

WYRE FOREST DISTRICT COUNCIL

COUNCIL

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

WEDNESDAY 19<sup>TH</sup> APRIL 2006 (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, Mrs H E Dyke, P Dyke, Mrs L Edginton, Mrs J Fairbrother-Millis, P B Harrison, M J Hart, Mrs P V Hayward, Mrs S M Hayward, M A W Hazlewood, Mrs A T Hingley, 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 J L Salter, J A Shaw, M J Shellie, K J Stokes, and A D Williams.

Honorary Alderman Mrs E Mills.

**C.111 PRAYERS**

Prayers were said by the Reverend John Cox.

**C.112 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J W Dudley, Mrs I M Dolan, B T Glass, J Holden, Mrs P A Rimell and R Wheway.

**C.113 DECLARATION OF INTERESTS**

The following interests were declared:

**Agenda Item 11 – Notice of Motion No. 3 - Proposed Reduction in Spending by Worcestershire Acute Hospitals NHS Trust**

Councillor J A Shaw declared a prejudicial interest in view of his wife's employment in the Health Service.

Councillor Mrs S M Hayward declared a personal interest in view of being employed as a nurse.

**C.114 MINUTES**

**DECISION:**

**The minutes of the meeting of the Council held on 1<sup>st</sup> March 2006 be confirmed as a correct record and signed by the Chairman.**

**C.115 PUBLIC PARTICIPATION**

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

**C.116 PETITION - ICE RINK**

Councillor Mrs J L Salter presented a petition signed by 123 residents, asking for a local ice rink. She advised that the petition had been instigated and submitted by a local schoolgirl, ten year old Chloe Worley, who was present with her mother in the public gallery. The Council applauded Chloe's initiative and Councillor Mrs Salter suggested that, if the issue were referred to scrutiny, businesses could be approached to explore the possibility of a private initiative.

**DECISION:**

**In accordance with Standing Order C12, the petition be referred to the next appropriate meeting of the Community and Leisure Services Policy and Scrutiny Panel.**

**C.117 QUESTIONS**

No questions were submitted by Councillors under Standing Order A5.

**C.118 CHAIRMAN'S COMMUNICATIONS**

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

As this was the last full Council meeting of the municipal year, the Chairman thanked all Councillors for their support over the past year and, in particular, Councillors Mrs I M Dolan and Mrs A R A Poole, who would be standing down at the forthcoming District Council elections.

Councillors paid tribute to Councillor Mrs Dolan's dedicated service to the Council over the past ten years, despite suffering from health problems. They also thanked Councillor Mrs Poole for her work on behalf of the community since her election almost two years ago.

In conclusion, the Chairman announced that serving Councillors, who were past Chairmen of the Council, would be invited to wear their past Chairmen's badges to the Council's Annual Meeting.

## **C.119 LEADER'S ANNOUNCEMENTS AND REPORT**

The Leader of the Council made the following announcements:

a) Councillor J W Dudley

Councillor Dudley sent his thanks for all the good wishes and cards that he had received during his recent illness.

b) Licensing and Environmental Committee 19<sup>th</sup> April 2006 – Street Trading Licenses

Two stall holders, one selling hot potatoes and the other selling doughnuts, had been granted six months' Street Trading Licenses, enabling them to continue trading in Kidderminster High Street.

## **C.120 POLICY AND BUDGET FRAMEWORK – MATTERS WHICH REQUIRE A DECISION BY COUNCIL**

a) Recommendations from the Ethics and Standards Committee – 6th March 2006

Publicity of Members' Activities in their Role as District Councillors

The Council considered a recommendation from the Ethics and Standards Committee to increase Councillors' accountability by introducing a scheme whereby they would all complete an annual report that detailed their activities in their role as a District Councillor.

The Committee's Chairman introduced the recommendation and stressed the importance which the independent members of the Ethics and Standards Committee placed on it. They thought that it was only fair for the public to know about Councillors' activities within their remit as elected representatives. She envisaged the annual reports being posted on the Council's website.

The Council noted that the proposal had attracted unanimous cross party support at the Ethics and Standards Committee meeting. Members agreed that annual reports would enable Councillors to record the work they did in the community, outside formal meetings, including representing the Council on outside organisations. Also, the proforma provided would help them to produce concise, structured reports.

### **DECISION:**

**Members produce an annual report, in the format of the template at Appendix 1 to the report to the Council, detailing their activities in their role as District Councillors in order to increase transparency and accountability.**

b) **Recommendations From the Cabinet Scrutiny Committee – 8<sup>th</sup> March 2006**

Responding to Government's and Other Public Bodies' Consultation Papers

The Council considered a recommendation from the Cabinet Scrutiny Committee for the Cabinet to be given authority to respond to consultation papers after considering recommendations from a scrutiny meeting.

Members noted that there had been instances when consultations had bypassed Council meetings due to tight deadlines and the limitations of the Council meeting cycle. Hence, an alternative arrangement was needed.

**DECISION:**

**Authority be delegated to the Cabinet to respond to consultation papers following consideration of recommendations from the Cabinet Scrutiny Committee or relevant Policy and Scrutiny Panel, where appropriate.**

c) **Recommendations from the Cabinet – 30<sup>th</sup> March 2006**

Draft Air Quality Strategy

The Council considered a recommendation from the Cabinet seeking approval for a draft air quality strategy, which had been the subject of a public consultation exercise.

**DECISION:**

**The draft Air Quality Strategy, as contained in the separate appendix to the report to the Cabinet on 30<sup>th</sup> March 2006, be adopted.**

Wyre Forest District Council Private Sector Housing Assistance Policy 2006

The Council considered a recommendation from the Cabinet seeking the adoption of an updated Private Sector Housing Assistance Policy to enable the Council to implement key elements of the Housing Act 2004.

**DECISION:**

**The Wyre Forest Private Sector Housing Assistance Policy 2006, as contained in the separate appendix to the report to the Cabinet on 30<sup>th</sup> March 2006, be adopted.**

**C. 121 MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (1)**

The following notices of motion were received in accordance with Standing Order D1(1).

**Motion 1 – Sustainable Communities Bill**

The Council considered the following motion submitted by Councillor J A Shaw:

“That Wyre Forest District Council:

- i) expresses its concern at:
  - the decline of local services and facilities which affect local communities and in particular the elderly and people on the lowest incomes;
  - the resulting decline of local jobs and local economies and the resulting extra traffic and pollution caused by the need to travel further.
- ii) notes that this combination of factors increases people’s feelings of exclusion and lack of involvement; and so
- iii) supports measures to reverse this process and
- iv) supports the concept of local sustainability as envisaged in the Sustainable Communities Bill, namely:
  - the promotion of local economies;
  - the promotion of local services and facilities;
  - the protection of the environment;
  - the reduction of social exclusion; and
  - measures to increase involvement in the democratic process;
- v) and accordingly resolves to support the Sustainable Communities Bill which:
  - requires the government to assist councils and communities in promoting local sustainability in ways decided by them;
  - sets up a participative process whereby councils and communities can drive the way in which government uses its power and influence to assist with the promotion of local sustainability;

- recognises therefore that the Bill provides for a “bottom-up” rather than a “top-down” one-size-fits-all process;
- notes that this Bill is therefore fully in accord with current thinking in local government in that it impacts on central authorities and does not impose any new duties on councils but instead enables them to influence how government uses its resources and influence to help councils and communities; and
- specifically provides that where councils themselves decide to take action to promote local sustainability that they should be given the resources to do so; and so

vi) further resolves:

- to inform the local media of this decision;
- to write to local MPs, asking them to support the Bill; and sign EDM (Early Day Motion) No. 641; and
- to write to the Local Works Campaign (at 94 White Lion Street, London, N1 9PF) expressing its support.”

Members endorsed the concerns expressed in the motion about the decline in viability of smaller communities and loss of community identity. Attention was drawn to contributing factors, such as the demise of local services like local shops, petrol stations, sub-post offices, cinemas, playing fields, bus services, etc. and a corresponding decline in local employment. They were aware that this could lead residents, particularly elderly and vulnerable people, to feel isolated and excluded. In their view, action was needed to reverse this trend in order to build sustainable communities.

#### **DECISION:**

**The motion be approved, as printed in the preamble above.**

#### **Motion 2 - Land Oak Junction – Turning Ban**

The Council considered a motion submitted by Councillors G W Ballinger, Mrs S M Hayward, Mrs F M Oborski, M M G Oborski and R Wheway on behalf of the Liberal Group:

“THIS COUNCIL totally opposes the Amey Mouchel proposals to ban turns from the A456 Birmingham Road onto the A449 Chester Road North at Kidderminster’s Land Oak Junction.

Council believes that the implementation of the proposal would cause severe disruption for motorists, local residents and adjacent businesses and would inevitably lead to chaos on the many residential roads in the

area which would be instantly converted into “rat runs”.

Members agreed that the proposal was unjustified and would have adverse consequences. Numerous examples were given of problems that were foreseen. These included the confusion likely to be experienced by motorists when confronted with the turning ban sign, the dangers that would arise from traffic using residential roads as “rat runs” and the difficulties that local businesses, such as the Land Oak Public House would face in receiving deliveries. Details were given of impractical alternative routes that would have to be taken if the ban were implemented.

Members also called into question the validity of the proposals based on the study into personal injury collisions carried out by Amey Mouchel in relation to the Land Oak Junction. They noted that, over the five-year period of the study, despite the high numbers of manoeuvres recorded at the junction, there had been only one serious accident, nine slight accidents and no fatalities. In their view, these statistics did not support the proposed turning ban.

**DECISION:**

**The motion be approved, as printed in the preamble above.**

**Motion 3 – Proposed Reduction in Spending by Worcestershire Acute Hospitals NHS Trust**

**Having declared his prejudicial interest in this item, Councillor J A Shaw left the meeting whilst it was considered.**

The Council considered a motion submitted by Councillors G W Ballinger, Mrs S M Hayward, Mrs F M Oborski, M M G Oborski and R Wheway on behalf of the Liberal Group:

**“THIS COUNCIL totally opposes the proposed £30m reduction in the spending of Worcestershire Acute Hospitals NHS Trust which will lead to the loss of 720 posts from across the three hospitals involved at Kidderminster, Worcester and Redditch.**

Council believes that the loss of 1 in 7 staff will further undermine public confidence in local Health Service management, destroy staff morale and inevitably lead to a deterioration in services to patients and the public. This further destabilisation of Hospital Services across this County is totally and absolutely unacceptable.

Council calls upon the County Council Health Services Scrutiny Panel to conduct an immediate scrutiny exercise into the detailed implications of the proposed spending cut.

Council determines to immediately establish a Task Group to co-ordinate the Council’s opposition to this latest ill begotten threat to local Hospital Services.”

Members fully supported the sentiments in the motion. Attention was drawn to the waves of cuts that had been implemented in the NHS and examples were given of the impact the current proposals would have on fully stretched patient services and staff morale. It was recognised also that the proposed level of spending cuts in the Worcestershire Acute Hospitals NHS Trust would have a knock-on effect on the provision and funding of County Council social services that were closely linked to the NHS.

The District Council endorsed the need for a county-wide scrutiny exercise by the County Council's Health Overview and Scrutiny Committee and agreed that the District Council should set up a Task Group to address the effect on health services in Wyre Forest.

**DECISION:**

1. **The motion be approved, with an additional paragraph, as set out below:**

**Council believes that the loss of 1 in 7 staff will further undermine public confidence in local Health Service management, destroy staff morale and inevitably lead to a deterioration in services to patients and the public. This further destabilisation of Hospital Services across this County is totally and absolutely unacceptable.**

**Council shares the concerns of Worcestershire County Council regarding the potential impact of these cuts on the provision and funding of County Council social services.**

**Council calls upon the County Council Health Overview and Scrutiny Committee to conduct an immediate scrutiny exercise into the detailed implications of the proposed spending cut.**

**Council determines to immediately establish a Task Group to co-ordinate the Council's opposition to this latest ill begotten threat to local Hospital Services.**

2. **The Task Group comprise the following members and meet initially at 6pm on Tuesday 25<sup>th</sup> April 2006:**

**Councillor C D Nicholls (Chairman)  
Councillor J Aston  
Councillor Mrs H E Dyke  
Councillor Mrs J Fairbrother-Millis  
Councillor Mrs S M Hayward  
Councillor J C Simmonds**



**C. 122 URGENT MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (7)**

No motions were considered in accordance with Standing Order D1(7).

**C.123 HOUSES IN MULTIPLE OCCUPATION AND HOUSING ENFORCEMENT POLICY**

The Council considered a report from the Head of Planning, Health and Environment regarding proposed policies relating to houses in multiple occupation and housing enforcement work. The report also advised on the range of enforcement powers available and the need to update the Scheme of Delegation to Officers to take account of provisions contained in the Housing Act 2004 and related legislation.

**DECISION:**

- 1. The Houses in Multiple Occupation Policy, as set out in Appendix 1 of the report to the Council, be adopted.**
- 2. The Housing Enforcement Policy, as set out in Appendix 2 of the report to the Council, be adopted.**
- 3. Delegated authority be given to the Head of Planning, Health and Environment and Head of Legal and Democratic Services and any officers authorised in writing by him/her, to exercise the powers available under the legislation detailed in Appendix 3 of the report to the Council and regulations made thereunder, including the following:**
  - a. Sign and service of notices.**
  - b. Sign and issue of licences, permits, orders and other documents.**
  - c. Execute works, including works in default.**
  - d. Procure samples and carry out other necessary investigations.**
  - e. Exercise powers of entry.**
  - f. Engage specialist advisors/contractors and authorise their entry and investigation.**
  - g. Issue Formal Cautions and institute legal proceedings (in consultation with the Head of Legal and Democratic Services).**
- 4. The Council's Constitution be updated as necessary so that the**

above powers and legislation listed in Appendix 3 are properly incorporated.

**C.124 DISTRICT COUNCIL ELECTION DAY - POSSIBLE STRIKE ACTION**

The Council was asked to take the following decision in view of the possibility of a strike by UNISON members on 4<sup>th</sup> May 2006, the day of the District Council elections, which could affect the availability of some polling stations.

If alternative premises were needed, officers were requested to have due regard to the sensitivity of the matter and to consult with political parties and their agents.

**DECISION:**

- 1. Throughout the Council area, whole polling districts be identified as 'polling places', to allow the Returning Officer the discretion to choose suitable alternative premises as polling stations should existing ones not be available as a result of strike action.**
- 2. In certain exceptional circumstances where no such alternatives exist within a polling district or electoral area (ward), the Returning Officer be authorised to use premises which are partly or wholly outside such areas.**

The meeting ended at 7.27 p.m.