

Exempt

Cabinet

Agenda

6:00pm
Tuesday, 23rd June 2009
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 Community & Partnership Services |
| Councillor S J M Clee | Planning & Economic Regeneration |
| Councillor N J Desmond | Resources |
| Councillor Mrs A T Hingley | Legal & Corporate Services |
| Councillor Mrs T L Onslow | Housing & Environmental Services |

SCRUTINY OF DECISIONS OF THE CABINET

The Council has two 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 Resources or Community Regeneration Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is Monday 6th July 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
Tuesday, 23rd June 2009

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. | Declarations of Interest 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. Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992. (See guidance note on cover.) | |
| 3. | Minutes To confirm as a correct record the Minutes of the meeting held on the 23rd April 2009. Minutes 23rd April 2009 | 8 |
| 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. | Items Requiring Urgent Attention Any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency. | |
| 6. | Public Participation 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 Friday 19 th June 2009. (See front cover for contact details). | |
| 7. | Leader of the Council | John-Paul Campion |
| 7.1 | Leader's Announcements | |

| Agenda Item | Subject | Page Number |
|--------------------|---|-----------------------|
| 7.2. | <p>Kidderminster War Memorial</p> <p>To consider a report from the Director of Legal and Corporate Services that seeks approval on the allocation of monies from the Council's War Memorial Fund.</p> <p>Agenda Item 7.2 Kidderminster War Memorial</p> | 14 |
| 7.3. | <p>Updated Corporate Plan (2008 – 2011)</p> <p>To consider a report from the Chief Executive that recommends to Council that the updated Corporate Plan (2008-2011) be adopted.</p> <p>Agenda Item 7.3 Updated Corporate Plan Agenda Item 7.3 Appendix</p> <p><i>The appendix to this report has been circulated electronically and a public inspection copy is available on request. (See front cover for details).</i></p> | 17 |
| 8. | Community & Partnership Services | Marcus Hart |
| 8.1. | <p>The Place Survey 2008</p> <p>To consider a report from the Director of Community and Partnership Services that reports on the provisional results of the statutory Place Survey 2008.</p> <p>Agenda Item 8.1 The Place Survey Agenda Item 8.1. Appendix</p> <p><i>The appendix to this report has been circulated electronically and a public inspection copy is available on request. (See front cover for details).</i></p> | 20 |
| 9. | Resources | Nathan Desmond |
| 9.1 | <p>Final Accounts 2008/09</p> <p>To consider a report from the Director of Resources that asks the Cabinet to approve the pre-audit summary of the Council's Statement of Accounts for the financial year 2008/09. <i>(To follow)</i></p> | |
| 9.2 | <p>Amended Section 136 Grant Aid to Bewdley Town Council 2009/2010</p> <p>To consider a report from the Director of Resources that asks the Cabinet to give consideration to granting a request by Bewdley Town Council for their payment of their Section 136 Grant Aid for 2009/2010.</p> <p>Agenda Item No. 9.2 Amended Section 136 Appendix 1 Agenda Item No. 9.2 Appendix 2 Agenda Item No 9.2</p> | 25 |
| 9.3 | <p>Housing Benefit Overpayment Debt Position as at 31st March 2009</p> <p>To consider a report from the Director of Resources that informs members of the Housing Benefit Overpayment debt position as at 31st March 2009.</p> <p>Agenda Item 9.3 Housing Benefit Overpayment</p> | 29 |

| Agenda Subject | | Page Number |
|-----------------|---|-----------------------------|
| Item | | |
| 10. | <i>Housing and Environmental Services</i> | <i>Tracey Onslow</i> |
| 10.1 | <p>Proposal for the Development of the Worcestershire Housing Strategy</p> <p>To consider a report from the Director of Planning and Regulatory Services regarding Wyre Forest District Council continuing to take part in the discussions taking place between partner organisations about the future development of strategic housing within Worcestershire.</p> <p>Agenda Item 10.1 Worcestershire Housing Strategy</p> | 36 |
| 10.2 | <p>Flooding and Land Drainage – Enforcement Protocol and Flood and Water Management Bill</p> <p>To consider a report from the Director of Planning and Regulatory Services on the Flooding and Land Drainage – Enforcement Protocol and Flood and Water Management Bill.</p> <p>Agenda Item 10.2 Flooding and Land Drainage</p> | 40 |
| 11. | <i>Regeneration and Enterprise</i> | <i>Stephen Clee</i> |
| 11.1 (a) | <p>Wyre Forest District Local Development Framework: Consultation on Site Allocations and Policies Issues and Options Paper and Kidderminster Central Area Action Plan Issues and Options Paper</p> <p>To consider a report from the Director of Planning and Regulatory Services that informs the Cabinet of the level and scope of the responses received in relation to the public consultation undertaken on the Site allocations and Policies Issues and Options Paper and the Kidderminster Central Area Action Plan (KCAAP) Issues and Options Paper and outlines how these will be taken forward to inform the next stages of the Local Development Framework.</p> <p>Agenda Item 11.1 a LDF Appendix 1 11.1 a Appendix 2 11.1 a Appendix 3 Agenda Item 11.1</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> | 53 |
| 11.1.(b) | To consider recommendations from the Community and Regeneration Scrutiny Committee 18 th June 2009 <i>(to follow)</i> | |
| 12. | <i>Legal and Corporate Services</i> | <i>Anne Hingley</i> |
| 12.1 | <p>Access – Land Adjacent to Puxton Marsh SSSI</p> <p>To consider a report from the Director of Legal and Corporate Services that asks the Cabinet to consider a request from the owners of land adjacent to Puxton Marsh SSSI to vary the route of the Council’s access over their land onto the SSSI.</p> <p>Agenda Item No 12.1 Puxton Marsh</p> | 58 |

| Agenda Item | Subject | Page Number |
|--------------------|---|--------------------|
| 13. | <i>Recommendations from Scrutiny Committees</i> | |
| 13.1. | Recommendations from Community and Regeneration Scrutiny Committee – 18th June 2009 | |
| 13.1.(a) | Recommendations from the Employment and Economic Prospects Review Panel. <i>(To follow)</i> | |
| 13.1.(b) | Recommendations re : Review of the Hurcott Road Local Lettings Policy. <i>(To follow)</i> | |
| 14 | To consider any other business, details of which have been communicated to the Director of Legal and Corporate 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. | |
| 15. | <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 paragraphs 2 and 3 of Part 1 of Schedule 12A to the Act”.</p> | |

Part 2

Not open to the Press and Public

| 16. | <i>Resources</i> | <i>Nathan Desmond</i> |
|-------------|---|------------------------------|
| 16.1 | <p>Housing Benefit Overpayment Debt – Write Off of Amounts Outstanding</p> <p>To consider a report from the Director of Resources that asks the Cabinet to consider writing off Housing Benefit Overpayment Debts.</p> <p>Agenda Item 16.1 Housing Benefit Write Off Report</p> | 60 |
| 16.2 | <p>Council Tax and National Non-Domestic Rates Write Off of Amounts Outstanding</p> <p>To consider a report from the Director of Resources that asks the Cabinet to give consideration to writing off a sum in respect of Council Taxes and to note write offs in respect of National Non-Domestic Rates.</p> <p>Agenda Item 16.2 Council Tax and NDR Write Off Agenda Item 16.2 Council Tax and NDR Write Off Appendix Agenda Item 16.2</p> | 66 |

| Agenda Item | Subject | Page Number |
|--------------------|--|----------------------------|
| 17. | <i>Legal and Corporate Services</i> | <i>Anne Hingley</i> |
| 17.1 | Property Matters To consider a report from the Director of Legal and Corporate Services that seeks approval to granting a new 25 year lease for a property in Kidderminster. Agenda Item 17.1 Property Matters | 70 |
| 18. | <i>Community & Partnership Services</i> | <i>Marcus Hart</i> |
| 18.1 | The Provision of a New District Cemetery, Crematorium and Associated Facilities To consider a report from the Chief Executive that recommends to Council to go out to tender to appoint a new partner to construct the new district cemetery, crematorium, associated facilities and to operate the facilities and the whole cemetery site. Agenda 18.1 Cemetery Report | 73 |
| 19. | To consider any other business, details of which have been communicated to the Director of Legal and Corporate 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. | |