

WYRE FOREST DISTRICT COUNCIL

COUNCIL

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER**

7TH DECEMBER 2022 (6PM)

Present:

Councillors: P Dyke (Chairman), C Edginton-White (Vice-Chairman), J Aston, 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, N Gale, I Hardiman, P Harrison, M J Hart, K Henderson, L J Jones, N Martin, F M Oborski MBE, T L Onslow, M Rayner, C Rogers, S E N Rook, D Ross, J W R Thomas, L Whitehouse and P W M Young.

C.49 Prayers

Prayers were said by Rev Sue Levitt, Stourport and Bewdley, Methodist Church.

C.50 Apologies for Absence

Apologies for absence were received from Councillors: B Brookes, S Miah, D R Sheppard and A Totty.

C.51 Declarations of Interests by Members

No declarations of interest were made.

C.52 Minutes

Decision: The minutes of the meeting held on 21 September 2022 be confirmed as a correct record and signed by the Chairman.

C.53 Public Participation

There was no public participation.

C.54 Chairman's Communications

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

C.55 Leader of the Council Announcements

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The Leader of the Council referred members to her tabled report. A copy of the announcements is available for viewing on the Council's website.

https://forms.wyreforestdc.gov.uk/council/docs/doc58179_20221207_council_report.pdf

C.56 Review of Polling Places in the Wyre Forest District - report on the review and decision on changes

A report was received from the Chief Executive & Returning Officer for the Council to take decisions following the review of polling districts and places in Areley Kings & Riverside and Blakebrook & Habberley South, which was commissioned by Council on 21 September 2022.

The Cabinet Member for Housing, Health, Well-being and Democratic Services presented the report and formally moved the recommendations for approval.

The Leader of the Council seconded the proposals.

Upon a vote, the proposals were agreed.

Decision: Council considered the report and consultation; and determined the polling places for the wards of Areley Kings & Riverside and Blakebrook & Habberley South with effect from 1 January 2023 as follows:

**AKR-SC – Stourport Community Centre, Lower Lickhill Road
BHS-4 – Trinity Methodist Church, Churchfields
BHS-5 – Habberley Social Club, Habberley Estate**

C.57 Report back on motions agreed at September 2022 Council

Council received a report from the Chief Executive which provided Council with reports back on two matters set out in motions agreed at its last meeting.

The Leader presented the report and formally moved the recommendation for noting. The Deputy Leader and Cabinet Member for Culture, Leisure and Community Safety seconded the proposal.

Upon a vote, the proposal was agreed.

Decision: Council noted the reports.

C.58 Policy and Budget Framework – Matters which require a decision by Council

(a) Recommendations from Treasury Management Review Panel, 31

October 2022

- **Annual Report on Treasury Management Service and Actual Prudential Indicators 2021-22**

In the absence of the Chairman of the Review Panel, Councillor F Oborski MBE presented the recommendations and formally moved them for approval. She thanked the Finance Team and the external advisors for all the help and expert advice they give to members.

The Cabinet Member for Finance and Capital Portfolio seconded the proposals.

Upon a vote, the recommendations were agreed.

Decision: Council;

- 1.1 Approved the actual 2021-22 prudential and treasury indicators in the report;**
- 1.2 Approved the actual 2021-22 non-treasury prudential indicators for Capital Portfolio Fund properties;**
- 1.3 Noted the annual treasury management report for 2021-22, including information on the non-treasury prudential indicators for Capital Portfolio Fund properties.**

(b) Recommendations from Treasury Management Review Panel – 31 October 2022

- **Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2022-23**

Councillor F Oborski MBE presented the recommendations and formally moved them for approval. The Cabinet Member for Finance and Capital Portfolio seconded the proposals.

Upon a vote, the recommendations were agreed.

Decision: Council APPROVED the Mid-year Review and all updated Prudential Indicators & Ratios.

(c) Recommendations from Cabinet – 7 November 2022

- **Council tax reduction scheme review 2023/24**

The Cabinet Member for Finance and Capital Portfolio presented the recommendations and formally moved them for approval. The Deputy Leader and Cabinet Member for Culture, Leisure and Community Safety seconded the proposals.

Upon a vote, the proposal was agreed.

Decision: Council AGREED that the minimum contribution for working age Council Tax Reduction Scheme claimants is reduced from 20% to 10% with effect from 1st April 2023.

(d) Recommendations from Licensing & Environmental Committee – 5 December 2022

- **Review of Fees and Charges for the Council’s Licensing and Regulatory Services Function 2023/24**

The Chairman of the Committee, Councillor L Whitehouse presented the recommendations and formally moved them for approval.

Councillor F Oborski MBE seconded the proposals. She said that it was important that the Council made these changes to the fees and charges to remain competitive, as the authority ran the risk of losing vehicle and driver licensing fee income to other neighbouring or nearby authorities, that had chosen to freeze fees or implement lower increases.

A discussion ensued. Several members spoke against the proposals and outlined their reasons for being unable to support the recommendations. The concerns raised included the negative impact on the council’s medium term financial strategy (MTFS), and the lack of information to enable members to make an informed decision.

In response to the concerns raised, Councillor Whitehouse said that the radical realignment of the fees and charges was part of a package of reform that would address other concerns about aspects of licensing policy in Wyre Forest, and the need to see positive progress in moving towards a fleet that was not dependent on fossil fuels. He urged Council to support the proposals.

Upon a show of hands, the recommendations were agreed.

Decision: Council AGREED that the proposals for fees and charges within the Council’s Licensing, Food, Health, Safety and Pollution Control functions for 2023/24, as detailed in the report, be included in the Council’s 2023/24 budget strategy.

C.59

Questions

Nine questions had been submitted by members of the council in accordance with standing orders.

Councillor Hart advised that in the absence of Councillor B Brookes, question number three would be withdrawn.

1. Question from Councillor M Hart to the Cabinet Member for Operational Services

Since the last Full Council meeting held on 21st September when the Cabinet Member told this Council that he regularly met with the depot staff and was driven around the district looking at issues on a weekly basis could he tell this Council how many times he has visited the depot and how many times he has been out looking at issues?

Answer from the Cabinet Member for Operational Services

I can confirm that I have been meeting staff at the depot since the 12th July, mainly on a Tuesday first thing, so that meetings do not interfere too much with depot staff's working day. We would discuss any issues arising and then would go out around the district taking in either specific wards, or drive through several wards. A recent visit was to Kidderminster Foreign, where we looked at issues regarding fly tipping. I have also spent time driving around the district on my own looking at parks and open spaces, which I must say are a credit to the staff who look after these wonderful amenities and are an asset to the area. I also currently attend planning briefings to ensure that we have the resources available to build on the work that has been done this year. I have a further meeting with senior officers at the depot tomorrow.

Supplementary question

Would the Cabinet member agree with me, firstly, that I think I missed the answer to how many times he has visited the depot and would he kindly, if he is not able to provide that information orally to this chamber, give it to me in writing; and seeing that he is very keen to go out and visit various areas of this district could I invite him to join myself, Councillor Jones and Councillor Hardiman, and we will take him around the lovely Wyre Forest Rural ward and show him some of the very many important issues, in particular fly tipping, which is still yet to be tackled, which are blighting the lives of our rural voters and if he could give a commitment to come out and visit, I would be delighted.

Answer

I will provide you in writing the number of times that I have been out or visited the depot since the last meeting. I was asked this question at the last meeting about going out with councillors and, as I said at the time, I do it on my own or with staff etc. so, no I am afraid I will just stick to what I said last time.

2. Question from Councillor D Ross to the Cabinet Member for Finance and Capital Portfolio

Could the Cabinet Member advise this council, what is the maximum stake an individual is allowed to stake and, in the year, 2021-2022 and 2022 to date could we be advised; as to how much prize money in total has been paid, how much in grants to organisations and which organisations have benefitted?

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Answer from the Cabinet Member for Finance and Capital Portfolio

The maximum number of tickets a player can buy in one transaction is 20 for each week, although it is possible to buy more. The support team at Gatherwell (our Lottery operators) check the accounts that have got more than 20 tickets and provide them with gambling awareness advice. So, anyone who holds more than 20 tickets is monitored. This is checked on a monthly basis, and they email anyone new who has bought that number of tickets. They will also email all existing players once every six months. The majority with over 20 tickets are syndicates. Gatherwell have advised us that the maximum number of tickets on a single account is 60, which is for a syndicate. The average number of tickets per player is 1.95, as of October 2022, which demonstrates that this important local lottery is not attracting people who buy large numbers of tickets.

It would take up too much of the Council's time to list all the prizes that have been given out and all the participating organisations that have received funding from the lottery. I can provide a note for Councillor Ross and members.

In summary, I can say there have been many prizes in 2021-2022 including £5,000 cash prizes in money and four vouchers or gift cards worth £1,000 each. In 2022 to 2023 so far, the prizes included £2,025 of cash prizes and three vouchers or gift cards worth £1,000 each. Hundreds of people have won three extra tickets.

The other thing I would like to announce, which is really good news that happened last week is that a person in the Wyre Forest has just won £2,000, which is going to be announced through our newsletter. It is the first time that anyone has won a whole £2,000. As at October 2022, just over 1,000 tickets were being bought each week by a little over 500 players. It produces a total annual income of £53,000 of which £32,000 a year is being distributed between 68 registered good causes. These are on the increase all the time because I have recommended two in the last week to apply for the lottery. The amount each organisation receives is determined by how many people sign up to support that organisation. The idea of this lottery is it is enabling so the more advertising they do to people, the more people they get to pay for their organisation. Some of the major recipients include a couple of scout groups which are generating over £500 a year, Kidderminster Male Choir over £900, Leapgate Activity Centre over £700, the Pick-up Artists and Friends of St George's Park over £500 each and Cookley in Bloom is receiving over £1,600 a year. This is an excellent initiative that provides valuable funding for a wide range of voluntary organisations and activities at no cost to them.

Supplementary question

The lottery, as the Council will all know is governed by legislation, in fact it is governed by the 2005 Gaming Act which surpasses the 1963 Betting, Gaming and Lottery Act and the 1968 Gaming Act. At the forefront of the new Act in 2005 and the Act in 2007 was the concept of social responsibility, which is where we look after the vulnerable and ensure that

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gaming is done in a fair and open way, and for the protection of children. As the Councillor refers to this lottery is run by an External Lottery Manager and they are covered under Section 257 of the Act in terms of their requirements under social responsibility. This Council, however, is covered under section 252 of the Act, which requires this Council to have in place policies and procedures for social responsibility, therefore, could the Councillor please outline to this Council what policy procedures we have in place for social responsibility?

Answer

It is a very complex area and these sections are extremely complex. Therefore, we are going to give you a written response in full and if there is anybody else in this room that would like to know what our policies are they can have full written copy of the policy.

3. Question withdrawn

4. Question from Councillor T Onslow to the Cabinet Member for Operational Services

Could the Cabinet Member please give this Council an update on the Heritage Lottery Project for Brinton Park?

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

You will be pleased to note the tender package is all ready to go. The designs and specifications are now all in place, value engineering work has been done on the project and accepted by the Heritage Lottery Fund (HLF). Rising inflation and raw material costs have had a direct impact on the original specification so it is all having to be updated as it has gone along, the delay now extending over a year. None of us are happy about that as there has been such a delay which has been caused by protracted negotiations with the scout group. As you are aware they lease the Sons of Rest Pavilion building and that has been a key part of this whole debate. The HLF will not give the go-ahead for tendering until the lease documentation has been signed by the scouts and seen by them: the HLF have got to agree it. We are hoping to be able to begin the tender process as soon as we have written authority from the HLF, which we were hoping fingers crossed, will be before Christmas.

Supplementary question

When I asked this question in February of this year, the phrase that came back to me was 'the spade is about to go into the soil', so if we hadn't done the tenders and we hadn't sorted the lease out and we hadn't sorted the ownership out and we haven't sorted out the specification, the design and we haven't got the confirmation from the Heritage Lottery could he advise why somebody said in February 'the spade was about to go into the soil' please?

Answer

Yes, it is hovering at the moment. It is all about these extra costs that have come along. At the end of the day, the whole issue is down to these issues

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with the scout movement. HLF are fully aware of what the delay is. They have been going along with us fully. The delay is regrettable, but it really comes directly from the lease granted under a previous administration, not ours. They made that arrangement with the Scout group, and that's the one that's causing all the problems with the discussions and has been for a couple of years. No doubt it was well intended at the time, however it has meant that we have had to seek and to achieve progress by agreement rather than simply been able to impose our will, as that would have been inappropriate.

5. Question from Councillor F Oborski MBE to the Cabinet Member for Operational Services

Every year since 1974 Wyre Forest D.C. has granted Free Parking on the Kidderminster New Road Car Park to Uniformed Organisations and Veterans attending the Remembrance Day Parade organised by the Royal British Legion and has cordoned off part of the Car Park for their use. This year no such arrangements were made forcing attendees to purchase the 24 hour ticket as they were going to be there for over 3 hours. Could the Cabinet Member explain why the normal concession did not apply this year?

Answer from the Cabinet Member for Operational Services

Researching this question, I am not aware of the arrangements as you describe. Each town has its own arrangements in terms of Remembrance Sunday. However, there is a consistent approach from the district council, which is that car parking charges apply seven days of the week. What is taking place and has been available in terms of the Kidderminster event is the people taking part in the parade are directed onto the New Road car park as it is in close proximity to the starting point. Council Officers then simply employ a sensible and proportionate enforcement regime that takes account of the nature of the event. This has always proven successful in the past and we are not aware of any issues either this year or in previous years.

Supplementary question

I make a statement first of all. I checked with Walter Delin, previous Chief Executive of this Council, and Keith Bannister, previous Treasurer of this Council, and both of them assured me that that had been the situation since 1974 and that I was telling the truth. Therefore, could the Cabinet Member please ensure that what has historically always happened in Kidderminster on Remembrance Day, continues to happen, and if there are Officers here, who aren't aware of what used to happen, I suggest they check with Keith Bannister, who is now an Honorary Freeman of Kidderminster, and he will tell them what the situation was.

Answer

Thank you I will take your comments forward to the relevant officers.

Councillor T Onslow left the meeting at 7.06pm and returned at 7.07pm.

6. Question from Councillor C Rogers to the Cabinet Member for Operational Services

I am sure the Cabinet Member for Operational Services is aware that in years gone by, this Council allowed Stourport Town Council to retain the takings from the Stourport car parks on carnival day. That allowed, along with the bucket collections, to make donations to charities in the area the sum of £3,000. Therefore, would the Cabinet Member please explain to this Council why, this year this Council saw fit to keep the income from the car parks, meaning that money passed onto local charities was only £1,850?

Answer from the Cabinet Member for Operational Services

Rather like the previous question, the Council's clear policy is that car parking charges apply seven days a week without exception. It is appropriate to ensure that all the three towns are treated equally, as the Council does not allow organisations in other towns to run collections in lieu of users paying car parking charges. On a factual point, I am not aware of any involvement directly from Stourport Town Council, as all communications were with the Stourport Carnival Committee.

Supplementary question

The fact remains that the policy changed this year for some completely unknown reason, so isn't the Cabinet Member ashamed that his administration shows no support for the town he represents and limits the amount of charitable works it can do.

Answer

As I said in my previous answer. We must apply charges consistently across the board seven days a week, I am sorry if things have changed, but then so be it, we must apply a consistent policy throughout the district.

7. Question from Councillor N Desmond to the Leader of the Council

The Corporate Risk Register plays an integral role to support the delivery of the Corporate Plan and sets out a number of top risks and uncertainties facing the Council. Could the Leader of the Council confirm if she agrees with all of the top risks and if so, is she working with CLT to address and mitigate these risks and uncertainties?

Answer from the Leader of the Council

Yes, is the answer, I do support the assessment of risks, including risk four. It is the job of all Councillors to ensure that the mitigating actions are supported in taking it forward. It is a Corporate Risk Register, so it is about all of us.

Supplementary question

Would the Leader agree with me that three out of the top nine risks as set out on the Corporate Risk Register which are for member behaviour, undermines Council's reputation and performance, number four on the risk register, not having stable and effective political leadership adversely impacts delivery of Council Plan strategies or services and members lack

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knowledge necessary for effective discharge of their responsibilities. Would she agree with me that those risks are totally unprecedented, are highly embarrassing and a very poor reflection on what senior officers think of this current administration and members of this authority.

Answer

I would say that, which is why I highlighted risk four, which you mentioned the stable and effective political leadership that has been noted as members in this chamber know it has been a very difficult past four years, because the electors who elect us to this chamber did not give a clear view as to which particular political party they wish to lead the council. So we have been in a difficult position for the last three plus years, which I admit, has been an issue at times. Unfortunately, we are where we are, I cannot be embarrassed about something that I did not choose: the electorate chose us to be here as we sit now in this chamber. I will work and continue to work with senior officers in this council to alleviate any risks that are possible and I will continue to do that but I cannot change where we are at the moment in this chamber with our political representation: it is what it is.

8. Question from Councillor M Hart to the Leader of the Council

Could the Leader of the Council assure this Council that she takes the Code of Conduct seriously and use her best endeavours to ensure that it is respected by all members of this Council?

Answer from the Leader of the Council

Yes

Supplementary question

Could she advise me what she is doing about the member in her group, of which was the subject of a report to the Ethics and Standards Committee on the 8th of September this year when there was a clear recommendation that was unanimously supported by that Committee that the said councillor should write a letter apologising for their conduct and manner towards said person and that that letter should be sent to Bewdley Town Council and read out by the Chairman of that meeting and therefore, could she confirm that she wholeheartedly regrets, on behalf of the group that she leads, that the said member hasn't done that, and what is she going to do about ensuring that the Ethics and Standards Committee's decision, which was supported by members of her own group, is respected and acted upon?

Answer

As far as my latest information the statement was read out at the beginning of the Town Council meeting. As far as I am aware, the wording on that statement was that it was now in the hands of the Town Council to see what they wish to pursue.

9. Question from Councillor F Oborski MBE to the Cabinet Member for Operational Services

Can the Cabinet Member tell me:

What types of weed killer are used on WFDC Parks and Open Spaces;

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what is the frequency of their use and how are decisions concerning use made?

Answer from the Cabinet Member for Operational Services

Thank you for your question or three questions for the price of one.

Highways and Parks - we use Glyphosate, this is used to control weeds on highways and path edges and around built infrastructure in parks. It is spot sprayed by trained operatives. The determination when it is used is an operational matter and taken by the Parks Supervisor, the chemical is used during the growing season between February and October.

Countryside Nature Reserves - we use a Clopyralid + Triclopyr. This is used to control ragwort, thistle and European gorse, in areas where there are plants that are endangering biodiversity and/or becoming a cause for concern in the nature reserves under the weeds Act 1959. We also use Glyphosate to control Giant hogweed, a non-native weed that presents a risk to the public. All chemicals are spot sprayed directly on the plant. The application is from spring to July. The determination when these are used is an operational matter taken by the Biodiversity Officer.

Supplementary question

I have been asked by Pesticide-free Wyre Forest, who are a growing group of local residents who are very concerned to ask how a Council that promotes insect and pollinator friendly planting can really use weed killers which have a drastic impact on the insect population. Would he, with the exception of giant hogweed, please ask the relevant operatives to look again at their policy of using glyphosate because it has the most horrendous impacts not just on insects and wildlife but on dogs and other animals which come in contact with them and actually on human beings and it really is a chemical we should not be using at all.

Answer

The Cabinet is going to meet with the Pesticide Action Network UK in early January to hear more about the work that they have been doing with other councils throughout the UK. From this, I hope we can look at actions to reduce the amount of pesticides this council uses. We also learnt that Worcester City Council have been trialling a system called Root-Wave which kills weeds using electricity. Council officers will be contacting Worcester City Council to hear about the outcomes of this trial and to see if it is available to use more widely.

C.60 Motions Submitted Under Standing Orders

No motions were received by the deadline.

C.61 Emergency Motions submitted under Standing Orders

There were no emergency motions

There being no further business, the meeting ended at 7.21pm.

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The meeting is available for viewing on the Council's website
<https://wyreforestdc.public-i.tv/core/portal/webcasts>