

**WYRE FOREST DISTRICT COUNCIL
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER
19TH FEBRUARY 2013 (6.00PM)**

Present:

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

Observers:

Councillors: H E Dyke, F M Oborski and J A Shaw.

CAB.63 Apologies for Absence

There were no apologies for absence.

CAB.64 Declarations of Interests by Members

No declarations of interest were made.

CAB.65 Minutes

Decision: The minutes of the Cabinet meeting held on 22nd January 2013 be confirmed as a correct record and signed by the Chairman.

CAB.66 Call Ins

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

CAB.67 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.68 Leader's Announcements

The Leader of the Council advised Members that a series of Corporate Roadshows were underway with the first one being held in Bewdley that day. Event had been well attended with members of the public from outside the district visiting.

A public State of the Area Debate would be held on 7th March 2013 at 6pm and this would be webcast preceded by a regeneration fair commencing at 5pm. This would include an update on the public realm in Kidderminster but also in attendance would be the Local Enterprise Partnership, Worcestershire County Council Highways Department, the Chamber of Commerce and the Academy in Kidderminster.

Members were informed that Worcestershire County Council would be making an application to the Government for the second phase of the Hoobrook link Road in Kidderminster which was perceived as being an important piece of infrastructure.

CAB.69 Financial Strategy 2013-2016

A report was considered from the Director of Resources on the Financial Strategy 2013-2016 and also considered were the recommendations from the Overview & Scrutiny Committee at its meeting on 7th February 2013.

The Leader of the Council advised Members that he was pleased how well the budget scrutiny process had gone and it had received good member involvement with all parties working together. However, Members would have the opportunity to have a final debate on the proposals at the Council meeting on 27th February 2013. An updated summary sheet was tabled which incorporated some of the suggestions from the opposition groups. Some of the highlights were as follows:

- a. To investigate the possibility of Council owned property being used for alternative use such as business starter units or residential use.
- b. Car parking charges were proposed to freeze with a review being undertaken to look at free parking initiatives to bring business back into the three towns of Wyre Forest.
- c. With regard to staff terms and conditions, it was proposed to introduce the living wage.
- d. It was proposed to review the Parish Localism Fund and to establish a fund to support Parish Councils.
- e. The Council's freighter fleet would be investigated to ensure it was used to its optimum.
- f. A review of funding be undertaken for the contribution to the Disabled Facilities Grant (DFG).
- g. It was proposed to continue for a further 12 months the Community Leadership Fund of £1,000 per Member.
- h. Further consideration of the Local Authority Mortgage Scheme would be carried out.

Members agreed that the scrutiny process had been conducted well compared to other authorities and the opposition groups had been given opportunity to put forward their ideas to be scrutinised with the opposition groups being thanked for their contributions.

A Member felt that that the £130,000 that had been allocated for the splash pad in Stourport which Stourport Town Council had turned down should be added back into the budget.

Decision:

Recommend to Council:

- 1. CAPITAL PROGRAMME 2012/13 ONWARDS (pages 91-101)**
 - 1.1 APPROVES** the updated Base Capital Programme and Vehicle, Equipment and Systems Renewal Schedule as presented to the Cabinet on 18th December 2012 and further amended to incorporate the Cabinet Proposals identified in Appendix 2 along with the updated Prudential Indicators presented in the separate report on the agenda.
- 2. FEES AND CHARGES (pages 44-86 as updated)**
 - 2.1 APPROVES** fees and charges as attached in Appendix 1.
- 3. THREE YEAR BUDGET AND POLICY FRAMEWORK 2013/16 (pages 1-45 as updated)**
 - 3.1** The contents of the Reports of the Director of Resources on the Three Year Budget and Policy Framework 2013-2016 (pages 1-45 incorporating the Base Budget Variations (pages 27-28) supplemented by the updated report approved by Cabinet on 22nd January 2013, be **ENDORSED** and in doing so **APPROVE** the Revised Revenue and Capital Budgets for 2012/13.
 - 3.2 APPROVES** that any Final Account savings arising from 2012/16 over and above the target allowed for in the Council's Finance Strategy, together with surplus Earmarked Reserves, be allocated to the Working Balance.
 - 3.3** The following General Fund Revenue Budget be **APPROVED** including **CABINET PROPOSALS**(Appendix 2) and **FEES AND CHARGES** as proposed by Cabinet on 22nd January 2013 and related amendments (Appendix 1):

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	2012/2013 £	2013/2014 £	2014/2015 £	2015/2016 £
Net Expenditure on Services (per Appendix 3 (new appendix 3 updating the position as at 22 nd January and now taking into account Social Fund Grant))	13,076,950	12,691,410	12,410,560	12,055,100
<u>Add/(Less)</u> Cabinet Proposals - (Appendix 2)	-	117,810	(187,780)	(263,570)
Net Expenditure	13,076,950	12,809,220	12,222,780	11,791,530
Contribution from Reserves	(344,150)	(524,300)	(636,070)	(655,860)
Net Budget Requirement	12,732,800	12,284,920	11,586,710	11,125,670
<u>Less</u> Business Rate Grant, Government Grant and Collection Fund Surplus	5,615,730	6,179,120	5,390,570	4,933,200
Council Tax Transitional Grant	-	28,630	-	-
Community Right to Bid/Challenge	-	16,400	16,400	-
Homelessness Funding	109,270	108,650	108,650	-
Council Tax Income	<u>£7,007,800</u>	<u>£5,952,120</u>	<u>£6,071,090</u>	<u>£6,192,470</u>
Wyre Forest District Council Tax Level assuming no change in 2013/14 then a 2% increase 2014/15 onwards.	<u>£197.62</u>	<u>£197.62</u>	<u>£201.57</u>	<u>£205.60</u>

Final Government Grant Analysis

<u>Year</u>	<u>Value of Government Support</u> £	<u>Decrease</u>	
		£	%
2012/13	5,391,294		
2013/14	4,884,417	506,877	9.40
2014/15	4,095,955	788,642	16.14
2015/16	3,882,440	213,515	5.21

Note to Government Grant Analysis table: These figures relate to business rates and revenue support grant; they exclude Grants for Homelessness and Council Tax Support, and also Transitional and Freeze Grants (source LG Futures as updated for the final Grant Settlement). The new funding regime for Business Rates greatly increases the significance of the collection of Business Rates, with more emphasis on the actual sums collected rather than collection rates. This change of emphasis

may require the Director of Resources to consider deployment of additional staffing resource to ensure maintenance of the Business Rates baseline, including even closer liaison with the Valuation Office. It is hoped this can be achieved within existing resources.

3.4 Reserves available as part of the Three Year Financial Strategy:

Reserves Statement	2012/13 £'000	2013/14 £'000	2014/15 £'000	2015/16 £'000
Reserves as at 1 April	2,511	2,167	1,643	1,007
Contribution to/(from) Reserves	(344)	(524)	(636)	(666)
Reserves as at 31 March	2,167	1,643	1,007	341

3.5 AGREES that the decisions on use of the Social Fund Grant including any revision of the provisional distribution reflected in the base budget, should lie outside the normal Financial Regulation requirements for Supplementary Estimates and Virements.

3.6 Notes the following updates to the Risk Matrix as published on the 18th December 2012:

- Since the Financial Strategy was presented to Cabinet in December 2012, the position regarding the Contractors Claim for the construction of the New Headquarters has developed further. The financial impact of finalising the account is unknown at this stage and could vary from zero to a potentially significant sum. This will continue to be managed by the Chief Executive and Director of Community Assets and Localism in close liaison with our specialist project managers.
- The continued depressed economy and resultant poor property market continues to represent significant risk to the financial strategy in terms of assumed funding from asset disposals and asset transfers. It is hoped that the position will improve, but assumptions made within the budget will continue to be carefully monitored against results achieved and any significant variances included in future reports to Members.

4 COUNCIL TAX

4.1 RECOMMENDS a Council Tax for Wyre Forest District Council on a Band D Property of £197.62 for 2013/14 (£197.62 2011/12) which represents no increase on Council Tax from 2012/13.

4.2 RECOMMENDS a provisional Council Tax on a Band D Property in 2014/15 of £201.57 and £205.60 in 2015/16 an increase of 2 % per annum over 2013/14.

- 4.3 **NOTES** that the new Council Tax Discount Scheme approved by Council in November 2012 (subject to minor revision due to a removal of the Class L, repossessed properties, Council Tax exemption) will be effective from 1st April 2013, and that there is a risk from the scheme that there will be a greater financial burden on the Council.
- 4.4 **NOTES** the decision taken to join the Worcestershire Business Rates Pool to protect the Council from any business rate reductions and help maximise the benefit by retaining more of the business rates delivered from economic growth within Worcestershire.
- 4.5 That Cabinet **DECIDES** to:
- 4.5.1 **ACCEPT** the delegation from Worcestershire County Council to administer the distribution of the new pass-ported Social Fund Grant and that **DELEGATED** authority be given to the Director of Resources in consultation with the Cabinet Member for Resources and Transformation to agree the distribution of this Grant.
- 4.5.2 **APPROVE** the proposed arrangements for distributing the parish council support fund as set out in Appendix 4.
- 4.5.3 **DELEGATE** authority to the Director of Community Well Being and Environment and the Director of Resources in consultation with the relevant Cabinet Members, to agree and set a schedule of rates by January 2014, for commercial charges including trade, garden and bulky waste to be effective from 1st April 2014.

Recommendations from the Overview & Scrutiny Committee 7th February 2013

Decision: Cabinet noted the recommendations from the meeting of the Overview & Scrutiny Committee on 7th February 2013.

Results of Budget Consultation

Decision: The results of the budget consultation exercise as detailed within the reports to Cabinet be noted.

Report of the Director of Resources in respect of Sections 25-28 Local Government Act 2003

Decision:

Recommend to Council: The Director of Resources' opinion on the budget proposals, recommended by the Cabinet on 19th February 2013, as detailed in this report to Cabinet be noted.

CAB.70 Treasury Management Strategy 2013/14

A report was considered from the Director of Resources which recommended to Council the approval of the restated Prudential Indicators and Limits for the financial years 2013/14 to 2015/16, the updated Treasury Management and Investment Policy and Strategy Statements for the period 1st April 2013 to 31st March 2014, the Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP and the Authorised Limit Prudential Indicator. Cabinet also considered the recommendations from the Overview & Scrutiny Committee at its meeting on 7th February 2013.

Cabinet noted that the Treasury Management Review Panel had debated the report at their meeting and Members had also received a two hour training session which had been well attended. Moreover, the Council's strategy was working well in the current economic climate. The Chairman of the Overview & Scrutiny Committee reported that the report had been well received and Members were now more comfortable with the content which had given them more in depth knowledge.

Decision:

Recommend to Council:

- 1. The restated Prudential Indicators and Limits for the financial years 2013/14 to 2015/16 included in Appendix 3 of the report to Cabinet be approved and the change in the External Debt Indicator explained in paragraph 16.4 of the report to Cabinet be noted.**
- 2. The updated Treasury Management and Investment Policy and Strategy Statements for the period 1st April 2013 to 31st March 2014 (the associated Prudential Indicators are included in Appendix 3 and the detailed criteria is included in Section 10 and Appendix 5 of the report to Cabinet) be approved.**
- 3. The Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1 of the report to Cabinet be approved.**
- 4. The Authorised Limit Prudential Indicator included in Appendix 3 of the report to Cabinet be approved.**

Recommendations from the Overview & Scrutiny Committee 7th February 2013

Decision: Cabinet noted the recommendations from the meeting of the Overview & Scrutiny Committee on 7th February 2013.

CAB.71 National Non Domestic Rate (NNDR) Relief

A report was considered from the Director of Economic Prosperity and Place which asked for agreement to cease the current award of NNDR relief to all current recipients on 31st March 2014, giving notice to do so before 31st March 2013; and to introduce a new scheme of NNDR relief from 1st April 2014 following consultation to be undertaken during 2013 and to consider the recommendations from the Cabinet Review Panel meeting held on 28th January 2013.

The Cabinet Member for Resources and Transformation took Members through the report and advised that the report had been presented to the Cabinet Review Panel and the meeting had been productive. The Panel had felt that the Council needed to make savings in this area and this was the right thing to do. It was perceived that the new proposals gave the Registered Social Landlord (RSL's) sufficient time to plan accordingly before the existing scheme was due to end in March 2014.

A Member understood that the topic could be subject to a scrutiny review panel and the Leader of the Council advised that this could happen if it was felt necessary.

Decision:

- 1. Notice to all current recipients of NNDR relief that the current award will cease after 31st March 2014, such notice to be given before 31st March 2013 be given.**
- 2. Consult, via direct notification to all current recipients of NNDR relief and otherwise via the Council's website for a period of 8 weeks, on a proposed scheme for considering new awards of NNDR relief from 1st April 2014 and to receive a further report following consultation to agree the final implementation of the new scheme.**

Recommendations from Cabinet Review Group – NNDR

Decision: Cabinet noted the recommendations from the meeting of the Cabinet Review Group on 28th January 2013.

CAB.72 The Regulation of Investigatory Powers Act 2000 – Revised Policy

A report was considered from the Director of Community Assets and Localism which asked Cabinet to approve and adopt the Wyre Forest District Council Policy on the Regulation of Investigatory Powers Act 2000.

Members were taken through the report and advised that due to legislation the Council needed to adopt a reviewed policy. It was queried whether the Council would use the powers but it was confirmed that, if needed, the policy would ensure that any surveillance was correctly authorised and carried out.

Decision: The Wyre Forest District Council Policy on the Regulation of Investigatory Powers Act 2000 at Appendix A to the report to Cabinet be approved and adopted.

CAB.73 Wyre Forest District Revised Statement of Community Involvement Adoption

A report was considered from the Director of Economic Prosperity and Place that recommended to Council adoption of the Revised Statement of Community Involvement. Cabinet also considered the recommendations from the Overview & Scrutiny Committee at its meeting on 7th February 2013.

The Chairman of the Overview & Scrutiny Committee reported that the Committee had expressed concerns that there was a lack of response in some of the consultations and it was difficult to have a view when little input had been given. Questions were asked if the Council were taking every opportunity of getting responses to consultations whether it be via the internet or post and that every member of the public had an opportunity to respond.

Decision:

Recommend to Council: The Revised Statement of Community Involvement as set out at Appendix 2 to the report to Cabinet be adopted and that the responses to the representations made, as set out at Appendix 1 to the report to Cabinet be endorsed.

Recommendations from the Overview and Scrutiny Committee 7th February 2013

Decision: Cabinet noted the recommendations from the meeting of the Overview & Scrutiny Committee on 7th February 2013.

CAB.74 South Worcestershire Development Plan Proposed Submission Document

A report was considered from the Director of Economic Prosperity and Place which asked for approval of the comments attached at Appendix 1 of the report to Cabinet for submission in response to the consultation on the South Worcestershire Development Plan Proposed Submission Document. Cabinet also considered the recommendations from the Overview & Scrutiny Committee at its meeting on 7th February 2013.

The Chairman of the Overview & Scrutiny Committee commented that a long debate had been held on the subject at the Overview & Scrutiny Committee meeting especially on the Roxel site in Kidderminster as it was a cross boundary site with Wychavon District Council.

A Member had concerns that the specific allocation around surrounding areas of Stourport, i.e. Great Witley and Abberley would have an impact on the services in Stourport-on-Severn and felt that the Council needed to stay alert to the potential implications it could have for the Council.

Decision: The comments attached at Appendix 1 of the report to Cabinet for submission in response to the consultation on the South Worcestershire Development Plan Proposed Submission Document be approved.

Recommendations from the Overview and Scrutiny Committee 7th February 2013

South Worcestershire Development Plan – Publication

Decision: The representations set out at Appendix 1 of the report to the Overview and Scrutiny Committee be approved for submission in response to the Publication consultation.

CAB.75 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 paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB.76 Urgent Works to a building in Bewdley

A report was considered from the Director of Economic Prosperity and Place which sought approval for urgent works to be undertaken at a building in Bewdley and to the funding of such works.

Members were taken through the report and commented that they were happy with the proposed works to the building and the purpose for which it could be used.

Decision:

- 1 An Urgent Works Notice be served in respect of the building named in the report under S54 of the Planning (Listing Building & Conservation Areas) Act 1990, subject to first receiving written confirmation from English Heritage of the offer of 80% grant funding towards the cost of such Urgent Works;**
- 2. The Council seeks to recover, in full, its expenses in connection with the works carried out under S54 of the Act; in accordance with the provision of S55 of the Planning (Listed Buildings & Conservation Areas Act) 1990;**
- 3. Delegated authority be granted to the Director of Economic Prosperity & Place in consultation with the Cabinet Member for Place Shaping, to consider and decide the extent of the works deemed to be urgent and included within an Urgent Works Notice, having considered the schedule of works provided by the consultant.**

- 4. Delegated authority be granted to the Director of Economic Prosperity & Place in consultation with the Cabinet Member for Place Shaping and the Director of Resources to undertake a procurement exercise for the works to be carried out at the building as detailed in the Urgent Works Notice in the event that the owner is unable to undertake them.**
- 5. A supplementary estimate of up to £25,000 be established to fund the works, funded from resources currently allocated to the LDF earmarked reserve.**

The meeting closed at 7.13 pm.