

**CABINET
THURSDAY 26TH APRIL 2007
EARL BALDWIN SUITE, DUKE HOUSE, KIDDERMINSTER**

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

Observers: Councillors G W Ballinger, H J Martin and Mrs F M Oborski.

CAB.244 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor N J Desmond.

CAB.245 DECLARATIONS OF INTEREST

No declarations of interest were made.

CAB.246 MINUTES

DECISION:

The minutes of the Cabinet meeting held on the 22nd March be confirmed as a correct record and signed by the Chairman.

CAB.247 CALL INS

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

CAB.248 ITEMS REQUIRING URGENT ATTENTION

There were no items requiring urgent attention.

CAB.249 LEADER'S ANNOUNCEMENTS

The Leader announced that he and Senior Officers would be holding a meeting with traders from Stourport Market to discuss the possibility of securing alternative premises following the news that the Co-Op had given them 28 days notice to quit their current premises.

CAB.250 REVISED PARTNERSHIP FRAMEWORK

A report was considered from the Chief Executive that outlined the revised Strategic and Operational Level Partnerships Framework for the Council and reported on the development of guidance for managing risks and opportunities in partnerships.

RECOMMENDED TO COUNCIL:

The revised Strategic and Operational Level Partnerships Framework and the Guidance for Managing Risks and Opportunities in Partnerships, as set out in Appendices A and B respectively, of the report to Cabinet be adopted.

CAB.251 GENERAL BEST VALUE USER SATISFACTION SURVEY 2006/07

A report was considered from the Chief Executive that outlined the results of the 2006/07 General Best Value User Satisfaction Survey.

The Cabinet Member for Finance and Corporate Affairs commented that it was a statutory requirement for councils to collect statistics and report on a number of Best Value Performance Indicators in order to explicitly reflect users' perceptions of the range of services provided. These performance indicators were collected every 3 years. He commented that, whilst satisfaction levels had fallen in previous years, there had now been an improvement in users' satisfaction levels. He said that the figures could be used to shape the way in which the Council delivered its services over the next five years.

DECISION:

The results of the 2006/07 General Best Value User Satisfaction Survey, as set out in Appendix A of the report to Cabinet, be noted and used to inform the Council's service and improvement planning for 2007/08.

CAB.252 COMMUNITY CHOICE - COUNCIL'S CITIZENS' PANEL (2007-2010)

A report was considered from the Chief Executive that outlined a proposal to set up a new Citizens' Panel for the period May 2007 to April 2010.

The Cabinet Member for Finance and Corporate affairs commented that the Citizens' Panel acted as an excellent 'litmus test' for listening and responding to the Council's customers. The format of the proposed Panel would be slightly different to its predecessor and new people would be selected to serve on it.

DECISION:

- 1. The Council's current Citizens' Panel 'Community Choice,' established for the period of July 2004 to April 2007 be disbanded and they be thanked for their service.**
- 2. A new 'Community Choice' Panel for the period of May 2007 to April 2010 be established from the 350 residents who registered their interest in joining the Panel, when completing the recent MORI BVPI Survey.**

3. **The revised 'Frequently Asked Questions' sheet for 'Community Choice' Panel Members on the operation and management of the Panel, as set out in Appendix A of the report to Cabinet be approved.**
4. **The revised 'Frequently Asked Questions' sheet for Elected Members and Officers on the operation and management of the 'Community Choice' Panel, as set out in Appendix B of the report to Cabinet be approved.**

CAB.253 CUSTOMER SERVICES STRATEGY

A report was considered from the Head of Human Resources that recommended to Council the adoption of a Customer Services Strategy for 2007-2009.

The Cabinet Member for Finance and Corporate Affairs commented that the strategy reflected the Council's values whereby the customer was put first and the Council would act in an open, responsible and accountable way.

RECOMMENDED TO COUNCIL:

The Customer Services Strategy for Wyre Forest District Council 2007 - 2009 be adopted.

CAB.254 DIVISIONAL SERVICE BUSINESS PLANS 2007/08 AND PRIORITY TARGETS FOR 2007/08

A report was considered from the Chief Executive that outlined the Divisional Service Business Plan and Annual Priority Targets for 2007/08.

DECISION:

1. **The Divisional Service Business Plans for 2007/2008 be agreed.**
2. **Performance Indicators and targets for the 2007/08 Annual Priorities be agreed as shown in the appendix of the report to Cabinet.**

CAB.255 CORPORATE GOVERNANCE FRAMEWORK

A report was considered from the Chief Executive that outlined the need to carry out an annual review of the Council's Corporate Governance Framework (CGF).

DECISION:

1. **The updated Corporate Government Framework as outlined in Appendix 1 of the report to Cabinet be agreed.**

2. **Action taken in accordance with the Corporate Government Framework during 2006/07, contained in Appendix 2 of the report to Cabinet be noted.**
3. **Proposed action to be taken in 2007/08, as set out in appendix 3 of the report to Cabinet be agreed.**

CAB.256 INCREASE IN THE FEE FOR LOCAL LAND CHARGE SEARCHES - ADDITIONAL PARCELS OF LAND

A report was considered from the Head of Legal and Democratic Services that asked the Cabinet to consider increasing the fee for Local Land Charge Searches where the search related to additional parcels of land.

It was noted that the current Local Land Charge search fee for an additional parcel of land had been set by the Lord Chancellor at £1.00 and this did not reflect the true cost of providing the service. The amended Local Land Charges Act 1975 permitted the Council to set its own cost for the service of providing Local Land Charges for additional parcels of land but the level of the fee charged was not to exceed the cost of providing the service.

DECISION:

1. **The fee for Local Land Charge search relating to additional parcels of land be increased from £1.00 to £27.00.**
2. **The search fee be combined with a charge of £14.50 for the Con 29 element of the local search (this figure is not subject to an increase) for additional parcels of land. Therefore the full cost of a local search for an additional parcel of land be increased to £41.50.**
3. **Following the re-calculation of the cost of providing the Local Land Charge search, the cost of providing the full local search of £118 be re-apportioned so that the Local Land Charge element of the search fee be increased to £27 and the Con 29 element of the fee reduced to £91.**

CAB.257 COMMUNITIES FOR LOCAL GOVERNMENT (CLG) HOMELESSNESS FUNDING 2007/08

A report was considered from the Head of Planning, Health and Environment that proposed arrangements for the Council to utilise the Community for Local Government (CLG) Priority Need Order Funding for 2007/08.

The Cabinet Member for Housing, Health and Rural Affairs commented that the Council had been successful in obtaining £67,000 of ring fenced funding from CLG. In addition there was some funding that was being rolled over from 2006/07. It was likely that approximately £81,000 would be available for homeless people.

The Council, working in conjunction with Wyre Forest Community Housing, had managed to reduce the levels of homeless people within the Wyre Forest area significantly by working on a number of preventative schemes.

It was noted that there was a financial implication for the Council if CLG stopped providing the funding to Local Authorities as the Council would need to consider funding these initiatives from its own resources.

DECISION:

The proposed spend of the Community for Local Government's (formerly Office of the Deputy Prime Minister) Priority Need Order for Funding for 2007/08, (as set out in Appendix 1 of the report to Cabinet), be approved.

CAB.258 PLANNING APPLICATIONS REVISED SCHEME OF DELEGATION AND REVISIONS TO DEVELOPMENT CONTROL PRACTICE NOTES

A report was considered from the Head of Planning, Health and Environment that sought approval for changes to the existing Scheme of Delegation relating to the determination of planning applications involving Section 106 obligations and also sought delegated authority to amend a number of the existing range of Development Control Practice Notes.

RECOMMENDED TO COUNCIL:

- 1. The Scheme of Delegation, as set out in Appendix 1 of the report to Cabinet, be adopted.**
- 2. Authority be given to the Head of Planning, Health and Environment to amend the following Practice Notes in accordance with paragraphs 4.8 to 4.14 of the report to Cabinet:**
 - (a) Practice Note 9 - Dealing with planning obligations**
 - (b) Practice Note 11 - the provision of affordable housing**
 - (c) Practice Note 17 - Guidance for developers submitting major planning applications**

CAB.259 THE HEALTH ACT 2006 (SMOKING REGULATIONS) - DELEGATED POWERS

A report was considered from the Head of Planning, Health and Environment that reported on changes in legislation that would require delegated powers being granted to the Head of Planning, Health and Environment and the Environmental Health and Licensing Manager.

The Cabinet Member for Housing, Health and Rural Affairs commented that the No Smoking Ban (in enclosed public places) would come into force on 1st July 2007 and there were enforcement responsibilities for local authorities.

The Chief Executive, in response to a query from a Member, clarified that there was no designated area at the Civic Centre for those members of staff who smoked to go to have a cigarette. It was considered inappropriate for staff and Members to smoke outside the front door of the Civic Centre and this would be discussed further at a Group Leaders' meeting.

RECOMMENDED TO COUNCIL:

1. **The Head of Planning, Health and Environment, and the Environmental Health and Licensing Manager be granted delegated powers under the following legislation:**

Health Act 2006, and all regulations made under the Act including:

- **The Smoke-free (Premises and Enforcement) Regulations 2006**
- **The Smoke-free (Signs) Regulations 2007**
- **The Smoke-free (Exemptions and Vehicles) Regulations 2007**
- **The Smoke-free (Penalties and Discounted Amounts) Regulations 2007**
- **The Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007.**

2. **The Head of Legal and Democratic Services, the Head of Planning, Health and Environment and the Environmental Health and Licensing Manager, or any duly qualified officers who are authorised in writing by them to act as proper officer to:**

- (a) **Sign and service Notices including Fixed Penalty Notices**
- (b) **Sign and issue Licences, Permits, Orders and other documents**
- (c) **Execute works in default**
- (d) **Procure samples, seize equipment, goods and animals**
- (e) **Exercise powers of entry**
- (f) **Engage specialist advisors/contractors**
- (g) **Institute legal proceedings**

Falling within the power and duties which the Council is authorised to exercise under the above legislation and any replacement legislation.

CAB.260 WOLVERLEY CONSERVATION AREA - DRAFT CONSERVATION AREA APPRAISAL AND MANAGEMENT PROPOSALS

A report was considered from the Head of Planning, Health and Environment that presented the draft Conservation Area Appraisal and Draft Management Proposals for Wolverley Conservation Area and sought authority to undertake a public consultation process on the proposals.

DECISION:

The draft Conservation Area Character Appraisal, and the draft Management Proposals, as set out in Appendices 1 and 2 of the report to Cabinet, be supported and officers be authorised to undertake a public consultation into the proposals before reporting back with a further recommendation.

CAB.261 THE STAFFORDSHIRE AND WORCESTERSHIRE CANAL CONSERVATION AREA - RESULTS OF CONSULTATION ON PROPOSED BOUNDARY AMENDMENTS, CONSERVATION AREA APPRAISAL AND MANAGEMENT PROPOSALS

A report was considered from the Head of Planning, Health and Environment that outlined the results of the public consultation on the proposed boundary amendments, the draft management proposals and the draft character appraisal for the Staffordshire and Worcestershire Canal Conservation area.

RECOMMENDED TO COUNCIL:

The Conservation Area Character Appraisal, the Boundary Amendments (excluding SWC5), and the Management Proposals be approved and the Boundary of the Conservation Area be amended accordingly under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

CAB.262 EXTENSION TO CCTV : STOURPORT ON SEVERN : PROPOSED SKATE PARK

A report was considered from the Head of Planning, Health and Environment that sought approval to fund an additional CCTV camera to cover the Skate Park at Stourport-on-Severn. It was considered that the provision of such a camera would enhance community safety within that area.

DECISION:

Approval be given to an extension of the CCTV Scheme to provide a fixed CCTV camera to cover the new Skate Park at Stourport-on-Severn.

CAB.263 RECOMMENDATIONS FROM PROSPERITY POLICY PANEL 4TH APRIL 2007

Re: Wolverley Conservation Area - Conservation Area Appraisal and Management Proposals

The recommendations were considered in conjunction with agenda item number 8.4. (See the decision at Minute Number CAB.260 above).

Re : The Staffordshire and Worcestershire Canal Conservation Area - Results of the Consultation on the Proposed Boundary Amendments Conservation Area Appraisal and Management Proposals

The recommendations were considered in conjunction with agenda item number 8.5. (See the decision at Minute Number CAB.261 above.)

CAB.264 RECOMMENDATIONS FROM CABINET SCRUTINY COMMITTEE 19TH APRIL 2007

Re : The Community Leadership Fund for Elected Members

Members were informed that the recommendations from the Cabinet Scrutiny Committee regarding the Community Leadership Fund for Elected Members would be considered by a Task and Finish Group in the new Municipal Year.

CAB.265 RECOMMENDATIONS FROM AUDIT COMMITTEE 27TH MARCH 2007

The Chairman of the Audit Committee outlined the recommendations that had been made by the Audit Panel on 27th March 2007 regarding Internal Audit - the Annual Audit Plan 2007-2008.

The Chairman of the Audit Committee thanked the Cabinet Member for Finance and Corporate Affairs for his regular attendance at the Audit Committee meetings and commented that he had found his input to be very positive.

DECISION:

- 1. Approval be given to the Internal Audit - Annual Audit Plan 2007 - 2008, attached as Appendix 1 to the report to the Audit Committee on 27th March 2007.**
- 2. Approval be given for the Financial Services Manager to amend the plan in light of developments arising during the year as described in paragraph 3.7. of the report to Cabinet and in accordance with paragraph 3.3. (b) of the approved Terms of Reference for Internal Audit.**

CAB.266 RECOMMENDATIONS FROM LICENSING AND ENVIRONMENTAL COMMITTEE 2ND APRIL 2007

Re : Delegated Powers - Health Act 2006

The recommendations were considered in conjunction with agenda item number 8.3. (See decision at Minute Number CAB.259 above.)

CAB.267 **RECOMMENDATIONS FROM PLANNING (DEVELOPMENT CONTROL) COMMITTEE 10TH APRIL 2007**

Re :Planning Applications' Revised Scheme of Delegation and Revisions to Development Control Practice Notes

The recommendations were considered in conjunction with agenda item number 8.2. (See decision at Minute Number CAB.258 above).

Re : Addition to the List of Buildings of Local Architectural and/or Historic Interest, (The Local List) - Stourport-on-Severn

The Cabinet had received a recommendation from the Planning (Development Control) Committee regarding the possibility of including a wall in Stourport on the Local List for Stourport-on-Severn.

Since the Planning (Development Control) meeting, the advice of the Conservation Officer had been sought and he had advised that it would not be expedient to include the wall on the Local Architectural and/or Historic Interest, (The Local List) - Stourport-on-Severn. A report concerning this would be taken to the next meeting of the Planning (Development Control), Committee.

CAB.268 **EXCLUSION OF THE PRESS AND PUBLIC**

DECISION:

That under Section 100(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.269 **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.270 **MINUTES**

DECISION:

The exempt minutes of the Cabinet meeting held on the 22nd March. 2007 be confirmed as a correct record and signed by the Chairman.

CAB.271 COUNCIL TAX : WRITE OFF OF AMOUNTS OUTSTANDING

A report was considered from the Head of Financial Services that asked the Cabinet to give consideration to writing off a sum of money in respect of Council Taxes and Non-Domestic Rates. The Cabinet considered the details and an amount relating to outstanding Council Taxes and National Non-Domestic Rates, as detailed in the appendix of the report to Cabinet was written off.

The meeting ended at 6.15 pm.