

# WYRE FOREST DISTRICT COUNCIL

## COUNCIL

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

WEDNESDAY, 21st SEPTEMBER 2005 (6PM)

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### **PRESENT:**

Councillors: S J Williams (Chairman), J C Simmonds (Vice-Chairman), Mrs M H Baillie, J Baker, G W Ballinger, A J Buckley, J-P Champion, S J M Clee, N J Desmond, Mrs I M Dolan, J W Dudley, Mrs L Edginton, Mrs J Fairbrother-Millis, P B Harrison, M J Hart, Mrs P V Hayward, Mrs S M Hayward, Mrs A T Hingley, J Holden, Mrs L Hyde, W G Jones, 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, Mrs P A Rimell, Mrs J L Salter, J A Shaw, K J Stokes and R Wheway.

Honorary Alderman: Councillor Mrs G E Mills.

C. 46

### **TRIBUTE – THE LATE COUNCILLOR MRS M B ASTON**

The Council paid tribute to the late Councillor Mrs M B Aston who had died recently. The Chairman praised her loyalty and service to the Council and the local community, particularly in her role as a Cabinet Member, and commended her work with the Community Housing Group. Mr Ray Brookes, the Housing Group's Chief Executive, attended the meeting in recognition of Councillor Mrs Aston's valued contribution to that organisation. Members stood in silence for one minute in honour of her memory.

C.47

### **PRAYERS**

Prayers were said by the reverend Owain Bell of St. Mary's Team Ministry, Kidderminster.

C.48

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors: Mrs H E Dyke, P Dyke, B T Glass, M A W Hazlewood, M W Partridge, Mrs A R A Poole, M J Shellie and A D Williams.

C.49

### **DECLARATION OF INTERESTS**

Councillor Mrs J Fairbrother-Millis declared a personal interest in agenda item 17a in view of her membership of Stourport Civic Society, pointing

out that she had had no part in the decision to apply to list the Civic Centre, Stourport.

**C.50**      **MINUTES**

**DECISION:**

**The minutes of the Extraordinary and Ordinary meetings, held on 20th July 2005, be confirmed as correct records and signed by the Chairman.**

**C.51**      **PUBLIC PARTICIPATION**

In accordance with the Council's scheme for public participation at meetings of Full Council, Mrs V Higgs addressed the meeting at this point to present a statement. This set out her reasons why she thought the Council should keep the Stourport Civic Centre for centralised office accommodation. Her statement was circulated at the meeting and is included at Appendix 1 (attached).

**C.52**      **QUESTIONS**

The Council received a report setting out a range of questions from Councillor J A Shaw, directed at the Leader of the Council and Cabinet Members. The questions and answers are set out in full in Appendix 2 (attached).

**C.53**      **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 made no announcements on this occasion.

**C.54**      **LEADER'S ANNOUNCEMENTS AND REPORT**

The Leader of the Council made the following announcements:

**a) Amended Timetable for Road Works – Mitton Ward**

The contractors undertaking major road works in Mitton Ward, on behalf of Severn Trent Water, had amended the previously published timetable, particularly for Stourport High Street in view of the Christmas season. Plans were available for inspection in the Committee Section.

**b) Local Transport Plan 2 – Public Consultation**

Worcestershire County Council was organising a public consultation meeting on 5<sup>th</sup> October 2005 in Kidderminster regarding the Local

Transport Plan 2. It was noted that there would also be a similar session in Stourport on the same date. The Leader encouraged members to take the opportunity to have their say.

**c) National Health Service Appointments**

The National Health Service Appointments Commission had advertised for advisers to sit on the Commission. Contact details were available in the Committee Section if any member was interested in applying.

**d) Postponement of Reassessment of Property Values**

The reassessment of property values for Council Tax purposes had been postponed until 2011.

**e) Traffic Accident – Kidderminster Town Hall**

The recent traffic accident, when a car had hit the entrance to Kidderminster Town Hall, had not resulted in any serious injuries, so far as the Leader was aware, and there had been no damage to the building.

**f) Appointment of Governor – St Barnabas C.E. First School**

The Leader had appointed Councillor MJ Shellie as an interim Governor of St Barnabas First School, Kidderminster.

**C.55**

**COMMITTEE MEMBERSHIP CHANGES**

The Leader advised that, following the recent sad death of Councillor Mrs M B Aston, it had become necessary to make a number of changes to Cabinet and committee memberships and representation on outside organisations. The Council noted the Conservative Group membership changes already made by the Leader of Council, as detailed in the report, and determined the following appointments recorded in the decision below.

Further appointments to outside organisations were dealt with later in the meeting, as recorded at Minute C 59.

**DECISION:**

**1. The following appointments be approved :**

- a) **Councillor Mrs A T Hingley as Cabinet Member for Housing, Health and Rural Affairs.**
- b) **Councillor Mrs P V Hayward as Vice-Chairman of the Housing, Health and Rural Affairs Policy and Scrutiny Panel.**

- c) **The nomination of Councillor J Holden as the Council's representative on the Worcestershire County Council Health Scrutiny Panel.**
  - d) **The nomination of Councillor J Baker as the Council's representative on the Community Housing Group to replace Councillor Mrs A T Hingley.**
2. **The Cabinet Member for Housing, Health and Rural Affairs be the Champion for Older People.**

C.56

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

**Recommendations from the Cabinet – 28<sup>th</sup> July 2005**

**a) Performance Management Framework**

The Council considered a recommendation from the Cabinet to adopt a Performance Management Framework, which would be monitored both by the Council's auditors and the Comprehensive Performance Assessment (CPA) inspectors.

**DECISION:**

1. **The Performance Management Framework, in the Appendix to the report to Cabinet on 28<sup>th</sup> July 2005, be adopted with immediate effect.**
2. **Action to implement the Framework be taken in accordance with paragraph 4.2, as contained in the report to Cabinet.**

**b) Wyre Forest Local Development Framework - Statement of Community Involvement (SCI)**

The Council considered a recommendation from the Cabinet to approve a proposed schedule of changes to the Statement of Community Involvement (SCI) for submission to the Secretary of State. This followed the Cabinet's consideration of the comments and responses received on the SCI during the six-week Pre-Submission Public Participation Stage.

Members noted that, following a recommendation from the Environment and Economic Regeneration Policy and Scrutiny Panel, at its meeting on 21st July 2005, two additional groups had been added to the list of Hard to Reach Groups at Appendix 1 of the Statement (Minute EER 16 refers).

**DECISION:**

1. Approval be given to the Schedule of Responses set out at Appendix 2 to the report to Cabinet on 28<sup>th</sup> July 2005, and the resulting changes to the Draft Statement of Community Involvement for submission to the Secretary of State, subject to inclusion of a reference to representatives of the Polish and Italian communities within Kidderminster under the Hard to Reach Groups at Appendix 1 of the Statement.
2. The Head of Planning, Health and Environment be authorised to make the appropriate arrangements to submit the Statement of Community Involvement to the Secretary of State on 27<sup>th</sup> September to commence the 6-week submission stage of consultation.

**c) Proposed Changes to Development Control Practice Note 3 - Publicity and Consultation on Planning Applications and Amendments**

The Council considered a recommendation from the Cabinet that sought Members' approval for proposed changes to Development Control Practice Note 3, which set out consultation arrangements for planning applications. The revised Practice Note also referred to changes in consultation arrangements resulting from Electronic Service Delivery.

**DECISION:**

1. The revised Development Control Practice Note 3 - Publicity and Consultation on planning applications, and amendments as detailed in the report to Cabinet on 28<sup>th</sup> July 2005, be published and adopted; the purpose being to introduce a formal procedure for consulting with neighbouring Planning Authorities and to ensure that Parish Councils are consulted on schemes adjacent to their boundaries.
2. The Head of Planning, Health and Environment be given delegated powers to make further changes to the Practice Note relating to operational changes arising from the introduction of electronic service delivery.

**Recommendations from the Cabinet – 25<sup>th</sup> August 2005**

**Worcestershire's Local Area Agreement**

The Council considered a recommendation from the Cabinet on plans for developing Worcestershire's Local Area Agreement (LAA), a three-year agreement between the Government and a local area, aimed at improving the quality of life for local people.

Members noted that Worcestershire's LAA would be a county-wide agreement, administered by the County Council in conjunction with the Worcestershire Partnership, and that all key partners, including Wyre Forest Matters Local Strategic Partnership and the District Council would be involved.

In the ensuing discussion, issues raised included the adequacy of the District Council's representation on the relevant partnership bodies; the Council's capacity to influence the shaping and operation of the new LAA, including the allocation of funding; how Councillors would be kept in touch with the project and why meetings of the Local Strategic Partnership and associated papers were not open to the public.

The Leader advised on the District Council's strong representation, at both Officer and Member levels, on the Local Strategic Partnership and the Worcestershire Partnership. He stressed that the LAA would be based on partnership working. The overall arrangements, including the roles and responsibilities of partners for developing the LAA, were still being finalised. Information on the Local Strategic Partnership was available on the internet and, if he were to be invited to a relevant Policy and Scrutiny Panel to discuss issues related to the LAA, then the details would be minuted.

The Chief Executive also elaborated on the project, including its funding streams, and advised that this was one of the most significant developments in recent years. Hence, he was taking a strong personal interest in it, supported by the Strategy, Partnerships and Communications Manager. He would pursue the issue of making information more widely available.

**DECISION:**

**The Council, in its role as community leader and a key partner in both the Worcestershire Partnership and Wyre Forest Matters Partnership, welcomes and supports the development of a Local Area Agreement for Worcestershire.**

**Bewdley Museum Management Committee**

The Council considered a recommendation from the Cabinet regarding a revised structure for the Bewdley Museum Management Committee.

It was noted that there were, currently, four District Council members on the Management Committee and that the revised structure provided for three District Council Members. Council would be asked to decide on these appointments when the Charity Commission had given consent to the revised structure.

**DECISION:**

**The revised committee structure for the Bewdley Museum**

**Management Committee, as detailed in Appendix 1 to the report to the Cabinet on 25<sup>th</sup> August 2005, be agreed, subject to the amendment of “1 member from Opportunity Bewdley” to read: “1 member from Opportunity Bewdley or any subsequent organisation” and referred to the Charity Commission for the necessary approvals.**

**Recommendations of the Finance and Corporate Affairs Policy and Scrutiny Panel – 9<sup>th</sup> August 2005**

The Council considered the draft Terms of Reference of the Budget Review Group, which had been recommended for approval by the Finance and Corporate Affairs Policy and Scrutiny Panel. The matrix referred to in paragraph 10 of the Terms of Reference had been circulated separately.

The Panel’s Chairman explained that the proposed Terms of Reference were in line with the requirements of the Council’s Comprehensive Performance Assessment and that the Group’s work programme would be a key factor in ensuring value for money.

The Cabinet Member for Finance and Corporate Affairs expressed his support for the Group’s excellent work.

**DECISION:**

**The Budget Review Group’s Terms of Reference, attached as Appendix 1, to the report, be adopted.**

**C.57 MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (1)**

See Minute C.64 below.

**C.58 URGENT MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (7)**

No motions were considered under Standing Order D1(7).

**C.59 REPRESENTATION ON OUTSIDE ORGANISATIONS**

Following the recent sad death of Councillor Mrs M B Aston, the Council nominated representatives to serve on outside organisations.

**DECISION:**

**The following Members be appointed to represent the Council on the organisations indicated:**

**a) Age Concern: Councillor Mrs J L Salter.**

**b) Home Start Wyre Forest: Councillor Mrs A T Hingley.**

- c) Kidderminster Town Centre Partnership: Councillor J Baker.
- d) North Worcestershire Care and Repair Agency Advisory Board: Councillor Mrs A T Hingley.
- e) Stourport Social Day Centre Management Committee: Councillor M W Partridge.
- f) West Midlands Regional Home and Leisure Safety Council: Councillor Mrs P V Hayward.
- g) Wyre Forest Matters Theme Working Group, Health and Wellbeing: Councillor Mrs A T Hingley.
- h) Wyre Forest Nightstop and Mediation Service Management Committee: Councillor Mrs A T Hingley.

**C.60**      **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, 9 and 13 of Part 1 of Schedule 12A of the Act.**

**C.61**      **SUMMARY OF MINUTES**

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as 'Exempt Information' would be disclosed if the minutes were published in full.

**C.62**      **MINUTES**

The exempt minutes of the Ordinary meeting held on 20th July 2005 were confirmed as a correct record and signed by the Chairman.

**C.63**      **POLICY AND BUDGET FRAMEWORK – MATTERS WHICH REQUIRE A DECISION BY COUNCIL**

**Recommendations from the Cabinet – 28<sup>th</sup> July 2005**

**Centralised Office Accommodation**

The Council approved recommendations from the Cabinet regarding centralised office accommodation.



**Recommendations from the Cabinet – 25<sup>th</sup> August 2005**

a) Stourport Road Employment Corridor – Potential Acquisition of British Sugar Site

The Council approved recommendations from the Cabinet regarding the potential acquisition of the British Sugar site in Stourport Road, Kidderminster.

b) Appointment of a Main Contractor for the Construction of the Service Centre at Kidderminster Town Hall

The Council approved recommendations from the Cabinet regarding the appointment of a main contractor for the construction of the Service Centre at Kidderminster Town Hall.

**Recommendation from the Commercial Services Policy and Scrutiny Panel – 17<sup>th</sup> August 2005**

Market Testing of Building Cleaning Services

The Council approved recommendations from the Commercial Services Policy and Scrutiny Panel on arrangements for the cleaning of the Council's buildings and public conveniences.

**C.64**

**MOTION SUBMITTED UNDER STANDING ORDER NO. D1 (1)**

Bridge Street, Stourport – from the Labour Group

A motion regarding Bridge Street, Stourport, was received from the Labour Group, in accordance with Standing Order No. D1, and referred to the Cabinet Scrutiny Committee for consideration.

The meeting ended at 7.55 p.m.

**WYRE FOREST DISTRICT COUNCIL****COUNCIL MEETING – 21<sup>ST</sup> SEPTEMBER 2005****AGENDA ITEM 6****PUBLIC PARTICIPATION****STATEMENT FROM MRS V HIGGS**

Mrs V Higgs gave her reasons for wishing the Stourport Civic Centre to be kept for centralised office accommodation, as set out in her statement below:

- “1. Purpose-built. There is an agreement with Wyre Forest District Council which took place when Wyre Forest came into being. The Wyre Forest District Council would always provide a building for the Stourport-on-Severn councillors and residents.
2. The cost would be phenomenal to rebuild anywhere else when there is already a purpose-built council office in Wyre Forest.
3. Consider the building, this is an excellent example of 1960's architecture as stated in a famous writer's book about England.
4. With the Government's regulations regarding devolution, this building could be needed. We also have electronic mail which is available to travel throughout the world in minutes. Why destroy this building?
5. Serious thinking needed regarding keeping this site for single use.
6. Urgent consideration required to allay all the residents of Stourport-on-Severn and the parish councillors.”

**WYRE FOREST DISTRICT COUNCIL****COUNCIL MEETING – 21<sup>ST</sup> SEPTEMBER 2005****AGENDA ITEM 7****QUESTION TIME AT COUNCIL MEETINGS - STANDING ORDER A5****Questions from Councillor J A Shaw****1. To the Leader of the Council**

In the light of the recent MORI research for the Local Government Association and IDEA, identifying “streetscene” as a key yardstick by which the public judges the competence of local authorities, and of the fact that two authorities, Wyre Forest District Council and Worcestershire County Council, are responsible for the streetscene in this district, how does the Leader propose that his administration address the following features of the Kidderminster streetscene, which are both offensive to the eye and detrimental to the reputation of both councils:

- a) Weeds and grasses growing in streets and highways, most offensively in the town centre, and on the ring road, untreated for the first part of the growing season, then ineffectually sprayed with mild “weedkiller”, and
- b) Long-damaged pedestrian barriers left in situ, “temporary” barrier replacements and unrepaired gaps?

**Reply from Cabinet Member for Commercial Services**

Thank you for the question. I will respond on behalf of the Leader. Members of the Commercial Services Policy and Scrutiny Panel will know that this Administration and I, as Cabinet Member, have worked since June 2004 to improve the streetscene in Wyre Forest and have made inroads into this problem. In terms of specific issues like weeds, I believe that the District Council carries out its responsibilities diligently. Any areas where there are untreated weeds are in areas that are the responsibility of Worcestershire County Council. I know the Leader has raised this with the Acting Highways Partnership Manager. Through liaison between the District Council's Street Scene Section and the County Council, I am pleased to say that Wyre Forest District Council has undertaken some work, on behalf of the County Council, to clear weeds along the ring roads. We have, in the past, invited senior Councillors and officers from the County Council to tour the District and another tour is planned for the near future, when issues such as this can be raised again. I believe the streets, flower beds and bushes are in a cleaner state since this administration took over.

**Supplementary Question from Councillor Shaw**

Bearing in mind that some Councillors have a dual hatted role, does the Administration have any plans to use District Councillors who are also County

Councillors voting at County level, who could make a difference in addressing these problems?

**Reply from Cabinet Member for Commercial Services**

I will raise the case again with County Councillors regarding the street scene, but, as I said before, the area is much cleaner than when the Administration took over.

**2. To the Leader of the Council**

With reference to the same MORI research, what steps does the Leader intend to take to involve the Council in resolving the impasse about responsibility for the unkempt, formerly landscaped areas, at York Street's junction with Lion Hill, which detract from Stourport's streetscene?

**Reply from the Cabinet Member for Commercial Services**

With regard to Lion Hill, the District Council does not accept responsibility for this area of land, but I do not accept that the situation is an impasse.

**Supplementary Question from Councillor J A Shaw**

As Portfolio Holder are you aware of what the advice is from the Local Government Association, based on MORI research? It urges all local authorities and public bodies, such as, Worcestershire County Council, British Waterways and the District Council not to get involved in buck passing, but to get on with sorting out problems. Are you prepared to do anything about it, as it is an eyesore, which all visitors to Stourport see?

**Response from the Cabinet Member for Commercial Services**

You will recall, Councillor Shaw, that you asked a similar question in December 2004 on this matter. The ownership of the piece of land on the corner of Lion Hill and York Street cannot be ascertained. The District Council has a responsibility under the Environmental Protection Act and we are the primary litter authority. Last year members will know that British Waterways made, without prejudice, an offer to maintain this piece of land and the District Council agreed to keep the area clean. The Leader of the Council visited the site today with the Street Scene Manager to review the situation. The Council's Blitz Crew removes all offending litter when in Stourport. The bushes will be pruned and the beds will be weeded in due course. I am not passing the buck and I take all issues of responsibility very seriously.

**3. To the Cabinet Member for Commercial Services**

With reference to the Administration's priority No. 2, Environment and Economic Regeneration,

“keep the environment safe and clean”

does the portfolio holder consider that the area bounded by Sutton Road-Bewdley Road-Park Lane-Stourport Road ever reaches the desired level of cleanliness?

**Reply from the Cabinet Member for Commercial Services**

The short answer is yes.

**Supplementary Question from Councillor J A Shaw**

Is the Portfolio Holder motivated by the fact that the area is in his own ward? I chose that area, by way of an example, because I work there and pass through every day. Please look again as it is never very clean. The reasons are not to do with our workforce.

**Reply from the Cabinet Member for Commercial Services**

I cannot agree with Councillor Shaw. He is right to point out that, together with two other colleagues, I am Ward Councillor. However in terms of the streetscene, this is my Cabinet responsibility, which I take very seriously. I have, on occasions, raised cleansing issues with the Street Scene staff, who have responded diligently and properly. I do not agree that the cleanliness of this area falls well below the standard expected. The BV 199 standard is taken very seriously.

Councillor Shaw has not raised issues recently with the street scene technicians or supervisor. I am aware that those areas in Sutton Park are appropriately cleansed, but, if they do fall below standard, the matter will be addressed through the intervention of myself and colleagues as Ward Councillors.

**4. To the Cabinet Member for Community and Leisure Services**

Having heard the sentiments expressed by members on this year's leisure tour, is the Portfolio Holder aware of the report produced by the Commission for Architecture and the Built Environment which advocates a return to "dedicated staff" for parks, i.e. park keepers, and a wider concept of a "parkforce", involving other agencies such as community wardens?

**Answer from the Cabinet Member for Community and Leisure Services**

Yes, I am fully aware of it. I have read it and fully support the principles.

**Supplementary Question from Councillor J A Shaw**

Will you to look at the minutes of the Budget Review Group and see what is said in relation to public toilets?

**Answer from the Cabinet Member for Community and Leisure Services**

I will endeavour to do that.