

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 24th July, 2014 at 5.00 p.m. at the AFC Telford Learning Centre, Haybridge Road, Wellington, Telford

PUBLISHED ON WEDNESDAY, 30th JULY, 2014

(DEADLINE FOR CALL-IN: MONDAY, 4th AUGUST, 2014)

PRESENT: Councillor K.S. Sahota (Leader and Chair), 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), Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader)

CB-16 MINUTES

RESOLVED – that the minutes of the meetings of the Cabinet held on 26 June and 10 July 2014 be confirmed and signed by the Chair.

CB-17 APOLOGIES FOR ABSENCE

Councillor E.A. Clare

CB-18 DECLARATIONS OF INTEREST

Councillor A.R.H. England declared a personal interest in agenda item 7 – Youth Justice Plan – in relation to his role as a JP in the Youth Court.

Councillor S. Davies declared a personal interest in agenda item 7 – Youth Justice Plan – in relation to his work as a Solicitor representing people in the Youth Court.

Councillor A.R.H. England declared a prejudicial interest in agenda item 11 – AFC Telford: Amendments to Legal Agreements – in relation to his role as a Trustee (by virtue of being a season ticket holder) of AFC Telford Utd.

CB-19 PROPERTY AND HOUSING INVESTMENT PROGRAMME

Key Decision identified as **Housing Investment Programme** in the Notice of Key Decisions published on 26 June 2014.

Part Recommendations to Full Council – decisions (a), (b) and (c) below not subject to Call-in

Councillor W.A.M. McClements, Cabinet Member: Finance & Enterprise, and Councillor S. Davies, Cabinet Member: Neighbourhood Services, Employment & Skills, presented the report of the Director: Development, Business & Customer Service, which provided detailed proposals for the delivery of new homes and commercial and retail space on Council owned land. Thanks were expressed to the team of Officers who had worked on this project.

Further to the decision taken by Cabinet in April 2013 to deliver a major housing programme, a full Stage 1 feasibility and viability assessment had been carried out by consultants. As part of this process the potential development sites had been tested and investigated as to their viability and development potential. This had resulted in some sites being discounted, for a number of reasons. The sites that were being recommended for inclusion in the Programme were listed, with layouts of each site appended to the report. These sites would deliver 425 housing units and a number of commercial developments. Around 80% of the properties would be for market rental, with the remaining 20% affordable rental units. The proposals had been subjected to a full financial and legal analysis in order to identify the most robust and efficient model for delivery. Information had also been sought from other Councils embarking on similar initiatives.

Full details of the financial analysis and funding options were contained within the report, including the capital cost, source of funds, and both annual and cumulative project cash flows. The projected capital cost of the consolidated programme was £59.298m, and it was recommended that this be funded through borrowing from the Public Works Loan Board, capital receipts and a developer contribution. The report also outlined the options that had been considered for a preferred delivery vehicle that would meet the project objectives. Following robust analysis and testing, it was concluded that a Wholly Owned Company (WOC) was the most appropriate method. While it offered less potential to share risk than other options that involved a private sector partner, overall it was shown to best meet the project criteria. The report detailed a potential company structure, constitution and governance arrangements, and what management arrangements would be required. The aim was for the WOC to be the best landlord in the Borough, and to set a benchmark to help drive up standards in the rental market sector locally.

Although the proposals were to address the housing need within the Borough and create regeneration, any revenue income that the Council received back would be invested in the protection of essential frontline services. In addition, the assets would appreciate over the project life to provide a significant capital receipt should the assets be disposed of. The programme would enable the Council to utilise brown field and stalled sites, thus stimulating economic growth and regeneration and creating a number of jobs and apprenticeships for local people during the construction and operational phases. It was estimated that the Council's investment in the scheme (ie: land valued at £6.775m) would generate over £100m in terms of future income, asset value and the benefits to the local economy.

Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader) expressed regret that the Council was not able to provide social housing, and

that the proposed scheme was a commercial venture. Councillor A.J. Eade (Conservative Group Leader) stated that before this report went to Council for the budgetary approvals his Group would wish to see the full feasibility study and an understanding of why other options involving private sector partners had been discounted. There was also concern at the pressure being put on officers in terms of running a housing company in addition to their current workloads. In response, the Cabinet Members advised that the current rules on Right to Buy made the social housing model unviable. The requests for further information would be considered and a response provided. Further details about the management and governance arrangements for the WOC would also come forward in due course.

RESOLVED to RECOMMEND to COUNCIL

- (a) that the investment of Council held land valued at £6.776m to facilitate the housing and commercial developments set out in the report, which includes part disposal of the Madeley Court site (as shown in the appendix to the report) be approved;**
- (b) that prudential borrowing of up to £52m to fund the investment in housing and commercial developments, as set out in the report, be approved;**
- (c) that the necessary changes to the capital programme and revenue budget to account for the housing and commercial developments as detailed within the report be approved.**

RESOLVED –

- (d) that, in order to assist in the delivery of the Council's housing development and regeneration objectives, the establishment of a Wholly Owned Company, based upon the general principles of governance and operation as set out in the report, be approved. This will form part of the Final Business Case that will be brought back to Cabinet for approval;**
- (e) that if circumstances require, authority be delegated to the Director of Development, Business and Customer Service, in consultation with the Cabinet Members for Finance & Enterprise and Neighbourhood Services, Employment & Skills, to enter into contracts to deliver the construction element of the programme. Otherwise it be noted that the Wholly Owned Company will independently enter into the necessary contracts to deliver both the construction element of the programme and, thereafter, the ongoing operation and maintenance of the properties;**
- (f) that authority be delegated to the Director of Development, Business and Customer Service, in consultation with the Cabinet Members for Finance & Enterprise and Neighbourhood Services, Employment & Skills, to award all future phases of the programme**

not included within the tender, but within the approved budget proposals contained in the report;

- (g) that authority be delegated to the Assistant Director: Law, Democracy & People Services to set up a company limited by shares for the purposes of carrying out the aims set out in the report, and to execute all legal agreements and documents necessary pursuant to the set-up and subsequent operation of such a company;
- (h) that authority be delegated to the Assistant Director: Law, Democracy & People Services to execute all documents in accordance with the Council's Constitution so required to give effect to the proposals contained in this report.

CB-20 SCRUTINY REVIEW OF THE MEALS ON WHEELS HOT MEALS SERVICE

Key Decision identified as **Health & Adult Social Care Scrutiny Committee Review of Meals on Wheels Service** in the Notice of Key Decisions published on 23 May 2014.

Councillor D.R.W. White, Chair of the Health & Adult Care Scrutiny Committee, presented the Committee's report on the Community Meals Service. This had run parallel to a Review of the Service that was looking to deliver £57,000 of savings agreed within the Council's budget.

The Committee had looked at how the Meals on Wheels Service was currently provided, and a fundamental part of the review had been to understand the needs of both long term and short term service users. Members had met with 12 service users, and an analysis of their views and comments were shown in the report. The Committee had also talked to volunteers from the Royal Voluntary Service who supported both the Community Meals Service and the Good Neighbours Service.

The Committee had concluded that many service users depended on the service for their main meal, and that the regular contact with someone who comes to their home is as important as the meal itself. It was believed that the service provided by the RVS could be expanded, and that any increase in costs would be far less than the potential additional care costs that the Council would face if the hot meals service ceased. In particular, a "good neighbour" service would be of great benefit to vulnerable people in terms of helping them to stay in their homes, as well as being of benefit to the wider health economy. The Review also found that many service users would still be prepared to use the service if the price was increased. The Committee had made a number of recommendations which were set out in detail in its report.

Councillor A.R.H. England, Cabinet Member for Adult Social Care, responded to the report on behalf of the Cabinet. He thanked the Committee for the work they had done. The detailed response to each of the Scrutiny Committee's recommendations was appended to the report attached to the agenda. He

also acknowledged the work of RVS in providing the current service. In tandem with the Committee's review, a new service model had been developed. This proposed that the Council should only maintain direct responsibility for securing meals on behalf of individuals assessed as eligible due to frailty and/or vulnerability. Non-eligible individuals who wished to access the service would be advised to enter into a direct arrangement with the new provider. The contract for the provision of Frozen Meals would be broadened to incorporate the delivery of hot meals, in order to develop a single model approach to service delivery. The new contract would incorporate an increase in the price of the meals in line with the Scrutiny Committee's recommendation. However, the cost of the meals to clients would still be below that charged by many other local authorities. It was also proposed to ask the RVS to run a pilot (until Spring 2015) Befriending/Good Neighbour service, which would help the Council in developing a model for a volunteer-based visiting service to vulnerable and isolated people.

RESOLVED –

- (a) that the recommendations made by the Health & Adult Social Care Scrutiny Committee be noted, and the response set out in Appendix 1 of the Cabinet Member's report be approved;**
- (b) that authority be delegated to the Assistant Director: Family, Cohesion & Commissioning to**
 - (i) enter into a contract with the Royal Voluntary Service for a time-limited period of up to 9 months to support the Council in a pilot project to develop a model Befriending/Good Neighbour Service, which will then be tendered across the voluntary and/or commercial sector;**
 - (ii) following (i) above, enter into a contract with the chosen tenderer(s) for the provision of a Befriending/Good Neighbour Service post-Spring 2015;**
 - (iii) approve an increase in the existing cost charged for a meal from £2.55 to £3.15, as recommended by the Scrutiny Review;**
- (c) that authority be delegated to the Assistant Director: Law, Democracy & People Services to execute all necessary contract documentation in accordance with the Constitution, including the affixing of the common seal of the Council as appropriate in accordance with Article 14 of the Constitution.**

CB-21 FINANCIAL MONITORING 2014/15

Key Decision identified as **2014/15 Financial Monitoring** in the Notice of Key Decisions published on 26 June 2014.

Part Recommendation to Full Council in relation to decision (b) below not subject to Call-in

Councillor W.A.M. McClements, Cabinet Member: Finance & Enterprise, presented the report of the Assistant Director: Finance, Audit & Information

Governance, which provided Members with the latest financial monitoring information for 2014/15.

At this early stage in the financial year, an overspend of £0.5m was being projected at year-end, which was mainly a reflection of the continuing pressures in Adult Social Care as they worked towards achieving savings targets. This was not unduly concerning, as there was plenty of time for corrective action to be taken. Considerable work was now underway within service areas to address areas of financial pressure, with further in-year savings targets being issued in order to help ensure that the Council is able to achieve a balanced financial position and address the anticipated shortfall in 2015/16.

There were a number of variances from the approved budget, including the cost of Children in Care placements (overspend of £1m); the cost of Adult Care and Support services (projected overspend of £6.3m relating to care packages); provision of in-house services to Adults with Learning Disabilities (overspend of £0.6m); and the cost of supporting 16-18 year olds as they leave care (overspend of £0.5m). Projected variances of over £0.100m for individual service delivery units were detailed in the report. There were benefits from active treasury management of £0.9m, and £0.1m from additional dividend income from West Mercia Energy.

The capital programme totalled £133m, which included slippage from 2013/14. Spend was currently standing at around 5%. Funding for the programme included a significant amount of capital receipts anticipated to be delivered over the medium term. Current monitoring showed that around £32m of the budgeted value of £40m would not now be received in 2014/15, and that the revenue impact of these changes was included in the updated treasury projections.

Collection levels for Council Tax, NNDR and Sales Ledger debt were all slightly behind the targets set for the year.

In relation to the overspend in Adult Social Care, Councillor A.R.H. England, Cabinet Member for Adult Social Care, reported on the measures that were being taken to reduce costs and re-design the way in which services were delivered. There was likely to be a reduction in care packages, with a needs-based approach determining the key elements of the care that was to be provided.

RESOLVED –

- (a) that it be noted that the 2014/15 revenue spend is currently projecting to be overspent at year end, and that the Senior Management Team is implementing action plans to ensure savings are delivered so that the budget is brought back into balance by year end;**
- (b) that the position in relation to capital spend and receipts be noted, and that it is RECOMMENDED to COUNCIL that the new**

allocations and slippage detailed in Appendix 3 and the funding changes to the capital programme detailed at paragraph 6.2 of the report be approved;

- (c) that the collection rates for NNDR, council tax and sales ledger be noted.**

CB-22 YOUTH JUSTICE PLAN 2014/15

Key Decision identified as **Youth Justice Plan** in the Notice of Key Decisions published on 23 May 2014.

Full Council decision not subject to Call-in

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Family & Cohesion Services regarding the Youth Justice Plan which was prepared on an annual basis on behalf of Herefordshire Council, Shropshire Council, Telford & Wrekin Council and Worcestershire County Council. A copy of the Plan for 2014/15 was appended to the report.

The Youth Justice Plan was a statutory document that set out how youth justice services across West Mercia were to be structured, provided and funded. It identified a number of priorities, and key actions to address risks to service delivery and improvement. The Plan identified five main priorities for 2014/15 – reducing youth offending and protecting communities from harm; staff training and enablement; the second phase of restructuring of the Youth Offending Service; greater integrated working with other agencies/services; and ensuring that the Service had the information required to develop services and improve outcomes.

The report detailed current performance on key national indicators for First Time Entrants to the youth justice system, the use of custody, and re-offending rates. These all generally compared favourably in comparison with national and regional performance. The figure specific to Telford & Wrekin for use of custody had gone up, but this had been skewed due to three of the six custodial sentences relating to co-defendants for the same offence. It also provided information on progress made during the first quarter of the year towards the main priorities in the Plan.

RESOLVED –

- (a) TO RECOMMEND to COUNCIL that the Youth Justice Plan 2014/15 be approved;**
- (b) that the responsibilities of the West Mercia Youth Offending Service be noted.**

(Having previously declared an interest, Councillors S. Davies and A.R.H. England did not vote)

CB-23 **TELFORD & WREKIN SUPERFAST BROADBAND PROGRAMME**

Key Decision identified as **Telford & Wrekin Superfast Broadband Programme** in the Notice of Key Decisions published on 26 June 2014.

Councillor C.F. Smith, Cabinet Member: Housing, Development & Borough Towns, presented the report of the Director: Development, Business & Customer Service which set out the Council's approach to the roll-out of superfast broadband infrastructure in the Borough..

In June 2013, Government announced funding of £250m to extend the roll-out of superfast broadband infrastructure across the UK, with the aim of delivering speeds of more than 24Mbps to 95% of business and residential premises. Funding was being made available to local authority areas on the basis of supporting investments which were not cost effective to the private sector, and local match funding was required for all allocations. Using a gap funding model, BDUK (the funding agency) had determined that a funding package of £4m would achieve superfast coverage of at least 96% of premises within Telford & Wrekin. Full details of the proposed funding package and value-for-money analysis were set out in the report. £1.4m of the required £2m of matched funding had been identified through the re-prioritisation of the existing capital programme and use of one-off reserves. A bid for the balance of funding would be made to the Local Growth Fund via the Marches Local Enterprise Partnership. There would be additional costs of around £200k for project staff resources over the life of the programme (Sept 2014 to June 2017).

If approved by Cabinet, a formal funding request would be submitted to BDUK, and the report set out further details of the funding allocation process. If successful, it was recommended that a new mini-competition using the existing BDUK Broadband Procurement Framework was the most cost efficient and deliverable route of procurement. BDUK had extended the existing Framework (with BT and Fujitsu).

Members welcomed the report, and stressed the importance for the competitiveness of local businesses of having access to superfast broadband. This was a much better scheme to the Rural Broadband Programme, and the Council's proposed investment would bring significant benefits in terms of better access in rural areas, of being a key driver for enterprise and growth, and to ensuring that all new housing developments had access to superfast broadband.

RESOLVED –

- (a) that the funding request to BDUK for the delivery of superfast broadband speeds across Telford & Wrekin as detailed within the report be approved;**
- (b) that Prudential Borrowing of £800k if the gap funding is not secured through other alternative routes be approved;**

- (c) That authority be delegated to the Director for Development, Business and Customer Service, in consultation with the Cabinet Member for Housing, Development & Borough Towns, to:
- Finalise with BDUK the Intervention Plan for superfast roll-out across Telford & Wrekin, following the results of the Open Market Review;
 - Undertake all actions necessary to finalise the funding package required to deliver the programme;
 - Procure a supplier to deliver the roll out programme as a call off from the BDUK framework agreement;
 - Draw up a Delivery Plan for the roll out programme in accordance with the priorities set out in the report and agree this with the successful supplier
- (d) that authority be delegated to the Assistant Director, Law, Democracy and People Services to execute all documentation required to give effect to the agreements reached in relation to (c) above.

CB-24 MARCHES LOCAL ENTERPRISE PARTNERSHIP UPDATE

Key Decision identified as **Marches Local Enterprise Partnership Update** in the Notice of Key Decisions published on 26 June 2014.

Recommendation to Full Council in relation to decision (c) below not subject to Call-in

Councillor K.S. Sahota, Lead Cabinet Member for the Local Enterprise Partnership, presented the report of the Director of Development, Business and Customer Service which updated Cabinet on a number of initiatives and developments regarding the Marches Local Enterprise Partnership (LEP).

On 7th July Government announced that the Marches LEP had secured £75.3m from the Government's Single Local Growth Fund to support a series of infrastructure investment projects to accelerate delivery of new jobs and homes. This included £10.4m in 2015/16 and £12.3m in 2016/17 of confirmed funding and a provisional award of £41.9m for projects starting in 2016 and beyond. This was in addition to £10.7m that the Government had previously committed as part of the Local Growth Deal funding for the area. The Government had selected projects to fund from the prioritised list set out in the Marches Strategic Economic Plan. As a result the Borough was anticipated to receive £18.8m investment over the next 2 years matched by £5.6m of public/private sector investment. This included £13.9m confirmed funding for the Telford Growth Package which would accelerate delivery of employment land at Hortonwood and open up a number of housing sites. Included on the list against the provisional funding award was £3.6m for the Telford Eastern Gateway supporting delivery of the flagship T54 employment site and £1.3m to relocate the bus station in Telford Town Centre.

In addition to the grant funding the Government has made a commitment to explore the potential for sharing land receipts from the sale of agreed HCA assets in Telford. The agreed local share would in part support a revolving Marches Investment Fund to drive further infrastructure delivery.

As part of agreeing the Growth Deal, Government was asking LEPs to put in place robust, collaborative, governance arrangements to ensure democratic accountability for expenditure and delivery of the agreed programme. It was proposed that a Joint Committee be set up including the Leaders of the 3 Local Authorities forming the Marches LEP to exercise the necessary executive functions in relation to the LEP. Further information on the proposed governance structure was appended to the report.

The Hereford Enterprise Zone at Rotherwas included over 60 hectares of land predicated to deliver c. 4200 jobs. With a proportion of the business rates uplift in future years to be invested across the LEP and a complementary sector based offer to Telford's own advanced manufacturing specialisms, the Borough had a vested interest in the success of the Zone. It was therefore proposed that the Council join the Member Board of the Hereford Enterprise Zone Ltd company as a stakeholder member.

The report also provided an update on work by the Marches LEP to establish an EU Investment Strategy to draw down the notional allocation of £98m European Structural Funding to support economic growth in line with EU priorities.

Members welcomed the news that the majority of money for Telford & Wrekin under the Local Growth Deal had been secured, and that there was a clear message from Government for investment in Housing and Jobs.

RESOLVED -

- (a) that the establishment of a joint committee to exercise executive functions in relation to the Marches LEP, and the proposed constitution for the joint committee, as outlined in Appendix 1 of the report, be approved, and that decision-making powers of the joint committee be delegated to councillor representatives appointed to it;**
- (b) that Telford and Wrekin Council becomes a Stakeholder Member of the Hereford Enterprise Zone Company Ltd, with authority being delegated to the Director, Development, Business & Customer Services, or their representative, to represent the Council, and take decisions on behalf of the Council, at meetings of the Stakeholder Member Board;**
- (c) to RECOMMEND to COUNCIL that the Growth Deal Funding from the Marches LEP be approved and that it be applied to deliver the projects for which the funding has been allocated.**

- (d) **that authority be granted to the Director, Development, Business & Customer Services, in consultation with the Cabinet Member for Finance & Enterprise, to negotiate with the Marches LEP and the Government regarding a potential HCA land receipt sharing agreement.**

CB-25 PROCUREMENT UPDATE

Key Decision identified as **Procurement Update** in the Notice of Key Decisions published on 26 June 2014.

Councillor W.A.M. McClements, Cabinet Member: Finance & Enterprise, presented the report of the Assistant Director: Law, Democracy & People Services which updated Cabinet on the Council's Procurement Intentions Document, Social Value Policy and general progress with effective procurement.

Over the last 6 months the Procurement team had continued to support the Council in achieving value-for-money commissioning, and the indicative savings realised (both cash and non-cashable) were detailed in the report. Appended to the report was the latest Procurement Intentions document, which detailed the procurement activity for the next 6-12 months. The key activities in the document were the Stop Smoking Services procurement, the Children's Regional Residential Framework tender and the Managed Services to Temporary Agency Resources agreement. Further details on these functions were set out in the report.

Under the provisions of the Public Services (Social Value) Act 2012, the Council was required to consider how the economic, social and environmental wellbeing of the Borough might be improved through commissioning and procurement of its services. Appended to the report was a draft Social Value Policy which set out links to Council priorities and how social value would work in practice. There would be an annual report to Cabinet on how social value targets had been achieved. A precursor to this approach was the way in which the procurement for the Solar Farm (as previously agreed by Cabinet) had been undertaken. The market had been told at the outset that the local supply chain would be notified who the key bidders were, so that they could proactively engage at the tender stage. This appeared to be working, with all the bidders looking to use local businesses and suppliers.

RESOLVED -

- (a) **that the updates to the Procurement Intentions document be noted, and that the delegation (where required) to the appropriate Officers to progress new procurements be approved;**
- (b) **that the Social Value Policy be approved.**

Councillor A.R.H. England, having previously declared an interest, withdrew from the meeting room before consideration of the next item.

CB-26 AFC TELFORD – AMENDMENTS TO LEGAL AGREEMENTS

Non-Key Decision

Councillor S. Davies, Cabinet Member: Neighbourhood Services, Employment & Skills, presented the report of the Director of Development, Business & Customer Service, which sought agreement to alterations to the legal agreements and leases relating to the West Stand at AFC Telford.

New College had recently purchased the West Stand and Whitehouse Hotel to create a hotel and catering college resource. In respect of the West Stand, amendments were required to some of the shared rights of access and some shared use of facilities to allow both parties (AFC Telford and New College) to run their respective operations. While some of these were dealt with by way of local agreement, they ran against, or were not covered in, the existing terms of the lease agreements that the Council (as freehold owner of part of the site) had negotiated. To successfully rectify these anomalies for the benefit of all parties, it was proposed that new documents should be prepared to include (but not limited to) a Collaboration Agreement to establish respective rights, Deeds of Variation to formally alter existing leases and/or agreements, and Deeds of Surrender to give up areas incorrectly leased to each other and, if necessary, new leases.

To take this forward, it was proposed that a working group be formed, to include representatives from AFC Telford, New College, the Council and community groups, to improve the offer from the overall facility for all residents in the Borough.

RESOLVED -

- (a) that authority be delegated to the Director of Development, Business & Customer Services, in consultation with the Cabinet Member: Neighbourhood Services, Employment & Skills, to negotiate and agree the terms for any variation/amendment, surrender and creation of any necessary legal agreements, including new leases, as may be required pursuant to the report;**
- (b) that authority be delegated to the Assistant Director: Law, Democracy & People Services to seal or sign any documents required to give effect to the recommendations contained in the report.**

CB-27 SPECIAL EDUCATIONAL NEEDS & DISABILITY REFORMS

Key Decision identified as **Readiness for Special Educational Needs (SEN) Reform** in the Notice of Key Decisions published on 26 June 2014.

Councillor P.R. Watling, Cabinet Member: Children, Families & Young People, presented the report of the Assistant Director: Children's Safeguarding & Specialist Services, which informed Members of the reforms being introduced by the Government relating to the needs of children and young people with Special Educational Needs and/or Disability (SEND).

The SEND reforms were enshrined in part 3 of the Children & Families Act 2014, and aimed to improve life chances through promoting early identification and intervention, and bringing together services to support children and young people through a single assessment process and appropriate plan. For those whose educational needs were more complex, there would be an Education, Health & Care Plan (EHCP). The aim was to promote choice and personalisation of provision, with children, young people and their families at the centre of the process.

The legislation was due to be implemented in September 2014, when new requests for Statements of Special Educational Needs would be met through EHCPs. It was expected that the Council would be compliant with the legislation. There was also the expectation that all existing Statements and 139A assessments were reviewed and converted to EHCP within 3 years. The Government had recognised the additional burden this would put on Councils, and had provided three separate grants to support the costs of the change.

Robust delivery arrangements were already in place to support the delivery of the main aspects of the reforms. The Council was already involved as a partner in a Pathfinder consortium of West Midlands authorities championing the new approach. In addition a re-structure of Children's Services, involving the formation of a Children's Specialist Service, had brought together key services to meet the SEND requirements. A Department for Education Advisor had expressed 'reasonable confidence' that the Council would deliver the reforms on time. However, there was a significant amount of work to be done over the next 12-18 months regarding the embedding of systems, transition arrangements and creating a culture change for staff, services and agencies.

RESOLVED -

- (a) that the progress towards readiness for implementation of the SEND reforms be noted;**
- (b) that authority be delegated to the Director of Children & Family Services, following consultation with the Cabinet Member: Children, Young People & Families, to approve and implement revised SEND policies to meet the requirements of the Children & Families Act 2014.**

CB-28 2013/14 END OF YEAR PERFORMANCE ANALYSIS AND STRATEGIC RISK REGISTER

Non-Key Decision.

Councillor R.A. Overton, Cabinet Member: Public Health & Public Protection, presented the report of the Managing Director, which presented an overview of 2013/14 performance against the Council's priorities and identified key risks in their delivery.

Appended to the report was a basket of performance indicators aligned to each of the Council's priorities. This showed where there had been improvements in performance and also which areas required improvement. The Cabinet Member highlighted three key areas from within the overall report:

- i) Education attainment – this had been a real success for the Council with the percentage of schools judged by OFSTED to be either “good” or “outstanding” rising over the past two years from 53% to 82.6%. There was still work to do though in raising attainment, in particular relating to Early Years Foundation Stage and the achievement of vulnerable pupils.
- ii) Job creation- The latest data for 2012 showed an increase of 2.600 (or 3.4%) in the number of jobs in the Borough. This compared to a national increase of just 0.7%. The overall unemployment rate in the Borough had continued to fall, and was now below the regional average. However, youth unemployment remained stubbornly high.
- iii) Ensuring that Neighbourhoods are safe, clean and well maintained – the rate of recycling of waste had remained static for the past three years. However, the new service introduced in April 2014 by Veolia was designed to increase the rate of recycling, with a target of 59% by 2019. The Council was also investing £8m capital and £1.6m revenue over the next two years in its Pride in Your Community programme to address environmental and social issues around the Borough.

Also appended to the report was the Strategic Risk Register for 2014/15, which set out the key risks that had been identified as potentially impacting on the Council's priorities, and the mitigating actions in place. The report also outlined the timetable for performance reporting throughout the remainder of 2014/15.

RESOLVED -

- (a) that the Council's performance for 2013/14 be noted;
- (b) that the reporting timetable for 2014/15 be approved;
- (c) that the Strategic Risk Register for 2014/15 be approved.

CB-29 DEDICATION OF BRIDLEWAYS AND A FOOTPATH ON COUNCIL OWNED LAND

Key Decision identified as **Dedication of Bridleways and a Footpath on Council Owned Land** in the Notice of Key Decisions published on 26 June 2014.

Councillor C.F. Smith, Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Development, Business & Employment, which sought authority to dedicate five bridleways on Council-owned land at The Cockshutt, Wrockwardine Wood; Rough Park Way, Madeley; Halesfield 16; The Town Park; and Lees Farm to Meadow Pit in Madeley, along with authority to dedicate a footpath from Copperfield Drive to Marshbrook Way, Muxton.

All these routes were subject of outstanding applications for a Definitive Map Modification Order (DMMO) to have a way added to the map or reclassified as a bridleway. If Cabinet decided to dedicate the routes as public bridleways and a public footpath, a DMMO procedure was avoided which was likely to result in a reduced cost to the Council in terms of officer time and a possible public inquiry. Appended to the report were descriptions and maps of the proposed routes for dedication.

RESOLVED -

- (a) that the dedication of the five bridleways on Council owned land described in appendices 1-5 of the report, and the creation of a footpath on Council owned land described in Appendix 6 of the report, be approved;
- (b) that authority be delegated to the Assistant Director: Development, Business & Employment to agree the terms of the deed of dedication of the land described in appendices 1-5 of the report for use by the public as bridleways, and the land described in Appendix 6 of the report for use by the public as a footpath;
- (c) that authority be delegated to the Assistant Director: Law, Democracy & People Services to execute and complete such documentation as may be required to achieve the dedication of the land described in (b) above.

CB-30 EXCLUSION OF PUBLIC AND PRESS

RESOLVED – that the public and press be excluded from the meeting for the following item of business on the grounds that it may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) and to information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime, as defined in paragraphs 3 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

CB-31 REGULATION OF INVESTIGATORY POWERS ACT 2000

Non-Key Decision

Councillor R.A. Overton, Cabinet Member: Public Health & Public Protection, presented the report of the Assistant Director: Law, Democracy & People Services, which sought approval for a revised and updated Council Policy relating to the provisions of the Regulation of Investigatory Powers Act (RIPA).

In March 2014 the Council received its bi-annual inspection from the Office of Surveillance Commissioners (OSC) which resulted in a positive inspection report with a finding that, overall, the use of RIPA powers had been appropriate. A copy of the OSC report was appended to the report. The OSC report recommended revision of the Council's RIPA Policy in relation to the duration of authorisations and the use of the internet and social networking sites for RIPA purposes. The Policy had been revised slightly in light of the OSC inspection, and was appended to the report. The issues raised had been briefed to authorising officers and a refresher training session was planned.

In terms of usage, during the period April 2013 – April 2014 the Council had not used any of its powers under RIPA.

RESOLVED -

- (a) that the revised RIPA Policy document, as appended to the report, be noted and approved;**
- (b) that the contents of the report be noted.**

The meeting ended at 6.42 pm.

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Law, Democracy & People Services
Date: 30 July 2014

Signed:

Date: