

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL**

**THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN**

**16TH NOVEMBER 2005 (6PM)**

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**PRESENT:**

Councillors: S J Williams (Chairman), J C Simmonds (Vice-Chairman), J Aston, Mrs M H Baillie, J Baker, G W Ballinger, A J Buckley, J-P Campion, S J M Clee, N J Desmond, J W Dudley, Mrs H E Dyke, P Dyke, Mrs L Edginton, B T Glass, P B Harrison, M J Hart, Mrs P V Hayward, Mrs S M Hayward, M A W Hazlewood, Mrs A T Hingley, J Holden, Mrs L Hyde, W G Jones, M B Kelly, Mrs R L Lewis, Miss M A Mason, Miss S C Meekings, C D Nicholls, Mrs F M Oborski, M M G Oborski, M W Partridge, Mrs A R A Poole, Mrs P A Rimell, Mrs J L Salter, J A Shaw, M J Shellie, K J Stokes, and R Wheway.

**C.65**

**PRAYERS**

Prayers were said by the Reverend Roger Jones, Foley Park, Cookley, Alveley and Highley Methodist.

**C.66**

**WELCOME TO NEW MEMBER**

On behalf of the Council, the Chairman welcomed Councillor John Aston, the newly elected member for the Aggborough and Spennells Ward.

**C.67**

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors: Mrs I M Dolan, Mrs J Fairbrother-Millis, A D Williams and Honorary Alderman Mrs G E Mills.

**C.68**

**DECLARATION OF INTERESTS**

The following interests were declared:

Agenda Item 5 - Petition – Car Parking – Stourport Sports Centre (Minute C. 72)

Councillors G W Ballinger and M B Kelly – Personal interests in view of representing the Council on Wyre Forest Community Leisure Association Limited, Local Partnership Board.

Agenda Item 13(d) - Police Restructuring – Response to Consultation (Minute C.77(d))

Councillor J-P Campion – Prejudicial interest in view of being a member of the West Mercia Police Authority.

Councillor Mrs H E Dyke – Personal interest in view of being an independent member of the Community Policing Board.

Agenda Item 7 - Second Question (Minute C.71)

Councillor M M G Oborski - Personal interest in view of being Consul of the Republic of Poland for the West Midlands.

**C.69** **MINUTES**

**DECISION:**

**The minutes of the meeting held on 21st September 2005 be confirmed as a correct record and signed by the Chairman.**

**C.70** **PUBLIC PARTICIPATION**

No members of the public had given notice to speak at the meeting in accordance with the Council's scheme for public participation at meetings of Full Council.

**C.71** **QUESTIONS**

The Council received a report setting out a range of questions from Councillors P B Harrison, M M G Oborski and J A Shaw, directed at the Leader of the Council and a Cabinet Member. The questions and answers are set out in full in Appendix 1 (attached).

**C.72** **PETITION – CAR PARKING – STOURPORT SPORTS CENTRE**

The Council received a petition signed by users of Stourport Sports Centre. The petitioners were seeking a concessionary car parking charge at the centre for sports centre users, who did not qualify for the Wyre Forest season ticket, which was available for Senior Citizens over the age of sixty-three years. The petition referred, in particular to difficulties faced by senior citizens aged between sixty and sixty-three years and parents with young children.

**DECISION:**

**The petition from users of Stourport Sports Centre, regarding concessionary car parking for sports centre users, be referred to the Cabinet for consideration at its meeting on 24<sup>th</sup> November 2005.**

**C.73**      **CHAIRMAN'S COMMUNICATIONS**

The Council received a list of functions attended by the Chairman or Vice-Chairman of Council since the Council's last meeting. The Chairman informed Members of a classical music concert to be held at 7.30pm at Kidderminster Library on 18<sup>th</sup> November 2005.

**C.74**      **LEADER'S ANNOUNCEMENTS AND REPORT**

The Leader of the Council made the following announcements:

**a) Head of Human Resources**

Paul Ryder, Head of Human Resources, had been on sick leave for six weeks. A card would be circulated for members to sign to send him good wishes for a speedy recovery.

**b) Resource Efficiency Programme**

The Council had succeeded in obtaining £29,000 from a Government "Envirowise" programme. This would enable a resource efficiency programme, covering water and energy use, and waste, which could help local businesses to save up to £1000 per employee, or 1% of turnover. There would be corresponding benefits to business continuation and job creation. Resource efficiency could also reduce local pollution incidents, conserve natural resources and reduce greenhouse gas emissions.

**c) Closer Working with Parish Councils**

The Leader and the Cabinet Member for Housing, Health and Rural Affairs were soon to meet with the Chairmen, or representatives, of Parish Councils to discuss closer working arrangements between the District Council and the rural communities in the District.

**d) Composting Clinic**

Worcestershire County Council, in partnership with the District Council, would hold a composting clinic at Kidderminster Town Hall from 2.00pm – 7.00pm on 29<sup>th</sup> November 2005.

**e) New Local Government TV Channel**

A new local government TV channel, Sky 277, would begin broadcasting in the next seven days from 6.00pm until midnight daily. A poster about the launch would be displayed in the Civic Centre Reception.

**f) Civic Centre and Civic Hall, Stourport-on-Severn**

English Heritage had announced that it did not intend to list the Civic Centre and Civic Hall in Stourport. The reason given by the inspector was that "the Civic Centre does not reach the high standard of design and

construction required by the criteria for designating a public building of this era”.

**C.75**      **RETURNING OFFICER’S REPORT – AGGBOROUGH AND SPENNELLS WARD BY-ELECTION 27<sup>th</sup> OCTOBER 2005**

The Council received a report from the Returning Officer giving the results of the District Council by-election held on 27<sup>th</sup> October 2005 in the Aggborough and Spennells Ward.

**DECISION:**

**The report be noted.**

**C.76**      **COMMITTEE CHANGES**

In the light of the election of Councillor John Aston to the Council, the Leader of Council reported changes to committee memberships, as detailed below.

(During consideration of this item of business, Members raised concerns relating to the use of laptops for committee purposes. The Cabinet Member for Finance and Corporate Affairs advised that these matters would be considered at the next meeting of the Members’ ICT Working Group.)

**DECISION:**

**Council note that Councillor J Aston has replaced:**

**Councillor M W Partridge on the Planning (Development Control) Committee; and**

**Councillor A J Buckley on the Finance and Corporate Affairs Policy and Scrutiny Panel.**

**C.77**      **POLICY AND BUDGET FRAMEWORK – MATTERS WHICH REQUIRE A DECISION BY COUNCIL**

**a. Recommendations from the Cabinet – 29<sup>th</sup> September 2005**

**Value for Money Policy**

The Council considered a recommendation from the Cabinet, which sought approval for a corporate Value for Money Policy, in accordance with the Comprehensive Performance Assessment Improvement Plan.

**DECISION:**

**The Value for Money Policy, set out in the separate Appendix to the report to the Cabinet on 29<sup>th</sup> September 2005, be adopted with immediate effect.**

**Anti-Money Laundering Policy**

The Council considered a recommendation from the Cabinet, which sought approval for an Anti-Money Laundering Policy and clear guidance for employees.

**DECISION:**

**The Anti-Money Laundering Policy and Guidance Notes, as detailed in the Appendix to the report to the Cabinet on 29<sup>th</sup> September 2005, be adopted**

**Proposal to Extend Bewdley Alcohol Restriction Zone**

The Council considered a recommendation from the Cabinet on a proposed extension of Bewdley Alcohol Restriction Zone. The recommendation had been made following consideration of the results of a public consultation process.

**DECISION:**

**The areas identified on the maps in Appendices A, B and C, respectively, in the report to the Cabinet on 29<sup>th</sup> September 2005 be designated under the provisions of the Criminal Justice and Police Act 2001, where restrictions to control anti-social drinking in public places will apply and will be in addition to the existing Alcohol Restriction Zone in Bewdley.**

**b. Recommendations from the Cabinet – 27<sup>th</sup> October 2005****Use of Manual Agency Labour**

The Council considered a recommendation from the Cabinet following a market testing exercise, undertaken by the Worcestershire Procurement Partnership with the support and guidance of the West Midlands Centre of Excellence.

**DECISION:**

**1. An Exception to Standing Orders be made to allow Wyre Forest District Council to undertake a pilot scheme, as detailed in the report to the Cabinet on 27<sup>th</sup> October 2005, for a nine month period in order that the unique services of Comensura can be evaluated.**

- 2. If the Pilot Scheme is successful, Wyre Forest District Council place the required Official Journal of European Union (OJEU) advertisements and carry out a full tender procedure for Manual Agency Labour.**

### **Concessionary Travel Scheme**

The Council considered a recommendation from the Cabinet, regarding a new Concessionary Travel Scheme for 2006/2007 onwards. This had been made in the light of recommendations from the Finance and Corporate Affairs Policy and Scrutiny Panel at its meeting on 25<sup>th</sup> October 2005.

The Cabinet Member for Finance and Corporate Affairs explained that the Council's commitment to the scheme would be supported by Government grant. Therefore, subject to the level of the grant, which had yet to be announced, and to the agreement of the other five districts in the County, it should be possible to extend this much needed scheme, as described below, at little or no additional cost to the Council.

The work of the Task and Finish Group that had scrutinised the issue was recognised.

### **DECISION:**

- 1. A new Concessionary Travel Scheme be approved for 2006/2007 onwards as detailed below:-**

- a) **Wyre Forest District Council's local scheme comprise free travel at all times including travel inside and outside of the county, starting or ending only in the District, at an estimated cost of £418,000 per annum.**
- b) **Subject to a formal offer of grant from the County Council for 2006/07, the Council's local scheme be extended, to include travel starting or ending anywhere in the County and including cross border travel. The estimated additional cost of the extended scheme (£46,000) be met by offer of a contribution from the County of £59,000. This offer is conditional subject to all six Worcestershire Districts accepting the offer by 31<sup>st</sup> October 2005. This contribution has been calculated to meet additional costs based on £2.50 for each eligible resident aged over 60 years.**

- 2. Discussions continue with Dial-a-Ride to consider the application of the new scheme.**

## **Wyre Forest Empty Property Strategy**

The Council considered a recommendation from the Cabinet regarding an updated Wyre Forest Empty Property Strategy.

### **DECISION:**

**The updated Wyre Forest Empty Property Strategy, as detailed in the separate Appendix to the report to the Cabinet on 27<sup>th</sup> October 2005, be approved.**

### **c. Recommendation from the Licensing and Environmental Committee – 17<sup>th</sup> October 2005**

#### **Review of Delegated Powers – Food Safety**

The Council considered a recommendation from the Licensing and Environmental Committee regarding the need for delegated powers to be granted to officers, in relation to food safety, in the light of changes in legislation.

### **DECISION:**

- 1. The Head of Planning, Health and Environment and the Environmental Health and Licensing Manager be granted delegated powers under the following legislation:**

**The General Food Regulations 2004. The Food Hygiene (England) (No 2) Regulations 2005 E.C. Reg. No. 852/2004, 853/2004, 854/2004, 178/2002.**

- 2. The Head of Planning, Health and Environment and the Environmental Health and Licensing Manager or any duly qualified officers who are authorised in writing by him/her to act as proper officer to:**

- a) **Sign and serve notices**
- b) **Sign and issue licences, permits, orders or other documents**
- c) **Execute works in default**
- d) **Procure samples, seize equipment goods and animals**
- e) **Exercise powers of entry**
- f) **Engage specialist advisors/contractors**
- g) **Institute legal proceedings (in consultation with the Head of Legal and Democratic Services).**

d. **Recommendation from the Cabinet Scrutiny Committee – 9<sup>th</sup> November 2005**

**Police Restructuring – Response to Consultation**

(Having declared his prejudicial interest in this item, Councillor J-P Campion left the room before its commencement and returned after the matter had been concluded.)

The Council considered a report from the Chief Executive, which had also been submitted to the Cabinet Scrutiny Committee, on the West Mercia Police consultation survey regarding police force restructuring. In conjunction with this report, the Council received recommendations from the Cabinet Scrutiny Committee on a proposed response to the consultation. The Administration had subsequently compiled further recommended responses and a combined set of recommendations were circulated at the meeting with the agreement of the relevant Cabinet Scrutiny Committee Joint Chairman, who presented them.

Members expressed their concerns about the Secretary of State's consultation timetable, which had allowed insufficient time for a full response. They also wished to emphasise that the prospect of a West Midlands single regional force would inevitably lead to urban policing demands taking priority, leaving the rural and less urbanised areas under-resourced.

The Council stressed that the most effective solution would be to concentrate on a local and responsive Police service defined by community needs. Accordingly, the Council strongly supported the retention of the West Mercia Police Authority with enhanced investment to bridge the gap in the provision of services covering serious crime and terrorism. The Leader of Council advised that he had received a letter from the Home Secretary, the previous day, stating that further consideration would be given to the possibility of a status quo option.

In conclusion, the Council agreed the proposed response circulated at the meeting and recorded in the decision below.

The Chairman informed Members that a meeting had been arranged for 2.30pm the following day at County Hall, Worcester, with the Vice-Chairman of the West Mercia Police Authority and the Assistant Chief Constable, who would present the Police view.

**DECISION:**

**The Council respond as follows to West Mercia Police Authority in the light of its consultation exercise on the Home Secretary's proposals for a major restructuring of police forces across England, which favour the creation of larger forces:**



This Council endorses the recommendations of the Cabinet Scrutiny Committee of 9<sup>th</sup> November 2005 as follows:

1. The Committee noted that the change to the police structure had been proposed by the Home Secretary in order to address shortcomings in the way that Protective Services were tackled under the current policing structure in England and Wales. These shortcomings had been identified in a report entitled "Closing the Gap", published by Her Majesty's Inspectorate of Constabulary (HMIC) on 16<sup>th</sup> September 2005. Protective Services were defined as: Major Crime (homicide); Serious, Organised and Cross Border Crime; Counter Terrorism and Extremism; Civil Contingencies; Critical Incidents; Public Order; Strategic Roads Policing.
2. The issues detailed above are major national issues, which have little effect on everyday policing in Wyre Forest.
3. If West Mercia Police Authority was merged with West Midlands Police Authority, the urban demands would take priority and there would be concerns about basic community policing within Wyre Forest. Currently, the District was already suffering due to the concentration of police resources on neighbouring urban areas such as the urban area of Redditch.
4. The basic arrangements for Community policing should be left unchanged. We would prefer West Mercia Police Authority to remain as it is now in respect of community policing.
5. If there has to be a merger, West Mercia Police Authority should only be merged with other similar police authorities.
6. The worst possible outcome would be for the West Mercia Police Authority to be submerged within the West Midlands Police Authority

Furthermore the Council makes the following additional comments:

7. The Council has grave reservations over the implications that West Mercia Police Authority could be swallowed up into a regional West Midlands Force as the resources would be concentrated upon the conurbation of Birmingham where the majority of the statistical crime occurs.
8. The Council believes that West Mercia is the best police force in the land. The following factors substantiate this view:
  - a) Although it is the second largest inland force geographically, it receives one of the lowest per head of population grant

from Government in the Country, yet despite this:

- b) **West Mercia Chief Constable Paul West was praised by the Home Secretary, only last week, on the high standard achieved by the force in the Home Office assessment of policing outcomes and West Mercia has just come top in the country (Her Majesty's Inspectors of Constabulary Baseline Assessment) for achievement.**
9. **In light of these facts, Wyre Forest District Council supports the current tried and tested means for policing this county by the retention of West Mercia Police Authority, but encouraging strategic investment to bridge the gap identified in level two policing.**
10. **As a consequence, this Council opposes the abolition of West Mercia Police Authority.**
11. **The above response be sent to:**

**The Home Secretary – The Right Honourable Charles Clark MP**

**The Prime Minister – The Right Honourable Tony Blair MP**

**Doctor Richard Taylor MP**

**The Chief Constable for West Mercia - Paul West**

**The Chairman of West Mercia Police Authority - Mr Paul Deneen**

**The Chairman of Worcestershire County Council – Councillor Derek Prodger MBE**

**C.78 MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (1)**

No notices of motion were received in accordance with Standing Order D1 (1).

**C.79 URGENT MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (7)**

No notices of motion were considered in accordance with Standing Order D1 (7).

**C.80 REPRESENTATION ON OUTSIDE BODIES**

The Council was invited to nominate a representative to serve on the following organisations:

**a) West Midlands Local Government Association - Improvement and Efficiency Member Network**

Members were advised that the West Midlands Local Government Association had set up an Improvement and Efficiency Member Network as a mechanism to ensure that 'lead' members at a local level could most effectively inform and influence the WMLGA's regional portfolio holders in fulfilling their role.

**a) Asha Wyre Forest Project**

The Council noted that the Asha Wyre Forest Project was seeking to set up a facility in Wyre Forest on the lines of the Asha Centre in Worcester. The project would offer a range of services that benefited disadvantaged and vulnerable women who tended to offend, with a view to keeping them out of prison.

It was noted that the Asha Centre also provided language support for Asian women and it was suggested that the Council's representative should endeavour to see that this service was delivered separately.

**DECISION:**

**The following Members be appointed to represent the Council on the outside organisations indicated below:**

- 1. West Midlands Local Government Association - Improvement and Efficiency Member Network - The Cabinet Member for Finance and Corporate Affairs.**
- 2. Asha Wyre Forest Project - The Cabinet Member for Housing, Health and Rural Affairs.**

**C.81 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 9 and 13 of Part 1 of Schedule 12A of the Act.**

**C.82 MINUTES**

**DECISION:**

**The exempt minutes of the meeting held on 21st September 2005 be confirmed as a correct record and signed by the Chairman.**

The meeting ended at 7.07 p.m.

**WYRE FOREST DISTRICT COUNCIL****COUNCIL MEETING – 16<sup>TH</sup> NOVEMBER 2005****AGENDA ITEM 7****QUESTION TIME AT COUNCIL MEETINGS - STANDING ORDER A5****Questions from Councillor M M G Oborski****To the Leader of the Council**

1. “Will the Leader of the Council tell me, given the time limitations, what criteria is currently used to establish the order in which Questions duly tabled from Members of the Council to Members of the Cabinet are actually taken?”

**Answer from the Leader of the Council**

“Questions are submitted, as you know, by 9 am on the Monday preceding Council. Some are sent directly to the Committee Section and some arrive via other Divisions. The Principal Committee Officer collates them. As they are submitted to the Committee Section, so they are typed in the order they are received. Then a list of questions is produced like the ones in front of Members.”

**Response from Councillor M M G Oborski**

“I would like to thank the Leader for the answer he has given as it has clarified the situation for Members. I am glad to receive this assurance that the questions are taken in date order.”

**To the Leader of the Council**

2. “Will the Leader of the Council join me in congratulating Kidderminster’s St. Ambrose Catholic Primary School on the superb way in which they are establishing and developing good practice in the integration of incoming Polish youngsters? Will he agree with me that this is a superb example of a first rate British School displaying considerable and imaginative initiative?”

**Answer from the Leader of the Council**

“As an ex-pupil of the school, I support the work of it and welcome all the work done in Wyre Forest schools. I won't single out one. I also support the co-operation between Stourport schools and France through the twinning link with Villeneuve-le-Roi.”

### **Response from Councillor M M G Oborski**

“I also support the co-operation between Stourport-on-Severn and Villeneuve-le-Roi. The situation in Kidderminster is slightly different because of the influx of pupils from abroad. It is estimated that some 500 young Poles arrived in Kidderminster and the surrounding area since May 2004. There is therefore a sizeable population of Polish people and it is set to become larger. These people will need access to facilities and the Polish language needs to be taken into account.”

### **Response from Councillor S J M Clee**

“I am grateful to receive this information. I will certainly make sure it is passed to the Cabinet Member with responsibility for Education at County Hall. In fact, there is an influx of pupils from across the world, not just from Poland.”

### **To the Cabinet Member for Commercial Services**

3. “How many missing street name signposts across Wyre Forest remain to be replaced?

By what date will they all be replaced?

Would the Cabinet Member agree that the principal of replacing signs where there is now no sign ahead of streets where there is one remaining sign is fundamentally flawed in streets where the single remaining street name sign is placed in a location that is totally useless?

Would the Cabinet Member agree that we should sort out these sites as well as soon as possible?”

### **Response from the Cabinet Member for Commercial Services**

“In respect of the first part of the question, I can say there are currently 77 street name signs that require repair or replacement in Kidderminster. In respect of Bewdley, Stourport-on-Severn and rural areas, a review is currently being undertaken.

With regard to the date the signs will be repaired or replaced, it would not be wise to give a categorical date because there is a rolling programme. As Councillor Mrs F M Oborski alluded to on her website, there is a problem with vandalism. Whilst the signs can be replaced quickly, they can also be vandalised or removed as soon as they have been replaced.

In respect of the third part of the question about the principle of replacing signs, I am not aware that the practice to which you refer has been allowed to happen. I think I understand what you are saying, but if not, perhaps you would enlighten me through a supplementary question.

In respect of sorting out these sites, I think it is the sites where there is no nameplate in the best position that need priority action. I will sort out any of these sites which are brought to my attention.”

### **Response from Councillor M M G Oborski**

“We should concentrate on streets where we know there are no signs at all. I would like to ask the Cabinet Member for Commercial Services to join me for a coffee and to look at Barrie Avenue on Comberton. You need to go out and see what I mean. It is a classic example where the sign has been missing for 3 years. I have been told this has not been addressed because there is a sign there. However you will be able to see the problem for yourself.”

### **Response from the Cabinet Member for Commercial Services**

“I would be delighted to go to Barrie Avenue. I was born there. I want to reassure you about Barrie Avenue. I have spoken to the Streetscene Technician and a street name has been ordered and will be installed by the end of November or the beginning of December 2005.

### **To the Cabinet Member for Commercial Services**

4. Given that so many street name signs across the District are missing, vandalised or defaced causing us quite enough time, trouble and cost in themselves isn't it also ridiculous that under this Tory administration we now allow hundreds of perfectly good street name signs to be overgrown by uncontrolled foliage?

Will the Cabinet Member agree that this issue needs to be resolved and can he enlighten me as to how and when this will be done?”

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

“Thank you for the questions. As I am sure Members will know, this refers to a particular nameplate - namely that of Husum Way. I have seen the picture of Councillor Mike Oborski in the newspaper where Councillor Oborski offers to prune the bushes that obscure the Husum Way nameplate. It does look, from the picture, to be a relatively new nameplate, which this administration has installed. Can I tell you that the installation of the signs is the District Council's responsibility, but the County Council has the responsibility to contact householders if their bushes overhang signs on the highway. Officers are liaising with the Acting Highways Partnership Manager about this.”

### **Reply from Councillor M M G Oborski**

“Your answer has highlighted something. The County Council says it is not their responsibility to deal with bushes overgrowing nameplates. They say it is the responsibility of Wyre Forest District Council. Can I ask the Cabinet Member to ask officers to take this matter up and let me know the outcome?”

### **Response from Cabinet Member for Commercial Services**

“I am grateful for your comments. I am aware that the Acting Highways Partnership Manager has said that he does not believe that it is a responsibility for his unit to deal with overgrown hedges and he would be discussing this with the District Council. Our senior officers will liaise with the Wyre Forest Highways Partnership Unit in respect of this matter. If there are any anomalies we will address them.”

### **To the Cabinet Member for Commercial Services**

5. “Will the Cabinet Member agree with me in recognising that the current concern about the safety of gravestones arises, in the words of the Health and Safety Executive, from Industry Research in 1998, the death of a child in Yorkshire in 2000 and from the comments of the Select Committee on Environment, Transport and Regional Affairs in 2001?”

Would he agree with me that while the Local Authorities Cemeteries Order of 1997 empowers Burial Authorities to take action in respect of unsafe grave stones, “it also prohibits them from taking direction action to remove an unstable memorial which presents no immediate risk without following strict procedures, involving posting public notices and seeking the permission of the owners, if they can be identified” and that “it is the failure to follow these procedures which it seems has led to most public concern”?

Would he note their comment that “unfortunately a minority of Burial Authorities have not managed this well”?

Will he note that many affected local residents who have been subject to considerable misery and undue expense consider Wyre Forest to be just such an authority?

Will he agree to join me in meeting affected residents?

Will he join me in drawing the attention of affected residents to the Health and Safety Executive advice that their redress if they are dissatisfied with the Council’s handling of the matter lies with the Local Government Ombudsman?”

### **Response from the Cabinet Member for Commercial Services**

“Thank you for your question. In respect of the issue of gravestones and headstones, can I say that I note that a minority of local authorities have not managed this well. However, I don't accept that residents in Wyre Forest have been subjected to undue suffering and expense. I am prepared to meet any affected residents who wish to meet me. In line with Health and Safety Executive advice and the Council’s policy, grave owners are quite properly notified of any issues. Residents are entitled to go to the Local Government Ombudsman if they feel they have a problem concerning maladministration in an authority. Whilst I appreciate this point, I don't think this has happened in this District.”

### **Response from Councillor M M G Oborski**

“The Cabinet Member will remember that last time I asked him a supplementary question on this issue he promised an answer. I received an e-mail from the Head of Cultural, Leisure and Commercial Services that directed me to a website where I could look up the legislation. Do you agree that it is not particularly helpful if local Conservative leaflets state that the laying down of headstones is subject to EU regulations and do not explain that the redress for an affected resident is to the Ombudsman?”

### **Response from Cabinet Member for Commercial Services**

“In respect of my last answer, I was under the impression that a reply did in fact go to you. I would be pleased if you would accept my apologies. I did intend that you should receive a reply. This authority has not laid down a single headstone and deals with its responsibilities with humility and sensitivity. I appreciate that sensitivity is an issue for local residents because many of them have loved ones buried in the cemetery. Therefore, I would assure you that not only this administration, but any administration, would want to deal with them sympathetically and sensitively.

In respect of the EU legislation I am happy to discuss this with you. I have not seen or sent out the leaflet you refer to. If you have a copy of it, I will be happy to look into this.”

### **Written responses from the Cabinet Member for Commercial Services in a letter dated 24<sup>th</sup> November 2005**

#### **“Re: Street Nameplates and Kidderminster Cemetery**

I write further to your questions at Full Council on Wednesday 16<sup>th</sup> November 2005.

In respect of your question regarding Kidderminster Cemetery, you did indicate that you had not received a response following Full Council on Wednesday 20<sup>th</sup> July 2005.

At the time, I thought that was strange as it was unlike me not to reply and please find enclosed herewith a copy letter that was sent to you on 3<sup>rd</sup> August 2005. My sincere apologies if you did not receive it, but I certainly had it sent out to you. (*Letter of 3<sup>rd</sup> August 2005 not enclosed with these minutes.*)

You will note from that letter that I clearly refer to the Local Authorities Cemeteries Order 1977 which gives local authorities who are “burial authorities” power under this legislation to take immediate action to make safe dangerous memorials.

You will also note that health and safety legislation places obligations on burial authorities.



Further to your question, I can confirm that I am more than happy to meet with any residents who have concerns regarding memorials within Kidderminster Cemetery. Furthermore, you indicated to me, when we spoke briefly the following morning at County Hall, that Wyre Forest District Council has damaged headstones within the cemetery. Please could I trouble you to provide me with specific examples in order that I can have those matters investigated.

In respect of an article that was in a local Conservative Newsletter, may I say I have not seen that newsletter and that it did not refer to myself and I did not and do not have any involvement in this newsletter whatsoever.

I have spoken to the writer and pointed out that it was an error to use the phrase "EU Regulations" and that it would have been more appropriate to refer to the health and safety regulations. The writer has taken my comments on board.

I trust that you find this satisfactory.

In respect of nameplates, thank you very much for the kind offer to come around and have a cup of coffee. If I am in the area whilst canvassing, I certainly will!

In respect of Barrie Avenue, you did however explain this issue to me after the meeting and I have sent a memo to Adam Stockhall in Streetscene to raise your comments with him. However, I think that at the time of dictation, an additional nameplate for Barrie Avenue has been ordered and therefore the residents of Barrie Avenue can have a nameplate on either side of the road in any event!

I know, that there are a number of other street nameplates that are missing and I have liaised with Adam Stockhall to ensure that these are installed by mid December, in particular Queen Elizabeth Road, Broom Crescent and Amblecote Road.

I trust that you find the same satisfactory."

### **Question from Councillor P B Harrison**

#### **To the Cabinet Member for Commercial Services**

6. "Can the Cabinet Member tell me on how many occasions during the last three months it has proved impossible to carry out the refuse collection in Clarence Street, Kidderminster at the scheduled time due to its parked vehicles obstructing the Leswell Street/Clarence Street Junction?

Will he further tell me what steps the Council is taking, with the Police and County Council to solve this problem?"

**Response from the Cabinet Member for Commercial Services**

“Thank you for the questions. Can I say over the course of October and the beginning of November 2005 there have been difficulties with the collection of wheelie bins. Over the course of the last three months officers estimate that the road has been blocked on four occasions because of parked cars. I can assure you that officers are liaising with the Police and the County Council over this issue.”

**Question from Councillor J A Shaw**

**To the Cabinet Member for Commercial Services**

7. “Following several enquiries from Areley Kings residents, who have had certain plastic items accepted for re-cycling on one occasion, then rejected on the next, can the Portfolio Holder give a definitive answer on what is acceptable and what is not?”

**Response from Cabinet member for Commercial Services**

“Thank you for the question. Can I say that the answer as to what is acceptable in plastics is plastic bottles with the numbers one two or three on the bottom. Number one relates to PET number two to HPE and number three relates to PVC. Only plastic bottles with these numbers can be recycled.”

**Supplementary question from Councillor J A Shaw**

“Will the Portfolio Holder give me an assurance that recycling crews will apply Council policy consistently? I don't believe they are doing so at the moment.”

**Response from Cabinet Member for Commercial Services**

“If you know of any specific occasions where Council policy was not applied consistently, please feel free to pass the details to myself or the appropriate officer in Green Street.

This authority has made great inroads with recycling. It is hoped to extend the scheme this month and to encourage as many householders as possible to recycle. I accept we should have clarity as to what can and what cannot be recycled. However I believe we have this in this authority now.”