

CABINET
THURSDAY 28TH JUNE 2007
EARL BALDWIN SUITE, DUKE HOUSE, KIDDERMINSTER

Present: Councillors: J-P Campion (Leader), M J Hart (Deputy Leader), S J M Clee, J Holden, N J Desmond and Mrs A T Hingley.

Observers: Councillors: J Aston, G W Ballinger and F M Oborski.

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 26th April 2007 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.

CAB.6 LEADER'S ANNOUNCEMENTS

(i) Condolences

On behalf of the Cabinet, the Leader wished to convey condolences to Keith Bannister following the recent death of his mother.

(ii) Floods in the District

Reference was made to the "wet and wild" weather that had been endured over the last week. The Leader and Chief Executive had met with representatives of the Severn Valley Railway to discuss the considerable damage that had occurred on the railway line which was used by the company. It transpired that some of the damage would be covered by the company's insurance policy but some would not. The company was therefore embarking on a significant campaign to raise money to restore the facilities it offered to over 1/4 million tourists each year.

It was also noted that staff from the Cultural, Leisure and Commercial Services Division had been involved in assisting with a plethora of flooding incidents that had occurred on the 19th June 2007.

It had been necessary to deploy emergency planning procedures during the night of the 19th June 2007 to deal with extensive flooding within the district. The Leader had requested the Chief Executive to review the Council's response to the emergency and to give feedback on it.

CAB.7 HOUSING BENEFITS OVERPAYMENT DEBT POSITION AS AT 31ST MARCH 2007

A report was considered from the Head of Financial Services that informed Cabinet Members of the Housing Benefits Overpayment debt position as at 31st March 2007.

The Leader commented that the Council had a duty to report on the position regarding housing benefit overpayment. He explained that it was important that the right amount of benefit was paid out and he encouraged members of the public to report their changes in circumstances. He noted, however, that when an agreement had been reached to pay back money to the Council it often took a substantial time to recover the money if the people concerned were on benefits.

DECISION:

The Housing Benefit overpayment debt level, age of debt and performance against targets, as at the 31st March 2007, be noted.

CAB.8 REPORT ON FINAL ACCOUNTS 2006/2007

A report was considered from the Head of Financial Services that asked the Cabinet to approve a pre-audit copy of the Council's Statement of Accounts for the Financial Year 2006/07 and Statement of Internal Control and Annual Efficiency Statement (Backward Look).

DECISION:

1. **The Pre-Audit Statement of Accounts, 2006/2007, be approved.**
2. **The Statement on Internal Control be approved;**
3. **The Annual Efficiency Statement 2006/2007 (Backward Look) be approved for submission to Communities and Local Government Office.**
4. **It be noted that the additional reserves of £492,790 generated from the 2006/2007 surplus will be reconsidered in accordance with the Council's Finance Strategy, as part of the 2008/2011 Budget Process.**

CAB.9 ENVIRONMENT, EDUCATION AND ENFORCEMENT STRATEGY

A report was considered from the Head of Cultural, Leisure and Commercial Services that recommended to Council the adoption of the Environment, Education and Enforcement Strategy.

The Cabinet Member for Property and Operational Services commented that the strategy encompassed all legislation that was applicable to street scene issues. The purpose of the Strategy Document was to provide guidance and direction to the Council and its officers, in undertaking environmental education and enforcement action.

RECOMMENDED TO COUNCIL:

1. **The Environmental, Education and Enforcement Strategy as set out in Appendix 1 of the report to the Cabinet on 28th June 2007 be adopted.**
2. **The Head of Cultural, Leisure & Commercial Services, in consultation with the Head of Legal and Democratic Services, be delegated to take action in accordance with the Strategy, and report any amendments and revision to the Strategy as appropriate.**

CAB.10 KIDDERMINSTER SATURDAY STREET MARKET

Further to minute number CAB.96 of the Cabinet's 29th September 2005 meeting, a report was considered from the Head of Cultural, Leisure and Commercial Services that sought approval to extend the operating days of the street market and approval of the appointment of the current contractor.

The Cabinet Member for Property and Operational Services commented that the Cabinet had previously approved the introduction of the street market that was run by LSD Promotions and gave them an option to extend to further days if the market proved to be successful.

DECISION:

- 1. The Council operates a Saturday Street Market in Kidderminster with effect from July 2007.**
- 2. The Head of Legal and Democratic Services, in consultation with the Head of Cultural, Leisure and Commercial Services, execute the option within the supply contract with the Markets Operator, LSD Promotions Ltd for the additional market day and agree an appropriate fee.**

CAB.11 ACTIVE PEOPLE SURVEY

A report was considered from the Head of Cultural, Leisure and Commercial Services that advised Members of the results of the Active People Survey and the subsequent focus of work. The Council had a target to increase participation in sport by one per cent per annum.

The Cabinet Member for Community and Leisure Services commented that the results of the survey were a tribute to the excellent work carried out by officers with regard to sport and recreation. In particular he drew attention to the fact that the Council's leisure centres had achieved above average scores in the survey.

DECISION:

- 1. A further report be made to the Cabinet on the future resource implications that arise from the Active People targets.**
- 2. As recommended from the Corporate Performance Assessment report, the Active People targets be included in Council's priorities in future years.**

CAB.12 END OF YEAR 2006/07 PERFORMANCE OF THE WYRE FOREST COMMUNITY SAFETY PARTNERSHIP

A report was considered from the Chief Executive that reported on the end of year 2006/07 performance of the Wyre Forest Community Safety Partnership in reducing crime, disorder and anti social behaviour in the Wyre Forest District.

The Cabinet Member for Community and Leisure Services stated that the results were excellent and were a testament to the fact that the partnership was working by bringing all key players around the table. He commented that the Community Safety Partnership had been successful in reducing BCS Comparator crimes by 22% during the period 2003 - 2007.

DECISION:

The performance of the Wyre Forest Community Safety Partnership for 2006/07 in reducing crime, disorder and anti social behaviour in the Wyre Forest District, as detailed in the report be noted.

CAB.13 THE RECEIPT, AWARD AND ALLOCATION OF EXTERNAL FUNDING IN RESPECT OF CAPITAL PROJECTS AT BRINTON PARK AND ST. GEORGE'S PARK

A report was considered from the Head of Cultural, Leisure and Commercial Services that outlined the receipt, award and allocation of external funding in respect of capital projects at Brinton Park and St George's Park, Kidderminster.

The Cabinet Member for Community and Leisure Services commented that the report had been produced to increase the transparency and openness of external funding.

DECISION:

1. **External funding of £30,000 from Worcestershire County Council (WCC) be noted and allocated towards extending a cycleway in Brinton Park, Kidderminster.**
2. **External funding of £20,000 from the Football Foundation be noted and allocated towards the Multi Use Games Area (MUGA/MAPA) at St. Georges Park, Kidderminster.**
3. **That external funding of £10,000 from United European Football Association be noted and allocated towards the MUGA (MAPA) at St. Georges Park, Kidderminster.**
4. **That the existing Capital Programme Schemes be updated accordingly.**

CAB.14 EQUALITY AND DIVERSITY POLICY

A report was considered from the Head of Chief Executive's Office that recommended to Council that the Revised Equality and Diversity Policy be adopted.

The Cabinet Member for Corporate and Customer Services advised Members that the Council was planning to produce a single Equality Scheme and was in the process of appointing an Equality and Diversity Officer.

DECISION:

1. **It be noted that a single Equality Scheme is being prepared for adoption by March 2008, and**

RECOMMENDED TO COUNCIL:

2. **The revised Equality & Diversity Policy attached to the report to Cabinet be adopted with immediate effect.**

CAB.15 IMPROVEMENT PLAN 2005-08

A report was considered from the Head of Chief Executive's Office that asked the Cabinet to agree the improvement targets for 2007/08.

The Cabinet Member for Corporate and Customer Services commented that the Plan for 2006/07 was on target.

DECISION:

- 1. Progress made towards meeting targets in the Improvement Plan in 2006/07 contained in the Appendix to the report to Cabinet be noted, and**
- 2. Improvement Plan targets for 2007/08 as contained in the Appendix to the report be agreed.**

CAB.16 BEST VALUE PERFORMANCE PLAN 2007

A report was considered from the Head of Chief Executive's Office that asked the Cabinet to recommend to Council that the Best Value Performance Plan for 2007 be approved.

RECOMMENDED TO COUNCIL:

The Best Value Performance Plan for 2007 be approved.

CAB.17 INTRODUCTION OF A CHOICE BASED LETTINGS SCHEME FOR THE ALLOCATION OF PROPERTIES FROM THE HOUSING REGISTER

A report was considered from the Head of Planning, Health and Environment that set out the current position and proposed actions with regard to the introduction of a Choice Based Lettings scheme in Wyre Forest and sought approval for its implementation.

The Cabinet Member for Housing, Health and Rural Affairs stated that the report set out the background and key issues regarding the Choice Based Lettings Scheme. She said that a Government initiative was to be rolled out nationwide to all local authorities and the system was required to be in place from 2010. She stated that in depth consultations had taken place whilst a business plan was being worked up. Great care and emphasis had been placed on this initiative which looked after vulnerable applicants. She said that she felt reassured by positive feelings towards the scheme. With regard to cost implications this would depend on a shared approach with the Council's partners in the scheme.

The Chairman of the Community and Regeneration Scrutiny Committee commented that the committee had ascertained that vulnerable people who would be affected by the proposed scheme were happy with the proposals. She questioned how much officer time was likely to be required to support the vulnerable applicants.

RECOMMENDED TO COUNCIL:

- 1. The proposed South Housing Market Area Sub-Regional Choice Based Lettings Scheme as set out in this report is agreed as the new system for the allocation of social housing from the Council's Housing Register.**
- 2. Delegated authority be granted to the Head of Planning, Health and Environment in consultation with the Cabinet Member for Housing, Health and Rural Affairs to finalise and agree the Wyre Forest CBL Scheme to enable its implementation by December 2007.**

CAB.18 CONTAMINATED LAND STRATEGY REVIEW (2007)

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to recommend to Council the adoption of the Amended Contaminated Land Strategy.

The Cabinet Member for Housing, Health and Rural Affairs commented that the review detailed various milestones in the Government's programme which included: Timescales for the implementation of the Council's targets and two new Best Value performance indicators which had been introduced for contaminated land.

RECOMMENDED TO COUNCIL:

The Amended Contaminated Land Strategy (2007-2010) be adopted.

CAB.19 LICENSING SERVICE PLAN

A report was considered from the Head of Planning, Health and Environment that introduced a Licensing Service Plan to assist in delivering an efficient service. The Cabinet Member for Housing, Health and Rural Affairs commented that the adoption of the Service Plan would help the Council to carry out its Licensing function in an efficient and cost-effective manner.

DECISION:

The Licensing Service Plan (2007-2010) attached as an appendix to the report to Cabinet be adopted.

CAB.20 UPDATE OF 'THE PLANNING PROCESS FOR PARISH COUNCILS' (2007)

A report was considered from the Head of Planning, Health and Environment that sought approval to changes to the document entitled 'The Planning Process for Parish Councils.'

The Cabinet Member for Planning, Regeneration and Prosperity commented that the document updated progress that had been made with regard to the planning process for Parish Councils in Wyre Forest.

DECISION:

The updated Parish Guide 2007, together with the minor amendment to the text as explained in paragraph 4.6 of the report to Cabinet be adopted.

CAB.21 UPDATE OF THE DEVELOPMENT CONTROL CHARTER (2007)

A report was considered from the Head of Planning, Health and Environment that sought approval to changes to the Development Control Charter. It was noted that the principal changes related to processes affected by the Worcestershire Hub and officer delegation.

DECISION:

The updated Development Control Charter 2007 attached as an appendix to the report to Cabinet be adopted.

CAB.22 WYRE FOREST DISTRICT LOCAL DEVELOPMENT FRAMEWORK (LDF) : CORE STRATEGY ISSUES AND OPTIONS CONSULTATION

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to consider recommending to Council the endorsement of the Core Strategy: Issues and Options Paper for the purposes of consultation.

The Cabinet Member for Planning, Regeneration and Prosperity commented that the document had been considered at the Community and Regeneration Scrutiny Panel on 13th June and the comments that had been made had been incorporated into the body of the report.

RECOMMENDED TO COUNCIL:

- 1. The draft Issues and Options paper attached at Appendix 1 to the report to Cabinet be approved for the purposes of consultation on the Local Development Framework Core Strategy Development Plan Document : Issues and Options, in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004.**
- 2. The Head of Planning, Health and Environment be given delegated power to determine the final format and presentation of the paper.**

DECISION:

The arrangements for the Core Strategy Issues and Options consultation be undertaken in accordance with the Consultation Plan attached at Appendix 2 to this report.

CAB.23 DRAFT INTEGRATED PASSENGER TRANSPORT STRATEGY FOR WOCESTERSHIRE CONSULTATION

A report was considered from the Head of Planning, Health and Environment that sought the approval of Cabinet for the proposed response to the Draft Integrated Passenger Transport Strategy for Worcestershire.

The Cabinet Member for Planning, Regeneration and Prosperity commented that the document replaced the old Worcestershire County Council Bus Strategy document. The Council was one of the consultees and its comments were requested to feed in their comments. He noted that the Strategy would run until 2011.

DECISION:

- 1. Approval be given to the proposed response to the Integrated Passenger Transport Strategy for Worcestershire attached as an appendix to the report to Cabinet.**
- 2. Authorisation be given to the Head of Planning Health and Environment to undertake the necessary arrangements to submit the responses to Worcestershire County Council's Passenger Transport Unit.**

CAB.24 BRIDGE STREET, STOURPORT-ON-SEVERN : ENGLISH HERITAGE "PARTNERSHIP SCHEME IN CONSERVATION AREAS"

A report was considered from the Head of Planning, Health and Environment that informed the Cabinet of the result of a bid to English Heritage for grant funding under the "Partnership Scheme in Conservation Areas."

The Cabinet Member for Planning, Regeneration and Prosperity commented that it was good news for Stourport that the Council had been successful in acquiring funding from English Heritage which the Council was required to match fund.

DECISION:

- 1. Delegated authority be given to the Cabinet Member for Planning, Regeneration and Prosperity to approve the award of grants under the Partnership Scheme in Conservation Areas in accordance with the Capital Programme and following consideration by the Community and Regeneration Committee in accordance with the protocol at Appendix 1 of the report to Cabinet.**

2. **Agreement be given to the proposals for the administration of the PSiCA using Bewdley Development Trust**
3. **The necessary adjustments be made to the Capital Programme for 2007/08, 2008/09 and 2009/10.**
4. **As part of the budget process in 2007/08 consideration be given to committing an additional £24,000 in the Capital Programme for the 2009/10 year.**

**CAB.25 RECOMMENDATIONS FROM COMMUNITY AND REGENERATION COMMITTEE
13TH JUNE 2007**

Re: Choice Based Lettings

The recommendations were considered in conjunction with agenda item number 10.1. (see decision at CAB.17 above).

Re: Preferred Option for Local Development Framework (LDF)

The recommendations were considered in conjunction with agenda item number 11.3. above. (See decision at CAB. 22 above).

Re: Draft Integrated Passenger Transport Strategy (Consultation)

The recommendations were considered in conjunction with agenda item number 11.4. above. (See decision at CAB. 23 above).

Re: Local Government Bill Review Panel- Community Leadership Fund for Elected Member

The Cabinet considered the recommendation from the Community and Regeneration Committee regarding the Community Leadership Fund for elected Members. The Leader stated that Wyre Forest District Council had taken a lead by being the first council in Worcestershire to start such a fund. He commented that this was a scheme that had been wanted for a long time and he was grateful for the work the Committee had undertaken on this topic.

DECISION:

The Community Leadership Fund for Elected Members as amended in the report to Cabinet agreed.

Re: Highways Partnership Recommendations

The Cabinet considered recommendations from the Community and Regeneration Committee regarding the Highways Partnership. The Chairman of the Committee told the Cabinet that a very detailed study had been undertaken by a Task and Finish Group. They had questioned District Councils across Worcestershire and the recommendations that had been made represented the frustration that was felt as a consequence of the partnership units moving to a small base at County Hall. She said that the Committee felt that the Council's Members on the Highways Partnership Forum should take on board any issues raised by colleagues who were not Members of the Forum. She perceived it would be helpful if they were to report back to the Forum any concerns or problems that they experienced during the year.

The Leader thanked the Chairman for her comments and said that the Cabinet was grateful for the work of the Committee. He was aware that there had been similar experiences involving the Highways Department across the county. The Cabinet agreed to accept the recommendations of the Committee subject to slight amendments to recommendations 3 and 4 as detailed below:-

DECISION:

- 1. In view of the difficulties in contacting members of the Highways Partnership Unit directly by telephone, District Council representatives on the Highways Partnership Forum be requested to raise any issues, such as concerns over poor road services, notified to them by other District Councillors.**
- 2. The District Council Members of the Highways Partnership Forum be asked to report back to the Community and Regeneration Scrutiny Committee any concerns or problems that arise this year regarding the Highways Partnership Unit at Worcestershire.**
- 3. The County Council be asked to send all Members of Wyre Forest District Council detailed information about the Highways website.**
- 4. The County Council be asked to send a copy of the newsletter that is sent by the Highways Partnership Unit to Parish Councils to all Members of Wyre Forest District Council.**
- 5. When laptop training is provided for Members by the ICT Department, time be spent on how to access the complex Highways faults reporting system.**

CAB.26- RECOMMENDATIONS FROM CORPORATE SERVICE AND PERFORMANCE 21ST JUNE 2007

No recommendations were received from the Corporate Service and Performance Scrutiny Committee for this meeting.

**CAB.27 RECOMMENDATIONS FROM LICENSING AND ENVIRONMENTAL COMMITTEE
4TH JUNE 2007**

Re: Contaminated Land Strategy review (2007)

The recommendations were considered in conjunction with agenda item number 10.2. above. (See decision at CAB.18 above).

Re: Licensing Service Plan

The recommendations were considered in conjunction with agenda item number 10.3. above. (See decision at CAB.19 above).

CAB.28

RECOMMENDATIONS FROM AUDIT COMMITTEE 25th JUNE 2007

The Cabinet considered recommendations from the Audit Committee from the meeting held on 25th June 2007 and these were accepted as detailed below:

(a) Terms of Reference

RECOMMENDED TO COUNCIL:

The three additional Terms of Reference for the Audit Committee, as detailed in the report to the Cabinet, be approved.

(b) Annual Report from the Financial Services Manager 2006/07

AGREED

Approval be given to the Annual Report from the Financial Services Manager for 2006/2007 attached as Appendix 1 to the report to the Audit Committee on 25th June 2007.

CAB.29 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.

PART 2

Not open to the Press and Public

CAB.30 MINUTES

DECISION:

The exempt minutes of the Cabinet meeting held on the 26th April 2007 be confirmed as a correct record and signed by the Chairman.

The meeting ended at 6.40 pm.

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