

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Tuesday, 26th July, 2011 at 5.00 p.m. at the Civic Offices, Telford

PUBLISHED ON MONDAY, 1st AUGUST, 2011

(DEADLINE FOR CALL-IN THURSDAY, 4th AUGUST, 2011)

PRESENT: Councillors K.S. Sahota (Leader and Chairman), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, R.A. Overton, C.F. Smith and P.R. Watling

ALSO PRESENT: Councillor A. Lawrence (substitute for Councillor Eade) and Councillor C.B.A. Elliott (Cabinet Support Member)

CB-16 CHRIS CORBETT

The Chairman (and Leader of the Council) stated that this would be the last meeting to be minuted by Chris Corbett, Democratic Services Officer.

Chris had been employed by the Council for the last 37 years, and following the restructure of the Governance Service, would be leaving the Council.

The Chairman, and other Cabinet Members wished Chris very best wishes for the future.

CB-17 MINUTES

RESOLVED – that the minutes of the meetings of the Cabinet held on 21st June 2011 and 7th July, 2011 be confirmed and signed by the Chairman.

CB-18 APOLOGIES FOR ABSENCE

Councillors H. Rhodes, and A.J. Eade (Conservative Group Leader) and W.L. Tomlinson (Lib Dem/Independent Group Leader)

CB-19 DECLARATIONS OF INTEREST

None

CB-20 100 DAY REVIEW OF THE 2011/12 SERVICE & FINANCIAL PLANNING STRATEGY

Key Decision identified as **Budget Strategy / Service & Financial Planning Process** in the Forward Plan published on 16th June 2011
Council decision - not subject to call-in

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the joint report of the Assistant Chief Executive and the Head of Finance, that set out proposals to revise the Council's capital programme and the revenue budget for 2011/12, following a review initiated by the Council's new administration after the May Borough elections.

The review had focussed on delivering further savings in both the current year (2011/12) revenue budget and four year capital programme in order to reduce the future service impact of government grant cuts. The changes proposed would also feed into the 2012/13- 2014/15 service & financial planning process for which an overall strategy and specific proposals were currently being worked on for consultation.

The Council's existing strategy was framed around a number of guiding principles. Those principles had been reviewed and revised. The Council's guiding principles, that should inform and direct its strategy, were now proposed as being:

- To develop spending plans that are based on and address the community's needs and priorities;
- Be open and transparent in how resources are spent across the Borough, but target spend at issues and areas where needs are greatest;
- As a Co-operative Council, work with our community to identify creative new ways of delivering services and ensuring that needs in the Borough continue to be addressed;
- Seeking to minimise the level of Council Tax increase, balanced against growing demands for Council services and protecting services from cuts (NB. This budget review is not considering levels of Council Tax in 2011/12 or beyond);
- Deliver efficiencies and savings, as far as possible minimising the impact on the quality of services, particularly through improving our approach to procuring goods and services;
- Look for external investment e.g. Government grants, to address priorities;
- Set aside some additional money to deal with any unforeseen circumstances caused by the current economic situation;
- Taking a responsible approach to the use of Council reserves that balances the need for financial prudence and sustainability with the need to maintain and protect important frontline services;
- Where possible cut the Council's reliance on borrowing for some capital schemes so that expenditure on debt repayments can be reduced;

- Sell some of the Council's land and property to reduce borrowing, cut running costs, and – where there is a strong business case – to fund priority facilities and schemes.

A review of the capital programme had been undertaken to identify spending which was not contractually committed, in order to identify projects which could be cancelled, scaled back or deferred with the aim of reducing the levels of borrowing planned by the previous Council. Significant changes to capital projects were proposed, particularly in relation to Civic Offices Accommodation. The plan to build Civic Offices in the Southwater area of the Town Centre would not be progressed, and the report set out an alternative accommodation strategy. A review of the Building Schools for the Future programme was being undertaken, and there were proposed revisions to schemes in Hadley and Oakengates. It was also proposed to delete a £3.9m capital project for a Waste Bulking Station pending the outcome of a review of the Council's overall waste strategy. A separate report on the Cabinet agenda included proposals for revisions to the Telford Town Centre investment package. The report set out the anticipated savings on the revenue budget as a result of the proposed changes to the capital programme.

In terms of the Council's Revenue Budget for 2011/12, a number of service revisions were proposed, including

- Allocation of a sum of up to £0.6m in order to support employees facing compulsory redundancy.
- Reinstatement of free swimming for Under-16s who have a Flex Card. - £30,000 cost to be funded from a reduction to the Community Fund Budget.
- Creation of a small Co-operative Council initiatives budget for pump-priming relevant community projects.
- The Community Fund (formerly ££s for Projects) to operate, following the changes outlined above, at a level of £54,000, allocated on the basis of £1,000 per ward member.
- Contribution of £25k to Small Business Loans Fund
- Appointment of a Director of Children's Services- a key commitment of the new administration.

Over the next few months, the Council would undertake a widespread programme of consultation and engagement with the community.

Councillor McClements stated that the revised budget had been completed within some 61 days following the recent election and had rescheduled the town centre development to be £1.1m less than had been proposed by the previous administration. There would be £0.5m revenue savings per year, a community hub would be developed with some 200 car park spaces together with prime cost effective private sector services.

Councillor Lawrence replied by stating the he considered the budget identified savings that would inevitably be made in the current economic circumstances.

Councillor England commented upon the new administration's emphasis upon putting the people of the Borough to the forefront of its proposals.

RESOLVED – that the proposals set out in the report, for consultation with the community, be approved including:-

- (a) The cancellation of the planned building of new Civic Offices to generate ongoing revenue savings of over £1.1m p.a.
- (b) The development of a Community Hub in the Southwater area of Telford Town Centre which will provide customer access to Council services and a new library. The Community Hub could also provide space for community groups/organisations, and other public sector bodies – making the Community Hub a Cooperative Council centre.
- (c) Changes to other capital projects and the generation of additional capital receipts generating ongoing revenue benefits of over £1.75m pa
- (d) A much stronger emphasis on improved procurement processes referred to in section 7.10.ii of this report in order to deliver savings which reduce the overall impact of grant cuts on front-line services.
- (e) Increased investment in the maintenance of roads and pavements of a further £1.3m capital in 2012/13 and £0.25m in 2013/14 over and above the existing approved capital programme;
- (f) Investment of £2.3m in a regeneration scheme for Hadley and £1.9m for Oakengates;
- (g) Creation of a capital budget of £45k to match fund projects of up to £7.5k in each of the 6 Borough Town areas;
- (h) Reinstatement of free swimming for under 16s with a flex card
- (i) Allocation of up to £0.6m one-off funding to provide additional support for employees facing compulsory redundancy;
- (j) Contributing £25k one off funding to a small business loans fund;
- (k) Creation of a Co-operative Council initiatives budget of £15k;
- (l) Carrying forward revenue benefits identified in the report of around £1.6m as a one-off benefit to help support the budget for 2012/13 together with any unspent element of the contingency at year end and any further service efficiencies that can be implemented during 2011/12;

CB-21 2011/12 FINANCIAL MONITORING REPORT

Key Decision identified as **Budget Strategy / Service & Financial Planning Process** in the Forward Plan published on 16th June 2011

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Head of Finance, which commented that revenue spending for the year was projecting to be within budget at year end.

Although within budget, the main pressures requiring close monitoring were:

- The cost of Adult Social Care purchasing which was projected to be up to £0.5m overspent even after offsetting additional NHS grants against the impact of the PCT's withdrawal of funding for some cases of continuing healthcare needs. Most of the cost of supporting those people then fell on the Council.
- The cost of Specialist Education – projected overspend of £0.482m which mainly related to stated provision
- Income shortfalls – a projected shortfall of £0.5m, the majority relating to PIP rentals, planning fees and licensing fees
- Contractual Inflation – inflationary pressures totalling £0.595m have been identified

The cost of Looked After Children was projecting to be within budget, based on the current numbers and mix of placements. Benefits from active treasury management and the insurance renewal process were highlighted. Members were aware that the council would have an extremely challenging position for next year and it was essential that very tight control on spend was exercised during 2011/12.

The capital programme approved as part of the Service & Financial Planning Strategy for 2011/12 totalled £105m and re-phasing of schemes from 2010/11 totalled £22.8m giving a total programme of £127.8m. Robust programme management and monitoring was in place to ensure schemes were delivered.

The report, however, did not take in to account the changes proposed in the 100 day review of the Council's service and financial planning strategy which were described in a report earlier on the agenda and as approved would result in very significant revenue savings.

The capital programme funding included around £80m of receipts anticipated to be delivered over the period 2011/12 to 2014/15. Failure to achieve, or delays to, the receipts would have financial implications for the Council and the position was being closely monitored and indications were that higher levels of receipts would be generated over the medium term than had been anticipated.

The Council had applied for a capitalisation direction which would allow one off severance costs associated with the delivery of ongoing savings to be spread over a number of years.

Collection levels for NNDR were ahead of target at the end of May; Council Tax collection was slightly behind target for May but ahead of performance at the same time last year; and sales ledger outstanding debt was outside target.

This report included details of one-off benefits in the current year totalling £1.331m resulting from the New Homes Bonus grant which was announced after the budget for 2011/12 had been set, savings on insurance premiums following a re-tendering exercise and treasury management benefits mainly resulting from slippage of expenditure from the previous financial year. It was proposed that those benefits should be rolled forward to create a one-off sum available to support the budget strategy for 2012/13. That figure would be increased by the further net revenue benefit in 2011/12 arising from any changes agreed to the capital programme following the consultation period on the 100 day review of the service and financial planning strategy.

After making provision for the rolling-forward of £1.331m underspends to create a one-off benefit to help support the budget for 2012/13, around £1.75m of the contingency was needed to balance the budget in the current year. That left more than £2m available in the contingency for the current financial year.

RESOLVED –

- (a) **that 2011/12 revenue spend projecting to be within budget at year end be noted**
- (b) **that the use of £0.595m of the contingency to meet contractual inflation pressures being experienced detailed in section 6.1 of the report, be approved;**
- (c) **that income collection is ahead of target for NNDR and slightly behind target for Sales Ledger outstanding debt and Council Tax be noted;**
- (d) **that robust arrangements are in place to monitor the capital programme and capital receipts be noted;**
- (e) **that the roll forward of £1.331m to help support the budget strategy for 2012/13 be approved.**

CB - 22 SCHOOLS CAPITAL PROGRAMME 2011/12

Key Decision identified as **School Organisation/Capital Financing/Borough Towns Initiative/Building Schools for the Future/Planning School Places** in the Forward Plan published on 16th June 2011.

Councillor P. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Head of Family & Community Services, which

identified the proposed planned capital programme for schools for financial year 2011/12, in accordance with the budget strategy 2010/11 – 2011/12.

The Schools Capital Programme for 2011/12 had been reduced as part of the settlement from Central Government from the levels received in previous years. The number of funding streams has also been reduced and there were now only two main sources, basic need funding and modernisation funding.

The 2011/12 capital allocations had seen the removal of separate funding streams which were previously available including the access initiative, early years and extended schools allocations. As a result of that decision, funding had been prioritised from the modernisation allocation specifically to support pupils individual access needs in order to address statutory Disability Discrimination Act (DDA) requirements.

The Council had a statutory duty to ensure the sufficiency of school places across the Borough and consequently a proportion of the basic need allocation has been prioritised to address this specific requirement. The Council also had a statutory duty to address serious Health & Safety priorities and funding has been identified in the programme to undertake essential asbestos removal work, replacement boiler schemes and the replacement of large items of heavy duty kitchen equipment, as well as undertaking demountable class base and roof replacement schemes.

In order to meet the requirements of the Private Finance Agreement (PFI) the Council was required to meet the cost of any 'notice of change' obligations. Therefore funding was required to be set aside in order to meet this obligation. In addition, for those schools benefiting from the Building Schools for the Future programme a sinking fund had had to be established to ensure that essential lifecycle replacement and high level repairs & maintenance work could be undertaken. Whilst the schools themselves would contribute both their own capital and revenue to the fund, there would be a need for a significant contribution from the Council in order to bridge the funding shortfall over the lifetime of the programme.

Members supported the report.

RESOLVED – that the 2011/12 schools capital programme as identified in the report, and detailed within Appendix A of the report, be approved.

CB - 23 CO-OPERATIVE COUNCIL

Key Decision identified as **Performance Management, Value-for-Money and Best Value (inc the Council Plan)** in the Forward Plan published on 16th June 2011.

Councillor S. Davies, Cabinet Member: Co-operative Council and Partnership, presented the report of the Assistant Chief Executive that set out a proposed approach to becoming a Co-operative Council.

Members were reminded that the Council was one of a number of Councils, such as Lambeth, Rochdale and Oldham, who were committed to becoming Co-operative Councils. Telford & Wrekin was the first Council in the West Midlands to make that commitment.

Being a Co-operative Council was about working together with local residents, partners and other local organisations to collectively deliver the best that the Council could with the combined resources available.

In Telford & Wrekin, the aims were to:

- Build a new partnership between local people and public services where power and responsibility is more balanced by agreeing what we will provide and what communities will control for themselves;
- Ensure that public services are of the best quality, offer value for money, are designed around people's lives and are 'joined up' so that residents get what they need at the right time and the right place;
- Involve the community and employees in planning services and support employees, local people and organisations to organise and run services differently;
- Enable people to do more to help their own communities and at the same time to help themselves by gaining new skills and experience.

The first step to becoming a Co-operative Council had been to identify some practical Early Adopter projects that would put co-operative working into action as soon as possible. Those were summarised in Appendix 1 of the report.

At the same time as delivering the Early Adopter Programme, the Council would also work with local people and organisations and its employees to develop a longer-term Co-operative Settlement and Delivery Plan.

The Co-operative Settlement would be a shared agreement that would clearly set out what the Council would do and what others would do. Each part of the Settlement would include a Delivery Plan, which would set out in detail a programme to deliver co-operative working in the community and within the Council. A specific time plan would be developed, however it was expected that it would take 10 years to become a fully Co-operative Council and importantly a Co-operative Borough. To help develop the Co-operative Settlement and Delivery Plan, the Council was to set up a Co-operative Commission to bring together a wide range of community and business leaders with the Cabinet and other members. Membership of the Commission was outlined in a document tabled at the meeting and it was explained that Commissioners would be volunteers and would not receive any payments.

The Council was also proposing to establish a Citizens' Group, which would run collaboratively with Rights and Fairness Telford (RAFT), and an Employee

Commission involving representatives from existing employee groups, trade unions and Employee Champions.

Councillor A. Lawrence (representing the Conservative Group Leader) commented that he thought that the report contained some merits in that it paralleled the Government's Big Society initiative. However, he considered it to be "not fit for purpose", needed to be enhanced to contain suggested Terms of Reference of the suggested discussion bodies contained therein, and no reference was made to the involvement of community interest companies.

In reply, Councillor S. Davies, Cabinet Member: Co-operative Council and Partnership, expressed disappointment that the Conservative Group on the Council had not responded to the invitation to become a member of the Community Commission as proposed in the report and disagreed that the report was not fit for purpose.

RESOLVED –

- (a) that the proposed approach and next steps set out in Sections 4 and 5 of the report be approved**
- (b) that delegated authority be granted to the Assistant Chief Executive following consultation with the Cabinet Member: Co-operative Council & Partnership to take all steps necessary to progress the Co-operative Council approach as outlined in the report and in particular to progress and deliver the Early Adopter Programme set out at Appendix 1;**
- (c) That delegated authority be granted to the Assistant Chief Executive following consultation with the Cabinet Member: Co-operative Council and Partnership to approve any expenditure within the £15,000 fund allocated for Co-operative Council initiatives.**

CB - 24 2010/11 END OF YEAR PRIORITY PLAN PERFORMANCE MONITORING SUMMARY

Non-Key Decision

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery presented the report of the Assistant Chief Executive that set out 2010/11 performance against the Council's corporate priorities via the Priority Plan actions and performance measures from April 2010 to March 2011.

Each of the Council's 7 Priority Plans set out actions and performance measures to drive and understand progress against the Council's Priorities in 2010/11. The actions were required to be completed during the 12 month period. The performance measures were both local and national indicators. These actions and performance measures were the focus of the Council's corporate performance framework for 2010/11.

During the year the coalition Government commenced a programme to review the number of statutory returns local government must make, including abolishing the National Indicator Set from March 2011. The report focused on performance against both the actions and performance indicators in Priority Plans from April 2010 to March 2011.

Members emphasised the issues of Intermediate Care, Child & Family Poverty, Crime Rates and Adult Skills as areas that needed to be focussed upon.

RESOLVED –

- (a) that the overview of performance against Priority Plans be noted
- (b) that the areas/issues for targeted improvement activity as identified above be subject to further analysis to understand current performance.

CB-25 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 & 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

CB-26 COMMUNITY MOBILE TRANSPORT GRANT/TRANSFER OF DIAL-A-RIDE BOOKING SYSTEM

Key Decision identified as **Community Mobility Transport Grant / Transfer of Dial a Ride booking system** in the Forward Plan published on 16th May 2011.

Councillor C.F.Smith, Cabinet Member: Housing, Regeneration & Economic Regeneration, presented the report of the Head of Environmental Services which sought approval of the payment of a grant to Community Mobility Transport (CMT), a subsidiary charity managed by Council for Voluntary Services (CVS), in order to support the delivery of community transport delivered by CMT in 2011/2012 and to agree the transfer of the Dial a Ride booking system from CVS to the Council.

RESOLVED –

- (a) that, under Section 2 of the Local Government Act 2000, a new level of grant payment to Community Mobility Transport be approved,
- (b) that the Head of Environmental Services be granted delegated authority, following consultation with the Cabinet Member, to authorise payment of the annual grant and negotiate and agree the terms of the grant agreement with CMT.

- (c) that the transfer of the Dial a Ride booking service from CMT to the Council be agreed
- (d) that delegated authority be granted to the Head of Environmental Services to take all steps necessary to give effect to the transfer.

CB-27 TRANSFER OF LIGHTMOOR WILDLIFE SITE, AND LEASE, TO SHROPSHIRE WILDLIFE TRUST

Key Decision identified as **Transfer of Lightmoor Wildlife Site and Lease to Shropshire Wildlife Trust** in the Forward Plan published on 16th May 2011.

Councillor C.F.Smith, Cabinet Member: Housing, Regeneration & Economic Regeneration, presented the report of the Head of Property & ICT which sought approval from Cabinet for the transfer of the Lightmoor Wildlife site from the Homes and Communities Agency (HCA) to the Council.

Property & ICT had negotiated with HCA to transfer the site together with a commuted sum to fund the costs of maintaining the asset.

Approval was also sought to enter in to a 5 year lease with Shropshire Wildlife Trust to manage the site.

RESOLVED –

- (a) that delegated authority be granted to the Head of Property & ICT in consultation with the Cabinet Member for Housing, Regeneration and Economic Development to acquire and enter into a 5 year lease with Shropshire Wildlife Trust relating to the Lightmoor Wildlife Site, as shown at Appendix 1 of the report, upon terms to be agreed;
- (b) that the requirement to obtain 4 formal tenders in accordance with Paragraph 7 of the Contract Procedure Rules of the Constitution to enable the lease to be granted to Shropshire Wildlife Trust., be waived;
- (c) That the Head of Governance be authorised to agree and execute all necessary documentation.

CB-28 CONTRACT FOR THE PROVISION FOR AN EMERGENCY RESPONSE SERVICE FOR CARERS

Key Decision identified as **Community Mobility Transport Grant / Transfer of Dial a Ride booking system** in the Forward Plan published on 16th May 2011.

Councillor E.A. Clare, Cabinet Member: Adult & Social Care, presented the report of the Head of Care & Support which sought Cabinet approval, subject to formal competitive tender in accordance with the Council's constitution and

procurement rules, to enter into contractual arrangements with a preferred provider identified through the tendering process.

Members were informed that The National Carers Strategy entitled 'Carers at the Heart of 21st century families and Communities' which was updated by the Government in November 2010 set out the Governments vision for carers and a key element of this strategy is the promotion of emergency support services for family/ informal carers.

The Cabinet was informed of a tender process for the provision of an emergency response service for carers, that would provide a home based care and support service when a crisis or unplanned incident occurs in the carers life. The service would be free to registered adult carers living within the Borough of Telford and Wrekin for up to a period of 72 hours until the crisis was over or alternative care and support arrangements could be made. The important service would provide 24/7 emergency response to ensure carers have peace of mind in the event of crises or emergency situations to ensure the person they care for receives the necessary care and support .

RESOLVED –

- (a) that the award of tender for the provision of a emergency response service for carers following a competitive tendering process be endorsed**
- (b) that a three year contract (with the option to extend for a further two years subject to satisfactory performance) be awarded to the preferred provider(s) in accordance with the Council's Constitution and appropriate contractual documentation subject to the terms and conditions approved by the Head of Governance be entered into.**
- (c) that delegated authority be granted to the Corporate Director/Head of Care & Support to enter into the contractual agreement , following consultation with the Cabinet Member for Care & Support.**
- (d) that delegate authority be granted for the Common Seal of the Council to be affixed to the resulting contractual documentation as, in the opinion of the Head of Governance, was appropriate under Article 14.06 of the Constitution.**

CB-29 OPTIONS FOR THE FUTURE OF WEST MERCIA SUPPLIES

Key Decision identified as **Capital Strategy and Capital Programme Decisions within the agreed Capital Programme** in the Forward Plan published on 16th May 2011.

Councillor W. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Head of Governance which outlined options for the future of West Mercia Supplies.

West Mercia Supplies (WMS) was a purchasing and distribution consortium owned by Worcestershire County Council, Shropshire Council, Herefordshire Council and Telford and Wrekin Council and managed by a Joint Committee of Members from the four authorities. The Joint Committee on 28 March 2011 authorised the Chief Executives of the owning authorities to explore the sale and Management Buyout options (including testing the market). Ernst and Young were engaged via a competitive tendering process to undertake a feasibility study on behalf of the four owning authorities, and a summary of their findings was included as an Appendix to the report.

In the light of the Ernst & Young report the three other owning authorities obtained authority from their respective Cabinets in June to progress and conclude the sale option with a view to the business being marketed in September 2011.

Cabinet Members and Councillor A Lawrence commented that they were in favour of the sale as the preferred option giving best value for the citizens of the Borough.

RESOLVED –

- (a) that the potential options for the future of West Mercia Supplies and the summary of the feasibility study at Appendix 1 of the report conducted by Ernst & Young be noted**
- (b) that approval be given to the sale of West Mercia Supplies;**
- (c) that the Head of Governance be authorised, after consultation with the Cabinet Member for Resources and Service Delivery and the other three owning authorities, to progress and conclude the sale of West Mercia Supplies in whole or in part; and**
- (d) that delegated authority be granted to the Head of Governance after consultation with the Cabinet Member for Resources and Service Delivery to take all steps necessary and agree all arrangements (including financial arrangements between the owning authorities) to give effect to a sale and in connection with the future operation of the West Mercia Supplies Joint Committee.**

CB-30 TELFORD TOWN CENTRE

Key Decision identified as **Telford Town Centre area** in the Forward Plan published on 16th May 2011.

Councillor C.F.Smith, Cabinet Member: Housing, Regeneration & Economic Regeneration, presented the report of the Head of Property & ICT which provided an update on the Town Centre Project and sought approval for its continued implementation.

The project team had been reviewing the master plan and “Phase 1” developments (identified in the 12 January 2010 Cabinet report) in response to a number of factors.

Those factors were reflected in a revised “Phase 1” delivery strategy which was described in detail in the report. The proposed revisions had implications for the allocation of funding across developments, that had been approved in principle by partners Homes & Communities Agency (HCA) on the basis that outputs, including quantum of development and jobs created, remained unaffected.

During discussion of the report, and its appendices, Members commented that the proposals had merit, gave more revenue for the Council and were supported by other Town Centre Partner Organisations.

RESOLVED –

- (a) **that adjustments to the existing funding package set out in Appendix 2 of the report, for the delivery of the revised Phase 1 programme of works be endorsed;**
- (b) **that the inclusion within the Budget Strategy of the revenue expenditure set out in Appendix 2 of the report, be endorsed;**
- (c) **that delegated authority be granted to the Head of Property & ICT in consultation with Cabinet Member for Housing, Regeneration and Economic Development to market and dispose of assets identified in Appendix 5 of the report, together with additional land within the Southwater area to facilitate the continued regeneration of the Town Centre including exploring opportunities and agreeing and concluding terms for occupants of the Community Hub Building as detailed at paragraph 1.1.5 of Appendix 1 of the report.**
- (d) **that delegated authority be granted to the Head of Governance to seal or sign any documents required to give effect to the recommendations contained in the report.**
- (e) **that delegated authority be granted to the Head of Property & ICT in consultation with Cabinet Member for Housing, Regeneration and Economic Development to award any contracts necessary for the delivery of Phase 1 works outlined in the report.**

CB-31 COUNCIL ASSET DISPOSALS & ACQUISITIONS

Key Decision identified as **Operational Property Disposals** in the Forward Plan published on 16th May 2011.

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Head of Property & ICT which sought Cabinet approval to the disposal of Operational Property within the Property

Investment Portfolio (PIP), which were surplus to requirements and the reinvestment of the capital receipts generated from the PIP properties in modern premises to support a sustainable revenue position

Members considered that the proposals made proper use of the Council's land & property assets.

RESOLVED –

- (a) **that delegated authority be granted to the Head of Property & ICT in consultation with Cabinet Member for Housing, Regeneration and Economic Development, for the disposal and acquisition of various assets as identified in section 4 of the report, on terms to be agreed by the Head of Property & ICT;**
- (b) **that delegated authority be granted to the Head of Governance to execute any documents necessary to give effect to the above recommendation.**

CB-32 CRUDGINGTON PRIMARY SCHOOL - PURCHASE OF LAND ADJACENT TO THE SCHOOL.

Non - Key Decision

Councillors W.A.M. McClements, Cabinet Member: Resources & Service Delivery and P Watling, Cabinet Member: Children, Young People & Families, jointly presented the report of the Head of Property & ICT that sought Cabinet approval to acquire land and rights adjacent to Crudgington Primary School

The Council had over the past year been in discussion with the Head teacher and Governors of Crudgington Primary school over the future of its playing field and car park. The facilities had for a number of years been leased from a local landowner and the current lease was due to expire in July 2012. Following initial discussions with the school, further meetings had been held between Council representatives and the legal representative of the landowner with a view to reaching an agreement regarding the future use of the land by the School. Those meetings to date had failed to reach a solution which satisfactorily secured the land for School uses and it was now considered that the Council needed to begin the process of compulsory acquisition in order to secure the school's future.

Members supported the proposals that would enable the school to meet National Curriculum requirements.

RESOLVED –

- (a) **that the Council continue to seek to acquire the land and rights described in paragraph 4.4 of the report by agreement with the landowner.**

- b) that, whilst the negotiations to acquire the said land and rights by agreement were continuing, the Council proceed to process and make a compulsory purchase order in respect of the land and rights.
- c) that, in the event of the negotiations to acquire the said land and rights failing to achieve acquisition by agreement, the Council should acquire the land and rights pursuant to the said compulsory purchase order.
- d) that the Head of Property & ICT be authorised to acquire the said land and rights by agreement and to undertake all required steps and processes to make a compulsory purchase order in respect of the said land and rights.
- e) that, in the event of the Head of Property & ICT deciding that there is no prospect of acquiring by agreement within a reasonable time, the Head of Property & ICT be authorised to undertake all required steps and processes to acquire the said land and rights pursuant to the said compulsory purchase order in accordance with the approved budget relating to the school's capital programme.

**CB-33 REGULATION OF INVESTIGATORY POWERS ACT 2000
AND CCTV CODE OF PRACTICE**

Non - Key Decision

Councillor S. Davies, Cabinet Member: Co-operative Council and Partnership, presented the joint report of the Head of Governance and the Head of Family & Community Services which informed Members of a recent inspection, to seek approval of the updated Policy in respect of the use of Regulation of Investigatory Powers Act 2000 (RIPA) powers, to report on RIPA usage during 2010/11 and to seek approval of a revised CCTV Code of Practice.

The Council was recently inspected by the Office of Surveillance Commissioners (OSC) which resulted in a positive inspection report with a finding that the use of powers had been appropriate. As a result, minor changes to both the Council's CCTV Policy and RIPA Policy were submitted for Members' approval.

RESOLVED –

- (a) That the revised RIPA Policy document be noted and approved.
- (b) That the contents of the report be noted.
- (c) That the CCTV Code of Practice, as appended to the report, be approved.

The meeting ended at 6.06 p.m.

Signed for the purposes of the Decision Notices

**Jonathan Eatough
Head of Governance
Date: 1st August 2011**

Signed:

Date: