

WYRE FOREST DISTRICT COUNCIL

COUNCIL

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

16TH JULY 2008 (6:00PM)

Present:

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

C.28

PRAYERS

Prayers were said by the Reverend Rose Lawley of St Mary's Team Ministry and Industrial Chaplin for Wyre Forest.

C.29

APOLOGIES FOR ABSENCE

Apologies were received from Councillor's Martin, Stokes and Glass.

It was noted that Councillors Kelly and Nicholls were not prepared to cross the picket line initiated by Unison.

C.30

DECLARATION OF INTERESTS

Andrew Dickens declared a personal interest as a Director of Stourport Sports Club

Councillor Helen Dyke declared a personal interest as the Chairman of Wyre Forest Community Partnership

C.31

MINUTES

DECISION: That subject to the amendment of Councillor Dyke to Peter and not Paul as recorded, the minutes of the meeting held on

14th May 2008 be confirmed as a correct record and signed by the Chairman.

C.32

PUBLIC PARTICIPATION

In accordance with the Council's scheme for public participation at meetings of Full Council, a question on behalf of Tavis Pitt was tabled.

In response, Councillor Campion welcomed Mr Pitt to the Chamber and replied that the question related to the Memorial Hall in Wolverley and the play equipment. Councillor Campion continued that the play facilities were not in the Council's ownership. Further there had been no investment in the play facilities and that they were in a particularly poor state and not fit for purpose and that the Council had wanted to reinstate these facilities. Moreover that Wolverley had been severely flooded and as such there was no play facility in the centre of Wolverley due to geographical constraints and whilst the play area was not flooded directly it did serve those that were. Furthermore the accusation by the Leader of the Opposition and Mr Pitt that this Council and its Officers had misled the public was incorrect and was not what was expected, further that any misleading accusations needed to be investigated in an appropriate way.

Councillor Campion explained that he had written to the Monitoring Officer who had in turn instigated an investigation by the Council's Section 152 Officer in relation to the spending of monies. Council were advised that the investigation had been concluded and that no wrongdoing had been found and that the Council had acted appropriately at all stages and had not misled the Red Cross. Councillor Campion concluded that he was happy to tell Council that Councillor Martin had apologised to Officers who were purported to have misled the Council, and that should any Member have concerns about actions by Officers or Councillors they should go through the proper channels.

The Chairman then received a petition regarding proposals to extend the market down Worcester Street. Council were advised that this would be referred to the Regeneration and Scrutiny Committee.

C.33

QUESTIONS

The Chairman asked Councillors to refer to the tabled questions received from Members.

Question from Councillor J Thomas to the Leader of the Council

In view of the obvious public interest in the Red Cross Grant for the play area at Wolverley Memorial Hall and the need for Council Business to be transparent and open, will the Leader agree to setting up an external review of the processes and procedures employed in this matter?

Response from the Leader of the Council

I refer you to my previous answer.

Supplementary question from Councillor J Thomas

The initial approach of twelve thousand pounds to reinstate the area' was asked.

Response from the Leader of the Council

Revisiting the exact wording was pedantic and overall the words have the same meaning.

Question from Councillor Mike Shellie to the Leader of the Council.

When can we expect replacements for the stolen crest and poor box from the old court room in the Town Hall?

Response from the Leader of the Council

The Crest and the Poor box from the former court room in Kidderminster Town Hall went missing whilst the construction works for The Hub and redecoration of the Town Hall complex was being undertaken. An investigation by the then Project Manager, could not confirm that these items were stolen or whether they were inadvertently disposed of by third party contractors.

A Court Crest can only be displayed in Courts which hold court sessions on behalf of the High, County, Magistrates or Coroners Courts. Therefore it is not possible at the present time to obtain a replacement Crest from the Lord Chancellor's Office.

Arrangements are in place for the Poor box to be replaced by a local joiner at no cost to the Council. However, this had not materialised and therefore arrangements would be put in place to have a replacement manufactured.

Supplementary Question from Councillor M J Shellie

I am sure we were all pleased that Planning Development Control Committee had approved the plans for the new cemetery last week. Can the Cabinet Member please confirm when he expects the first phase to be completed and operational?

Response from Councillor Mrs T L Onslow

In January 2009 as indicated in the original report to Council.

Question from Councillor Fran Oborski to Councillor M J Hart

In 2007 a WFDC Leisure Services Officer very successfully co-ordinated a bid, via the Wyre Forest Swimming Club, for £1,000 from the Positive Activities Grant Fund from every Wyre Forest County Councillor, to ensure that free holiday swimming sessions were available to every young person resident in the Wyre Forest District.

This year, instead of this successful scheme being repeated; every member of this Council has, belatedly, received a letter from the Manager of Wyre Forest Glades requesting an unspecified, donation from our

Community Leadership Fund towards supporting this very necessary facility.

Could the Cabinet Member tell me;

- a). Why the decision was made not to try to repeat last year's successful scheme?
- b). How many District Councillors have currently responded to the request and how much has currently been promised?
- c). What will happen to the scheme if an insufficient amount is raised?

Response from Councillor M J Hart

We have been a victim of our own success and all members have either been phoned or written to in July. I would expect the information to come from Stuart Booton on a ward by ward basis as soon as possible.

Question from Councillor Fran Oborski to Councillor Mrs T L Onslow

Some months ago we were promised that the County Council would be amending the Prohibition of Parking Order on Black Horse Lane, Kidderminster to ensure that deliveries to the rear of business properties in Lower Mill St. would not run the risk of receiving parking tickets. Despite this promise local traders have been ticketed and have lost their appeals at the Independent Appeals Panel even though they were told that the lack of provision of parking bays had obviously caused them problems.

Will the Cabinet Member please tell me:

- a). How many Penalty Tickets have been issued to Traders and Delivery Vehicles visiting these very important commercial premises?

Response from Councillor Mrs T L Onslow

This information is not recorded on the Penalty Charge Notices. The Notices are a Statutory layout and do not record the use for which the vehicle is being put to at the time the Notice is issued. However, we can confirm that liveried, delivery vehicles are not issued with Penalty Charge Notices in Black Horse Lane or any where their stay is not in excess of ten minutes and the delivery drivers remain in the vicinity of the vehicle and or the premises to which they are delivering.

Supplementary Question from Councillor Fran Oborski to Councillor Mrs T L Onslow

What if an Appeal is received against penalty points?

Response from Councillor Mrs T L Onslow

I am unable to answer this question as the County Council is responsible for the restrictions.

Question from Councillor Mrs F M Oborski to Councillor M J Hart

The Chairman of the Horsefair Tenant Consultative Committee has congratulated the Council on the provision of the play equipment at the Jerusalem Walk site but he has asked me to provide answers to the following issues:

a). In view of the heavy traffic use on Broad St. will the fence around the site, part of which has been removed, be replaced entirely with an access gate?

There are plans to replace the Weldmesh Fencing which remain in place on Broad Street and Jerusalem Walk with Bow topped fencing and appropriate gates. The fencing that has been removed between the car park and play area will also be replaced again with an appropriate pedestrian access.

b). In view of the possibility of drug abuse in the area, could the Cabinet Member please explain why the decision was made to use wood/bark chippings, in which discarded needles would be concealed, for the area under play equipment, rather than a "wet pour" surface which is much easier to keep clean?

Response from Councillor M J Hart

Wet pour surfaces are designed to deal with vertical falls and prevent bone or muscle damage. This is ideal for play areas designed for younger children where the falls are not likely to include skidding across the surface where friction burns may occur. Bark chip is more appropriate for play equipment designed for older children where the fall is unlikely to be more complex with the addition of movement across the surface given the rotating nature of the equipment. Bark chip is used on similarly equipped play areas in Brinton Park and regular and routine maintenance have not shown any problems with any discarded syringes or needles.

Question from Councillor Mrs Fran Oborski to Councillor Mrs A T Hingley

In view of the current crisis in the housing market and the difficulties faced by many homeowners in selling their properties would she consider releasing more Capital Funds in order to allow partner RSL's (particularly the Community Housing Group) to purchase more "Existing Satisfactory Dwellings in order to assist families unable to obtain mortgages by the provision of houses to rent.

Response from Councillor Mrs A T Hingley

These are unprecedented times and I am receiving representations from Registered Social Landlords who are working up schemes to rent and buy later.

Supplementary Question from Councillor Mrs Fran Oborski

Can we explore with our RSL partners to take over in examples of redundancy or divorce?

Response from Councillor Mrs A T Hingley

I will explore this.

Question from Councillor Helen Dyke to Councillor S J M Clee

At a meeting I attended last Friday, great concern was expressed by local business representatives about the apparent lack of any progress with the KTC3 site. With the "Credit Crunch" and the fact that the Building Industry is already laying off large percentages of their work force due to financial problems, they are worried that this project may become a casualty of these times. Is it possible for the Cabinet member to offer them and us any assurance that this project is still very much alive and that there will tangible evidence of this project moving forward in the very near future?

Response from Councillor S J M Clee

Yes. I can assure the Council that the work with Wilson Bowden is progressing as planned. They have until September of this year to complete their pre-planning enquiries and are currently holding a series of meetings with their letting agents with perspective tenants. Despite the "Credit Crunch", the Managing Director of Wilson Bowden has confirmed that they have sufficient resources to undertake this project and it remains a top priority for them in terms of their overall business plan.

C.34 **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 announced that the Chairman's charity for 2009 would be the Kidderminster Branch of the Prostate Cancer Support Group. Further that he would be holding a carol service at St Cassions on 7th December.

DECISION: That the report be noted

C.35 **LEADER OF THE COUNCIL ANNOUNCEMENTS AND REPORTS**

The Leader of the Council made the following announcements:

Council were advised that 98 members of staff were on strike and that this had had a wide effect on services with limited cleansing and rubbish collection. Members were also advised that the toilets at Market Street Kidderminster were now operational.

DECISION: That the information be noted

C.36

RECOMMENDATIONS FROM CABINET

Council received a report (copies of which had been circulated) of the recommendations from Cabinet to Council.

The Council considered a recommendation from Cabinet regarding conferring the honour of Honorary Alderman upon John Simmonds.

Decision: The title of Honorary Alderman be conferred on John Clive Simmonds in accordance with S249 of the Local Government Act 1972.

The Council considered a recommendation from Cabinet on the formal adoption of the Sundry/Property Debtor Management Policy – June 2008 as it would provide Members with useful management information on debt management.

Decision: The Sundry/Property Debtor Management Policy – June 2008, be adopted.

The Council considered recommendations from Cabinet on an amendment to the Capital Programme – Stourport Sports Club.

Decision

- 1. The Capital Programme be amended to provide £36,000 of Grant Aid to Stourport Sports Club by using unallocated Capital receipts.**
- 2. The Head of Property & Operational Services, in consultation with the Leader and the Head of Financial Services, be authorised to release the funds on confirmation that the reconstruction of contracts have been let following approval of the Club's insurers.**

The Council considered a recommendation from Cabinet that the Best Value Performance Plan for 2008 be approved.

Decision: The Best Value Performance Plan for 2008 be approved.

The Council considered recommendations from Cabinet that the Wyre Forest Community Safety Partnership Plan 2008/2011 be adopted.

Decision

- 1. The Wyre Forest Community Safety Partnership Plan 2008/11, which focuses on strategic priorities for criminal damage, vehicle crime, violent crime and public perception, be adopted.**
- 2.**

- 3. The Council, in its role as a 'Responsible Authority', as defined by the Crime and Disorder Act 1998, fully support the Wyre Forest Community Safety Partnership Plan 2008/11**

The Council considered recommendations from Cabinet that the Private Sector Housing Assistance Policy 2008 be amended.

Decision

- 1. That the Private Sector Housing Assistance Policy be amended to include mandatory legislative changes to the Disabled Facility Grants (DFG) scheme as set out in paragraph 3.2.of the report to Cabinet.**
- 2. That the Head of Planning, Health and Environment in consultation with the Head of Legal and Democratic Services and the Head of Financial Services develops a policy proposal for the introduction of discretionary charges on properties which have received DFG funding and meet the criteria as set out by the Department for Communities and Local Government.**
- 3. That the Head of Planning, Health and Environment progresses the development of the Kickstart scheme in Wyre Forest.**

C.37 MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (1)

No notices of motions were received.

C.38 URGENT MOTIONS SUBMITTED UNDER STANDING ORDER NO. D1 (7)

The following notices of motion were received in accordance with Standing Order D1 (7).

Motion from the Liberal and Liberal Democrat Groups for the Council Meeting July 16th 2008

- Council congratulates West Mercia Police on the success of the local 'intelligence led' Tasking Group; in particular in actions which have led to several hundreds of pounds worth of alcohol being confiscated from young people.
- Council notes that some 134 Section 27 Notices have been issued by the Team across the Wyre forest District, mainly related to inappropriate consumption of alcohol in public places.
- In order to support the actions of the Police, Council therefore resolves to instigate Alcohol Restrictions Zones to cover: St George's Park, Baxter Gardens Park, Springfield Park and Brinton Park.

- Council further resolves to consult with the police to identify any other areas of Public Open Space, under the control of the Council, where such zones might also be applicable

Councillor Oborski explained the reason for the motion and drew Members' attention to the use of alcohol in other open spaces in the district and that restricted Alcohol Restriction Zones caused the problems with underage drinking to be migrated to other public open spaces.

Councillor Helen Dyke seconded the motion and stressed the need for consultation with key partners.

Councillor Desmond accepted that there was a problem relating to underage drinking; however it was felt that there was no easy solution to the problem and that a wider debate and further evidence was needed. Councillor Desmond then formally moved an amendment to the motion which was seconded by Councillor Campion adding that it was important that this had the support of the Police.

'The Council resolves to investigate the need for alcohol restriction zones in the district where appropriate. The Council further resolves to consult with all relevant partners on substance abuse problems including the Police (Beat Managers) Wyre Forest Housing Company, local PACTS, District Councillors, local County Councillors, SMAT, and the PCT.

The Council also resolves to investigate fully the problems of under-age drinking within the district and consult with the Retail and Alcohol Standards Group, licensees within the area and any current schemes relating to this matter including "Challenge 21", "Challenge 25", "Challenge 30" and "Bottle Watch".

Further debate ensued with Councillors Shellie, Fairbrother – Millis and Sheppard supporting the amendment. Councillor Ballinger spoke against the amendment explaining that he felt an Alcohol Restriction Zone was a solution for the area.

Councillor Oborski explained to Council that the motion was supported by the local community.

Upon a vote the amendment to the motion was agreed.

DECISION: That the amended motion be carried.

C.39

ICT STRATEGY

The Council received a report on the development of an ICT Strategy to meet the future needs of the Council.

Councillor Desmond introduced the report and explained the rationale for the need of new ICT provision. Members were advised of the current piecemeal service and that this was not suitable for modern day use, further that the Council could not move forward with service improvement with ICT at its current level and that investment was urgently needed.

Decision:

- 1. The sum of £2.54 million be added to the Council's approved Capital Programme for the delivery of the ICT Strategy over the period 2008/09 – 2012/13.**
- 2. The Head of Human Resources be instructed, in consultation with the Head of Financial Services, the Head of Property and Operational Services and the Cabinet Member for Community and Corporate Services to develop and implement the ICT Strategy to meet the future needs of the Council.**
- 3. The Head of Financial Services, in consultation with the Leader of the Council be authorised to finance the £2.54m required to implement the ICT Strategy by way of external Prudential Borrowing over a ten year period or the allocation of unused capital receipts.**

C.40 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.

C.41 SUMMARY OF THE 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.

C.42 DISPOSAL OF LAND IN BEWDLEY

Council received a report (copies of which had been circulated) on the disposal of land in Bewdley.

C.43 CENTRALISED OFFICE ACCOMMODATION

Council received a report (copies of which had been circulated on the preferred site for the centralisation of office accommodation and the relocation of the Operational Services Depot.

The meeting ended at 19.10 p.m.