

Cabinet minutes

Wednesday 9 November 2011 at 6.00 p.m.

in Conference Room 2 at the Council House Walsall

Present

Councillor Bird	Leader of the Council
Councillor A. Andrew	Deputy Leader and regeneration
Councillor Arif	Business support services
Councillor R. Andrew	Children's services
Councillor Ali	Communities and partnerships
Councillor Towe	Finance and personnel
Councillor Harris	Leisure and culture
Councillor McCracken	Social care and health
Councillor Ansell	Transport and environment

2713 Minutes

Resolved

That the minutes of the meetings held on 14 September and 12 October 2011 copies having been sent to each member of the Cabinet be approved and signed as correct records.

2714 Declarations of interest

Councillors Towe, McCracken and Arif declared a personal interest in Item 18 – Walsall Adult and Community College.

2715 Local Government (Access to Information) Act, 1985

Resolved

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

2716 Forward plan

The forward plan as at 12 October 2011 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

2717 West Midlands Councils Constitution

Councillor Bird presented the report:

(see annexed)

Resolved

That the Constitution of the West Midlands Councils as appended to this report be approved.

2718 Shadow Health and Wellbeing Board

Councillor Bird presented the report:

(see annexed)

Resolved

- (1) That a Shadow Walsall Health and Wellbeing Board be appointed with membership and terms of reference as set out in Appendices 1 and 2.
- (2) That Councillor Zahid Ali be appointed Chair of the Shadow Board in accordance with the membership set out in Appendix 1.
- (3) That the Chief Executive, in consultation with the Leader, be authorised to amend the membership and terms of reference of the Shadow Board in accordance with any recommendations made by the Board, or as directed by subsequent legislation.

2719 Review of Supplementary Planning Documents – Walsall Local Development Framework

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That the strategy and programme for review of the Council's adopted Supplementary Planning Documents outlined in Section 3 and Appendix A of the report be approved;
- (2) That Cabinet agrees to receive further reports at future meetings on draft revisions to the Affordable Housing and Urban Open Space Supplementary Planning Documents as a basis for Public Participation, in accordance with Regulation 17 of the Local Development Regulations 2004 (as amended);
- (3) That Cabinet also agrees to receive further reports at future meetings, recommending adoption of proposed revisions to each of the supplementary planning documents to be revised, following Public Participation and approval by the Planning Committee; and
- (4) That the Head of Planning and Building Control be authorised to refer the Education and Healthcare Supplementary Planning Documents to the Secretary of State for Communities and Local Government, with a request that they be revoked.

2720 Black Country Enterprise Zone

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet endorses the establishment of the Black Country Enterprise Zone which comprises the 15 sites shown on Appendix A as the Darlaston component.
- (2) That Cabinet supports the establishment of a simplified planning regime by way of Local Development Order covering the Black Country Enterprise Zone sites in Darlaston together with surrounding areas.
- (3) That the Executive Director (Regeneration) be authorised to undertake the following action in relation to the development of the proposed Local Development Order:
 - (a) Appointment of consultants to progress the preparation of the Local Development Order, including public consultation.
 - (b) Reporting the draft Local Development Order to the Planning Committee to seek their views.
 - (c) To make any minor changes to the draft Local Development Order in consultation with the Portfolio Holder for Regeneration.

- (4) That Cabinet notes that the draft Local Development Order will be submitted to the Secretary of State for approval and if approved it would be reported to a Council meeting for adoption.

2721 Sale of freehold interests Baytree House and former Mary Elliot Special School and Brewer Street Day Centre

Councillor A. Andrew presented the report:

(see annexed)

Resolved

That authority be delegated to the Executive Director for Regeneration in conjunction with the Cabinet Portfolio Holder for Regeneration to approve the terms for the disposal of the freehold interest in the land and properties shown edged in red on

- (a) plan number EPMS 3295 (Appendix A), extending to 6,996 square metres (or thereabouts); and
- (b) plan number EPMS 3216/8 (Appendix B) extending to 14,320 square metres (or thereabouts)

provided these terms include the price satisfying the best consideration principles of Section 123 Local Government Act 1972, the purchaser bearing the Council's surveyor's fees and legal costs and the transaction not reaching legal completion until the purchaser has obtained detailed planning permission from the Local Planning Authority.

2722 Plans for the Environment in Walsall – Designing Walsall and Natural Environment SPDs

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet approves the draft revisions to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs) at Appendix A and Appendix B as a basis for Public Participation;
- (2) That the Head of Planning and Building Control be authorised to undertake the following action with regard to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs):

- (a) Final editing of draft revisions to the documents prior to publication for Public Participation;
 - (b) Organising Public Participation on the draft revisions to the documents, in accordance with Regulation 17 of the Local Development Regulations 2004 (as amended); and
 - (c) Reporting the final draft revisions to the documents to the Planning Committee, seeking their approval prior to reporting to Cabinet; and
- (3) That Cabinet agrees to receive a further report at a future meeting on the adoption of the final revisions to the Designing Walsall and Natural Environment Supplementary Planning Documents (SPDs), following Public Participation and approval by the Planning Committee.

2723 Children's homes – Statement of purpose

Councillor R. Andrew presented the report:

(see annexed)

Resolved

That the Statements of Purpose for each of the five Children's Homes operated by Walsall Council be approved.

2724 Evaluation of Area Partnerships

Councillor Ali presented the report:

(see annexed)

Resolved

That the proposal for informing elected members of the discussions and decisions taken at Area Partner meetings as set out in the report be agreed.

2725 Budget consultation feedback 2012/13

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That the findings from the budget consultation, set out in this report, be used and evidenced alongside other feedback and available data by Cabinet as it develops the Council's 2012/13 draft corporate revenue and capital budget.
- (2) That the Borough Leadership Team and Corporate Management Team use these findings to inform priorities and service delivery for 2012/13 onwards.
- (3) That the report and its appendices be published on the Council's public website along with feedback of outcomes.
- (4) That the report be referred to all scrutiny and performance panels for consultation, to enable their comments to be considered by Cabinet on 14 December 2011.

2726 Draft revenue and capital budget proposals 2012/13

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That Cabinet note and approve the following as the basis for consultation:
 - (a) Changes to the draft revenue budget following confirmation of a one-off Council tax freeze grant for 2012/13,
 - (b) The revised draft budget proposals as set out in the report and provisional revised revenue cash limits by portfolio as set out in section 3.3.
 - (c) Savings options which will need a formal policy decision to implement in February 2011, once consultation on the proposals has closed, as set out in section 3.5 and Appendices 1a-1d.
 - (d) The approach to be taken to revise the capital programme for 2012/13, and review the capital bidding process for 2013/14 onwards, whilst recognising that this is subject to available capital resources for future years.
- (2) That the report be referred to all scrutiny and performance panels for consultation, to enable their comments to be considered by Cabinet on 14 December 2011.

- (3) That Cabinet note that the 2012/13 provisional revenue cash limit is based on the draft formula grant settlement announced in December 2010 and initial savings proposals. Should the final allocation be less than current estimates, further proposals for ensuring a balanced budget will be brought back for Cabinet consideration as the budget develops and information is published.

2727 Corporate financial performance 2011/12

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That a net projected revenue underspend of c£130k, 0.02% of the gross budget which includes the effects of identified corrective action plans be noted.
- (2) That the re-phasing of projects on the capital programme of c£1.1m into 2012/13 be noted, subject to Cabinet approval at year-end.
- (3) That a forecast underspend on the capital programme of £369k be noted and the revised allocations as set out in Table 3 and section 4.9 of the report be approved.
- (4) That the planned allocation of funding to earmarked reserves as detailed in Table 2 be noted.

2728 Proposed merger of Black Country and Wolverhampton Coroner Services

Councillor Harris presented the report:

(see annexed)

Resolved

- (1) That Walsall agrees to the creation of a single Black Country Coroner and jurisdiction covering the four Local Authorities, subject to the consent of Dudley, Sandwell and Wolverhampton Councils, as well as a final approval by the Ministry of Justice.
- (2) That a quarterly report be received on how the arrangements are progressing.

2729 Walsall Adult and Community College – review of governance

Councillor Harris presented the report:

(see annexed)

Resolved

- (1) That approval be given to the revised governance arrangements at Walsall Adult and Community College, as set out in the full report and as amended by the Governing Body at their meeting of 20 September 2011.
- (2) That the report be referred to Council for the appointment of three Walsall Council representatives to the new board.

2730 Benefits based charging working group

The report of the Social Care and Inclusion Scrutiny and Performance Panel was submitted;

(see annexed)

Resolved

That the recommendations of the Social Care and Inclusion Scrutiny and Performance Panel be accepted.

2731 Private Session

Exclusion of public

Resolved

That during consideration of the remaining items on the agenda, the Cabinet considers that the items for consideration are exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider those items in private.

Summary of item considered in private session

Bryntysilio Outdoor Education Centre

A report was submitted which provided options for the settlement of the dilapidations claim resulting from the Council's previous tenancy of the centre; and options for future support to the Trust should members wish. The risks set out in the report associated with all options were considered at length following which Cabinet approved the offer to the Bryntysilio Camp Trust of a settlement of their dilapidations claim at the value assigned by the Council's advisors.

The meeting terminated at 6.50 p.m.