

## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 14th November, 2013 at 5.00 p.m. at the AFC Telford Learning Centre, Haybridge Road, Wellington, Telford**

**PUBLISHED ON WEDNESDAY, 20th NOVEMBER, 2013**

**(DEADLINE FOR CALL-IN: MONDAY, 25th NOVEMBER, 2013)**

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

**ALSO PRESENT:** Councillor A.J. Eade (Conservative Group Leader) and W.L. Tomlinson (Liberal Democrat/Independent Group Leader)

### **CB-49      MINUTES**

**RESOLVED** – that the minutes of the meeting held on 17<sup>th</sup> October 2013 be confirmed and signed by the Chair.

### **CB-50      APOLOGIES FOR ABSENCE**

None

### **CB-51      DECLARATIONS OF INTEREST**

None

### **CB-52      SERVICE & FINANCIAL PLANNING 2014/15 – 2015/16**

**Key Decision** identified as **Service and Financial Planning** in the Notice of Key Decisions published on 17 October 2013.

Councillor W.A.M. McClements, Cabinet Member: Finance & Enterprise, presented the joint report of the Managing Director and Assistant Director: Finance, Audit & Information Governance, which provided an update on the projected budget gap through to 2015/16 and on policy regarding future Council Tax Freeze grant offers.

The potential budget gap facing the Council was dependent on a large number of assumptions, which were appended to the report. These included no major changes in the Government's provisional settlement in the current spending round, and delivery of the additional savings that had already been identified. The projected budget gap for 2014/15 was currently £5.9m, rising to £16.9m in 2015/16. In total, the Council would need to have delivered on-

going savings or additional income of around £75m by the end of 2015/16 – equivalent to more than £1,000 for every home in the Borough.

The report outlined the Council's strategy to manage the difficult financial situation it was faced with. This involved adopting a more commercial approach and supporting growth in the Borough in order to attract additional business rates, council tax and new homes bonus. This would stimulate the local economy, provide jobs for local people and funding to support existing council services in order to minimise as far as possible cuts to front-line services. Examples of the Council's "Business Supporting, Business Winning" approach were detailed in the report, along with the commercial opportunities being taken forward by the Council (eg solar farm, investment in properties to rent) in order to generate income to help support front line services. However, further savings would still be needed, and it was unavoidable that some of these would need to be found in Care & Support services, which accounted for 36% of the Council's net budget. This was further exacerbated by the additional pressures being placed on the adult care budget by the significant reduction in the numbers of people receiving Community Healthcare (CHC) funding from the NHS in Telford & Wrekin. Discussions were continuing with the Clinical Commissioning Group with the intention of seeking an on-going CHC funding split that was more in line with national norms and therefore fairer to the Council and "self-funders".

The Government had announced that council tax freeze grants equal to 1% of council tax base before reduction for the local council tax support scheme would be available for 2014/15 and 2015/16. There was a strong possibility that the grants would be "baselined", ie: not treated as a one-off temporary grant. This followed a decision by the Government after councils had set their budgets for the current year to change the methodology for the council tax freeze grant. Over the past two years, the Council had rejected the council tax freeze grant as it did not help long-term financial sustainability. This was supported by the community, who had indicated a clear view for modest council tax increases to protect local services. However, if future freeze grants were ongoing rather than short-term, this would be more attractive. Therefore, and taking into account the cost of living pressures and impacts of welfare reform for local people, it was proposed that the Council should re-consult the community on whether the council tax freeze grant offers for 2014/15 and 2015/16 be accepted. If accepted, there would be an increase in the budget gap, but this could be mitigated by the financial benefits arising from increased council tax income, New Homes Bonus and additional retained business rates income.

Members welcomed the proposal to freeze council tax, which would help many residents who were struggling to meet living costs.

#### **RESOLVED –**

- (a) that the updated projections for the budget gap through to 2015/16, and the timetable set out in the report for finalising the Council's 2014/15 budget, be noted;**

- (b) that a two year financial strategy for 2014/15 and 2015/16 be developed to match the Government's spending plans which have been published through to 2015/16;
- (c) that in view of the Government's change in treatment of the 2013/14 Council Tax Freeze Grant, Council be recommended, subject to consideration of any feedback through the Budget consultation process, not to increase Council Tax in 2014/15 and instead take the Government's Council Tax Freeze Grant.

**CB-53      REVISED SCHOOL FUNDING FORMULA 2014/15**

**Key Decision** identified as **Revised School Funding Formula April 2014** in the Notice of Key Decisions published on 19 August 2013.

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Education & Corporate Parenting, which sought approval for proposed revisions to the funding formula for Telford & Wrekin mainstream schools.

The Department for Education (DfE) had required local authorities to implement a simpler funding formula for schools from April 2013. Following a review of the 2013/14 formulas implemented by authorities, the DfE had made some changes to the regulations for 2014/15 – and these were outlined in the report. The DfE had also published comparative information which showed that Telford & Wrekin's funding formula had an extremely high secondary to primary funding ratio compared to most other authorities.

Following consultations and discussions with the Schools Forum and schools generally, it was proposed to make some changes to the local funding formula in order to:

- Move the local secondary to primary funding ratio closer to the national average ratio;
- Offer some short term protection to schools with significant reductions in pupil numbers. Telford & Wrekin Schools Forum had agreed a £500k 'top slice' for this purpose for 2014/15, to be allocated to schools with a decrease of more than 3% in numbers;
- Introduce different lump sums for secondary and primary schools;
- Include an additional factor to offer some budget protection for small rural schools;
- Include an additional factor to provide more funding to schools with higher than average levels of pupil mobility.

The proposed changes, particularly to the secondary to primary ratio, could have a significant impact in future years, but the formula could be reviewed and, if desirable, amended each year. It was noted that there was agreement from Headteachers across all sectors for these revisions.

**RESOLVED** – that the revisions to the funding formula for Telford & Wrekin mainstream schools, as outlined in the report, be approved.

**Key Decision** identified as **Need for Employment Land in Newport** in the Notice of Key Decisions published on 17 October 2013.

Councillor C.F. Smith, Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Planning Specialist, which provided information on issues relating to the supply of land for employment land uses in Newport.

The Council had a long-standing aim, through local planning policies, to achieve greater economic activity and employment in Newport to assist it to become a more sustainable settlement through reduced levels of out-commuting of residents for work. The Council had been working in partnership with other landowners to bring forward land for employment development within mixed use schemes. However, there was a risk that development proposals being brought forward by other landowners and developers might undermine the economic objectives for Newport. In order to understand the implications of these different development proposals, the Council had commissioned a study by Peter Brett Associates to provide robust and up-to-date evidence of the need for employment development land in Newport. A copy of the consultant's report was appended.

The Assistant Director: Planning Specialist reported that he had just been advised by the consultants that there were some minor inaccuracies in some of the figures in their report because they had not taken account of the most up-to-date position on a couple of relevant planning applications in Newport. This did not affect the overall conclusions of the report, which provided an indication that there was a requirement for around 8 hectares of B class employment land over the period to 2026. If this was accepted, it was proposed to increase the land available for economic development in Newport by resisting the overall loss of existing and available employment uses in Newport, and pursuing the allocation and development of land through the Shaping Places Local Plan and decisions on submitted planning applications.

In view of the minor changes that the consultants needed to make to their report, an additional recommendation was proposed to give authority to the Assistant Director: Planning Specialist to agree the necessary amendments, once received.

It was noted that the Newport Regeneration Partnership had recently indicated their support for the principle of increasing the amount of available employment land in Newport.

**RESOLVED –**

- (a) **that the Council continues to pursue its objective of enhancing the economic performance of Newport, through supporting opportunities for employment development and resisting non-employment uses that would reduce the overall provision of established and available employment sites in Newport;**

- (b) that, subject to resolution (c) below, the findings and conclusions set out in the Peter Brett Associates report be accepted and supported;
- (c) that it be noted that, while not altering the overall policy of supporting and protecting employment land in Newport, some of the calculations and associated narratives in the consultant's report needed to be corrected, and that authority be delegated to the Assistant Director: Planning Specialist to agree the necessary amendments when received from the consultants.

**CB-55      DESIGNATION OF A NEIGHBOURHOOD PLAN AREA FOR WATERS UPTON**

**Key Decision** identified as **Application for the Designation of a Neighbourhood Area – Waters Upton** in the Notice of Key Decisions published on 19 September 2013.

Councillor C.F. Smith, Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Planning Specialist, which detailed an application from Waters Upton Parish Council for the designation of their area as a Neighbourhood area for planning purposes.

In May 2011 the Council successfully bid with Waters Upton Parish Council for the Parish area to become one of the Government's 'Frontrunners in Neighbourhood Planning'. The development of a Neighbourhood Plan required the Council to agree and formally designate the area that would be the subject of the Plan. The proposed Neighbourhood Plan area for Waters Upton, which reflected the current Parish Council boundaries, was appended to the report. The request was subject to a statutory consultation period, which ended on 20 September 2013. One representation was submitted from Stoke-on-Tern Parish Council, who had no objections to the area designation. It was suggested that the correlation with the Parish Council area would assist in any future referendum and provided a good model for future Neighbourhood Plan proposals. Given that no concerns to the proposed boundary had been raised, it was therefore recommended that the designation request be supported.

**RESOLVED** – that the Neighbourhood Area application by Waters Upton Parish Council be supported, and that the area shown at Appendix A of the report be designated as a Neighbourhood Area.

**CB-56      REPRESENTATION ON OUTSIDE BODIES – SEVERN GORGE COUNTRYSIDE TRUST**

**Non-Key Decision**

The Leader presented the report of the Assistant Director: Law, Democracy & Public Protection concerning a request from the Severn Gorge Countryside Trust (SGCT) for the Council to appoint three representatives to its Board of Trustees.

The Council had, for a number of years, appointed five representatives to the SGCT, which managed more than 270 ha of woodland, grassland, heathland, pools and other public spaces throughout the Ironbridge Gorge area. Following a review of its corporate governance arrangements, the Trust had reduced the size of its Board of Trustees, with a consequent reduction in the number of Council appointees from 5 to 3. Following a request from the Trust, it was proposed that the appointments be made until the end of the current Council term in May 2015 – this would bring greater continuity to the management of the Trust and allow the Trustees to build up expertise.

The political Groups had been asked to submit nominations for the three representatives, and four nominations had been received. Nominees did not need to be Elected Members. Three of the nominees were existing Trustees.

**RESOLVED** – that Councillor D Davies, Ms L Lomax and Councillor C Turley be appointed to the Severn Gorge Countryside Trust for the period up to May 2015.

**CB-57            EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED** – that the public and press be excluded from the meeting for the following items of business on the grounds that they may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

**CB-58            IRONBRIDGE GORGE WORLD HERITAGE SITE –  
JACKFIELD STABILISATION**

**Key Decision** identified as **Ironbridge Gorge World Heritage Site – Jackfield Stabilisation** in the Notice of Key Decisions published on 17 October 2013.

Councillor R.A. Overton, Deputy Leader and Cabinet Member: Public Health & Public Protection, presented the report of the Assistant Director: Neighbourhood & Leisure Services, which updated Members on the land stabilisation project at Jackfield, and the procurement process for the award of contracts for the necessary works.

The report detailed the history of land instability in the Jackfield area of the Ironbridge Gorge, and the need to implement the proposed stabilisation works at the earliest opportunity. Following the authorisations granted by Cabinet in July 2013, a Compulsory Purchase Order had been made in order to acquire three parcels of unregistered land rights. Wherever possible, the Council had sought to proceed by agreement with the relevant landowners, and draft easements had been provided to those landowners who had agreed in principle to the works being carried out on their property.

The report also detailed the proposed funding of the stabilisation works, which included a significant contribution from Government. Because of the cost of the project, it had been necessary to procure the main contractor through the OJEU process. Tenders were currently being assessed, with the successful contractor likely to be appointed in December 2013, subject to final confirmation of Government grant funding.

**RESOLVED –**

- (a) **that, subject to the tenders being affordable within the approved funding and the confirmation of Government grant funding, authority be delegated to the Assistant Director: Neighbourhood & Leisure Services, in consultation with the Deputy Leader & Cabinet Member for Public Health & Public Protection, to award the construction and other necessary contracts, in accordance with the Council's Constitution and Contract Procedure Rules, and to enter into all related access and advanced works agreements, and all related contract and funding documents, to deliver the Jackfield Stabilisation Project – such contracts being subject to the terms and conditions recommended by the Assistant Director: Law, Democracy & Public Protection;**
- (b) **that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to execute all necessary documentation, including the affixing of the common seal of the Council to contractual documentation as appropriate.**

**CB-59      DISPOSAL OF LAND OFF POOL HILL ROAD, HORSEHAY and HAUGHMOND COURT, DOTHILL**

**Key Decision** identified as **Disposal of Land off Pool Hill Road, Horsehay and Haughmond Court, Dothill** in the Notice of Key Decisions published on 19 September 2013.

Councillor C.F. Smith, Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Development, Business & Employment, which sought approval for the disposal of two surplus land assets.

Both sites were part of wider developments being brought forward by the adjoining landowner for new housing. The report set out the outcome of negotiations regarding the development of these sites, the proposed terms and conditions for the disposals, and the potential capital receipts that would accrue. Site plans were appended to the report.

Members welcomed the likely provision of new housing (some of which would be much-needed affordable and sheltered housing) that would be facilitated by the disposal of these landholdings.

**RESOLVED –**

- (a) that authority be delegated to the Assistant Director: Development, Business & Employment, in consultation with the Cabinet Member: Finance & Enterprise, to negotiate and dispose of the freehold interests in the corporately held land as detailed within the report;
- (b) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to seal or sign any documents required to give effect to the resolution above.

The meeting ended at 5.53pm.

**Signed for the purposes of the Decision Notices**

**Jonathan Eatough**  
**Assistant Director: Law, Democracy & Public Protection**  
**Date: 20 November 2013**

**Signed:** .....

**Date:** .....