



**EXEMPT**

**CABINET**

**AGENDA**

**Date: Thursday, 27th April 2006**

**Time: 6PM**

**Venue: The Earl Baldwin Suite  
Duke House, Clensmore Street,  
Kidderminster**

## Cabinet

### **The Cabinet Members and their responsibilities:-**

<b>Councillor S J M Clee</b>	<b>Leader, Strategic Overview &amp; Direction</b>
<b>Councillor M J Hart</b>	<b>Deputy Leader, Commercial Services</b>
<b>Councillor Mrs A T Hingley</b>	<b>Housing, Health and Rural Affairs</b>
<b>Councillor J-P Campion</b>	<b>Finance and Corporate Affairs</b>
<b>Councillor J W Dudley</b>	<b>Environment &amp; Economic Regeneration</b>
<b>Councillor N J Desmond</b>	<b>Community &amp; Leisure Services</b>

### **SCRUTINY OF DECISIONS OF THE CABINET**

The Council has one Cabinet Scrutiny Committee and five Policy and Scrutiny Panels, that have power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from the Cabinet Scrutiny Committee and five Policy and Scrutiny Panels.

In accordance with Part 4 of the Council's Constitution Overview and Scrutiny Procedure Rules and Standing Order B4 any item on this agenda may be scrutinised by the Cabinet Scrutiny Committee if it is "called in" by any three non-Cabinet Members and the Chairman of the relevant Policy and Scrutiny Panel or by three members of the Cabinet Scrutiny Committee and any member of the relevant Policy and Scrutiny Panel.

*The deadline for "calling in" Cabinet decisions is Tuesday 9<sup>th</sup> May 2006.*

Councillors wishing to "call in" a decision on this agenda should contact Mrs Diana Glendenning, Committee Officer, Telephone 01562-732763 or e-mail: [diana.glendenning@wyreforestdc.gov.uk](mailto:diana.glendenning@wyreforestdc.gov.uk)

#### **Urgent Key Decisions**

If the Cabinet needs to take an urgent key decision, the consent of the Cabinet Scrutiny Committee Chairman must be obtained. If the Cabinet Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

### **DECLARATIONS OF INTEREST - GUIDANCE NOTE**

Code of Conduct - Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

Section 106 of the Local Government Finance Act 1992 - If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.

#### **For further information: -**

**If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Diana Glendenning, Committee Officer. Telephone : 01562-732763, e-mail [diana.glendenning@wyreforestdc.gov.uk](mailto:diana.glendenning@wyreforestdc.gov.uk)**

**PART 1**

**Open to the Press and Public**

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.

Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.

(See guidance note on cover.)

**3. MINUTES**

To confirm as a correct record the minutes of the Cabinet held on the 30<sup>th</sup> March 2006. (Attached)

**4. CALL INS - a verbal update will be given on any decisions which have been "called in" since the last meeting of the cabinet.**

**5. ITEMS REQUIRING URGENT ATTENTION**

Any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.

**6. LEADER'S PORTOFOLIO**

**6.1 LEADER'S ANNOUNCEMENTS**

**7. FINANCE AND CORPORATE AFFAIRS**

***John-Paul Campion***

**7.1 ANNUAL AUDIT AND INSPECTION LETTER 2004/05**

To consider a report from the Corporate Performance Advisor that draws Members' attention the contents of the Audit Commission's Annual Audit & Inspection Letter (AAIL) 2004/05. (Report attached)

***The appendix to this report is available electronically and a public inspection copy is available on request. (See front cover for contact details)***

## **7.2 AMENDMENT TO THE CAPITAL PROGRAMME**

To consider a report from the Head of Cultural, Leisure and Commercial Services regarding an amendment to the Capital Programme to allow for the replacement of the changing rooms at White Wickets Sports Ground, Kidderminster. (Attached)

## **8. HOUSING, HEALTH AND RURAL AFFAIRS**

**Anne Hingley**

### **8.1 ODPM HOMELESSNESS FUNDING 2006/07**

To consider a report from the Head of Planning, Health and Environment that proposes arrangements for the Council to utilise the Office of the Deputy Prime Minister's Priority Need Order Funding for 2006/07. (Attached)

## **9. ENVIRONMENT AND ECONOMIC REGENERATION**

**James Dudley**

### **9.1 PLANNING DELIVERY GRANT 2006/07**

To consider a report from the Head of Planning, Health and Environment regarding the Planning Delivery Grant award for 2006/07 of £116,025 and to agree its expenditure. (Attached)

### **9.2 BEST VALUE PERFORMANCE INDICATOR 109 – RECOVERY PLAN**

To consider a report from the Head of Planning, Health and Environment which asks the Cabinet to recommend to the Council the adoption of a recovery plan to ensure the authority is able to meet the national targets for determining Planning Applications (BV109a-c). (Attached)

(This item will be considered in tandem with agenda item number 13.1.)

***The appendices to this report are available electronically and a public inspection copy is available on request. (See front cover for contact details)***

### **9.3 WYRE FOREST DISTRICT LOCAL DEVELOPMENT FRAMEWORK : STATEMENT OF COMMUNITY INVOLVEMENT**

To consider a report from the Head of Planning, Health and Environment that recommends, that subject to modifications recommended by the Inspector, the Statement of Community involvement be adopted. (Attached)

***Appendices B & C to this report are available electronically and a public inspection copy is available on request. (See front cover for details).***

### **9.4 LOCAL DEVELOPMENT FRAMEWORK - REVISED LOCAL DEVELOPMENT SCHEME**

To consider a report from the Head of Planning, Health and Environment that seeks the approval of Cabinet to a minor amendment to the submitted revised Local Development Scheme. (Attached)

**10.1 GOVERNMENT REVIEW OF PARTNERSHIP PROVISION OF THE CRIME AND DISORDER ACT 1998**

To consider a report from the Chief Executive that recommends to Council that the proposals arising from the Government's review of partnership provision of the Crime and Disorder Act 1988 be noted. (Attached)

*The appendix to this report is available electronically and a public inspection copy is available on request. (See front cover for contact details)*

**11.1 THE FUTURE OF THE DUDLEY GROUP OF HOSPITALS NHS TRUST - CONSULTATION ON APPLICATION FOR NHS FOUNDATION TRUST STATUS**

To consider a report from the Head of Planning, Health and Environment regarding the consultation on the future development of the Dudley Group of Hospitals. (Attached)

*Appendix 2 of this report is available electronically and a public inspection copy is available on request. (See front cover for contact details)*

**11.2 AN OLDER PEOPLE'S STRATEGY FOR WORCESTERSHIRE CONSULTATION**

To consider a report from the Head of Planning, Health and Environment regarding the consultation document "An Older Persons Strategy for Worcestershire." (Attached)

*Appendix 2 of this report is available electronically and a public inspection copy is available on request. (See front cover for contact details)*

**12.1 Recommendations from the Commercial Services Policy and Scrutiny Panel, 5<sup>th</sup> April 2006**

Re : (i) Gravestones  
(ii) Joint recommendations from Toilet Provision and Toilet Cleanliness Task and Finish Groups (Attached)

**12.2 Recommendations from Commercial and Leisure Services Policy and Scrutiny Panel, 9<sup>th</sup> March 2006**

Re : Skateboarding (Attached)

**13. RECOMMENDATIONS FROM PLANNING (DEVELOPMENT CONTROL) COMMITTEE**

**13.1 Recommendations from the Planning (Development Control) Committee, 11<sup>th</sup> April 2006**

**Re: Recovery Plan to meet BV109 Targets for Determining Planning Applications** (Attached)

(This item will be considered in tandem with agenda item number 9.2.)

**14. TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN COMMUNICATED TO THE HEAD OF LEGAL AND DEMOCRATIC SERVICES BEFORE THE COMMENCEMENT OF THE MEETING, WHICH THE CHAIRMAN BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.**

**15. EXCLUSION OF THE PRESS AND PUBLIC:**

To consider passing the following resolution:

"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 paragraph 3 of Part 1 of Schedule 12A to the Act.

**PART 2**

**Not open to the Press and Public**

**16. MINUTES**

To confirm as a correct record the Exempt minutes of the Cabinet held on the 30th March 2006. (Attached)

**17. FINANCE AND CORPORATE AFFAIRS John-Paul Campion**

**17.1 HOUSING BENEFITS OVERPAYMENTS - WRITE OFF OF AMOUNTS OUTSTANDING**

To consider a report from the Head of Financial Services to enable the Cabinet to determine whether to write off a Housing Benefit overpayment debt. (Attached)

**17.2 RECOMMENDATION FROM THE MISCELLANEOUS FUNCTIONS COMMITTEE, 24<sup>TH</sup> APRIL 2006**

To consider a recommendation from the Miscellaneous Functions Committee regarding the Street Market. (*To follow*)

**17.3 RUSHOCK TRADING ESTATE**

To consider a report from the Head of Cultural, Leisure and Commercial Services regarding Rushock Trading Estate. (Attached)

18. **TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN COMMUNICATED TO THE HEAD OF LEGAL AND DEMOCRATIC SERVICES BEFORE THE COMMENCEMENT OF THE MEETING, WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.**