

**Open**

# **Cabinet**

# **Agenda**

**6.00pm**  
**Tuesday, 22nd January 2013**  
**Council Chamber**  
**Wyre Forest House**  
**Finepoint Way**  
**Kidderminster**



## Cabinet

### **The Cabinet Members and their responsibilities:-**

<b>Councillor J-P Campion</b>	<b>Leader of the Council</b>
<b>Councillor M J Hart</b>	<b>Deputy Leader, Environmental Services</b>
<b>Councillor N J Desmond</b>	<b>Resources and Transformation</b>
<b>Councillor I Hardiman</b>	<b>Community Well-Being</b>
<b>Councillor A Hingley</b>	<b>Place-Shaping</b>

### **Scrutiny of Decisions of the Cabinet**

The Council has one Scrutiny Committee that has power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from this Committee.

In accordance with Section 10 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order 2.4 of Section 7, any item on this agenda may be scrutinised by the Scrutiny Committee if it is "called in" by the Chairman or Vice-Chairman of the Overview & Scrutiny Committee and any other three non-Cabinet members.

*The deadline for "calling in" Cabinet decisions is 5pm on 6<sup>th</sup> February 2013.*

Councillors wishing to "call in" a decision on this agenda should contact Sue Saunders, Committee/Scrutiny Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732733 or email [susan.saunders@wyreforestdc.gov.uk](mailto:susan.saunders@wyreforestdc.gov.uk)

### **Urgent Key Decisions**

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

### **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.

### **For further information: -**

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sue Saunders, Committee/Scrutiny Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732733 or email [susan.saunders@wyreforestdc.gov.uk](mailto:susan.saunders@wyreforestdc.gov.uk)

Documents referred to in this agenda may be viewed on the Council's website - [www.wyreforestdc.gov.uk/council/meetings/main.htm](http://www.wyreforestdc.gov.uk/council/meetings/main.htm)

## WEBCASTING NOTICE

This meeting is being filmed for live or subsequent broadcast via the Council's website site ([www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)).

At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council's website for 6 months and shall be retained in accordance with the Council's published policy.

**By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.**

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

**If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.**

Wyre Forest District Council

Cabinet

Tuesday, 22nd January 2013

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<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.	
<b>3.</b>	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 18 <sup>th</sup> December 2012.	6
<b>4.</b>	<b>CALL INS</b> a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.	
<b>5.</b>	<b>Items Requiring Urgent Attention</b>  To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
<b>6.</b>	<b>Public Participation</b>  In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Monday 14 <sup>th</sup> January 2013. (See front cover for contact details).	
<b>7.</b>	<b>Leader of the Council</b>	
<b>7.1</b>	<b>Leader's Announcements</b>	

<b>8.</b>		<i>Delivering Together, With Less</i>
<b>8.1</b>	<p><b>Financial Strategy 2013-2016 - Update</b></p> <p>To consider a report from the Director of Resources on the Financial Strategy 2013-2016 which provides updates including the Local Governance settlement and Fees and Charges proposals. (To follow)</p>	-
<b>9.</b>	<p><b>To consider any other business, details of which have been communicated to the Director of Community Assets &amp; 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.</b></p>	
<b>10.</b>	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

<b>11.</b>	<p><b>To consider any other business, details of which have been communicated to the Director of Community Assets &amp; 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.</b></p>	
------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

WYRE FOREST DISTRICT COUNCIL

CABINET

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

18TH DECEMBER 2012 (6.00PM)

---

**Present:**

Councillors: J-P Champion, N J Desmond, I Hardiman, M J Hart and A T Hingley.

**Observers:**

Councillors: C Brewer, H E Dyke, M B Kelly, F M Oborski and J A Shaw.

**CAB.44 Apologies for Absence**

There were no apologies for absence.

**CAB.45 Declarations of Interests by Members**

No declarations of interest were made.

**CAB.46 Minutes**

**Decision: The minutes of the Cabinet meeting held on 12<sup>th</sup> November 2012 be confirmed as a correct record and signed by the Chairman.**

**CAB.47 Call Ins**

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

**CAB.48 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.49 Leader's Announcements**

There were no leader's announcements.

**CAB.50 Financial Strategy 2013-2016**

A report was considered from the Director of Resources on the Financial Strategy 2013-2016.

The Leader of the Council informed Members that the Chancellor of the Exchequer had announced the Autumn statement later than in previous years and the Council expected to receive the local government settlement on 19<sup>th</sup> December 2012.

The Administration were content that council tax would be frozen for 2013/14, however future freezes in council tax may not happen.

Members were advised that an additional investment of £500,000 would be made to provide further investment in economic regeneration initiatives for the Wyre Forest area. Following the State of the Area Debate, a Cabinet Review Group had been established and had agreed a few initiatives.

Expansion of the Wyre Forest Forward programme was proposed to provide efficiency savings.

The Leader of the Council welcomed the opportunity for scrutiny to look at the budget proposals and the submission of alternative budget proposals by the other political groups.

The Corporate Management Team were thanked for the work that had been done on the budget.

In response to a Member's question, it was confirmed that the savings highlighted for elections in 2013/14 referred to County Council elections and these would be paid for by Worcestershire County Council.

It was confirmed that unfortunately it would be likely that redundancies may have to be made as part of the package put forward on Staff Terms and Conditions. Unions and staff would continue to be consulted through the consultation process.

With regard to the proposals on Members' ICT, Members were advised that they would be given an opportunity to take the option of an allowance to purchase a pc, laptop or tablet and/or a printer.

**Decision:**

**Cabinet endorses and recommends for scrutiny:**

- 1. The Council's updated Medium Term Finance Strategy.**
- 2. Cabinet Proposals – taking into account the impact on the Council's Capital and Revenue Budgets for 2013/16 (Appendix 3 of the report to Cabinet).**
- 3. The level of net expenditure and resultant Council Tax for 2013/16 as per paragraph 8.1 of the report to Cabinet.**
- 4. A general increase in fees and charges in line with this strategy and the impact on the Council's Revenue Budget for 2013/16, as shown in Part 1 of Appendix 4 of the report to Cabinet.**

## Capital Programme 2012/13 Onwards

Cabinet endorses and recommends for scrutiny:

1. **The Base Capital Programme and Vehicle, Equipment and Systems Renewal Schedule as set out in Appendices 1 and 2 of the report to Cabinet.**
2. **The updated Schedule of Properties for Disposal, in Appendix 3 of the report to Cabinet that aims to deliver the Council's decision to dispose of surplus assets in order to generate new usable capital receipts for the balance of funding of the New Headquarters where this is proven to be economically viable.**
3. **The variations to the Capital Programme and Vehicle, Equipment and Systems Renewal Schedule in accordance with the Council's Budget Process.**
4. **The Director of Resources funds the Capital Programme including Vehicle, Equipment and Systems Renewal by means of Capital Receipts, Grants or Prudential borrowing using delegated authority as appropriate.**
5. **The Director of Resources funds short-term temporary borrowing pending the sale of assets, for New Headquarters funding, from Prudential Borrowing using delegated authority to determine the exact timing and source of such borrowing.**

### **CAB.51 Business Rates Retention**

A report was considered from the Director of Resources which set out the process for finalising the agreement to enter into the Worcestershire Business Rates Pool.

In response to a Member's question, it was confirmed that the Council representative for the Worcestershire Business Rates Pool was normally the Leader of the Council but this appointment would be considered at Annual Council in May 2013 as part of the Council's representatives on Outside Bodies.

**Decision:**

1. **Delegation be granted to the Director of Resources in consultation with the Cabinet Member for Resources and Transformation on the final decision to enter into the Worcestershire Business Rates Pool (WBRP).**
2. **The Leader of the Council be the Council representative on the WBRP governing body and be empowered to take decisions on behalf of WFDC.**



3. **Continued participation in the pool be considered on an annual basis.**

**CAB.52 Wyre Forest Infrastructure Plan**

A report was considered from the Director of Economic Prosperity and Place that sought Cabinet endorsement for the draft District Infrastructure Plan and to consider the recommendations from the Overview and Scrutiny Committee at its meetings on 6<sup>th</sup> December 2012.

The Chairman of the Overview and Scrutiny Committee informed Members that the report had been well scrutinised and a full debate had been held but there appeared to be a lack of information from the emergency services and this was why the recommendation to Cabinet asked for further information to be sought.

In response to a Member's question, the Director of Economic Prosperity and Place informed Members that whilst the concerns about the emergency services were understood, he would prefer this not to delay the process and suggested that Members endorse the plan with the proviso that officers provided information on the emergency services. There were concerns that the recommendations from the Overview and Scrutiny Committee were to be noted but Members were reassured that the issues raised would be followed through.

**Decision:**

1. **The Infrastructure Plan be endorsed and used as an evidence based document for the progression of the Council's Development Plan Documents.**
2. **The Infrastructure Plan be endorsed and used to inform the preparation of the Community Infrastructure Levy.**
3. **Delegated powers be granted to the Director of Economic Prosperity and Place in consultation with the Cabinet Member for Place Making to update the Plan with new information, when appropriate.**

**Recommendation from Overview and Scrutiny Committee, 6<sup>th</sup> December 2012**

**Noted: The contents of the briefing paper to the Overview and Scrutiny Committee at its meeting on 6<sup>th</sup> December 2012 be noted and the Infrastructure Plan as a suitable evidence base document be endorsed to support the delivery of the Development Plans and to provide the background information required for implementing Community Infrastructure Levy (CIL) with the exception on the section on emergency services where the comments are only noted pending further**

information and request that clarity be sought regarding police and ambulance services as soon as possible. Members also expressed concerns about library services and requested that clarity be sought on these proposals as soon as possible.

**CAB.53 Recommendation from Overview and Scrutiny Committee, 6<sup>th</sup> December 2012**

**a. Health and Wellbeing in Wyre Forest**

**Decision:** The Wyre Forest District Council Health Action Plan 2012/13 be endorsed.

**CAB.54 Exclusion of Press and Public**

**Decision:** "Under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs 3 of Part 1 of Schedule 12A to the Act.

**CAB.55 Kidderminster Town Centre Regeneration**

A report was considered from the Director of Economic Prosperity and Place regarding Kidderminster Town Centre Regeneration.

Members were reminded of the commercial sensitivity of the report and the report was considered in great detail.

Members agreed that the site mentioned in the exempt report was worthy of redevelopment and welcomed the recommendations.

**Decision:**

- 1. The principle be agreed of working in partnership with the company named in the report ("the company") to secure the demolition of the building named in the report ("the building"), the relocation of its current occupant and the redevelopment of the site.**
- 2. Noted that external legal advice will be procured, funded by the company.**
- 3. Subject to the Director of Community Assets and Localism being satisfied that the preliminary advice received confirms the vires of the proposals, delegated authority be granted to the Directors of Economic Prosperity & Place, Resources and Community Assets & Localism, in consultation with the Leader of the Council, to:**

- i. agree a co-operation agreement with the company;
  - ii. finalise an initial indemnity agreement with the company to indemnify the Council's costs in completing the project, to be supplemented by a full indemnity agreement in advance of the use of compulsory purchase powers if required;
  - iii. agree to grant the company an overriding lease of the building;
  - iv. agree the future use and redevelopment of the cleared site.
4. The principle be agreed of using compulsory purchase powers, to support the assembly of land and properties in the area identified in the report, subject to the company fully indemnifying the Council against any costs associated with the use of such powers. A more detailed report be provided to Cabinet, if it is necessary to use compulsory purchase powers.

The meeting closed at 7.06 pm.