

# **Cabinet minutes**

**Wednesday 24 April 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
Councillor Arif	Business support services
Councillor R. Andrew	Children's services
Councillor I. Shires	Community engagement and voluntary sector
Councillor Towe	Finance and personnel
Councillor Harris	Leisure and culture
Councillor Ali	Public protection
Councillor Ansell	Transport and environment

## **2948 Apology**

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

## **2949 Minutes**

### **Resolved**

That the minutes of the meeting held on 23 January 2013 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

## **2950 Declarations of interest**

There were no declarations of interest.

## **2951 Tim Johnson, Executive Director Regeneration**

At this point in the meeting, Councillor A. Andrew reported that Tim Johnson would be leaving the authority to take up a position with Wolverhampton Council. Councillor Andrew, the Leader and other Cabinet members thanked Tim for his work over the past 9 years leading on a number of high profile projects and being instrumental to the delivery of the Enterprise Zone, Black Country Core Strategy and the Local Enterprise Partnership. The Leader wished Tim well on behalf of the Cabinet and said that Tim would remain an asset to the Black Country.

Tim Johnson responded and thanked the Cabinet for their support.

**2952 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.

**2953 Forward plan**

The forward plan as at 8 April 2013 was submitted:

(see annexed)

**Resolved**

That the forward plan be noted.

**2954 Armed Forces community covenant**

Councillor Bird presented the report:

(see annexed)

**Resolved**

- (1) That the Armed Forces Community Covenant at Appendix 1 to the report be approved.
- (2) That the Leader of the Council and the Mayor be authorised to sign the Covenant on behalf of the Council.
- (3) That the official signing of the Covenant be held as an event in conjunction with the raising of the flag for Armed Forces Day on 24 June 2013.
- (4) That an Armed Forces Community Covenant Partnership Panel be established as required by the Government's Grant Scheme and that the membership of the panel consist of the lead signatories to the Covenant, that is:
  - Leader of the Council
  - Mayor
  - A representative from
    - The Armed Forces Community (MOD)
    - Royal British Legion
    - Soldiers, Sailors, Airmen and Families Association (SSAFA)
    - West Midlands Police
    - West Midlands Fire and Rescue Service
    - NHS Walsall

- Walsall Clinical Commissioning Group
  - Walsall College
  - Walsall Housing Group
- (5) That authority be delegated to the Executive Director, Resources in consultation with the Leader of the Council to establish operational arrangements for the administration of grant applications.

#### **2955 ERDF Growth Opportunities Local Delivery (GOLD) project**

Councillor A. Andrew presented the report:

(see annexed)

#### **Resolved**

- (1) That Cabinet approve the Council's participation in the Growth Opportunities Local Delivery in Key sectors project (GOLD in Key sectors) and that we play a full and active role in supporting and delivering the project with a commitment to provide staff and financial resources as detailed in paragraphs 6.1 and 9.1 of this report.
- (2) That Cabinet approves entering into the 'Growth Opportunities Local Delivery in Key sectors' project Collaboration Agreement with its Black Country local authority partners which provides for any liability for monies that are subject to clawback by the Department for Communities and Local Government
- (3) That Cabinet agree to delegate authority to the Executive Director – Regeneration in consultation with the Chief Finance Officer to sign or authorise the sealing of the proposed Collaboration Agreement to be entered into by the four Black Country Local Authority partners, in relation to the "Growth Opportunities Local Delivery in Key sectors project" and its related documents including the Funding Agreement.

#### **2956 A new approach to Building Control – proposed Joint Venture company**

Councillor A. Andrew presented the report:

(see annexed)

#### **Resolved**

That Cabinet agrees that officers negotiate the creation of a jointly owned company with Birmingham City Council, through its wholly owned trading company Acivico Building Consultancy Limited (ABC Ltd), and prepare a detailed business case based on a 50/50 representation on the board of directors.

## 2957 Tackling fuel poverty through domestic collective fuel switching

Councillor A. Andrew presented the report, together with a supplementary report which contained revised recommendations:

(see annexed)

### Resolved

- (1) That Cabinet note that Executive Director of Regeneration in accordance with Finance and Contract Rules has agreed to use ichoosr (as an Intermediary Provider) to undertake domestic collective fuel switching as a pilot initiative linked with Wolverhampton City Council and using a Framework developed by Oldham Borough Council based on:
  - (a) No fee being charged by ichoosr, Oldham or Wolverhampton Council's to Walsall Council or residents of the borough.
  - (b) Any referral fee (income) paid as a result of this pilot initiative relating to borough residents is received by Walsall Council and used as per (2) below.
- (2) That any referral fees (income) paid to the Council through the collective fuel switching be used as follows:
  - (a) 50% towards continued support for tackling fuel poverty initiatives in Walsall including future promotion activity for successive rounds of collective fuel switching;
  - (b) The remaining 50% be considered as 'windfall' income by the Council.
- (3) That approval be given undertaking a procurement process and or accessing one developed with another council (such as Wolverhampton Council) to seek an Intermediary Provider to undertake domestic collective fuel switching, following the conclusion of the Pilot Fuel Switch with ichoosr, for the West Midlands for a maximum period of 3 years. Income from the referral fees to be used as per (2) above.
- (4) That, Cabinet delegate authority to the Executive Director of Regeneration in consultation with the Portfolio Holder – Regeneration, to:
  - (a) accept tenders and award the contract for the services set out in the recommendation in the above paragraph and to sign or authorise the sealing of any deeds, contracts and other related documents in relation to such services;
  - (b) Agree the priorities and expenditure of income under (2)(a) above for tackling Fuel Poverty in Walsall.

## 2958. **Schools capital investment strategy**

Councillor A. Andrew presented the report:

(see annexed)

### **Resolved**

(1) That approval be given to the disposal of the freehold interest in:

- (i) the land shown edged in red on plan number EPMS 2807/2 Appendix A extending to 8,679 square metres (or thereabouts);
- (ii) the land shown edged in red on plan number EPMS 2808/1 Appendix B, extending to 17,341 square metres (or thereabouts);
- (iii) the land shown edged in red on plan number EPMS 2809/1 Appendix C, extending to 7,935 square metres (or thereabouts);

provided:

- (i) Secretary of State consent is forthcoming under section 77 of the 1998 Act for Lakeside and Clothier Street, and under Schedule 1 of the 2010 Act for Little London;
  - (ii) the terms agreed include the price satisfying the best consideration principles of Section 123 Local Government Act 1972;
  - (iii) the purchaser bearing the Council's surveyor's fees and legal costs; and
  - (iv) the transaction not reaching legal completion until the purchaser has obtained detailed planning permission from the Local Planning Authority for the agreed proposed use.
- (2) That Cabinet authority be delegated to the Executive Director for Regeneration in consultation with the Cabinet Portfolio Holder for Regeneration to approve the terms for the disposal of the freehold interests in the sites.
- (3) That Cabinet allocate the full proceeds of these sales to be invested in the Primary School Estate, with the investment of the proportion of the proceeds as required by section 77 of the 1998 Act in the named project for Rushall Primary School, the business case for which is currently being developed.

## 2959 **Education capital programme 2013/14**

Councillor R. Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That Cabinet approves the schemes, subject to confirmation of an appropriate school contribution, and budgets set out in Appendix A 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 Children's 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 Cabinet approves the option to use an appropriate form of procurement and contracting arrangements determined by the head of Property Services to provide the most efficient and value for money means of delivering the projects. This will include consideration of traditional procurement and EU compliant frameworks available to local authorities.

### **2960 Home to school transport policy and post 16 transport policy statement**

Councillor R. Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That the updated Home to School Transport Policy which now reflects the direct management of services by the Council be approved.
- (2) That Cabinet approves the Post-16 Transport Policy Statement 2013/14 to enable the Council to fulfil its duty under the 1996 Education Act to publish such a statement by 31 May each year.
- (3) That a consultation process be carried out to review how mobility vehicles and other mobility support for children impacts on home to school transport provision. Any proposed revision to the policy to be brought back to Cabinet for approval later this year.

### **2961 Children's centres**

Councillor R. Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That Cabinet approves a statutory consultation throughout May and June 2013 with children's centres, their users and partners, including schools and a wide range of stakeholders to explore potential delivery options for children's centres and the existing onsite childcare provision currently managed, commissioned or funded by the authority.
- (2) That a further report be brought to Cabinet in September 2013 summarising responses to the consultation and making recommendations for the proposed model of children's centre delivery and childcare options in order to put appropriate management, commissioning and contract arrangements in place for the effective and co-ordinated delivery of early help, early years and family support services through children's centres from April 2014.

### **2962 Community hubs**

Councillor I. Shires presented the report:

(see annexed)

## **Resolved**

- (1) That the evaluation of the initial pilot activities of the Community Hubs project in Moxley and Ryecroft be noted.
- (2) That the amended model for delivering Community Hubs which meets the original objectives more effectively be approved.
- (3) That Cabinet approves the financial allocation of grant funding for Moxley for the proposed activities outlined in Appendix A – £147k in 2013/14 and £129k in 2014/15.
- (4) That Cabinet approves a financial allocation of grant funding for Ryecroft of £100k for 2013/14 and £100k for 2014/15.
- (5) That Cabinet agrees to receive a future report on the development of an evaluation framework to monitor progress of the Community Hubs project.

### **2963 Devolution of Area Partnerships**

Councillor I. Shires presented the report:

(see annexed)

## **Resolved**

- (1) That Cabinet adopt the proposals for devolution provided within this report

(2) **To recommend to Council**

That the Area Panels (Area Committees) be created as detailed in this report and that the Constitution be amended accordingly.

(3) That Cabinet delegate the powers as set out in paragraph 3.16 to Area Panels.

(4) That the Executive Director, Neighbourhood Services be given delegated authority to determine the pilot sites for Local Area Co-ordination in consultation with the portfolio holder for Community Engagement and Voluntary Sector.

(5) That a one off allocation of reserves of up to £120,000 be made available to support the development of Local Area Co-ordination in Walsall.

**2964 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**

**2965 Walsall business and sports hub**

The Cabinet received a report in respect of the development of a Walsall College led business and sports hub adjacent to the Wisemore Campus which was in accordance with the master plan for the Walsall Gigaport corridor. The Cabinet made a number of decisions relating to the disposal of land at Littleton Street West to facilitate that development.

**2966 Redevelopment of Old Square Shopping Centre**

The Cabinet considered a report providing options for the redevelopment of the Old Square Shopping Centre and made decisions in relation to land acquisitions and disposals, financial arrangements and procurement. The Cabinet made recommendations to Council to approve an amendment to the capital programme to deliver the project.



## 2967 **Sale of land at Hollyhedge Lane**

The Cabinet received a report in relation to the proposed development and approved the disposal of the freehold of the site on the corner of Wolverhampton Road and Hollyhedge Lane, shown cross hatched on plan EPMS 2968/4. The Cabinet also delegated authority to the Executive Director for Regeneration in consultation with the Cabinet portfolio holder for Regeneration to approve the terms for the disposal of the freehold interest in the site.

## 2968 **Phoenix 10 project**

The Cabinet received a report in respect of the Phoenix 10 project within the Black Country Enterprise Zone which represented a key strategic employment development site in the borough. The report set out the work being undertaken to progress the project in relation to land acquisition, financial arrangements and procurement and Cabinet made a number of decisions relating thereto. The Cabinet made recommendations to Council in respect of capital expenditure relating to the comprehensive reclamation of the site and in relation to the use of revenue funds.

## 2969 **Active living (Leisure Centres) OJEU tenders**

Councillor Harris presented the report:

(see annexed)

Councillor Harris **moved** the recommendations set out in the report and a further recommendation to ensure that the best procurement method was used. The motion was seconded and it was:

### **Resolved**

- (1) That approval be given to the undertaking of a procurement process to seek contractors to undertake construction works for the building of the two new leisure centres at Oak Park and Bloxwich.
- (2) That authority be delegated to the Executive Director, Neighbourhoods in consultation with the relevant portfolio holder to determine the best procurement method.
- (3) That approval be given to the relevant costs of undertaking the procurement exercise, these being expected to be in the region of up to £100,000 to be funded from earmarking of general reserves; this will be in addition to Council officers' time.

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

The meeting terminated at 7.10 p.m.