

**WYRE FOREST DISTRICT COUNCIL**  
**CABINET**  
**THE COUNCIL CHAMBER, TOWN HALL, KIDDERMINSTER**  
**26TH OCTOBER 2006 (6.00PM)**

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**PRESENT:**

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

**OBSERVERS:**

Councillors: J Aston, J Baker, Mrs H E Dyke, P Dyke, Mrs F M Oborski, M M G Oborski and G C Yarranton..

**CAB.93 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor N J Desmond and Councillor Campion had given notice that he would be arriving late.

**CAB.94 DECLARATIONS OF INTEREST**

No declarations of interest were made.

**CAB.95 MINUTES**

**DECISION:**

**The minutes of the Cabinet meeting held on 28th September 2006 be confirmed as a correct record and signed by the Chairman.**

**CAB.96 CALL INS**

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

**CAB.97 ITEMS REQUIRING URGENT ATTENTION**

The Leader announced that consideration would be given to recommendations from the Miscellaneous Functions Committee meeting held on 23<sup>rd</sup> October 2006 regarding tenders for the supply of play area equipment. These would be considered in accordance with the legislation laid down in Schedule 12A of the Local Government Act 1972 and would be considered in the exempt section of the agenda.

## **CAB.98 LEADER'S ANNOUNCEMENTS**

### 1. Letters From Revenues And Benefits Staff Re : Shared Services

Three letters had been received from staff from the Revenues and Benefits Section regarding Shared Services and these would be considered at agenda item 8.1. Report on the Business Case for a Shared Revenues and Benefits Service in Worcestershire.

### 2. New Structure for Highways and Transportation Department, Worcestershire County Council

Details had been received from Worcestershire County Council regarding the new structure for the Highways and Transportation Department. This information would be displayed in the Members Lounge at the Civic Centre.

## **CAB.99 IMPROVEMENTS TO CAR PARKS**

A report was considered from the Head of Cultural, Leisure and Commercial Services that requested the Cabinet to give consideration to capital expenditure proposals to improve and maintain existing car park facilities.

The Cabinet Member for Commercial Services stated that £100,000 had been made available in the Capital Programme in 2006/07 for such works as resurfacing and improvements to lighting.

A Member raised concerns that if the bridge was closed in Batemans Yard car park that it would mean that traffic would have to make a circular tour of the town if there were not enough spaces available in that car park.

The Cabinet Member stated that this issue had been considered and there were health and safety issues regarding the use of vehicles on the bridge. A lot of money would be required to bring the bridge up to the necessary safety standards. Therefore the bridge would only be available for use by pedestrians. There would however be access onto the car park from New Road to assist motorists in this connection.

It was also noted that all car parks signs would shortly be replaced with improved signage.

**DECISION:**

The following approvals be made from the £100,000 provision in the Capital Program 2006/07:

1. **Resurfacing works to Dog Lane Car Park, Bewdley.**
2. **Resurfacing works to Pike Mills/New Road and Batemans Yard Car Parks, Kidderminster.**
3. **To improve lighting to Pike Mills/New Road and Batemans Yard Car Parks, Kidderminster.**
4. **Demolition of the old and redundant single storey storeroom on Batemans Yard so as to facilitate additional parking spaces, improved site access and improve site aesthetics.**
5. **The Head of Cultural, Leisure and Commercial Services and the Head of Financial Services, in consultation with the Cabinet Member for Commercial Services, be granted delegated authority to spend any balance of the £100,000 following the award of contracts, on general improvements to Car Parks.**

*The Leader revised the order of the agenda in accordance with Members' prior commitments.*

**CAB.100 INCREASE IN FEES AND CHARGES FOR LICENSING AND CONSUMER AND ENVIRONMENTAL PROTECTION 2007/2008**

The Cabinet considered a recommendation from the Licensing and Environmental Committee regarding a proposal to increase the fees by 3% (rounded up where appropriate) and charges for the Council's Licensing and Consumer and Environmental Protection functions for 2007/2008.

**DECISION:**

**The proposals for fees and charges within the Council's Licensing and Consumer and Environmental Protection functions for 2007/2008, as detailed in the report to the Licensing and Environment Committee on 16<sup>th</sup> October 2006, be included in the Cabinet's 2007/2008 budget strategy.**

**CAB.101 STREET TRADING POLICY**

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to recommend to Council that the Street Trading Policy for the District be approved.

The Cabinet Member for Commercial Affairs wished to thank officers for the extensive work they had carried out on compiling the Street Trading Policy.

**RECOMMENDED TO COUNCIL:**

**Following the recent consultation with relevant stakeholders that the Street Trading Policy for the District, attached as Appendix 1 of the report to Cabinet, be approved.**

**CAB.102 LOCAL DEVELOPMENT FRAMEWORK : REVISED LOCAL DEVELOPMENT SCHEME**

A report was considered from the Head of Planning, Health and Environment that sought the approval of Cabinet to the submission of a Revised Local Development Scheme for the District.

The Cabinet Member for Planning, Health and Environment stated that there had been a six month delay in the review of the Regional Spatial Strategy. It was therefore decided to revise the Local Development Framework documents to take effect from 30<sup>th</sup> November 2006.

**DECISION:**

- 1. The Local Development Scheme for Wyre Forest District be revised, as set out in Appendix 1 of the report to Cabinet, and the revised Scheme be submitted to the Government Office for the West Midlands.**
- 2. The Head of Planning, Health and Environment, in consultation with the Cabinet Member for Planning, Health and Environment, be authorised to make any necessary minor amendments to the submitted Local Development Scheme in order to meet Government Office for the West Midlands recommendations.**

**CAB.103 WYRE FOREST DISTRICT RETAIL AND COMMERCIAL LEISURE STUDY 2006**

A report was considered from the Head of Planning, Health and Environment that outlined the preliminary findings of the Retail and Commercial Leisure Study undertaken by White Young Green Planning. The approval of Cabinet was sought to publish these findings.

The Cabinet Member for Planning, Health and Environment stated that this study had been one of a number of technical studies in support of a new planning development process. The Cabinet wanted to make this study available for sale and it was noted that it could also be used in connection with the preparation of the Council's Local Development Framework.

**DECISION:**

- 1, The Head of Planning, Health and Environment make the necessary arrangements to publish the Retail and Commercial Leisure Study 2006 for sale at a cost of £50 (as per the 2001 study);**
- 2. The Head of Planning, Health and Environment have regard to the Findings of the study, as detailed in the report to Cabinet, when preparing the Local Development Framework and other strategic documents.**

**CAB.104 REVISED CRITERIA FOR DEVELOPMENT FUND**

A report was considered from the Head of Cultural, Leisure and Commercial Services that recommended that the criteria for the award of the Development Fund be replaced with those of the Leisure Grant Scheme.

In the absence of the Cabinet Member, the Head of Cultural, Leisure and Commercial Services stated that the purpose of revising the Development Fund was to bring three potential grant funds into one. This would simplify the process when applying for sports grants.

He commented that the District Council currently had a small Development Fund which had approximately £3,000 and there were two other grants schemes - the Wyre Forest Leisure Grant Scheme and the Ray Mercer Sports Foundation Award and it was intended that these three schemes should be merged into one Development Fund. By merging these grants and having one set of criteria for awarding grant monies it would simplify the administration of the grants and would make the process of applying for such grants much more simple.

**DECISION:**

- 1. The criteria for the Development Fund be replaced with the criteria for the new Leisure Grant Scheme.**
- 2. Delegated authority be given to the Cabinet Member for Community and Leisure Services for the award of monies for the Leisure Grant Scheme.**

**CAB.105 PLAY STRATEGY - BIG LOTTERY FUND**

A report was considered from the Head of Cultural, Leisure and Commercial Services that recommended the development of a Worcestershire Play Strategy linked to the Worcestershire Children and Young People's Plan, with individual policies and action plans for each District Council.

In the absence of the Cabinet Member, the Head of Cultural, Leisure and Commercial Services told the Cabinet that the report outlined the progress of the Play Strategy and advised on how the grant money would be allocated across the County.

## **DECISION:**

- 1. The development of a Worcestershire Play Strategy linked to the Worcestershire Children and Young People's Plan be endorsed, with individual policies and action plans for each District Council within Worcestershire.**
- 2. The Cabinet Member for Community and Leisure Services or his authorised representative be nominated as 'Play Champion' on behalf of the Wyre Forest District Council.**

## **CAB.106 RECOMMENDATIONS FROM THE PROSPERITY POLICY PANEL 4<sup>TH</sup> OCTOBER 2006**

### **Re : Stourport Pride Consultation**

The Chairman of the Prosperity Policy Panel was in attendance to present the recommendations made by the Prosperity Policy Panel on 4<sup>th</sup> October 2006 regarding the Stourport Pride Consultation.

She commented that a public consultation had been held and the Prosperity Policy Panel had considered the responses received and had duly added some comments and amendments.

### **RECOMMENDED TO COUNCIL:**

- 1. The draft Public Realm Design Guide: Stourport-on-Severn (Appendix A), as amended by Appendix C and its proposed adoption as a 'Companion Guide to Wyre Forest District Design Quality Supplementary Planning Guidance (July 2004)' be endorsed.**
- 2. The following comments/amendments made by the Panel be approved:**
  - (a) Page 3 of Appendix B: "Options to include a ramp should also be considered, but if this is not possible, suitable sign posting should be provided to help those unable to use steps to find the existing ramp adjacent to the Black Star public house." Members felt that although technically this would comply with the Disability Discrimination Act, it would be unfair for visitors to have only this access. As public authorities, the Council and British Waterways should be responsible for doing more than the minimum.**
  - (b) Members supported the re-wording on page 33 as follows: "Pedestrian routes need to be wide enough to permit two wheelchairs or two side-by-side twin pushchairs to pass in opposite directions."**
  - (c) With regard to page 5 of Appendix B, "Litter bins subject to funding", Members hoped that Stourport Forward could organise sponsorship of this type.**

**AGREED:**

**The Prosperity Panel's proposals for a contribution towards the implementation of the Strategy be included in the Cabinet's 2007/2008 budget strategy.**

**CAB.107 RECOMMENDATIONS FROM THE CABINET SCRUTINY COMMITTEE - 21<sup>ST</sup> SEPTEMBER 2006**

The Chairman of the Cabinet Scrutiny Committee was in attendance to present the recommendations of the Cabinet Scrutiny Committee from its meeting on 21<sup>st</sup> September 2006.

1. Ensuring Ward Members are Informed about what Happens in their Ward

He stated that the Government's White Paper 'Strong and Prosperous Communities strengthened what had been said about the leadership of councillors. The Cabinet Scrutiny Committee was most emphatic that there should be no surprises for any Members in what happens in their Wards. However he conceded that it would be difficult to have a protocol that was one hundred per cent perfect. There was a need for a change of the ethos of the authority so that ward members were made aware of any proposals that might affect their ward as soon as was practicable. The Committee had been concerned that they had heard about proposals in the press and had not been aware of them before this had occurred.

The Leader was grateful for the work that the Cabinet Scrutiny Committee had carried out and had considered the recommendations that had been made at a recent Cabinet Away Day.

He said that in the light of the White Paper that the Chairman of the Scrutiny Committee had alluded to, he suggested that the Cabinet Scrutiny Committee had another look this matter and build in issues arising from the White Paper. He urged that the Cabinet Scrutiny Committee did not seek endorsement from the Cabinet at this moment but rather look at the White Paper and present recommendations to another meeting of Cabinet.

The Chairman of the Cabinet Scrutiny Committee commented that White Papers had a habit of changing whilst they evolved. He agreed that the Cabinet Scrutiny Committee would reconsider the matter and would bring it back at the Leader's request within a two month time limit.

**AGREED:**

**The Cabinet Scrutiny review this issue in the light of the recently published White Paper with a view to it returning to Cabinet within a timeframe of two months.**

## **2. Cumulative Impact of Public Policies on Local Areas**

The Chairman of the Cabinet Scrutiny Committee stated that one of the major problems for Ward Councillors was to understand the local issues that impinged on their ward. They needed to be aware of what the District Council was doing. The Cabinet Scrutiny Committee had therefore suggested that perhaps every 4 months a sheet of A4 paper was circulated to all Members that outlined activities that may affect members and their wards.

The Leader agreed with the recommendations. The Cabinet Member for Commercial Services commented that he had been in attendance at the Cabinet Scrutiny Committee when the recommendations were discussed. He noted that all members of all political parties had been united that ward members told be informed of what is happening in their wards and he agreed that members should always be aware of what was happening in their wards.

The Cabinet Member for Planning, Health and Environment commented that the Cabinet not only had a duty to keep members informed but also the public as well.

### **AGREED:**

**Officers be instructed to produce regular update briefings on key themes in public policy in order to assist Members in trying to gain an overall grasp of the impact on public policy on a particular area.**

### **CAB.108 REPORT ON THE BUSINESS CASE FOR A SHARED REVENUES AND BENEFITS SERVICE IN WORCESTERSHIRE**

A report was considered from the Head of Financial Services regarding the business case for the formation of a Shared Service for Revenues and Benefits in Worcestershire.

The Chairman of the Efficiency Policy Panel was in attendance to present the recommendations of the Panel on this matter. He stated that a Task and Finish Group had been set up by the Efficiency Policy Panel 5 weeks ago to look at the business case for a shared revenues and benefits service in Worcestershire.

He said that the Panel comprised nine members. The nine members did not reflect the political balance of the authority but comprised two Conservative Group Members, two Liberal Group Members, Two Independent Health Concern Group Members, one Labour Group member, one Liberal Democratic Group member and one independent member.



The Panel had met five times over the course of five weeks and had had discussed the issues concerning the business case for a shared revenues and benefits service and had made the recommendations now being considered by Cabinet. He commented that there had been very little difference in opinion across the political divide on the issue of shared services. He said that the meetings of the Task and Finish Group had been attended by a large number of observers from each of the political parties.

In the ensuing debate a number of issues were raised by the Cabinet in response to the recommendations:-

The Leader of the Council explained that the proposals for shared services were not driven by the County Council and the intention was for the District Councils in Worcestershire to work together to make savings on services. He then clarified that recent press reports about possible redundancies were very exaggerated.

With reference to comments that Members had not been aware that Shared Services were to be considered by the Council's administration, the Leader stated that this information had been published in the Council's Forward Plan three months ago so all Members should have been aware of this.

*Councillor J-P Campion arrived at this point at 6.40 p.m.,*

The Task and Finish Group had not been convinced that the savings referred to in the Business Case presented by Price Waterhouse regarding support service costs were achievable and perceived that it would take seven rather than three years to achieve the required savings. When asked how the Group had arrived at this figure the Chairman said that his information had been based on information provided by senior officers and these officers had more experience in the matter than consultants from Price Waterhouse.

Whilst concern had been raised that Wychavon paid its staff more than the other District Councils because they had not adopted the Single Status arrangements, the Cabinet Member for Finance and Corporate Affairs clarified that this would not make any difference. Whilst Wychavon would be the host authority it would be purely that and the fact that they paid the highest or lowest rates of pay was irrelevant.

Whilst acknowledging that some staff would be seconded to the host authority, it was considered essential that there were a number of staff available if hub staff could not deal with a query. It was clarified that the intention was for the hub to be semi-independent and thereby eighty per cent of queries were anticipated to go through the hub with the remaining twenty per cent being dealt with by revenues and benefits staff or a mixture.

The Leader referred to the consultation exercise and queried whether neighbouring districts had been consulted. The Chairman of the Efficiency Policy Panel stated evidence had been received from staff but none from neighbouring authorities. He drew attention to the fact however that Wyre Forest was the only District Council in Worcestershire that had done a scrutiny exercise on shared services and he was aware that Malvern Hills District Council were interested in the scrutiny work that had been undertaken.

The Leader commented that he felt that more consultation should have been undertaken with interested parties and he was surprised that this aspect was not considered when the scoping exercise had been carried out. He considered that fuller consultation should have occurred before a recommendation was considered at Council on the 15<sup>th</sup> November 2006.

The Chairman of the Policy Panel said that a lot of letters had been received from staff but no reply had been sent so as not to raise any expectations. He conceded that perhaps in the wisdom of hindsight partner agencies should have been consulted particularly The Community Housing Group.

The Leader suggested that the Panel should reconvene and consult with partner organisations and suggested that the Panel review their recommendations in the light of the recently published White Paper 'Strong and Prosperous Communities.' He stated however that this was the best scrutiny report that had come before the Cabinet and he thanked the Chairman of the Panel for the work his panel had undertaken. He also wished to put on record thanks from the Council for all the expertise in the Revenues and Benefits Section and he was grateful for their expertise and the loyal work they undertook.

**DECISION:**

**The Cabinet, having considered the report of the Efficiency Policy Panel from its meeting on 23<sup>rd</sup> October 2006:**

- 1. Require further clarification on what effect the newly published White Paper would have on Shared Service proposals.**
- 2. Requested more extensive consultation with partner agencies and neighbouring authorities.**
- 3. Noted that a meeting of the Shared Services Task and Finish Group be convened for Wednesday 8<sup>th</sup> November 2006 at 4 pm in order to make further recommendations to Cabinet.**

**CAB.109 LOCAL GOVERNMENT (EARLY TERMINATION OF EMPLOYMENT) (DISCRETIONARY COMPENSATION) (ENGLAND AND WALES) REGULATIONS 2006**

A report was considered from the Head of Human Resources and Head of Financial Services that recommended to Council that the revised policy be endorsed in cases of early termination of employment on the grounds of either redundancy or in the interests of the efficient exercise of the Council's functions.

The Cabinet Member for Finance and Corporate Affairs commented that the Council had revised its policy in line with other partners in the district.

**RECOMMENDED TO COUNCIL:**

**With effect from 1<sup>st</sup> October 2006, and in accordance with the Local Government (Early Termination of Employment) Discretionary Compensation (England and Wales) Regulations 2006, the revised policy be endorsed in cases of early termination of employment on the grounds of either redundancy**

**CAB.110 EXCLUSION OF THE PRESS AND PUBLIC**

**DECISION:**

**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 paragraphs 3 and 6 of Part 1 of Schedule 12A to the Act.**

**CAB.111 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 had been made as "exempt information" would be disclosed if the minutes were published in full.

**CAB.112 EXEMPT RECOMMENDATIONS FROM THE MISCELLANEOUS FUNCTIONS COMMITTEE 23<sup>RD</sup> OCTOBER 2006**

Re : 3 Tenders for the Supply of Play Area Equipment - Northwood Lane, Bewdley, Baxter Gardens and Springfield Park, Kidderminster

The Cabinet received, as a matter of urgency, recommendations from the Miscellaneous Functions Committee's 23<sup>rd</sup> October 2006 meeting regarding tenders for the supply of play area equipment.

The Cabinet sought the Council's approval for an amendment to the Capital Programme to fund the provision of play area equipment in Springfield Park, Kidderminster, and Northwood Lane, Bewdley, for the provision of play area equipment.. The funding arrangements for the provision of play area equipment in Baxter Gardens were noted.

The Chairman agreed to take this item as a matter of urgency in accordance with Section 12A of the Local Government Act 1972.

**CAB.113 PROPOSED NEW CEMETERY SITE**

A report was considered from the Head of Cultural, Leisure and Commercial Services regarding the purchase of two parcels of land to accommodate the provision of a new cemetery.

The Cabinet agreed that the parcels of land be purchased.

**CAB.114 USE OF COMPULSORY PURCHASE POWERS AT 23-24 BRIDGE STREET, STOURPORT-ON-SEVERN**

A report was considered regarding the implications of the use of compulsory purchase powers to acquire land at 23 -24 Bridge Street, Stourport.

The meeting finished 7.25 p.m.,