

WYRE FOREST DISTRICT COUNCIL

CABINET

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

13TH OCTOBER 2021 (6PM)

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**Present:**

Councillors: H E Dyke (Chairman), G W Ballinger (Vice-Chairman), N Martin, M Rayner and J W R Thomas.

**Observers:**

Councillors: N J Desmond, I Hardiman, M J Hart, S Miah and F M Oborski MBE.

**CAB.37 Apologies for Absence**

There were no apologies for absence.

**CAB.38 Declarations of Interests by Members**

No declarations of interest were made.

**CAB.39 Minutes**

**Decision: The minutes of the Cabinet meeting held on 14th September 2021 be confirmed as a correct record and signed by the Chairman.**

**CAB.40 Call Ins**

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

**CAB.41 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.42 Public Participation**

There was no public participation.

**CAB.43 Local Plan - Main Modifications consultation**

A report was considered from the Corporate Director: Economic Prosperity and Place which informed members of the progress with the examination of the new Local Plan and sought approval to conduct a public consultation upon the Inspector's Schedule of Proposed Main Modifications to the Plan and documentation produced under delegated authority.

The Leader of the Council presented the report and outlined the key areas. She reminded members that since 2015 Wyre Forest District Council had been

working towards putting together the Local Plan for 2016-2036. She explained that the Local Plan sets out the policies and plans to guide future development within the district and was the statutory document against which individual planning applications are determined.

The Leader advised that all necessary statutory bodies and members of the public on the Local Plan consultation database would be notified of the consultation, and information would be provided on the Council's website and social media channels. She added that the statutory consultation period was 6 weeks and the proposal was for the consultation to run from 14 October until 26 November 2021. She further explained that the time frame would allow the Inspector sufficient time to consider the representations received and incorporate any findings into her final report on the examination of the Local Plan. Subject to the Inspector's findings, it was anticipated that the Local Plan could be adopted in Spring 2022.

The Leader thanked the Chairman of the Overview and Scrutiny Committee, Councillor M Hart, and his Committee for the recommendations from their meeting on 7 October.

In addition to the recommendations set out in the report, the Leader proposed that two face to face consultation sessions be held at Wyre Forest House. She explained that the authority had a duty to keep its staff and members of the public safe, in light of the continued rise in Covid cases within the area. The Council offices would be used as measures are in place to keep visitors and staff as safe as possible. She said that Wyre Forest House had the added benefit of free parking for anyone attending the sessions and was on an established bus route.

The Cabinet Member for Culture, Leisure and Community Safety seconded the proposals.

**Decision: Having had regard to the recommendations from the Overview and Scrutiny Committee from its meeting on 7 October 2021:**

**To ensure that Wyre Forest District Council continues to progress a new Local Plan for management of development in the District, Cabinet AGREED:**

- 1.1 To approve the Inspector's Schedule of Proposed Main Modifications to the Wyre Forest District Local Plan (2016-2036) (ED57) and the subsequent changes to the Policies Map (ED59) (together with the associated supporting documents, including the Sustainability Appraisal (ED58)) (all documents listed in Appendix 1 to 2) for the purposes of the statutory consultation.**
- 1.2 That the Corporate Director: Economic Prosperity & Place be authorised to conduct a public consultation on the Inspector's Schedule of Proposed Main Modifications and the relevant supporting documents, including the Sustainability Appraisal. Two face to face consultation sessions to be held at Wyre Forest House.**

- 1.3 To delegate authority to the Corporate Director: Economic Prosperity & Place in consultation with the Cabinet Member for Economic Regeneration, Planning and Localism to make any such necessary arrangements for that consultation including final review of any detailed modifications issued by the Inspector following the close of the consultation.

**CAB.44 Exclusion of Press and Public**

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

**CAB.45 Redevelopment of land, Market Street, Kidderminster**

A confidential report was considered from the Corporate Director: Economic Prosperity and Place which apprised Cabinet of the current position and dialogue with the land owners regarding the proposed exchange of land assets and acquisition of land, Market Street, Kidderminster.

The Cabinet Member for Operational Services presented the report and outlined the key issues. He thanked the Chairman and members of the Overview and Scrutiny Committee for unanimously supporting the Cabinet proposals.

The Cabinet Member for Operational Services formally moved the recommendations for approval, which were seconded by the Cabinet Member for Finance and Capital Portfolio.

**Decision:** In line with the exempt recommendations from the Overview and Scrutiny Committee from its meeting on 7 October 2021:

**Cabinet DECIDED:**

- 1.1 To agree the proposed exchange of land and payment as set out in paragraph 2.1 of the confidential report, the payment to be funded from the Evergreen Investment Fund;
- 1.2 To delegate to the Corporate Director: Economic Prosperity & Place authority to advertise the removal of part of the Market Street Car Park in the Wyre Forest (Off-Street Parking Places) Order 2017 ("the Parking Places Order"); and in consultation with the Cabinet Member for Operational Services to consider any objections made as a result of the advertisement; and, following such consideration, to decide whether part of the car park should be removed from the Parking Places Order.
- 1.3 To delegate to the Corporate Director: Economic Prosperity & Place authority, in consultation with the Cabinet Member for Operational Services, to continue to pursue the acquisition of the land as set out in 2.3 of the confidential report through private

treaty.

**1.4 in the event that terms for the acquisition of the land cannot be agreed within a six month period from the date of the report, that:**

**1.4.1 the Council makes a Compulsory Purchase Order (“CPO”) under section 226(i) (a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land and new rights within the areas shown edged red on the plan in Appendix 2 at Market Street, Kidderminster for the purpose of securing the redevelopment of the land.**

**1.4.2 The Head of North Worcestershire Economic Development and Regeneration in consultation with the Solicitor to the Council be authorised to:**

**1.4.2.1 Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order, including the publication and service of all notices and the presentation of the Council’s case at any Public Inquiry.**

**1.4.2.2 Acquire interests in land and new rights within the Compulsory Purchase Order either by agreement or compulsorily.**

**1.4.2.3 Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including, where appropriate, seeking exclusion of land from the Order and/or making arrangements for relocation of occupiers.**

**1.5 That the acquisition of the land as set out in 2.3 of the confidential report proceed with funding from the Council’s Evergreen Investment Fund but, in the event that the cost exceeds available resources in the Evergreen Investment Fund, this is subject to availability of sufficient other funding sources within the Council’s existing budgets.**

**The Cabinet RECOMMEND to Council that it:**

**1.6 Approves an amendment to the Capital Programme to include the acquisition of the land as set out in paragraph 2.3 of the confidential report and, in the event that the cost exceeds available resources in the Evergreen Investment Fund, delegates to the Section 151 Officer the decision on the allocation of appropriate other funding sources available to the Council within its existing budgets in order to allow the acquisition to proceed.**

There being no further business, the meeting closed at 6.42pm.