of the enforcement of parking restrictions, given their 65% increase in Council Tax over the last three years?

Does he appreciate that this poor service causes problems for the residents of Greenhill Ward, in and around Kidderminster town centre?

Will he make a statement to Council on his administration's progress on the decriminalisation of parking offences in Wyre Forest District?

Answer from the Cabinet Member for Environment and Economic Regeneration

With regard to the first part of the question as to whether West Mercia Police Authority offers a poor service, I feel we need to have more details about the service referred to, but it appears to relate to the issue of parking and the Warden Service.

I think we will all possibly agree that the Warden Service is inadequate to cover 3 towns and this Council is addressing this issue.

With regard to the next part of the question, there is an exercise going on regarding decriminalisation of on-street parking, which remains a priority for the administration.

The first phase of a feasibility study into applying for an Order to decriminalise all on-street parking in Wyre Forest has been completed. However details are needed that define the areas of the current road traffic orders.

Supplementary Question from Councillor P B Harrison

Could Councillor Dudley give the time-scale of when this might happen?

Reply from the Cabinet Member for Environment and Economic Regeneration

The date when this matter is to be considered by Cabinet is in the Forward Plan. As to when the decriminalisation of on-street parking will happen, this will be when we have sorted out the issue of defining the areas of the road traffic orders. We are working with Worcestershire County Council to complete the necessary research and this work is almost finished.