

Open

Council

Agenda

6.00 pm
Wednesday, 30th November 2011
Council Chamber
Civic Centre
Stourport-on-Severn



PUBLIC INFORMATION

Access to the Meeting and Further Information

- The Council meeting is open to the public except for any exempt / confidential items, which are normally taken at the end of the meeting.
- Agenda Item 5 - Public Participation. Guidance on how to have your say is available on the Council's website:
http://www.wyreforestdc.gov.uk/wfdc_docs/policy/haveyoursay.pdf
- If you have any queries about this Agenda or require any further information, please ask.
- If you have any mobility issues, please let us know before the meeting so that we can arrange for you to have a seat on the ground floor.
- This agenda can be made available in larger print on request.

Please contact:

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COUNCIL MEETING

WEDNESDAY 30th November 2011

CIVIC CENTRE, STOURPORT-ON-SEVERN, WORCESTERSHIRE. DY13 8UJ

TO ALL MEMBERS OF THE COUNCIL, HONORARY ALDERMEN

PRESS AND PUBLIC

Dear Member

You are invited to attend a meeting of the Wyre Forest District Council to be held **at 6.00p.m. Wednesday 30th November 2011**, in the Council Chamber, Civic Centre, Stourport-on-Severn.

The Agenda for the meeting is enclosed.

Yours sincerely,

A handwritten signature in black ink that reads "I Miller".

Ian Miller
Chief Executive

2011/2012

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.

(A) TERMS OF REFERENCE OF THE COUNCIL

The Council

1. Is the ultimate decision making Body.
2. Determines the Budget (but reserves powers to itself in relation to requirements).
3. Is responsible for appointing (and dismissing) the Leader of the Council.
4. Appoints at its Annual Meeting, the Regulatory Committees, the Overview and Scrutiny Committee and any other Committees/Forums necessary to conduct the Council's business.
5. Decides on matters where the Cabinet is not minded to determine a matter in accordance with Council policy.

(B) MATTERS RESERVED TO THE COUNCIL

1. Those reserved by Law e.g. levying a rate, borrowing money, promotion of or opposition to a Bill in Parliament.
2. Matters reserved to the Council by financial regulations.
3. The adoption and amendment of Standing Orders, including the powers and duties of Committees and other forums.
4. Power to make, amend, revoke or enact or enforce any byelaws.
5. The determination of the objectives of the Council.
6. Matters of new policy or variation of existing policy as contained within the budget and policy framework.
7. Local Development Framework adoption.
8. Any function where a decision would be contrary to a plan, policy, budget or strategy previously adopted by the Council, which would be contrary to the Council's Standing Orders, Financial Regulations or Executive arrangements.
9. The Scheme of Delegations to Officers.

Wyre Forest District Council

Council

Wednesday, 30th November 2011

The Council Chamber, Civic Centre, Stourport on Severn

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Prayers Prayers are to be read by Pastor Dudley Anderson, of Cornerstone Family Church, Stourport on Severn.	
2.	Apologies for Absence	
3.	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.)	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 28th September 2011.	8
5.	Public Participation In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council, to allow Members of the public to present petitions, ask questions or make statements, details of which have been received by no later than 12 noon Monday 21st November 2011 . No one has registered to speak. <i>If you wish to speak on an urgent matter that has arisen since the deadline and you could not reasonably have known about it at the time, you should register your interest in speaking no later than 9am on the day of the meeting of Council. In the case of a request to speak on an urgent matter, the Director of Legal and Corporate Services will rule on whether or not the matter is urgent and that ruling will be final.</i>	

6.	<p>Questions Six questions have been received in accordance with Standing Orders (Section 7, 1.9) by Members of the Council, details of which should have been received by no later than 12 noon Monday 21st November 2011.</p> <p><i>In the case of an urgent matter that has arisen since the deadline above, and could not have reasonably been known at that time, it must be delivered in writing to the Director of Legal and Corporate Services no later than 9am on the day of Council.</i></p>	16
7.	<p>Chairman's Communications To note the engagements of the Chairman of the Council since the Council's last meeting.</p>	17
8.	<p>Leader of the Council Announcements and Reports To receive announcements and any matters to report from the Leader of the Council.</p>	
9.	<p>Budget and Policy Frameworks Matters which require a decision by Council.</p> <p>Recommendations from the Cabinet meeting of 18th October</p> <ul style="list-style-type: none"> • Review of Safeguarding Children Policy <p>Recommendations from the Cabinet meeting of 22nd November</p> <ul style="list-style-type: none"> • Review of the current arrangements for the collection of Waste and Recycling • Community Safety Partnership Future Arrangements 	18
10.	<p>Senior Management Structure A report from the Chief Executive recommending the process to be adopted consequent on the resignation of the Director of Resources. <i>(Report to follow.)</i></p>	
11.	<p>Constitutional Amendments To consider a report from the Director of Legal and Corporate Services proposing amendments to the Constitution regarding the use of photographic, video and sound recording equipment and the use of ICT in meetings.</p>	20
12.	<p>Motions Submitted Under Standing Orders No motions have been received in accordance with Standing Order (Section 7, 4.1).</p> <p>Motions must be received in writing by the Director of Legal and Corporate Services no later than 12 noon Monday 21st November 2011.</p>	
13.	<p>Urgent Motions Submitted Under Standing Orders To consider any motions in the order in which they have been received, which, by reason of special circumstances, should be considered as a matter of urgency, in accordance with Standing Order (Section 7 4.1 (viii)).</p>	

14.	<p>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.</p>	
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 the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

28th SEPTEMBER 2011 (6 PM)

Present:

Councillors: M Ahmed, J Aston, J Baker, G W Ballinger, R Bishop, A J Buckley, J-P Champion, S J M Clee, N J Desmond, H E Dyke, P Dyke, N Gale, B T Glass, D R Godwin, J Greener, I Hardiman, P B Harrison, J A Hart, M J Hart, P V Hayward, V Higgs, A T Hingley, H J Martin, D J McCann, F M Oborski, T L Onslow, J W Parish, J Phillips, M Price, K H Prosser, C Rogers, M A Salter, A M Sewell, J A Shaw, D R Sheppard, N J Thomas, S J Williams, and G C Yarranton

C.38 Prayers

Prayers were said by Pastor Rob Palmer from the Franche Evangelical Church, Kidderminster.

C.39 Apologies for Absence

Apologies for absence were received from Councillors M Kelly, C Nicholls, J Holden and T Ingham.

C.40 Declaration of Interests

Declarations of interest were received from

- Councillor Godwin declared a personal interest in agenda item 12.
- Councillor Sewell declared a personal interest in agenda item 9 as there was reference in the report to a family member.
- Councillor Clee declared a personal interest in agenda item 12 as Parish Clerk for Rock Parish.

C.41 Minutes

Decision: The minutes of the meeting held on 27th July 2011 be confirmed as a correct record and signed by the Chairman.

C.42 Public Participation

No members of the public wished to address the Council in accordance with Council's scheme for public participation at meetings of Full Council.

C.43 Questions

The Council received a report setting out a range of questions from Councillors Oborski, Bishop and Shaw, directed at the Leader of the Council and Cabinet Members.

Agenda Item No. 4

Question 1- From Councillor Fran Oborski to the Leader of the Council – Councillor John Campion

Throughout the process of creating shared services you have told the Council that you saw this as the way to preserve the independence of Wyre Forest Council. In mid July you were quoted in the local edition of the “Express and Star” as saying that a Unitary Authority, created by scrapping the District Councils of

Worcestershire would be of “great value” to the people of Wyre Forest, and implying that it should be considered after the next General Election. Would you please explain to Council exactly what future you see for localism and democracy in Wyre Forest?

Answer from the Leader of the Council

The reporting in the Express and Star was not accurate. With regard to a unitary authority, it will be discussed if it is in the best interests of the Council and it is something that the public wants. However, there are no proposals from Government for unitary authorities during the life of this parliament, and I believe that Wyre Forest District Council has a bright and healthy future.

Question 2 – From Councillor Fran Oborski to the Cabinet Member for Community Well-Being– Councillor Tracey Onslow

Kidderminster is one of 65 towns where bids are being invited for local TV stations. In at least one of the other towns selected to bid, Malvern, we are informed that the local MP and Leader of the Council have been actively involved in helping to set up a consortium to make such a bid. Will the Leader tell us what steps he has taken, with or without the local MP, to ensure that a single, suitable bid goes forward from Wyre Forest?

Answer from Councillor Tracey Onslow

At the Cabinet meeting of 6th September, Cabinet agreed to support the initial consultation and registered an interest for Wyre Forest in the project. This consultation will be fed back to OFCOM. The Council is awaiting the result of the consultation but understands that the larger conurbations will be considered first. However, it is hoped that Wyre Forest will be considered in the second tranche.

Question 3 – From Councillor Rose Bishop to the Cabinet Member for Environmental Services – Councillor Marcus Hart

Currently taxis are regularly double parked on the Blackwell Street taxi rank, whilst the Exchange Street rank often extends around the back of the library with taxis parked on both double yellow lines and hatch markings. Ordinary motorists would face penalty tickets for parking this way. What steps are being taken to regulate indiscriminate parking by licensed taxis?

Answer from Councillor Marcus Hart

This is an issue which is going to be put on the agenda for the next taxi liaison meeting so that the ‘taxi trade’ can be advised that parking outside the demarked taxi rank bays is unacceptable and that our Civil Enforcement Officers will be paying more attention to enforcing these sites. However, the issue of double (tandem) parking which often happens at the Blackwell Street location isn’t enforceable by our CEO’s and is a police matter if they are causing an obstruction in the highway.

Agenda Item No. 4

Question 4 – From Councillor Jamie Shaw to the Cabinet Member for Place Shaping – Councillor Julian Phillips

With reference to possible future Section 106 Agreements in Stourport, with which agency should the District Council, (as Planning Authority), and developers engage concerning secondary school education, now that Stourport High School is “free from local authority control”?

Answer from Councillor Julian Phillips

According to Worcestershire County Council (WCC), Stourport High School is an Academy school which means that they have the ability to source capital from outside the local education authority system. However, in terms of basic need provision; the necessary funding is still devolved to WCC as they retain the strategic responsibility for school places provision and therefore the necessary facilities to support that. Therefore in terms of Section 106 Agreements the message is ‘business as usual’ with WCC and the Education Contributions through the planning system. A similar question has recently been asked at WCC Council and WCC officer response is quoted as follows:

‘Question from Cllr Peters to Cabinet Member with Responsibility for Education and Skills: “It is common practice for the County Council to demand financial contributions from housing developers wishing to pursue a planning application. These so-called “Section 106 Agreements” frequently include monies to supplement education provision in a particular locality. Now that many schools have obtained, or are seeking, Academy status, how can the County Council continue to impose such financial demands in areas where education is provided by Independent schools outside the remit of the Local Education Authority?”

Response: The current planning regulations permit Local Authorities to seek a contribution towards infrastructure changes as a consequence of a proposed housing development. In the case of education contributions the assessment is made by the County Council in line with the County Council's strategic responsibility for school place planning, although the relevant Supplementary Planning Guidelines under which the contributions are made form part of the District Council policy as the planning authority. Any planning agreement with a developer will name the local schools eligible to benefit from the contribution. Although academies are independent of the local authority they form part of the state funded education for the community and whilst the schools, in their admissions policy, still recognise their catchment area or local community then they will be able to benefit from the contribution. The guidance from the coalition government is that capital resources provided to Councils for Basic Need or School places is available for all tax payer funded schools whilst the capital for maintenance is only for schools maintained by the Council. Section 106 is a recognised source of capital funds for Local Authorities. The planning laws are in the process of being changed with the introduction of Community Infrastructure Levy schedule (CIL). At the moment the understanding is that the County Council could still apply CIL income to increase capacity/provision in any school where new residential development in the catchment would create demand for places in excess of the existing capacity. Pending the passage of the Localism Bill (which may alter the scope of the Community Infrastructure Levy) it is not possible to give a definitive answer.

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The County Council is working closely with the district councils to help them progress their CIL charging schedules. Officers in Children's Services are actively engaged in this process to ensure the needs of the community are fairly assessed and the contribution from developers is reasonable and clearly understood. The County Council is not a local planning authority and is therefore dependent on the district councils in this regard.'

Supplementary Question from Councillor Jamie Shaw

I understand that Stourport High School has no responsibility to the community and is in charge of its own admissions policy and in charge of its destiny in terms of extending the number of rooms in the school. Where is the role of the authority if it doesn't have power over decisions?

Answer from Councillor Julian Phillips

I am not going to comment on the hierarchy of the school governors and the recognised catchment area. The school provides state secondary education for Stourport students and it is funded by the Local Education Authority (LEA). The LEA would be consulted on any development that would impact on school places.

Question 5 - From Councillor Jamie Shaw to the Cabinet Member for – Environmental Services Councillor Marcus Hart

Comparing Lengthsman services in Stourport and Kidderminster, why is it the case that weeds in the highway are removed from Stourport, (albeit only by the application of weed killer), but not in Kidderminster?

Answer from Councillor Marcus Hart

Kidderminster and Stourport-on-Severn each have their own Lengthsman and I'm sure that both Lengthsman undertake weed removal across the District.

Supplementary Question from Councillor Jamie Shaw

Can I ask that during the growing season all weeds are removed from the traffic islands in Kidderminster, as they are in a terrible state for all to see, especially on Comberton Hill.

Answer from Councillor Marcus Hart

The Kidderminster Lengthsman scheme is there for the benefit of District Members in the unparished Kidderminster Area or their County Member Counterparts in terms of minor highway related works. All calls can be made to the Hub and are then actioned by the Environmental Maintenance Team. The process relies on Members utilising the Lengthsman scheme as they see fit.

C.44 Chairman's Communications

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting. Members were reminded of the 'Music for You' concert that was being held on 7th and 8th October.

C.45 Leader's Announcements and Report

The Leader of the Council made the following announcements:

During the last three years the Council had made significant progress in recovering the Icelandic Banks investments and has remained confident that the vast majority of the Council's investments would be returned.

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It was reported at the previous meeting, the Council had won its court case in the Icelandic District Court which retained the Council's "priority" status for the Landsbanki investment. This decision was appealed and the case was heard by the Icelandic Supreme Court in mid September. The result of the appeal had been delayed whilst the Supreme Court heard the "Glitnir" appeal; this is another Icelandic bank in a very similar position. However, the Council did not have any investments with this bank. The result of the appeal is to be announced shortly, and the Council would be briefed as soon as any information became available. The Council remained confident that its position would be robustly defended and that the judgement would be in the Council's favour, there was no further right of appeal. With the "priority" status the Council expected to recover 95% of the investment and should see the first dividend payments before Christmas.

Good progress was being made in relation to the recovery of the investments with the Heritable and Kaupthing Singer and Friedlander with regular dividend payments being received. The Council had received over £3.6m in dividends from these two investments, and were expecting a further payment of at least £¼ million from KSF, and had also been informed to expect a payment from the Heritable in October 2011. Further good news in relation to the Heritable investment was announced by the administrators on 28th July. The amount that was likely to be recovered on behalf of the Council has increased again and it was now anticipated that the maximum recovery would be around 92%.

The Statement of Accounts were due to be approved by the Audit Committee on the 29th September. This reflected the improved position with a 5% increase in the recovery to the Council, following the improved position on the KSF investment, which was reported in May 2011. Members were reminded that as further information emerged relating to the recovery of the investments they would be briefed accordingly.

Members were reminded of the activities occurring at Stourport Sports Club on Sunday 2nd October; a 10K road race, a fun run and walk.

The Leader of the Council also advised Members that together with the Chief Executive, he had spent the day with the refuse teams and he wanted to take the opportunity to commend the refuse crews for their work.

C.46 Annual Report

The Council received the annual report of the Chief Executive. The Chief Executive thanked Members and staff for their work and support during the year and briefly outlined some of the wider transformation work the Council had undergone during the previous twelve months.

In response to questions raised, the Chief Executive advised Members of the following;

- The forthcoming Peer Review would be led by a Chief Executive, Leader of a Borough Council and a senior Officer from another Council. The peer review team were the Council's 'equals' and would advise on best practice.
- Systems Thinking was a tool that would be used to re-engineer working practices to drive out efficiencies and would be used to drive down costs. The scoping sessions were to be carried out on 29th and 30th of September. The process would involve staff challenging existing processes. £15K of the

Agenda Item No. 4

£40K project was being funded by Improvement and Efficiency West Midlands with the balance from the Transformation Fund.

- Council had agreed the move to the new Head Quarters, moreover many staff worked from home. A staff focus group was involved in shaping the new work environment.
- Encouraging behavioural change would be used to reduce demand for services for example encouraging recycling, and using the powers available to the Council to modify behaviours.
- A briefing for Members on asset transfers was being arranged for the end of October 2011.
- Transfers to private and public partners would be done on a basis that reduced costs but did not impact on service delivery and protected key assets.
- Figures for the new Head Quarters had been considered by Overview and Scrutiny and the Council had received a clear Audit opinion from the Audit Commission.
- The management review would take place in due course.
- The consultation on the Leisure Centre provision had just concluded and would be reported to Cabinet in October.
- Whilst the Council was not in a position to offer apprenticeships, the Council was working with Job Centre Plus to provide work placements, each for up to an eight week period.
- The Council would be playing an active part with two Local Enterprise Partnerships for Worcestershire and for Greater Birmingham and Solihull.
- The Town Centre Manager post had been funded for three years.
- Affordable housing included rented provision for older people.
- The mobile/flexible working was being successfully rolled out and the feedback from employees involved was positive.

Members thanked the Chief Executive for his report and asked that he reported to Council every six months.

Decision: The Chief Executive present an update to Council every 6 months.

C.47 Policy And Budget Framework – Matters which require a decision by Council

Recommendations from the Cabinet – 20th September 2011

Wyre Forest District Local Development Framework (LDF) Churchfields Masterplan Supplementary Planning Guidance: Responses to Draft Consultation Paper and Final Masterplan for Adoption:

The Council considered a report in relation to the Wyre Forest District Local Development Framework (LDF) Churchfields Masterplan Supplementary Planning Guidance: Responses to Draft Consultation Paper and Final Masterplan for Adoption.

The Cabinet Member advised that in proposing the adoption of the SPD the adoption of the Masterplan was being taken in advance of the adoption of the Kidderminster Central Area Action Plan DPD which was planned for 2012.

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Presently there was no conflict between the SPD and the draft DPD. However, should changes be made to the emerging DPD such that the two are in conflict, it would be the Kidderminster Central Area Action Plan DPD that would carry the greater weight for decision making purposes.

The Masterplan SPD did not allocate land for particular uses either formally or informally, expressly or impliedly. Plans and sketches contained within the SPD were indicative and also do not purport to allocate land for particular purposes

Members of the LDF Review Panel were thanked for their work and it was recognised that the Local Members should continue to play a part as local champions in the process of place shaping. Moreover Broadwaters had an identifiable sense of community and that it was intended that the Masterplan would support this in the longer term.

Further debate took place and Members raised their concerns regarding the access at the Broadwaters/Radford Avenue Kidderminster junction. Members felt that an alternative route should be considered with an exit via Lark Hill subject to the purchase of the Bear Pub. In response to a question regarding landscaping and open space, Council was advised that the Council had yet to adopt the Central Action Plan and that once adopted it would be for the Planning Committee to decide on the weight they gave it when making planning decisions.

Decision:

- 1. The Churchfields Masterplan (Draft) Supplementary Planning Document as amended by the recommended changes set out in Appendix 2 to the Cabinet Report be adopted as the “Churchfields Masterplan” Supplementary Planning Document, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004.**
- 2. The Director of Planning & Regulatory Services be authorised to prepare and publish the necessary documents in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004.**
- 3. Delegated authority be given to The Director of Planning & Regulatory Services to make any necessary presentational amendments.**

C.48 Revised Media Policy

The Council received a report from the Director of Community and Partnership Services on the revised Media Protocol.

The Cabinet Member for Community Well-Being outlined the content of the report and reminded Members that the item had been previously withdrawn from the Council meeting in July 2011.

Decision: The revised Media Protocol be adopted.

C.49 Community Governance Review

The Council received a report from the Director of Legal and Corporate Services regarding the Terms of Reference for a Community Governance Review for Rock and Ribbesford.

Agenda Item No. 4

The Cabinet Member for Place-Shaping outlined the content of the report and the timetable for the Community Governance Review. Members recognised that Rock Parish carried out work on behalf of Ribbesford for which Ribbesford residents did not pay a precept. Further debate ensued and it was agreed that the Community Governance Review was a suitable way for the views of the residents of Rock and Ribbesford to be considered. Councillor Clee did not vote on this item. Councillor Ballinger and Thomas voted against this item.

Decision:

- 1. The Terms of Reference as set out in appendix 1 of the report to Council be agreed.**
- 2. The Director of Legal and Corporate Services be given delegated authority to make any minor modifications to the Terms of Reference as necessary during the course of the review.**

C.50 Boundary Commission Review Response

The Council received a report from the Chief Executive in respect of the consultation being carried out by the Boundary Commission.

A brief debate ensued. Council agreed that it welcomed the proposal and felt that it was important that the Parliamentary constituency remained coterminous with the District, giving a sense of identity and place. Council agreed that it would write to the Boundary Commission and confirm that it was content with proposal for Wyre Forest.

Decision: The Council responds to the review and confirms that it is content with the proposals for Wyre Forest.

C.51 Motions Submitted Under Standing Orders

No notices of motion were received in accordance with Standing Orders.

C.52 Urgent Motions Submitted Under Standing Orders

No notices of motion were received in accordance with Standing Orders.

There being no further business the meeting ended at 19:20.

WYRE FOREST DISTRICT COUNCIL

COUNCIL MEETING
30TH NOVEMBER 2011

QUESTIONS TO COUNCIL

Question 1 – From Councillor Graham Ballinger to Councillor Tracey Onslow, Cabinet Member for Community Well-Being

What is the latest prediction for the, already delayed, opening date for the newly built Wyre Forest Cemetery and Crematorium?

Question 2 – From Councillor Graham Ballinger to Councillor Marcus Hart, Cabinet Member for Environmental Services.

How much cash incentive was on offer from Central Government for this Authority to opt to return to weekly refuse collections and what were the restrictions?

Question 3 – From Councillor Graham Ballinger to Councillor Tracey Onslow, Cabinet Member for Community Well-Being

Is this Council aware of any similar schemes within Worcestershire, where the local authority is involved in supporting ‘friends of’ local parks and open spaces initiatives, such as those at St Georges Park, Baxter Gardens and Springfield Park?

Question 4 – From Councillor Graham Ballinger to Councillor Julian Phillips, Cabinet Member for Place-Shaping

How many properties are scheduled to be built in the Wyre Forest District Council area by Wyre Forest Community Housing, or other similar and named agencies, during the remainder of the year 2011/12 and then in the financial year of 2012/13?

Question 5 – From Councillor Jamie Shaw to Councillor Julian Phillips, Cabinet Member for Place-Shaping.

Can the portfolio holder confirm that, should Councillors have to enquire about land ownership in the course of their duties, they will be charged a fee?

Question 6 – From Councillor Jamie Shaw to Councillor Marcus Hart, Cabinet Member for Environmental Services.

Dog Warden Service – What responsibility does this service, along with the police, take for unidentifiable strays which may pose a danger to animals or people?

CHAIRMAN'S FUNCTIONS - 2011/2012

October 2011

Saturday 1 st @ 2.15pm	Wyre Forest Talking Newspaper AGM*
Sunday 2 nd @ 10.30am	Redditch Civic Service, St Stephen's Church
Sunday 2 nd @ 2.15pm	The Shuttle 10km Road Race & Fun Run *
Sunday 2 nd @ 3.00pm	Pershore Civic Service, Pershore Abbey
Sunday 2 nd @ 6.30pm	The County Harvest Festival, Worcester Cathedral
Monday 3 rd @ 10.30am	Visit to the Odell Centre
Tuesday 4 th @ 11.00am	Unveiling of Memorial Plaque at the Guildhall, Worcester
Saturday 8 th @ 7.30pm	Music for You, Kidderminster Town Hall
Tuesday 11 th @ 9.30am	Transformation Board
Tuesday 11 th @ 11.00am	Visit to Wyre Forest Nightstop
Tuesday 11 th @ 12.30pm	Visit to Lawrences Recycling
Wednesday 12 th @ 1.30pm	British Waterways Installation Ceremony, Stourport Basins
Friday 14 th @ 10.00am	Worcestershire Association of Carers AGM
Friday 14 th @ 7.00pm	Mayor of Droitwich Spa's Barn Dance*
Sunday 16 th @ 2.30pm	Malvern Hills District Council Civic Service, St Matthias, Church Road, Malvern Link
Friday 21 st @ 6.00pm	The Mike Oborski No Barriers Awards
Wednesday 26 th @ 2.30pm	Summer Reading Challenge Awards, Bewdley Library

November 2011

Friday 4 th @ 10.30am	Awards Presentation, Worcester University
Monday 7 th @ 12.00 noon	Open Day invitation to the Tulip Tree Centre
Monday 7 th @ 1.30pm	Announcement of Torch Relay for the Olympics photo shoot, Severn Valley Railway
Wednesday 9 th @ 2.30pm	Launch of Queens Diamond Jubilee Fund
Friday 11 th @ 7.30pm	Classical Music Society, Kidderminster Library – Trio Capriccio
Sunday 13 th @ 10.00am	Remembrance Sunday, Kidderminster
Tuesday 15 th @ 9.30am	Transformation Board
Wednesday 16 th @ 2.00pm	Tourism 2012 & Beyond Event, Three Counties Showground, Malvern*
Wednesday 16 th @ 6.30pm	Sports Awards 2011
Friday 18 th @ 1.45pm	Citizenship Ceremony *
Friday 18 th @ 7.00pm	Wyre Forest Young Voices and Primary Chords, Kidderminster Town Hall
Saturday 19 th @ 2.30pm	Official Opening of Coronation Gardens, Kidderminster
Saturday 19 th @ 4.00pm	Kidderminster Christmas Lights Switch on
Sunday 20 th @ 6.30pm	RoadPeace Service, St Ambrose Church
Thursday 24 th @ 6.30pm	Launch of Wyre Forest Area Youth Community Safety Magazine*
Friday 25 th @ 4.30pm	Three Kings Parade, Stourport on Severn
Saturday 26 th @ 4.30pm	Christmas Lights Festivities and "Switch on", Bewdley
Saturday 26 th @ 7.30pm	Kidderminster Choral Society, Kidderminster Town Hall
Sunday 27 th @ 7.00pm	Bromsgrove Civic Society Annual Dinner, Grafton Manor, Bromsgrove
Sunday 27 th @ 7.30pm	Wychavon District Council's Murder Mystery Theme Night*
Monday 21 st @ 2.00pm	Visit to new Cemetery & Crematoria with Parish Chairmen

WYRE FOREST DISTRICT COUNCIL

COUNCIL
30TH NOVEMBER 2011

POLICY AND BUDGET FRAMEWORK
MATTERS WHICH REQUIRE A DECISION BY COUNCIL

Purpose of Report

To consider recommendations from the Cabinet on matters outside the policy framework or approved budget of the Council.

SUPPORTING INFORMATION

Would Councillors please note that the related reports and documents have not been included in the Council book, as they have already been sent to Members via the Cabinet agenda. Copies have been included in the electronic circulation of the Council agenda and a public inspection copy is available on request. The policy documents, referred to below, have been posted on the Council's website.

RECOMMENDATIONS TO COUNCIL	CABINET MEMBER
<p>The Cabinet recommends two changes to terms and conditions of staff:</p> <p>1) Review of Safeguarding Children Policy (Cabinet meeting of 18th October 2011) The Council is asked to consider a report from Cabinet which recommends an amendment to the Employee Code of Conduct.</p> <p>Recommended to Council:</p> <ol style="list-style-type: none"> 1. Paragraph 4.8 of the Safeguarding Children Policy be adopted 2. The Constitution and Employee Code of Conduct be amended as outlined in 4.8 of the report to Cabinet. 	<p>Councillor T Onslow</p>
<p>2) Review of the current arrangements for the collection of Waste and Recycling (Cabinet meeting of 22nd November 2011) The Council is asked to consider a report from Cabinet which recommend changes to the current arrangements for the collection of waste and recycling.</p> <p>Recommended to Council:</p> <ol style="list-style-type: none"> 1. To support the amendment of the terms and conditions of the staff within the Waste and Recycling service in respect of the introduction of a 4 day working week. 2. On the grounds of improvements to the environment and the cost savings it would generate, the frequency of the collection of medical waste be amended to fortnightly, with additional capacity provided if required. 	<p>Councillor M Hart</p>

RECOMMENDATIONS FROM THE CABINET –22ND NOVEMBER 2011

RECOMMENDATIONS TO COUNCIL	CABINET MEMBER
<p>Community Safety Partnership Future Arrangements The Council is asked to consider a report from Cabinet on the future arrangements for the Community Safety Partnership.</p> <p>Recommended to Council: That Wyre Forest Community Safety Partnership (CSP) and Wyre Forest District Council (as the responsible authority) agrees to the restructuring of the current CSP arrangements into one CSP for North Worcestershire, by merging with Redditch and Bromsgrove CSP's.</p>	<p>Councillor Tracey Onslow</p>

WYRE FOREST DISTRICT COUNCIL**COUNCIL**
30TH NOVEMBER 2011**Constitutional Amendments
Photographic, Video and Sound Recording Equipment
and use of ICT in Meetings**

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	-
CORPORATE PLAN PRIORITY:	Delivering Together with Less
CABINET MEMBER:	Councillor N J Desmond
DIRECTOR:	Caroline Newlands Caroline.newlands@wyreforestdc.gov.uk
CONTACT OFFICER:	Penny Williams Democratic Services Manager Penelope.williams@wyreforestdc.gov.uk
APPENDICES:	Appendix A Schedule of changes Appendix B Recommendations of the Recording Equipment, Blogging and Social Media Review Panel

1. PURPOSE OF REPORT

- 1.1 To consider amendments to the Constitution that were examined by the Transformation Board on 11th October 2011.

2. RECOMMENDATION

The Council is asked to DECIDE that:

- 2.1 **The amendments to the Constitution as detailed in Appendix A of report to Council be agreed.**

3. BACKGROUND

- 3.1 Following its meeting on 8th September the Overview and Scrutiny Committee made a series of recommendations to Cabinet as detailed in Appendix B, regarding the use of Social Media in meetings. These recommendations impacted on the current obligations of Members using ICT in meetings and necessitated an amendment to the constitution.
- 3.2 The recommendations were noted by Cabinet on 20th September 2011 and subsequently on 11th October a report was submitted to the Transformation Board that detailed the proposed amendments. The amendments are illustrated in Appendix A.

4. **KEY ISSUES**

4.1 Sections 3.15, The Prohibition of Photographic, Video and Sound recording and Section 3.16 Use of ICT in meetings be combined to create a new section 3.15 named the Use of Photographic, Video, Sound Recording and ICT in meetings. The remainder of the Section 7 would be renumbered accordingly if required.

4.2 As part of the Move to the new Headquarters, the recording and broadcasting of meetings is being considered. Therefore it is proposed that with effect from July 2012 following the move to the New Headquarters 3.15 (i) reads;

'Council will record and broadcast all of its meetings with the exception of exempt items as detailed in the constitution. Therefore unless there is the express consent of the Chairman individuals shall be prohibited from taking of photographs, film, video or sound recordings, or using of any radio transmitting equipment at any meeting of the Council or any Committee.'

3.15(ii) should remain as written, albeit that it moved to the end of the revised section to encompass all of the revisions and renumbered accordingly to be become 3.15(v)

4.3 Cabinet noted that Video/Audio recording of the press and public should not be allowed, and this would be covered in the revised paragraph 3.15(i).

4.4 Cabinet noted that the use of Social Media by the press and public should be permitted during the meeting. Therefore it is suggested that an additional paragraph be added to 3.15, as follows;

3.15(ii) The use of Social Media by the press and public is permitted, although this should be read in conjunction with paragraph 3(i).

4.5 Currently the use of ICT in meetings is prohibited as detailed in the current paragraph 3.16 as detailed above. Clarity needs to be given to differentiate between ICT used by Members to read papers and that used by the public to Tweet or Blog during a meeting. It is proposed that section 3.16 (ii) be renumbered, becoming 3.15(iii) and should read as follows. It would also allow for Members and Officers to use ICT to access papers, something which the current wording does not make clear.

'Members of a Committee are prohibited from using ICT to access social media, texting, emailing or reading social media texts or emails during a meeting of Council or any Committee.'

4.6 Paragraph 3.16(i) would be rewritten and renumbered to read;

'Members and Officers are prohibited from using ICT to make or receive calls at meetings held in public and all mobile phones/handheld devices that allow calls to be made or received are to be turned to silent or off.'

4.7 Recommendations (e) and (f) as detailed in Appendix B do not have to covered in the constitution. Steps are in place to ensure Members receive training if needed on social media and the use of social media by the Council is a cultural change and steps are already in place to promote this.

5. **FINANCIAL IMPLICATIONS**

5.1 There are no significant financial implications arising from this report.

6. **LEGAL AND POLICY IMPLICATIONS**

6.1 The proposals comply with the legislation governing constitutions of councils and the allocation of responsibility for functions.

7. **EQUALITY IMPACT NEEDS ASSESSMENT**

7.1 An initial equality impact screening has been undertaken and there are no adverse impacts on the equality strand as a result of the revision to the constitution.

8. **RISK MANAGEMENT**

8.1 There are no risk management issues associated with the proposed changes. By providing clarity about the allocation of functions, and making the constitution easier to use, they reduce the risk of challenge to decisions.

9. **CONCLUSION**

9.1 The proposals contained within this report meet the requirements of the relevant legislation including the Local Government Act 2000. The amendments to the constitution will support effective and decisive decision making and have been carried out in accordance with legislative requirements.

10. **CONSULTEES**

10.1 The Leader of the Council

10.2 Transformation Board on amendments in appendix 1

11. **BACKGROUND PAPERS**

11.1 Report to Overview and Scrutiny 8th September 2011

11.2 Report to Cabinet 20th September 2011

11.3 Report to the Transformation Board 11th October 2011

Schedule of changes

Current Wording (showing deletions)	Suggested Revised Wording
<p>3.15 Prohibition of photographic, video and sound recording equipment.</p> <p>(i) The taking of photographs, film, video or sound recording, or the use of any radio transmitting equipment at any meeting of the Council or any Committee, shall be prohibited unless the Chairman of the meeting consents otherwise.</p> <p>(ii) Non-compliance with (i) above will be dealt with as a breach of order under Standing Orders 3.8 and 3.9.</p> <p>3.16 Use of ICT in Meetings</p> <p>(i) The making or receiving of calls at all public meetings be prohibited and all phones to be turned to silent or off.</p> <p>(ii) The use of hand held devices, including texting or emailing or reading texts or email is not permitted at public meetings.</p>	<p>3.15 Use of Photographic, Video, Sound Recording and ICT in meetings.</p> <p>(i) Council will record and broadcast all of its meetings with the exception of exempt items as detailed in the constitution. Therefore, unless there is the express consent of the Chairman individuals shall be prohibited from taking of photographs, film, video or sound recordings, or using of any radio transmitting equipment at any meeting of the Council or any Committee.</p> <p>(ii) The use of Social Media by the press and public is permitted, although this should be read in conjunction with paragraph 3(i).</p> <p>(iii) Members of a Committee are prohibited from using ICT to access social media, texting, emailing or reading social media texts or emails during a meeting of Council or any Committee.</p> <p>(iv) Members and Officers are prohibited from using ICT to make or receive calls at meetings held in public and all mobile phones/ handheld devices that allow calls to be made or received are to be turned to silent or off.</p> <p>(v) Non-compliance with (i) above will be dealt with as a breach of order under Standing Orders 3.8 and 3.9.</p>

Recommendations of the Recording Equipment, Blogging and Social Media Review Panel

- a. The Council should record and broadcast its public meetings online following the move to the new Council Headquarters.
- b. Video / Audio Recording of meetings by the press and public should not be allowed.
- c. The use of Social Media by the press and public during meetings should be permitted.
- d. The use of Social Media by Councillors and Officers whilst in a meeting should be prohibited.
- e. The use of Social Media by the Council should be encouraged.
- f. The use of Social Media by Councillors outside of meetings should be encouraged and guidelines and training be provided.
- g. Worcestershire Leadership Group be encouraged to develop a county wide media protocol for Members.