

# Cabinet minutes

**Wednesday 25 April 2018 at 6.00 p.m.**

**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
Councillor Chambers	Agenda for change/Personnel and business support

## **3794 Minutes**

### **Resolved**

That the minutes of the meetings held on 19 and 21 March 2018 copies having been sent to each member of the Cabinet be approved and signed as correct records.

## **3795 Declarations of interest**

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

Councillor Chambers	Items 10 and 16 – M6 Junction 10 major highway improvement and Item 12 Proposed expansion of primary and special schools
Councillor Jones	Items 10 and 16 – M6 Junction 10 major highway improvement

## **3796 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.

**3797 Petitions**

There were no petitions submitted.

**3798 Questions**

There were no questions.

**3799 Forward plan**

The forward plan as at 9 April 2018 was submitted:

(see annexed)

**Resolved**

That the forward plan be noted.

**3800 Dissolution of the West Midlands Joint Committee**

Councillor S. Coughlan presented the report:

(see annexed)

**Resolved**

**(1) To recommend to Council**

That Council approve:

- (i) the dissolution of the West Midlands Joint Committee, for the reasons set out in this report;
  - (ii) the proposals for managing the remaining residual business of the West Midlands Joint Committee once it is dissolved as set out in Appendix 1 of this report.
- (2) That approval be given to the establishment of a Joint Executive Committee with the other six Councils within the West Midlands for the purpose of airport decisions known as West Midlands Shareholders Airport Committee in accordance within the terms of reference set out at Appendix 2 of this Report.

- (3) That Cabinet note that the Head of Legal and Democratic Services will set out all relevant changes to the Council's Constitution at a future meeting of Council in order to enact the recommendations at (1) and (2).
- (4) That the Head of Legal and Democratic Services be authorised to negotiate, execute and complete all legal documents necessary to support and deliver the above recommendations.

### **3801 Review of achievements 2017-18**

Councillor S. Coughlan presented the report:

(see annexed)

Cabinet members commented upon the report in relation to their portfolio and thanked the Corporate Management Team and all staff involved for their work over the last year.

#### **Resolved**

That Cabinet note the achievements as contained within the Review of Achievements 2017-18 document attached as appendix 1 and agree the publication of this document on the Council's website.

### **3802 M6 Junction 10 major highways improvement**

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

Councillor Jeavons presented the report:

(see annexed)

See decision relating to this matter in the private session following consideration of a report containing confidential information.

### **3803 Walsall Revised Statement of Community Involvement 2019**

Councillor Jeavons presented the report:

(see annexed)

#### **Resolved**

- (1) That Cabinet approves the proposed revised Statement of Community Involvement for public consultation.

- (2) That Cabinet authorises the Executive Director, Economy and Environment, following consultation with the Portfolio Holder for Regeneration, to propose any minor modifications to the revised SCI following the public consultation.
- (3) That following the consultation and necessary amendments to the SCI, Cabinet adopts the revised SCI. If the consultation results in significant changes being made to the SCI appended to this report, the further revised SCI will be reported back to Cabinet to seek approval for adoption.

**3804 Revised budget estimates for proposed expansion of primary and special schools**

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

Councillor Nawaz presented the report:

(see annexed)

**Resolved**

That Cabinet notes the progress of the expansion schemes through the RIBA project development stages, as explained in Appendix A, and approves the revised budget estimates set out in Section 6 of this report.

**3805 Green space strategy 2018-2022**

Councillor Jones presented the report:

(see annexed)

**Resolved**

That Cabinet approve the adoption of the Green Space Strategy 2018-2022 and delegate authority to the Executive Director of Economy and Environment in consultation with the portfolio holder to approve any minor amendments.

**3806 Regulatory Services Enforcement policy**

Councillor Shires presented the report:

(see annexed)

## **Resolved**

- (1) That the enforcement policy for Regulatory Services be adopted.
- (2) That the authority to make minor and administrative amendments to the policy be delegated to the Director of Public Health.

### **3807 Information governance policy framework**

Councillor Chambers presented the report:

(see annexed)

## **Resolved**

That Cabinet approve the amended Information Governance Policy Framework and the three supporting Policies.

### **3808 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.

### **3809 M6 Junction 10 major highways improvement**

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

Councillor Jeavons presented the report:

(see annexed)

## **Resolved**

- (1) That Cabinet approve the entering into of a Development Agreement with Highways England, such agreement to be based upon the Heads of Terms appended to this report at Appendix 1;

- (2) That Cabinet approve the making of any Side Roads Order (SRO) required to deliver the Scheme under Section 14 and Schedule 1 of the Highways Act 1980 (“1980 Act”) for highway improvements and modifications (described in section 3.26 and appended in draft form at Appendices 2 and 3) needed for the construction of the proposed alterations to the local highway network at M6 Junction 10;
- (3) That Cabinet approve the making of a Compulsory Purchase Order under sections 239, 240, 246, 249 and 250 of the 1980 Act to be known as the Walsall Metropolitan Borough Council (M6 Junction 10) Compulsory Purchase Order 2018 for the acquisition of land and new rights within the areas shown on the plan at Appendix 5 (“Order Land”) necessary to deliver the M6 Junction 10 Scheme;
- (4) That Cabinet delegates authority to the Executive Director Economy and Environment, in consultation with the Portfolio Holder for Regeneration, to:
  - (a) take all necessary steps to negotiate and agree the Development Agreement with HE on the basis set out in this report and the Heads of Terms at Appendix 1;
  - (b) take all necessary steps to secure the making, submission for confirmation and implementation of any necessary SRO including (but not limited to) drafting and publishing the Statement of Reasons, the publication, advertisement, notification and service of all notices, the investigation of and response to objections, and the presentation of the Council’s case at any Public Inquiry and in the event that the SRO is confirmed by the Secretary of State for Transport (“Secretary of State”) to advertise such confirmation;
  - (c) take all necessary steps to secure the making, submission to the Secretary of State for confirmation and implementation of the CPO including (but not limited to) drafting and publishing the Statement of Reasons, the publication, advertisement, notification and service of all notices, the investigation of and response to objections, and the presentation of the Council’s case at any Public Inquiry and in the event that the CPO is confirmed by the Secretary of State to advertise such confirmation and then to deal with the vesting of the land in the Council by way of the General Vesting Declaration/Notice to Treat and Notice of Entry process;
  - (d) negotiate and acquire interests in land and new rights included within the Order Land either by agreement or where acquisition by agreement is not possible, compulsorily, including in circumstances where the Council’s constitutional limit values of £500,000 for freehold acquisitions and £50,000 per annum for leasehold acquisitions are matched or exceeded without the need to revert to Cabinet for a further approval; and

- (e) approve agreements with land owners setting out the terms for the withdrawal of objections to the SRO or CPO.

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

The meeting terminated at 6.35 p.m.

Chair:

Date: