

Cabinet minutes

Wednesday 22 October 2008 at 6.00 p.m.

in Conference Room 2 at the Council House Walsall

Present

Councillor O'Hare	Leader of the Council
Councillor Andrew	Deputy Leader and Regeneration
Councillor Zahid Ali	Children's services
Councillor Perry	Communities and partnerships
Councillor Walker	Environment
Councillor Griffiths	Finance and personnel
Councillor Harrison	Leisure and culture
Councillor Arif	Procurement, transformation and performance management
Councillor McCracken	Social care, health and housing
Councillor Harris	Transport

2055 Minutes

Resolved

That the minutes of the meeting held on 17 September 2008 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

2056 Declarations of interest

Councillors McCracken and Arif declared a personal and prejudicial interest in Item 14 on the agenda relating to Council tax discounts on second homes and empty premises.

In view of the public interest in the items relating to Sneyd School and Darlaston Community Science College, Cabinet agreed to take the items next.

2057 **Review of secondary schools – Sneyd School**

A report was submitted:

(see annexed)

It was **moved** by Councillor Ali and seconded by Councillor O'Hare:

That the matter be referred to an early meeting of the Children and Young People Scrutiny and Performance Panel for full consideration of all options available to the school and that the full implications of the community uses be considered in conjunction with any proposal coming forward in relation to the school.

Councillor Ali explained to the public the reason why the matter was referred to the scrutiny panel, in that the Cabinet considered that not all options available to the Council in respect of the future of the school had been examined.

The Managing Director, Children's Services – Serco, gave a presentation which explained the duties of local authorities with regard to education provision.

The Leader agreed to a request from the Head Teacher of the school, Dr. Sweeney, to address the Cabinet. Dr. Sweeney made representations in support of the school and welcomed the referral to the scrutiny panel for consideration.

Dr. Sweeney then responded to questions from the Cabinet during which time, he confirmed that he expected a continuation in improvements which he felt would be reflected in the next Ofsted report. With regard to surplus places, Dr. Sweeney suggested that one of the options the scrutiny panel could consider would be the sustainability of a smaller school.

A further period of debate took place on other options and also in respect of the implications for community facilities on the site.

The Leader concluded the debate. He confirmed that the scrutiny panel would be considering all options, but stressed that this would not exclude the option of closure.

The motion was put to the vote, declared carried and it was:

Resolved

That the matter be referred to an early meeting of the Children and Young People Scrutiny and Performance Panel for full consideration of all options available to the school and that the full implications of the community uses be considered in conjunction with any proposal coming forward in relation to the school.

2058 Darlaston Community Science College

At this point in the meeting, the time being 6.40 p.m., the Chief Executive informed the Cabinet that due to the large numbers of the public in the Council House attending for other items on the agenda, there appeared to have been some misunderstanding by those attending for this item that they would not be able to access the meeting when the report was considered and had consequently left the building. In the circumstances, the Cabinet deferred consideration of the item until the end of the meeting in the event that those representatives were able to return. (See Minute no. 2077)

2059 Forward plan

The forward plan as at 9 October 2008 was submitted:

(see annexed)

Resolved

That the forward plan be noted:

2060 The New Local Area Agreement

Councillor O'Hare presented the report:

(see annexed)

Resolved

- (1) That the stages involved in the review/ refresh process be noted;
- (2) That the issues that are likely to form the subject of negotiations with Government Office over the coming months be noted;
- (3) That Cabinet delegates negotiations to the Chief Executive, in consultation with the Leader and that progress is reported back to future Cabinet meetings.

2061 Walsall Partnership structure update

Councillor O'Hare presented the report:

(see annexed)

Resolved

- (1) That the proposed changes to the Walsall Partnership structure be approved.
- (2) That the Walsall Partnership Board be delegated authority to make changes to the Constitution of Walsall Partnership.
- (3) That the Walsall Partnership Board be delegated authority to approve changes to the structure of the theme groups, reporting any changes to the Cabinet. Exceptions to this will be where theme groups have wider statutory responsibility requiring Cabinet approval for such change.

2062 Corporate asset management plan

Councillor Andrew presented the report:

(see annexed)

Resolved

That the Corporate Asset Management Plan 2008 – 2013 be approved.

2063 St. Matthew's quarter redevelopment

The report on this item was withdrawn.

2064 Early years capital programme

Councillor Zahid Ali presented the report:

(see annexed)

Resolved

- (1) That the approach to allocate the early years capital funding over three phases; namely the purchase of resources, capital development in Walsall owned facilities and capital grant allocations to the private, voluntary and independent sectors, be approved;
- (2) That the allocation of up to £750,000 for the purchase of equipment and learning aid resources as part of the first phase of development, be approved;

- (3) That the allocation of up to £250,000 towards improvements in the external play areas of the Children's Centres, be approved; and
- (4) That all expenditure in advance of permission to incur expenditure from Cabinet, be agreed with the portfolio holder, Children's Services and the Director of Children's Services.

2065 Birchills CE Primary School

Councillor Zahid Ali presented the report:

(see annexed)

Resolved

That approval be given to the publication of a statutory proposal to significantly enlarge Birchills CE Primary School from 1.5 FE (Forms of Entry) to 2 FE by increasing the intake from 45 to 60 places from 1 September 2011.

2066 Community cohesion strategy

Councillor Perry presented the report:

(see annexed)

Resolved

That the draft Community Cohesion Strategy and action plan as attached to the report be approved.

2067 Council tax discounts on second homes and empty premises

Councillors McCracken and Arif withdrew from the room having declared a personal and prejudicial interest.

Councillor Griffiths presented the report:

(see annexed)

Resolved

- (1) That the proposals be supported.
- (2) That the following recommendation be submitted to Council before the Council tax is set:

- (a) That the discount on second homes be reduced to 10% from 1 April 2009;
- (b) That the discount on premises left empty for more than 6 months be reduced to 0% from 1 April 2009.

2068 CPA Action plan

Councillor Arif presented the report:

(see annexed)

Resolved

That the proposed format of the Corporate Assessment Action Plan be approved.

2069 Corporate project management – project monitoring

Councillor Arif presented the report:

(see annexed)

Resolved

- (1) That the report and the strategic project register set out in Appendix 1 of the report be noted.
- (2) That the progress on the implementation of the programme and project management software be noted.
- (3) That Cabinet continue to work with relevant executive directors to implement any necessary corrective action to ensure successful delivery of strategic projects.
- (4) That Cabinet continue to endorse the use of the council's programme and project management methodologies and practices ensuring that they are applied without exception.

2070 Hollybank House reprovion

Councillor McCracken presented the report:

(see annexed)

Resolved

- (1) That Cabinet agree Option 3 of the 2006 report be implemented and require that service user wishes be respected and subject to overview by the Health & Social Care Scrutiny Panel.
- (2) That the Project Initiation Document be accepted as the basis for an Action Plan for service redevelopment with final timescales determined by subsequent negotiation between Social Care & Inclusion and NHS Walsall.

2071 Adult transportation services reconfiguration

Councillor McCracken presented the report:

(see annexed)

Resolved

- (1) That officers be authorised to seek formal expressions of interest from a range of external providers in the management and delivery of a reconfigured adult transport service and undertake the necessary internal consultations.
- (2) That a further report be received on detailing any proposals arising from the outcome of this exercise at a future meeting.

2072 Winter service operational plan

Councillor Harris presented the report:

(see annexed)

Resolved

- (1) That the Winter Service Operational Plan 2008/09 be approved.
- (2) That the Head of Engineering and Transportation be authorised to make amendments to the plan, as necessary, in the light of case law or legal advice, which might assist in managing the risk of litigation in relation to statutory duty Section 41 (1A) of the Highways Act 1980 to 'ensure, so far as reasonably practicable, that safe passage of the highway is not endangered by snow and ice'.

2073 Residual waste treatment facility – Staffs County Council

Councillor Walker presented the report:

(see annexed)

Resolved

- (1) That the award of Private Finance Initiative credits for the W2R Project be welcomed.
- (2) That the decision by Staffordshire County Council to shortlist the following companies for the next stage of the procurement process in respect of the W2R Project: be supported:
 - (a) Covanta Energy Limited
 - (b) MVV Umwelt GmbH
 - (c) Shanks Group Plc/Wheelabrator Technologies Inc.
 - (d) SITA UK Limited
 - (e) Veolia ES Aurora Limited

2074 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.

2075 Former Curl & Dye premises, Wolverhampton Road CPO

Councillor Andrew presented the report:

(see annexed)

Resolved

- (a) That approval, in principle, be given to the making of a Compulsory Purchase Order for the land shown boldly edged on plan EPMS 3175 and extending to 155 square metres (or thereabouts).

- (b) That the Assistant Director Regeneration be authorised to prepare and submit an outline planning application for the residential development of the site.
- (c) That a further report be received at a future meeting outlining detailed proposals for the CPO following determination of a planning application for residential development.

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

2076 Use of compulsory purchase powers to land at Goscote Estate – Summary of decision

Councillor Andrew presented the report:

(see annexed)

Approval has been given to the making a Compulsory Purchase Order pursuant to Section 226 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004), entitled 'The Walsall Metropolitan Borough Council (Goscote Estate Regeneration, Goscote Lodge Crescent) Compulsory Purchase Order 2009', authorising the council to compulsorily purchase land and premises described in a schedule to facilitate the comprehensive re-development of the Goscote Estate.

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

2077 Darlaston Community Science College

At this point in the meeting, the time being 7.15 p.m., the Chief Executive advised the Cabinet that officers had been unable to contact the members of the public who had left the building earlier. In the circumstances, the Cabinet received legal advice in respect of the options and consequences of deferring consideration of the report. Members considered that another opportunity should be given to the public to be present during consideration of this item and according it was:

Resolved

That the meeting be adjourned to Wednesday 29 October 2008 in order to consider the report on Darlaston Community Science College.

The meeting adjourned at 7.30 p.m.

Leader:

Date: