

WYRE FOREST DISTRICT COUNCIL

CABINET

CIVIC HALL, NEW STREET, STOURPORT-ON-SEVERN

31ST JANUARY 2012 (6.00 PM)

Present:

Councillors: J-P Campion, N J Desmond, T L Onslow and J Phillips.

Observers:

Councillors: G W Ballinger, H E Dyke, I Hardiman, C D Nicholls, F M Oborski, J W Parish, M A Salter, J A Shaw, D Sheppard and N J Thomas.

CAB.82 Apologies for Absence

Apologies for absence were received from Councillor M J Hart.

CAB.83 Declarations of Interest

Councillor N J Desmond declared a prejudicial interest in agenda item no. 10.1 as he was a former board member of the Oldington & Foley Park Network.

CAB.84 Minutes

Decision: The minutes of the Cabinet meeting held on 20th December 2011 be confirmed as a correct record and signed by the Chairman.

CAB.85 Call Ins

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

CAB.86 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.87 Leader's Announcements

There were no Leader's announcements.

CAB.88 Wyre Forest District Local Development Framework Potential sites for Gypsies, travellers and Travelling Showpeople Consultation responses.

A report was considered from the Director of Planning and Regulatory Services which apprised Members on the level and detail of consultation response received to the recent consultation on potential gypsy, traveller and travelling showpeople sites. This included the identification of alternative sites and to agree sites for inclusion in the Site Allocations and Policies Development Plan Document (DPD) and to consider the recommendations from the Overview & Scrutiny Committee on 30th January 2012.

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The Cabinet Member for Place-Shaping led Members through the report and reported that the Local Development Framework Review Panel, at their meeting on 16th January 2012, had recommended to the Overview & Scrutiny Committee that four sites had been identified as potential sites for gypsies and travellers, these being land opposite the Gatehouse, Sandy Lane Industrial Estate, Stourport, 1A Broach Road, Sandy Lane, Stourport, 28-29 Sandy Lane, Stourport and Hoobrook Trading Estate, Kidderminster. However, these sites were subject to confirmation of their availability. It had also been recommended by the Panel that sites at Land off Wilden Lane, Stourport, Ex Yieldingtree Packing Site, Nr Churchill and Clows Top garage site be put forward as potential sites for Travelling Showpeople and again, this was subject to their availability.

At the Overview & Scrutiny Committee meeting on 30th January 2012 the recommendations had been considered and after much debate, amended recommendations had been made to Cabinet. The site at Hoobrook Trading Estate, Kidderminster had been confirmed as not available and together with the sites at Land off Wilden Lane, Stourport, Ex Yieldingtree Packing Site, Nr Churchill and Clows Top Garage Site these were to be disregarded from any future considerations.

The Cabinet Member for Place-Shaping thanked the community for attending the public meetings that had been held. He also recognised that there was a diverse range of views regarding the location of the sites and in some areas the strength of feeling had run high.

The Leader of the Council reported that the consultation had been challenging and stated it was important for the Council to have a policy to protect the district and the local community. Moreover, it was never going to be easy and further work through assessments would be required. It was important that the communities that lived in the Sandy Lane, Stourport vicinity lived in peace but in terms of tolerance it was correct to say that it was not extended too far. He believed that this area should not be allowed to have any more capacity once the policy was adopted and it was recognised that not everyone was going to be content with the outcome.

Further debate ensued on the views expressed by some groups within communities and the levels of tolerance that had been articulated. It was recognised that the meetings had been well organised and well attended.

A Member perceived that the whole process had not been handled well and pointed out that only Wychavon District Council had more sites and this was due to fruit pickers in the area. Moreover, the other local authorities should play their part and that 12 out of the 15 sites had never been feasible from the start of the consultation.

The Member referenced the Planning Committee in November 2011, and the recommendation for refusal that had been overturned for an application at Sandy Lane, Stourport which had been given temporary permission but that decision was now to be amended by the recommendation at the Cabinet meeting for it to be a permanent site. He felt it was unfair to the families and young people that currently lived in Sandy Lane and there would be no play provision for young children. He also asked for clarification on the actual support for voting on this site at the LDF Review Panel meeting on 16th January 2012.

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The Leader of the Council replied that he found the comments offensive and ultimately, it would be a matter for Council. It was a democratic process that the Council needed to follow. He stated that Members of the Planning Committee had received adequate planning training which enabled them to make decisions on applications and it was not for Cabinet Members to comment on that process. Following repeated interruptions, the Member was then asked to be quiet.

The Chairman of the LDF Review Panel informed Members that no Members had been pressurised into making a decision. She reiterated that the proposal for potential gypsy and travellers sites had been subject to availability. The Chairman of the Overview & Scrutiny Committee reported that if a recorded vote had been asked for, it would have been carried out.

Decision:

- 1. The sites at Stourport Rd (Bewdley), Sion Hill (Kidderminster), Lea Castle (Cookley) and Manor Farm (Stourport-on-Severn) be disregarded from any further considerations.**
- 2. The sites at Nunn's Corner Stourport-on-Severn and The Gables Yard, Stourport-on-Severn be carried forward for allocation in the Site Allocations and Policies Development Plan Document.**
- 3. The Statement of Consultation set out in Appendix 1 of the report to the Overview and Scrutiny Committee be noted and agreed for publication**

CAB.89 Future Arrangements for the Management of Sports and Leisure Centres

A report was considered from the Director of Community and Partnership Services on the future arrangements for the management of the sports and leisure centres.

The Cabinet Member for Community Well-Being led Members through the report. She reported that there was a misconception that leisure centres made money; as reported in the budget book, it cost the council £1m per annum to fund the facilities. Members were informed that several options had been considered and these were referred to in the Cabinet report. A review panel had also been established to enable scrutiny of the available options and from this a public consultation had been conducted. The conclusion had been the best possible option for the district would be a new build leisure centre and The Glades in Kidderminster be closed.

However, following the meeting of the Budget Review Panel on 26th January 2012, a request was made for an additional Overview & Scrutiny Committee to be held to enable further consideration and for Members to fully understand the financial implications of the proposal by Cabinet. It had been agreed that this would be held on 8th February 2012 and therefore, a revised recommendation was made that the report would be re-presented to the Cabinet meeting on 21st February 2012 when a decision would be made.

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A Member had concerns that not all 42 Members would be able to have an input into the meeting on the 8th February in what was felt an important item for the Council and that the final decision would be made by the Cabinet. The Leader of the Council responded that the Council had adopted The Local Government and Public in Health 2007 Act which was implemented in 2011 and this gave the Executive powers to make decisions.

All Members were encouraged to attend committees that they were not a member of as they could still have an input to the discussions. He felt that it was unfair to say that not all Members could get involved as there was ample opportunity.

In response to a Member question, the Leader of the Council responded that the project had not been rushed through; the matter had been discussed for the last 18 months and had been rescheduled to be discussed and placed on the Forward Plan for re-consideration in January 2012. In addition to another comment, he replied that at Council in 2011, the Eastern Gateway Project had been given the go ahead and there were plans for the site.

A Member reiterated that when the review panel had been set up, it had been known that there was a 2-year lead up to the end of the contract with DC Leisure. It was also pointed out that during the course of the review panel there had been no mention that the Eastern Gateway Project would go ahead.

She continued to state that the cost of a refurbishment could be greater than a new build and upon reflection the build of the Glades had not been as good as it should have been. She also asked that Cabinet defer the decision at Council in February 2012 to enable further debate.

It was perceived that if only 2% of the public had responded to the consultation then perhaps the rest of the public were content. It was felt that this figure was not in any way different to any other public response to a consultation. The 2% represented approximately 500 responses.

The Chairman of the Overview & Scrutiny Committee stated that all Members were welcome to attend the meeting on 8th February to enable them to give their views. All Members would also receive (electronically) all documentation that was presented to the Review Panel.

The Cabinet Member for Community Well-Being the informed Members that it was the recommendations from the review panel that had suggested a public consultation be carried out. She also stated that if a new build was the preferred option this could possibly be located in Kidderminster. In addition, she pointed out that the majority of the people that had responded to the consultation had wanted to retain the facilities and it was not the case that the majority wanted a new leisure centre.

Decision:

In line with the recommendation from the Overview and Scrutiny Committee of 2nd June 2011 on the broad principles for future arrangements for sport and leisure centre provision including “refurbishment of the Glades is not considered to be an option”; and consistent with the Council's emerging planning policy for the Eastern Gateway as set out in the Kidderminster Central Area Action Plan Development Plan Document which was approved by full Council for consultation on 18th May 2011:

1. The Cabinet **DECIDED** that the site of The Glades Leisure Centre would not form an appropriate location for future leisure provision for the district. This decision includes, if necessary, vacating the site in order to allow its development by any purchaser prior to the building of a new leisure centre.
2. Except as decided above, the Cabinet **NOTES** the recommendations set out in paragraphs 2.1 to 2.7 of the report to Cabinet, pending the advice of the Overview and Scrutiny Committee, and will take final decisions on these matters at its meeting on 21st February 2012.

Councillor N J Desmond left the meeting at this point.

CAB.90 Write Off of Sundry Debtor Amounts Outstanding

A report was considered from the Director of Resources which asked Cabinet to write off a sum of money.

Decision: The total of £12,723.80 relating to outstanding Sundry Debt for Oldington and Foley Park Community Network be written off.

Councillor N J Desmond returned to the meeting at this point.

CAB.91 Pay Policy Statement

A report was considered from the Director of Legal and Corporate Services which asked Cabinet to recommend to Council to adopt a pay policy statement.

Decision:

Recommended to Council:

1. The pay policy statement in the appendix to the Cabinet be adopted for the financial year 2012-13 and each subsequent financial year (until it is amended by Council).
2. The delegations to the Appointments and Appeals Committee be amended in line with the pay policy statement.
3. The policy statement on the exercise of the Council's powers under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011 be approved.

The meeting closed at 7.08 pm.