

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

26TH FEBRUARY 2014 (6PM)

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**Present:**

Councillors: F M Oborski (Chairman), D C H McCann (Vice-Chairman), J Aston, G W Ballinger, R Bishop, C Brewer, J-P Campion, S J M Clee, E Davies, 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, T Ingham, M B Kelly, N Knowles, H J Martin, B McFarland, C D Nicholls, T L Onslow, J W Parish, J Phillips, M Price, M Rayner, 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.71**

**Prayers**

Prayers were said by Reverend Mary Austin from Trinity Methodist Church, Kidderminster. A minutes silence was held in memory of the late Honorary Alderman Elizabeth Mills.

Tributes were paid to Mrs Mills which included the following:

- Councillor S J Clee thanked Members for attending the memorial service. The family had been overwhelmed with the large amount of people in the church. Mrs Mills had served on the Council until 1996 for the Lickhill ward in Stourport-on-Severn. She had adopted Stourport as her home town after moving from Rugeley in Staffordshire. She had served on many local bodies and had been a governor at a local school for 54 years.
- Councillor G W Ballinger stated he had many happy memories of Mrs Mills. She had put her family first, followed by the people of Stourport and then the Girl Guide movement and then the Council. It was a sad loss to the community.
- Councillor J A Shaw reported that he had met Mrs Mills in 1977 and she had been a great servant for Stourport-on-Severn. She had been Chairman of Stourport High School for a long time and had stood out for her consciousness and integrity.
- Councillor M B Kelly had known Mrs Mills since 1973 and had been a good friend who would be greatly missed.
- Councillor F M Oborski spoke on behalf of the Liberal/Independent Group and stated that Mrs Mills had been an amazing person and had been the best Chairman the Council had ever had.

Councillor C Rogers entered the meeting at this point, (6.08pm).

**C.72 Apologies for Absence**

There were no apologies for absence

**C.73 Declarations of Interests by Members**

There were no declarations of interests.

**C.74 Minutes**

**Decision: The minutes of the meeting held on 27<sup>th</sup> November 2013 be confirmed as a correct record and signed by the Chairman.**

**C.75 Public Participation**

There was no public participation.

**C.76 Questions**

There were no questions.

**C.77 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 reminded Members that her charity dinner would be held on 28<sup>th</sup> March 2014 and hoped that some Members would join her. She was also taking part in a reading marathon with the Mayor of Pershore and asked members to sponsor her.

Members were informed that they had an opportunity to meet the Deputy Police and Crime Commissioner at the Franche Road, Kidderminster Co-op on Thursday 27<sup>th</sup> February 2014.

**C.78 Leader's Announcements and Report**

The Leader of the Council thanked officers who had dealt with the recent flooding. Stourport-on-Severn had suffered during the floodings and the Council had suspended car parking charges there and in Bewdley to offer businesses support. The Council should be proud of how it had reacted to the situation.

He also informed Members that Morgan Ceramics had been chosen as a Centre of Excellence and recent house building figures had suggested that the Wyre Forest district had the highest level of houses being built. He also announced that the Civic Centre had now received planning permission and it would be transferred to Stourport Town Council in March 2014.

With regard to the Kidderminster Public Realm works, Worcestershire County Council had made an announcement that they would fund £1.5m of funding to deliver two of the phases for the town centre.

An update on the Icelandic Investments had been circulated prior to the meeting.

**C.79 Policy And Budget Framework**

**a. Recommendation from the Overview & Scrutiny Committee, 5<sup>th</sup> December 2013**

**• Sustainable Communities Act – Proposed Levy on Large Retail Outlets**

The Chairman of the Overview & Scrutiny Committee stated that the items had been referred to the Scrutiny Committee last year for a full debate. She pointed out that the Council had never been afraid of being the first to voice their concerns. Although residents liked the supermarket ethic, the supermarkets had advantages over the independent shops. In some cases it was felt that the large retailers did not put back anything back into the community and asked Council to progress this item.

A debate ensued and the main points included that a lot of evidence had been gathered on the local effect of the local economy and figures had shown that for every new supermarket that opened, approximately 276 jobs were lost because small shops could not compete. It was also felt that the supermarkets could afford the levy and they would not be out of pocket. It was pointed out that a lot of stores advertised their community work but did nothing.

A Member had concerns that, if the levy was introduced, Wyre Forest could be disadvantaged.

Councillor M B Kelly left the meeting at this point, (6.48pm) and re-entered at 6.50pm.

Upon a vote, the motion was carried.

**Decision: Wyre Forest District Council back the campaign for a levy on large retail outlets.**

**b. Recommendations from the Cabinet 18<sup>th</sup> February 2014**

**• Treasury Management Strategy Statement Report 2014/15**

Members stressed that the role of the Audit Committee was an important one and they worked closely with officers to ensure that the Council's finances were managed effectively.

**Decision:**

- 1. The restated Prudential Indicators and Limits for the financial years 2014/15 to 2016/17 included in Appendix 3 of the report to Cabinet be approved.**
- 2. The updated Treasury Management and Investment Policy and Strategy Statements for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015 (the associated Prudential Indicators are included in Appendix 3 of the report to Cabinet and the detailed criteria is included in Section 10 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.**

**C.80**

**Financial Update 2014/2017**

Council considered the budget for 2014/2017 having considered the proposed decision and budget reports recommended to Council by Cabinet on 18<sup>th</sup> February 2014 on the following:

- Fees and Charges
- Three Year Budget, Capital Programme and Policy Framework 2014/17
- Council Tax 2014/15
- Report of the Chief Financial Officer in respect of Sections 25 – 28 Local Government Act 2003
- Councillors' scheme of allowances for 2014/15 in light of Independent Review Panel's recommendations

The Chairman advised Members that new legislation had come into effect on Tuesday 26<sup>th</sup> February 2014 that all decisions on budget related items would be a named vote.

The Leader of the Council took Members through the report and advised that there had been much debate at the Council meeting in November 2013 and prior to that at the Strategic Review Committee. A considerable amount of work had been carried out and appendix 3 of the report to Council listed the updated Cabinet proposals. He pointed out that the recommendations from the Independent Remuneration Panel were not to be accepted and it had been suggested that a new panel be set up so they could advise Council how to progress. There was also a proposal that a review of senior leadership posts be carried out and asked that the appointments panel oversee this.

## **Agenda Item No. 12**

It was also proposed to increase council tax by 1.94%. Members were advised that the alternative budget proposals had also been taken into account.

A robust debate ensued on the budget proposals.

The Labour Group presented their alternative budget proposals which included that all future Right to Buy Capital Receipts over and above the top-up of £800,000 for Disabled Facilities Grants, be ring-fenced for Housing purposes.

It was pointed out that toilets in key locations in the district would not be closed.

Councillor V Higgs left the meeting at this point, (7.58pm) and returned at 8pm.

Upon a vote, the Labour amendment was lost.

Councillor J Parish and M Rayner left the meeting at this point, (8.18pm) and returned at 8.20pm.

Councillor T Ingham left the meeting at 8.36pm and returned at 8.38pm.

A named vote on the substantive budget proposal was recorded as follows:

For:

Councillors G W Ballinger, R Bishop, C Brewer, J-P Campion, S J M Clee, E Davies, N J Desmond, N Gale, B T Glass, D R Godwin, J Greener, I Hardiman, P B Harrison, J Hart, M J Hart, P V Hayward, A T Hingley, T Ingham, D McCann, F M Oborski, T Onslow, J Parish, J Phillips, M Price, M Rayner, C Rogers, M A Salter, D R Sheppard, N J Thomas, S J Williams and G C Yarranton.

Against:

Councillors J Aston, H E Dyke, P Dyke, V Higgs, M B Kelly, N Knowles, H J Martin, B McFarland, C D Nicholls, A Sewell and J A Shaw.

**Decision:**

### **1.1 FEES AND CHARGES**

**1.1.1 The updated fees and charges as attached in Appendix 1, in respect of Control of Dogs to replace those approved by Council on the 27<sup>th</sup> November 201 be approved.**

### **1.2 THREE YEAR BUDGET, CAPITAL PROGRAMME AND POLICY FRAMEWORK 2014-17**

**1.2.1 The updates to the Medium Term Finance Strategy 2014-17 as approved by Council in November 2013, as set**

out in the Cabinet report of the 21st January 2014 be approved.

- 1.2.2 **The Base Capital Programme and Vehicle, Equipment and Systems Renewal Schedule as set out in Appendices to the Cabinet Report on the 21st January 2014, further amended to incorporate all approved Cabinet Proposals and final amendments detailed in the report to Council be approved. The revised Capital Programme contained in Appendix 2 of the report to Council (Parts 1 and 2); updated Prudential Indicators are also presented in the separate Treasury Management report on the Council agenda be approved. In doing so, Capital Budgets for 2014-17 be approved.**
- 1.2.3 **The first £338,000 of the Right to Buy (RTB) receipts in 2014/15 be allocated to Disabled Facilities Grants (to a maximum Capital budget of £800,000) be approved. Any subsequent RTB Capital Receipts be allocated to general capital reserves. The allocation of future years' RTB receipts be considered in future budget setting processes.**
- 1.2.4 **The initial £1m funding allocated for the Local Authority Mortgage Scheme be removed from the Capital Programme given the launch of the Government's Help to Buy Scheme and withdrawal of the Lloyds Banking Group from this initiative be approved.**
- 1.2.5 **Any Final Account savings arising from 2013-17 over and above the target allowed for in the Council's Finance Strategy, together with surplus Earmarked Reserves, be allocated by the Chief Financial Officer in consultation with the Leader be approved.**
- 1.2.6 **The General Fund Revenue Budget be approved including updated *CABINET PROPOSALS (Appendix 3 of the report to Council)* and updated *FEES AND CHARGES (Appendix 1 of the report to Council)* and related amendments as set out in paragraph 5 of the report to Council.**

### **1.3 COUNCIL TAX**

- 1.3.1 **A Council Tax for Wyre Forest District Council on a Band D Property of £201.45 for 2014-15 (£197.62 2013-14) which represents a 1.94% increase on Council Tax from 2013-14 be agreed.**
- 1.3.2 **A provisional Council Tax on a Band D Property in 2015-16 of £205.36 and £209.34 in 2016-17, an increase of 1.94 % per annum over 2014-15 be agreed.**

**1.3.3 The discount for dwellings in Class C prescribed by the Council Tax (Prescribed Classes of Dwelling) (England) Regulations 2003 No 3011 shall, with effect from 1<sup>st</sup> April 2014, be one hundred per cent for the first calendar month and zero per cent thereafter, with any occupation for any period of less than 6 weeks being ignored be approved. The period for which any discount under Class C applied to a dwelling immediately before 1<sup>st</sup> April 2014 shall count towards the period of one calendar month in awarding any discount for the period commencing on 1<sup>st</sup> April 2014.**

**1.4 MEMBER ALLOWANCES**

**1.4.1 The conclusions and recommendations of the Independent Review Panel (IRP) in making any amendments to the Members' Allowances Scheme for 2014-15 be given due regard.**

**1.4.2 The scheme of allowances set out in Appendix 4 – Part 2 of the report to Council, be maintained for the financial year 2014-15, with the omission of the allowances for the Strategic Review Committee as this committee operates only in the 2013-14 municipal year.**

**1.4.3 To withdraw from the joint Worcestershire Independent Remuneration panel.**

**1.4.4 The Solicitor to the Council be authorised to amend the Constitution as appropriate to give effect to the Council's decisions, including the constitution of a new IRP to advise on the future scheme of allowances.**

**1.5 The Chief Financial Officer's opinion on the budget proposals, as recommended by Cabinet on 18<sup>th</sup> February 2014 and detailed in appendix 5 of the Council report be noted.**

**C.81 Council Tax 2014/2015**

Council considered the formal resolution for setting the Council Tax for 2014/2015. The amount of Council Tax depended on the budget proposal recommendations from Cabinet to Council on 18<sup>th</sup> February 2014 which included the precepts by Worcestershire County Council, The Office of the Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire and Rescue Authority.

Members were referred to the tabled update sheet.

A named vote was held and recorded as follows:

For:

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

Against:

Councillor N Knowles

**Decision: The formal council Tax resolution 2014/15 at Appendix 1 of the report to Council taking into account information contained in Appendices 2 to 5 of the report to Council be approved.**

The meeting was adjourned at 8.53pm and reconvened at 9.02pm.

**C.82**

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

The following notices of motion were received in accordance with Standing Order D1(1).

**The following motion from Councillor G W Ballinger, Leader of the Independent Community & Health Concern Group was withdrawn.**

**1. From Councillor G W Ballinger, Leader of the Independent Community & Health Concern Group**

*The Independent Community & Health Concern Group proposes a motion to Council to amend the Terms of reference of the Appointments and Appeals Committee to include the overview of an independent review of the top 6 management posts, undertaken by an appropriately sourced external consultant and for the Committee to make recommendations to Council. The revised structure would best fit future business needs and be effective from April 2015. The objective of this independent review would be to make the leadership structure more fit for purpose whilst realising saving to contribute to the Transformation Programme and continued financial sustainability. The costs of this review to be met from the Transformation Fund initially but it is envisaged they will be recovered from resultant savings once the review recommendations have been implemented.*

**2. From Councillor H J Martin, on behalf of the Labour Group**

*Council recognises the need to continue to seek efficiency and economy in the way it operates. It also recognises the need to protect front line services whilst ensuring that the community receives value for money.*



*Council agrees that every option to achieve these aims must be considered, including the ownership and operation of Wyre Forest House. To this aim, therefore, Council agrees to investigate all options for a “sale and leaseback” agreement with appropriate providers. This should be commissioned through specialist advisers who should be required to investigate the pro’s and con’s of such an arrangement and advise on comparisons of both the status quo and a sale and leaseback arrangement, making recommendations for consideration by Full Council.*

Councillor Martin presented his motion and explained that the cost of running Wyre Forest House needed to be looked at as it was believed that the Council could save money. A debate on the motion followed.

It was felt that to rent the empty space in the building would be more beneficial to the Council. It was suggested that the item could be referred to the Overview & Scrutiny Committee for discussion.

Upon a vote, the motion was lost. Councillor D R Godwin offered to provide free legal advice if required.

**Decision: The above motion from Councillor H J Martin, on behalf of the Labour Group not be agreed.**

**C.83 Urgent Motions Submitted Under Standing Order No. D1 (7)**

There were no urgent motions.

**C.84 Future Governance Arrangements for Kidderminster – Update Report**

Council considered a report from the Chief Executive which provided Council with an update from the working group established by the Council resolution in July 2013 and proposed the next steps.

Councillor G W Ballinger presented the report to Members and asked that a special meeting be convened to discuss the matter in further detail.

Councillor P Dyke left the meeting at 9.35pm and returned at 9.37pm.

**Decision:**

- 1. The update in the report be noted.**
- 2. A special meeting of Council to be held on Wednesday 26<sup>th</sup> March 2014, when the working group’s recommendations would be submitted.**

The meeting ended at 9.38pm.