

Cabinet minutes

Wednesday 19 March 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 Harris	Leisure and culture
Councillor Ali	Public health and protection
Councillor Towe	Resources
Councillor McCracken	Social care

3105 Apology

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

3106 Minutes

Resolved

That the minutes of the meeting held on 5 February 2014 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3107 Declarations of interest

Councillor A. Andrew and Councillor R. Andrew declared a non prejudicial interest in item 10 – Education capital programme – further schemes.

3108 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.

3109 **Petitions**

The Cabinet noted the schedule of petitions:

(see annexed)

The following petitions were submitted:

- Poplar Avenue and Rowan Road – road and footway repairs (Mr. M. Yasin)
- Weston Street and Tame Street East – pedestrian refuge (Mr. M. Yasin)
- Lincoln Road outside Chuckery School – pedestrian crossing (Mr. K. Ahmed)
- Oxford Street, Pleck – road resurfacing (Mr. E. Aslam)

3110 **Questions**

There were no questions submitted.

3111 **Thank you to Louise Hughes**

At this point in the meeting, the Leader informed the Cabinet that the Assistant Director, Children's services, Louise Hughes would be retiring. The Leader and other Cabinet members took the opportunity to thank Mrs. Hughes for her dedication, professionalism and commitment over a number of years, for her support to children's services through difficult times and wished her well for the future.

3112 **Determination of admissions scheme and admission arrangements for community and voluntary controlled schools 2015/16**

Councillor R. Andrew presented the report

(see annexed)

Resolved

- (1) That the proposed schemes as set out in Appendix A for inter-authority primary and secondary co-ordinated admissions be approved.
- (2) That the admission arrangements for primary community and voluntary controlled schools for the academic year 2015/16, as set out in Appendix B of this report, be agreed.

- (3) That all consultees be informed of the determination of the admission arrangements for the 2015/16 academic year.

3113 **Education capital programme – further schemes**

Councillor A. Andrew presented the report and informed the Cabinet of an additional recommendation as follows:

- (3) That, in view of the short timescales for implementation of the Universal Free School Meals policy, authority be delegated to the Director of Children's services to approve the final projects chosen to support the delivery of the policy.

(see annexed)

Councillor Andrew **moved** the recommendations in the report and the additional recommendation which was seconded and:

Resolved

- (1) That Cabinet approves the schemes, subject to confirmation of an appropriate school contribution, and budgets set out in Appendix B of this report – including permission to seek tenders and appoint contractors to undertake the work identified.
- (2) That Cabinet delegates to the Executive Director for Regeneration Services in consultation with the relevant portfolio holder authority to award contracts (including authorising execution/signature of the contract and ancillary documents) to the most suitable contractors having regard to Best Value for the works/services as set out.
- (3) That, in view of the short timescales for implementation of the Universal Free School Meals policy, authority be delegated to the Director of Children's services to approve the final projects chosen to support the delivery of the policy.

3114 **Schools Forum – special education funding formula**

Councillor R. Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the decision of Schools Forum and adopt the new formula and transition arrangement as recommended at Schools Forum on 11 March 2014.

- (2) That authority be delegated to the Director of Children's Services in consultation with the portfolio holder for Children's Services to alter or amend the financial values in the formula for this and future financial years to meet any changes in funding levels, changes in regulation from the Department for Education or Education Funding Agency or to meet needs of high needs students as necessary

3115 **Walsall Admissions policy**

Councillor R. Andrew presented the report:

(see annexed)

Resolved

That a period of consultation on the proposed Admissions Policy be approved.

3116 **Forward plan**

The forward plan as at 10 March 2014 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3117 **New funding model for category 2 crossing patrol wardens**

Councillor A. Andrew presented the report and informed Cabinet that recommendation (1) had been amended in order to provide clarity to the decision:

(see annexed)

Councillor Andrew **moved** the recommendation as amended which was seconded and:

Resolved

- (1) That Cabinet approve undertaking consultation with service users and others upon withdrawal of the Category 2 School Crossing Patrol Service in the event that the costs of providing this service are not met through recharges to schools.

- (2) That the recharging of schools that currently utilise the Category 2 School Crossing Patrol Service through a service charge on an individual crossing basis identified with the associated school(s) be approved, the current costs of this service being £85,000.
- (3) That approval be given for the cost of recharging for any new requests for crossings and where they do not meet the criteria for Category 1 can be recharged to the requesting school.

3118 Grant of lease to Ryecroft Neighbourhood Resource Centre

Councillor A. Andrew presented the report:

(see annexed)

He informed Cabinet that Dartmouth House had been nominated as an Asset of Community Value and that this nomination has been approved by the Assets of Community Value Panel on 12 March 2014.

Resolved

- (1) That the grant of a twenty five year lease of the land and premises shown edged in bold on the attached plan (EPMS 3497/6), being the New Forest Road site, to Ryecroft Neighbourhood Resource Centre be approved.
- (2) That the rent payable be fixed at a peppercorn per annum if demanded.
- (3) That approval be given to the disposal of the Council's freehold interest in Dartmouth House as shown edged in bold on plan number EPMS 3739/2 extending to 1.28 acres (5,176 square metres) (or thereabouts)
- (4) That authority be delegated to the Executive Director for Regeneration in consultation with the portfolio holder for Regeneration and Transport to approve the terms of the lease of the New Forest Road site to Ryecroft Neighbourhood Resource Centre and for the disposal of Dartmouth House.
- (5) That, to minimise void costs (business rates, security costs etc.), Dartmouth House be demolished and the site cleared.

3119 West Midlands Local Transport Plan and Transport Capital Programme 2014/15

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That the West Midlands 2014/15 Transport Settlement as set out at Table 1 in Section 6 of this report, be noted.
- (2) That the Walsall Transport Capital Programme 2014/15 as set out at Table 2 in Section 6 of this report, be approved.
- (3) That Cabinet approves the utilisation of the Integrated Transport Block element of the grant funding for 2014/15 as described in paragraphs 6.3 to 6.8 of this report and appendices A to G, including the allocation of any slippage from 2013/14 to the 2014/15 programme.
- (4) That authority be delegated to the Executive Director for Regeneration, in consultation with the Cabinet Member for Regeneration and Transport, to manage any changes to the 2014/15 Integrated Transport Block programme allocations in order to manage the overall budget within approved limits.
- (5) That Cabinet delegate authority to the Executive Director for Regeneration, in consultation with the Cabinet Member for Regeneration and Transport, to negotiate on its behalf with the Black Country Local Enterprise Partnership, West Midlands Integrated Authority and government departments to maximise the values of future financial resources allocated to Walsall in pursuit of its transport priorities.

3120 Community hubs first year evaluation report

Councillor I. Shires presented the report:

(see annexed)

In respect of recommendation (2), Councillor Shires moved:

- (2) That Cabinet agrees that its preferred approach to providing grant funding for the Community Hubs projects for 2014/15 is option 3 - Continue funding project management in 2014/15 together with existing project activities, at a cost of £50,000. The cost of this to be met in the first instance from any delayed revenue expenditure within Neighbourhoods budget, any shortfall in the 2014/15 year to be met from windfall income or an improved reserves position.

Councillor Bird seconded the motion and it was:

Resolved

- (1) That the evaluation of the first year of activities of the Community Hubs project in Moxley and Ryecroft be noted.

- (2) That Cabinet agrees that its preferred approach to providing grant funding for the Community Hubs projects for 2014/15 is option 3 - Continue funding project management in 2014/15 together with existing project activities, at a cost of £50,000. The cost of this to be met in the first instance from any delayed revenue expenditure within Neighbourhoods budget, any shortfall in the 2014/15 year to be met from windfall income or an improved reserves position.
- (3) That Cabinet receive a future report on the final evaluation of the Community Hubs pilot project.

3121 **Walsall Voluntary Action**

Councillor I. Shires presented the report:

(see annexed)

In respect of recommendation (3), Councillor Shires **moved**:

- (3) That Cabinet agrees, in accepting recommendations (1) and (2), that this requires additional £100,000 one-off revenue funding which will be met in the first instance from delayed revenue expenditure within Neighbourhoods budget, any shortfall in the year to be met from 2014/15 windfall income or an improved reserves position. Decisions on future years' investment to be subject to a review in 2014/15.

The motion was seconded by Councillor Bird and it was:

Resolved

- (1) That Cabinet accepts the proposal for development of Voluntary and Community Sector infrastructure support by Walsall Voluntary Action.
- (2) That a new grant agreement be developed with Walsall Voluntary Action with appropriate output and outcome measures that monitor its delivery.
- (3) That Cabinet agrees, in accepting recommendations (1) and (2), that this requires additional £100,000 one-off revenue funding which will be met in the first instance from delayed revenue expenditure within Neighbourhoods budget, any shortfall in the year to be met from 2014/15 windfall income or an improved reserves position. Decisions on future years' investment to be subject to a review in 2014/15.

3122 **Darlaston Community Association Sports and Recreation Ground**

Councillor I. Shires presented the report:

(see annexed)

Councillor Shires **moved**:

- (1) That Cabinet agrees to invest funds for essential works to bring Darlaston Recreation Ground building and grounds up to an acceptable standard, as set out in sections 3.2.2 and 3.2.4 of the report, noting that this is subject to the Cabinet receiving a robust business plan that justifies this investment, as previously agreed with the Trustees.
- (2) That Cabinet notes that a further report will be required once a robust business plan has been received, to formally approve the funding and amend the 2014/15 capital programme.

At this point in the meeting, Councillor Bird allowed a request from Councillor J. Fitzpatrick to address the Cabinet.

Councillor Fitzpatrick said that she had been approached by Bloxwich Community Partnership, which also occupy Council owned buildings and which had asked for a similar budget to be made available in the future.

The Leader advised that there was no further budget allocated and that additional capital expenditure would require Council approval, however, the Leader said that should Bloxwich Community Partnership wish to put forward a robust business plan, it would be considered.

The Leader seconded the motion moved by Councillor Shires and it was:

Resolved

- (1) That Cabinet agrees to invest funds for essential works to bring Darlaston Recreation Ground building and grounds up to an acceptable standard, as set out in sections 3.2.2 and 3.2.4 of the report, noting that this is subject to the Cabinet receiving a robust business plan that justifies this investment, as previously agreed with the Trustees.
- (2) That Cabinet notes that a further report will be required once a robust business plan has been received, to formally approve the funding and amend the 2014/15 capital programme.

3123 **Corporate financial performance**

Councillor Towe presented the report:

(see annexed)

The Head of Legal Services, Mr. S. Portman advised that as part of the decision by the Joint Committee for Walsall to be the Accountable Body, there would need to be reference to how the Council recovers the administration costs of being the Accountable Body as standard within the arrangement; and the agreement between the Council and Accord Housing would have to include indemnities to the Council from Accord Housing as well as pass through of clawback in relation to that funding as appropriate.

It was **moved** by Councillor Towe, duly seconded and:

Resolved

- (1) That the current revenue forecast position as at 31 March 2014 of a £2.25m overspend (equivalent to 2.63% of the net council tax requirement), be noted.
- (2) That action being taken to manage the cost pressures arising (see section 3.5), be noted.
- (3) That the current level of general reserves for 2013/14 be noted and authority be delegated to the Chief Finance Officer, in consultation with the portfolio holder for Resources, to take action to ensure that opening levels as at 1 April 2014 remain in line with the 2014/15 risk assessment approved by Council on 27 February 2014; including the approval or otherwise of revenue carry forwards.
- (4) That the forecast underspend on the Council funded element of the capital programme, after re-phasing, of £640k, to be utilised to support the 2014/15 capital programme, be noted.
- (5) That Cabinet note and approve the amendments and re-phasing of the capital programme as set out in sections 3.9 and 3.11 and delegate authority to the Chief Finance Officer in consultation with the portfolio holder for Resources to approve final capital carry forwards.
- (6) That Cabinet approve Walsall Council as the accountable body for The Housing Jobs Prosperity pilot, subject to the approval of the joint committee.

3124 Retail and reoccupation relief for business rates

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That Cabinet agrees to grant a business rate relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less in each of the years 2014-15 and 2015-16. The retail relief to be awarded for certain retail properties that are wholly or mainly used as shops, restaurants, cafes and drinking establishments.
- (2) That Cabinet agrees to grant a business rate relief of 50% for 18 months for retail properties that are reoccupied after being empty for a year or more. The relief will last for 18 months during the period 1 April 2014 and 31 March 2016. The reoccupation relief to be awarded for certain retail properties that are wholly or mainly used as shops, restaurants, cafes and drinking establishments.
- (3) That Cabinet delegate to the Chief Finance Officer responsibility for devising a scheme to process the business rate retail relief and the business rates reoccupation relief for qualifying bodies together with authority to amend each scheme to reflect any changes required by legislation and/or government guidance.
- (4) That Cabinet delegates to the Chief Finance Officer authority to manage and determine awards of business rate retail relief and business rates reoccupation relief under each scheme.
- (5) That Cabinet agrees both schemes are to end when the government funding ends, unless a subsequent policy decision is made by the Cabinet to continue them.

3125 Public health contracts 2014/15

Councillor Ali presented the report and a supplementary report:

(see annexed)

The Cabinet noted that contract values had now been agreed and therefore Cabinet could now extend, and award, contracts as set out in the report. Accordingly it was **moved** by Councillor Ali, duly seconded and:

Resolved

- (1) That Cabinet approve variations of existing contracts and award of new contracts for Public Health Services as set out in Table 1 (of the Supplementary Report) for the periods indicated, either one or two years, until either 31 March 2015 or 31 March 2016 to allow time to undertake a retendering process; and
- (2) That Director of Public Health be delegated to sign or authorise the signing or sealing of any deeds, contracts and other related documents in relation to such services.

3126 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 item considered in private session

3127 Darlaston Strategic Development Area – full approval

The Cabinet received a report which explained the background to the proposal to promote a major transport scheme in the Darlaston Strategic Development Area (DSDA) to improve key parts of the local highway network and help stimulate major investment in new employment opportunities.

The Cabinet reaffirmed the highway improvements scheme costs and approved the use of the existing Birmingham City Council Highways Framework to test out the market and award the main works contract through a re-tendering process so that the final documents can include final target costs for submission to the DfT. In addition, the Cabinet authorised the Executive Director, Regeneration to sign and seal a number of contracts, deeds and documents in order to progress the scheme.

The meeting terminated at 7.00 p.m.

Leader:

Date: