

Cabinet minutes

Wednesday 22 July 2015 at 6.00 p.m.

in the Council Chamber at the Council House, Walsall

Present

Councillor Bird	Leader of the Council
Councillor Andrew	Deputy Leader, Economy, infrastructure and development
Councillor Hughes	Care and safeguarding
Councillor Harris	Community, leisure and culture
Councillor Harrison	Clean and green
Councillor Towe	Learning skills and apprenticeships
Councillor Bennett	Personnel and business support
Councillor Martin	Public health and wellbeing
Councillor Arif	Shared services and procurement

3343 Minutes

Resolved

That the minutes of the meeting held on 24 June 2015 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3344 Declarations of interest

Councillors Towe and Arif declared an interest in Item 11 – Walsall Adult and Community College and withdrew from the room during consideration of the item.

3345 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.

3346 Petitions

There were no petitions submitted.

3347 **Questions**

There were no questions submitted.

3348 **Forward plan**

The forward plan as at 6 July 2015 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3349 **Corporate financial performance 2015/16**

The Chief Finance Officer, James Walsh presented the report:

(see annexed)

Resolved

That Cabinet:

- (1) Note the pressures outlined in the report and that directorate corrective action plans have been produced to mitigate the potential overspend down.
- (2) Note action being taken to seek to manage the cost pressures arising.
- (3) Note the risks to the forecast.
- (4) Approve the use of windfall income to reduce the currently reported pressures as detailed in section 3.3.2.
- (5) Approve the passporting of the Staying Put Grant 2015/16 to Children's Services as detailed in section 3.4.
- (6) Note the forecast overspend on the Council funded capital programme of £450k and approve the re-allocation of capital funding to address the currently reported overspend as detailed in section 3.7.3.
- (7) Note and endorse the use of capital grant received from Arts Council in section 3.7.1.
- (8) Approve the amendments to the capital programme as detailed in section 3.7.1.

3350 Walsall Local Plan

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

(see annexed)

Councillor Andrew commented that he considered this to be an exceptional report and thanked the Regeneration Manager, Mike Smith and his team for their hard work on this project. He stressed the importance of the local plan and urged everyone to take part on the consultation.

Resolved

- (1) That Cabinet agrees to publish material for consultation on three Walsall Local Plan documents:
 - (a) Walsall Site Allocations Document – Preferred Options
 - (b) Walsall Town Centre Area Action Plan – Preferred Options
 - (c) Preliminary Draft Community Infrastructure Levy Charging Schedule
- (2) That Cabinet agrees that consultations should begin at the start of September 2015 and should run for 8 weeks.
- (3) That the detailed form and content (not the substance) of the emerging documents and consultation material be delegated to the Executive Director for Economy and Environment. If there are any changes to the 'Draft Plan' documents, Policies Maps and / or the Preliminary Draft CIL Charging Schedule, which would go to the substance of the issues in question or the core of the policies such changes should be made in consultation with the Portfolio Holder for Economy, Infrastructure and Development.
- (4) That Cabinet agrees that this consultation should be publicised in advance of the September start, and that all members of the Council and all Council services concerned with the use of land and premises should be asked to participate positively in the consultation and encourage members of the community and relevant interest groups to do so.
- (5) That Cabinet agrees to receive reports to future meetings and notes there will also be reports to Council in accordance with the process for the preparation of the documents set out in paragraph 3.5 of this report.

3351 Consultation on possible changes to residual waste collect services

Councillor Harrison presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the public consultation strategy in this report and consult the public on their preferred Option 1 or 2.
- (2) That Cabinet note that any savings delivered through a change in collection service may be offset of increased costs in the disposal of recyclable materials via the new disposal contracts currently being tendered.
- (3) That Cabinet note a final report detailing the outcome of the tendering of the disposal contracts, the outcome of public consultation, the compliance with Waste Framework Directive, service options and policy changes will be presented in December 2015.

3352 Walsall Adult and Community College - operational plan and budget

Councillors Towe and Arif having declared an interest in this matter left the room during consideration of the item.

Councillor Bird presented the report, together with a supplementary report:

(see annexed)

Resolved

- (1) That the Cabinet approves the Walsall Adult and Community College Operational Plan and Budget for 2015/16.
- (2) That the Cabinet approve that delegated authority be given to the Executive Director of Resources, or their authorised representative, in consultation with the Leader of the Council, to:
 - (i) Act as the Council's representative for the purposes of when the Council needs to take any steps or action in its capacity as the sole member of the new charitable company;
 - (ii) Act as Walsall Council's representative at all Directors meetings of the new charitable company (including any general meeting);
 - (iii) Approve the appointments of the Chairperson and Vice-Chairperson of the new charitable company, on behalf of Cabinet;
 - (iv) Approve the final form of the Commercial Transfer Agreement, once this has been negotiated between Walsall Adult and Community College's solicitors and officers on behalf of the Council, so that this can be completed immediately prior to the initial spin-out of Walsall Adult and Community College on 1 August 2015;

- (v) Oversee and performance manage the operation of the new Walsall Adult and Community College charitable company, in order to ensure that while it remains wholly owned by the Council, the new company complies with its Articles of Association, statutory obligations and the Council's requirements in general;
- (vi) Oversee, manage and drive the spin-out of Walsall Adult and Community College to the point that it is able to become completely independent from the Council within a target period of two years from 1 August 2015.
- (vii) To sign or execute any deeds or documents on behalf of the Council pursuant to the spin-out of Walsall Adult and Community College.

3353 Award of contracts for public health falls prevention services

Councillor Martin presented the report:

(see annexed)

Councillor Martin said that the decision relating to this matter would be made in the private session following consideration of a report containing confidential information.

3354 Transition of health visiting services from NHS England

Councillor Martin presented the report:

(see annexed)

Members were concerned that the service would be transferred with insufficient funding and asked for a letter expressing members concerns to be sent to NHS England.

Resolved

- (1) That Cabinet note this report detailing the statutory transfer of the commissioning responsibilities for public health services for 0 to 5 year olds from 1 October 2015 from NHS England to Walsall Council.
- (2) That Cabinet awards an interim transitional contract for public health services for children aged 0 to 5 to Walsall Healthcare NHS Trust from 1 October 2015 to 31 March 2017 under Regulation 32 of the Public Contracts Regulations 2015 (use of negotiated procedure without prior publication) in order to allow a sufficient and reasonable period of time to develop strategically aligned public health services for children aged 0 to 5.

- (3) That Cabinet delegate authority to the Director of Public Health in conjunction with the portfolio holder to enter into the 18 month interim transitional contract as detailed in 2.2 with Walsall Healthcare NHS Trust to deliver the public health services for children aged 0 to 5, by using the most appropriate procedures (publication of Voluntary Ex Ante Transparency notice) and to subsequently authorise the sealing or signing of any deeds, contracts or other related documents to enter into agreements for the provision of such services.
- (4) That Cabinet delegate authority to the Director of Public Health to consider the integration of the current infant feeding service contract currently provided by Walsall Healthcare NHS Trust with the Healthy Child Programme 0-5 from 1 April 2017.
- (5) That Cabinet note this report detailing the action plan to develop and procure an integrated public health service for 0-5 year olds by 1 April 2017, as detailed in paragraph 3.10 of this report.

3355 Youth service – outcome of consultation

The item was withdrawn to enable further consultation to be carried out on a new resource allocation model and new localised decision making process. A report would be submitted to Cabinet on 28 October 2015.

3356 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

Sale of land at former Clothier Street School

The Cabinet received a report which provided the outcome of detailed site investigations and consequent revised calculation of abnormal development costs to be deducted from the gross purchase price. The Cabinet (1) approved the recommended net sale price and (2) noted that a proportion of the proceeds of the sale were required to be reinvested and that Cabinet had previously resolved that these funds should be allocated to the named project for Rushall Primary School.

Sale of land at former Beechdale School

The Cabinet received a report which provided the outcome of detailed site investigations and consequent revised calculation of abnormal development costs to be deducted from the gross purchase price. The Cabinet (1) approved the recommended net sale price and (2) noted that a proportion of the proceeds of the sale were required to be reinvested and that Cabinet had previously resolved that these funds should be allocated to the named project for Rushall Primary School.

Opening hours of household waste recycling centres

The Leader advised the Cabinet that this report had been withdrawn from the agenda as the contract was due to be reviewed at the end of the year and the possibility of revised opening hours from next summer would be considered at that time.

Award of contract for public health falls prevention services

Councillor Martin presented the report:

(see annexed)

Resolved

- (1) That approval be given to the award of the contracts for Walsall Falls Prevention Services for a period of three years, to commence service delivery from 1 November 2015 until 31 October 2018, with an option to extend the initial term of such contracts by up to two years for:
 - (a) Lot 1 concerning the Population Falls Prevention Service to be awarded to Bid Number 1, who submitted the most economically advantageous tender based on the quality of their submission and the price offered with a total tendered cost of £129,367 over the initial three year contract period; and
 - (b) Lot 2 concerning the Community and Specialist Falls Prevention Service to be awarded to Bid Number 5, who submitted the only tender based on a total tendered cost of £953,998 over the initial three year contract period.

- (2) That authority be delegated to the Director of Public Health in consultation with the Portfolio Holder for Public Health and Wellbeing to enter into new contracts to deliver Walsall Falls Prevention Services by using the most appropriate procedures and to subsequently authorise the sealing of any deeds, contracts or other related documents for such services.

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

The meeting terminated at 6.30 p.m.