

WYRE FOREST DISTRICT COUNCIL

COUNCIL

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

1ST DECEMBER 2010 (6.30PM)

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**Present:**

Councillors: M Ahmed, J Aston, J Baker, G Ballinger, R Bishop, A Buckley, J-P Campion, S Clee, N Gale, H Dyke, P Dyke, B Glass, D Godwin, J Greener, I Hardiman, P Harrison, M Hart, P Hayward, M Hazlewood, A Hingley, J Holden, M Kelly, H Martin, D McCann, D Millis, C Nicholls, T Onslow, J Parish, J Phillips, M Price, K Prosser, M Salter, J Shaw, D Sheppard, K Stokes, N Thomas, S Williams and G Yarranton.

**C.59 Apologies for Absence**

Apologies for absence were received from Councillors: N Desmond, T Ingham, F Oborski and J Thomas.

**C.60 Declaration of Interests**

No declarations of interest were made.

**C.61 Minutes**

**Decision: The minutes of the meeting held on 29th September 2010 be confirmed as a correct record and signed by the Chairman.**

**C.62 Public Participation**

In accordance with the Council's scheme for public participation at meetings of Full Council, the following members of the public addressed the meeting at this point. The statement, letters and petition referred to below were circulated at the meeting.

**Question 1 – From Neil Harman**

Section 4.3 of the Phase 2 parking review states that the longer term visitors to Bewdley and Stourport should be discouraged from parking in their central car parks by charging more for 24-48 hour tickets than for any car park in Kidderminster, suggesting that all car parks are equal but some are more equal than others. Bewdley fights hard for vital tourist income and the majority of Bewdley's Bed and Breakfast community has no parking, is clustered at the Dog Lane end of the town (a central car park according to Marcus Hart's zoning system) and the decline in Stourport continues. Can the Council please explain their justification for the ongoing exploitation of both Bewdley and Stourport? Does the Council really think that tourist visitors will be willing to drag their suitcases half a mile to Gardeners Meadow or do they want to make them feel so unwelcome that they choose another destination such as Bridgnorth or Ludlow? Another side effect is to penalise local visitors to businesses, residents and this fictitious tourist equally. This is Worcestershire in the United Kingdom,

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not Thailand, the Gambia or Andalucia where such tourist rates are common practise. Therefore will the Cabinet Member in charge of the review move a motion to remove this new anomaly from the proposals as presented by setting all the proposals as presented by setting all prices across the district the same for all car park types?

#### **Reply from the Cabinet Member for Housing and Environmental Services**

Thank you for the question. I would like to say from the outset that we welcome tourism in all districts. It is not about penalising anyone least of all our valued tourists who visit areas like Bewdley. I don't accept that we are exploiting them. It is fair to say that these are our proposals. On 22<sup>nd</sup> November 2010 a joint meeting of Councillor Ballinger's and Councillor Dyke's scrutiny committees set up a review panel to consider the proposals where all Members and Members of the Review Panel can consider proposals. It is not a proposal to move any anomalies. We will look at all proposals and make recommendations in due course. There is a long way to go yet. With regard to the specific point you raise, you have missed the fact that under the proposals the rate to park in Dog Lane for over 3 hours and for 24 to 48 hours has reduced significantly. This will benefit residents and visitors to Bewdley. I repeat again the proposals will be fully considered by the Review Panel accordingly.

#### **Question 2 – From Neville Farmer**

When the parking review started, it involved a public consultation about the 23 hour parking rule, which had recently been enforced. Although the residents won their argument against the rule, the Cabinet has responded by more than doubling the cost of residents' parking and reducing the number of people eligible. In Phase 2, the price is to rise twice more in one year and the blanket zoning concept will confine the use of residents' restricted season tickets to the Gardeners Meadow car park, over half a mile from many of the eligible residences. Why has the Council decided to penalise these constituents this way and how is this fair or equitable.

#### **Reply from the Cabinet Member for Housing and Environmental Services**

Thank you for your question. With regard to the final point of your question, we are not penalising anybody. It is for the Review Group to look at and argue and I refute that we are doubling the price because of phasing out. In 18 months time Residents' passes won't exist at all. Para 4.5 of the report to Cabinet makes specific referral to the fact that under previous phasing they can be used in Dog Lane and Gardiner's Meadow and restricted passes remain in Dog Lane car park. The scrutiny exercise may say that restricted passes should remain to be valid in Dog Lane car park. It is worth bearing in mind that by expanding the use of restricted passes to Dog Lane and Gardners Meadow, many residents will benefit in so far as previously if they lived on the Wribbenhall side and could not have a residents' pass they would have had to pay the full £525 for a season ticket but can now get a pass at half that rate so a significant amount of residents will benefit.

#### **C.63 Questions**

The Council received a report setting out a range of questions from Councillors T Ingham and H Martin, posed to the Leader of the Council and Cabinet Members.

**Question 1 - From Councillor Tim Ingham to Councillor Marcus Hart.  
(In the absence of Councillor Ingham Councillor M Price asked the  
question) (at the discretion of the Chair)**

When you introduced your policy of charging on Vale Road Car Park you justified the charges to be levied by comparing Vale Road with Raven Street. What has changed to alter that justification?

**Reply from the Cabinet Member for Housing and Environmental Services**

In response to the question, in terms of changing as a result of listening to the views of Town Councillors from Stourport on Severn, it was agreed that the initial proposals would be aligned with Raven Street. The Director of Planning and Regulatory Services and I met with representatives from Stourport-on-Severn Town Council and said we would align to the Sports Centre and not Raven Street as part of the request.

**Question 2 – From Councillor Howard Martin to Councillor Marcus Hart,  
Cabinet Member for Housing and Environmental Services.**

Will the Cabinet Member please advise how many parking tickets have been issued, by Council Enforcement Officers, for “on street” parking offences in Wyre Forest since parking was “decriminalised” and enforcement moved to the Council? Can he also advise what sum of money has been raised over the same period as a result of those parking tickets?

**Reply from the Cabinet member for Housing and Environmental Services**

I would point out that it is slightly different to off street parking and relates to on street parking. The figures are 14,033 penalty charge notices have been issued and generated £427,000 of income. I can give this year by year. Not every penalty charge notice generates standard income as some may pay the early fee and some over 14 days.

**Supplementary question from Councillor Howard Martin**

Thank you for your full response. Where does the money go? Into the general reserve account or is it ring fenced for special purposes?

**Answer from the Cabinet Member for Housing and Environmental  
Services**

Under the legislation if you make a surplus it is specifically ring fenced to go back into highways. However, despite income received we are not making a surplus and this goes to fund the scheme.

**C.64 Chairman’s Communications**

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

The Chairman took the opportunity of thanking fellow Councillors for their generous donations of food for the parcels he would be distributing. He considered this to be a worthwhile event and encouraged future chairmen to continue this if at all possible.

The Chairman advised Members of a notice by the entrance to the Chamber regarding the Chairman’s Christmas cards which had all been designed by pupils of Wribbenhall Primary School. He commented that the winner of the

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competition would receive a £25 book token from him and the runner up would receive a £10 book token from the Leader of the Council. All participants would receive a small gift.

#### **C.65 Leader's Announcements and Report**

The Leader of the Council made the following announcements:

Whilst the weather was currently inclement he was happy to report that the vast majority of services were operating normally. He placed on record his grateful thanks to the administration and to officers who worked outside, especially the refuse and recycling crews. He commended the professional way in which staff continued to operate this service across the district.

Members received an update on the single site. They were advised that the Council's Planning committee had considered the Council's application for offices at Finepoint. The application was approved subject to conditions and reference to Government Office. The next phase would be the procurement phase and the contract for construction was likely to be awarded in the New Year and the building was due for completion in summer 2012. The Leader was pleased to inform Members that the Project Team had met all significant milestones and he welcomed the contributions that had been received from Members.

The Leader gave an update on the monies received back from Icelandic banks. It was noted that £2,700,000 had been recovered from the original £9 million invested. Another £25,000 was expected to be received before the end of 2010. So far the Council had recovered 45% of its investments from Heritable and KSF banks. With regard to Landsbanki, where the Council had £3 million invested, it was noted that the Council would have 'preferred creditor status' and it was anticipated that it would receive 95% of its original investment. However, this was subject to challenge in the Icelandic Courts by other creditors. The outcome of the Court case was expected in January/February 2011. Bevan Brittain the Council's appointed solicitors for the case were doing everything in their power to ensure that the Council retained its 'preferred creditor status.' Members were advised that further updates on the situation would be given as soon as any further information was received.

#### **C.66 Recommendations from Cabinet 16<sup>th</sup> November 2010**

##### **Review of Payroll Services Arrangements**

The Council considered a report which presented a proposal in relation to the transfer of payroll function from Wyre Forest District Council to Redditch Borough Council with effect from 1<sup>st</sup> April 2011.

The Leader of the Council advised that the proposal to share payroll services arrangements had been worked up by the Council's own officers. He advised that it was a small service with 2.5 individuals and the Council wished to ensure it had a fit for purpose service. He commented that by working with another local government partner it was possible to make savings. Further, shared services were a clear choice and not a panacea for all problems but part of the solution. The Council was required to transform the way it delivered its services and he believed that the recommendations would lead to an improved payroll service and would give the Council greater resilience.

A lengthy debate ensued where some Members expressed their concern that Council services were slowly diminishing. Other Members perceived that the Council should be more proactive in encouraging services into Wyre Forest rather than allowing them to transfer to other authorities.

**Decision:**

- 1 The proposal to transfer the payroll services to Redditch Borough Council be approved and a contract agreed until 31<sup>st</sup> March 2016.**
- 2 The cost of the implementation identified at paragraph 5.1 of the report to Cabinet be met from the Council's general fund reserves.**

**Treasury Management Strategy Statements**

**Minimum Revenue Provision Policy 1<sup>st</sup> Jan 2011 to 31<sup>st</sup> March 2011**

**Statement and Investment Policy and Strategy Statement for the period 1<sup>st</sup> January 2011 to 31<sup>st</sup> March 2012**

The three reports were considered together. The Leader placed on record his grateful thanks to Members involved in treasury matters. He perceived that Member understanding of this subject had improved dramatically as had their understanding of policies and updates. He thanked the Director of Resources for steering Members through these revised policies.

**Decision:**

- 1 Restate the Prudential Indicators and Limits for the period 1<sup>st</sup> January 2011 to 31<sup>st</sup> March 2012 and for the financial year 2012/2013.**
- 2 Approve the updated Treasury Management and Investment Policy and Strategy Statements for the period 1<sup>st</sup> January 2011 to 31<sup>st</sup> March 2012 (including the introduction of the revised Creditworthiness Policy with effect from 1<sup>st</sup> January 2011 devised by Sector, the Council's Treasury Consultants), the associated Prudential Indicators are included in Appendix 3 and the detailed criteria is included in Section 11 and Appendix 5.**
- 3 Approve the Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1.**
- 4 Approve the Authorised Limit Prudential Indicator included in Appendix 3.**
- 5 Revisit the Prudential Indicators in February 2011 as part of the Council's approval of the Financial Strategy 2011 to 2015, as the indicators included within this report are based on current recommendations.**

- 6 Continue to keep the current Treasury Management Practices (TMP) under review with the assistance of the Council's Treasury Consultants.**

**Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review Report 2010/11**

The Council considered a report that provides Members with a mid year review of its Treasury Management policies, practises and activities in accordance with revised CIPFA Treasury Management Code of Practise.

**Decision: The Treasury Management Mid-year Review, be noted.**

**Local Development Framework Core Strategy Development Plan Document (DPD) – Adoption.**

The Council considered a report which presents the Local Development Framework Core Strategy Development Plan Document Inspector's Report and proposed that Members recommend to Council that the Core Strategy be adopted, with effect from 9<sup>th</sup> December 2010.

The Leader commended the recommendations to Council and commented that there had been scrutiny of the subject and it had been well received and had not proved to be controversial.

Members debated the recommendations and the following comments were made:

It was recognised that the document was largely down to 95% expertise of the officers however there were a few areas where Councils had made a decisive difference. The Inspector had concluded that the Council's document was sound and it was one which the Council would base its planning decisions until 2026.

**Decision:**

- 1 The Inspector's Report be accepted in its entirety and that the Core Strategy as set out at Appendix 2 is adopted, with effect from 9<sup>th</sup> December 2010, at the meeting of Full Council on 1<sup>st</sup> December 2010.**
- 2 Delegated authority be given to the Director of Planning & Regulatory Services to make the necessary presentational amendments to the Core Strategy DPD.**

**Building Control in North Worcestershire**

The Council considered a report which proposed a North Worcestershire Building Control Partnership between Bromsgrove, Redditch Borough and Wyre Forest District Councils.

The Cabinet Member for Planning and Economic Regeneration presented the recommendations and commented that Wyre Forest looked to lead the proposed Building Control Service in the north of the County. He commented that the matter had been scrutinised and the reason for bringing forward the proposal was that there was a skill shortage in Building Control and the setting

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up of a shared service would address this. He commented that in the south of Worcestershire three Councils had moved towards shared services and the proposal being considered today was Wyre Forest being proactive and leading a shared service initiative in the north of the county.

A lengthy debate ensued when members voiced the following comments:

It was perceived that this would be another service that would move from the district. Concern was expressed about the role of elected members if services were lost. The Council would be weakened by moving the service to Bromsgrove. Concern was expressed about how to scrutinise a shared service. This was an opportunity for the Council and its officers to take a lead. North Worcestershire building control partnership led by Wyre forest would be a powerful organisation and to create such a shared service would be an accolade for this Council. A Member expressed reservations about the governance of shared services. Some Members expressed concern about the number of jobs that would be lost. A Member commented that the idea of shared services was to make the best use of tax payers' money. A Member perceived that the setting up of such a service would provide a fit for purpose service delivered by our skilled officers.

#### **DECISION:**

**That subject to the agreement of Bromsgrove District Council and Redditch Borough Council:**

- 1 Wyre Forest District Council enters into arrangements to establish a new North Worcestershire Building Control Partnership, along with Bromsgrove District and Redditch Borough Councils.**
- 2 The Director of Planning and Regulatory Services in consultation with the Director of Resources and Director of Legal and Corporate Services and the Cabinet Member for Planning and Regeneration be given delegated authority to agree an Implementation Plan and the terms of any necessary agreements for implementation of the shared services Partnership and to conclude such arrangements.**
- 3 The Director of Resources be given delegated authority to undertake any necessary action relating to employee and union matters regarding the transfer of relevant employees from Wyre Forest District Council to Bromsgrove District Council, including any temporary arrangements under S113 of the Local Government Act 1972 in accordance with the principles of TUPE; and, in conjunction with the Director of Planning and Regulatory Services, to make any necessary residual staffing arrangements in relation to the provision of support services for the Building Control function within the Council.**
- 4 The Chief Executive be given delegated authority in consultation with Group leaders to appoint the Council's representatives to the Joint Steering Group that is to be set up.**
- 5 That on completion of the agreements referred to in paragraph 2**

**above, the Council delegates to Bromsgrove District Council the powers necessary to deliver a building control service within the terms contained in the said agreements.**

**C.67 Statement of Licensing Policy**

The Chairman of the Licensing and Environmental Committee presented the recommendations on the Statement of Licensing Policy. Members were advised that every 3 years the Council was required to examine its Statement of Licensing Policy and a consultation had commenced in September 2010. There had been no changes to the Policy apart from those listed in 4.7 of the report to Cabinet which had subsequently been accepted. Moreover that the policy remained 99% unchanged and all stakeholders who had been consulted were satisfied with the Policy.

**DECISION: Having considered the Statement of Licensing Policy for the District Council decides that it should be renewed without change for the period 2011-2014.**

**C.68 Motions Submitted under Standing Order D1(1)**

Council received a motion from Councillor Martin as follows:

“Council recalls that one of the major reasons for moving to new offices is the repeated promise by the Administration that running cost savings in excess of £500k per annum would be achieved as a direct result of the move. Indeed a recent report submitted to the Transformation Board put “assumed” and “estimated” savings at £688k.

Council is asked to note the contents of the previously circulated Labour report, in response to those “estimated and assumed” figures, which suggests that the actual savings achieved (at current rates of interest) will total under £100k pa.

Council agrees therefore, that the minimal financial benefits estimated to result from the expenditure of £10.5 m do not justify the use of public money in this way at a time of massive economic instability, government requests for councils to be prudent in spending, service cuts, council job losses and serious local concern.

Furthermore, it is accepted that the project “risks” have not been sufficiently highlighted or taken into consideration in reaching a decision to proceed. These financial risks include:

- (a) The uncertain period over which assets will be sold;
- (b) The ability to actually find buyers in view of the slow take up of New Street and Coventry Street properties;
- (c) The affect both (a) and (b) will have on the interest rate charged on bridging loans and the pay back period; and
- (d) The fact that 30% of project comes from such assets and is not yet in place.

The exposure to Council finances through these uncertainties means the decision to proceed is based on flawed evidence and shows both bad judgement by the Administration and is irresponsible in the current economic



climate.

Council therefore agrees that the progress of this project be suspended and put on hold to allow a full scrutiny exercise to take place into the funding and financial risks evident and highlighted by the Labour paper. There has never been an opportunity throughout the process so far for this level of Member involvement into the financial details of the scheme and members should be offered that chance.”

Councillor Martin introduced the motion and commented that this related to a serious issue which he hoped could be addressed. He commented that it was the intention of the administration to move to a single site and in so doing it was perceived that this would save the Council £500,000 per year. However, he disputed the projected savings. He perceived that if the Council did not sell the buildings it needed to then the cost of the single site project would rise. He commented that he had reviewed the savings that were listed in a paper to the Transformation Board by the 3 Statutory Officers and he considered that the savings per annum would be more like £100,000 and thus it was not worth spending £10.5 million on a new site to make such small savings.

*Councillor Harrison left the meeting at this point (7.40 pm)*

The Labour Group had considered that the project should be re-examined by scrutiny. He reminded Council that the Leader of the Council always said that if there was a problem or an issue with a matter it could be scrutinised.

The Leader of the Labour Group seconded the motion and commented that he was disappointed that the motion had not been circulated until the night of Council.

A Member queried whether it was sensible to move the whole of the Council to a single site when it was reducing in size. In view of this fact he considered that this was not a good decision. He alluded to the decrease in the rate support grant from the Government which would have an impact over the next 4 years.

A member of the Liberal Group supported the single site proposal and perceived that the administration was right in taking the decision to move the Council to a single site. He perceived that this decision should have been taken years ago.

A Member supported the motion and asked that Members receive a balance sheet that outlined the anticipated savings. He supported the motion and suggested that scrutiny was the right way forward.

The Leader of the Council responded and stated that the current and previous treasurer had made themselves available to explain the financing of the single site project and he objected to officers being criticised in the Chamber. He alluded to the money that had been wasted on offices that the Council did not own. He commented that the Civic Centre was no longer fit for purpose. The Council needed to reduce its spending on other buildings. He acknowledged that with all projects there were risks and he criticised those who had brought the cemetery into the single site debate as the cemetery was being built using prudential borrowing and there would be no additional cost to the Council and tax payer and he urged Members to vote against the motion.

Members from all political groups contributed towards the debate and the

following points were made:

A member spoke on behalf of residents from rural areas of Wyre Forest District Council and specifically those residing within the old rural District Council as they had contributed handsomely to single site by providing the building and land at Land Oak which had no mortgage and which had been sold to contribute towards the single site project.

A member perceived that there was a key issue with the timing of the single site project compared to when it was first mooted in 1974. In 1974 it was perceived that the Council had more staff and services. It was queried whether the timing was right for a single site when the Council was actually decreasing in terms of size.

The building of a single site was an opportunity for local trades people to be involved in the building of the single site and would provide opportunities for employment and possibly apprenticeships. If the Council was to stay in its outdated buildings sickness rates were likely to go up and the buildings would require refurbishment. To move to a single site was therefore perceived to be of benefit to the residents of Wyre Forest.

A Member considered that the issue of the single site could have been resolved years ago the savings that were projected to be made needed to be scrutinised and the motion put forward some compelling arguments which needed to be scrutinised further.

*Councillor A J Buckley left the meeting at this point (8.07 pm).*

A member commented that a scrutiny exercise should be carried out and if the savings added up then no Member could object to the project proceeding.

*Councillor A J Buckley re-entered the meeting at this point (8.10 pm)*

A member queried whether if the matter was scrutinised the Labour party would in fact change its stance on the single site. The reason to support the single site project was to make savings for the tax payers of the district. To invest in creating jobs for people in Wyre forest and creating apprenticeships was of benefit to people in Wyre Forest. The Council needed a building that was functional. By having a single site it would end the silo mentality and would be a more cohesive way of working.

Councillor Martin summed up the debate and stated that a central location was not required as many staff now worked from home. He perceived that the risks the administration were taking were too severe and the people to suffer from the decision to move to a single site would be the residents of Wyre Forest as they would carry the debt for the next 15 to 20 years. Further he commented that savings were likely to dissipate through interest charges, overheads and Government legislation and thus scrutiny of the proposal was necessary to consider potential risks. The motion had been submitted with the intention that the Council stood back and scrutinised the figures associated with the project. He perceived that the timing for the project was not sensible in the current austere financial climate. Further he perceived that the money saved from moving forward with the single site would underpin the cuts to the Council's

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grant that the Government would be making. He wished to formally place on record his thanks to the Director of Resources for the correspondence on this matter that he had received.

**Decision: Upon a vote the motion was lost.**

*Councillor M Ahmed left the meeting at this point (8.20 pm)*

Council received a motion submitted by Councillor John-Paul Campion as follows:

“Further to the Coalition Government’s proposals to establish “local enterprise partnerships” (LEP’s), Council resolves to confirm that it believes the District’s future economic prosperity will be best served by an LEP serving the geographic County of Worcestershire.

Furthermore Council resolves to continue discussions to consider joining other proposals for LEPs within the West Midlands where this reflects the views of business and would be in the best interests of Wyre Forest.

Council resolves to request the Chief Executive to continue to engage the Member of Parliament for Wyre Forest, Mr Mark Garnier MP, other Worcestershire Councils and all relevant partners to further the Council’s objectives outlined in this motion.”

The Leader of the Council addressed Members and advised them that the Regional Development Agencies (RDA's) had been abolished by the coalition Government. Further, he advised that Worcestershire County Council had put in a bid for a Local Enterprise Partnership (LEP). He favoured the Worcestershire LEP and perceived that the future of the District would be supported by Worcestershire working together. The local business community were in support of a Worcestershire LEP but it was necessary to explore all options before the venture moved forward.

The Leader of the Labour Group stated he wished that Members could have seen the Motion before it was tabled at the meeting as it would have given Members an opportunity to discuss the proposal and to formulate a proper response.

Members discussed the motion and the following comments were made:

- In the absence of RDA's a LEP seemed to be a good way forward.
- A Member perceived that Worcestershire was not big enough to be a single LEP.
- A Member urged caution to look across borders as well when considering joining an LEP.
- There was concern that a Worcestershire LEP would be insular and that it might be wise to join up with the Black Country where there was considered to be some affinity.

The Leader responded that with regard to motions he would discuss how they were dealt with in Council at the next meeting of Group Leaders. In summary he stated that LEPs were an unknown entity but that it was possible for a Council to be part of more than one LEP. He perceived that the core of an LEP had to be in

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Worcestershire and highlighted that Worcestershire had fared well under Advantage West Midlands. He was pleased with the cross party consensus with the motion.

**Decision: Upon a vote the motion was carried.**

#### **C.69 Urgent Motions**

No urgent motions had been received.

The meeting ended at 20.33.