

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

13TH DECEMBER 2017 (6PM)

Present:

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

A minutes' silence was held for former Wyre Forest District Council Member, John Holden who sadly passed away last night. The Chairman advised that John Holden also represented Stourport-on-Severn on Worcestershire County Council and was a serving Stourport Town Councillor.

C.51 Prayers

Prayers were said by Rev Carey Saleh, Vicar of Stourport and Wilden.

C.52 Apologies for Absence

Apologies for absence were received from Councillors: S J M Clee, A T Hingley, F M Oborski MBE and G C Yarranton.

C.53 Declarations of Interests by Members

There were no declarations of interests.

C.54 Minutes

Decision: The minutes of the meeting held on 27th September 2017 be confirmed as a correct record and signed by the Chairman.

C.55 Public Participation

There was no public participation.

C.56 Questions

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Five questions had been submitted in accordance with Standing Order A5 by Members of the Council.

Question from Councillor N Knowles to the Cabinet Member for Resources

Given that the investment portfolio of Wyre Forest District Council is subject to very regular scrutiny through its Committee and Officer structure, can we nevertheless assure the public that WFDC investments are not put into companies that use tax avoidance schemes.

Answer from the Cabinet Member for Resources

This is a very topical issue given the recent publicity in media re the Paradise papers. We need to be clear on the meaning of a) tax planning (encouraged), b) tax avoidance (legal if use the letter of the law to reduce tax liability) and c) tax evasion (illegal). As an authority, we owe it to our constituents to plan the Council's tax affairs in the spirit of and in the letter of the law. I am confident that our tax obligations are met.

It is tricky to be as confident with regards to other companies' tax affairs. As an authority we carry out stringent due diligence on all companies that we invest with. The Council don't deal with companies involved in tax evasion although it's difficult to give a full assurance as we, as an authority, don't have all knowledge of and can't vouch for every organisation that we transact with. With regard to tax avoidance, it is good practice for companies to plan their tax affairs so that they pay an efficient level of tax that is within the law. An organisation of our size having many transactions and with a host of organisations will have legitimately traded with companies that have legitimately reduced tax liability whilst staying within the law.

Supplementary question from Councillor N Knowles

What is the Council's Ethical stance for investing in local building and development partners? Can you give an assurance that these companies are under the same scrutiny i.e. be as sure as we can be that these companies do not have investments tucked away abroad.

Supplementary answer from the Cabinet Member for Resources

This is a grey area, and on the one hand, the same answer applies i.e. we won't transact with any company, locally or nationally, that is obviously evading tax. Equally, there are many companies that legitimately reduce tax within letter of the law. We would not want to avoid transacting or investing with companies just because they have assets abroad e.g. Lens Online on the trading estate next door are based in Jersey but are within the letter of the law. There is a clear difference between tax avoidance and tax evasion.

People's morality on this issue is changing as well. It was previously expected that companies pay as little as possible but mood on this is shifting now. Personally, I feel that the only legitimate way around this is to have tax system

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as low and simple as possible with as few loopholes as possible.

Question from Councillor N Knowles to the Cabinet Member for Planning and Economic Regeneration

What progress is being made towards the demolition of Crown House?

Answer from the Cabinet Member for Planning and Economic Regeneration

Thank you for the opportunity to provide a progress update. On 7 December, the Corporate Director: Economic Prosperity & Place informed members that the board of Telereal Trillium, the tenant of Crown House, has agreed the terms of demolition. The legal teams of this Council and Telereal Trillium are working on the agreed heads of terms

The agreement will cover the surrender of the lease and the demolition of Crown House, which will be at no cost to the public purse. Both parties are working on the agreement and, when complete, we will announce a start date for demolition.

I would remind members and residents of Wyre Forest that the Council has always been always committed to the demolition of Crown House, but at cost to the tenant and not the tax payer. Some people have wanted to use tax payer's money to achieve this but they will now see their folly.

Supplementary question from Councillor N Knowles

Can we assume a start date for demolition of next year and can you assure us that we are working with potential partners to develop the site? Everyone in Wyre Forest would be pleased to get a date for demolition and an update on potential developments.

Supplementary answer from the Cabinet Member for Planning and Economic Regeneration

We would like the demolition to occur as soon as possible but need to wait for the respective legal departments to do their work. We don't have a date as yet.

We have been reluctant to plan until we know that the site is available to us. We will have meetings in due course when the site has been flattened and will consider the best way forward. In the climate we now find ourselves, we would welcome Partnerships with developers and we won't just sell the land.

Question from Councillor N Knowles to the Cabinet Member for Planning and Economic Regeneration

What progress is being made towards the reopening of Worcester Street to traffic?

Answer from the Cabinet Member for Planning and Economic Regeneration

The reopening of Worcester Street to traffic is a joint project with Worcestershire County Council (WCC) and I would remind Council that WCC is leading. A drainage survey has been carried out and ground penetrating radar surveys are being undertaken this week, approximately 8 nights' work. County's design contractor, Jacobs, is now looking at the detailed design of the junctions of Worcester Street, Coventry Street and Blackwell Street. This is particularly complex due to differing ground levels. A further cellar survey may be required if the radar survey evidences issues.

When the surveys have been completed, the design can be finalised and costs can be established. Timeframes are yet to be established but the project is likely to run into next financial year. I would remind opposition members, who wanted to use these £500k funds set aside for this project to demolish Crown House, that we are now able to progress this project.

Supplementary question from Councillor N Knowles

As with other issues, we assume work is being done to develop the shops on Worcester Street. Need to know what economic developments are available that can raise income and offset shortfalls. How will we use empty shops?

Supplementary answer from the Cabinet Member for Planning and Economic Regeneration

All of the shop premises, particularly on Worcester Street, are owned by individuals and not the Council. The Council can't influence what happens. But there is hope that when developers see the Bromsgrove Street developments, they will see the potential and improvements will permeate down into Worcester Street.

Question from Councillor J Shaw to the Cabinet Member for Culture, Leisure and Community Protection

According to the recent audit carried out by the Food Standards Agency, the manpower available in Wyre Forest to deliver food safety controls is 2.04 full-time equivalents (FTE). Given that the District has 957 registered food businesses and the audit finding that there were 288 overdue food hygiene interventions, does the Cabinet member consider that this service has sufficient manpower to protect the public?

Answer from the Cabinet Member for Culture, Leisure and Community Protection

If you read the audit papers in detail, the FSA are not unhappy with the level of

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staffing across Worcestershire Regulatory Services (WRS) to enforce food safety. Whilst an average of 2.04 FTE may be allocated within

Wyre Forest, the entire WRS team across the county has 20 staff responsible for food, health, safety and nuisance, many of whom can discharge food safety standards. This is more than the 19.4fte that the FSA suggests are required for all of the services to be covered (not just food).

I am happy that there is enough manpower to protect the public. Also, food outlets in Wyre Forest tend to be very well run. At a recent WRS meeting 98.1% of food outlets in Wyre Forest scored 3* or more on the food hygiene rating scheme.

Whilst acknowledging that some visits are overdue, they have now been done with many classified as low risk. There is also a problem with the data which was transferred to WRS, figures are a little skewed.

I have taken note and will continue to take oversight of the service and will monitor closely.

Supplementary question from Councillor J Shaw

I do acknowledge the response of the head of the service to the October WRS meeting. However, I wonder whether the cabinet member's confidence is as strong in the light of the planned improvements that came with the FSA audit document.

The service plan improvements for next year includes reference to any likely backlogs and potential impact on reputation that failings can have as highlighted in the audit report. The Cabinet member should not only monitor but have a specific report back action so that it can be confirmed that confidence is well placed.

Supplementary answer from the Cabinet Member for Culture, Leisure and Community Protection

I am very confident and will continue to monitor the service and am happy to bring further information back to Full Council or as needed in the future.

Question from Councillor H Dyke to the Cabinet Member for Culture, Leisure and Community Protection

I hope that the Leader and Cabinet Members are aware of the increased concern being expressed by local residents about the increase of street drinkers and beggars in Kidderminster Town Centre. With a capacity of only 5 members of staff in the Civil Enforcement Section to deal with these challenges, as well as the many other issues across Wyre Forest that fall within their job description, is the Cabinet Member responsible content that we have enough staff in place to deal with these issues in the quick and effective way needed?

Answer from the Cabinet Member for Culture, Leisure and Community Protection

Yes we are aware of concerns expressed by local people with regard to an increase in street drinkers and beggars in Kidderminster town centre and town centres across the UK. We do have 5 officers to deal with issues within Wyre Forest and also work closely with the Police, Police Community Support Officers, the Homeless Team and Swanswell.

The Safer Wyre Forest Tasking Group meets every 6 weeks with relevant partners. Issues across the Wyre Forest are looked at in detail. Plans of action are agreed to deal with problems with appropriate measures taken. The Safer Wyre Forest Tasking Group is funding a Kidderminster Town Centre Street Warden Pilot. If this is successful, it may be part of a bid for the future.

Wyre Forest Anti-Social Behaviour forum also reviews current issues and agrees action plans. ASB is identified as being a key issue with Kidderminster Town Centre high on the list. The Forum works with the police to obtain the right orders when needed to address the issues.

Kathryn Underhill is looking to include begging within the current town centre PCSO but this will be subject to full public consultation before making a change.

I am confident that we do have enough staff. Improvements can always be made. The Head of the team, Mark Smith, is planning enhanced staff training. There are enough future plans in place to protect the people of the Wyre Forest.

Supplementary question from Councillor H Dyke

The Street Warden Pilot is not in action yet, it's still being worked on and unlikely to be in place until after Christmas. Overview & Scrutiny are looking at some issue with the Civil Enforcement Officers between May and July 2018. If capacity issues are identified, will these be looked at?

Supplementary answer from the Cabinet Member for Culture, Leisure and Community Protection

Yes.

C.57 Chairman's Communications

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

The Chairman announced that he was holding his Carol Service on Monday

18th December 2017, 11am at Wyre Forest House. All Members were invited to attend.

C.58 Leader's Announcements and Report

The Leader of the Council referred Members to his tabled report.

C.59 Motions Submitted under Standing Orders

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

Motion from Councillor N Knowles, Leader of the Labour Group

This council deplores the decision to close the HUB in Kidderminster Town Hall, thereby depriving the Town Council of £50,000 per year rent and more importantly depriving the public of a safe and efficient centre for information and service.

We demand the HUB is kept open in Kidderminster Town Hall as a major provider of services to the public.

Councillor Knowles presented the motion. He stated that in his opinion no substantial case had been made to back up the decision, which he felt was a political one. He added that there was no justification for closing the Hub and there had been no consultation with Kidderminster Town Council. He acknowledged that there was a break clause in the contract between the District and Town Council. However in his opinion he felt it was bad practice and did not approve the way it was done against a fellow elected body.

He added that relocating the Hub to the Green Street depot would deny many people the face to face customer service contact they required. He spoke about the lack of direct bus routes to the site and the walking distance from the Town Centre which was difficult or impossible for some people, and also rather dangerous due to the number of busy roads which have to be crossed to get there. He asked Members to think about what service the Hub would provide to people when it moved to Green Street and asked them to vote in favour of the motion.

Councillor J Shaw seconded the motion.

The Cabinet Member for Housing, Health and Well-being said he was disappointed and dismayed by the motion. He added that the Hub was not just for Kidderminster it was to serve all Wyre Forest residents. He acknowledged that there was not a bus service which stopped right outside the depot: however not all buses stopped right outside the Town Hall. He said that moving the Revenues and Benefits Teams to the Green Street site would improve the service offered to customers.

The Cabinet Member for Resources stated that the investment in the Green St

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Depot project would assist with reducing the £2m funding gap which the Council will be faced with. He added that more people across the district were accessing the Council's service on-line and there had been a 50% reduction in the visitor numbers to the Hub over the last 5 years, and for the first half of the current year there had been a 32% reduction in call volumes.

Councillor H Dyke acknowledged that the Council had to save money and look at ways to generate income. However in her opinion the relocation of the Hub was not a good decision and she felt that a public consultation exercise should have taken place. She expressed concern about the number of disabled parking spaces which would be available at the Green Street site and also accessibility issues for those people who do not access our services on-line.

Councillor S Chambers said that the investment in the Green Street site was a positive move and would enhance the services available for residents across the three towns in the District.

The Cabinet Member for Operational Services said that the re-location of the Hub would be a vast improvement on the current location as there would be free customer parking which would include 3 disabled spaces.

Councillor S Miah agreed with the investment in the depot; however he disagreed with the decision to relocate the Hub, stating that it would be less accessible especially for the most vulnerable people in our society who do not have the ability to access services on-line and spoke about the lack of public consultation.

Councillor M Rayner said that the most vulnerable or older people access the Hub and will be find it more difficult to access when it has been re-located. She echoed the concerns already raised about those people who do not have access to computers.

Councillor H Dyke left the meeting at this point (7.03pm), and re-entered at 7.09pm.

Councillor Shaw spoke of the public safety issues of pedestrians having to cross busy roads to get to the Green Street site.

The Leader of the Council said that relocating the Hub and bringing the Revenues and Benefits Team into one location would enable the most vulnerable members of the District to access a one-stop shop to get help with their financial situation. He said that the Conservative Group would not support the motion.

The Cabinet Member for Culture, Leisure and Community Protection outlined some of the key reasons for the Depot 2020 project, stating that the relocation of the Hub was only one part of it. The project would save money, increase income, improve the service provided to residents and invest in the facilities for the Council's front line staff.

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Councillor N Knowles summed up by stating that he was not against improvement and investment in the Green Street Depot. He was against the re-location of the Hub, and the lack of discussion and consultation with Kidderminster Town Council. Upon a show of hands, his request for a named vote was defeated.

A vote on the motion was taken and it was defeated. Cllr Helen Dyke asked that her abstention be recorded.

Councillor M Hart left the meeting at this point (7.20pm), and returned at 7.22pm.

C.60 Urgent Motions submitted under Standing Orders

There were no urgent motions.

C.61 Local Pay Arrangements, 2018-2021

The Cabinet Member for Resources presented a report from the Chief Executive which sought to endorse the collective agreement on pay increases for the period 2018-2021 that had been negotiated with UNISON and GMB, and to note and endorse the steps which had been taken to phase out ongoing loyalty (long service) awards.

He formally moved the recommendations as set out in the report. He pointed out a typo at point 3.3 the title above the table should read *Proposals for pay increases, 2018-2021* and not 2018-2022 as stated in the report.

He was pleased to announce that, during the formal consultation period, negotiation meetings with the Unions had resulted in an improved pay offer covering three years, which had been agreed and was not being implemented by a process of dismissal and re-engagement. He thanked Steve Akers, Regional Organiser, UNISON West Midlands, for his sensible and pragmatic approach to the discussions which resulted in a deal which was fair to both the staff and was affordable to the Council.

He added that it had not been possible to achieve a collective agreement on the phasing out of ongoing long service awards. The ongoing long service awards were generally in the range of £200-£400, while other staff who complete 20 years' service receive a one off payment of £400. He said that phasing out the two-tier system was a fair thing to do and gave a more consistent approach with staff members.

The Leader of the Council formally seconded the recommendations.

Councillor S Walker left the meeting at this point (7.27pm).

Councillor Knowles spoke against the recommendations. He said that he disagreed with the proposal to dismiss and re-engage those members of staff

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that did not accept the offer relating to the ongoing long service awards.

Councillor V Higgs said that the Leader of the Council had earlier praised the front line staff for their hard work in clearing the snow and gritting highways but could not give them a decent pay increase. She would not be supporting the recommendations.

Councillor H Dyke said that in her opinion when you dismiss somebody it sounds as if they have done something wrong. It appears that all the staff have done wrong is work for the authority for a long time. Given their loyalty, they have been given a long service award and are now being penalised and told that the Council are dismissing and reengaging them. She said that she could not vote for this proposal.

Councillor S Walker rejoined the meeting at this point (7.31pm).

The Leader of the Council stated that continued discussions and negotiations during the statutory consultation period had resulted in proposals which were fair to the staff but also fair to those who have to pay for it. The pay package had to be both affordable and sustainable.

The Cabinet Member for Resources said that the administration had done all it could to achieve a fair and equitable agreement on the pay and removing the two-tier system for long service awards was the right thing to do.

Upon a show of hands the recommendations were agreed.

Decision:

- 1. The collective agreement on pay increases for the period 2018-2021 set out in Appendix 1 of the report, be ratified;**
- 2. the steps that have been taken by the Head of Paid Service following consultation in respect of phasing out the ongoing loyalty (long service) award, set out in paragraphs 3.8 and 3.9 of the report be noted, and those actions endorsed.**

C.62 Review of Polling Place in the Wyre Forest District

The Cabinet Member for Resources presented a report from the Returning Officer and Chief Executive which recommended a change of a designated polling place in the Wyre Forest District following a recent review.

He formally moved the recommendations as set out in 2.1 of the report.

The Leader of the Council seconded the recommendations and noted the 6 responses which had been received to the consultation.

Councillor Shaw said that the proposal to move from the St Wulstan's Community Centre to the nearby St Michael's Scout HQ was the only practicable solution. The Labour Group would abstain from voting as it did not

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want to give any validity to the view that one station should serve the area that it was now required to serve.

Decision: The change for the Polling Place for polling district MI-SSW as set out in Paragraph 4.1 (Chart 1) of the report, be made from the ordinary elections in May 2018.

C.63

Policy And Budget Framework – Matters which require a decision by Council

(a) Recommendations from the Overview and Scrutiny Committee, 2nd November 2017 - Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2017-18

Councillor H Dyke presented the recommendations and assured Members that the issues were debated fully by the Treasury Management Review Panel and Overview and Scrutiny Committee before coming to Council.

The Cabinet Member for Resources seconded the proposal.

Decision: The Treasury Management Mid-year Review and updated Prudential Indicators be approved.

(b) Recommendations from the Cabinet, 14th November 2017 – Depot 2020: Plans for Investment and Improvement – Amendment to the Capital Programme

The Leader of the Council formally moved the recommendations to amend the capital programme for the Depot 2020 project. He outlined the investment for Green Street which would provide fit for purpose facilities for the Council's front line staff. He added that it was a multi faceted project which would provide a customer service centre and 8 small scale industrial units to support small businesses. The project would also see the two locally listed buildings be bought back into use.

The Cabinet Member for Operational Services seconded the proposal, and said that the project would change the face of Kidderminster.

Both Councillor Knowles and Councillor H Dyke said that they could not vote for the recommendation as they did not agree with the relocation of Hub.

Upon a show of hands the recommendations were approved.

Decision: The capital programme be amended to reflect the cost of Option B as set out in the financial appraisal in Appendix 3 of the exempt report to Cabinet.

(c) Recommendations from the Licensing and Environmental Committee, 4th December 2017 - Scrap Metal Licensing Policy and Guidelines

Councillor J Hart moved the recommendations for approval, which were

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seconded by the Cabinet Member for Culture, Leisure and Community Protection.

Decision: The finalised policy and guidelines at “Appendix 1” of the report to the Licensing & Environmental Committee be approved and published.

There being no further business, the meeting ended at 7.57pm.