

Open

# Council

# Agenda

6.00pm  
Wednesday, 26th September 2012  
The 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 No. 5 – Public Participation. Guidance on how to have your say is available on the Council’s website:**  
  
<http://www.wyreforestdc.gov.uk/e-dms/resources/includes/file.php?id=310>
- **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:

Penelope Williams, Democratic Services Manager,  
Civic Centre, Stourport-on-Severn

Telephone 01562 732728

e-mail: [penelope.williams@wyreforestdc.gov.uk](mailto:penelope.williams@wyreforestdc.gov.uk)



**COUNCIL MEETING**

**Date 26<sup>th</sup> September 2012**

**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. on Wednesday 26<sup>th</sup> September 2012** 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

## **Declaration of Interests by Members – interests of members in contracts and other matters**

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of this constitution for full details.

## **Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)**

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

## **(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 26<sup>th</sup> September 2012

The Council Chamber, Civic Centre, Stourport-on-Severn

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
1.	<b>Prayers</b>  To be read by Reverend Jan Ashton from St Mary's Ministry Team, Kidderminster.	
2.	<b>Apologies for Absence</b>	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on 20th June 2012.	<b>8</b>
5.	<b>Public Participation</b>  In accordance with the Council's scheme for public speaking at meetings of Council, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by <b>12 noon on Monday 17<sup>th</sup> September 2012.</b>  <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 Community Assets and Localism will rule on whether or not the matter is urgent and that ruling will be final.</i>	

6.	<p><b>Questions</b></p> <p>To receive questions submitted in accordance with Standing Order A5 by Members of the Council, details of which have been received by <b>12 noon on Monday 17<sup>th</sup> September 2012</b> and the replies of the leader of the Council or other appropriate Cabinet Member.</p> <p><i>In the case of an urgent matter that has arisen since the deadline above, and could not have been reasonably known at that time, it must be delivered in writing to the Director of Community Assets and Localism no later than 9am on the day of Council.</i></p>	18
7.	<p><b>Chairman's Communications</b></p> <p>To note the engagements of the Chairman of the Council since the Council's last meeting.</p>	19
8.	<p><b>Leader of the Council Announcements</b></p> <p>To receive announcements from the Leader of the Council.</p>	
9.	<p><b>Motions Submitted under Standing Orders</b></p> <p>No motions that have been received in accordance with Standing Orders. (Section 7, 4.1).</p>	
10.	<p><b>Urgent Motions submitted under Standing Orders</b></p> <p>To consider motions in the order they have been received which, by reason of special circumstances, should be considered as a matter of urgency, in accordance with Standing Orders. (Section 7, 4.1 (vii)).</p>	
11.	<p><b>Review of Polling Places</b></p> <p>To receive a report from the Chief Executive and Returning Officer which asks Council to consider the responses to the review of polling places and the subsequent changes that are recommended.</p>	20
12.	<p><b>Corporate Governance and Constitution</b></p> <p>To receive a report from the Director of Community Assets and Localism on updates to the Corporate Governance Policy Framework, to appoint a panel of 6 Independent Persons, and to amend the pay policy statement.</p>	34

13.	<p><b>Policy and Budget Framework</b></p> <p>Matters which require a Decision by Council.</p> <p><b>Recommendation from Cabinet meeting on 18<sup>th</sup> September 2012</b></p> <ul style="list-style-type: none"> <li>• Annual Report on Treasury Management Service, Actual Prudential Indicators 2011/12 and Revision to the Investment Policy and Strategy Statement 2012/13</li> </ul> <p>Please note that the reports and associated documents, referred to above, have been circulated electronically to Members. Public inspection copies are available on request. Please refer to the front cover for contact details.</p>	42
14.	<p><b>To consider any other business, details of which have been communicated to the Director of Community Assets and Localism 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. Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution to exclude the press and public from the meeting during consideration of an item containing “exempt” information:</p> <p><b>“DECISION:</b></p> <p><b>Under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of “exempt information” as defined in paragraphs 2 and 3 Part 1 of Schedule 12A of the Act.”</b></p>	

**Part 2**

**Not open to the Press and Public**

15.	<p><b>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.</b></p>	
-----	---	--

# WYRE FOREST DISTRICT COUNCIL

## COUNCIL

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

20TH JUNE 2012 (6.00PM)

---

### **Present:**

Councillors: J Aston, G W Ballinger, R Bishop, C Brewer, J-P Campion, S J M Clee, L Davies, N J Desmond, H E Dyke, P Dyke, N Gale, B T Glass, D R Godwin, J Greener, I Hardiman, P B Harrison, M J Hart, P V Hayward, V Higgs, A T Hingley, T Ingham, M B Kelly, N Knowles, H J Martin, B McFarland, C D Nicholls, F M Oborski, J W Parish, J Phillips, M Price, M Rayner, C Rogers, A M Sewell, J A Shaw, D R Sheppard, N J Thomas, S J Williams, and G C Yarranton.

The Chairman welcomed Joanne Wagstaffe (Director of Resources) and Father Lamb to the Council Chamber.

**C.21**

### **Prayers**

Prayers were said by Father Lamb of St Ambrose Roman Catholic Church, Kidderminster. During prayers Father Lamb remembered Bill Jones, a former Wyre Forest District Councillor.

**C.22**

### **Apologies for Absence**

Apologies for absence were received from Councillors: D McCann, J Hart, T Onslow and M Salter.

**C.23**

### **Declaration of Interests**

In relation to Agenda Item 14, Community Housing Group Governance Review the following declarations were made;

- Councillor H Dyke declared a prejudicial interest as her husband is employed by the Community Housing Group.
- Councillor P Dyke declared a prejudicial interest as he is employed by Community Housing Group.
- Councillors Clee, Gale, Yarranton, Greener, Godwin and Hardiman declared a personal interest as a Board Member of Community Housing Group.

**C.24**

### **Minutes**

**Decision: The minutes of the meeting held on 23rd May 2012 be confirmed as a correct record and signed by the Chairman.**

**C.25**

### **Public Participation**

No members of the public addressed the meeting.

**C.26**

### **Questions**

There were no questions to Council.



**C.27****Chairman's Communications**

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting. The Chairman advised Members that he had written to the family of the late Bill Jones expressing the condolences of the Council. In addition, on behalf of the Council he had written to the Queen to congratulate her on her Diamond Jubilee. He concluded by recalling the visit to Kidderminster of the Olympic Torch, remarking that it was a fantastic occasion.

**C.28****Leader's Announcements and Report**

The Leader of the Council announced that further to the first dividend payments of £930k that had been reported to Council in May in relation to the £3m Landsbanki investment, a second dividend payment of £376k had been received. Members were advised that this together with an improved estimate of the overall return for this investment that could exceed the 95-98% previously reported, could mean that in time, the vast majority of funds would be recovered. Members were further advised that good progress continued to be made in relation to the recovery of the investments with the Heritable and Kaupthing Singer and Friedlander with regular dividend payments still being received.

To date the Council had received just over £6m in dividends for these investments, with further payments expected throughout the year. Moreover, it was likely that the Council would continue to receive further updates on the likely settlements from all of the three banks, however, given the excellent result received on Landsbanki and the increase in the settlement reported for KSF and the Heritable, the total return could well exceed 90% of the original investments.

The Leader of the Council further advised Council that the Secretary of State would be visiting Wyre Forest next week in amongst other things to receive the Local Development Order, subject it being agreed by Council

**C.28****Motions Submitted Under Standing Orders**

A notice of motion was received in accordance with Standing Orders regarding the planning application from Worcestershire County Council regarding Kidderminster Library. Council noted that following the Planning Committee meeting on 12<sup>th</sup> June the application had been withdrawn for further consideration and consultation and an amendment to the motion was tabled as follows.

*Council endorses and supports the decision by the District Council Planning Committee to formally object to the consultation by Worcestershire County Council (WCC) to close Kidderminster Library. However, it also notes and welcomes WCC's withdrawal of the County planning Application, at this time, for further consideration and consultation.*

*Council notes the ambience and unique nature of the services on offer there, which were custom built to provide a high quality arts environment for both performers and artists from a range backgrounds, including may of and international standard. Further, Council believes the alternative locations currently suggested will*

*not be 'fit for purpose' and will damage the reputation of Kidderminster as a respected venue for the wide range and quality of events it houses, leading to the potential loss of those events to local residents.*

*It also believes the plan, in its current form, will prejudice the range of options and vibrancy of public space in Kidderminster Town Centre going against the intentions of the State of the Area Debate to regenerate the area and improve and maintain the 'offer' and diversity of both the daytime and night time economy.*

*Council understands the aim of WCC in its need to reduce overheads but it believes that the potential sacrifice of such a special and unique facility would be detrimental to community life in the District and should be avoided at all costs to protect the best interests of those we represent.*

*Therefore Council resolves to advise WCC of the terms of this motion and to work with them and representatives of interested community user groups, as appropriate, to find a solution to retain the existing gallery intact, in situ, for its current purpose, on the top floor of Kidderminster Library.*

The Deputy Leader of the Labour Group spoke in support of the motion, expressing his view as to the uniqueness of the venue with regards to its facilities and of the calibre of artists that performed there. Moreover the closure of the venue and the redistribution of the piano and art contained within could be detrimental to both for the visitor and the art. Councillor Martin asserted that the piano, required temperature controlled conditions to maintain its optimum condition. Councillor Martin concluded his speech by suggesting alternate proposals for WCC to save money, all of which he hoped could be considered.

Members spoke in support of the amended motion, noting the cultural deficit to Kidderminster should be Gallery facility be closed and of the benefits such a facility afforded Wyre Forest residents. Council also noted the meeting rooms that were available at the venue, both of which they felt were excellent.

A request for a named vote was moved and seconded, but upon a vote this was lost.

Upon a vote the motion was carried.

**Decision: Council resolves to advise Worcestershire County Council of the terms of this motion and to work with them and representatives of interested community user groups, as appropriate, to find a solution to retain the existing gallery intact, in situ, for its current purpose, on the top floor of Kidderminster Library.**

## **C.29**

### **Urgent Motions Submitted Under Standing Orders**

The following notice of motion was received under standing orders. Copies of which had been emailed to Members on Monday, and a copy of the motion was furnished to Members prior to the commencement of the meeting.

## **Emergency Motion to Wyre Forest District Council from the Conservative Group**

*In light of the recent announcement by the Worcestershire NHS Acute Trust in respect of the Joint Services Review commencing throughout Worcestershire on Acute Services:*

- 1. Council acknowledges and understands the necessity for such a review to take place.*
- 2. Council notes and understands that the NHS must make efficiency savings nationally of £20 billion over the next four years. It also notes that the portion of efficiency savings that need to be made in the Worcestershire Health economy is £200 million.*
- 3. Council notes that the Quality, Innovation, Productivity and Prevention (QIPP) Programme is in place to ensure that the funding gap between expected funding and expected demand can be addressed.*
- 4. Council notes that of the £200 million within Worcestershire, some £50 million of efficiency savings need to be made directly by the Acute Hospitals Trust.*
- 5. Council notes and endorses that much more focus should be given to prevention and care within the community thus doing everything to prevent the necessity of patients and service users having to use acute hospitals in the first instance.*
- 6. Council notes that the clinicians whom have worked up the models, submit that continuing with either Model A or moving to Model B would not offer high quality clinical care in the long term.*
- 7. Council resolves that Model F is not an acceptable option for the residents of the Wyre Forest and that it would not deliver quality local services for the communities we serve.*
- 8. Council resolves that Model C, D and E are worthy of further exploration, but any such final model which is adopted should include the retention of acute hospital services within the Kidderminster Site.*
- 9. Council resists in its entirety, the overall withdrawal or downgrading of acute services at the Kidderminster site and feels strongly that having had a significant withdrawal and downgrading of services from its Kidderminster site under a previous review, that this time focus should be placed upon the other two acute sites.*
- 10. Council believes that the communities of Wyre Forest deserve quality local health provision delivered at the heart of our communities.*
- 11. Council directs the Chief Executive to communicate the content of this motion to the Chief Executive of the Worcestershire Acute NHS Trust, Mark Garnier MP and Worcestershire County*

*Council to ask for their support in delivering this.*

The Deputy Leader introduced and spoke in support of the motion, explaining in detail the rationale behind the proposal, focussing on the need to ensure that there was good quality health care provision in Wyre Forest and ensuring that there was no down grading of services at Kidderminster Hospital.

During debate Members spoke of their concerns regarding this matter, in particular the possibility of services being downgraded or removed, and of the need for health care to be delivered locally,

An amendment to the substantive Motion was proposed and seconded. This was in regards to point 8, asking for the removal of support for Model 'E' as it was felt that this proposal was not in the best interests of Kidderminster. Moreover it was felt that a rigorous and open review of Health Care and Primary Care Trust (PCT) expenditure should be carried out in advance of any changes to service provision.

This amendment to the Motion was accepted.

The Leader of the Labour Group proposed an amendment to the substantive Motion, asking that there was a deletion of points 1, 2, 3, 4 and 6 of the motion. Further that 9 should be amended so that the wording after Kidderminster Site be deleted, and the figure of £20 billion overspend was not accepted.

The Deputy Leader of the Labour Party seconded and spoke in support of the amendment

Further debate ensued and Members spoke at length both against and in support of the amendment to the motion.

Upon a vote the amendment to the motion was lost.

Members then moved to debate the substantive motion. A robust debate ensued and Members discussed in detail their concerns regarding an changes to the level of hospital provision in Kidderminster and the impact that might have on users.

A named vote was moved and seconded. The following Councillors voted in favour of the substantive motion, Aston, Ballinger, Bishop, Brewer, Campion, Clee, Davies, Desmond, H Dyke, P Dyke, Gale, glass, Godwin, Greener, Hardiman, Harrison, J Hart, Hayward, Hingley, Ingham, Oborski, Parish, Phillips, Price, Rayner, Rogers, Sheppard, Thomas, Williams and Yarranton. The following Councillors abstained; Higgs, Kelly, Knowles, Martin, McFarland, Nicholls, Sewell and Shaw.

**Decision:**

- 1. That point 8 of the motion be amended to withdraw 'E' and propose that only Model C and D are worthy of further exploration.**

2. **That the Chief Executive writes of behalf of the Council to the Chief Executive of the Worcestershire Acute NHS Trust, Mark Garnier MP and Worcestershire County council to ask for their support in delivering this.**

**C.30 Review of Polling Stations**

This item was withdrawn.

**C.31 Policy And Budget Framework - Recommendation from the Cabinet meeting of 19<sup>th</sup> June 2012**

**South Kidderminster Enterprise Park- Local Development Order**

The Council considered a report on the results of the public consultation on the draft Local Development Order. The Cabinet Member for Place-Shaping outlined the content of the report and benefits of Kidderminster Enterprise - Local Development Order (LDO) for Wyre Forest. Members spoke in support of the proposal and hoped that it would make a significant difference for the District.

**Decision: The South Kidderminster Local Development Order (as attached at Appendix 2 of the report to Cabinet) be approved for submission to the Secretary of State.**

**Wyre Forest District Local Development Framework**

The Council considered a report on the Site Allocations and Policies and Kidderminster Central Action Plan (KCAAP) Development Plan Documents and their accompanying Sustainability Appraisal for pre-submission publication and submission to the Secretary of State.

The Cabinet Member for Place-Shaping outline the background and history of the Local Development Framework, acknowledging the contribution of Scrutiny to the process.

Debate ensued and Members considered the merits of the Framework, however the issue of the sites for Travellers and Gypsy were commented upon within the debate.

**Decision:**

1. **The Site Allocations and Policies Development Plan Document (attached at Appendix 1 to the report to Cabinet), be approved for pre-submission publication and subsequent submission to the Secretary of State in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.**
2. **The Kidderminster Central Area Action Plan Development Plan Document (attached at Appendix 2 to the report to Cabinet) be approved for pre-submission publication and subsequent submission to the Secretary of State in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.**

- 3. The Sustainability Appraisal Reports (attached at Appendix 4 to the report to Cabinet) be approved for publication and submission to the Secretary of State alongside the Development Plan Documents.**
- 4. That authority to make any necessary changes to the Development Plan Documents prior to or resulting from pre-submission publication be delegated to the Director of Economic Prosperity & Place in consultation with the Cabinet Member for Place Shaping.**
- 5. That the Director of Economic Prosperity and Place be given delegated authority to determine the final format and presentation of the Development Plan Documents.**

## **C.32**

### **Corporate Governance**

A report was considered from the Director of Community Assets and Localism on Corporate Governance. The purpose of the report was to advise Council of the adoption of a new Code of Conduct and the resulting procedure for the Investigation of Complaints, the appointment of Statutory Independent Persons, and to approve the rules for the Police and Crime Panel, a new joint committee.

Councillor Gale left the meeting at 20:10, returning at 20:13.

The Cabinet Member for Resources and Transformation explained the purpose of the report in particular the necessity to record Discloseable pecuniary interests (DPI's) and the Member training that was pertinent for this, and the appointment of a pool of Independent Persons. An amendment to the recommendations was proposed as follows

*To add to recommendation 2.1 of the report to Council, 'and delegate to the Monitoring Officer in consultation with Group Leaders the finalisation of the format for Declarations of Interest, the procedure for the investigation of complaints and the code of Conduct.*

In response to queries regarding wording on the declaration it was suggested that it was more appropriate that it was discussed at the next meeting of Group Leaders.

Members were advised that the appointment of co-opted independent Members to the Police and Crime panel was a statutory requirement.

In conclusion Members were informed that the selection of Independent Persons for the Standards Committee would be undertaken by the monitoring Officer and the Head of Legal for Worcestershire County Council, with the nominations coming to Council in September for appointment.

### **Decision:**

- 1. The Corporate Governance updates contained with the report including the draft Code of Member Conduct (including**

**co-opted Members) and the resulting procedure for the Investigation of Complaints be adopted and delegate to the Monitoring Officer in consultation with Group Leaders the finalisation of the format for Declarations of Interest, the procedure for the investigation of complaints and the code of Conduct.**

- 2. The Statutory Independent Persons required under the new legislation are appointed jointly with the County council and other District (excluding Redditch and Bromsgrove) be agreed.**
- 3. The rules for the Police and Crime Panel as a new joint committee be approved.**
- 4. The minor constitutional updates relating to the apportionment of the member allowances and political balance be approved.**
- 5. The making of all consequential amendments to the constitution be approved.**
- 6. The appointment of Joanne Wagstaffe as the Director of Resources who took up the Section 151 role from 11 June 2012 be noted.**

Councillor H Dyke, Councillor P Dyke, Councillor Ingham and Councillor Knowles left the meeting. Councillor Knowles and Councillor Ingham subsequently rejoined the meeting during the debate. (20:22 and 20:24 respectively).

### **C.33**

#### **Community Housing Group Governance Review**

A report was considered from the Director of Economic Prosperity & Place which asks the Council to consider the constitutional changes proposed to the Community Housing Group (CHG) arising from their governance review.

The Leader of the Council introduced the report advising Members the revised governance structures for Community Housing Group (CHG) were due in part to the growth of the organisation and whilst complex, the proposed governance structure was based on best practice. Members were advised that the proposal was supported subject to two amendments as detailed below, copies of which were moved and seconded and tabled at the meeting.

*That Council supports the proposed Community Housing Group governance changes and the new structure for the Board and Committee to meet the National Federation's Code 'Excellence in Governance' subject to the following;*

- 1. That the details of the constitution of the Tenants Services Committee and the process of appointment of tenant representatives to that Committee be developed and agreed with the District council through a scrutiny process determined by the council's overview and Scrutiny Committee.*

- 2. That a Community Member position be moved from the Property Services Committee, where two such positions are proposed, to the Vestia Community Trust, thus leaving one Community Member position on the Property Services Committee.*

A lengthy debate then ensued on the complexity and ambiguity of the governance structure with Members feeling that proposals were unclear, overly technical and confusing. Moreover the proposed structure did not allow for sufficient community or Member involvement.

In response to a Members question regarding the role of the Chief Executive in paragraph 4.6.2, Members were advised the proposal allowed for the avoidance of calling special meetings of Council to make appointments to CHG as the appoints to CHG did not coincide with appointments made at Annual Council.

At the conclusion of the debate Members were reminded that that the new arrangements would come into effect in September 2012 and ensured that CHG remained fully compliant with the National federation Code to the satisfaction of the Homes and Communities Agency (HCA). Moreover that if the governance proposals were not accepted, the reasons needed to be clearly articulated so that CHG could report to the HCA the council's concerns.

A request for a named vote was moved and seconded, but upon a vote this was lost.

## **Decision**

- 1. That the details of the constitution of the Tenants Services Committee and the process of appointment of tenant representatives to that Committee be developed and agreed with the District council through a scrutiny process determined by the Council's Overview and Scrutiny Committee.**
- 2. That a Community Member position be moved from the Property Services Committee, where two such positions are proposed, to the Vestia Community Trust, thus leaving one Community Member position on the Property Services Committee.**
- 3. To delegate to the Chief Executive in consultation with the Group Leaders, the nomination of three Members to be appointed to the community Housing Group Membership and up to six other Members to be proposed for the Community Membership Roles.**
- 4. To delegate to the Director of Community Assets and Localism the preparation of a Memorandum of Understanding with the Community Housing Group setting out the Council's operational requirements as set out in paragraph 4.6 of the**



**report to Council.**

**There being no further business the meeting ended at 20.55**

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL MEETING**  
**26<sup>TH</sup> SEPTEMBER 2012**

**QUESTION TO COUNCIL**

**1. Question from Councillor Nigel Knowles to the Cabinet Member for Environmental Services, Councillor Marcus Hart**

**I have had complaints about scrap metal collectors playing loud music and circling estates and elsewhere. Can we please:**

- 1. Check they are bona fida registered/licensed to trade, and**
- 2. Where are the scrap metal yards in Wyre Forest that the collectors take the metal to and are they registered?**

**CHAIRMAN'S FUNCTIONS**

**2012/13**

**June 2012**

Friday 22 <sup>nd</sup> @ 7.30pm	Classical Music Society, Kidderminster Library
Saturday 23 <sup>rd</sup> @ 12.15pm	Kidderminster Carnival
Sunday 24 <sup>th</sup> @ 12.00	Worcs Army Cadet Force League Annual Lunch
Monday 25 <sup>th</sup> @ 10.30am	Flag Flying Ceremony for Armed Forces
Tuesday 26 <sup>th</sup> @ 8.00am	Breakfast Event, The Academy at Kidderminster*
Tuesday 26 <sup>th</sup> @ 12.00 noon	Heightington Village Hall Summer Lunch
Tuesday 26 <sup>th</sup> @ 1.30pm	Visit by Duke of York to Thomas Vale Construction
Tuesday 26 <sup>th</sup> @ 1.45pm	Citizenship Ceremony, WCC*
Wednesday 27 <sup>th</sup> @ 11.00am	Homecoming/Freedom Parade for The Mercian Regiment and The Queen's Royal Hussars, Worcester
Wednesday 27 <sup>th</sup> @ 2.30pm	Burying the Time Capsule at new HQ
Wednesday 27 <sup>th</sup> @ 6.30pm	Art and Design Exhibition, Worcester Sixth Form College
Friday 29 <sup>th</sup> @ 7.30pm	Stourport Mayor's Civic Reception, Civic Hall

**July 2012**

Sunday 1 <sup>st</sup> @ 3.00pm	Bromsgrove District Council Civic Service
Wednesday 4 <sup>th</sup> @ 5.45pm	Painters Solicitors Summer Reception, Harvington Hall
Thursday 5 <sup>th</sup> @ 1.00pm	Under Fives Fun Day, Brinton Park
Saturday 7 <sup>th</sup> @ 10.00am	Islamic College Graduation Ceremony, Shenstone
Saturday 7 <sup>th</sup> @ 7.30pm	Wyre Forest Symphony Orchestra
Monday 9 <sup>th</sup> @ 9.30am	Visit by Albanian Mayors
Wednesday 11 <sup>th</sup> @ 12.00 noon	Royal Visit - Lunch at Guildhall, Worcester
Wednesday 11 <sup>th</sup> @ 3.30pm	Afternoon Tea, Worcester Guildhall
Wednesday 11 <sup>th</sup> @ 7.30pm	The League of Friends of the Kidderminster Hospitals AGM, Kidderminster Hospital
Saturday 14 <sup>th</sup> @ 7.30pm	Kidderminster Choral Society special Celebration Concert for the Queen's Diamond Jubilee
Sunday 15 <sup>th</sup>	Droitwich Civic Service, Sacred Heart Church
Friday 20 <sup>th</sup> @ 6.45pm	Mayor of Worcester Inaugural Banquet
Monday 23 <sup>rd</sup> @ 3.00pm	Funeral of Mr Roy Evans at St Cassians, Chaddesley Corbett
Thursday 26 <sup>th</sup> @ 6.00pm	Parish Chairmen Meeting
Saturday 28 <sup>th</sup> @ 7.00pm	Chaddesley Summer live Music Hall show with a fish 'n chip supper

**August 2012**

Friday 10 <sup>th</sup> @ 11.00am	Official Opening of Kidderminster Farmers Market
-----------------------------------	--

**September 2012**

Wednesday 5 <sup>th</sup> @ 11.00am	Funeral for Rita Taylor, St Peters Church, Rock Hill, Bromsgrove
Friday 7 <sup>th</sup> @ 2.30pm	Memorial Service for Michael Brinton, Worcester Cathedral**

\* Denotes attendance by the Vice Chairman

\*\* Denotes attendance by Past Chairman

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL**  
**26<sup>th</sup> SEPTEMBER 2012**

**Review of Polling Places**

<b>OPEN</b>	
<b>SUSTAINABLE COMMUNITY STRATEGY THEME:</b>	
<b>CORPORATE PLAN PRIORITY:</b>	Delivering Together, with Less
<b>CABINET MEMBER:</b>	Councillor N J Desmond
<b>DIRECTOR:</b>	Director of Community Assets and Localism
<b>CONTACT OFFICER:</b>	Penny Williams, Ext 2728 penelope.williams@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix A – Consultation Document Appendix B – Consultation Responses  <i>Appendix A of this report has been circulated electronically and a public inspection copy is available for inspection.</i>

**1. PURPOSE OF REPORT**

- 1.1 To recommend changes following the review of polling places within Wyre Forest.

**2. RECOMMENDATION**

**Council is recommended**

- 2.1 To consider the responses to the consultation: and**

- 2.2 To decide that the changes to the polling places as set out in paragraph 4.2 be made.**

**3. BACKGROUND**

- 3.1 The Electoral Administration Act 2006 introduced a duty on all local authorities in Great Britain to review their polling districts and polling places once every four years. The last such review in Wyre Forest was undertaken in 2011/12 and the results were agreed by Council on 29<sup>th</sup> February 2012. Copies of the reports can be found on the Council's website.

- 3.2 A further review was necessary following the elections in May 2012 as it was identified that two locations were no longer suitable. Consultation with key stakeholders and the public commenced on 17<sup>th</sup> July 2012 and concluded on 31<sup>st</sup> August 2012. A copy of the consultation document is attached as Appendix A.

3.4 Letters and emails have been received from:

- The Acting Returning Officer for the Wyre Forest Parliamentary Constituency supports the need to relocate the two polling places and the proposed alternative locations.
- Councillor I Hardiman supporting the proposals.
- The Wyre Forest Conservative Association supporting the proposals.
- Councillor M Hart, County Councillor for St John's division supporting the proposal for the polling place for HA-A1, HA-A2, HA-C to be the Council Offices, Bewdley Road, Kidderminster.
- Mr M Parker (private individual), detailing his concern regarding the polling place being at the Council Offices, Bewdley Road, and the impact that this may have on parking at Wyre Forest School, Bewdley Road, in particular that there is limited parking.
- Mr P Lloyd, Chairman of Habberley Partners and Communities Together (PACT), explaining that he saw no reason for the move of the polling place from St John's primary school, in particular that the majority of residents live on the Habberley Estate, and the move would be inconvenient both for those people driving and those that walked to the polling station.
- Councillor M Rayner replied to ask for stability in location of polling stations, because of concern about impact on turnout. However she understands the need to relocate the polling station in Broadwaters.
- Councillor V Higgs wrote about the polling station at Stourport Primary School. She raises concerns about distance for some elderly voters, and asks for a reminder to be given about postal votes.
- Stourport Town Council had no comments that they wished to make on the review.
- Chaddesley Corbett Parish Council had no comments to make on the consultation.

Full copies of the comments received during the consultation are attached as Appendix B.

**4. KEY ISSUES**

- 4.1 Detailed below is a summary of the changes that are now proposed following the formal consultation process. The majority of responses which comment on the specific proposals support the changes.
- 4.2 While two responses have been received questioning the relocation of the polling place currently at St John's primary school, it should be noted that the recommended new location was used at short notice as a polling station in May 2011 (for part of the Sutton Park ward) and no difficulties with respect to parking were reported. The physical geography of the Habberley and Blakebrook ward and the location of potentially suitable polling places within it mean that there will always be some voters who have to travel a considerable way if walking to a polling station – this is true of the current position e.g. electors at the top of Bewdley Hill vote at St John's primary school. Many

electors on the Habberley estate vote at the Church Hall on Canterbury Road and will not be affected by these proposals. It is proposed to proceed as set out in the consultation paper. Both venues are content to be used as polling places.

<b>Polling District Ref</b>	<b>Current Polling Place</b>	<b>Recommended Change</b>
BR-D	Sure Start Centre Radford Avenue Kidderminster	St George's Social Club Radford Avenue Kidderminster
HA-A1 HA-A2 HA-C	St John's Primary School Blakebrook Kidderminster	Council Offices Bewdley Road Kidderminster

- 4.3 In respect of Councillor Higgs' comments on Stourport Primary School, it simply is not possible to locate polling stations so that they are near all elderly voters. Campaigns are run before each election to remind electors that postal votes are available on demand. Neither Stourport Town Council nor ward members for Mitton have raised concerns as part of the consultation, and therefore no change is proposed.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The recommended changes are not likely to result in the overall cost of room hire costs for polling stations increasing.

## **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Section 18B(4)(e) of the Representation of People Act 1983 states the polling place for a polling district must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.
- 6.2 A polling district is a geographical area created by the sub division of a constituency, ward or division into smaller parts.
- 6.3 The Electoral Commission uses the following definitions:
- A polling place is defined as the building or area in which a polling station will be selected by the (Acting) Returning Officer.
  - A polling station is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the (Acting) Returning Officer for the election.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 The recommendations will enable the Council to meet its requirements under the Equality Act 2010 by ensuring that access to polling stations meets the needs of all electors.

**8. RISK MANAGEMENT**

- 8.1 There are no significant risk management issues identified with this report.

**9. CONCLUSION**

- 9.1 The Council has undertaken comprehensive consultation with key stakeholders and the public, including consideration at the meeting with Group Leaders on 10<sup>th</sup> July 2012 and 4<sup>th</sup> September 2012.

**10. CONSULTEES**

- 10.1 The Public, Elected Members, Parish Councils, Political parties, The Acting Returning Officer, and Group Leaders.

**11. BACKGROUND PAPERS**

- 11.1 The Electoral Administration Act 2000.

# REVIEW OF POLLING PLACES IN THE DISTRICT OF WYRE FOREST

## July 2012

### Executive Summary

This consultation paper sets out proposals for some changes to the pattern of polling places in the district of Wyre Forest for use at elections in November 2012 onwards. The proposed changes are:

Polling District Ref	Current polling place	Proposed polling place
BR-D	Sure Start Centre Radford Avenue Kidderminster	St George's Social Club Radford Avenue Kidderminster
HA-A1 HA-A2 HA-C	St John's Primary School Blakebrook Kidderminster	Council Offices Bewdley Road Kidderminster

Your responses are sought by **5pm on Friday 31<sup>st</sup> August 2012** – the details of where to send your comments are in paragraph 18.

### Background

1. The Electoral Administration Act 2006 requires all local authorities to review their polling districts and polling places at least once every four years. The last such review in Wyre Forest was undertaken in 2011/12 and the results were agreed by Council on 29<sup>th</sup> February 2012. Copies of the report and the decision can be found at [http://www.wyreforest.gov.uk/council/docs/doc45830\\_20120229\\_council\\_agenda.p  
df](http://www.wyreforest.gov.uk/council/docs/doc45830_20120229_council_agenda.pdf)  
[http://www.wyreforest.gov.uk/council/docs/doc46604\\_20120523\\_council\\_agenda.p  
df](http://www.wyreforest.gov.uk/council/docs/doc46604_20120523_council_agenda.p<br/>df)
2. A review of the polling places within the district offers an opportunity to examine options to rationalise and reduce costs without making the process of voting unduly difficult for the electorate. It can also take account of known future changes, for example in terms of buildings that will cease to be capable of being used as polling stations in the near future and more suitable buildings that are, or are due, to become available. No proposals are made in this review to alter polling districts: the only changes proposed are to polling places.

### Definition of terms

3. A polling district is a geographical area created by the sub division of a constituency, ward or division into smaller parts.
4. Section 18B(4)(e) of the Representation of People Act 1983 states that the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.
5. The Electoral Commission uses the following definitions:



- A polling place is defined as the building or area in which a polling station will be selected by the (Acting) Returning Officer.
- A polling station is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the (Acting) Returning Officer for the election.

### **Requirements of the review**

6. It is a requirement of the review to ensure that all electors in the constituency have such reasonable facilities for voting that are practical in the circumstances.
7. It is necessary to ensure that as far as reasonable and practicable, the polling places are accessible to all electors, including those who are disabled, and when considering the designation of a polling place to have regards to the accessibility needs of disabled persons.
8. Polling places should be within the polling district unless special circumstances make it desirable to designate an area outside the polling district.
9. In conducting the review the Council must:
  - Publish a notice that the review is being held.
  - Consult the (Acting) Returning Officer.
  - The (Acting) Returning Officer must make representation to the authority and must include information as to the location of polling stations (existing or proposed) within the polling places.
  - The Council must publish the (Acting) Returning Officer's representations within 30 calendar days of receipt.
  - The Council must seek representation from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
  - Ensure that any elector in the area may make representations.
  - Representations may be made by any person in connection with the review including proposals for specified alternative polling places.
  - Publish the findings of the review including reasons.
10. The legislation requires that consultation is undertaken. This includes:
  - A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency, which then must be published by the local authority.
  - Any submissions from electors and other persons and bodies, including those with expertise in relation to premises and facilities for disabled persons.
11. The (Acting) Returning Officer must comment during the review of polling districts and polling stations. The Election rules require the (Acting) Returning Officer to decide how many polling stations are required for each polling place and to allocate electors to the polling stations in such a manner as he thinks most convenient. (Rule 25 Schedule 1 RPA 1983) The location, size and layout of any polling place/station must be a key consideration when deciding on the number of electors to be allocated to a polling station.

## Review of arrangements made for 2012

12. Appendix B gives an analysis of the current elector numbers including cost per elector at each polling station that was used during the District elections in May 2012.
13. A breakdown of all costs is shown in Appendix B.
14. Compared with past district/parish elections, turnout fell in 2012.

Turnout %	2006	2007	2008	2011	2012
<b>Aggborough and Spennells</b>	36	38	35	43	31
<b>Areley Kings</b>	37	41	41	43	33
<b>Bewdley and Arley</b>	42	39	41	47	34
<b>Blakedown and Chaddesley</b>	47	0	0	49	0
<b>Broadwaters</b>	32	38	30	35	27
<b>Cookley</b>	0	48	0	47	0
<b>Franche</b>	41	40	38	43	31
<b>Greenhill</b>	32	31	30	35	25
<b>Habberley and Blakebrook</b>	42	40	40	45	34
<b>Lickhill</b>	36	36	34	39	29
<b>Mitton</b>	35	35	34	38	28
<b>Offmore and Comberton</b>	43	38	37	42	32
<b>Oldington and Foley Park</b>	31	0	28	0	22
<b>Rock</b>	0	0	48	0	34
<b>Sutton Park</b>	34	35	34	36	26
<b>Wolverley</b>	0	52	0	50	0
<b>Wribbenhall</b>	38	0	39	0	31

## Comments received and issues emerging since May 2012

16. Comments have been received about a number of polling stations and other issues have emerged. Generally these have been positive but the following issues need to be addressed:
  - The Sure Start Centre at Radford Avenue is closing and will no longer be available.
  - St John's Primary School will not be suitable for future elections due to restrictions on vehicular access at certain times.

## The review and where to send your comments

17. Appendix A contains the proposals for changes that are now being made in this review. Comments are sought from local electors and interested organisations about these proposals.
18. **Comments should be sent to arrive no later than 5pm on Friday 31<sup>st</sup> August 2012** as follows:

By email to: [electoral@wyreforestdc.gov.uk](mailto:electoral@wyreforestdc.gov.uk)

Or by post to:

Electoral Registration Office  
Wyre Forest District Council  
Civic Centre  
Stourport-on-Severn  
Worcestershire  
DY13 8UJ

July 2012

**Aggborough and Spennells Ward**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
AG/A (GR/E)	Kidderminster Harriers Social Club, Stadium Close, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
AG/B	Spennells Youth Centre Warbler Place, Off Heronswood Road, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

**Areley Kings**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
AK/A AK/C	Areley Kings Village Hall Areley Kings	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
AK/B	Walshes Community Centre, Linden Avenue, Stourport	The future of the Walshes Community Centre is under review, including the possibility that it will be run by the community.	No change. However this will be reviewed once the future of the centre is decided by the Community Housing Group.	This is a suitable venue at present.

### Bewdley and Arley

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
BE/A BE/C	Riverside Elim church, Bewdley	Suitable venue, with reasonable access and good parking.	No change	Most suitable venue. One complaint received in 2012 about location of tellers.
BE/B	St Anne's CE Primary School, Wyre Hill Bewdley	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
BE/E	Pound Green and Button Oak Community Hall, Pound Green	Suitable venue, with good access and parking. Pound Green is remote from the next nearest polling place reachable by road (>3 miles) and therefore ceasing to provide the polling place is not considered reasonable at present.	No change	Most suitable venue. No complaints have been received.
BE/F BE/D	Village Hall, Shatterford	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

### Blakedown and Chaddesley

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
BL/A BL/B BL/C	Blakedown Parish Room, Belbroughton Road, Blakedown	Suitable venue, with good access and parking.	No change	Most suitable venue.
BL/D BL/E BL/F BL/G BL/H	Chaddesley Corbett Village Hall, Bromsgrove Road, Chaddesley Corbett	Suitable venue, with good access and parking.	No change	Most suitable venue.

**Broadwaters**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
BR/A	The Salvation Army Centre, Jerusalem Walk Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
BR/B	St Oswald's School Sure Start Centre Sion Avenue Kidderminster	Suitable venue, with good access and on street parking.	No change	Most suitable venue. No complaints have been received.
BR/C	St Oswald's Church Centre, Broadwaters Drive, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
BR/D	Sure Start Centre, Radford Avenue, Kidderminster	This venue is now closing and will not be available for the elections in November 2012 and beyond.	St George's Centre Radford Avenue Kidderminster be designated as the polling place.	A new venue is required.

**Cookley**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
CO/A	Cookley Village Hall Lea Lane Cookley	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

### Franche

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
FR/A	Franche Community Church Chestnut Grove, Franche	Suitable venue, with reasonable access and parking.	No change	Most suitable venue. No complaints have been received.
FR/B	St Barnabas Community Hall, Wolverley Road, Kidderminster	Suitable venue, with reasonable access and parking.	No change	Most suitable venue. No complaints have been received.
FR/C	Kidderminster Carolians Rugby Football Club, Marlpool Lane, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

### Greenhill

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
GR/A1 GR/A2	St John's Ambulance Birmingham Road Kidderminster	Suitable venue, with good access and some parking.	No change	Most suitable venue. No complaints have been received.
GR/C1 GR/C2 GR/B	Fred Bennett Community Centre, George Street, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
GR/D1 GR/D2	Milton Hall Baptist Church, Lorne Street, Kidderminster	Suitable venue with on street parking.	No change	Most suitable venue in the locality with no viable alternatives available.
GR/E (AG/A)	Kidderminster Harriers Social Club, Stadium Close, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

### Habberley and Blakebrook

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
HA/A1 HA/A2 HA/C	St Johns CE Primary School, Blakebrook, Kidderminster	Vehicular access to the site is not possible before 9am and from 2pm to 6pm. A new polling place should be designated.	Council Offices, Bewdley Road, Kidderminster be designated as the polling place.	An alternative venue is required which allows vehicular access and parking.
HA/B1 HA/B2	Habberley Church Hall, Canterbury Road, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

### Lickhill

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
LI/A	Scout Headquarters Lickhill Road Stourport	Suitable venue, with good access and limited parking.	No change	Most suitable venue. No complaints have been received.
LI/B	Stourport Community Centre, Lickhill Road, Stourport	This is a suitable venue with good access and parking.	No change	Most suitable venue. No complaints have been received.
LI/C LI/D	Stourport Youth Centre, Windermere Way, Stourport	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.



**Mitton**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
MI/A MI/D	Stourport Primary School Park Road Stourport	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
MI/B	Old Rose and Crown, Worcester Road, Stourport	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
MI/C	Wilden Lane Village Hall, Wilden Lane, Stourport	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

**Offmore and Comberton**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
OF/A OF/C	St Chad's Church Hall, Comberton, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
OF/B	Offmore Community Centre, Grays Close, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

**Oldington and Foley Park**

<b>PD Letter</b>	<b>Polling Place</b>	<b>Issue, Options and Considerations</b>	<b>Proposal</b>	<b>Reasons</b>
OL/A1	The Y Centre, Dowles Road Kidderminster	The relatively poor turnout means that this polling station is not as cost effective as others in urban areas.	No change	Most suitable venue. No complaints have been received.
OL/A2	Holy Innocents Community Centre, Sutton Park Road, Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

OL/B	St Peter's Church Hall, Birchen Coppice Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
------	---	--	-----------	---

**Rock**

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
RO/A RO/C	Rock Village Hall, Porchbrook Road, Rock	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
RO/B	Far Forest Village Hall, Cleobury Road, Far Forest	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

**Sutton Park**

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
SP/A1 SP/A2  SP/B1 SP/B2	Evangelical Church Greatfield Road Kidderminster	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.
SP/C1 SP/C2 (OL/A2)	Holy Innocents Community Centre	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

**Wolverley**

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
WO/A	Wolverley Memorial Hall, Wolverley.	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

**Wribbenhall**

PD Letter	Polling Place	Issue, Options and Considerations	Proposal	Reasons
WR/A WR/B WR/C WR/D	Wribbenhall Parish Rooms, Kidderminster Road Bewdley	Suitable venue, with good access and parking.	No change	Most suitable venue. No complaints have been received.

## Appendix B

Polling Station	Register	Eligible Electorate Totals	Number of votes at polling station	Expressed as %	Polling Station costs	Staff costs	Cost per elector	Cost per vote @ polling station
St Anne's Primary School	BE/B	2178	544	25%	£100.00	£505.5	£0.28	£1.11
Elim Church Bewdley	BE/A BE/C	2629	626	24%	£200.00	£505.5	£0.27	£1.13
Holy Innocents Community Centre	(OL/A2) SP/C1,C2	2852	640	22%	£362.00	£867.2	£0.43	£1.92
Fred Bennett Community Centre	GR/B GR/C1 GR/C2	1784	293	16%	£900.00	£505.5	£0.79	£4.80
St Johns Primary School	HA/A1 HA/A2 HA/C	3457	756	22%	£250.00	£867.2	£0.32	£1.48
Carolians Rugby Football Club	FR/C	2384	508	21%	£180.00	£505.5	£0.29	£1.35
Harriers Social Club	AG/A GR/E	2363	483	20%	£120.00	£867.2	£0.42	£2.04
St Chad's Church Hall	OF/A OF/C	3243	705	22%	£170.00	£723.4	£0.28	£1.27
Habberley Church Hall	HA/B1 HA/B2	1758	457	26%	£173.00	£505.5	£0.39	£1.48
Evangelical Church Greatfield Road	SP/A1 A2 B1 B2	3739	548	15%	£250.00	£867.2	£0.30	£2.04
Milton Hall Baptist Church	GR/D1 GR/D2	1170	188	16%	£250.00	£361.7	£0.52	£3.25
Sure Start Centre	BR/D	1281	294	23%	£106.00	£361.7	£0.37	£1.59
St Oswald's Church Centre	BR/C	1810	413	23%	£200.00	£505.5	£0.39	£1.71
St Barnabas Community Hall	FR/B	1341	312	23%	£150.00	£361.7	£0.38	£1.64
St John's Ambulance	GRA/1 GRA/2	2435	503	21%	£240.00	£505.5	£0.31	£1.48
Franch Community Church	FR/A	1806	432	24%	£200.00	£505.5	£0.39	£1.63
Spennells Youth Centre	AG/B	3249	852	26%	£167.04	£1,011.0	£0.36	£1.38
Salvation Army Centre	BR/A	1326	198	15%	£160.00	£361.7	£0.39	£2.63
Offmore Community Centre	OF/B	2189	511	23%	£70.35	£505.5	£0.26	£1.13
St Oswald's School - Sure Start Centre	BR/B	1561	312	20%	£140.00	£361.7	£0.32	£1.61
Pound Green & Button Oak Community Hall	BE/E	215	59	27%	£130.00	£361.7	£2.29	£8.33
Shatterford Village Hall	BE/D BE/F	377	87	23%	£50.00	£361.7	£1.09	£4.73
Scout Headquarters	LI/A	1779	350	20%	£215.00	£361.7	£0.32	£1.65
Stourport Community Centre	LI/B	722	167	23%	£151.60	£361.7	£0.71	£3.07
Stourport Youth Centre	LI/C LI/D	2991	573	19%	£192.14	£867.2	£0.35	£1.85

Stourport Primary School	MI/A MI/D	3605	694	19%	£160.00	£723.4	£0.25	£1.27
Walshes Community Centre	AK/B	2036	457	22%	£50.00	£505.5	£0.27	£1.22
The Old Rose & Crown	MI/B	1725	345	20%	£1,000.00	£361.7	£0.79	£3.95
Wilden Village Hall	MI/C	624	93	15%	£250.00	£361.7	£0.98	£6.58
The Y Centre	OL/A1	1317	122	9%	£300.00	£361.7	£0.50	£5.42
St Peter's Church Hall	OL/B	1631	246	15%	£200.00	£361.7	£0.34	£2.28
Rock Village Hall	RO/A RO/C	916	251	27%	£160.00	£361.7	£0.57	£2.08
Wribbenhall Parish Rooms	WR/A WR/B WR/C WR/D	4046	843	21%	£100.00	£1,011.0	£0.27	£1.32
Far Forest Village Hall	RO/B	1108	262	24%	£176.00	£361.7	£0.49	£2.05
Areley Kings Village Hall	AK/A AK/C	2696	749	28%	£195.00	£505.5	£0.26	£0.94

Total 70343 14873 £7,718.13 £12,560.8

Average Cost £220.52 £0.48 £2.38  
Median £176.00 £0.37 £1.65

Highest Cost per vote = £8.33  
Lowest cost per vote = £0.94

\* Postal votes have not been used in these calculations.



# Conservatives

## Wyre Forest Conservatives

Margaret Thatcher House

35 Mill Street,

Kidderminster

DY11 6XB

t 01562 823820

f 01562 862231

e [office@wyreforestconservatives.com](mailto:office@wyreforestconservatives.com)

w [www.wyreforestconservatives.com](http://www.wyreforestconservatives.com)

w [www.markgarnier.co.uk](http://www.markgarnier.co.uk)



**Mark Garnier MP**

*Working for ALL Wyre Forest on EVERY issue*

Electoral Officer  
Wyre Forest District Council  
Civic Centre  
Stourport on Severn  
Worcs  
DY13 8UJ

25th July 2012

Dear Sir

### Review of Polling Stations in Wyre Forest

As Conservative District Councillor for Habberley and Blakebrook ward, I confirm that I agree to the proposed change in Habberley and Blakebrook ward with particular reference to the new use of the Council Offices, Bewdley Road, Kidderminster.

Yours faithfully

Cllr Ian Hardiman

Rosemary Evans

---

**From:** on behalf of Wyre Forest Electoral  
**To:** Penelope Williams  
**Subject:** FW: Polling Station Review

---

**From:** Wyre Forest Conservatives [mailto:office@wyreforestconservatives.com]  
**Sent:** 20 July 2012 16:24  
**To:** Wyre Forest Electoral  
**Subject:** Polling Station Review

This is to confirm that the Wyre Forest Conservative Association is in agreement with your proposals for the polling station review prior to the PCC elections

Thanks

Gill Onslow

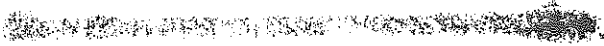
Org Sec

WFCA

01562 823820

[www.wyreforestconservatives.com](http://www.wyreforestconservatives.com)

Shop for Less and Support Wyre Forest Conservative Association. Visit [www.spendandraise.com/wfca](http://www.spendandraise.com/wfca)





Ian Miller  
 Chief Executive & Returning Officer  
 Wyre Forest District Council  
[electoral@wyreforestdc.gov.uk](mailto:electoral@wyreforestdc.gov.uk)

25 July 2012

Dear Returning Officer

**Re: Review of Polling Places in the District of Wyre Forest – July 2012**

I write in my capacity as County Councillor for the St Johns Division and in no other.

Thank you very much for the opportunity to comment as part of the consultation process for the changes to polling places.

I write specifically in respect of the proposed change in respect of polling districts HA-A1, HA-A2 and HA-C, where the current polling station is St Johns Primary School, Blakebrook, Kidderminster and the proposed change is the Council Offices, Bewdley Road, Kidderminster.

I can confirm that I am entirely supportive of this straight 'swap' from the one polling place to the other.

I fully accept that there were difficulties with access in respect of the polling station at the May 2012 District Council elections, particularly because of the operation of the barrier restricting vehicle movements at certain times throughout the day. Furthermore, I fully support the proposition that wherever possible we should move away from using schools as polling stations, to ensure that schools can operate normally on election day without the need for closure. We have already set a precedent in respect of this at Sutton Park Community Primary School, which is no longer being used, for example.

Therefore, I am very pleased to see that Baxter College is not being proposed as a polling station either.

Whilst there were issues with the Council Offices at Bewdley Road, Kidderminster when it was previously used as a polling station, I am reassured that we would be able to use the front of the building, i.e., the registry office and, therefore, there would no longer be any DDA issues and I am entirely satisfied that there is adequate car parking and accessibility for all electors and, most importantly of all, this polling station is within the District Council ward of Habberley and Blakebrook and is indeed in one of the relevant polling districts.

Marcus Hart  
 County Councillor

Electoral Division  
 Kidderminster – St Johns

County Hall  
 Spetchley Road  
 Worcester  
 WR5 2NP

Home  
 3 Mallow Crescent  
 Kidderminster  
 Worcs.  
 DY10 1NL

Tel: 01562 820018

Email: [marcus.hart@wyreforestdc.gov.uk](mailto:marcus.hart@wyreforestdc.gov.uk)



I am exceptionally pleased to see this proposed change and it has my full support.

Yours sincerely

A black rectangular redaction box covers the signature of Marcus Hart.

Marcus Hart  
County Councillor for St Johns

CC: Cllr Nathan Desmond, Cabinet Member for Resources & Transformation  
Cllr Ian Hardiman, District Councillor (Habberley & Blakebrook)

**Penelope Williams**

---

**From:** parker michael [REDACTED]  
**Sent:** 20 August 2012 10:48  
**To:** Wyre Forest Electoral  
**Subject:** Change to polling station - Bewdley Rd Kidd

As a parent governor at Wyre Forest School (formerly Blakebrook School) Bewdley Rd Kidd. I would like to express concern at the option of using the adjoining council offices at this site for the purpose of use as a polling station.

This special school has a large number of transport vehicles dropping off/picking up vulnerable children. The available space is already limited and the parking facility at the rear is almost full every day during term time.

People wishing to vote will most certainly want to drive and park in order to do so. When they see no available parking it is human nature to think " I will only be 5 minutes" so will park just anywhere within school boundary thinking they will not cause any bother.

There are restricted areas around the school which must be kept free of traffic, this will be compromised if this proposal goes ahead.

This disruption may then lead to the school management wanting to close school on polling days in the interest of pupil safety. I do not see why school should close owing to a problem not of their making.

This site is totally unsuitable for this purpose given the lack of available or alternative parking, it's proximity to a busy road and the possible knock-on effects to school.

I would urge a reconsideration of this proposal to a site that does not impact upon Wyre Forest School.

Please note that the above represents a personal view and at present not the view of the school or governing body. However, I will be bringing this matter to their attention in a formal manner.

Regards

Mick Parker

Parent governor Wyre Forest School, Bewdley Rd Kidder.  
[REDACTED]

**Penelope Williams**

---

**From:** Peter Lloyd [REDACTED]  
**Sent:** 21 August 2012 16:38  
**To:** Wyre Forest Electoral  
**Subject:** Polling Station Change Habberley

Personally I see no reason to move especially as no reasons for doing so have been given, explained or made clear.

Merely to state that after many years that the current venue is "unsuitable" is not sufficient especially when so much more money is being ploughed into the site as a whole.

To move the polling station to a remote part of the ward would be very inconvenient to the vast majority of people within the ward especially as the majority of residents live towards the Habberley community housing estate.

To travel by car would mean going along Bewdley Rd, which is very busy most of the day, in both directions.

Alternatively walking to the new venue would also be very inconsiderate to many residents and perhaps stop those very people who have always voted in person, from not doing so in future.

Finally in speaking as the chairman of the local Habberley & Blakebrook PACT, may I point out that no councillor has explained the reasoning to residents through this forum and as a meeting is being held at St Pius's Church on the 30th August it may be reasonable for someone to do so.

I will raise the issue at that meeting but whether you receive any feedback positive or otherwise by your deadline is unclear.

Yours

Peter Lloyd (chairman).  
[REDACTED]

**Penelope Williams**

---

**Subject:** FW: Consultation on polling places

---

**From:** Mary Rayner  
**Sent:** 18 July 2012 09:13  
**To:** Susan Saunders  
**Cc:** Nigel Thomas; Graham Ballinger  
**Subject:** RE: Consultation on polling places

Dear Susan

Many thanks for this. I would like to pass on my comments. I realise that they are making changes to the polling station in Broadwaters as the building is closing. However in the last election we had two polling stations changed and the poll was even smaller. I know that I won the election but in the broader sense I feel the electorate needs to have some stability so that they have a regular polling station.

Kind regards

Mary Rayner

---

**From:** Susan Saunders  
**Sent:** 17 July 2012 16:14  
**To:** Susan Saunders  
**Subject:** Consultation on polling places

Please find attached a consultation paper on The Review of Polling Places on proposed changes to polling places in the district.

Please send your comments by 5pm on Friday 31<sup>st</sup> August, to:  
[electoral@wyreforestdc.gov.uk](mailto:electoral@wyreforestdc.gov.uk)

If you have any queries, please do not hesitate to contact me.

Kind regards

Sue

---

Sue Saunders  
Committee/Scrutiny Officer - Civic Centre  
Community Assets & Localism  
DDI 01562 732733  
EXT 2733

Have you seen our new free online magazine for residents, WyredIn?  
Sign-up to receive it at [www.wyreforestdc.gov.uk/cms/communications/wyred\\_in.aspx](http://www.wyreforestdc.gov.uk/cms/communications/wyred_in.aspx)

Wyre Forest - a Host Community for the London 2012 Olympic Torch Relay.

Please don't print this e-mail unless you really need to.

## Penelope Williams

---

**From:** Susan Saunders  
**Sent:** 24 July 2012 09:41  
**To:** Penelope Williams  
**Subject:** FW: Consultation on polling places

For your attention.

---

**From:** Vi Higgs  
**Sent:** 23 July 2012 16:41  
**To:** Susan Saunders  
**Subject:** RE: Consultation on polling places

Hi Sue,

Please pass on my fears about the distance the elderly people will have to travel from as far away as Mitton to the Stourport Primary school. To say there have been no complaints may be true from the public who, at least the very elderly may not know they have a voice, but I brought this forward to a WFDC meeting. It may have been pooh poohed but it is still a big worry to some.

Yes there is postal voting but some may need a reminder to use it having received it, how can this be done?

Thanks Sue,

Love Vi xx

Ps. Does the WFDC know that the Stourport Youth Centre has now been taken over by the SHS? Will the WFDC still be allowed to hire it on voting days?

---

**From:** Susan Saunders [<mailto:Susan.Saunders@wyreforestdc.gov.uk>]  
**Sent:** 17 July 2012 16:14  
**To:** Susan Saunders  
**Subject:** Consultation on polling places

Please find attached a consultation paper on The Review of Polling Places on proposed changes to polling places in the district.

Please send your comments by 5pm on Friday 31<sup>st</sup> August, to:  
[electoral@wyreforestdc.gov.uk](mailto:electoral@wyreforestdc.gov.uk)

If you have any queries, please do not hesitate to contact me.

---

Kind regards  
 Sue

Sue Saunders  
 Committee/Scrutiny Officer - Civic Centre  
 Community Assets & Localism  
 DDI 01562 732733  
 EXT 2733

Have you seen our new free online magazine for residents, WyredIn?  
 Sign-up to receive it at [www.wyreforestdc.gov.uk/cms/communications/wyred\\_in.aspx](http://www.wyreforestdc.gov.uk/cms/communications/wyred_in.aspx)

Wyre Forest - a Host Community for the London 2012 Olympic Torch Relay.

Please don't print this e-mail unless you really need to.

**Penelope Williams**

---

**From:** Susan Saunders  
**Sent:** 21 August 2012 15:28  
**To:** Penelope Williams  
**Subject:** FW: Consultation on Polling Places

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

For your attention.

Sue

---

**From:** Stourport Town Clerk  
**Sent:** 21 August 2012 15:16  
**To:** Susan Saunders  
**Subject:** Consultation on Polling Places

Dear Sue,

Thank you for your email on the 17<sup>th</sup> July 2012, with enclosures, which received consideration at the Town Council's last meeting on the 7<sup>th</sup> August.

Having noted that the Review does not propose any changes to the Polling Places at Stourport-on-Severn, there are no comments which the Council wishes to make on the Review.

Thank you for consulting with the Town Council.

Kind regards.

Dennis Rook

**Penelope Williams**

---

**From:** Chaddesley Town Clerk  
**Sent:** 31 July 2012 14:38  
**To:** Wyre Forest Electoral  
**Subject:** polling stations

Yvonne Scriven  
Clerk to Chaddesley Corbett Parish Council  
Telephone: 01299 851654

We have no comments to make on the above consultation.

Yvonne

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL**  
**26<sup>th</sup> September 2012**

**Corporate Governance and Constitution**

<b>OPEN</b>	
<b>SUSTAINABLE COMMUNITY STRATEGY THEME:</b>	-
<b>CORPORATE PLAN PRIORITY:</b>	Delivering Together with Less
<b>CABINET MEMBER:</b>	The Leader of the Council
<b>DIRECTOR:</b>	Director of Community Assets & Localism
<b>CONTACT OFFICER:</b>	Caroline Newlands, Ext. 2715 Caroline.newlands@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 – The new Ethical Standards regime for Members: Independent Persons Appendix 2 – Proposed amendments to the pay policy statement.

**1. PURPOSE OF REPORT**

To ask Council to agree updates to the Corporate Governance Policy framework and appoint a panel of 6 Independent persons pursuant to the 2011 Localism Act. To amend the pay policy statement and to agree amendments to the constitution.

**2. RECOMMENDATIONS**

It is recommended that Council:

**2.1 APPOINTS the persons detailed below as “Independent persons “as defined by the Localism Act 2011 for a period of 4 years.**

- David Coulson
- James Hipkiss
- Catherine Mangan
- Raymond Needham
- Fred Noble and
- David Warner.

**2.2 AMENDS the Pay policy as set out in appendix 2 of this report**

**2.3 DELEGATES Decision-making under the Hackney Carriage and Private Hire age criteria Policy of 1997 to officers and the current Wyre Forest District Council scheme of delegation be amended as set out in paragraph 4.9 below; and that the 1997 licensing policy be updated as set out in paragraph 4.7.**



### 3. **BACKGROUND**

- 3.1 Full Council is required to agree to any changes to the Corporate Governance framework including the appointment of Statutory Persons, updates to Council Policy and the Scheme of Delegations. A number of changes are proposed in this report.
- 3.2 A new ethical regime for elected councillors and co-opted members ('members') was introduced on 1 July 2012 requiring all authorities to promote and maintain high standards of conduct by its members (i.e. its elected councillors and voting co-optees). An important part is the new requirement for full Council to appoint 'Independent Persons' in a statutory advisory role in relation to complaints that members have breached their Code of Conduct
- 3.3 The Council's pay policy statement was adopted in February 2012. Due to the impending departure of the head of the shared Economic Development and Regeneration service for North Worcestershire, it is necessary to amend the pay policy statement in order to allow for recruitment of a replacement for this key post at a salary that will attract a suitable field of quality candidates and is in line with the salary currently paid.
- 3.4 Council is required to agree any changes to the Policy framework and Council has long operated age criteria policy for the licensed hackney carriage and private hire vehicle fleet. The policy was reaffirmed in 1997 but in 2007 a new policy on Hackney Carriage and Private Hire vehicle licensing was adopted after the introduction of the Wyre Forest District Council Deregulation Plan. However the 1997 policy remains in force and still applies to all hackney carriage and private hire vehicle **renewal** applications for all vehicles which were originally licensed prior to the introduction of the 2007 policy. Out of a total of 74 hackney carriage vehicles licensed by Wyre Forest District Council, there are only 23 hackney carriage vehicles which are still covered by the original 1997 policy.
- 3.5 As a result of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the constitution will be amended to reflect the required changes. The new rules reflect the provisions in the regulation relating to the admission of the public to meetings of Cabinet, key decisions, recording of executive decisions, rights of access for Members of the council and of Overview and Scrutiny Committees, and general provisions relating to information. The main changes are that the Forward Plan provisions will be altered to reflect a more demanding general requirement to give 28 clear days notice to key decisions and also exempt items. Formal Officer decisions in relation to executive functions, as well as Member decisions must now be recorded and made publically available (unless exempt).

### 4. **KEY ISSUES**

#### **Independent Persons**

- 4.1 The Worcestershire authorities have previously agreed that they wish to appoint 6 Independent Persons onto a panel from which individuals can be then selected by one of the authorities to advise on a particular complaint.

- 4.2 It is an essential requirement that appointees are truly independent, public-spirited, fair-minded, and politically impartial
- 4.3 A recruitment process has been undertaken and the persons detailed in Appendix 1 to the report are recommended for appointment

**Pay policy statement**

- 4.4 Section 41 of the Localism Act 2011 provides that the council must comply with its pay policy statement in determining the remuneration of a chief officer on appointment. The definition of “chief officer” in the Act is much wider than the Corporate Management Team and includes deputy chief officers as defined in the Local Government and Housing Act 1989 i.e. managerial staff who report to chief officers.
- 4.5 The proposed change to the pay policy is not about creating a new post. It is necessary in order to regularise the arrangement that has been put in place for the shared service. The amendments in appendix 2 involve the creation of a new grade of “deputy chief officer” with the salary band expressed as a range although the person appointed following the forthcoming recruitment would be appointed on a fixed salary. The amendment also allows flexibility to use this pay grade if any relevant cases arise in future, although at present there are no plans to use it other than for the head of the shared service.

**Taxi Licensing Policy**

- 4.6 The current licensing process is extremely time-consuming for applicants, officers and the Committee itself, with inspections by officers being duplicated by the Committee. There is the opportunity to reduce the burden both in time and resources and to provide applicants with a much more streamlined processing system.
- 4.7 The proposal is to delegate decisions under the 1997 policy to officers and to insert a process in the 1997 policy which allows applicants the chance to correct defects identified at inspection. The proposed **insertion** is as follows:

“Process for decision-making

Decisions to grant or refuse applications under this policy will be taken by officers. If the officer would intend to refuse the application following an inspection, the applicant shall be permitted 21 days to remedy the defects identified and may re-present the vehicle to the officer for a final inspection, following which the officer will decide whether to grant or refuse the application.”

- 4.8 At present the Wyre Forest District Council scheme of delegation for licensing and registration functions includes the following entry relevant to these decisions. The effect of this drafting is to require these decisions to be taken by the Committee:

*“The application is for a hackney carriage/private hire vehicle driving licence or a hackney carriage/private hire vehicle licence or a premises licence or personal licence under the licensing Act 2003 and the application is recommended for refusal”.*

- 4.9 It is proposed that the scheme of delegation be amended as highlighted in bold:

*“The application is for a hackney carriage/private hire vehicle driving licence or a hackney carriage/private hire vehicle licence or a premises licence or personal licence under the licensing Act 2003 and the application is recommended for refusal (except where the refusal is under the Council’s age criteria policy for hackney carriages/private hire vehicles).*

***The delegation to officers to take decisions under the age criteria policy includes the power to approve applications where there are material grounds to depart from the policy, because the vehicle is presented in exemplary condition.”***

- 4.10 It is necessary to include the final sentence in the amended scheme of delegation, because the Committee has chosen in the majority of cases in recent years to depart from the policy on a case-by-case basis and to grant the majority of requests for renewals because there are material grounds to do so based on the exemplary condition of the vehicle. If this was not replicated in the scheme of delegation, officers would have no option but to refuse all renewal applications, regardless of the individual circumstances of each case. The additional sentence therefore allows them to grant vehicle licence renewal applications where it is found that there are material grounds to deviate from policy.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no direct financial implications arising from the changes to the licensing policy proposed in this report, although there will be savings of officer time in preparing reports for and attending meetings of the Committee to deal with this issue.
- 5.2 The appointment of Independent persons is within the current Member budget.
- 5.3 Pay policy – none. The amendments incorporate arrangements into the pay policy statement.
- 5.4 There are no financial implications arising from the amendments to the constitution and the adoption of the policy.

## **6 LEGAL AND POLICY IMPLICATIONS**

- 6.1 Full Council is required to agree to any changes to the Corporate Governance framework including the appointment of Statutory Persons, updates to Council Policy and the Scheme of Delegations.
- 6.2 Under The new ethical regime for elected councillors and co-opted members it is a statutory requirement for all authorities to appoint Independent Persons to maintain high standards of conduct by its members, including its elected councillors and voting co-optees.
- 6.3 The current internal processes for licence renewals is cumbersome. The status of the 1997 policy is explained earlier in the report. The proposed amendments relate only to the internal process for handling applications for renewals, not to the effect of the policy which remains unchanged. Under the proposed changes, applicants still have a right of appeal to the Magistrates Court within 21 days, against any decision to refuse an application. This applies whoever makes the decisions for the Council.

- 6.4 Where a policy is changed, the decision making process by which that change was made can be challenged by the judicial review procedure which allows the High Court to consider the approach to the decision which the local authority has made.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 There are no issues requiring a full Equality Impact Assessment.

**8. RISK MANAGEMENT**

- 8.1 There is no risk management issue arising from this report. No external consultation has been undertaken as the changes relate only to Council Appointments and internal arrangements for the processing of applications, and do not alter the effect of the 1997 policy.

**9. CONCLUSION**

- 9.1 In conclusion, Full Council is required to agree to any changes in the Corporate Governance framework including the appointment of Statutory Persons, updates to Council Policy and the Scheme of Delegations. By amending the process for decisions under the 1997 policy and the scheme of delegation in line with the recommendation in this report, it will enable a streamlined approach that saves significant time for applicants as well as for the Council.

**10. CONSULTEES**

Leader of the Council  
Chair of Licensing and Environmental Committee  
Cabinet member for Environmental Services  
Director of Community Assets and Localism

**11. BACKGROUND PAPERS**

Localism Act 2011  
Licensing policy

### Localism Act 2011 – the New Ethical Standards Regime for Members: Independent Persons

1. In previous meetings, Council has considered changes to the ethics and standards regime for Members, which came into effect from 1 July 2012 as a result of the Localism Act 2011.
2. Council may recall that under the new regime each authority must have a Code of Conduct for its members. Although there is no longer a national mandatory model, the Council have adopted what is in effect a single Code of Conduct for Worcestershire members. A number of Parish Councils have also adopted this 'Worcestershire' Code.
3. Each principal authority must now appoint at least 1 '**Independent Person**' – a new category of persons independent of the authority - to advise it on particular conduct complaints. As part of joint working, the County Council, Malvern Hills District Council, Worcester City Council, Wychavon District Council, Wyre Forest District Council and the Hereford and Worcester Fire and Rescue Authority combined forces to run a single application process to create a joint 'pool' of Independent Persons.
4. In future, individuals will then be drawn from this pool by *any* of the participating authorities as appropriate for particular cases. Historically, the District Council has had only a low number of complaints and would not itself need a large 'pool', but this joint arrangement will help with experience and consistency. It will also allow the Director to appoint an available Independent Person from the 'pool' to deal with a particular case on an ad hoc basis. Council is therefore asked to approve the appointment of the 6 suitable persons as Independent Persons.

#### Background Information

5. One of the key elements relating to ethical standards under the Localism Act is a new category of '**Independent Person**'. At least 1 such person must be appointed by each principal authority.
6. An Independent Person **must** be consulted by the authority before it makes a decision on a member conduct complaint it has investigated (i.e. on whether a member has failed to comply with the Code of Conduct or action to be taken). An Independent Person **may** be consulted by the authority in respect of a standards complaint at any other stage, or indeed consulted by a member against whom a conduct complaint has been made. They are not members of the Ethics and standards Committee and hold an advisory rather than decision-making role.
7. The role of Independent *Person* is not the same as an independent *member* of the Committee. Council agreed in July 2012 that there should also continue to be 3 independent members on the Committee, who will be standing non-voting members of the Committee.
8. The Ethics and Standards Committee had authorised the Director of Community Assets and Localism to make arrangements to recruit the statutory 'Independent Persons' for recommendation to Council. The Director for Community Assets and

## Agenda Item No. 12

Localism and the Monitoring Officer at Worcestershire Council undertook the process on behalf of the 6 authorities participating in the pool arrangements, reducing duplication and bureaucracy.

9. During the summer, with assistance from the Communications team arranging publicity in local media, arrangements were made to recruit the statutory independent persons for recommendation to the participating councils. A total of 11 applications were received, 4 of which were from individuals who had previously been independent members of standards committees in Worcestershire.
10. Six persons are being recommended for appointment to the 'pool'. All 6 reside in Worcestershire and are independent of party politics. Four have previously been independent members of district standards committees in Worcestershire, with a collective wealth of experience in dealing with member conduct issues.
11. The individuals proposed for appointment as Independent Persons are:
  - David Coulson – former Inspector with the West Mercia Constabulary, with experience of complaints and dispute resolution
  - James Hipkiss – former independent member at Wyre Forest District Council, with an education sector background
  - Catherine Mangan – Senior Fellow, Institute of Local Government, University of Birmingham, with experience of local government working and governance
  - Raymond Needham – JP and former independent member at Worcester City Council
  - Fred Noble – former independent member at Wychavon District Council with a business sector background and
  - David Warner – barrister and former Independent Member at Wychavon District Council.

**Proposed amendments to pay policy statement shown in bold**

- 4 With the exception of **deputy chief officers**, JNC Chief Officers and the Chief Executive, the Council uses the nationally negotiated pay spine as the basis for its local grading structure. The grade of a post is determined by application of an agreed Job Evaluation process. The value of scale points changes in line with national agreements, including any “cost of living” increases. At the time of preparation of this policy, there have been no such increases in the national pay spine since April 2009.

Grade	Salary Band (value at time of preparation of this statement)	NJC Scale points
BAND A	£12,145 to £12,489	4-6
BAND B	£12,787 to £13,874	7-10
BAND C	£14,733 to £15,444	11-13
BAND D	£15,725 to £16,830	14-17
BAND E	£17,161 to £19,126	18-21
BAND F	£19,621 to £21,519	22-25
BAND G	£22,221 to £23,708	26-28
BAND H	£24,646 to £26,276	29-31
BAND I	£27,052 to £30,011	32-36
BAND J	£30,851 to £33,661	37-40
BAND K	£34,549 to £36,313	41-43
BAND L	£37,206 to £38,961	44-46
BAND M	£39,855 to £41,616	47-49
BAND N	£42,543 to £44,404	50-52

- 9 For **deputy chief officers**, JNC Chief Officers and the Chief Executive, the Council uses spot pay rates. They are increased in line with any national agreement for JNC Chief Officers and Chief Executives about “cost of living increases”. At the time of preparation of this policy, there have been no such increases since April 2008. In order to provide some flexibility in future decisions about recruitment or adjustments to pay of serving staff without the need to amend this policy statement, the statement sets a range within which salary for these posts will fall.

Grade	Range	Spot pay rate (value at time of preparation of this statement)
<b>DEPUTY CHIEF OFFICER</b>	<b>£50,000 - £60,000</b>	<b>To be determined for any relevant post when filled</b>
JNC CHIEF OFFICER	£70,000 - £80,000	£71,920
CHIEF EXECUTIVE	£100,000 - £110,000	£106,500

WYRE FOREST DISTRICT COUNCIL

**COUNCIL**  
**26<sup>TH</sup> SEPTEMBER 2012**

**POLICY AND BUDGET FRAMEWORK**  
**MATTERS WHICH REQUIRE A DECISION BY COUNCIL**

**RECOMMENDATIONS FROM THE CABINET – 18<sup>TH</sup> SEPTEMBER 2012**

**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.

<b>RECOMMENDATIONS TO COUNCIL</b>	<b>CABINET MEMBER</b>
<p><b>The Cabinet recommends the following:</b></p> <p><b>Annual Report on Treasury Management Service, Actual Prudential Indicators 2011/12 and Revision to the Investment Policy and Strategy Statement 2012/13</b></p> <ol style="list-style-type: none"> <li><b>1 The actual 2011/12 prudential and treasury indicators in the report to Cabinet be approved.</b></li> <li><b>2 The annual treasury management report for 2011/12 be noted.</b></li> <li><b>3 The revision to the Investment Policy and Strategy Statement 2012/13, set out in Appendix 3 of the report to Cabinet be approved, to have immediate effect following Council approval</b></li> </ol>	<p><b>Councillor Nathan Desmond</b></p>