

TELFORD & WREKIN COUNCIL

COUNCIL – 23RD APRIL, 2009

REPORT OF CABINET – FOR INFORMATION ONLY

MATTERS DETERMINED BY THE CABINET

1.0 INTRODUCTION

This report provides sets out those matters determined by the Cabinet at its meetings on the 9th & 23rd March and the 6th April, 2009.

CABINET BUSINESS

Matters that have been determined by Cabinet are listed below:

2.1 9th March, 2009

- 2.1.1 High Ercall Conservation Area Management Plan and Proposed Boundary Extension
- 2.1.2 Telford Railfreight Terminal Update (exempt)
- 2.1.3 Interim Waste Treatment & Disposal Contract (exempt)
- 2.1.4 Proposals for a Pooled Budget - Adults with Learning Disabilities Services (including Transfer of Funding) (exempt)
- 2.1.5 Telford Town Centre (exempt). With the agreement of the Chairman of the Scrutiny Leadership Board, and in accordance with paragraph 16 (a) and (b) of Section 5 of Part 4 (Rules of Procedure) of the Constitution, Non-application of Call-In and Urgency, this report was taken as a matter of urgency.

2.2 23rd March, 2009

- 2.2.1 'Efficient, Effective Council' Priority Plan
- 2.2.2 PCT Funding for Telford Sports, Learning & Enterprise Community (TSLEC)
- 2.2.3 Primary Care Trust Capital Funding Contributions to Campus Telford & Wrekin and Malinslee Development
- 2.2.4 PCT Funding for Sustainable Travel Projects
- 2.2.5 Equality and Diversity Scheme 2008-11
- 2.2.6 Local Area Agreement Round 2 (LAA2) – Refresh
- 2.2.7 Designated Public Place Order (DPPO) – Dawley

2.3 6th April, 2009

- 2.3.1 Central Telford Area Action Plan DPD
- 2.3.2 Campus Telford & Wrekin: Additional Post 16 Provision; Trust School Status; BSF Procurement Approval

- 2.3.3 Employment & Skills Multi Area Agreement
- 2.3.4 West Midlands Bio-Diversity Pledge
- 2.3.5 Deprivation of Liberty Safeguards
- 2.3.6 Relocation of Public Toilets and Bus Stop in Stafford Street Car Park, Newport (exempt)

3.0 URGENT DECISIONS OUTSIDE POLICY FRAMEWORK OR BUDGET

On 23rd March 2009 Cabinet resolved to recommend to Council that the necessary approvals be granted in respect of the funding being made available by Telford & Wrekin Primary Care Trust respect of the following schemes:

- Telford Sports, Learning & Enterprise Community
- 3 Sustainable Travel Projects

It had originally been agreed that the Council would hold these funds on trust until the Council meeting on 23rd April. However, on 27th March 2009 the Telford & Wrekin Primary Care Trust informed the Council that the funds could not be paid upon trust and that the legal funding agreement transferring the funds to the Council had to be executed before the end of their financial year.

Therefore, in accordance with Part 4, Section 3, paragraph 4 of the Constitution (Urgent decisions outside policy framework or budget), the necessary approvals were given by the appropriate Corporate Director and/or Cabinet Member. In accordance with the requirements of paragraph 4(ii) the Chairman of the Scrutiny Leadership Board agreed that these decisions needed to be taken as a matter of urgency. Further, in accordance with Part 4, Section 5, paragraph 16 of the Constitution Cllr D.R.W. White, as Chairman of the Scrutiny Leadership Board, agreed that, given the urgency of the matters, these decisions should not be subject to Call-In. Had these urgent decisions not been made, the Council would have been at serious risk of losing a total of £1,101,000 of additional funding.

Full details of these projects are as set out in the reports to Cabinet.

4.0 DELEGATION OF POWERS GRANTED BY THE CABINET

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Interim Waste Treatment & Disposal Contract	Corporate Director: Environment & Regeneration and Corporate Director: Resources	To enter into a contract for the service.
Proposals for a Pooled Budget - Adults with Learning	Corporate Director: Adult & Consumer Care following consultation with the Cabinet Member	(a) To approve the proposal to establish a pooled budget arrangement between Telford & Wrekin PCT (PCT)

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Disabilities Services (including Transfer of Funding)		<p>and Telford & Wrekin Council (LA) to commission and deliver services for adults with learning disabilities, the terms of the agreement to be approved by the Head of Legal Services and authority to be given for the Council's seal to be affixed to such agreement, as appropriate, under Article 14.06 of the Council's Constitution.</p> <p>(b) To approve the proposed transfer of funding from the PCT to the LA, as required by the Department of Health (DH), and set within the overall context of a Memorandum of Understanding, which will be drafted prior to final approval being sought from the PCT Board and Cabinet before 1 July 2009.</p> <p>(c) To approve the draft Principles, Protocols and Action Plan linked to the Pooled Budget.</p>
Telford Town Centre	<p>(a) Head of Asset & Property Management following consultation with the Cabinet Member for Regeneration;</p> <p>(b) Head of A&PM;</p> <p>(c) Head of Legal Services be authorised</p>	<p>(a) to negotiate and enter into a conditional contract with the preferred bidder for the sale of the Civic Offices Site,</p> <p>(b) to negotiate and agree any documents required by the Homes and Communities Agency (HCA) and others as necessary to provide clean title in the sale.</p> <p>(c) to execute all legal documentation necessary to give effect to such agreement(s)</p>
PCT Funding for Telford Sports, Learning & Enterprise Community (TSLEC)	Head of Legal Services	To execute the funding agreements and/or affix the Council seal if necessary.
Primary Care Trust Capital	Corporate Director: Children & Young People subject to the	To enter into a Section 256 National Health Service Act

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Funding Contributions to Campus Telford & Wrekin and Malinslee Development	such terms and conditions recommended by the Head of Legal Services	2006 funding transfer agreements between the Primary Care Trust and the Council to support the Campus Telford & Wrekin and Malinslee Development projects
PCT Funding for Sustainable Travel Projects	Head of Legal Services	To affix the Council's seal to such agreements as appropriate in accordance with Article 14.06 of the Constitution
West Midlands Biodiversity Pledge	Head of Planning & Environment	To sign the Biodiversity Pledge on behalf of the Council.
Campus Telford & Wrekin: Additional Post 16 Provision; Trust School Status; BSF Procurement Approval	(a) Head of Asset & Property Management in consultation with the Head of BSF Resources and Social Regeneration (b) Head of Legal Services (c) Chair of the BSF Project Board (the Director of Children's Services)	(a) To negotiate the terms of the transfer of Land and Buildings in each Trust School proposal (b) To execute all necessary agreements and documentation relating thereto. To approve stages within the procurement process as set out in paragraph 5.7 of the report.
Central Telford Area Action Plan DPD	Head of Planning & Environment, after consultation with the Leader of the Council, the Chairman of the Council's Development Plans Steering Group and the Cabinet Members for Environment and for Regeneration	To agree any minor changes to the document prior to submission to the Secretary of State.
Employment & Skills Multi Area Agreement	Corporate Directors for Environment & Regeneration and Children & Young People, in consultation with the Cabinet Members for Regeneration and Children & Young People	To sign off an Employment and Skills Multi Area Agreement.
LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY & DIVERSITY WARD IMPLICATIONS	As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council	

