

Cabinet minutes

Wednesday 24 July 2013 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 protection
Councillor Towe	Resources

2987 Apology

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

2988 Minutes

Resolved

That the minutes of the meeting held on 19 June 2013 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

2989 Declarations of interest

There were no declarations of interest.

2990 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.

2991 **Petitions**

The Cabinet noted the schedule of petitions:

(see annexed)

The following petitions were received:

- Provision of “lollypop” person at Park Hall Infant and Junior Academy (Councillor Ali)
- Objections to enlargement of Waverley Avenue and Beacon Road telephone mast (Councillor Towe)
- Resurfacing of Cresswell Crescent (Councillor Harrison)
- Temporary footbridge at site of Broad Lane bridge replacement (Councillor Harrison)

2992 **Questions**

There were no questions

2993 **Forward plan**

The forward plan as at 8 July 2013 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

At this point, the Leader brought forward item 13 on the agenda relating to York’s Bridge in view of the public interest.

2994 **York’s Bridge, Pelsall – replacement scheme**

Councillor A. Andrew presented the report:

(see annexed)

The Leader agreed to a request from a member of the public to address the Cabinet.

Mr. Vercesi, a local resident, said that previous Cabinet report consultation documents and other material had identified that Moat Farm Pool was in the Council's ownership. He asserted that the Council had never owned the entire area, only approximately two thirds, and that the Land Registry had received an application in May to acquire the remainder of the land. Mr. Vercesi said that he understood the application not to have been granted and therefore it was unlikely that deregistration would be approved for Option 1. He suggested therefore that Option 1 was not considered until the Council owned Moat Farm Pool in full.

The Cabinet discussed the information provided and asked a number of questions of the Head of Engineering and Transportation, Mr. S. Pretty.

Mr. Pretty commented that the land ownership matters should not delay the scheme as there were a number of other statutory procedures and processes which needed to be gone through such as planning, traffic regulation orders and deregulation of land; all of which allowed for objections to be made.

A further period of discussion took place following which it was **moved** by the Leader, duly seconded and:

Resolved

That subject to the Council requesting and securing the ownership of all of the land at Moat Farm Pool:

- (1) That Cabinet approve the location of the bridge position as shown in Appendix A1 - Option 1.
- (2) That Cabinet approve the construction of 6 new parking spaces as shown in Appendix A1 - Option 1, to facilitate access and use of the common.
- (3) That Cabinet approve the inclusion of the additional common land required for the construction of the six new parking spaces and minor road realignment in the common land de-registration application as shown in Appendix D of the report.
- (4) That Cabinet note the continuing attempts to identify additional swap land to offset the additional common land de-registration and delegate authority to the Executive Director for Neighbourhood Services in consultation with the portfolio holder for Regeneration and Transport to include any suitable land identified in the common land de-registration application.
- (5) That Cabinet note the intention to advertise, through the relevant statutory procedures, a Traffic Regulation Order to prevent any unnecessary heavy commercial vehicle direct routing through Pelsall village centre.

The Leader asked for all the public in attendance for this matter to be kept informed on a one-to-one basis.

2995 Corporate Plan 2013/14-2015/16

Councillor Bird presented the report:

(see annexed)

Resolved to recommend to Council

That the Corporate Plan 2013/14 to 2015/16 be approved.

2996 Black Country Core Strategy and National Planning Policy framework

Councillor A. Andrew presented the report:

(see annexed)

Resolved

That Cabinet endorses the assessment undertaken by officers from the four local authorities and agrees that the Black Country Core Strategy is consistent with the National Planning Policy Framework, so that the Core Strategy policies should be given full weight in planning decisions.

2997 Local Enterprise Partnership – Structural and investment strategy development funding

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That the Council act as the grant recipient for resources allocated to the Black Country Local Enterprise Partnership, for the development of its Structural and Investment Fund Investment Strategies
- (2) That the Council act in the role of Accountable Body for the grant programme, together with implementing the necessary governance arrangements for the duration of the funding.
- (3) That Cabinet approve the future use of this allocation as matching funding moving forward against new funding opportunities; including the 2014-2020 EU programme, delegating authority to the Executive Director – Regeneration, in consultation with the Regeneration and Transportation portfolio holder, to enter into the necessary agreements.

- (4) That authority be delegated to the Executive Director – Regeneration, in consultation with the Regeneration and Transportation portfolio holder, to allocate the grant funding to the Black Country Local Enterprise Partnership or its appointed body as appropriate.

2998 Revised Supplementary Planning Documents: Conserving Walsall's Natural Environment SPD and Designing Walsall SPD

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That the content of the public consultation responses and extent of the revisions to the Revised Conserving Walsall's Natural Environment Supplementary Planning Documents and Revised Designing Walsall Supplementary Planning Documents, be noted.
- (2) That the Revised Conserving Walsall's Natural Environment Supplementary Planning Documents and Revised Designing Walsall Supplementary Planning Documents for adoption to provide up-to-date guidance on adopted planning policies in the Council's Development Plan, be approved.

2999 Energy Company Obligations – tackling fuel poverty

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

(see annexed)

Resolved

- (1) That approval be given to commencing a procurement process for partner organisations to deliver home energy efficiency improvements including pursuant to the Energy Company Obligation ("ECO") scheme for private dwellings in Walsall to aim to reduce fuel poverty and carbon emissions.
- (2) That authority be delegated to the Executive Director of Resources in consultation with the portfolio holder for Regeneration and Transport to accept tenders obtained under (1) above and to subsequently sign or authorise the sealing of any deeds, contracts and other related documents in relation to such works and services.
- (3) That Cabinet note the successful bid to the Department of Energy and Climate Change (DECC) for Fuel Poverty funding to help households in the borough and to delegate authority to the Executive Director of Resources to submit similar bids in 2013/14 to DECC or other agencies.

3000 Walsall Sports and Business hub

As there was information in the private session relating to this matter, the Leader moved the item to be taken last in the public session.

3001 Extension to parking enforcement contract

Councillor A. Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve an extension of the current parking enforcement contractual arrangements with APCOA Parking (UK) Ltd until 28 February 2014.
- (2) That Cabinet approve the development of a replacement parking enforcement contract, through collaboration with other Black Country boroughs, where possible.
- (3) That Cabinet delegate authority to the Executive Director for Neighbourhood Services, in consultation with the portfolio holder for Regeneration and Transport, to enter into contractual arrangements with the most economically advantageous compliant tender received as a result of the replacement contract tendering exercise.

3001 Staying Put (Foster Care) policy

The Leader introduced the report:

(see annexed)

Councillor R. Andrew commented that the Council had been successful in a bid to the Department for Education for funding to provide financial and other support for those young people moving on independently to help them adapt to adulthood.

Resolved

That the Staying Put Policy be approved.

3002 **Community Safety Plan 2011-14 refresh**

Councillor Ali presented the report:

(see annexed)

Councillor Shires suggested that the information in the report would be useful for Area Panels and it was:

Resolved

- (1) That the year 2 refresh of the borough Community Safety Plan 2011-14 be approved.
- (2) That the report be referred to all Area Panels for information.

3003 **Public Health allocation: contracts and procurement 2013/14**

Councillor Ali presented the report:

(see annexed)

Resolved

- (1) That Cabinet note the current 2013/2014 expenditure on commissioned Public Health Services set out in Appendix A of the report.
- (2) That Cabinet approve the proposals for spending the unallocated ring-fenced Public Health allocation set out in Appendix A of the report.
- (3) That Cabinet approve the procurement priorities for 2013/14:
 - 'stop smoking' services and
 - drug and alcohol misuse treatment servicesas more particularly set out in paragraph 3.7 of this report.
- (4) That Cabinet delegate authority to the Executive Director of Neighbourhood Services, in consultation with the portfolio holder for Public Health and Protection, to vary or enter into contracts for the Public Health services set out in recommendations (2) and (3) by using the most appropriate procedures and to subsequently sign or authorise the sealing of any deeds, contracts and other related documents in relation to such services.

3004 **Corporate financial performance 2013/14**

Councillor Towe presented the report:

(see annexed)

Resolved

That Cabinet:

- (1) Note the revenue position is broadly in line with the budget (a small net overspend of £29k, equivalent to c0.03% of the net council tax requirement).
- (2) Note the current transfer of windfall income which is maintained centrally to manage any unexpected pressures which may arise over and above normal budgetary provision.
- (3) Note pressures arising, particularly in children's services, as set out in section 4.5, which may require some additional budgetary provision in year if corrective action cannot fully mitigate the position.
- (4) Note the forecast underspend on the mainstream capital programme, after re-phasing, of £108k, to be utilised to support a combination of reserve list items in 2013/14 and/or the funding of 2014/15 capital programme.
- (5) Note the amendments to the capital programme in section 4.8 of the report.
- (6) Note the financial health indicators for quarter 1, as summarised in Appendix 1 of the report.

3005 **Walsall Sports and Business hub**

Councillor A. Andrew presented the report:

(see annexed)

At this point the Cabinet:

Resolved

That as confidential information relating to this item is exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, the Cabinet resolves to consider that item in private.

Private session

Confidential information to support the report in public session was submitted:

(see annexed)

The information was noted in conjunction with the report at Item 14.

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

The Cabinet having considered the confidential information relating to Item 14 on the public agenda moved back into public session in order to make the decision.

Public session

Resolved

That having considered the confidential information in the private session report:

- (1) That approval be given to the disposal of the land on Littleton Street West, edged bold on the attached plan (reference EPMS 3588/1), to Walsall College for the development of a Business and Sports Hub and related accommodation at market value.
- (2) That the detailed terms of the land disposal be delegated to the Executive Director Regeneration, in consultation the portfolio holder Regeneration and Transport, noting that the transaction will proceed on the basis of a conditional contract which shall become unconditional at the point that the College has planning consent for the development and Skills Funding Agency funding approval, lets the construction contract and commits to the long term use of the site as a Business and Sports Hub.

The meeting terminated at 6.45p.m.

Leader:

Date: