

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,  
KIDDERMINSTER**

**21ST NOVEMBER 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 G reener, 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, 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.47**

**Prayers**

Prayers were said by Pastor Rob Palmer from Franche Evangelical Church, Kidderminster. In his prayers he remembered the late Councillor Peter Carter.

**C.48**

**Apologies for Absence**

Apologies for absence were received from Councillor H Martin and it was noted that Councillor T Ingham would be arriving later.

**C.49**

**Declarations of Interests by Members**

Councillor N Gale declared a Disclosable Pecuniary Interest in Agenda Item 9, Motion 3.

**C.50**

**Minutes**

**Decision: The minutes of the meeting held on 26th September 2012 be confirmed as a correct record and signed by the Chairman.**

**C.51**

**Public Participation**

No members of the public addressed the meeting.

**C.52**

**Questions**

The Council received a report setting out a range of questions from Councillors G Ballinger, M Rayner, N Thomas, M Price and H Dyke directed at the Leader of the Council and Cabinet Members

**Question 1 from Councillor G Ballinger to the Leader of the Council, Councillor J-P Champion.**

I refer to the discussion under Agenda Item No. 12 – Corporate Governance and Constitution at the last full Council meeting on 26<sup>th</sup>

September in relation to the 3<sup>rd</sup> recommendation which delegated decision making under the Hackney Carriage and Private Hire age criteria Policy of 1997 to officers and the current Wyre Forest District Scheme of delegation to be amended as set out in paragraph 4.9 of the report to Council; and that the 1997 licensing policy be updated as set out in paragraph 4.7 of the report to Council.

A number of Member voting opportunities arose on this and followed extensive Member debate.

What is the recorded outcome of these individual votes?

**Response from Councillor J-P Campion**

I refer you to page 12 of the agenda and what was recorded in relation to those votes.

**Supplementary Question from Councillor G Ballinger**

Thank you, and what I have read that and what did concern me was that on that occasion there was a great debate and it was a fairly balanced Council and your role as Chairman was to respect the honesty and integrity of the Council and ensure that everyone has the chance to have their vote taken at the meeting, and for it not to go through on the Chairman's casting vote. In the past the Chief Executive, the Monitoring Officer and the Vice Chair would check the voting and this doesn't always happen.

**Response from Councillor S Clew**

The Vice Chairman and Committee Clerk record the votes and these are then sent across the top table and on that occasion we all agreed on the voting in that instance.

**Question 2 from Councillor M Rayner to Cabinet Member for Place-Shaping, Councillor A Hingley**

What and how are Section 106 monies distributed to groups and who identifies which groups will benefit?

**Response from Councillor A Hingley**

This question unfortunately demonstrates a fundamental misunderstanding about the purpose of monies obtained under s106 of the Town & Country Planning Act 1990 which is to enable development of land to take effect, not for redistribution amongst local groups. They are legally binding obligations that are attached to a piece of land and are registered as local land charges against that piece of land. Planning obligations enable a council to secure contributions to services, infrastructure and amenities in order to support and facilitate a proposed development. The Council adopted a Planning Obligations Supplementary Planning Document in 2007 which sets out what infrastructure or other facilities it expects to see delivered by developments and this is available on the Council's website.

**Supplementary Question from Councillor M Rayner**

Thank you, I am aware that Section 106 monies are distributed for the benefit of the whole community, but why has one community group just

heard that they are to receive £2K when it had been there some time for their benefit.

**Response from Councillor A Hingley**

I am not aware of that issue and I will take it up with the officers and respond at a later time.

**Question 3 from Councillor N Thomas to the Cabinet member for Community Well-Being, Councillor I Hardiman**

What are the current proposals for the Stourport Leisure Centre?

**Response from Councillor I Hardiman**

There are ongoing discussions on the future of the Sports Centre to see if a partner can run the facilities without cost to the Council, when the Council moves to a single leisure provision.

**Supplementary Question from Councillor N Thomas**

Is it true that that we are giving away the building free of charge and if so who authorised it?

**Response from Councillor I Hardiman**

I cannot respond specifically to that question and will provide a written answer at a later time.

**Question 4 from Councillor M Rayner to the Leader of the council, Councillor J Champion**

What is the country of origin of the carpeting in Wyre Forest House?

**Response from Councillor J-P Champion**

All of the carpet tiles in the building were supplied by two UK companies one in the West Midlands and the other in the North East.

**Supplementary Question from Councillor M Rayner**

I did receive this information in a Freedom of Information request. The carpet comes from Ege Carpets which is based at Lichfield which is its headquarters. However, it is a Danish Company of origin, and therefore I would like to ask that as the Council is supporting Kidderminster businesses, why was the carpet not made here in Kidderminster or was any Kidderminster firms given the opportunity to match the prices being quoted and if not why not?

**Response from Councillor J-P Champion**

I stand to be corrected, but there are no manufacturers of carpet tiles in Wyre Forest, and there was only one left in the country. The vast majority of carpet tiles come from Denmark. Carpet tiles allow for flexibility, and if the building was carpeted it would stop the building being flexible, electronic floor boxes are in the building and if we had carpet we would have to cut the carpet to fit around them, where as with carpet tiles it allows us to move the boxes easily without damaging the carpet. We needed to allow for flexibility and there was not a local manufacturer.

**Question 5 from Councillor M Price to the Cabinet Member for Environmental Services, Councillor M Hart**

I am sure that the whole Council will agree with me in welcoming the "Free Car Parking" initiative over the Christmas and New Year period. However, would the Cabinet Member agree with me that the problems being experienced in the Retail Sector across the District are not restricted to the festive season. Would the Cabinet Member therefore agree that, early in the New Year it would be appropriate for Wyre Forest DC to consider emulating the decision of Worcester City Council and reduce Car Parking Charges across the District in order to support our retail sector?

**Response from Councillor M Hart**

Car parking is always a topical and emotive issue and of course I agree with Councillor Price and endorse and welcome the initiative during the festive period. The switch on of the Christmas lights was well patronised in Kidderminster. In answer to your specific question we should do all we can for the business sector and it is appropriate that this matter is part of the budget setting process. We approved the fees and charges structure as part of the budget setting process for 2012 in respect of car parking. When looking at other authorities you need to consider the detail, Worcester City are reducing car parking in the evening whilst we don't charge, Worcester City charge between £3.60 and £6 for 24 hour parking whilst we charge £3.60. If you look at car parking charges across colleagues in the Worcestershire family I do believe our car parking charges represent a fair cost to residents and visitors.

**Supplementary Question from Councillor M Price:**

There was no supplementary question.

**Question 6 from Councillor M Price to the Leader of the Council:**

Could you please tell us what is happening with the bar and catering contract for the Town Hall?

**Response from Councillor J-P Champion**

There is no catering contract; the contract is only for the bar. The current contract is out of time and it is being rolled forward on a monthly basis. We are revisiting those arrangements and looking at an internal option. We recently asked Members for suggestions and I would welcome your feedback. The current arrangements are flawed and are not ideal and I would like guidance from you and I hope that in the not too distant future it is sorted out.

**Supplementary Question from Councillor M Price**

Can you assure us that a proper contract will be in place hopefully in time for the Mayor's ball and that we receive proper service? What message does it give to visiting dignitaries when there is no wine list and the only options are red or white wine.

**Response from Councillor J-P Champion**

Thank you, I am happy to take your comments on board whilst we retender.

**Question 7 from Councillor H Dyke to the Leader of the Council, Councillor J Champion**

Can the Cabinet Member responsible please tell me if the Cabinet and Administration still supports the "No Surprises Protocol" and if so would he agree with me that the protocol and its interpretation requires a full refresh across the authority?

**Response from Councillor J-P Champion:**

Of course I agree with the principle in the first part, I can only assume that this has fallen down and I will be ambushed with that in the supplementary question. Every effort is made to keep Members informed, the recent incident at Roxel and local information programme was successful, on other dates we may have to hold our hands up and I'm happy to discuss this at Group Leaders and I remain committed to the No Surprises protocol.

**Supplementary Question from Councillor H Dyke**

I won't discuss individual issues and the Roxel matter was dealt with well. Based on the fact that we haven't got enough people in this authority, would you agree that formally using Councillors to relay information would take stress off officers?

**Response from Councillor J-P Champion:**

I concur that Members act in a democratic way both in the Chamber and out in the community, and in the vast majority of cases continue to do so. There is a commitment from us in the Chamber about getting it right and on time and it shall be put on the next Group Leaders agenda. If it is not working then we need to get it right.

**Question 8 from Councillor H Dyke to the Cabinet Member for Environmental Services, Councillor M Hart:**

After much publicity surrounding the widely promoted "Dog Poo Fairy" initiative earlier in the Summer could he please advise me if he has any evidence that the initiative was or is being successful e.g. has there been a noticeable reduction in dog fouling issues being reported to the Hub.

**Response from Councillor M Hart:**

It is very interesting as to how you measure success in terms of reduction of reporting to the Hub, does that mean it's successful. If I turn that question on its head, then the significant increase in reporting shows that the campaign is a success in urging people to report issues to the Hub and we have had more reported issues during the period of this campaign as compared to 2011.

**Supplementary Question from Councillor H Dyke:**

I take on board what you've said and agree that the question can be taken both ways, but I would ask what other initiatives are in place to combat the ever increasing ward problems from residents, what residents would like is ongoing work rather than gimmicks.

**Response from Councillor M Hart:**

I don't support gimmicks and the Dog Poo fairy is not a gimmick. I am sure that all residents will recognise the problems associated with dog fouling. There will be other initiatives and I would urge people with problems to keep reporting them to the Hub so we can pinpoint those dog owners that are causing the problems. Our officers are working exceptionally hard to combat this issue for residents in the District.

**C.53 Chairman's Communications**

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting. During his address to the Chamber the Chairman warmly remembered the late Councillor Peter Carter and explained that he had represented the Council at his funeral. In addition the Chairman announced that he was continuing to support the food bank at Franche church and he thanked Members for their contributions explaining there was a further two weeks to bring in donations. Members were reminded to return their members surveys as only five had been received to date. He concluded by thanking Members for supporting the campaign against domestic violence.

**C.54 Leader's Announcements and Report**

A copy of the Leader's announcements were circulated to all Members. Members were further reminded that it was the official opening of Wyre Forest House the following day.

**C.55 Motions Submitted Under Standing Orders**

A notice of motion was received in accordance with Standing Orders regarding the regionalised or localised public sector pay. Members debate this item and there was support for the motion from all Members

**Decision:**

- 1. The Council writes to the Chancellor of the Exchequer and Chief Secretary to the Treasury stating the Council's opposition for regional or localised public sector pay.**
- 2. The Council writes to Mark Garnier MP, outlining their concerns about the impact the policy would have on the local community.**
- 3. The Council signs up to the Fair Pay campaign.**

A notice of motion was received in accordance with Standing Orders regarding the 'Living Wage'. Members were advised that the living wage was different to the minimum legal wage. An amendment to the final paragraph of the substantive motion was tabled by the Conservative Group.

Council resolves to ask Scrutiny to consider the implications of the living wage for the organisation and to make recommendations into the budget decision-making process for 2013-14 to identify resources which will enable it to pay all employees at least a 'Living Wage'.

Members debated the amendment to the substantive motion and the amendment to the substantive motion was carried.

**Decision: Council resolves to ask The Overview and Scrutiny Committee to consider the implications of the living wage for the organisation and to make recommendations into the budget decision-making process for 2013-14 to identify resources which will enable it to pay all employees at least a 'Living Wage'.**

A notice of motion was received in accordance with Standing Orders regarding a 'Charter for a Future that Works'. An amendment to the substantive motion was tabled by the Conservative Group as detailed below;

### ***Charter for a Future that Works***

*Wyre Forest District Council formally endorses the following principles:*

- **A Job or Training Guarantee:** *The Government should guarantee paid work or training to every young person who has been out of work for six months or more.*
- **Action on Apprenticeships:** *All public bodies should commit to recruiting a set number of apprentices each year and public sector contracts should encourage private contractors to have a quality apprenticeship scheme.*
- **Quality Work Experience:** *Young people should have access to good quality, work experience that should lead to a job interview at the end of every placement.*
- **Welfare Reform:** *In the short-term, the Government should reform the rules on Job Seekers Allowance, to allow young people to return to full-time education without any effect on their benefits. In the longer term, a Youth Credit, or other financial support, should be introduced to help all young people boost both their learning and employment prospects.*
- **Practical Support:** *Also, there needs to be extra measures to help young people stay in education and assist with transport costs.*

*It is vital that urgent action is taken by all public bodies and employers to address the unemployment crisis facing young people today. At a local level, Wyre Forest District Council will write to Mark Garnier MP and business trade bodies requesting that they agree with these principles and take practical steps to support its aims.*

*Wyre Forest District Council will support local young people by*

- *Offering apprenticeships*
- *Offering quality work experience programmes*
- *As part of the tendering process, urge all private contractors to have a quality apprenticeship scheme.*

Members discussed the need to provide practical work experience and an interview for young people in the District, and Members spoke for and against the need for the work to be remunerated whilst enabling young people to receive meaningful and constructive work experience of quality and being able to afford to travel to their place of work.

At the conclusion of the debate and upon a vote the substantive motion was lost and upon a vote the amendment to the substantive motion was carried.

**Decision:**

- 1. Wyre Forest District Council will write to Mark Garnier MP and business trade bodies requesting that they agree with the principles contained within the motion and take practical steps to support its aims.**
- 2. Wyre Forest District Council will support local young people by**
  - **Offering apprenticeships**
  - **Offering quality work experience programmes**
  - **As part of the tendering process, urge all private contractors to have a quality apprenticeship scheme.**

**C.56 Urgent Motions Submitted Under Standing Orders**

There were no urgent motions submitted under standing orders.

**C.57 Chief Executive's Half Yearly Report**

Council received a half yearly report from the Chief Executive. At the request of the Chairman the Chief Executive answered questions on each page of his report. In response to the questions asked Members were advised of the following;

- The original budget for Wyre Forest House was set at £10.5m, this has already been reduced and we expect to come in under that figure, including all of the fixtures and fittings.
- Signage was being sorted out and maps of the building were being displayed.
- The snagging list referred to defects that needed to be rectified post construction.
- There were issues with the heating, however these were being rectified.
- Representations had been made to central government regarding funding.
- WF20 managers were the most senior Council managers and included CMT; these details could be shared Members.
- The decision on leisure centre provision had been agreed at Council February 2012. The new leisure centre would reduce costs.
- There was the same level of public seating (20 seats) in the new chamber as was available in the public gallery at the Civic Centre Stourport. Additional seating was available in the Stouport/Bewdley



rooms if required.

- The Olympic Torch procession had been a success.
- Work was underway through the Town Centre Scene, and the contract had recently been given for work on the public realm in Kidderminster. Work would be going ahead to change the traffic flow in Worcester Street with the aim of improving usage in those areas.
- Road signage for the crematorium was the responsibility of Worcestershire County Council, however an update would be provided.
- Coventry Street offices were due to be auctioned, and a sensible reserve had been placed. However should it not sell the Council would soon start incurring business rates.
- Systems Thinking was an integral part of the budget strategy.

**Decision: The report be noted.**

**C.58**

**Parliamentary Boundary review – Response to Latest Consultation**

Council received a report from the Chief Executive regarding the Parliamentary Boundary Review Consultation. In response to a question regarding the number of electors on the register, Members were advised that there were always fluctuations in the register and every step had been taken to ensure the accuracy of the register. In addition Members felt that it was important that the Parliamentary boundary remained coterminous with that of the District.

**Decision: Council reaffirmed its support for the Wyre Forest Parliamentary constituency to be based on the same boundaries as Wyre Forest District Council.**

**C.59**

**Policy and Budget Framework**

Members were advised that the recommendations regarding the Annual Report on Treasury Management Service had been included in error as they had been dealt with at a previous meeting of Council.

**Recommendations from Cabinet Meeting 12<sup>th</sup> November 2012**

**Council Tax Benefit Reform**

The Cabinet Member for Resources outlined the content of the report that there would be £100m available for one year to support local authorities to develop their own council tax support schemes and to maintain positive incentives to work. Further details were furnished to Members on the effects and shortfall as explained in the report. In addition Members were advised that there was to be a hardship fund which would be available for most vulnerable in the community. The cabinet Member concluded by stating that it was a carefully balanced and considered approach that delivered a fair and sustainable policy. The recommendations were seconded by the Leader of the Council, who spoke in favour of the proposals.

The Labour Group tabled a motion; however the Monitoring Officer

explained the reasons that the motion wasn't valid and why it could not be discussed during the debate.

A lengthy and vigorous debate then followed with Members speaking both in support of the proposals and against. The debate included comments on the appropriateness of the name for the fund to support those facing genuine hardship and the Cabinet Member agreed that it would be changed to something like 'Support Fund'. During the debate concerns were raised regarding the impact of the proposals and the potential for hardship for more vulnerable members of society and for those claiming benefits and unable to find work. In contrast Members spoke of the need for the Council to deliver a policy that was affordable for the Council whilst protecting those that were most at need.

The Cabinet Member for Resources concluded the debate by explaining that the proposals had been considered by the Overview and Scrutiny Committee and that a three month consultation period had been undertaken. Further, that the scheme needed to be in place by 31<sup>st</sup> January 2013. Members were advised that the scheme would make a difference of £2.20 per week for those on the lowest Council Tax band.

**Decision:**

- 1. The scheme as outlined in paragraphs 4.2 to 4.5 and paragraph 5.2 of the report to Council, which includes a cap on the reduction in support that an individual might face in 2013-14 of 8.5%, be approved.**
- 2. The amount of money available for the Support Fund be reviewed on an annual basis. During the first year, a review be undertaken after the first six months;**
- 3. From 2014-15 onwards support towards Council Tax liability for working age people be limited to 90%; and**
- 4. The approval of the supporting documentation and any minor amendments to the scheme be delegated to the Cabinet Member for Resources and Transformation in consultation with the Director of Resources.**

**Treasury Management Strategy Statement and Annual Investment Strategy Mid Year Review Report 2012/13**

**Decision:**

The Cabinet Member for Resources outlined the content of the report and advised Members of the process that had been undertaken including that it had been considered by the Treasury Management Review Panel and Overview and Scrutiny Committee.

- 1. The Treasury Management mid-year review be approved.**
- 2. The updated Prudential Indicators in section 6 of the report to Cabinet be approved.**

**Recommendations from Licensing & Environmental Committee meeting 8<sup>th</sup> October 2012**

**Review of the Gambling Act 2005 Statement of Principles**

The Chairman of the Licensing and Environmental Committee outlined the content of the report and explained that this had been discussed and agreed at the Licensing and Environmental Committee.

**Decision: The updated Gambling Statement of Principles for the Wyre Forest District be approved.**

**C.60**

**Corporate Governance**

Council considered a report from the Director of Community Assets and Localism on updates to Corporate Governance. Members were advised that following the resignation of Councillor Ballinger as Chairman of the Ethics and Standards Committee a new Chairman needed to be appointed. Moreover, that the special urgency item had not been included on the forward plan, hence it needed to be reported to Council that the decision had been taken.

Members were reminded that the land issue referred to an exempt Cabinet item and it was wholly inappropriate to disclose where those land issues were.

**Decision:**

- 1. Councillor Douglas Godwin be appointed as Chairman of the Ethics and Standards Committee.**
- 2. Councillor Helen Dyke be appointed as the Vice Chairman of the Ethics and Standards Committee.**
- 3. The quarterly report to Council on an item considered under the special urgency rules be noted.**

There being no further business the meeting ended at 20.39