

Open

Council

Agenda

6pm
Wednesday, 27th July 2016
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Council

Public Information

1. If you have any questions regarding the agenda, the attached papers or the meeting being webcast, please do not hesitate to contact the officer named below.
2. The Council meeting is open to the public except for any exempt/confidential items. These items are normally discussed at the end of the meeting
3. The public are welcome to speak at meetings of Council provided they have requested to speak in advance of the Agenda being published. Details of the guidance for public speaking can be found on our website www.wyreforestdc.gov.uk
4. If you have any special requirements regarding access to the venue and its facilities including audio and visual needs please let us know in advance so that we can make arrangements for you.
5. This Agenda can be made available in larger print on request; if you require a copy please contact:

Sue Saunders
Principal Electoral Services Officer
Wyre Forest District Council
Wyre Forest House
Finepoint Way
Kidderminster
DY11 7WF
01562 732733
susan.saunders@wyreforestdc.gov.uk



COUNCIL MEETING

19th July 2016

TO ALL MEMBERS OF THE COUNCIL AND HONORARY ALDERMAN

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 27th July 2016**, in the Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster.

The Agenda for the meeting is enclosed.

Yours sincerely,

A handwritten signature in black ink that reads "I R 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 the Council’s 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.

WEBCASTING NOTICE

This meeting is being filmed for live or subsequent broadcast via the Council's website site (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

Council

Wednesday, 27th July 2016

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Prayers To be read by Dudley Anderson, Senior Leader of Cornerstone Family Church, Stourport on Severn.	
2.	Apologies for Absence	
3.	Declarations of Interests by Members 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.	Minutes To confirm as a correct record the Minutes of the meeting held on 25 th May 2016.	10
5.	Public Participation 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 12 noon on Monday 18 th July 2016. <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 Solicitor to the Council will rule on whether or not the matter is urgent and that ruling will be final.</i>	

<p>6.</p>	<p>Questions</p> <p>Four questions have been submitted in accordance with Standing Order A5 by Members of the Council.</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 Solicitor to the Council no later than 9am on the day of Council.</i></p>	<p>20</p>
<p>7.</p>	<p>Chairman’s Communications</p> <p>To note the engagements of the Chairman of the Council since the Council’s last meeting.</p>	<p>21</p>
<p>8.</p>	<p>Leader of the Council Announcements</p> <p>To receive announcements from the Leader of the Council.</p>	
<p>9.</p>	<p>Motions Submitted under Standing Orders</p> <p>Two motions have been received in accordance with Standing Orders (Section 7, 4.1).</p> <p>1. Motion from Councillor M J Hart, Leader of the Council</p> <p>This Council supports the following statement:-</p> <p>“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. We condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.</p> <p>Wyre Forest District Council will work with other local bodies including the police and Community Safety Partnership to fight and prevent racism and xenophobia.</p> <p>All residents living in the Wyre Forest are valued members of our community.”</p> <p>We condemn any such attacks and fully support the Police and law enforcement agencies tackling this racist, xenophobic and criminal behaviour.”</p> <p>2. Motion from Councillor N Knowles, Labour Group Leader</p> <p>This Council is very concerned that the Review of the Fire Service will authorise a new system of Fire Cover in Wyre Forest which will result in response time to incidents being 2 ½ minutes more than is now the case. We accept that changes will be made and that a new HUB will be built for emergency services. We also accept that Bewdley Fire Station will be closed because the building will be demolished as part of the deal which has provided the town with a very large Health and GP Centre.</p>	

	<p>We call on the Fire Authority to;</p> <ol style="list-style-type: none"> 1) Keep Kidderminster and Stourport Fire Station open at least until the HUB is opened, 2) Provide 2 full time appliances and staff at Kidderminster in anticipation of the HUB, 3) Provide retained staff and appliances at Bewdley and Stourport until the HUB is open, 4) When the HUB is open, provide 2 whole time teams and engines, and 2 retained appliances, transferring the 2 appliances now operating at Bewdley and Stourport. <p>The Fire Authority is obliged to maintain and improve safety standards for the public and staff, not reorganise our service with a built in factor that increases risk by causing a worsening of response time by 2 ½ minutes and putting lives at greater risk.</p>	
10.	<p>Urgent Motions submitted under Standing Orders</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>Political and Constitutional Structures</p> <p>To consider revised political balance following a change in membership of political groups and to make consequential changes to the chairmanship and vice-chairmanship of committees.</p>	22
12.	<p>Community Governance Review – Stourport-on-Severn</p> <p>To agree the draft Terms of Reference and timetable relating to the community governance review of Stourport-on-Severn, which is to commence on 1 November 2016.</p>	26
13.	<p>Review of the May 2016 Elections and the Referendum on the UK’s membership of the European Union</p> <p>To provide a report on the Police and Crime Commissioner Election for the West Mercia Area, elections to Wyre Forest District Council and Kidderminster Town Council held on 5 May 2016 and the Wyre Forest District results for the Referendum on the UK’s membership of the European Union on 23 June 2016.</p>	36
14.	<p>Electoral cycle of Parish and Town Councils in Wyre Forest</p> <p>To propose changes to the electoral cycle of ordinary elections for parish and town councils in the Wyre Forest District in light of the results received from the recent consultation exercise.</p>	43

15.	<p>Policy and Budget Framework</p> <p>Matters which require a Decision by Council.</p> <p>Recommendation from Cabinet, 12th July 2016</p> <ul style="list-style-type: none"> • Bewdley Medical Centre – Demolition and Redevelopment 	57
16.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council 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.</p>	
17.	<p>Exclusion of the Press and Public</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 the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

18.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council 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.</p>	
-----	---	--

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

25TH MAY 2016 (6PM)

Present:

Councillors: R Bishop (Chairman), A T Hingley (Vice-Chairman), J Aston, J Baker, R Bishop, J-P Campion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, H E Dyke, P Dyke, S E Fearn, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, V Higgs, A T Hingley, N Knowles, D Little, N Martin, S Miah, F M Oborski MBE, T L Onslow, M Rayner, C Rogers, J A Shaw, J D Smith, R Vale, S J Walker, S J Williams, R Wilson and G C Yarranton.

C.1 Prayers

Prayers were said by Pastor Rob Palmer, Franche Community Church.

C.2 Election of Chairman

Councillor R Bishop was nominated as Chairman. This was moved by Councillor M J Hart and seconded by I Hardiman

Decision: Councillor R Bishop be elected as Chairman of Wyre Forest District Council for the ensuing municipal year.

C.3 Chairman – Investiture and Declaration of Acceptance of Office

After being invested with her Chain of Office, Councillor R Bishop made her Declaration of Acceptance of Office as Chairman.

C.4 Chairman's Response

The Chairman thanked Members for the great honour to be chosen as Chairman.

C.5 Retiring Chairman

The retiring chairman was thanked by the Leader of the Council for his hard work over the last past 12 months. He had undertaken many civic engagements on behalf of the Council together with his consort.

C.6 Retiring Chairman – Presentation of Badges

The retiring chairman was presented with a Past Chairman's badge.

Councillor Rogers thanked Council for all the support he had received during his year of office, having had the opportunity to share events with other civic leaders. He had raised approximately £1,500 for his charity, the Midlands Air Ambulance, and would continue to do so wherever he could. He thanked staff who had helped him and in particular Karen Walsh who had ensured he was at appointments he needed to attend. Lastly, he thanked his consort and the outgoing Vice-chairman.

C.7 Appointment of Vice-Chairman

Councillor M J Hart nominated Councillor J Smith as Vice-Chairman and this was seconded by Councillor I Hardiman.

Decision: Councillor J Smith be elected as Vice-Chairman of Wyre Forest District Council for the ensuing municipal year.

C.8 Vice-Chairman – Investiture and Declaration of Acceptance of Office

After being invested with her Badge of Office, Councillor J Smith made her Declaration of Acceptance of Office as Vice-Chairman.

C.9 Vice Chairman's Response

Councillor J Smith thanked Council for her appointment.

C.10 Apologies for Absence

There were no apologies for absence.

C.11 Declarations of Interests by Members

Councillor S Walker declared an Other Disclosable Interest (ODI) in agenda item number 19 – Motions submitted under Standing Orders.

C.12 Minutes

Decision: The minutes of the meeting held on 24th February 2016 be confirmed as a correct record and signed by the Chairman.

C.13 Public Participation

Council received a petition from Residents Against Town Seating (RATS).

Mr Darlington spoke on behalf of the petition as follows:

I represent the action group R.A.T.S. (Residents Against Town Seating). The group is concerned about the detrimental changes taking place in Kidderminster town centre, and in particular the so-called public seating. The group has no political affiliation, and purely represents residents and some visitors to the town.

Agenda Item No. 4

Through the use of local social media it immediately became apparent that numerous local residents were of the same opinion as ourselves, with a 75% / 25% split in favour of removing the 'record seats'. This figure was mirrored whilst out collecting signatures for the petition. It also showed that a large percentage of the town's residents were becoming increasingly ashamed of their town centre.

The group decided to focus on removal of the record seats, on the grounds they are a safety hazard and unfit for purpose, for the following reasons:-

SAFETY HAZARD:-

- 1) Jagged edges and corners at shin / knee height for adults, and almost head height for very young children. This is not how they were portrayed in artist's impressions before installation.*
- 2) The seats obstruct walkways and have been placed in a completely random fashion.*
- 3) Their unexpected low height and random positioning makes them a hazard for the visually impaired. They also present obstacles for wheelchair and mobility scooter users.*
- 4) Water does not drain off them, and the surface is smooth and slippery. Some are also not level and slope. This makes them unsafe and unsuitable as performance platforms, their other designed use.*
- 5) At night time, only the centre lights up, the black jagged edges remain in the dark.*

UNFIT FOR PURPOSE:

- 1) The seats are too low for disabled and elderly people to use. There are no back supports or sides to aid getting up off them.*
- 2) The seats are uncomfortable with a hard base. They are too cold to sit on in winter, and we believe will be too hot in summer.*
- 3) Many people do not realise they are there to be used as seats. They think they are piles of building materials dumped in the street awaiting collection or to be used elsewhere.*
- 4) The seats are supposed to reflect the town's music heritage. Only three of the nine have any strong relevance to the town. Many people would have liked to have seen the town's carpet heritage highlighted, such as benches that resembled a roll of carpet, and a trail leading to the carpet museum. That is what Kidderminster is famous for.*
- 5) After only four months, the seats, including the new guitar seats, are already showing signs of damage and deterioration to the material, with chipped and scratched edges. This is mostly due to the seats having attracted the town's skateboarding fraternity, who find them very useful for demonstrating their skills. They look as though they have been there 4 years, not 4 months.*

The action the R.A.T.S. group would like to see is as follows:-

- 1) The removal of the record seats from the town centre, and replacement with seating more appropriate and functional for people of all ages and disabilities to use comfortably.*
- 2) We believe the old seating is still in storage and could be re-used, or new seating along the lines of carpet benches mentioned previously.*

Agenda Item No. 4

- 3) *The record seats could be re-sited close to the Music College, where they might be more appreciated, with the safety issues addressed first of course.*

During the campaign we collected 2042 signatures, including people of all ages who were more than willing to sign the petition. Had we more time, I am confident we could have doubled or trebled the number collected. Whilst we recognise there are people in favour of the seats, the vast majority are against them. That is a fact. We believe the seating has cost £88,000. How many regular, comfortable seats would that money have bought?

At the end of the day, all we want is a town centre to be proud of, that has the appearance of quality workmanship, has been thought out with a degree of common sense, and can be used by all. Kidderminster town centre does not offer this at the moment. We recognise that the removal of the record seats is more expense, but do we wait for the inevitable injury claims to come through, causing further waste of tax payers money. This is why we want the seats replaced.

We hope you will vote on this matter from the heart, and to the benefit of the town, and not from any political allegiance.

The Cabinet Member for Planning and Economic Regeneration thanked Mr Darlington and the group for taking the time to attend the Council meeting to present their petition. She stated that the vinyl street furniture was in line with all current design standards and there was no risk from cuts or abrasions. The Council had not received any injury complaints since the furniture had been installed. There had been no concerns raised during the consultations of the records stacks and she agreed that they did not meet the needs of everyone. However, they were part of the music heritage trail and should be celebrated.

Members discussed the petition and stated that the council was brave to have taken the steps it had taken in installing the record stacks as no other authority had done anything like this before. The music heritage trail was important to the town of Kidderminster and it was pointed out that the record stacks were being used by people of all ages to sit down on and were safe and they should not be removed.

Decision: The information be noted.

C.14

Questions

Three questions had been submitted in accordance with Standing Order A5 by a Member of the Council.

Question from Councillor M Rayner to the Cabinet Member for Planning and Economic Regeneration

Please can we have an update on how the new refurbishment of Kidderminster Town Centre is proceeding?

Answer from the Cabinet Member for Planning and Economic Regeneration

Phase 3 of the works which covers Exchange Place, Exchange Street and Oxford Street, is going ok but with an unusual delay. When the tarmac surface was removed along Exchange Street, in particular by the Brintons building, it has caused some difficulties with the depth of the bridge deck over the river Stour, and there was a step up to the former Brintons doorway. Then another step was discovered meaning that the floor level had been raised some years ago. Hidden in there were services such as media and utilities and they were sat on the bridge deck and this prevented the block paving being laid, so required a redesign around the former Brintons office entrance. In addition, various unmarked ducts were found and it was not apparent whether they were in use so there had to be further water drainage issues and further investigations. However, the revised date for completion is mid to the end of next month.

Supplementary question from Councillor M Rayner

Have many residents raised concerns about the quality of materials and the finish and the black and white bricks? There are still some cracking and they are still breaking up and uneven and still many other issues. My concerns are how we are monitoring the quality issue, how it is to be resolved over these deficits that are happening.

Supplementary answer from the Cabinet Member for Planning and Economic Regeneration

As you pointed out, remedial work is needed to phases 1 and 2 namely Vicar Street, High Street and the sandstone square by the Bullring. I think the most important thing to stress is that we have secured from the contractor that they will remain on site until the project is fully completed. There are three groups of people monitoring the work, including Worcestershire County Council. You may ask who is going to pay and that will be part of the overall negotiation of the extension to the time and any cost of that we would expect a cost reduction which would reflect any issues over poor workmanship.

Question from Councillor J Shaw to the Leader of the Council

What arrangements have been made in this municipal year to enable all councillor appointees to the Community Housing Group to inform fellow councillors of their participation in the decision-making processes of the company?

Answer from the Leader of the Council

The same arrangements as last year. I have liaised with Alison Braithwaite who organises the schedule for Members Forums which are presented to regular group meetings and we are planning to have an item on the October Members Forum and all representatives of the Community Housing Group will be notified in order that they can feedback to Members in the normal way.

Supplementary question from Councillor J Shaw

Thank you for the answer. The second related question is about the recently passed Housing and Planning Act, which has fundamental implications for the nature of our involvement and that of the housing associations in the district. Is the Leader planning to have a briefing about this very important subject in this municipal year.

Supplementary answer from the Leader of the Council

I wasn't because no one had asked, this is the first request but I will take that away and consider it and discuss it with the relevant cabinet member/director/officers to see if we can allow a briefing to take place.

Question from Councillor N Knowles to the Leader of the Council

Would the Leader concede that to curtail the duration of Kidderminster Town Council from four years to three would be undemocratic?

Answer from the Leader of the Council

As an experienced councillor you should know better than making assertions curtailing the term of office for Kidderminster Town Councillors from 4 to 3 years, because as you know there is in fact a consultation taking place and no decision has been made. The consultation ends on 30th June and having spoken to the Chief Executive about the matter, the consultation responses are coming in and no doubt more to come and therefore I wouldn't wish to pre-determine any final decision which will be made by this body on 27th July which is the next full council meeting but I don't agree that anyone is acting undemocratically.

Supplementary question from Councillor N Knowles

Seems the whole weight of this debate is coming from here and does seem to me that the people that voted in the elections on 5th May for a 4 year term for Kidderminster Town Council, will be amazed if the emphasis is placed on consultation and it was my experience that led me to ask the question. Should it or not be that a councillor just elected should be allowed to run its full term and I guess you would deny that your administration is lining up its arguments to curtail it from four years to three.

Supplementary answer from the Leader of the Council

I would deny that and it's an outrageous slur and something inappropriate for you to make. There was much debate about this at Kidderminster Town Council meeting which you as a member were not there to participate in the debate. I sat in the public gallery and you weren't there for the debate, so people in glass houses shouldn't throw stones but the district council are acting as democratically as they could be because at the 10th February Kidderminster Town Council meeting this year, there was a request from the town council that when they were considering the electoral cycle of Wyre Forest District Council, if the district council moved its term of elections to every 4 years, parish and town councils could be out of sync and could be a financial cost to parish and town councils. So it was resolved by the Kidderminster Town Council, of which you were a member, that if the district council moved its electoral cycle, which we now have done, it calls for a separate consultation by Wyre Forest District Council on the possibility of making changes to the dates of parish council elections. So the district council is responding to the request from the town council. Now I reject the assertion that this is undemocratic, and again we have made no decision, we'll wait for the consultation but I've heard twice from contributions in this place that the people of Kidderminster expected to elect for a four year term. I refute that because the district council made it clear to everyone in the public domain and to all candidates that the district council had a consultation running and that the fixed term might be for four years or if the cycle changed, it would be for three years so I reject in its entirety your assertion. This council is curtailing nothing.

C.15 Chairman's Communications

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting.

C.16 Political and Constitutional Structures 2016/2017

Council received a report from the Solicitor to the Council on the proposed political and constitutional structures for 2016/2017.

The Leader of the Council moved all recommendations in the report but with two amendments. The first was that Kidderminster District Youth Trust would have 3 representatives and not 4 and Councillor Vale's name would be deleted. This was because the council had been sending 4 representatives for at least 10 years but only entitled to 3. The other amendment was a minor amendment to section 12 of the contract procedures rules. An updated copy had been circulated.

Councillor Shaw moved five amendments to the outside bodies appointments but these were all defeated.

In response to a question, the Leader of the Council confirmed that he had no concerns in having 6 district councillors and 6 parish councillors on the Local Plans Review Panel. The chairman of the panel was delighted that

more parish councillors would be on the panel and stated that it was not a party political panel.

Decision:

- 1. The proposed Political Management Structure of committees for 2016/2017 as set out in Appendix 1 of the report to Council be approved.**
- 2. The Chairmen and Vice-Chairmen of Committees as contained in Appendix of the report to Council be agreed.**
- 3. The Municipal Calendar as set out in Appendix 3 of the report to Council be adopted.**
- 4. The appointments to outside bodies as set out in Appendix 4 of the report to Council, subject to the omission of Councillor B Vale from Kidderminster District Youth Trust, be agreed**
- 5. The revisions to the Constitution as set out in Appendix 5 of the report to Council (and the updated details for Section 12 – Contract Procedure Rules) be agreed and the Solicitor to the Council be authorised to amend the Contract Procedure Rules and the Chief Financial Officer to amend the Financial Procedure Rules in line with the summary tables set out in that Appendix.**
- 6. The revised chart of political balance as set out in Appendix 6 of the report to Council be approved.**
- 7. The Solicitor to the Council be authorised to settle any outstanding details relating to the political structures and to make changes as necessary to the Council’s Constitution to give effect to the Council’s decisions and any other revisions necessary to reflect needs or circumstances.**

C.17 Members’ Annual Activity Reports and Attendance 2015/2016

Council received the schedule of Members’ Annual Reports which gave details of activities in their role as District Councillors for the 2015/2016 municipal year and received a record of attendance.

Decision: The reports and attendance be noted.

C.18 Annual Reports for the Municipal Year 2015/2016

Council received the Annual reports from the Leader of the Council, the Chairman of both the Overview and Scrutiny Committee and the Ethics and Standards Committee.

Decision: The Annual Reports for the Cabinet, Overview and Scrutiny Committee and the Ethics and Standards Committee be noted.

C.19 Leader of the Council Announcement

The Leader of the Council announcements were tabled at the meeting and he referred Members to it.

Decision: The information be noted.

Councillor S Walker left the meeting at this point (7.14pm).

C.20 Motions Submitted under Standing Orders

One motion had been received in accordance with Standing Orders (Section 7, 4.1)

1. Motion from Councillor N Knowles, Labour Group Leader

This Council calls on NHS Wyre Forest Clinical Commissioning Group and Worcestershire Acute Hospitals Trust to reverse their decision to close the GP Unit – “A” Ward at Kidderminster Hospital and to keep it open.

Councillor Knowles advised Council that the ‘A’ ward in Kidderminster Hospital had opened in 1972 and had given good service to people of the Wyre Forest.

An amendment to the motion was tabled and the Cabinet Member for Health, Well-being and Housing stated she had received clarification from Worcestershire County Council that GP’s within the Clinical Commissioning Group (CCG) had spent several months working on the new models of care for primary and community care. The CCG had been open in involving local people and working jointly with partners whilst the work was coming to a conclusion. There was no fixed date for the closure and the CCG and the Acute Trust have agreed to work together to manage that process. In addition, The Grange had been kept open until March 2017. She stated she was disappointed that the elected member had misled other members.

Councillor P Dyke left the meeting at this point, (7.22pm).

A robust debate was held on the amended motion. A member believed that the CCG had been trying for a couple of years to get more integration of services, although this was a complex issue.

Councillor P Dyke came back to the meeting at this point, (7.27pm).

Agenda Item No. 4

Some members felt that it was right for the amended motion to be referred to the Worcestershire Health Overview and Scrutiny Committee for consideration.

Upon a vote the amended motion was agreed.

Decision:

The following amended motion received from the Conservative Group be agreed:

This Council:-

- (a) **notes** that the Wyre Forest Clinical Commissioning Group and the Worcestershire Acute Hospitals Trust are considering ceasing to operate the GP Unit at Kidderminster Hospital;
- (b) **recognises** that closure of the unit would be subject to referral to Worcestershire Health Overview and Scrutiny Committee;
- (c) **requests** the Wyre Forest Clinical Commissioning Group and Worcestershire Acute Hospitals Trust to conduct public consultation on appropriate, alternative provision before making a final decision; and
- (d) **requests** that, if such a closure is definitely proposed on the existing site, all of the existing patients and future patients have appropriate medical care and treatment in a fit for purpose Unit within the local Wyre Forest area.

C.21 Policy and Budget Framework

a. Recommendations from Cabinet 8th March 2016

- **Green Street Depot Project**

Decision: Subject to the deliverability test being met on the installation of a biomass CHP at Green Street depot, the 2016/17 capital budget be amended to include the amount specified in the report to Cabinet at its meeting on 8th March 2016 for the costs of this scheme.

The meeting ended at 7.46 p.m.

WYRE FOREST DISTRICT COUNCIL

COUNCIL

27TH JULY 2016

QUESTIONS TO COUNCIL

1. Question from Councillor N Knowles to the Leader of the Council

Which Polling Station(s) will be used for the By-election to Kidderminster Town Council (Habberley South and Blakebrook) on 1st September, and would the Leader consider having one such polling station at the Church Hall on Habberley Estate, as well as either the Church in Greatfield Road or at the Gainsborough Hotel?

2. Question from Councillor F Oborski to the Leader of the Council

Some two years ago Council agreed, as part of its activity to engage young people, to establish the role of "Youth Mayor".

Can the Leader tell me what progress has been made?

3. Question from Councillor J Shaw to the Leader of the Council

Is this council currently engaged in any form of devolution negotiations?

4. Question from Councillor J Shaw to the Leader of the Council

Have arrangements been made to enable Ray Brookes, Chief Executive of The Community Housing Group, and one of his senior officers, to brief councillors about the difficulties of providing truly affordable housing in future in this district?

Chairman's List of Functions – 2016/17

JUNE 2016

- 4th Brinton Bash
- 5th Rock 'n' Roll Party in the Park, Riverside Meadows
- 10th Wyre Forest Community Primary School Choir Competition
- 10th Mayor of Stourport's Reception*
- 11th Bewdley Carnival
- 11th Tea for the Queen – A Party for County Residents turning 90 this year
- 12th Service at Worcester Cathedral to Celebrate Queens 90th Birthday
- 20th Armed Forces Flag Flying Ceremony
- 20th Mayor of Bridgnorth's Curry Night
- 26th Mayor of Ludlow Sunday Service
- 29th Dinner for Latvian Delegation

JULY 2016

- 1st Service to Commemorate the Battle of the Somme
- 2nd Wyre Forest Symphony Orchestra*
- 2nd Worcestershire Provincial Grand Lodge Presidents Evening
- 3rd Kidderminster Mayor's Sunday
- 3rd One Grain Exhibition at Bewdley Museum*
- 7th Young Citizenship Ceremony
- 16th Fete at The Shrubbery Nursing Home
- 17th Wychavon Civic Service
- 24th Mayor of Droitwich's Sunday Lunch

* Denotes attendance by Vice Chairman

WYRE FOREST DISTRICT COUNCIL

COUNCIL
27TH JULY 2016

Political and Constitutional Structures

OPEN	
CABINET MEMBER:	The Leader of the Council
DIRECTOR:	Solicitor to the Council
CONTACT OFFICER:	Caroline Newlands, Ext. 2715 caroline.newlands@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 Political balance

1. PURPOSE OF REPORT

- 1.1 To consider revised political balance following a change in membership of political groups and to make consequential changes to the chairmanship and vice-chairmanship of committees.

2. RECOMMENDATION

The Council is asked to:

- 2.1 **Approve the revised chart of political balance as set out in Appendix 1;**
- 2.2 **Agree the changes to appointments of Chairmen and Vice-Chairmen of Committees as set out in paragraph 4.2 below, with immediate effect.**

3. BACKGROUND

- 3.1 Council decided the political and constitutional structures for 2016/17 at its meeting on 25 May and appointed the Chairmen and Vice Chairmen of committees. On 24 June, notification was received from the Leader of the Conservative Group appointing Councillor Vale instead of Councillor Yarranton as a member of the Planning Committee. This was consequential on Councillor Yarranton leaving that Group.
- 3.2 At the point when he ceased to be a member of the Planning Committee, Councillor Yarranton was no longer able to continue as Vice Chairman, a role to which Council had appointed him on 25 May.

4. KEY ISSUES

- 4.1 The overall political balance is as follows:

Conservative	21
Independent & Lib Dem Group	5
Labour	4
Independent Community and Health Concern	2
Non-aligned	1

Legislation requires that the aggregate allocation of committee seats must be in accordance with the principles of political balance and proportionality. Subject to this, individual committee membership should reflect the political balance of the Council as far as practicable. Council can depart from these principles provided no member votes against doing so. As usual, it is not possible to achieve precise political balance. The political balance of committees is set out in Appendix 1 for Council's approval. The Solicitor to the Council will seek revised nominations from relevant groups where their entitlement to seats has changed.

- 4.2 The following changes to chairmen and vice-chairmen of committees will be proposed and Council is invited to approve them:

Committee	Appointments made on 25 May	Revised appointments submitted for approval by Council, 27 July
Planning Committee	Vice-chairman: Councillor Yarranton	Vice-chairman: Councillor Chris Rogers
Audit Committee	Chairman: Councillor Chris Rogers Vice-chairman: Councillor Anne Hingley	Chairman: Councillor Anne Hingley Vice-chairman: Councillor Rebecca Vale

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this report.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The proposals for the allocation of seats on committees reflect political balance in accordance with the Local Government and Housing Act 1989.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An equality assessment impact has been undertaken and it is considered that there are no discernible impacts on the six equality strands.

8. RISK MANAGEMENT

- 8.1 There are no significant risks associated with the proposed political management structure for 2016/2017.

9. CONCLUSION

- 9.1 The proposals contained within this report meet the requirements of the relevant legislation and reflect a change in the membership of the largest political group.

10. CONSULTEES

- 10.1 The Leader of the Council.
10.2 The Chief Executive.

11. BACKGROUND PAPERS

11.1 Local Government and Housing Act 1989.

		Conservative		Labour		Independent Community and Health Concern		Ind & Lib Dem Group		Non- aligned		Total
No. of Cllrs.			21		4		2		5		1	33
Percentage			63.64%		12.12%		6.06%		15.15%		3.03%	100.00%
Executive Cttees												
	Membership											
Appts & Appeals	5	3	3.18	1	0.61	0	0.30	1	0.76	0	0.15	5
Audit cttee	6	4	3.82	1	0.73	0	0.36	1	0.91	0	0.18	6
Ethics & standards *	6	4	3.82	1	0.73	0	0.36	1	0.91	0	0.18	6
Scrutiny												
Scrutiny Committee	10	6	6.36	1	1.21	1	0.61	2	1.52	0	0.30	10
Regulatory												
Planning	12	8	7.64	1	1.45	1	0.73	2	1.82	0	0.36	12
Lic & Env	12	8	7.64	1	1.45	1	0.73	2	1.82	0	0.36	12
Total	51	33	32.45	6	6.18	3	3.09	9	7.73	0	1.55	51
Percentage		64.71%		11.76%		5.88%		17.65%		0.00%		100.00%
Difference between % No. of Cllrs. And % Number of Seats		1.07%		-0.36%		-0.18%		2.50%		-3.03%		

* the table shows only district councillor members

1. Each member is required to notify the Proper Officer which political group, if any, he or she wishes to be identified with. A group comprises of two or more members.
2. Each Group Secretary is required to notify the Proper Officer which members of his or her groups he/she wishes to sit on each relevant committee or sub-committee.
3. The allocation of seats required the rounding up or down of calculated figures to give whole numbers.
4. Single party representatives and independent members (who do not form part of a political group) are not legally entitled to seats on committees to which the rules of proportionality apply.

WYRE FOREST DISTRICT COUNCIL

COUNCIL

27TH JULY 2016

Community Governance Review – Stourport-on-Severn

OPEN	
CABINET MEMBER:	Councillor N Desmond, Cabinet Member for Resources
DIRECTOR:	Ian Miller, Chief Executive
CONTACT OFFICER:	Ian Miller Ext 2700 ian.miller@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – Draft Terms of Reference and Timetable

1. PURPOSE OF REPORT

- 1.1 To agree the draft Terms of Reference and timetable relating to the community governance review of Stourport-on-Severn, which is to commence on 1 November 2016.

2. RECOMMENDATION

The Council is asked to APPROVE:

- 2.1 **The terms of reference and timetable for the review in Appendix 1.**

3. BACKGROUND

- 3.1 On 29 July 2015, Wyre Forest District Council decided in principle to conduct a community governance review of Stourport-on-Severn under the Local Government and Public Involvement in Health Act 2007, following a request received from Stourport-on-Severn Town Council for a review to be undertaken to address anomalies they perceive in the distribution of seats to the various wards that make up the Town Council. The review is scheduled to commence on 1 November 2016.
- 3.2 The background to the request is that the allocation of seats for the Town Council wards was changed as part of the work done by the Local Government Boundary Commission for England on the electoral review of Wyre Forest District Council. This Council did not comment on the Boundary Commission's work in respect of the Town Council, as that was a matter of interest to the Town Council.
- 3.3 On 18 June 2014 the Town Council responded to the draft recommendations and raised no objections to the proposals for the distribution of seats between the town council wards as set out in Table 1. The Town Council and local electors were not given any chance to comment on the final recommendations published in October 2014. However, for reasons that are not entirely apparent, the Boundary

Commission’s final recommendations for the Town Council involved a slightly different pattern of representation, which is also set out in Table 1.

Table 1

Ward	Draft recommendations- April 2014	Final recommendations- October 2014
Areley Kings East	3	3
Areley Kings West	2	2
Central	2	2
Lickhill	3	3
North	4	2
Stour & Wilden	4	6
Stourport-on-Severn	18	18

- 3.4 Before the ordinary elections on 7 May 2015, the Town Council had six wards, each returning 3 members. It was expected that the Boundary Commission would revise the ward boundaries and level of representation as a result of the changes to the district ward boundaries in Stourport. Indeed the Boundary Commission’s review provided the opportunity to address some of the imbalances that existed in representation on the Town Council. For example, prior to 7 May 2015, Areley Kings West had approximately 2,100 voters and returned 3 councillors, while Stour & Wilden had nearly 3,345 voters but the same number of town councillors.
- 3.5 No electoral review is likely to lead to precise electoral equality. That is the case with the District Council’s wards, although all of them lie within 10% variance of electoral equality. This is because, in conducting reviews of district councils (for example), there is “the need to secure that the ratio of the number of local government electors to the number of members of the district council to be elected is, as nearly as possible, the same in every electoral area of the council”. It is a quirk of the legislation but the Local Government Boundary Commission is not required by Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 to secure such equality for parish councils.
- 3.6 The new electoral arrangements were given effect by the Wyre Forest (Electoral Changes) Order 2015 No.70. They were used for the ordinary elections to the Town Council on 7 May 2015 and the delayed election to Areley Kings East ward held on 9 June 2015. Even if the result of this review is to change the electoral arrangements for the Town Council, the changes would not be able to take effect until May 2019 when the next ordinary elections for the Town Council will be held.
- 3.7 However a community governance review cannot look solely at the electoral arrangements of the Town Council. Wider questions of community governance can be raised by people and organisations responding to the review. It does not prevent responses to the review (for example) calling for the abolition of the Town Council, or suggesting that its area should be split between two or more new parish councils. This Council would be obliged to consider all representations in reaching conclusions about what to do following consultation.
- 3.8 Under section 90 of the 2007 Act, if a community governance review makes recommendations that a parish should continue to have a parish council, the review must also make recommendations as to what changes (if any) should be made to the

electoral arrangements for that council. This is not an unfettered power because of the recent review by the Local Government Boundary Commission for England. Under section 86 of the 2007 Act, the Council cannot include any provision to change electoral arrangements that were made or altered during the preceding five years by an order under section 59 of the 2009 Act, unless the Local Government Boundary Commission agrees to that provision.

- 3.9 Officers have therefore consulted the Boundary Commission on a contingent basis to explore whether or not the Commission would be likely to give its agreement to changes to the number of town councillors to be returned by each ward in 2019, if that was what the District Council decided to propose as part of the community governance review.
- 3.10 Boundary Commission officials have replied as follows: “in principle, the Commission would be willing to entertain a request from your Council to grant consent to the making of a Reorganisation of Community Governance Order for Stourport-on-Severn in order to address the broad consideration you describe [i.e. the variation of councillors between wards]. The matters which the Commission would consider would relate to the particular aspects of proposed changes to community governance and any evidence which the Council may provide relating to community support for its proposals”. Boundary Commission officials have correctly stressed that, at this time, no undertaking can be given on behalf of the Commission, that consent will necessarily be granted upon receipt of a request as the Commission has to reach a view on a specific proposal.
- 3.11 Conducting a review does not commit this Council to implementing any changes. It is a consultative process and the Council will have regard to responses received as part of the review in reaching decisions on what (if any) action to take. Final recommendations following the review will therefore be submitted to full Council for approval.

4. DRAFT TERMS OF REFERENCE

- 4.1 The draft terms of reference under which the review is to be undertaken and the area under review is set out in **Appendix 1**. This information has to be published before the review can commence. To assist the Town Council, local electors and other interested parties in responding, the terms of reference set out alternative patterns of representation for the North, Stour & Wilden, Areley Kings East and Lickhill wards.

5. FINANCIAL IMPLICATIONS

- 5.1 Conducting the community governance review will involve modest financial cost to the Council, mainly of officer time, and any such additional costs can be absorbed within existing budgets. As the costs of the review cannot be recovered from the town council, it is not proposed to engage in expensive methods of public consultation, such as the local advisory poll that was held for Kidderminster. Consultation with the public would be promoted on the Council’s website, through social media channels and press releases.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The Local Government and Public Involvement in Health Act 2007 sets out the powers associated with community governance reviews and provides the power for the Council to take decisions regarding matters arising from any review. Relevant provisions have been mentioned throughout this report. The Council is required by Section 100(4) of the 2007 Act to have regard to the guidance issued by the Secretary of State relating to community governance reviews.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An initial screening has been undertaken and no potential adverse impact on protected characteristics has been identified. In carrying out the review, the Council will be required to engage with local communities to address their needs and ensure that community governance reflects the identities and interests of the community. The review will give the opportunity to address anomalies in representation on the Town Council which might affect how the identities and interests of the community are reflected in the governance arrangements.

8. RISK MANAGEMENT

- 8.1 Risks will be mitigated by ensuring that the review accords with the legislation and guidance given by the Secretary of State and Boundary Commission. This will include ensuring that the review is carried out within the statutory timescales and that the terms of reference are appropriate. There remains a risk of the Commission not agreeing to changes to electoral arrangements, but the initial “without commitment” response in paragraph 3.10 is felt to provide sufficient assurance at present.

9. CONCLUSION

- 9.1 The Council is invited to determine the terms of reference and timetable for the community governance review for Stourport-on-Severn.

10. CONSULTEES

- 10.1 Cabinet Member for Resources.
10.2 Corporate Leadership Team.

11. BACKGROUND PAPERS

- 11.1 The Local Government and Public Involvement in Health Act 2007, Part 4, Chapter 3
<http://www.legislation.gov.uk/ukpga/2007/28/part/4/chapter/3>
(This legislation has been amended by the 2009 Act.)
- 11.2 Department for Communities and Local Government and The Local Government Boundary Commission for England – Guidance on Community Governance Reviews.
http://www.lgbce.org.uk/data/assets/pdf_file/0019/10387/community-governance-review-guidance.pdf

**COMMUNITY GOVERNANCE REVIEW
STOURPORT-ON-SEVERN**

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

DRAFT TERMS OF REFERENCE, July 2016

1. INTRODUCTION

Why undertake a community governance review?

- 1.1 The Local Government and Public Involvement in Health Act 2007 (LGPIH) devolved the power to take decisions relating to the creation or abolition of parishes, the boundaries parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils. From 2008, district councils have had responsibility for undertaking community governance reviews and have been able to decide whether to give effect to the recommendations made in those reviews. In making that decision, Councillors needs to take into account the views of local people and to have regard to guidance issued by the Secretary of State and the Local Government Boundary Commission for England.
- 1.2 On 29 July 2015, Wyre Forest District Council decided in principle to undertake a Community Governance Review (CGR), under section 82 of the 2007 Act, following a request by Stourport-on-Severn Town Council for a review to address anomalies that it perceives in the distribution of seats to various wards that make up the Town Council. The background to the request is that the allocation of seats for the Town Council wards was changed as part of the work done by the Local Government Boundary Commission for England on the electoral review of Wyre Forest District Council. This Council did not comment in the Boundary's Commission's work in respect of the Town Council, as that was a matter of interest to the Town Council.
- 1.3 In a case such as Stourport where a parish council exists, under section 88 of the 2007 Act, any review must make one of the following recommendations:
- (a) Recommendations that the area of the parish should not be abolished and that its area should not be altered;
 - (b) Recommendations that the area of the parish should not be altered;
 - (c) Recommendations that the parish should be abolished;

The review must also make recommendations:

- (a) as to whether or not the name of the Parish should be changed;
- (b) as to whether or not the parish should continue to have a council.

A community governance review cannot look solely at the electoral arrangements of the Town Council.

Who will undertake the Community Governance Review?

- 1.4 As principal authority, the District Council is responsible for undertaking any community governance review. The Council is responsible for agreeing the Terms of Reference for the review and agreeing the draft and final recommendations prior to any Community Governance Order being made.
- 1.5 The lead officer for this review is Ian Miller, Chief Executive of Wyre Forest District Council.

2. CONSULTATION

- 2.1 Before making any recommendations or publishing final proposals in line with legislative requirements, the District Council will take full account of the views of local people. The District Council will comply with the legislative requirements by:
- Consulting Local Government electors for the area under review – a notice will be published in the local press, on the council’s website and at the Town Council’s Civic Centre Offices, New Street, Stourport informing residents of the Review and inviting responses;
 - Consulting any other person or body (including District and County Councillors representing the area) which appears to the principal authority to have an interest in the review;
 - Taking into account any representations received in connection with the Review.
- 2.2 When taking account of written representations, the District Council is bound to have regard to the need to secure that community governance within the area under the review:
- Reflects the identities and interests of the community in that area; and
 - Is effective and convenient
- 2.3 In order to ensure that this review is conducted transparently, as soon as practicable, the District Council will publish its recommendations and take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them.
- 2.4 The District Council will also notify the outcome of the review to any persons or bodies who submit written representations.
- 2.5 A Community Governance Review must, by statute, be concluded within a twelve month period from the day on which the review commences. A Community Governance Review commences when the Council publishes its Terms of Reference and it concludes when the District Council publishes the recommendations made in the review.

Timetable for the review

Action	Timetable	Dates
Report to Council to approve the Terms of Reference.		27 July 2016
Commencement of review, publication of Terms of Reference		1 November 2016
Introductory Stage – Invite initial submissions.	3 months	Ends 31 January 2017
Consideration of consultation response by full Council and approval of draft proposals (if any).		22 February 2017
(If required) Consultation on draft proposals	3 months	March – June 2017
(If required) Obtain Boundary Commission's formal consent to any proposed changes to electoral arrangements		April/May 2017
Approval of order by Council (assuming LGBCE's consent obtained)		26 July 2017 or September 2017
Proposed effective date of Order; next ordinary elections for Stourport-on-Severn Town Council		May 2019

Stourport-on-Severn Parish Electoral Arrangements

- 2.6 The Stourport-on-Severn parish currently has a council comprising of 18 Councillors and has six Parish Wards, as set out on the map at the end of this document. The existing electoral arrangements for each Parish Ward within the Parish are shown in the table below. These arrangements arose from the work done by the Local Government Boundary Commission on the electoral review of Wyre Forest District Council in 2014 and were given effect by the Wyre Forest (Electoral Changes) Order 2015 No.70. They were used for the ordinary elections to the Town Council on 7 May 2015 and the delayed election to Areley Kings East ward held on 9 June 2015.

Current Electoral Arrangements

Ward	Number of Councillors	Electorate (June 2016)	Electors per Councillor (rounded)
Areley Kings East	3	2536	845
Areley Kings West	2	2076	1038
Central	2	1955	978
Lickhill	3	2223	741
North	2	4139	2070
Stour & Wilden	6	3302	550
Stourport-on-Severn	18	16231	(variance of 1,520 electors between lowest and highest number of electors per councillor)

- 2.7 There is no legal provision that each Town / Parish Councillor should represent, as near as possible, the same number of electors. However, Wyre Forest District Council considers that it is not in the interests of effective and convenient local government to have such significant differences in levels of representation between parish wards.
- 2.8 It is important to avoid the risk that, where one or more wards of a parish are over represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council.

Draft Proposals for addressing the imbalance of councillors

- 2.9 **Proposal 1** – is to do nothing and remain with the current electorate arrangements as set out in the table below.

Ward	Number of Councillors	Electorate (June 2016)	Electors per Councillor (rounded)
Areley Kings East	3	2536	845
Areley Kings West	2	2076	1038
Central	2	1955	978
Lickhill	3	2223	741
North	2	4139	2070
Stour & Wilden	6	3302	550
Stourport-on-Severn	18	16231	(variance of 1,520 electors between lowest and highest number of electors per councillor)

- 2.10 **Proposal 2** (based on June 2016 electorate). This proposal sets out the number of councillors that the Local Government Boundary Commission originally consulted on in their Draft Recommendations in April 2014. Stourport-on-Severn Town Council raised no objections to these proposals for the distribution of seats between the town council wards.

Ward	Number of Councillors	Electorate (June 2016)	Electors per Councillor (rounded)
Areley Kings East	3	2536	845
Areley Kings West	2	2076	1038
Central	2	1955	978
Lickhill	3	2223	741
North	4	4139	1035
Stour & Wilden	4	3302	825
Stourport-on-Severn	18	16231	(variance of 297 electors between lowest and highest number of electors per councillor)

- 2.11 When considering any electoral arrangements, the council is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years from the date the review starts. Electorate forecasts have been prepared based on the 2014- Office of National Statistics Subnational Population Projections. The estimate of electorate for 2021 for proposal 2 is set out in table below.

Proposal 2 (based on the electorate estimate for 2021)

Ward	Number of Councillors	Electorate (2021 estimate)	Electors per Councillor (rounded)
Areley Kings East	3	2578	859
Areley Kings West	2	2109	1054
Central	2	1986	993
Lickhill	3	2259	753
North	4	4205	1051
Stour & Wilden	4	3355	839
Stourport-on-Severn	18	16231	(variance of 301 electors between lowest and highest number of electors per councillor)

- 2.12 **Proposal 3** – a different arrangement of the number of councillors per Parish Ward which would result in the variance being less than 297 (based on the June 2016 electorate) and less than 301 (based on the electorate estimate for 2021), if this is statistically achievable. This may result in a proposal being put forward which decreases or increases the overall number of Councillors on the Town Council.
- 2.13 The Local Government Act 1972 states that the number of parish councillors for each parish council shall not be less than 5. However, there is no upper limit in law. Research conducted in 1992 suggested almost all parish councils serving over 20,000 people had between 13 and 31 councillors. Locally Kidderminster has 18 councillors serving a population of 55,530 and Bewdley has 13 Councillors serving a population of 9,470. Therefore given that the population for Stourport-on-Severn is only 20,292 and currently has the same number of councillors as Kidderminster, there would have to be a strong case made to increase the number of councillors from the current 18.
- 2.14 In view of the above issues for consideration on the number of councillors, the proposal below achieves greater electoral equality per councillor per parish ward (than proposal 2) by reducing the overall number of councillors by 3 to 15.

Reduction in the overall number of councillors (based on June 2016 electorate)

Ward	Number of Councillors	Electorate (June 2016)	Electors per Councillor (rounded)
Areley Kings East	2	2536	1268
Areley Kings West	2	2076	1038
Central	2	1955	978
Lickhill	2	2223	1112
North	4	4139	1035

Agenda Item No. 12
Appendix 1

Stour & Wilden	3	3302	1101
Stourport-on-Severn	15	16231	(variance of 290 electors between lowest and highest number of electors per councillor)

Reduction in the overall number of councillors (based on the electorate estimate for 2021)

Ward	Number of Councillors	Electorate (2021 estimate)	Electors per Councillor (rounded)
Areley Kings East	2	2578	1289
Areley Kings West	2	2109	1055
Central	2	1986	993
Lickhill	2	2259	1129
North	4	4205	1051
Stour & Wilden	3	3355	1118
Stourport-on-Severn	15	16231	(variance of 296 electors between lowest and highest number of electors per councillor)

2.15 Consultation – How to submit your views

If you have written comments that you would like to submit about how you view potential future arrangements under these Terms of Reference, please send them to arrive no later than 1 February 2017 by email to: electoral@wyreforestdc.gov.uk

or by post to:

Electoral Services
Wyre Forest District Council
Wyre Forest House
Finepoint Way
Kidderminster
DY11 7WF

2.16 Publication of Terms of Reference

These Terms of Reference will be published on the District Council's website: www.wyreforestdc.gov.uk and will be available for public inspection at The Worcestershire Hub, Vicar Street, Kidderminster DY10 1DB.

WYRE FOREST DISTRICT COUNCIL**COUNCIL****27TH JULY 2016****Review of the May 2016 Elections and the Referendum on the UK's membership of the European Union**

OPEN	
CABINET MEMBER:	Councillor N J Desmond, Cabinet Member for Resources
DIRECTOR	The Local Returning Officer for the Police and Crime Commissioner Election, Returning Officer for the Local Elections and Counting Officer for the Referendum
CONTACT OFFICER:	Ian Miller, Chief Executive ian.miller@wyreforestdc.gov.uk Ext 2700
APPENDICES:	None

1. PURPOSE OF REPORT

- 1.1 To provide a report on the Police and Crime Commissioner Election for the West Mercia Area, and elections to Wyre Forest District Council and Kidderminster Town Council held on 5 May 2016. The Wyre Forest District results for the Referendum on the UK's membership of the European Union on 23 June 2016 are also included.

2. RECOMMENDATIONS

The Council is asked to:

- 2.1 **NOTE** the report on the Police and Crime Commissioner, Wyre Forest District Council and Kidderminster Town Council elections held on 5 May 2016 and the Referendum on the UK's membership of the European Union on 23 June 2016;
- 2.2 **DELEGATE** authority to the Chief Executive, in consultation with the Cabinet Member for Resources, to publish consultation proposals for any minor adjustments to polling district boundaries as outlined in paragraph 4.1 and to commence a Polling Places review by December 2016 if any of the buildings used for Polling Places cease to be available for future use as a result of redevelopment plans.

3. BACKGROUND

- 3.1 Elections were held in the Wyre Forest District on Thursday 5 May 2016 for **Police and Crime Commissioner** (West Mercia Force Area with one Commissioner to elect), **District Council** (11 Wards with each having one seat; there were no seats to be contested in the Lickhill Ward) and the newly created **Kidderminster Town**

Council (6 parish wards with each having 3 seats). The Parish seats for Rock were uncontested.

3.2 On 23 June 2016 a Referendum on the UK's membership of the European Union was held.

3.3 The overall turnout for each of the elections held on 5 May 2016 was as follows:

- **Police and Crime Commissioner** - 30.6% for the Wyre Forest District, which was significantly higher than both the national and West Mercia turnout figures of 26.4% and 20.7% respectively. The Wyre Forest result for the Police and Crime Commissioner election was declared at 4pm on 6 May 2016.
- **Wyre Forest District Council** - 31.1%. The last District Ward result was declared at 1-20pm on 6 May 2016.
- **Kidderminster Town Council** - 30%. The last Parish Ward results were declared at 4-25pm on 6 May 2016.
- The turnout for the Referendum on the UK's membership of the European Union for the Wyre Forest voting area on 23 June 2016 was 74.05 %, which was higher than both the national and regional turnout figures of 72.2% and 72% respectively. The Wyre Forest result for the Referendum was declared at 2-50am on 24 June 2016.

3.4 For comparison purposes a breakdown of the overall turnout figures for the different polls against the previous comparable election is set out in Table 1.

Table 1

Turnout %	2012*	2016	% Difference in Turnout
Police and Crime Commissioner Wyre Forest	12.5%	30.6 %	18.1% ↑
West Mercia Area	14.6%	20.7 %	6.1% ↑

Note *The November 2012 election was standalone compared to the election being combined with local elections in May 2016.

Turnout %	2014**	2016	% Difference in Turnout
Wyre Forest District Council	35.54%	31.1%	4.44% ↓

Note **The 2014 district election turnout figure is not directly comparable due to the ward boundary changes in 2015. However this figure provides a more comparable statistic as only one seat was contested per ward compared to the 2015 district

elections, which were all out and combined with the General Parliamentary election resulting in average turnout of 63.9% for the district elections.


- 3.5 There is no comparable turnout figure for Kidderminster Town Council elections due to this being the first election of councillors to the newly created council.
- 3.6 A ward level breakdown of the Referendum results for the Wyre Forest voting area is set out in Table 2. Every ward voted for the UK to Leave the membership of the European Union. Of the 57,666 valid votes cast, 63.11% were for Leave and 36.83% were for remaining in the membership of the European Union.

Table 2 – Wyre Forest area - Ward level breakdown of Referendum results and percentage turnout.

Ward	Valid Votes cast for Remain	Valid Votes cast for Leave	Total Number of ballots counted	Total Electorate	% Turnout (rounded)
Aggborough & Spennells	2126	2951	5081	6781	75%
Areley Kings & Riverside	1638	3311	4954	6629	75%
Bewdley & Rock	2381	3261	5644	7090	80%
Blakebrook & Habberley South	1646	3121	4768	6796	70%
Broadwaters	1725	2922	4650	6715	69%
Foley Park & Hoobrook	1498	3266	4768	7136	67%
Franche & Habberley North	2029	3753	5786	7774	74%
Lickhill	608	1154	1762	2228	79%
Mitton	1874	3566	5445	7457	73%
Offmore & Comberton	1919	3499	5421	7506	72%
Wribbenhall & Arley	1447	2055	3503	4457	79%
Wyre Forest Rural	2349	3533	5884	7312	80%
TOTAL	21240	36392	57666	77,881	74%

- 3.7 The figures in Table 2 show that elector turnout was between 67% (Foley Park & Hoobrook) and 80% (Bewdley & Rock and Wyre Forest Rural wards). The average turnout was 74% which is higher than any General Election turnout in Wyre Forest since 1997.
- 3.8 Only 34 ballot papers were rejected at the Referendum count of which 6 were 'excess votes' and 28 were 'void for uncertainty'. The small number of rejected ballot papers shows the importance of the referendum vote for the electorate of Wyre Forest. In comparison, 987 (4.1%) of ballot papers were rejected for the first preference votes cast in the Wyre Forest area for the Police and Crime Commissioner Elections in May, which was higher than the average of 2.8% across the West Mercia area. The number of rejected ballot papers would suggest that electors did not know which candidate to support, or did not support the concept of a Police and Crime Commissioner. Secondly, it would also indicate that there was confusion about how to mark the ballot paper where there is a first and second choice column.
- 3.9 The number of postal votes issued for the elections in May 2016 and Referendum in June 2016 are set out in Table 3.

Table 3

Postal Vote Stage	Police and Crime Commissioner Election		Wyre Forest District		Kidderminster Town Council	Referendum on the UK's membership of the European Union
	2012	2016	2014*	2016	2016	2016
Number of Postal Votes issued	No records available	11,390	9,472	11,390	6,511	13,686
Number of Postal Votes Returned	No records available	8,063 (70%)	6,168 (65%)	7,874 (69%)	4,358 (67%)	12,466 (91%)
Postal Votes accepted as valid and counted	No records available	7,861 (69%)	5,961 (63%)	7,680 (67%)	4,236 (65%)	12,229 (89%)
Increase in postal votes as valid and counted since last election	No data available for comparison purposes		4.47% 		No data available for comparison purposes	No data available for comparison purposes

- 3.10 The breakdown of postal voters per ward for the elections in May 2016 and Referendum in June 2016 was as follows:

Ward	Number of Postal Voters for Elections in May 2016	Number of Postal Voters for Referendum in June 2016	Increase in Postal Voters from elections in May 2016
Aggborough & Spennells	1,009	1216	207
Areley Kings & Riverside	905	1102	197
Bewdley & Rock	1132	1358	226

Blakebrook & Habberley South	1097	1307	210
Broadwaters	864	1008	144
Foley Park & Hoobrook	990	1140	150
Franche & Habberley North	1234	1442	208
Lickhill	297	368	71
Mitton	995	1216	221
Offmore & Comberton	995	1207	212
Wribbenhall & Arley	742	904	162
Wyre Forest Rural	1130	1418	288
Total	11,390	13,686	2,296

- 3.11 Within the June 2016 ward postal vote figures are 174 postal ballot packs issued to overseas electors of which 159 (91%) were returned from across the world including: Victoria in Australia, Alberta in Canada, Grand Cayman in Cayman Islands, Utah in America, Otago in New Zealand, Kowloon Tong in Hong Kong as well as from many much closer countries across Europe. The overseas postal vote return rate is in line with those returned from Wyre Forest postal voters. All overseas electors (UK Citizens living abroad) have to provide a qualifying address which they lived at and were registered to vote in the Wyre Forest District in the last 15 years. This address is then aligned with the relevant ward.
- 3.12 The overall increase in postal voters from the elections in May 2016 was expected due to the nature of the Referendum but also because of more electors being away on holiday in late June compared to early May.
- 3.13 The trend of postal voters being far more likely to cast their vote than people voting in person has become well established. Therefore, while other measures to encourage participation will continue, the most effective is likely to be encouraging more people to register for a postal vote.
- 3.14 By law, Electoral Registration Officers must write to postal voters whose ballot papers were not included in the count because their personal identifiers on the postal vote statement could not be verified and to explain the reasons why e.g. wrong date of birth or signature that didn't match. A total of 316 letters have been issued to those electors who had a postal vote for the elections in May 2016 together with a personal identifier refresher form, to help the electors ensure that their postal vote will be counted in future. While a total of 237 letters have been issued to those electors who had a postal vote for the Referendum in June 2016 for the same purpose.
- 3.15 The breakdown of proxy voters per ward for the elections in May 2016 and Referendum in June 2016 was as follows:

Ward	Number of Proxy Voters for Elections in May 2016	Number of Proxy Voters for Referendum in June 2016	Increase in Proxy Voters from elections in May 2016
Aggborough & Spennells	3	53	50
Areley Kings & Riverside	4	31	27
Bewdley & Rock	3	62	59
Blakebrook & Habberley South	5	40	35
Broadwaters	4	36	32
Foley Park & Hoobrook	7	40	33
Franche & Habberley North	6	45	39
Lickhill	0	17	17

Mitton	6	57	51
Offmore & Comberton	4	45	41
Wribbenhall & Arley	4	48	44
Wyre Forest Rural	6	62	56
Total	52	536	484

4. POTENTIAL POLLING DISTRICTS AND POLLING PLACES REVIEWS

4.1 There may need to be a polling places review in one or two cases where, in the longer term, buildings will cease to be available as a result of redevelopment plans. The report therefore includes a recommendation to authorise the Chief Executive to issue consultation proposals if necessary – a final decision on any changes would be taken by full council. As part of this review, consideration will be given to any minor adjustments to polling district boundaries. Members are therefore asked to notify the Electoral Registration Officer by 31 August 2016 of any such minor adjustments they would like to see considered. If it is necessary to conduct a review before the May 2017 elections, proposals will be brought to Council for decision by February 2017.

5. FEEDBACK FROM THE DEBRIEFING MEETING

5.1 A ‘wash up’ de-brief meeting was held with agents and candidates on 30 June to discuss the preparation and delivery of the elections in May and the Referendum in June. The main common themes emerging from discussions included:

- The elections in May and the Referendum in June were well run and organised. Thanks were given to the Returning Officer and the Elections Staff;
- The experience for electors in polling stations was much better than in May 2015. No significant issues were reported in respect of queuing and the process of issuing ballot papers proceeded smoothly and efficiently;
- Disappointing that in June certain campaign groups decided to contravene the guidance issued on not displaying advertising material on the highway or county or district council assets (e.g. street furniture, lighting columns etc). Appropriate action was taken by the counting officer or county council where incidents were reported to them;
- To provide a schedule of the proposed running order for the counting of district and parish elections so candidates and election agents can better manage their time. This will also include looking to count district and parish elections which share the same ward boundary (e.g. Aggborough & Spennells) sequentially as they often involve the same candidates;
- When using the grass skirt counting method for multi member seats, to further investigate a way which would allow the removal of all block votes where the voter has supported all the candidates for one party and no other candidates, in order to help quicken the counting process;
- There needs to be thorough consideration of the implications and additional resources needed for both the poll and count if the electoral cycle of ordinary elections for Town and Parish Councils is aligned with the date of Wyre Forest District Council’s move to ‘whole council elections’ from May 2019.

6. FINANCIAL IMPLICATIONS

- 6.1 No additional financial implications arise from this report. The financial accounts for the different elections held in May and Referendum in June 2016 are currently being compiled so the appropriate recharges can be made for the Police and Crime Commissioner and Kidderminster Town Council Elections; Referendum on the UK's membership of the European Union; and costs for the uncontested Parish Election for Rock. The share of the costs for the District Council's elections are met by the Council from budgets for this purposes.

7. LEGAL AND POLICY IMPLICATIONS

- 7.1 This report has no specific legal or policy implications. The legislative framework for implementing the Police and Crime Commissioner and Local Elections and the Referendum on the UK's membership of the European Union as well as electoral registration can be viewed at <http://www.electoralcommission.org.uk>.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 There are no equalities implications arising from this report. However, all elections and electoral registration activity has due regard to the public sector equality duty in section 149 of the Equality Act 2010.

9. RISK MANAGEMENT

- 9.1 All elections and electoral registration work is supported by robust risk management plans to ensure contingency arrangements are in place for meeting electoral legislation at all times.

10. CONCLUSION

- 10.1 The Council is invited to note this review of the May elections and Referendum.

11. CONSULTEES

- 11.1 Cabinet Member for Resources
11.2 Corporate Leadership Team

12. BACKGROUND PAPERS

- A breakdown of the full results for each of the elections held on 5 May and the Referendum on 23 June 2016 can be found at <http://www.wyreforestdc.gov.uk/the-council/elections-and-voting/election-results.aspx>

WYRE FOREST DISTRICT COUNCIL

COUNCIL

27TH JULY 2016

Electoral cycle of Parish and Town Councils in Wyre Forest

OPEN	
CABINET MEMBER:	Councillor N Desmond, Cabinet Member for Resources
DIRECTOR:	Ian Miller, Chief Executive
CONTACT OFFICER:	Ian Miller, Ext 2700 ian.miller@wyreforestdc.gov.uk
APPENDICES:	Appendix 1: Section 53 power of council to alter years of ordinary elections of parish councillors Appendix 2: Consultation paper on electoral cycle of Parish and Town Councils in Wyre Forest Appendix 3: Consultation responses from Parish and Town Councils

1. PURPOSE OF REPORT

To propose changes to the electoral cycle of ordinary elections for parish and town councils in the Wyre Forest District in light of the results received from the recent consultation exercise.

2. RECOMMENDATIONS

2.1 Council is RECOMMENDED to RESOLVE, under section 53 of the Local Government and Public Involvement in Health Act 2007, to make an order to:

- a) **change the electoral cycle of ordinary elections for parish and town councils in the Wyre Forest District, except Kidderminster Town Council, so they are aligned with the date of Wyre Forest District Council's elections from May 2019;**
- b) **extend the term of office of parish councillors elected in 2014 so that it comes to an end in 2019 (i.e. the present councillors in six town and parish councils would have an additional year in office);**
- c) **reduce the term of office of parish councillors in Rock elected in 2016 so that it comes to an end in 2019.**

2.2 Council is RECOMMENDED to make no change to the electoral cycle for Kidderminster Town Council.

3. BACKGROUND

3.1 On 24 February 2016, a special meeting of Wyre Forest District Council resolved that the District Council should move to “whole council elections” in May 2019. “Whole council elections” will see all 33 seats on the District Council elected in May 2019 and then every four years in 2023, 2027 and so on.

3.2 The change to the District Council’s electoral arrangements has implications for town and parish councils. Some parish and town councils will find that their electoral cycle no longer coincides with the District Council. This could potentially expose such councils to having to meet the full cost of their elections when, until now, they have been able to share the costs with the District Council. The scheme of fees and charges for elections was adopted by the District Council in February 2013 and sets out how costs are shared when elections are held on the same day as elections to the District Council. Under section 53 of the Local Government and Public Involvement in Health Act 2007, set out in the **Appendix 1**, the District Council has the power to alter the dates of parish council elections if it has altered its own electoral cycle. The table shows the current cycle for parish council elections.

Table: Current cycle of parish council elections in Wyre Forest

	2016	2017 *	2018	2019	2020
Bewdley			X		
Broome				X	
Chaddesley Corbett			X		
Churchill & Blakedown				X	
Kidderminster	X				X
Kidderminster Foreign			X		
Rock	X				X
Rushock			X		
Stone			X		
Stourport-on-Severn				X	
Upper Arley			X		
Wolverley & Cookley				X	

* No parish elections – County Council Elections Only

3.3 It can be seen that only four parish councils have elections in 2019 and would therefore be on the same cycle as the District Council. Eight parish councils have elections on other cycles and would not align with District Council elections after 2019.

3.4 In response to a request from Kidderminster Town Council for consultation, Wyre Forest District Council agreed on 24 February to commence a separate consultation process in respect of the electoral cycle for parish and town councils.

4. CONSULTATION

4.1 On 29 March 2016 a consultation paper seeking the views on potential changes to the electoral cycle of parish and town councils in the Wyre Forest District from May 2019 was published. A copy of the consultation paper and the proposals made is set out in **Appendix 2**.

4.2 The proposals in the consultation paper would not affect arrangements for by-elections if required. Unless a by-election coincides with another electoral event in the parish's area, the full costs of a by-election would fall to be met by the parish council.

4.3 The consultation has been promoted via the following communications channels:

- Press Releases to local media;
- The Council's website at <http://www.wyreforestdc.gov.uk/the-council/consultations-and-e-petitions/parish-elections-consultation.aspx> and social media accounts (Facebook and Twitter);
- Direct email and link to consultation survey sent to Parish and Town Council Clerks and Party Agents. Reminders also sent to the Clerks;
- Paper copies of consultation survey placed in the Worcestershire Hub at Kidderminster Town Hall, Libraries in Wyre Forest District, Wyre Forest House Council Offices, Kidderminster and Leisure Centres in the Wyre Forest District;
- During the nomination period all prospective candidates standing for Rock Parish Council and Kidderminster Town Council elections in May 2016 received a copy of the consultation briefing paper;
- WyredIN – council's electronic bi-monthly newsletter to residents.

5. RESULTS OF CONSULTATION

5.1 The consultation period closed at midday on 30 June 2016. An analysis of the 58 responses received, as set out in Table 1, showed 71% supporting or strongly supporting the proposal to move all parish and town council elections to 2019 so that they are held on the same date as the district council elections.

Table 1

Q1. Wyre Forest District Council is proposing to move all parish and town council elections to 2019 so that they are held on the same date as the district council elections. Do you?		
Answer Choices	Number	Percentage (% , rounded)
Strongly Support	35	60%
Support	6	11%
Neither support nor oppose	0	0%
Oppose	4	7%
Strongly oppose	13	22%
Total	58	-

5.2 A summary of the main reasons for the choice chosen in Question 1 are set out in Table 2 below.

Table 2

Q2. Please give the main reason why you gave this response and any other comments relevant to this consultation.	
Answer Choices	Summary of main reasons given
Strongly Support	<ul style="list-style-type: none"> • Standalone elections for Town and Parish Councils are not financially viable; • More efficient use of money and time; • Likely to increase voter turnout; • Reduces confusion which can sometimes arise when elections are held at different times; • Logical and sensible thing to do; • More consistent decision making with a longer time to implement policies (comment refers to decision by Council on 24 February 2016 to move to 'whole' council elections).
Support	<ul style="list-style-type: none"> • Sharing of cost of elections; • No objections from serving councillors.
Neither support nor oppose	<ul style="list-style-type: none"> • No comments submitted as choice not chosen.
Oppose	<ul style="list-style-type: none"> • The length of the count; • Electors will be confused.
Strongly oppose	<ul style="list-style-type: none"> • Oppose the principle of extending the term of office of any councillors without the express will of the electorate to do so; • Too far away to take such a decision; • Undemocratic; • Denies the electorate the opportunity to vote on the performance of the appropriate council on an annual basis (comment refers to the decision by Council on 24 February 2016 to move to 'whole' council elections).

5.3 The responses in question 1 include views from seven Town and Parish Councils, as set out below. The full responses they made are set out in **Appendix 3**. It will be seen from Appendix 3 that five of the eight councils whose elections would not fall in 2019 support or strongly support the proposal and only one (Kidderminster) opposed it.

- Wolverley and Cookley Parish Council Strongly Support
- Bewdley Town Council Strongly Support
- Rock Parish Council Strongly Support
- Upper Arley Parish Council Strongly Support
- Rushock Parish Council Strongly Support
- Chaddesley Corbett Council Support
- Kidderminster Town Council Oppose

Kidderminster Foreign did not reply to the consultation – its clerk has subsequently confirmed that the council had no objection to the proposal. As no response was received, its views are not reflected in Table 1 above. The clerk to Stone Parish Council has confirmed that a response was submitted in support of the proposal and this will be reflected in Table 1. Because details of the council were not entered on the electronic form, the response is not listed in Appendix 3.

5.4 It should be noted that under section 53 of the Local Government and Improvement in Health Act 2007, the District Council can make provision in an order to change the date of elections “for any parish”. This gives the District Council the flexibility, if there are good reasons to do so, to make different arrangements for the elections of different parish councils, including the possibility that the date of elections for one or more parish councils might not be aligned with elections for other parish councils and the District Council. The consultation proposed that all parish council elections should be held in 2019, to coincide with the District Council elections.

5.5 A response from Bewdley Labour Group and reflected in a number of responses from individuals supported the principle of alignment with District Council elections but argued that this should happen in 2023, rather than 2019, so that the term of office of those elected in 2014 would not be extended by a year. These responses argued that councillors elected in 2014 were elected for a four year term and that it would be undemocratic to extend their term of office by a year. This argument overlooks that Parliament has authorised the District Council to make changes to the dates of parish council elections as a consequence of changes to the timing of its own elections; and that any decision to make such a change would be a democratic decision taken by full council, not an administrative act. It also overlooks that Bewdley Town Council has strongly supported the proposal.

5.6 Of the seven Town and Parish Councils that responded to the consultation, six of them supported the proposal and only one, Kidderminster Town Council, did not – it argued for its electoral cycle to remain unchanged, which would see elections in 2020, 2024 etc. The Town Council did not give any arguments about why its electoral cycle should remain in 2020, 2024 etc.

5.7 The arguments in favour of aligning elections for all town and parish councils with the District Council’s elections include:

- a) a clear majority of responses to the consultation, including six out of seven town and parish councils, supported the proposed alignment with District Council

elections. It is not clear what basis exists for making different arrangements for Kidderminster other than the views of the Town Council itself;

- b) holding all local elections on the same day reduces confusion for voters, as they will happen at the same time. There can be clear messaging to the public that parish and district council elections will be held on the same day across the district. All local elections use the same method of election (voting for several candidates from a list), whereas having the Town Council's election at the same time as police and crime commissioner elections would mean voters in Kidderminster having to use two different methods of election on the same day;
- c) the Town Council's response does not explain why it wishes to preserve its electoral cycle;
- d) the low turnout in the first elections in May 2016 does not indicate a pressing reason why parish council elections in Kidderminster should be held separately from those for the district council.

5.8 The minute from Kidderminster Town Council's meeting on 24 May 2016 where it was resolved that the Town Council should continue with its current four yearly electoral cycle can be viewed at <http://www.kidderminstertowncouncil.gov.uk/media/2029055/TownCouncilMinutesAdjournedMay2016.pdf> No explanation or rationale for this decision has been set out in the minute. The counter arguments for Kidderminster retaining its current electoral cycle might include:

- a) retaining distinctive elections for the Town Council to give it a clear, separate mandate from Wyre Forest District Council. However if that argument is accepted, then no parish council elections should be held at the same time as those of the District Council;
- b) ensuring that those elected in May 2016 serve a 4 year term. The consultation paper was issued before the elections and it was made clear to all parties and candidates that, depending on the decision following the consultation, the term of office might be reduced to 3 years;
- c) due to the parish wards of Kidderminster Town Council having the same names as the wards for the District Council, it could become confusing to electors as to why they are being asked to vote twice for the same named wards. That said, different coloured ballot papers and clear signage are used to ensure electors understand that the elections are different as was the case for the Town Council and District Council elections in May 2016;
- d) any candidate wishing to stand for Kidderminster Town Council elections only may be put off if they think electors are likely to cast the same vote for the parish ward as their district ward, where a candidate is standing in both. In May 2016, only four of the candidates standing for the same District and Parish Wards in Kidderminster were duly elected. However this situation is not unique to Kidderminster as across Bewdley and Stourport-on-Severn Town Councils there are many candidates who stand for both the district council and town council and a number who secure election to both bodies while others do not. This suggests that electors will vote for who they want to vote for, irrespective of whether the election is standalone or combined;

- e) If Kidderminster Town Council elections were not aligned with the District Council elections, this would assist in reducing the overall length of the count in the years when District Council elections are held. For Kidderminster Town Council elections, the grass skirt counting method will have to be used due to each parish ward having more than one seat. However the District Council's all out elections will also require the use of this counting method which is far more time consuming than when counting for one seat. Therefore depending on the number of contested district and town / parish council elections which will all use the grass skirt counting method, the count is likely to take significantly longer than recent counts.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications for the District Council. The main reasons cited by parish and town councils in support of aligning their elections with those of the District Council were around the financial implications that parish and town councils would face if they were not able to share the cost of elections. Given the budgetary pressures on all parts of local government, additional financial pressures would not be welcomed. In the case of parish councils, higher election costs would be likely to translate into higher precepts and higher council tax bills. In the case of Kidderminster Town Council, if its electoral cycle was not changed, it would not face higher costs because its elections would be combined with the election of the Police and Crime Commissioner for West Mercia in 2020, 2024 etc. (If there was not such a combination, the Town Council would face additional costs in the region of £25k-£30k for standalone elections.)

7. LEGAL AND POLICY IMPLICATIONS

- 7.1 As stated earlier, under section 53 of the Local Government and Public Involvement in Health Act 2007, set out in the appendix 1, the District Council has the power to alter the dates of parish council elections if it has altered its own electoral cycle.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 All elections and electoral registration activity has due regard to the public sector equality duty in section 149 of the Equality Act 2010. However, if a decision is made not to change the electoral cycle for Parish and Town Councils, some parish councils would be treated more favourably than others as they would benefit from being able to share the cost of their election with the District Council, simply by accident that their electoral cycle involves elections in 2019, at the same time as Wyre Forest District Council implements whole council elections. This does not seem a fair and equitable approach.

9. RISK MANAGEMENT

- 9.1 The budgetary issues set out in the consultation feedback and in paragraph 6.1 are a significant risk that the affected Parish and Town Councils will need to manage if a decision is made not to change their electoral cycle.

10. CONCLUSION

- 10.1 The Council is recommended to consider the resolution to move parish and town council elections to 2019 so that, with the exception of Kidderminster Town Council, they are held on the same date as the district council elections in light of the results from the consultation exercise. Kidderminster Town Council would continue with its current electoral cycle.

11. CONSULTEES

- 11.1 Leader of the Council
11.2 Cabinet Member for Resources
11.2 Corporate Leadership Team

12. BACKGROUND PAPERS

- 12.1 Report considered by the Special Council meeting on 24 February 2016 and the minutes of the meeting can be seen at these links:
http://www.wyreforest.gov.uk/council/docs/doc50713_20160224_council_agenda.pdf
http://www.wyreforest.gov.uk/council/docs/doc50883_20160224_council_minute.pdf

Local Government and Public Involvement in Health Act 2007

Section 53 Power of council to alter years of ordinary elections of parish councillors

- (1) This section applies if a council passes a resolution under this Chapter.
- (2) The council may by order make provision that changes the years in which the ordinary elections of parish councillors for any parish situated in the council's area are to be held.
- (3) The power may only be exercised so as to secure that those elections are to be held in years in which ordinary elections of district councillors for a ward in which any part of the parish is situated are to be held.
- (4) The order may include transitional provision—
 - (a) for the retirement of existing parish councillors at times different from those otherwise applying;
 - (b) for the retirement of some parish councillors after their initial election after the order comes into force at times different from those otherwise applying.

WYRE FOREST DISTRICT COUNCIL

ELECTORAL CYCLE OF PARISH AND TOWN COUNCILS IN WYRE FOREST

Summary

1. This consultation paper seeks views on potential changes to the electoral cycle of parish and town councils in Wyre Forest as a result of Wyre Forest Council moving to “whole council” elections in May 2019. It proposes that:
 - (a) Wyre Forest District Council should make an order to set the date of ordinary elections for all parish and town councils as 2019, 2023 etc. This would mean that councillors elected to Kidderminster Town Council or Rock Parish Council in May 2016 would serve for three years rather than four;
 - (b) The order should to extend the term of office of parish councillors elected in 2014 so that it comes to an end in 2019 i.e. the present councillors in six town and parish councils would have an additional year in office.

How to respond

2. **Responses should be submitted no later than midday on Thursday 30 June 2016.** You can complete an on line survey at this link www.wyreforestdc.gov.uk/parishconsultation.electoral@wyreforestdc.gov.uk
If you wish to reply by email, please send your response to electoral@wyreforestdc.gov.uk If you prefer, you can send a response by post to Electoral Services, Wyre Forest District Council, Wyre Forest House, Finepoint Way, Kidderminster DY11 7WF: a response form that you can use is attached to this consultation paper.

Background

3. On 24 February 2016, a special meeting of Wyre Forest District Council resolved that the District Council should move to “whole council elections” in May 2019. “Whole council elections” would see all 33 seats on the District Council elected in May 2019 and then every four years in 2023, 2027 and so on.
4. The change to the District Council’s electoral arrangements has implications for town and parish councils. Some parish and town councils will find that their electoral cycle no longer coincides with the District Council. This could potentially expose such councils to having to meet the full cost of their elections when, until now, they have been able to share the costs with the District Council. The scheme of fees and charges for elections was adopted by the District Council in February 2013 and sets out how costs are shared when elections are held on the same day as elections to the District Council. Under section 53 of the Local Government and Public Involvement in Health Act 2007, set out in the appendix, the District Council has the power to alter the dates of parish council elections if it has altered its own electoral cycle. The table shows the current cycle for parish council elections.

Table: parish council elections in Wyre Forest

	2016	2017 *	2018	2019
Bewdley			X	
Broome				X
Chaddesley Corbett			X	
Churchill & Blakedown				X
Kidderminster	X			
Kidderminster Foreign			X	
Rock	X			
Rushock			X	
Stone			X	
Stourport-on-Severn				X
Upper Arley			X	
Wolverley & Cookley				X

* No parish elections – County Council Elections Only

5. It can be seen that only 4 parish councils have elections in 2019 and would therefore be on the same cycle as the District Council. Eight parish councils have elections on other cycles and would not align with District Council elections after 2019.
6. In response to requests for consultation, Wyre Forest District Council agreed on 24 February to commence a separate consultation process in respect of the electoral cycle for parish and town councils.

Options and comments already submitted

7. The powers in section 53 allow the District Council to
 - (a) **change the years in which the ordinary elections of parish councillors for any parish situated in the council's area are to be held.** However the parish council elections must be held in years in which ordinary elections of district councillors for a ward in which any part of the parish is situated are to be held. This means that the District Council can change the current arrangements but the only possible change would be to hold parish council elections in the same year as whole council elections i.e. 2019, 2023 etc;
 - (b) **make transitional provision for the retirement of existing parish councillors at times different from those otherwise applying.** This could allow the retirement date of parish councillors to be moved earlier or later.

8. Under current constitutional arrangements and legislation, a UK General election is due to be held in 2020 and there would be county council elections in 2021. Thus, if no change was made to the cycle of parish council elections, the first year in which there would certainly be parish council elections but no other elections would be 2022. However provision exists in legislation for a UK General election to happen at an earlier date than 2020 if certain conditions are met. Parish councils facing elections in 2020 cannot therefore be certain that costs would be shared with another election.
9. The following options are mentioned for completeness but are not being proposed:
 - (a) No change to electoral cycle for parish councils. This would expose some parish councils to higher costs, certainly in 2022 and possibly in 2020, as well as in subsequent years. It would also mean that some parish councils would be treated more favourably than other parish councils, simply through the accident that their electoral cycle involves elections in 2019, at the same time as Wyre Forest District implements whole council elections. This seems unfair;
 - (b) implementing changes to parish council elections, so that they are held in 2023, 2027 etc. This would mean that elections to parish councils and the District Council would be aligned from 2023 onwards, and costs would be kept down for parish councils from that point. While this option would avoid the need for an order to alter the term of office of a serving parish councillor, this is not seen to be sufficient justification for delaying a change: as explained in paragraph 8, it would mean the parish councils with elections in 2022 would face the full cost of their elections.
10. Rock Parish Council has already indicated its views which are to support holding elections every 4 years at District level “provided the out of sequence costs being incurred [by the] council should the change proceed be considered and the new council elected in May this year see their term of office reduced to 3 years to coincide with all out elections in 2019”. Stone Parish Council has reported similar views.
11. The proposals in this consultation paper do not affect arrangements for by-elections if required. Unless a by-election coincides with another electoral event in the parish’s area, the full costs of a by-election would fall to be met by the parish council.

Proposal

12. This consultation paper proposes that:
 - (a) Wyre Forest District Council should make an order under section 53 of the 2007 Act to set the date of ordinary elections for all parish and town councils as 2019, 2023 etc.
 - (b) The order should make transitional provision to extend the term of office of parish councillors elected in 2014 so that their term of office comes to an end in 2019 i.e. the present councillors in six town and parish councils shown in the “2018 column” in the table would have an additional year in office.
13. The effect of this proposal, if implemented, would bring forward the elections for Kidderminster Town Council and Rock Parish Council from 2020 to 2019. The consultation paper is being published now so that candidates for election to those

councils in May 2016 are aware of the possibility that their term of office may be reduced from four years to three.

14. Subject to the District Council's formal decision following the consultation, the proposal gives a significant period of forewarning to parish councils about potential changes in dates of their elections and thus allows them to make appropriate provision in their budgets.

Next steps

15. Following the consultation, the intention is that the full Council of Wyre Forest District Council will be invited to approve the making of an order at its meeting on 27 July 2016.

Appendix

Local Government and Public Involvement in Health Act 2007

Section 53 Power of council to alter years of ordinary elections of parish councillors

- (1) This section applies if a council passes a resolution under this Chapter.
- (2) The council may by order make provision that changes the years in which the ordinary elections of parish councillors for any parish situated in the council's area are to be held.
- (3) The power may only be exercised so as to secure that those elections are to be held in years in which ordinary elections of district councillors for a ward in which any part of the parish is situated are to be held.
- (4) The order may include transitional provision—
 - (a) for the retirement of existing parish councillors at times different from those otherwise applying;
 - (b) for the retirement of some parish councillors after their initial election after the order comes into force at times different from those otherwise applying.

Responses Submitted by Parish and Town Councils

<p>Q1: We are consulting on a proposal to move all parish council elections to 2019, so that they are held on the same date as district council elections. We would like to hear your views. Please help us by completing our very short questionnaire by midday on Thursday 30 June 2016. Wyre Forest District Council is moving to 'whole council elections' in May 2019. As a result some parish and town council elections will no longer coincide with the District Council elections. It may mean that they have to meet the full cost of their elections when, until now, they have been able to share the costs with the District Council. Wyre Forest District Council is proposing to move all parish and town council elections to 2019, so that they are held on the same date as district council elections. Do you?</p>	<p>Q2: Please give the main reason why you gave this response and any other comments relevant to this consultation.</p>	<p>Q3: If you are replying on behalf of a parish council or other organisation, please give your name and the organisation's name.</p>	
<p>Answer Chosen</p>		<p>Name</p>	<p>Organisation</p>
<p>Strongly support</p>	<p>All elections for District and Parish will take place at the same time and this will save costs for Parish Councils</p>	<p>Mrs Bev Drew</p>	<p>Wolverley and Cookley Parish Council</p>
<p>Strongly support</p>	<p>Separate elections are not financially viable</p>	<p>Nick Farress Town Clerk</p>	<p>Bewdley Town Council</p>
<p>Strongly support</p>	<p>Save costs for the taxpayers of Rock</p>	<p>Stephen Clee</p>	<p>Rock Parish Council</p>
<p>Strongly support</p>	<p>Financial and ease of organising future elections</p>	<p>Angela Preece</p>	<p>Upper Arley Parish Council</p>
<p>Strongly support</p>	<p>Financial reason, reducing the cost of running the elections</p>	<p>Rushock Parish Council</p>	<p>Rushock Parish Council</p>
<p>Support</p>	<p>No objections from serving councillors</p>	<p>Yvonne Scriven</p>	<p>Chaddesley Corbett Parish Council</p>
<p>Oppose</p>	<p>Town Council Minute C95 - the Council voted to retain its 4 year cycle</p>	<p>Tony Beirne, Town Clerk</p>	<p>Kidderminster Town Council</p>

WYRE FOREST DISTRICT COUNCIL

COUNCIL
27TH JULY 2016

POLICY AND BUDGET FRAMEWORK
MATTERS WHICH REQUIRE A DECISION BY COUNCIL

RECOMMENDATIONS FROM THE CABINET – 12TH JULY 2016

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. A public inspection copy is available on request. The policy documents, referred to below, have been posted on the Council's website.

RECOMMENDATION TO COUNCIL	CABINET MEMBER
<p>Bewdley Medical Centre – Demolition and Redevelopment</p> <p>That the Capital programme is amended to accommodate the gross additional costs of £167,250 associated with the overall project, for which funding is already available or will be secured as set out in section 5 of the report to Cabinet.</p>	<p>Councillor Tracey Onslow</p>