

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL**

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

**23RD MAY 2012 (6 PM)**

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**Present:**

Councillors: J Aston, G W Ballinger, R Bishop, C Brewer, J-P Campion, S J M Clee, L Davies, N J Desmond, H E Dyke, P Dyke, 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, M B Kelly, N Knowles, H J Martin, D J McCann, B McFarland, C D Nicholls, F M Oborski, T L Onslow, J W Parish, J Phillips, M Price, M Rayner, C Rogers, A M Sewell, J A Shaw, D R Sheppard, N J Thomas, S J Williams, and G C Yarranton.

**C.01**

**Prayers**

Prayers were said by Reverend Simon Gudger of Kidderminster Baptist Church.

**C.02**

**Election of Chairman**

Councillor S Clee was nominated as Chairman. This was moved by Councillor Campion and seconded by Councillor M Hart.

**Decision: Councillor S Clee be elected Chairman of the Council for the current Municipal Year.**

**C.03**

**Chairman – Investiture and Declaration of Acceptance of Office.**

The Chairman of the Council expressed his thanks for his re-election and for the endorsement he received from the Leader of the Council.

**C.04**

**Appointment of Vice-Chairman**

Councillor Oborski was nominated as Vice-Chairman by Councillor Campion and seconded by Councillor Price.

Councillor Thomas nominated Councillor B Glass as Vice-Chairman and this was seconded by Councillor Ballinger. However upon a vote Councillor Oborski was elected as Vice Chairman.

**Decision: Councillor F Oborski be elected Vice-Chairman of the Council for the current Municipal Year.**

**C.05**

**Vice-Chairman – Investiture and Declaration of Acceptance of Office**

After being invested with her Badge of Office, Councillor Oborski took her Declaration of Acceptance of Office as Vice-Chairman.

**C.06 Vice-Chairman's Response**

Councillor Oborski thanked Members for the confidence that had been placed in her to fulfil this role and that she would support the Chairman to the best of her ability over the next 12 months.

The Vice Chairman also asked that when the Council moved to the new Head Quarters a collection point for food parcels for the Churches in Kidderminster should be considered.

**C.07 Apologies for Absence**

Apologies for absence were received from Councillors: N Gale, T Ingham and M Salter.

**C.08 Declaration of Interests**

The Chairman, Councillor Clee declared a prejudicial interest in agenda item 23 as an employee of Rock Parish Council.

**C.09 Minutes**

**Decision: That subject to the amendment of the minutes on page 11, the supplementary question by Councillor Shaw and the response from Councillor Phillips being deleted, the minutes of the meeting held on 29th February 2012 be confirmed as a correct record and signed by the Chairman.**

**C.10 Public Participation**

In accordance with the Council's scheme for public participation at meetings of Full Council, Mr Jones-Percival addressed the meeting. During his address he raised the following points.

- Ribbesford residents were all opposed to the proposal to incorporate Ribbesford with Rock.
- Historically and ecclesiastically Ribbesford was linked with Bewdley and not Rock.
- Roads in Ribbesford connected to Bewdley and not Rock.
- The vast majority of the services offered by Rock did not apply to Ribbesford, for example bus shelters and public open space.
- Increasing the size of an already large parish did not seem a sensible way forward.
- The objections to the merger were not based on the application of the precept, rather the best interests of the residents of Ribbesford.
- The proposed merger would not reflect the best interests of the community in Ribbesford and would not meet the published criteria for a community governance review and that the proposal should be rejected.

**C.11 Questions**

There were no questions to Council.

**C.12 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 welcomed new Members to the Chamber and advised the Chamber that he had written to all of the retiring Councillors thanking them for their contribution. Members' attention was drawn to Councillor Salter and Members were reminded that a card was being circulated. Further that there was a seminar on 30<sup>th</sup> May regarding the Community Housing Group and Members were encouraged to attend. The Chairman concluded his communication by reflecting on the life of Michael Brinton explaining that he had sent a condolence card to his widow and family on behalf of the Council.

As an aside he wished the Director of Community Assets and Localism a very happy birthday and presented her with a small gift.

**C.13 Leader's Announcements and Report**

The Leader of the Council announced that Councillor Hardiman would be joining the Cabinet as Cabinet Member for Community Well-Being and would be replacing Councillor Onslow. Council was advised that Councillor Hardiman had a plethora of experience that would be invaluable to the work of the Cabinet and Council. The Leader moved on to thank Councillor Onslow for her work, remarking that she had served the Cabinet with distinction, and dynamism, adding that he sent her his very best wishes.

Members were also advised that the Olympic torch would be arriving in Wyre Forest on 24<sup>th</sup> May, firstly in Bewdley and arriving in Kidderminster via the Severn Valley Railway where it would be greeted by the Mayor of Kidderminster before moving on toward Droitwich. The Leader observed that that it was a once in a life time opportunity and he was proud that the District was part of it.

Members were further advised that the Council had received the first dividend payment of £930k in relation to the £3m Landbanki investment and was hopeful of receiving a second payment shortly. The overall investment could now be close to 100% exceeding the 95 - 98% previously reported.

Good progress had been made in relation to the recovery of the investments with Heritable and Kaupthing Singer and Friedlander was regular dividend payments being received. Moreover on 2<sup>nd</sup> May a further 10p in the pound was received in respect of the KSF investment, giving a receipt of over £500K (including interest) which brings the overall return for the investment to 73%. A further smaller dividend had also been received from the Heritable.

Members were further advised that currently the Council had received just over £5.2m in dividends from the investments, with further payments continuing to be made. Given the excellent results achieved on Landbanki and the increases in the settlements reported for KSF and the Heritable, the total return could well exceed 90% of the original investments.

The Leader of the Council concluded by reassuring Members that they would continue to receive updates on the progress of the recovery of the investments, and that it was pleasing to that the Council had now received nearly 60% of the total principal outstanding and the dividend payments continued to be made to count down the balance.

**C.14 Members' Annual Activity Reports and Attendance 2011/2012**

Council received the schedule of annual activity reports, records of Members attendance for the previous municipal year.

A Member raised the relative value of the attendance percentage figures and Members were advised that these were being reviewed.

**Decision: The reports be noted.**

**C.15 Annual reports for the Municipal Year 2011/2012**

Council received the Annual Reports from the Leader of the Council, and the Chairman of both the Overview and Scrutiny Committee and the Ethics and Standards Committee.

**Decision: The reports be noted.**

**C.16 Political and Constitutional Structures 2012/2013**

Council received a tabled report from the Director of Community Assets and Localism on the Political and Constitutional Structures for 2012/2013.

The Leader of the Council introduced the report and advised Members that the Overview and Scrutiny Committee would be increased in size to 20 members and both the Planning and Licensing Committees would consist of 16 members. Moreover it was proposed that there would be a Housing Review Panel that would be chaired by Councillor Kelly. Members' attention was also drawn to the changes to the legislative changes to the Ethics and Standards Committee which meant it would no longer would be chaired independently, but would now be chaired by Councillor Ballinger.

An amendment was moved that proposed that there were two scrutiny committees rather than the one outlined in the report. Members spoke in detail upon the necessity for and the perceived benefits of two scrutiny committees as opposed to one that dealt with all of the scrutiny business; in particular focussing on the length of the agenda and the complexity of the reports and issues that were considered. Members suggested that the additional committee could be funded through savings made on Members' allowances. Upon a vote the amendment was lost.

Members then moved to consider the substantive item. Members forcefully debated the appointment of the Chair of Overview and Scrutiny and if it was appropriate that it was a Member of a minority group. Opposition Members felt that it should be Chaired by a Member of one of the two larger opposition groups. Councillor Kelly also elucidated his rationale for not wishing to be the Chair of the Housing Review Panel. Members voted for a named vote as set out in standing orders. The vote was recorded as follows:

For:

Councillors Aston, Bishop, Campion, Clee, Desmond, H Dyke, P Dyke, Godwin, Greener, Hardiman, Harrison, J Hart, M Hart, Hayward, Hingley, McCann, Oborski, Onslow, Phillips, Price, Rogers, Williams and Yarranton.

Against:

Ballinger, Brewer, Davies, Glass, Higgs, Kelly, Knowles, Martin, McFarland, Nicholls, Parish, Rayner, Sewell, Shaw, Sheppard and Thomas.

**Decision:**

1. **The Political Management Structure for 2012/2012 as set out in Appendix 1 of the report to Council be agreed.**
2. **The political balance as set out in Appendix 2 of the report to Council be agreed.**
3. **The Chairmen and Vice-Chairmen as set out in Appendix 3 of the report to Council be agreed, subject to the Chairman of the Housing Review Panel being selected from the body of the Panel at their inaugural meeting.**
4. **The Municipal Calendar as set out in Appendix 4 of the report to Council be agreed.**
5. **The appointments to outside bodies as set out in Appendix 5 of the report to Council be agreed.**
6. **The revisions to the Constitution as set out in Appendix 6 of the report to Council be agreed.**
7. **The Director of Community Assets and Localism be authorised to settle any outstanding details relating to the political structures and to make changes as necessary to the Council's constitution to give effect to the Council's decisions and any other revisions necessary to reflect needs or circumstances.**

**C.17 Motions Submitted Under Standing Order No. D1 (1)**

No motions were received under standing orders.

**C.18 Urgent Motions Submitted Under Standing Orders**

No urgent motions were received under standing orders.

**C.19 Update from the Chief Executive**

Council received a half yearly update report from the Chief Executive. The Chief Executive briefly outlined the content of the report, highlighting the achievements the Council had received, the feedback from the Peer Review Group including the challenges ahead, the move to the new Head Quarters and the work on the Council priorities.

In response to questions the Chief Executive advised Members of the following;

- Negotiations had been held with the unions regarding changes to environmental maintenance and it was regrettable that that an agreement had not been reached. However, there was a need to reach uniformity of terms and conditions for those involved and that in some instances national terms and conditions were unsuitable for the needs of the Council.
- Part of the £1m investment in economic prosperity would be spent on the Town Centre. The Town Centres Manager attended a recent Members Forum and gave a presentation and entered into a discussion with those Members that attended.
- The Council would be moving to the new Head Quarters in September and an update on savings would be shared at a future meeting of Council.
- The Council was working with both the Worcestershire LEP and the Greater Birmingham and Solihull LEP. The Council did give a financial contribution to the Worcestershire LEP. In contrast the Council did not make any financial contribution to the Greater Birmingham and Solihull LEP but the Council was heavily involved at Officer level in the various groups. Moreover, an enterprise zone was being created in central Birmingham and the £75m that it is envisaged would be collected would be shared amongst members of the LEP. There would be no enterprise zone in Worcestershire.
- The paperless trial was being evaluated and once this was complete the information would be shared with Members.

19:34 The Chairman, Councillor S Clee left the meeting and the Vice Chair, Councillor Oborski chaired the meeting from this point.

**C.20**

**Community Governance Review**

Council received a report from the Director of Community Assets and Localism on the progress of the Community Governance Review for Rock and Ribbesford.

The Cabinet Member for Place-Shaping introduced the report and advised Members that it was clear that there was no appetite from Ribbesford residents to be incorporated into Rock.

Further debate ensued and Members were reminded of the process that had initially triggered the review. Moreover that despite a relatively small return rate, the residents of Ribbesford that had responded were unequivocal in their views to remain separate from Rock and demonstrated their clear sense of identity and community that was separate and distinct from Rock Parish. However, it was also made clear that Rock should no longer provide services to Ribbesford and that Ribbesford residents needed to consider the best way to provide for services within their community.

Members welcomed the contributions made by the speaker and those residents from Rock and Ribbesford that had contributed to the process, in

particular welcoming those that were attending to hear the debate.

**Decision: The Community Governance Review for Rock and Ribbesford does not proceed and that Ribbesford is not incorporated into Rock Parish.**

**The meeting ended at 19:53 and Members were asked to remain seated for the meeting of the Kidderminster Educational Foundation.**