

**Wednesday 20 October 2021 at 6.00 p.m.**

**Held in the Council Chamber at the Council House, Lichfield Street, Walsall**

**Present – in person**

Councillor Andrew	Deputy Leader and Regeneration
Councillor Perry	Deputy Leader and Resilient Communities
Councillor Martin	Adult Social Care
Councillor Towe	Education and skills
Councillor Craddock	Health and Wellbeing
Councillor Statham	Internal Services

**In attendance – in person**

Dr. H. Paterson, Chief Executive

Mr A. Cox, Director of Governance and Monitoring Officer

Mrs H. Owen, Democratic Services Officer

**In attendance – remote**

Mrs D. Hindson, Executive Director, Resources and Transformation

Mr S. Neilson, Executive Director, Economy Environment and Communities

Mrs K. Allward, Executive Director, Adults, Public Health and Hub

Mr S. Gunther, Director of Public Health

**Councillor Perry, Deputy Leader in the Chair**

**3787 Welcome**

Councillor Perry opened the meeting by welcoming everyone, and explaining that the Cabinet was meeting that evening in person with appropriate social distancing requirements and would be conducted using the hybrid meeting system to enable it to be streamed on YouTube and to enable officers to contribute remotely if required. He said that voting would be by way of a show of hands which would be witnessed and recorded by the Democratic Services officer in attendance; and that the agenda and reports for this meeting were available on the Council's website.

Before proceeding to the business on the agenda, Councillor Perry made the following statement

**3788 Death of Sir David Amess**

I wish to say that the tragic death of Sir David Amess MP in Leigh-on-Sea on Friday will have shocked and saddened us all. I would like to offer my sincere condolences to Sir David's family and also to his wider Houses of Parliament colleagues.

**3789 Apologies**

Apologies for non-attendance was received from Councillors Bird, Butler and Wilson.

**3790 Minutes**

The minutes of the meetings held on 8 September 2021 were submitted

**Resolved**

That the minutes of the meeting held on 8 September 2021 a copy having been sent to each member of the Cabinet be approved and signed as a correct record.

**3791 Declarations of interest**

There were no declarations of interest.

**3792 Local Government (Access to Information) Act, 1985**

**Resolved**

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

**3793 Petitions**

No petitions were submitted.

**3794 Questions**

No questions were submitted

**3795 Forward plan**

The forward plan as at 4 October 2021 was submitted:

(see annexed)

**Resolved** (by assent)

That the forward plan be noted.

At this point, Councillor Perry brought forward item 21 on the agenda, Riverpoint Estate, Willenhall, for consideration as members of the public were in attendance for this item.

**3796 Riverpoint Estate, Willenhall- Response to petition**

A report of the Economy and Environment Overview and Scrutiny Committee was submitted

(see annexed)

Councillor Andrew thanked the Overview and Scrutiny Committee for their report on what he said was a very complex issue.

It was Moved by Councillor Andrew, Seconded by Councillor Craddock and

**Resolved** (by assent)

- 1) That the report and recommendations of the Economy and Environment overview and Scrutiny committee be received
- 2) That a report responding to the recommendations be submitted to a future meeting of the Cabinet.

### 3797 **Black Country Executive Joint Committee Collaboration Agreement**

Councillor Perry presented a report which advised of amendments to the collaboration agreement:

(see annexed)

Councillor Andrew pointed out that the amendments to the agreement were administrative in nature and that there are no specific changes to the Black Country Plan.

It was Moved by Councillor Perry, Seconded by Cllr Andrew and upon being put to the vote it was:

**Resolved**

- 1) That Cabinet approve the proposed amendments to the Collaboration Agreement in relation to the Black Country Executive Joint Committee for the funds secured by the Black Country Local Enterprise Partnership dated 7 May 2014 as set out in further detail in the report, with the proposed revised version of the Collaboration Agreement at **Appendix A** of the report.
- 2) That Cabinet delegate authority to the Executive Director, Resources and Transformation, to authorise the sealing by the Council of a Deed of Variation in respect of the proposed amendments to the Collaboration Agreement.
- 3) That Cabinet delegate authority to the Chief Executive in consultation with the Leader of the Council to take part in any further negotiations and to make any minor amendments to the above Collaboration Agreement prior the Council endorsing changes to it by entering in to the Deed of Variation.

### 3798 **Draft Revenue Budget and Draft Capital programme 2022/23 to 2024/25**

Councillor Perry presented a report which provided an updated medium term financial outlook, draft revenue budget for 2022/23 to 2025/26, draft capital programme for 2022/23 to 2025/26, and set out the process and timescale for setting a legally balanced budget for 2022/23.

(see annexed)

It was Moved by Councillor Perry, Seconded by Councillor Andrew and upon being put to the vote it was:

### **Resolved**

- 1) To note the revised financial assumptions and projections within the draft revenue budget, the uncertainty around core funding, and that these assumptions will change as the budget progresses. Along with savings already identified and reported within the Budget report to Council in February 2021, this represents a balanced budget for 2022/23.
- 2) To note the policy proposals for 2022/23 as set out in section 4.30(i) and Appendix 2A.
- 3) To Approve the operational savings for 2022/23 to 2023/24 set out in appendix 2B of this report, and instruct officers to implement these under officer delegations, subject to any required consultation, equality impact assessment, and any changes arising as a result of the latter two, including the reprofiling of £888k for saving OP3 Early Help restructure into 2022/23, as referred to in section 4.30(ii).
- 4) To Approve as a basis for consultation the current draft capital programme of £62.27m for 2022/23 in section 4.32 to 4.46.
- 5) To Refer this report to Scrutiny Overview Committee on 13 December 2021, to enable the Committee's comments to be considered by Cabinet. All Scrutiny Committees will also receive proposals relating to the individual remit of each Committee.
- 6) To Note that the medium term financial outlook position assumes an increase in council tax of 1.99% in 2022/23 and future years, the assumed level of "reasonableness" in respect of the current referendum principles. This currently assumes no precept for Adult Social Care. Any changes will be reported back to Cabinet in December 2021.
- 7) To Refer the budget for Statutory Consultation with National Non Domestic Rate (NNDR) payers in respect of the current council tax assumptions and potential implications should the referendum principles change.
- 8) To Note that the level of contingency funds and general reserves will need to be in line with the levels set out within the council's MTFF, the final level to be based on a detailed risk assessment, which will be reported to Cabinet and Council in February 2022.

### **3799 Corporate Financial Performance**

Councillor Perry presented a report which gave the forecast corporate financial position for 2021/22, based on the position to August 2021, including an updated assessment of the impact of Covid-19 on the council's financial performance; Covid-19 Government funding to address cost pressures and income losses; and actions which may be required to address the position. The report also sought

approval for the Medium Term Financial Framework.

(see annexed)

Councillor Andrew thanked the portfolio holder for finance and officers for their hard work given the difficult circumstances caused by the Covid-19 Pandemic.

It was Moved by Councillor Perry, Seconded by Councillor Andrew and upon being put to the vote it was:

### **Resolved**

- 1) To Note the total Covid-19 funding available to Walsall in 2021/22 of £30.35m as set out in section 4.5 and **Appendix 1** of this report, and that this may be insufficient to cover the additional costs of supporting the council's Covid-19 response beyond the short term.
- 2) To Note that of the £30.35m grant, £16.15m is ringfenced for specific activity as set out in **Appendix 1** and this is expected to be fully spent, with the exception of the Winter grant of £36k and LA Practical Support grant of £372k.
- 3) To Note the forecast impact of Covid-19 to August of £4.78m and total forecast of £14.31m for 2021/22 based on known assumptions in relation to costs not covered by specific grant, as set out in section 4.5 to 4.10, and the estimated financial impact on the delivery of 2021/22 approved savings as set out in sections 4.11 to 4.12 and **Appendix 3**. This results in a marginal overspend of c£111k against the £14.20m unringfenced grant, which will require funding from reserves.
- 4) To Approve the additional use of £1.44m of Covid-19 funding from unringfenced grant to support Adult Social Care placement costs and legal fees as referenced in section 4.10.
- 5) To Note the non Covid-19 forecast overspend £2.42m related to demand and other service pressures as set out in 4.14 to 4.24, and actions being taken to address these. This is a £2.07m reduction on the previous position reported to Cabinet in July of £4.49m which demonstrates that actions taken to address the overspend are having an impact.
- 6) To Note that there are high risks of £12.83m to the forecast identified within service as set out in **Appendix 4**. These risks are actively being monitored and action taken to reduce / eliminate them.
- 7) To Note the position in relation to planning services as detailed in section 4.25 and approve up to a maximum of £500k of capacity funding over 2021/22 and 2022/23, funded from reserves, noting that this funding will only be drawn down on the approval of the S151 Officer should the additional costs not be able to be accommodated within existing EE&C budgets.
- 8) To Approve amendments to the capital programme as set out in section 4.26.
- 9) To Note that the forecast for the council funded capital programme is currently expected to be on budget after re-phasing of £91.19m into 2022/23.

- 10) To Note financial health indicator performance as set out in section 4.29 to 4.34 and **Appendix 6**.
- 11) To Note the prudential indicators as set out in section 4.35 to 4.37 and **Appendix 7**.
- 12) To Approve the updated Medium Term Financial Framework as set out in section 4.38 and **Appendix 8**.
- 13) To Approve the write off of debt as detailed in section 4.39.

### 3800 **Additional Licensing Scheme for Houses in Multiple Occupation**

Councillor Andrew presented a report which provided the results of a consultation on proposals to improve the quality of management of Houses in Multiple Occupation (HMOs) in specific Wards of the borough through the introduction of Additional Licensing.

(see annexed)

It was Moved by Councillor Andrew, Seconded by Councillor Craddock and upon being put to the vote it was:

#### **Resolved**

- 1) That Cabinet notes and considers the matters raised by the consultees / petitioners and the responses to the same (Appendix 6).
- 2) That Cabinet approve the following: -
  - i. Designate the Wards of Paddock, Palfrey, Pleck and St Matthew's areas shown on Map 1 (Appendix 1) as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all private rented Houses in Multiple Occupation (HMOs):
    - that contain three or four occupiers irrespective of the number of storeys;
    - defined under Section 257 of that Act where the freehold of the whole property belong to the same 'person' and they are mainly or wholly tenanted, including those with resident landlords;
  - ii. That the designations in paragraphs i. above come into force on the 1 September 2022 for a period of 5 years;
  - iii. Authorise the Executive Director Children's Services to sign the Walsall Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2021 as attached at Appendix 2
  - iv. Resolve to adopt the proposed fees and charges structure as attached at Appendix 4 and review those fees annually to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law.



### 3801 **Walsall Heritage Strategy 2021-26**

Councillor Andrew presented a report

(See annexed)

It was Moved by Councillor Andrew, Seconded by councillor Perry and upon being put to the vote it was:

#### **Resolved**

- 1) That the adoption and implementation of the Walsall Heritage Strategy (2021-2026) (**Appendix A**) be approved.
- 2) That the implementation of the associated Walsall Heritage Action Plan (2021-2026) (**Appendix B**) be approved.

### 3802 **Climate Emergency Action Plan**

Councillor Andrew presented a report which provided an update on the council's Climate Emergency Action Plan approved by Cabinet on 21 October 2020.

At this point, Councillor Perry introduced Councillor Hicken who wished to speak to the item.

Councillor Hicken made the following statement:

*"Last year we carried out a review on the emissions and the impact on climate change that our council services are having in Walsall.*

*A climate action task force has now been formed and meets every four weeks, to review progress against our pledge to take climate change seriously and carry out proposals to reduce our emissions and improve our environment.*

*Staff have being appointed within different teams to have responsibility and overview of projects associated with climate change and as a Council, we now ask ourselves what impact on the environment decisions will have, and how they support our climate change agenda.*

*Across the borough:*

- *We have had hundreds of volunteers picking up litter alongside Clean and Green, clearing litter and associated polluting materials around the borough*
- *Energy efficient streetlights are being rolled out across the next few years, bringing additional benefits to not only this Council's electricity bill, but also decreasing light pollution.*
- *In addition we are looking at energy saving and insulation measures to see what we can roll out across Council buildings and services*

- *Leisure centres are being examined to see if they can be fuelled by low carbon measures and if we can implement additional energy saving measures there as well*
- *A 50kwh solar panel array has been installed on the Civic Centre that are already generating electricity for this Council. We will assess the effectiveness of using solar panels for a cost saving and energy production point of view on other Council buildings and services, including the new tip.*
- *The Council's long-running energy switching scheme will help residents to not only switch to a cheaper tariff, but from this year also have their homes fuelled by renewable sources*
- *An action plan has been developed to reduce waste and promote recycling amongst council services and residents*
- *Looking at Further ideas will be looked at to decrease our carbon impact*
- *New ways of travel are being examined and some are beginning to be implemented across the borough*
- *We are conducting a review of Review of electric buses and electric charging points, with a hope that at some point in the future, we can move some of a green fleet of vehicles to electric*
- *We will also see if this Council can support the transition to electric vehicles in Walsall, with the ban of Petrol and Diesel vehicles in 2035.*

*This Council is working hard to deliver our climate change commitments and will continue to work to develop new measures over the coming years to decrease our impact on the environment*

*I'd like to thank officers for their work and their continued support to make important progress in tackling climate change in this borough".*

Councillor Andrew thanked Councillor Hicken for his work on this.

It was Moved by Councillor Andrew, Seconded by Councillor Perry and

**Resolved** (by assent)

That Cabinet note the progress made in delivering the measures identified in the climate emergency action plan, as detailed in **Appendix 1**.

### **Councillor Andrew in the Chair**

#### **3803 Domestic Abuse Strategy**

Councillor Perry presented the report which proposed a strategy to tackle Domestic Abuse.

(see annexed)

It was Moved by Councillor Perry, Seconded by Councillor Andrew and upon being put to the vote it was:

## **Resolved**

That Cabinet approves the Domestic Abuse Strategy (appendix 1).

### **3804 Violence and all-Age Exploitation Strategy**

Councillor Perry presented a report which proposed a strategy to tackle Violence and All Age Exploitation.

(see annexed)

It was Moved by Councillor Perry, seconded by Councillor Andrew and upon being put to the vote it was:

## **Resolved**

That Cabinet approves the All Age Exploitation Strategy (**Appendix B**).

### **3805 Resilient communities – Safer Streets**

Councillor Perry presented a report which sought approval of a Resilient Communities initiative called Safer Streets which would be the next step in the Council's approach to supporting residents and communities in participating and building in an assets based approach to key community issues.

(see annexed)

It was Moved by Councillor Perry, Seconded by Councillor Andrew and upon being put to the vote it was:

## **Resolved:**

- 1) That Cabinet approves a Safer Streets Programme pilot as part of its commitment to delivering Resilient Communities
- 2) That Cabinet approves a revenue budget of £50,000 for 2021/22 to support the Safer Streets Programme pilot.
- 3) That Cabinet receives a report in April 2022 on the delivery of the pilot areas.

### **3806 Crisis Support for families in financial hardship during Covid-19 – update**

Councillor Perry presented a report which informed of the progress made in the delivery of Crisis Support Provision in Walsall since the findings of a review were reported to Cabinet on 10 February 2021.

(see annexed)

It was Moved by Councillor Perry, Seconded by Councillor Andrew and

## **Resolved** (by assent)

That the content of the report be noted

### **3807 Intermediate Care Service – Outcome of review**

Councillor Martin presented a report which sought approval for the extension of a contract for existing transitional beds in order to provide continuity of service in advance of new commissioned services following a review of the Intermediate Care Service (ICS) and associated commissioned services.

Councillor Martin thanked all staff in Walsall Together for the work they do to care for Walsall's residents

It was Moved by Councillor Martin, Seconded by Councillor Craddock and upon being put the vote it was:

#### **Resolved**

- 1) That Cabinet delegates authority to the Executive Director of Adult Social Care following consultation with the Portfolio Holder for Adult Social Care to approve a modification of the existing contracts under Regulation 72 of the Public Contracts Regulations 2015, to by extending their contractual term for the shortest possible period of 6 months from 1<sup>st</sup> November 2021 – 30<sup>th</sup> April 2022 (with the option to extend for up to a further 6 months, if required at an increased rate of £792.59 per bed, per week) to enable the contracts to be replaced via compliant procurement.
- 2) That Cabinet delegates authority to accept tenders and award contracts for the provision of Pathway 2 and Pathway 3 beds, for a period of three years, with the option to extend on an annual basis for a further period of up to two years, to the Executive Director of Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care following completion of the tender.
- 3) That Cabinet delegates authority to the Executive Director of Adult Social Care in consultation with the Portfolio Holder for Adult Social Care to enter into contracts for the provision of Pathway 2 and Pathway 3 beds and to subsequently authorise the sealing of any deeds, contracts or other related documents for such services.
- 4) That Cabinet delegate authority to the Executive Director of Adult Social Care in consultation with the Executive Director of Children's Services and the Portfolio Holders for Adult Social Care and Children's Services, to authorise any variations to the contractual arrangements or other related documents for such services should this be required throughout the duration of the term of any contracts and provided they are in line with the Council's Contract Rules and any relevant legislation, including Public Contract Regulations 2015.
- 5) That Cabinet note the outcomes of the ICS review including future re-commissioning arrangements required in order to futureproof the Intermediate Care Service.

### **3808 Proposed Schools Local Funding Formula 2022-23**

Councillor Towe presented a report which presented the proposed funding formula. He also presented a supplementary report updating recommendations to reflect the outcome of the decision of the Schools forum

(see annexed)

It was moved by Councillor tow, seconded by Councillor Andrew and upon being put to the vote it was:

**Resolved**

- 1) That Cabinet approves the Schools Funding Formula Option 1 (Appendix 1 to the previously distributed Proposed Schools Local Funding Formula 2022/23) that was recommended by Walsall's Schools Forum at its meeting on 12 October 2021,
- 2) That Cabinet notes that the Department for Education may request revisions to the school funding formula and that values attributed in the formula may need to change once the Department for Education reviews the October 2021 census data.
- 3) Cabinet approves to delegate authority to the Executive Director of Children's Services in consultation with the Portfolio Holder for Education and Skills to amend the formula in line with Department for Education requirements and to comply with all and any relevant Department for Education regulations for the 2022/23 Schools Funding Formula.

**3809 Mental Wellbeing Priorities and Investment**

Councillor Craddock presented a report which gave proposals to improve mental wellbeing of Walsall Residents and tackle population mental wellbeing disparities

(see annexed)

It was Moved by Councillor Craddock, Seconded by Councillor Andrew and upon being put to the vote it was:

**Resolved**

- 1) To approve investment of £333,334 per year for 3 years to improve population mental wellbeing.
- 2) To approve the proposed interventions detailed in the proposal.
- 3) To approve the remaining £20,000 investment to deliver the "No Wrong Door" project.

At this point, before moving into Private Session, Councillor Andrew agreed to allow Councillor Craddock to provide an update on the current position on Covid-19 in Walsall. Whilst not an agenda item, he considered it important to use this opportunity to enable members and the public to be kept informed of the position.

### **3810 Public Health update – Covid-19 Pandemic.**

Councillor Craddock reported that Covid rates were still high with a 16 percent rise in cases and 1200 new cases in Walsall, the majority being amongst children. He said that proactive steps had been taken with schools and thanked them for their support. He added that this time of year was a tipping point as winter draws on and infections rise therefore he urged everyone to take up their vaccinations. He explained how and where to access these. Special mention was made of the vaccination programme for 12-15 year olds as, whilst Covid had less impact on that age group, it would stop onward transition to those who were more vulnerable. Councillor Craddock concluded by reiterating the importance of “Hands Face Space” and urged everyone to wear face coverings in limited space areas such as shops and on public transport.

With regard to face coverings on public transport, Cabinet members were concerned that it appeared that buses were operating in Walsall at times with full capacity with very few occupants wearing face coverings, particularly at school time.

It was suggested that schools be asked to encourage pupils to wear face coverings on public transport; that the portfolio holder writes to bus operators, National Express to re-emphasise the message to use face coverings; and that the availability of face masks locally be checked.

### **3811 Exclusion of public**

#### **Resolved**

That during consideration of the remaining item on the agenda, the Cabinet considers that the item for consideration is exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the item in private.

### **Public summary**

### **3812 Sale of Council Land at Ravenscourt Brownhills**

Councillor Andrew presented a report which sought approval for the sale of Council land to facilitate the redevelopment of the derelict Ravenscourt Shopping Centre.

Cabinet agreed to sell the Council’s derelict land within Ravenscourt shopping centre in Brownhills at the previously agreed sale price that now represents less than best consideration, subject to the necessary planning consents, on the basis that the proposed development will contribute to the objective to promote economic, social and environmental wellbeing of the area.

[Exempt information under paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended)]

The meeting terminated at 7.21 p.m.

Chair:

Date: