

**WYRE FOREST DISTRICT COUNCIL  
CABINET  
THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,  
KIDDERMINSTER  
20TH NOVEMBER 2008 (6:00 PM)**

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**Present:**

Councillors: J-P Champion (Chairman), M J Hart (Vice-Chairman), S J M Clee, N J Desmond, Mrs A T Hingley and Mrs T L Onslow.

**Observers:**

Councillors: G W Ballinger, Mrs H E Dyke, P Dyke and H J Martin.

**CAB.98 Apologies for Absence**

There were no apologies for absence.

**CAB.99 Declarations Of Interest**

No declarations of interest were made.

**CAB.100 Minutes**

**DECISION: The minutes of the Cabinet meeting held on 23rd October 2008 be confirmed as a correct record and signed by the Chairman.**

**CAB.101 Call Ins**

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

**CAB.102 Items Requiring Urgent Attention**

The Leader announced that as part of the budget monitoring item at agenda item 7.3. he would take an extra report relating to budget outlook cost savings measures.

**CAB.103 Leader's Announcements**

The Leader made no announcements.

**CAB.104 Revised Partnership Framework**

A report was considered from the Strategy Partnerships and Communications Manager that recommended to Council that the Revised Strategic and Operational Level Partnerships Framework be adopted.

The benefits of partnership working in assisting the Council to achieve its strategic priorities were recognised. The application of the Revised Partnership Framework would help to provide a more effective and consistent approach to the Council's involvement in partnerships.

**RECOMMENDED TO COUNCIL:**

**The revised Strategic and Operational Level Partnerships Framework as set out in Appendix A of the report to Cabinet be adopted.**

**CAB.105 (i) Budget Monitoring – Second Quarter 2008/2009**

A report was considered from the Head of Financial Services that outlined the monitoring of the Revenue Budget and Capital Programme in accordance with the Local Government Act 2003 and Comprehensive Performance Assessment (CPA) Guidelines.

The Leader commented that at a previous meeting he had reported a £300,000 variance in the budget and a subsequent report from the Chief Executive had identified cost saving measures that would bring the budget to within a £100,000 variance. It was stressed that the variances were not connected to the Council's involvement with Icelandic banks but related to the effect from the current global economic turmoil and the effect it was having on the local economy. In particular it was noted that the Council's Land Charges Section was suffering a downturn in revenue as the number of house sales in the locality had decreased. There had also been a substantial increase in the costs for fuel and energy.

The Cabinet was informed that the Council was well placed financially to deal with the challenges with which it was presented. The Cabinet was, however, keen to ensure that it started the new municipal year with a balanced budget.

**DECISION:**

- 1. Agreement be given to fund a reasonable proportion of the legal costs, along with other affected Councils, of Bevan Brittain, Solicitors, appointed by the Local Government Association, to pursue the legal issues arising from the Iceland Bank situation.**
- 2. That a further update report be presented to the Cabinet in December, including a review of the potential financial implications in relation to the Council's investments and mitigating actions.**

**CAB.106 (ii) Budget Outlook Cost Saving Measures**

A report was considered from the Chief Executive that asked the Cabinet to agree a set of actions to minimise the budget variances.

The Leader drew Members' attention to recommendation (c) of the report with regard to overtime. Non-essential overtime had previously been frozen but this recommendation now set a target of reducing overtime costs by £100,000 in 2008/09. He also explained that it was necessary to continue with a freeze on the Capital Programme excluding ICT, waste, recycling and the cemetery projects.

Members of the Cabinet were informed that the reason why the recycling and waste scheme had been excluded from the freeze on the Capital Programme was that there were now more efficient measures to consider and further advancements in recycling that had been identified by Worcestershire County Council. A report would be made to scrutiny regarding this in December 2008 and a report would then be made to Cabinet. With regard to the Cemetery it was noted that the Cabinet member for Operational Services would be providing Members with a briefing note that would outline the current position on the new cemetery.

**RECOMMENDED TO COUNCIL:**

**Authorisation be given to the Chief Executive and CMT in consultation with The Leader of the Council to take the following measures:-**

- (a) Review Divisional Management Structures and Business Processes.**
- (b) Review current office accommodation with a view to reducing costs.**
- (c) Reduce overtime costs by £100,000 in 2008/09.**
- (d) Reduce the Member Training Budget by £6,000 in 2008/09**
- (e) Continue a freeze on the Capital Programme with the exception of ICT, Waste and Recycling and Cemetery projects.**
- (f) Utilise existing earmarked reserves, as appropriate.**
- (g) Endorse action already taken by the Cabinet, Chief Executive and CMT.**
- (h) Continue to identify and implement cost saving initiatives.**

**CAB.107 (iii) Budget Monitoring – Second Quarter 2008/09 Treasury Management Update**

A report was considered from the Head of Financial Services that identified the current position in relation to the Council's investments with the three banks with Icelandic connections.

The Head of Financial Services reported on a meeting he had attended earlier in the day in Westminster concerning the Council's investments in Icelandic Banks. The meeting had been attended by all affected authorities and the meeting had provided an opportunity for feedback on discussions with the Local Government Association. It appeared that it was unlikely that there would be any financial support to authorities from the government. However there were a number of ways that authorities could receive help.

It was noted that the Local Government Association had established a framework of Steering Groups and sub groups comprising representatives from affected authorities. This was to ensure that the administrators of the banks were not overwhelmed with enquiries about investments from lots of different authorities.

The position with regard to the banks was reported. There appeared to be a positive outlook on both the Landsbank and Heritable Banks but with regard to the Freeland Bank the situation was more complex and was likely to take time to unwind. A meeting regarding the Freeland Bank would be held on the 1<sup>st</sup> December 2008 and an announcement would be made by the Landsbank on the 4<sup>th</sup> or 5<sup>th</sup> December 2008.

The Leader thanked the Head of Financial Services for the information and commented that these were unprecedented times but he was grateful for the commitment of the Financial Services Team and commented that it was an example to all. He wished to pass on thanks to the Financial Services Team from himself and the Cabinet.

**DECISION:**

- 1. Agreement be given to fund a reasonable proportion of the legal costs, along with other affected Councils, of Bevan Brittain, Solicitors, appointed by the Local Government Association, to pursue the legal issues arising from the Iceland Bank situation.**
- 2. That a further update report be presented to the Cabinet in December 2008 , including a review of the potential financial implications in relation to the Council's investments and mitigating actions.**

**CAB.108 Adoption of a Revised Corporate Health and Safety Policy**

A report was considered from the Head of Property and Operational Services that recommended to Council that the revised Corporate Health and Safety Policy be adopted.

It was noted that the revised policy had been prepared with the advice and guidance of the Council's Health and Safety Manager and complied with current legislation.

**RECOMMENDED TO COUNCIL:**

- 1, **The revised safety policy statement at Appendix 1 of the report to Cabinet and the full Health and Safety Policy, available on the Council's website, be adopted.**
2. **The Chief Executive and the Leader of the Council be authorised to sign the adoption statement and that the Head of Property & Operational Services be authorised to make any amendments that are required by changes to legislation as and when they occur.**

**CAB.109 Activity Referral Scheme**

A report was considered from the Head of Community and Partnership Services that informed Members about the Activity Referral Scheme.

The Cabinet Member for Leisure Services told the Cabinet that the Council had received external funding for a 3 year period to work with GP surgeries, the Primary Care Trust and DC Leisure to supply activities on a health basis to bring health benefits to the public. It had been hoped to establish this scheme sooner but insurance issues had to be resolved first.

**DECISION:**

**The Activity Referral programme be endorsed and the external funding of £24,000 be added to the revenue budget over a period of 3 years from 2008/09 to 2010/11 in accordance with paragraph 5.3 of the report to Cabinet.**

**CAB.110 Joint Delivery Plan**

A report was considered from the Head of Community and Partnership Services that advised Members of the external funding received for the Joint Delivery Plan.

The Cabinet Member for Leisure Services commented that the Plan aimed to ensure that every child had the opportunity to increase their physical education by 5 hours per week.

Concern was expressed about the funding for the scheme and whether it would continue after the initial 2 years. The Cabinet Member confirmed that money for the coach would be available as it was a permanent position.

**DECISION:**

**The total external funding of £130,010 be added to the revenue budget; Year 1 £45,330, Year 2 £43,380, Year 3 £41,300 for the Joint Delivery Plan. (£7,990 each year for 2 years to be added from this pot for the Community Sports Coach post).**

**CAB.111 Best Foot Forward**

A report was considered from the Head of Community and Partnership Services that outlined the Best foot Forward Project which had successfully attracted external funding.

It was noted that the Project was a major initiative for Wyre Forest to endeavour to improve upon the percentage of residents participating in sport or physical activity. It was a recognised national and local target to increase participation amongst adults by 1% per year.

**DECISION:**

**The external funding of £65,900 be allocated to the Council's revenue budget for the period of 2 years of the project. In addition this Council's Partnerships budget of £10,000 gives a total of £75,900 which will be allocated; £9,520 in 2008/09 (part year), £36,970 in 2009/10 and £29,410 in 2010/11 (part year). In addition to this cash funding, a further £20,220 in kind contribution will be provided by this Council and £5,000 from the Pathfinder.**

**CAB.112 Dance and Community Sports Coaching**

A report was considered from the Head of Community and Partnership Services that asked the Cabinet to approve the creation of a 3 year specialist dance post and 2 year full time community sports coach through the addition of extra funding.

**DECISION:**

- 1. The external funding of £68,000 be added to the Council's revenue budget for the recruitment of a specialist dance post for 3 years for Wyre Forest; £25,000 in year 1, £21,500 in year 2 and £21,500 in year 3.**
- 2. The external funding of £40,180 over 2 years be added to existing budgets to enable the appointment of a full time community sports coach on a 2 year contract in accordance with the Table in 5.3 £20,490 in year 1 and £19,690 in year 2.**

**CAB.113 Free Swimming Initiative, Wyre Forest District Council**

A report was considered from the Head of Community and Partnership Services that updated the Cabinet on the current situation regarding the Government's Free Swimming initiative in 2009/10 and 2010/11 and Wyre Forest District Council's proposed response to the grant offer for the under 16's initiative.

The Cabinet Member for Leisure Services was pleased to report that he had been able to secure funding from Pot 1 of the grant money for the over 60's. He informed Cabinet that it had been hoped that the Council would be able to access not only money for the over 60's but also a pot of money for the under 16's. A report had been taken to Cabinet in September 2008 outlining the Council's commitment to these schemes in view of the fact that DC Leisure (the Council's external leisure management partners) had agreed to underwrite both schemes. However, it was now apparent that it would be too costly for DC Leisure to underwrite the under 16's scheme. The Cabinet Member therefore wished to withdraw the recommendations made in September 2008.

The Leader commented that it was regrettable not to be able to offer a full range of services but that it was not proper in the current financial climate to put extra pressure on tax payers.

A Member commented that he had already heard about this decision at the DC Leisure Board Meeting which he had attended as the Council's representative. He perceived that Wyre forest had lost out given how deprived the area was.

The Cabinet Member for Leisure Services stated that he too was disappointed but he perceived that tax payers should not have to subsidise a Government Scheme.

**RECOMMENDED TO COUNCIL :**

**1. The Head of Community and Partnership Services in consultation with the Head of Financial Services, the Head of Legal and Democratic Services and the Cabinet Member for Leisure Services be requested to progress the Government Free Swimming initiative for the over 60's only (Pot 1). This external funding of £34,916 per annum will be shown in the Revenue Budget for 2009/2010 and 2010/2011.**

**2. The Head of Community and Partnership Services in consultation with the Head of Financial Services, the Head of Legal and Democratic Services and the Cabinet Member for Leisure Services be given delegated authority to agree with the Council's partners, DC Leisure, the details of the scheme.**

**CAB.114 West Midlands Regional Spatial Strategy phase Two revision Draft : Submitted Proposals**

A report was considered from the Head of Planning, Health and Environment that informed the Cabinet of the Regional Spatial Strategy Phase Two Revision and sought endorsement of representations on submitted proposals and comments on options produced by Nathaniel Lichfield and Partners.

The Cabinet Member for Regeneration and Enterprise stated that he would like to put on record his thanks to the Forward Planning Manager for the work he had done on this phase of the Regional Spatial Strategy.

**RECOMMENDED TO COUNCIL:**

1. **the response to the West Midlands RSS2 Draft Preferred Options proposals as set out in Appendix 1 of the report to Cabinet be approved**
2. **the comments on the Nathaniel Lichfield and Partners report as set out in paragraphs 4.25 and 4.26 of the report to Cabinet be approved.**

The recommendations from the Regeneration and Enterprise Scrutiny Committee were also considered. The Cabinet **AGREED** the recommendations as set out below:

1. **The response set out in Appendix 1 of the briefing paper to the Regeneration and Enterprise Scrutiny Committee and the response to the Nathaniel Lichfield and partners report set out in paragraphs 3.25 to 3.26 of the briefing paper be recommended to Cabinet.**
2. **Concerns be raised regarding the lack of affordable housing units in the District and the shortage of land for this purpose and therefore the following additional response to be made under policy CF3 (Level and distribution of new housing).**

**In view of the pressing need to provide affordable housing within the District (as confirmed in the updated South Housing market Assessment 2008) and the potential future availability of additional brown field capacity, the level of provision for Wyre Forest District at 3,400 dwellings be expressed as a minimum figure.**

3. **Also in the response to the Nathaniel Lichfield and Partners report to add after the first bullet point in paragraph 3.26 the following:**

**However in order to improve the provision of affordable housing the Council notes and does not demur from the suggested additional provision for Wyre Forest District of 400 dwellings.**

**CAB.115 Wyre Forest District Local Development Framework**

A report was considered from the Head of Planning, Health and Environment that recommended to council that the Local Development Framework Development Plan documents be approved.

The Cabinet member for Regeneration and Enterprise commented that the Local Development Framework replaced the District Local Plan that had been made in 2004.



**RECOMMENDED TO COUNCIL:**

1. **The following Local Development Framework Development Plan Documents be approved for the purposes of consultation in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004, as amended.**
2. **Core Strategy: Preferred Options, (attached at Appendix 1 of the report to Cabinet).**
3. **Site Allocations and Policies: Issues and Options, (attached at Appendix 2 of the report to Cabinet).**
4. **Kidderminster Central Area Action Plan: Issues and Options, (attached at Appendix 3 of the report to Cabinet).**
5. **The Head of Planning, Health and Environment be given delegated power to determine the final format and presentation of the papers.**

**DECISION: The arrangements for the public consultation on the Development Plan Documents be undertaken in accordance with the Consultation Plan attached at Appendix 4 of the report to Cabinet.**

**CAB.116 Reforming the Local Authority Business Growth Incentive (LABGI) Communities and Local Government Consultation**

A report was considered from the Head of Planning, Health and Environment that asked the Cabinet to agree a response to the Communities and Local Government (CLG) consultation on reforming the Local Authority Business Growth Incentive Scheme (LABGI) Consultation Paper.

**DECISION: Agreement be given to the proposed responses set out in Appendix 1 of the report to Cabinet as the Council's response to the consultation.**

**CAB.117 South Worcestershire Joint core Strategy Preferred Options Consultation Response**

A report was considered from the Head of Planning, Health and Environment that sought the Cabinet's endorsement of representations submitted on the Preferred Options consultation Paper for the South Worcestershire Joint Core Strategy.

**DECISION:**

**The representations submitted to the South Worcestershire authorities on the South Worcestershire Joint Core Strategy Preferred Options Paper, as set out in Appendix 2 of the report to the Cabinet be endorsed**

**CAB.118 Wyre Forest District Local Development Framework Annual Monitoring Report 2007/08**

A report was considered from the Head of Planning, Health and Environment that informed Cabinet members about the production and content of the Annual Monitoring Report for 2007/08 and sought approval for its submission.

**DECISION:**

- 1 The Local Development Framework Annual Monitoring Report 2007/08 be submitted to the Secretary of State.**
- 2 The Head of Planning Health and Environment be authorised to make any minor amendments to the text in the light of further information received prior to submission.**

Recommendations from the Regeneration and Enterprise Scrutiny Committee from the meeting held on 19<sup>th</sup> November were also considered.

**DECISION:** The recommendation as set out below be **AGREED:**

**The Annual Monitoring Report 2007/08 be endorsed as drafted.**

**CAB.119 Draft Public Realm and Streetscene (Control of Street Furniture)**

A report was considered from the Head of Planning, Health and Environment that requested the Cabinet to agree a draft Policy for public consultation.

The Cabinet member for Regeneration and Enterprise stated that he was aware of problems in Bewdley in particular where people had put benches and chairs on the public highway. He commented that this was an excellent document that covered streetscene and encouraged the café culture.

**DECISION:**

- 1. The Wyre Forest District Draft Public Realm & Streetscene (Control of Street Furniture) (Control of Street Furniture) Policy for public consultation be agreed.**
- 2. Authority be delegated to the Head of Planning, Health & Environment, in consultation with Cabinet Member for Regeneration & Enterprise, to incorporate any minor changes to the consultation document, following consideration by Licensing & Environmental Committee on 24<sup>th</sup> November 2008.**
- 3. Delegated authority be given to the Head of Planning, Health & Environment to undertake a public consultation on the Policy between December 2008 and January 2009 and to report back to Cabinet in February 2009.**

The Cabinet also considered a recommendation from the Regeneration and Enterprise Scrutiny Committee.

The recommendation as set out below was **AGREED**:

**The Draft Public Realm and Streetscene (Control of Street Furniture) Policy Licence be approved for consultation subject to the addition of further wording as contained in (ii) and (iv) of the briefing paper.**

**CAB.120 Recovering Disabled Facility Grants through Property Changes**

A report was considered from the Head of Planning, Health and Environment that presented Members with a policy proposal for the introduction of discretionary charges on properties receiving Disabled Facilities Grant (DFG) funding in response to the recommendation arising from the Cabinet report of June 26<sup>th</sup> 2008.

The Cabinet Member for Housing, Health and Rural Affairs commented that the paper set out a set of discretionary charges using guidelines from the Department for Communities and Local Government (DCLG). She commented that demand for Disabled Facility Grants was increasing. The current budget was £800,000 which would provide approximately 125 adaptations.

**RECOMMENDED TO COUNCIL:**

- 1. The Private Sector Housing Assistance Policy 2008 be amended as of 1st December 2008 to incorporate the recovery of Disabled Facility Grant (DFG) monies upon the sale of properties as set out in the Disabled Facilities Grant (conditions relating to approval of payment of grant) General Consent 2008.**
- 2. A charge be applied, for 10 years from the date of completion of works, for the cost of works above £5,000, to the maximum of £10,000 on owner-occupied properties subject to the receipt of a DFG.**
- 3. The Head of Planning, Health & Environment be given delegated authority to waive charges which fall within the cases set out in paragraph 4.4, subject to the provision of satisfactory written evidence to support any such claim and that a mechanism for appeal be introduced for any decision with which the claimant is not satisfied.**

**CAB.121 Wyre Forest Climate Change Strategy**

The Cabinet considered a recommendation from the Regeneration and Enterprise Scrutiny Committee meeting held on 15<sup>th</sup> October 2008, concerning the Wyre Forest Climate Change Strategy.

The decision as set out below be **AGREED**:

**The proposals as set out in the report to the Regeneration and Enterprise Scrutiny Committee be approved.**

**CAB.122 Highway Partnership Forums**

The Cabinet considered a recommendation from the Regeneration and Enterprise Scrutiny Committee meeting held on 20<sup>th</sup> November 2008 regarding the revised structure for Highways Partnership Forums for each District in the County.

The decision as set out below be **NOTED**:

**That the District Council express its regret at the proposed new structure of the Highways Partnership Forum and how it deviates away from the true spirit of partnership working.**

**CAB.123 Draft CCTV Policy**

The Cabinet considered recommendations from the Community Services Scrutiny Committee meeting held on 5<sup>th</sup> November 2008 regarding the proposals for a CCTV policy to support existing CCTV provision in the District.

The Chairman of the Community Services Scrutiny Committee informed the Cabinet that the proposals had been debated widely. She stated that concerns had been raised by members about the lack of response to phone calls to the Bromsgrove Control Centre. There had also been concern that there were only 2 people monitoring over 200 screens.

The Cabinet Member for Community and Corporate Services commented that there had been a lot of debate in the local newspapers about the effectiveness of Bromsgrove as a monitoring station. However some of the information was considered to be biased. He perceived that Bromsgrove gave an excellent service for the amount of money that was paid for the contract. Monitoring happened 24 hours a day 7 days per week. If there was a serious problem with monitoring the police would have been the first to highlight it. He commented that he would be looking into the effectiveness of arrests and prosecutions as a result of being captured undertaking a criminal offence on CCTV.

The decisions as set out below be **AGREED**

- 1. The CCTV Policy be adopted.**
- 2. Camera positions be reviewed, if required based on substantive evidence.**

**CAB.124 Citizens Advice Bureau Review Panel**

The recommendations from Community Services Scrutiny Committee from the meeting held on 4<sup>th</sup> November 2008 were considered.

The Chairman of the Community Services Scrutiny Committee informed the Cabinet that there had been a lot of media interest about the review. However, she commented the review had worked within its terms of reference and looked at the value for money the Council got for the funding that was granted to the organisation. It was noted that the Review Panel had asked that when the Service Level Agreement was drawn up for this organisation that it should come back to the scrutiny committee as part of the review process.

The Leader thanked the Chairman of the Community Services Scrutiny Committee for the work that had been undertaken.

**DECISION:**

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

- 1. That funding of Wyre Forest Citizens Advice Bureau be continued by a Service Level Agreement, or other appropriate documentation, be introduced as part of the grant funding so that there can be monitoring and evaluation of the funding agreement. The Head of Community and Partnership Services to be responsible for the negotiation of the document, in consultation with the Head of Legal & Democratic Services.**
- 2. Other sources of funding be explored by Wyre Forest Citizens Advice Bureau including funding through Wyre Forest Matters.**
- 3. The Local Strategic Partnership be asked to consider funding Wyre Forest Citizens Advice Bureau, possibly through reward monies.**

**CAB.125 Post Office Closures**

The Cabinet considered recommendations from the Community Services Scrutiny Committee from its meeting held on 5<sup>th</sup> November 2008.

The Chairman of the Community Services Scrutiny Committee stated that matters had moved on since the review had been held. The consultation had now finished and the Council were now aware of the closures that affected the Wyre Forest district. She commented that she was aware that Dr Richard Taylor, MP was looking into the whole issue of how the consultation was conducted.

**DECISION:**

**The recommendation as set out below be AGREED**

- 1. The Local Member of Parliament be requested to put the following Parliamentary question forward to the Secretary of State:**

**What is the total expenditure for the consultation on the current round of Post Office closures?**

**How much does the Post Office Ltd estimate that the proposed Post Office closures will save the organisation per annum?**

**CAB.126 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 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.**

**CAB.127 Minutes**

The Exempt Minutes of the Cabinet held on 23rd October 2008 were confirmed as a correct record and were signed by the Chairman.

**CAB.128 Shared Services – Worcestershire County Council – Building Surveying and Maintenance**

A report was considered from the Head of Property and Operational Services that asked the Cabinet to consider entering into a Service level Agreement with Worcestershire County Council for the provision of building surveying and client services for building maintenance until 31<sup>st</sup> March 2011.

**CAB.129 Council Tax and Business Rates Write Offs**

A report was considered from the Head of Financial Services that requested that the Cabinet write off a sum in relation to outstanding Council Tax and National Non-Domestic Rates.

The meeting closed at 7.30 pm.