

# **Cabinet minutes**

**Wednesday 27 April 2016 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 Harrison	Clean and green
Councillor Harris	Community, leisure and culture
Councillor Towe	Learning skills and apprenticeships
Councillor Bennett	Personnel and business support
Councillor Martin	Public health and wellbeing
Councillor Arif	Shared services and procurement

## **3467 Minutes**

### **Resolved**

That the minutes of the meeting held on 16 March 2016 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

## **3468 Declarations of interest**

Councillor Arif – Item 9: Caldmore Road one-way system. In accordance with Protocol 5.1(14) of the Council’s Constitution “Disclosure of other interests”, Councillor Arif advised that his daughter owned a property in Brace Street/Caldmore Road.

## **3469 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.

### 3470 **Caldmore Road one-way system**

Councillor Andrew presented the report:

(see annexed)

At this point, the Leader agreed to a request from the following persons to address the Cabinet. He allowed each person to speak for two minutes each:

- Mr. Akhlaq Hussain, Chair of Caldmore Traders Association
- Mr. Nasir Sarwar, local resident
- Mr. Shabir Hussain, Aisha Mosque

A copy of a set of photographs taken by the petitioners was circulated to Cabinet members.

Mr. A. Hussain thanked the Leader for allowing the matter to be discussed at short notice. He said that it was an important item for local residents because of the effects of the new system upon traffic flow in Caldmore Road, causing incidents of aggression; and upon local businesses who he said were laying off staff. Mr. Hussain went on to say that vehicles were mounting pavements which was dangerous as there were schools and busy public buildings nearby. In conclusion, Mr. Hussain urged the Cabinet to look at what was happening, reverse the decision and work with businesses to come to a compromise.

Mr. Sarwar addressed the Cabinet and said that he spoke on behalf of residents of Bath Road who were concerned that Bath Road, Sandwell Street, Corporation Street and Mount Street had become a thoroughfare with lack of on-street parking adding to congestion. He also mentioned the incidents of aggression and safety issues. Mr. Sarwar was critical of the consultation and felt that his views had not been taken into account.

Mr. S. Hussain addressed the Cabinet and said that he was concerned about traffic flow around the Aisha Mosque which he said was causing gridlock and frustration and together with atrocious parking was presenting a safety risk.

Councillor Andrew presented the report. He said that the proposal had been around for at least two years and a petition had been considered at a full Council meeting the outcome of which had been that the one-way system had been supported. Councillor Andrew highlighted the programme of consultation which had also resulted in support for the scheme and said that arising from the consultation, waiting restrictions on car parking had changed. He pointed out that the project had not yet finished and he recommended that the implementation of the scheme should continue and the next phase drawn up. Councillor Andrew concluded by saying that when the scheme had finished being implemented he would be happy to talk to residents and consider any minor adjustments necessary.

At this point, the Leader expressed his deep concern that information had been circulated in the community which he said had contained inaccurate reporting of who had taken the original decision. He refuted this by referring everyone to the minutes of the relevant Cabinet meeting.

A general discussion took place during which time it was noted that the timescale for completion was likely to be between 23 May and early June.

The Leader suggested that in order to look at the issues raised, a liaison group should meet on site weekly, comprising the three speakers to this meeting and relevant Council officers. Following a brief discussion it was suggested that Fridays would be a good day to meet to see the issues.

Councillor Arif welcomed investment in the area however he concurred with residents and businesses in relation to the issues being experienced as a result of the scheme and urged the Cabinet to pause further implementation in order to find a solution.

It was moved by the Leader, duly seconded and:

**Resolved** (Councillor Arif voting against)

- (1) That Cabinet note the progress of the Caldmore Road Congestion and Parking Improvement Scheme.
- (2) That Cabinet reaffirm its commitment to the scheme and welcome a future report following Scrutiny consideration.
- (3) That a weekly liaison meeting be arranged with relevant officers and the following persons, being speakers at this meeting:
  - Mr. Akhlaq Hussain, Chair of Caldmore Traders Association
  - Mr. Nasir Sarwar, local resident
  - Mr. Shabir Hussain, Aisha Mosque

together with Councillor M. Arif, following the expiry of his term of office after the 2016 elections, at times to be agreed by all parties.

### 3471 **Executive Director – Adult Social Care**

At this point, the Leader introduced the new Executive Director for Adult Social Care, Paula Furnival. In doing so, he asked for his thanks to be recorded to the interim Director, Keith Skerman for his work for the Council in difficult circumstances.

### 3472 **Petitions**

The following petitions were submitted:

- Mr. B. Allen – Action on park and ride at Bloxwich North Railway Station
- Mr. Z. Ali – School crossing warden on Primley Avenue for Alumwell Infant and Junior School
- Mr. R. Carpenter – Action on Brown Jug and unfinished housing development

### 3473 **Forward plan**

The forward plan as at 11 April 2016 was submitted:

(see annexed)

#### **Resolved**

That the forward plan be noted.

### 3474 **Corporate financial performance 2015/16**

Councillor Bird presented the report:

(see annexed)

#### **Resolved**

- (1) That the forecast underspend of £875k be noted.
- (2) That Cabinet note the above is draft and prior to the consideration of carry forward requests or requirement to replenish general reserves at year end.
- (3) That £1m to fund emerging pressures in Children's Services, funded from an earmarked reserve as detailed in 3.3.1 of the report be approved.
- (4) That any windfall income received during 2016/17 be used to replenish reserves.
- (5) That the passporting of grant allocations as detailed in section 3.4 of the report be approved.
- (6) That the write off of debts as detailed in section 3.5 of the report be approved.
- (7) That Cabinet note the forecast underspend on the Council funded capital programme of £1.73m which will be used to support the 2016/17 capital programme as previously approved.

- (8) That the amendments to the capital programme as set out in section 3.8 of the report be approved.
- (9) That Cabinet note financial health indicator performance as set out in Appendix 1 of the report.

#### **3475 Disabled facility and housing improvement works tenders**

Councillor Andrew presented the report:

(see annexed)

#### **Resolved**

- (1) That approval be given to the establishment of a Framework Agreement and obtain tenders for contractors to be appointed to it for the provision of building works (excluding lifts and hoists) for Disabled Facility Grants, and services for housing repair and improvement projects for the period from 1 April 2017 up to 31 March 2021.
- (2) That authority be delegated to the Head of Business Change, Change and Governance in consultation with the portfolio holder to accept tenders obtained pursuant to recommendation (1) above and to subsequently authorise the signing and/or sealing of all necessary deeds, contracts, agreements and any ancillary related documentation in relation to such works and services by the most appropriate measures.

#### **3476 Goscote Lane Corridor: open space improvements**

Councillor Andrew presented the report:

(see annexed)

At this point, the Leader agreed to a request from Councillor Smith to address the Cabinet on this item.

Councillor Smith said that this regeneration project had been a dominant issue in the Blakenall Ward over the last decade, with much of the work being done over the last three years. He thanked the Council on behalf of residents for preserving green belt and improving the area whilst providing residential development. He urged the Cabinet to approve the recommendations for the delivery of open space improvement works to the land known as the Lea and Swannies Field.

The Leader thanked Councillor Smith for his comments and it was:

## **Resolved**

- (1) That Cabinet delegate authority to the Executive Director for Economy and Environment in consultation with the Cabinet Member for Economy Infrastructure and Development to accept the tender(s) and award the contract(s) for the open space improvement works at land known as the Lea and Swannies Field, up to a value of £1.3 million, for the period June 2016 to 30 June 2017, following the outcome of the procurement exercise.
- (2) That Cabinet delegates authority to the Executive Director for Economy and Environment in consultation with the Cabinet Member for Economy Infrastructure and Development to sign or authorise the sealing of contracts, deeds or other documents in relation to the open space improvement works delivery.

### **3477 Lifestyle service contract 2016/17**

A report was submitted. It was noted that the decision relating to this matter would be made in the private session following consideration of a report containing confidential information and that a summary of the decision would be published:

(see annexed)

### **3478 Discharge to assess beds pathway services**

Councillor Hughes presented the report:

(see annexed)

## **Resolved**

That Cabinet note that the contracts with providers for existing 'Discharge to Assess' provision of 40 care home beds, currently valued at £1.56m per annum in 2015/16, are due to expire on 31 October 2016 and approve the commencement of a public consultation process on the model and capacity of 'Discharge to Assess' services that the Council will provide from 1 November 2016 to meet the Council's continuing statutory duty.

### **3479 Welfare reform**

The recommendations and report of the Corporate and Public Services Overview and Scrutiny Committee were submitted:

(see annexed)

With regard to recommendation 6: that lessons on household spending and budgeting should take place in schools - it was noted that this could be included as part of the "skills for life programme".

**Resolved**

That the recommendations be noted.

3480 **Healthwatch contract**

The report of the Corporate and Public Services Overview and Scrutiny Committee was submitted:

**Resolved**

That the recommendations be noted.

3481 **Late item – Use of compulsory purchase powers for long term empty dwellings**

**Reason for lateness:**

In order to seek to return a dwelling back into productive use as a matter of urgency because of its poor state of repair

The Leader presented the report:

(see annexed)

**Resolved**

- (1) That the Head of Business Change be authorised to negotiate the voluntary acquisition of 2a Walsingham Street, Walsall, WS1 2JZ;
- (2) That in the event that the Head of Business Change is satisfied that voluntary acquisition cannot be achieved, authorises the making of a compulsory purchase order (CPO) under Section 17 of the Housing Act 1985 in respect of those properties;
- (3) That the Head of Business Change be authorised to approve where appropriate agreements with owners of the property setting out terms for withdrawing objections to the CPO;
- (4) That the Head of Legal and Democratic Services be authorised to take all steps necessary for the drafting, making, submission and confirmation of the CPO and for vesting the property in Council ownership and obtaining vacant possession where necessary;
- (5) That the Head of Legal and Democratic Services be authorised, if granted power to do so by the Secretary of State, to confirm the CPO;

- (6) That the Executive Director for Economy and Environment be authorised to dispose of the property with appropriate safeguards to ensure the property is brought back into use
- (7) That the full costs of the above recommendations (1), (2) and (3) be met in 2016/17 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.

## **3482 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**

## **3483 Lifestyle service contract 2016/17**

Following consideration of confidential information, the Cabinet:

- (1) approved the award of a contract for Lifestyle Services, for an initial term of two years and nine months to MyTime Active, to commence service delivery from the 1 July 2016 until 31 March 2019, with the option to extend the initial term by a further two consecutive twelve month periods, from 1 April 2019.
- (2) delegated authority to the Director of Public Health, in consultation with the Portfolio Holder for Public Health and Wellbeing, to enter into a new contract to deliver Lifestyles Services, by using the most appropriate procedures and to subsequently authorise the sealing of any deeds, contracts or other related documents for such services.

The meeting terminated at 7.10 p.m.