

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 10 December, 2015 at 5.00pm at Addenbrooke House, Ironmasters Way, Telford

PUBLISHED ON WEDNESDAY, 16th DECEMBER, 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: Councillors A J Eade (Conservative Group Leader) and W L Tomlinson (Liberal Democrat/Independent Group Leader)

STATEMENT FROM THE LEADER

The Leader stated that, following the passing of a motion at the last Council meeting for all Elected Members to work together in the interests of the Borough and its residents, he would be allowing only one statement from each of the Opposition Group Leaders on each item of business, with the relevant Cabinet Member providing a response. It was hoped this would allow for more effective meetings and avoid the sometimes lengthy and divisive exchanges between Members.

CB-54 APOLOGIES FOR ABSENCE

None

CB-55 DECLARATIONS OF INTEREST

None

CB-56 MINUTES

RESOLVED – that the minutes of the meeting held on 12 November 2015 be confirmed and signed by the Chair.

CB-57 2015/16 FINANCIAL MANAGEMENT

Key Decision identified as **2015/16 Financial Management** in the Notice of Key Decisions published on 11 November 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 for all service budgets showed a considerable improvement of £1.3m on the position reported to Cabinet on 15 October 2015. After applying the £1.4m from contingency, this would leave a balance of £2.8m remaining to offset any further pressures that might arise in the remainder of the year. Any balance remaining at year end would be used to support the 2016/17 service and financial planning strategy. This exceptionally good position enabled £100k to be set aside in a provision to be used to promote channel shift and demand management initiatives to support the Council's savings, and to support campaigns that were in the interest of local people – eg: fairer funding settlement for the Borough, protection of services at the Princess Royal Hospital, and increasing electoral registration.

Councillor Carter thanked the Assistant Director and his team for the work they did in exercising very effective financial management in an extremely challenging financial climate.

There were a number of variations from the approved budget, including the cost of Children in Care placements (overspend of £1.7m) and the cost of Adult Care and Support services (projected overspend of £1.6m, which was an improvement of £360k since the last report). There were benefits from Public Health projected savings of £0.77m imposed by Government, £1m 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 £93m, 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 Sales Ledger were ahead of target, and Council Tax collection was on target. Compared to the same period last year, around £8m more had been collected.

Councillor S Davies referred to the proposed use of £100k from the contingency, which would be used to help protect services for all residents in the Borough, and to make the case for the retention of a full 24 hour A&E facility at the Princess Royal Hospital. Councillor W L Tomlinson (Liberal Democrat/Independent Group Leader) supported this proposed expenditure, and welcomed the likely availability of some balances from the current year to offset the further loss of Government grant in 2016/17.

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 this position;**
- (b) that the position in relation to capital spend be noted, and TO RECOMMEND TO COUNCIL that the new allocations, slippage,**

virements and funding changes detailed in Appendix 3 of the report be approved;

- (c) that the collection rates for NNDR, council tax and sales ledger be noted;**
- (d) that £100k be allocated from the corporate contingency to support campaigns promoting channel shift and demand management initiatives, and to protect and promote the interests of local people – for example through campaigning for a fairer funding settlement for the Borough, to protect services at the Princess Royal Hospital and to increase electoral registration.**

CB-58 PROCUREMENT UPDATE

Key Decision identified as **Procurement Update Report** in the Notice of Key Decisions published on 11 November 2015.

Councillor L.D. Carter, Cabinet Member: Council Finance & Service Delivery, presented the report of the Assistant Director: Law, Democracy & People Services, which updated Members on the Council's Procurement Intentions Documents and general progress with effective procurement and contract management.

The Council continued to focus on increasing social value in contracts and to embed robust contract management. The report provided examples of the types of questions that tenderers were asked to demonstrate how they could support opportunities for involving local suppliers and employing young people. The way in which procurement was undertaken had changed dramatically in the last two years, with more pre-market engagement, less complex procurement methods and increased opportunities for continued added value through contract management. A Task Force was leading a Council wide review of contract management, and appended to the report was a list of active contracts. The initial focus would be on the management of the top 20% of contracts by value, which accounted for around 80% of the Council's total contract expenditure. The report also provided examples of ways in which effective contract management delivered further savings and value through the life of a contract.

The latest Procurement Intentions document was appended to the report, and detailed the anticipated procurement activity across the Council for the next six months or so.

Members requested that the information on active contracts could benefit from the inclusion of an annualised figure for the contract cost/expenditure, and from identifying whether a contract was funded from revenue or capital expenditure. Councillor P R Watling, Cabinet Member: Children, Young People & Families, also highlighted the role that effective procurement played in the Cost Improvement Plan in place for Children's Services.

RESOLVED –

- (a) that the procurement updates outlined in the report be noted;
- (b) that the Procurement Intentions Document, as shown at Appendix B of the report, be noted and, where indicated, delegation to the appropriate Officers (as per the Contract Procedure Rules) to progress new procurements through the tender process to contract award be approved.

CB-59 CONSUMER RIGHTS ACT 2015

Non-Key Decision

Councillor R A Overton, Cabinet Member: Housing, Public Health & Protection, presented the report of the Service Delivery Manager: Public Protection which advised Cabinet of the Consumer Rights Act 2015 and the effect it would have on the enforcement of existing legislation that was delegated to Trading Standards.

The Consumer Rights Act 2015 consolidated the main legal provisions covering consumer contracts for goods, services, digital content and unfair terms. It also consolidated the powers of Trading Standards to investigate potential breaches of consumer law, and included a generic set of investigatory powers. Among the new powers were provisions to seek remedies from traders to improve compliance and to ask them to publicise details of any breach and what they had done to put the situation right.

RESOLVED –

- (a) that the delegation of powers conferred on the Council under the Consumer Rights Act 2015 to Officers as identified in Part 1 of Appendix 1 of the report be approved;
- (b) that the amended delegation of powers conferred on the Council under the Consumer Protection from Unfair Trading Regulations 2008 and the Business Protection from Misleading Marketing Regulations 2008 to Officers, as identified in Part 2 of Appendix 1 of the report, be approved;
- (c) that it be noted that the Consumer Rights Act 2015 will significantly enhance consumer's rights;
- (d) that it be noted that the Consumer Rights Act 2015 will consolidate and standardise enforcement powers for a number of consumer related pieces of legislation.

The meeting ended at 5.20pm

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Law, Democracy & People Services
Date: 16 December 2015

Signed:

Date: