

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 3 January 2019 at 5.00pm in Meeting Rooms G3-G4, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT

PUBLISHED ON WEDNESDAY, 9 JANUARY 2019

(DEADLINE FOR CALL-IN: MONDAY, 14 JANUARY 2019)

Present: Councillors S Davies (Leader and Chair), R A Overton (Deputy Leader and Vice Chair), L D Carter, A R H England, R C Evans, S A W Reynolds and H Rhodes.

Also Present: Councillors A J Eade (Conservative Group Leader) and W L Tomlinson (Liberal Democrat / Independent Group Leader)

CB-039 Apologies for Absence

Councillor J C Minor

CB-040 Declarations of Interest

None.

CB-041 Minutes

RESOLVED – that the minutes of the meeting held on 13 December 2018 be confirmed and signed by the Chair.

CB-042 2018/19 Financial Management Report

Key Decision identified as **Financial Management Report 2018/19 Update** in the Notice of Key Decisions published on 5 December 2018.

Reserved for Council.

Councillor L D Carter, Cabinet Member: Finance, Commercial Services & Economic Development, presented the report of the Assistant Director: Finance & Human Resources and Chief Financial Officer.

The net projected outturn position for 2018/19 estimated to be within budget was welcomed as a positive position, given the £7.6m savings required to balance the 2018/19 budget, and £5.28m remained in the central contingency to meet any unforeseen costs or further pressures over the rest of the year (eg additional social care costs or if the winter was particularly hard).

Children's Safeguarding and Early Help & Support continued to be a key area of focus and there were a number of strategies underway to reduce costs and deliver savings. These plans were monitored on a regular basis both by senior managers and Cabinet Members.

There were a number of variations from the approved budget, including some beneficial variances. The main areas highlighted were:

- A benefit of £2.7m relating to Treasury Management activities - the majority of which related to benefits from low interest rates for short term borrowing.
- A benefit of £0.6m relating to the Property Investment Portfolio and delivery of benefits ahead of schedule from the Council's £50m Growth Fund Investments.
- Children's Safeguarding & Early Help was a key pressure with additional investment of £2.7m required, mainly related to the cost of placements for Looked after Children. A four year model was in place which was designed to deliver efficiencies over the remainder of the year and medium term.
- Education & Corporate Parenting – overall the service was projecting an overspend of £0.5m due to a combination of the cost of providing school transport and an increase in the number of children with high needs.

The capital programme totalled £71.8m which included all approvals since the budget was set. At the time of compiling the Cabinet report projected spend was 98% of the budget allocation. There were some new allocations and slippage identified which would go forward to Full Council for formal approval.

Council Tax, Business Rates and Sales Ledger outstanding debt collection were slightly behind target.

Members welcomed the report.

RESOLVED that –

- the 2018/19 revenue spending currently projected to be within budget be noted and work continue with SMT to sustain this position;; and the use of contingency detailed in section 5 be approved.**
- the position in relation to capital spend be noted and RECOMMEND TO COUNCIL that the new allocations, virements and re-phasing detailed in Appendix 3 be approved;**
- the collection rates for NNDR, council tax and sales ledger be noted.**

CB-043 Service & Financial Planning 2019/20- 2021/22

Key Decision identified as **Service & Financial Planning 2019/20** in the Notice of Key Decisions published on 5 December 2018.

Councillor L D Carter, Cabinet Member: Finance, Commercial Services & Economic Development, presented the report of the Managing Director and the Chief Financial Officer, which noted that a two year service and financial planning strategy for the period 2019/20 to 2021/22 had been approved on 1 March 2018.

Since 2010, the Council had had to make ongoing budget savings of £117m per annum - equivalent to more than £1,500 for every household in the Borough. The Administration was committed to protect the most essential services for vulnerable children and adults and to investing in Telford's future and in promoting jobs and growth for the Borough. In order to do this, the Council would continue to seek innovative ways to generate income to fund key frontline services.

In March 2018, the Council had set a two year budget strategy for 2018/19 and 2019/20, the key features of which were set out in the report. Key points of the strategy included:-

- A previously agreed Council tax increase for 2019/20 of 3.2% which includes an increase of 2% for the Government's "Adult Social Care precept". Council Tax in Telford & Wrekin currently remained the lowest across the Midlands region for the services that the Council provided.
- To continue implementing the package of savings totalling £6.064m 2019/20. The Council had a strong track record of sound financial management delivering a financial outturn within budget and unqualified audit opinions for over 10 years despite having to deliver £117m annual budget savings and without the need to implement any emergency spending control measures. This had, however, necessitated very active budget management and financial control by Cabinet Members and officers across the Council. The Council's external auditors had consistently reported that the arrangements for securing value for money were satisfactory.
- Investment in communities and roads, street lights and footways to ensure that Telford & Wrekin remained a great place to live, work, learn, visit and do business. Capital and Revenue Projects to be delivered in 2019/20 included:-

Revenue:-

- £3.296m for children's safeguarding and early help to protect vulnerable children. Whilst numbers of looked after children had remained broadly stable, the cost of some of the placements for children with the most complex and challenging needs now exceeded £9,000 per week. This investment came on top of £0.75k for children's safeguarding built in to the budget model for 2019/20 in March 2018.
- £0.842m for Adult Social Care services, which was over and above the £0.77k built in to the budget model for 2019/20 for Adult Social Care in March 2018.
- £0.330m to maintain existing subsidised bus routes

Capital:-

A programme of capital investments totalling more than £189m was set out in Appendix 4 to the report. Amongst the capital investments included in the programme were:-

- Over £50m for road and transport improvements
- Over £30m for school projects
- Over £28m for further investment in NuPlace, the Council's wholly owned housing company, projects
- Almost £19m of investment through the Telford Growth Fund
- £9m for the Newport Innovation and Enterprise package

- A measured approach to the use of available one-off resources of just under £3m in 2019/20 to seek to cushion the impact of continuing Government cuts in council funding.

Attached to the report were a number of appendices, including the Capital Investment Programme, details of Reserves and Balances and details of education related Section 106 Agreements.

When the Council agreed its medium term service and financial planning strategy at Council in March 2017 for the three year period 2017/18 to 2019/20, it determined that because of the scale of ongoing annual savings that had been delivered, it was essential that a new approach to the development of future savings proposals be taken. Future savings were likely to be more challenging and more time would be needed to consult with stakeholders about options and ways to minimise impacts. It was therefore agreed that future savings would be developed as soon as opportunities arose and capacity allowed, rather than co-ordinating consultation through an annual process as historically was the case when resources were not so tight, and the need to implement change not so urgent. Since the last budget was agreed in March 2018, the Council had continued to implement this approach to budget engagement, for example during 2018 a consultation had been carried out relating to Civil Parking Enforcement and statutory consultation with Foster Carers regarding proposed changes to the Foster Carer Scheme. Targeted discussions had commenced with Town and Parish Councils during December this year as part of an ongoing dialogue that would continue throughout the year as our budget proposals were developed. Engagement with the business community and voluntary sector partners would commence in January 2019 and would again be part of an ongoing dialogue.

Final proposals would be considered by the Cabinet on 14 February 2019 for recommendation to full Council on 28 February 2019.

Members welcomed the report and congratulated the Cabinet Member: Finance, Commercial Services & Economic Development, Senior Management Team and Finance Team for their management of the budget.

RESOLVED that –

- (a) the proposed Service and Financial Planning Strategy set out in the report be approved for consultation between 4 January 2019 and 3 February 2019;**
- (b) the transfer of £1.5m from the Severance Fund to supplement the Invest to Save/Capacity Fund to support the delivery of the Service & Financial Planning Strategy be approved; and**
- (c) NOTED that due to the high level of uncertainty relating to the medium term financial outlook for the Council due to the significant changes to the local government finance system which will be introduced from April 2020 and because the Government's current Comprehensive Spending Review does not extend beyond the end of next financial year. This high level of uncertainty requires the Council to retain flexibility by limiting new ongoing investments to those that are unavoidable and retention of as much one-off resource as possible. Officers should commence work to identify further potential savings options for discussion with the new administration following the local elections in May 2019 as any further savings will be more**

challenging than those previously agreed by the Council given that they come on top of the £117m of savings already made and may therefore have a significant lead time before net spending reductions are delivered.

CB-044 Applying for Civil Parking Enforcement (CPE) Powers

Key Decision identified as **Civil Parking Enforcement** in the Notice of Key Decisions published on 5 December 2018.

Councillor R A Overton, Deputy Leader and Cabinet Member: Communities, Housing and Enforcement, presented the report of the Assistant Director: Customer and Neighbourhood Services.

CPE was the transfer of powers from the Police to local authorities for enforcing parking contraventions, moving from a criminal matter to a civil matter, by way of the issue of Penalty Charge Notices (PCNs) to motorists who had contravened parking restrictions (for example parking on double yellow lines, school keep clear or on the footway). The transfer of powers occurred through an application to the Department of Transport under the Traffic Management Act 2004.

The enforcement of parking restrictions in the borough had been identified as an area of concern for town and parish councils and residents, following the withdrawal of the Police's traffic wardens in 2009. At present the only organisation with powers to enforce on-street parking offences was the Police, primarily through local policing teams. However, West Mercia Police had locally acknowledged that parking enforcement was unlikely to be a long term priority, and that in many instances it was not possible to allocate the level of policing resource that parking enforcement required. The Police and Crime Commissioner (PCC) had confirmed his support and aspiration for the Council to take on the powers and, in discussions with the Leader, the PCC had agreed to provide £200,000 in transitional funding over the first 4 years of the scheme. As a result, on 31 May 2018, Cabinet had approved the development of a business case to apply for CPE powers.

In order to adopt CPE powers the Local Authority had to submit a business case to the Department for Transport (DfT) which considered the strategic, policy and financial case in respect of CPE. The application had to cover five key areas: -

- A parking strategy for on-street and off-street parking.
- A review of parking management identifying enforcement arrangements relating to CPE.
- A financial assessment detailing the costs of a scheme and expected income.
- A full review of all traffic regulation orders (TROs) in the borough.
- That the authority has consulted as required and taken account of consultees' views in finalising the application.

A consultation had taken place between 17 September and 14 October 2017. A summary of the results set out at Appendix A to the report confirmed that there were illegal parking hot spots across the borough particularly outside of schools, misuse of disabled parking bays along with a problem with on street parking.

Work had also taken place to assess potential operating models for CPE, including reviewing partial or fully outsourced methods as well as an in house team.

It was therefore recommended that the Council adopt an in house model employing a team of five Neighbourhood Enforcement Officers. These officers would hold a number of powers not only to enforce on illegal parking offences but also on other crimes such as abandoned vehicles, fly tipping, littering and dog fouling. An in house team would allow the council to reflect the values and culture of the council, adopting an education first approach with enforcement being the last resort. The Council would not be chasing an income target as had been seen in other parts of the country. With the additional funding secured through other partners, Neighbourhood Enforcement Officers would not be given any targets to meet.

Positive discussions with a number of town and parish councils, who had already engaged in partnership deals to tackle parking enforcement through funding Police Community Support Officers (PCSO's), had confirmed that this funding would be diverted to support the recommended in house neighbourhood enforcement model.

Any income raised through enforcement must first be used to cover the cost of enforcement and adjudication of any disputed PCNs. Any surplus revenue had to be reinvested into highways and transport.

It was proposed to submit the application in January however DfT had confirmed that due to their current Brexit-related workload they were unlikely to consider transfer of powers until Autumn 2019. In the interim and until staff were in place to operate enforcement, the Police would continue to oversee illegal parking in the borough.

Members welcomed the report, particularly noting the transitional funding from the PCC and the 'education first' approach to enforcement.

RESOLVED that –

- (a) the findings of the consultation on parking as set out in Appendix A to the report be noted;**
- (b) the submission of the council's application to adopt Civil Parking Enforcement powers to the Department for Transport at the earliest opportunity be approved;**
- (c) the in house model of 5 Neighbourhood Enforcement Officers providing borough wide coverage for parking enforcement and other aspects of ASB be endorsed;**
- (d) authority be delegated to the Assistant Director: Customer & Neighbourhood Services in consultation with the Deputy Leader & Cabinet Member for Communities, Housing and Enforcement to approve the Council's Parking Strategy; and**
- (e) authority be delegated to the Assistant Director: Customer & Neighbourhood Services in consultation with the Deputy Leader & Cabinet Member for Communities, Housing and Enforcement to implement CPE subject to receiving approval from the Department for Transport.**

CB-045 **School Funding Formula 2019/20**

Key Decision identified as **Telford & Wrekin School Funding Formula 2019/20** in the Notice of Key Decisions published on 5 December 2018.

Councillor S A W Reynolds, Cabinet Member: Education & Skills presented the report of the Assistant Director: Education & Corporate Parenting. It was reported that each year the local funding formula was reviewed for mainstream schools in the context of revisions to Department for Education (DfE) regulations or any other relevant developments. The Council made the final decision on the funding formula having consulted with schools and the Schools Forum regarding any changes. The local funding formula applied both to academies and maintained schools and in 2019/20 would determine the distribution of around £116m of funding.

Proposals for 2019/20 were noted as the local funding formula would move towards the DfE's National Funding Formula model for school funding, details of which were published in 2017, and the protection for schools would be improved by increasing the minimum funding guarantee to 0% from the current -1.5%;

The revised funding formula had to be submitted to the DfE agency - the Education & Skills Funding Agency (ESFA) by 21 January 2019. The report sought Cabinet approval for the proposed 2018/19 funding formula for Telford & Wrekin mainstream schools.

RESOLVED that the **2019/20 funding formula for Telford & Wrekin mainstream schools, as consulted on with the Schools Forum, be approved.**

CB-046 **Declaration of Dawley Pools and Pit Mounds Local Nature Reserve**

Key Decision identified as **Dawley Pools & Pit Mounds LNR** in the Notice of Key Decisions published on 5 December 2018.

On behalf of Councillor J C Minor, Councillor R A Overton, Deputy Leader and Cabinet Member: Communities, Housing and Enforcement, presented the report of the Assistant Director: Business, Development & Employment.

The Council had made a commitment to the retention of locally important green spaces which had value to local communities. This already included the protection afforded to the Green Network through policies in the adopted Local Plan, through the existing 200 Green Guarantee Sites and 14 Local Nature Reserves. The report sets out proposals to designate a new Local Nature Reserve at Dawley Pools and Pit Mounds. Through this commitment the area of LNR protected would increase by 38 hectares to a total of 515.36 hectares of approved LNR. The extent of LNR provision was triple the minimum recommended standard and meant that 89% of households were within 300m of greenspace. The designation of additional LNRs further reflected the Council's commitment to promoting health and wellbeing.

The proposed Dawley Pools and Pit Mounds Local Nature Reserve was situated in the south-west of Telford and formed a network of protected sites with Lightmoor pLNR to the west and Rough Park pLNR to the south. The site supported a network of wooded pit mounds and pools. The site had high nature conservation value as detailed in the report and a very high level of community interest and involvement with both Dawley Hamlets Parish Council and Great Dawley Town Council supporting the newly formed Friends group.

The proposed site was within Council ownership, with two areas of land adjacent to parts of the proposed LNR leased under a 999 year agreement to the Telford Steam Railway Trust. Following consultation with the Trust, and following cabinet approval, a management agreement would be composed between the Council and the Trust to manage these areas of track bed for their nature conservation value whilst not constraining the future ability for the track bed to be reinstalled.

Maps showing the proposed LNR were presented in Appendix 1. The areas leased to the Telford Steam Railway Trust and proposed to be included in the future management agreement were illustrated in Appendix 2.

Following the approval, the sites would progress through a formal process with Natural England prior to final legal declaration.

Members welcomed the report and supported the protection of green spaces in the Borough. Thanks were expressed to Dawley Hamlets Parish Council and Great Dawley Town Council.

RESOLVED that -

- (a) the declaration of Dawley Pools and Pit Mounds Local Nature Reserve be approved in principle; and**
- (b) authority be delegated to the Assistant Director: Business, Development & Employment to complete the declaration process.**

The meeting ended at 5.31pm

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Governance, Procurement & Commissioning
Date: 9 January 2019

Signed:

Date: