

# **Cabinet minutes**

**Wednesday 21 October 2009 at 6.00 p.m.**

**in Conference Room 2 at the Council House Walsall**

## **Present**

Councillor Bird	Leader of the Council
Councillor Andrew	Deputy Leader and regeneration
Councillor Arif	Business support services
Councillor Walker	Children's services
Councillor Flower	Environment
Councillor Towe	Finance and personnel
Councillor Sanders	Leisure and culture
Councillor McCracken	Social care, health and housing
Councillor Ansell	Transport

## **2281 Minutes**

### **Resolved**

That the minutes of the meeting held on 2009 copies having been 16 September 2009 sent to each member of the Cabinet be approved and signed as a correct record.

## **2282 Declarations of interest**

There were no declarations of interest.

At this point in the meeting the leader brought forward item 10 on the agenda – Sneyd Community School – in view of the public interest.

## **2283 Sneyd Community – A Specialist Maths and Computing College**

A report was submitted:

(see annexed)

With the approval of the Cabinet, the Leader allowed Councillor I. Shires to address the Cabinet.

Councillor Shires said that he accepted that the school would close but asked for feedback in respect of arrangements for staff and remaining pupils.

Councillor Walker presented the report, during which time she responded to Councillor Shires. She explained how pupil transfers would take place and confirmed that in the meantime, discussions were being undertaken with staff to ensure consistent provision. With regard to staff, every endeavour was being made to ensure no compulsory redundancies and work was ongoing with staff to assist them to prepare for interviews.

It was **moved** by Councillor Walker, duly seconded and:

**Resolved**

- (1) That the responses to the consultation be noted.
- (2) That the statutory process be proceeded with and approval be given to the publication of a statutory proposal to close Sneyd Community – A Specialist Maths and Computing College from 31 August 2012, with no pupils admitted to Year 7 or the sixth form in September 2010 and subsequent years. Pupils would transfer on a year on year basis to places at other schools in the borough.
- (3) That officers be requested to explore the opportunity to provide support during the transition period with regard to admissions, transport and uniforms and report back on these matters to a future Cabinet meeting.
- (4) That officers continue to work on the development of an Expression of Interest for a University Technical College.

**2284 Forward plan**

The forward plan as at was submitted:

(see annexed)

**Resolved**

That the forward plan be noted.

**2285 Winter service operational plan 2009/10**

Councillor Ansell presented the report:

(see annexed)

## **Resolved**

- (1) That the Winter Service Operational Plan 2009/10 be approved.
- (2) That the Head of Engineering and Transportation be authorised to make amendments to the plan, as necessary, in order to comply with the Council's statutory duty to ensure, so far as reasonably practicable, that safe passage of the highway is not endangered by snow and ice.

### **2286 Choice based lettings scheme**

Councillor Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That approval be given to the establishment of a borough wide choice based letting (CBL) scheme and the development of a Black Country and Birmingham scheme.
- (2) That a bid to the Communities and Local Government (CLG) to finance development of a Choice Based Lettings scheme be approved.
- (3) That the Councils Housing Allocation Statement as set out in Appendix A be approved.

### **2287 Enlargement of Birchills CE Primary School**

Councillor Andrew presented the report:

(see annexed)

## **Resolved**

- (1) That authority be delegated to the Executive Director for Regeneration and Executive Director for Children's Services in consultation with the portfolio holders for Regeneration and Children's services, for the appointment of Willmott Dixon through the SCAPE framework to construct the enlargement of Birchills CE Primary School subject to the overall cost of the project not exceeding £4.315 million, including fees and development costs.
- (2) That authority be delegated to the Executive Director for Regeneration in consultation with the portfolio holder, to determine and execute the most appropriate form of appointment for the design team.

## 2288 **Replacement of Christ Church CE JMI School**

Councillor Andrew presented the report:

(see annexed)

### **Resolved**

That authority be delegated to the Executive Director for Regeneration and Executive Director for Children's Services in consultation with the portfolio holders for Regeneration and Children's services, for the appointment of Willmott Dixon through the SCAPE framework to construct the replacement Christ Church CE JMI school subject to the overall cost of the project not exceeding £5.5 million.

## 2289 **Future of former Mary Elliot School**

Report considered in private session.

## 2290 **Education capital programme – further schemes**

Councillor Walker presented the report:

(see annexed)

### **Resolved**

- (1) That the schemes and budgets set out in Appendix B 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 Director of Children's Services in consultation with the portfolio holder for Children's Services to accept tenders for the schemes detailed in Appendix B at Alumwell Business & Enterprise College and Elmwood as tenders will be in excess of £500,000.

## 2291 **Ethic minority achievement**

Councillor Walker presented the report:

(see annexed)

## **Resolved**

That the continuing commitment to implement key activities ensuring that the attainment of ethnic minority pupils continues to improve to meet and exceed national performance levels be noted.

### **2292 Youth provision – allocation of youth capital fund plus**

Councillor Walker presented the report:

(see annexed)

Councillor Walker referred to a reference from the St. Matthews and Birchills-Leamore Local Neighbourhood Partnership to Cabinet to identify a permanent site in the Chuckery area. She responded by explaining that the funding was time limited and therefore needed to be spent quickly. She confirmed that the proposed mobile service would target the St. Matthews and Paddock areas.

## **Resolved**

- (1) That approval be given to the revised proposals for the use of Youth Capital Plus grant allocation to enhance youth provision in Walsall, to maximise the use of mobile youth units and the refurbishment of some existing youth centres.
- (2) That approval be given to the funding allocation as set out in paragraph 4.1 of the report.
- (3) That an outline business case be developed and due to the very tight time schedule for accessing the grant finance, authority be delegated to the Director of Children's Services in consultation with the portfolio holder for Children's Services to accept tenders for the schemes.

### **2293 Walsall adoption service annual report**

Councillor Walker presented the report:

(see annexed)

## **Resolved**

- (1) That the contents of the report which describes the progress of Walsall adoption service, for the period April 2008 to March 2009, be noted.
- (2) That the key management activity and service outcomes contained within the annual adoption service report be noted.

- (3) That the Cabinet extends thanks and appreciation to the members of the Adoption Panel and adoptive parents for their hard work and commitment to the children of Walsall.

#### 2294 **Walsall fostering service annual report**

Councillor Walker presented the report:

(see annexed)

##### **Resolved**

- (1) That the contents of the report and the work of Walsall fostering service be noted.
- (2) That reports of the fostering service be received on an annual basis in line with good practice.
- (3) That the Cabinet extends thanks and appreciation to the members of the Fostering Panel and foster carers in Walsall for their hard work and commitment to the children of Walsall.

#### 2295 **Recycling scheme**

Councillor Flower presented the report:

(see annexed)

With the approval of the Cabinet, the Leader allowed Councillor Smith to address the Cabinet. Councillor Smith said that he accepted that the recycling policy generally had been a success and congratulated the Cabinet for rolling out the brown bin service.

It was noted that the Council was the best Metropolitan Borough for recycling.

##### **Resolved**

- (1) That approval be given to the further expansion to the garden waste collection service to the remainder of the eligible properties within the borough.
- (2) That approval be given to the purchase of the bins during 2009/10 from the capital provision set out in paragraph 3.1 of this report which are required to deliver the expanded service.

- (3) That approval be given to the ring-fencing of the income generated from the sale of the surplus kerbsider collection vehicles at a price of £175,400 to enable this income to be used as match-funding against the Defra grant.
- (4) That it be noted that the ongoing revenue costs can be funded from within the anticipated 2010/11 revenue budget.

#### 2296 **Placarding for community events**

Report withdrawn

#### 2297 **Cannock Chase and Pelsall District Miners Charity (Oak Park)**

Councillor Towe presented the report:

(see annexed)

##### **Resolved**

- (1) That the Charity Commission order and direction that a land swap of the Council land indicated on plan A with Charity land marked on plan B be undertaken by no later than the 21 May 2010, be noted.
- (2) That the Assistant Director, Legal and Constitutional Services, be authorised, on behalf of Council to execute the land swap as detailed in paragraph (1) above.
- (3) That Cabinet note that a report will be submitted to the Trustees (the Council) advising of the present situation and seeking authorisation of the land exchange on behalf the Trust.

#### 2298 **Extra care charging**

Councillor McCracken presented the report:

(see annexed)

##### **Resolved**

- (1) That the charging bands be approved.
- (2) That the policy and guidance in line with best practice and attached as Appendix 1 of the report, be approved.

- (3) That the decision on the date for implementation be delegated to the Executive Director for Social Care and Inclusion in consultation with the portfolio holder, with a view to that being implemented as soon as possible.

## 2299 **Affordable housing**

The report of the Affordable Housing working group was submitted:

(see annexed)

### **Resolved**

- (1) That the report of the Affordable Housing working group be noted and that a report responding to the recommendations therein be submitted to Cabinet at a future meeting.
- (2) That the working group be thanked for their work.

## 2300 **Private Session**

### **Exclusion of public**

### **Resolved**

That during consideration of the remaining items on the agenda, the Cabinet considers that the items for consideration are 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 those items in private.

## 2301 **Additional item – Legal services – case management update**

Councillor Bird presented the report:

(see annexed)

### **Resolved**

- (1) That the process followed for briefing lead members on sensitive cases be noted.



- (2) That Cabinet confirm the decision of March 2009 which delegated authority to settle such cases to the Assistant Director of Legal and Constitutional Services in consultation with the Chief Executive, the Leader and Deputy Leader of the Council or their nominees.

[Exempt information under paragraph 1, 2, 4 and 5 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]

## 2302 **Future of former Mary Elliot School**

Councillor Andrew presented the report:

(see annexed)

In order that the Cabinet was in possession of the full financial advice, the Chief Finance Officer, James Walsh referred to paragraph 3.6 and commented that once best consideration had been achieved the acceptance of a premium i.e. a capital receipt in lieu of an annual market rental should only be made after a financial assessment using discounted cashflow techniques.

### **Resolved**

- (1) That approval, in principle, be given to the grant of a 99-year lease of the site shown edged bold on plan number EPMS 3203 and extending to 9,067 square metres or thereabouts to the Emmanuel School on terms to be agreed, subject to the Council being able to demonstrate best consideration, such terms to include a covenant restricting the use of the site to that of educational purposes
- (2) That final approval of the lease terms be delegated to the Executive Director, Regeneration in consultation with the portfolio holder for Regeneration and the Chief Finance Officer.

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

The meeting terminated at 6.45 p.m.

Leader:

Date: