

## **CABINET**

### **Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 2 February 2017 at 5.00pm at Addenbrooke House, Ironmasters Way, Telford**

**PUBLISHED ON WEDNESDAY, 8 FEBRUARY 2017**

**(DEADLINE FOR CALL-IN: MONDAY, 13 FEBRUARY 2017)**

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

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

#### **CB-057      Apologies for Absence**

None.

#### **CB-058      Declarations of Interest**

None.

#### **CB-059      Minutes**

**RESOLVED** – that the minutes of the meeting held on 5 January 2017 be confirmed and signed by the Chair.

#### **CB-060      Modern Slavery Act – Anti Slavery Policy and Statement for 2017/18**

#### **Non Key Decision**

Councillor P R Watling, Cabinet Member: Children, Young People & Communities, presented the joint report of the Assistant Director: Governance, Procurement and Commissioning and the Assistant Director: Customer and Neighbourhood Services.

The Modern Slavery Act 2015 stated that any commercial organisation with a minimum turnover of £36m was required to produce a Modern Slavery Act Annual Statement and have an Anti-Slavery Policy. It was recognised as good practice for all Councils to also follow this requirement and both documents were attached to the report for consideration. Modern Slavery could present itself in a variety of ways, eg a supplier offering a very cheap cost for services which may be because they are not paying their staff appropriately so that they can afford a low price.

In addition to its responsibility as an employer, the Cabinet also acknowledged the Council's duty to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015.

The prevention, detection and reporting of modern slavery in any part of the Council's business or supply chains was the responsibility all employees. Any concerns or suspicions should be notified by employees to their line manager and Family Connect in the first instance. Family Connect would then ensure the Council's duty was met to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015 in Safeguarding vulnerable adults and children, especially around child exploitation and human trafficking.

A number of comments were made by the Cabinet noting that exploitation took many forms; awareness raising among employees and the wider public, coupled with a clear and transparent reporting process was essential to safeguard the most vulnerable in society.

### **RESOLVED –**

- (a) that the contents of the report be noted and the Anti-Slavery Policy and Modern Slavery Act Annual Transparency Statement for 2017/18 be approved; and**
- (b) that the Modern Slavery Act and Annual Statement for 2017/18 be agreed and signed by the Managing Director and Leader.**

### **CB-061      Procurement Update**

**Key Decision** identified as **Procurement Update** in the Notice of Key Decisions published on 18 January 2017. In accordance with Regulation 10, the relevant Scrutiny Chair has been informed of the reasons why compliance with regulation 9 (28 days notice of key decisions) was impracticable.

Councillor L D Carter, Cabinet Member: Council Finance, Partnerships & Commercial Services presented the report of the Assistant Director: Governance, Procurement and Commissioning, which provided an update on the Council's Procurement Intentions Document and the latest information regarding effective procurement and contract management.

It was noted that council wide procurement continued to drive savings through robust competitive tendering and real time negotiation when brokering services. Savings derived from effective procurement had contributed to the Cost Improvement Plans in place across the council.

The Contract Procedure Rules had been updated to reflect latest legislation and most recently this had been the need for all officers to be aware of the potential for a breach of the Modern Slavery Act in the supply chain. Officers were asked to consider a number of indicators as part of a check list in the procurement plan in order to help them consider whether there was the potential for a breach of the Modern Slavery Act and how to manage situations of concern during contract management.

The Cabinet asked how the regulations would be affected by Brexit and were informed that the Procurement Contract Regulations were English Law with an ethos of openness and transparency and it would be a backward step if these regulations were overturned.

**RESOLVED** – that

- (a) the procurement updates in the report be noted; and**
- (b) the Procurement Intentions Document (Appendix 1 to the report) be noted and, where indicated, authority be delegated to appropriate officers (as per the Contract Procedure Rules) to progress new procurements through the tender process to contract award.**

**CB-062      Telford & Wrekin Energy Support Service**

**Non Key Decision**

Councillor L D Carter, Cabinet Member: Council Finance, Partnerships & Commercial Services, presented the report of the Assistant Director: Commercial Services, which set out a proposal to develop a new energy support service to help local residents reduce their energy costs.

There were two elements to the proposed service:

A Telford & Wrekin Council branded energy price comparison website; and Targeted advice and support for vulnerable residents who were likely to be in fuel poverty as part of a national Local Energy Advice Programme (LEAP) pilot.

The success of the new service would depend on the degree to which the Council was able to promote and encourage local residents to utilise the service as well as the success in finding better energy deals for them to switch to. The report included an overview of some of the marketing channels that could be used, including the role of key frontline services to raise awareness of the service.

A range of options had been investigated to assist residents in receiving a better deal on energy and generate additional income for the Council. These were:

- Collective switching: where a large group of people used their collective buying power to negotiate a better deal from energy suppliers.
- Comparison site: working with an external provider to develop a Telford & Wrekin Council branded energy comparison switching service.
- Partnering with an existing energy company: where the Council would operate under licence or as a partner of a municipal energy supplier.
- Become an Energy Supply Company: where the Council would register as an energy supplier with OFGEM and as a Limited Company (or SPV) to procure and sell energy.

A summary of the risks and benefits of each option was detailed in Appendix 1 to the report.

The second element of the proposed service was to work in partnership with a provider to set up a Telford & Wrekin Council branded energy price comparison and switching site. A procurement exercise had been conducted to test the market and options available and AgilityEco Limited, who worked in partnership with UK Power Ltd, had been identified as the preferred supplier. An added benefit of working in partnership with AgilityEco Ltd and UK Power Ltd was that they were able to offer the opportunity to participate in the Local Energy Advice Programme (LEAP) pilot. At no direct cost to the Council, this service would provide important advice, support and energy saving measures to fuel poor and vulnerable households. Details of the pilot were set out in the report.

**RESOLVED – that**

- (a) the implementation of a Telford & Wrekin Council branded energy price comparison website be approved;**
- (b) the Council’s participation in the LEAP pilot be approved; and**
- (c) authority be delegated to the Assistant Director: Commercial Services in consultation with the Lead Cabinet Member: Finance, Partnerships and Commercial Services to make any arrangements and enter into any agreements on behalf of the Council to implement the above resolutions.**

**CB-063      West Midlands Rail Collaboration Agreement**

**Non Key Decision**

Councillor A D McClements, Cabinet Member: Transport, Customer & Neighbourhood Services presented the report of the Assistant Director: Customer & Neighbourhood Services which advised Cabinet of a change to the drafting of the Collaboration Agreement between West Midlands Rail Limited and the Department for Transport since its approval by Cabinet on 21 July 2016. The change resulted from a change of opinion by the new Secretary of State for Transport who had concerns about the benefits of full devolution of rail responsibilities across the United Kingdom. This had resulted in the Collaboration Agreement draft which had been approved by all West Midlands Rail member authorities being amended to remove reference to full devolution.

Confirmation was received that the local service to London would be unaffected by the change.

**RESOLVED that**

- (a) the change of position to rail devolution being adopted by the new Secretary of State for Transport be noted; and**
- (b) authority be delegated to the Cabinet Member for Transport, Customer & Neighbourhood Services on behalf of Telford & Wrekin Council to cast**

**its vote in favour of the special resolution that is necessary under Article 8.3 of West Midlands Rail Limited Articles of Association to authorise the signing of the amended Collaboration Agreement (included at Appendix 1 to the report), whether that resolution is passed in writing or at a general meeting of the Company.**

The meeting ended at 5.20pm

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

Jonathan Eatough  
Assistant Director: Governance, Procurement & Commissioning  
Date: 8 February 2017

Signed: .....

Date: .....