

Cabinet minutes

Wednesday 13 December 2017 at 6.08 p.m.

(Start of the meeting delayed due to a fire alarm)

in a Conference Room at the Council House, Walsall

Present

Councillor S. Coughlan	Leader of the Council
Councillor Jeavons	Deputy Leader and Regeneration
Councillor Nawaz	Children's services and education
Councillor Jones	Clean and green
Councillor Shires	Community, leisure and culture
Councillor Robertson	Health
Councillor D. Coughlan	Social care

3720 Apology

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

3721 Minutes

Resolved

- (1) That the minutes of the meeting held on 25 October 2017 copies having been sent to each member of the Cabinet be approved and signed as a correct record.
- (2) That the minutes of the meeting held on 13 November 2017 copies having been sent to each member of the Cabinet be approved and signed as a correct record subject to the name of Councillor Nawaz being substituted for Councillor Chambers in minute 3716.

3722 Declarations of interest

The undermentioned members declared an interest in the items indicated: and left the room during consideration of the items:

Councillor Jones	Items 9 and 22 – M6 Junction 10 improvement scheme
Councillors S. Coughlan, D. Coughlan and Nawaz	Items 13 and 25 – Future of Walsall Adult and Community College

3723 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.

3724 Petitions

There were no petitions submitted.

3725 Questions

There were no questions.

3726 Forward plan

The forward plan as at 4 December 2017 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3727 Draft capital programme 2018-19 to 2021/22 and draft revenue budget update

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet note the financial assumptions and projections within the draft budget, the uncertainty around final funding and that these assumptions may change as the budget is finalised.
- (2) That Cabinet note that the Draft Revenue Budget and Efficiency Plan 2017/18 – 2020/21 is currently out for consultation.

- (3) That Cabinet note the withdrawal of saving proposal 17, 'Introduce charging for garden waste collection' following Cabinet's consideration of consultation feedback on 25 October 2017, and the alternative savings outlined in section 3.1.2.
- (4) That Cabinet approve funding of c£150k to seek external support to undertake a stock take of the council, to inform the medium term financial plan and Transformation Programme going forward as set out in section 3.1.3.
- (5) That the passporting of grant as set out in section 3.1.4 be approved.
- (6) That Cabinet note the publication of the Chancellor's Autumn Budget on 22 November and the financial implications for the Council, whilst noting that there is no major impact on the draft budget, as set out in section 3.2.
- (7) That Cabinet note the feedback from overview and scrutiny committees on revenue proposals to date and consider this feedback in preparation for final budget recommendations in February (Appendices 2a-2c).
- (8) That Cabinet approve as a basis for consultation the current draft capital programme of £92.59m for 2018/19, and refer the draft capital programme to all overview and scrutiny committees for consultation to enable their comments to be considered by Cabinet on 14 February 2018.
- (9) That an amendment to the 2017/18 capital programme to fund CCTV cameras as set out in section 3.3 be approved.
- (10) That Cabinet approve the award of a 12 month contract extension, from 1 July 2018 to 30 June 2019, to Midland Software Limited, for the provision of a human resources management system, with the option to extend for a further period of up to 12 months should it be necessary to ensure the delivery of the service, as outlined in section 3.4.9.
- (11) That Cabinet approve the award of a 12 month contract extension, from 1 January 2019 to 31 December 2019, to Bramble Hub, for the provision of a financial management system, with the option to extend for a further period of up to 12 months should it be necessary to ensure the delivery of the service, as outlined in section 3.4.9.

3728 M6 Junction 10 improvement scheme and land acquisition

At this point, Councillor Jones left the meeting having declared an interest in the item and took no part in the discussion thereon.

Councillor Jeavons presented the report:

(see annexed)

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:

3729 Local planning enforcement plan

Councillor Jeavons presented the report:

(see annexed)

Resolved

That Cabinet agrees to adopt the modified Local Planning Enforcement Plan.

3730 Site Allocation Document and Walsall Town Centre Action Plan – modifications

Councillor Jeavons presented the report:

(see annexed)

Resolved

- (1) That Cabinet agrees to publish materials for consultation on the Proposed Examination Modifications consultation for:
 - (a) Walsall Site Allocation Document (SAD)
 - (b) Walsall Town Centre Area Action Plan (AAP)
- (2) That Cabinet authorises the Head of Regeneration and Development, following consultation with the Executive Director, Economy and Environment, and the Portfolio Holder Regeneration, to propose any additional minor modifications that have been identified by officers between this Cabinet date and the start of the modification consultation, to be consulted on as part of this consultation.
- (3) That Cabinet agrees the consultation should begin in January and should run concurrently for 6 weeks.
- (4) That provided the substance of any of the modifications is not significantly changed through the remainder of the examination Cabinet recommends to Council:

That Walsall's Site Allocation Document and Town Centre Area Action Plan (including the modifications) be formally adopted as part of the Local Plan for the borough.

3731 York's Bridge replacement scheme

Councillor Jeavons presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the commencement of pre-application consultation and delegate to the Head of Legal and Democratic Services to prepare and submit applications under the relevant sections of the Commons Act 2006 to deregister and if necessary to undertake restricted works, on those parts of Pelsall North Common as detailed in Appendix A as necessary to facilitate construction of a new bridge.
- (2) That Cabinet approve the proposal to offer the Council owned land detailed in Appendix B as replacement land for the common land to be deregistered and delegate authority to the Head of Planning Engineering and Transportation, in consultation with the Portfolio Holder for Regeneration to progress this exchange.
- (3) That Cabinet approve the preparation and submission of the necessary planning application(s) for the scheme following the relevant consultation.

3732 The future of Walsall Adult and Community College

At this point, Councillors S. Coughlan, D. Coughlan and Nawaz left the meeting having declared an interest in the item and took no part in the discussion thereon.

Councillor Jeavons in the chair

Councillor Jeavons presented the report:

(see annexed)

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:

Councillor S. Coughlan in the chair

3733 Proposed schools funding formula 2018/19

Councillor Nawaz presented the report:

(see annexed)

Resolved

- (1) That Cabinet approves the Schools Funding Formula (Appendix 1) that was recommended by Walsall's Schools Forum at their meeting on 5 December 2017.
- (2) That Cabinet notes that the Department for Education may request revisions to the school funding formula and that values attributed in the formula may need to change once the Department for Education review the October 2017 census data.
- (3) That authority be delegated to the Director of Children's Services in consultation with the portfolio holder for Children's Services and Education to alter or amend the formula in line with Department for Education requirements and to comply with all and any relevant Department for Education regulations for the 2018/19 Schools Funding Formula.

3734 Fee and allowance scheme for foster carers

Councillor Nawaz presented the report:

(see annexed)

In presenting the report, Councillor Nawaz extended his thanks to foster carers for the excellent work they did for Walsall children.

Resolved

- (1) That a new fees and allowances scheme for Walsall foster carers, as set out in paragraph 3.7 of the report be approved, for implementation from 1 January 2018 for new carers.
- (2) That approval be given to transition all existing carers to the new scheme within 6 months of 1 January 2018.

3735 Special schools expansion

Councillor Nawaz presented the report:

(see annexed)

Resolved

That Cabinet approve the proposals to significantly enlarge Old Hall School, Shepwell Short Stay School, The Jane Lane School (from 1 September 2018); Oakwood School and Mary Elliot School (from 1 September 2019); and the proposal to significantly enlarge and alter the designation of Castle College of Business and Enterprise to that of 'Communication, Cognition and Learning' (from 1 September 2018).

3736 Ofsted inspection of services for children in need of help and protection

Councillor Nawaz presented the report:

(see annexed)

The Leader thanked everyone involved in the inspection for their work.

Resolved

- (1) That the findings of the Ofsted Single Inspection Framework carried out between 20 June and 13 July 2017 (Appendix 1) be noted.
- (2) That the post inspection action plan prepared in response to Ofsted recommendations (Appendix 2), submitted to Ofsted by 11 December 2017 be noted.
- (3) That Cabinet note that Education and Children's Services Overview and Scrutiny Committee at its meeting on 16 October 2017 agreed to lead on scrutinising progress of the action plan and to monitor progress against key areas of performance by way of a quarterly update on Ofsted improvements.

3737 Walsall contact services framework agreement

Councillor Nawaz presented the report:

(see annexed)

Resolved

- (1) That Cabinet approves an extension to contracts with two providers for the provision of children's contact services, for the period 1 February 2018 to 31 July 2018, with the option to extend for a further period of up to six months, from 1 August 2018, pending completion of a compliant procurement process.
- (2) That Cabinet delegate authority to the Executive Director of Children's Services to subsequently authorise the sealing of any deeds, or signing of contracts or other related documents for the extension of such services.

3738 Open water safety policy

Councillor Jones presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the Open Water Safety Policy detailed in Appendix A.
- (2) That Cabinet approve an amendment to the 2017/18 capital programme to provide funding for the policy this financial year
- (3) That Cabinet approve the expenditure of £73,650 capital works from the amended 2017/18 Capital Programme and ongoing annual revenue costs of £31k per year to start this year to enable immediate implementation of the policy.

3739 Award of new contract for provision of Apprenticeship training providers

Councillor S. Coughlan presented the report:

(see annexed)

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:

3740 Integrated facilities management – procurement of works and services

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet approves the award of contracts set out in Annex A via the stated Official Journal of the European Union (OJEU) compliant frameworks for works and services associated with operational and non-operational Council premises;
- (2) That Cabinet delegate authority to accept tenders, enter and to subsequently authorise the sealing of any deeds, contracts or other related documents for the contracts set out in Annex A, to the Executive Director Resources and Transformation, in consultation with the portfolio holder for Personnel and Business Support/ Agenda for Change.

3741 **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

3742 **M6 Junction 10 improvement scheme and land acquisition**

At this point, Councillor Jones left the meeting having declared an interest and took no part in the discussion or voting thereon.

Following consideration of confidential information Cabinet:

- (1) Approved the making of contact with landowners to refine understanding of ownerships and other relevant legal interests and to open and undertake land acquisition negotiations;
- (2) delegated authority to the Executive Director Economy and Environment, in consultation with the portfolio holder for Regeneration, to agree the final purchase price and terms of each site acquisition;
- (3) noted that work is to shortly commence preparation of a draft Side Roads Order "SRO" and Compulsory Purchase Order "CPO", including a Statement of Reasons and a schedule of interests to accompany the CPO; and
- (3) noted that if necessary a subsequent report will be submitted to Cabinet seeking authorisation to make the above statutory orders, and therefore that report will seek authorisation for the making and publication of a SRO, and if negotiations with landowners affected by the scheme are unsuccessful, that report will also seek authorisation to make and publish a CPO.

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

3743 Phoenix 10 project

Cabinet considered a report which updated on progress with the procurement of a private sector partner in relation to the remediation and development of the site. Cabinet selected a preferred bidder and agreed next steps to deliver the project which included the requirement for a report to a future meeting to seek further approvals relating to the next stage of the project.

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

3744 Black Country Enterprise Zone – land acquisition

The item was withdrawn as negotiations were still ongoing.

3745 Future of Walsall Adult and Community College

At this point, Councillors S. Coughlan, D. Coughlan and Nawaz left the meeting having declared an interest in the following item and took no part in the discussion or voting thereon.

Councillor Jeavons in the chair

- (1) Cabinet approved the merger of WACC and Walsall College.
- (2) Cabinet approved this merger proposal report which identifies:
 - the Operational Plan for the merger of WACC/Walsall College
 - the Adult Community Learning principles that will ensure effective Adult and Community Learning (ACL) provision in Walsall.
 - that WACC staff will transfer to Walsall College
 - that the WACC cash reserves should transfer to Walsall College to settle pension, redundancy and business plan delivery costs.
 - that the ESFA funding contracts are novated to Walsall College
- (3) Following consideration of the confidential information in the private session, Cabinet approved the terms agreed with Walsall College relating to the property implications of the merger proposal
- (4) Cabinet approved the operation which is currently carried out by WACC, continues until the merger with Walsall College is completed on 31 March 2018.

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

Councillor S. Coughlan in the chair

3746 Award of new contract for provision of Apprenticeship training providers

Following consideration of the confidential information Cabinet:

- (1) Approved the award of new contracts, valued overall to be in the region of £700,000 in year one and assuming the paybill remains the same over the life of the contract £2.8m, to the providers listed in paragraph 1.2 of this report for the delivery of 'Apprenticeship Training Provision', for the period 1 January 2018 until 31 December 2019 with the option to extend for 2 additional 12 month periods at the sole discretion of Walsall Council.
- (2) Delegated authority to the Senior HR Manager, in consultation with the Portfolio Holder for Personnel and Business Support/Agenda for Change, to enter into new contracts to deliver 'Apprenticeship Training Provision' by using the most appropriate procedures and to subsequently authorise the sealing or signing of any contracts, deeds 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 6.47 p.m.

Chair:

Date: