

WYRE FOREST DISTRICT COUNCIL
CABINET
THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER
29TH JUNE 2006 (6.00 PM)

PRESENT:

Councillors: S J M Clee (Chairman), M J Hart (Vice-Chairman), J-P Campion, N J Desmond and Mrs A T Hingley.

OBSERVERS:

Councillors: G W Ballinger, Mrs H E Dyke, J Holden, Mrs F M Oborski, M M G Oborski and M J Shellie.

CAB.1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

CAB.2 DECLARATIONS OF INTEREST

No declarations of interest were made.

CAB.3 MINUTES

DECISION:

The minutes of the Cabinet meeting held on 27th April 2006 be confirmed as a correct record and signed by the Chairman.

CAB.4 CALL-INS

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

CAB.5 ITEMS REQUIRING URGENT ATTENTION

There were no items requiring urgent attention.

The Leader agreed to take items 9.1. to 9.8 first.

CAB.6 THE LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST (THE LOCAL LIST) - STOURPORT-ON-SEVERN

A report was considered from the Head of Planning, Health and Environment that sought approval of the proposed List of Buildings of Local Interest (The Local List) for Stourport-on-Severn.

The Cabinet Member for Housing, Health and the Environment commented that a Local List had been prepared for Kidderminster and one had now been prepared for Stourport-on-Severn.

The Prosperity Panel, at its meeting on the 14th June 2006, had recommended the Local List for Stourport be approved. The Chairman of the Panel expressed her grateful thanks for the work of the Cabinet Member and Officers on the preparation of the Local List for Stourport-on-Severn.

DECISION:

The Local List of Buildings of Local Architectural and/or Historic Interest as detailed in the report to Cabinet be agreed.

CAB.7 GAMBLING ACT 2005 - DISTRICT STATEMENT OF GAMBLING POLICY

A report was considered from the Head of Planning, Health and Environment that outlined the Statement of Gambling Policy.

It was noted that the Draft Statement of Gambling Policy had been recommended for approval by the Licensing and Environmental Committee at its meeting on the 5th June 2006. The authority was required to prepare a Statement of Gambling Policy every three years and was required to publish the Statement. However before this could be done full consultation was necessary. The finalised Statement would be brought back to Cabinet at the end of 2006, as it was required to be in place by 1st January 2007.

DECISION:

The Draft Statement of Gambling Policy for the Wyre Forest District be approved to enable consultation to commence with relevant stakeholders.

CAB.8 DISABLED FACILITIES GRANTS

A report was considered from the Head of Planning, Health and Environment that outlined future arrangements for the administration of Disabled Facilities Grants in the District.

The Cabinet Member for Housing, Health and Rural Affairs commented that currently two parallel administrative systems were being operated to assess Disabled Facilities Grants in the District. It was now being proposed that the administration currently carried out by Wyre Forest Community Housing on their stock be transferred to the North Worcestershire Care and Repair Agency.

It was noted that the new North Worcestershire Code of practice would include a needs-based assessment and would not depend on whether the property was private or public.

DECISION:

Authority be delegated to the Head of Planning, Health and Environment, in consultation with the Cabinet Member for Planning, Health and Environment, to put in place the necessary arrangements to transfer the administration of Disabled Facilities Grants related functions, currently carried out by Wyre Forest Community Housing, to the North Worcestershire Care and Repair Agency, subject to satisfactory arrangements on staffing, finances and office accommodation.

CAB.9 HOUSING STRATEGY ACTION PLAN REVIEW AND UPDATE

A report was considered from the Head of Planning, Health and Environment on the progress on implementing the Council's Housing Strategy 2004-2007.

It was noted that four main priorities were being taken forward. These were:

1. Meeting Affordable Housing Needs
2. Tackling Homelessness and Providing Housing Options
3. Maintaining the Independence of Older and Vulnerable People through Housing and Support
4. Improving Conditions within Private Sector Housing

The Service Policy Panel had also considered the report on the 21st June 2006 when the recommendation to Cabinet was endorsed.

DECISION:

The new targets as set out in Appendix 1 of the report to Cabinet, be endorsed and the progress made in delivering the Council's Housing Strategy be noted.

CAB.10 PROPOSAL FOR THE INTRODUCTION OF A LOCAL LETTINGS POLICY FOR THE HURCOTT ROAD ESTATE, KIDDERMINSTER

A report was considered from the Head of Planning, Health and Environment that provided Members with a full appreciation of the history and context of the problems and issues on the Hurcott Road Estate. Approval was sought regarding a Local Lettings Policy to help address these issues, as an important part of a comprehensive approach to regenerate the area.

The Cabinet Member for Housing, Health and Rural Affairs commented that the Local Lettings Policy for Hurcott Road Estate had provided opportunities for service providers to work on issues that affected their locality. This high rise, high-density development had a history of serious management problems regarding community safety. Therefore in partnership with Wyre Forest Community Housing, strategies had been put into place to make the estate a more desirable place to live and create a safer and more sustainable community.

The Service Panel at its meeting on The 21st June 2006 had supported the proposals contained in the report and the Cabinet endorsed the recommendations to Council.

RECOMMENDED TO COUNCIL:

- 1. Approval be given to the principle of a Local Lettings Plan as outlined in the report to Cabinet.**
- 2. The Head of Planning, Health and Environment, in consultation with the Cabinet Member for Planning, Health and Environment, finalise the necessary policy and procedural changes for the Local Lettings Plan for Hurcott Road Estate, Kidderminster, to include any appropriate amendment to the Council's Housing Waiting List Policy.**

CAB.11 STREET TRADING POLICY

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to agree a Street Trading Policy that could be sent out for consultation.

The Licensing and Environmental Committee had requested that a Policy be drawn up to deal with applications in a consistent manner. The Street Trading Policy took into account legal and risk management issues and had been recommended for approval by the Licensing and Environmental Committee at its meeting on the 5th June 2006.

Observers commented on their concerns about emergency services access during market days. It was noted that this issue had been raised with Worcestershire County Council, as it was a highways issue.

DECISION:

The proposed Street Trading Policy, Information Pack and Application Form be agreed to go out for public consultation.

CAB.12 DRAFT ORDER TO DETRUNK THE A449 AND A456 AND REVOKE THE KIDDERMINSTER, BLAKEDOWN AND HAGLEY BYPASS AND SLIP ROADS ORDER

A report was considered from the Head of Planning, Health and Environment that sought the agreement of Cabinet to objections to the draft orders to detrunk the A449 and A456 published by the Highways Agency.

Members were reminded that the Cabinet, on 22nd December 2005, had decided that no objections be made to the intended revocation of the bypass and slip roads order, and subject to certain provisos, regarding agreement being reached between the Highways Agency and Worcestershire County Council, no objections be made to the detrunking.

It was noted that the Highways Agency had published the draft orders earlier this year with a closing date of 3rd May 2006 for representations. However, due to an oversight, the District Council had not been formally consulted on these draft orders.

The Highways Agency had advised that in view of the circumstances, they would take into account representations made by the District Council on the draft orders. Therefore in the light of the Cabinet decision of 22nd December 2005, and the failure of the Highways Agency to reach agreement with the County Council, the Head of Planning, Health and Environment had lodged objections to the two-detrunking orders.

Observers drew attention to the following issues associated with the detrunking:

- An amendment was required on the Firs Estate
- A Footway on the A449 should be established in front of The Crown, public house.
- The establishment of a crossing on the A449 at Broadwaters
- Problems with the frontages on A449, Chester Road South
- Issues about maintenance of these roads.

DECISION:

Objection be made to the draft orders to detrunk the A449 and A456 on the basis that the Highways Agency has not yet reached an agreement with Worcestershire County Council, covering appropriate arrangements for the completion of necessary maintenance, safety and other small scale improvement and environmental enhancement works, together with arrangements for longer term maintenance.

**CAB.13 MINERALS AND WASTE DEVELOPMENT FRAMEWORK
WORCESTERSHIRE COUNTY COUNCIL WASTE CORE STRATEGY ;
PREFERRED OPTIONS REPORT CONSULTATION**

A report was considered from the Head of Planning, Health and Environment that updated Members on Worcestershire County Council's Waste Core Strategy.

It was noted that during the last round of consultation on the emerging Core Strategy proposals were considered at the meeting of Cabinet on the 27th October 2005 (minute number CAB.119 refers) when Members resolved to make formal representations. The County Council had now reached the 'preferred options' stage of consultation and the consultation would close on the 14th July 2006.

The content of the report to Cabinet was considered at the Prosperity Panel meeting on the 15th June 2006.

The Cabinet were concerned about the lack of guidance on sites and allocations in the emerging proposals. There was also concern that the continuing lack of clear guidance and the emphasis on providing 'flexibility' would serve to undermine the delivery clear planning strategy for waste facilities across the County.

- 1. The comments and representations set out in the main text of the report to Cabinet and Appendices B and C of the report to Cabinet be agreed to form the basis of formal representations to the County Council on the Minerals and Waste Development Framework.**
- 2. The Head of Planning, Health and Environment be authorised to finalise and submit the representations.**

CAB.14 WORCESTERSHIRE LOCAL AREA AGREEMENT (2006-2009) - NEXT STEPS

A report was considered from the Chief Executive that provided an update on the development of Worcestershire's Local Area Agreement 2006-2009 and reported the arrangements for the Local Area Agreement Implementation Plan.

DECISION:

- 1. The progress made by the Worcestershire Partnership in the development of an Implementation Plan, to support the delivery of the Local Area Agreement for Worcestershire 2006-2009 be noted.**
- 2. It be agreed to sign up to the Governance and Accountability Arrangements.**

CAB.15 **WORCESTERSHIRE PARTNERSHIP COMPACT - 'LET'S DO IT SMARTER'**

A report was considered from the Chief Executive that reported on the progress made by the Worcestershire Partnership in developing a Compact for Worcestershire.

The Compact was a common set of principles between the voluntary, community, statutory, and private sectors, which provided a framework for the delivery of high quality, cost-effective, services and support to the community.

RECOMMENDED TO COUNCIL:

1. **The Worcestershire Partnership Compact 'Let's Do it Smarter' April 2006 as set out in the separate appendix to the report to Cabinet be formally adopted.**

2. **The Worcestershire Partnership Compact 'Let's Do it Smarter' April 2006 supersede, with immediate effect, the Council's Interim Compact with Community Action Wyre Forest, February 2005.**

CAB.16 **PUBLIC CONVENIENCES IMPROVEMENT WORKS**

A report was considered from the Head of Cultural, Leisure and Commercial Services that asked the Cabinet to give consideration to improvements to the provision of public conveniences.

The Cabinet Member for Commercial Services commented that the former Commercial Services Policy and Scrutiny Panel, had, last year, set up Task and Finish Groups that made a considerable number of recommendations to Cabinet on public conveniences improvement works. This report was the first that took on board some of those recommendations to strategically support enhancing provision of public toilet cleansing.

In the last Municipal Year there had only been two Council employees who used a van to go round and clean the Council's toilets. It was now proposed to enhance the amount of cleansing per toilet. The proposals included the provision of a trailer at the Riverside in Stourport this year to cope with the overload of capacity during the summer period.

A long debate ensued on public toilet provision within the District. Amongst the comments made by observers were:

- Only a small amount of money available had been committed to the improvement of public conveniences
- Concern about Brintons Park toilets being closed
- The possibility of mobile toilets being used during the summer period

The Cabinet Member for Commercial Services commented that over the ensuing months there would be further reports to Cabinet regarding the improvement of services.

DECISION:

The following approvals be made from the £120,000 contingency in 2006/2007 and £30,000 per annum thereafter:-

- 1. The Cultural, Leisure and Commercial Services staffing budget for toilet cleansing be increased by £4,500 per annum to take account of the additional skills requirements of an additional driver.**
- 2. Provision be made for the revenue implications of a small van to include road tax, servicing, repair, capital charges and fuel at a cost of £4,100 per annum.**
- 3. The vehicle and equipment renewal schedule for 2006/07 be revised to provide provision for a small van, budget sum £10,000.**
- 4. A door counter device be purchased to allow usage data to be collected at a revenue cost of £500, to be funded from existing budgets.**
- 5. A trailer type toilet unit be hired throughout the school summer holiday period at the Stourport Riverside at a revenue budget cost of £4,550 for the 2006 summer period.**

CAB.17 CORPORATE COMMUNICATIONS STRATEGY 2006 TO 2010

A report was considered from the Chief Executive on the development of the Council's Communications Strategy 2006-2010. The purpose of developing a Corporate Communications Strategy was to provide a framework for structuring and managing all of the Council's communication functions.

RECOMMENDED TO COUNCIL:

The Corporate Communications Strategy 2006 to 2010 as set out in the separate appendix to the report to Cabinet be adopted.

CAB.18 HOUSING BENEFITS OVERPAYMENTS DEBT POSITION AS AT 31ST MARCH 2006

A report was considered from the Head of Financial Services that informed Members of the Housing Benefit Overpayment debt position as at 31st March 2006.

The Cabinet Member for Finance and Corporate Affairs commented that the Council administered £17.3 million of housing benefit and the figures contained within the report to Cabinet, equated to 2.8% overpayment. It was noted that the figure was the same as at 30th September 2005. It was often the case that repayments were made in small amounts and therefore took a long time to be paid off.

DECISION:

The Housing Benefits overpayment debt level, age of debt and performance against targets, as at 31st March 2006 be noted.

CAB.19 REPORT ON FINAL ACCOUNTS 2005/2006

A report was considered from the Head of Financial Services that outlined the position with regard to the pre-audited statement of accounts which had also been considered by the Efficiency Policy Panel at a meeting on the 27th June 2006. The other part of the report related to the Statement of Internal Control and the Efficiency Statement which had identified savings made by the Council. It was noted that the Council had exceeded the requirements with regard to efficiency savings and these savings would be used to provide new front line services.

DECISION:

- 1. The Pre-Audit Statement of Accounts 2005/2006 be approved.**
 - 2. The Statement of Internal Control be approved.**
 - 3. The Annual Efficiency Statement 2005/2006 (Backward Look) be approved for submission to the Department of Communities and Local Government.**
 - 4. It be noted that additional reserves of £486,000 generated from the 2005/2006 surplus be reconsidered in accordance with the Council's Finance Strategy as part of the 2007/2010 Budget Process.**
-

CAB.20 BEST VALUE PERFORMANCE PLAN

A report was considered from the Chief Executive that requested approval of the Council's Best Value Performance Plan (BVPP) for 2006.

RECOMMENDED TO COUNCIL:

The Best Value Performance Plan for 2006, as referred to in the report to Cabinet be approved.

CAB.21 PROVISION OF MUGA'S (MULTI-USE GAMES AREAS)

A report was considered from the Head of Cultural, Leisure and Commercial Services that asked the Cabinet to consider the allocation of £180,000 capital for the provision of four Multi-Use Games Areas in the District.

The Cabinet Member for Finance and Corporate Affairs reported that the Council was required to provide areas for children to undertake structured play. Four sites were to be provided across the District.

He explained that it was important to use resources to try and benefit the communities that the Council served. The provision of dedicated space for young people to undertake meaningful recreational activities on an informal basis was seen as an integral part of youth provision and crime reduction strategies.

The Cabinet Member for Community and Leisure Services stated that the Administration was committed to improving facilities for all ages. One particular area to improve was that of unsupervised play - especially for teenagers.

He advised that one hundred and eighty thousand pounds would be available to provide four new multi-use game areas. These would be all-weather surfaces for football, hockey or basketball.

At recent Partners and Communities Together (PACT) meetings there had been complaints about the lack of such play areas. It was perceived that the provision of such multi-use game areas would help to reduce anti-social behaviour. Consultations would be held with local stakeholders to determine where these areas should be located. An observer suggested that Ward Members should be included in any consultation on the location of the sites.

The timescale for the provision of these areas was queried. The Cabinet Member for Community and Leisure Services stated that they would be implemented as soon as was practicable

RECOMMENDED TO COUNCIL:

- 1. £180,000 of capital identified from the sale of assets be allocated to fund the installation of four multi-use games areas in the District.**
- 2. Subject to the provision of capital funding, four multi-use games areas be provided, one in Stourport-on-Severn and Bewdley and two provided in Kidderminster.**
- 3. The Cabinet Member for Community and Leisure Services, in consultation with the Head of Cultural, Leisure and Commercial Services, be authorised to agree the precise locations of the multi-use games areas following consultation with interested parties, including the Service Panel, young people and potential occupiers of neighbouring properties.**

CAB.22 END OF YEAR 2005/06 PERFORMANCE OF THE WYRE FOREST COMMUNITY SAFETY PARTNERSHIP

A report was considered from the Chief Executive that outlined the end of year 2005/06 performance of the Wyre Forest Community Safety Partnership (WFCSP) in reducing crime, disorder and anti-social behaviour in the Wyre Forest District.

The Cabinet Member for Community and Leisure Services was pleased to note the excellent performance of the Wyre Forest Community Safety Partnership over the last year.

In all areas where targets had been set on performance, the targets had been exceeded and had led to an overall reduction in crime of approximately 25.5. %. This exceeded the target set by the Government Office West Midlands of 18%.

DECISION:

- 1. The performance of the Wyre Forest Community Safety Partnership for 2005/06 in reducing crime, disorder and anti-social behaviour in the Wyre Forest District be noted.**
 - 2. The proposed merger of the Wyre Forest Community Safety Partnership with the Bromsgrove Community Safety Partnership and Redditch Community Safety Partnership, to form a North Worcestershire Community Safety Partnership, be supported in principle.**
-

CAB.23 PROPOSED SECONDMENT TO BRITISH WATERWAYS

A report was considered from the Head of Cultural, Leisure and Commercial Services. The Cabinet was requested to approve a two-day per week secondment of the Council's Assistant Development Officer to British Waterways for a period of two years, and to give approval to backfill this post with money from British Waterways.

The Cabinet Member for Community and Leisure Services commented that the Stourport-on-Severn Canal Basin was undergoing a massive regeneration project. As part of the scheme there were proposals to set up some public art projects. It was therefore proposed that the Assistant Development Officer be seconded for two years to help manage the public arts project. British Waterways had agreed to backfill the two days per week by agreeing to pay the Council £10,000 per annum to cover the cost of a temporary post.

DECISION:

- 1. Approval be given for a two day per week secondment of the Council's Assistant Development Officer to British Waterways for a period of 2 years.**
- 2. Approval be given to a temporary two-year appointment for two days per week to backfill this post, funded by money from British Waterways.**

CAB.23 RECOMMENDATIONS FROM THE PROSPERITY PANEL 14TH JUNE 2006

The Chairman of the Prosperity Panel was in attendance to present the recommendations of the Prosperity Panel from its meeting on 14th June 2006. She stated that she was extremely grateful to members of the Council who took part in the scrutiny exercise. She also thanked officers for their support and members of the public who had participated. The Shuttle was also thanked for its help in publishing the questionnaires and helping to co-ordinate their return. Local schools who took part in the survey were also thanked.

The Chairman of the Cabinet Scrutiny Committee commented that the recommendations regarding the Mobile Phone Masts Review had been considered at the Cabinet Scrutiny Committee on 28th July 2006 and had been unilaterally supported. He suggested that if the recommendations were endorsed by the Cabinet that consideration may be given to publishing them on the Council's website as he considered the matter to be an area of considerable interest to members of the public.

- 1. Mobile Phone Masts Review**

The following recommendations be agreed:-

-
- (a) Council ask the Mobile Operators' Association to request the Mobile Phone operators to update the Rollout Plan on a quarterly basis.
- (b) An annual presentation from representatives of the Mobile Phone Operators Association be invited to the Prosperity Panel to coincide with the production of the Rollout Plan.
- (c) No action be taken at this time to prevent Wyre Forest District Council owned property being available to mobile phone network operators. However, any request be subject to the agreement of the majority of Members within the relevant Ward, before it is approved by the Council (this does not apply to applications or notifications to the Council as Local Planning Authority).
- (d) The mobile phone operators be encouraged to share masts on Council (owned land, when appropriate and wherever possible).
- (e) The Council maintain an up-to-date list of all approved base stations/masts, which should be readily available for public inspection, to assist both the public operators considering site sharing opportunities.
- (f) It be noted that:
- The widespread use of mobile phones by children for non-essential calls should be discouraged.
 - The mobile phone industry should refrain from promoting the use of mobile phones by children.
 - The County Council also be referred to the Department of Health's leaflet on Mobile Phones and Health.
 - From a health point of view, an educational programme should be considered and the Panel therefore requests the following:
 - (i) The County Council Health Scrutiny Panel consider an education programme warning children of the potential risk of intensive mobile phone users and
 - (ii) The County Council Health Scrutiny Panel consider issuing guidance to Head Teacher sand school governors with regard to the potential risk of intensive mobile phone use.
-

-
- (g) **The Cabinet continue to urge Richard Taylor, MP, key spokespersons for all national political parties and all Worcestershire MP's to support David Curry's Telecommunications (Planning Control) Bill and call for telecommunication masts to be the subject of full planning controls with permitted development rights removed, when the Bill is re-considered by Parliament on 20th October 2006.**
- (h) **In the event that a consultation document is issued inviting the Council's comments on the Code of Practice that the Council support the adoption of the Code as part of a revised PPG8, either by incorporation of the Code into the Guidance or into a companion guide to accompany the Guidance.**

The Chairman of the Prosperity Panel presented the Panel's recommendations on Stourport Pride. She commented that Stourport Pride was one of the projects emerging from the Stourport Towns Initiative Programme. If the recommendations from the Panel were endorsed by the Cabinet a public consultation would commence from 13th to 25th July 2006. Feedback would be made on the consultation to the Prosperity Panel at their meeting on the 16th October 2006. She considered it was really exciting to think that this type of public design guide for regeneration activities taking place in Stourport-on-Severn had been produced.

2. Stourport Pride

DECISION:

Cabinet endorse the draft Public Realm Design Guide and proposed consultation arrangements as set out in the report to Cabinet.

3. The List of Buildings of Local Architectural and/or Historic Interest (The Local List) - Stourport-on-Severn

The Cabinet agreed the recommendations as printed in the report (see Cabinet Minute Number CAB.6).

4. Minerals and Waste Development Framework - Worcestershire County Council Waste Core Strategy : Preferred Options - Report on Consultation

The Cabinet agreed the recommendations as printed in the report (see Cabinet Minute Number CAB.13).

CAB.24 RECOMMENDATIONS FROM THE EFFICIENCY POLICY PANEL 27TH JUNE 2006

Proposal for the Introduction of a Local Lettings Policy for the Hurcott Road Estate, Kidderminster

The Cabinet agreed the recommendations as printed in the report (see Cabinet Minute Number CAB.10).

CAB.25 **RECOMMENDATIONS FROM THE AUDIT COMMITTEE 15TH JUNE 2006**

The following recommendation was agreed (see also Cabinet Minute Number 19):

DECISION:

The Annual Report on the Council's Internal Control Environment - Internal Audit for 2005/2006 from the Financial Services Manager (Audit and Benefits), be approved.

CAB.26 **EXCLUSION OF 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 paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB.27 **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.

1. Minutes

The Exempt Minutes of the Cabinet held on 27th April 2006 were confirmed as a correct record and were signed by the Chairman.

2. General Best Value User Satisfaction Survey 2006/07

A report was considered from the Chief Executive that advised Members of the process that would be undertaken in order to satisfy the requirements of the statutory General Best Value Satisfaction Survey 2006/07.

3, Council Tax Write Off of Amounts Outstanding

A report was considered from the Head of Financial Services and approval was given to the write off of amounts outstanding of Council Tax.

The meeting closed at 6.52 pm.