

WYRE FOREST DISTRICT COUNCIL

COUNCIL

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

29TH FEBRUARY 2012 (6 PM)

Present:

Councillors: M Ahmed, J Aston, J Baker, G W Ballinger, R Bishop, A J Buckley, J-P Campion, S J M Clee, N J Desmond, H E Dyke, P Dyke, N Gale, B T Glass, D R Godwin, J Greener, I Hardiman, P B Harrison, J A Hart, M J Hart, P V Hayward, V Higgs, A T Hingley, J Holden, T Ingham, M B Kelly, H J Martin, D J McCann, C D Nicholls, F M Oborski, T L Onslow, J W Parish, J Phillips, M Price, K H Prosser, C Rogers, M A Salter, A M Sewell, J A Shaw, D R Sheppard, N J Thomas, S J Williams, and G C Yarranton.

C.69 Prayers

Prayers were read by Reverend Mark Turner, St Bartholomew's Church, Areley Kings.

C.70 Apologies for Absence

There were no apologies for absence, although it was noted that Councillor Ingham had been delayed.

C.71 Declaration of Interests

Councillor Clee declared a prejudicial interest in agenda item 11 Community Governance Review, as an employee of Rock Parish Council.

In the absence of Councillor Ingham, Councillor Oborski declared a prejudicial interest on his behalf on agenda item 13 Green Street Area Designation, Character Appraisal and Management Plan.

C.72 Minutes

That subject to the following amendment on page 10 of the minutes of 30th November 2011; the reference should read Northwood rather than Northcote Lane.

Decision: The minutes of the meeting held on 26th January 2012 be confirmed as a correct record and signed by the Chairman.

C.73 Public Participation

In accordance with the Council's scheme for public participation at meetings of Full Council, the following members of the public addressed the meeting at this point.

Mr Tony Clay addressed the meeting to speak on Agenda item 11. During his address he raised the following points.

- Rock had not been asked to provide their Lengthsman in Ribbesford.
- The services that Rock provided for its parishioners were of no value to Ribbesford residents, for example they do not make use of the bus shelters in Rock or Far Forest.
- If a meeting place was needed Ribbesford residents used those provided by Bewdley Town Council.
- Ribbesford had more in common with Bewdley than Rock which was a short walk for most Ribbesford residents.
- Ribbesford was closely identified with Bewdley and Ribbesford interests lay there.
- An extended parish of Rock would be too large to be effective.
- The merger would not reflect the identities of interests of the two communities equally, and would not create community cohesion.
- It would create a parish that would be too large both geographically and electorally.

Mr James Arbuthnott, Chairman of Stone Parish Council addressed the meeting to speak on agenda item 12. During his address he raised the following points;

- It seemed inherently wrong for Parish Council elections to be held outside the parish area, as there were adequate facilities in the parish.
- The Council was happy to provide ramps for the electorate to access the Parish Rooms. Moreover the steps up to the bus were higher than the steps into the Parish Rooms.
- The bus ran hourly to Chaddesley Corbett and the timing of the bus service meant there was only a very limited time to use the bus, vote and make the return journey.
- The Trustees had agreed for the charge for the polling station to be reduced from £150 to £100.
- The Parish council had won quality status and part of that bid was emphasising a commitment to facilitate parishioners their democratic right to vote and the closure of the polling station had discouraged people, particularly the elderly in the community from voting.

C.74

Questions

The Council received a report setting out a range of questions from Councillor J Shaw directed at the Leader of the Council and Cabinet Members.

Question from Councillor Jamie Shaw to the Leader of the Council, Councillor John Campion

Local Contractors - Noting the proportions of the figure spent so far on the Council's new headquarters which have been won by local companies, under Thomas Vale procurement processes, namely 35% by companies with a 15 mile radius of the project base, and 36% within a 30 mile radius: what measures is the Council able to take to provide similar opportunities within public sector procurement processes?

Answer from Councillor John Campion:

Procurement is one of those areas tied by EU colleagues. The new Head

Quarters is an area where we have been able to demonstrate spend locally. We have to ensure the contract contains clauses to encourage apprenticeships as this is how money will benefit local economy. However the short answer is that there is very little we can force through but there is lots we can do as an encouragement.

Supplementary Question from Councillor Jamie Shaw

I wonder if the Leader could consider from his perspective and possibly on the grounds of localism, and from my perspective the environment, demanding supplies being as local as possible thereby reducing carbon emissions; and through EU legislation would it not be a good idea if this council initiated this through the LGA processes to make it easier for local firms gain business from local Councils?

Answer from Councillor John Campion:

You have raised two relevant points and I'm happy to discuss these with the Director of Community Assets and Localism and as a local resident and local Councillor I want to support the local economy, and to hear any ideas you have. However, the Council's procurement policies are governed by EU rules and regulations and as such the Council cannot give any weighting to the location of suppliers. Moreover, the Council helps local suppliers to bid for Council contracts by partaking in 'meet the buyer' events and supplier seminars. The Council has also standardised the procurement documents across the Worcestershire Districts. The standardising of documents makes it easier for suppliers to bid for multiple contracts across the districts as the documents and processes are the same. The threshold which Council contracts have to be advertised at has recently been lowered from £50k to £10k in a bid to make Council contracts more competitive and available to suppliers. All Council contracts that are between £10k - £170k (provided a framework is not used) are advertised in one of two places, the Council's own website and Worcestershire County Council's portal. All contracts that are advertised on the County's website are automatically advertised on the 'Find it in Worcestershire' website.

Question 2 from Councillor Jamie Shaw to the Cabinet Member for Place-Shaping, Councillor Julian Phillips

Following initial compliance by householders with High Hedge judgements, has the Council experienced difficulty in many cases obtaining ongoing observance of the height judged permissible?

Answer from Councillor Julian Phillips

There are two ongoing cases according to the Arboricultural Officer.

Question 3 from Councillor Jamie Shaw to the Cabinet Member for Place-Shaping, Councillor Julian Phillips

Community Housing Group – Without reference to the record of individuals, what is the current attendance record of Councillors appointed to serve on the company's board since May 2011?

Answer from Councillor Julian Phillips

The overall percentage since May 2011 is 80.67%

There was no supplementary question.

C.75 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 made the following announcements:

The Chairman thanked the Members that had joined him for the dinner for Alderman Mrs Mills. He conveyed to Council how much she had enjoyed the dinner and how well she was. He further thanked Members for supporting his charity dinner at La Brasserie in Kidderminster.

Group Leaders then acknowledged the contribution that the Director of Resources had made to the strategic direction of the Council and all wished him well with his new job with Stratford District Council. A presentation was then made and the departing Director thanked Members for their support.

The Chairman reminded Members the some of their colleagues were standing for re-election. Moreover, Councillor Baker was retiring and would not be standing again for election.

C.76 Leader's Announcements and Report

The Leader of the Council made the following announcements:

The Leader was pleased to report since last meeting of Council the priority credit status with Landsbanki had been reinforced and the first dividend coming back to the Council was £930K with confirmation that the Council was expecting 98% of that deposit to be returned. The Leader advised that this was a fantastic result for the Council and complimented the work of the LGA to ensure payments were returned. Members were advised that the total received was just over £4.7m which was just over half of the amount invested. The Leader of the Council reassured Members that he would continue to update Council in this area as it developed.

Members were further advised that the budget included a £1m pot for economic regeneration. Moreover, there was to be a State of the Area Debate on 14th March 2012 and a question time event on 7th March 2012 at the Town Hall. The Question Time event would involve a panel of experts and members of the public would be able to ask questions. Further, there would be a live Twitter and Facebook feed and it was hoped that this would be an interactive process.

The Leader welcomed Mrs Southall to the Chamber and advised that she would be acting Treasurer and S151 Officer until recruitment to the vacant post was completed. An amusing anecdote about the outgoing Director was shared and the Leader of the Council wished Mr Buckland every success and happiness in his new job.

C.77 Motions Submitted Under Standing Orders

No notices of motion were received in accordance with Standing Orders.

C.78 Urgent Motions Submitted Under Standing Order No. D1 (7)

No notices of motion were received in accordance with Standing Orders.

Councillor Clee left the meeting at this point and the meeting was chaired by the Vice Chairman, Councillor Prosser.

C.79 Community Governance Review

The Council received a report from the Director of Legal and Corporate Services regarding the progress of the Community Governance for Rock and Ribbesford and to agree the draft proposals in readiness for the next consultation stage as detailed in the report to Council.

The Cabinet Member for Place-Shaping outlined the content of the report and explained the next steps that the Council needed to take as part of the Community Governance Review.

Members were reminded of the consultation process that had been undertaken so far and of the responses to the initial consultation. It was recognised that not only was this an emotive subject that challenged local boundaries and identities but that it was inordinately complex and bureaucratic. Mr Clay was thanked by the Council for speaking on this item and his views were welcomed. Members were reminded that Rock Parish did contain a number of villages each with their own sense of identity and community, moreover that Rock Parish Council provided services for Ribbesford, for example a Lengthsman that incurred a cost for residents of Rock Parish.

Members debated in detail the benefits and disadvantages of Ribbesford being included in the Parish of Rock and they recognised the importance of community identity and cohesion, in particular the balance of the historical link of Ribbesford to Bewdley verses the need for the administration of community governance, i.e. a Lengthsman.

Members raised strong concerns regarding the additional slip that had been inserted in the consultation pack, together with the change of stance of the Chairman, in declaring a prejudicial interest as the Clerk for Rock Parish which he not previously stated at the meeting in September 2011 when this item was discussed. Members were advised that the insertion of the slip did not invalidate the validity of the consultation; moreover that it was right the Chairman declared his interest at this stage due to the substance of the proposal compared to the previous discussion which had been to initiate a generic consultation.

Councillor Godwin declared a personal interest at this point in the meeting as a Rock Parish Councillor. He explained to Council that he been contacted by Ribbesford residents regarding issues on Little Lakes Caravan Park.

Members continued to debate the issue in detail and it was concluded that the second stage consultation should commence.

Decision:

- 1. The second stage of consultation be undertaken with the proposal to incorporate Ribbesford into the Parish of Rock, and for the parish to be called Rock Parish.**
- 2. The Director of Legal and Corporate Services be given delegated authority to make any minor modifications to the draft proposals as necessary during the course of the consultation.**

19.03 Councillor Clee and Councillor Ingham joined the meeting.

C.80 Review of Polling Stations

The Council considered a report from the Chief Executive that asked the Council to consider the responses to the consultation, and decide that the changes to the polling places as set out in the report be made.

The Cabinet Member for Resources and Transformation outlined the content of the report and explained that seven formal responses had been received. Members were further advised that the Scout Hut in Lickhill Road Stourport on Severn had been reinstated as a polling station following representations from Independent Community and Health Concern. Moreover the Territorial Army Centre Kidderminster would not be used, and instead St John's Ambulance Centre Kidderminster would be a polling station.

Members discussed the points raised by Councillor James Arbuthnott of Stone Parish Council and an amendment to reinstate Stone Parish Rooms as a polling station was moved and seconded. Members then debated the amendment and upon a vote the amendment was lost.

Members continued to debate the substantive item and requested that a report was presented to a future meeting of Council on the turnout in the Mitton and Lickhill wards. Concerns were reiterated on the problems with crossing Vale Road, Stourport on Severn and the need to utilise the new Stourport Primary School: however that this should be done without closing the school if possible.

Decision:

- 1. The changes to the polling places as set out in paragraph 4.2 be made.**
- 2. A report be presented to a future meeting of Council on the turnout in the Mitton and Lickhill Wards in 2012 as a result of the changes agreed.**

C.81 Recommendations from Cabinet - Budget and Policy Framework
Matters which require a decision by Council.

Recommendations from the Cabinet meeting 31st January 2012

Pay Policy Statement.

Council received a report from the Director of Resources advising Council of the requirement in the Localism Act 2011 for the Council to adopt a pay policy statement.

The Cabinet Member for Resources outlined the content of the report and drew Members' attention to the reward policy for Chief Officers, and the Local Government (Discretionary Payments)(Injury Allowances) Regulations 2011. (The Council would maintain past practice and in normal circumstances no payments would be made under the 2011 regulations.) Council were advised that no staff were paid as self employed.

Decision:

- 1. The pay policy statement in the appendix of the report to the Cabinet be adopted for the financial year 2012-13 and each subsequent financial year (until it is amended by Council).**
- 2. The delegations to the Appointments and Appeals Committee be amended in line with the pay policy statement.**
- 3. The policy statement on the exercise of the Council's powers under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011 be approved.**

Recommendations from the Cabinet Meeting 21st February 2012

19:40 Councillor Ingham left the meeting.

Green Street Area Designation, Character Appraisal and Management Plan.

Council received a report from the Director of Planning and Regulatory Services on the response to the public consultation undertaken on proposals to designate Green Street as a Conservation Area and to propose the designation of that Conservation Area.

Decision:

- 1. The designation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, of a new Conservation Area at Green Street in Kidderminster as shown on Appendix 1 of the report to Cabinet be agreed.**
- 2. Delegated powers be granted to the Director of Planning and Regulatory Services to determine the final format and presentation of the Character Appraisal and Management Plan.**
- 3. The owners/occupiers of the buildings and structures proposed to be included on the Kidderminster Local List be notified of the Council's intention.**

4. **The Character Appraisal and Management Plan be adopted.**
5. **The background and history of the buildings and points of interest within the area collated as part of the report be made available for display in the Carpet Museum and local library.**

Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Investment Policy and Strategy Statement for the period 1st April 2012 to 31st March 2013.

Council received a report on the recommendations from the Treasury Management Review Panel of 24th January 2012 that were considered by Cabinet on 21st February 2012.

Decision:

1. **The restated Prudential Indicators and Limits for the financial years 2012/13 to 2014/15 be approved.**
2. **The updated Treasury Management and Investment Policy and Strategy Statements for the period 1st April 2012 to 31st March 2013 (the associated Prudential Indicators are included in Appendix 3 and the detailed criteria is included in Section 11 and Appendix 5 of the report to Cabinet) be approved.**
3. **The Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1 of the report to Cabinet be approved.**
4. **The Authorised Limit Prudential Indicator included in Appendix 3 of the report to Cabinet be approved.**

Council then moved into recess for 10 minutes returning to the Chamber at 19.50.

C.82 Budget Proposals 2012/2015

The Leader of the Council presented the administration's proposals for the budget. He thanked the Director of Resources and the Corporate Management Team for their support during the budget process.

A robust debate ensued on the budget proposals, during which Members of each of the political groups made their comments.

The Labour Group presented their amendment to the budget which was discussed at length; however upon a vote the amendment was lost.

CAPITAL PROGRAMME 2011/12 ONWARDS

Decision:

- 1.1 **APPROVES the updated Base Capital Programme and Vehicle, Equipment and Systems Renewal Schedule as presented to the Cabinet on 20th December 2011 and further amended to incorporate the Cabinet Proposals identified in Appendix 2 along with the updated Prudential Indicators presented in the separate**

report on the agenda.

- 1.2 **DELEGATED** authority continues to be given to the Director of Resources in consultation with the Cabinet Member for Resources, to fund appropriate elements of the Capital Programme by means of Prudential Borrowing.
- 1.3 **DELEGATES** authority to the Director of Resources, in consultation with the Chief Executive and the Cabinet, to determine the most financially prudent funding method for Capital Projects (Capital Receipts or Direct Revenue Funding) at the end of each Financial Year.
2. **FEES AND CHARGES**
 - 2.1 **RECOMMENDS** fees and charges as detailed in the Financial Strategy as presented to Cabinet on 20th December 2011, along with the amendments attached in Appendix 1.
3. **THREE YEAR BUDGET AND POLICY FRAMEWORK 2012/15**
 - 3.1 The contents of the Reports of the Director of Resources on the Three Year Budget and Policy Framework 2012-2015 (pages 1-73 incorporating the Base Budget Variations (pages 21-22) be **ENDORSED** and in doing so **APPROVE** the Revised Revenue and Capital Budgets for 2011/12.
 - 3.2 **APPROVES** that any Final Account savings arising from 2011/2015 over and above the target allowed for in the Council's Finance Strategy, together with surplus Earmarked Reserves, be allocated for the one-off costs of the new Head Quarters project.
 - 3.3 The following General Fund Revenue Budget be **RECOMMENDED** including **CABINET PROPOSALS** (Appendix 2) and **FEES AND CHARGES** (see Financial Strategy pages 32-70) and related amendments (Appendix 1):

Agenda Item No. 12

	Revised 2011/12 £	2012/2013 £	2013/2014 £	2014/2015 £
Net Expenditure on Services (per Appendix 1 on Page 12 of the Financial Strategy Book) (*)	14,241,610	12,780,950	12,805,090	13,096,700
<u>Add/(Less)</u> Cabinet Proposals - (Appendix 2)	-	274,250	2,400	(87,080)
Net Expenditure	14,241,610	13,055,200	12,807,490	13,009,620
Contribution to/(from) Reserves	(716,560)	(322,400)	(329,870)	(656,840)
Net Budget Requirement	13,525,050	12,732,800	12,477,620	12,352,780
<u>Less</u> Business Rate Grant, Government Grant and Collection Fund Surplus (*)				
Area Based Grant	6,294,330	5,615,730	5,294,640	4,990,370
Council Tax Income	293,270	109,270	0	0
	<u>£6,937,450</u>	<u>£7,007,800</u>	<u>£7,182,980</u>	<u>£7,362,410</u>
Wyre Forest District Council Tax Level assuming no change in 2012/13 then a 2.5% increase 2013/14 onwards.	<u>£197.62</u>	<u>£197.62</u>	<u>£202.56</u>	<u>£207.62</u>

(*) Now confirmed that the Council Tax Freeze Grant is included within Formula Grant for 2012/13 and beyond

Government Grant Analysis*	2011/12	2012/13	Increase (decrease)	
	£	£	£	%
Revenue Support Grant	1,474,240	105,820	(1,368,42)	(92.8)
Business Rates	4,769,440	5,458,910	689,470	14.4
Collection Fund Surplus	50,650	51,000	350	0.0
Overall Totals	6,294,330	5,615,730	(678,600)	(10.8)

3.4 Reserves available as part of the Three Year Financial Strategy:

Reserves Statement	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000
Reserves as at 1 April	2,698	1,981	1,659	1,329
Contribution to/(from) Reserves	(717)	(322)	(330)	(657)
Reserves as at 31 March	1,981	1,659	1,329	672

C.83 Council Tax 2012/2013

The Council received a report from the Director of Resources which asked the Council to set the Council Tax for 2012/13.

Decision: The formal Council Tax Resolution 2012/13 as set out in Appendix 1 of the report to Council, taking into account the information contained within Appendices 2 to 5 of the report to Council be agreed and as detailed below

1. It be noted that the Council has calculated the Council Tax Base 2012/13:
 - (a) for the whole Council area as **35,461** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended ("the Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as in column 5 of the attached Appendix 3.
2. To calculate that the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish precepts) is **£197.62**.
3. That the following amounts be calculated for the year 2012/13 in accordance with Sections 31 to 36 of the Act:
 - (a) **£61,623,508** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) **£54,151,664** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) **£7,471,844** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. [Item R in the formula in Section 31B of the Act]
 - (d) **£210.71** being the amount at 3(c) above (Item R), divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) **£464,038** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix 3).
 - (f) **£197.62 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above),**

calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

4. To note that for the year 2012/13 the County Council, Police Authority and Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as shown below.

WORCESTERSHIRE COUNTY COUNCIL							
Valuation Bands							
A	B	C	D	E	F	G	H
£692.71	£808.16	£923.61	£1039.06	£1269.97	£1500.87	£1731.77	£2078.13

WEST MERCIA POLICE AUTHORITY							
Valuation Bands							
A	B	C	D	E	F	G	H
£119.15	£139.00	£158.86	£178.72	£218.44	£258.15	£297.87	£357.44

HEREFORD AND WORCESTER FIRE AND RESCUE AUTHORITY							
Valuation Bands							
A	B	C	D	E	F	G	H
£49.10	£57.28	£65.46	£73.64	£90.01	£106.38	£122.74	£147.28

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Appendix 5 as the amounts of Council Tax for 2012/13 for each part of its area and for each of the categories of dwellings.
6. To determine that the Council's basic amount of Council Tax for 2012/13 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

C.84 Corporate Governance

Council received a report from the Director of Legal and Corporate Services which asked the Council to agree to the re-formatting of the extant provisions of the constitution as detailed in the report to Council.

Decision:

1. That the amendments to the Constitution as detailed in Appendix A of the report to Council be agreed.
2. The Director of Legal and Corporate Services be Authorised to settle any outstanding details relating to the amendments and to make any other minor changes as necessary to the Constitution to reflect needs or circumstances.

C.85 Report of the Independent Remuneration Panel for 2012-13

Council received a report from the Chief Executive together with a report from the Independent Remuneration Panel (IRP) to decide the scheme of allowances to be paid to Members for the financial year 2012/2013.

Members were reminded that they had considered in item in May 2011 and that this was a subsequent report of the IRP Panel. The Leader of the Council expressed his concerns with the work of the Panel and the basis on which they recommended the allowances. Moreover a saving of £184k had been made on Members' allowances following the last IRP report.

A vigorous debate ensued on the appropriateness of the level of allowances paid and the necessity to take heed of the recommendations of the Panel. However, some Members also felt that the Panel has not produced a cogent and reasonable report and that the recommendations did not reflect the work carried out by Wyre Forest Members.

Decision:

- 1. To have regard the conclusions and recommendations of the IRP in making any amendments to the Members' Allowances Scheme for 2012/13;**
- 2. The scheme of allowances set out in Appendix A of the report to Council for the financial year 2012-13 be maintained.**
- 3. With effect from the implementation of new arrangements under the Localism Act 2011 for handling complaints about the conduct of members, that the penalties that may be imposed for a breach of the code of conduct include full or partial suspension of allowances for a period of up to six months;**
- 4. The Director of Legal and Corporate Services be authorised to amend the Constitution as appropriate to give effect to the Council's decisions.**

There being no further business the meeting ended at 21:35