

Exempt

Cabinet

Agenda

6:00 pm
Thursday, 18th December 2008
The Earl Baldwin Suite
Duke House, Clensmore Street, Kidderminster



Cabinet

The Cabinet Members and their responsibilities:-

Councillor J-P Champion	Leader of the Council
Councillor M J Hart	Deputy Leader, Leisure Services
Councillor S J M Clew	Regeneration & Enterprise
Councillor N J Desmond	Community & Corporate Services
Councillor Mrs A T Hingley	Housing, Health & Rural Affairs
Councillor Mrs T L Onslow	Operational Services

SCRUTINY OF DECISIONS OF THE CABINET

The Council has three Scrutiny Committees that have power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from these Committees.

In accordance with Part 4 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order B4, any item on this agenda may be scrutinised by the Scrutiny Committees if it is "called in" by the Chairman or Vice-Chairman of the Corporate Services Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is Monday 7th January 2009.

Councillors wishing to "call in" a decision on this agenda should contact Diana Glendenning, Principal Committee Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732763 or email diana.glendenning@wyreforestdc.gov.uk

Urgent Key Decisions

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

DECLARATIONS OF INTEREST - GUIDANCE NOTE

Code of Conduct - Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

Section 106 of the Local Government Finance Act 1992 - If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.

For further information: -

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Diana Glendenning, Principal Committee Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732763 or email diana.glendenning@wyreforestdc.gov.uk

Documents referred to in this agenda may be viewed on the Council's website - www.wyreforestdc.gov.uk/council/meetings/main.htm

Wyre Forest District Council

Cabinet

Thursday, 18th December 2008

The Earl Baldwin Suite Duke House, Clensmore Street, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	<p>Declarations Of Interest</p> <p>In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.</p> <p>Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.</p> <p>(See guidance note on cover.)</p>	
3.	<p>Minutes</p> <p>To confirm as a correct record the Minutes of the meeting held on the 20th November 2008. Minutes 20th November 2008</p>	7
4.	CALL INS a verbal update will be given on any decisions which have been “called in” since the last meeting of the Cabinet.	
5.	<p>Items Requiring Urgent Attention</p> <p>Any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.</p>	
6.	<p>Public Participation</p> <p>In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 9 am on . (See front cover for contact details).</p>	
7.1	Leader of the Council	John-Paul Champion
7.1	Leader’s Announcements	

	ICT Strategy Appendix ICT Strategy	
9.	<i>Housing, Health and Rural Affairs</i>	<i>Anne Hingley</i>
9.1	<p>Implications of the Pitt Review on Flooding To consider a report from the Head of Planning, Health and Environment that asks the Cabinet to consider the implications for the Council of the recommendations of Sir Michael Pitt's report into last summer's floods.</p> <p>Implications of the Pitt Review on Flooding Pitt Review Appendix 1 Recommendations Cost implications Benefits and Response Pitt Review Appendix 2 Pitt Review Appendix 3 H and W Fire Authority Scrutiny</p> <p>Recommendations from the Community Services Scrutiny Committee 5th December 2008 Recs from Comm Serv - Flooding</p> <p><i>The appendices to this report have been circulated electronically and a public inspection copy is available on request. (See front cover for details).</i></p>	43 48
10.	<i>Regeneration and Enterprise</i>	<i>Stephen Clee</i>
10.1	<p>Waste Core Strategy for Worcestershire (Refreshed Issues and Options) Consultation To consider a report from the Head of Planning, Health and Environment that seeks Cabinet's approval of representations to be submitted on the Waste Core Strategy for Worcestershire, Refreshed Issues and Options Consultation, September 2008.</p> <p>Waste Core Strategy for L Plans Section Waste Core Strategy APPENDIX 2</p> <p>To consider recommendations from the Regeneration & Enterprise Scrutiny Committee 17th December 2008</p>	49
11.	To consider any other business, details of which have been communicated to the Head of Legal and Democratic Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
12.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>"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 item of business on the grounds that it involves the likely disclosure of "exempt information" as defined in paragraph 3 of Part 1 of Schedule 12A to the Act".</p>	

13	<p>Exempt Minutes To confirm as a correct record the Exempt Minutes of the meeting held on 20th November 2008. Exempt Minutes 20th november 2008</p>	58
14.	<i>Property and Operational Services</i>	<i>Tracey Onslow</i>
14.1.	<p>Licence for the Occupation of a Car Park To consider a report from the Head of Property and Operational Services which asks the Cabinet to consider issuing a licence for the occupation of a car park. Licence for the occupation of Stadium Close Car Park</p>	60
15.	<p>To consider any other business, details of which have been communicated to the Head of Legal and Democratic Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	

Terms of Reference

THE CABINET

1. Guides and co-ordinates the overall direction of the Council through the formulation of Corporate Plans, Objectives, Priorities and Programmes.
2. Together with the Scrutiny Committees, keeps under review the effectiveness of all the Council's activities and the standards and levels of services provided and identifies the need for new services.
3. Considers, co-ordinates and recommends to the Council new policies, or changes in existing policies.
4. Makes decisions within the budget and policy framework determined by the Council.
5. Is able to establish Task Groups small in size, which may be time-limited.
6. Discharges any function of the Council not specifically assigned to any other Committee.
7. Respects the political neutrality of Officers.
8. Reviews establishments and formulation of staffing budgets, except where specifically referred to the Council.
9. Reviews management allocation, control and use of staffing resources of the Council.
10. Reviews Health, Safety and Welfare of all employees.
11. Considers Industrial Relations.
12. Considers the interpretation of National Agreements together with the formulation and interpretation of Local Conditions of Service.
13. Reviews bonus and job evaluation schemes.
14. Is responsible for the authorisation of:-
 - (i) early retirement; or
 - (ii) the dismissal on grounds of redundancy of an employee and the terms applicable thereto (except in the case of the Chief Executive and JNC Officers).
15. Receives reports from the Appointments and Appeals Committee where there is a significant additional financial commitment.
16. Considers the grading of all posts, remuneration and conditions of service, sick pay, allowances of all kinds, superannuation, gratuities, awards, extensions of service and provision of telephones.
17. Ensures the Council complies in all its functions with its obligations under existing and future legislation including Health and Safety at Work etc., Act 1974, the Race Relations Act 1976; the Sex Discrimination Acts 1975 and 1986; the Disability Discrimination Act 1995; and the Employment Rights Act 1996.
18. Approves the Council's policy for the education, training and career development of all employees.
19. Receives reports from the Chief Executive and/or Head of Human Resources under the Council's employee grievance procedure.
20. Responds to consultation papers following consideration of recommendations from the relevant scrutiny committee, where appropriate.
21. In consultation with the Corporate Management Team, allocates Area Based Grants, following the issue of guidance from the Department for Communities and Local Government and evidence in relation to the Stronger and Safer Communities Grant. (Council 27/02/08 Minute C.82 27/02/08)