

CABINET - 19 June 2014

MINUTES

Present: Councillors: R Sleigh, I Courts, R Hulland, K Meeson, T Richards, Tildesley, K Macnaughton, A Nash and J Windmill

Officers: Paul Johnson, Anne Brereton, Sally Hodges, Dr Stephen Munday, Sarah James, Liz Wade, Martin Clayton and Jane Game

1. APOLOGIES

Apologies were received from Cllr Mrs Holl-Allen.

2. DECLARATION OF INTEREST

Cllrs Courts and Richards reminded Members that in relation to item 12 they represented the Council on the North Solihull Regeneration Board.

3. QUESTIONS AND DEPUTATIONS

No questions or deputations were received.

4. MINUTES

The minutes of the meeting held on 10 April 2014, including those in private were received for information only.

RESOLVED

That the minutes of the meeting held on 10 April, including those in private be received and noted.

5. ANNUAL RISK MANAGEMENT REPORT

The Cabinet was provided with an annual update on the Council's Strategic Risk Register.

The Service Manager, Governor Services advised Members that the key points for them to note were:

- As at 31/3/14, there were no red risks identified and the number of net amber risks remained at 2;
- The previous net amber risk related to "National budget cuts" had increased from a net amber 7 to a net amber 8 risk;
- The risk related to information security which remained as a net amber 5 risk.

CABINET - 19 June 2014

Members were also advised although not directly related to this annual report a new red risk would exist between 1 April and 31 December 2014 in respect of the Coventry and Solihull Waste Disposal Company, while important capital works were carried out. Members were advised that the risk was being carefully monitored.

Members welcomed the report noting that risks were being mitigated and risk levels were satisfactory.

RESOLVED

That the data produced regarding the Council's identified strategic risks be noted.

6. AMALGAMATION OF DORRIDGE INFANT AND DORRIDGE JUNIOR SCHOOLS

The Cabinet was invited to consider the outcome of the representations following the proposal to amalgamate Dorridge Infant and Junior Schools.

The Cabinet Member provided the background to the report, and advised Members on the options open to them when making a decision. The proposal sought to formalise the school organisation which effectively operated as a Primary School.

The Governing Body of the Dorridge Schools believed that the proposal would have a positive impact on standards at both schools by supporting transition for pupils between key stages, providing a more consistent approach to assessment for pupils and supporting staff development.

The Cabinet Member advised that following a period of statutory consultation no responses had been received.

RESOLVED:

That the amalgamation of Dorridge Infant and Dorridge Junior School be approved through the closure of the Junior School and an expansion and alteration to the age range of the Infant School from the 1 September 2014.

7. HIGH SPEED 2 - UPDATE ON NEGOTIATIONS

The Cabinet was provided with an update on the progress made as a result of the on-going negotiations.

The Cabinet Member advised that the report provided an update on:

- SMBC Petition
- Negotiations with HS2 Ltd; and
- Key points to note in relation to the "asks"

CABINET - 19 June 2014

On receiving the report Members asked whether there was a known end date to the Select Committee hearings. Members were advised that a large number of petitions had been submitted, and the process could take some time. The Cabinet Member also advised that Solihull was scheduled to see the Select Committee in September, but in the meantime would continue to negotiate.

RESOLVED

- (i) That the submission of the Council's HS2 Petition to Parliament which raised the Council's concerns and requests for consideration by, and would enable the Council to formally address, a special House of Commons Select Committee be noted; and
- (ii) That the progress made in on-going negotiations with HS2 Ltd of the Council's HS2 "asks" be noted.

8. MODIFICATIONS TO THE SOLIHULL GYPSY AND TRAVELLER SITE ALLOCATIONS PLAN

The Cabinet was:

- Informed of the latest position on the Gypsy and Travellers Site Allocations Plan; and
- Invited to publish and consult on Main Modifications to the Gypsy and Traveller Site Allocations Plan.

Following the Council agreeing to submit the Gypsy and Traveller Site Allocation Plan to the Secretary of State for examination, an Independent Planning Inspector was appointed to conduct an examination and a hearing took place, following which the Council received the Inspector's note which raised concerns over;

- (a) Interpretation of national policy in relation to the Council's failure to identify Green Belt allocations as insets within the Green Belt;
- (b) The standard of provision at the existing Haven site, Catherine-de-Barnes Lane, and the need to reduce the number of additional pitches to around 6 and, then, only as part of a comprehensive redevelopment of the whole site; and
- (c) Requesting that the Council explore which of the omission sites would be most favoured to accommodate the shortfall of pitches, resulting from the reduction in pitches at The Haven site allocation.

The Inspector also noted that the Plan sought only to meet the exact numerical requirement for pitches, as identified in the GTAA, through allocations.

The Cabinet Member advised that the report presented to Cabinet addressed the points raised in the Inspectors note, and also provided details of key main modifications to the Plan which were detailed in the report. The Cabinet Member informed Members that it had not been possible to identify a suitable

CABINET - 19 June 2014

site which could accommodate all the 6 pitches and performed well against Sustainability objectives. Therefore, the pitches would be accommodated across some of the allocated sites and an existing authorised safeguard site at Canal view.

If Members approved the Main Modifications they would be subject to a six week period of public consultation. The Inspector would then decide on whether a further hearing session would be required. Only after this would the Inspector be in a position to issue her final report.

In receiving the report, Members were of the view that the proposal put forward presented a compromise which provided the best option available to the Council.

RESOLVED:

- (i) That the latest position on the Gypsy and Traveller Site allocation Plan be noted; and
- (ii) That the publication and public consultation, Main Modifications to the Gypsy and Traveller Site Allocation Plan be agreed.

9. PROGRESS ON THE EU STRUCTURAL & INVESTMENT STRATEGY 2014 TO 2020

The Cabinet was provided with an update on the progress of the new European Structural and Investment Fund (ESIF) Growth Programme for 2014 to 2021, and the emerging delivery arrangements.

The Cabinet Member advised that the European Structural funds operated under seven year periods. Work to develop the new programme for 2014- 2020 overlapped with the work of continuing to deliver on the current programme 2007-2013. The current programme (2007-2013) would extend the delivery to the end of 2015. The new programme (2014-2020) would operate under a completely new strategic framework and delivery arrangements. The two programmes were detailed in the report.

Officers commented that it was hoped that the new programme would start in early 2015, and the Council was working with Birmingham City Council and other partners to prepare a strong programme in the hope of drawing down funding.

On receiving the report Members commented on the Governance arrangements and in particular the composition of the LEP Area Partnership which seemed very wide.

RESOLVED

- (i) That the progress of the European Structural and Investment Fund (ESIF) Growth Programme 2014-2020 be noted; and
- (ii) That the SMBC share of the Local Enterprise Partnership wide administration of the new European Structural and Investment Fund (ESIF) Growth Programme 2014-2020 with Birmingham City Council be approved.

10. FINAL ACCOUNTS POSITION FOR 2013/14

The Cabinet was presented with the final accounts position on Revenue and Capital budgets for 2013/14 and the impact on the current Medium Term Financial Strategy (MTFS).

The report detailed the 2013/14 final position on the General Fund Revenue Accounts, including the budget virements and the creation of specific reserves and future commitments. The report also covered the 2013/14 final position on the Capital Accounts and re-phasing proposals.

On receiving the report Members commented on the remarkable achievement in relation to the final revenue position and thanked Officers for all their hard work.

RESOLVED

- (i) That the 2013/14 final position on the General Fund Revenue Accounts summarised in section 4 and detailed in Appendices A to D2, including the budget virements for the final quarter which are detailed at Appendices B and the creation of the specific reserves and future year commitments detailed in Appendices D1 and D2 be approved;
- (ii) That the 2013/14 final position on the Capital Accounts and re-phasing proposals summarised in section 5.2 to 5.4 and shown at Appendices E and F be approved;
- (iii) That the continuation of the Budget Strategy Group for the forthcoming year for the 2015/16 Budget Framework and MTFS for 2015/16 to 2017/18 as detailed in section 5.7 be endorsed.

11. GREATER BIRMINGHAM & SOLIHULL LOCAL ENTERPRISE PARTNERSHIP

The Cabinet received a further update on the development and current priorities of the Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP), with particular focus on the LEP's Strategic Economic Plan and proposals for a Local Growth Deal, which was detailed in the report.

RESOLVED:

That the on-going development and progress of the GBSLEP, in particular the Strategic Economic Plan including proposals relating to UK Central be noted.

12. NORTH SOLIHULL REGENERATION PARTNERSHIP BUSINESS PLAN 2014/15 TO 2019/20

The Cabinet was invited to approve the North Solihull Limited Partnership's (NSLP) Business Plan 2014/15 to 2019/20.

CABINET - 19 June 2014

The Cabinet was advised that under the terms of the original Regeneration Agreement, they had to approve the budget proposals as submitted by NSLP. Members were also advised that there were three key issues: Land Receipts, Liabilities owed to Partners and Level of Overhead. The report provided an update on each of these issues.

The Plan was recommended for approval on the basis that it continued to deliver, subject to the delivery of land receipts, a range of regeneration benefits as detailed in the report, which would build on the significant achievements already delivered also detailed in the report.

In relation to the financial implications it was noted that the delivery of land was critical to the successful delivery of the programme. From a Council perspective the Business Plan included a £0.8m contribution towards the primary school rebuilding programme which was being led by the Council. In addition the Council was owed £1.7m which had previously been provided to the Partnership to fund the school programme. The £1.7m repayment was required by the Council to part fund the final two schools in the primary programme. The Partnership had a number of liabilities owed to Partner organisations and whilst the plan included a total provision of £2.9m over the period, the allocation of this amount between Partners had still to be agreed.

In receiving the report Members recognised the importance land receipts had in relation to the future success of the Business Plan, and recognised the important benefits the Regeneration Programme had already delivered. On the question of open space, Members noted that there was a balance to be struck between improving space, creating new space and providing housing. The NSP Programme Director, Ian Cox was in attendance and he confirmed he was sensitive to local community concerns regarding open space.

RESOLVED:

That the NSLP Business Plan as detailed in the Appendix, including the private appendix be approved.

13. SOLIHULL LOCAL PLAN - POLICY POSITION STATEMENT

With the agreement of the Leader a late report was presented the purpose of which was to inform Members of a report going to the Cabinet Member for Economic Development Land, seeking agreement to a Policy Position Statement in response to a High Court Judgement and Order against the Local Plan.

The Cabinet Member presented the report which set out the recent High Court Judgment and Order and the fact that the Council had applied to the Court of Appeal for leave to appeal the Judgment on the grounds set out in the report. The Cabinet Member advised Cabinet that at his decision session on 25 June 2014, he would be asked to formally adopt a Policy Position Statement, which responded to the Order and the current circumstances.

CABINET - 19 June 2014

The Cabinet Member also informed Members that the Policy Position Statement had implications for planning applications and undetermined appeals against the decisions of the Council to refuse planning permission for residential development at this point in time. The report provided details on the current appeals under consideration.

In receiving the report Members noted that the Order was restricted to those parts of the Local Plan directly affected by the Judgement, and the majority of the Plan was unaffected and remained adopted. The Cabinet agreed that the Council must do what it needed to, to protect the authority and get the best advice possible. The Cabinet was also content to delegate the decision to the Cabinet Member for Economic Development and Land regarding the Policy Position Statement.

RESOLVED

That delegated authority be given to the Cabinet Member for Economic Development and Land to adopt the Policy Position Statement and the implications for the planning appeals and applications at this time was noted.

14. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED

That, in pursuance of Section 100A (4) of the Local Government Act 1972, the Press and the Public be now excluded from the meeting for the remainder of the business to be transacted, on the grounds that there would be disclosure to them of exempt information in terms of paragraph 3 of Part 9 of Schedule 12A to the said Act.

15. MINUTES PROVIDED FOR INFORMATION ONLY AS PART OF ITEM 4

16. NORTH SOLIHULL REGENERATION PARTNERSHIP BUSINESS PLAN PRIVATE APPENDIX C PROVIDED FOR INFORMATION ONLY AS PART OF ITEM 12

7.20 pm