

Open

# Council

# Agenda

6pm  
Wednesday, 20 September 2023  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Council

### **Public Information**

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2. The Council meeting is open to the public except for any exempt/confidential items. These items are normally discussed at the end of the meeting
3. The public are welcome to speak at meetings of Council provided they have requested to speak in advance of the Agenda being published. Details of the guidance for public speaking can be found on our website [www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)
4. If you have any special requirements regarding access to the venue and its facilities including audio and visual needs please let us know in advance so that we can make arrangements for you.
5. This Agenda can be made available in larger print on request; if you require a copy please contact:

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**COUNCIL MEETING**

**12 September 2023**

**TO ALL MEMBERS OF THE COUNCIL AND HONORARY ALDERMEN**

**PRESS AND PUBLIC**

Dear Member

**YOU ARE INVITED** to attend a meeting of the Wyre Forest District Council to be held **at 6.00p.m. on Wednesday 20 September 2023**, in the Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster.

The Agenda for the meeting is enclosed.

Yours sincerely

A handwritten signature in black ink that reads "I R Miller".

Ian Miller  
Chief Executive

## **Disclosure of Interests**

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in ADVANCE of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer or other legal officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPis and ORIs at the meeting. Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where the matter relates to an ORI they may not vote on the matter unless granted an advance dispensation.

Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where a matter affects the NRI of a Member or co-opted Member, the Code of Conduct sets out the test which must be applied by the MEMBER to decide whether disclosure is required. Again please ensure you have spoken in ADVANCE to the relevant legal officer and determined whether it is appropriate to declare the NRI and leave.

## **(A) TERMS OF REFERENCE OF THE COUNCIL**

### The Council

1. Is the ultimate decision making Body.
2. Determines the Budget (but reserves powers to itself in relation to requirements).
3. Is responsible for appointing (and dismissing) the Leader of the Council.
4. Appoints at its Annual Meeting, the Regulatory Committees, the Overview and Scrutiny Committee and any other Committees/Forums necessary to conduct the Council's business.
5. Decides on matters where the Cabinet is not minded to determine a matter in accordance with Council policy.

## **(B) MATTERS RESERVED TO THE COUNCIL**

1. Those reserved by Law e.g. levying a rate, borrowing money, promotion of or opposition to a Bill in Parliament.
2. Matters reserved to the Council by financial regulations.
3. The adoption and amendment of Standing Orders, including the powers and duties of Committees and other forums.
4. Power to make, amend, revoke or enact or enforce any byelaws.
5. The determination of the objectives of the Council.
6. Matters of new policy or variation of existing policy as contained within the budget and policy framework.
7. Local Development Framework adoption.

8. Any function where a decision would be contrary to a plan, policy, budget or strategy previously adopted by the Council, which would be contrary to the Council's Standing Orders, Financial Regulations or Executive arrangements.
9. The Scheme of Delegations to Officers.

### **WEBCASTING NOTICE**

This meeting is being filmed\* for live or subsequent broadcast via the Council's website site ([www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)).

At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council's website for 6 months and shall be retained in accordance with the Council's published policy.

**By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.**

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

**If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.**

\* Unless there are no reports in the open session.

Wyre Forest District Council

Council

Wednesday, 20 September 2023

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
1.	<b>Prayers</b>  To be read by Rev David Hildred – Team Rector Kidderminster East	
2.	<b>Apologies for Absence</b>	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To approve as a correct record and sign the Minutes of the last meeting held on 19 July 2023 and the Minutes from the special meeting held on 19 July 2023.	9
5.	<b>Public Participation</b>  In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Monday 11 September 2023.  <b>No requests for public participation were received by the deadline.</b>  <i>If you wish to speak on an urgent matter that has arisen since the deadline and you could not reasonably have known about it at the time, you should register your interest in speaking no later than 9am on the day of the meeting of Council. In the case of a request to speak on an urgent matter, the Solicitor to the Council will rule on whether or not the matter is urgent and that ruling will be final.</i>	
6.	<b>Chairman's Communications</b>  To note the engagements of the Chairman of the Council since the Council's last meeting.	17

7.	<p><b>Leader of the Council Announcements</b></p> <p>To receive announcements from the Leader of the Council.</p>	
8.	<p><b>Members' scheme of allowances</b></p> <p>The report from the Chief Executive invites Council to consider and take decisions on the Independent Remuneration Panel's report and recommendations for the period from May 2023 to March 2026.</p>	18
9.	<p><b>Amendments to the Constitution</b></p> <p>The report from the Chief Executive asks Council to consider amendments to the Constitution including arrangements for remote participation by members and officers in formal meetings of committees of the Council.</p>	35
10.	<p><b>Policy and Budget Framework</b></p> <p>Matters which require a Decision by Council.</p> <p><b>Recommendations from Cabinet, 12 September 2023</b></p> <p><b>(a) Adoption of Corporate Plan, 2023-2027</b></p> <p>Please note that the reports and associated documents, referred to above, have been circulated electronically to Members. Public inspection copies are available on request. Please refer to the front cover for contact details.</p>	42
11.	<p><b>Questions</b></p> <p>To receive questions submitted by Members of the Council and the replies of the Leader of the Council, or relevant Cabinet Member, in accordance with Standing Order 1.9, details of which have been received by 12 noon on Monday 11 September 2023.</p> <p><b>Nine questions have been received by the deadline.</b></p> <p><i>In the case of an urgent matter that has arisen since the deadline above, and could not have been reasonably known at that time, it must be delivered in writing to the Solicitor to the Council no later than 9am on the day of Council.</i></p>	45
12.	<p><b>Motions Submitted under Standing Orders</b></p> <p>To consider Motions in the order in which notice has been received.</p> <p><b>No motions were received by the deadline.</b></p>	
13.	<p><b>Emergency Motions submitted under Standing Orders</b></p> <p>To consider Emergency Motions submitted in accordance with Standing Order 4.1 (i).</p>	

14.	<b>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b>	
15.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

**Part 2**

**Not open to the Press and Public**

16.	<b>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b>	
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WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,  
KIDDERMINSTER

19TH JULY 2023 (6PM)

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**Present:**

Councillors: C Rogers (Chairman), J F Byng (Vice-Chairman), J Aston, E Bourne, B Brookes, L Carroll, V Caulfield, G Connolly, N J Desmond, R Drew, P Dyke, K Gale, N Gale, J Griffiths, I Hardiman, P Harrison, M J Hart, K Henderson, D Little, M McDonnell, S Miah, D Morehead, F M Oborski MBE, T L Onslow, M Rayner, D Ross, D Russell, A Sutton, L Whitehouse, N Wilson and P W M Young.

**C.75 Prayers**

Prayers were said by Rev Nick Collison, Trinity Methodist Church, Foley Park.

Councillor T Onslow joined the meeting at 6.03pm

**C.76 Apologies for Absence**

Apologies for absence were received from Councillors: H E Dyke and N Martin.

**C.77 Declarations of Interests by Members**

No declarations of interest were made.

**C.78 Minutes**

**Decision: The minutes of the meeting held on 17 May 2023 be confirmed as a correct record and signed by the Chairman.**

**C.79 Public Participation**

There was no public participation.

**C.80 Chairman's Communications**

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

**C.81 Leader of the Council Announcements**

The Leader of the Council referred members to his tabled report. A copy of

the announcements is available for viewing on the Council's website.  
[https://forms.wyreforestdc.gov.uk/council/docs/doc58772\\_20230719\\_council\\_report.pdf](https://forms.wyreforestdc.gov.uk/council/docs/doc58772_20230719_council_report.pdf)

Councillor N Desmond joined the meeting at 6.07pm.

**C.82 Review of the May 2023 Elections**

Council received a report from the Returning Officer for the District and Parish Elections on the local elections held on 4 May 2023.

The Deputy Leader and Cabinet Member for Housing, Health and Well-being presented the report. He gave a summary of the background and key issues as detailed in the report and formally moved the recommendation for approval. The Leader seconded the proposal.

A discussion ensued. The Returning Officer responded to the questions and points raised. He invited members to contact him if they had any outstanding questions which they felt had not been covered in the report, and he would ensure that those questions were answered.

On behalf of Council the Leader thanked the Returning Officer and his team for their hard work.

**Decision: Council NOTED the report on the May 2023 elections.**

Following a request from a member that they wished to discuss the confidential elements of the reports for agenda items 9 (a) and 9 (d), the Chairman announced a revised running order for the meeting:

Agenda items 9 (a) and 9 (d) would be taken first and item 9 (b) would follow in the open session. Agenda item 9 (c) had been withdrawn from the agenda.

**C.83 Exclusion of the Press and Public**

**Decision: Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of "exempt Information" as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Act.**

**C.84 Policy and Budget Framework – Matters which require a decision by Council**

**(a) Recommendations from Cabinet 13 June 2023**

- **Future High Streets Fund (FHSF) – Connectivity project**

The Cabinet Member for Economic Regeneration, Planning and the Green Agenda presented the recommendations and formally moved them for approval. The Leader seconded the proposals.

In response to a member question, the Cabinet Member outlined the rationale for proceeding with the project as envisaged and gave a detailed summary of the financial implications and potential funding sources for the project.

Upon a vote, the proposals were agreed.

**Decision: Council AGREED:**

- 1.1 a) **That the 2023-24 capital programme allocation for Future High Streets Fund (FHSF) should be increased to the amount set out in the confidential report.**
- b) **That the funding for the increase in the capital programme for the FHSF should be as set out in paragraphs 5.3 and 5.5 of the confidential report.**

**(d) Recommendations from Cabinet 17 July 2023**

- **Future High Streets Fund (FHSF) project**

The Cabinet Member for Economic Regeneration, Planning and the Green Agenda presented the recommendations and formally moved them for approval. The Leader seconded the proposals.

A discussion ensued. In response to a member question, the Cabinet Member gave a detailed summary of the financial implications and potential funding sources for the project as set out in the confidential Cabinet report.

The Leader acknowledged the frustration and concerns raised regarding the unforeseen matters that had come to light. However he was confident that, when the final project has been delivered, it would be a valuable asset to the Council.

Upon a vote, the proposals were agreed.

**Decision: Council AGREED that the capital programme allocation for the Future High Streets Fund is amended to include an additional amount as set out in the confidential report, on the basis of the funding arrangements set out in section 5 of the confidential report.**

At 7.09pm, Council reversed the decision to exclude the press and public. The remainder of the meeting was held in the open session.

**(b) Recommendations from Cabinet 17 July 2023**

- **Localism: Stourport Sports Club and Bewdley Museum**

The Deputy Leader and Cabinet Member for Housing, Health and Well-being presented the recommendation in respect of Stourport Sports

Club Ltd and formally moved it for approval.

The Leader seconded the proposal. A discussion ensued and a number of members spoke in support of the recommendation.

Upon a vote, the proposal was agreed.

**Decision: Council AGREED that It should rescind its decision in the Medium Term Financial Strategy for 2022-25 which involved exiting the Council's involvement in the Stourport Sports Club Limited.**

**C.85**

**Questions**

One question had been submitted by a member of the council in accordance with standing orders.

**Question from Councillor L Carroll to the Leader of the Council**

Could the leader of the Council please inform members why his administration no longer deems it necessary to continue with the Green Advisory Panel?

**Answer from Leader of the Council**

This administration believes in delivery on the green agenda, on action and not words. Hence, we have given the green agenda responsibility within the Cabinet role of Councillor Dan Morehead. We want to spend more time delivering and we believe in action, not words.

**Supplementary question**

Does the Leader of the Council agree that a bit of cross-party involvement is crucial in such an important matter affecting every ward in our district, especially as what he once said 'no one party has a monopoly on green issues'?

**Answer**

Of course, no one party has the monopoly on good ideas, but of course one party, and I think we are the only party in the district to do so, stood and published a manifesto for our communities and our electorate. If there were other manifestos, they certainly did not pass their way across my desk and more importantly they did not find favour with the electorate. How many hours do you think were spent on talking about non-delivery? How many hours, how many meetings? Between July 2020 and April 2023 there were 26 meetings, averaging an hour and 13 minutes a meeting and at least five hours per month of preparation, pre and post meeting by officers. How many electric vehicle charging points did the Progressive Alliance deliver in four years after 26 meetings? Not one. That is why there is no longer a Green Advisory Panel.

**C.86 Motions Submitted under Standing Orders**

No motions were received by the deadline.

**C.87 Emergency Motions submitted under Standing Orders**

There were no emergency motions.

There being no further business, the meeting ended at 7.18 pm.

The open part of the meeting is available for viewing on the Council's website

<https://wyreforestdc.public-i.tv/core/portal/webcasts>

**WYRE FOREST DISTRICT COUNCIL**

**SPECIAL COUNCIL**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,  
KIDDERMINSTER**

**19TH JULY 2023 (7.30PM)**

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**Present:**

Councillors: C Rogers (Chairman), J F Byng (Vice-Chairman), J Aston, E Bourne, B Brookes, L Carroll, V Caulfield, G Connolly, N J Desmond, R Drew, P Dyke, K Gale, N Gale, J Griffiths, I Hardiman, P Harrison, M J Hart, K Henderson, D Little, M McDonnell, S Miah, D Morehead, F M Oborski MBE, T L Onslow, M Rayner, D Ross, D Russell, A Sutton, L Whitehouse, N Wilson and P W M Young.

The Chairman welcomed the Chairman, Manager and four players from Kidderminster Harriers FC to the meeting.

**C.88 Apologies for Absence**

Apologies for absence were received from Councillors: H E Dyke and N Martin.

The Chairman announced that the meeting was purely celebratory with no substantive budget or policy recommendations. Any members who were season ticket holders or sponsors, or have any other connections with the Harriers, should declare an other registrable interest (ORI) and may stay and participate fully in the celebratory proceedings.

**C.89 Declarations of Interests by Members**

Councillor M Hart declared an ORI as he is a season ticket holder and a trustee of Kidderminster Harriers FC Football in the Community.

Councillor T Onslow declared an ORI as her close family includes season ticket holders.

Councillor F Oborski MBE declared an ORI as she is a season ticket holder and a match sponsor for home matches.

Councillor L Carroll declared an ORI as he is a match day volunteer and a season ticket holder.

Councillor G Connolly declared an ORI as he is a season ticket holder.

**C.90 Recognition of Promotion of Kidderminster Harriers Football Club**

In recognition of promotion of Kidderminster Harriers FC, the Chairman

## Agenda Item No. 4

moved a Resolution that Wyre Forest District Council;

- congratulates Kidderminster Harriers Football Club on its promotion to the Vanarama National League, and pays tribute to the playing squad, members of the board, manager, other staff and volunteers on this achievement;
- welcomes the return of nationwide league football to Kidderminster and the economic benefits and recognition for the Club, Kidderminster and wider district that will arise from the promotion;
- wishes the Club further success in the future.

The Chairman said it was a privilege to bring the recommendation to Council. He said the Harriers were formed in 1886. The Club found a home at Aggborough; a location provided by the then Borough of Kidderminster, and the local authority had hosted the Harriers ever since.

He added that he was proud to be a supporter of the Club and officially recognise this amazing achievement. He sincerely hoped the local Club would go on to achieve bigger and better things in the future.

The Leader of the Council said he was delighted to second the motion and it gave him great pleasure to congratulate the Club on its promotion.

Councillor M Rayner, Deputy Leader of the Independent and Green Group, supported the proposal and stated that the Club had a long and celebrated history over the years. She added that the Club was an inspiration to many for their motivation and perseverance to overcome challenges. She thanked the Club for the enjoyment it gave to the community.

Councillor L Whitehouse, Leader of the Labour Group, congratulated the Club on their success and wished them all the very best of luck achieving further success over the coming season.

Councillor F Oborski MBE, Leader of the Liberal Democrat Group, said the promotion was a fantastic result. She said, when the Harriers do well, the whole town does well; it raises people's spirits in the town and there is a general feel good factor around the place.

Councillor N Desmond congratulated the manager Russell Penn, the players and the Chairman of the Club Richard Lane on a truly fantastic season and a fantastic achievement.

Councillor J Byng, as a former director of Bromsgrove Rovers FC, spoke about some of the great games between the Harriers and Rovers. He said when Rovers went into decline and obscurity, the Harriers did the opposite and rose through the leagues to the dizzy heights of the Football League. He said it was great to see the Club on the rise again. He congratulated them on the last season and wished them well for the forthcoming one.

Councillor G Connolly said that the promotion had brought a real community spirit back into the town and there was a real buzz around the place. He wished the Club all the very best for the future.

#### Agenda Item No. 4

Councillor L Carroll said as a dedicated season ticket holder he has had the privilege of witnessing countless unforgettable moments including the FA cup run. He quoted the words of Diego Maradona; *when people succeed it is because of hard work, luck has nothing to do with success*. He said the words were true of the players and management staff of this remarkable Club.

Councillor S Miah said that football was inspirational and that, if you believe, you can do anything. He added that as our local Club it was an inspiration to see where the Club was a few years ago to where it is now. He said that from all levels football galvanises everyone. He recognised that there were still many issues in society but was grateful for the Kick It Out campaign. He congratulated the Club on their success.

Councillor T Onslow congratulated the Club on their success. She said it was absolutely brilliant for the people of Kidderminster and long may the success continue.

Councillor N Gale commended the Club for the work of the Academy and the positive impact it has within the community. As ward member for the area where the training ground is based, she spoke about the outstanding way the youngsters from the Academy behave when they are walking around the estate; they are always polite and respectful and are great ambassadors for the Club.

The Chairman thanked members for their contributions and sharing their stories.

Having put the motion to Council, the Chairman declared that it had been **CARRIED UNANIMOUSLY**.

#### C.91

On being declared carried, the Chairman presented the Club with a copy of the Resolution and invited the Chairman of the Club, Richard Lane, to respond.

Mr Lane said he was proud to be at the meeting and thanked Council for their kind words and shared history of the Club, that links everybody with their families. He said the Club was lucky to have such a dedicated manager and praised the team and board members for all their hard work, dedication and belief they have in the Club.

He added that the Club were prepared for the new challenges that lay ahead. However, with the support from the Council, local businesses and the wider community, he was confident they would deal them.

The Chairman declared the end of the special meeting at 8.15pm, and invited guests, Elected Members and Officers to a buffet.

The meeting is available for viewing on the Council's website <https://wyreforestdc.public-i.tv/core/portal/webcasts>



**Chairman's List of Functions – 2023**

**July to September**

Sunday 2 <sup>nd</sup> July	Mayor of Ludlow Sunday Service and Parade – Parish Church of St. Laurence, Ludlow
Tuesday 11 <sup>th</sup> July	Mayor of Worcester - Remembering Srebrenica Memorial Event
Thursday 27 <sup>th</sup> July	The Mayor of Ledbury, 70 <sup>th</sup> Anniversary at The Korean War Memorial in the walled garden at Ledbury
Saturday 5 <sup>th</sup> August	Chairman of Wychavon – The Battle of Evesham Re-enactment Festival and Grand Parade
Saturday 3 <sup>rd</sup> September	Mayor of Stourport's Mayoral party and Carnival Parade
Thursday 7 <sup>th</sup> September	Rebecca Pow MP, Sod Cutting, Beales Corner, Bewdley

\* Denotes attendance by Vice Chairman

WYRE FOREST DISTRICT COUNCIL

COUNCIL  
20 SEPTEMBER 2023

INDEPENDENT REMUNERATION PANEL REPORT FOR 2023/24  
AND SUBSEQUENT YEARS

OPEN	
<b>CABINET MEMBER</b>	The Leader of the Council
<b>RESPONSIBLE OFFICER:</b>	Ian Miller Ext 2700 Chief Executive
<b>APPENDICES:</b>	Appendix A – Independent Remuneration Panel Report and Recommendations

**1. PURPOSE OF REPORT**

- 1.1 To receive the report of the Independent Remuneration Panel (IRP) to decide the scheme of allowances to be paid to Members for the municipal year 2023/24 and for subsequent years.

**2. RECOMMENDATION**

**2.1 The Council is RECOMMENDED to:**

- 2.1.1 **consider and decide whether to accept the Independent Remuneration Panel’s recommendations in respect of allowances for 2023/24, 2024/25 and 2025/26; and**

- 2.1.2 **consider and decide whether to accept the recommendation that a Panel should be convened in 2025 to provide recommendations for 2026/27.**

- 2.2 **If Council agrees to convene an Independent Remuneration Panel in 2025, AUTHORISE the Solicitor to Council to convene a Panel at that time, 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.**

**3. BACKGROUND**

- 3.1 The Local Authorities (Members’ Allowances) (England) Regulations 2003 No 1021 require local authorities to establish an Independent Remuneration Panel to review and provide advice on Members’ allowances before they adopt or amend a scheme.

- 3.2 On 17 May 2023 Council decided it would establish an Independent Remuneration Panel for 2023/24 and subsequent years.

- 3.3 A panel was appointed in July 2023 and undertook its work during August. This included a series of 20-minute interviews with a number of Members who hold

different responsibilities including the Leader of the Council, Chairman of the Overview and Scrutiny Committee and backbenchers who are not chairman/vice chairman of Council and not chairman/vice chairman of committees. The Panel has also reviewed and given consideration to a range of indicators and research on Member allowances as detailed in their report before making its decision.

**4. KEY ISSUES**

- 4.1 The IRP's report is in Appendix A. It recommends that, with some limited exceptions set out below, allowances for 2023/24 should not change and should remain at the same level for 2024/25 and 2025/26. Accordingly the Panel has not recommended any uprating mechanism for those years. The exceptions are that:
- 4.1.1 the Special Responsibility Allowances for Chairman of Planning and Chairman of Overview and Scrutiny are brought in line with each other, at a multiple of 1.25 of the basic allowance;
- 4.1.2 the Carer's Allowance for the care of children and for other dependents, including those with disabilities and the elderly, should be increased to a rate of £5 per hour.

The Panel recommends that the changes should take effect from 9 May 2023.

- 4.2 The Panel notes in its report that "the agreed scheme of members' allowances, adopted in 2019, provides that basic and special responsibility allowances should be uprated with effect from April 1st 2023 by whichever is the lower of the Consumer Prices Index for March 2023 or the percentage pay rise awarded to the Council's employees. As the pay rise for employees has not yet been confirmed by the National Joint Council, it is not yet possible to know the increase in basic and special responsibility allowances that will take effect April 1st 2023. Whilst we have therefore provided specific values for basic and responsibility allowances in our recommendations, the values will be increased by the uprating index that applies on April 1st 2023." CPI was 10.1% in March 2023 and, although it cannot yet be confirmed what the April 2023 increase in staff pay will be, it is likely that CPI will have been higher than the increase in pay. If Council accepts the recommendations from the Panel about the level of allowances, for transparency, they will be uprated by the already agreed index for April 2023 and therefore the actual amounts payable from 9 May 2023 will be higher than shown in the Panel's report. The actual figures will be published on the Council's website in section 17 of the Constitution as soon as it is possible to confirm them.
- 4.3 The report in Appendix A also recommends that a Panel should be convened in 2025 to provide recommendations for 2026/27, although it is open for the Council to seek recommendations that cover a longer period beyond the next ordinary elections in May 2027.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The Panel's recommendations have no additional financial implications so far as basic and special responsibility allowances are concerned. The modest increase in the carer's allowance will have an impact but few members claim it and the cost can be absorbed within existing budgets. There are expected to be cost implications of convening a Panel in 2025, which are estimated at less than £1k.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Regulation 19 of the 2003 Regulations provides that, in making or amending the scheme of allowances, the Council is required to 'have regard to the recommendations made in relation to it by an Independent Remuneration Panel'. Under regulation 10(5), the Council cannot rely on an index for annual adjustment of allowances for a period longer than four years without seeking a recommendation from a Panel about the application of an index to the scheme of allowances.
- 6.2 Regulation 10(1) of the 2003 Regulations requires that, before the beginning of each financial year, an authority shall determine the scheme for the payment of allowances for that year. However regulations 10(3) and (6) allow a council to amend its scheme at any time during a year and a council may backdate any changes to the start of the financial year concerned. In this case, the Panel recommends that the minor changes should be backdated to 9 May 2023, when Councillors elected in the ordinary elections took office.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 This report has been screened for its equality impact on the areas of race, disability, gender, gender identity, religion and belief, sexual orientation and age. It is not considered to have a disproportionate impact on any target area and therefore no full equality impact assessment is required. The increase in carer's allowance will provide further support councillors who have dependents who are disabled or have care needs.

**8. RISK MANAGEMENT**

- 8.1 Regulation 19 requires the Council to have regard to the recommendations of the Independent Review Panel. Whilst the Council does not have to follow the recommendations, as with any decision of Council, it is subject to the risk of challenge by the way of judicial review and therefore reasons for decisions must be made clear.

**9. CONCLUSION**

- 9.1 The Council is invited to consider the recommendations set out in the Panel's report, including backdating any changes to 9 May 2023 as recommended by the Panel. The Wyre Forest District Council Scheme of Members' Allowances, section 17 of the Constitution, will be updated in accordance with the Council's decisions.

**10. CONSULTEES**

10.1 Leader of the Council.

10.2 Solicitor to the Council and Head of Resources.

**11. BACKGROUND PAPERS**

11.1 The Local Authorities (Members' Allowances) (England) Regulations 2003.  
<https://www.legislation.gov.uk/uksi/2003/1021/contents/made>

# **Independent Remuneration Panel for Wyre Forest District Council**

## **Report and Recommendations**

**September 2023**

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**Recommendations**

The Independent Remuneration Panel (IRP) recommends to Wyre Forest District Council the following:

- (i) Basic Allowance remains at the current level for 2023/24, as set out on page 4 of the report;**
- (ii) Special Responsibility Allowances to remain at current level as set out on page 4 of the report and in Appendix 1 with the exception of (iii) below**
- (iii) The Special Responsibility Allowances for Chair of Planning and Chair of Overview and Scrutiny are brought in line with each other**
- (iv) The Dependent Carer's Allowance should, where appropriate, be available for the care of children and for other dependents, including those with disabilities and the elderly, at an increased rate of £5 per hour**
- (v) Travel allowance should remain in line with Wyre Forest District staff travel allowance**
- (vi) The subsistence allowances remain unchanged**
- (vii) All changes to allowances should be implemented at the same time. We recommend implementation on 9 May 2023**
- (viii) Assuming that the Basic Allowance is maintained at the amount recommended in this report, we also recommend that the Basic Allowance remains at this level for a further two financial years (2024/2025 and 2025/2026) and there should be no uprating mechanism**
- (ix) That the Independent Remuneration Panel is convened after two years to review the allowances in the light of developments in the WFDC finances and the wider economy. If that Panel recommends changes to the allowances for 2026/27, it follows that no uprating mechanism is required for April 2026.**



**Introduction and Summary**

The Local Authorities (Members' Allowances) (England) Regulations 2003 require Local Authorities to establish and maintain an Independent Remuneration Panel (IRP). The Panel makes recommendations to the authority about allowances to be paid to Elected Members, and Local Authorities must have regard to this advice.

The Panel recommends no change for the current year or indeed the two following years, with a proposal that a panel be reconvened in a couple of years' time to make recommendations for 2026/27.

The only proposed changes are to align the allowance for chairs of overview and scrutiny and planning, with the former dropping and the latter going up; and a minor increase in the carer's allowance.

The Panel considered available information and data, including benchmarking data, and also interviewed a number of WFDC Councillors. The research was followed by the Panel's deliberations, which resulted in the following recommendations:

- (i) Basic Allowance remains at the current level for 2023/24.
- (ii) The agreed scheme of members' allowances, adopted in 2019, provides that basic and special responsibility allowances should be uprated with effect from April 1st 2023 by whichever is the lower of the Consumer Prices Index for March 2023 or the percentage pay rise awarded to the Council's employees. As the pay rise for employees has not yet been confirmed by the National Joint Council, it is not yet possible to know the increase in basic and special responsibility allowances that will take effect on April 1st 2023. Whilst we have therefore provided specific values for basic and responsibility allowances in our recommendations, the values will be increased by the uprating index that applies on April 1st 2023. Special Responsibility Allowances to remain as multiples of the basic allowance at current levels as set out in Appendix 1 with the exception of (iii) below
- (iii) The Special Responsibility Allowances for Chair of Planning and Chair of Overview and Scrutiny are brought in line with each other
- (iv) The Dependent Carer's Allowance should, where appropriate, be available for the care of children and for other dependents, including those with disabilities and the elderly, at an increased rate of £5 per hour
- (v) Travel allowance should remain in line with Wyre Forest District staff travel allowance

- (vi) The subsistence allowances remain unchanged
- (vii) All changes to allowances should be implemented at the same time on a date to be determined by the Council
- (viii) Assuming that the Basic Allowance is maintained at the amount recommended in this report, we also recommend that the Basic Allowance remains at this level for a further two financial years (2024/2025 and 2025/2026). We therefore propose no uprating mechanism for April 2024 or April 2025.
- (ix) The Independent Remuneration Panel is convened after two years to conduct a further review. If that Panel recommends changes to the allowances for 2026/27, it follows that no uprating mechanism is required for April 2026

**Background Evidence and Research Undertaken**

The Panel met on three occasions and conducted its work in accordance with the legislation governing the role of the Panel and statutory guidance produced in 2003. The Panel also communicated electronically to discuss their work.

The Panel received an information pack including:

- Terms of Reference
- Existing Members' Allowance Scheme
- Worcestershire Councils Allowances
- Medium Term Financial Strategy Report to Council – February 2023
- The Local Authorities (Members' Allowances) (England) Regulations 2003
- Political Structure of Wyre Forest District Council
- List of Ward Councillors
- Committee Membership
- Chairman and Group Leaders
- Number of Committee Meetings 2023-2024
- Calendar of Meetings – Agreed at Council 17-05-2023
- List of example questions
- Suggested interviewees
- Members ICT
- Report on appointment of Independent Review Panel – May 2023
- Last IRP Report to Council – October 2019

In completing its work, the Panel considered the following:

The Independent Remuneration Panel report of 2019, current levels of allowances paid by WFDC, comparator allowances of similar councils including Worcestershire district councils, affordability to the council, the Voluntary Principle (whereby a percentage of the work is considered to be voluntary community service), commitment required to carry out roles, the perceived public perception regarding payments to Councillors and average weekly earnings in Great Britain.

The Panel also drew on the government Guidance on Members Allowances (*New Council Constitutions: Guidance on Regulation for Local Authority Allowances*).

The panel interviewed a number of councillors performing a variety of roles suggested by officers, either face to face or via Zoom. They included the Leader of the Council, committee chairs and backbenchers. The councillors included those with many years' service and new councillors. In all, the panel spoke to 10 Councillors, representing just under one third of Council Members.

Common themes emerged from the discussions, with most satisfied with the current Basic Allowance. Councillors recognised the need for an allowance that would both recognise the considerable effort and commitment needed to carry out the role (they estimated around 10 hours a week on average for backbencher duties) and enable those in work to be compensated for time away from their regular employment. The point was also made that a fair allowance is needed to ensure that local people are encouraged to become elected members and to remain in post.

At the same time, councillors recognised that the allowances carried an element of voluntary community service – indeed, that Parish and Town councillors were unpaid – and that the allowance could not be equated with a salary.

The Panel drew on these comments during its deliberations, while also giving due weight to the Council's finances and comparator allowances for neighbouring councils, including those in Worcestershire and beyond.

An important element of the deliberations centred on the Voluntary Principle – that councillors give a percentage of their time as unpaid community service. We have assumed a 40 per cent voluntary element, a percentage that is adopted by many councils. Given that 60 per cent of the allowance is paid, the Basic Allowance broadly equates to the national average weekly earnings on a pro-rata basis (*Average weekly earnings in Great Britain: August 2023 ONS*).

On 11 August 2023 the Advisory Panel met in the Bewdley Room, Wyre Forest House. The Panel interviewed in turn Councillor Vicky Caulfield, Councillor Robin Drew, Councillor Marcus Hart, Councillor Peter Dyke, Councillor Ken Henderson, Councillor George Connolly, Councillor Dan Morehead, Councillor Nicky Martin, Councillor Paul Harrison and Councillor Leigh Whitehouse.

The Panel recognises that its recommendations are advisory and is nevertheless satisfied that its recommendations are logical, transparent and justified.

### **Basic Allowance**

#### **Benchmarking**

As part of its benchmarking activities, the Panel looked at three neighbouring councils with a similar profile: Newcastle-under-Lyme Borough Council, South Staffordshire District Council and Stafford Borough Council. The Basic Allowance for neighbouring councils is shown in Appendix 2; the Basic Allowances and SRA Allowances for Worcestershire Councils is set out in Appendix 3.

The panel noted that Wyre Forest District Councillors receive a Basic Allowance of £4,907, which is 3.8% higher than the average of the other five districts (Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council, Worcester City Council and Wychavon District Council) and the highest in the county. The population of the Wyre Forest District Council, at 101,600, a growth of 3.7% since the 2019 figures, is about average for Worcestershire District Councils.

A similar benchmarking exercise was also carried out with neighbouring councils with a similar profile i.e. Newcastle-under-Lyme Borough Council (£3,432), South Staffordshire District Council (£6,343) and Stafford Borough Council (£4,944), making an average of £4,906 across the three councils. This is almost exactly the same as the Basic Allowance received by Wyre Forest District Councillors.

### **Wyre Forest District Council Financial Strategy**

The panel noted that the Council's financial projections suggest deficits in funding across 2023-2026, leading to an overall projected net deficit over the three years of some £1.8m, and that Councils across the country are continuing to face "financial uncertainty and resultant risk" (Wyre Forest District Council *Medium Term Financial Strategy 2023-2026/Capital Strategy 2023-2033*).

### **Other factors**

The Panel looked at other evidence including:

- evidence cited in the previous IRP report
- assessments from WFDC Councillors, who estimated they spent on average 10 hours per week spent on Council work (more for those with special responsibilities)

The panel considered wider economic factors, including rates of public sector pay and the Consumer Price Index (CPI), noting the difficulties in predicting the economic landscape over the next few years.

Particular weight was given to WFDC's current and projected deficits, and the fact that the Councillors' Basic Allowance remains the highest in Worcestershire, albeit by a small margin. The Panel also recognised the leadership role that all members of the Council play in relation to the council's employees and constituents in ensuring that their allowances are seen to be fair and justifiable.

**As such, the Panel recommends the Basic Allowance should remain at the current level for 2023/24, as set out on page 4, with no adjustments to the scheme for 2024/25 and 2025/2026. There would be no uprating mechanism for April 2024 or April 2025.**

**Additionally, that an Independent Remuneration panel should be reconvened after two years to review the latest data, including the latest Council Financial Strategy, before making any recommendations for the level of allowances for 2026/27. If that Panel recommends changes to the allowances for 2026/27, it follows that no uprating mechanism is required for April 2026.**

### **Special Responsibility Allowances (SRAs)**

The Guidance on Members Allowances for Local Authorities in England states that Special Responsibility Allowances may be paid to members of the Council who have "significant additional responsibilities" over and above the generally accepted duties of a Councillor. Within WFDC these include Leader, Deputy Leader, Cabinet Members, Committee Chairs, Political Group Leaders and two Vice Chairs.

The Panel also noted that participation in committee activities is generally regarded as part of the role for all non-executive councillors and as such would not qualify for an SRA.

**General Calculation of SRAs**

The basis for the calculation of the SRAs is a multiplier of the Basic Allowance, as set out in the published government Guidance. The panel also considered the responsibilities and time commitment of each post that could justify a SRA, and the multipliers and allowances paid by similar authorities including Worcestershire District Councils.

**Leader of the Council**

We recommend that the Special Responsibility of the Leader of the Council remains as it is currently set, at three times the Basic Allowance.

**Deputy Leader of the Council**

We recommend that the multiplier for the Deputy Leader role remains as it is currently set at 1.75 times the Basic Allowance.

**Cabinet Members**

We recommend that the multiplier for Cabinet Members remains as it is currently set, that is, 1.5 times the Basic Allowance.

**Chair of Overview and Scrutiny Committee**

This post currently sits within Band 3 of the Special Responsibility Allowance scheme, alongside Cabinet Members. All other Chair positions sit within either Band 4 or Band 5, which attract a lower multiplier.

To address this, the Panel recommends that the Chair of Overview and Scrutiny Committee should be brought in line with the role of the Chair of Planning, within Band 4. Both roles, for example, require chairing significantly more meetings per year than for other Committees.

The Panel therefore recommends that the multiplier for the Chair of Overview and Scrutiny Committee is set at 1.25, rather than 1.5.

**Chair of Scrutiny Task Groups/Panels**

Such Task Groups/Panels may meet only once or twice, or more frequently when delivering the required work. Such Panels are often chaired by a Councillor who is already in receipt of a Special Responsibility Allowance.

It is therefore recommended that no allowances are made for this post.

**Chair of Planning**

In line with our recommendation to bring the SRA for the Chair of Overview and Scrutiny Committee in line with the Chair of Planning, we recommend that the multiplier for the Chair of Planning is set at 1.25 rather than the current multiplier of 1.

**Chair of Licensing and Environmental Committee**

We recommend that the multiplier for the Chair of the Licencing and Environmental Committee remains at the current level of 0.75 x the Basic Allowance.

**Chair of Audit Committee**

We recommend that the multiplier for the Chair of the Audit Committee remains at the current level of 0.75 x the Basic Allowance.

**Leaders of Political Groups**

Currently leaders of political parties with four or more members receive an allowance multiplier of 0.25. This reflects the additional responsibilities that may fall to political group leaders. We recommend that there is no change to this allowance.

**Ethics and Standards Committee**

The Panel considered the potential workload of the Chair of Ethics and Standards Committee. A multiplier of 0.25 is recommended for this role, should it be needed.

**Vice Chairs**

The Panel discussed the specific work placed on the Vice Chair of the Overview and Scrutiny Committee and the Vice Chair of the Planning Committee. It recommends that the current multiplier of 0.25 remains for these two posts.

**Mileage and Subsistence**

The Panel noted that the current mileage rate of 40p per mile is in line with that applied to WFDC employees. As such, the Panel recommends that the mileage rate should remain at 40p per mile.

The Panel is content that the current subsistence allowances are set at an appropriate level and recommends that these remain unchanged.

**Carers' Allowance**

The Panel noted that Carers' Allowances are payable to cover reasonable and legitimate costs incurred in attending approved duties. Recognising the barriers to participation that caring responsibilities may place on current and future councillors, the Panel recommends that this provision is increased from its current rate of £4 an hour to £5 an hour.

**Future Increases**

The Panel recognises that it is prudent for the Council to take a decision regarding Councillors' allowance that ensures that an Independent Remuneration Panel does not need to convene every year. The Panel is recommending that remuneration levels remain as they are currently for 2023/24 and for 2024/2025 (commencing 1 April 2024) and 2025/2026 (commencing 1 April 2025), with a review for 2026/2027 onwards (commencing 1 April 2026). This would require an Independent Review Panel to meet after two years.

**Implementation of Recommendations**

Given that the proposed changes are minor (i.e. to carers' allowances and the SRAs of the chairs of two committees), the Panel recommends an implementation date for all changes of 9 May 2023.

**Independent Remuneration Panel Members**

The members of the Panel are:

**Mr Tim Hipkiss**

Tim retired as Deputy Head of a comprehensive school in the West Midlands in 2003 after 22 years in post. He was then involved in the assessment of trainee teachers and was Quality Assurance Manager for the West Midlands Consortium until 2011. He was an independent member of the Wyre Forest District Council Standards and Ethics Committee until 2012. In September 2012 Tim became an Independent Person for Worcestershire County Council, and Hereford and Worcester Fire and Rescue Service. He has been asked to consider several cases for these bodies as well as those from Wyre Forest District Council. He is involved, in a voluntary capacity, with several organisations in the Wyre Forest.

- Qualified as a teacher 1968, retired in 2003 as a Deputy Head.
- Obtained a B.A from the Open University in 1975, D.M.S. in 1981 and an M.A. in 1996.
- Developed a European Work Experience programme for Year 10 and 6th Form students and their French equivalent partners 1990 to 2000
- 2003 until 2011 Quality Assurance Manager and lecturer for Post Graduate Teacher courses with West Midlands Consortium.
- 2012 to present day Independent Person for Worcestershire County Council, Herefordshire and Worcestershire Fire and Rescue Service, W.F.D.C. and local Parish Councils.

Tim lives in Bewdley.

**Mr Rod Reynolds**

Rod retired from West Mercia police in 2009 following 37 years' service, as a Chief Superintendent commanding Worcester City and the south Worcestershire Division. Following this he became the Head of Road Safety and Enforcement for West Mercia and Warwickshire Police until 2020. He currently sits as an independent member on the Wyre Forest DC Ethics and Standards Committee and a trustee on the Lloyds Foundation Educational Trust. Until the recent past he was for 10 years a Parish Councillor on the Ombersley and Doverdale PC.

NVQ5 strategic management

Series of senior police management courses at Bramshill staff college

Employment history:

2009-2020 Strategic Senior Manager, Road Safety team, West Mercia and Warwickshire police

- Set the road safety strategy for Warwickshire and West Mercia police
- Oversaw the employment of 60 staff
- Managed a budget of approximately £20million

1972-2009 West Mercia police officer, final role Chief Super Intendant, Divisional Commander South Worcestershire Division

- Staff of 616 officers, plus civilian staff of 150
- Responsible for the delivery of all policing services to the community of South Worcestershire.
- Managing a non-pay budget of £28 million.

- Responsible for supporting policing services across West Mercia reporting directly to the Chief Constable
- Chaired a number of strategic committees and was active in promotion board interviews and recruitment interviews
- Responsible for all disciplinary matters and public complaints for my division
- Organised investigations of complaints of misconduct and delivering sanctions where appropriate

Additional roles post retirement:

- 2010-2023 Parish council member for Ombersley and Doverdale parish council
- 2015-2023 Trustee on Lloyds Educational Foundation for Sychampton and Ombersley schools
- 2018-2023 Panel member on Wyre Forest district council ethics and standards committee

Rod lives in Droitwich.

### **Mrs Alison Wall**

Alison gained a BA Hons in English and American Literature from the University of East Anglia in 1977, followed by a career as a communications specialist across the not-for-profit, public sector and commercial sectors in the UK and New Zealand. On retirement Alison retrained as a tai chi teacher and now runs adult leisure courses for Dudley Metropolitan Council, Kidderminster College and Bromford Housing. Her current volunteering roles include working as a steward for Bewdley's community cinema and volunteering for the Worcestershire Wildlife Trust.

Alison lives in the Wyre Forest District.

**Tim Hipkiss, Rod Reynolds and Alison Wall**

**September 2023**



Appendix 1

Independent Remuneration Panel for Wyre Forest District Council

Recommendations<sup>1</sup> for 2023/2024, 2024/2025 and 2025/2026

Role	Current Multiplier	Recommended Multiplier 2023/2024, 2024/2025, 2025/2026	Current Allowance £ per annum	Recommended Allowance 2023/2024, 2024/2025, 2025/2026 £ per annum
Basic Allowance – All Councillors	1	1	4,907	4,907
<b>Special Responsibility Allowances</b>				
Leader of the Council	3	3	14,721	14,721
Deputy Leader of the Council	1.75	1.75	8,587	8,587
Cabinet Members	1.5	1.5	7,361	7,361
Chair of Overview and Scrutiny Committee	1.5	1.25	7,361	6,134
Chair of Audit Committee	0.75	0.75	3,680	3,680
Chair of Planning Committee	1	1.25	4,907	6,134
Chair of Licensing and Environmental Committee	0.75	0.75	3,680	3,680
Chair of Ethics and Standards Committee	0.25	0.25	1,226	1,226
Political Group Leaders (subject to a minimum of 4 members)	0.25	0.25	1,226	1,226
Vice Chair Overview and Scrutiny Committee	0.25	0.25	1,226	1,226
Vice Chair Planning Committee	0.25	0.25	1,226	1,226

Footnote 1: see page 4 of the report about the April 2023 uprating yet to be applied to these figures.

**Appendix 2**

**Average Basic Allowances for Neighbourhood Councils with a similar profile 2023/2024**

<b>Council</b>	<b>Basic Allowance</b>
Newcastle-under-Lyme Borough Council	£3,432
South Staffordshire District Council	£6,343
Stafford Borough Council	£4,944
<b>Average Allowance</b>	<b>£4,906</b>

**Appendix 3**

**Worcestershire Councils Allowances 2023-2024**

<b>Authority</b>	Basic Allowance £	Leader of the Council £	Deputy Leader £	Cabinet Members £	Chair Over-view & Scrutiny £	Chair Planning £	Chair Licencing £	Chair Standards £	Chair Audit £
Bromsgrove District Council	4,732	14,196	9,464	6,151	6,151	6,151	1,419	1,183	1,183
Malvern Hills District Council (2022/2023)	4,650	13,950	8,137.50	6,975	6,975	2,353	1,395	1,162.50	1,162.50
Redditch Borough Council	4,732	14,196 + 7,098 as portfolio holder	8,281 + 7,098 as Exec member with portfolio	7,098	7,098	4,732	3,549	1,183	1,183
Worcester City Council	4,791	11,978	N/A two joint leaders, no deputy leader	-	-	4,791	3,593	1,198	2,875
Wychavon District Council	4,732	14,196	8,281	7,098	7,098	7,098	1,420	1,183	1,183
Wyre Forest District Council	4,907	14,721	8,587	7,361	7,361	4,907	3,680	1,226	3,680
IRP Recommendations <sup>1</sup>	4,907	14,721	8,587	7,361	6,134	6,134	3,680	1,226	3,680

Footnote 1: see page 4 of the report about the April 2023 uprating yet to be applied to these figures.

WYRE FOREST DISTRICT COUNCIL

COUNCIL  
20 SEPTEMBER 2023

AMENDMENTS TO THE CONSTITUTION

OPEN	
<b>CABINET MEMBER</b>	The Leader of the Council
<b>RESPONSIBLE OFFICER:</b>	Ian Miller Ext 2700 Chief Executive
<b>APPENDICES:</b>	Appendix A – proposed amendments to the Constitution

1. **PURPOSE OF REPORT**

- 1.1 To consider amendments to the Constitution that would codify arrangements for participation of members, officers and others in formal meetings of committees of the Council. Amendments are also proposed to the terms of reference of the Strategic Review Panel.

2. **RECOMMENDATION**

- 2.1 **The Council is recommended to AGREE the amendments to the Constitution set out in Appendix A.**

3. **BACKGROUND**

- 3.1 During the COVID pandemic, regulations under section 78 of the Coronavirus Act 2020 allowed formal meetings of local authorities and their committees to be held remotely or in hybrid fashion – in legal terms, the principal change from the arrangements in the Local Government Act 1972 was that the regulations could make “provision for persons to attend, speak at, vote in, or otherwise participate in, local authority meetings without all of the persons, or without any of the persons, being together in the same place”.

- 3.2 In common with other councils, WFDC invested in technology that permitted remote and hybrid meetings. This is still used extensively for a wide variety of meetings. In respect of formal meetings of the Council and committees, the following arrangements have applied since COVID restrictions were lifted in 2022:

- A) Voting members of a committee (including members appointed as substitutes) have to attend the meeting in person. Naturally this means all members of Council in the case of full Council and no arrangements are made at full Council for remote participation by any person;
- B) Councillors who are observing a committee meeting (whether or not they wish to contribute, if called to speak by the chairman of the meeting) can attend remotely. This operates at meetings of the Cabinet, Overview and Scrutiny Committee, Audit Committee and Planning Committee;

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- C) Likewise officers and third parties can attend and contribute remotely at committee meetings. The “third parties” can include members of the public if they have registered to speak or staff of relevant partner organisations who are attending in order to support a committee’s work, such as officers of the highways authority at the Planning Committee or staff of the Council’s auditors at Audit Committee.

In addition, anyone may use the internet to follow the proceedings of full Council or a committee if it is filmed for live or subsequent broadcast.

- 3.3 Standing Order 2.5 refers to a scrutiny committee’s power to require officers of the Council to be present at their meetings and answer questions from the Committee. Only in a few other cases do the Standing Orders refer to the presence of officers, such as in SO 3.3 when, in the case of a named vote, “the Solicitor to the Council or his/her representative will call the name of each member present”. The Local Government Act 1972 requires the attendance at meetings only of members of a committee and permits attendance by the public. There is nothing in the 1972 Act requiring the attendance of others. Regulation 12 and other provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 No. 2089 presume that the “proper officer” will usually be present at meetings of the executive (Cabinet): “the proper officer, or if the proper officer was not present at the meeting, the person presiding, must ensure that a written statement is produced for every executive decision made”. This would be satisfied by the presence of the Chief Executive, for example. The Statutory Officers responsible for the governance of the Council will continue to ensure cover in person for every meeting of the Council and its committees as follows:

- A) Solicitor to the Council will cover advice to meetings of the full Council, Ethics and Standards Committee and Employment and Appeals Committee. The Chief Executive and Head of Resources will also attend at every Council. Other relevant officers will attend if they have significant items on the agenda and there is a possible or probable need that they will need to provide oral advice to full Council;
- B) The planning solicitor will cover advice to the Planning Committee, and the licensing solicitor at the Licensing and Environmental Committee. Relevant planning or licensing officers will also be in attendance;
- C) The Chief Executive, Solicitor to the Council and Head of Resources will attend Cabinet. Other officers will attend if they have significant items on the agenda;
- D) The Head of Resources and the procurement solicitor will attend at Audit Committee. CLT officer(s) and other officers will attend as appropriate for the Overview and Scrutiny committee.

- 3.4 The arrangements described in paragraph 3.3 are those that generally apply. Council will appreciate that attendance in person may not be possible at short notice but where remote attendance might nevertheless be achievable e.g.

- illness of the officer who does not feel well enough to travel/does not wish to spread infection to colleagues but is able to take part remotely;
- significant adverse weather that makes travel inadvisable or impossible;
- car has broken down or accident blocking road and cannot make the journey;

## **Agenda Item No. 9**

- sudden illness or other issue relating to child or vulnerable adult in the family which means the officer cannot leave the house but could still attend remotely.

Where there is greater forewarning of non-availability, attendance of a substitute officer can be considered if appropriate.

### **4. KEY ISSUES**

- 4.1 The proposed amendments to the standing orders in Appendix A formalise existing arrangements for councillors who are not voting members of a committee, officers and others to attend meetings of committees remotely. This is considered to support openness and democracy by facilitating participation that might not otherwise be possible, and it provides clarity and certainty about the way in which people may participate in meetings other than by attending in person.
- 4.2 A change from existing practice is proposed, that those participating remotely should have their camera on. This is particularly important when a committee is considering items that are exempt from disclosure, in order to demonstrate that only a councillor or officer entitled to be present is so present. To be enforceable, this requirement needs to be accompanied by a power for the person chairing the meeting to direct that an individual should be removed from the meeting (by being disconnected).
- 4.3 The arrangements for officers to attend meetings in person summarised in section 3 are very detailed and go beyond what can easily be codified in drafting for incorporation in standing orders. They are set out in full in this report so that Council is aware of them. However it is simple to provide that the three statutory officers will be present in person at meetings of Council and Cabinet. Including such provision makes it desirable, for reasons such as those mentioned in paragraph 3.4, to clarify that non-compliance does not invalidate any proceeding of such a meeting.
- 4.4 It is timely to review the terms of reference for the Strategic Review Panel. This usually meets between December and January, although in recent years the only substantive discussions have related to alternative budget proposals. Three changes are proposed in Appendix A, which also remove redundant and out-of-date wording.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no additional financial implications that arise from this report.

### **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Proceedings of the Council are governed by the legal requirements of Parts V and VA of the Local Government Act 1972, including Schedules 12 and 12A. Subject to those provisions, the Council makes standing orders under paragraph 42 of Schedule 12 for the regulation of its proceedings and business.

- 6.2 Section 58 of the Equality Act 2010 provides that “a local authority must not discriminate against a member of the authority in relation to the member’s carrying out of official business—
- (a) in the way the authority affords the member access, or by not affording the member access, to opportunities for training or for receiving any other facility;
  - (b) by subjecting the member to any other detriment”. Legislation does not permit remote attendance by voting members of committees. Therefore the arrangements made for permitting remote attendance by councillors as observers, described in this report, are the most that the Council can do to comply with this legal requirement so far as it relates to participation in meetings.
- 6.3 The ability for members of the public, employees and others to attend and contribute to certain formal meetings remotely is a “reasonable adjustment” for disabled persons that the Council has made in pursuance of its duty under the Equality Act 2010, section 20 and Schedule 2. As the duty is owed to disabled persons generally, it is an anticipatory duty which means service providers and people exercising public functions must anticipate the needs of disabled people and make appropriate reasonable adjustments. Disability is a very wide concept that includes both visible and invisible disabilities. For example, it can include such matters as mental health, irritable bowel disease, menopause and dysmenorrhea as well as mobility or accessibility issues limiting individuals’ ability to attend meetings in person.

## **7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 This report has been screened for its equality impact on the areas of race, disability, gender, gender identity, religion and belief, sexual orientation and age. The facility to attend certain meetings of committees remotely will be available to all, regardless of any protected characteristic. However it is considered that codifying the current arrangements would have a beneficial impact for some with protected characteristics: in particular disabled people, because it facilitates remote attendance by those who may find it difficult to travel to a meeting, and for women because, despite societal changes in recent decades, they are more likely to have caring or other unpaid work responsibilities which may hinder their ability to participate in person. No adverse impact was identified and therefore no full equality impact assessment is required.

## **8. RISK MANAGEMENT**

- 8.1 No significant risks have been identified as the changes to the constitution mainly codify existing practice, which is working successfully.

## **9. CONCLUSION**

- 9.1 The Council is invited to approve the amendments to the Constitution set out in Appendix A.

**10. CONSULTEES**

- 10.1 Leader of the Council.
- 10.2 Corporate Leadership Team.

**11. BACKGROUND PAPERS**

- 11.1 Evidence in support of summary of equality impact assessment screening

[Women shoulder the responsibility of 'unpaid work' - Office for National Statistics \(2016\)](#)

[Carers at breaking point: The social care burden on women | Age UK \(2019\)](#)

[Barriers to Women Entering Parliament and Local Government \(bath.ac.uk\)](#) (Institute for Policy Research, 2018, commissioned by Government Equalities Office)

[CPP | Press Release: CPP's latest report finds caring... \(progressive-policy.net\)](#)  
("caring responsibilities are disproportionately impacting women in the UK, contributing to and exacerbating workplace inequalities", 2022)

**Appendix A  
AMENDMENTS TO THE CONSTITUTION**

**Section 7, Council procedure rules (standing orders)**

Standing order 3.5, insert at end:-

“iii In this standing order, “attendance” by a member includes attendance in reliance on the provision made by standing order 3.16.

Standing order 3.14, insert at end:-

“References to “attend” in this standing order include the ability to attend in reliance on the provision made by standing order 3.16.”

Insert:

**“3.16 Remote attendance and participation in meetings of committees**

3.16.1 If arrangements are made for persons to attend and participate remotely in a meeting of a committee of the Council, members (who are not ordinary members of that committee and have not been appointed as substitute members for that meeting), officers and other persons may observe and, at the discretion of the chairman, contribute to the discussion on any item.

3.16.2 A person attending a meeting of a committee of the Council in reliance on the provision made by the previous paragraph shall at all times operate their ICT equipment so that it broadcasts a live picture of that person. If a person attending does not comply with the requirement to broadcast a live picture, the chairman of the meeting may direct that that person should be removed from the meeting by being disconnected from it.

**3.17 Attendance by statutory officers at meetings of Council and Cabinet**

The Head of Paid Service, Monitoring Officer and Chief Finance Officer, designated under Article 12 of the Constitution, shall attend meetings of the Council and Cabinet in person. Inadvertent or unavoidable non-compliance with this requirement does not invalidate any proceedings of the Council or Cabinet.”

Standing order 4.1 vi insert at end:-

“The reference to “attend” in this paragraph includes the ability to attend in reliance on the provision made by standing order 3.16.”

Amend Standing order 8.2 (ii) to read as follows (amended words shown in bold):

“In these Standing Orders and where the context so admits, the expressions “Member(s)” and “Member(s) of the Council” shall mean any Member or Members of the Wyre Forest District Council attending a meeting of a Committee, where they are in attendance at such meeting as a Member thereof or in accordance with the provisions of Standing Orders 3.7, 3.11, **3.13 and 3.16.**”

**Section 5, Terms of Reference**

Omit the strikethrough wording from the terms of reference for the Strategic Review Panel, as shown below:



### 13. Strategic Review Panel

The Panel will perform an advisory role on a range of issues including some that may be confidential during policy development and prior to formal decision-making and announcement. The Panel's papers will not therefore be published, although they will be available for all members of the Council.

Membership: nine members, to be allocated in accordance with political balance. The membership includes the Chairman and Vice-Chairman of the review panel who will be appointed by full Council. As an advisory panel, the Panel's membership does not count towards the statutory calculations of political balance.

All other councillors have the right to attend. ~~Flexibility will be exercised by the Chairman regarding substitutions.~~

Purpose: To consider each year the Cabinet's proposals for the Medium Term Financial Strategy, capital strategy and budget options, and to provide recommendations to Cabinet ~~for its meeting in December each year to inform the Cabinet's proposed strategy and budget and~~ and for the meeting in February each year in respect of any alternative budget proposals.

~~To act as a cross party sounding board for other strategic change proposals, including considering any proposals that may be made to amend the Corporate Plan for 2021-2023.~~

The work of the Panel will be undertaken within the context of the Council's approach to transformation as set out in the Wyre Forest Forward programme. The Panel should take account of the latest information about the Council's financial position and revised projections of future Government funding in formulating its recommendations.

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL  
20 SEPTEMBER 2023**

**POLICY AND BUDGET FRAMEWORK  
MATTERS WHICH REQUIRE A DECISION BY COUNCIL**

**RECOMMENDATIONS  
CABINET  
12 SEPTEMBER 2023**

**Purpose of Report**

To consider recommendations from the Cabinet on matters outside the policy framework or approved budget of the Council.

**SUPPORTING INFORMATION**

Would Councillors please note that the related reports and documents have not been included in the Council book, as they have already been sent to Members via the committee agenda pack. A public inspection copy is available on request. The policy documents, referred to below, have been posted on the Council’s website. See the report on page 15 of the pdf at this link:

[https://forms.wyreforestdc.gov.uk/council/docs/doc58844\\_20230912\\_cabinet\\_agenda.pdf](https://forms.wyreforestdc.gov.uk/council/docs/doc58844_20230912_cabinet_agenda.pdf)

<b>RECOMMENDATION TO COUNCIL</b>	<b>CABINET MEMBER</b>
<p><b>Corporate Plan 2023 – 2027</b></p> <p><b>The Cabinet RECOMMEND to Council that:</b></p> <p><b>It adopts the Corporate Plan in appendix 1 of the Cabinet report.</b></p>	<p><b>Councillor M Hart</b></p>



**Wyre Forest**  
District Council

# Corporate plan 2023-2027



September 2023

Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF

# Our plan

Agenda Item No. 10(a)

## What we are focussing on 2023-2027

Our vision - A safe, vibrant and clean place to live, work and visit

### Priority: Economic growth and regeneration



#### Actions

- Regenerate central Kidderminster including completion of Future High Streets and Levelling Up Fund projects
- Redevelop former Crown House site, Lionfields and other brownfield sites we own – mainly for housing
- Progress the redevelopment of Bridge Street site, Stourport
- Work with High Streets Task Force to develop and implement a vision for the regeneration of central Stourport
- Work with partners to improve skill levels and make sure they are the skills employers needs
- Make sure business support services are available to help businesses grow

### Priority: Securing financial sustainability for services that local communities value



#### Actions

- Increase net income from our commercial activities
- Increase the visits to our nature reserves and make them more accessible
- Complete the redevelopment of Brinton Park, funded by the National Lottery Heritage Fund
- Investigate options for developers to make bio-diversity contributions on alternative sites



### Priority: A clean, safe and green place to live, work and visit



#### Actions

- Secure housing growth through the local plan
- Invest more in tackling environmental crime and illegal parking
- Invest more on clearing litter, particularly in summer months
- Work with town councils and community groups to improve parks and open spaces
- Help provide more cultural events
- Increase the amount of temporary accommodation available by providing a new housing scheme
- Produce and implement a carbon reduction plan for the district and for the council
- Help people make their homes more energy efficient
- Install electric charging points in car parks in all three towns

**WYRE FOREST DISTRICT COUNCIL**

**COUNCIL  
20 SEPTEMBER 2023**

**QUESTIONS**

**1. Question from Councillor F Oborski MBE to the Cabinet Member for Operational Services**

Disposable Vapes are said to be a " fire hazard" when disposed of in the normal waste system as they contain lithium batteries which can explode.

"Good Practice" indicates that the retail outlets selling these products should provide collection bins to which used vapes should be returned.

What steps is WFDC taking to encourage retail outlets to provide such collection bins and how many such bins are currently provided in the district?

**2. Question from Councillor M Rayner to the Cabinet Member for Operational Services**

In your manifesto you say you are going to make Wyre Forest Cleaner. Please can you explain how you are ensuring this is happening?

**3. Question from Councillor L Whitehouse to the Leader of the Council**

Can the Leader of the Council please confirm to this chamber that he expects the highest standards from each of his Group's members and that they must be professional, example setting, responsive and fair at all times?

**4. Question from Councillor V Caulfield to the Cabinet Member for Cabinet Member for Housing, Health and Well-being**

As a council, what information do we have regarding the quality of water in our local rivers?

**5. Question from Councillor L Carroll to the Cabinet Member for Operational services**

Do you believe that every child in the district should have access to inclusive play equipment?

**6. Question from Councillor L Whitehouse to the Cabinet Member for Operational Services**

Can the Cabinet Member please confirm to this Council and members of the public that he is happy with the appearance of the public realm in our district?

**7. Question from Councillor L Carroll to the Cabinet Member for Culture, Leisure, Arts and Community Safety**

What is the administration doing to support young people in the district?

**8. Question from Councillor F Oborski MBE to the Leader of the Council**

When the Chief Executive's Appraisal was carried out I remember it being agreed that the temporary car park on the former Crown House site would have a banner along the perimeter guard rails of the car park on the Baxter Church side, explaining that it was a temporary car park.

What progress has been made in getting said banners installed?

**9. Question from Councillor L Whitehouse to the Cabinet Member for Operational Services**

Can the Cabinet Member please confirm the frequency of channel and footway mechanical sweeping throughout the district, confirming that all roads are swept regularly?