

## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on  
Thursday, 15 October, 2015 at 5.00pm at Addenbrooke House,  
Ironmasters Way, Telford**

**PUBLISHED ON WEDNESDAY, 21 OCTOBER, 2015**

**(DEADLINE FOR CALL-IN: MONDAY, 26 OCTOBER, 2015)**

**PRESENT:** Councillors K S Sahota (Leader and Chair), L D Carter, E A Clare, S Davies, A R H England, A D McClements, R A Overton, G C W Reynolds and P R Watling

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

### **CB-36      APOLOGIES FOR ABSENCE**

None

### **CB-37      DECLARATIONS OF INTEREST**

Councillor S Davies declared a personal interest in agenda item 6 – Future Delivery Arrangements for West Mercia Youth Offending Service (WMYOS) – in relation to his work as a Solicitor representing people in the Youth Court.

Councillor A R H England declared a personal interest in agenda item 6 – Future Delivery Arrangements for West Mercia Youth Offending Service (WMYOS) – in relation to his role as a JP in the Youth Court.

### **CB-38      MINUTES**

**RESOLVED** – that the minutes of the meeting held on 8 October 2015 be confirmed and signed by the Chair.

### **CB-39      2015/16 FINANCIAL MANAGEMENT**

**Key Decision** identified as **2015/16 Financial Monitoring** in the Notice of Key Decisions published on 30 September 2015.

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

Councillor L D Carter, Cabinet Member: Council Finance & Service Delivery, presented the report of the Assistant Director: Finance, Audit & Information Governance, which provided Members with the latest financial monitoring information for 2015/16.

The net projected outturn position for 2015/16 was estimated to be within budget and was an improvement of £0.9m on the position reported to Cabinet

on 23 July 2015. Further cuts to local government funding were anticipated following the Government's pledge to protect spending on health, education, defence and overseas aid which would require the delivery of more savings over the coming years. The Council would not know its budget gap for the following year until the Government had issued the local government finance settlement at some point during December 2015. In the meantime, work was progressing on developing a range of options for further savings and it was inevitable that many new savings proposals would have greater front line service impacts than the savings made to date which had focussed on driving down staffing levels and other costs and improving efficiency within the organisation. In particular, Councillor Carter commended the approach of the Cabinet Members for Children & Young People and Adult Social Care who he considered had handled a difficult task with dignity and compassion. The Council would engage in extensive consultation on its savings proposals for the following year, starting in January.

There were a number of variations from the approved budget, including the cost of Children in Care placements (overspend of £1.6m) and the cost of Adult Care and Support services (projected overspend of £1.9m which was an improvement since the last report). There were benefits from Public Health projected savings of £0.77m, £0.7m relating to treasury management activities and £0.8m from the implementation of single status which would not be required in 2015/16.

The capital programme totalled £102m, which included all approvals since the budget was set. Spend was currently standing at around 98% of the budget allocation. The report detailed a number of new approvals, virements and slippage.

The collection levels for Business Rates and Council Tax were ahead of target, whilst the Sales Ledger debt was slightly behind the target set for the year.

Councillor Carter indicated that he would be working with Councillor W L Tomlinson (Liberal Democrat/Independent Group Leader) to campaign to the Government for fairer funding and he extended an invitation to join them to the Conservative Shadow Cabinet Member for Resources.

Councillor S Davies commented upon the opportunities that had been created in difficult financial circumstances, particularly the Council's achievements with regard to economic performance, youth employment, housing growth and business space and lamented the unplanned in-year cut to the Public Health grant.

#### **RESOLVED -**

- (a) that it be noted that 2015/16 revenue spending is currently projected to be within budget and that work will continue with SMT to sustain the position;**

- (b) that the position in relation to capital spend be noted, and **TO RECOMMEND TO COUNCIL** that the new allocations and slippage detailed in Appendix 3 of the report be approved; and
- (c) that the collection rates for NNDR, council tax and sales ledger be noted.

#### **CB-40      GREEN GUARANTEE**

##### **Non-Key Decision**

Councillor R A Overton, Cabinet Member: Housing, Public Health & Protection, presented the report of the Assistant Director: Development, Business & Employment and the Assistant Director: Leisure, Culture & Facilities Management which sought approval for the protection of at least 100 green spaces owned by Telford & Wrekin Council as part of the Council's Green Guarantee as referred to in the Telford & Wrekin Local Plan: Consultation document.

The Green Guarantee reflected the Council's commitment to the retention of locally important green spaces which had value to local communities. The Green Guarantee would be delivered in two parts. The first phase would immediately identify at least 100 green spaces in council ownership which would formally recognise areas of open space for leisure, recreation and biodiversity purposes to complement the areas of land which were currently protected by other means such as Local Nature Reserves, Sites of Special Scientific Interest, Fields in Trust sites and Village Greens and met the criteria set out in the report. Secondly an additional 50 sites (approximately) would be identified through public consultation which would begin in December 2016.

The initial list of 100 green spaces, set out at Appendix 1 to the report, had been selected using the experience and knowledge of officers across the Local Authority and applied a criteria detailed in the report based on the value of the site to local communities, biodiversity value and leisure and recreational value evidence work undertaken as part of preparing the Local Plan.

The process of protection would also see the current officer delegated authority, which covered disposal of council owned sites under £50k in value, being removed for those sites identified as part of the Green Guarantee and any future proposals for the disposal or potential change of use of the identified sites would require Cabinet approval.

No additional resources or funding would be provided to manage identified green spaces but Telford and Wrekin Council would continue to work with partners such as Town and Parish Councils, existing and new 'friends of' groups and local communities to provide the maintenance and upkeep of these important community assets.

Members welcomed the proposals for protecting green spaces in the Borough which played an important role in creating the character and appeal of Telford.

Local residents were being listened to and would have the opportunity to put forward sites for protection.

Following comments made by Councillor A J Eade (Conservative Group Leader) Councillor Overton responded that some sites were not included in the Green Guarantee as they had already been allocated in the Local Plan document which was subject to separate consultation. Councillor A J Eade (Conservative Group Leader) maintained his position that he considered more could be more done to protect the borough's green spaces from development.

**RESOLVED –**

- (a) **that the proposal to identify and protect at least 100 green spaces and to remove the current officer delegation relating to these spaces to ensure that all decisions relating to disposals or changes of use of these sites are determined by Cabinet be approved;**
- (b) **that the initial list of 116 green spaces as identified in Appendix 1 to the report be approved and that the proposal that the Assistant Director for Development, Business & Employment and Assistant Director for Leisure, Culture & Facilities Management in conjunction with lead Cabinet Members consult and progress the site boundaries and present to a future Cabinet meeting to confirm the protection of the sites and progress the Council's Green Guarantee Land Management Commitment be endorsed; and**
- (c) **that the intention to bring an additional 50 (approximately) areas forward for similar protection via a further public consultation at the conclusion of the Telford & Wrekin Local Plan be endorsed.**

**CB-41      FUTURE DELIVERY ARRANGEMENTS FOR WEST MERCIA YOUTH OFFENDING SERVICE (WMYOS)**

**Key Decision** identified as **Future Delivery Arrangements for West Mercia Youth Offending Service** in the Notice of Key Decisions published on 30 September 2015.

Councillor P R Watling, Cabinet Member: Children & Young People, presented the report of the Director: Children & Families which sought approval for the Office of West Mercia Police and Crime Commissioner to act as the host organisation to provide the West Mercia Youth Offending Service (WMYOS).

WMYOS was a partnership between Worcestershire, Herefordshire, Shropshire and Telford & Wrekin local authorities, West Mercia Police, National Probation Service, Health partners (represented by NHS England), and the West Mercia Police & Crime Commissioner. The service delivered the full range of Youth Justice provision for children, young people, their families and the victims of youth crime.

Since 2012, WMYOS had undergone a phased programme of transition with the establishment of a single West Mercia-wide service which provided a more integrated single organisation for WMYOS delivery. Hosting had initially been provided by the Probation Trust but following national changes to Probation services, Worcestershire County Council took on the role of host agency for WMYOS on an interim basis pending a formal decision on the most suitable longer-term delivery arrangements. The main reasons for considering a change to WMYOS delivery arrangements were set out in the report.

The comprehensive options appraisal undertaken by the WMYOS Management Board during 2014/15 included detailed consideration of a broad range of alternative delivery models. The options appraisal formed a strong evidence base for the proposed hosting arrangement by the Office of the Police and Crime Commissioner which is supported in-principle by all WMYOS partners. A number of alternative models had been rejected:-

- Outsourcing delivery to a third sector organisation. This was discounted following a comprehensive market engagement exercise which identified a limited range of suitably experienced potential providers.
- Establishing a Local Authority Trading Company (LATC) for WMYOS delivery. A full business case was undertaken for a LATC. Concerns around financial viability and the lack of engagement of all WMYOS partners led to this option being discounted.
- Hosting by a Local Authority. After careful consideration this option was not considered viable for reasons specific to the four individual Local Authorities. It was also felt that this was the option least likely to achieve the desired outcomes for longer-term WMYOS delivery.

Each of the alternative options had been assessed using clear and transparent criteria agreed by the WMYOS Management Board which included consideration of financial viability, performance impact, quality and sustainability. The overriding consideration of WMYOS partners had been on which model would offer the best impact on reducing offending and re-offending, whilst securing the best possible outcomes for children, young people, the victims of crime and the wider community. Significant benefits were attached to the proposed hosting arrangement with the Office of the Police and Crime Commissioner and these were fully set out in the report. The report also set out the main elements of the proposed hosting arrangement which would form the basis of a formal joint agreement between the WMYOS Management Board and the Office of the Police and Crime Commissioner.

#### **RESOLVED –**

- (a) that the Office of West Mercia Police and Crime Commissioner (PCC) be approved to act as the host organisation for the four local authorities and their statutory partners as of 1st April 2016**

**subject to all parties entering into appropriate contract documentation to give effect to the hosting arrangement; and**

- (b) that authority be delegated to the Director of Children and Family Services in consultation with the Cabinet Member for Children & Young People to take all steps to implement the hosting arrangement set out in the report including consulting with affected council staff on the details of the transfer to the PCC.**

#### **CB-42        SKILLS TO EMPLOYMENT PROGRAMME**

**Key Decision** identified as **Youth Unemployment** in the Notice of Key Decisions published on 30 September 2015.

Councillor G C W Reynolds, Cabinet Member: Employment & Skills, presented the report of the Assistant Director: Development, Business & Employment which provided an update on progress against the Council's youth unemployment pledges, highlighted key challenges going forward and presented an emerging skills to employment programme of activity for approval.

The report noted that significant progress had been made against all of the original pledges supporting around 600 young people into employment, education or voluntary work through the Council's Job Junctions and 206 into employment or education with the support of Job Box Mentors (plus an additional 15 into a second job). The Job Box 'one stop shop' continued to grow in recognition amongst business and young people and over 9,500 people had been engaged through the Council's Job Fairs.

Work with the Telford Business Board and individual businesses and investors had shown a tightening in the labour market creating skills gaps at all levels and technological changes within industry and across sectors and supply chain, creating workforce development challenges. The key message which continued to be received from business was that those seeking to enter their workforce often lacked key employability skills.

Given this context, whilst maintaining the success in reducing youth unemployment remained a priority, with the additional £500k committed by the Council in addition to the original £1.3m Youth Unemployment Programme, there was an opportunity to refocus activity to address these emerging priorities and more closely reflect the skills needs of local businesses and the needs of the cohort still seeking employment, including young people not in education, employment or training (NEETS).

The Report set out proposals to take the strategy forward through a Skills to Employment Programme that closely linked to the Council's Strengthening Families strategy and Enterprise Telford approach and would generate growth through business expansion and inward investment, supported by an economically independent and resilient workforce. The programme would be delivered through 3 strands underpinned by the related themes - 'inspire', 'grow' and 'engage':

- Life Ready Work Ready – to inspire and grow young people for the world of work
- Job Box – to engage and inspire jobseekers of all ages and backgrounds
- Growth Hub – to inspire, engage and grow businesses of all sizes, across all sectors, growing entrepreneurship and technological advancement

The delivery of the whole programme would require closer partnership with a range of stakeholders, particularly schools and education providers, to sustain momentum in reducing unemployment and promoting economic growth. It was proposed that the Telford Business Board and Local Strategic Partnership would act as sponsors for the different strands of the programme.

Members applauded the significant achievements set out in the report, particularly the provision of 165 apprenticeships with the Council, and welcomed the new and continued opportunities proposed to assist young people in the borough.

**RESOLVED –**

- (a) that the progress made to date against the pledges approved at Cabinet in January 2014 to tackle high levels of youth unemployment be noted; and
- (b) that the Skills to Employment Programme to the end of financial year 2017/18 as set out in Appendix 2 of the report be approved.

**CB-43      ADOPTION OF A TELFORD & WREKIN PLANNING ENFORCEMENT POLICY**

**Key Decision** identified as **Adoption of a Telford & Wrekin Planning Enforcement Policy** in the Notice of Key Decisions published on 30 September 2015.

Councillor R A Overton, Cabinet Member: Housing, Public Health & Protection, presented the report of the Assistant Director: Development, Business & Employment which proposed the adoption of a Local Planning Enforcement Policy. A copy of the proposed Policy was appended to the report.

The adoption and publication of the policy had a two-fold purpose. Firstly, it would provide transparency and certainty to all members of the public concerning the Council's handling of potential planning breaches. Secondly, it would enable the Council to access the new Planning Enforcement Fund which had been implemented to support Councils with legal proceedings against unlawful breaches of planning control. The Fund would run until 31 March 2016 and would give access to grants of up to £10,000 or 50% towards the costs of a legal injunction (whichever was the lesser). The pledges in the policy would be monitored and reported on monthly to ensure service

standards were maintained. A six week consultation on the proposed policy had taken place.

**RESOLVED** – that the **Local Planning Enforcement Policy** set out in **Appendix 1** of the report be adopted and published.

**CB-44**            **SCRAP METAL DEALERS ACT 2013**

**Non-Key Decision**

Councillor R A Overton, Cabinet Member: Housing, Public Health & Protection, presented the report of the Assistant Director: Health, Well-Being & Public Protection which set out the proposed level of licence fees for Scrap Metal Site and Collector's Licences and proposed that the Local Authority's powers for the administration and enforcement of the Scrap Metal Dealers Act 2013 be delegated to the Licensing Committee.

The Scrap Metal Dealers Act 2013 came into effect on 1 October 2013, replacing the previous registration system for scrap metal dealers. Local Authorities were now responsible for administration and compliance in relation to the Act. The power to set licence fees had also passed to Local Authorities, and proposed fees for the new licences under the Act were appended to the report. Benchmarking data on other Authorities' proposed fees was also provided to provide comparison.

Cabinet had previously delegated the powers of licensing and enforcement in relation to the Act to Licensing Officers and it was suggested that it would be most appropriate for the Licensing Committee to have oversight of these functions in future.

**RESOLVED** –

- (a) that the proposed licence fees for Site Licences and Collectors Licences as set out at Appendix A of the report be approved to take effect from 1 November 2015;**
- (b) that authority be delegated to the Council's Licensing Committee in respect of the Local Authority's powers of administration and enforcement of the Scrap Metal Dealers Act 2013.**

**CB-45**            **HAYBRIDGE HALL, HADLEY**

**Non-Key Decision**

Councillor R A Overton, Cabinet Member: Housing, Public Health & Protection, presented the report of the Assistant Director: Development, Business & Employment which sought approval to provide funding in the form of a grant from agreed Section 106 contributions for off-site affordable housing to assist in the redevelopment of Haybridge Hall for ten affordable apartments.

The report outlined the recent planning history in relation to the Haybridge Hall building which was owned by Wrekin Housing Trust (WHT) but had been unoccupied for some years and had gradually deteriorated with repairs deemed uneconomic. The building was not listed or located in a conservation area but it was included on the Council's Buildings of Local Interest list. Following refusal of a planning application for the demolition of the existing building and construction of four new build bungalows, WHT submitted papers with a view to applying for prior approval to demolish the flats. This had led to Cabinet approval for a delegation to the Director of Neighbourhood, Customer and Cultural Services to permit an Article 4(1) Direction to remove permitted development rights for demolition and require a full planning application to be served. This had not yet taken place, pending the outcome of discussions with WHT regarding an agreed solution that would bring the building back into viable use for affordable housing.

Discussions with WHT had resulted in proposals to deliver a new scheme redeveloping the existing building which would provide ten affordable apartments. Based on the addition of six units from the Trust's original scheme that was refused by the Local Planning Authority, the Council was proposing to offer a grant of £79,167 per additional unit, amounting to a total of £475,000. The grant unlocked an additional 6 affordable homes from the original planned scheme of 4 units and therefore supported precisely the purpose of the off-site affordable housing Section 106 funding negotiated from other developments.

The Grant would also contribute to the Trust's Retirement Living on the site which benefited from communal facilities and gardens for elderly residents. The need for such accommodation had been demonstrated in the Telford & Wrekin Strategic Housing Market Assessment published in February 2014 and would contribute to the acute need for affordable homes in the Hadley and Leegomery Ward by releasing under-occupied existing homes. The terms of the Grant contribution would need to be agreed with Wrekin Housing Trust but primarily the funding would enable the delivery of affordable homes in perpetuity with the Council requiring nomination rights over the new properties to ensure that they benefit local people.

WHT were also submitting a bid to the Homes and Communities Agency for funding under their Continuous Market Engagement Scheme and use of WHT's own reserves and loan contribution, to make the whole redevelopment viable. Therefore the project would be funded by a combination of HCA, WHT and the Council. The scheme delivery remained subject to planning approval.

Councillor G C W Reynolds welcomed the report as another example of the Council listening to the desires of residents and protecting local heritage assets.

#### **RESOLVED –**

- (a) that supplementary capital approval, capital estimate and temporary borrowing (pending the receipt of Section 106 contributions of £0.475m to fund the grant) to support the**

**provision of affordable housing described in paragraph 1.5 of the report be approved;**

- (b) that authority be delegated to the Assistant Director: Development, Business & Employment to enter into the proposed grant agreement referred to in the report.**

**CB-46      WEST MIDLANDS RAIL GOVERNANCE**

**Non-Key Decision**

**Full Council decision not subject to Call-in**

Councillor K S Sahota, presented the report of the Assistant Director: Neighbourhood & Customer Services which outlined proposed governance arrangements for the development and oversight of the West Midlands Rail Franchise through West Midlands Rail Limited (WMR Ltd) and sought approval of the Council's membership of WMR Ltd and the appointment of directors to the board of WMR Ltd by Full Council.

Proposals to increase local involvement and influence over the West Midlands local rail network had been in development by West Midlands Rail (WMR) Partner Authorities for approximately two and a half years, in line with government policy on devolution and evidenced by the benefits experienced elsewhere from local control of rail services. The Secretary of State for Transport had made a commitment to work with Partner Authorities to achieve these ends. The process for the letting of the new West Midlands Rail Franchise was set out in the report along with the proposals for rail devolution in the West Midlands

The proposed governance structures of WMR Ltd were comprehensively outlined in the report and a full draft of the Articles of Association was provided. The report set out proposals that the Partner Authorities join WMR Ltd and appoint directors to WMR Ltd's Board. The principles which the Governance Structure was designed to achieve were set out, focussing on effective, inclusive and transparent decision making between partner authorities, democratic accountability and robust financial management.

It was anticipated that WMR Ltd would jointly manage the West Midlands Rail Franchise in partnership with the DfT which would allow WMR Ltd to develop experience and capability in readiness for future full devolution.

Councillor A D McClements, Cabinet Member: Communities, Regeneration & Transport, welcomed the benefits which could be afforded by a local organisation delivering local services, including democratic transparency, improvements to local train stations, electrification of the Wolverhampton to Telford line and improved access to the rail freight terminal. Councillor England also applauded the benefits to the local community and added that he would support a similar arrangement for local bus networks.

**RESOLVED** –

- (a) that the proposed governance arrangements for the development and oversight of WMR Ltd as set out in the report be approved;
- (b) that the Council joining WMR Ltd as a member be approved;
- (c) **TO RECOMMEND TO COUNCIL** that Councillor Kuldip Sahota be appointed as a Director of WMR Ltd and that Councillor Angela McClements will attend as his substitute if he is unable to attend any Board meetings, and note that in this role they will be authorised to make decisions in this capacity relating to the strategic direction for the new West Midlands Rail Franchise; and
- (d) that the intention that WMR Ltd will in due course enter into a formal partnership agreement with the DfT that will set out the rights and obligations of WMR Ltd in relation to the award of the new West Midlands Rail Franchise and related matters be noted.

The meeting ended at 5.52pm

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

**Jonathan Eatough**  
**Assistant Director: Law, Democracy & People Services**  
**Date: 21 October 2015**

**Signed:** .....

**Date:** .....