

WYRE FOREST DISTRICT COUNCIL

COUNCIL

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

19TH MAY 2010 (6.00PM)

PRESENT:

Councillors: G Yarranton (Chairman), M Salter (Vice-Chairman) M Ahmed, J Aston, J Baker, G Ballinger, R Bishop, A Buckley, J-P Champion, S Clee, N Desmond, H Dyke, P Dyke, N Gale, B Glass, D Godwin, J Greener, I Hardiman, P Harrison, M Hart, P Hayward, A Hingley, T Ingham, J Holden, M Kelly, H Martin, D McCann, D Millis, C Nicholls, F Oborski, T Onslow, J Parish, J Phillips, M Price, K Prosser, J Shaw, D Sheppard, K Stokes, J Thomas, N Thomas, S Williams.

Councillor Salter, the outgoing Chairman of the Council opened the meeting.

C.1 Prayers

Prayers were read by the Reverend Joseph Ayok-Loewenberg, of St. George's Parish, Kidderminster.

C.2 Election of Chairman

Councillor G Yarranton was nominated as Chairman. This was moved by Councillor Champion and seconded by Councillor Hart.

Decision: Councillor G Yarranton be elected Chairman of the Council for the current Municipal Year.

C.3 Chairman – Investiture and Declaration of Acceptance of Office

After being invested with his Chain of Office, Councillor G Yarranton took his Declaration of Acceptance of Office as Chairman.

C.4 Chairman's Response

The newly elected chairman expressed his thanks for his election, in particular thanking Councillor Salter and Councillor Champion for their support during the previous municipal year.

C.5 Retiring Chairman

All Group Leaders thanked Councillor Salter effusively for the excellent manner in which he and his consort had represented the Council. In particular reflecting on the diligence and dignity in which he had carried out his role.

C.6 Retiring Chairman and Consort – Presentation of Badges

The Chairman presented the Councillor Salter with a Past Chairman's Badge of Office.

In response Councillor Salter thanked all those involved for making the past year memorable, adding that it had been an honour to represent the Council. In particular he wished to thank the Leaders and Members Secretary, Karen Walsh for her support during his term of office. He concluded by thanking Members and Officers for raising £1400 for the Millbrook Suite in Kidderminster, his nominated charity.

C.7 Appointment of Vice-Chairman

Councillor M Salter be nominated as Vice-Chairman. This was moved by Councillor Campion and seconded by Councillor Hart.

Decision: Councillor M Salter be elected Vice Chairman of the Council for the current Municipal Year.

C.8 Vice-Chairman – Investiture and Declaration of Acceptance of Office

After being invested with his Badge of Office, Councillor Salter took his Declaration of Acceptance of Office as Vice-Chairman.

C.9 Vice-Chairman’s Response

In response, Councillor Salter thanked Members for the honour of being appointed Vice-Chairman of the Council and he commented that he would support the Chairman to the best of his ability.

C.10 Apologies for Absence

Apologies for absence were received from Councillor M Hazlewood.

C.11 Declarations of Interest

None.

C.12 Minutes

Decision: The minutes of the meeting held on 24th February 2010 be confirmed as a correct record and signed by the Chairman.

C.13 Public Participation

No Members of the public had requested to speak under the Council’s public participation scheme.

C.14 Questions

The Council received one question from Councillor Martin directed to the Leader of the Council, Councillor Campion.

Question from Councillor Martin.

Can the Leader please advise how many Members Activity Reports were edited or amended from what was submitted by the author before their publication in the Agenda for this meeting?

Reply from Councillor Campion

The vast majority of elected Members reports were edited in one form or another.

Supplementary Question from Councillor Martin

Can there be assurances that before amended reports are published that Members are contacted and that guidance is produced.

Reply from Councillor Campion

I am happy to take your comments on board.

C.15 Chairman's Communications

The Council received a list of functions attended by the Chairman and Vice Chairman since the last meeting of the Council. The Chairman noted that there was a slight amendment to details of the visit on 18th April in that the visit was for both Scouts and Guides.

The Chairman also advised Members that his chosen charity was Kemp House and that he would continue with the 'fine' of £5 should a mobile phone ring during a meeting.

Decision: That the report be noted.

C.16 Members' Annual Activity Report, Outside Body Reports and Attendance 2009/10

Council received the schedule of annual activity reports, records of Members attendance and outside body reports for the previous municipal year.

Decision:

- 1. That the reports be noted.**
- 2. Members be given an opportunity to approve amendments to their Activity Reports.**
- 3. Members be issued with guidance on the appropriate content of Activity Reports.**

C.17 Annual Reports for the Municipal Year 2009/2010

Council received Annual Reports from the Leader of the Council and the Scrutiny Chairs.

Decision: That the reports be noted.

C.18 To appoint the Leadership of the Council

Councillor Campion be nominated as Leader of the Council. This was moved by Councillor Hart and seconded by Councillor Desmond.

Councillor Hart be nominated as Deputy Leader of the Council. This was moved by Councillor Campion and seconded by Councillor Desmond.

Decision:

- 1. Councillor J-P Campion be elected Leader of the Council for the current Municipal Year.**
- 2. Councillor M Hart be elected as Deputy Leader of the Council for the current Municipal Year.**

C.19 Political Management and Committee Structure 2010/2011

The Council received a package of documents, which had been circulated separately to the Council Book, relating to the proposed political and management structure for 2010/2011:

- a. To receive nominations of the Cabinet from the Leader of the Council.
- b. To consider a report from the Director of Legal and Corporate Services on the proposed political management structure for 2010/2011 covering the provision of the Local Government and Housing Act 1989:
 - (i) To determine the Political Management Structure of the Council.
 - (ii) To agree the proportional representation for Committees 2010/2011.
 - (iii) To appoint Chairmen and Vice-Chairmen of Committees for the ensuing Municipal Year. (Standing Order B6 (1)).
 - (iv) To appoint Members to serve on Committees for the ensuing Municipal Year. (Standing orders B1 and C11).
- c) To ask Council's agreement to amend the constitution to reflect operational requirements.
- d) To approve a calendar of meetings for the ensuing Municipal Year.

It was proposed by Councillor Campion and seconded by Councillor Desmond that Councillor Hart be the Deputy Leader of the Council.

Councillor Campion recommended to Council the proposals relating to the proposed political management structure as set out in the tabled papers and explained the rationale for the proposals, including the deletion of the Miscellaneous Functions Committee and the realignment of its functions and the revision of the standing orders relating to contracts.

Councillor Kelly asked that he replace Councillor Nicholls on the Corporate Resources Scrutiny Committee.

Further debate then took place on the political balance and the timeliness of the receipt of the additional papers.

A brief discussion took place regarding Appendix 6, item 5.12(6) relating to amendments to Terms of Reference for Council and to amend the wording to replace 'and' with 'or'.

Political management and Committee Structure 2010/2011

Decision:

- 1. The appointment of the Members of the Cabinet to the portfolios as set out in appendix 1 of the report to Council be endorsed.**
- 2. The proposed Political Management Structure for 2010/2011 as set out in appendix 2 of the report to Council be approved.**

3. The political balance of the Council be agreed as set out in Appendix 3 of the report to Council.
4. The appointment of the Chairman and Vice Chairmen and of other members to the Council's Committees as set out in Appendix 4 of the report to Council subject to Councillor Kelly replacing Council Nicholls on the Corporate Resources Scrutiny Committee be agreed.
5. The municipal calendar for 2010/2011 as set out in appendix 5 of the report to Council be adopted.
6. The terms of reference of the Council and Cabinet be amended as set out in Appendix 6, to include the functions that were previously within the report of the Miscellaneous Functions Committee. Subject to a minor amendment on the Amended Terms of Reference for Council item 6 which will read: Matters of new policy or variation.
7. The terms of reference of the Transformation Board and Project Board for Stourport-on-Severn facilities as set out in Appendix 7 of the report to Council be amended including the chairing and membership arrangements.
8. Standing Orders relating to Contracts be amended as set out in appendix 8 of the report to Council.
9. The Council delegates decision on the conduct of procurement exercises, approval of evaluation models and award of contracts as follows:

Estimated value of Contract	Delegation To
Up to £50,000	Relevant Chief Officer
£50,001-£150,000	Relevant Cabinet Member
Over £150,000	Cabinet

10. Authorisation be given to the Director of Legal and Corporate Services to make any other minor changes necessary to the Council's Constitution as a consequence of this report and the Council's decisions at its Annual General Meeting.

C.20

Petitions Scheme

Members considered a report on the requirement for a petitions scheme under the Local Democracy, Economic Development and Construction Act 2009.

Decision:

1. The Petitions Scheme as attached at Appendix 1 of the report to Council be adopted and included in the Constitution.

2. **The amendments to the Petitions Section of the Council's Standing Orders, attached at Appendix 2 of the report to Council be adopted and included in the Constitution.**
3. **The Director of Legal and Corporate Services be authorised to update annually the population figures as listed in paragraphs 21.5 and 21.61 of the petitions scheme.**

C.21 Appointment of Representatives on Outside Organisations 2010/2011

The Council considered a list of representatives on outside bodies 2010/2011 (copies of which were tabled). Councillor Campion moved that the appointments be agreed subject to Councillor Sheppard being appointed as the Council's representative for the Stourport Social Day Centre.

Decision: The Appointment of Representatives on Outside Organisations for the municipal year 2010/2011 be agreed as contained in the report to Council subject to Councillor Sheppard's name being added to the membership of Stourport Social Day Centre.

C.22 Policy and Budget Framework

Flexible Retirement Policy

The Council considered a recommendation from Cabinet 23rd March 2010 regarding the Flexible retirement policy.

Decision: The draft Flexible Retirement policy be adopted.

Directorate Business Plans

The Council considered a recommendation from Cabinet 20th April 2010 regarding the Directorate Business Plans.

Decision: The Directorate Business Plans as set out in Appendices 1 – 4 of the report to Cabinet be adopted.

Corporate Plan 2008 – 2011 Refresh of Priorities for 2010/2011

The Council considered a recommendation from Cabinet 20th April 2010 regarding the Corporate Plan 2008 -2011, Refresh of Priorities 2010/2011.

Decision: The revised Corporate Plan be adopted.

Economic Regeneration and Development in North Worcestershire

The Council considered a recommendation from Cabinet 20th April 2010 regarding Economic Regeneration and Development in North Worcestershire.

Decision:

1. **The four principal recommendations from the Inspira report 'Review of Economic Regeneration and Development – Strategy & Arrangements be agreed.**
2. **Wyre Forest District Council host the single North Worcestershire Economic Regeneration & Development Team and delegate authority to the Chief Executive and Director of Planning and**

Regulatory Services in consultation with the Director of Resources and Director of Legal and Corporate Services to progress to implementation, in conjunction with Redditch Borough and Bromsgrove District Councils, to take effect from 1st October 2010 or such other date as may be agreed by the three Councils.

- 3. An Implementation plan be agreed between the three Councils to effect the implementation of the joint service. Such Implementation Plan to be agreed with the Cabinet member for Planning and Economic Regeneration. The Implementation Plan to deal with those matters set out in paragraph 4.26 of the report to Cabinet.**
- 4 The Chief Executive be given delegated authority to undertake any necessary action relating to employee and union matters regarding the TUPE transfer of staff from Redditch Borough and Bromsgrove District Councils to Wyre Forest, including any temporary arrangements under S.113 of the Local Government Act 1972; and in conjunction with the Director of Planning and Regulatory Services, to make any necessary residual staffing arrangements in relation to the Planning Policy Team within the Council.**
- 5. The Director of Planning and Regulatory Services progress the preparation of a North Worcestershire Economic Regeneration and Development Strategy with a view to its adoption by Cabinet and Council at future meetings.**

Recommendations from the Ethics and Standards Committee – 29th March 2010.

The Council considered recommendations from the Ethics and Standards Committee regarding the use of ICT in meetings. Following a brief discussion it was proposed that the second recommendation be amended to 'reading' rather than 'receiving'.

Decision:

- 1. The Council's Constitution be amended to prohibit the making or receiving of calls at all public meetings and all phones to be turned to silent or off.**
- 2. The use of hand held devices, including texting or emailing or reading texts or email is not permitted at public meetings.**

C.23 General Exception Report

Council received a General Exception report for the quarter 1st January 2010 to 31st March 2010. Council noted that it was an item regarding Stourport Partnerships Schemes in Conservation Areas that had been considered by Cabinet under the special urgency rules.

Decision: That the quarterly report to Council on an item considered by Cabinet under the special urgency rules be noted.

C.24 Motions submitted under Standing Order D1(1)

None were received.

C.25 Urgent Motions Submitted Under Standing Order No. D1(7)
None

There being no further business the meeting was closed at 19:10