

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

22ND MAY 2019 (6PM)

Present:

Councillors: S Williams (Chairman), J Aston, G W Ballinger, C J Barnett, J F Byng, V Caulfield, S J Chambers, A Coleman, R H Coleman, B S Dawes, N J Desmond, H E Dyke, P Dyke, C E E Edginton-White, N Gale, S Griffiths, I Hardiman, P Harrison, M J Hart, K Henderson, L J Jones, A L L'Huillier, N Martin, S Miah, F M Oborski MBE, M Rayner, C Rogers, S E N Rook , D R Sheppard, J W R Thomas, A Totty, L Whitehouse and P W M Young.

C.1 Prayers

Prayers were read by Imam Syed Rahat Ahmad and Revd Robert Legge, Team Vicar, Kidderminster East.

C.2 Election of Chairman

Councillor S Miah was nominated as Chairman. This was moved by Councillor F Oborski MBE and seconded by Councillor G Ballinger.

Decision: Councillor S Miah be elected as Chairman of the Council for the Municipal Year 2019/20.

C.3 Chairman – Investiture and Declaration of Acceptance of Office

After being invested with his Chain of Office, Councillor S Miah made his Declaration of Acceptance of Office as Chairman.

C.4 Chairman's Response

The Chairman thanked Council for its unanimous support for his appointment. He felt truly humbled and proud to be given the opportunity to take on this role. He said this was an historic moment for Wyre Forest District Council in electing its first Muslim Chairman, and spoke about the pride that was felt within the Bangladeshi Community.

C.5 Retiring Chairman

The retiring Chairman was presented with a Past Chairman's badge. The

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Leader of the Conservative Group, Councillor M Hart, thanked the retiring Chairman, Councillor S Williams, for his hard work during the last municipal year. He said that Councillor Williams was the first Member to have

chaired the Council on four separate occasions; and each time it had been with dignity and distinction, and ably supported by his wife Christine. He thanked him for his previous terms as Chairman and for his 20 years of loyal service across the District.

The Leader of the Independent, Liberal Democrat and Green Group, Councillor F Oborski MBE, said that Councillor Williams had been a fantastic Chairman of the Council, and probably one of the best Chairs of the Planning Committee that any District Council in Worcestershire could have. She thanked him for the wonderful job he had done representing the Council over the years.

The Leader of the Independent, Community and Health Concern Group, Councillor G Ballinger, said that Councillor Williams was well known to the people of Wyre Forest, not just because of all the Civic events he had attended with great dignity: it was because of his actions at Planning Committees where he was fair and impartial to everybody. He wished him a happy retirement.

Councillor Williams thanked the Group Leaders for their kind words. He said he was honoured to have been given the Chairmanship on four occasions. He thanked the Chief Executive and Solicitor to the Council for all their help with the meetings and also thanked his wife for all her help during his four years as Chairman. He was pleased to announce that he had raised £1,550 during the year for his chosen charity; Kidderminster Hospital League of Friends, and thanked Karen Walsh, Executive Support Officer, for her invaluable help over the last 12 months.

He added that for the last 12 months he had been a Member of Wyre Choir and thanked them for their friendliness and good humour. In relation to his keen interest in planning matters, he thanked the Principal Solicitor, Jane Alexander for all her help with case work and meetings over the years. He wished all Members, Officers and employees all the very best for the future.

C.6 Appointment of Vice-Chairman

Councillor G Ballinger nominated Councillor P Young as Vice-Chairman. This was seconded by Councillor F Oborski MBE.

Decision: Councillor P Young be appointed as Vice-Chairman of the Council for the Municipal Year 2019/20.

C.7 Vice-Chairman – Investiture and Declaration of Acceptance of Office

After being invested with his Badge of Office, Councillor P Young made his

Declaration of Acceptance of Office as Vice-Chairman.

C.8 Election of Leader

Council considered a report from the Chief Executive which asked

Members to elect a Leader of the Council for the period to the annual general meeting following the ordinary elections in 2023, in accordance with sections 44A and 44D of the Local Government Act 2000.

Councillor F Oborski MBE addressed Members and nominated Councillor G Ballinger for the position of Leader of the Council. The proposal was seconded by Councillor N Martin.

There were no other nominations and following a vote Councillor G Ballinger was elected as Leader of the Council.

Decision: Councillor G Ballinger be appointed as Leader of the Council.

C.9 Apologies for Absence

Apologies for absence were received from Councillor T L Onslow.

C.10 Declarations of Interests by Members

There were no declarations of interest.

C.11 Minutes

Decision: The minutes of the meeting held on 27th February 2019 be confirmed as a correct record and signed by the Chairman.

C.12 Public Participation

There was no public participation.

C.13 Questions

No questions had been submitted in accordance with Standing Order A5 by Members of the Council.

C.14 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 his chosen charities for the municipal year are Kidderminster & District Youth Trust, HELP, which has been set up to help homeless people in the District, and Stourport Cancer Research

Committee.

C.15. Political and Constitutional Structures 2019/2020

Council received a report from the Solicitor to the Council on the proposed political and constitutional structures for the municipal year 2019/2020.

The Leader of the Council presented the report and drew Members'

attention to an amendment to the committee appointments which had been circulated to Members prior to the meeting. He moved all the recommendations as set out in the report, as amended.

The Leader of the Conservative Group and former Leader of the Council, Councillor M Hart, thanked the Chief Executive, the Corporate Leadership Team and all of the Council's employees for their hard and diligent work across the District. He said it had been an absolute privilege being the Leader of the Council for the last 5 years. He said as Leader of the opposition Group, he looked forward to working constructively and positively on behalf of the Conservative Group, with Members of the Progressive Alliance. He thanked the Leader of the Council for the proposed Chairman and Vice-Chairman Committee positions for Conservative Group Members.

Upon a vote the recommendations, as amended, were carried unanimously.

Decision:

- 1.1 The revisions to the Constitution as set out in Appendix 1 of the report be agreed.**
- 1.2 The proposed Political Management Structure of committees for 2019/2020 as set out in Appendix 2 of the report be approved.**
- 1.3 The Chairmen and Vice-Chairmen of Committees as contained in the amended version of Appendix 3 of the report be agreed.**
- 1.4 The Municipal Calendar as set out in Appendix 4 of the report be adopted.**
- 1.5 The revised chart of political balance as set out in Appendix 5 of the report be approved.**
- 1.6 The appointments to outside bodies as set out in Appendix 6 of the report be agreed.**
- 1.7 To commission a review of the Council's procedures in respect of handling complaints and concerns about**

behaviour and standards, and invite the Ethics and Standards Committee to produce a report with recommendations for the July meeting of Council, as outlined in Appendix 7.

- 1.8 The Solicitor to the Council 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.16 Members' Annual Activity Reports and Attendance 2018/2019

Council received the schedule of Members' Annual Activity Reports which gave details of their activities in their role as District Councillors for the 2018/2019 municipal year and a record of attendance.

Decision: The reports and attendance be noted.

C.17 Annual Reports for the Municipal Year 2018/2019

Council received the annual reports from the previous Leader of the Council, and the previous Chairmen of both the Overview and Scrutiny Committee and Ethics and Standards Committee.

Decision: The Annual Reports for the Cabinet, Overview and Scrutiny Committee and Ethics and Standards Committee be noted.

C.18 Leader of the Council Announcements

The Leader of the Council said that the newly formed Progressive Alliance had come together with a common objective; to work in the best interests of the people of Wyre Forest. He added that the new Alliance would take a fresh look at the way things are done in the Wyre Forest and would continue to improve the services for its residents through transformation initiatives. He said that the authority would continue to explore different ways of delivering services and generating income. He said there was no room for complacency as the authority had a major challenge ahead to close the projected funding gap as a result of the changes to Local Government funding from Central Government.

C.19 Motions Submitted under Standing Orders

Four motions had been received in accordance with Standing Orders (Section 7, 4.1).

- 1. Motion from Councillor Graham Ballinger, Independent Community and Health Concern Group**

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Council recognises that the Leader and Cabinet structure leads to many “backbench” Councillors feeling that they have little opportunity for active involvement. Council therefore resolves to convene a review panel of the Group Leaders and Deputy Group Leaders to investigate how the committee system has been reintroduced in other councils such as Worcester City Council and bring a report to Council within 6 months on a suggested committee system for the governance of Wyre Forest District Council.

Councillor Ballinger presented the motion. He said that for some time his political party had expressed concern about the whole concept of having a

powerful Cabinet which can leave certain Members in the dark about what was going on. He added that the request for a review into what alternatives to the Leader and Cabinet System were available to the authority to enable greater involvement of Members from all sides in the decision making progress should be supported. Councillor F Oborski MBE seconded the motion.

On behalf of the Conservative Group, Councillor M Hart spoke against the motion. He said that as a result of the Local Government Act 2000, the Cabinet style system was introduced to allow Councils to remove the old style committee system as it was said that too much power was vested in the hands of the chairmen of those committees. He added that the Cabinet system led to greater openness and transparency. He said that the Conservative Group do not support the implication that just because you are a backbencher you do not have any involvement. He added that the Council embraces the work of backbenchers who make really important decisions on the Licensing and Environmental Committee, the Planning Committee, Budget Review Panel and the Overview and Scrutiny Committee.

A discussion ensued and upon a vote, the motion was carried.

2. Motion from Councillor Fran Oborski MBE, Independent, Liberal Democrat and Green Group

Council recognises that trees play a major part in reduction of our carbon footprint and are a vital part of our ecosystem. Council therefore resolves to work in partnership with all local schools and with Worcestershire County Council to ensure that, within the life of this 4 year Council term, every child in a Wyre Forest school is able to be involved in planting a tree. Council invites the Cabinet to consider any financial implications arising from this resolution and, if necessary, to bring forward proposals for funding as part of the next medium term financial strategy.

Councillor F Oborski MBE presented the motion. She said that she was aware that the Labour Group was proposing an amendment to the motion which she was happy to accept. She added that the issues surrounding climate change was one of the most important things that the world was facing

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at the moment and it was really important that the incredibly important role of trees as part of the ecosystem was acknowledged.

Councillor V Caulfield said it gave her great pleasure to second the motion. She said that climate breakdown was the biggest threat we faced and it was an emergency that would affect us locally. She added that we all have a responsibility to act now, and not forgetting the responsibility we have to future generations.

Councillor L Whitehouse presented the amendment which was seconded by Councillor H Dyke.

Councillor N Desmond spoke against the motion. He said that he and his Conservative colleagues agreed with the sentiment behind the motion and totally agree with the importance of climate change and the need for urgent action. He said that it was felt that the motion was slightly premature. He added that if circa 6000 trees were going to be planted, there was a need for a fully costed business plan to set out details such as who would plant the trees, where would they be planted, how would it be funded and future maintenance of the trees. He said that the Conservative Group agreed with the sentiment of the motion and thought it was an excellent idea: however it needed some more facts and figures before they could support it.

Councillor P Dyke left the meeting at 7.14pm and returned at 7.16pm.

A full and robust debate on the amended motion took place. Upon a vote, the motion as amended by the Labour Group was carried.

Decision: Acknowledging that Global Warming is an international crisis, Wyre Forest Council declares a Climate Emergency. Council further recognises that trees play a major part in reduction of our carbon footprint and are a vital part of our ecosystem. Council therefore resolves to work in partnership with all local schools and with Worcestershire County Council to ensure that, within the life of this 4 year Council term, every child in a Wyre Forest school is able to be involved in planting a tree. Council invites the Cabinet to consider any financial implications arising from this resolution and, if necessary, to bring forward proposals for funding as part of the next medium term financial strategy.

3. Motion from Councillor Fran Oborski MBE, Independent, Liberal Democrat and Green Group

Council recognises that the huge housing waiting list and number of homeless and rough sleepers present a human tragedy that requires early action. Council therefore requires the Corporate Director: Economic Property and Place to bring a report to Cabinet within six months on how the Council can be enabled to build social rental housing, constructed on land already in public ownership.

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Councillor F Oborski MBE presented the motion. She spoke about the desperate need for housing to be built for social rental housing within the District. Councillor S Rook said that it was a disgrace that in 2019 in one of the richest countries in the world people should not be sleeping outside. She added that this motion was the direction the Council needed to go in, and was proud to second the motion.

Councillor M Hart spoke in favour of the motion and advised that the Conservative Group would support it. He added that the Council had a clear commitment to support rough sleepers; the previous administration's budget included funding for a new Rough Sleepers Night Shelter Protocol.

A named vote on the motion was recorded as follows and was agreed:

For (32)

Councillors: J Aston, G W Ballinger, C J Barnett, J F Byng, V Caulfield, S J Chambers, A Coleman, R H Coleman, B S Dawes, N J Desmond, H E Dyke, P Dyke, C E E Edginton-White, N Gale, S Griffiths, I Hardiman, P Harrison, M J Hart, K Henderson, L J Jones, A L L'Huillier, N Martin, S Miah, F M Oborski MBE, M Rayner, C Rogers, S E N Rook, D R Sheppard, J W R Thomas, A Totty, L Whitehouse and P W M Young.

Against (0) Abstained (0)

Councillor S Griffiths left the meeting at 7.52pm and returned at 7.54pm

4. Motion from Councillor Fran Oborski MBE, Independent, Liberal Democrat and Green Group

Council recognises that the climate change emergency requires councils to take positive action and notes that Wyre Forest has been identified as an area with a very low level of provision of charging points for electric vehicles. Council therefore resolves: (1) to ensure that adequate electric vehicle charging points are provided in Council-owned public car parks (2) to encourage the owners of privately-owned car parks to do likewise. (3) to request the Corporate Director: Economic Prosperity and Place to advise Council on how it can require electric vehicle charging points to be provided on all future residential and employment developments where vehicle access is provided. Council invites the Cabinet to consider any financial implications arising from this resolution and, if necessary, to bring forward proposals for funding as part of the next medium term financial strategy.

Councillor F Oborski MBE presented the motion. She said that the District had been 'named and shamed' as having an appallingly low level of electric

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vehicle charging points and the motion sought to change that. Councillor L Whitehouse seconded the motion. He said that he would like the Council to be very proactive around this particular issue. He added that in order for there to be a rapid growth in electric vehicle ownership, there was a need for simultaneous growth in the charging infrastructure.

Councillor N Desmond said that he wholeheartedly agreed with the sentiment behind the motion; he was only aware of two charging points in the district, one on Weavers Wharf in Kidderminster and a second at the Co-op supermarket in Stourport. However, the motion was lacking in detail. He added that the Conservative Group would be unable to support a motion when they simply do not know the costings involved.

A named vote on the motion was recorded as follows and was agreed:

For (19)

J Aston, G W Ballinger, C J Barnett, V Caulfield, H E Dyke, P Dyke, C E E Edginton-White, S Griffiths, A L L'Huillier, N Martin, S Miah, F M Oborski MBE, M Rayner, S E N Rook, D R Sheppard, J W R Thomas, A Totty, L Whitehouse and P W M Young.

Against (13)

J F Byng, S J Chambers, A Coleman, R H Coleman, B S Dawes, N J Desmond, N Gale, I Hardiman, P Harrison, M J Hart, K Henderson, L J Jones and C Rogers.

Abstained (0)

C.20 Urgent Motions submitted under Standing Orders

There were no urgent motions.

C.21 Independent Remuneration Panel

Council received a report from the Chief Executive which sought agreement to establish an Independent Remuneration Panel (IRP) to recommend any amendments to the scheme of allowances to be paid to Members for the municipal year 2019/20 and subsequent years.

The Leader of the Council presented the report and formally moved the recommendations for approval. He said that it was important for a panel of independent people who were not connected to anybody within the Council chamber to undertake this review. The Deputy Leader, Councillor F Oborski MBE seconded the proposal. Upon a vote, the recommendations were carried unanimously.

Council Decided to:

- 1.1 **AUTHORISE the Solicitor to Council to convene an Independent Remuneration Panel (IRP) at the earliest opportunity, after seeking expressions of interest in serving from suitably qualified persons who are independent of the Council and having consulted Group Leaders prior to making appointments to the Panel;**
- 1.2 **REQUEST the IRP to report back no later than the Council's meeting in September 2019 with recommendations for the Members' Allowances Scheme for 2019/20 (which would take effect from 7 May 2019) and should include an uprating mechanism that would apply for the years commencing 1 April 2020, 1 April 2021, 1 April 2022 and 1 April 2023.**

C.22 Policy And Budget Framework – Matters which require a decision by Council

a. Recommendations from Planning Committee – 16th April 2019

• Scheme of Delegation – Proposed Changes

The Deputy Leader, Councillor F Oborski MBE, moved the recommendations for approval. She said that the current scheme of delegation was considered to be in need of revision to ensure that it was clear, relevant and unambiguous and to support efficient decision making. The Cabinet Member for Housing, Health, Well-being and Democratic Services, Councillor N Martin, seconded the proposal.

Decision: The proposed changes to the Scheme of Delegation as set out in Appendix 2 of the report be APPROVED.

b. Amendments to the Capital Programme

• to agree an amendments to the Capital Programme

The Deputy Leader and Cabinet Member for Economic Regeneration, Planning and Capital Investments presented the report. She said that the award of the grant was extremely good news for the Council, and formally moved the recommendations for approval. The Leader of the Council seconded the proposal.

Decision: The Capital Programme be amended to include the £2.7m grant from the Housing Infrastructure Fund in respect of the Churchfields development; and to increase the total allocation for Industrial Units Development – Silverwoods by £60,000, with funding to come from the Evergreen Investment Fund.

There being no further business, the meeting ended at 8.27pm.

