

Cabinet minutes

Wednesday 13 February 2019 at 6.00 p.m.

in a Conference Room at the Council House, Walsall

Present

Councillor Bird	Leader of the Council
Councillor Andrew	Deputy Leader and Regeneration
Councillor Martin	Adult social care
Councillor Wilson	Children's and health and wellbeing
Councillor Perry	Community, leisure and culture
Councillor Towe	Education and skills
Councillor Harris	Personnel and business support

3919 Apology

An apology for non-attendance was submitted on behalf of Councillor Harrison.

3920 Minutes

Resolved

That the minutes of the meetings held on 12 December 2018 and 23 January 2019 copies having been sent to each member of the Cabinet be approved and signed as correct records.

3921 Declarations of interest

Councillor Perry declared a pecuniary interest in Item 12 – Walsall Together Alliance and withdrew from the room for that item.

3922 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.

3923 **Petitions**

The following petitions were submitted:

- Remove tree from Walsall Road, Willenhall outside Willenhall Gurdwara – Mr. J. Whitehouse.
- Improve road safety and junction at Walsall Road/Crescent Road/Clarkes Lane, Willenhall – Ms. A. Garcha.

3924 **Questions**

There were no questions.

3925 **Forward plan**

The forward plan as at 4 February 2019 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3926 **Corporate budget plan 2019/20 to 2021/22 and treasury management and investment strategy**

Councillor Bird presented the report:

(see annexed)

Councillor Bird thanked portfolio holders and officers for their work to prepare the budget, particularly the finance team.

Cabinet members discussed the report, during which time Councillor Bird made particular reference to the proposal relating to a review of the home to school transport service which he said had been paused and no longer formed part of the budget to be recommended to Council. In reporting this, he expressed his deep concern regarding actions of third parties campaigning against this budget proposal.

Resolved

That Cabinet note:

- a) That at the time of despatch of this report, the precepting authorities (fire and police) had not formally notified the authority of their final council tax precept levels for 2019/20. (The council has been advised that they will be approved following meetings scheduled for early to mid February, final figures will therefore be provided prior to or at the Council meeting of 28 February 2019).

- b) That at the time of despatch of this report, the levy authorities (Environment Agency and West Midlands Combined Authority (Transport Levy)) had not formally notified the authority of their final demand for 2019/20. Current estimates have been used for both the Environment Agency and Transport Levy based on informal communication, but these are subject to formal approval. (The final levies are expected to be approved early February, and will be included within the final papers to Council).
- c) That the council tax base, set by the Chief Finance Officer, under officer delegations, is 70,792.74 for 2019/20.
- d) The feedback from Overview and Scrutiny Committees on the draft capital programme and revenue budget and responses to recommendations, as set out in Section A: Part 1.
- e) That Members must have due regard to consultation feedback and the public sector equality duty (section 149 of the equality act 2010) when making budget decisions.

(2) That Cabinet approve:

- a) The attached report as set out in Section A Part 2: The Findings from Budget Consultation: Financial Year 2019/20+ and Cabinet Responses and that Members have had regard to their duties in relation to consultation, and in relation to the public sector equality duty, in forming their budget recommendations.
- b) The allocation of revenue resources for 2019/20 as set out in Section B: Part 1 "The Revenue and Capital Corporate Budget Plan", and delegate authority to the relevant executive directors to implement the 2019/20 savings.
- c) Policy service changes as set out in section 13.5 and Table 1 of this report, and instruct executive directors to implement these.
- d) Where, in accordance with Table 1 of this report, further consultation is required on service change, that officers be instructed to begin consultation arrangements, and report back to a future Cabinet meeting on the outcomes of that consultation and equality impact assessments, where required.
- e) That delegated authority be given to the Chief Finance Officer to make any necessary amendments, in consultation with the Leader (portfolio holder for finance), to take account of the final levies and precepts; final grant allocations and final technical guidance or legislation on the budget, and to make any necessary amendments to the statutory determinations and council tax bands to take account of those changes and the resulting final analysis of the budget and for these amendments to be submitted and therefore recommended to Council at its meeting on 28 February 2019.
- f) That delegated authority be given to the Leader of the Council, in consultation with the Chief Finance Officer and Chief Executive, to agree the council's contribution to the West Midlands Combined Authority.

- g) The leasing programme set out at 2.3.2 and delegate authority for approval of in year expenditure to the Head of Finance (up to a cumulative value of £500k) and the Chief Finance Officer (above £500k).
 - h) That Walsall Council be the accountable body for the 'Walsall for All' Walsall Integration Programme, and for governance arrangements to be confirmed with partner organisations, funded from government s31 grant, as referred to in 3.2.
- (3) That Cabinet approve and recommend to Council, subject to receipt of final precepts and levies, receipt of final grant allocations, technical/legislative guidance and final specific grant allocations (*substitute figures and resolution to be provided to Council by the Chief Finance Officer to take account of any changes arising from these*):

1 Revenue

- a) The allocation of revenue resources for 2019/20 as set out in Section B: Part 1 "The Revenue and Capital Budget Plan".
- b) A Walsall Council net council tax requirement for 2019/20 of £121.37m and a 3.99% increase in council tax (inclusive of 1% precept for Adult Social Care).
- c) That the recommendations of the S151 Officer (Chief Finance Officer) in respect of the robustness of the estimates made for the purposes of the budget calculations and the adequacy of reserves **be approved**, including the levels of central contingency and an opening general reserve of not less than £13.8m, as set out in **Annex 10** of the Budget Plan.
- d) The (estimated) levies below for outside bodies and Cabinet **approve** that the final figures **be substituted** for these provisional ones once they are available at the Council meeting on 28 February 2019. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,137,950
Environment agency	81,474

- e) The following statutory determinations (references are to the Local Government Finance Act, 1992 as amended), and subject to any final changes arising from receipt of final precepts and levies, receipt of final grant allocations, technical/legislative guidance and final specific grant allocations, **and Cabinet approve that these will be substituted** at the Council meeting on 28 February 2019 for the final figures once received:
 - I. **£627,825,478** being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.
 - II. **£506,452,033** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

III. **£121,373,445** being the amount, by which the aggregate at (e) (I) above exceeds the aggregate at (e) (II), calculated by the council in accordance with Section 31A(4) of the Act, as its council tax requirement for the year.

IV. **£1,714.49** being the amount at (e) (III) above, divided by the council tax base of 70,792.74, calculated by the council in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (average council tax at band D).

V. Valuation bands

Being amounts given by multiplying the amount at (e) (IV) above by the number which, in the proportion set out in Section 5 (1) of the Local Government Act 1992, is applicable to dwellings listed in valuation band D, calculated by the council in accordance with Section 30 and 36 of the Act as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

A	B	C	D
1,142.99	1,333.49	1,523.99	1,714.49
E	F	G	H
2,095.49	2,476.49	2,857.48	3,428.98

- f) The draft precept from the Fire and Rescue Authority and the Police and Crime Commissioner, issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwelling shown below and Cabinet **approve** that the final figures **be substituted** once they are available at the Council meeting on 28 February 2019.

PRECEPTING AUTHORITY	VALUATION BANDS			
Police And Crime Commissioner	A	B	C	D
	101.70	118.65	135.60	152.55
	E	F	G	H
	186.45	220.35	254.25	305.10
Fire & Rescue	A	B	C	D
	40.40	47.13	53.87	60.60
	E	F	G	H
	74.07	87.53	101.00	121.20

- g) That having calculated the aggregate in each case of the amounts at (e) (v) and (f) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts of council tax for 2019/20 for each of the categories of dwellings shown below and Cabinet **approve** that the final figures **be substituted** once the final precepts are available at the Council meeting on 28 February 2019.

A	B	C	D
1,285.09	1,499.27	1,713.46	1,927.64
E	F	G	H
2,356.01	2,784.37	3,212.73	3,855.28

- h) That notice **be given** of the council tax within twenty one days of it being set by publishing details of the same in the “Express & Star” newspaper circulating in the Authority’s area.
- i) That the Chief Financial Officer **be instructed** to take all necessary action in relation to council tax, community charge and national non-domestic rates, including, where appropriate, the signing of all documents, billing, the giving of notices and the taking of necessary steps to ensure collection thereof.
- j) That the Chief Finance Officer **be given delegated authority** to make transfers to and from reserves in order to ensure that reserves are maintained as necessary and in particular, adjusted when reserves are no longer required, or need to be replenished.
- k) That, pursuant to Section 52ZB and 52ZC of the Local Government Finance Act 1992, the relevant basic amount of council tax for the Council is not excessive in relation to determining whether a referendum is required.

2 Capital

- a) The allocation of capital expenditure plans as set out in Section B: Part 1 “The Revenue and Capital Budget Plan”.
- b) That the capital and leasing programme set out in the following tables **be approved** bearing in mind the principle that unless affordable from within current resources, specific projects funded by borrowing will not be commenced until a payback agreement is in place. Schemes funded from grant will commence when final allocations are published. Reserve list items will only commence should funding become available during the financial year.
- c) That the Chief Finance Officer **be given delegated authority** to determine how each source of finance is used to fund the overall capital programme and to alter the overall mix of financing as necessary, to maximise the flexibility of capital resources used and minimise the ongoing costs of borrowing to the Council.
- d) That the Chief Finance Officer, in consultation with the Leader (portfolio holder for finance), **be given delegated authority** to release capital resources held back for any contingent items that may arise (earmarked capital receipts for essential or emergency spend), and also for any match funding requirements that may be required of the Council in order to secure additional external capital funding (e.g. bids for government or other funding).
- e) The capital strategy set out in **Annex 8** of the Budget Plan **be approved**.

CAPITAL PROGRAMME – COUNCIL FUNDED SCHEMES			
Scheme	2019/20 £	2020/21 £	2021/22 £
<i>Ongoing implications of prior year approvals (new spend)</i>			
Supporting transformation - Looked after children – out of borough placements.	150,000	150,000	
Supporting transformation - Looked after children – 2/3 bedroomed small residential home	60,000	60,000	
Traffic Signals - Replacement of obsolete traffic signal control equipment		200,000	200,000
Provision of community dropped crossings along footways	20,000	20,000	20,000
Promotion of Community Health and Safety	120,000	120,000	120,000
Public Realm Improvements – contribution to NPIF external funding	229,500		
Open water safety schemes – signage	2,000	5,000	2,000
Streetly Crematorium - Installation of air conditioning units and refurbishment of public toilets	215,351		
M6 Junction 10 road improvements in partnership with Highways England (grant)		650,000	
Walsall Arboretum Extension and Country Park – infrastructure improvements		190,000	
Procurement of system for Human Resources management and Oracle financials	1,400,000		
Maintaining a safe and secure environment - review of ICT infrastructure	2,949,000		
Service improvement for single mobile device management solution	51,000		
<i>Rolling Programme Schemes</i>			
Memorial Safety in Walsall cemeteries	40,000	40,000	40,000
Highway Maintenance Programme – legal responsibility to maintain the highway network	2,600,000	2,800,000	2,800,000
Aids and Adaptations, Preventative Adaptations and Supporting Independence	400,000	400,000	400,000
Health through warmth	75,000	75,000	75,000
Funding to support essential works including health and safety	750,000	750,000	750,000
<i>New Capital Bids</i>			
School classrooms – requirement for temporary builds due to condition of existing facilities.	250,000		
School estate condition surveys	250,000		
Streetly Youth Club Demolition Works - and to secure the perimeter and make good the area adjacent to Streetly Library and St Annes Primary School	22,000		
New rail stations at Willenhall, Darlaston and Aldridge – local 10% contribution	1,000,000	1,000,000	500,000
Yorks bridge – increased funding for construction of replacement bridge			750,000
A454 Black Country Route carriageway surface treatment	450,000		
Hatherton Road MSCP structural maintenance	200,000		
Willenhall Lane Cemetery Extension / Development of land for burials	832,800	525,600	

Scheme	2019/20 £	2020/21 £	2021/22 £
Town Centre Master Plan Development	250,000		
Willenhall Lane Travellers site pumping station pump replacement		44,400	
ICT telephony		500,000	
ICT windows server 2008 upgrade	200,000		
CCTV – replacement of 5 cameras and 3 backup	150,000		
Civic Centre window replacement – improving energy efficiency			1,307,025
Civic Centre plumbing – non heating related			66,600
Council House smoke and heat detection, fire alarm	333,000		
Council House general heating	50,000	1,085,000	1,085,000
Council House fire doors / fire seals		55,500	
Print and design upgraded lighting and ventilation system	24,000		
Council Chamber and Committee Room Audio Visual system and seating refurbishment	200,000		
Replacement cemeteries administration system	75,000		
Replacement fencing at Streetly cemetery	16,000		
Strategic Acquisition for Third Sector Hub and operational accommodation - purchase of accommodation to support the formation of a third sector co-located hub and provide additional office accommodation for the Council to support its ongoing rationalisation of its operational estate.	2,527,148		
Operational repair and maintenance of council owned buildings	500,000		
Total	16,391,799	8,670,500	8,115,625

CAPITAL PROGRAMME 2019/20 - SCHEMES FUNDED FROM EXTERNAL SOURCES	Estimated Value £
Basic Need school allocation (grant)	11,981,629
Devolved Formula Capital school allocation (grant)	534,800
Capital Maintenance school allocation (grant)	2,222,387
Special provision fund – provision for pupils with special educational needs (grant)	319,229
M6 Junction 10 road improvements in partnership with Highways England (grant)	14,270,000
LTP Highway Maintenance Programme (grant)	1,943,000
West Midlands Strategic Transport Plan (STP) 'Movement for Growth'	1,279,000
Growth Deal (grant)	19,044,119
National Productivity Investment Fund Programme for junction and cycling improvements (grant)	2,601,500
Integrated Community Equipment Store – specialised equipment as part of BCF (grant)	750,000
Disabled Facilities Grant – supports the council's statutory requirement to provide disabled facility grants (DFGs) (grant).	2,145,000
Total	57,090,664

CAPITAL PROGRAMME RESERVE LIST 2019/20 – COUNCIL FUNDED SCHEMES	Estimated Value £
School classrooms – temporary builds due to condition of existing facilities	250,000
School estate condition surveys	350,000
Further provision for Highways maintenance programme	200,000
Further provision for Preventative / Aids and Adaptations and Supporting Independence	250,000
Further provision for Health Through Warmth – tackling fuel poverty	75,000
Total	1,125,000

LEASING PROGRAMME 2019/20	Expenditure £
Refuse vehicles	359,000
Light commercial vehicles	479,000
Tractors and agricultural machinery	194,000
Welfare vehicles	48,000
Equipment	118,000
Total	1,198,000

3 Treasury Management

1. That Section B – Part 2 A – The Treasury Management and Investment Strategy 2019/20 onwards, including the council's borrowing requirement, borrowing limits, and the adoption of the prudential indicators, **be approved**.
2. That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, **be delegated** to the Chief Financial Officer.

3. That decisions to use capital receipts or borrowing within the framework of approved prudential indicators **be delegated** to the Chief Financial Officer.
4. That Section B – Part 2 B – Treasury Management Policies, **be approved**.

3927 **The Walsall Plan: Our Health and Wellbeing Strategy 2019-2021**

Councillor Bird presented the report:

(see annexed)

Resolved to recommend to Council

That the Walsall Plan: Our Health and Wellbeing Strategy 2019-2021 be approved as the overarching plan for the Walsall partnership.

3928 **Corporate financial performance 2018/19**

Councillor Bird presented the report:

(see annexed)

Resolved

- (1) That Cabinet note the forecast revenue overspend of £1.24m, after use of reserves and successful delivery of corrective action plans identified to date. On-going pressures identified in section 3.3 have been addressed as part of the 2019/20 budget process.
- (2) That Cabinet approve amendments to the capital programme as set out in section 3.6.
- (3) That Cabinet note the forecast council funded capital programme variance of £2.5m, of which £2.36m has been utilised to fund the 2019/20 capital programme.
- (4) That Cabinet note financial health indicator performance as set out in Appendix 1.
- (5) That Cabinet note the prudential indicators as set out in Appendix 2.
- (6) That Cabinet approve the write off of debt as set out in section 3.5.
- (7) That Cabinet approve the reallocation of capital funding to support the purchase of a new IT system for Children's Services, and enhancement to car parking provision at Oak Park Active Living Centre as set out in 3.6.

3929 **Road safety strategy**

Councillor Andrew presented the report:

(see annexed)

Resolved

That Cabinet authorise implementation of the Walsall Metropolitan Borough Council Road Safety Strategy with effect from 1 April 2019. (Appendix A)

3930 **Walsall Together Alliance**

At this point, Councillor Perry left the meeting for this item having declared an interest and took no part in the discussion or voting thereon.

Councillor Martin presented the report:

(see annexed)

Resolved

- (1) That the full business case be approved.
- (2) That Cabinet approve the model of operating in principle for services as described, with more detailed plans and Cabinet approvals to be sought in due course.
- (3) That Cabinet support the developments of future more specific business cases (as they emerge) and to consider those for improvements in outcomes and service delivery at the appropriate times, in accordance with the overall aims of the Walsall Together Alliance.
- (4) That Cabinet endorse the establishment of the Walsall Together ICP (Integrated Care Partnership) Board and approve that Council Senior Management roles will be working in conjunction with that Board.
- (5) That Cabinet approve that Walsall Healthcare Trust will act as the “Host” which is a contractual lead to be accountable for the services in scope and the overall transformation of health and wellbeing outcomes for Walsall people. The other organisations will sub-contract with the host.
- (6) To mandate the formation of an s75 NHS Act contract during 2019/20 and for the Executive Director of Adult Social Care to bring that back to Cabinet for consideration.
- (7) That Cabinet note other significant service changes during the next phases of the Walsall Together Alliance would be presented to Cabinet in accordance with the Scheme of Delegation.

- (8) That Cabinet note that all other Boards will be considering this business case in the next month, and all will be required to endorse the business case to proceed.

3931 **Fields in Trust**

Councillor Bird presented the report:

(see annexed)

Resolved

That Cabinet approve the submission of additional land for biodiversity, community and public health aims, as detailed in the attached plans (Appendix A1, A2 & A3) at Fibbersley Local Nature Reserve to include in the following dedication:

Green spaces for Good – Nature Field in Trust – Fibbersley Local Nature Reserve

Appendices A1, 2 & 3

- Drawing No EPMD 4557/1A, (land within red edge)
- Drawing No EPMS 4557/6 (land within red edge)
- Drawing No EPMS 4557/2B (land shaded pink, excluding areas marked blue for which we cannot at this stage prove title).

This submission complements the previous Fields in Trust applications in March and numerous other green spaces placed in trust over recent years.

3932 **School place planning and expansions**

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That Cabinet note the statutory process for the proposed revocation of Lightwood School and Salisbury Primary School expansions.
- (2) That Cabinet approve that the proposals to expand Lightwood School and Salisbury Primary School be revoked.

3933 Admission arrangements for community and voluntary controlled primary schools

Councillor Towe presented the report:

(see annexed)

In presenting the report Councillor Towe informed the meeting that the published admission number for Leighswood School as set out in paragraph 3.2 of the report should read “90 (3FE) to 60 (2FE)”.

Resolved

- (1) That the proposed schemes as set out in Appendix A for inter-authority primary, secondary and midyear co-ordinated admissions for 2020/21 be approved.
- (2) That the admission arrangements for primary community and voluntary controlled schools for the academic year 2020/21, as set out in Appendix B of this report, are determined.
- (3) That Walsall Council informs all consultees of the determination of the admission arrangements for the 2020/21 academic year.

3934 St. Lawrence Church Clock, Darlaston

Councillor Harris presented the report:

(see annexed)

In presenting the report, Councillor Harris confirmed that the address referred to in the report was incorrect and that it should read “corner of New Street and Church Street” not Victoria Road. In addition, he pointed out that it was located in the Bentley and Darlaston North Ward.

Councillor Harris also suggested that this decision should apply to any other clocks not owned by Walsall Council. This was supported by the Leader and it was:

Resolved

That funding for the operational and maintenance costs for the St. Lawrence Church clock, Darlaston and any other clocks not owned by Walsall Council, be withdrawn and no longer be the responsibility of Walsall Metropolitan Council.

3935 Private session

Exclusion of public

Resolved

That during consideration of the remaining items on the agenda, the Cabinet considers that the items for consideration are 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 items in private.

Summary of item considered in private session

3936 Land at Hatherton Street – variation

Councillor Andrew presented the report:

The previous decision of Cabinet of 5 September 2018 relating to land at Hatherton Street was varied to amend the specified land purchaser.

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

The meeting terminated at 6.45 p.m.