

Cabinet minutes

Wednesday 24 October 2012 at 6.00 p.m.

in Conference Room 2 at the Council House, Walsall

Present

Councillor Bird	Leader of the Council
Councillor Arif	Business support 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

2861 Apologies

Apologies for non-attendance were submitted on behalf of Councillor A. Andrew and R. Andrew.

2862 Minutes

Resolved

That the minutes of the meeting 12 September 2012 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

2863 Declarations of interest

There were no declarations of interest.

2864 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.

2865 **Forward plan**

The forward plan as at 8 October 2012 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

2866 **Black Country Tenancy Strategy**

Tim Johnson, Executive Director, Regeneration presented the report:

(see annexed)

Resolved

- (1) That the Black Country Tenancy Strategy as set out in Appendix A of the report, be approved.
- (2) That authority be delegated to the Executive Director, Regeneration in consultation with the portfolio holder for Regeneration to make any future minor amendments to the Black Country Tenancy Strategy, following agreement with Dudley MBC, Sandwell MBC and Wolverhampton City Council.

2867 **Homes and Communities Agency – Affordable homes programme traveller pitch funding**

Tim Johnson, Executive Director, Regeneration presented the report:

(see annexed)

Resolved

- (1) That an application be made to the Homes and Communities Agency for the Council to be awarded 'Investment Partner Status'.
- (2) That the Council act as an accountable body for the £941,050 allocation and any governance arrangements relating to this.
- (3) That the Council's own capital be used to cashflow the development of the 11 Traveller Pitches.
- (4) That the traveller pitch funding project plan at Appendix A of the report, be approved.

- (5) That delegated authority be given to the Executive Director for Regeneration Services, in consultation with the portfolio holder for Regeneration, to agree, sign or authorise the sealing of any deeds, contracts and other related documents including the HCA traveller pitch funding programme framework agreement for the delivery of new traveller pitches and any new build or refurbishment works by March 2015.

2868 Black Country Enterprise Zone – use of compulsory purchase powers

Tim Johnson, Executive Director, Regeneration presented the report:

(see annexed)

Resolved

- (1) That Cabinet supports the use of compulsory purchase powers within the Darlaston element of the Black Country Enterprise Zone where it considers that:
 - (a) the relevant statutory and Ministerial Circular tests for making a compulsory purchase order ('CPO') are met; and
 - (b) the use of CPO powers would help facilitate delivery of particular sites within the Enterprise Zone.
- (2) That prior to making any CPO for any site within the Enterprise Zone Cabinet receives a further report to a future meeting setting out the detailed proposals.

2869 Black Country Enterprise Zone – business rate uplift

Tim Johnson, Executive Director, Regeneration presented the report:

(see annexed)

Resolved

- (1) That Cabinet endorse the initial principles for the retention, management and use of the Black Country Enterprise Zone business rates that are generated from the occupation of sites within the Enterprise Zone by the Black Country Local Enterprise Partnership (LEP).
- (2) That authority be delegated to the Executive Director – Regeneration, in consultation with the Chief Finance Officer and the Regeneration portfolio holder, to agree the terms of, and sign, one or more Agreements and any ancillary related documents with the Black Country Local Enterprise Partnership (LEP) and Wolverhampton City Council setting out the local arrangements in relation to the business rate uplift, retention, management and use of the business rate uplift.

- (3) That the Executive Director – Regeneration, in consultation with the Chief Finance Officer and the Regeneration portfolio holder be requested to develop proposals and make future recommendations to the Black Country LEP for the use of business rate uplift to fund priority delivery interventions within the Darlaston element of the Black Country Enterprise Zone.

2870 **Housing Energy Conservation Act**

Tim Johnson, Executive Director, Regeneration, presented the report:

(see annexed)

Resolved

- (1) That Walsall Council's Housing Energy Conservation Act report as contained in Appendix A of the report be published "on line"..
- (2) That reviews of the HECA report be undertaken at least annually and that the Executive Director Regeneration in consultation with the portfolio holder Regeneration agree to the re-publication of any amended reports.

2871 **Walsall's Local Authority Mortgage Scheme**

Tim Johnson, Executive Director, Regeneration, presented the report:

(see annexed)

He pointed out revised recommendations in respect of the delegated authority required and in relation to the Monitoring Officer. These were accepted and it was:

Resolved

- (1) That the adoption of the Local Authority Mortgage Scheme in Walsall be approved and the following associated local criteria be agreed:
 - Available in all post codes across the Borough
 - Limited to a maximum loan value of £142,500
 - Approve total funding of £5m, to be released in tranches
- (2) That authority be delegated to the Executive Director for Regeneration and Chief Finance Officer, in consultation with the portfolio holders for Regeneration and Finance and personnel, to sign or authorise the sealing of any deeds, contracts and other related documents in relation to the Local Authority Mortgage Scheme, and approve any variations and update to the local criteria.

- (3) That authority be delegated to the Executive Director for Regeneration and Chief Finance Officer, in consultation with the portfolio holders for Regeneration and Finance and personnel, to approve those lenders that meet the Council's Treasury Management Counter Party list (credit ratings) and to sign or authorise the sealing of any deeds, contracts and other related documents in relation to the approval of the Lenders.
- (4) That where a lender requires an Opinion letter from the Monitoring Officer and the Monitoring Officer provides one, the authority grants an Indemnity to the Monitoring Officer, and that authority be delegated to the Executive Director for Regeneration and Chief Finance Officer, in consultation with the portfolio holders for Regeneration and Finance and personnel, to grant and authorise the execution of an indemnity to the Monitoring Officer in respect of any personal liability he may incur by providing any Lender with an Opinion Letter.

2872 Education capital programme 2012/13 – further schemes

Rose Collinson, Interim Director Children' services presented the report:

(see annexed)

Resolved

- (1) That 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, be approved.
- (2) That authority be delegated 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 shall include consideration of traditional procurement and EU compliant frameworks available to local authorities.

2873 Schools Forum – proposed revised school funding formula

Rose Collinson, Interim Director Children's services presented the report:

(see annexed)

Resolved

- (1) That the recommendation of Schools Forum as set out in paragraph 3.14 of the report be received and accordingly the revised schools funding formula in the Department of Education (DfE) required format (Appendix 1), be approved
- (2) That Cabinet notes that the DfE may request revisions to this formula and agrees to delegate authority to the Director of Children's Services in consultation with the portfolio holder for Children's Services to alter or amend the formula in line with DfE requirements and to comply with all and any relevant DfE regulations.

2874 Financial Plan 2013/14-2017 – Draft revenue budget for consultation

Councillor Towe presented the report, together with the Appendices 1 and 2 which were tabled:

(see annexed)

Resolved

- (1) That Cabinet approve as the basis for consultation, provisional revenue cash limits by portfolio and portfolio plans as set out in Appendix 1 of the report.
- (2) That the report be referred to all scrutiny and performance panels for consultation, to enable their comments to be considered by Cabinet on 12 December 2012.
- (3) That Cabinet note that the 2013/14 provisional revenue cash limit is based on a forecasted formula grant prediction, including other predicted changes for council pressures and expected changes to the council tax support and business rates retention schemes. The draft settlement is expected to be announced in late December 2012. Should the final allocation be less than current estimates, revised cash limits and options for ensuring a balanced budget will need to be brought back for Cabinet consideration as the budget develops and information is published.
- (4) That Cabinet note that the level of contingency funds and general reserves will need to be in line with the levels set out with the Council's medium term financial strategy, the final allocation to be based on a detailed risk assessment which will be reported to Cabinet in January 2013.
- (5) That Cabinet note and approve the consultation arrangements and reporting framework back to Cabinet set out in section 3, and that the findings from the budget consultation, set out in this report, be used and evidenced alongside other feedback and available data by Cabinet as it develops the Council's 2013/14 draft corporate revenue and capital budget.

2875 **Corporate financial performance**

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That a net projected revenue underspend of £0.65m, c0.6% of the net Council tax requirement be noted.
- (2) That the forecast underspend on the mainstream capital programme, after re-phasing, of £0.59m, be noted.
- (3) That Cabinet note the transfer of windfall income which should be maintained centrally to manage any unexpected pressures which may arise over and above normal budgetary provision.
- (4) That Cabinet note and approve the amendments to the capital programme, including two variations as referred to in paragraph 4.7 of the report.
- (5) That the financial health indicators for quarter 2, as summarised in Appendix 1 of the report be noted.

2876. **Parking review**

Councillor Ansell presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the continuation on a permanent basis of the current trial price reduction of the up to 4 hour pay and display parking charge.
- (2) That Cabinet approve the introduction of a new parking charges trial that will reduce all day parking charges from £5 to £3 in all Council operated long stay car parks and authority be delegated to the Executive Director for Neighbourhood Services in consultation with the portfolio holder for Transport and Environment to either cease, or continue, on a permanent basis the trial price reduction following evaluation of the actual financial implications arising from the trial.
- (3) That Cabinet approve a reduction in cost of general pay and display season tickets as detailed below, to reflect a reduction in the all day parking charge should item 2.2 of this report be approved.

- 1 month £50
 - 3 month £150
 - 12 Month £600
- (4) That Cabinet approve the continuation on a permanent basis, of the current trial pay and display and permit parking arrangements applicable to the Council car parks in Premier and Town Wharf business Parks.
- (5) That Cabinet approve the introduction of a new trial of town centre business employee discounted parking permits with charges to be set at £35 per month and authority delegated to the Executive Director for Neighbourhood Services in consultation with the portfolio holder for Transport and Environment to either cease, or continue, on a permanent basis following evaluation of the actual financial implications arising from the trial.
- (6) That Cabinet approve the introduction of 2* electric vehicle charging points on Day Street car park through the provisions of the Plugged in Midlands project sponsored by the Department for Transport and Office for Low Emission Vehicles.
- (7) That Cabinet approve the removal of on street pay and display parking arrangements to be replaced with free, 2 hour maximum stay parking in Ward Street, Wedge Street, Warewell Street, Ablewell Street, Tantarra Street and Bott Lane.
- (8) That Cabinet approve the introduction of permit parking arrangements for certain health care professionals providing an emergency medical response and authority be delegated to the Executive Director for Neighbourhood Services in consultation with the portfolio holder for Transport and Environment to agree the terms of any such scheme.
- (9) That Cabinet approve the removal of the current monthly permit parking charges and provision of more accessible parking for disabled Council employees who as a result of a reasonable adjustment assessment are determined as needing improved parking arrangements and that authority be delegated to the Executive Director for Neighbourhood Services in consultation with the portfolio holder for Transport and Environment to agree the terms of operation and allocation of parking spaces in the Civic Centre underground car park.
- (10) That Cabinet note that the current car parking base budget is being reviewed and the level of car parking income budget is expected to be amended as part of the 2013/14 budget setting process.

2877 Travelling to school

Councillor Ansell presented the report:

(see annexed)

Resolved

- (1) That the Sustainable Mode of Travel Strategy and action plan to comply with the relevant duties placed on the authority, be adopted.
- (2) That Cabinet adopts the vision contained in the Strategy “To actively promote and encourage sustainable school travel choices amongst pupils, parents, staff and the wider community, by providing training and a safer environment where walking and cycling in Walsall are the norm and contribute towards a more active lifestyle.”
- (3) That Cabinet supports the roll out of the revised AStars programme as the primary approach to achieve improvements in sustainable travel behaviour relating to educational establishments throughout the borough.
- (4) That Cabinet supports an approach where:
 - (a) Schools and Engineering and Transportation Services formalise Terms of Engagement to register on the AStars programme;
 - (b) AStar schools receive priority when responding to requests for highway related services.

2878 Winter service operational plan

Councillor Ansell presented the report:

(see annexed)

Resolved

- (1) That the Winter Service Operational Plan 2012/13 be approved.
- (2) That the Head of Engineering and Transportation be authorised to make amendments to the plan, as necessary, in the light of case law or legal advice, which might assist in managing the risk of litigation in relation to the exercise of the statutory duty under Section 41 (1A) of the Highways Act 1980 to ‘ensure, so far as reasonably practicable, that safe passage of the highway is not endangered by snow and ice’

2879 Leisure centre improvements

Councillor Ansell presented the report and added the following recommendation:

- (3) That the Council act as accountable body in respect of any grant awarded by the Sport England Lottery Fund.

(see annexed)

Resolved

- (1) That Cabinet confirm that the overriding purpose of its leisure services is to contribute to the health and wellbeing of local people.
- (2) That authority be delegated to the Executive Director for Neighbourhood Services, in consultation with the portfolio holder, to:
 - (a) Develop a detailed business case for the delivery of an improved, more efficient leisure service provision, including the option of building two new leisure centres at Bloxwich and Oak Park and / or updating / refurbishing existing Leisure Centres;
 - (b) Prepare and submit an application for grant funding of up to £2 million to the Sport England Lottery Fund's in support of building two new leisure centres at Bloxwich and Oak Park and/ or updating/refurbishing existing Leisure Centres;
 - (c) Draw up proposals, undertake all other associated work and submit detailed planning applications for two new leisure centres at Oak Park and Bloxwich and (if required) updating/refurbishing the other existing Leisure Centres;
 - (d) Engage external consultants and specialists to provide support and advice in relation to the planning applications, preparation of the detailed business case and any other issues arising where appropriate.
- (3) That the Council act as accountable body in respect of any grant awarded by the Sport England Lottery Fund.
- (4) That Cabinet authorise initial expenditure in respect of the upfront costs for design preparation, investigations, surveys, legal and planning advice, the planning application fees and other associated costs as set out in the report, and delegate authority to the Executive Director for Neighbourhood Services, in consultation with the Chief Finance Officer and the portfolio holder for Finance and personnel, for further spend above this and subject to reporting back to Cabinet on levels of spend; and
- (5) That a report be received setting out options for management delivery models for future leisure service provision at a subsequent Cabinet meeting.

2880 Littering working group

The report of the Community Services and Environment Scrutiny and Performance Panel was submitted:

(see annexed)

Resolved

That the report of the Community Services and Environment Scrutiny and Performance Panel be noted.

2881 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.

2882 West Midlands Construction University College

Tim Johnson, Executive Director Regeneration presented the report and added the following recommendation:

- (c) approve the naming of West Midlands UTC and WMG Academy for Young Engineers, Coventry as Future Schools schemes within the batched procurement for the Black Country UTC at Preliminary Invitation to Tender (PITT) stage within the Future Schools agreement.

(see annexed)

Resolved

That delegated authority be granted to the Executive Director of Regeneration to:

- (a) Approve submission of an agreed Feasibility Study to the Education Funding Agency (EFA) for the West Midlands University Technical College.
- (b) Issue a Future School Notice as outlined in the Education Funding Agency (EFA) Framework (the "Framework") to the Selected Panel Member for the Black Country University Technical College to enable submittance of proposals for the West Midlands University Technical College site.

- (c) approve the naming of West Midlands UTC and WMG Academy for Young Engineers, Coventry as Future Schools schemes within the batched procurement for the Black Country UTC at Preliminary Invitation to Tender (PITT) stage within the Future Schools agreement.

[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.

Leader:

Date: