



## Committee and Date

Cabinet

## **CABINET**

### **Minutes of the meeting held on 14 October 2015**

**In the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**12.30 - 1.55 pm**

**Responsible Officer:** Jane Palmer

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### **Present**

Councillor (Chairman)

Councillors Steve Charmley (Deputy Leader), Tim Barker, Karen Calder, Ann Hartley, Simon Jones, Malcolm Price, David Turner and Claire Wild

### **53 Apologies for Absence**

Keith Barrow and Lee Chapman

### **54 Disclosable Pecuniary Interests**

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a disclosable pecuniary interest and should leave the room prior to the commencement of the debate.

### **55 Minutes**

### **RESOLVED:**

That the Minutes of the Cabinet meeting held on 29 July 2015 be approved as a correct record and signed by the Deputy Leader [in the Chair].

### **56 Public Questions**

Mr John Shone had submitted a question regarding the accommodation of and control of Ellesmere Library in the future. A written reply from the Portfolio Holder for Business Growth, ip&e and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question, Mr Shone queried the timeliness and extent of consultation with Ellesmere Town Council. In response, the Portfolio Holder for Young People confirmed that Ellesmere Town Council had been involved from earliest discussions. The Director of Commissioning referenced consultation around the Council's Commissioning Strategy and said alternative suggestions would be welcomed, even after the consultation closure date.

Mr Richards had submitted a question regarding Shawbury Library. A written reply from the Portfolio Holder for Business Growth, ip&e and Commissioning (North) was tabled at the meeting – a copy of the full question and reply is attached to the signed minutes.

By way of a supplementary question, Mr Richards queried the affordability of running the library for Shawbury Parish Council or Parish Hall Committee and viability of providing a Library Bus service as a replacement.

In response, the Portfolio Holder for Business Growth, ip&e and Commissioning said the process undertaken in Shawbury had been the same as for all other small libraries. Community groups had come forward with proposed solutions in other locations. He reiterated that the Council still remained open to ideas for Shawbury.

Mr M Green read made a statement on behalf of Shropshire Libraries Yes Campaign during the discussion on agenda item 11. A copy of the statement is attached to the signed minutes.

#### **57 Matters Referred from Scrutiny/Council**

There were no matters referred from Scrutiny or Council.

#### **58 Reports of Scrutiny Committees**

There were no reports from the Scrutiny Committees.

#### **59 Revenue Monitoring Report Quarter 2 2015/2016**

The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance – copy attached to the signed minutes – which set out the Revenue forecast for 2015/2016 at Quarter 2 and identified the current projections on delivery of savings included within the forecast. Responding to questions from Members, he reported that the projected overspend had reduced since Quarter 1 and further work would be undertaken over the next six months to bring the budget into balance.

#### **RESOLVED:**

- i) That it be noted that at the end of quarter 2 (28 august 2015), the full year forecast is a potential overspend of £4.135m;
- ii) That the impact of this on the council's general fund balance be considered.

#### **60 Capital Monitoring Report Quarter 2 2015/2016**

The Portfolio Holder for Finance, Resources and Support presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed minutes – on the current position for the Council's 2015/16 to 2018/19 capital programme, taking into account the latest monitoring information on the progress of the schemes, any necessary budget increases and decreases and the re-profiling of budgets between 2015/16 and future years.

**RESOLVED:**

That the net budget variations of £3m to the 2015/16 capital programme be approved, detailed in Appendix 1/Table 1 and the re-profiled 2015/16 capital budget of £62m. Including new allocations of capital receipt funding as follows:

- i) £86k for the Mere warden's bungalow refurbishment.
- ii) That the re-profiled capital budgets of £40.9m for 2016/17 and £28.1m for 2017/18 and £70k for 2018/19 be approved as detailed in Appendix 1/Table 4.
- iii) That the expenditure to date of £14.4m be accepted, representing 23.2% of the revised capital budget for 2015/16, with 42% of the year having elapsed.

**61 Quarter 1 Performance Report 2015/2016**

The Portfolio Holder for Performance presented a report by the Performance Manager – copy attached to the signed minutes – on the Council's performance against its outcomes for the first quarter of 2015/16. In the ensuing discussion, the Portfolio Holder answered questions about staff structure, pressures on adult social care and the health sector.

**RESOLVED:**

- i) That the key underlying and emerging issues in the report and appendices be considered; and
- ii) That any performance areas for consideration in greater detail be identified or referred to the appropriate Scrutiny Committee.

**62 Shropshire Highways - Draft Asset Management and Communications Strategy and Implications of Department for Transport - Incentivised Funding**

The Portfolio Holder for Highways and Transport presented a report by the Director of Commissioning – copy attached to the signed minutes - on the draft Asset Management Strategy. The report detailed how the Highways and Transport service would approach the task of managing Shropshire's most valuable and important public infrastructure from Autumn 2015. He reported that Shropshire Council were aiming to secure Band 2 status and then to develop improvements into Band 3.

**RESOLVED:**

- i) The draft Asset Management Strategy attached be approved for wider consultation with stakeholder and interest groups and the public over the autumn period of 2015.
- ii) Delegated Authority be provided to the Area Commissioner – South in consultation with the Portfolio Holder for Highways and Transport, to consider any views or comments from the wider consultation and incorporate within the Asset Management Strategy, if appropriate.

- iii) Delegated Authority be provided to the Area Commissioner – South in consultation with the Portfolio Holder for Highways and Transport, to agree a final document for publication and formal adoption.
- iv) The draft Communications Strategy, be approved for wider consultation with stakeholder and interest groups and general public over the autumn period of 2015.
- v) Delegated Authority be provided to the Area Commissioner – South in consultation with the Portfolio Holder for Highways and Transport to consider any views or comments from the wider consultation and incorporate within the strategy if appropriate.
- vi) Delegated Authority be provided to the Area Commissioner – South in consultation with the Portfolio Holder for Highways and Transport, to agree a final document for publication and formal adoption.
- vii) The implications of the Department for Transport Incentivised Funding criteria and the anticipated reduction in Capital Block Grant for Highways over the next three years be noted.

### **63 Redesigning Shropshire Council's Library Service and Customer Service Points**

The Portfolio Holder for Business, Culture and Commissioning (North) introduced a report of the Director of Commissioning – copy attached to signed minutes – which outlined and confirmed the approach that Shropshire Council would adopt for the redesign and commissioning of its library service and customer service points.

Mr M Green read a statement on behalf of Shropshire Libraries Yes Campaign – a copy is attached to the signed minutes.

During the ensuing discussion the Portfolio Holder said that the very last course of action the authority wished to take was close any libraries. He confirmed that any approach or suggestion of alternatives would be welcomed and evaluated. A Member from a rural electoral division made reference to the success of some small libraries being operated by social enterprises in very rural locations. Another Member asked if the Council would be able to guarantee alternative operations would be sustainable for a reasonable period of time. The Portfolio Holder confirmed that proposals would be subject to long and detailed discussions to ensure they were sustainable.

#### **RESOLVED:**

- i) That the approach described within this report to redesign Shropshire Council's library services and customer service points be confirmed and approved.
- ii) That delegated authority be granted to the Director of Commissioning in consultation with the Portfolio Holder for Business, Culture and Commissioning (North) for the future library decision making required as the recommended approach is delivered.

- iii) That delegated authority be granted to the Director of Public Health in consultation with the Portfolio Holder for Resources and Support for the future Customer Service Point decision making required as the recommended approach is delivered.

## 64 West Midlands Rail Devolution

The Portfolio Holder, Highways and Transport, presented a report seeking Cabinet approval of the proposed governance arrangements for the development and oversight of the West Midlands Rail Franchise through West Midlands Rail Limited (WMR Ltd) and to approve the Council's membership of WMR Ltd and the appointment of directors to the board of WMR Ltd.

### RESOLVED:

- i) That the proposed governance arrangements be approved as set out in this report for the development and oversight of the WMR Ltd, established as a company limited by guarantee with a Board of Directors appointed from each of the constituent partner authorities for the purpose of providing local democratic strategic guidance for the specification of the new West Midlands rail franchise being let by the Department for Transport (DfT) during 2017.
- ii) That Shropshire Council joining WMR Ltd as a member be approved.
- iii) That the appointment by the Council of Cllr Keith Barrow as a principal director on the Board of WMR Ltd and Cllr Simon Jones as his substitute director on that Board be approved.
- iv) That the Corporate Head of Legal and Democratic Services and Solicitor to the Council be authorised to agree and enter into or execute such documents as are necessary to give effect to these decisions.
- v) That the intention be noted that WMR Ltd will in due course enter into a formal partnership agreement with the DfT that will set out the rights and obligations of WMR Ltd in relation to the award of the new West Midlands Rail Franchise and related matters and that:
  - a) that agreement will require approval by a 75% vote of WMR Ltd's members and will be the subject of a future report to Cabinet; and
  - b) any WMR Ltd member may resign its membership of WMR Ltd at any time, including where the member does not approve the terms of any such agreement.

## 65 Options on the Future Delivery of Customer Services in Shropshire

The Cabinet Member for Finance, Resources and Support, presented a report – copy attached to the signed minutes – setting out delivery options for the customer services function, and outlining issues and advantages afforded by a single front door into council services, and opportunity to work together with the Clinical Commissioning Group and other public sector partners to achieve better integration and more joined up working.

**RESOLVED:**

- i) That the report and the points raised on the “single front door” approach to Customer Services and the options for future delivery be considered.
- ii) That approval be granted to continue exploring the potential of commissioning a unified service across the public sector by working more closely with the CCG and other interested public sector partners.
- iii) That delegated authority be granted to the Director of Public Health, in consultation with the Portfolio Holder for Resources and Support, with input from Directors of Children’s Services and Adult Social Care, to make any further decisions on service delivery.

**66 Community Energy**

The Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) introduced a report of the Director of Commissioning – copy attached to the signed minutes – which set out a proposals to explore the opportunity for the Council to generate a new income stream through involvement in the purchase and resale of energy to domestic and business consumers.

**RESOLVED:**

- i) That the position to explore energy supply and commercial energy opportunities as set out in the report be endorsed.
- ii) That delegated authority be granted to the Chief Executive in consultation with the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) to agree and to complete all formalities to facilitate the procurement process.

**67 Exclusion of Press and Public**

**RESOLVED:**

That in accordance with the provisions of Schedule 12A of the Local Government Act 1972, Section 5 of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations, and Paragraph 10.2 of the Council’s Access to Information Rules, the public and press be excluded during consideration of the item 16, Exempt Minutes of the meeting held on 29 July 2015.

**68 Exempt Minutes**

**RESOLVED:**

That the exempt Minutes of the Cabinet meeting held on 29 July 2015 be approved as a correct record and signed by the Deputy Leader [in the Chair].

Signed ..... (Chairman)

Date: .....