

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT ON SEVERN

26TH SEPTEMBER 2012 (6.00PM)

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**Present:**

Councillors: J Aston, G W Ballinger, R Bishop, C Brewer, J-P Champion, 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, J A Hart, M J Hart, P V Hayward, V Higgs, A T Hingley, T Ingham, M B Kelly, N Knowles, H J Martin, D C H McCann, B McFarland, C D Nicholls, F M Oborski, T L Onslow, J W Parish, J Phillips, M Price, M Rayner, C Rogers, M A Salter, A M Sewell, J A Shaw, D R Sheppard, N J Thomas, S J Williams, and G C Yarranton.

C.34

**Prayers**

Prayers were read by the Reverend Jan Aston of St Mary's Ministry Team, Kidderminster.

C.35

**Apologies for Absence**

There were no apologies for absence.

C.36

**Declarations of Interests by Members**

There were no declarations of interest.

C.37

**Minutes**

**Decision: The minutes of the meeting held on 20<sup>th</sup> June 2012 be confirmed as a correct record and signed by the Chairman.**

C.38

**Public Participation**

No members of the public addressed the meeting.

C.39

**Questions**

The Council received the following question from Councillor Nigel Knowles directed at 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

## **Agenda Item No. 4**

2. Where are the scrap metal yards in Wyre Forest that the collector take the metal to and are they registered?

**Reply from Councillor Marcus Hart**

Councillor Knowles asked this question some days ago and a list of the registered traders was sent to him together with the relevant legislation.

**Supplementary Question from Councillor Knowles**

I believe it would be helpful if the list was in the public domain, and I feel that the number of complaints are increasing.

**Response from Councillor Hart.**

I will investigate to see if the list can be published. (Copy attached as Appendix 1.)

**C.40 Chairman's Communications**

The Chairman referred Members to the list of engagements as contained within the Council agenda and reminded the Chamber that the meeting would be the last one held in the Stourport Civic Centre Chamber due to the move to Wyre Forest House the following week.

**C.41 Leader's Announcements**

A copy of the Leaders Report was circulated to all Members. Moreover that Officers would be moving to Wyre Forest House in the next few days and that could mean that there may be disruption to the IT system during the weekend of the move. The Leader concluded that Councillor Hingley would be joining the Cabinet; and Councillor Phillips was thanked for his contribution to the work of the Cabinet.

**C.42 Motions Submitted Under Standing Orders**

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

**C.43 Urgent Motions Submitted Under Standing Orders**

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

**C.44 Review of Polling Places**

Council received a report from the Chief Executive and Returning Officer which asked Council to consider the responses to the review of polling places and the subsequent changes that were recommended.

The Cabinet Member for Resources and Transformation outlined the content of the report and explained the background for the proposed changes, from Sure Start Centre, Radford Avenue, Kidderminster to St George's Social Club, Radford Avenue, Kidderminster and from St John's Primary School, Blake Brook, Kidderminster to the Council Offices, Bewdley Road, Kidderminster.

In response to a question regarding the former Polling Station at Trimpley and the need to promote postal votes, Members were advised by the Chief Executive that for the forthcoming Police and Crime Commissioner elections

in November, postal votes would be issued in the same manner as for other elections. The Chief Executive concluded that the verification would be held at the Glades Leisure Centre Kidderminster and the Count at Shrewsbury Sports Village.

**Decision: The changes to the polling places as set out in paragraph 4.2 of the report to Council be made.**

**C.45**

**Corporate Governance and Constitution**

Council received 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.

The Leader of the Council agreed that recommendation 2.3 of the report to Council would be considered separately and proceeded to explain the rationale for the recommendations on the appointment of Independent Persons and the amendment to the Pay Policy Statement.

Members were advised that following the introduction of the new ethical framework, there was a requirement for Council to appoint 'Independent Persons in a statutory advisory role in relation to complaints of Members breaching the Code of Conduct.

Further that the revision to the Pay Policy Statement was necessitated by the need to recruit the replacement for the Head of Service for the shared Economic Development and Regeneration service for North Worcestershire, and the amendment allowed for the recruitment of a suitably qualified candidate that was in line with salaries currently being paid.

The Chairman of the Ethics and Standards Committee expressed his thanks for the work of previous Independent Members and explained that they would now be participating in the Committee as co-opted members. A Member commented that the appointments did not reflect the community as a whole; however the Chamber were advised that relatively few people with suitable expertise and capability had applied.

During the debate Members recognised the importance of recruiting a suitable candidate to the post of Head of Service for shared Economic Regeneration service for North Worcestershire and the need to pay a salary that would encourage suitable applicants.

**Decision**

1. **The persons detailed below as 'Independent Persons' as defined by the Localism Act 2011 be appointed for a period of 4 years.**
  - **David Coulson**
  - **James Hipkiss**
  - **Catherine Mangan**

- **Raymond Needham**
- **Fred Noble**
- **David Warner.**

**2 The amendment to the Pay Policy statement as set out in appendix 2 of the report to Cabinet be approved.**

The Leader of the Council outlined the rationale for the recommendation relating to the delegation for decision making under the Hackney Carriage and private Hire age criteria Policy of 1997. Emphasis was given for the need to allow officers to make decisions under the policy and to ensure that the policy was applied evenly. However, the policy would be revisited at the end of the period.

The Leader of the Labour Group moved an amendment to the recommendation. It was felt that there had been insufficient time to consider the recommendation and this item should have been raised at an earlier meeting of Group Leaders. Moreover the recommendation reduced the democratic role of Members. Further debate ensued where the benefits of Members being involved in the decision to approve were promulgated.

The amendment was robustly debated with Members speaking for and against the amendment. A request for a named vote was lost because the majority of Members voted against it and upon a vote the amendment was lost using the Chairman's casting vote.

Members then moved to discuss the substantive item, and again Members elucidated their views on the need for Councillors to be able to make the decision on approving taxi licences under the age criteria. In turn Members spoke on the need for consistency, the role of Members in shaping policy and the need for officers to make decisions based on that policy.

A request for a named vote was lost because the majority of Members voted against it and upon a vote the substantive item was carried using the Chairman's casting vote.

**Decision: The decision making under the Hackney Carriage and Private Hire age criteria Policy of 1997 be delegated to officers and the current Wyre Forest District Council Scheme of delegation be amended as set out in paragraph 4.9 of the report to Council and that 1997 licensing policy be updated as set out in paragraph 4.7 of the report to Council.**

**C.46 Policy and Budget Framework**

**Recommendation from Cabinet meeting on 18<sup>th</sup> September 2012.**

**Annual Report on Treasury Management Service, Actual Prudential Indicators 2011/12 and Revision to the investment Policy and**

**Strategy Statement 2012/13**

The Cabinet Member outlined the content of the report and explained that this had been ratified by Overview and Scrutiny. In response to a question from a Member, Council were advised that Sector, the Council's advisors that the revision to the Investment Policy would be helpful as resources started to fall; in particular the current level of an investment allowed in an institution could prove to be restrictive in future.

**Decision:**

- 1 The actual 2011/12 prudential and treasury indicators in the report to Cabinet be approved.**
- 2 The annual treasury management report for 2011/12 be noted.**
- 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**

There being no further business the meeting ended at 19.31.