

# **Cabinet minutes**

**Wednesday 30 April 2014 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 and Transport
Councillor R. Andrew	Children's services
Councillor I. Shires	Community engagement and voluntary sector
Councillor Arif	Environment
Councillor Harris	Leisure and culture
Councillor Ali	Public health and protection
Councillor McCracken	Social care

## **3133 Apology**

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

## **3134 Minutes**

### **Resolved**

That the minutes of the meetings held on 19 March and 14 April 2014 copies having been sent to each member of the Cabinet be approved and signed as correct records.

## **3135 Declarations of interest**

There were no declarations of interest.

## **3136 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.

### 3137 **Petitions**

The Cabinet noted the schedule of petitions:

(see annexed)

The following petitions were submitted:

- Funding for dental treatment for residents of Paddock Ward (Mr. R. Dhody)
- Improvements in road safety in Reedswood area and Bentley Lane (Mr. G. Ali)
- Resurfacing of Ravensdale Gardens (Mr. G. Sohal)
- Sort out grass verges (Councillor Harrison)
- Community Centre for Mossley (Councillor Harrison)

### 3138 **Questions**

There were no questions submitted.

### 3139 **Forward plan**

The forward plan as at 7 April 2014 was submitted:

(see annexed)

#### **Resolved**

That the forward plan be noted.

### 3140 **Walsall market feasibility study**

Councillor A. Andrew presented the report:

(see annexed)

#### **Resolved**

That Cabinet supports the undertaking of more detailed design work to reach a conclusion on the Walsall Market Feasibility Study and approves taking forward the findings of the Regeneration Scrutiny and Performance Panel with regard to the permanent location and design of Walsall Market.

### **3141 Long term empty dwellings**

Councillor A. Andrew presented the report:

(see annexed)

Councillor Arif pointed out that Rosamund Street was in Palfrey and not Caldmore.

#### **Resolved**

- (1) That the Executive Director for Resources be authorised to negotiate the voluntary acquisition of the properties listed in Table 1 of this report.
- (2) That in the event that the Executive Director is satisfied that voluntary acquisition cannot be achieved, authority to be given to the making of a compulsory purchase order (CPO) under section 17 of the Housing Act 1985 in respect of those properties.
- (3) That the Executive Director for Resources be authorised to approve where appropriate agreements with owners of the properties setting out terms for withdrawing objections to the CPO.
- (4) That the Head of Legal Services be authorised to take all steps necessary for the drafting, making, submission and confirmation of the CPO and for vesting the properties in Council ownership and obtaining vacant possession where necessary.
- (5) That the Head of Legal Services, if granted power to do so by the Secretary of State, be authorised to confirm the CPO.
- (6) That the Head of Property Services be authorised to dispose of the properties with appropriate safeguards to ensure the properties are brought back into use.
- (7) That the full costs of the above recommendations (1), (2) and (3) be met in 2014/15 and 2015/16 from the approved New Homes Bonus Empty Homes allocation to the maximum allowable and that any proceeds from the disposals be 'recycled' into the New Homes Bonus account for Empty Homes work.

### **3142 Sale of former school sites in Willenhall**

Councillor A. Andrew presented the report:

(see annexed)

The Cabinet agreed the principle of the sale of the sites.

Councillor Andrew said that the decision relating to this matter would be made in the private session following consideration of a report containing commercially sensitive information relating to the proposed purchaser and price.

**3143 Former Neighbourhood Office at Lower Farm**

Councillor A. Andrew presented the report:

(see annexed)

Councillor A. Andrew pointed out that the recommendation should refer to the use of “a proportion” of the sale of the former Millfield Nursery site.

**Resolved**

That Cabinet agree to the recommendation of the Regeneration Scrutiny and Performance Panel in that approval be given to the creation of a car park (subject to planning approval) on the site of the former Neighbourhood Office and adjoining land at Buxton Road/ Bakewell Close, in accordance with the Council’s procurement processes, to be financed from a proportion of the sale of the site of the former Millfield Nursery.

**3144 Barcroft Primary School**

Councillor A. Andrew presented the report:

(see annexed)

**Resolved**

That Cabinet supports the replacement, at the Council’s expense, of the ground floor windows at Barcroft Primary School at an estimated cost of £50,000 and instructs the Executive Director, Regeneration to procure suitable replacement windows in accordance with the Council’s procurement processes.

**3145 Assisted transport and taxi framework contract**

Councillor R. Andrew presented the report:

(see annexed)

### **Resolved**

- (1) That approval be given to the award of Framework Contracts for Assisted Transport and Taxi services to the providers listed in Appendix 1 to this report, subject to the list of providers being approved following its consideration in the private session.
- (2) That authority be delegated to the Executive Director, Children's Services to allocate individual routes for Assisted Transport and Taxi services during June to August for routes to commence from September 2014.

### **3146 Post 16 transport policy statement**

Councillor R. Andrew presented the report:

(see annexed)

### **Resolved**

That approval be given to the Post-16 Transport Policy Statement 2014/5 to enable the Council to fulfil its duty under the Education Act 1996 to publish such a statement by 31 May each year.

### **3147 Review of support to voluntary and community sector**

Councillor I. Shires presented the report:

(see annexed)

### **Resolved**

- (1) That Cabinet supports the implementation of the recommendations of the review of support provided by Walsall Council to the Voluntary and Community Sector conducted by Improvement and Efficiency West Midlands Associates, Chris Allen and Bernie Wilde during 2013/14.
- (2) That a one off funding from contingency of £20,000 be made available to support the development of a strategic commissioning approach to securing agreed activity from the Voluntary and Community sector in meeting Council priorities.

### **3148 Devolution through Area Partnerships**

Councillor I. Shires presented the report:

(see annexed)

## **Resolved**

- (1) That progress to date with respect to the programme of work described within this report as Devolution through Area Partnerships be noted.
- (2) That Cabinet agrees to the further extension of the contract with Inclusive Neighbourhoods to 12 months.

### **3149 Active living (Leisure Centres)**

Councillor Harris presented the report:

(see annexed)

The Leader pointed out that the Community Services and Environment Scrutiny and Performance Panel had recommended option 1. He also recommended Cabinet to approve option 1.

The Leader accepted a request from Councillor Thomas to address the Cabinet. Councillor Thomas expressed his concern at the apparent lack of consultation and that the decision would commit the incoming administration to a major financial commitment.

The Leader responded and explained the consultation process undertaken and said that full consultation had also been carried out as part of the normal planning process.

Councillor Smith requested permission to address the Cabinet which was agreed. Councillor Smith also referred to the extent of consultation which he considered to have been full and detailed. He thanked the Council for its consideration of option 1 as the preferred option which he also supported.

Councillor Shires also expressed his support on behalf of the Liberal Democrat group.

A further short period of discussion took place on the options following which it was **moved** by the Leader, seconded by Councillor Harris and it was:

## **Resolved**

That the following option be approved:

**Option 1** – Delegate authority to the Executive Director for Neighbourhood Service, in consultation with the portfolio holder for Leisure and Culture, to:

- (a) accept tenders and award the contracts for the construction of the two new leisure centres at Oak Park and Bloxwich to ISG Construction PLC at the tendered cost of £23.843m, plus £503,975 fees, a total of £24.347m;

- (b) accept Sport England's "Iconic" grant award of £2m in relation to those new leisure centres;
- (c) authorise the signing or sealing of any deeds, contracts and other related documents in relation to such works; and
- (d) complete discussions with the Charity Commission with a view to obtaining authority to enable the proposed new leisure centre at Bloxwich to be on part of Leamore Park, including the negotiation of the financial implications / off-set for the use of trust land and / or the transfer of land for a land exchange.

**Resolved to recommend to Council**

That the 2014/15 capital programme be amended to include the capital investment required for the construction of two new leisure centres at Oak Park and Bloxwich (option 1) as set out in paragraph 2.1 of the report.

**3150 Domestic abuse strategy**

Councillor Ali presented the report:

(see annexed)

**Resolved**

- (1) That Cabinet approve the draft Domestic Abuse Strategy 2014-16 subject to the outcome of consultation with stakeholders.
- (2) That the Executive Director for Neighbourhood Services be delegated authority to make minor amendments to the strategy based on the outcome of the consultation and to provide an action plan to deliver the strategy.

**3151 Food Law enforcement plan**

Councillor Ali presented the report:

(see annexed)

It was noted that the Council should make the decision to approve the plan and therefore it was:

**Resolved to recommend to Council**

That the Food Law Enforcement Service Plan for the year 2014/15 be approved.

**3152 Community safety plan refresh 2014-17**

Councillor Ali presented the report:

(see annexed)

**Resolved**

That the borough Community Safety Plan 2014-17 be approved.

**3153 Impact of welfare reform in Walsall**

The decision and report to Council from 14 April 2014 was submitted:

(see annexed)

The Leader suggested that the proposed welfare reform forum should be chaired by the portfolio holder with responsibility for the revenues and benefits service. Cabinet members support this and it was:

**Resolved**

- (1) That Cabinet supports the recommendations of the Corporate Scrutiny and Performance Panel and agrees to the creation of a Welfare Reform Forum to be chaired by the portfolio holder with responsibility for revenues and benefits.
- (2) That authority be delegated to the Executive Director, Resources in consultation with the portfolio holder for Resources, to agree the membership and terms of reference for the Welfare Reform Forum.

**3154 Support for living at home services – fee levels**

Councillor McCracken presented the report:

(see annexed)

**Resolved**

That Cabinet approves an increase in fee levels for the financial year from 1 April 2014 to 31 March 2015 for support for living at home services to a minimum of £11.50 per hour for those agencies with historical contractual arrangements below that figure, and for all other providers of these services by an increase of 1%.



### **3155 Local Government Ombudsman – adult social care complaint**

Councillor McCracken presented the report:

(see annexed)

#### **Resolved**

That the recommendations of the Ombudsman be noted.

At this point in the meeting, the Leader mentioned that Councillor R. Andrew and Councillor Ali were not standing in the upcoming municipal elections. He thanked the Councillors for the amount of time, effort, professionalism and diligence which they had applied to their various portfolios over the years.

Cabinet members concurred and endorsed the Leader's comments.

Councillor Ali and Councillor R. Andrew responded and thanked the Cabinet for their comments.

As this was the last Cabinet meeting scheduled for this municipal year, Councillor A. Andrew also thanked the Leader for his leadership of the Cabinet.

### **3156 Private Session**

#### **Exclusion of public**

#### **Resolved**

That during consideration of the remaining item on the agenda, the Cabinet considers that the item for consideration is 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 the item in private.

#### **Summary of items considered in private session**

### **3157 Acquisition of Lex site: Waterfront**

Councillor A. Andrew presented the report:

(see annexed)

Cabinet members noted that the recommendation should have included the area of land involved which was 2.2 acres and accordingly it was:

## **Resolved**

- (1) That Cabinet approves the acquisition of the freehold interest in the Lex site, indicated on plan no. EPMS 4009, and extending to 2.2 acres or thereabouts, from the Homes and Communities Agency, with detailed terms to be agreed and those terms to be delegated to the Executive Director Regeneration in consultation with the portfolio holder.
- (2) That Cabinet receive a further report to a future meeting setting out proposals for how the remediation of the Lex site is intended to be funded.

[Exempt information under paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]

### **3158 Assisted transport and taxi services**

Appendix 1 to the report in public session was submitted:

(see annexed)

In conjunction with the decision made in public session of this meeting it was:

## **Resolved**

That Cabinet approves the award of framework contracts for assisted transport and taxi services to the providers listed in Appendix 1 as having met the pass/fail criteria as outlined in paragraph 3.6.3 of the report, subject to the inspection visits referred to in paragraph 3.9 of the report.

[Exempt information under paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]

### **3159 Electronic social care case recording system**

Councillor R. Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That authority to award a contract for the supply, installation and maintenance of an electronic social care case recording system be delegated to the Executive Director Children's Services, in consultation with the Executive Director Social Care and Inclusion and the relevant portfolio holders, following completion of a procurement process to identify a suitable provider.

- (2) That authority be delegated to the Executive Director Children's Services to sign or authorise the sealing of any deeds, contracts and other related documents in relation to the supply, installation and maintenance of an electronic social care case recording system.
- (3) That the £550,000 of expenditure already agreed in the Children's Services capital budget for 2015/16 in relation to this provision be brought forward into 2014/15.

[Exempt information under paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]

### **3160 Sale of former school sites in Willenhall**

Councillor A. Andrew presented the report.

Following consideration of the detailed report in the public session relating to the sale of the Lakeside school site and the Clothier Street school site, the Cabinet considered a confidential report which identified the proposed purchaser and the agreed purchase price for the two sites.

The Cabinet agreed to the disposal of the freehold interest in the two sites to the named purchaser, at the agreed price, subject to the provisions set out in the public session report. The Cabinet delegated authority to the Executive Director, Regeneration in consultation with the portfolio holder for Regeneration and Transport to approve the terms for the disposals and noted that the full proceeds of the sales had been allocated to be invested in the primary school estate; a proportion of which was for a named project for Rushall Primary School.

The meeting terminated at 7.45 p.m.