

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Tuesday, 23rd June, 2009 at 5.00 p.m. at the Civic Offices, Telford

PUBLISHED ON MONDAY, 29th JUNE, 2009

(DEADLINE FOR CALL-IN THURSDAY, 2nd JULY, 2009)

PRESENT: Councillors A.J. Eade (Chairman), S. Bentley, S.P. Burrell, E.J. Carter, M.B. Hosken, A. Lawrence and J.M. Seymour

ALSO PRESENT: Councillors R.K. Austin, G.M. Green and V. Tonks (Opposition Group Leaders);

CB-19 MINUTES

RESOLVED – that the minutes of the meeting of the Cabinet held on 9th June, 2009 be confirmed and signed by the Chairman.

CB-20 APOLOGIES FOR ABSENCE

None – as all Members present.

CB-21 DECLARATIONS OF INTEREST

None.

CB-22 END OF YEAR FINANCIAL & PERFORMANCE OUTTURNS 2008/09

(I) Overview of Service, Financial and Risk Performance outturns at end of year 2008/09.

Key Decision identified as **Financial Monitoring and Financial Updates** in the Forward Plan published on 14th May 2009.

Councillor A. Lawrence, Cabinet Member: Resources presented the joint report of the Head of Policy, Performance & Partnership and the Head of Finance, which took stock of service and financial performance at both corporate and portfolio levels at end of year 2008/09.

Attached to the report before Members was an analysis of performance outturns for key targets and performance indicators at end of year 2008/09; and the end of year Revenue Budget and Capital Programme monitoring for 2008/09.

Messages on service and financial performance were summarised in the individual reports and the information showed how the Council was performing against the statutory performance indicators and local indicators, while at the

same time controlling spending, managing risk, and achieving value for money for local people.

Instability in financial markets leading into a deepening recession had provided a difficult environment against which the Council had continued to deliver against key service and investment priorities for the area while staying within budget for the year.

Strong service performance and financial monitoring throughout the year had enabled the Council to accommodate growing pressures on key income and expenditure budgets and outturn more than £0.3m under budget for 2008/09.

The national economy was officially in recession in the last two quarters of 2008/09. The West Midlands had been hit hardest of all the English regions by the recession due to its industrial structure, in particular reliance on manufacturing and construction.

Telford was highly vulnerable. The Borough had the highest proportion of manufacturing jobs to all employees in the region, with a number of firms involved in automotive supply. In March 2009, unemployment stood at 4.9% with 3 Wards over 8%, and with male unemployment (7%) far higher than female unemployment (2.6%) reflecting industrial structure. Unemployment in Telford was still less than the regional average of 5.4% but the gap between the Borough and the region was closing and the level was well above the national figure of 4.1%.

However, there were a number of positives. Long term (over 12 months) unemployment in the Borough, at 3.9% of those claiming job Seekers Allowance, was low compared to regionally (9.6%) and nationally (7.7%) suggesting that measures to move people back into employment in the Borough were relatively successful. The rise in unemployment in the Borough between February and March 2009 was also less than expected.

The recession would impact directly on performance in achieving economic outcomes, but would also impact on wider performance outcomes such as new housing, income collection etc.

As a result of the service and financial planning process a number of key investments were made In the 2008/09 budget to improve key services and facilities. It was important to ensure that those investments had achieved their objectives. Details relating to individual portfolios were outlined within the report.

Members were pleased with the overall content of the report.

RESOLVED – That the performance of the Council in delivering against investment and service priority performance in a period of deepening recessionary impact be welcomed.

(ii) **Performance Management – Analysis at End of Year 2008/09**

Non-Key Decision

Councillor S. Kelly, Cabinet Assistant: Performance presented the report of the Head of Policy, Performance & Partnership which gave an overview of performance against the Council's priorities at end of year 2008/09.

It was reported that Central Government had introduced a new national Performance framework in 2008/09, with a National Indicator Set (NIS) of approximately 200 indicators. Many were based on work the Council undertook with key partners such as the Police and the PCT. It was the first year that the Council had reported on outturns against those indicators. The Council's new performance management framework for 2008/09 included new LAA2 targets, key targets set out in the new Priority Plans and the National Indicator Set. As many indicators were new, it was not always possible to set targets against the indicators and some had been set during the year when data became available. Because of changes to arrangements in collecting data nationally, some information (particularly Partner indicators), was not currently available.

RESOLVED –

- (a) that **Portfolios consider the position of the Priority Plan and NIS indicators at end of year, and ensure this information is used for informing target setting as part of the business planning and Priority Plan refresh process that is currently being finalised.**
- (b) that **Portfolios finalise, in discussion with PP&P, the indicators that are in the Council's basket of "high risk" indicators for 2009/10 now that we have the end of year position.**
- (c) that, where there are still gaps in performance data **Portfolios are asked to look at the indicators to ensure that satisfactory progress is being made to understand the Council's (or Partner's) position.**

(iii) **Financial Outturn Report 2008/09**

Recommendation to Council – not subject to Call-In.

Councillor A. Lawrence, Cabinet Member: Resources presented the report of the Interim Corporate Director: Resources, which set out the Council's final net spending in 2008/09 as compared with the estimates for the revenue and capital programmes.

The gross revenue budget for 2008/09 was £366m – net budget for reporting purposes just over £117m. The revenue outturn position was within budget with a final net underspend of £368,000 (-0.31% of net budget) which was an improvement from the last monitoring report. Regular monitoring had been

undertaken throughout the year and Portfolio Management Teams had worked hard to maintain outturn within budget. There had been a number of service pressures experienced in 2008/09, notably the cost of providing care to Looked After Children and Specialist Education, which together with the impact of the economic downturn had made it a challenging year. Benefits from treasury activities, reduced insurance premiums and the unused element of the budgeted contingency had greatly assisted the overall position.

Overall, provision had been made to meet the costs associated with the council's initial re-structure and a contribution to BSF project costs. Overall, capital expenditure ended the year under the final approved estimate, at £62.6m against an approved estimate of £77.6m.

Council Tax collection (£57m), Business Rates (£63m) and sales ledger income (£44m) all ended the year with collection rates below target. That was a clear impact of the economic downturn and comparisons with other Local Authorities indicated that similar issues were being experienced nationally.

Summaries of the outturn on revenue and capital along with major variations were shown as appendices to the report.

During a robust discussion, Members commented that the financial position of the Council was under careful control and commended the initiatives taken in the Borough, particularly the road improvements to the A442 northern section and the improvements planned as part of the regeneration of the 6 Borough Towns.

Other Members also welcomed the report, and the role played by officers.

RESOLVED - to RECOMMEND TO COUNCIL

- (a) that the 2008/09 Revenue outturn position, which was subject to audit by the Council's external auditors; and the related virements for 2008/09 and those for 2009/10, detailed in Appendix IV (the formal statement of accounts would be included for the Council Meeting and would also require approval), be approved;
- (b) that the Capital outturn position and related supplementary estimates and slippage, as set out in Appendix V as summarised in the report; the £6m capital allocation detailed at Paragraph 7.2 which provides additional investments in 2009/10 and the changes to the Borough Towns Programme set out in paragraph 7.3 of the report, be approved.
- (c) that the good performance against income targets be noted.

CB- 23 PRIORITY PLANS

Key decision identified as **Community Strategy / Local Area Agreements** in the Forward Plan published on 14th May 2009.

Councillor A Lawrence, Cabinet Member for Resources, presented the report of the Head of Policy, Performance & Partnership that sought endorsement of new and updated Priority Plans.

Effective service planning was essential to ensure that the Council was clear about what it was seeking to deliver and resource. In recognition of that, Priority Plans had been developed that detailed how the Council would deliver each of its Community Priorities over the next three years. The Priority Plans set out the medium-term corporate strategy and were now the key way in which the Council planned its services and managed its performance.

It was explained that the Council now had seven Priority Plans:

- Giving Children & Young the Best Possible Start in their Lives (Children and Young People's Plan);
- Maintaining a High Quality, Attractive and Sustainable Environment;
- Creating a Safe, Strong and Cohesive Community;
- Promoting Healthy Communities and Improving Quality of Life of Vulnerable and Older People (Health and Well-Being Strategy);
- Strengthening the Local Economy & Skills of Local People;
- Securing Sustainable Housing Regeneration and Development;*
- An Efficient, Effective and Customer-focused Council that delivers Value for Money the Community*

* The 'Housing' and 'Efficient, Effective Council' Priority Plans were new plans to be implemented during 2009/10.

The full draft Priority Plans along with a schedule of all key targets could be viewed on the Council's Website and Intranet. An overview of the Priority Plans was given in Appendix 1 of the report.

Members supported the report.

RESOLVED –

- (a) that the Priority Plans be endorsed as the basis for publication;
- (b) that delegated authority be given to the Chief Executive, or appropriate Corporate Director, following consultation with the lead Cabinet Member, to make any final amendments and approve publication.

CB-24 DESIGNATED PUBLIC PLACE ORDER (DPPO) - DAWLEY

Recommendation to Council – not subject to Call-In.

Councillor J.M. Seymour, Cabinet Member for Adult & Consumer Care, presented the report of the Corporate Director for Adult & Consumer Care which briefed Cabinet Members, and provided a report to Full Council with the necessary information on which to consider the implementation of a

Designated Public Places Order (DPPO) in Dawley (area shown in Appendix A of the report).

Members had been asked to consider an approach to tackle alcohol-related anti-social behaviour in Dawley that built on the positive work that had been undertaken to date through partnership work and sustained police activity in the area. The Order would allow the Council to designate an area where restrictions on public drinking would apply. That would make it an offence for any person to drink alcohol after being required by a police officer (or CSO) not to do so. Such Orders could only be used in areas that had experienced persistent alcohol disorder or nuisance.

Members welcomed the report and in doing so commented that the measures were introduced with good intent to address the issues in the Dawley area.

The Telford & Wrekin Peoples Association (TAWPA) Group Leader and local Ward Member for Dawley Magna, commented that it was a comprehensive Report and trusted that Police resources would be able to address the issues.

RESOLVED – TO RECOMMEND TO COUNCIL

- (a) that the introduction of a Designated Public Places Order in the area identified within the Dawley Magna ward, subject to a formal review process, be confirmed**
- (b) that the legal process to be followed prior to the implementation of any DPPO be recognised.**

CB-25 DEVELOPING A USER-LED ORGANISATION IN TELFORD AND WREKIN

Non-Key Decision.

Councillor J.M. Seymour, Cabinet Member for Adult & Consumer Care, presented the report of the Corporate Director for Adult & Consumer Care which summarised work that had been undertaken to develop a user-led organisation for people with disabilities and others who had health, social care or support needs. Endorsement of proposals for the work was to be taken forward on a joint basis with voluntary and community organisations.

The reasons for developing a User-led Organisation (ULO) and the potential for it to be linked to the potential development of a Centre for Independent Living (CIL) were explained. Subject to further joint work and agreement, it was intended that a ULO should be established in Telford & Wrekin during 2010 as a means of enabling representation and greater influence for people who use services and their carers on the way that relevant services were provided.

It was proposed that further developmental work be undertaken through a steering group of local voluntary organisations, with support from a part-time post.

RESOLVED –

- (a) that the work that had been undertaken in partnership with local voluntary and community organisations be noted;
- (b) that the proposals for further work within existing resources, with an aim of establishing a User-led Organisation for Telford & Wrekin during 2010, be supported.

CB-26 REPRESENTATION ON OUTSIDE BODIES 2009/10

Non-Key Decision

The report of the Head of Legal Services requested Cabinet to appoint representatives to Outside Bodies for the municipal year 2009/10.

Attached to the report was an Annex, amended at the meeting, showing the nominations for the various appointments, and Cabinet was asked to decide on those appointments for where there was more than one nomination.

RESOLVED –

- (a) that the nominations to represent the Council on Outside Bodies, as set out in Appendix 1 of the report, be approved subject to the following:
 - (i) Councillor J.M. Seymour to represent the Council on the Community Safety Partnership;
 - (ii) Councillor S.P. Burrell to be nominated as a Trustee on The Donnington & Trench Learners Trust for a period of five years;
 - (iii) Councillor J.A. Francis to represent the Council on the National Association of Councillors and as the third representative on the NAC – English Region Branch;
 - (iv) Councillor V.A. Fletcher to represent the Council on the Ironbridge Gorge World Heritage Site Strategy Group;
- (b) that the vacancies to represent the Council on Outside Bodies, as set out in Appendix 2 of the report, be approved as follows:
 - (i) Councillor J.A. Dixon to represent the Council on Age Concern Shropshire, Telford & Wrekin and Age Concern

Wrekin Executive Committee (for the period up to May 2011);

- (ii) **Councillor E.J. Carter and Councillor S. Bentley to represent the Council on the West Midlands LGA's Strategic Advisory Panel**

CB - 27 URGENT ITEM – Section 100B(4), Local Government Act 1972.

The Chairman of the meeting made the following statement:

"I am of the opinion that the following item of business should be dealt with as a matter of urgency at this meeting in order to avoid any unnecessary delay".

CB – 28 REQUEST TO FORMALLY TENDER FOR TAXI SERVICE PROVISION FOR EDUCATION AND SOCIAL CARE SERVICE USERS

Key Decision identified as **Transport Service Review** in the Forward Plan published on 14th May 2009.

Councillor A Lawrence, Cabinet Member for Resources, presented the joint report of the Head of Customer Services & Transformation and Head of Mobility that sought approval to undertake a procurement exercise to tender for Taxi services for Education and Social Care Service Users through the Official Journal of the European Union (OJEU)

A review of the operational transport arrangements of the Council was undertaken between March and April 2009. The full report providing initial recommendations was due for consideration by Cabinet at the end of July.

However, the OJEU process was estimated to take between three and four months to complete and to minimise disruption and change for the majority service users, the new contract needed to commence at the beginning of a new school term. To that end, the procurement process had to commence before the end of June 2009 so the Council could have a new framework in place by 2nd November; the first day back after the October half term holiday.

Members supported the report.

RESOLVED – that approval be given to proceed, under OJEU regulations, to tender for a Taxi Framework Agreement.

The meeting ended at 5.43 p.m.

Signed for the purposes of the Decision Notices

Jonathan Eatough
Head of Legal Services
Date: 29th June 2009

Signed:

Date: