

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

9TH DECEMBER 2015 (6PM)

Present:

Councillors: C Rogers (Chairman), A T Hingley (Vice-Chairman), S Arnold, J Aston, J Baker, G W Ballinger, R Bishop, J-P Campion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, H E Dyke, P Dyke, J Greener, I Hardiman, S Harrington, J A Hart, M J Hart, N Knowles, D Little, T A Muir, F M Oborski MBE, M Rayner, J D Smith, S J Williams, G C Yarranton, K Henderson, Mrs L Henderson, T L Onslow and J A Shaw.

C.49 Prayers

Prayers were said by Reverend Robert Legg, Team Vicar for Kidderminster East Parish.

C.50 Apologies for Absence

Apologies for absence were received from Councillors S E Fearn and J Phillips.

C.51 Declarations of Interests by Members

There were no declarations of interests.

C.52 Minutes

Decision: The minutes of the meeting held on 30th September 2015 be confirmed as a correct record and signed by the Chairman.

C.53 Public Participation

There was no public participation.

C.54 Questions

Six questions had been submitted in accordance with Standing Order A5 by Members of the Council.

Question from Councillor N Knowles to the Cabinet Member for Planning & Economic Regeneration

Will the cabinet member investigate a possible method of providing help to any potential small start up retail business which might benefit from perhaps a business rate reduction such as for Canterbury Road Post Office?

Answer from the Cabinet Member for Planning & Economic Regeneration

I'm happy to report that the Council offers a wide range of support to new businesses both existing and those wishing to start up and I'm happy for you to give me the details and I'll put them in touch with North Worcestershire Economic Regeneration Service and indeed it's interesting to know that we are the market leaders in Wyre Forest and deliver the service for Redditch & Bromsgrove.

Supplementary question from Councillor N Knowles

Is there a specific method of getting business help through the first year?

Supplementary answer from Cabinet Member for Planning & Economic Regeneration

I'm not an expert in this matter but it's not just about seeing the first period through, it's about building a sustainable businesses ensuring any help given and about surviving on their own. I know from experience we offer a wide range of support in mentoring through to long term support through business plan writing through to procurement and helping business rates. So I'm pleased to report the support this Council offers is very wide ranging and we are able to tailor to individual needs.

Question from Councillor N Knowles to the Leader of the Council

How will the Leader push forward the new housing starts and reduce the housing waiting list, currently more than 2,000, when the Chancellor's Autumn statement and spending review has made it much more difficult for social housing associations in Wyre Forest to build for the future?

Answer from the Cabinet Member for Planning & Economic Regeneration

The Cabinet Member for Planning & Economic Regeneration responded to the question.

Planning policy seems to be by some dull and exciting. I think here in Wyre Forest we have it absolutely right when it comes to planning policy, led by a working group and Councillor Oborski has been steering/driving on a cross party/cross organisation basis and that policy has such depth of quality, it's been delivering for our community. We not only have been delivering well in excess of housing targets set and we're just in the process of renewing that and I'm really pleased that over 50% of those are affordable. I'm confident that as we move into the next period, we will continue to do that and continue to deliver the number of affordable homes in balance with homes for sale that our community needs.

Supplementary question from Councillor N Knowles

Is there anything specifically we could be doing that we are not doing now that would help in the short term future to make the housing waiting lists less?

Supplementary answer from the Cabinet Member for Planning & Economic Regeneration

We are not a housing provider, that decision was taken a long time ago. I think it's right that the market does afford that provision of affordable housing, are there enough in the district, no. What can we do in the shorter term – we can support our Registered Social Landlords so they are having the best possible chances when they are applying for grants and to support them with land when they have ideas to come forward to deliver. We do have to allow the market that was envisaged by the Labour Group when they sold off the housing stock in this Council to lead and deliver in this particular area and whilst it's not perfect, I don't think they are doing too badly.

Question from Councillor N Knowles to the Leader of the Council

Can the Leader give an absolute assurance that Council assets, such as Aggborough Football Ground and Kidderminster Carolians Rugby Field, will not be sold off to meet the shortfall in Council's monetary needs after the Chancellor's Autumn statement?

Answer from the Leader of the Council

Absolutely categorically yes.

Supplementary question from Councillor N Knowles

I'm pleased to hear that, it's just that the budget really does stress it and I wonder what your comments are about assets being sold off. There seems to be pressure on councils to sell our assets to meet the shortfall from the rates money that we can raise to spend on services.

Supplementary answer from the Leader of the Council

The devil is in the detail. The chancellor didn't say you can sell off capital assets to fund ongoing revenue, it may have come across as that when it was presented but as with media it doesn't always portray the detail. There will be some mechanism where local authorities can dispose of fixed assets but they will have stringent rules as to how the benefit of those fixed assets can be spent, e.g. delivery of more sustainable services and that's an where area where government could allow local authorities to spend 100% and so therefore it's not as clear cut as the chancellor indicated on the 25th November.

Question from Councillor N Knowles to the Cabinet Member for Resources

The Cabinet member is aware that Wyre Forest District Council has approximately £3million in its reserve fund. Is he also aware that Wyre Forest has low financial reserves, particularly compared to some other councils, and reserves cannot be relied on as part of government policy to reduce our spending, particularly before we are allowed to keep 100% of our business rates?

Answer from the Cabinet Member for Resources

Firstly, we have just over £3.5m in general reserves and over £7m in earmarked reserves. I don't agree with Councillor Knowles' assertion that we have low reserves, this answer needs to be seen in the context of the last 5 years, where we have reduced our revenue budget including 40% reduction in our RSG. I think we have a sensible and sound level of reserves with our net revenue budget and this has been echoed by our external auditors Grant Thornton who have given us a clean bill of health.

If you look at our reserves, in comparison with our Worcestershire neighbours, our position is relatively healthy. Members might know our general reserves represent 28% of our net revenue budget and if we look at our neighbours, we have 16% at Worcester City, 20% at Redditch and 23% at Bromsgrove. Only Wychavon and Malvern have slightly higher at 45% and 37% respectively and that 28% is in line with national average. I do agree that you can't solely rely on reserves going forward, and it's thanks to this administration that over the last 5 years we have seen expenditure brought into line with income and tough decisions have been made by increasing our reserve. This is the first time a Labour member has felt our reserves are too low, I'm certainly eager to see the Labour party alternative budget proposals and see how much they are looking to increase reserves by.

Supplementary question from Councillor N Knowles

I'm not necessarily criticising level of reserves compared to other districts. We are not going to rely on our reserves to pay for services. I'm not trying to score points on this issue, I'm just trying to bring out that I would not like to think that we've got enough reserves to meet any shortfall.

Supplementary answer from the Cabinet Member for Resources

I think we are of the same mind. Going forward it's imperative that expenditure meets with income and as an administration we have brought that into line over the past 5 years, the gap has got smaller and no authority, even, can solely rely on reserves going forward. I think our levels at this juncture are at a sensible level and balanced.

Question from Councillor N Knowles to the Cabinet Member for Transformation & Change

Given that four businesses, now closed, did not pay their business rates tax to Wyre Forest District Council and that the amount owing to WFDC had to be forfeited, £149,224.81, is the Cabinet Member content that we have in place the best possible method of ensuring that businesses are able to pay their dues to us, and that such businesses cannot continue to trade when they are in a non viable position and alarm bells are rung, to pay their taxes to Council.

Answer from the Leader of the Council (in the absence of the Cabinet Member for Transformation & Change)

Yes, I am content that we have strong arrangements to collect business rates and pursue them to pay in full. Nigel Knowles is seizing on the business rates write offs which went to the November 2015 Cabinet meeting and this is something regrettably that we have to do when businesses go into administration. The overwhelming number of businesses are limited companies and sometimes there is nothing we can do to obtain the debt from them, so I am content we have strong arrangements in place for this authority.

Supplementary question from Councillor N Knowles

I realise that our team is very efficient and not criticising that, but there must be other councils in the country with the same problem. Is there anything extra we can do, it might be contacting government to look at, but it's not acceptable for £149k to be written off and for the Council to pay for it?

Supplementary answer from the Leader of the Council

£149k is a lot of taxpayers money but lets put it into perspective in 14/15. Who knows how much we collected in business rates? It's £28.4m. So £149k is less than 1%, but on the specific point, we are not alone, this is an issue for all authorities, business rates avoidance is an issue. Central government is aware of the problem and has undertaken a number of consultations over the past few years to understand the impact on local councils and I'm confident that we have set out our concerns to central government so they are aware. It's an issue, we are not alone but we do everything we can to get every penny in and collection of funds is later on the agenda.

Question from Councillor F M Oborski MBE to the Leader of the Council

As the Government has now agreed that as well as full funding for the first year there will now be transitional funding for five years for Syrian refugees; can the Leader tell me, when can we expect the first refugee families to arrive in Wyre Forest; what discussions have been held with local social housing providers and what discussions have been held with the local Islamic Community?

Answer from the Leader of the Council

I've briefly set out in my Leaders announcement the position so hope that gives you some insight but to confirm to Council that this district council together with the other five districts and indeed the County Council have agreed to be part of a Worcestershire wide scheme. The government has indicated that we would take some 20,000 over the lifetime of this Parliament and we're looking at a figure of taking a couple of hundred in Worcestershire so therefore some refugees would come to Wyre Forest.

The Government made an announcement on 25 November regarding funding and the 5 year funding packing is not straight forward and has to be negotiated and reduces over 5 years. And as previously indicated we would be more than prepared to be part of the vulnerable persons relocation scheme subject to the funding and discussing the financial proposals in January at our Leaders board meeting. So it's fair to say no Syrian refugees will be arriving in this district or Worcestershire before that date. With regard to housing providers, let me say that the West Midlands Strategic Migration partnership will ensure that there is a full consultation with housing providers and local faith communities although my expectation is majority of the housing would be provided through private rented sector.

Supplementary question from Councillor F M Oborski

You'll be aware that Malvern Hills and Bromsgrove already have voluntary refugee support groups. There is an inaugural refugee support group meeting at 4pm on 20th January 2016 at Baxter Church. This group has been set up by the people involved in the Kidderminster Foodbank so I hope the Leader will join me in welcoming that initiative and will encourage any Members who are interested to take part.

Supplementary answer from the Leader of the Council

I'm happy to do that and I've received correspondence to that effect. I am aware they do have a group formed to facilitate support for Syrian refugees and endorse that humanitarian support wholeheartedly.

C.55 Chairman's Communications

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting.

C.56 Leader's Announcements and Report

The Leader of the Council tabled his report and informed Members that the bridge was now in place over the river at Hoobrook for the link road.

A Member stated that it would be helpful if the Leader could circulate his report earlier rather than it be tabled at the meeting.

C.57 Motions Submitted Under Standing Order No. D1 (1)

Two motions had been received in accordance with Standing Order No. D1 (1).

1. Motion received from Councillor J Shaw, Labour Group on the Housing and Planning Bill

Councillor Shaw presented the motion on behalf of the Labour Group. He explained that more needed to be done to help people as the Wyre Forest district was a low wage area, with recent figures from the Local Plans Review Panel showing that 55% of the district were unable to purchase a property as they were in the bottom quartile. There had been a long debate at the Local Plans Review Panel about planning obligations and S106 requirements.

A debate ensued and it was acknowledged that there needed to be more affordable housing needs for the most vulnerable in the district.

A Member perceived that some of the motion was already being looked at by the Local Plans Review Panel. It was also reiterated that Home ownership was not the right thing for everyone.

Upon a vote, the motion was defeated.

2. Motion received from Councillor J Shaw, Labour Group on Low Wage Economy, Wyre Forest

Councillor J Shaw, on behalf of the Labour Group, presented the motion. He explained that a similar motion has been presented to Council one year ago.

A robust debate ensued with the Conservative Group presenting an amendment. The majority of the Labour motion was acceptable but there were some parts that the Conservative Group were not happy with which was why the amendment had been presented.

The Leader of the Council acknowledged there had been low wages in the area for some time. Higher wages were supported by everyone in the chamber but it was how it was reached. The Council had a living wage of £7.85.

A debate on the amendment took place and upon a vote, the amendment was agreed.

Decision:

“concerned that average wages in Wyre Forest are lower than the national and county averages,

welcomes the acceptance by the Government of the principle of a Living Wage and further welcomes its decision to retain tax credits

for the Working Poor,

notes that since April 2014, Wyre Forest District Council has operated the living wage calculated by the Living Wage Foundation,

notes that the Government's proposed National Living Wage is below this level and therefore will have no short-term financial implications for the Council,

reaffirms the Council's economic regeneration priority and policy in order that Wyre Forest continues to attract new business opportunities and existing businesses continue to grow and flourish, thereby creating the environment, which is based on low taxation and light regulation, to enable business to thrive and in turn create more skilled jobs and higher wages; and

resolves to welcome the extension of living wage principles to all employers in Wyre Forest and the benefit that this will have for households and the local economy by raising the income of lower paid workers and lifting them out of benefits.

C.58 Urgent Motions Submitted Under Standing Order No. D1 (7)

There were no urgent motions.

Councillor T Onslow left the meeting at this point, (7.41pm).

C.59 Worcestershire Devolution Proposals

A report was considered from the Chief Executive which invited Council to note the development of devolution proposals for Worcestershire.

The Leader of the Council informed Members that the administration did not usually bring papers to Council for noting but had out of courtesy to Members. An identical report had also been submitted to Worcestershire County Council and other local authorities for information.

Councillors S Arnold and F Oborski left the meeting at this point, (7.42pm).

Councillor T Onslow returned to the meeting at this point, (7.43pm).

Councillor T Muir left the meeting at this point, (7.44pm).

Councillor S Arnold returned to the meeting at this point, (7.44pm).

A meeting had been set to meet the Secretary of State between County Council, CCG, LEPs and local authorities to put forward proposals to Government.

Councillor T Muir and Councillor F M Oborski MBE returned to the meeting at this point, (7.44pm).

A discussion took place and Members were reminded that the report was in draft format and was for noting only. Members were thanked for their contribution

Decision: The current progress with Worcestershire's case for devolution as set out in the draft summary document in Appendix A of the report to Council be noted.

C.60 Review of Polling Places and Polling Places for Kidderminster Foreign Parish

A report was considered from the Returning Officer & Chief Executive which recommended changes following the review of polling places and polling districts within the Parish of Kidderminster Foreign.

Decision: The changes to the Polling Places and Polling Districts for the parish of Kidderminster Foreign as set out in paragraph 4.5 of the report to Council be made from the elections in May 2016.

C.61 Policy And Budget Framework – Matters which require a decision by Council

a. Recommendations from Licensing & Environmental Committee on 5th October 2015

- **Gambling Act 2055 Revised Statement of Principles Review Consultation Results**

Councillor S J Chambers left the meeting at this point, (8.04pm).

Decision: The revised Statement of Principles 2016-2019 attached at Appendix 2 of the report to the Licensing and Environmental Committee, subject to typo graphical errors being amended, be approved and published.

b. Recommendations from Overview & Scrutiny Committee on 5th November 2015

- **Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2015/16**

Members were urged to attend the training sessions.

Decision: The Treasury Management Mid-year Review and updated Prudential Indicators be approved.

Councillor S J Chambers returned to the meeting at this point, (8.06pm).

c. Recommendations from Cabinet on 10th November 2015

- **Council Tax Reduction Scheme Review 2016/17**

The Leader of the Council moved the recommendations from Cabinet and took Members through the background to the recommendation. Back in 2013 rules regarding council tax and benefits changed and every authority had to produce a council tax reduction scheme. A

consultation had taken place in the Summer of 2015 and 10,000 letters had been sent out. The Cabinet report was referred to and all Members had received a copy of that and the equality impact assessment prior to the Council meeting.

A robust debate ensued and it was highlighted that the subject had been debated at the Overview & Scrutiny Committee at its meeting in November 2015 and recommendations were made to Cabinet. The Scrutiny committee had recommended that 8 items on the Children's Society be incorporated. However, some Members were disappointed that the Cabinet had not included these in their recommendation to Council. It was pointed out that it was about the most vulnerable people in society and people on low incomes and many people were in real need of financial help.

In reply, the Cabinet Member for Planning & Regeneration said that the recommendations had been noted only and therefore not included in the final recommendations. It was perceived that approximately 9% of the people in Wyre Forest would be affected, and these would probably be in Council Bands A and B. This would equate to an approximate £2 extra on Band A.

Upon a vote, the recommendations were carried.

Decision: From 1st April 2016:

- 1. The exceptional hardship fund be retained to support claimants who are unable to pay their council tax liability due to financial hardship;**
- 2. The technical changes outlined in paragraph 3.4 of the report be adopted in the Council Tax Reduction Scheme;**
- 3. The capital limit be reduced from £16,000 to £12,000;**
- 4. The minimum payment required by all working age claimants be increased to 20%, on the basis that the Council is not minded to review the level of contribution again for the period before 2019-20.**

d. Recommendations from Licensing & Environmental Committee on 7th December 2015

- Fees and charges, including changes as a consequence of the Deregulation Act 2015**

Some Members perceived that the rise in fees and charges was too high. The Chairman of the Licensing & Environmental Committee explained that the Council had to recover the cost of running services.

Decision:

1. In accordance with the Deregulation Act 2015 and following public consultation the fee for a five year private hire operator licence be set at £1760, the fee for a three year dual hackney carriage/private hire driver licence be set at £415, and that both fees be included in the Council's table of fees and charges.
2. The proposals for fees and charges within the Council's Licensing, Food, Health, Safety and Pollution Control functions for 2016/17, as detailed in the report to the Licensing & Environmental Committee at its meeting on 7th December 2015, be included in the Council's 2016/17 budget strategy.

Councillor M J Hart left the meeting at this point, (8.49pm).

C.62 Half Yearly Report from the Chief Executive

Council considered the half yearly report from the Chief Executive.

Councillor M J Hart returned to the meeting at this point, (8.50pm).

Councillor M Rayner left the meeting at this point, (8.51pm).

Decision: The report be noted.

The meeting ended at 8.52 pm.