

WYRE FOREST DISTRICT COUNCIL

CABINET

THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER

16TH NOVEMBER 2010 (6.00PM)

Present:

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

Observers:

Councillors: G W Ballinger, H E Dyke, M B Kelly, F M Oborski, M A Salter and G C Yarranton.

CAB.53 Apologies for Absence

There were no apologies for absence.

CAB.54 Declarations of Interest

No declarations of interest were made.

CAB.55 Minutes

Decision: The minutes of the Cabinet meeting held on 21st September 2010 be confirmed as a correct record and signed by the Chairman, subject to the name in Minute CAB.40 being amended from Ian to Neil.

CAB.56 Call Ins

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

CAB.57 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.58 Public Participation

The Council received three questions from Members of the Public.

Question 1 – from Neil Harman

Following the use of the Restriction of Ribbon development act 1935 section 16, in order to purchase the land from Thomas Vale & Sons in 1947, why did the then Stourport Urban District Council not, or try to, introduce parking charges on the site right up until the transition to WFDC in 1973/4 and further, why WFDC also made no attempt to charge from 1973 until the previous unsuccessful efforts failed, even though another riverside car park opening in 1948 was always intended for charging and a 1 shilling tariff was introduced on opening day? Why also did the Town Clerk comment that the cost of maintenance could not be recovered by charging as the car park should always remain free as wished for by the Vale family?

Reply from the Cabinet Member for Housing & Environmental Services

In terms of why the former Stourport Urban Council did not introduce car parking charges is not for me to speculate why they chose not to install it. It would be wrong for me to speculate many years down the line why they did not. In 1974, and again not for me to speculate why charging was not made in respect of this particular car park, it is right that charging has been considered in recent years and in previous budget rounds over the last few years. It had been considered that a pedestrian crossing linking Vale Road car park to the town centre. It has become evident that Worcestershire County Council won't fund a pedestrian crossing and therefore the decision had been taken to charge on Vale Road car park.

The final point on the Town Clerk, I'm not sure whether it is previous or present. If previous I cannot comment why the Town Clerk would make those observations and I have done some research and read the Town Council minutes from 1946 – 1949 and there is absolutely no suggestion in the minutes that it was the Vale family's desire to actually donate this part of land for car parking free of charge. From the minutes I have read, the then Urban District Council were going to lease the land for £52 per year for 10 years and when it was going to charge for work on the apple trees, and the different levels on the land, the Urban District Council considered a compulsory purchase of the land but it ended as the land being purchased and all abortive costs being sorted and the District Council paying legal costs on behalf on the Vale family.

Response from Neil Harman

I would argue that it is a Compulsory Order and also bought to prevent or relieve traffic congestion. This was an act and agreement; it made me think that the use of the act and reluctance to sell the land and compensation to pay is why the family let the land go with reluctance.

Reply from the Cabinet Member for Housing & Environmental Services

There is nothing to that effect in the Town Council minutes.

Question 2 – from Neil Harman

Why were Blakedown and Vale Road car park charges not included in the statement published by WFDC in the Kidderminster Shuttle on the 9th September 2010 and does this constitute a failure to inform the public?

Reply from the Cabinet Member for Housing & Environmental Services

It is not a failure, we would have been significantly criticised if we had put those charges into the Kidderminster Shuttle on 9th September as they were already advertised on 29th July 2010. It would be wholly wrong to put them in on 9th September as the consultation period was still in existence and we would be seen as pre-determining our own decision. We had to wait for the consultation to take place and took that decision at the September 2010 Cabinet meeting.

Response from Neil Harman

What period of consultation do you refer to?

Reply from the Cabinet Member for Housing & Environmental Services

To make car park charges and other amendments.

Response from Neil Harman

I believe that ended on 20th August 2010.

Reply from the Cabinet Member for Housing & Environmental Services

You have just answered your own question, 20th August and not September. The Cabinet decision was not taken until September.

Question 3 – from Robert Walker

How were areas of perceived unfairness identified ahead of the decisions made in the parking review, and was an impact assessment made of the effect of the parking review on residents, businesses and traffic flow before it was agreed. If such assessments were made, where can these be viewed?

Reply from the Cabinet Member for Housing & Environmental Services

The Community & Regeneration Scrutiny Committee looked at car parking issues prior to the Cabinet report and Cabinet proposals and a number of inconsistencies were highlighted, i.e. Bewdley Residents' Car Park Tickets and the wholly different charging criteria on pay and display car parks across the three towns. An Equality Impact Screening Assessment was undertaken and that was considered. No traffic impact considerations were taken as it was not necessary.

Response from Robert Walker

In answer to the fairness question, whether there were any steps or considerations on inconsistencies, it is not the same thing. Further do you feel a traffic flow assessment should be taken due to the review that has been held?

Reply from the Cabinet Member for Housing & Environmental Services

No I don't accept a study is necessary and have been looking at Vale Road closely. We could debate this all night about fairness. The recommendations taken by the Cabinet have ironed out some of the inconsistencies and in my view, has led to a fairer system across the board.

CAB.59 Leader's Announcements

The Leader of the Council informed Members that the planning application for Single Site had been approved at the Planning Committee on 9th November 2010. The project was progressing and the contract would be awarded in early 2011.

CAB.60 Local Government and Public Involvement in Health Act 2007

A report was considered from the Chief Executive which made recommendations to Special Council on changes to governance arrangements and the election cycle, following a public consultation that had been undertaken from 8th July to 8th October 2010.

The Leader informed Members that the coalition government had written to all authorities who were involved in the proposed changes. It was a requirement of the law that a new government structure was in place by May 2011.

The consultation period had finished on 8th October 2010 and a total of 129 responses had been received. This figure was far higher than other authorities in the County had received. The results had indicated that the preferred method was the new style Leader and Cabinet executive.

A consultation had also been carried out on electoral arrangements as to whether elections should be held every four years or whether to retain the current method of voting by thirds. This had resulted in 115 responses with 55.65% wishing to carry on with the current method.

A special Council meeting would be held on 1st December 2010 to consider the options and this would be held prior to the normal Council meeting.

The Leader proposed that the Council adopt the Strong Leader Model for Corporate Governance and that no further progress be made to any of the existing electoral arrangements. The Chief Executive was asked to prepare a report for the special Council meeting on 1st December 2010 to reflect the recommendations. The Leader informed Members that the administration had written to the government regarding this matter.

Members felt that it was important to keep the current electoral system of voting by thirds.

A Member asked for the cost to Wyre Forest District Council of having to carry out the consultations and to hold a special Council meeting as it was felt that it had been a waste of public money. Members were informed that the minimum amount of money was spent on advertising and a total of £1,189.66 had been incurred.

Recommended to Council: The Council adopt the Strong Leader Model for Corporate Governance.

Decision: No further progress be made to change the existing electoral cycle and, accordingly, no recommendation was required for Council.

CAB.61 Review of Payroll Services Arrangements

A report was considered from the Director of Resources that presented a proposal in relation to the transfer of the payroll function from Wyre Forest District Council to Redditch Borough Council with effect from 1st April 2011.

The Cabinet Member for Resources advised Members that there were four options to consider for the future delivery of payroll services and it was considered that the recommended option to transfer the service to Redditch Borough Council was thought to be the most viable. It was perceived this would increase resilience and accrue potential savings of £28,000 per annum.

The Leader thanked the Cabinet Member and the Director of Resources for the report and commented that the Council needed to ensure it provided a service which was expected by employees.

The Cabinet Member for Housing & Environmental Services stated that the proposals should be seen as a positive step for the Council.

Recommended to Council:

- 1. The proposal to transfer the payroll services to Redditch Borough Council be approved and a contract agreed until 31st March 2016.**
- 2. The cost of the implementation identified at paragraph 5.1 of the report to Cabinet be met from the Council's general fund reserves.**

CAB.62 Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Investment Policy and Strategy Statement for the period 1st January 2011 to 31st March 2012

A report was considered from the Director of Resources regarding the Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Investment Policy and Strategy Statement for the period 1st January 2011 to 31st March 2012 and also contained recommendations to Council.

The Cabinet Member for Resources advised Members that the report was a forward looking report and it was normal practice for it to be part of the budget process. However, as the Council had new treasury advisors, it was thought prudent to present the report in order that the policy could be adopted. He also advised Members that the recommendation in respect of the policy on minimum revenue provision related to the period 1st January 2011 to 31st March 2011.

The Leader of the Council felt that the work carried out by the Treasury Management Review Panel had been excellent and it had made Members understand how the system worked.

Members felt that the new treasury advisors had made an excellent presentation and felt that they had learnt from the review panel and were more comfortable in what the Council were looking at as to how the process worked.

The Leader of the Council remained optimistic of the prospect of the Council receiving further monies from the Icelandic investments.

Recommended To Council:

- 1. To restate the Prudential Indicators and Limits for the period 1st January 2011 to 31st March 2012 and for the financial year 2012/2013.**
- 2. To approve the updated Treasury Management and Investment Policy and Strategy Statements for the period 1st January 2011 to 31st March 2012 (including the introduction of the revised Creditworthiness Policy with effect from 1st January 2011 devised by Sector, the Council's Treasury Consultants), the associated Prudential Indicators are included in Appendix 3 of the report to Cabinet and the detailed criteria is included in Section 11 and Appendix 5 of the report to Cabinet.**
- 3. To approve the Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP, including the amended period of 1st January 2011 to 31st March 2011 in Appendix 1 of the report to Cabinet.**
- 4. To approve the Authorised Limit Prudential Indicator included in Appendix 3 of the report to Cabinet.**
- 5. To revisit the Prudential Indicators in February 2011 as part of the Council's approval of the Financial Strategy 2011 to 2015, as the indicators included within this report are based on current recommendations.**
- 6. To continue to keep the current Treasury Management Practices (TMP) under review with the assistance of the Council's Treasury Consultants.**

CAB.63 Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2010/11

A report was considered from the Director of Resources that provided Members with a mid-year review of its treasury management policy, practices and activities in accordance with the Reviewed CIPFA Treasury Management Code of Practice.

The Director of Resources advised Members that there was a new requirement from CIPFA Treasury Management Code of Practice to carry out a review of Treasury Management.

Recommended to Council: The Mid-year Review be recommended to Council on 1st December 2010.

Decision: The Treasury Management Mid-year Review be noted.

CAB.64 Kickstart Eligibility Criteria

A report was considered from the Director of Planning and Regulatory Services which informed the Cabinet of the proposed updates to the Private Sector Housing Assistance Policy November 2010.

The Cabinet Member for Housing & Environmental Services reported that this was a good news story.

Decision: The Private Sector Housing Assistance Policy 2010 be updated and amended to include the eligibility criteria for Kickstart.

CAB.65 Wyre Forest Car Parking Review – Phase II

A report was considered from the Director of Planning and Regulatory Services that asked Cabinet to consider the proposed schedule of car parking and Season Ticket charges for the Council's pay & display car parks, taking effect on 3rd October 2011, which would be considered as part of the Council's budget to be agreed in February 2011.

The Cabinet Member for Housing & Environmental Services advised Members that an initial report had been received at Cabinet in July 2010 following a scrutiny exercise on a number of car park issues.

The proposals attempted to have a fair, equitable and consistent approach to car parking across the district which included rural areas to ensure that charges for car parks in Kidderminster were the same as in Bewdley and Stourport-on-Severn. It was also important that some free parking was available to support local residents and businesses, e.g. Just Play in Stadium Close, Kidderminster.

A recommendation contained in the report proposed there be a scrutiny exercise where Members would have the opportunity to look at the proposals and this would be fed back to Cabinet in January 2011 and form part of the forthcoming budget process.

The Leader of the Council thanked the Cabinet Member for the involvement of scrutiny and for all the ideas to be considered.

In response to a Member's question, it was confirmed that there were no proposals to change the short stay parking, such as the car park places at the Health Centre in Bromsgrove Street, Kidderminster.

Decision: To include the proposed schedule of car park and Season Ticket charges at Appendix 2 of the report to Cabinet in the budget proposals for 2011/12 for introduction on 3rd October 2011 and to forward the proposals to the Corporate Resources Scrutiny Committee for scrutiny and report back any recommendations for consideration at the January 2011 meeting of Cabinet.

CAB.66 Local Development Framework Core Strategy Development Plan Document (DPD) - Adoption

A report was considered from the Director of Planning & Regulatory Services which presented the Local Development Framework Core Strategy Development Plan Document Inspector's Report and proposed that Members recommended to Council that the Core Strategy be adopted, with effect from 9th December 2010, at their meeting on 1st December 2010.

The Cabinet Member for Planning & Economic Regeneration advised Members that the report outlined the Council's vision over the next 15 years. The report had been presented to the Community & Regeneration Scrutiny Committee and their comments had been fed into the process.

The Leader of the Council informed Members that the Council was the first authority in the Midlands area to approach this stage of the process and he complimented Members and Officers for the excellent progress made. In depth work carried out by the Review Panel had enabled the Council to get to this stage of the process.

The Chairman of the Local Development Framework Review Panel thanked all Members of the panel, co-opted members and parish councils for their support during the process. However, concern was expressed that the Bewdley Town Council representative had not attended the meetings and this would be taken up with the Bewdley Town Clerk.

Recommended to Council: The Inspector's Report be accepted in its entirety and that the Core Strategy as set out at Appendix 2 of the report to Cabinet be adopted, with effect from 9th December 2010, at the meeting of Full Council on 1st December 2010.

Decision: Delegated authority be given to the Director of Planning & Regulatory Services to make the necessary presentational amendments to the Core Strategy Development Plan Document (DPD).

CAB.67 Recommendations from Community and Regeneration Scrutiny Committee 4th November 2010 regarding the Local Development Framework Core Strategy Development Plan Document (DPD) – Adoption.

Decision: The Inspector’s Report be accepted in its entirety and it be recommended to Council that the Core Strategy be adopted, with it then commencing as of 9th December 2010.

CAB.68 Building Control in North Worcestershire

A report was considered from the Director of Planning & Regulatory Services which recommended to Council a proposal for a North Worcestershire Building Control Partnership between Bromsgrove, Redditch Borough and Wyre Forest District Councils.

The Cabinet Member for Planning & Economic Regeneration advised Members that the Corporate Resources Scrutiny Committee had scrutinised the subject where it had been supported. It was noted that the staff involved were supportive of the proposal.

The Leader of the Council stated that the building control service was an unusual one in that the Council were in competition with the private sector. The income of £100K generated from the service was important to the Council.

A Member perceived that it was yet another service that the Council could lose.

Recommended to Council:

That, subject to the agreement of Bromsgrove District Council and Redditch Borough Council:

- 1. Wyre Forest District Council enters into arrangements to establish a new North Worcestershire Building Control Partnership, along with Bromsgrove District and Redditch Borough Councils.**
- 2. The Director of Planning and Regulatory Services in consultation with the Director of Resources and Director of Legal and Corporate Services and the Cabinet Member for Planning and Regeneration be given delegated authority to agree an Implementation Plan and the terms of any necessary agreements for implementation of the shared services Partnership and to conclude such agreements.**

3. **The Director of Resources be given delegated authority to undertake any necessary action relating to employee and union matters regarding the transfer of relevant employees from Wyre Forest District Council to Bromsgrove District Council, including any temporary arrangements under S113 of the Local Government Act 1972 in accordance with the principles of TUPE; and, in conjunction with the Director of Planning & Regulatory Services, to make any necessary residual staffing arrangements in relation to the provision of support services for the Building Control function within the Council.**
4. **The Chief Executive be given delegated authority in consultation with Group Leaders to appoint the Council's representatives to the Joint Steering Group that is to be set up.**
5. **That on completion of the agreements referred to in paragraph 2 above the Council delegates to Bromsgrove District Council the powers necessary to deliver a building control service within the terms contained in the said agreements.**

CAB.69 Waste Core Strategy for Worcestershire – First Draft Submission Consultation

A report was considered from the Director of Planning & Regulatory Services which asked for Cabinet approval of representations to be submitted on the Waste Core Strategy for Worcestershire, First Draft Submission Consultation, September 2010.

Members were reassured by the Chairman of the Community & Regeneration Scrutiny Committee that the Waste Core Strategy papers had been scrutinised in great detail.

It was clarified that the inclusion of Greenhill, as reported in 4.9 of the report, was correct in that it reported "relative proximity" for the Greenhill area. Close proximity did not describe it in the best way.

Decision: The comments and representations, as set out in Appendix 2 of the report to Cabinet, be agreed as the District Council's formal response to the Waste Core Strategy for Worcestershire, First Draft Submission Consultation (September 2010).

CAB.70 Recommendations from Community and Regeneration Scrutiny Committee 4th November 2010 regarding the Waste Core Strategy for Worcestershire – First Draft Submission Consultation.

Decision: The representations, as at Appendix 2 of the report to the Community and Regeneration Scrutiny Committee, form the District Council's response to the County's Waste Core Strategy for Worcestershire - Emerging Preferred Options consultation document.

CAB.71 Community & Regeneration Scrutiny Committee 7th October 2010

Private Sector Housing Action Plan

Decision: The Private Sector Housing Action Plan be approved.

CAB.72 Community & Regeneration Scrutiny Committee 4th November 2010

Members felt that it was important to have all the policies under one umbrella. The Health & Sustainability Officer was thanked for her work in undertaking the work.

Sustainability Policy

Decision: The Sustainability Policy be approved

CAB.73 Decision: "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 items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB.74 Council Tax/National Non-Domestic Rates (NNDR) Write Off

A report was considered from the Director of Resources that asked the Cabinet to write off an amount relating to outstanding Council Taxes and to note the write off of an amount in respect of National Non-Domestic Rates.

Decision: The sum in respect of outstanding Council Taxes and National Non-Domestic Rates be written off.

The meeting closed at 7.10 pm.