

# **Cabinet minutes**

**Wednesday 23 October 2013 at 6.00 p.m.**

**in Conference Room 2 at the Council House, Walsall**

## **Present**

Councillor Bird	Leader of the Council
Councillor A. Andrew	Deputy Leader and Regeneration and Transport
Councillor R. Andrew	Children's services
Councillor I. Shires	Community engagement and voluntary sector
Councillor Arif	Environment
Councillor Harris	Leisure and culture
Councillor Ali	Public health and protection
Councillor Towe	Resources
Councillor McCracken	Social care

## **3026 Minutes**

### **Resolved**

That the minutes of the meeting held on 11 September 2013 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

## **3027 Declarations of interest**

There were no declarations of interest.

## **3028 Local Government (Access to Information) Act, 1985**

There were no items to be considered in private session.

## **3029 Petitions**

The Cabinet noted the schedule of petitions:

(see annexed)

The following petitions were submitted:

- Broadway West playing field (Mr. M. Yasin on behalf of Walsall Stars Cricket Club)
- Keep Broadway North Centre open (Ms. S. Spragg)

**3030 Questions**

There were no questions submitted.

**3031 Forward plan**

The forward plan as at 7 October 2013 was submitted:

(see annexed)

**Resolved**

That the forward plan be noted.

**3032 Scrap Metal Dealers Act 2013**

Councillor Ali presented the report:

(see annexed)

**Resolved**

That the decision made by the Leader attached as Appendix A of the report be noted.

At this point in the meeting, the Leader took item 15 (Financial plan 2014/15 to 2018/19 – draft revenue budget and capital programme for consultation) in view of the number of public in attendance.

**3033 Financial plan 2014/15 to 2018/19 – draft revenue budget and capital programme for consultation**

Councillor Towe presented the report:

(see annexed)

During the discussion on the report, Councillor McCracken explained in more detail the background to the budget proposals in respect of the closure of day care facilities.

At this point in the meeting, the Cabinet considered it appropriate to take Item 17 on the agenda in relation to this issue.

### 3034 **Commissioning mental health services – Broadway North Centre**

At this point, the time being 6.25 p.m. Councillor Bird left the meeting for a short while.

#### **Councillor A. Andrew in the chair**

Councillor McCracken presented the report:

(see annexed)

Councillor McCracken responded to questions and points of clarification from members on the proposals and referred to the petition submitted to Cabinet at the commencement of the meeting.

At this point the time being 6.35 p.m. the Leader returned to the meeting.

#### **Councillor Bird in chair**

The Chief Executive read from the petition as follows:

“We asked people to sign our petition in support of not shutting the Broadway North Centre residential unit for crisis, respite and detox support.

We have had a petition to keep Broadway North Centre open on face book and 98 people have signed that one.

We have a petition to save Broadway North Centre residential until on the website called 38 Degrees and 82 have signed that on line.

We have got 200 signatures on our written petition.

So in all we have got 380 signatures from the public in support of our campaign to stop the Broadway North Centre residential unit from being closed.”

He confirmed that there were approximately 380 signatures to the petition and in accordance with the Council’s Constitution, the petition was passed to the portfolio holder. The Chief Executive advised that notwithstanding the petition submitted, it would be in order for the Cabinet to make a decision on the report at this meeting as the portfolio holder could submit a further report to Cabinet should this be necessary following consideration of the petition.

It was **moved** by Councillor McCracken, duly seconded and:

#### **Resolved**

That the Broadway North Residential Unit be closed following a period of notice for the staff group.

### **3033 Financial plan 2014/15 to 2018/19 – draft revenue budget and capital programme for consultation - continued**

Following a further short period of discussion, it was **moved** by Councillor Towe, duly seconded and:

#### **Resolved**

- (1) That Cabinet approve as the basis for consultation, provisional revenue cash limits by portfolio and portfolio plans as set out in Appendix 1.
- (2) That Cabinet approve as a basis for consultation the current draft capital programme of £37.61m for 2014/15, and an indicative capital programme of £25.75m for 2015/16, and £17.10m for 2016/17.
- (3) That the report be referred to all scrutiny and performance panels for consultation, to enable their comments to be considered by Cabinet on 11 December 2013.
- (4) That Cabinet note that the 2014/15 provisional revenue cash limit is based on a forecasted direct government grant prediction, including other predicted changes for Council pressures and other specific grants. The draft settlement is expected to be announced in late December 2013. Should the final allocation be less than current estimates, revised cash limits and options for ensuring a balanced budget will need to be brought back for Cabinet consideration as the budget develops and information is published.
- (5) That following formal approval of the programme in February by Council, Cabinet delegate responsibility to the Chief Financial Officer, in consultation with the Capital Strategy Board, to designate resources to projects off the capital reserve list should resources become available in year.
- (6) That Cabinet note that the level of contingency funds and general reserves will need to be in line with the levels set out with the Council's medium term financial strategy, the final allocation to be based on a detailed risk assessment which will be reported to Cabinet in February 2014.
- (7) That Cabinet note and approve the consultation arrangements and reporting framework back to Cabinet set out in section 3, and that the findings from the budget consultation be used and evidenced alongside other feedback and available data by Cabinet as it develops the Council's 2014/15 draft corporate revenue and capital budget.

### **3035 Corporate financial performance 2013/14**

Councillor Towe presented the report:

(see annexed)

## **Resolved**

- (1) That the current revenue forecast position as at 31 March 2014 of £2.94m (equivalent to 3.4% of the net council tax requirement) be noted.
- (2) That Cabinet note that action is being taken to manage the cost pressures arising (see section 3.5) and that progress will be reported to Cabinet on a regular basis.
- (3) That Cabinet note the current transfer of windfall income which is maintained centrally to manage any unexpected pressures which may arise over and above normal budgetary provision. Dependent on the success of corrective action plans to mitigate the current position, consideration should be given to consider using some or all of this to support the position in the short term whilst actions to ensure overspends are reduced permanently are taken.
- (4) That that the use of general reserves as detailed in section 3.2 be approved.
- (5) That Cabinet note and approve new revenue funding allocations received in year as detailed in section 3.7.
- (6) That Cabinet note the forecast underspend on the Council funded element of the capital programme, after re-phasing, of £410k, to be utilised to support the funding of the 2014/15 capital programme.
- (7) That Cabinet note and approve the amendments to the capital programme set out in section 3.10.
- (8) That Cabinet formally respond to Audit Committee's recommendation concerning the current medium term financial strategy, as set out in section 3.15.
- (9) That the financial health indicators for quarter 2 summarised in Appendix 1 be noted.

At this point Councillors A. Andrew and Towe left the meeting.

### **3036 M6 Junction 10 major transport scheme – development funding**

The Executive Director, Simon Neilson presented the report on behalf of the portfolio holder:

(see annexed)

In presenting the report Mr. Neilson advised of an amendment to recommendation 2.2 in the report to delete the word “capital”.

**Resolved**

- (1) That the work to date between Walsall Council and the Highways Agency to develop a major transport improvement scheme at M6 Junction 10 be noted.
- (2) That approval be given to the allocation of £350,000 in 2014/15 and £300,000 in 2015/16 to develop the detailed design and a business case for the scheme, which will facilitate access to implementation resources from the Black Country Local Enterprise Partnership and the Highways Agency.
- (3) That authority be delegated to the Executive Director for Regeneration, in consultation with the Cabinet Member for Regeneration and Transport, to allocate the resources detailed in paragraph (2) to work streams and to manage the work programme accordingly.
- (4) That Cabinet notes that if the results of the business case indicate that the project is not viable or if external resources are not subsequently made available, then the project may not progress and the above costs would be abortive.

**3037 Education capital programme 2013/14 – further schemes**

The Executive Director, Simon Neilson presented the report on behalf of the portfolio holder:

(see annexed)

**Resolved**

- (1) That Cabinet approves the schemes, subject to confirmation of an appropriate school contribution, and budgets set out in Appendix A of this report – including permission to seek tenders and appoint contractors to undertake the work identified.
- (2) That authority be delegated to the Executive Director for Regeneration Services in consultation with the relevant portfolio holder to award contracts (including authorising execution/signature of the contract and ancillary documents) to the most suitable contractors having regard to best value for the works/services as set out.

- (3) That Cabinet approves the option to use an appropriate form of procurement and contracting arrangements determined by the Head of Property Services to provide the most efficient and value for money means of delivering the projects. This shall include consideration of traditional procurement and EU compliant frameworks available to local authorities.

### **3038 Winter service Operational plan 2013/14**

The Executive Director, Jamie Morris presented the report on behalf of the portfolio holder:

(see annexed)

#### **Resolved**

- (1) That the Winter Service Operational Plan 2013/14 be approved.
- (2) That the Executive Director for Neighbourhood Services, in consultation with the portfolio holder for Regeneration and Transport, be authorised to make amendments to the Plan, as necessary, to ensure the ongoing efficient and effective delivery of the winter service.

### **3039 Walsall Market temporary move to facilitate the redevelopment of St. Matthew's Quarter**

The Executive Director, Simon Neilson presented the report on behalf of the portfolio holder:

(see annexed)

The Leader extended the thanks of the Cabinet to the project leaders, Richard Chadwick and Simon Tranter and the Regeneration Services team who had worked hard to bring this project in.

#### **Resolved**

- (1) That Cabinet agree the temporary relocation of stalls forming Walsall Market in order to facilitate the redevelopment plans for St Matthew's Quarter – Old Square Phase 1
- (2) That the power to authorise the further temporary relocation of stalls during the period of the Old Square Phase 1 redevelopment and to enable the redevelopment of the Old Square be delegated to the Executive Director for Regeneration and Transportation in consultation with the portfolio holder for Regeneration and transport

- (3) That Cabinet notes that during the period of works for Old Square Phase 1, casual traders will not automatically be granted a permanent licence but that pursuant to the Executive Director's delegated authority (Constitution paragraph 18.10) applications will be reviewed and considered having regard for the capacity of free and appropriate stalls.

#### 3040 **Schools Forum proposed revised Schools funding formula**

Councillor R. Andrew presented the report:

(see annexed)

##### **Resolved**

- (1) That Cabinet receives and approves the recommendation of the Schools Forum meeting from 15 October 2013 which states *"Walsall Schools Forum unanimously endorses the revised schools funding formula to Cabinet on behalf of all Walsall Schools. That Walsall Schools Forum approve Appendix 2 as the Walsall Schools funding formula for 2014/15 subject to changes demanded by the Education Funding Agency (EFA) and update for October 2013 census numbers. Walsall Schools Forum approve that any use of surplus in 2014/15 and future years be based on a flat per pupil rate. This will be achieved by pushing the funding through Age Weighted Pupil Unit and asking the EFA to disapply the Minimum Funding Guarantee in regards to these funds."*
- (2) That Cabinet notes that the Department for Education (DfE) may request revisions to the school funding formula and that values attributed in the formula may change once the DfE receive the October census data and Cabinet therefore delegates authority to the Director of Children's Services in consultation with the portfolio holder for Children's Services to alter or amend the formula in line with DfE requirements and to comply with all and any relevant DfE regulations.

#### 3041 **Children's centres outcome of consultation on remodelling proposals**

Councillor R. Andrew presented the report:

(see annexed)

##### **Resolved**

- (1) That approval be given to undertake a procurement process for the provision of three currently outsourced children's centres services and that the Director of Children's Services be delegated authority to award contracts for the provision of children's centres services and to sign or authorise the sealing of any deeds, contracts and other related documents in relation to such services.



- (2) That it be noted that consultation overall supported the grouping children's centres to help protect services for children and families by sharing resources and working together and also that services should be prioritised on those children in most need.
- (3) That it be noted that prior to procurement process commencing in November 2013 for the management of the three children's centre currently outsourced, the requirements of the Public Services (Social Value) Act 2012 to improve social, environmental and economic well being of the area will be considered.

### **3042 Support for living at home services**

Councillor McCracken presented the report:

(see annexed)

#### **Resolved**

- (1) That authority be given to a procurement process being undertaken in respect of support for living at home services to meet identified needs within the domiciliary care sector, end of life (palliative) care, continuing health care and community support sectors.
- (2) That Cabinet delegates authority to award the contracts for support for living at home services to the Executive Director of Social Care and Inclusion.
- (3) That Cabinet delegates authority to the Executive Director of Social Care and Inclusion to sign or authorise the sealing of contracts, deeds or other documents in relation to the provision of support for living at home services.

### **3043 Assisted transport policy**

Councillor McCracken presented the report:

(see annexed)

#### **Resolved**

That the revised policy for assisted transport be adopted.

#### **3044 Market position statements for adult social care services**

Councillor McCracken presented the report:

(see annexed)

Cabinet noted that the Market Position Statements for older people services, adults with complex conditions and adults with mental health conditions would be utilised to help identify future demand for services and act as a starting point for discussions between Walsall Council and Walsall Clinical Commissioning Group as joint commissioners and those who provide services.

#### **Resolved**

That approval be given to the content of the Market Position Statements for older people services, adults with complex conditions and adults with mental health conditions

#### **3045 Park Hall Infant and Junior School crossing patrol warden**

The report of the Regeneration Scrutiny and Performance Panel was submitted:

(see annexed)

Members were advised that a report proposing a delivery mechanism for category 2 patrol wardens was scheduled for Cabinet in December.

#### **Resolved**

That the report and recommendation of the Regeneration Scrutiny and Performance Panel be noted.

The meeting terminated at 7.25 p.m.

Leader:

Date: