

**WYRE FOREST DISTRICT COUNCIL**  
**CABINET**  
**EARL BALDWIN SUITE, DUKE HOUSE, KIDDERMINSTER**  
**THURSDAY, 29<sup>TH</sup> SEPTEMBER 2005**

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**PRESENT:**

Councillors: S J M Clee (Leader), M J Hart (Deputy Leader), J-P Campion, N J Desmond, J W Dudley and Mrs A Hingley,

**OBSERVERS:**

Councillors: G W Ballinger, Mrs P V Hayward, C D Nicholls and M J Shellie.

**CAB.80    APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**CAB.81    DECLARATIONS OF INTEREST**

Councillor S J M Clee declared a personal interest in agenda item number 7.3. relating to Section 136 Grant Aid to Bewdley Town Council as he is a Member of Bewdley Town Council.

**CAB.82    MINUTES**

**DECISION:**

**The minutes of the Cabinet meeting held on 25<sup>th</sup> August 2005 be confirmed as a correct record and signed by the Chairman.**

**CAB.83    CALL INS**

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

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**CAB.84    ITEMS REQUIRING URGENT ATTENTION**

**Worcestershire Hub Satellite Facilities**

(Prior to the commencement of the meeting, and in accordance with the powers invested in him under the relevant provisions of the Local Government Act 2000 and the Council's Constitution, the Chairman agreed to accept the motion detailed below as a matter of urgency by virtue of special circumstances. The special circumstances in this case were that the District Council had to decide to receive £50,000 from Worcestershire County Council for the provision of Hub Satellite Offices. Immediate agreement is necessary in order for the money to be received and the works to be progressed).

**DECISION:**

**£50,000 be received from Worcestershire County Council for the provision of Worcestershire Hub Satellite Offices at Bewdley and Stourport-on-Severn. This to be allocated within the Capital Programme in the sum of £27,000 to Bewdley and £23,000 to Stourport on Severn.**

**CAB.85    LEADER'S ANNOUNCEMENTS**

**(i)    Planning Website**

The Leader was pleased to announce that the Planning Department's website was now available on-line. This would enable the public to lodge planning applications, look at them and view plans electronically on the Wyre Forest District Council Website. A press release to announce this would be issued shortly.

**(ii)    Letters relating to Taxi Trade**

The Leader announced that two additional letters had been received with regard to the consultation on Hackney Carriage Vehicles Licence Conditions - one Regency Vehicle Hire and one from Disability Action Wyre Forest. (These would be considered under item 8.2.)

**CAB.86    VALUE FOR MONEY POLICY**

A report was considered from the Head of Financial Services that asked the Cabinet to approve a Value for Money Self-Assessment for submission to external auditors KPMG . The Cabinet was also being asked to recommend to Council the adoption of a corporate Value for Money Policy in accordance with the Council's post-Comprehensive Performance Assessment (CPA) Improvement Plan.

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The Cabinet Member for Finance and Corporate Affairs commented that this was a technical report that had required a tremendous amount of work by the Corporate Performance Advisor to whom he wished to record his thanks.

**DECISION:**

1. **The Value for Money Self-Assessment circulated separately and deposited in the Group Rooms be approved for submission to KMPG**

2. **RECOMMENDED TO COUNCIL:**

**The Value for Money Policy Appendix circulated separately to this report be adopted with immediate effect.**

**CAB.87 ANTI-MONEY LAUNDERING POLICY**

A report was considered from the Head of Legal and Democratic Services that asked the Cabinet to agree a Policy that provided clear guidance for employees relating to the Council's Anti-Money Laundering Procedures.

The Policy applied to all employees of the Council and aimed to maintain the high standards of conduct which currently existed within the Council by preventing criminal activity through money laundering. The Policy set out the procedures which must be followed to enable the Council to comply with its legal obligations.

**RECOMMENDED TO COUNCIL:**

**The Anti-Money Laundering Policy and Guidance Notes be adopted.**

**CAB.88 SECTION 136 GRANT AID TO BEWDLEY TOWN COUNCIL**

A report was considered from the Head of Financial Services that asked the Cabinet to consider a request by Bewdley Town Council for payment of their £7,980 Section 136 Grant Aid for 2005/2006.

Council had, on 23<sup>rd</sup> February 2005, as part of the Budget, approved an additional grant to Bewdley Town Council of £7,980 which equated to 15% of parish precept. The grant was to be used for purposes agreed or stipulated and administered through the Cabinet. A request for payment of the grant had now been received. The proposals for usage of the grant met the criteria agreed by the Executive on 20<sup>th</sup> March 2005. Bewdley Town Council intended to spend the money on play area maintenance, park and ride scheme contribution, contribution to Youth Café installation and maintenance of seats and extra support to churchyards.

**DECISION: that the Section 136 Grant Aid application from Bewdley Town Council be approved.**

**CAB.89**     **TREASURY MANAGEMENT ANNUAL REPORT 2004/2005**

A report was considered from the Head of Financial Services that provided, in accordance with the Treasury Management Code of Practice and Financial Regulations, an Annual Report outlining details of Treasury Management activities for the period 1<sup>st</sup> April 2004 to 31<sup>st</sup> March 2005.

The Cabinet Member for Finance and Corporate Affairs commented that the Council had received an average rate of 4.64% on its investment balance with the comparable Performance Indicator being 4.46%.

External interest received during the year was £1,277,950 compared with the revised budget of £1,145,560. This surplus was primarily due to rate projection being marginally higher than anticipated by the Council's Treasury Management Consultants and slippage on the Capital Programme.

**DECISION: The Treasury Management Annual Report for 2004/2005 be formally approved.**

**CAB.90**     **FREEDOM OF INFORMATION ACT 2000 - REQUESTS RECEIVED IN THE FIRST 6 MONTHS OF 2005**

A report was considered from the Chief Executive that advised the Cabinet of the Council's response to Freedom of Information Act 2000 enquiries received during the first six months of the full implementation of the Act.

**DECISION: The contents of the report be noted.**

**CAB.91**     **DRAFT FLUVIAL RIVER SEVERN FLOOD RISK MANAGEMENT STRATEGY**

A report was considered from the Head of Planning, Health and Environment that informed Cabinet Members about the production of the Draft Fluvial River Severn Flood Risk Management Strategy (produced by the Environment Agency) and the implications for the District.

The Cabinet Member for Environment and Economic Regeneration asked Members to focus on 3 areas of the report:-

(i)     Beale's Corner, Bewdley

Beale's Corner was allocated within the Strategy as an area where the Environment Agency proposed to do a 'minimum' of work. However a report in the Kidderminster Shuttle dated 28<sup>th</sup> September 2005 reported that it was likely that some temporary flood defence schemes would be used in this area.

(ii)    Mart Lane, Stourport-on-Severn

The Mart Lane area was an area earmarked for regeneration in the STC3 plans for Stourport-on-Severn. It was hoped that more activity than 'low to medium' would be proposed by the Environment Agency for this area.

(iii) Industrial Site, Sandy Lane, Stourport-on-Severn

The industrial site was an important site for the local economy and flooding had a disruptive effect on the site and local people.

**DECISION:**

1. **The opportunity to comment on the Fluvial River Severn Flood Risk Management Strategy be welcomed.**
2. **Disappointment be expressed to see that no further investment than the "do minimum" (Appendix 5) approach has been put forward for the District.**
3. **With regard to the issue of temporary defences, the Council requests further more detailed studies for Stourport Road (Beales Corner) in Bewdley and Sandy Lane in Stourport-on-Severn.**
4. **The Council requests that the study site at Mart Lane (Appendix 5), Stourport on Severn, be looked at in more detail, with regard to permanent flood defence work, as this site falls within the current STC.3 regeneration site.**
5. **Concern be expressed over afforestation and the impact on the landscape character of the Severn Valley, especially with regard to the idea of extensive coniferous afforestation.**
6. **The proposals for improving the flood warning service be supported.**

**CAB.92 HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS**

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to consider the revised Hackney Carriage Licence Conditions.

Following Cabinet's decision on 25<sup>th</sup> August 2005 (minute number CAB.69 refers) to follow a three year deregulation plan, the revised Hackney Carriage Vehicle Licence Conditions were required to control quality, safety and accessibility of vehicles within Wyre Forest.

Account had been taken of the views of the Taxi Trade and significant amendments had been made to the Hackney Carriage Vehicle Licence Conditions as outlined in Appendix 2 relating to Hackney Carriage Vehicle Licence Deregulation Plan.

There would be a 12 month period of 'grace' from 1<sup>st</sup> October 2005 to enable all those vehicles which were due to be replaced during that 12 month period to do so with a saloon vehicle. The Council would also not insist on new vehicles in the future would would accept wheelchair accessible vehicles up to two years old. These two measures enabled the taxi trade to adjust to the new conditions in a reasonable time period as well as increasing the range and prices of vehicles which would be acceptable to licence. This addressed the complaints that had been received and letters to the press.

The proposed conditions allowed for a wide choice of purpose built, and factory converted taxis and allowed a limited, continued use of saloon vehicles which would give the Taxi Trade an opportunity to introduce the proposed changes. The conditions allowed purpose built vehicles and conversions of popular models across a wide range and of differing price levels.

**DECISION:**

- 1. Approval be given to the Hackney Carriage Vehicle Licence Conditions as outlined in Appendix 2 of the Hackney Carriage Vehicle Licence Deregulation Plan 2005-2008 (Appendix 1) to come into force on 1<sup>st</sup> October 2005.**
- 2. The Hackney Carriage Vehicle Licence Conditions as outlined in Appendix 2 of the Hackney Carriage Vehicle Licence Deregulation Plan 2005-2008 (Appendix 1) be applied to the 9 Licence applications drawn by ballot on 18<sup>th</sup> July 2005 and awaiting issue.**
- 3. Agreement be given that existing saloon vehicles licensed as Hackney Carriage Vehicles on 1<sup>st</sup> October 2005 which are due to be replaced within the next 12 months to 30<sup>th</sup> September 2006 inclusive will be allowed to replace their current vehicle with a further saloon type car for a further period of up to 7 years (maximum). Replacement saloon vehicles to comply with Condition 1(a) in the revised Hackney Carriage Vehicle Licence Conditions.**
- 4. Condition 1(a) of the Hackney Carriage vehicle licence conditions (Appendix 1) be revoked with effect from 1<sup>st</sup> October 2006.**

5. **The Head of Planning, Health and Environment be requested to report on a response to the consultation paper 'Taxi and Private Hire Vehicle Licensing : Consultation on draft good guidance' to Licensing and Environmental Committee on 17<sup>th</sup> October and Cabinet on 27<sup>th</sup> October 2005.**

## **CAB.93     PROPOSAL TO EXTEND BEWDLEY ALCOHOL RESTRICTION ZONE**

A report was considered from the Chief Executive that reported the results of the statutory public consultation process for the potential designation of additional public areas in Bewdley, where the drinking of alcohol would be restricted.

The Alcohol Restriction Zone in Bewdley was introduced in 2003. Following the 12 month review after its introduction, there were a number of issues to be considered. One of the principle issues were that of dispersal. In order to combat that problem it was suggested that the Alcohol Restriction Zones be extended to include certain areas. These were:

1.     Bark Hill Play Area
2.     Shaw Hedge Road
3.     An extension to the existing Alcohol Restriction Zone which would include Bewdley Leisure Centre, Bewdley High School, Wribbenhall Middle School and part of Northwood Lane.

A public consultation took place on the above proposals and it was deemed appropriate that the areas identified be extended further . This was ratified by the Working Group set up to look into this. The revisions would be as follows:-

1.     To revise the boundary of the proposed Shaw Hedge Road Play Area Zone and extend it further to include : Bewdley Wribbenhall First School, Shaw Hedge Road Community Centre and the Bewdley Millennium Green. (Map Appendix B)
2.     To revise the boundary of the proposed extension to the existing Bewdley Alcohol Restriction Zone in order that it covers all of the land owned by Wyre Forest District Council in Northwood Lane. (Map - Appendix C)
3.     No revisions be made to the boundary of the proposed Bark Hill Play Area Zone. (Map - Appendix A)

### **DECISION:**

**The areas identified in the report on the maps in Appendix A, B and C respectively are designated under the provisions of the Criminal Justice and Police Act 2001. Where restrictions to control anti-social drinking in public places will apply and will be in addition to the existing Alcohol Restriction Zone in Bewdley.**

**CAB.94**     **RICHARD EVE MEMORIAL - RECEIPT OF GRANT**

A report was considered from the Head of Cultural, Leisure and Commercial Services that reported on the receipt of a grant to refurbish the Richard Eve Memorial and to allocate this grant in the capital programme.

The Cabinet Member for Community and Leisure Services commented that he was delighted to report that the Council had received a grant from the Heritage Lottery Fund of £50,000. It was proposed to allocate £35,000 of this amount to the capital programme in addition to the £36,000 from the Liveability Fund already allocated, to be spent on the refurbishment of the Richard Eve Memorial. Thus giving a total of £71,000 for the proposed refurbishment. It was proposed that the remainder of the lottery grant (£15,000) be used as revenue funding for related community development work.

Members of the Cabinet recognised that the Memorial had been vandalised and had looked unsightly for several years. Its refurbishment would improve the appearance of Brinton Park.

Some Members were concerned that the proposed refurbishment would not include the reinstatement of the water drinking fountain located on the memorial. It was explained that this element would cost a considerable amount of money. However if funds became available in the future it could be repaired and be reinstated.

**DECISION:**

**£50,000 from the Heritage Lottery Fund be received and £35,000 of this amount be allocated to the capital programme (in addition to the £36,000 from the Liveability Fund already allocated), be spent on the refurbishment of the Richard Eve Memorial (total £71,000). The balance of £15,000 of the grant is revenue funding for related community development work.**

**CAB.95**     **OUT OF HOURS DOG WARDEN SERVICE**

A report was considered from the Head of Cultural, Leisure and Commercial Services that advised the Cabinet on the implications of the Clean Neighbourhood and Environment Act 2005 relating to the Dog Warden Service.

Additional funding was required in 2006/07 to implement an out of hours service as required by the changes to the Environmental Protection Act 1990 and the requirements of the Clean Neighbourhood and Environment Act 2005.

The Cabinet Member for Commercial Services explained that under the Clean Neighbourhood and Environment Act 2005 the responsibility for stray dogs came to the Local Authority as opposed to the police. This would come into force in April 2006. The report highlighted that this authority would have to put provision in place to deal with stray dogs. Currently two Pest Control Officers dealt with general duties associated with this role and this included dog warden duties. However currently whilst the Pest Control Officers dealt with stray dogs in the daytime, police officers were responsible for them out of hours. The new regulations therefore had an impact in terms of staffing for the Council. The new responsibilities would be taken on in April 2006 and would involve 2 members of staff being on call out of hours to ensure that the Council was able to maintain and fulfil its obligations. A budget was in place and some increase was required to deal with the revisions to the service.

**DECISION:**

- 1. The new requirements under the Clean Neighbourhood & Environment Act 2005 to provide an out-of-hours Dog Warden Service from 7<sup>th</sup> April 2006 be noted.**
- 2. The Head of Cultural, Leisure and Commercial Services, in consultation with the head of Financial Services, the Head of Human Resources and the Cabinet Member for Commercial Services, prepare a service delivery plan and budget to provide an out-of-hours service.**

**CAB.96 KIDDERMINSTER OUTDOOR MARKET**

A report was considered from the Head of Cultural, Leisure and Commercial Services that reported on the recommendations from the Commercial Services Policy and Scrutiny Panel relating to the future of Kidderminster Outdoor Market.

The Cabinet Member for Commercial Services commended the Task and Finish Group that was set up to scrutinise the outdoor market for its thorough report. He noted that lengthy deliberations had taken place and he wished to thank the Chairman of the Commercial Services Policy and Scrutiny Panel and the Chairman of the Task and Finish Group and all the members of the Task and Finish Group for all their hard work.

He fully supported the recommendations made by the Commercial Services Policy and Scrutiny Panel that the operation of the market be externalised. He commented that there had been a lot of speculation in the press about its future. The Cabinet fully supported its externalisation. Particularly as there was no corporacy or uniformity of the stalls in the current market. It was also hoped that if an external operator took up the operation of the market that additional specialist stalls such as a delicatessen and baker would open in the market.

The externalisation of the Outdoor Market would enhance the market and provide a cost benefit to this authority through the savings made by not using street scene staff to set up and take down the market stalls.

**DECISION:**

1. In order to achieve enhanced visual appearance and costs benefits to the Council, the Kidderminster outdoor market service be put out to tender.
2. The Head of Cultural, Leisure and Commercial Services in consultation with the Head of Legal and Democratic Services and the Head of Financial Services and Cabinet Member for Commercial Services, be instructed to prepare a specification and tender evaluation model and to invite tenders.
3. The tenders be reported to the Miscellaneous Functions Committee.

**CAB.97 RECOMMENDATIONS FROM THE COMMERCIAL AND LEISURE SERVICES POLICY AND SCRUTINY PANEL 8<sup>TH</sup> SEPTEMBER 2005**

**DECISION:**

The excellent progress by all service areas in implementing the Section 17 duty be noted.

**CAB.98 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 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 and 9 of Part 1 of Schedule 12A to the Act.

**CAB.99 SUMMARY OF MINUTES**

**(i) Minutes**

The exempt minutes of the Cabinet meeting held on the 25<sup>th</sup> August 2005 were confirmed as a correct record and were signed by the Chairman.

**(ii) Interim Report : Wyre Forest Highways Partnership Review**

An interim report from the Cabinet Scrutiny Committee was considered that reported on the Wyre Forest Highways Partnership Scrutiny Review.

The meeting closed at 6.41 pm.,