

WYRE FOREST DISTRICT COUNCIL

COUNCIL

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

29TH JULY 2009 (6.25PM)

Present for all or part of the meeting:

Councillor John Aston	Councillor Michael Kelly
Councillor Jeffrey Baker	Councillor Rachel Lewis
Councillor Graham Ballinger	Councillor Howard Martin
Councillor Arthur Buckley	Councillor Susan Meekings
Councillor John-Paul Campion	Councillor David Millis
Councillor Stephen Clee	Councillor Christopher Nicholls
Councillor Nathan Desmond	Councillor Fran Oborski
Councillor Helen Dyke	Councillor Tracey Onslow
Councillor Peter Dyke	Councillor Michael Partridge
Councillor Howard Eeles	Councillor Julian Phillips
Councillor Brian Glass	Councillor Mike Price
Councillor Douglas Godwin	Councillor Ken Prosser
Councillor Jenny Greener	Councillor Mike Salter
Councillor Paul Harrison	Councillor Michael Shellie
Councillor Marcus Hart	Councillor Dixon Sheppard
Councillor Pauline Hayward	Councillor Kenneth Stokes
Councillor Siriol Hayward	Councillor John Thomas
Councillor Malcolm Hazlewood	Councillor Nigel Thomas
Councillor Anne Hingley	Councillor Stephen Williams
Councillor John Holden	Councillor Gordon Yarranton

CM. 36

Apologies for Absence

Apologies for absence were received from Councillor M Ahmed.

CM. 37

Declaration of Interests

Councillors Kelly, Shellie, John Thomas, Greener, Aston, and Yarranton all declared a personal interest in item 9 Hurcott Road Local Lettings Policy.

CM. 38

Minutes

In response to a question raised by Councillor Eeles, Members were advised that Worcestershire NHS Trust had agreed to hold their meetings in public and therefore there was no longer a need for their Chief Executive to attend.

Decision: The minutes of the meeting held on 20th May 2009 be confirmed as a correct record and signed by the Chairman.

CM. 39**Public Participation**

In accordance with the Council's scheme for public participation at meetings of Full Council, no members of the public addressed the meeting.

CM. 40**Questions**

The Council received a report setting out a range of questions from Councillors Oborski, Ballinger Eeles and N Thomas, directed at the Leader of the Council and Cabinet Members.

Question from Councillor Oborski

Can the Cabinet Member tell me

1. What is the impact of the recession on the predicted overall car parks income so far in this financial year?
2. What was the budgeted weekly income from the Comberton Hill car park?
3. What is the actual average weekly income from the Comberton Hill car park in this financial year?
4. What was the budgeted weekly income from the Board Street car park?
5. What was the actual average weekly income from the Broad Street car park in this financial year?

Reply from Councillor Onslow

In response to the questions raised Councillor Onslow replied that as it was early in the financial year it was difficult to predict how the recession would affect income, however that the Council was ahead of the projected figures. In response to points 2 and 4, weekly budgeted income was not calculated as the budget was calculated on all surface level car parks income. Further that the Comberton Hill Car Park averaged £60 per week and the Broad Street Car Park £10 per week, although the Council had only recently started charging at this car park. To assist the local community the length of time that a shopper could stay had been extended, however income did not take into account users that were regular season ticket holders nor did it reflect that the first 30 minutes use of the car park was free.

Supplementary Question from Councillor Oborski

In view of the low income at the Broad Street Car Park, and with the first 30 minutes being free, together with the considerable inconvenience to traders can the Cabinet Member reconsider car parking charges at Broad Street, without making it free for commuters to park.

Reply from Councillor Onslow

The local traders asked for charges to discourage commuters; however it should be noted that regular users could use the car park for less than one pound per day.

Question from Councillor Ballinger

Since the introduction of the additional nine posts in respect of civil enforcement functions of this authority during the summer/autumn of 2007, how many successful prosecutions have there been by Wyre

Forest District Council in respect of individual categories; namely dog fouling on pavements, littering on pavements and parking offences?

Reply from Councillor Onslow

In the last 18 months the Council has issued 2 fixed penalty notices for dog fouling, 16 for littering, and 18271 tickets for parking offences, and the Council has only had to prosecute on a small number of occasions. In the case of dog fouling there were two prosecutions one was successful.

Supplementary Question from Councillor Ballinger

What is the Council's policy in terms of Officers attending PACT meetings to discuss dog fouling?

Reply from Councillor Onslow

The Policy is the same as before.

Question from Councillor Eeles

In view of the fact that several members of Wyre Forest District Cabinet recently voted at County Hall against a motion of no confidence in Councillor Mumshad Ahmed in light of his criminal convictions, is it reasonable to assume that those Members condone his recent conduct and will therefore be inviting him to rejoin the Tory Party with the restoration of the whip?

Reply from Councillor Campion

Councillor Eeles raises the question about what did or did not go on at County Hall. The motion raised at County Hall was not reasonable, and in a political arena we do not sit in judgement. If one transgresses the code and for example released an exempt report to the press, then the matter would go to the Ethics and Standards Committee to consider. The Tory Party withdrew the Whip from Councillor Ahmed and do not condone his actions. The reason I did not support the motion of no confidence was because it was politically motivated and Councillor Ahmed has referred himself to the Standards Committee. For the record I withdrew the Whip from Councillor Ahmed and I don't condone his actions any more than you do.

Supplementary question from Councillor Eeles

Is it reasonable for Councillors to sit in Council with someone who has a recent criminal conviction?

Reply from Councillor Campion

We do not set the law of the land. The law states that if you receive a criminal conviction and a custodial sentence then you are banned from being a Councillor. Councillor Ahmed did not receive this and as so can stand as a duly elected Councillor. I would refer to receive questions on things that we can work on together and to move forward.

Questions from Councillor Nigel Thomas

As the DTZ report recommended Stourport Civic Centre be second choice for a central office site as we are not having a single site, why hasn't the Stourport site been included in the options as this would

have been the cheapest and most prestigious site to develop out of all those proposed so far?

Reply from Councillor Campion

I have been encouraging Councillor Thomas to get a copy of the pink book that contains the detail on the single site exempt report. I have checked the DTZ report and cannot find that it recommends that the Stourport site be the second choice. Why is this building not a good choice for the people of Wyre Forest, I am embarrassed that less able people cannot access the Council Chamber, which is not fit for purpose, the site is not suitable for the traffic levels that would be generated. I do not care about a prestigious building, I want to see the most efficient building on the best site and within budget so that money can be spent on service delivery.

Supplementary question from Councillor Nigel Thomas

What are the plans for this site?

Reply from Councillor Campion

An office block at this site would not be appropriate, join with me to work through the right processes to deliver the project.

19:20 Councillor P Hayward left the meeting

CM. 41

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 updated the Council on the progress of the Chairman's charity and informed Members that he was holding a Halloween themed Civic Ball on 31st October.

CM. 42

Leader's Announcements and Report

The Leader of the Council advised Council of the interim dividend from the Administrators of Kaupthing Singer and Friedlander; further that the Administrators of the Heritable Bank PLC would be paying an interim dividend. Members were advised that further reports would be made to Cabinet and Council on this item.

Council was also advised that there was to be a Special Planning Committee on 6th August to consider the Tesco application. Further that the by-election for the Lickhill seat would be held on 10th September, and that there had been further investment in paddling pools in the District.

Councillor Campion then advised Members that the Chief Executive would be retiring and led Members in praising the Chief Executive.

19:26 Councillor Lewis left the meeting

Leader of the Council announced that Walter Delin had served the Council for some 29 years and since 2001 he had been Chief Executive whose service had been exemplary and his service to the

community has been equally exemplary. Councillor Campion thanked him for his support and mentoring.

He concluded that he wished to say that Walter Delin's public service was one that stood out as an example and a lasting legacy and that on behalf of Council he would like to thank Walter for all his hard work.

The Leader of the Independent Community and Health Concern Group stated that he endorsed everything the Leader had said and that it had been a pleasure working with Walter Delin concluding that Walter Delin had been the consummate local government officer - fair, even handed, mentor, never judgemental and incredibly tolerant.

Leader of the Labour Group reminisced on working with Walter Delin concluding that Walter has been a good servant to the authority and wished him well in his retirement.

Leader of the Liberal Democrat Group recalled examples of working with Walter as Chief Executive and wished him every happiness for the future.

The Leader of the Liberal Group also reminisced about Walter Delin stating that he had been a fantastic servant and had seen the Council through some difficult times.

The Director of Legal and Corporate Services wished that it be placed on record on behalf of CMT and all staff The Council's thanks to Walter Delin; concluding that It had been a privilege and pleasure to work with him.

Councillor S J Williams (ex Chairman of the Council) addressed Council and announced that as the immediate past chairman he wanted to thank Walter Delin for all the help he has given to chairmen of the Council over the past few years.

CM. 43 Policy and Budget Framework – Matters which require a decision by Council

Recommendations from the Cabinet Meeting of 23rd June 2009

Updated Corporate Plan 2008-2011

The Council considered a report (copies of which had been circulated) regarding the updated priority action plans for 2009/2010 in the Council's Corporate Plan 2008-2011.

Decision: The updated Corporate Plan 2008-2011 as set out in Appendix A of the report to Cabinet be adopted.

Flooding and Land Drainage – Enforcement Protocol and Draft Floods and Water Management Bill 2009

The Council considered a report (copies of which had been circulated) regarding the allocation of remaining flood related external funding, the adoption of a common Worcestershire Land Drainage Enforcement Protocol, and the Draft Floods and Water Management Bill 2009.

Decision: The Worcestershire Land Drainage Enforcement Protocol as set out in Appendix 2 of the report to Cabinet be adopted as normal working practice.

Recommendations from the Cabinet Meeting of 21st July 2009

Worcestershire Enhanced Two Tier Programme

The Council considered a report (copies of which had been circulated) regarding the progress of the newly formed Worcestershire Enhanced Two Tier (WETT) Programme Management Group.

Councillor Oborski advised Council that she was content with the recommendations contained within the report with the exception of recommendation 4, and she asked that this be withdrawn. This was seconded by Councillor Martin. Councillor Campion agreed that the recommendation would be withdrawn and moved that recommendations 1 to 3 be moved. In response to a question from Councillor Kelly the Director of Legal and Corporate Services advised that this matter would return to Council.

Decision:

1) It be reaffirmed, along with other councils in Worcestershire, to continue to look at ways of working closely together to improve services to the public and businesses and to make efficiency savings.

2) To approve Regulatory Services as a priority for the development of a Detailed Business Case by the end of September 2009, with participation in Internal Audit and Property Services Detailed Business Cases as time, resources, and capacity permits.

3) To approve continuation of discussions with the County Council on Joint Working Arrangements, outside WETT, in relation to Human Resources and Property Services.

Treasury Management Update

The Council considered a report (copies of which had been circulated) regarding proposed amendments to the Council's current lending list, to increase the number of Counterparties with whom the Council can place investments.

Decision: The revised lending criteria, detailed in paragraphs 3.12 and 3.13, and the revised Counterparty List, attached at Appendix C of the report to Cabinet be approved.

Air Quality Management Consultation

The Council considered a report (copies of which had been circulated) regarding the results of the consultation on the proposed Air Quality Management Declarations, following the completion of a detailed air quality assessment in Radford Avenue/Coventry Street, Kidderminster.

Decision: To consider the outcome of the consultation exercise and to agree the designation of the Air Quality Management Areas set out in the appendix of the report to Cabinet.

Proposal to Launch Wyre Forest Community Forums

The Council considered a report (copies of which had been circulated) regarding proposals to launch a series of Wyre Forest Community Forums

Decision: To take forward the proposal to launch Wyre Forest Community Forums.

Hurcott Road Local Lettings Policy

The Council considered a report (copies of which had been circulated) regarding plans for a continuation of a Local Lettings Plan for the Hurcott Road Estate.

Decision: To approve the continuation of a Local Lettings Plan for a period of three years (or until the redevelopment of the estate if a shorter period) as outlined in the report to the Community and Regeneration Committee, and that the Director of Planning and Regulatory Services, in consultation with the Cabinet Member for Housing and Environmental Services finalise the necessary policy and procedural changes for the continuation of the Local Lettings Plan for the Hurcott Road Estate.

- CM. 44** **Motions Submitted Under Standing Order No. D1 (1)**
No notices of motion were received in accordance with Standing Order D1(1).
- CM. 45** **Urgent Motions Submitted Under Standing Order No. D1 (7)**
None were received.
- CM. 46** **Nomination to Outside Bodies**
Council received a report requesting a nomination to the Worcestershire Local Access Forum.

Decision: That the Cabinet Member for Community and Partnerships be nominated to represent the Council on the Wyre Forest Local Access Forum for a period of one year for 2009/2010.

- CM. 47 Appointment of Vice Chairman – Miscellaneous Functions Committee**
Council received a report on the appointment of replacement vice Chairman after Councillor Ahmed left the Conservative Party.
- Decision: That approval be given to the revised list of Chairs and Vice Chairs as attached as the appendix to the report.**
- CM. 48 Exclusion of the Press and Public**
- Decision: Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of “exempt Information” as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Act.**
- CM. 49 Summary of Minutes**
The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as 'Exempt Information' would be disclosed if the minutes were published in full.
- CM. 50 Minutes**
The exempt minutes of the meeting held on 20th May 2009 were confirmed as a correct record and signed by the Chairman.
- CM. 51 Policy and Budget Framework – Matters which require a decision by Council**
- a. Recommendations from the Cabinet Meeting 23rd June 2009**
- The Provision of a new District Cemetery, Crematorium and Associated Facilities**
- The Council considered a report (copies of which had been circulated) regarding the project's progress.
- b. Recommendations from the Cabinet Meeting 21st July 2009**
- Single Site – Update and Options**
- The Council considered a report (copies of which had been circulated) regarding the progress of the project.
- The meeting ended at 20.25**