

Cabinet minutes

Wednesday 27 July 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 Ansell	Transport and environment

2668 Apology

An apology for non-attendance was submitted on behalf of Councillor McCracken.

2669 Minutes

Resolved

That the minutes of the meeting held on 8 June 2011 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

2670 Declarations of interest

Councillors Ali and Arif declared a personal interest in item 17 – New affordable housing – development of clawback options.

2671 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.

2672 Forward plan

The forward plan as at 11 July 2011 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

2673 New Homes Bonus

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That the award of the Council's first New Homes Bonus award and the comparative amount awarded to other Black Country Councils be noted.
- (2) That the investment principles to guide the future use of New Homes Bonus as set out in section 3.12 of the report be agreed.
- (3) That a subsequent report be submitted to Cabinet outlining specific proposals for investment of New Homes Bonus in line with the core NHB investment principles.
- (4) That Cabinet agree to fund from New Homes Bonus received to date the production of the development plan documents required to facilitate future development as set out in paragraph 4.1.1 of the report at a cost not exceeding £135,000.

2674 Children's short break centre – procurement and award of contract

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve a single-stage tendered procurement and project delivery option in addition to the procurement proposal approved by Cabinet on 14 April 2010, any procurement process to be carried out in compliance with the Council's Contract Rules.

- (2) To continue with the previous Cabinet approval which delegates authority to the Executive Director for Regeneration in consultation with the Cabinet member for Regeneration, to approve the procurement and delivery procedure providing the best overall Value for Money to the project and Council.
- (3) That authority be delegated to the Executive Director for Regeneration, in consultation with the Cabinet member for Regeneration, to enter into a contract and related documentation with the preferred bidder following the conclusion of the procurement process.

2675 Grace Academy Darlaston – contract award

Councillor A. Andrew presented the report:

(see annexed)

Resolved

That the final business case and the award of the contract to the preferred bidder Kier Education, be approved.

2676 Strategy for Primary Education across Walsall

Councillor R. Andrew presented the report:

(see annexed)

Resolved

That the Strategy for Primary Education be approved.

At this point in the meeting, Councillor R. Andrew advised the Cabinet that Graham Talbot would be leaving his current role and she thanked him for his work with Walsall. The Leader also wished Graham well in the future.

2677 Corporate financial performance outturn 2010/11

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That the recommendations of the Chief Finance Officer for revenue carry forwards as set out in table 2 of the report, be endorsed.

- (2) That the recommendations of the Chief Finance Officer for capital reprofiling/and carry forward of £51.554m, as set out in table 3 of the report, be endorsed.
- (3) That subject to (1) and (2) above, to note the pre-audit revenue outturn underspend of £0.414m and the pre-audit capital outturn underspend of £1.141m.
- (4) That the write off of debts referred to in table 5 of the report be authorised.
- (5) That the 2010/11 prudential and treasury indicators in Appendix 3 of this report and Walsall's compliance with these indicators, be noted.
- (6) That the quarter one 2011/12 outturn be noted and amendments to the capital programme, be approved.
- (7) That the process and timetable for setting the annual budget 2012/13 be approved.

2678 Medium term financial strategy

Councillor Towe presented the report:

(see annexed)

Resolved

That the updated Medium Term Financial Strategy as set out in Appendix 1 of the report be approved.

2679 Healthwatch pathfinder

Councillor Ali presented the report:

(see annexed)

Resolved

That the plan for Walsall to be a Pathfinder for Healthwatch to the Department of Health be endorsed.

2680 Queen Elizabeth II Fields Challenge

Councillor Harris presented the report:

(see annexed)

Resolved

- (1) That approval be given to all six sites suggested in the report, one for each of the Area Partnerships, to be submitted to Fields in Trust for consideration as potential Queen Elizabeth II Fields.
- (2) That the green space at Williams Street in the Butts area be included in the submission, subject to it fulfilling the relevant criteria.

2681 Bentley Library

Councillor Harris presented the report which responded to a Council resolution following a notice of motion submitted by Councillor Madeley:

(see annexed)

At the invitation of the Leader, Councillor Madeley addressed the Cabinet. He expressed his concerns and the disappointment of residents of Bentley in respect of the delay to the project. He added that he would hope to see that planning permission could be in place by August.

Councillor Harris **moved**:

- (1) That Cabinet reconsider the resources required for this project once the marketing of the associated sites in Bentley has been undertaken. This will provide greater reassurance than is available at present about the resources available for this project and the scale and type of development that could be afforded.
- (2) That a further report be brought back for approval, once the level of capital resources available for the scheme is known, with any proposed consequential changes to the original scope and specification of the project.

In seconding the motion, Councillor Bird asked for the report at (2) to contain revenue costs of running the library.

Councillor Harris agreed to include this in his motion and it was:

Resolved

- (1) That Cabinet reconsider the resources required for this project once the marketing of the associated sites in Bentley has been undertaken. This will provide greater reassurance than is available at present about the resources available for this project and the scale and type of development that could be afforded.
- (2) That a further report be brought back for approval, once the level of capital resources available for the scheme is known, with any proposed consequential changes to the original scope and specification of the project, and including the potential revenue costs of running the library.

2682 Town Centre parking working group

The report of the Environment Scrutiny and Performance Panel was submitted:

(see annexed)

Resolved

That the report of the Environment Scrutiny and Performance Panel be noted and that a report in response to the recommendations be submitted to the next meeting.

2683 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 items considered in private session

2684 Sale of freehold interest in Meadow House, Willenhall

Councillor A. Andrew presented the report.

The Cabinet decided that in relation to marketing by Edwards Moore of the Council's land, shown edged in red on plan EPMS 2042/1, together with the adjoining privately-owned land, shown edged in red on plan EPMS 2042/2 Appendix A, for sale on the open market, the Executive Director for Regeneration be delegated authority in consultation with the portfolio holder for Regeneration to approve the terms for the disposal of the freehold interest in the land to the highest bidder in respect of the 2 sites combined with a split of the total sale proceeds between the Council and the private party, provided these terms include the price satisfying the best consideration principles of Section 123 Local Government Act 1972 and the transaction not reaching legal completion until the purchaser has obtained any necessary planning permission from the Local Planning Authority.

2685 New affordable housing – development of clawback options

Councillor A. Andrew presented the report, together with a supplementary report.

The Cabinet approved that whg clawback payments are waived to enable a viable whg housing development programme. This will apply to all whg property and land sales which are subject to the clawback provision of the Transfer Agreement. This is subject to all proceeds from the waived clawback being reinvested into whg's 2011/ 15 affordable housing investment programme, the approval of which will be the subject of a subsequent report.

2686 Phoenix 10 project – use of compulsory purchase powers

Councillor A. Andrew presented the report.

The Cabinet supported, in principle, the making of a Compulsory Purchase Order in respect of third party land to directly support delivery of the Phoenix 10 project subject to Parkhill Estates Ltd:

2687 Future arrangements for education support and related services

Councillor R. Andrew presented the report.

The Cabinet considered a report in respect of the Education Contract with Serco and unanimously approved the termination for convenience of the contract by giving 2 years notice. A further report will be submitted to Cabinet in the autumn in respect of transition arrangements and in early 2012 in respect of proposals for future education support services.

The meeting terminated at 7.15 p.m.