

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 26th April, 2012 at 5.00 p.m. at the Civic Offices, Telford

PUBLISHED ON WEDNESDAY, 2nd MAY, 2012

(DEADLINE FOR CALL-IN: TUESDAY, 8th MAY, 2012)

PRESENT: Councillor K.S. Sahota (Leader and Chair), E.A. Clare, 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) and Councillor W.L. Tomlinson (Lib Dem/Independent Group Leader)

CB-125 MINUTES

RESOLVED – that the minutes of the meeting of the Cabinet held on 29th March 2012 be confirmed and signed by the Chairman.

CB-126 APOLOGIES FOR ABSENCE

Councillor S. Davies.

CB-127 DECLARATIONS OF INTEREST

Councillor E.A. Clare declared a personal and prejudicial interest in agenda item 6, Planning for School Places (governor of Sutherland school).
Councillor C.F. Smith declared a personal and prejudicial interest in agenda item 6, Planning for School Places (member of family employed at Sutherland school).

CB-128 ENCOURAGING GROWTH – A NEW WAY OF WORKING

Non-Key Decision.

Councillor C.F. Smith, Cabinet Member: Housing, Regeneration & Economic Development, presented the report of the Assistant Director: Business, Development & Housing which set out a number of ways in which the Council was looking to secure inward investment to the Borough and to work with existing businesses in supporting growth and jobs.

The report set out the national and local context in terms of economic development, the development planning system, and the recommendations made by the Co-operative Commission relating to Telford promoting itself as a 'Business Winning Council'. There were a number of challenges resulting from the current financial climate and global recession, but also a number of areas of concern with the current approach to handling development enquiries and

processing planning applications. The Council had recognised these issues as part of the senior management review, which had created a Development, Business & Housing service area with a mandate to streamline existing processes and deliver a commercial approach to the Council's business.

To underpin a new joined-up approach to investment, it was proposed to adopt a Business & Development Charter, which included an Early Action Plan – a copy of which was appended to the report. The report also identified a number of 'quick wins' as part of the change process to deliver a new service. These focussed on streamlining the development planning process to help deliver the homes, business, infrastructure and thriving local places that the Borough needed.

RESOLVED –

- (a) that the proposals and 'quick wins' set out in the report to produce greater certainty for investors be approved, and that the Business & Development Charter be adopted and launched accordingly;**
- (b) that authority be delegated to the Assistant Director: Development Business & Housing, in consultation with the Cabinet Member for Housing, Regeneration & Economic Development to amend the Business & Development Charter following consultation with various stakeholders;**
- (c) that it be noted that the Assistant Director: Development, Business & Housing and the Assistant Director: Environment & Leisure will establish and lead a steering group to monitor the approach relating to the Charter, and also to co-ordinate management of planning obligations in line with Planning Policy and Council Priorities;**
- (d) to recommend that a report is taken to Plans Board and/or the Council Constitution Committee to amend the scheme of delegation for changes as suggested in this report.**

CB-129 INWARD INVESTMENT – A BUSINESS WINNING COUNCIL

Non-Key Decision.

Councillor C.F. Smith, Cabinet Member: Housing, Regeneration & Economic Development, presented the report of the Assistant Director: Business, Development & Housing which proposed a co-ordinated approach to inward investment, and to maximising the opportunities from the re-location of Jaguar Land Rover in Staffordshire.

Appended to the report was an early draft prospectus summarising the opportunities for companies and businesses in the automotive industry supply chain to re-locate to Telford, to take advantage of the close proximity to the new engine plant to be built by Jaguar Land Rover at the i54 site in

Wolverhampton. A more detailed briefing document was also appended to the report. This set out the 'Telford offer', and contained information on the availability of commercial land in the Borough, including prime sites at The Nedge and at Hortonwood. The Council was establishing a protocol with the Homes & Communities Agency (HCA) to enable the Council's property team to proactively promote the disposal of HCA employment land. The HCA would fund the staff costs for this. In terms of funding, £100k was required for the development of launch information for Telford's offer, with the sustained marketing throughout the short term funded from future capital receipts.

Another 'business friendly' approach was to use the opportunity arising from the Government's proposals for retention by Councils of business rates from 2013/14 to consider innovative ways to attract new businesses and demonstrate flexibility over business rate payment terms, such as a "business rate discount" scheme.

RESOLVED –

- (a) **that authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member for Resources & Service Delivery, to develop a policy regarding business rate relief, as detailed in Section 5 of the report;**
- (b) **that the early draft prospectus, as shown at Appendix 1 of the report, be approved, and that authority be delegated to the Assistant Director: Development Business & Housing, in consultation with the Cabinet Member for Housing, Regeneration & Economic Development, to amend and complete the document before formal launch;**
- (c) **that the use of the detailed document shown at Appendix 2 of the report be approved as briefing information for staff and partners to proactively target marketing to secure inward investment;**
- (d) **that the allocation of funding to proactively market the Telford inward investment offer, as identified in section 5 of the report, be approved;**
- (e) **that the Council acting as managing agent for all HCA commercial land, as detailed in section 5 of the report, be approved.**

Prior to discussion of the following item Councillors E.A. Clare and C.J. Smith left the room.

CB-130 PLANNING FOR SCHOOL PLACES: REVISED PLANS FOR SECONDARY SCHOOL PROVISION UNDER BUILDING SCHOOLS FOR THE FUTURE

Key Decision identified as School Organisation/Capital Financing/Borough Towns Initiative/Building Schools for the

Future/Planning of School Places in the Forward Plan published on 16th March 2012.

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Education, Culture & Skills, which informed Cabinet of the outcome of the consultation process in respect of the revised Building Schools for the Future (BSF) programme, and to seek a decision on whether to proceed with the plan.

Following the Cabinet decision on 10th November 2011 to allow formal consultation to take place on the proposals, a series of consultation meetings were organised at each of the schools effected – a full list of the consultees was appended to the report, along with notes taken at the meetings. Comments were also received via tear-off reply slips or on-line. There were a large number of negative comments in response to the Sutherland/Wrockwardine Wood proposal – mainly in the form of a standard letter from the Wrockwardine Wood Arts College Action Group.

In view of the high level of interest that the original proposals raised, Council Officers had conducted a series of follow-up meetings with various interest groups to further explore the potential implications of the plans. In relation to concerns about the location of the proposed Christian Academy in Priorslee, alternative sites that had been previously considered were looked at again, but these were not now available. In response to representations made about the links between St Georges CE Primary School and Wrockwardine Wood Arts College, it was proposed to increase the size of the Co-operative Academy on the Oakengates Leisure Centre site from 1050 to 1200 places (to accommodate St Georges pupils), with a corresponding reduction in the size of the proposed Faith Academy in Priorslee from 1050 to 900 places. The Dioceses of Shrewsbury and Lichfield had indicated that they would jointly act as sponsors of the new Faith Academy. The Governing Bodies at both Wrockwardine Wood Arts College and Sutherland Business & Enterprise College now supported the creation of a new 1200 place Academy on the Oakengates Leisure Centre site, and were committed to working together to develop plans for the new school.

The implications for BSF funding were detailed in the report, and remained broadly similar to those reported to Cabinet in November 2011. The revised construction programme associated with the Oakengates scheme had led to an overall increase in construction costs of £330k. In addition, the change of status of these schools to Academies would have an impact on the overall Council resource availability.

Councillor A.J. Eade raised concerns that the reduction in the number of places at the proposed Faith Academy in Priorslee would disadvantage residents of the Priorslee area. He also raised concerns over site access and believed the report should be deferred to allow for a strategic transport review prior to further consultation. Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, believed that the proposals provided the best possible opportunities for the Borough.

RESOLVED –

- (a) that, having taken into consideration responses to the formal consultation process detailed in the report, approval be given to submit the revised plans for the **Building Schools for the Future** programme to **PartnershipsforSchools**, namely:
- To build a new 900 place **Christian faith Academy** for ages 11-18 in **Priorslee** to replace the existing **Blessed Robert Johnson Catholic College**.
 - To build a new 1200 place **Co-operative Academy** for ages 11–16 on the **Oakengates Leisure Centre** site.
 - To relocate **Lord Silkin and Grange Park Primary** onto the shared site in **Stirchley**, to encompass an 1150 place **Learning Community** comprising primary, secondary and Post 16 education.
 - To rebuild **Charlton School** as a 1200 place 11-16 school to enhance secondary provision in **Wellington**.
- (b) that authority be delegated to the **Assistant Director – Education, Culture and Skills**, in consultation with the **Cabinet Member for Children, Young People and Families**, to co-ordinate the implementation of any interim governance arrangements as may be required.

Prior to discussion of the following item Councillors E.A. Clare and C.F. Smith returned to the room.

CB - 131 OUTCOME OF THE LIBRARY SERVICE REVIEW

Key Decision identified as **The Public Library Service Review** in the Forward Plan published on 16 March 2012.

Councillor A.R.H. England, Cabinet Member: Leisure & Wellbeing, presented the report of the Assistant Director: Customer & People Services, which informed Members of the outcomes of the Library Service Review and suggested new library opening times informed by the recent public consultation findings.

In order to achieve the required 20% staffing and non-staffing savings target, the library service had completed a service review to ensure that it continued to meet community need and enabled the Council to meet its statutory obligations. A decision not to close any of the nine libraries was the main objective of the review, which had instead identified savings through a reduction in opening hours and, where possible, co-location with other partners in order to save building related costs. The review also recommended the introduction of a First Point Service at the four main

libraries (Madeley, Newport, Telford & Wellington) in order to enhance access to other council services.

In terms of reduced opening hours, consultation had taken place with the town and parish councils most affected, which had resulted in an offer by Great Dawley Parish Council to 'buy-back' the 5 hours per week that would otherwise have been lost from Dawley Neighbourhood Library. Stirchley & Brookside Parish Council were actively considering co-locating with Stirchley library to share building costs. Self service technology would be introduced at Stirchley and Oakengates libraries to operate over and above the library staffed hours. Consultation with the public on preferred opening times (details of which were appended to the report) had also informed the review, and the proposed new opening hours at each of the nine libraries were outlined in the report.

RESOLVED –

- (a) **that the new delivery model of 4 main libraries and 5 neighbourhood libraries be approved;**
- (b) **that the new library opening times, to come into effect in August 2012, be approved, and the approach to self-service, where libraries benefit from being co-located with partner services to reduce the impact on the reduction in Librarian hours, be endorsed;**
- (c) **that the introduction and opportunities of a First Point service at the four main libraries, following the pilot at Wellington Library and the report to Cabinet on 29 March 2012, be noted.**

CB-132 SHOP FRONTS AND SIGNAGE DESIGN GUIDANCE IN CONSERVATION AREAS – SUPPLEMENTARY PLANNING DOCUMENT

Key Decision identified as **Shop Fronts and Signage Design Guidance in Conservation Areas Supplementary Planning Document** in the Forward Plan published on 16th March 2012.

Councillor C.F. Smith, Cabinet Member: Housing, Regeneration & Economic Development, presented the report of the Assistant Director: Planning Specialist, which sought approval for the adoption of a Supplementary Planning Document (SPD) that would form part of the Telford & Wrekin Local Development Framework. The proposed SPD was appended to the report.

The Shop Fronts SPD was intended to provide guidance to developers, planning consultants, property owners, occupiers and the general public about how to manage and protect conservation areas when designing development proposals for shop fronts and signage. It would also form a policy document in relation to planning applications in conservation areas. Two 6 week stages of public consultation had been carried out with key stakeholders and the wider public. Attached to the report was a Consultation Statement, summarising the

consultation undertaken, the responses made and the changes made to the SPD. The document had been considered by the Council's Development Plans Steering Group, who had endorsed it for adoption by Cabinet.

Also appended to the report was a Sustainability Appraisal which had been undertaken for the SPD. The results were predominately positive, and the Appraisal would be published in association with the SPD.

RESOLVED –

- (a) that the Shop Fronts and Signage Design Guidance in Conservation Areas Supplementary Planning Document, and the accompanying consultation statement and sustainability appraisal, as set out in Appendices A, B and C of the report, be approved;**
- (b) that the Supplementary Planning Document be adopted as part of the Local Development Framework, to be used in assessing planning applications.**

CB-133 POLICE AND CRIME COMMISSIONERS AND WEST MERCIA POLICE & CRIME PANEL

Non-Key Decision

Councillor H. Rhodes, Cabinet Member: Transport & Community Protection, presented the joint report of the Assistant Director: Family & Cohesion Services and the Assistant Director: Law, Democracy & Public Protection, which informed Members about forthcoming changes in the management and governance of police services arising from the Police Reform and Social Responsibility Act.

The elections for new Police and Crime Commissioners (PCCs) were taking place on 15 November 2012. The PCCs would replace Police Authorities, including West Mercia, in England and Wales. There would be a mutual duty required on PCCs and the Council (and other responsible authorities) to co-operate and have regard for each other's priorities, particularly when the police and crime plan and strategic assessments were being completed. Government funding for community safety and drug intervention programmes would be diverted from Community Safety Partnerships (CSPs) and Primary Care Trust to the PCC. CSPs would potentially be in the position of having to compete with voluntary, charitable and private sector providers for community safety funding from the PCC.

Police and Crime Commissioners would be held to account by Police & Crime Panels (PCP), who would scrutinise the actions and decisions taken by the PCC. The suggested model for the West Mercia PCP contained 15 Elected Members and 2 lay members. Details of the proposed allocation of places to individual Councils within the West Mercia area were shown in the report, which included provision for 2 elected members from Telford & Wrekin. The PCP would be established in shadow form by the end of June/early July 2012,

in preparation for taking on its full role once the PCC was in post. The funding and running costs of the PCPs would come from central Government. It was proposed that the nomination of 2 councillors to serve on the West Mercia PCP be delegated to the Assistant Director: Law, Democracy & Public Protection in consultation with the Leader of the Council.

RESOLVED –

- (a) **that the role of Police Commissioners from November 2012, and the impact on Community Safety Grant and funding for the Drugs Intervention Programme, be noted;**
- (b) **that the introduction of Police & Crime Panels in shadow format from June/July 2012 be noted;**
- (c) **that authority be delegated to the Assistant Director: Law, Democracy & Public Protection, in consultation with the Leader of the Council, to nominate two Councillors to serve on the West Mercia Police & Crime Panel**

CB-134 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

CB - 135 ASSET MANAGEMENT PLAN – LAND STRATEGY

Key Decision identified as **Asset Management Plan – Land Strategy** in the Forward Plan published on 15th February 2011.

Councillor W.A.M. McClements, Cabinet Member: Resources & Service Delivery, presented the report of the Assistant Director: Development, Business & Housing, which sought approval to dispose of a number of assets and to agree the next phase of the Land Strategy.

The report identified a range of assets which, following assessment against a number of criteria, were recommended for disposal. These assets comprised both Property Investment Portfolio (PIP) and Corporate assets. Proceeds from the sale of poor performing assets within the PIP would be used to reinvest in modern property or to improvements to existing property. It was proposed that the proceeds from the sale of corporate land assets be retained in a designated land strategy budget to fund ongoing investigations into bringing further land assets forward for disposal. The assets identified for disposal would be sold through a range of methods including private treaty, informal tender and auction. The report also outlined the estimated proceeds from both the poor performing PIP assets and the corporate land assets.

RESOLVED –

- (a) that the disposal of assets as identified within the report be approved, in accordance with terms to be agreed by the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member: Resources & Service Delivery;
- (b) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to agree and execute all necessary documentation;
- (c) that the capital receipts relating to Corporate assets be used to fund Stage 2 of the Land Strategy as detailed within the report, and the capital receipts relating to the Property Investment Portfolio (PIP) be retained within the PIP for reinvestment.

CB-136 PROVISION OF HOUSING AT TELFORD MILLENIUM COMMUNITY (TMC)

Key Decision identified as **Telford Millenium Community Land Disposal for the Provision of Extracare Housing** published in the Forward Plan on 15th February 2012

Councillor C.F. Smith, Cabinet Member: Housing, Regeneration & Economic Development, presented the report of the Assistant Director: Development, Business & Housing regarding the disposal of land for the development of an Extra Care Housing Scheme together with Supported Housing for Adults with a Learning Disability.

The Telford Millenium Community in East Ketley was one of the Borough's strategic housing sites. Sanctuary Housing Group, the Affordable Housing partner for the development, had proposed two housing schemes on Council-owned land off Ketley Park Road. It would include 80 self contained one and two bedroom Extra Care Housing Units and 12 one bed supported housing units for Adults with a Learning Disability. The report outlined a proposal to dispose of the Council's freehold interest in the land, and to release the allocation of £1m in the approved Capital Programme towards the TMC Extra Care Housing Scheme. This investment would achieve significant financial leverage, and ensure the delivery of the scheme which would have a number of benefits to the Council and the wider community.

RESOLVED -

- (a) that authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member for Housing, Regeneration & Economic Development, to dispose of the freehold interest in the land off Ketley Park Road, East Ketley, as shown in Appendix 1 of the report;

- (b) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to execute all legal documentation to dispose of the freehold interest in the land, and to grant-fund Sanctuary Housing Group for the provision of Extra Care housing on the site at TMC as detailed in the report.

CB-137 SCHOOL ORGANISATION – JIGSAW SCHOOL

Key Decision identified as **School Organisation/Capital Financing/Borough Towns Initiative/Building Schools for the Future/Planning of School Places** in the Forward Plan published on 16th March 2012.

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the joint report of the Assistant Director: Family & Cohesion Services and the Assistant Director: Education, Culture & Skills, which provided an update to Cabinet following a period of consultation over proposals for Jigsaw School.

At the meeting on 23 February 2012, Cabinet had agreed to undertake consultation on a proposal for establishing a specialist school for children with autistic spectrum disorders (ASD), along with proposals for the short term management and governance of the existing Jigsaw School facility. The report highlighted the feedback received during the consultation, most of which had been positive. Since the February meeting, negotiations with Castle Care, the current operators of the Jigsaw School, had resulted in their being able to provide a substantially lower contract price to operate the School for the year to July 2013. This offered greater value for money to the Council comparable to the earlier proposal to take the service back 'in-house', with the benefit of providing continuity for the pupils currently in the school. Castle Care would also continue to run one care home adjacent to the school for a further year. The report also set out the detailed financial and legal implications of the revised proposals.

RESOLVED -

- (a) that the plans for extending the contract with Castle Care for the running of Jigsaw School for a further twelve months, on the terms detailed in the report, be approved;
- (b) that the proposals for establishing a specialist ASD school (phase 2) to be opened in September 2013 be brought back to Cabinet for consideration later this year;
- (c) that one of the purpose-built children's homes on the site be retained for that use by extending the contract with Castle Care for an additional year on the terms detailed in the report;
- (d) that options for using three of the four purpose-built 4 bedded children's homes, which form a crescent adjacent to the school, be brought back to Cabinet in June 2012 for consideration.

The meeting ended at 6.20 p.m.

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Law, Democracy & Public Protection
Date: 2nd May 2012

Signed:

Date:

TELFORD & WREKIN COUNCIL

CABINET – 31 MAY 2012

WASTE MANAGEMENT SERVICES PROCUREMENT

REPORT OF THE ASSISTANT DIRECTOR FOR ENVIRONMENT AND LEISURE SERVICES

LEAD CABINET MEMBER – CLLR S DAVIES

1. SUMMARY OF MAIN PROPOSAL

- 1.1 Waste management contracts begin to expire from April 2014 up until 2019 (**Appendix 1**). In order to commence formal procurement to replace these contracts the Council is required to issue an OJEU Contract Notice. Following this, the Council will then evaluate qualifying bidders prior to entering into a streamlined competitive dialogue process.
- 1.2 The Contract Notice will commit the Council to the scope of the service to be procured, including the length and maximum value of the contract. The Council has completed work in conjunction with the waste industry to assess the best procurement approach to provide a future waste management service which is focussed on minimising costs and flexible.
- 1.3 The scope of the contract is set out in the Services Framework (**Appendix 2**).
- 1.4 Contracts to be procured through a single process (i.e. all contracts that expire between 2014 and 2019 are procured together now) to maximise synergies and minimise procurement costs. An overview of the procurement process is attached as (**Appendix 3**). An Evaluation Stakeholder Panel will be established as part of the procurement process.
- 1.5 The current residual/municipal waste disposal to landfill contract should be extended by 1 year, under the terms of the contract. This contract will then expire in April 2014 to allow the single procurement of all existing contracts and for new arrangements to be in place to enable more flexible treatment and disposal solutions.
- 1.6 Bids for services are to be evaluated in 3 lots to attract market interest and maximise competition. This will involve the contract being awarded as either:
 - 1 lot to deliver all services
 - 2 lots; 1 lot to deliver treatment/disposal of residual and organic waste and 1 lot to manage collection, plus all other services
- 1.7 A 20 year contract is recommended (commencing 2014) to realise best value from investment into a waste transfer station and a suitable vehicle replacement programme. Services will be phased in as current contracts end

so this will mean a 15 year period (commencing 2019) for the collection of residual and green waste and management of CRCs.

- 1.8 To ensure the contract remains flexible and efficient, a benchmarking review will be undertaken up to every five years.
- 1.9 A recommended option for the Council to extend the contract by up to 5 years will be stated within the Contract Notice. This is to provide additional flexibility and will not commit the Council to offer an extension to the appointed contractor.
- 1.10 The provision of a waste transfer station is likely to be the most effective method to give flexibility, affordability and opportunities to manage the onward transport to treatment and disposal of residual waste and recyclable materials.
- 1.11 The Council should during the procurement process assess the options for a waste transfer station site and monitor the proposals put forward by the bidders. The intention is for the contractor to make their own arrangements for a transfer station site. However, the Council should continue to assess its own land options as a 'back up' provision to ensure best value.

2. Recommendations

That Cabinet:

- 2.1. Agree to the commencement of the formal procurement process as detailed in this report and outlined in Appendix 2 and Appendix 3.**
- 2.2. Delegate authority to the Assistant Director: Environment & Leisure to progress the procurement process, in consultation with the Cabinet Member for Neighbourhood Services & Co-operative Council, and the Cabinet Member for Resources & Service Delivery, until the Council is in a position to award the contract.**
- 2.3. Note that a further report will be brought back detailing the outcome of the procurement process and to seek approval to award the contract at the appropriate time.**
- 2.4. For the reasons detailed in 1.5 and 4.4.2 of this report, agree the Council extends the current residual/municipal waste disposal to landfill contract to expire April 2014 (1 year extension).**
- 2.5. Delegate authority to the Assistant Director; Law, Democracy and Public Protection to execute any documents necessary to give effect to the above recommendations.**
- 2.6. To allocate £0.27m available from Environment Services underspends in 2011/12 to fund project costs.**

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to Council priorities?	
	Yes	<p>Delivery of “Clean and Well Maintained Neighbourhood and Streets through a Co-operative Council”, working in partnership with local business and the community and targeted recruitment and training for the supplier and associated supply chain.</p> <p>The key themes of the Council’s Municipal Waste Management Strategy are to deliver a value for money waste management solution that gives priority to increasing performance to reduce, re-use, and recycle. This in line with the Government’s waste management hierarchy.</p>
	Will the proposals impact on specific groups of people?	
	Yes	<p>The delivery of the waste management service will have a borough wide impact. As the detail of the future service begins to emerge an appropriate equality impact assessment will be undertaken to assess the impact proposals will have on specific groups with regard to the delivery of waste management services. Impact assessments in relation to the operation of a transfer station will be undertaken as referred to in 5.1 and 5.2.</p>
TARGET COMPLETION/DELIVERY DATE	<p>Indicative 2012 dates are: Contract Notice published June, pre-qualification questionnaire returned from bidders July, Council evaluation of pre-qualification questionnaire August, and invitation to selected bidders to participate in competitive dialogue October.</p> <p>Contract award approval September 2013.</p>	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	<p>The Council’s aim will be to maximise best value through the procurement of new contracts listed in Appendix 1. As part of the procurement process a contract notice has to be published with an indication of the contract value. It is important that the notice shows a maximum potential contract value well in excess of the actual anticipated value because should the tenders that are received have a total cost in excess of that published we would potentially have to restart the tender process with consequent delays and additional costs. Using a 2014/15 price base, the proposed contract value is between £60m and £300m excluding VAT, over the contract life.</p> <p>The project is clearly a significant piece of work</p>

		and needs to be adequately resourced. Total estimated project costs are estimated at £0.47m which can be funded from £0.2m already built in to the Council's budget and £0.27m estimated to be available from underspends against 2011/12 environmental services budgets.
LEGAL ISSUES	Yes	The Council must comply with the Public Procurement Regulations 2006 (as amended), together with the Council's own Constitution. Full and detailed legal advice is being provided throughout this process as there are complex legal issues involved.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	A risk analysis of procurement options has been undertaken by the Council which has been tested with the market (refer to Section 4). Procurement processes can bring a risk of challenge from bidders and the Council and its legal advisers will need to ensure the procurement is carried out in accordance with the legal requirements. There is also a risk of challenge if the procurement process is abandoned partway through or if the Council decides to vary its requirements (which is likely to lead to having to re-start the procurement process).
IMPACT ON SPECIFIC WARDS	Yes	The future waste management service will have a borough wide impact. There will be further impact if the future transfer station is located within the borough. However to obtain planning permission and an environment permit, impact assessments will have to be undertaken and mitigating controls designed and implemented.

4. INFORMATION

4.1 Market Testing

4.1.1 A Prior Information Notice (PIN) in the Official Journal of the European Union to trigger interest and a better understanding of the market from potential bidders was issued in February 2012.

4.1.2 The purpose of the PIN was to set out the Council's purchasing intentions and to invite industry to participate in a market sounding event prior to beginning a formal procurement process.

4.1.3 A Market Sounding Event was held on 22 and 23 March 2012 and 15 companies engaged with the Council. Each company completed a questionnaire to provide views on the future waste management service and forthcoming procurement process to deliver best value.

4.1.4 The questions asked of industry were based upon the considerations and future Outline Service Framework agreed by Cabinet on 23 February 2012.

4.2 Waste Transfer Station

4.2.1 80% of companies engaged in the Market Sounding Event agreed that the future costs of the Council's ongoing waste management services can only be minimised by the provision of a waste transfer station.

4.2.2 Therefore, the intention is for the contractor to make their own arrangements for a waste transfer station site. However, the Council should continue to assess its own land options as a 'back up' provision to ensure best value.

4.2.3 The minimum requirements for a waste transfer station are:

- The need for the land to be 2.5 hectares/5.5 acres in size which,
 - accommodates a structure of 3115 square metres/33,529 square feet (a minimum of 8 metres and maximum of 15 metres in height to the eaves).
 - has suitable highway access to manage vehicle movements.
 - has the potential to co-locate a possible future vehicle storage depot.

4.2.4 In addition to engaging with industry, two Council assessments have been undertaken on the options and risks associated with;

- the need for a waste transfer station within the borough to effectively access treatment and disposal facilities and,
- the best approach for bringing a facility into operation.

4.2.5 The first assessment demonstrated the need for a waste transfer station as the landfill tax cost pressures associated with continuing to send waste to landfill continue to rise. Costs will have increased from £48 per tonne in 2010/11 to £80 per tonne in 2014/15. Therefore, an alternative and flexible method of managing treatment and disposal to minimise costs is essential.

4.2.6 The second assessment highlighted that to have an operational facility to deliver the service during the early stages of the contract, the only feasible options for bringing a facility into operation are:

- The appointed contractor already has an available facility or can secure access to one.
- The Council makes a site available and the appointed contractor builds the facility.

4.2.7 If the appointed contractor decides to use this land they will be responsible for the design, build and operation of the future facility.

4.3 Service Framework

- 4.3.1 The scope of services to be procured are summarised in the attached Services Framework (**Appendix 2**). This sets out the Council's minimum service procurement requirements and the combination of lots as described in section 1.5. The combination of lots have been packaged to ensure the contract offer is attractive to the market and bids will be evaluated to ensure the most economically advantageous offer is secured.
- 4.3.2 The first contract to end is the residual/municipal waste disposal to landfill contract which expires in April 2013. However, the Council has absolute discretion to extend this of up to two years (1 year, plus 1 year). To bring all contracts together into one procurement exercise, and to enable the waste transfer station to facilitate more cost effective and flexible waste treatment and disposal solutions, the Council will require a one year extension. This contract would then expire in April 2014.
- 4.3.3 This procurement does not include the operation of the CRC at Granville as this is not a Council owned site and is operated under a separate contract.

4.4 Procurement Process

- 4.4.1 The majority of companies engaged in the market sounding event said that the principle of bringing the replacement of all current contracts into one procurement process is sensible as it will considerably reduce procurement costs and create service delivery and contract management synergies. Current contracts are detailed in **Appendix 1**.
- 4.4.2 There were different industry views on how the procurement should be packaged into lots which were largely relevant to the company's areas of expertise and access to existing resources. The Council's aim is to maximise market interest and competition therefore bids for services will be evaluated in 3 lots.
- 4.4.3 In summary, 1 lot will include all services which will be assessed against a combination of 2 lots; 1 for the treatment/disposal of residual and organic waste and 1 for collection, plus all other services. Lots have been packaged in this way to consider the effective delivery of future services and to drive out best value from bids and future service efficiencies.
- 4.4.4 The attached Services Framework (**Appendix 2**) details the grouping of lots and services to be procured. Effectively, companies can bid for lot 1 or 2 lot and/or lot 3 (all services combined).
- 4.4.5 The Council has been advised that procuring the future service through using a streamlined competitive dialogue process is the most appropriate way to secure the most effective and affordable service solution. 93 % of companies

engaged in the Market Sounding Event either 'strongly agreed' or 'agreed' with this approach.

(Competitive Dialogue is an EU process introduced in 2006, which permits discussion of different options before choosing a particular solution. It can be used in complex contracts where technical solutions are difficult to define or where development of the best solution is wanted)

- 4.4.6 The Council will need to confirm in advance which topics it intends to dialogue on. These topics will therefore need to be established by September 2012. For example, a potential area for dialogue is how the Council can maximise benefit from the value of recyclables.
- 4.4.7 Following analysis, a 20 year contract to maximise financial benefit will provide best value for the Council. This will allow for the investment into the waste transfer station to be realised and also fits with a vehicle replacement programme every 7/8 years. Residual, green and CRC waste management services do not expire until 2019. Therefore, these services will only be managed for a period of 15 years with the dry recyclable services being delivered for 20 years, commencing 2014.
- 4.4.8 To ensure the contract remains relevant and cost effective, appropriate review mechanisms will be built into the contract. This will be by a focussed benchmarking review every five years.
- 4.4.9 At contract notice stage the Council must state whether there will be an option for an extension to the contract. This option will not commit the Council to an extension after the 20 year period. However, it will allow for additional flexibility, at no risk to the Council, towards the end of the contract period. Up to a 5 year extension period is advised which is supported by industry.

4.5 Project Management

- 4.5.1 The Assistant Director for Environment & Leisure Services, as Project Sponsor, has lead responsibility for the Waste Management Service Procurement Project. The procurement process is resource intensive and to minimise the cost of external advisors a core team of Council officers will be required full-time to manage the procurement process and oversee the implementation of the new contract.
- 4.5.2 There will be stakeholder engagement at appropriate times throughout the procurement process.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

- 5.1 To legally operate a waste transfer station an environment permit will need to be obtained from the Environment Agency and be maintained by the operator. However, the application process and the impact assessments that will be required can be undertaken in parallel with the planning process. Where necessary, mitigating controls must be designed and implemented. If controls

can not be designed to adequately mitigate any of the impacts then a permit will not be issued.

- 5.2 If issued, an environment permit will have conditions relating to emissions and management standards. Meeting these will involve regular monitoring and auditing by the Environment Agency.

6. **FINANCE COMMENT**

- 6.1 The waste management project is a major long-term contract with very significant financial implications. As part of the procurement process a contract notice has to be published with an indication of the contract value. It is important that the notice shows a maximum potential contract value well in excess of the actual anticipated value because, should the tenders that are received have a total cost in excess of that published, we would potentially have to restart the tender process with consequent delays and additional costs.
- 6.2 Given the long term nature of the contract, and uncertainties over future rates of inflation over such a long period, it is also important that we are clear what price base has been used in order to set the potential contract value and as the contract will commence in 2014, a 2014/15 price base is used to give a maximum projected contact value of up to £300m, excluding VAT, over the contract life excluding impacts arising from demographic growth.
- 6.3 However, the Council is seeking to gain the most cost effective solution to its future waste collection and disposal requirements to maximise value for money for local taxpayers. A minimum contract value of £60m at a 2014/15 price base is therefore being set.
- 6.4 The waste project is a major piece of work which will culminate in letting a very large, long-term contract affecting services provided to every household in the borough. It is therefore essential that the project is properly resourced. Project management and support costs, including essential and limited external specialist support, have been estimated at £470,000 over the next two years. Project costs will be strictly controlled and kept under regular review. Additional funding totalling £0.2m was built in to the service and financial planning strategy and it is anticipated that underspends against 2011/12 Environmental Services budgets of £0.27m will be available to fund the remainder of the project costs.

7. **PREVIOUS MINUTES**

- 7.1 December 2008.
- 7.2 22 June, 2010 Cabinet.
- 7.3 21 June 2011 Cabinet and 23 June 2011 Council.
- 7.4 10 November 2011 Cabinet and 24 November 2011 Council.

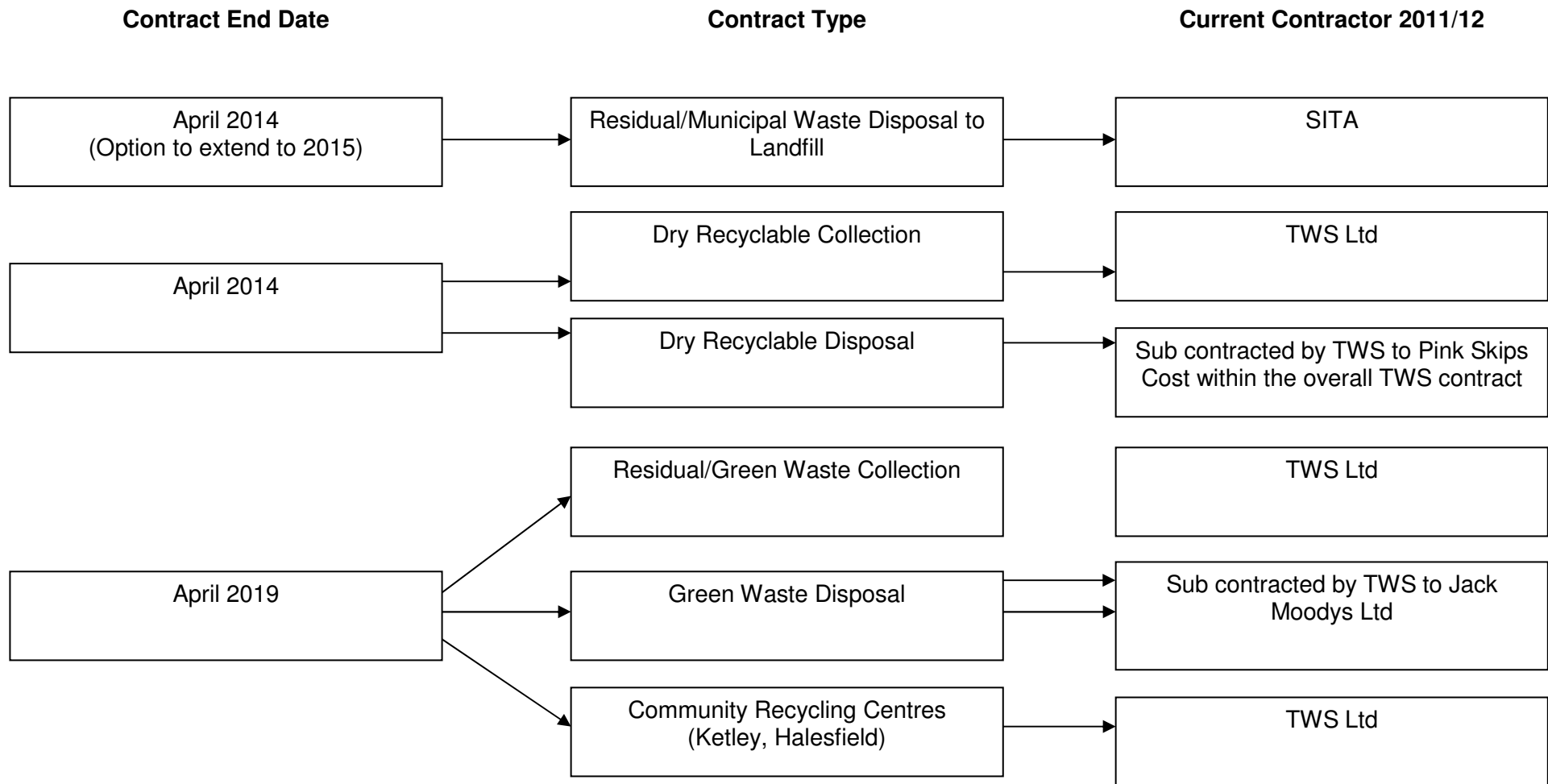
7.5 23 February 2012 Cabinet.

8. BACKGROUND PAPERS

8.1 Government Review of Waste Policy in England 2011.

**Report prepared by Debbie Germany, Project Manager. Telephone: 01952
384065**

Appendix 1 – Waste Management/Treatment Contract End Dates and Arrangements

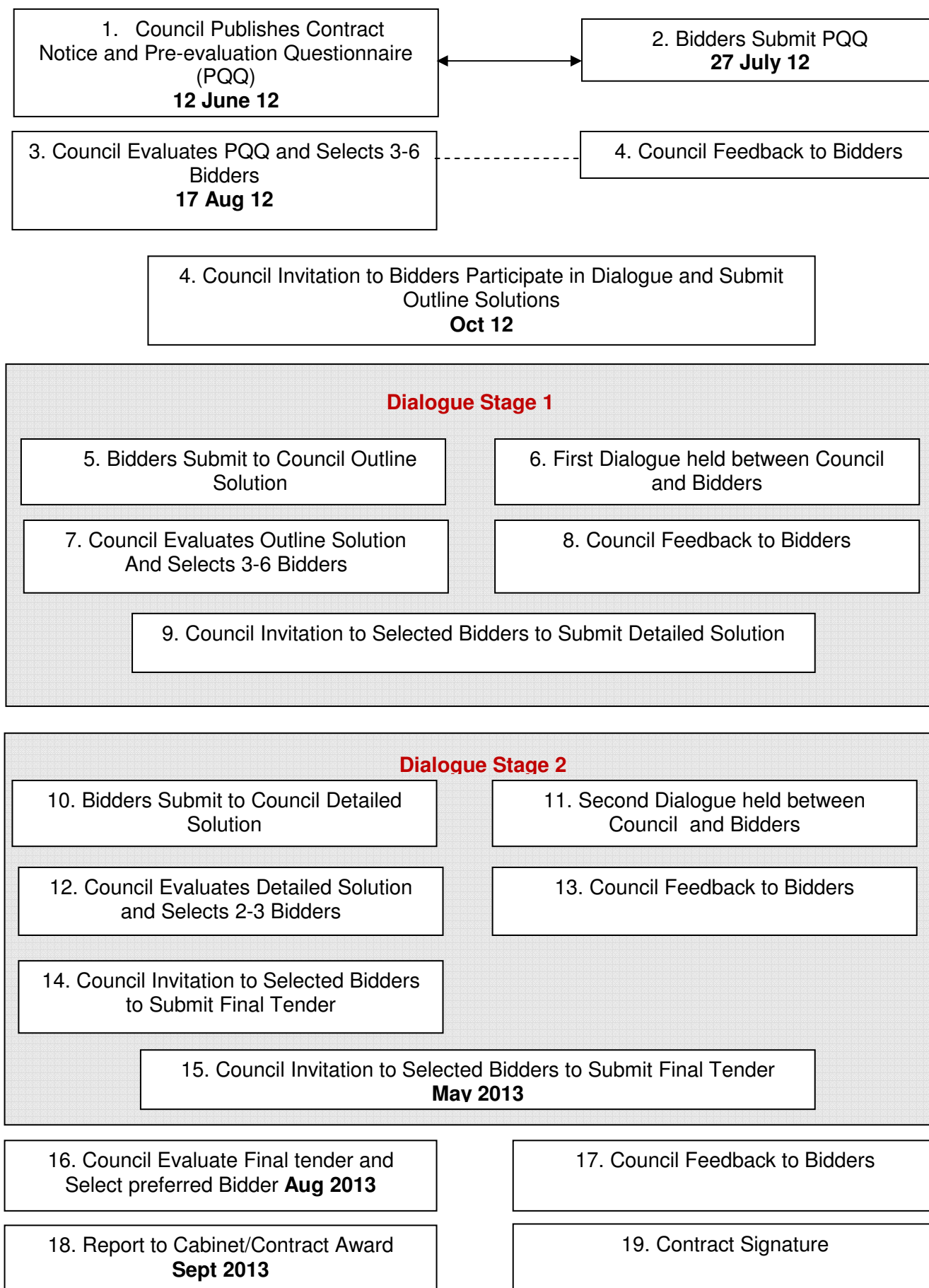


Appendix 2 - Service Framework

Lot	Service	Single Procurement 2014 – 2034 (20 years with an option of up to a 5 year extension)			
		New Contract From	Existing Contract Expires	Minimum Service Requirement	Options to be Explored
1.	Collection and Treatment/Disposal of Dry Recyclables	2014	2014	<ul style="list-style-type: none"> Maintain materials collected (paper, glass, cardboard, cans, plastics, plus batteries, light bulbs and textiles) Maintain alternate weekly collection. Provision and distribution of replacement containers. Provide service to households within the borough. Respond to legislative changes. 	<ul style="list-style-type: none"> Other collection options, including a more frequent collection. Provision of new containers if required by service change. Income share from recyclables. Collection of additional materials. Education, promotion and publicity. Flexibility to respond to technological advances. Collection from schools and council buildings.
	Collection of Residual Waste	2019	2019	<ul style="list-style-type: none"> Maintain alternate residual weekly collection. Provision and distribution of replacement containers. Provide service to households within the borough. Respond to legislative changes. 	<ul style="list-style-type: none"> Other collection options. Provision of new containers if required by service change. Collection and recycling of existing containers. Collection from schools and council buildings.
	Collection of Organic Waste	2019	2019	<ul style="list-style-type: none"> Maintain alternate weekly collection of green waste. Provision and distribution of replacement containers. Provide service to households within the borough as required. 	<ul style="list-style-type: none"> Other collection options which may be brought into the service sooner than 2019. Weekly collection of food and appropriate container provision. Collection from schools and council buildings.
	Collection of Commercial Waste	2019	2019	<ul style="list-style-type: none"> Meet statutory requirements – duty to arrange collection when requested. 	<ul style="list-style-type: none"> Provision of recycling of the wastes collected.
	Design, Build, Operation of a Transfer Station	2014	n/a	<ul style="list-style-type: none"> Contractor provides land, designs and builds or; Contractor has access to a facility. 	<ul style="list-style-type: none"> Council assesses land options for the future contractor to design and

Lot	Service	Single Procurement 2014 – 2034 (20 years with an option of up to a 5 year extension)			
		New Contract From	Existing Contract Expires	Minimum Service Requirement	Options to be Explored
				<ul style="list-style-type: none"> • Use of facility by contractor for commercial activity. • Provision of depot within or adjacent to the borough. • Acceptance of municipal waste. 	<ul style="list-style-type: none"> • build a facility. • Co-location of depot.
	CRC Management and Onward Transport to Transfer Station or Treatment/Disposal Facility.	2019	2019	<ul style="list-style-type: none"> • Management of 2 CRCs. • CRC review within first contract year. • Seek ways to encourage/support 3rd sector. • Acceptance of the current range of waste and recyclables, including hazardous. • Maintained as a Dedicated Collection Facility. • Transport to transfer station of residual waste, bulky items, green and recyclable materials collected at the kerbside. • Transport and treatment/disposal arrangements for all other waste and recyclables. 	<ul style="list-style-type: none"> • Solutions to improve the service. • Re-use Scheme. • Commercial waste CRC. • Education, publicity and promotion.
	Bulk Collections	2019	2019	<ul style="list-style-type: none"> • Offer a charged service to 100% of households on request. • Seek ways to encourage/support 3rd sector. 	<ul style="list-style-type: none"> • Call centre provision. • Diversion of materials.
	Transport from transfer Station to all Treatment/Disposal Facilities	2014	2014	<ul style="list-style-type: none"> • Meet the Council's statutory responsibilities. • Options to minimise cost, including carbon emissions. 	<ul style="list-style-type: none"> • Use of railfreight. • Vehicle efficiencies.
2.	Treatment/Disposal of Residual Waste	2014	2013/15 (landfill)	<ul style="list-style-type: none"> • Meet the Council's statutory responsibilities. • Options to minimise cost. • Facilities to dispose/treat full range of municipal waste. 	<ul style="list-style-type: none"> • Generation of renewable energy. • Recycling of municipal waste.
	Treatment/Disposal of Organic Waste	2019	2019	<ul style="list-style-type: none"> • Maintain a disposal outlet for separately collected green waste. 	<ul style="list-style-type: none"> • Opportunities to use local facilities. • Treatment facility for separately collected food if required. • Recycling of wood
3.	All Services in Lot 1 and 2	As detailed in Lot 1 and 2 above			

Appendix 3 - Overview of the Procurement Process



Note: The Council reserves the right to amend the timescales and stages of dialogue

TELFORD & WREKIN COUNCIL

CABINET - 31 MAY 2012

**PLANNING OF SCHOOL PLACES:
HOLLINSWOOD INFANT AND JUNIOR SCHOOLS**

**REPORT OF THE ASSISTANT DIRECTOR FOR EDUCATION CULTURE AND
SKILLS AND ASSISTANT DIRECTOR FOR FAMILY AND COHESION SERVICES**

LEAD CABINET MEMBER CLLR PAUL WATLING

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

To seek Cabinet approval to consult stakeholders on the possibility of a school merger to establish one primary school to replace Hollinswood Junior and Hollinswood Infant Schools.

2. RECOMMENDATIONS

That the Assistant Director for Education Culture and Skills be authorised to engage in formal consultation with key partners and stakeholders regarding the possible merger of Hollinswood Infant and Hollinswood Junior schools. A further report on the outcomes of consultation would be brought to Cabinet at its meeting on 26 July 2012.

SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<i>Children & Young People – to consult and involve all stakeholders with a vested interest in children's education and safety</i>
	Will the proposals impact on specific groups of people?	
	Yes	<i>Children and Families living within the Wards served by the schools</i>
TARGET COMPLETION/DELIVERY DATE	<i>Report on outcome of consultation process – Cabinet 26 July 2012. In the case of consultation on possible mergers, any changes to take effect from January 2013.</i>	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	<i>With a proposed merger date of January 2013, the proposed change would take place shortly before new school funding arrangements take effect from April 2013.</i>

		<p><i>The Department for Education is currently still consulting on some aspects of these proposals, but the new funding formula for schools will be required to have fewer factors than at present. The only one of these factors that would be affected by a merger would be the lump sum. The maximum allowable lump sum will be between £100,000 and £150,000.</i></p> <p><i>The impact of a merger on Telford & Wrekin's Schools Budget would be positive, as we would receive the same funding (which is based on the number of pupils in the area) but would only fund one lump sum rather than two. The impact of the merger on the new school's budget would depend upon the precise details of the new school's staffing structure. However, in general terms, the savings generated by having only one Headteacher, a likely lesser requirement for office staff and some savings on bought in services (as support for only one school rather than two would be required) would be likely to reach £100,000, possibly more. Thus the new school should be broadly in a similar budget position to its two predecessor schools.</i></p> <p><i>Balances of the closing Infants school, whether positive or negative, would revert back to the Local Authority.</i></p>
LEGAL ISSUES	Yes	<p><i>Changes to school organisation are governed by the requirements of the Education and Inspections Act 2006 and Guidance from DfE. The Governing Body is required to follow a statutory consultation process to merge schools or to change the school status. The consultation period should be for a minimum of six weeks during term time. The Governing Body is required to publish formal proposals. There is a four week representation period for objections or comments to be sent to the Governing Body. The Governing Body is required to consider the representations and decide whether to merge schools or change school status within six months of publishing the proposals. The Council can refer the proposals to the school's Adjudicator if</i></p>

		<p><i>It has concerns that the Governing Body has failed to consult adequately or has not taken account of the consultation, or that the merger of schools and/or change of school status will have a negative impact on standards at the school.</i></p> <p><i>If a referral is made, the Schools Adjudicator will decide the proposals in place of the Governing Body.</i></p> <p><i>If the decision is to proceed with the merger of schools and change of school status the Governing Body will be reconstituted.</i></p> <p><i>A wide range of legal implications arise upon merger of schools and change of school status. These include negotiating the transfer of land; Assets Transfer; Joint Use Agreements; TUPE of Staff and Service Level Agreements for Support Services.</i></p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	
IMPACT ON SPECIFIC WARDS	Yes	<p><i>The individual mergers would impact on the individual wards within which schools are located. However there is potentially Borough wide impact due to parental preference in choosing which schools children attend.</i></p>

PART B) – ADDITIONAL INFORMATION

School Mergers - The Council's policy on infant and junior school provision is that reviews take place, where appropriate, whenever particular circumstances emerge such as a pending head teacher retirement or resignation, or significant building issues including excessive numbers of surplus places. In the case of Hollinswood Infant the headteacher has submitted formal resignation with effect from the end of the summer term 2012. It is intended therefore to apply the policy in respect of this school (and its linked junior school) to consider the options available following consultation with all stakeholders.

3. INFORMATION

School Mergers - Initial discussions will have to be held with headteachers and governors to explain the timetable and process necessary for consultation to take place in time for any possible changes to take place by January 2013.

4. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

School Mergers – If following consultation a decision is made to merge schools, to avoid lengthy competition rules regarding the opening of new primary schools and changes to school category, the recommendation will be to close the infant school and extend the age range of the junior school to accommodate infant aged pupils. This would enable final decisions to be made by the Local Authority, subject to any objections being received and considered.

If, following the consultation process, it is decided to proceed with any school mergers, the capital implications will be evaluated as part of the consultation with schools, staff and the wider community.

5. PREVIOUS MINUTES

Not applicable.

6. BACKGROUND PAPERS

None.

Report prepared by Kathy Swallow, Service Delivery Manager - School Organisation, Admissions & Planning, Telephone: 01952 380905

TELFORD & WREKIN COUNCIL

CABINET - 31st MAY 2012

THE ANNUAL GOVERNANCE STATEMENT 2011/12

JOINT REPORT OF THE ASSISTANT DIRECTOR FINANCE, AUDIT & IG and THE MONITORING OFFICER

LEAD CABINET MEMBER – COUNCILLOR RICHARD OVERTON

1 SUMMARY OF MAIN PROPOSALS

- 1.1 For the Cabinet to agree the Annual Governance Statement 2011/12 prior to the statement being signed by the Leader and the Managing Director. The Statement will then be sent to the Audit Committee for review and approval and will accompany the 2011/12 annual accounts.

2 RECOMMENDATION

- 2.1 That members of the Cabinet agree the Annual Governance Statement 2011/12, attached as Appendix A, and note the information in the report.

3 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<i>The Governance Framework encompasses the whole Council and therefore all of the Council's priorities.</i>
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY DATE	<i>Annual Governance Statement signed and ready to accompany the 2011/12 accounts by 30th June 2012.</i>	
FINANCIAL/VALUE FOR MONEY IMPACT	No	<i>Good governance processes support value for money in ensuring economy, efficient and effectiveness in the Council's decision making and processes.</i>
LEGAL ISSUES	Yes	<i>The requirement for an Annual Governance Statement is included in the Accounts and Audit (England) Regulations 2011.</i>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<i>Good governance supports the identification and management of risks and robust control arrangements.</i>
IMPACT ON SPECIFIC WARDS	Yes	<i>Borough-wide impact</i>

4 INFORMATION

- 4.1 Under the Accounts and Audit (England) Regulations 2011 the Council is required to produce an Annual Governance Statement and it is best practice that the statement is signed by the Leader and Managing Director of the Council. This statement should accompany the Annual Accounts.
- 4.2 The Annual Governance Statement for 2011/12 is attached at Appendix A and has been developed based on the requirements of the regulations and CIPFA/Solace guidance¹. The statement includes an action plan (Annex 1) to ensure that we continue to improve our existing governance arrangements.

¹ Application Note to Delivering Good Governance in Local Government: a Framework March 2010

- 4.3 The action plan attached to the 2010/11 statement (implemented during 2011/12) has been reviewed, updated to reflect current progress. The position as at 31/03/12 is attached as Appendix B to this report.
- 4.4 The Annual Governance Statement outlines that the Council has been adhering to its Local Code of Corporate Governance, continually reviewing procedures to maintain and demonstrate good corporate governance and that it has in place robust systems of internal control. The Council can be assured that during 2011/12, including during organisational changes that the existing or revised governance arrangements have continued to support proper governance. Where required changes to procedures have been agreed by SMT and changes to the Constitution have been agreed by the Council, through the Council's Constitution Committee.
- 4.5 Assurance for the annual governance statement is provided by all areas of the Council and externally by the following:
- a) Leader and Managing Director – who sign the statement;
 - b) Senior management – Managing Director, Directors, Assistant Directors;
 - c) Chief Financial Officer;
 - d) The Monitoring Officer;
 - e) Members – Scrutiny arrangements, Standards Committee, Audit Committee and other Regulatory Committees;
 - f) Internal Audit ;
 - g) Partners;
 - h) External Audit; and
 - i) Other external inspection agencies.
- 4.6 The 2011/12 Annual Governance Statement sets out the Council's governance arrangements that operated during the period – 1st April 2011 to 31st March 2012 and measures the effectiveness of them. Unitary elections took place on 5th May 2011 and new councillors were elected. A new administration was elected at the Annual Council meeting on 26th May 2011. This new administration has made changes which are reflected in this statement.

5 IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6 PREVIOUS MINUTES

- 6.1 Cabinet 9th June 2009
Cabinet 8th June 2010
Cabinet 21st June 2011

7 BACKGROUND PAPERS

Local Code of Corporate Governance May 2008
Application Note to Delivering Good Governance in Local Government: a Framework March 2010
KPMG Report to those charged with governance 2010/11
KPMG Annual Audit Letter 2010/11
Annual Internal Audit Report 2011/12

Report by Jenny Marriott, Audit & Assurance Manager 383101



ANNUAL GOVERNANCE STATEMENT 2011/12

1. Standards of Governance

- 1.1 The Council expects all of its members, officers, partners and contractors to adhere to the highest standards of public service with particular reference to the formally adopted Codes of Conduct, Constitution, and policies of the Council as well as applicable statutory requirements.

2. Scope of Responsibility

- 2.1 Telford & Wrekin Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively to secure continuous improvement.
- 2.2 To this end the Council has a local code of corporate governance to ensure that it is consistent with the principles of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government. Within this code and to meet its responsibilities, the Council (members and officers) are responsible for putting in place proper arrangements for the governance of its affairs including risk management, the requirements of regulations¹ and ensuring the effective exercise of its functions.
- 2.3 The Council continues to review its arrangements against best practice and implement changes to improve the governance framework (including the system of internal control) - see paragraph 5.

3. The Purpose of the Governance Framework

- 3.1 The governance framework comprises the systems and processes, and cultures and values, by which the Council is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.
- 3.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, priorities and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to appropriately identify, quantify and manage the risks to the achievement of the Council's priorities, objectives and policies.
- 3.3 The governance framework has been in place at the Council for the year ended 31st March 2012 and up to the date of approval of the statement of accounts. Reviews and updates to

¹ Regulations 4(2), 4 (3) and 4(4) of the Accounts and Audit (England) Regulations 2011

the framework will take place during 2012/13 and beyond to support good governance, revised service delivery and organisational change.

4. The Governance Framework

4.1 The key elements of the systems and processes that comprise the authority's governance framework include:

- Vision 2026 – Transforming Telford & Wrekin: From New Town to Modern City, the Community Strategy, the Council's Plan which outline the Council's ambitions and priorities based on stakeholder feedback and these inform the service planning process and personal targets;
- The Constitution (which includes the scheme of delegations, financial regulations and contract standing orders), Forward Plan and decision making processes;
- Co-operative Council principles and clear vision and values² for the Council and the Community;
- Clear governance arrangements to manage the Council's change programmes and restructuring occurring across the Council and key capital projects;
- The Council has designated statutory officers – Head of Paid Service (Managing Director), Chief Financial Officer, Monitoring Officer, Director of Children's Services, Director of Adult Social Services and Scrutiny Officer;
- The Council's Information Governance Framework including a designated Senior Information Risk Owner (SIRO), data and information security and sharing policies and procedures. There is also a comprehensive training and awareness programme;
- The Performance management framework and data quality systems. These provide reports to SMT³, Cabinet and Scrutiny;
- Legal Services ensure that the Council operates within existing legislation and is aware of and acts upon proposed changes to legislation;
- The democratic decision making and accountability processes contained within the Constitution;
- SMT meets weekly with regular management meetings with Service Delivery Managers and Group/Team Leaders;
- Policy Review – appropriate SMT members and Cabinet meet regularly to discuss emerging key strategic issues which could affect the Council in the future and formulate medium term planning strategy/options.
- The Standards Committee, Audit Committee, scrutiny function and other regulatory committees;
- The development of internal controls and checks within new systems and when existing systems are reviewed;
- The Council's human resources and workforce/organisational development procedures⁴ are supported by clear recruitment processes. These are followed up by induction training (which includes information on the constitution, key policies, procedures, laws and regulations appropriate to the post and experience of the post holder) and on going training and development;
- Member and Officer Codes of Conduct and the Officer/member protocol underpin the standards of behaviour expected by members and officers;
- Member development programme to ensure members are properly equipped and have the capacity to fulfil their roles;
- The Council's communication and consultation strategies ensure that the local community knows what the Council is doing, receives feedback from them including the identification of their needs for incorporation into the Council's priorities;

² Co-operative values of ownership, openness & honesty, involvement, fairness & respect

³ Senior Management Team – Managing Director, Directors and Assistant Directors.

⁴ Further development work is required on some of these during 2012/13 to reflect a service reorganisation and the Co-operative Council

- The deputy Leader of the Cabinet is the lead member responsible for Corporate Governance including Risk Management. The key officer for Corporate Governance including risk management is the Managing Director. The service and financial planning process incorporates risk management and there is provision for appropriate awareness and training for officers and members;
- The Council's financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010);
- Comprehensive budget strategy and management of the associated risks of reduced resources provides robust financial management and regular reporting to members;
- A new financial management systems was introduced in July 2011 to provide financial management including budget monitoring, payment of suppliers and collection of income;
- The Council's Treasury Management Strategy and arrangements conform to CIPFA and Audit Commission guidance and is monitored by the Audit Committee;
- Internal audit review controls based on risk to provide assurance and recommendations for improvement and the Audit & Assurance Manager has been measured by external Audit against the CIPFA Statement on the Role of the Chief Internal Auditor in Public Sector (2010);
- Anti-fraud and Corruption, Speak Up and Prosecution policies support the council's governance processes and anti-fraud and corruption culture;
- The Council's Partnership protocol and agreed governance and reporting arrangements for the Council's significant partnerships;
- Projects are managed, as appropriate, within the principles of the PRINCE 2 methodology. This includes risk identification and management.
- Awareness and training for members within their member development programme and for officers through induction, Staff news, and update sessions on any revised governance arrangements (including information governance).

5. Review of Effectiveness

- 5.1 Telford & Wrekin Council has responsibility for conducting, at least annually, a review of the effectiveness of the governance arrangements including the system of internal control. The review of the effectiveness is informed by:-
- a) the senior managers within the authority who have responsibility for the development and maintenance of the governance environment;
 - b) the work of internal audit; and also
 - c) by comments made by the external auditors and other external review agencies and inspectorates.
- 5.2 The Cabinet monitors the effectiveness of the governance framework through the consideration of regular performance information and financial management reports from senior management. Individual Cabinet members receive regular feedback from senior officers in respect to their areas of responsibility on the progress of priorities and objectives. Issues of strategic and corporate importance are referred to the Cabinet.
- 5.3 The Council's Scrutiny arrangements were reviewed and further revisions were agreed at the Annual Council meeting in May 2011. The Council's Scrutiny function continues to review the decision making process and areas of concern. The subjects for the areas of concern are informed by community consultation, direct feedback to members from within the community and the results of review and inspection (both external and internal) and areas of policy being developed by the Council and Executive.

- 5.4 The Internal Audit plan is informed by the Council's risk management and performance management processes, external inspection reports, the requirements of the External Auditor, comments from senior management and their opinion of the current state of the governance arrangements and internal control system. During 2011/12 the Internal Audit team achieved 90% of their planned work (best practice is 90%) and this has been used with the relevant output from unplanned work to form their opinion on the systems of internal control.
- 5.5 Internal Audit report on a quarterly basis and also annually to the Audit Committee. The Audit Committee has asked for additional information during the year and requested Assistant Directors and Service Managers to attend to provide assurance on the management of risks and implementation of recommendations. The Audit Committee has also reviewed benchmarking information on Internal Audit.
- 5.6 The Audit Committee terms of reference also incorporates the review and monitoring of the Council's Treasury Management arrangements. Members of the Committee are kept up to date through awareness training on the state of the markets that influence/affect delivery of the strategy.
- 5.7 The Council's performance management framework has systems and procedures which drive continuous improvement in performance. This has been reviewed and developed to reflect the Government's Single Data List.
- 5.8 The Council has continued to review its governance framework to gain assurance that its approach to corporate governance is both adequate and effective in practice and that sound systems of internal control are operating. These reviews have included the Constitution and associated policies, procedures, management processes and reporting arrangements. However it is recognised that further work is required to update the Constitution and management procedures and this is included in the action plan attached to this statement (Annex 1).
- 5.9 The Council recognises the importance of Information Governance and has taken significant steps to improve the security of its IT, paper and handling processes to meet the compliance requirements for Data Handling in Government. This included bringing the Information Governance standard setting and compliance responsibilities into Audit & Assurance in 2010 and reorganising resources to co-ordinate information rights responses in October 2011. Information Governance has during 2011/12 reported to the Audit Committee including information on responses to information rights requests and data security breaches. We reported two data breaches to the Information Commissioner. We are awaiting direction from the ICO in respect to these instances.
- 5.10 ICT infrastructure upgrades during the year have further improved security, data handling and business continuity.
- 5.11 The annual review by Internal Audit of the key financial systems has identified a number of areas for improvement. Reassurance has been provided by management that these improvement areas are being progressed, co-ordinated by a Steering Board.
- 5.12 The Managing Director, Directors, Assistant Directors and Service Delivery Managers have signed annual assurance certificates confirming that the governance framework has been operating within their areas of responsibility, subject to the actions outlined in Annex 1.
- 5.13 The requirements under the Accounts and Audit (England) Regulations 2011 require a review of internal audit and the External Auditors review of Internal Audit has been used to meet this requirement. The results of the review will be presented to the Audit Committee as part of the Internal Audit Annual Report.

5.14 The External Auditor's Annual Audit Letter 2010/11 included in its headlines:

- VFM conclusion – We issued an unqualified value for money (“VFM”) conclusion for 2010/11 on 29 September 2011. This means we are satisfied that you have proper arrangements for securing financial resilience and challenging how you secure economy, efficiency and effectiveness. To arrive at our conclusion we looked at your financial governance, financial planning and financial control processes, as well as how you are prioritising resources and improving efficiency and productivity.
- Audit opinion - We issued an unqualified opinion on your financial statements on 29 September 2011. This means that we believe the financial statements give a true and fair view of the financial position of the Authority and of its expenditure and income for the year.

5.15 We have been advised on the implications of the review of the effectiveness of the governance framework by the Cabinet, Standards Committee, Audit Committee, Scrutiny, senior managers, Internal Audit and external review, and plan to address weaknesses and ensure continuous improvement of the framework as outlined in the action plan attached as Annex 1.

Leader of the Council.....

Managing Director.....

Date.....

Chairman of the Audit Committee.....

Date.....

ANNUAL GOVERNANCE STATEMENT 11/12 ACTION PLAN FOR IMPLEMENTATION 2012/13

No	Action	Lead Officer	Comments	Date
1.	Strategic management of continued organisational change in respect to the co-operative council and continued development and implementation of revised governance framework (encompassing the corporate governance structure incorporating information, information technology, partnership and project governance).	Managing Director and SMT	Agreeing the revised governance requirements and incorporating into any changes to the Constitution, strategies and policies. Endorsing an awareness programme for officers and members.	Ongoing 31/03/13
2.	Managing Decision making: a) Implementation of the revised officer governance arrangements; b) Clarifying officer/member roles & responsibilities including delegations c) Other constitution changes to reflect the revised organisational structures & ways of working d) Preparations for the revised external audit arrangements.	Assistant Director Law, Democracy & Public Protection and Assistant Director Finance, Audit & IG	This action develops further the implementation of previous actions in respect to the Constitution and revised external audit arrangements.	(a), (b) and (c) by 31/03/13 (d) – will need to respond to consultations on the proposed future changes during 12/13.
3.	<ul style="list-style-type: none"> • Review of our Workforce Development priorities and delivery • Continue to review and update the management competencies and skills required in the revised organisation. Review of HR policies and processes to support the organisational changes. 	Assistant Director Customers and People	A restructure in these areas is planned for May/June 2012 with implementation Autumn 2012. Review work will then continue to reflect the needs of the organisation.	31/03/13 and on going
4.	Information governance: (a) continuation of the training and awareness programme; and (b) the implementation of any actions arising from directions from the ICO	Assistant Director Finance, Audit & IG Director Children's Services/SMT		On-going 31/07/12
5.	Implementation of improvements to the Financial management system	Assistant Director Finance, Audit & IG	To implement the improvements identified during the annual audit review overseen by the Steering Board	31/10/12
6.	Develop the governance arrangements for the Health & Well Being Board and transfer of Public Health	Assistant Director Social Care Specialist	Shadow Board 12/13 and prepare for transfer of Public Health April 2013 and associated governance arrangements.	31/01/13

PROGRESS AS AT 31/03/12 ON 2010/11 ACTION PLAN FOR IMPLEMENTATION 2011/12

No	Action	Lead Officer	Comments	Date	Progress as at 31/03/12
1.	Strategic management of organisational change and the development of the new administrations governance requirements. Strategic management of the implementation of the revised governance framework (encompassing the corporate governance structure incorporating information, information technology, partnership and project governance).	CMT (plus the Monitoring Officer)	Understanding the revised governance requirements and confirming their legality. Confirming the requirements are incorporated into any changes to the Constitution, strategies and policies. Endorsing an awareness programme for officers and members.	Ongoing 31/03/12	This work is still on going to reflect the recent senior management restructure and requirements of government legislation.
2.	<p>Managing Decision making:</p> <ul style="list-style-type: none"> a) Implementation of the Strong leader model; b) Implementation of the revised governance staff structure; c) Embedding the new administration; d) Clarifying officer/member roles & responsibilities including delegations e) Developing Member/officer relationships including revised standards regime f) Continued development and implementation of transparency agenda. g) Other constitution changes to reflect the revised organisational structures & ways of working h) Preparations for the revised external audit arrangements. 	Head of Governance	This action develops further the implementation of previous actions in respect to the Constitution and has been updated to include the implementation or preparation of key governance areas including embedding the new administration, the implementation of the Governance Unit restructure the requirements of the Localism Act and revised external audit arrangements.	Some action will be completed during 2011/12 and others will still be in development and progress by 31/03/12.	<p>Still work required in respect to (b), (d), (g) and (h). Have been included in 11/12 action plan for continued implementation in 12/13.</p> <p>The other areas have been mainstreamed.</p>
3.	<ul style="list-style-type: none"> • Review of our Workforce Development priorities and delivery • Continue to review and update the management competencies and skills required in the revised organisation. Review of HR policies and processes to support the organisational changes. 	Chief Executive (VB)	Work continues to develop the people aspects of the revised One Council One Team One Vision and appropriate cultures to support good governance.	31/03/12	This work continues as a restructure in these areas is planned for May/June 2012.

	Action	Lead Officer	Comments	Date	Progress as at 31/03/12
4.	Implement action plans from external assessments and inspections.	Assistant Chief Executive & appropriate Heads of Service.	Action plans to address relevant governance issues from external assessments/ inspections have been and will be included in appropriate priority/service area plans.	Ongoing but by 31/03/12	Ongoing and have been mainstreamed into service action plans.
5.	Data and information security: a) Continue the development & implementation of ICT service continuity & resilience within the ICT infrastructure. b) Implement the transfer of the administration and management of the Council's information right's legislation to Governance. c) Continue the implementation of revised systems & procedures for safeguarding.	Head of Property & ICT, Head of Governance and Head of Safeguarding	Deadlines: a) Completion of work from 2010/11 b) This change has arisen out of a review of the freedom of information arrangements within the Council and will be implemented in the second quarter of 11/12 c) This is the continuation and completion of work commenced during 2010/11 which identified during internal and external reviews.	Dates: a) 31/10/11 b) 31/10/11 c) 31/03/12	(a) ICT Service continuity and resilience completed March 2012 but will be further changes required as a result of accommodation moves. (b) Complete (c) Progressing and now mainstreamed as part of service action plan.

TELFORD & WREKIN COUNCIL

CABINET – 31 MAY 2012

**REPRESENTATION ON OUTSIDE BODIES 2012/13 – ENGLISH SEVERN
& WYE REGIONAL FLOOD & COASTAL COMMITTEE**

**REPORT OF THE ASSISTANT DIRECTOR: LAW, DEMOCRACY & PUBLIC
PROTECTION**

LEAD CABINET MEMBER – CLLR RICHARD OVERTON

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

To make a Member appointment to the newly established English Severn and Wye Regional Flood & Coastal Committee.

2. RECOMMENDATION

2.1 That Councillor H. Rhodes be appointed as the Council's representative on the English Severn and Wye Regional Flood & Coastal Committee for 2012/13.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	No	Not applicable
	Will the proposals impact on specific groups of people?	
	No	Not applicable
TARGET COMPLETION/DELIVERY DATE	Not applicable	
FINANCIAL/VALUE FOR MONEY IMPACT	No	Not applicable
LEGAL ISSUES	No	Appointments to outside bodies are delegated to the Leader and Cabinet Executive
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	Not applicable
IMPACT ON SPECIFIC WARDS	No	Not applicable

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 The English Severn and Wye Regional Flood & Coastal Committee (RFCC) has been established by the Environment Agency under the Flood and Water Management Act 2010, and replaces the former Severn Trent RFCC. The main purpose of the new RFCC is to:
- ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines
 - promote efficient, targeted and risk-based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities
 - provide a link between the Environment Agency, Lead Local Flood Authorities, other risk management authorities, and other relevant bodies to engender mutual understanding of flood and coastal erosion risks in its area.
- 4.2 The new RFCC consists of a chair appointed by the Minister for Environment, Food & Rural Affairs, eight Local Authority representatives, and six persons appointed by the Environment Agency. As a Lead Local Flood Authority, Telford & Wrekin is entitled to appoint one representative to the new RFCC.
- 4.3 The main list of appointments to outside bodies for 2012/13 will be considered by Cabinet at its 28 June meeting. However, this appointment is being considered before then because the Environment Agency has requested confirmation of the Council's appointee to the RFCC by 1 June. Group Leaders have been asked to submit any nominations for this appointment. One nomination, for Councillor Hilda Rhodes, has been received.

5.0 PREVIOUS MINUTES

Cabinet – 21 June 2011 (Minute No CB-9)

Report prepared by Phil Smith, Democratic Services Team Leader
(01952-383211)

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 31st May, 2012 at 5.00 p.m. at the Civic Offices, Telford

PUBLISHED ON WEDNESDAY, 6th JUNE, 2012

(DEADLINE FOR CALL-IN: MONDAY, 11th JUNE, 2012)

PRESENT: Councillor K.S. Sahota (Leader and Chair), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, R.A. Overton, H. Rhodes and C.F. Smith

ALSO PRESENT: Councillor S. Bentley (substitute for Conservative Group Leader) and Councillor W.L. Tomlinson (Lib Dem/Independent Group Leader)

CB-1 MINUTES

RESOLVED – that the minutes of the meeting of the Cabinet held on 26th April 2012 be confirmed and signed by the Chairman.

CB-2 APOLOGIES FOR ABSENCE

Councillor P.R. Watling and Councillor A.J. Eade (Conservative Group Leader)

CB-3 DECLARATIONS OF INTEREST

None

CB-4 WASTE MANAGEMENT SERVICES PROCUREMENT

Key Decision identified as **Waste Management Procurement** in the Forward Plan published on 16th March 2012.

Councillor S. Davies, Cabinet Member: Neighbourhood Services & Co-operative Council, presented the report of the Assistant Director: Environment & Leisure which proposed the commencement of a formal procurement process for Waste Management Services.

Further to the report to Cabinet in February 2012, a market sounding event was held to canvass industry views on the most cost effective and flexible way for the future delivery of the Council's waste management service. Further work had been undertaken on the scope and framework of a future contract, details of which were appended to the report. It was proposed that all the existing contracts that expired between 2014 and 2019 be procured together now through a single process in order to maximise synergies and minimise procurement costs. An overview of the proposed procurement process was appended to the report. In order to allow the single procurement of all existing

contracts, it was proposed to extend by one year (to April 2014) the current residual/municipal waste disposal to landfill contract.

Bids for services were to be evaluated in 3 lots to attract market interest and maximise competition. It was proposed that a 20 year contract (commencing in 2014) would provide best value to the Council, with services being phased-in as current contracts ended in the period up to 2019. To ensure the new contract remained flexible and efficient, a benchmarking review would be undertaken up to every 5 years. Part of the contract provided for the provision (by the appointed contractor) of a waste transfer station, which was seen as necessary in order to minimise costs from landfill tax. During the procurement process, the Council would assess the options for a waste transfer station site and monitor the proposals put forward by the bidders.

Councillor S. Bentley (Conservative Group) expressed a number of reservations about the proposals, which he felt would not benefit the Council. The potential revenue streams to the Council from the processing and recycling of waste had not been explored, and it was suggested that Scrutiny should examine the issue before the Council went to the procurement stage. The Cabinet Member advised in response that a lot of work had taken place in preparing this strategy, which was informed by experts within the waste management field. In terms of the provision of a waste transfer station, advice was clear that the risk should be with the private sector, and that the Council did not have the money to build such a facility without incurring more significant borrowing costs. Given the pressure to reduce the amount of waste going into landfill, it was important to get on with the procurement process now.

RESOLVED –

- (a) that the commencement of a formal procurement process for Waste Management Services, as detailed in the report and its appendices, be approved;**
- (b) that authority be delegated to the Assistant Director: Environment & Leisure, in consultation with the Cabinet Member for Neighbourhood Services & Co-operative Council and Cabinet Member for Resources & Service Delivery, to progress the procurement process until the Council is in a position to award the contract;**
- (c) that it be noted that a further report will be brought back to Cabinet detailing the outcome of the procurement process and to seek approval to award the contract at the appropriate time;**
- (d) that the current residual/municipal waste disposal to landfill contract be extended by one year to April 2014, for the reasons outlined in the report;**

- (e) that authority be delegated to the Assistant Director: Law, Democracy and Public Protection to execute any documents necessary to give effect to the above recommendations;
- (f) that £0.27m available from Environment Services underspends in 2011/12 be allocated to fund project costs.

**CB-5 PLANNING FOR SCHOOL PLACES – HOLLINSWOOD
INFANT AND JUNIOR SCHOOLS**

Key Decision identified as **Planning for School Places – Hollinswood Infant and Junior Schools** in the Forward Plan published on 10 May 2012.

Councillor W.A.M. McClements, on behalf of the Cabinet Member: Children, Young People & Families, presented the joint report of the Assistant Director: Education, Culture & Skills and the Assistant Director: Family & Cohesion Services which sought approval to consult stakeholders on the possibility of a school merger to establish one primary school to replace Hollinswood Junior and Hollinswood Infant Schools.

The Headteacher at Hollinswood Infant School had submitted formal resignation from the end of the summer term 2012. It was therefore proposed to apply the Council's policy on infant and junior school provision to consider the options available following consultation with stakeholders. One option was the merger of the Infant School with Hollinswood Junior School. Initial discussions had been held with headteachers and governors to explain the timetable and process necessary for consultation to take place in time for any possible changes to take effect from January 2013.

In response to a question about what would happen to the current school sites if a merger took place, the Assistant Director: Education, Culture & Skills advised that the two sites were only 50 yards apart and so the buildings on both sites would probably be retained as part of a single school.

RESOLVED –

- (a) that authority be delegated to the Assistant Director: Education, Culture & Skills to engage in formal consultation with key partners and stakeholders regarding the possible merger of Hollinswood Infant & Hollinswood Junior Schools;
- (b) that a further report on the outcomes of consultation be brought to the Cabinet meeting on 26th July 2012.

CB-6 ANNUAL GOVERNANCE STATEMENT 2011/12

Non-Key Decision

Councillor R.A. Overton, Deputy Leader, presented the joint report of the Assistant Director: Finance, Audit & Information Governance and the

Monitoring Officer, attached to which was the draft Annual Governance Statement for 2011/12.

Under the Accounts & Audit Regulations 2011, the Council was required to produce an Annual Governance Statement, and it was best practice that it was signed by the Leader and Managing Director of the Council. The Statement included an action plan to ensure that the Council continued to improve its existing governance arrangements into 2012/13. The action plan attached to the 2010/11 statement (implemented during 2011/12) had been reviewed and updated and was appended to the report.

The Annual Governance Statement outlined that the Council had been adhering to its Local Code of Corporate Governance, continually reviewing and improving its procedures to maintain and demonstrate good corporate governance. The Council could be assured that during 2011/12, including during the organisational changes, the existing governance framework had continued to support proper governance. Assurance for the Annual Governance Statement was provided by all areas of the Council including senior management, Members, the Chief Financial Officer, the Monitoring Officer and internal audit.

RESOLVED – that the Annual Governance Statement 2011/12, as shown at Appendix A of the report, be agreed.

CB -7 REPRESENTATION ON OUTSIDE BODIES 2012/13 – ENGLISH SEVERN & WYE REGIONAL FLOOD & COASTAL COMMITTEE

Non-Key Decision

Councillor R.A. Overton, Deputy Leader, presented the report of the Assistant Director: Law, Democracy & Public Protection, which requested Cabinet to make a Member appointment to the newly established English Severn & Wye Regional Flood & Coastal Committee.

The English Severn and Wye Regional Flood & Coastal Committee (RFCC) had been established by the Environment Agency under the Flood and Water Management Act 2010, and replaced the former Severn Trent RFCC. The new RFCC consisted of a chair appointed by the Minister for Environment, Food & Rural Affairs, eight Local Authority representatives, and six persons appointed by the Environment Agency. As a Lead Local Flood Authority, Telford & Wrekin was entitled to appoint one representative to the new RFCC.

The main list of appointments to outside bodies for 2012/13 would be considered by Cabinet at its 28 June meeting. However, this appointment was being considered before then because the Environment Agency had requested confirmation of the Council's appointee to the RFCC by 1 June. Group Leaders had been asked to submit any nominations for this appointment. One nomination, for Councillor H. Rhodes, had been received.

RESOLVED – that Councillor H. Rhodes be appointed as the Council's representative on the English Severn and Wye Regional Flood & Coastal Committee for 2012/13.

CB-8 UPDATE ON CONFIGURATION OF HOSPITAL SERVICES IN SHROPSHIRE, TELFORD & WREKIN

The Leader welcomed Adrian Osborne (Communications Director) and Chris Needham (Associate Director of Estates) from the Shrewsbury and Telford Hospital NHS Trust, who were present to give an update to Members on the reconfiguration of hospital services.

Mr Osborne stated that the Full Business Case for the reconfiguration proposals was last week approved by the Strategic Health Authority. This meant that detailed work could now start on the new Women and Children's Unit at the Princess Royal Hospital (PRH), planning permission for which had been granted. Preparation work was also underway on centralising adult inpatient surgery at the Royal Shrewsbury Hospital and moving head and neck inpatient services to the PRH. Feedback from patient and public workshops was being incorporated into a Travel and Transport Plan. Some indicative drawings of the exterior and interior of the new Women and Children's Unit were shown, and it was stressed that patients, families and local groups were being closely involved in the detailed planning and design.

Members welcomed the news that the Full Business Case had been approved, and that the PRH would be getting a fantastic new facility. Councillor W.L. Tomlinson (Liberal Democrat/Ind Group Leader) asked that the Trust and its contractors liaise with local Ward Councillors during the construction period at the PRH, so any issues arising from the work could be addressed. In response, Mr Needham stated that there would be a lot of publicity and information for local residents about what to expect during the construction phase, and local Elected members would be involved in this.

Mr Osborne also reported that the Trust had just appointed Mr Peter Herring as their new Chief Executive. Mr Herring currently worked at the Countess of Chester Hospital, and would be joining the Trust in September. The outgoing Chief Executive, Adam Cairns, would be leaving at the end of June, and interim arrangements would be in place from then until September. Members thanked Mr Cairns for all his work in securing the future of acute health services in Shropshire, Telford & Wrekin, and wished him well for the future.

CB-9 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

CB - 10 SOUTHWATER ENERGY SERVICES PROVISION

Non-Key Decision

Councillor C.F. Smith, Cabinet Member: Housing, Regeneration & Economic Development, presented the report of the Assistant Director: Development, Business & Housing, which sought approval to appoint a contractor as the Energy Services Provider for the Southwater development.

A central component of delivering a sustainable Town Centre was the creation of a District Heating Network (DHN) which could supply heat and electricity, generated on site, to buildings throughout Southwater. In a previous report to Cabinet in July 2011, it was identified that, once constructed, the Energy Centre (from which the DHN would be operated) and associated pipework would become an asset owned by the Council, which could then be marketed to a service provider. Since then, a comprehensive procurement process had been undertaken, details of which were set out in the report. This included full financial and qualitative evaluations of the submitted tenders.

One of the tenderers had put forward a proposal that would allow the Council to receive rental income, as well as the benefit of energy cost savings. In response to a question, the Cabinet Member advised that District Heating systems were commonplace in many parts of Europe, and were now becoming more accepted in the UK as a means of reducing energy costs.

RESOLVED –

- (a) that the appointment of Vital Energi Utilities Ltd (Vital) as Southwater’s Energy Services provider be approved;**
- (b) that authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member for Housing, Regeneration & Economic Development, to conclude contract negotiations and enter into a lease with Vital;**
- (c) that authority be delegated to the Assistant Director: Development, Business & Housing, in consultation with the Cabinet Member for Housing, Regeneration & Economic Development, to conclude contract negotiations and enter into a Service Level Agreement with Vital Energi Utilities Ltd for the supply of energy to Council owned buildings;**
- (d) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to seal or sign any documents required to give effect to the resolutions above.**

The meeting ended at 5.45 p.m.

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Law, Democracy & Public Protection
Date: 6th June 2012

Signed:

Date: