

Open

# Council

# Agenda

6pm  
Wednesday, 22 September 2021  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Council

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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](http://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.
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**COUNCIL MEETING**

**14 September 2021**

**TO ALL MEMBERS OF THE COUNCIL AND HONORARY ALDERMEN**

**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 22 September 2021**, 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

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

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**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.**

\* Unless there are no reports in the open session.

Wyre Forest District Council

Council

Wednesday, 22 September 2021

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
1.	<b>Prayers</b>  To be read by Rev Carey Saleh, St Michael and All Angels, Stourport-on-Severn and All Saints, Wilden.	
2.	<b>Apologies for Absence</b>	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on 14 July 2021.	10
5.	<b>Public Participation</b>  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 13 September 2021.  <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>	
6.	<b>Questions</b>  Eight questions have been submitted in accordance with Standing Order Section 7, 1.8 by Members of the Council, details of which have been received by 12 noon on Monday 13 September 2021 and the replies of the leader of the Council or other appropriate	30

	<p>Cabinet Member.</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>	
7.	<p><b>Chairman's Communications</b></p> <p>To note the engagements of the Chairman of the Council since the Council's last meeting.</p>	32
8.	<p><b>Leader of the Council Announcements</b></p> <p>To receive announcements from the Leader of the Council.</p>	
9.	<p><b>Amendments to Council Procedure Rules</b></p> <p>To receive a report from the Chief Executive to consider amendments to the Council Procedure Rules (Standing Orders) in Part 7 of the Council's Constitution.</p>	33
10.	<p><b>Motions Submitted under Standing Orders</b></p> <p>Two motions have been received in accordance with Standing Orders (Section 7, 4.1).</p> <p><b>1. Notice of Motion from the Conservative Group</b></p> <p>This Council fully supports the Green Agenda and is committed to ensuring that sustainability is at the heart of our decision making.</p> <p>Furthermore, this Council fully endorses the need for a Solar Farm on land owned by WFDC as proposed by the Conservative Group in February 2020 and the need for electric charging points in our pay and display car parks.</p> <p>This Council is concerned about the delay in making real progress on these really important issues for our communities and calls upon The Leader of the Council to provide a full formal update to this Council urgently.</p> <p><b>2. Notice of Motion from Councillor S Miah on behalf of the Liberal Democrat Group</b></p> <p>This council notes:</p> <ul style="list-style-type: none"> <li>• 1 in 4 adults and one child in six will experience a mental health problem in any year.</li> <li>• Mental ill health costs some £119 billion each year in England alone.</li> <li>• People with a severe mental illness die up to 20 years younger than average in the UK.</li> <li>• The Covid-19 pandemic has put extra strain on people's mental health, and this is likely to last for some time after.</li> </ul> <p>This council believes:</p>	

	<ul style="list-style-type: none"> <li>• As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.</li> <li>• Mental health should be a priority across all the local authority's areas of responsibility.</li> <li>• All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.</li> </ul> <p>This council resolves:</p> <ul style="list-style-type: none"> <li>• To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health.</li> <li>• We commit to appoint an elected member as 'mental health champion' across the council.</li> <li>• We will support the member champion to enable them to take on this role.</li> </ul> <p>Subject to availability of resources and with the expectation that the council will focus on services within its statutory duties and discretionary powers, the council will also:</p> <ul style="list-style-type: none"> <li>• Support positive mental health in our community, including in local schools, neighbourhoods and workplaces.</li> <li>• Work to reduce inequalities in mental health in our community.</li> <li>• Work with local partners to offer effective support for people with mental health needs.</li> <li>• Tackle discrimination on the grounds of mental health in our community.</li> <li>• Proactively listen to people of all ages and backgrounds about what they need for better mental health.</li> </ul>	
11.	<p><b>Urgent Motions submitted under Standing Orders</b></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>	
12.	<p><b>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.</b></p>	
13.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>"That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of "exempt information" as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act".</p>	



**Part 2**

**Not open to the Press and Public**

<b>14.</b>	<b>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.</b>	
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WYRE FOREST DISTRICT COUNCIL

COUNCIL

HELD REMOTELY

14 JULY 2021 (6PM)

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**Present:**

Councillors: J Aston (Chairman), P Dyke (Vice-Chairman), G W Ballinger, C J Barnett, J F Byng, V Caulfield, S J Chambers, A Coleman, R H Coleman, B S Dawes, N J Desmond, H E Dyke, C Edginton-White, N Gale, S Griffiths, I Hardiman, P Harrison, M J Hart, K Henderson, L J Jones, A L L'Huillier, N Martin, S Miah, F M Oborski MBE, T L Onslow, M Rayner, C Rogers, S E N Rook, D R Sheppard, J W R Thomas, A Totty, L Whitehouse and P W M Young.

**C.24 Prayers**

Prayers were said by Rev Sallie Butcher, Priest-in-Charge, Wyre Forest West (Mamble, Bayton, Rock, Heightington and Far Forest).

**C.25 Apologies for Absence**

There were no apologies for absence.

**C.26 Declarations of Interests by Members**

As recorded later in the minutes, Councillor S Miah declared in respect of agenda item 6 question 4, that he has friends that are taxi drivers and he has no financial interest in taxi drivers at all.

**C.27 Minutes**

**Decision: The minutes of the meeting held on 12 May 2021 be confirmed as a correct record and signed by the Chairman.**

**C.28 Public Participation**

In accordance with the Council's scheme for public participation at meetings of Full Council, the following member of the public addressed the meeting at this point: Liam Carroll (Wyre Forest resident)

*I am here this evening to talk about the Wyre Forest District Council's use of casual contracts. Recently I have noticed an increase of 'casual' positions the district council are advertising and I disagree with this deeply. In the last couple of months, Wyre Forest District Council have posted two vacancies with a casual contract and are stated below:*

- Receptionist (posted on 9<sup>th</sup> June and closed on 24<sup>th</sup> June)
- Casual Education Assistant (posted on 9<sup>th</sup> June and closed on 6<sup>th</sup> July)

*A casual contract is when an employer is not obliged to offer work to the individual but there is no obligation for the individual to accept any work that is offered. Whilst casual contracts have some benefits for someone who has the position, the disadvantages massively outweigh them. Examples of disadvantages of casual contracts include:*

- *A casual employee is not normally guaranteed regular hours of work and means that there is no guarantee of regular income and therefore hard for individuals to budget and manage their finances.*
- *Casual employees may miss out on employee benefits such as annual leave and a pension.*
- *Not knowing when you will be called into work can lead to unnecessary stress and can be restrictive as you may be offered work at a short notice.*
- *Casual contracts can also have a damaging effect on the employee's social life. This is because they may miss social events due to being called into work at such short notice.*
- *Employees on casual contracts are far less likely to receive training from their employer leading to individual's not gaining skills where they would normally have.*

*I understand that there is an increase in work needed in different seasons and the right way forward is to hire people on temporary contracts instead of casual ones as they are more beneficial to employees. Overall, I believe that casual contracts should not be used by any employer, especially councils. Wyre Forest should be setting a good example for local employers across the district which they currently are not.*

*Thank you for listening.*

*My Questions for Cllr Helen Dyke, Leader of Wyre Forest District Council:*

- 1. What percentage of the Wyre Forest District Council's workforce are employed using casual contracts and is this an increase from this time last year?*
- 2. Why does the district council use casual contracts instead of temporary contracts?*
- 3. Do you feel that casual contracts are fair on those employed using them?*
- 4. Will the district council continue to use them?*

The Cabinet Member for Housing, Health, Well-being and Democratic Services thanked Mr Carroll for his participation.

In response to his questions she said many employers, large and small, need to build flexibility into their staffing arrangements. They do so in order

to cope with peaks and troughs of work; to allow for unpredictable issues such as staff being ill; or to cover predictable but temporary gaps such as when staff are on holiday. This has been the case probably for decades in the district council.

We have many temporary, fixed term posts and some of these might cover peak periods over the summer e.g. grounds maintenance, museum.

And we have some posts on casual or “zero hours” contracts because the amount and timing of work is not known and cannot be predicted. A good example is that we have a number of facilities assistants who work for us on such contracts – the amount of work to be done can vary at short notice, such as evening room bookings for meetings or events. It is always a matter of choice for the individual whether or not they accept a contract on such terms.

Having casual employments suits the business needs of the council and provides flexibility that also suits individuals. Ultimately, they choose whether or not they wish to work for us and whether or not to accept a casual contract.

All staff, whatever the basis of their employment, are offered the same induction and support, and provided with any training relevant to the role that they will be performing. They all have access to the employee assistance programme. Casual staff can also build entitlement to annual leave.

We currently have 13 casual employees on the HR/Payroll System. This is fewer than one in 25 of the workforce, so the use of such contracts is not widespread. Service areas include: Facilities, Reception, Depot Business Support Unit, Museum and Estates

Casual employment means that there is no obligation on either party - on the Council to make work available or on the casual employee to be available for work when required.

It is not practical for the Council’s fluctuating business requirements to be met solely through temporary contracts. A temporary contract would have to be for a specified number of hours each week and will last for a specified period.

Casual contracts are fair: no one is forced to accept one, and the terms on which they operate are clear to both employee and employer. We will continue to use casual contracts where appropriate as part of our staffing mix.

At 6.18pm Council agreed to suspend Standing Order (section 7, 1.8 (i)) to remove the 30-minute time limit on questions asked by members of the Council to the Cabinet.

## **C.29**

### **Questions**

11 questions had been submitted in accordance with Standing Order (section 7, 1.8) by members of the Council.

**1. Question from Councillor Fran Oborski MBE to the Cabinet Member for Operational Services**

Could the Cabinet Member tell me:

How many staff, including temporary summer staff are currently employed in the Council's Parks/Ground Maintenance Section? How many were employed at July 2020, July 2019 and 2018?

**Answer from the Cabinet Member for Operational Services**

I can confirm that at all three July dates, July 2018, July 2019 and July 2020 the following staff were employed in community and environment: 15 full time equivalents in parks and open spaces, 3 full time equivalents in landscaping and 2 part time equivalents - 6 months contract employed mainly in parks.

**Supplementary question**

That is 3 years, what about this year? First of all, are the figures the same for this year, because that was the first sentence in the question.

In that case, could you explain to me why this year such an appalling level of service is being given on grass cutting, whilst in previous years, apparently the same number of staff were doing an excellent job, which was being commended by the public.

**Answer**

As far as I know, yes.

Yes, thank you for your supplementary Councillor Oborski, perhaps you failed to notice that this year there has been quite a difference in the weather from previous years, certainly from last year. In May this year it was very wet, in June and July it has been both wet and humid, and warm and this has caused prolific growth in both the grass and the weeds. It has taken staff some considerable time to get on top of the situation because of the prolific growth. They are doing so at the moment and hopefully shortly we should be back to the status quo.

**2. Question from Councillor Fran Oborski MBE to the Cabinet Member for Housing, Health, Well-being and Democratic Services**

The Covid Pandemic has led to all Councils having to assist vulnerable homeless people and Rough Sleepers. Could the Cabinet Member tell me: Since the start of the Pandemic how many vulnerable homeless people have been placed in hostel accommodation outside Wyre Forest? How many of those have been placed in Birmingham? What steps are taken to ensure that all hostel accommodation used is operated by companies who

are compliant with RSH (Register of Social Housing) Standards?

**Answer from the Cabinet Member for Housing, Health, Well-being and Democratic Services**

This council has not placed anybody during the pandemic into hostels in Birmingham. During the pandemic we have primarily placed people under our discretionary duties in commissioned accommodation in Wyre Forest, Wychavon and Worcester City. This accommodation consisted of our commissioned bed and breakfast in the Wyre Forest and Wychavon, a care home and a hotel commissioned by Worcester City and our New Street accommodation in Stourport. The commissioned bed and breakfast and hotels were inspected by Wyre Forest or Worcester City teams and are usually covered either by the Housing Act 2004 regulation or the Fire Safety order of 2005. We do offer housing options to households where we are unable to accommodate in Wyre Forest, that includes advice for non-priority households on registered providers' supported accommodation throughout the county and the West Midlands and they can apply for rehousing. These providers do fall under the jurisdiction of the social housing regulator. There have been homeless people that have gone to Birmingham. However it isn't Wyre Forest that have placed them there, it is that our duty of care has either lapsed or they have lost their entry in the accommodation so we have signposted them on and completed referrals to other organisations that are providers of registered social housing.

**Supplementary question**

This is very interesting because there is at least one member of this council who has a relative who was sent to a hostel in Birmingham and, as Treasurer of Help, I am aware of at least 2 vulnerable rough sleepers who were placed in hostels in Birmingham and in fact came back to Wyre Forest because of the abuse and drug and other unpleasant behaviour that they were exposed to in Birmingham, so I am sorry but I don't believe that that answer is accurate. What really worries me is those of you that read the Observer will know that on Sunday June the 27<sup>th</sup>, they actually had a huge article about unsuitable hostels in Birmingham owned or managed by Concept housing, Assist housing, Knight housing spelt with a K, Sustain Limited and Reliant Social Housing. I really want an undertaking from this council that they will not use or post any rough sleeper or vulnerable homeless person from Wyre Forest towards any accommodation organised by those companies as they are in breach of the registered social housing standards. Can I have such an assurance?

**Answer**

I am afraid that I cannot give you that Councillor Oborski, I would need to explore that further. What I can say is, those that have ended up in Birmingham, and I repeat they were not placed by the Wyre Forest District Council. They may have lost their interim accommodation as you know Councillor Oborski, being very supportive of health and being on their board, that there are many barriers and complex needs of this client group.

It is not a quick solution. I wholeheartedly agree with the article you are referring to and that article is not new, that the unscrupulous dealings of some housing providers in Birmingham are horrendous, they really are, and I am sorry that I can't give that guarantee. I can put something in writing once I have explored that, but I can tell you Wyre Forest has not placed anybody in Birmingham.

### **3. Question from Councillor Fran Oborski MBE to the Cabinet Member for Housing, Health, Well-being and Democratic Services**

Achieving low Carbon Targets requires domestic properties to achieve EPC certificates at levels of A and B for preference with C as the lowest acceptable level.

Can the Cabinet Member tell me what percentage of domestic properties in Wyre Forest are at EPC levels: A or B? C? D or lower?

### **Answer from the Cabinet Member for Housing, Health, Well-being and Democratic Services**

I can tell you that in A we have 1%, B we have 7%, C with have 25%, so C and above we do have 33%. There is 40% in D, 19% in E and 6% in F and 2% in G.

### **Supplementary question**

Thank you very much for that information. Now Wyre Forest Community Housing have assured me that in the next 3 to 4 years, their intention is to raise all their properties to at least level C, but as we all know private sector landlords house some of the poorest people in the district and very often their properties are the worst insulated, so you have the poorest people facing the highest bills for heating. What steps can the Council take to vigorously encourage private sector landlords to raise the quality of insulation in their properties, so that none of our poorest residents are faced with these cold, expensive to heat homes?

### **Answer**

We have just received some external funding for an EPC project officer, so we are very much on board with this, and that officer at the moment is dealing with landlords of the private sector to improve those properties in band F or G. This has already led to improvements of 103 properties, so that will bring them above the minimum of E standard, and the team are also submitting further bid funding in partnership with Redditch and Bromsgrove to continue with this work. So, it is something that we are on board with, Councillor Oborski.

### **4. Question from Councillor Shazu Miah to the Cabinet Member for Cabinet Member for Finance and Capital Portfolio**

The Covid pandemic has caused severe losses for many local businesses especially the Self Employed. Could the Cabinet Member tell me how many

Wyre Forest Taxi Drivers received Covid payments from the Council and how many did not?

**Answer from the Cabinet Member for Finance and Capital Portfolio**

Very few of the Government-funded schemes of support for businesses were aimed at self-employed people. If any taxi drivers were employees of companies, the companies could of course use the furlough scheme that was implemented. But the Government did not provide councils with funding to assist self-employed people. For example, the discretionary grant scheme administered by the revenues team closed in August / September 2020. No payments were made to taxi drivers, nor were any applications received. Self-employed taxi drivers would not have been eligible under our criteria which were aimed at businesses with fixed property costs in line with guidance from the Department of Business, Energy and Industrial Strategy.

However, Taxi Drivers were eligible for our Additional Restrictions Grant (ARG) scheme administered by NWEDR team for which we were able to set our own policy and we promoted this via their local trade group. 7 taxi drivers have received ARG grants. They received £4,097 to cover the period 5/1/21 – 31/3/21 and then a Recovery Grant of £2,000 so £6,097 each in total. We had a couple of applications that unfortunately failed to provide the necessary evidence required to support their application, so these were declined.

As of 30 June 2021, from approximately 731 applications for the Test & Trace Support Scheme payment were submitted, we had 13 applications from taxi drivers and paid 11 of them. The remaining two did not meet the criteria due to excessive levels of capital.

It is not possible without excessive cost to research how many taxi drivers may have applied for assistance from the council tax reduction scheme.

**Supplementary question**

When I have looked at other Council's around this area, Birmingham, Sandwell and Wolverhampton, I type in Covid grants for taxi drivers and it is plastered all over the internet that the taxi drivers can have grants available. What did our Council do to highlight to taxi drivers that they could be eligible for some grants? It is a shame that this council did not do more, because I was being asked by a variety of taxi drivers at the height of the pandemic and as recently as 2 or 3 months ago. Given the disparity with other Councils what will you do now to see whether or not those taxi drivers that did not know they could apply for grants would now be entitled to an award?

**Answer**

There was an erroneous article published by the Private Hire & Taxi Monthly saying that WFDC were paying taxi drivers £250 each but we corrected that and advised everyone what the application process was via



Worcestershire Regulatory Services. The team have only recorded 2 applications, and these were declined, several did struggle to provide the necessary evidence. Also, the ARG system did vary across Worcestershire so Covid payments would depend on where taxi drivers were based. We did not try to work across the districts, because we work across Worcestershire wide and it was Worcestershire where we were looking at our fellow District Councils and we tried to provide consistency throughout districts in Worcestershire, but this was not possible.

I will take this back and give you a further written answer if you require.

Councillor S Miah made his declaration at this point (6.36pm).

#### **5. Question from Councillor Ian Hardiman to the Leader of the Council**

Would the Leader of the Council update Council on the current progress in respect of the Local Plan, following the Examination in Public earlier in the year?

#### **Answer from the Leader of the Council**

This is very much still in the hands of the planning inspector. The planning policy team and planning inspector are still working through all the main modifications required to the plan following the public hearing early in the year. It is expected it will conclude at end of July or beginning of August and then the changes will have a sustainability appraisal undertaken by a consultant. The main modifications will then be taken through the committee process and go out for public consultation for 6 weeks in September / October it is hoped. The planning inspector will then consider the responses and whether further changes to the document are required. The examination of the local plan will conclude with the Council receiving the inspector's report, which we anticipate being at the end of the calendar year or the beginning of the New Year. I do hesitate slightly when I say that, because throughout the process we have not always achieved the dates for one reason or another we would like. Officers do still anticipate adoption of the local plan early 2022.

#### **Supplementary question**

Thank you madam leader, that is very helpful. I have really got just one other question really. Can you please agree that the residents of Wyre Forest should also be regularly informed of where we are with the local plan from there onwards?

#### **Answer**

Yes, once the work has finished with the planning inspector and our planning policy team, yes I do agree with you that the residents need to know what the process is from there. As I say, dates have slipped at times for whatever reason and I am sure that residents think that it has either been and gone and been done, or disappeared in the ether of time. Yes, I

agree that once we know what the final information is with the planning inspector there will be a process of communication.

**6. Question from Councillor Marcus Hart to the Cabinet Member for Finance and Capital Portfolio**

Would the Cabinet Member for Finance and Capital portfolio provide an update on income from our investments purchased through the Capital Portfolio Fund?

**Answer from the Cabinet Member for Finance and Capital Portfolio**

We achieved just over 90% of projected income for 2020-21 or in numbers it is £1.1m, which is an excellent performance given the impact of the COVID pandemic. This provided a break-even position on the fund - in other words the rental income matched the borrowing costs and the costs of the property ownership. Our property management agents continued to work to secure the maximum income from our tenants and letting by any voids.

**Supplementary question**

You use the words excellent performance and, on that point, I agree with you. Therefore, do you now regret your and indeed many members of the progressive alliance's vehement opposition to the then Conservative Administration's desire to purchase such acquisitions in and out of this district, which are clearly bringing in an excellent income for the benefit of this council and its residents?

**Answer**

I said it had an excellent performance, the income is break even. I cannot say anything about what my own colleagues say in the Progressive Alliance, what their opinions are, that is not for me to discuss at this point. You have asked me about the Capital Portfolio Fund and I have answered it and, if you would like a written response, I will give you a written response on behalf of the whole of the Progressive Alliance. But at this moment in time I am not prepared to give you my individual opinion which might differ from my colleagues as we are all one alliance but we all have slightly different perspectives.

**7. Question from Councillor Tracey Onslow to the Cabinet Member for Culture, Leisure and Community Safety**

Would the Cabinet Member for Culture Leisure and Community Safety update Council regarding what cultural and leisure activities are planned for later in the year, when the Covid restrictions cease and indeed what activities are in the programme for next year?

**Answer from the Cabinet Member for Culture, Leisure and Community Safety**

The temptation is to say none, but I know you will jump up and down and say “gosh, that is dreadful”. None are actually planned by the district council other than the usual range of activities and events of the Bewdley museum which were advertised. It is not a surprise if members recall paragraph 8.24 of the medium-term financial strategy, that I was actively involved with in the last 2 years, which was considered by Cabinet on 17 December 2019 and made clear what was going to happen. This was over 18 months ago; the member may have overlooked that. It was approved by Council in February 2020 and paragraph 8.24 again of that report said *as part of the localism initiative, approval that the transfer of responsibility for the Arts Development Officer and all discretionary events and summer activities will be sought from the town councils by April 2021 at the latest or alternative sponsorship. If this is not achieved the final year of WFDC funding on those non statutory functions will be 2020-21.*

That is the financial year ended at the beginning of April just gone. At the end of the day I understand that some of the town councils are being creative about what they are going to do and some of our staff are supporting them in that, and that is good that they are planning various events, but perhaps Councillor Onslow might best direct her question to the individual town councils.

### **Supplementary question**

It was around that partnership working because we heard previously that WFDC was going to work with partners to ensure that we had some form of activities, so it was really how that work was progressing because I have not seen anything to say that there are any events at all. I am absolutely aware of the discussions and the budget decision that was taken by the Progressive Alliance at the time. Obviously I did not vote for it, but others did, so it was really where we were with those discussions. I know we were going to come back and say what activities would be run.

### **Answer**

We can come back to you as and when events come forward but we are still in the process, Councillor Helen Dyke is still actively involved with the Chief Executive in the localism discussions, and we are still optimistic about the town councils. Some are being creative; others less so, some are not so inclined to co-operate, and we are working with that but we made our position clear and we cannot afford to go on, as you know we inherited a deficit of well over £2m and we were doing well until the pandemic, to do something about that. We cannot just revert to what we were doing then and spending a lot of money on services that are not statutory functions of the district council. Government has not given us any extra cash to do that. So, at the end of the day the town councils are in an excellent position if they wish to increase their precept to get more money to do more activities on their own patch.

### **8. Question from Councillor Marcus Hart to the Leader of the Council**

Would the Leader of the Council advise Council on the projected rental

income for Wyre Forest House from external tenants for the year 2021-2022 and update on the number of tenancy agreements and the percentage footprint of the building occupied?

**Answer from the Leader of the Council**

A total of five tenancies are in place and a sixth is expected to be signed shortly. Between them the six tenanted areas represent approximately 27% of the building. Anticipated rental income for 2021-22 is £159,870, assuming the sixth tenant completes by the end of the month. In addition to that, as you will be aware, there are ICT support charges for some of the tenants. I think that is very good and it will be obviously better if the sixth tenant comes along so that is our position at the moment.

**Supplementary question**

Would she agree with me that this is clearly an asset for the residents of this district, it is the jewel in the crown, and that any suggestion to dispose of this valuable capital asset would not be in the interest of the residents of this district?

**Answer**

I think I would find it difficult to say I see it as the jewel in the crown. I think many residents of Wyre Forest would find it very difficult to describe it as such. If you will remember, we have made no secret about the fact that we are looking at the future of Wyre Forest House. We have not made any decisions on that yet but I think it was in the Cabinet meeting on 22 December 2020, when we actually did mention that we would be looking at its future in a constructive and detailed way.

**9. Question from Councillor Chris Rogers to the Cabinet Member for Operational Services**

Would the Cabinet Member for Operational Services like to comment on whether he thinks the Progressive Alliance are delivering on its corporate priority in respect of place, and in particular litter picking and grass cutting?

**Answer from the Cabinet Member for Operational Services**

Yes, I am quite happy that the Progressive Alliance is delivering on its corporate priority in respect of place, and in particular litter picking and grass cutting.

**Supplementary question**

I am getting regular complaints, as I am sure all Councillors are, that the whole district looks a disgrace with spreading dangerous weeds like ragwort to the extent that we are likely to get in the typical area where we could be sued under the dangerous weeds act. I am sure no particular animal owners will thank us for that. Planting of wildflowers is a great and

indeed a wonderful idea but simply allowing grass and weeds to proliferate does nobody any favours and looks terrible. How should we best explain to our residents and the electorate who spend lots of time and money on their gardens when we are just allowing wild grass and weed seeds to blow everywhere, something they will not thank us for?

### **Answer**

As I explained to Councillor Oborski with regard to her question, yes, we are trying to get on top of the grass cutting. Yes, this year has been difficult due to the climatic conditions which we have been experiencing. Ragwort certainly, as you say, is a dangerous weed and we do at the beginning of the season spray quite vigorously around certain parts of the area to get rid of this weed. We are doing all we can to keep on top of it and get the area back to normality.

### **10. Question from Councillor Lisa Jones to the Cabinet Member for Operational Services**

Is the Cabinet Member for Operational Services satisfied with the level of civil enforcement in respect of parking across this District, especially in our rural areas and on estates?

### **Answer from the Cabinet Member for Operational Services**

The council's civil enforcement team are well regarded in the area and across the region in general. They have made noteworthy progress in terms of civil enforcement of parking contraventions across the district. In a normal year this team would distribute well over £100,000 of parking fines to people parking illegally on our streets. Their patrols include housing estates, on Franche, Ferndale, Marlpool and Spennells together with all the rural villages within the Wyre Forest.

### **Supplementary question**

We really need to see enforcement officers checking parking on double yellow lines in our rural villages and on our housing estates including evenings and weekends. We have a huge number of complaints from residents regarding these issues, also would the Cabinet Member agree with me that we have insufficient officers to deal with these issues and should we not recruit additional officers, and will he commit to increase the expenditure on this much needed service for our residents.

### **Answer**

To the end of June this year our civil enforcement patrols in rural areas have totalled 31. This is on par with the same period last year and increased on the year before. We have to date issued 1,359 on-street parking penalty charge notices. So, I am sure you will agree with me that the team is doing a wonderful job. No, I don't think there is a need for further officers within the enforcement team; they are doing a wonderful job as

they are. Not only are they visible within the area they are applying covert cameras throughout the area as well, so there are more than one means to catch the cat shall we say.

### **11. Question from Councillor Chris Rogers to the Leader of the Council**

Could the Leader of the Council advise this Council when will the public and our wider communities expect to see work commence to regenerate Worcester Street using the £20.5 million awarded by the Conservative Government for the Future High Street Fund?

### **Answer from the Leader of the Council**

Unfortunately, I have to say not quite yet. If it were as simple as just moving the bulldozers in, changing things around and just building something new, life would be simple but unfortunately it is not. I think it is going to be at least 2022-23 before we see something at ground level making a difference. We are hoping that a planning application will be submitted for the former magistrates' court by the end of August this year, followed by planning applications in May / June 2022, next year, for actual physical buildings. As you can imagine there is an awful lot of work to be done before we get to that point. I would just like to assure you that the Government monitor this £20.5m that they awarded us very strictly. This council has to report back on very strict monitoring rules and regulations to make sure we are using that money correctly and that we are doing what is needed to be done.

### **Supplementary question**

With an award of £20.5m, as you correctly say the Government need regular updates on what we are doing with the money and how progress is being made. Does the Leader not think that it would be only a courtesy to give the electorate the similar information on a regular basis?

### **Answer**

This Council in the past has been caught promising things that either have not happened or have happened way in the future. The idea with this particular award is that there will be a communications plan alongside it about when we will report back to the residents of Wyre Forest. There could well be virtual tours arranged and, now covid restrictions are being released, there will be presentations, there will be walk around areas where residents will be able to see what is happening. But we do not want residents to feel that they have been promised something that is not going to happen. So it is all in hand and I can assure residents that, as soon as possible, we will be providing as much information as we can and inviting them along on the process with us.

## **C.30**

### **Chairman's Communications**

The Council received a list of functions attended by the Chairman or

Vice-Chairman since the Council's last meeting.

**C.31 Leader of the Council Announcements**

The Leader of the Council referred members to her tabled report.

**C.32 Motions Submitted under Standing Orders**

Five motions had been received in accordance with Standing Orders (section 7, 4.1)

**1. Notice of Motion on behalf of the Liberal Democrat Group**

Councillor S Miah presented a motion on behalf of the Liberal Democrat Group. The motion was seconded by Councillor F Oborski MBE.

Councillor Miah outlined the reasons for the motion and a robust debate ensued.

A number of members spoke in agreement with the motion but felt they were unable to support it as it was originally presented. As a result of the discussions, Councillor Miah proposed an amendment to the motion, which was seconded by Councillor Oborski, to enable support for the motion.

**A named vote on the motion, as amended, was recorded as follows and was agreed:**

**For (31)**

Councillors: G Ballinger, C Barnett, J Byng, V Caulfield, S Chambers, A Coleman, B Dawes, N Desmond, H Dyke, P Dyke, C Edginton-White, N Gale, S Griffiths, I Hardiman, P Harrison, M Hart, K Henderson, L Jones, A L'Huillier, N Martin, S Miah, F Oborski MBE, T Onslow, M Rayner, C Rogers, S Rook, D Sheppard, J Thomas, A Totty, L Whitehouse and P Young.

Against (2)

Councillors: J Aston and R Coleman.

**Decision: The notice of motion, as amended, be agreed:**

**Council commends individuals, local organisations and councillors in the District who have actively contributed to and raised funds to install defibrillators in various public places.**

**Council notes that:**

- **A recent research by West Midlands Ambulance Services showed that around 50% of sudden cardiac arrests are witnessed by bystanders or family members;**
- **There is a 68% chance of survival from a sudden cardiac arrest**

if a public access defibrillator is used;

- **Quick intervention could make the difference between life and death;**
- **270 Children a year in the UK die as a result of sudden cardiac arrests;**
- **Only a third of the population are comfortable giving CPR on a stranger;**
- **45.5% of the population in Wyre Forest are over 50 years old and therefore at an increased risk of a sudden cardiac arrest;**

**Council resolves to:**

- **Request and encourage every new housing development to have a defibrillator within the vicinity of the development and to request at least one defibrillator per 1000 homes.**
- **Encourage all multi occupation homes or flats to have a defibrillator**
- **Encourage West Midlands Ambulance Service to deliver CPR training across the district.**

At 8.10pm the meeting was adjourned for a short comfort break, the meeting resumed at 8.20pm.

## **2. Notice of Motion, on behalf of the Liberal Democrat Group**

Councillor S Miah presented a motion on behalf of the Liberal Democrat Group. The motion was seconded by Councillor A Totty.

Councillor Miah outlined the reasons for the motion and a full discussion ensued.

Councillor Miah proposed an amendment to the motion to take into account points raised during the debate. The amendments were seconded by Councillor Totty.

Upon a show of hands, the motion as amended was agreed.

**Decision: The notice of motion, as amended, on behalf of the Liberal Democrat Group be agreed:**

**Council commends the young people in this District who selflessly provide care for others.**

**Council notes that:**

- **Recent research shows that one in five secondary school children may be a young carer. For many, their caring journey begins at a much younger age.**



- **Caring for someone can be very isolating, worrying and stressful. For young carers, this can negatively impact on their experiences and outcomes in education, having a lasting effect on their life chances.**
- **Child carers provide vital support for their loved ones, whether this is for physical or mental health problems. However, their own mental health is often overlooked.**
- **Each year, The Carers Trust has organised a Young Carers' Action Awareness Day. In 2021 this was renamed Young Carers' Action Day and was marked on March 16.**
- **The purpose of the day is to raise public awareness of the challenges faced by young people and young adults because of their caring role, and to campaign for greater support for young carers to meet their needs.**

**Council resolves to:**

- **Promote Young Carers Action Day as widely as possible on an annual basis, particularly to young carers and their families.**
- **Work with the Carers' Trust, KDYT, Worcestershire Young Carers (YSS), Worcestershire County Council and any other relevant organisation to establish an annual event in Wyre Forest to mark this date to which young carers and their families can be invited in person or online, and at which appropriate information and services can be accessed.**
- **Set up a panel of councillors to facilitate the action day.**

### **3. Notice of Motion from the Conservative Group**

Councillor M Hart presented a motion on behalf of the Conservative Group. The motion was seconded by Councillor N Desmond.

Councillor Hart outlined the reasons for the motion and a full and robust debate ensued.

Upon a vote, the motion was agreed by a majority.

**Decision: The notice of motion from the Conservative Group, be agreed:**

**This Council is concerned at the state of the grass verges on many of our estate roads.**

**This Council welcomes the funding that Worcestershire County Council provides to WFDC to undertake the grass cutting on their behalf on WCC land, in particular, the year on year increases received over the last 5 years.**

**Whilst acknowledging there are benefits to allowing insects, wild**

flowers and wildlife to thrive in long grass, this should not be done at the expense of safety or keeping our area clean and looking good.

**This Council resolves to request that the Cabinet Member for Operational Services to ensure that this noticeable reduction in service is restored as a matter of urgency and formally urgently report to Council as to what he has done to tackle this important issue.**

At 21.59pm Council agreed unanimously to suspend the Council Procedure Rules (Standing Orders) 1.1 (iii) to allow the meeting to continue until 11.30pm.

On behalf of the Conservative Group, Councillor M Hart withdrew notice of motion no. 4 from the agenda.

### **5. Notice from Motion from Councillor Vicky Caulfield**

Councillor V Caulfield presented her motion which was seconded by the Cabinet Member for Housing, Health, Well-being and Democratic Services.

Councillor Caulfield outlined the reasons for the motion. A discussion ensued and upon a show of hands, the motion was agreed by a majority.

**Decision: The notice of motion from Councillor V Caulfield be agreed:**

**Council notes that:**

- I. Many local authorities are playing an important role in the UK taking action to achieve net zero carbon emissions, and to protect and revitalise local wildlife and natural habitats.**
- II. Parliament in May 2019 declared an Environment and Climate Emergency, and this Council has already declared a Climate Emergency.**
- III. There is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the “Climate and Ecology Bill”), which, if it became law, would require the government to develop a strategy to address the emergency that would ensure:
  - A. the ecological emergency is tackled shoulder to shoulder with the climate crisis in a joined-up approach;**
  - B. the Paris Agreement is enshrined into law to ensure that UK does its real fair share to limit global temperature rise to the most stringent end of the Paris agreement -1.5°C.**
  - C. the Leaders Pledge for Nature is enshrined into law to ensure that the UK’s ecosystems are protected and restored with a focus on biodiversity, soils and natural carbon sinks;**
  - D. the UK takes full responsibility for our entire greenhouse gas footprint (i.e. consumption emissions plus shipping, flights****

and land-based transport) by accounting for all of the emissions that take place overseas to manufacture, transport and dispose of the goods and services we import and consume;

- E. the UK takes full responsibility for our ecological footprint so that we protect health and resilience of ecosystems along both domestic and our global supply chains;
- F. an independent, temporary Climate and Nature Assembly is set-up, representative of the UK's population, to engage with the UK Parliament and UK Government to help develop the emergency strategy.

**Council therefore resolves to:**

- I. **Support the Climate and Ecological Emergency Bill;**
- II. **Inform the local media of this decision;**
- III. **Write an open letter to The Member of Parliament for Wyre Forest (shared with our residents through local and social media) urging them to sign up to support the Bill, or thanking them for doing so; and**
- IV. **Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support ([joinus@ceebill.uk](mailto:joinus@ceebill.uk)).**

### **C.33 Urgent Motions submitted under Standing Orders**

There were no urgent motions.

### **C.34 2023 Review of Parliamentary Constituencies**

Council considered a report from the Chief Executive which sought to agree the Council's response to the Boundary Commission for England's initial proposals on the boundaries of Parliamentary constituencies.

The Leader of the Council presented the report and formally moved the recommendations for approval.

A discussion ensued and there was full support from across the political groups for the retention of the constituency name of "Wyre Forest".

Councillor Hart thanked the Chief Executive for a very comprehensive and informative report.

Upon a show of hands, the vote was unanimously carried.

#### **Decision: Council**

- 1.1 SUPPORT the proposed retention of a constituency coterminous with the district;**

- 1.2 OPPOSE the proposal to rename the constituency as “Kidderminster” and call instead for retention of the name of “Wyre Forest”.**

**C.35 Review of the May 2021 elections**

Council considered a report from the Electoral Registration Officer and the Returning Officer on the Police and Crime Commissioner, Worcestershire County Council, Kidderminster Town Council elections and Bewdley Town Council, Bewdley West by-election, held on 6 May 2021.

The Cabinet Member for Housing, Health, Well-being and Democratic Services presented the report and formally moved the recommendation for approval. Councillor M Hart seconded the proposal.

Upon a show of hands, the vote was unanimously carried.

**Decision: Council NOTED the report on the May 2021 elections.**

**C.36 Policy and Budget Framework – Matters which require a decision by Council**

**a. Recommendations from Cabinet (Strong Leader Decision) – 7 June 2021**

- **Acquisition of Properties in Kidderminster**

The Leader of the Council presented the recommendations and formally moved them for approval. The Cabinet Member for Culture, Leisure and Community Safety seconded the proposal.

Upon a show of hands, the vote was unanimously carried.

**Decision: Council APPROVED that provision of the amount shown in the confidential report, is made in the Capital Programme to facilitate the acquisition of the specified properties.**

**b. Recommendations from Cabinet – 6 July 2021**

- **Unity Park (Former Frenco Site) – Erection of Industrial Units – Amendment to Capital Programme**

The Cabinet Member for Operational Services presented the recommendations and formally moved them for approval. The Leader of Council seconded the proposals.

Councillor Oborski requested a full and frank debate on the item and proposed the exclusion of the press and public.

The proposal was seconded by Councillor Miah.

**C.37 Exclusion of the Press and Public**

**Decision: Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of “exempt Information” as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Act.**

**C.38 Agenda item 13 (b) Recommendations from Cabinet – 6 July 2021**

- **Unity Park (Former Frenco Site) – Erection of Industrial Units – Amendment to Capital Programme**

Members discussed the item at length and had the opportunity to engage in a question and answer session with members of the Corporate Leadership Team.

Councillor Miah moved an amendment to the proposal to commission a review of the project by the Internal Audit Manager, for the report to be provided to the Audit Committee and Council within 3 months. He also suggested a full tender / procurement exercise be undertaken for the remainder of the outstanding works. Councillor Oborski MBE seconded the proposals.

Upon a show of hands, the vote on the amendment to the motion was carried.

A vote on the substantive motion was carried and agreed.

**Decision: Council APPROVED;**

- 1.1 That a review of the project is to be undertaken by the internal audit manager and a report to be provided to the Audit Committee and Council, within 3 months.**
- 1.2 That a full tender / procurement process be put in place in relation to the outstanding works, within three months.**
- 1.3 That any recommendations are to be brought to a special full council meeting to consider those recommendations.**

There being no further business, the meeting ended at 11.23pm.

The full meeting apart from item C.38 is available for viewing on the Council's website

<https://www.wyreforestdc.gov.uk/your-council/councillors-committees-and-meetings/council-meetings/>

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL  
22 SEPTEMBER 2021**

**QUESTIONS TO COUNCIL**

**1. Question from Councillor Fran Oborski MBE to the to the Leader of the Council**

Back in 2020 we were told that Cordwells were in legal negotiations with Vue Cinemas over the development of a multi screen cinema complex on the former Glades Leisure Centre site. Can the Cabinet Member tell me the current status of this proposed development?

**2. Question from Councillor Fran Oborski MBE to the Cabinet Member for Finance and Capital Portfolio**

Can the Cabinet Member for Finance tell what is the likely cost to WFDC as an Employer of the Government's proposed 1.25% increase in NI Contributions?

**3. Question from Councillor Marcus Hart to the Cabinet Member for Operational Services**

Would the Cabinet Member for Operational Services confirm to this Council that all statutory services provided by the Depot will remain throughout the tenure of the Progressive Alliance?

**4. Question from Councillor Marcus Hart to the Cabinet Member for Operational Services**

Would the Cabinet Member for Operational Services confirm to this Council what the catering offer for staff, tenants, visitors, hirers and members will be moving forward now we begin to return to Wyre Forest House?

**5. Question from Councillor Marcus Hart to the Cabinet Member for Finance and Capital Portfolio**

Would the Cabinet Member for Finance and Capital Portfolio advise this Council on the long term future of the Hub and its operating model?

**6. Question from Councillor Nathan Desmond to the Leader of the Council**

Would the Leader of the Council update Council on the latest position on the cinema proposal for Lionfields at the Former Glades Leisure Centre site?

**7. Question from Councillor Ian Hardiman to the Cabinet Member for Operational Services**

Would the Cabinet Member for Operational Services update this Council on progress on estate verge grass cutting since the July meeting of Full Council and his subsequent written briefing note?

**8. Question from Councillor Chris Rogers to the Cabinet Member for Housing, Health, Wellbeing and Democratic Services**

Would the Cabinet Member for Housing, Health, Wellbeing and Democratic Services advise this Council when the first electric vehicle charging point will be installed in a WFDC owned pay and display car park?

**Chairman's List of Functions – 2021/22**

**July and August 2021**

13<sup>th</sup> August – Mayor of Droitwich River Cruise (Postponed)

\* Denotes attendance by Vice Chairman



**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL**  
**22 SEPTEMBER 2021**

**AMENDMENTS TO COUNCIL PROCEDURE RULES**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Councillor Helen Dyke Leader of the Council
<b>DIRECTOR:</b>	Chief Executive
<b>CONTACT OFFICER:</b>	Ian Miller x 2700 ian.miller@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1: textual amendments to section 7 of the Constitution

**1. PURPOSE OF REPORT**

- 1.1 To consider amendments to the Council Procedure Rules (Standing Orders) in Part 7 of the Council's Constitution.

**2. RECOMMENDATION**

The Council is asked to **AGREE** the amendments set out in Appendix 1.

**3. BACKGROUND**

- 3.1 It is good practice to keep the Council's Constitution under review. In 2019, a review was undertaken of the governance arrangements and the conclusion was to retain the Leader and Cabinet model. Recent experience in Council meetings during 2020 and earlier in 2021 has resulted in proposals from the Progressive Alliance to amend the Council Procedure Rules in section 7 of the Constitution. In addition, one change has been identified by officers as being desirable, namely to the standing orders with the Council's practice in filling seats on committees. Any changes to procedure rules agreed at the September Council meeting would take effect for the next ordinary Council meeting in December.

**4. KEY ISSUES**

- 4.1 The purpose of the proposals being brought forward by the Progressive Alliance is:
- To ensure that Council dispatches essential business, prioritising it over discretionary business
  - To assist the Chairman in effective management of the meeting
  - To avoid unnecessarily lengthy meetings, when they commence at 6pm.

- 4.2 It is proposed to **amend the order of business** and review wording to reflect more accurately what business is to be transacted. This involves prioritising matters that Council has to decide over discretionary business, the main change being to place questions at the end of the agenda immediately prior to motions. It is recognised that, if there were any Part II items, the flow of business would be essential items, then discretionary items i.e. Council if necessary moves into Part II and then returns to Part I for questions and motions. In other words, Part II items would no longer be taken last. Part II items are not common – generally about one a year – and thus there is a risk of minor inconvenience for members of the public attending in person or following on line as they will find themselves excluded from the meeting for an indeterminate period before being allowed to re-join for the remaining Part I business.
- 4.3 It is proposed to introduce a **time limit for motions**. This would apply to the total amount of time spent on motions, in the same way as there is a time limit for questions. The proposed limit is 90 minutes, in line with the arrangement in Worcestershire County Council and more generous than the 60 minutes allowed in Redditch Borough Council. The Council could resolve to suspend the standing order that limits the time to be spent on motions or questions. Any motion not reached within the time limit of 90 minutes (if the time limit was not suspended) would be held over to the next meeting, where it would come after essential business but before new, discretionary business. Provision is made for any motion being debated at the point when the time limit is reached, if the Council had not resolved to suspend the time limit: at the proposer's request, the motion would be deferred to the next meeting of Council or, alternatively, the motion would be put to a vote forthwith.
- 4.4 It is proposed to continue to allow a member to table as many questions as he or she wishes under standing order 1.8 but, **in order to ensure fairness for all members, to provide that questions are ranked in order of priority by those asking questions** so that every question ranked as a member's top priority would be answered (if there is time) before any second ranked questions are answered and so on.
- 4.5 These changes do not affect the right of members to ask a question or (if they wish) to ask a supplementary question, nor do they remove the right for members to bring forward motions on any relevant topic. There is thus no diminution of transparency or accountability. The changes seek to ensure that the Council deals with essential business as its priority and that questions and motions are dealt with later on the agenda; and that adequate but not excessive time is spent on such discretionary business.
- 4.6 In addition the Overview and Scrutiny Committee is able to scrutinise any matter, including decisions taken by the Cabinet; and the Audit Committee has wide-ranging powers to consider internal and external audit, accounts and related matters such as risk management. Thus it is not the case that full Council is the only opportunity for members to ask questions, obtain transparency or reinforce accountability.

- 4.7 A further proposal has been identified following a review by officers. This would seek to align the wording of the procedure rules in respect of **appointment of members to committees** with the Council's practice and legislation. As a matter of statute under section 102 of the Local Government Act 1972, a council may appoint committees and has the ability to fix the number of members of a committee and their term of office. This must involve the ability for a council to appoint the members of a committee, which is reflected in the current drafting of WFDC's rules: they assume (although it does not happen in practice) that "nominations of Councillors to serve on each committee" will be before the annual meeting for decision. WFDC's practice is that the chairman and vice-chairman of a committee are appointed at the annual meeting, and any mid-year change among those appointments is also dealt with by full Council. Political groups through the group leaders are then invited to nominate members to fill other seats in accordance with the adopted political balance. The current and proposed wording for standing order 1.4 is set out in the appendix, and continues to reflect the ability of full Council to exercise the full powers under section 102 if it so chose.

**5. FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications for the Council arising directly from this report.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Paragraph 42 of Schedule 12 to the Local Government Act 1972 provides that "Subject to the provisions of this Act, a local authority may make standing orders for the regulation of their proceedings and business and may vary or revoke any such orders". However the Secretary of State has powers in the Local Government and Housing Act 1989 to require that standing orders contain certain provisions about staffing matters and about procedure. None of the proposed changes affect the matters that must be contained in standing orders in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).
- 6.2 Under article 15 of the Constitution, "material changes to the constitution will only be approved by the full Council after consideration of the proposal by the Monitoring Officer".

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 An equality assessment impact is not required as this relates to the Council's constitutional arrangements.

**8. RISK MANAGEMENT**

- 8.1 The proposed changes are not considered to present any significant risks to the Council.

**9. CONCLUSION**

- 9.1 Council is invited to approve the proposed changes to the Council Procedure Rules set out in appendix 1.

**10. CONSULTEES**

- 10.1 The Leader of the Council  
10.2 Corporate Leadership Team  
10.3 Group Leaders & Deputy Group Leaders (on an earlier version of proposals in Appendix 1) .

**11. BACKGROUND PAPERS**

Relevant legislation on standing orders includes: Section 99 of and Schedule 12 to the Local Government Act 1972; sections 8 and 20 of the Local Government and Housing Act 1989

**Appendix 1**

**Proposed amendments to Council Procedure Rules (Standing Orders), Section 7 of the Constitution**

**Amend standing order 1.4 on appointments to committees etc** to omit the wording in the left hand column and to insert the wording in the right hand column:

<b>Current wording</b>	<b>Proposed wording</b>
<p>At the Annual meeting, the Council will in respect of the Committees established under 1.3 (xi) above:</p> <p>i. Decide the size and Terms of Reference for those Committees.</p> <p>li. Decide the allocation of seats to Political Groups in accordance with political balance rules.</p> <p>lii Receive nominations of Councillors to serve on each Committee and outside body, and</p> <p>Iv Appoint to those Committees and outside bodies unless the appointment is a Cabinet function, or has been delegated by the Council, or the vacancy arises during the municipal year.</p>	<p>At the Annual meeting, the Council will in respect of the Committees established under 1.3 (xi) above:</p> <p>i. Decide the size and Terms of Reference for those Committees.</p> <p>li. Decide the allocation of seats to Political Groups in accordance with political balance rules.</p> <p>lii. Appoint the chairman and vice-chairman of each Committee (with the ability at an ordinary meeting to make any appointment to fill a casual vacancy among the chairmen and vice-chairmen, or to make changes to those appointments);</p> <p>Iv. Subject to any resolution of the Council at any time during the municipal year, authorise the group leaders to appoint other members of</p>

	<p>committees in accordance with political balance; and</p> <p>v. Appoint Councillors to serve on each outside body (with the Cabinet appointing to any vacancy that arises during the municipal year, in accordance with Section 4 of the Constitution).</p>
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**Amend Standing Order 1.5.2** to omit the wording shown in the left hand column and insert the wording in the right hand column:

<b>Current order of business</b>	<b>Proposed order of business</b>
(i) To elect a person to preside if the Chairman and Vice-Chairman are absent.	(i) To elect a person to preside if the Chairman and Vice-Chairman are absent.
(ii) To receive apologies for absence.	(ii) To receive apologies for absence.
(iii) To receive any declaration of interests.	(iii) To receive any declaration of interests.
(iv) To deal with any item required by Statute to be done before any other item.	(iv) To deal with any item required by Statute to be done before any other item.
(v) To approve as a correct record and sign the Minutes of the last meeting, and any extraordinary meeting, of the Council.	(v) To approve as a correct record and sign the Minutes of the last meeting, and any extraordinary meeting, of the Council.
(vi) In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council, to allow members of the public to present petitions, ask questions, or make statements.	(vi) In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council, to allow members of the public to present petitions, ask questions, or make statements.

**Agenda Item No. 9**

(vii) To receive questions submitted by Members of the Council and the replies of the Leader of the Council, or relevant Cabinet Member, in accordance with Standing Order 1.9.	(vii) To deal with any business expressly required by a Statute to be done.
(viii) To deal with any business expressly required by a Statute to be done.	(viii) To receive any communications the Chairman or Leader may wish to put before the Council.
(ix) To receive any communications the Chairman or Leader may wish to put before the Council.	(ix) To take decisions on recommendations in reports, whether from the Cabinet and the Council's Committees or from the Council's officers
(x) To deal with any business (if any) remaining from the last Council meeting.	(x) To deal with any business (if any) remaining from the last Council meeting.
(xi) To receive reports from the Cabinet and the Council's Committees and receive questions and answers on any of those reports.	(xi) To receive questions submitted by Members of the Council and the replies of the Leader of the Council, or relevant Cabinet Member, in accordance with Standing Order 1.9.
(xii) To receive reports about and questions and answers on the business of joint arrangements and external organisations.	(xii) To consider Motions in the order in which notice has been received
(xiii) To consider Motions in the order in which notice has been received	(xiii) To consider Emergency Motions submitted in accordance with Standing Order 4.1 (i).
(xiv) To consider Emergency Motions submitted in accordance with Standing Order 4.1 (i).	(xiv) Other business, if any, specified in the Summons.
(xv) Other business, if any, specified in the Summons.	

**Amend standing order 1.5.3** so that it reads: “1.5.3 With the exception of items (i) to (ix), the Order of Business may be altered by the Chairman of the Council or by resolution following a Motion moved, seconded, put to the meeting without debate and carried.”

**Insert at end of standing order 1.8(iv):**

“(c) if a member has submitted more than one question under paragraph (a1) and (a2), the member must when submitting the questions indicate their order of priority (1<sup>st</sup>, 2<sup>nd</sup> etc.) and, in the absence of such an indication of priority, the priority shall be assumed to be the order in which questions have been submitted;

(d) questions will be listed on the agenda in the order received from members but so that any questions of first priority appear before and are answered before questions of second priority (if any); questions of second priority appear before and are answered before questions of third priority (if any); and so on.”

**Insert at end of standing order 4.1(i):** “The Notice shall specify the proposer and seconder of the motion. In the case of the absence of the proposer or seconder from the meeting at which the motion is considered, another councillor may propose or second the motion as the case may be.”

**Insert at end of standing order 4.1:** “(viii) The Council will, if necessary, at the Annual Meeting and at every Ordinary Meeting, devote up to ninety minutes to motions of which notice has been given under standing order 4.1.

(ix) If a motion is being debated when the ninety minutes expires, and unless a motion to suspend standing order 4.1(viii) has been agreed by Council, the Chairman shall

- (a) At the request of the proposer of the motion, defer consideration of the motion to the next meeting of Council;
- (b) Otherwise forthwith put the question to the vote, without further debate.”

**Insert at end of standing order 4.4(i):** “This standing order is subject to the provisions of standing order 4.1(viii) and (ix).”