

# **Cabinet minutes**

**Wednesday 12 December 2012 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 McCracken	Social care and health
Councillor Ansell	Transport and environment

## **2883 Minutes**

### **Resolved**

That the minutes of the meeting 24 October 2012 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

## **2884 Declarations of interest**

There were no declarations of interest.

## **2885 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.

## **2886 Forward plan**

The forward plan as at 12 November 2012 was submitted:

(see annexed)

### **Resolved**

That the forward plan be noted.

**2887 Contract for the supply of natural gas June 2013 to March 2017**

Councillor A. Andrew presented the report:

(see annexed)

**Resolved**

- (1) That a flexible purchasing gas framework contract be entered into with Yorkshire Purchasing Organisation (YPO) from 1 June 2013 to 31 March 2017.
- (2) That the Executive Director for Regeneration in consultation with the portfolio holder, be delegated authority to commit to the YPO framework gas contract.
- (3) That the Executive Director for Regeneration in consultation with the portfolio holder, be delegated authority to accept contract prices subject to EU procurement procedures.

**2888 Grant of lease – former Oak Park depot site, Walsall Wood**

Councillor A. Andrew presented the report:

(see annexed)

**Resolved**

- (1) That the grant of a 99 year lease of the land edged red on plan number EPMS 3147 to the Scout Association Trust Corporation as holding trustees for the 38th Walsall (1st Walsall Wood) Scout Group be approved.
- (2) That the rent payable be fixed at a peppercorn per annum
- (3) That the other terms of the lease be as set out in the paragraph 3.4 of the report now submitted.

**2889 Goscote development package –proposed disposal of land**

Councillor A. Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That Cabinet approve the disposal of the freehold land shown edged red on Appendix A Plan no. EMPS 3697 and extending to 36,743 square metres or thereabouts to Walsall Housing Group (whg) for £1.00 (one pound) to support viability and facilitate the delivery of the Goscote Development Package as set out in the report.
- (2) That Cabinet agree that any overage payments received by Walsall Housing Group (whg) in relation to the Council's land ownership and the delivery of the Goscote Development Package sites are paid into an agreed joint account/fund to support priority regeneration projects (e.g. environmental improvements, community facilities, etc) within the vicinity of the Goscote development sites, as determined by the Council and whg in consultation with the Goscote Regeneration Group, through a legal Agreement.
- (3) That Cabinet delegate authority to the Executive Director – Regeneration, in consultation with the Chief Finance Officer and the Regeneration portfolio holder, to agree the terms of, and sign, an Agreement with Walsall Housing Group setting out the arrangements for the fund referred to in (2) above.

## **2890 Education capital programme – further schemes**

Councillor R. Andrew:

(see annexed)

## **Resolved**

- (1) That Cabinet approves the schemes 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 to include consideration of traditional procurement and EU compliant frameworks available to local authorities.

2891 **Financial plan 2013/14 to 2017/18- Draft revenue budget and capital programme**

Councillor Towe presented the report:

(see annexed)

At this point in the meeting, the Leader and Cabinet members agreed to receive representations in respect of the budget proposals for the Greenspaces service and Countryside Services.

Accordingly, Linda Mason addressed the Cabinet and circulated a paper which suggested a number of ideas for raising finance and savings as an alternative to the proposed reduction in services

(see annexed)

The Leader responded and pointed out that the budget was still in draft form. He thanked Ms. Mason for her contribution which he said would be taken on board and considered as part of the consultation process.

A lengthy discussion took place on the draft budget proposals following which it was **moved** by Councillor Towe, duly seconded and:

**Resolved**

- (1) That Cabinet approve as a basis for consultation the current draft capital programme of £39.99m for 2013/14, and an indicative capital programme of £27.40m for 2014/15, and £21.53m for 2015/16 to 2017/18.
- (2) That following formal approval of the programme in February by Council, Cabinet delegate responsibility to the Chief Financial Officer, in consultation with the Capital Strategy Board, to designate resources to projects off the capital reserve list should resources become available in year.
- (3) That Cabinet delegate to the Chief Finance Officer authority to approve national non domestic rates returns to central government as part of the requirement under Regulation 5 of The Non-Domestic Rating (Rates Retention) Regulations 2012 to calculate the local authority's non-domestic rates income, in consultation with the portfolio holder.
- (4) That Cabinet note the feedback from scrutiny and performance panels, set out in this report, to be used and evidenced alongside feedback from other public / stakeholder consultation as the Council's draft budget proposals are developed for 2013/14 onwards.
- (5) That Cabinet refer the Draft Capital Programme to all scrutiny and performance panels for consultation, to enable their comments to be considered by Cabinet prior to Cabinet meeting on 23 January 2013 to make its final recommendations to Council.

## 2892 **Localised Council tax support scheme**

Councillor Towe presented the report:

(see annexed)

Councillor Towe advised of an amended recommendation:

That, after considering the outcomes of the consultation and the equality impact assessment, option 1 (to continue with the current Council tax benefit scheme and fund reduction in grant from other sources) be adopted for the 2013/14 localised council tax reduction scheme, with amendments for the full disregard of all war disablement and war widows' pensions.

Councillor Towe **moved** the recommendations as amended which was duly seconded and:

### **Resolved recommend to Council**

- (1) That, after considering the outcomes of the consultation and the equality impact assessment, option 1 (to continue with the current Council tax benefit scheme and fund reduction in grant from other sources) be adopted for the 2013/14 localised council tax reduction scheme, with amendments for the full disregard of all war disablement and war widows' pensions.
- (2) That the Chief Finance officer be delegated authority to make amendments to the scheme to reflect any changes required by legislation and or government guidance, in consultation with the portfolio holder.

## 2893 **Council tax exemptions for empty properties**

Councillor Towe presented the report:

(see annexed)

### **Resolved to recommend to Council**

- (1) That approval be given to change the level of discount from Council tax for an unoccupied and unfurnished property to 100% over a 3 month period (class C exemption).
- (2) That approval be given to change the level of discount from Council tax for uninhabitable properties requiring structural repairs to 50% over a 12 month period (class A exemption).
- (3) That approval be given to change the level of discount from Council tax for a property that is no one's sole or main residence, but still furnished to 0% (second home).

- (4) That approval be given to introduce an additional 50% premium for properties that have remained unoccupied and unfurnished for greater than two years.
- (5) That the Chief Finance Officer be delegated authority to amend the discounts or premium being applied to reflect any changes required by legislation and/or government guidance, in consultation with the portfolio holder.

**2894 Enterprise Zone relief scheme**

Councillor Towe presented the report:

(see annexed)

**Resolved**

- (1) That Cabinet agrees to grant a Business Rate discount of 100% for properties designated within specified areas of the Black Country Enterprise Zone (Darlaston site) which will be awarded from 1 April 2012.
- (2) That the Chief Finance Officer be delegated responsibility for devising a scheme to process Enterprise Zone business rate discount applications from qualifying bodies together with authority to amend the scheme to reflect any changes required by legislation and/or government guidance.
- (3) That the Chief Finance Officer be delegated authority to manage and determine applications for business rate discount under the scheme.

**2895 Legal services - collaborative services**

Councillor Towe presented the report:

(see annexed)

**Resolved**

- (1) That the Council enter into a Memorandum of Understanding with EM Law Share.
- (2) That the Council's membership of the West Midlands Legal Panel be continued.
- (3) That the Council enter into a memorandum of understanding with the three other Black Country councils.

## 2896 **Dudley and Walsall Mental Health Trust partnership**

Councillor McCracken presented the report:

(see annexed)

### **Resolved**

That authority be delegated to the Executive Director of Adult Social Care and Inclusion in consultation with the portfolio holder for Social Care and Health and the Head of Legal and Democratic Services to approve and authorise entering into a three year Section 75 Partnership Agreement with Dudley and Walsall Mental Health Partnership NHS Trust, such arrangements having been effective from 1st April 2012.

## 2897 **Local Sustainable Transport Fund**

Councillor Ansell presented the report:

(see annexed)

### **Resolved**

- (1) That Cabinet approve the acceptance of the Local Sustainable Transport Fund (LSTF) Grant Conditions and Funding of £511k to support the delivery of upgrades to traffic signal equipment.
- (2) That Cabinet approve the delivery of the LSTF infrastructure programme over two financial years 2012/13 and 2013/14 noting the details set out in section 3 of the report.
- (3) That Cabinet notes the other elements of the LSTF programme particularly the Technology Showcase aspect to be delivered by Centro and the Smarter Choices element which will support the Steps to Work programme in Walsall, as set out in paragraph 3.6 of the report.
- (4) That Cabinet notes the governance arrangements for the LSTF programme included at Appendix A of the report and appoints the portfolio holder for Transport and Environment to represent Walsall at Member Board meetings for the duration of the LSTF programme.
- (5) That Cabinet delegates the authority for entering into the Grant Conditions and Funding Agreement and approving and signing off any changes to the infrastructure programme, Head of Terms, governance and formal legal agreement with Centro to the Executive Director for Regeneration, in consultation with the portfolio holder for Transportation and Environment.

## 2898 **Local Transport Plan Integrated Capital Programme**

Councillor Ansell presented the report:

(see annexed)

### **Resolved**

- (1) That Cabinet approves the allocation of the Integrated Transport Block funding between the three headline programmes as described in paragraphs 3.5 to 3.9 of this report for 2013/14 and notes indicative allocations for subsequent years.
- (2) That Cabinet approves the use of a non-subjective prioritisation tool to determine the work programme of two of the three headline programmes as described in paragraphs 3.13 to 3.29 of this report for 2013/14 and subsequent years.
- (3) That a further report be received before April 2013 to endorse a detailed 2013/14 Local Transport Plan capital programme for the borough based on the output of the prioritisation process.
- (4) That authority be delegated to the Executive Director for Regeneration, in consultation with the portfolio holder for Transport and environment, to manage any changes to the detail of the prioritisation tool, and to the 2013/14 programme allocations in order to manage the overall budget within approved limits.

## 2899 **Littering**

Councillor Ali presented the report:

(see annexed)

### **Resolved**

That Cabinet approves the full response to the recommendations made by the Community Services and Environment Scrutiny and Performance Panel as set out in paragraph 3 of this report.

## 2900 **Scrap metal**

Councillor Ansell presented the report:

(see annexed)

### **Resolved**

- (1) That the work undertaken by the Environment Scrutiny and Performance Panel on tackling the issue of rogue scrap metal trading in Walsall be noted.



- (2) That the work undertaken in Walsall to tackle scrap metal problems be endorsed and that future updates be received on progress.
- (3) That the revised action plan set out in Appendix A of the report be approved.

#### 2901 **School catering**

The report of the Community Services and Environment Scrutiny and Performance Panel and portfolio holder report were submitted:

(see annexed)

##### **Resolved**

- (1) That Cabinet note the content of the scrutiny panel report on catering and that a further report will be submitted in Spring 2013.
- (2) That the portfolio holders for Children's services and Leisure and Culture and senior officers produce an action plan to address further developments in line with the spirit of the scrutiny panel recommendations.

#### 2902 **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.

#### 2903 **School catering – comparative costs**

An Appendix to the report in the public session of the agenda was submitted to inform the decision taken in the public session:

(see annexed)

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

The meeting terminated at 7.15 p.m.

Leader:

Date: