

Open

Cabinet

Agenda

6.00pm
Tuesday, 21st June 2011
The Earl Baldwin Suite
Duke House
Clensmore Street
Kidderminster



Cabinet

The Cabinet Members and their responsibilities:-

Councillor J-P Campion	Leader of the Council
Councillor M J Hart	Deputy Leader, Environmental Services
Councillor N J Desmond	Resources and Transformation
Councillor T L Onslow	Community Well-Being
Councillor J Phillips	Place-Shaping

Scrutiny of Decisions of the Cabinet

The Council has one Scrutiny Committee that has power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from this Committee.

In accordance with Part 4 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order B4, any item on this agenda may be scrutinised by the Scrutiny Committee if it is "called in" by the Chairman or Vice-Chairman of the Overview & Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is 5th July 2011.

Councillors wishing to "call in" a decision on this agenda should contact Sue Saunders, Committee/Scrutiny Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732733 or email susan.saunders@wyreforestdc.gov.uk

Urgent Key Decisions

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

Declarations of Interest - Guidance Note

Code of Conduct

Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

Section 106 of the Local Government Finance Act 1992

If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.

For further information: -

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sue Saunders, Civic Centre, Stourport-on-Severn. Telephone: 01562 732733 or email susan.saunders@wyreforestdc.gov.uk

Documents referred to in this agenda may be viewed on the Council's website - www.wyreforestdc.gov.uk/council/meetings/main.htm

Wyre Forest District Council

Cabinet

Tuesday, 21st June 2011

The Earl Baldwin Suite, Duke House, Clensmore Street, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Declarations of Interest In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered. Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992. (See guidance note on cover.)	
3.	Minutes To confirm as a correct record the Minutes of the meeting held on the 19 th April 2011.	6
4.	CALL INS a verbal update will be given on any decisions which have been “called in” since the last meeting of the Cabinet.	
5.	Items Requiring Urgent Attention To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
6.	Public Participation In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 9 am on Friday 10 th June 2011. (See front cover for contact details).	
7.	Leader of the Council	John-Paul Campion
7.1	Leader's Announcements	

8. Resources & Transformation		Nathan Desmond
8.1	Report on Final Accounts 2010/11 To consider a report from the Director of Resources which provides Members with the provisional outturn position in relation to the Final Accounts for 2010/11.	10
8.2	Christmas Holiday Arrangements To consider a report from the Director of Legal and Corporate Services that asks Cabinet to recommend to Council that Christmas holiday arrangements be changed	16

9. Community Well-Being		Tracey Onslow
9.1	Revised Media Protocol To consider a report from the Director of Community and Partnership Services that asks Cabinet to recommend to Council that the revised Media Protocol for Wyre Forest District Council be adopted. <i>The appendices to this report have been circulated electronically and a public inspection copy is available on request. (See front cover for details.)</i>	22
9.2	Future Arrangements for the Management of Sports and Leisure Centres To consider a report from the Director of Community and Partnership Services which sets out the high level principles, as recommended by the Overview and Scrutiny Committee at it's meeting on 2 nd June 2011, for future arrangements to achieve improved, affordable and sustainable leisure facilities for the District.	25

10. Place-Shaping		Julian Phillips
10.1	Land Adjacent to Puxton Marsh, Kidderminster To consider a report from the Director of Legal and Corporate Services which seeks Members' approval to enter into agreements with Bellway Homes Limited and Severn Trent Water to allow access to undertake sewer works.	29

11.	To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
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12.	Exclusion of the Press and Public To consider passing the following resolution: “That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.	
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Part 2

Not open to the Press and Public

13.	Resources & Transformation	Nathan Desmond
13.1	Provision of Telephone Switch, Associated Software and Devices To consider a report from the Director of Resources which asks Members to note the outcome of the tender evaluation exercise and the award of contract for the supply of new telephone switches, associated software and devices.	33
14.	To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

WYRE FOREST DISTRICT COUNCIL

CABINET

**THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER**

19TH APRIL 2011 (6.00PM)

Present:

Councillors: J-P Champion (Chairman), M J Hart (Vice-Chairman), S J M Clee, N J Desmond, A T Hingley and T L Onslow.

Observers:

Councillors: G W Ballinger, H E Dyke, F M Oborski and M A Salter.

CAB.140 Apologies for Absence

There were no apologies for absence.

CAB.141 Declarations of Interest

No declarations of interest were made.

CAB.142 Minutes

Decision: The minutes of the Cabinet meeting held on 31st March 2011 be confirmed as a correct record and signed by the Chairman.

CAB.143 Call Ins

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

CAB.144 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.145 Leader's Announcements

Members were advised that the Council had received a further instalment of £64,000 from the Heritable Bank.

CAB.146 Worcestershire Housing Strategy 2011-16

A report was considered from the Director of Planning and Regulatory Services which recommended to Council the approval of the Worcestershire Housing Strategy and associated Action Plan 2011/12 and to consider the recommendations from the Community & Regeneration Scrutiny Committee meeting held on 7th April 2010.

Decision:

Recommended to Council:

Decision: The Worcestershire Housing Strategy and associated Action Plan 2011/12 be adopted by Council.

CAB.147 Local Investment Plan (LIP)

A report was considered from the Director of Planning and Regulatory Services that asked Cabinet to endorse the Local Investment Plan (LIP) developed for Worcestershire that considered economic, housing and infrastructure requirements over the next five years and to consider the recommendations from the Community & Regeneration Scrutiny Committee meeting held on 3rd March 2011.

Members were informed that a considerable amount of work had been done behind the scenes into the development of the LIP's.

Decision: The Worcestershire Local Investment Plan be endorsed.

CAB.148 Wyre Forest District Local Development Framework Development Plan Documents and Churchfields Master Plan: Preferred Options Consultation

A report was considered from the Director of Planning and Regulatory Services that recommended to Council the endorsement of the consultation papers which represented the next stages in the Local Development Framework's (LDF) preparation. These being the Site Allocations and Policies DPD Preferred Options Paper and the Kidderminster Central Area Action Plan (KCAAP) DPD Preferred Options Paper. Council was also asked to agree the accompanying Consultation Plan. In addition, to consider the recommendations from the Community & Regeneration Scrutiny Committee meeting held on 7th April 2011.

Members were advised that the Local Development Framework (LDF) Review Panel had gone in to detail at their meetings and many questions had been asked. The Chairman of the LDF Review Panel thanked the panel Members and the representatives from the Town Council's for their input. The Council were the only authority in Worcestershire to have reached this stage.

Decision:

Recommended to Council:

- 1. The following Local Development Framework Development Plan Documents be approved for the purposes of consultation in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004, as amended by the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008:**

- **Site Allocations and Policies DPD: Preferred Options, (attached at Appendix 1 of the report to Cabinet).**
- **Kidderminster Central Area Action Plan DPD: Preferred Options, (attached at Appendix 2 of the report to Cabinet).**

Decision:

- **The public consultation on the Development Plan Documents be undertaken in accordance with the Consultation Plan attached at Appendix 3 of the report to Cabinet.**
2. **The Consultation Draft Churchfields Master Plan, set out at Appendix 4 of the report to Cabinet, be approved for the purposes of public consultation and that it be given due weight as a material consideration in determining planning applications falling within its boundaries.**
 3. **The Director of Planning & Regulatory Services, in consultation with the Cabinet Member for Planning & Economic Regeneration, be given delegated power to determine the final format and presentation of all of the papers referred to in paragraphs 1 and 2 above.**

CAB.149 Community & Regeneration Scrutiny Committee 7th April 2011

- **Climate Change Strategy and Action Plan**

Decision: The Wyre Forest Climate Change Strategy and Action Plan 2011/2012 and its associated Affordable Warmth Strategy and Action Plan 2011/2012 be endorsed.

- **Health and Wellbeing in Wyre Forest**

Decision: The Wyre Forest District Council Health Action Plan be endorsed.

Councillor A T Hingley arrived at the meeting at this point, (6.11pm).

CAB.150 Corporate Resources Scrutiny Committee, 14th April 2011

Members of the Corporate Resources Scrutiny Committee felt that the Corporate Performance Clinics should continue and Members should be encouraged to attend the Clinics.

Members were advised that the recommendations would be noted as these would be taken into account as part of the decision at the Annual Council meeting on committee arrangements for the new municipal year.

Decision: The recommendations listed below be noted.

- 1. A summary of Clinic news be included in the main body of Wyred Weekly.**
- 2. Group Leaders be asked to urge all Members to read Wyred Weekly.**
- 3. Group Leaders be asked to encourage Members to attend and ensure representation of each Group at the Clinics.**
- 4. The agenda cover for the Clinic be amended to state that all Members are welcome to attend and that their attendance is encouraged, in addition to a similar note in the accompanying email.**
- 5. Managers be encouraged to discuss the outcomes of items from the Clinic with their staff, where relevant, in order to spread good practice.**
- 6. A means be provided for Members to request items of concern to be considered by the Clinic, possibly through Directorate Business Plan Shadowing by Scrutiny Members.**
- 7. Further performance management training be provided for all Members, possibly in a meeting of the Quarterly Scrutiny Briefing.**
- 8. Publicity be given to success stories by issuing press releases, where appropriate, for good news stories that are considered by the Clinic.**

CAB.151 Exclusion of Press and Public

Decision: "Under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act.

CAB.152 Land Adjacent to Redstone Caravan Park, Stourport on Severn

A report was considered from the Director of Legal and Corporate Services which asked for Members' approval to enter into negotiations to dispose of the freehold interest of Council owned land situated adjacent to Redstone Caravan Park and Redstone Nature Reserve, Stourport-on-Severn.

Decision: Delegated authority be given to the Director of Legal and Corporate Services to enter into negotiations with a party interested in purchasing Council owned land. The commencement of negotiations for the disposal would be subject to prior approval from Parks & Green Spaces.

The meeting closed at 6.18 pm.

WYRE FOREST DISTRICT COUNCIL**CABINET**
21st JUNE 2011**Report on Final Accounts 2010/11**

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Stronger Communities
CORPORATE PLAN PRIORITY:	Delivering Together with Less
CABINET MEMBER:	Councillor N J Desmond
DIRECTOR:	Director of Resources
CONTACT OFFICER:	David Buckland Ext. 2100 David.buckland@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 - setting out an Explanation of Major Variations on Revised 2010/11 Budget

1. PURPOSE OF REPORT

- 1.1 To receive the provisional outturn position in relation to the Final Accounts for 2010/11.

2. RECOMMENDATION

The Cabinet is asked to **DECIDE** that :-

- 2.1 The additional reserves of £412,400 generated from the 2010/11 surplus will be reconsidered in accordance with the Council's Finance Strategy, as part of the 2011/14 Budget Process.
- 2.2 That a contribution of £100,000 from the 2010/11 surplus be allocated to the transformation reserve to facilitate the Wyre Forest Forward programme.
- 2.3 That a reserve of £25,000 from the 2010/11 savings be used to create an earmarked reserve in relation to the Diamond Jubilee and Olympics in 2012.

3. BACKGROUND

- 3.1 The Accounts and Audit Regulations 2011 have been incorporated into the Council's Financial Regulations. These regulations require that the Council's Statement of Accounts be produced and approved by the Director of Resources on or before 30th June, 2011. This is a change to previous regulations where the Audit Committee had the responsibility and this recognises the increased burden upon local authorities as a result of implementing the International Financial Reporting Standard.
- 3.2 The Audit Committee will be considering the full Statement of Accounts on 29th June 2011, and a full copy of the Statement of Accounts will be made available on the Council's Intranet for Members perusal.
- 3.3 The Statement is then subject to audit and as the Council's external auditor; the Audit Commission has until 30th September, 2011 to complete the audit; after which the Statement is published.

- 3.4 Should it be necessary for the Audit Commission to agree minor technical changes with the Director of Resources while the accounts are subject to audit, these will be made under delegated powers and the Statement will then be published. All Members of the Council will be provided with a published copy of the Statement.
- 3.5 Members may wish to note that the Council's Accounts will be made available for public inspection as required by the Accounts and Audit Regulations 2011, between 3rd August 2011 and 31st August 2011. The Audit Commission will be available on the 1st September 2011, at the Resources Directorate, Duke House, if any local government elector for the area has any questions on the accounts that they wish to raise with them.
- 3.5 The provision revenue outturn position has identified savings of £537,400 (subject to audit) compared to the revised budget. Appendix 1 summarises major variations from the Revised Budget for Members information.

4. KEY ISSUES

- 4.1 These remain challenging times for the Council as we come to grips with an environment where funds will be reducing. The Financial Strategy 2011-14 approved by Council in February provides a stable financial platform to move forward with. For the coming year, Council approved a freeze in Council Tax which released an additional grant from government, however, in each of the following two years annual increases of 2.5% have been assumed, along with a 40% reduction in Government Grant.
- 4.2 The Council has made further significant progress in relation to the recovery of the Icelandic investments and as at 31 March 2011, just over £3m of the £9m had been repaid to the Council, with a further dividends received from the Heritable of £62,500 on the 19 April 2011 and from Kaupthing Singer and Friedlander (KSF) of £250,000 on 27 May 2011 that are post balance sheet events in the Statement of Accounts 2010/11. Further dividend payments are expected during 2011/12.
- 4.3 In addition, an update to the guidance for accounting for potential losses (impairment) from the Icelandic investments (update to LAAP Bulletin 82) was issued on the 17 May 2011. This statutory guidance results in a reversal of the potential principal loss (impairment) in relation to the KSF investment of £550,000. This adjustment for the impairment allows the capital financing revenue reserve (which had previously been utilised for severance costs in 2008/09) to be reinstated.
- 4.4 The Council has been successful in defending its "priority status" with Landsbanki as announced in mid April by the Icelandic Court. This is excellent news as the "priority status" means the Council would receive the vast majority of the investment during the winding up of the bank.
- 4.5 However, an appeal against this decision has been made to the Icelandic Supreme Court and the result of this although not yet known will probably come through in September. This is the final challenge the Council can face on our status and we continue to work with the Local Government Association along with other public bodies in the UK and the Netherlands to defend our position. We remain confident we will retain this status although if lost it could have a material impact upon the likely settlements. It would have the impact of reducing the current forecast for return 95% to around 38%, of this £3m investment. Further updates will be provided as soon as

they become available, for information, the accounts for 2010/11 have been prepared on the basis that this status is retained.

4.6 Included within Appendix 1 is the identification of the significant variances against the revised budget for 2010/11. These variances include:

- General Administration savings of £175k
These relate to various accounts across the whole of the Council which are then reallocated to front line services. It is clear that reductions have been made in expenditure across the authority as spending decisions are scrutinised more carefully in light of the current economic position.
- Benefit Payments, positive variance of £75k
The Council has been successful in the recovery of more overpayments than had been expected. The total benefit payments budget is around £38m, an under spend of £75k equates to 0.2% of the total budget.
- Property-related savings in building maintenance, energy of £100k
The Council manages the energy position extremely carefully and has achieved significant savings in the last year.
- Savings in relation to the Elections function of £91k
The Council has been able to recover more election expenses than had been anticipated resulting in a significant savings for the section. These savings relate to both 2010/11 and 2009/10.
- Additional costs of an increase in the Bad Debt Provision of £50k
Due in the main to greater difficulty in collecting debts to the Council the value of the bad debt provision has had to be increased. These charges relate across the whole of the Council, however, would mainly relate to the recovery of property rents and trade waste income.
- Additional Development Control income received of £48k received in the final quarter of the financial year.
At the end of quarter 3 it was expected that there would be an under recovery of fees in 2010/11, however, due in the main to two large applications being received in February this budget will now be exceeded.
- Additional costs relating to vehicles of £56k most of which relates to increased costs of fuel
The increased cost of diesel has resulted in an increased cost, most significantly in relation to waste management and street scene sections.
- Reduced Trade Waste Income of £47k
Although income has reduced, this activity still contributes towards the overall cost of the Council. There has been significant competition in this area from another local company.
- One-off Implementation Costs £111k
Budgetary allowance of £700k has been allowed within the 2011/12 budget to meet the one-off implementation costs of the Cabinet proposal. Certain decisions relating to the implementation were made before 31 March and therefore a provision needs to be included in the 2010/11 accounts.

- Addition approvals of £124,500
During 2010/11 additional expenditure of £124,500 was approved by the Cabinet, these are shown within the major variations. Where expenditure has not been fully incurred earmarked reserves have been created. These areas include Leisure Facilities Review - £35k, Kidderminster Town Centre Enhancement - £21k and funding for the implementation of the Payroll Business Case - £68.5k.

- 4.7 It is clear that the future financial position for the Council will continue to be challenging with the new government coming to terms with the record budget deficit. The reduced level of funding for the Council in the future will be mitigated by a raft of transformational reviews led by the Wyre Forest Forward programme.
- 4.8 The draft position for 2010/11 demonstrates that through prudent financial management additional resources of £537,400 will be made available to the Council's reserves. In addition to the under spend along with the reinstatement of the revenue financing reserve (para 4.3), a further contribution of £286k has been made to earmarked reserves.
- 4.9 As part of the final accounts 2009/10 an earmarked reserve of £100,000 was established of a Transformation Reserve to provide capacity to the officers of the Council in implementing the ambitious change programme. This has been extremely successful in delivering upon the change programme, and it is suggested that a further contribution is made from the 2010/11 under spend.
- 4.10 In addition to ensure that the Council can contribute towards the celebrations in the Wyre Forest next year to mark the Diamond Jubilee and the 2012 Olympics it is suggested that an earmarked reserve of £25,000 be established.

5. FINANCIAL IMPLICATIONS

- 5.1 The positive variance of £537,400, compared to the revised budget, will be reconsidered in accordance with the Council's Finance Strategy, as part of the 2012/15 Budget Process. This is greater than reported at Quarter 3 budget monitoring, however, a number events in the last quarter coupled with year end transactions has led to the increase in the savings.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 None.

7. RISK MANAGEMENT

- 7.1 The principal risk to the Council is non-achievement of the Accounts and Audit Regulations 2011 deadline, in respect of production and approval of the Statement of Accounts before 30th June 2011, and qualification of the Accounts by the Council's External Auditors.
- 7.2 Concern remains surrounding the preservation of the "preferred" status in relation to the Landsbanki deposit. Further updates will be provided as soon as they become available.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 This is a financial report and there is no requirement to undertake an Equality Impact Needs Assessment.

9. CONCLUSION

- 9.1 In order to comply with the Accounts and Audit Regulations, the Council is required to consider and approve the Council's Statement of Accounts before 30th June 2011.

10. CONSULTEES

- 10.1 Corporate Management Team.

11. BACKGROUND PAPERS

- 11.1 Accounts and Audit Regulations 2011.

**MAJOR VARIATIONS BETWEEN REVISED BUDGET
AND ACTUAL NET EXPENDITURE FOR 2010/11**

Agenda Item No. 8.1
Appendix 1

Total Revised Budget 2010/11
Actual Net Expenditure

15,307,830
14,770,430

SAVINGS COMPARED TO 2010/11 REVISED BUDGET

(537,400)

Description of Major Variances	Extra Costs/ Reduced Income £	Savings/ Additional Income £
<u>Community & Partnership Services</u>		
1. Leisure Centre Plant Replacement saving of £50k and Grounds Maintenance saving of £18k		(68,000)
2. Leisure Centre Management Fee - higher RPI than forecast in Budget	21,000	
3. Grounds Maintenance - Parks and Open Spaces due to changing work profiles on basis of service needs - negated by savings in other service areas	55,000	
4. Grounds Maintenance - Highways Maintenance of Verges saving		(33,000)
5. Other Sports Facilities Reduced costs of repairs and Maintenance		(33,000)
6. Cemetery - Additional reduced expenditure on repairs		(15,000)
7. Cemetery - Additional Income from forward selling of plots		(17,000)
8. Civil Contingencies Saving		(10,420)
9. Corporate Communications Saving and Equality and Diversity		(14,500)
10. Additional Approval for Leisure Future Reserve	35,000	
11. Community Safety reduction on reserve for unmetered Electricity re CCTV		(10,000)
<u>Legal and Corporate Services</u>		
1. Elections - Savings due to recovery of expenses over and above that anticipated		(91,000)
2. Land Charge Reduced Income	16,200	
3. Saving on Administrative Buildings the majority of which relates to Energy		(100,000)
4. Industrial Estates and Other Property net saving on Repairs and Maintenance		(60,000)
<u>Planning & Regulatory Services</u>		
1. Development Control - additional Income received in the final quarter of the financial year		(48,000)
2. Homelessness is a volatile budget which is continually monitored. The under spend is as a result of a number of cost cutting efficiencies including moving people out of Bed and Breakfast accommodation more quickly		(18,000)
3. Public Conveniences - Reduced Expenditure for repairs and maintenance and other savings on auto conveniences		(39,000)
4. Car Parking - Reduced Income of £74K partially offset by savings in expenditure	35,000	
5. Car Parks NNDR Refund - NNDR Refunds were budgeted for globally as target figure in Other Property. Target for 2010/11 of £89,600 substantially achieved; Car Parks Refund of £65k part of £100k budget in Other Property in 2011/12 (so achieved early) altho		(65,000)
6. Street Furniture and Naming saving		(13,000)
7. Highways General Cleansing Additional Vehicle Costs (fuel and repairs)	47,000	
8. Additional Approval for KTC Enhancement Project	21,000	
<u>Resources</u>		
1. Waste disposal saving on bin purchase and tipping charges		(22,700)
2. Waste - additional vehicle running costs including increased costs for diesel fuel	9,000	
3. Trade Waste income reduction	43,000	
4. Benefits Admin (excluding pay)		(46,000)
5. Benefit Payments - over and above £150k credit in budget		(75,000)
6. Saving on external trainers		(10,660)
7. Additional Approval for Payroll Business Case	68,500	
<u>Capital Account</u>		
1. Direct Revenue Funding saving		(9,300)
2. Additional External Interest achieved		(34,570)
3. MRP - increased cost re rephasing of Capital Expenditure	21,190	
<u>Corporate Variations</u>		
1. General Administration Savings		(175,000)
2. Increase in Bad Debt Provision	50,000	
3. One-off implementation costs (provision budget 2011/12)	111,000	
4. Miscellaneous Variations		(62,140)
	532,890	(1,070,290)
REDUCED NET EXPENDITURE ON YEAR 2010/11		£ (537,400)

WYRE FOREST DISTRICT COUNCIL

CABINET
21ST JUNE 2011

Christmas Holiday Arrangements

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	-
CORPORATE PLAN PRIORITY:	Delivering Together with Less
CABINET MEMBER:	Councillor N J Desmond
DIRECTOR:	Director of Legal and Corporate Services
CONTACT OFFICER:	Ann-Marie Lockley – Ext. 2773 Ann-Marie.lockley@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 - Summary of feedback to comments Appendix 2 – Consultation Document

1. PURPOSE OF REPORT

- 1.1 To present a proposal in relation to changes to the Christmas holidays arrangement for Wyre Forest District Council staff during the period between Christmas Day and New Year with effect from Christmas 2011.
- 1.2 These proposals are being progressed to support in the achievement of required cost savings within the Council whilst maintaining key frontline services during this period.

2. RECOMMENDATION

- 2.1 **The Cabinet is asked to RECOMMEND to Council that the Christmas holiday arrangements be changed as set out in paragraph 3.4 below.**

3. BACKGROUND

- 3.1 As a result of the government funding for the Council being reduced by £1.2 million this year with the reduction increasing to £2 million in 2012/13, the council are reviewing how savings can be achieved whilst limiting the impact on frontline services.
- 3.2 An area of significant cost relates to the heating and lighting costs of buildings so the Council is looking at ways to minimise this.
- 3.3 In many services the period between Christmas and New Year is traditionally a quiet time, and there are therefore opportunities to reduce building related costs by keeping only key services operational.
- 3.4 It is proposed that the majority of staff would be required to take up to 2 days annual leave in the period between Christmas and New Year. This would allow some office buildings to be shut during this period. The key services that will remain operational are the Worcestershire Hub in Kidderminster (which will be staffed at a skeleton level reflecting customer demand) and Waste Collection and Street Cleaning. A small

skeleton IT support team will be required to provide technical support to the frontline teams but this can be provided from a remote location.

4. KEY ISSUES

- 4.1 Under the proposal set out in 3.4, there are a number of procedural and contractual implications which need to be considered.
- 4.2 Under the proposal there will be a requirement to change staff Terms and Conditions as they will be required to use annual leave on particular days. A consultation (document shown at appendix 2) has been undertaken with Trade Union groups and staff which concluded on 2nd May 2011.
- 4.3 Feedback received during this consultation is set out at Appendix A. Most queries were about whether this included home workers. The response is that it would as there would not be any back office support provided from offices, with the exception of the skeleton ICT service.
- 4.4 Responses from Trade Union groups have been generally positive and the proposal appears to be something which is welcomed by a clear majority of staff.
- 4.5 Frontline services which need to stay operational during this period will remain open to the public therefore:
- Waste collection and street cleaning would continue.
 - The Worcestershire Hub at Kidderminster Town Hall would have skeleton cover to deal with any frontline queries.
 - ICT would have skeleton cover or an officer 'on call' to support the Worcestershire Hub.

5. FINANCIAL IMPLICATIONS

- 5.1 There are financial savings estimated to be achieved of approximately £2,000 through the closure of council premises during the Christmas period.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 We recognise and consult collectively with trades unions to negotiate changes to Terms and Conditions of Employment under Schedule A1 of Trade Unions & Labour Relations (Consolidation) Act Section 178.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An impact assessment has been carried out and there is no adverse impact.

8. RISK MANAGEMENT

- 8.1 This proposal ensures continuity of key services for the public and supports the efficient use of resources. Escalation procedures are in place to ensure urgent issues arising whilst services are closed can be dealt with.

9. CONCLUSION

- 9.1 This proposal meets the objectives set out in 1.2 to achieve ongoing improvements in the costs of service delivery whilst maintaining operational front line services to the public. It will provide ongoing financial savings without detrimental effect to service delivery.

10. CONSULTEES

- 10.1 Corporate Management Team.
10.2 All Staff and Trade Unions.

11. BACKGROUND PAPERS

- 11.1 None.

Christmas Closure Feedback		
Comment	Response	Number of responses
I would accept/support these proposals	The support for the proposal is acknowledged	26
I think it is a brilliant idea, Duke House uses £4K electricity a month, to shut for a week would be a considerable saving	Noted	
Don't agree	Noted	
I feel it is an erosion of my terms and conditions. I am not in favour	Noted	
Can annual leave be aligned to employees' birthdays?	A paper regarding changing the annual leave year recently went to CMT considering a number of options including birthday and start date with WFDC. It was agreed that the policy would remain as it is at the moment, based on financial year, and it would be reviewed again in 2012 in the light of experience.	
It would be fairer to offer the option of unpaid leave. I don't think it will be easy to manage leave for some people especially those with caring responsibilities	There is already a policy in place that permits requests for unpaid leave. (HR policy – Hours and Leave)	
Will there be an option to take unpaid leave? This will give more flexibility to employees' especially those with less than 5 years' service	Yes. Existing policy permits requests for unpaid leave.	
Would it be possible to use flex leave or TOIL?	If employee has sufficient flex leave or TOIL accrued then it would be an option	4
I don't agree with flex leave and TOIL being used as not all employees are entitled to accrue these – it should be a 'level playing field'	Noted. As employees are entitled to use Flex/TOIL and take it as leave, this right will remain.	
We have to use annual leave for other policies such as Inclement Weather Policy	The recently updated Inclement weather policy provides greater flexibility, i.e. employees can work from home, work from another office or book leave	
A closedown period will impact on IT support	Skeleton cover or "on call" IT support will be required.	2
Excellent idea. There would be an impact on Treasury Management	It is acknowledged that this function will need to be covered and appropriate solutions will be investigated.	
It would be a good idea to take those days off employees' at the start of the leave year	Employees will be required to hold back 2 days' leave for this period	
What happens in 2014?	The extra statutory day (24 th Dec) will be moved to Monday 29 th December and as a consequence the 24 th December will become a normal working day	

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Why should home workers use annual leave? they are not in the office and are already saving the council money by working from home	Home workers will be treated the same as office based staff as they will have to book annual leave. As offices will be closed there will not be the full range of back office support for the home workers (there will be skeleton IT support)	
Would this apply to home workers?	Yes.	4
Would it be better to have skeleton staff from home workers within service areas?	As previously mentioned home workers would be required to book leave as there would not be very limited back office support to these workers.	
This will have a bigger impact on employees who have less entitlement as a result of grade and length of service	Acknowledged. However, fairness and consistency as one approach will be adopted rather than a two tiered approach based on length of service	2
Easter closure would also save money this year as there is a 3 day gap	Noted. However, due to the length of consultation time required for changes to terms and conditions, this was not achievable	
What are the savings?	The premises savings are expected to be at least £2k, which mainly relates to Duke House.	
As we are likely to be at single site by December 2012 the only saving would be this year	There would still be a saving in future years as the new HQ would be closed with only the depot and Kidderminster hub open for operational purposes	
Are there any proposals for an incentive for the operational teams who will have to work i.e. an additional day off?	Staff employed in operational roles are fully aware that they provide a frontline service and currently already work bank holidays. There will not be any further incentives	
Does this undermine single status agreement penalising 'blue collar'? Will there managers be working?	No, it doesn't undermine the agreement because managers or supervisors of frontline operational teams will be required to provide cover	
Recently opening hours have been changed to ensure consistency. To ensure fairness all offices should either be open or shut	All buildings will be closed except for Waste office, Environmental Maintenance Office and the Hub at Kidderminster (which will be staffed on a skeleton basis)	
Last 3 years the Housing Section has had to respond to drainage problems during this period	All calls should be reported through the Hub and emergency situations will have an agreed escalation process as in the normal procedures.	
It will be extremely difficult to provide a complete hub service if there isn't access to the back office	Acknowledged. The Hub would only be required to provide a limited service during this period	4
From a web perspective if there are any disruptions to services or updates to seasonal events etc I need to be able to get hold of the appropriate officer to get the information online	Noted. ICT would provide a skeleton service to upload any seasonal information on to the website	

Impact of proposal in future years

**Christmas and New Year Period
Changes to Christmas Leave Arrangements**

Year	24/12	25/12	26/12	27/12	28/12	29/12	30/12	31/12	01/01	02/01	03/01
2011	Sat NDO	Sun NDO	Mon BH	Tues BH	Wed A/L	Thurs ESD (24 th)	Fri ESD (31 st)	Sat NDO	Sun NDO	Mon BH (1 st)	Tues NWD
2012	Mon ESD	Tues BH	Wed BH	Thurs A/L	Fri A/L	Sat NDO	Sun NDO	Mon ESD	Tues BH	Wed NWD	Thurs NWD
2013	Tues ESD	Wed BH	Thurs BH	Fri A/L	Sat NDO	Sun NDO	Mon A/L	Tues ESD	Wed BH	Thurs NWD	Fri NWD
2014	Wed NWD	Thurs BH	Fri BH	Sat NDO	Sun NDO	Mon A/L	Tues A/L	Wed ESD	Thurs BH	Fri ESD	Sat NDO
2015	Thurs ESD	Fri BH	Sat NDO	Sun NDO	Mon BH (26 th)	Tues A/L	Wed A/L	Thurs ESD	Fri BH	Sat NDO	Sun NDO
2016	Sat NDO	Sun NDO	Mon BH	Tues BH (25 th)	Wed ESD (24 th)	Thurs A/L	Fri ESD (31 st)	Sat NDO	Sun NDO	Mon BH (1 st)	Tues NWD
2017	Sun NDO	Mon BH	Tues BH	Wed ESD (24 th)	Thurs A/L	Fri ESD (31 st)	Sat NDO	Sun NDO	Mon BH	Tues NWD	Wed NWD
2018	Mon ESD	Tues BH	Wed BH	Thurs A/L	Fri A/L	Sat NDO	Sun NDO	Mon ESD	Tues BH	Wed NWD	Thurs NWD
2019	Tues ESD	Wed BH	Thurs BH	Fri A/L	Sat NDO	Sun NDO	Mon A/L	Tues ESD	Wed BH	Thurs NWD	Fri NWD
2020	Thurs ESD	Fri BH	Sat NDO	Sun NDO	Mon BH (26 th)	Tues A/L	Wed A/L	Thurs ESD	Fri BH	Sat NDO	Sun NDO

Key

BH = Bank Holiday

ESD – Extra Statutory Day

NDO = Normal Day Off

NWD = Normal Working Day

A/L = Allocated Annual Leave Day

WYRE FOREST DISTRICT COUNCIL

CABINET
21ST JUNE 2011

Revised Media Protocol

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Stronger Communities
CORPORATE PLAN PRIORITY:	Delivering Together with Less / Improving Community Well-Being
CABINET MEMBER:	Councillor T L Onslow
DIRECTOR:	Director of Community & Partnership Services
CONTACT OFFICER:	Sue Harper - Ext 2979 sue.harper@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – Revised Media Protocol Appendix 2 – Social Media Guidelines Appendix 3 – Media Spokesperson Directory <i>The appendices to this report have been circulated electronically and a public inspection copy is available on request. (See front cover for details.)</i>

1. PURPOSE OF REPORT

- 1.1 To report on the development of the Revised Media Protocol for Wyre Forest District Council.

2. RECOMMENDATION

- 2.1 **The Cabinet is asked to RECOMMEND to Council that the Revised Media Protocol for Wyre Forest District Council be adopted.**

3. BACKGROUND

- 3.1 Effective, timely and accurate communication is crucial to the Council's reputation and community leadership role. The Council's Communication team seeks to provide high quality, accessible information in ways that can be understood by all sections of the community.
- 3.2 The media protocol forms one aspect of the Council's Communication Strategy and in light of the revised Code of Recommended Practice on Local Authority Publicity (April 2011), has been reviewed and updated ahead of the full revision of the strategy.

3.3 The existing media protocol was launched on 1st October 2005, updated in November 2007 and has been in place until the present time.

3.4 The revised media protocol (Appendix 1) has been reviewed by the Communications team to uphold the reputation of the Council and to ensure that Members, Directors and Officers are clear on processes and procedures for external communications management.

4. KEY ISSUES

4.1 The Council, in acknowledging the need for improved communications, faces a number of significant challenges which include:-

- a) **Electronic Government and Online Services** – the Council must ensure accessibility through electronic channels and increase online transactions and availability of information.
- b) **Transformation Agenda** – streamlining and delivering value for money services and processes that support new ways of working.
- c) **Social Media** – the increase in channels for consultation and communication such as Facebook and Twitter.

4.2 The media protocol has been revised to take account of recent developments such as social media. The Council's new Social Media Guidelines (Appendix 2) details how the Council's profiles on Facebook and Twitter will be managed.

4.3 The revised protocol includes an updated Media Spokesperson Directory, which takes account of recent elections and changes in Council personnel (Appendix 3).

4.4 In the revised media protocol, provision has been made for Officers from the Media Spokesperson Directory to set up photo shoots with the media where positive media opportunities arise – such as an event at Bewdley Museum. This has been changed to take advantage of time bound media / photo opportunities and to allow designated officers to be reactive as appropriate.

5. FINANCIAL IMPLICATIONS

5.1 The protocol will be delivered within existing resources and there are no financial implications of this report.

6. LEGAL AND POLICY IMPLICATIONS

6.1 The revised protocol ensures that the Council adheres to the new Code of Recommended Practice on Local Authority Publicity adopted by Government in April 2011.

7. EQUALITY IMPACT NEEDS ASSESSMENT

7.1 An initial equality impact screening has been undertaken and there are no adverse impacts on the six equality strands as a result of this revision to the media protocol.

8. RISK MANAGEMENT

- 8.1 The media protocol provides a strategic framework for ongoing media activity within the context of an overall communications strategy and therefore seeks to mitigate any associated risk.

9. CONCLUSION

- 9.1 The revised media protocol further supports the Council in developing robust and effective media relations, thereby supporting the Council's reputation.

10. CONSULTEES

- 10.1 Transformation Board.
10.2 Linda Collis, Director of Community and Partnership Services.
10.3 Councillor T L Onslow, Cabinet Member with responsibility for Community Well-Being.
10.4 Corporate Management Team.

11. BACKGROUND PAPERS

- 11.1 Corporate Communications Strategy 2006 – 2010.

Revised May 2011

WYRE FOREST DISTRICT COUNCIL MEDIA PROTOCOL

All media relations activity from Wyre Forest District Council is delivered in line with Local Government Acts 1972 and 1986 and the revised Code of Recommended Practice on Local Authority Publicity revised in April 2011.

This protocol covers all types of media – print, broadcast and social media.

This protocol is an appendix to the Wyre Forest District Council Communications Strategy (currently under review – to be completed August 2011).

Other appendices to the Wyre Forest District Council Communications Strategy include

- Social Media Policy
- 'Is communication on your mind?' – guidelines on how to communicate effectively
- How to write a press release
- Photography guidelines
- Media Spokesperson Directory
- Brand book - corporate identity guidelines (currently under review)

Access all of the above documents are at [Communications](#) on COLIN

MEDIA PROTOCOL FOR EMPLOYEES

1. All media enquiries must be directed to the Communications team as the first point of contact at media.office@wyreforestdc.gov.uk
2. The Communications team receives several media enquiries a day. Where questions relate to operational facts or explanations of Council policy, the Communications team can answer these questions directly. They can involve a relevant spokesperson from the Media Spokesperson Directory to draft a statement and to provide the relevant information for the reporter.
3. When a Cabinet member statement is required, the relevant Member will be contacted by the Communications team. Dependent on the nature of the enquiry, the Cabinet Member will either speak to the reporter direct or with input from the relevant Council officer; the Communications team will draft a written statement, gain approval from the Cabinet Member and issue it on their behalf.
4. All news releases, statements, briefings and photo calls should be issued or arranged by the Communications team.
5. All news releases issued by the Council should generally include a quote from an appropriate spokesperson. This is usually the relevant Cabinet Member and/or senior Officer. **Where the news release is relevant to or has been instigated by a Ward Member, or is specifically ward related then appropriate quotes and photo shoot arrangements will be arranged with Ward Members and included in Council news releases.** See the Council's Media Spokesperson Directory. The exception to this is in the Purdah period. Publicity restrictions are imposed in the pre-election Purdah period - from the notice of elections to Election Day. However, we

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Appendix1

should also look at what is being issued shortly before the Purdah, as any publicity from the Council around this time may circulate and be published in the election period. [Read the Purdah guidance.](#)

6. Any news releases which may affect employees in any significant way should only be issued after those affected have been informed by an appropriate council source.
7. Directors, officers and nominated communications champions are responsible for informing the Communications team of any upcoming newsworthy events (both positive and negative). This should be done as far in advance as possible.
8. News releases should be drafted in accordance with the Council's guidelines for drafting a news release. There is a [step by step guide to drafting a news release on COLIN](#). Once drafted, the release should be sent to the Communications team to format, make any additions/amendments, gain appropriate approvals, and issue to the media.
9. Media requests for photo opportunities should generally be forwarded to the Communications team. Where an event or spontaneous photo opportunity presents itself, council officers listed on the [Media Spokesperson Directory](#) have the discretionary authority to set up a photoshoot (e.g. events at Bewdley Museum) direct with the media.
10. If officers become aware of any issues which may result in negative press for the Council, they should inform the Communications team as soon as possible. This will ensure that it is ready to deal with any media enquiries that may follow and that appropriate officers and councillors are briefed.
11. All employees have a duty not to bring the Council in to disrepute in the media.

MEDIA PROTOCOL FOR MEMBERS

1. Council media relations activity involving individual councillors must conform to the [Code of Recommended Practice on Local Authority Publicity](#).
2. Members wishing to publicise themselves or their groups for political purposes must do so in an independent capacity without using council resources.
3. The Communications team will discuss controversial/crisis issues with Cabinet Members and CMT, as appropriate, before any statements are released to the media.
4. There is an approved [Media Spokesperson Directory](#) which details who can talk to/or be quoted in media as part of the news release process.
5. Publicity paid for by the Council should not appear in any way to be designed to influence support for a political party. The purpose of a news release is to promote services or policies of the council and the work of the council committee structure. All quotes should reflect this purpose.
6. Publicity must be objective and explanatory and avoid personalisation of the issues or inappropriate personal image-making. Council news releases must not be used to explain party political differences.

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Appendix1

7. The restrictions in this protocol do not apply to news releases issued direct to the media by councillors acting as individual politicians, or by their political party. All councillors can comment legitimately by directly contacting the local media to explain and express their views. In this way, councillors of all parties are able to put a personal and/or political slant on events provided that it meets with the Code of Conduct for Members.
8. Members are reminded of the caveat which appears on except reports for committee:

"This report is not for publication as it contains exempt information relating to the financial or business affairs of any particular person (including the authority holding the information)."

Note: The contents of this report are confidential. Members should not disclose any details unless they can meet the four requirements as laid down in the Council's 'Protocol on the Disclosure of Confidential Information' (which is contained in the Constitution) and have sought advice in advance from the Monitoring Officer.

MEDIA PROTOCOLS FOR PARTNERS

Increased partnership working means that we are frequently involved in issuing joint news releases. So that the relevant parties are credited for joint projects and in the spirit of partnership working, Wyre Forest District Council invites partners to participate in a collaborative approach to media relations and that the following Media Protocol for Partners is observed.

1. Each partner organisation will inform partners of all relevant and related media activity/coverage where possible.
2. The media spokespeople should be identified at the start of the partnership process or project and this information supplied to all press officers concerned.
3. Partner press officers should agree a communications plan for the project and regular contact established to update and roll out the plan.
4. All partnership press releases or statements should include an agreed description of the partnership arrangement in the notes to editors and partners should be invited to include a quote to support the story.
5. In cases where there are severe time constraints (for a statement to meet an imminent newspaper deadline) efforts will be made by telephone and email to contact partners for their views. However if they cannot be contacted immediately it will be necessary to go ahead and issue the statement.
6. In terms of the news release approval process, all partners will have a maximum period of 48 hours to comment and provide a quote on a circulated draft release. If no reply is received within the timeframe, an assumption will be made that the content is acceptable and the lead organisation will proceed to issue the release.

Wyre Forest District Council Social Media Web Page

Introduction - Use of social media

Social networking sites are one way of engaging with our local community. We will use social media to inform people about what we are doing and to discuss local issues.

Facebook

Facebook is a free social networking website to connect and interact with other people. We will use Facebook to raise awareness of what is happening in Wyre Forest, encourage participation in consultations, promote local events and discuss issues.

Twitter

Twitter is a free micro-blogging site that allows users to send and read other users' text based posts (up to 140 characters). We will post updates about what is going on in the district, the work we do and local events.

Social Media Rules and Guidelines

Monitoring, responding and replying

We will try to respond to as many comments as possible but this won't always be possible. Our social media profiles are not monitored 24 hours a day, 7 days a week and it is easy to miss posts during busy social media traffic.

If you would like an individual response or if you have a serious or urgent enquiry, please [contact us](#). (web link to our contact page)

Where significantly inaccurate comments are made about the council, we will publish a correction so that others are not misled. We also reserve the right to remove such comments.

Where possible, we will rely on the measures of protection and intervention which the social networking site already has in place (e.g. against illegal, harmful or offensive content), for example by flagging comments or alerting them to any breaches of the site's terms and conditions.

We also have some of our own rules.

We reserve the right to remove any contributions that break the rules or guidelines of the relevant community, or:

- Are not civil, tasteful and relevant.
- Are unlawful, libelous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented or racially offensive.
- Contain swearing.
- Contain content copied from elsewhere, for which you do not own the copyright.
- Are repeat postings, or very similar messages (also called "spamming").
- Publicise your, or anyone else's, personal information, such as contact details.
- Advertise products or services.
- Impersonate someone else.

Libel

Please take care not to make libellous statements. In law this means a statement that lowers the reputation of a person or organisation in the eyes of a reasonable person. By publishing such a statement we can both get into serious trouble. We will therefore take down any statement that could be deemed to be libelous.

Pre-election period

In the six week run up to an election - local, general or European - councils have to very careful not to do or say anything that could seen in any way to support any political party or candidate. We will continue to publish important service announcements using social media but may have to remove responses if they are overtly party political or that seeks or could be perceived to seek to influence people to vote for a particular candidate. .

April 2011

Media Spokesperson Directory
Wyre Forest District Council

Revised Tuesday 24th May 2011

Spokesperson	Topics
Councillor John Campion Leader of the Council with responsibility for Economic Prosperity	Strategic policy co-ordination National & Regional Influence New HQ Economic Development & Regeneration Town Centres, tourism
Councillor Marcus Hart Deputy Leader and Cabinet Member with responsibility for Environmental Services	Waste Reduction Refuse Collection & Recycling Fleet Management Street Cleansing Public Conveniences Regulatory services Parking Services Corporate theme: health and safety
Councillor Nathan Desmond Cabinet Member with responsibility for Resources and Transformation	Finance & Audit Revenues & benefits Information and Communication Technology Wyre Forest Forward, Transformational change Legal services Democratic services Human resources
Councillor Tracey Onslow Cabinet Member with responsibility for Community well-being	Customer Services Partnerships, policy and performance Communication & branding Leisure Centres Parks and open spaces Grounds Maintenance Countryside service Community Development Culture & Art Community Safety, emergency planning Cemeteries Corporate themes: Equality & Diversity, relations with voluntary sector and with parish councils, localism
Councillor Julian Phillips Cabinet Member with responsibility for Place-shaping	Forward planning, local development framework Development Control Building Control Housing including Registered Social Landlords, Private Sector & Homelessness Health Assets Land charges Corporate theme: Sustainability
Councillor Stephen Clee Chairman of the Council	Civic Matters
Councillor Helen Dyke	Scrutiny

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Appendix 3

Chief Executive	Corporate issues
Caroline Newlands	Director of Legal and Corporate Services
David Buckland	Director of Resources
Mike Parker	Director of Planning and Regulatory Services
Linda Collis	Director of Community & Partnership Services
Kay Higman	Cultural Services Manager
Alison Braithwaite	Corporate Development and Improvement Manager
Suzanne Johnston-Hubbold	Communications Officer
Jane Doyle	Communications Officer
Lesley Fox	Community Development Manager
Sue Harper	Strategic Partnerships and Projects Manager
Joe Scully	Parks and Open Space Manager
Lucy Wright	Customer Services Manager
Paul Allen	Conservation & Countryside Officer
Ruth Finney	Museum Development Officer
Jane Alexander	Planning, Property and Commercial Solicitor
Val Upton	Revenue and Benefit Manager
John Baggott	Development Manager
Julia Mellor	Principal Development Control Manager
Ian Martin	Principal Building Control Officer
Ken Harrison	Regeneration and Economic Development Manager
Kate Bailey	Strategic Housing Services Manager
Richard Osborne	Principal Environmental Health Officer (Housing)
Jenny Moreton	Principal Health and Sustainability Officer
Susan Winmill	Parking Services/Streetscene
Sally Horne	Principal Housing Strategy Officer

WYRE FOREST DISTRICT COUNCIL

CABINET
21ST JUNE 2011

Future Arrangements for the Management of Sport and Leisure Centres

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Improving Health and Well being Meeting the Needs of Children and Young People
CORPORATE PLAN PRIORITY:	Community Well Being Delivering Together with Less
CABINET MEMBER:	Councillor T L Onslow
DIRECTOR:	Director of Community and Partnership Services
CONTACT OFFICER:	Kay Higman – Ext 2902 Kay.higman@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 - Recommendations from the Overview & Scrutiny Committee

1. PURPOSE OF REPORT

- 1.1 To set out the high level principles, as recommended by the Overview and Scrutiny Committee at it's meeting on 2nd June 2011, for future arrangements to achieve improved, affordable and sustainable leisure facilities for the District.

2. RECOMMENDATION

The Cabinet is asked to **DECIDE** that:

- 2.1 The recommendations from the Overview and Scrutiny Committee on the high level principles for the future arrangements for leisure facilities in the District be noted.
- 2.2 A public consultation exercise is carried out between July and September 2011 on the recommendations of the Overview and Scrutiny Committee.
- 2.3 A report on the feedback from the public consultation exercise and further in depth financial appraisal of future options be prepared by the Director of Community and Partnership Services in consultation with the Cabinet Member for Community Well Being, the Director of Resources, the Director of Legal and Corporate Services and the Director of Planning and Regulatory Service for consideration by Cabinet in autumn 2011.

3. BACKGROUND

- 3.1 In January 2011, the Cabinet agreed that the then Community and Regeneration Scrutiny Committee prepare a report based on undertaking a full strategic options appraisal for the future of sports and leisure centres.

- 3.2 Following a series of five review panel meetings, a set of broad principles for the future arrangements for sport and leisure provision in the District were presented to the Overview and Scrutiny Committee on 2nd June 2011 and agreed for recommendation to Cabinet on 21st June 2011.
- 3.3 The review panel undertook the options appraisal with the aim of reducing the overall cost to the council and to achieve, as near a zero or reduced subsidy as possible payable to any third party provider whilst protecting and sustaining future provision.

4. KEY ISSUES

- 4.1 The Review Panel were clear that the Council must talk to the community about what they want and therefore make a recommendation for a full public consultation exercise to seek a broad range of views before a final decision is made.
- 4.2 The panel also recognised that the leisure facilities needed to be fit for the future, improved and financially viable.
- 4.3 The broad principles for a way forward, that Cabinet are invited to consider are:-
- Having no leisure provision within the District is not considered to be an option.
 - Refurbishment of the Glades is not considered to be an option.
 - A new build leisure facility within Kidderminster is the preferred option, but at this stage it is not possible to comment on preferred site or the facilities to be provided within the Leisure Centre.
 - A community asset transfer for the wet and dry facilities at Stourport Sports Centre should be progressed.
 - A community asset transfer for Bewdley Leisure Centre should be progressed with any willing partners.

5. FINANCIAL IMPLICATIONS

- 5.1 High level indicative costings were prepared as part of the review panel process and further in depth work is required in order to present fully costed and robust financial options for consideration by the Cabinet.
- 5.2 A sum of £35,000 was allocated to the Community and Partnership Services Directorate to support the options appraisal process.
- 5.3 There is currently no budget allocation for any contract extension costs should this be agreed.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 All future options will be subject to EU procurement legislation.
- 6.2 There is provision within the current management agreement with DC Leisure to make a variation to the contract and extend the contract for 2 or 5 years should this be required and agreed.

- 6.3 Any future Community Asset Transfer arrangements would be subject to robust legal agreements. Current shared use agreements are in existence with the District Council and the County Council regarding the dual use of Bewdley Leisure Centre.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An equality impact assessment will be undertaken as part of the public consultation process.

8. RISK MANAGEMENT

- 8.1 A series of high level risks were identified as part of the options appraisal including financial affordability, impact or loss of provision, the ability to meet future strategic leisure demand and the suitability of any future site options. These risks will be monitored and updated as further appraisal work is developed in preparation for a decision in the autumn.

9. CONCLUSION

- 9.1 A set of high level principles for the future arrangements for sport and leisure centres in the District have been recommended for public consultation with a view to using the feedback from a consultation exercise and further in depth financial appraisal to inform a final decision for future leisure facilities in the District.

10. CONSULTEES

- 10.1 Cabinet Member for Community Well-Being
- 10.2 Community and Regeneration Scrutiny Committee (pre May 2011)
- 10.3 Overview and Scrutiny Committee
- 10.4 Corporate Management Team
- 10.5 Cabinet

11. BACKGROUND PAPERS

- 11.1 Cabinet Report – 25th January 2011
- 11.2 Overview and Scrutiny Report – 2nd June 2011

WYRE FOREST DISTRICT COUNCIL

CABINET
21ST JUNE 2011

Recommendations from Overview & Scrutiny Committee
Thursday 2nd June 2011

The Overview & Scrutiny Committee considered a report from the Cultural Services Manager which summarised the work of the review panel which was established to undertake a strategic options appraisal for the future management of sports and leisure centre provision for the District and to produce a series of affordable and sustainable recommendations for consideration by the Cabinet in June 2011.

The review panel identified the broad principles of a way forward and at their meeting on 17th May 2011 and made the following recommendations to the Overview and Scrutiny Committee, to recommend to Cabinet:

Recommended to Cabinet:

1. **No leisure provision within the District is not considered to be an option.**
2. **Refurbishment of the Glades is not considered to be an option.**
3. **A new build leisure facility within Kidderminster is the preferred option, but at this stage it is not possible to comment on a preferred site or the facilities to be provided within the Leisure Centre.**
4. **A Community Asset Transfer for the wet and dry facilities at Stourport Sports Centre should be progressed.**
5. **A Community Asset Transfer for Bewdley Leisure Centre should be progressed with any willing partners.**
6. **That extension to existing management contracts, as previously approved by Cabinet, with DC leisure take place, if necessary whilst recommendations 1 to 5 are being progressed.**
7. **That the communications/consultation plan be endorsed.**

WYRE FOREST DISTRICT COUNCIL

CABINET
21ST JUNE 2011

Land adjacent to Puxton Marsh, Kidderminster

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Promoting Sustainable Development
CORPORATE PLAN PRIORITY:	Securing the Economic Prosperity of the District
CABINET MEMBER:	Councillor J Phillips
DIRECTOR:	Director of Legal and Corporate Services
CONTACT OFFICER:	Philip Harris – Ext. 2704 Philip.harris@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 - Plan

1. PURPOSE OF REPORT

- 1.1 To seek Members' approval to enter into a Deed of Grant with Bellway Homes Limited to enable them to lay a new surface water sewer route across Council owned land adjacent to Puxton Marsh Nature Reserve. The new sewer infrastructure will serve Bellway Homes's proposed new residential development scheme comprising 71 dwellings to be situated off Hawkstone Close, Kidderminster and will be connected to a main riser that is in the ownership of Severn Trent Water.
- 1.2 In addition to seek Members' approval to vary the route of the Council's access over their land onto the Site of Special Scientific Interest (SSSI).

2. RECOMMENDATIONS

The Cabinet is asked to DECIDE:

- 2.1 **That the Director of Legal and Corporate Services in consultation with the Director of Community and Partnership Services be given delegated authority to:**
 - (i) **Enter into agreements with Bellway Homes Limited and Severn Trent Water to allow access to undertake sewer works across Council owned land adjacent to Puxton Marsh Nature Reserve to serve the proposed housing development and their maintenance until adopted by Severn Trent Water and then to enable Severn Trent Water to subsequently retain and maintain the sewers across the land.**
 - (ii) **Enter into a Deed of Variation to revise the route of the access to Puxton Marsh (Site of Special Scientific Interest) SSSI to enable development of the land adjoining the SSSI to take place.**

3. BACKGROUND

- 3.1 Bellway Homes Limited is proposing to construct a new residential development scheme situated off Hawkstone Close, Kidderminster in accordance with Planning Permission 10/0633/FULL.
- 3.2 As part of the drainage strategy for the development there is the requirement to lay new surface water and foul water sewers from the development site to the existing public sewers. The route of the new surface water sewer will be required to cross Council owned land so as to then connect to an existing main riser that is in the ownership of Severn Trent Water and is shown on the plan appended to this report.
- 3.3 It is proposed that the Council enters into an agreement with Bellway Homes Limited to permit them to carry out the above sewer works and maintain them until they are adopted by Severn Trent Water. The land adjacent to Puxton Marsh Nature Reserve is currently managed by the Conservation and Countryside section under the Community and Partnership Directorate.
- 3.4 The Conservation and Countryside Officer has been consulted and has no objection to the proposal but will require Bellway Homes to undertake a number of agreed works to the Council owned land including reinstatement of paths and improvement and strengthening works to two sets of existing steps. A formal agreement will also be required regarding the proposed strategy for the discharge of surface water from the roofs of some of the new residential dwellings to drain into the SSSI wetland.
- 3.5 A request has been made by Bellway Homes to vary the route of the Council's access over their land onto the SSSI. The land at Puxton was transferred to the Council by the original owners A & J Mucklow & Co. Ltd. ("Mucklows") on 29th September 1998 pursuant to an agreement under Section 106 of the Town & Country Planning Act 1990 in connection with Planning Consent WF833/95 for use by the Council as a Local Nature Reserve ("LNR"). Mucklows implemented the original planning consent relating to the land WR833/95 but did not continue with the development. The transfer to the Council granted the Council rights of way over land retained by Mucklows to gain access to the LNR. The right of way was granted "over the roads and footpaths constructed or to be constructed" on the retained land of Mucklows but also over specific roadways shown brown on the plan attached to the transfer.
- 3.6 Since 29th September 1998 the Council has been managing the LNR and have gained access to the LNR across only a short length of access way off Puxton Drive between house numbers 56 and 58. With the exception of the access way between Numbers 56 & 58 Puxton Drive, none of the roadways have been constructed by Mucklows. Subject to completion of a new Section 106 Agreement, Mucklows applied for a new planning consent for their land (Planning Application 09/0066/FULL). The new scheme required revisions to the road layout from that originally proposed under consent WF833/95. A deed of variation was approved by Members in 2009 and the deed was duly completed.
- 3.7 Bellway Homes are now acquiring the site and have, subject to completion of a Section 106 Agreement, obtained planning permission 10/0633/FULL for the erection of 71 dwellings and associated road works. Subsequently Bellway

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Homes will require a further deed of variation to reflect the new proposed road layout. The new layout will still allow access to the SSSI and has been agreed by the Conservation and Countryside Officer.

4. KEY ISSUES

- 4.1 The new sewers will be subject to a S104 Agreement between the Council, Bellway Homes Limited and Severn Trent Water which will secure their adoption and ensure no maintenance liability for the Council.
- 4.2 Unless a variation of the access can be agreed, the development cannot proceed as approved.
- 4.3 Officers will ensure that the existing access will remain in addition to the right to use the roads and footpaths to be created as part of the proposed development of 71 dwellings.

5. FINANCIAL IMPLICATIONS

- 5.1 In addition to the completion of a section 106 agreement Bellway Homes Limited will also undertake a programme of agreed works as required by the Conservation and Countryside Officer to include reinstatement of paths and improvement and strengthening works to two existing sets of steps to a specification agreed by the Council. In addition, they will pay the Council's reasonable Legal and Surveyor's costs incurred in the transaction.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The Council's position will be protected in the legal documentation to ensure that the sewers are properly maintained at no cost to the Council and that the land must be made good following both installation and maintenance of the sewers and that sufficient rights of access to the LNR are preserved.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 There are no issues to be addressed.

8. RISK MANAGEMENT

- 8.1 There are no risk management issues for the Council.

9. CONCLUSION

- 9.1 Based upon the information and consultation with the Conservation and Countryside officer, officers recommend approval to the proposals detailed within this report.

10. CONSULTEES

- 10.1 Conservation and Countryside Officer.

11. BACKGROUND PAPERS

- 11.1 Planning application in respect of application 10/0633/FULL.

