

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 8th November, 2012 at 5.00 p.m. at the Civic Offices, Telford

PUBLISHED ON WEDNESDAY, 14th NOVEMBER, 2012

(DEADLINE FOR CALL-IN: MONDAY, 19TH NOVEMBER, 2012)

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 Councillor W.L. Tomlinson (Lib Dem/Independent Group Leader)

CB-53 MINUTES

RESOLVED – that the minutes of the meeting of the Cabinet held on 18th October 2012 be confirmed and signed by the Chairman.

CB-54 APOLOGIES FOR ABSENCE

None

CB-55 DECLARATIONS OF INTEREST

Councillor A.R.H. England declared a personal interest in agenda item 5 - Telford & Wrekin Crisis Help Network – in relation to his role as a member of the Board of Telford & Wrekin Citizens Advice Bureau.

Councillor A.R.H. England declared a personal interest in agenda item 10 – Telford Town Centre – Car Parking for Employees – in respect of a family member being employed by the Authority.

CB-56 APPROVAL OF A NEW FUNDING FORMULA FOR TELFORD & WREKIN MAINSTREAM SCHOOLS

Key Decision identified as **Revised School Funding Formula from 2013/14** in the Notice of Key Decisions published on 14th September 2012

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

The Department for Education had made a number of changes to school funding, including the requirement for Local Authorities to revise their local funding formula for schools from April 2013. The new rules were intended to

make the formula predominately pupil-led and required more delegation to schools. For mainstream schools, there was a more limited range of funding factors, and these were detailed in the report. A number of different options for the new formula had been modelled, and discussed with the Schools Forum and with all schools, in two consultation exercises (May and September 2012). A lot of work had been done to try and find as fair a formula as possible within the constraints of the new funding rules, with the aim of offering budget stability to schools and to support those schools most financially vulnerable in forthcoming years. The formula recommended to Members following the extensive consultation included a relatively high lump sum to offer stability to smaller primary schools and a comparatively high ratio of funding between secondary and primary schools to help those secondary schools experiencing falling pupil numbers. Funding driven by deprivation had been maintained at current levels.

The new funding formula affected how much of the total funding received by Telford & Wrekin was allocated to individual schools, but the amount per pupil via the Dedicated Schools Grant was not changed by these proposals. The new formula had been submitted to the Education Funding Agency, subject to Cabinet approval. There were other funding changes which would affect special schools and Pupil Referral Units, and these would be the subject of a future report.

Members expressed concern at the new funding rules from central Government, and the implications for some of the Borough's schools in terms of balancing their budgets over the coming years.

RESOLVED – that the proposed new funding formula for Telford & Wrekin mainstream schools, as outlined in the report, to take effect from April 2013, be approved.

CB-57 TELFORD & WREKIN CRISIS HELP NETWORK

Non-Key Decision

Councillor C.B.A. Elliott was invited to present the report of the Managing Director, which outlined the work being undertaken within the Borough to help individuals and families in acute financial crisis.

As part of the Co-operative Council work programme, a Telford & Wrekin Crisis Help Network had been established to provide a co-ordinated crisis response for people living in the Borough. The Network consisted of private, voluntary and public agencies, with Telford & Wrekin Citizens Advice Bureau acting as lead organisation. These agencies already provided a range of established and respected services including emergency food, shelter, temporary accommodation and financial advice. The Network would also form an essential part of the Council's plans for crisis support following the transfer of crisis loans from the Department for Work & Pensions and changes to Council Tax benefits from April 2013. A project co-ordinator was being recruited (via the CAB) to drive the scheme, with the first priority being to open a central food depot and distribution system by the end of December 2012.

In order to help towards the costs of developing this project, it was proposed to allocate the £5,000 that had been earmarked by the Council in July for a Foodbank project. The funds had been identified from the Co-operative Council budget. Thanks were extended to Louise Stanway and Wendy Tonge from the Co-operative Council Delivery Unit for their work in developing this initiative, and to Lynn Brayne of the CAB who would be leading on the project. Councillor S. Davies, Cabinet Member: Neighbourhood Services & Co-operative Council, welcomed the development of the Crisis Network as a good example of co-operative working, and thanked Councillor Elliott for his work in bringing this project forward.

RESOLVED –

- (a) that the progress being made to develop a suitable crisis provision for people living in the Borough be noted;**
- (b) that the proposed use of £5,000 to support the project, as detailed in paragraph 4 of the report, be approved.**

CB-58 WEST MERCIA ENERGY

Non-Key Decision

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Assistant Director: Development, Business & Housing, which set out updated management arrangements for West Mercia Energy following the sale of West Mercia Supplies.

While the catalogue/warehouse division of West Mercia Supplies had been sold earlier in the year (with the proceeds being distributed evenly between the four owning authorities), it did not prove possible to sell the Utilities division. This had been retained by the four authorities, and continued to trade as West Mercia Energy – although it had been transferred to Shropshire Council premises in Shrewsbury.

The existing Joint Agreement, including the catalogue/warehouse operations, was no longer fit for purpose, and a new Joint Agreement was being drafted to reflect the re-structured business. The Agreement would initially run until 31 March 2016, with each of the four owning authorities appointing two Elected Members to a West Mercia Energy Joint Committee, and the importance of Members' involvement was emphasised. The Secretary and Treasurer functions would be fulfilled by Shropshire Council.

RESOLVED –

- (a) that the existing West Mercia Supplies Joint Agreement be terminated.**
- (b) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to agree and execute a new Joint**

Agreement under the terms of the Local Authority (Goods and Services) Act 1970 with the other three owning authorities, and to establish a Joint Committee of the executives of the four authorities to manage the activities of West Mercia Energy.

CB-59 WHITE RIBBON TOWN AWARD

Non-Key decision

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, and Councillor H. Rhodes, Cabinet Member: Transport & Community Protection, presented the report of the Assistant Director: Family & Cohesion Services, which provided information on the White Ribbon Town Award for Councils wishing to demonstrate their commitment to the aims of the White Ribbon Campaign.

The campaign aimed to raise awareness and understanding of domestic abuse and the services that were provided in order to reduce the incidence of domestic abuse, as well as providing the local community with increased support and understanding of this issue. White Ribbon Day was on 25 November 2012, when men would be encouraged to wear a white ribbon to positively promote that domestic abuse should not be tolerated and positively challenged.

To become a White Ribbon Town a number of objectives, as set out in the report, had to be met. These included producing an action plan on how the Council's commitment would be achieved, holding local awareness events and providing information on domestic abuse to the public and staff. The Council, working with partners, was already achieving many of the requirements for a White Ribbon Town, with a number of recent initiatives detailed in the report.

Members expressed strong support for the White Ribbon campaign, and highlighted the importance of challenging abusive behaviour of all kinds and to support the victims of abuse.

RESOLVED –

- (a) that the Cabinet support the Council becoming a White Ribbon Town;**
- (b) that the White Ribbon Campaign on 25 November 2012 be supported;**

CB-60 URGENCY RESOLUTION – SECTION 100B(4) LOCAL GOVERNMENT ACT 1972

The Chair 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-61 INVESTIGATION OF ILLEGAL MONEY LENDERS (LOAN SHARKS)

Non-Key Decision

Councillor H. Rhodes, Cabinet Member: Transport & Community Protection, presented the report of the Assistant Director: Law, Democracy & Public Protection concerning arrangements for the investigation of illegal money lenders and the taking of any enforcement action.

Responsibility for detecting and investigating unlicensed money lending rested with Trading Standards services, but such investigations and prosecutions were rare as the service in Telford & Wrekin did not have the resources to specifically target such activities. It was therefore proposed to delegate this function to Birmingham City Council – specifically to undertake enforcement of Part III of the Consumer Credit Act 1974 in relation to illegal money lending. Birmingham was one of the national teams set up by the Government to tackle illegal money lending, and had the necessary resources and expertise to take action against such lenders.

RESOLVED –

- (a) that, by virtue of Section 101 of the Local Government Act 1972 and Section 13(7) of the Local Government Act 2000, authority be delegated to Birmingham City Council to enforce Part III of the Consumer Credit Act 1974 on behalf of the Authority, subject to terms and conditions to be agreed;
- (b) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to undertake the necessary legal procedures to bring the resolution above into effect.

CB-62 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 Schedule 12A of the Local Government Act 1972.

CB-63 BUILDING SCHOOLS FOR THE FUTURE – APPROVAL OF FINAL BUSINESS CASE FOR ERCALL WOOD TECHNOLOGY COLLEGE AND APPROVAL TO ACQUIRE A SITE IN PRIORSLEE FOR A NEW SECONDARY SCHOOL

Key Decision identified as **BSF – Ercall Wood Technology College Final Business Case and Land Acquisition for Holy Trinity Academy, Priorslee** in the Notice of Key Decisions published on 9 October 2012.

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Development, Business & Housing which updated Members on progress on the Building Schools for the Future (BSF) programme.

The report outlined the work that had been undertaken to progress the approval for a new-build school for Ercall Wood Technology College, and summarised the amendments to the original Outline Business Case. The Final Business Case now had to be approved by Cabinet for submission to the Education Funding Agency (EFA) and the Department for Education (DfE). Shepherd Construction Ltd, who had been appointed for the construction of the new Ercall Wood Technology College, were progressing with proposals for the scheme, and had secured planning approval for the site. Once the FBC submission was approved and the funding allocated, the Council would be in a position to enter into a contract with Shepherd Construction. The BSF framework also allowed for that contractor to be appointed to carry out further work on the BSF Programme without having to go through another competitive process.

The report also provided information on negotiations to acquire a site for the proposed multi-denominational Christian Academy in Priorslee. The Council had worked closely with local residents to find a suitable site for the new school. Also detailed were the proposed arrangements for the transfer of land at the existing Blessed Robert Johnson (BRJ) site to the Council in order to facilitate further phases of the BSF programme. Further information on the negotiations with the Governing Body of the BRJ Catholic College and the Diocese of Shrewsbury were provided at the meeting.

Members welcomed the progress being made on the BSF programme, and thanked the Lead Cabinet member and the Officers for all their work.

RESOLVED –

- (a) that the submission of the Ercall Wood Technology College Final Business Case to the Education Funding Agency (EFA) be approved, and that, subject to subsequent approval by the EFA (thereby releasing BSF funding) authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member: Children, Young People & Families, to award the Single School Design and Build contract and the Future Schools Agreement to Shepherd Construction Ltd and to enter into all related contract documents;**
- (b) that the acquisition of land at Priorslee, as shown in Appendix 3 of the report, and land transfer arrangements with the Governing Body of Blessed Robert Johnson Catholic College and the Diocese of Shrewsbury be approved, and that authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member: Children, Young People & Families, to agree the land acquisition and transfer arrangements, and to enter into all related contract**

documents provided that the cost is considered by the Assistant Director of Finance, Audit & Information Governance to be affordable within the existing overall BSF funding envelope;

- (c) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to agree and execute all necessary documentation, including the affixing of the common seal of the Council to contractual documentation as is appropriate under article 14.06 of the Constitution.**

CB-64 TELFORD TOWN CENTRE – CAR PARKING FOR EMPLOYEES

Key Decision identified as **Telford Town Centre – Car Parking** in the Notice of Key Decisions published on 9 October 2012.

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Assistant Director: Development, Business & Housing, which set out options for car parking in Telford Town Centre for employees based at Darby House, Addenbrooke House and, from 2014, the new Southwater One building.

The report detailed the likely number of car parking spaces that would be required (including visitor and customer parking), and outlined an approach to achieve this through a combination of use of existing staff car parks, purchase of a land asset and the lease of other spaces on a rental basis. The report also detailed the financial implications of this approach, and advised that all employees and elected members in Telford Town Centre that had access to parking would need to contribute to the costs through an annual payment. Some of the likely criteria for a charging scheme were set out in the report, but there would be negotiations with staff on the details and final cost before a scheme was finalised.

Members recognised that charging employees for car parking was difficult, but that in the financial climate facing the Council the provision of car parking spaces had to be cost neutral.

RESOLVED –

- (a) that the acquisition of all or part of the land asset as recommended within the report (and shown at Appendix 3) be approved, in accordance with terms to be agreed by the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member: Resources & Service Delivery;**
- (b) that the leasing-in of additional car parking spaces (as shown in Appendix 1 of the report) be approved, in accordance with terms to be agreed by the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member: Resources & Service Delivery;**

- (c) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to agree and execute all necessary documentation to give effect to the resolutions above and below;
- (d) that the principle of charging employees for parking, with the objective of covering the total cost of borrowing and therefore presenting a break-even position, be approved;
- (e) that authority be delegated to the Assistant Director: Customer & People Services to agree the annual charge and payment structure for the allocation of car parking passes to employees working at Darby House, Addenbrooke House and the new Southwater One building, in consultation with the Cabinet Member: Resources & Service Delivery.

The meeting ended at 5.40 pm.

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Law, Democracy & Public Protection
Date: 14 November 2012

Signed:

Date: