

WYRE FOREST DISTRICT COUNCIL

CABINET

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

21 MARCH 2023 (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: C Edginton-White, I Hardiman, M J Hart and F M Oborski MBE.

Observed remotely: Councillors: B Brookes and R H Coleman.

**CAB.52 Apologies for Absence**

There were no apologies for absence.

**CAB.53 Declarations of Interests by Members**

Councillor I Hardiman declared an other disclosable interest (ODI) in respect of agenda item 8.1 – Localism including Bewdley Leisure Centre, that he was the County Council divisional member and director of The Bewdley School Foundation. He said he would remove himself from the meeting for this item.

**CAB.54 Minutes**

**Decision: The minutes of the Cabinet meeting held on 7 February 2023 be confirmed as a correct record and signed by the Chairman.**

**CAB.55 Call Ins**

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

**CAB.56 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.57 Public Participation**

There was no public participation.

**CAB.58 Budget and Performance Monitoring Third Quarter 2022-23**

A report was considered from the Head of Resources and s151 Officer that briefed members on the Council's financial and other performance at the end of Quarter 3 ending 31st December 2022 and presented the current projected outturn position for the 2022-23 financial year.

The Cabinet Member for Finance and Capital Portfolio presented the report and formally moved the recommendations for approval. She said that this was the third integrated report that allowed Committee and Cabinet a more rounded view of the Council's finance performance included its performance against measures and actions. She added that it follows the performance improvement recommendation in the Auditor's Annual Report received in April 2022.

The Cabinet Member for Finance and Capital Portfolio gave a summary of the background and key issues detailed in the report. She explained that the increased cost of living not only had an impact on household expenditure, it also pushed up the cost of delivering services and increased the demand too.

In relation to the Capital Programme, as set out in appendix 2 of the report, she said that most schemes were now progressing and spend profiles and budgets would be slipped at year end as appropriate.

In conclusion, the Cabinet Member for Finance and Capital Portfolio said that the authority was comfortably within its operational limits for Treasury Management activity. She said everything was on track and there were no breaches of policies to report. She thanked the Treasury Management and Finance teams for all their hard work over the last year.

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

The Chairman of the Overview and Scrutiny Committee, Councillor M Hart presented the recommendations from its meeting on 2 March 2023.

**Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 2 March 2023:**

**1.1 The Cabinet NOTED:**

**1.1.1 The projected budget variations and comments within the report and appendices 1 to 5.**

**1.1.2 The performance against measures and actions as set out in the report and appendix 6.**

**1.2 The Cabinet APPROVED:**

**1.2.1 a contribution of up to £80k from the Evergreen Investment Fund to fund the improvement works at Buntsford Gate, with the balance being met from the Property Risk reserve (paragraph 7.7).**

**1.2.2 a contribution of up to £170k from the Evergreen Investment Fund as match funding towards the Government's Housing Fund grant (paragraph 7.11).**

**CAB.59 Write off of Amounts Outstanding**

A report was considered from the Head of Resources to enable the Cabinet to consider writing off debts that cannot be collected.

The Cabinet Member for Finance and Capital Portfolio presented the report and said that the Cabinet were authorised to write off debts of £10,000 and over.

She explained that every effort had been made to pursue the debt set out in the appendix to the report. She said the rigorous recovery work had been a prolonged exercise due the necessary states that must be followed for debt recovery. She added that write off was only recommended when all recovery avenues had been fully explored.

The Cabinet Member for Finance and Capital Portfolio further explained that approval of the proposed write off would be accounted for as part of the Worcestershire Business Rates Pool and result in a loss of income shared between the Pool members and the Government.

The Cabinet Member for Culture, Leisure and Community Safety formally moved the proposal for approval. The Cabinet Member for Operational Services seconded the proposal.

**Decision: Cabinet DECIDED that the total of £45,054.68 as detailed in the appendix of the report, be written off for National Non-Domestic Rates.**

Councillor I Hardiman left the meeting at this point (6.16pm).

**CAB.60 Localism Including Bewdley Leisure Centre**

A report was considered from the Chief Executive to agree various asset transfers and disposals as part of the localism agenda.

The Leader of the Council presented the report and formally moved to note the recommendations from the Overview and Scrutiny Committee from its meeting on 2 March 2023. The proposal was seconded by the Cabinet Member for Culture, Leisure and Community Safety.

The Leader addressed the remaining proposals in turn:

**Bewdley Leisure Centre** – The Leader formally moved the recommendations as set out at paragraph 2.2 (a, b and c) and paragraph 2.3 of the report for approval. The Cabinet Member for Culture, Leisure and Community Safety seconded the proposals.

The Leader said that Cabinet were aware that this was a community building and in making the decision would need to be assured of the points set out in paragraph 4.5.1 of the report. She added that the headteacher of the school has confirmed that 'increased community use' was a core aim of the project and drew members' attention to the other assurances set out in paragraph 4.5.2.

She explained that there had been a recent public meeting held in Bewdley about the project as a whole. She said that the Cabinet felt this was an exciting project and by agreeing the transfer, the Council was contributing to that project.

On behalf of the Cabinet, she thanked the members of the Overview and Scrutiny Committee for their intense debate on this and the other Localism items at their meeting.

The Chairman of the Overview and Scrutiny Committee presented the recommendations from its meeting and outlined the reasons why they could not support the recommendations.

Councillor I Hardiman re-joined the meeting at 6.39pm.

**Cookley allotments** – The Leader formally moved the recommendations as set out at paragraph 2.4 of the report. The Cabinet Member for Culture, Leisure and Community Safety seconded the proposals.

The Leader explained that the disposal of the allotments to the parish council had been the subject of meetings held early in the process of Localism with the parish council and asked Cabinet to agree the transfer.

The Chairman of the Overview and Scrutiny Committee advised that the Committee had no objection to this proposal.

**Former toilets, Upper Arley** – The Leader formally moved the recommendations as set out at paragraph 2.5 of the report. The Cabinet Member for Culture, Leisure and Community Safety seconded the proposals.

The Leader explained that the toilets needed extensive refurbishment due to damage from flooding which often occurred. They were operated by the parish council for a number of years; however, they had no wish to continue to do so. She added that other businesses related to Upper Arley had also been approached but again they did not wish to take on the operation of the toilets.

The Chairman of the Overview and Scrutiny Committee presented the recommendations from its meeting and outlined the reasons why they could not support the recommendations.

**Decision: The Cabinet;**

**1.1 NOTED the recommendations from the Overview and Scrutiny Committee.**

**Bewdley Leisure Centre**

**1.2 The Cabinet AGREED the termination of the dual use agreement, management agreement, trust deed and cesser agreement in respect of Bewdley Leisure Centre and playing fields, subject to:**

**a) the satisfactory conclusion of the matters delegated under**

paragraph 2.3 of the report.

- b) a binding commitment from the Bewdley School Foundation about continued community use of the leisure centre and playing pitches outside school hours.
- c) a binding commitment about creation of a broad access strip from Stourport Road to the riverbank.

1.3 The Cabinet GAVE DELEGATED AUTHORITY to the Chief Executive, in consultation with the Leader, to advertise the intention to release its rights under the various agreements (which constitutes a disposal of land that is open space) and to consider any objections made as a result of the advertisement and to take the final decision on disposal in the event of objections having been received.

**Cookley allotments**

1.4 The Cabinet AGREED the disposal of the following land for a consideration of £1 in accordance with the Council’s power under section 123 of the Local Government Act 1972 to dispose of land at less than best value:

Description of land and buildings	Freehold to be transferred to
Allotments at Lionfields Road, Cookley DY10 3UG (WR106733)	Wolverley and Cookley Parish Council

**Former toilets, Upper Arley**

1.5 The Cabinet AGREED the disposal of the former toilets, Upper Arley (WR106745) on the basis set out in paragraph 4.8; and if disposal to a third party cannot be achieved on a commercial basis, AGREED that the site should be cleared and be offered to the parish council for transfer for consideration of £1.

**CAB.61 Chaddesley Corbett Revised Neighbourhood Plan 2022 to 2036 – Referendum**

A report was considered from the Head of Strategic Growth which sought approval to agree that the Chaddesley Corbett Neighbourhood Plan should be made part of the Development Plan for Wyre Forest District following the referendum which was held on Wednesday 8th February 2023.

The Leader presented the report and formally moved the recommendations for approval. She said that Chaddesley Corbett was the first parish to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) regulations 2012. She added that 78% of the people who voted were in favour of the plan being used to help to decide planning applications in the plan area.

The Cabinet Member for Housing, Health, Well-being and Democratic Services seconded the recommendations.

The Chairman of the Overview and Scrutiny Committee presented the recommendations from its meeting on 2 March and advised that the Committee supported the proposals.

**Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 2 March 2023;**

**The Cabinet AGREED that the Chaddesley Corbett Neighbourhood Plan should form part of the Development Plan for Wyre Forest District Council and that the Decision Statement set out at Appendix One to the Report is approved.**

**CAB.62 Report on the Local Enforcement Plan**

A report was considered from the Senior Planning Policy Officer which sought agreement to approve the Wyre Forest District Council (WFDC) Local Enforcement Plan (LEP) which covered action to be taken in cases of planning enforcement.

The Leader presented the report and formally moved the recommendation for approval.

The Leader gave a summary of the background and key issues detailed in the report. She explained that, as the Council had adopted its Local Plan, the LEP also required a review.

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

The Chairman of the Overview and Scrutiny Committee presented the recommendations from its meeting on 2 March and advised that the Committee supported the proposal.

**Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 2 March 2023;**

**The Cabinet APPROVED the adoption of the Local Enforcement Plan.**

There being no further business, the meeting closed at 7.02pm.