

**WYRE FOREST DISTRICT COUNCIL  
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER  
11TH FEBRUARY 2020 (6PM)**

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**Present:**

Councillors: G W Ballinger (Chairman), F M Oborski MBE (Vice-Chairman), H E Dyke, N Martin and J W R Thomas.

**Observers:**

Councillors: N J Desmond, I Hardiman and M J Hart.

**CAB.51 Apologies for Absence**

There were no apologies for absence.

**CAB.52 Declarations of Interests by Members**

No declarations of interest were made.

**CAB.53 Minutes**

**Decision: The minutes of the Cabinet meeting held on 17th December 2019 be confirmed as a correct record and signed by the Chairman.**

**CAB.54 Call Ins**

No decisions had been called in since the last Cabinet meeting.

**CAB.55 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.56 Public Participation**

There was no public participation.

**CAB.57 Wyre Forest District Local Plan (2016-2036)**

A report was considered from the Spatial Planning Manager to agree the submission of the proposed Wyre Forest District Local Plan (2016-36) and Policies Map for recommendation to Council on 20<sup>th</sup> February for forwarding to the Secretary of State (including all supporting evidence base documentation).

The Cabinet Member for Economic Regeneration, Planning & Capital Investments presented the report and formally moved the recommendations

### Agenda Item No. 3

for approval. She said the Local Plan had been in preparation since 2018; and it was now time for us to submit it to the Planning Inspectorate to begin examination, which will consider whether we have a 'sound' Plan.

She further explained that we have passed the point now of deliberating on which sites to include or exclude. All of that has been thoroughly consulted on, from the Preferred Options consultation back in summer 2017 to the more recent Pre-Submission consultations in 2018 and again in 2019. She added that we now have to decide whether we consider the Plan to be 'sound' and legally compliant, and that it can be submitted to the Planning Inspector.

The Cabinet Member for Economic Regeneration, Planning & Capital Investments said that 'soundness' means that the Plan has been positively prepared, that it is justified, effective and is consistent with national policy and in accordance with the National Planning Policy Framework. She added that she was pleased to commend the suite of documents that makes up the Submission Plan to Cabinet as meeting those tests of 'soundness'. She acknowledged that there will be matters that some people disagree with and that there are those who will seek to challenge whether the Plan is 'sound'; that will be what the Inspector examines when the plan is submitted. She added that there was no place for us now to consider further amendments to the Plan without undermining its 'soundness'.

The Cabinet Member for Economic Regeneration, Planning & Capital Investments reminded Members that, with the exception of the addition of the increased car parking at Blakedown Station, which is required by the County Council to enable them to support the Plan, and the small housing allocation alongside it, this is effectively the same Plan which the previous Administration was loudly heralding as the "Conservative Party's Local Plan" in leaflets in the run up to the May 2019 District Council Elections.

In relation to the justification for using the higher housing number in the Local Plan, she explained that no councillor wants to see any more development of the Greenbelt than absolutely necessary. However the authority must ensure that it maintains its supply of new housing otherwise it will run the risk of not maintaining a five year land supply and falling foul of the housing delivery test; either of which could actually undermine the value of the Plan and expose the whole district to unwanted development. She added that the justification for the need to use the higher 2016 household projection figure was set out in paragraph 7.10 of the report and the matter will be thoroughly tested by the Inspector.

The Chairman of the Overview and Scrutiny Committee, Councillor M Hart, said that the item was fully debated at the meeting, and the proposals were supported by the majority of the Committee.

The Cabinet Member for Culture, Leisure & Community Protection seconded the proposals. She said that a lot of time and effort had gone into the preparation of the Plan. She said that residents had played a big part in responding to the consultation and she thanked them for their input.

**Decision:** In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 6<sup>th</sup> February 2020, Cabinet recommends to Council to:

- 1) Approve the proposed Wyre Forest District Local Plan (2016-2036) and Policies Map (together with the associated evidence base, including the Sustainability Appraisal) for the purpose of its submission to the Secretary of State for independent examination under section 20 of the Planning and Compulsory Purchase Act 2004 (the PCPA 2004) (as shown in Appendix 1) of the report;
- 2) Approve the Table of Additional (Minor) Modifications to the Wyre Forest District Local Plan (2016-36) and Policies Map (as shown in Appendix 2);
- 3) Approve the submission documents prepared pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Local Planning Regulations) (see Appendix 3);
- 4) Note the technical study 'Traffic Demand in the Hagley Area (A456 Corridor)' (in Appendix 4) as a background paper (which has yet to be published by the County Council);
- 5) Approve the 'Statements of Common Ground' with third parties such as statutory agencies and adjoining Councils (as shown in Appendix 5); and
- 6) Delegate authority to the Corporate Director: Economic Prosperity & Place in consultation with the Cabinet Member for Economic Regeneration, Planning and Capital Investments for the following matters relating to the Local Plan:
  - a. To take or authorise such steps as may be necessary for the independent examination of the Local Plan to be completed, including:
    - i Proposing, requesting from and agreeing with the Inspector, at submission and through the examination, 'main modifications' to the wording of the Local Plan to ensure its soundness and legal compliance, in accordance with section 20(7C) of the PCPA 2004 (noting that 'main modifications' will subsequently be subject to public consultation prior to the completion of the examination and approved by Council);
    - ii Agreeing 'additional (minor) modifications' to the wording of the Local Plan (noting that these will relate to minor changes which do not materially affect the policies in or soundness of the Plan and will subsequently be approved by Council at adoption);
    - iii Entering into 'Statements of Common Ground' with third parties such as statutory agencies and adjoining Councils;

- iv **Undertaking other tasks pursuant to informing and ensuring the effective running of the examination, including making submissions of hearing statements to the Inspector and providing to the Inspector such further or revised documents or information as may be necessary;**
- v. **Agreeing Topic Papers including but not limited to housing growth, viability and Green Belt release (noting that these are for explanatory purposes only); and**
- vi. **Publishing the recommendations of the Inspector in accordance with section 20(8) of the PCPA 2004 and Regulation 25 of the Local Planning Regulations.**

**CAB.58 Medium Term Financial Strategy 2020-2023  
Capital Strategy 2020-2030**

A report was considered from the Corporate Director: Resources which provided the Cabinet with financial information in order to make proposals for the Budget Strategy for the period 2020-2023. The report also sought approval of the Capital Strategy for 2020-2030 including prudential indicators which set limits for non-financial investments and to fulfil the key requirements of the MHCLG Investment Guidance.

The Leader of the Council presented the report and formally moved the recommendations for approval. He said that the Cabinet considered the medium term financial strategy and the associated capital strategy, at its meeting on the 17th December last year. The Provisional Finance Settlement was then issued on the 20th December. It did not change any of the assumptions included in the December report significantly. The Final Settlement had been expected to be formally agreed by the House of Commons tomorrow. It was very regrettable that this had now been delayed until the week commencing 24th February. However, related figures were released in advance late last week and as expected these are substantially the same as contained in the Provisional Settlement. He said that the report provides an updated position following two Strategic Review Panels to consider further government announcements and the Alternative Budget proposed by the Conservative Group.

The Leader of the Council outlined the key points from the settlement and advised that, for 2020-2021, there will continue to be differential limits that will trigger the need for a council tax referendum.

He added that for district councils, there is no referendum for increases of less than 2% or up to and including £5 (whichever is higher) above the authority's council tax for 2019/20. The 2% restriction is very disappointing. At the time of writing the report, it was hoped that this might be increase to 3% but the detail of the final settlement issued last week confirms no change. Therefore he confirmed that the Cabinet's recommendation to Council for the Council Tax increase would be £5 or 2.33%, and asked colleagues to support the proposed increase as set out in paragraph 2.2.2 and to ignore paragraph 2.2.3.

The Leader of the Council said the Government's decision not to allow an increase of 3% contradicts the views of more than 600 residents who took part

in the council's budget consultation last autumn; 73% of respondents supported or strongly supported an increase of up to 3% in council tax. He thanked the hundreds of residents who took time to comment and give their views on our budget proposals. He said the Cabinet believed the new financial strategy very much reflects what people told the Council.

He further explained that the Cabinet's proposals in the budget have changed in only two respects since December. There was a proposal that Council should allocate an additional £1.5m to the Capital Portfolio Fund to invest in acquiring properties which will create extra income to support services. If this additional headroom was agreed, members knew that all potential purchases are subject to thorough checks and members of the Cabinet decide whether or not to proceed with any purchase on the basis of a detailed business case, which is scrutinised in advance by the Overview and Scrutiny Committee.

He said an earlier proposal to reduce how much is spent on cutting grass verges by £50k has been dropped, following confirmation from Worcestershire County Council that it is not reducing the funding it provides for WFDC for this county council responsibility during 2020-21.

Finally, the updated Alternative Budget proposal from the Conservative Group replaces Appendix 5 in the original agenda pack. Members had the opportunity to discuss their ideas at the Strategic Review Panel at the end of January and he did not propose to repeat the points that were raised in that discussion. He thanked Councillor Hart for sharing this in advance of the meeting. With one exception, the Leader asked Cabinet colleagues to note the alternative budget proposals from the Conservative Group. He proposed that Cabinet should accept the revised proposal for Depot Works as set out in the latest iteration of the Conservative Group's alternative budget, so that the health and safety works can be undertaken for the whole of Block E. This has a minor additional implication for the capital plan and revenue costs in the future.

The Leader thanked the Corporate Director: Resources and her team for all the hard work they had put into preparing the document. The proposals were seconded by the Cabinet Member for Economic Regeneration, Planning & Capital Investments.

**Decision: The CABINET having re-considered the Financial Strategy 2020-2023, the results of the Budget consultation exercise, alternative budget proposal and recommendations of the Strategic Review Panel RECOMMENDS TO COUNCIL that it:**

**1.1 THREE YEAR BUDGET, CAPITAL STRATEGY AND POLICY FRAMEWORK 2020-2023**

**1.1.1 APPROVES the updated Medium Term Financial Strategy 2020-2023;**

**1.1.2 APPROVES the revised Cabinet Proposals – taking into account the impact on the Council's Capital and Revenue Budgets for 2020-2023 as shown in the table in paragraph 3.13 of the report, including an additional proposal for a modest**

increase in the Capital Portfolio Fund as set out in h) below and further updated to reflect the Alternative proposal for Depot Block E as reflected in f) below:

- a. **Approval of the Community Leadership Fund for 2020-21 of £33k;**
- b. **Approval of a programme of phased savings from Localism partnership working with our Town and Parish Council colleagues as outlined in paragraph 5.13 of £135k in 2020-21, £245k in 2021-22, £350k in 2022-23, £525k in 2023-24 and £700k in 2024-25. The savings include assumptions of transfers of activities and staff posts which, if not realised will be ended or deleted as set out in paragraphs 8.2.4 and 8.2.5 of the December Cabinet report. To also approve the top-up of the single Localism Fund by a further £30k in 2020-21 to continue the good work done so far with Parish and Town Councils and other organisations**
- c. **Approval of additional capital resource to facilitate ongoing delivery of the ICT Strategy of a total of £653k phased over the MTFS as set out in paragraph 8.2.6 of the December report, proposed to be funded by prudential borrowing. The associated revenue costs are £4k in 2020-21, £63k in 2021-22 and £126k in 2022-23;**
- d. **Approval of the removal of funding for Kidderminster Town Centre, Bewdley Development Trust and Stourport Forward saving a total of £30,520 in 2020-21 onwards;**
- e. **Approval of a schedule of improvements to Stourport Riverside in line with the Master Plan to be funded as set out in paragraph 8.2.8 of the December Cabinet report. The gross capital investment proposed is £150,000 of which £103,580 can be funded from S106 contributions so leaving £46,420 to be funded from prudential borrowing. The ongoing net revenue implications are £24,510 in 2020-21, £23,010 in 2021-22 and £23,010 in 2022-23;**
- f. **Approval to undertake health and safety capital works to the whole of the Depot Block E so it is fully operationally functional to meet business need. This includes extra provision of work/meeting space to provide future proofing/additional flexibility with no parts of the building mothballed. Funding of £85k in 2020-21 from prudential borrowing with revenue financing costs £1,830 in 2020-21, £7,910 in 2021-22 and £7,910 in 2022-23; no additional income from external use is assumed although opportunities may arise to achieve this in the future.**
- g. **Approval of the HLF Brinton Park Project gross capital expenditure of £2.4m subject to HLF approval of the**

substantive funding and the final business case. This includes approval of a commitment to meet a maximum shortfall of £100k in capital partnership funding for the project, to be funded from prudential borrowing.

- h. Approval of an additional capital allocation of £1.5m for Capital Portfolio Fund property acquisitions funded by prudential borrowing. This is to provide headroom to cover a potential shortfall for further purchases within the district, that are currently in the early stages of consideration for which early viability indications are favourable. This proposal is assumed to be revenue neutral at this early stage, progression will be dependent on the ongoing due diligence and reports to Overview and Scrutiny and Cabinet Sub Committees in accordance with normal protocols when the financial business cases will be confirmed.**
- 1.1.3 APPROVES the fees and charges in line with this Strategy and in line with the recommendations of the Licensing and Environmental Committee of 2nd December 2019, and the impact on the Council's Revenue Budget for 2020-2023, as shown in Appendix 3;**
- 1.1.4 APPROVES the Council's updated Capital Strategy including the following Indicators and limits that will be further revised for the February 2020 Council Meeting following any changes to the Capital Programme brought about as a result of the budget process:**

  - a) Approval of the Capital Strategy 2020-2030 including the associated Quantitative Indicators in Appendix 2 of the December Cabinet report;**
  - b) Approval of variations to the Capital Programme and Vehicle, Equipment and Systems Renewals Schedule as set out in Appendix 2 of the report (which updates Appendix 1, Appendices A and B of the Capital Strategy report to December 2019 Cabinet);**
  - c) Approval of the limits for gross debt of non treasury investments compared to net service expenditure and for commercial income as a percentage of net service expenditure as set out in Appendix 2 of the December report;**
  - d) Approval of the limits for loan investments as set out in paragraph 5.1 of the 17th December 2019 report.**
- 1.1.5 APPROVES that any Final Accounts savings arising from 2019-2023 over and above the target allowed for in the Council's Financial Strategy, together with surplus Earmarked Reserves, be allocated by the Corporate Director: Resources in consultation with the Leader and Cabinet Member for**

**Strategy and Finance;**

- 1.1.6** The General Fund Revenue Budget be **APPROVED** including all updates from the position in December 2019 as set out in the report.
- 1.2** **COUNCIL TAX AND BUSINESS RATES**
- 1.2.1** Increases Council Tax by the higher limit specified by the Government which, based on the Provisional Settlement and release of information so far on the Final Settlement, is 2% or £5 (whichever is higher) as set out in paragraph 2.2.2 of the report to Cabinet and therefore:
- a.** SETS the Council Tax for Wyre Forest District Council on a Band D Property at £219.34 for 2020-2021 (£214.34 2019 2020) which represents an increase of 2.33% on Council Tax from 2019-2020.
  - b.** ENDORSES the provisional Council Tax on a Band D Property in 2021-2022 of £224.34 and £229.34 in 2022-2023, being increases of 2.28 % and 2.23% respectively.
- 1.2.2** NOTES the Corporate Director: Resources (as Chief Financial Officer) opinion on the budget proposals, recommended by the Cabinet in the report, as detailed in Appendix 4 of the report.
- 1.3** The Cabinet **APPROVED** that:
- 1.3.1** Delegated authority is given to the Corporate Director: Resources, in consultation with the Cabinet Member for Strategy and Finance/Leader of the Council, to make any appropriate adjustments to the General Fund Revenue Budget recommended under paragraph 2.1.6 of the report, as a result of any further notifications from Central Government.
- 1.4** The Cabinet **NOTED** in line with the recommendations of the Strategic Review Panel:
- 1.4.1** The Alternative budget proposals as detailed within Appendix 5 of the report, further noting that an updated version was fully costed and provided for this Cabinet meeting.

**CAB.59 Brinton Park National Lottery Heritage Fund (NLHF) Project**

A report was considered from the Corporate Director: Community Well Being and Environment to approve the Procurement Strategy and current Business Plan in preparation for Round 2 of the National Lottery Heritage Fund (NLHF) for the Brinton Park project.

The Cabinet Member for Culture, Leisure and Community Protection

presented the report and formally moved the recommendations for approval. She said that the proposal had been very well received by Members of the Overview and Scrutiny Committee, which had acknowledged the huge amount of partnership working and hard work undertaken by Officers to get to this stage of the project.

The Cabinet Member for Economic Regeneration, Planning & Capital Investments said this was a very exciting project and wished the Officers well in the next stage of the process. She said she was delighted to second the recommendations.

The Chairman of the Overview and Scrutiny Committee said that Brinton Park was a jewel in the crown for the District and said that there was unanimous support for the approval of the Procurement Strategy and current Business plan. He thanked the Community Development Manger, Lesley Fox and other partner organisations for their hard work.

**Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 6th February 2020, Cabinet DECIDED that:**

- 1.1 The Procurement Strategy and the current Business Plan are approved in order to submit them in Round 2 National Lottery Heritage Fund (NLHF) in February 2020.**
- 1.2 Subject to a successful award of funding to Brinton Park National Lottery Heritage Fund (NLHF) project in July 2020, delegate authority to the Chief Executive - in consultation with the Corporate Director Resources, Solicitor to the Council and the Cabinet Member for Culture, Leisure and Community Protection - to award the contract for professional and building services in accordance with the procurement strategy.**
- 1.3 To delegate authority to the Chief Executive – in consultation with the Corporate Director Resources, Solicitor to the Council and the Cabinet Member for Culture, Leisure and Community Protection - to make any amendments as may be necessary to the procurement strategy and decide the detailed evaluation criteria as a result of the final business case.**

**CAB.60 Exclusion of Press and Public**

**Decision: "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 items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs of Part 1 of Schedule 12A to the Act.**

**CAB.61 Brinton Park National Lottery Heritage Fund (NLHF) Project – Appendix 1 Procurement Strategy**

### **Agenda Item No. 3**

The Cabinet Member for Culture, Leisure and Community Protection presented the document which gave a financial breakdown of the procurement of works and services.

**Agreed: The information be noted.**

There being no further business, the meeting closed at 6.31pm.