

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**

**THURSDAY 22<sup>nd</sup> FEBRUARY 2007**

**EARL BALDWIN SUITE, DUKE HOUSE, KIDDERMINSTER**

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

**CAB.185 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**CAB.186 DECLARATIONS OF INTEREST**

Councillor S J M Clee declared a personal interest in agenda item number 9.5. relating to the West Midlands Regional Spatial Strategy as he is a member of the Regional Assembly. (Minute number CAB.205 refers)

**CAB.187 MINUTES**

**DECISION:**

**The minutes of the Cabinet meeting held on the 25<sup>th</sup> January 2007 be confirmed as a correct record and signed by the Chairman.**

**CAB.188 CALL INS**

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

**CAB.189 ITEMS REQUIRING URGENT ATTENTION**

There were no items requiring urgent attention.

**CAB.190 LEADER'S ANNOUNCEMENTS**

**1. Councillor M M G Oborski**

On behalf of the Cabinet, the Leader extended his condolences to Councillor Mrs F M Oborski and family following her sad loss of her husband Councillor M M G Oborski. Tributes would be paid to him at the Council meeting on 28<sup>th</sup> February 2007.

**2. Blakebrook Special School**

Blakebrook Special School was to be congratulated on its outstanding OFSTED report.

**3. Worcestershire County Council's Annual Audit Inspection**

A letter would be sent to the Chief Executive of Worcestershire County Council congratulating the Council on achieving a four star rating in its annual audit inspection. Worcestershire County Council was only one of three Councils in the country that had achieved a four star rating.

**4. Cancellation of Cabinet Meeting 27th February 2007**

The Cabinet meeting scheduled for Tuesday 27<sup>th</sup> February 2007 was to be cancelled. A note would be sent to Members informing them of the cancellation.

**CAB.191 WEST MIDLANDS ECONOMIC STRATEGY (WMES) REVIEW 2006 – 2007 CONSULTATION ON POLICY CHOICES**

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to approve the responses to the set questions from Advantage West Midlands regarding the Policy Choices.

**DECISION:**

**The responses to the set questions from Advantage West Midlands as set out in the appendix of the report to Cabinet regarding the Policy Choices be approved.**

**CAB.192 UPDATE ON THE WORCESTERSHIRE LOCAL AREA AGREEMENT 2006 - 2007**

A report was considered from the Chief Executive that provided an update on Worcestershire's Local Area Agreement (2006-2009).

**DECISION:**

- 1. The progress made by the Worcestershire Partnership in the delivery of the Local Area Agreement for Worcestershire 2006-2009 be noted.**
- 2. The Council, as a partner of Wyre Forest Matters Partnership, continue to engage in and support the implementation of the Local Area Agreement for Worcestershire 2006 – 2009.**

**CAB.193 UPPER SEVERN AGAINST FLY TIPPING – JOINT STATEMENT OF INTENT**

A report was considered from the Head of Cultural, Leisure and Commercial Services that asked the Cabinet to consider recommending to Council that The Upper Severn Against -Fly-Tipping Joint Statement of Intent be adopted.

The Cabinet Member for Commercial Services stated that this was a joint initiative between this Council, other Councils and the Environment Agency.

**RECOMMENDED TO COUNCIL:**

- 1. The Upper Severn Against Fly-Tipping Joint Statement of Intent be adopted by the Council.**
- 2. The Head of Cultural, Leisure and Commercial Services, in consultation with the Head of Legal and Democratic Services and the Cabinet Member for Commercial Services, be delegated to sign the Statement on behalf of Wyre Forest District Council.**

**CAB.194 FINANCIAL STRATEGY 2007/2010**

The Cabinet Member for Finance and Corporate Affairs outlined the Council's Financial Strategy for 2007/2010.

He stated that the Financial Strategy had been amended to incorporate as many proposals as possible.

Council Tax would increase by 2.5%. This meant that a tax payer in a Band D property would be paying £183.51 which was in line with Government CPI of 2.7%. He outlined some of the schemes that the Council would be supporting and these included expenditure on public conveniences, the new cemetery, extended collection of waste in the hotter months and the proposed single site for the Council. He also referred to the review of the Corporate Management Team and said he had asked the Chief Executive to identify further ways of working with local partners. With regard to efficiency savings, he advised that it was prudent to explore new ways of working and to consider the implementation of new technology.

**RECOMMENDED TO COUNCIL:**

**The Cabinet's proposed Financial Strategy 2007/2010 as contained in the report to Cabinet (attached as Appendix 1 to this Decision List) be agreed.**

**CAB.195 RECOMMENDATIONS FROM EFFICIENCY POLICY PANEL FROM ITS MEETING ON 6<sup>TH</sup> FEBRUARY 2007**

Re : Financial Strategy 2007/10

**DECISION: (see Decision at minute number 194 above)**

**CAB.196 CONSULTATION ON THE CABINET'S FINANCIAL STRATEGY 2007/10**

A report was considered from the Head of Financial Services that reported on the outcome of the Financial Strategy consultation exercise.

**DECISION:**

The report be noted.

**CAB.197 FINAL DETERMINATION OF THE LOCAL GOVERNMENT FINANCE SETTLEMENT FOR 2007/2008**

A report was considered from the Head of Financial Services that reported on the Final Determination of Wyre Forest's Finance Settlement from the Government for 2007/2008.

**DECISION:**

**The results of Wyre Forest's Finance Settlement 2007/2008 be incorporated into the Council's Budget Strategy and resultant Council Tax Levy for 2007/2008.**

**CAB.198 PRUDENTIAL SYSTEM OF LOCAL GOVERNMENT FINANCE AND THE TREASURY MANAGEMENT POLICY AND STRATEGY REPORT 2007/2008**

A report was considered from the Head of Financial Services that provided Members with background information on the Chartered Institute of Public Finance (CIPFA) Prudential Code for Capital finance in Local Authorities (Prudential Code) and sought approval for the Prudential Indicators and Limits for the financial years 2007/2008 to 2009/10.

**RECOMMENDED TO COUNCIL:**

- 1. The updated Prudential Indicators and Limits as detailed in the report to Cabinet be adopted.**
- 2. The updated Treasury Management and Investment Policy and Strategy 2007/2008 and associated Prudential Indicators as detailed in the report to Cabinet be approved.**
- 3. As part of Budget Monitoring the Prudential Indicators be revisited following the approval of the Council's Budget Strategy as the indicators included within the report to Cabinet are based on current recommendations.**

**CAB.200 REPORT ON BUDGET MONITORING : THIRD QUARTER 2006/2007**

A report was considered from the Head of Financial Services that requested the Cabinet to monitor the Revenue Budget and Capital Programme in accordance with the Local Government Act 2003 and Comprehensive Performance Assessment (CPA) guidelines.

**DECISION:**

- 1. The projected budget variations and comments outlined within the report to Cabinet be noted.**
- 2. The Heads of Service continue to monitor closely the Revenue Budget and Capital Programme.**
- 3. The updated Capital Programme and Vehicle, Equipment and Systems Renewal Schedule 2006/2007, brought about by slippage and reassessment, as detailed in Appendix 3 of the Cabinet report, be noted.**
- 4. It be noted that the Revised Prudential Indicators 2007/2010 will be considered as part of the Treasury Management Policy and Strategy Report 2007/2008.**
- 5. The Budget Risk Management Matrix, at Appendix 4 of the Cabinet report, be noted.**
- 6. The Supplementary Estimate/Virement Report, at Appendix 5 of the Cabinet report, be noted.**

**CAB.201 WYRE FOREST DISTRICT LOCAL PLAN : POLICIES TO BE SAVED BEYOND SEPTEMBER 2007**

A report was considered from the Head of Planning, Health and Environment that sought agreement to the submission of a request to the Secretary of State for Communities and Local Government to save appropriate Local Plan policies beyond September 2007.

The Cabinet Member for Planning, Health and Environment advised that under the Compulsory Purchase Act 2004 Schedule 8(1(3)) it was possible for councils to request that policies be saved until the new Local Development Framework was in place.

**RECOMMENDED TO COUNCIL:**

**The response to the Protocol issued by the Department for Communities and Local Government on saving Local Plan policies under the Planning and Compulsory Purchase Act 2004, as set out in Appendix 1 to the Cabinet Report, be approved for submission to the Government Office for the West Midlands by 1<sup>st</sup> April 2007.**

**CAB.202 BRIDGE STREET (STOURPORT-ON-SEVERN) PARTNERSHIP PROGRESS**

A report was considered from the Head of Planning, Health and Environment that apprised Members of the work of the Bridge Street Partnership and sought approval for future progress.

The Head of Planning, Health and Environment commented that the date for completion of the works had now slipped. It was therefore proposed that the planned resurfacing work would be done in September 2007 to coincide with the public realms works and to avoid impinging on the visitor season.

**DECISION:**

- 1. The continued work of the Bridge Street Partnership project be supported and the £100,000 committed expenditure be taken from the Capital Programme in 2007/08.**
- 2. The Head of Planning, Health and Environment, in consultation with the Head of Legal and Democratic Services, prepare and enter into an agreement with Worcestershire County Council to agree the works and funding of the project.**
- 3. The Head of Planning, Health and Environment, in consultation with the Cabinet Member for Planning, Health and Environment, the Head of Cultural, Leisure and Commercial Services and Head of Financial Services, be authorised to agree design options for consultation and, following consultation, to agree the final design for tendering.**
- 4. The Head of Planning, Health and Environment agree the proposed public realm improvement works through the County Council's retained engineers, Halcrow, and ensure the satisfactory implementation of the works.**

**CAB.203 DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT  
CONSULTATION DOCUMENTS ON CLIMATE CHANGE**

A report was considered from the Head of Planning, Health and Environment that informed Members of documents that had been published by the Department for Communities and Local Government in December 2006 on matters relating to Climate Change. Agreement was sought to the proposed response to the Department of Communities and Local Government consultation documents.

The Cabinet Member for Planning, Health and Environment commented that the consultation documents related to climate change and its causes. The Council was required to make step changes through new homes being carbon rated by the year 2016. A Special Joint Prosperity and Service Policy had been held on 12<sup>th</sup> February 2007 when the consultation documents were considered.

The Chairman of the Prosperity Panel informed the Cabinet that a useful scrutiny exercise had been carried out on the consultation documents which had resulted in some additional comments being recommended to the proposed response. She also commented that Wyre Forest appeared to be becoming something of a leader with regard to some aspects of climate change. She pointed out that climate change had a high profile on the Government agenda and there was an urgent need to reduce carbon emissions.

**DECISION:**

**The consultation responses as attached to the report to Cabinet be submitted to the Department of Communities and Local Government as the Wyre Forest District Council reply by the deadlines of 8<sup>th</sup>/9<sup>th</sup> March 2007.**

**CAB.204 REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE CONDITIONS  
TO REFLECT THE DEPARTMENT OF TRANSPORT'S 'BEST PRACTICE  
GUIDANCE'**

A report was considered from the Head of Planning, Health and Environment that recommended that a public and stakeholder consultation be held on reviewing certain Hackney Carriage and Private Hire Licence Conditions to reflect the Department For Transport's 'Best Practice Guidance.'

The Cabinet Member for Planning, Health and Environment advised that the Best Practice Guide had now been issued and in accordance with best practice requirements it was necessary to consult with public and stakeholders. The results of the consultation would be reported to the Licensing and Environmental Committee and to Cabinet.

**DECISION:**

**Authorisation be given to the Head of Planning, Health and Environment to consult on those conditions contained in Appendix 1 of the report to Cabinet and report back to the Licensing and Environmental Committee and a future Cabinet meeting on any proposed changes to the conditions.**

**CAB.205 WEST MIDLANDS REGIONAL SPATIAL STRATEGY – PHASE TWO REVISION SPATIAL OPTIONS CONSULTATION**

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to recommend to Council that endorsement be given to the recommended responses to the Regional Spatial Strategy - Phase Two Revision: Spatial Options consultations questions.

The Cabinet Member for Planning, Health and Environment stated that the consultation would close on 5<sup>th</sup> March 2007. The Council had been required to respond to 105 questions set by the West Midlands Regional Assembly. All Councils had been sent a copy of the consultation in order that a structured response could be worked out. It was likely that there would be further consultation before the final submission. The report had been fully debated at the Prosperity Policy Panel meeting on 7<sup>th</sup> February 2007 and had been accompanied by a very good presentation by the Forward Planning Manager.

The Chairman of the Prosperity Policy Panel commented that whatever option was chosen as a result of the review, the Council should apply for an additional 1,000 houses to not only relieve the pressure on housing from other districts, but also to address the need for affordable housing within the Wyre Forest area.

**RECOMMENDED TO COUNCIL:**

**The recommended responses to the West Midlands Regional Spatial Strategy - Phase 2 Revision: Spatial Options Consultation questions, as set out in Appendix 1 to the Cabinet report, be approved and submitted to the Regional Assembly as the Council's consultation response.**

**CAB.206 WYRE FOREST DISTRICT LOCAL DEVELOPMENT FRAMEWORK PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT**

A report was considered from the Head of Planning, Health and Environment that recommended to Council the approval of the Head of Planning, Health and Environment's recommended amendments arising from consultation to the Draft Supplementary Planning Document.



The Cabinet Member for Planning, Health and Environment explained that the report related to the Planning Obligation Supplementary Planning Document which had been sent out for consultation. There had been 193 representations received and these had related mainly to Sections 3, 4 and 7 of the consultation documents. It was likely that there would be further consultation on proposals for a new system of planning obligation - namely a planning gain supplement which was likely to be introduced in 2009.

It was noted that the Prosperity Policy Panel had scrutinised the Draft Supplementary Planning Document at its meeting on the 7<sup>th</sup> February 2007 and had recommended it be adopted by Council.

#### **RECOMMENDED TO COUNCIL:**

- 1. The draft Planning Obligations Supplementary Planning Document, as amended by the recommended changes set out in Appendices 2 and 3 to the Cabinet Report, be adopted as the “Planning Obligations” Supplementary Planning Document, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004.**
- 2. The Head of Planning, Health and Environment be authorised to prepare and publish the necessary documents in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004.**
- 3. The Council formally adopts the revised definition of Affordable Housing (in line with Planning Policy Statement 3: Housing Annex B), as set out in the Table of Amendments arising from Government Guidance at Appendix 3 to the Cabinet report.**

#### **CAB.207 PARK LANE OPEN SPACE, KIDDERMINSTER**

A report was considered from the Head of Planning, Health and Environment that apprised Members of a public realm framework for Park Lane, Kidderminster, prepared by the Council's Consultants, Taylor Young. Approval was sought for preliminary works to improve the open space.

The Cabinet Member for Planning, Health and Environment advised that the Park Lane site provided an opportunity to create a useable green space in the heart of Kidderminster. The area was designated as 'urban open space' in the Local Plan.

The public realm framework for Park Lane, Kidderminster had been discussed at the Prosperity Panel on 10<sup>th</sup> January 2007. At that meeting it had been suggested that part of the site could be used for mountaineering as it was steep in places. Whatever was eventually decided upon would provide an interesting backdrop to Weavers Wharf and the importance of preserving open space had been recognised.

## **DECISION:**

- 1. The 'Park Lane, Kidderminster: Public Realm Framework', as detailed in Appendix 1 to the Cabinet report, be endorsed as the basis for further discussions and consideration in the preparation of the Local Development Framework.**
- 2. Subject to funding, the Head of Cultural Leisure and Commercial Services in consultation with the Head of Planning, Health and Environment be authorised to undertake an initial phase of improvements and consultation with the local community as set out in paragraph 4.7 of this report.**

### **CAB.208 GAMBLING ACT 2005 – PREMISES LICENCE FEES**

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to recommend to Council a delegation of authority to set Premises Licences Fees granted under the provisions of the Gambling Act 2005.

The Cabinet Member for Planning, Health and Environment commented that local authorities were required to set their fees by the end of April 2007 in readiness for September 2007 when the Gambling Act became operational.

#### **RECOMMENDED TO COUNCIL:**

**The Head of Financial Services and the Head of Planning, Health and Environment be given delegated authority, in conjunction with the Cabinet Members for Finance and Corporate Affairs and Planning, Health and Environment, to set fees relating to the Gambling Act 2005 according to government guidelines.**

### **CAB.209 PLAY STRATEGY – BIG LOTTERY FUND**

A report was considered from the Head of Cultural, Leisure and Commercial Services that recommended that the Worcestershire Play Strategy be adopted.

The Cabinet Member for Community and Leisure services advised that Worcestershire County Council had been allocated £1.2 million from the Children's Play Programme to share between its six District Councils. However, before the money could be disseminated, local play strategies were required to be in place by the BIG Lottery to support applications to its programme.

#### **RECOMMENDED TO COUNCIL:**

- 1. The Worcestershire Play Strategy be endorsed.**
- 2. Delegated authority be given to the Head of Cultural, Leisure and Commercial Services to produce action plans for the District and submit an application to Big Lottery Fund for £207,799 in March 2007.**

**CAB.210 Prosperity Panel 10<sup>th</sup> January 2007**

Park Lane Open Space, Kidderminster

**DECISION:**

**See decision at minute number CAB.207 above.**

**CAB.211 Prosperity Panel 7<sup>th</sup> February 2007**

Wyre Forest District Local Development Framework Planning Obligations  
Supplementary Planning Document

**DECISION:**

**See decision minute number CAB.206 above.**

West Midlands Economic Strategy (WMES) Review 2006 - 2007 Consultation on  
Policy Choices

**DECISION:**

**See decision at minute number CAB.191 above.**

Wyre Forest District Local Plan - Policies to be Saved Beyond September 2007

**DECISION:**

**See decision at minute number CAB.201 above.**

West Midlands Regional Spatial Strategy - Phase 2 Revision Spatial Options  
Consultation

**DECISION:**

**See decision at minute number CAB.205 above.**

**CAB.212 Special Joint Prosperity and Service Policy Panel Meeting 12<sup>th</sup> February 2007**

- (a) Code for Sustainable Homes - A Step Change in Sustainable Home Building  
Practice

**DECISION:**

**The recommendations as set out below be agreed:**

1. The Council work with local house builders to promote the voluntary code for sustainable homes.
2. When considering the Local Development Framework, higher requirements of sustainability be included.
3. The Council respond to the "Building a Greener Future: Towards Zero Carbon Development" consultation document and ask the Department of Communities and Local Government to make the Code for Sustainable Homes mandatory for all new homes.

(b) Building a Greener Future : Towards Zero Carbon Development

**DECISION:**

The recommendation as set out below be agreed:

The officer's comments set out at Appendix 1 of the Briefing Paper to the Panel for submission to the Department for Communities and Local Government be endorsed subject to the additional points noted in the relevant minute.

(c) Consultation on Planning Policy Statement : Planning and Climate Change - Supplement to Planning Policy Statement

**DECISION:**

The recommendation as set out below be agreed:

The officer's comments as set out in Appendix 1 to the report to the Panel be endorsed for submission to the Department for Communities and Local Government by 8<sup>th</sup> March 2007, subject to the additional point in response to question 6b.

(d) Water Efficiency in New Buildings - A Consultation Document

**DECISION:**

The recommendation as set out below be agreed:

The Officer's comments set out at Appendix One to the report to the Panel be endorsed for approval for submission to the Department for Communities and Local Government by 9<sup>th</sup> March 2007 subject to the additional points raised in the meeting.

**CAB.213 SERVICE POLICY PANEL 23<sup>RD</sup> JANUARY 2007**

Housing Strategy Action Plan Review and Update

**DECISION:**

The recommendation as set out below be agreed:

**Officers carry out a 'light touch' review of the current Housing Strategy and Action Plans during Summer of 2007, notwithstanding any further guidance on Housing Strategies being forthcoming.**

Climate Change Action Plan 2006/07 Progress Report

**Recommended to Council:**

**Wyre Forest District Council make a fresh commitment to the Worcestershire Climate Change Pledge and sign the pledge with the additional four key actions for 2007:**

1. **Ensure that our organisation monitors its energy use, for example, through regular, accurate meter readings.**
2. **Use 100% 'green' energy, through procurement and/or generation.**
3. **Reduce the organisation's energy use e.g. through switching off appliances when not in use, insulation, using more efficient plant and appliances etc.**
4. **Develop and implement a staff travel plan at Duke House.**

**CAB.214 RECOMMENDATIONS FROM THE LICENSING AND ENVIRONMENTAL COMMITTEE FROM ITS MEETING HELD ON 19 FEBRUARY 2007**

1. Review of Hackney Carriage and Private Hire Licence Conditions to Reflect the Department for Transport's 'Best Practice Guidance'

**DECISION:**

**See decision at minute number CAB.204 above.**

2. Gambling Act 2005 - Premises Licence Fees

**DECISION:**

See decision at minute number CAB.208 above..

**CAB.215 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 2 and 3 of Part 1 of Schedule 12A to the Act.**

**CAB.216 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.217 MINUTES**

The exempt minutes of the Cabinet meeting held on the 25<sup>th</sup> January 2007 were confirmed as a correct record and signed by the Chairman.

**CAB.218 CORPORATE MANAGEMENT TEAM REVIEW DIVISIONAL RECONFIGURATION**

A report was considered from the Chief Executive that recommended to Council the adoption of revised recommendations for the CMT review and Divisional Reconfiguration. The Cabinet recommended to Council that the proposals contained in the report to Cabinet be adopted.

**CAB.219 INTERNAL AUDIT SERVICES**

A report was considered from the Head of Financial Services that sought approval for the principle of joint working with the City of Worcester for the provision of internal audit management services and audit services. Approval was given to the proposals as contained in the report to Cabinet.

The meeting ended at 6.43 pm.,