

Cabinet minutes

Wednesday 18 March 2020 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 Butler	Clean and green
Councillor Perry	Community, leisure and culture
Councillor Towe	Education and skills

3511 Apologies

Apologies for non-attendance was submitted on behalf of Councillors Chattha and Craddock.

3512 Minutes

Resolved

That the minutes of the meeting held on 12 February 2020 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3513 Declarations of interest

There were no declarations of interest.

3514 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.

3515 Petitions

No petitions were submitted.

3516 **Coronavirus (COVID-19) Emergency**

At this point in the meeting, the Leader, Cabinet members and the Director of Public Health gave a series of briefings in relation to the situation both nationally and locally in relation to the current Coronavirus (COVID-19) emergency. In summary:

Councillor Bird explained the background to the situation, some facts about the virus itself, national guidance and links to useful information; and the local response (see briefing note annexed). He advised that he had invoked emergency measures and that all Council meetings would cease until after May, including the postponement of the Annual Council meeting. He confirmed that, in the meantime, emergency decision making arrangements were being put in place.

Councillor Perry commented upon the local response through the new Resilient Communities Model and added that a single telephone contact number, operated by West Midlands Fire Service and supported by One Walsall volunteers, would be released to enable residents to access community support and to get advice. He stressed that this would not be an emergency number. Councillor Perry then highlighted key measures being put in place to support the community sector, including community associations in receipt of community development funding, which provided flexibility for those organisations such as potentially suspending business rates payments. He said that work to keep communities safe was in place and included, for example, collation of data on non-English speaking communities, over 70's and people with disabilities; access to employment hardship benefits; and distribution of hygiene packs and food parcels to those in need.

Councillor Wilson and Councillor Towe reported briefly on the measures being taken to ensure children remained safe and it was noted that schools would continue to open for children of key workers.

The Director of Public Health, Mr S. Gunther, provided an update on the situation locally. He said that there had to date been thirteen confirmed cases in the borough and that sadly there had been two deaths. He reassured the Cabinet that the Council had stepped up its response and confirmed that arrangements were in place for strategic, tactical and operational responses; and that business continuity plans for critical and essential services had been reviewed.

It was noted that leisure centres would be closed from that evening with staff being diverted to support the organisation elsewhere and that a decision on closure of libraries would be made on 19 March.

Councillor Bird thanked all staff at the Council for their efforts, working over and above expectations. He stressed that the recent significant investment in IT had enabled the Council to operate by remote working more efficiently in ways that otherwise would not have been possible.

3517 **Question – Walsall Arboretum Bonfire**

A question was submitted by Dr. F. Macmillan, Walsall Arboretum User Group with regard to the bonfire at Walsall Arboretum. In the absence of Dr. Macmillan, Councillor Bird read out the question:

“Could we be advised as to the contribution of the bonfire at Walsall Arboretum in November 2019 to the deficit, increased by £25,000, given that this event has always made a modest profit prior to the staffing reorganisation in August 2019?”

Councillor Bird replied as follows:

“Overview

In 2019, the contribution to the total deficit of £53,465 is £23,433 for the Arboretum, which is 44% of the total deficit.

Breakdown over time is as follows;

In 2017, the costs for the Arboretum were £43,955 and income was £45,649 with a profit of £1,694

In 2018, the costs for the Arboretum were £54,662 and income was £57,239 with a profit of £2,577

In 2019, the costs for the Arboretum were £61,291 and income was £37,858 with a deficit of 23,433

Reasons

There was a significant rise in costs between 2017 and 2018 of 24%, but the increase between 2018 and 2019 was only 12%. Therefore it is unlikely that the increased costs were the major contributing factor to the deficit in 2019.

Moreover, the significant drop in ticket sales in 2019 compared to 2018 of 40% was the main cause of the fall in income. This was as a result of very poor weather leading up to and on the night of the Arboretum event. There was also some impact from late marketing due to delayed confirmation of the event schedule and from negative social media.

The Event at King George V in 2019 showed a much better return against costs, where better weather resulted in increased visitors and ticket sales.”

At this point, Councillor Bird reported the recent death of Jackie Cocken who had been a long standing member of the Arboretum User Group and who had been a long serving Head Teacher in the borough. He expressed his sincere condolences to Mrs Cocken’s husband and family at this sad time.

3518 **Forward plan**

The forward plan as at 2 March 2020 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3519 **Corporate Plan delivery Quarter 3**

Councillor Bird presented the report:

(see annexed)

In presenting the report, Councillor Bird commented that this year's budget would, of course, be more challenging with increased costs and reduced income from services as a result of the national Covid-19 emergency.

He also advised that with regard to the use of taxis and minibuses for home to school transport which would not now be required as schools had been closed, it was the intention to ask those providers to change their work patterns to now work in the Resilient Communities Model to assist with supporting the elderly and people in need; and that payments to them at current levels would continue for that purpose. Cabinet members supported this course of action.

Resolved

That Cabinet endorse the performance information provided in the appendix.

3520 **West Midlands Strategic Transport Settlement and Capital Programme 2020/21**

Councillor Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet notes the West Midlands 2020/21 Block Allocations as set out at Table 1 in Section 4 of this report.
- (2) That Cabinet approves the Walsall Transport Capital Programme 2020/21 as set out at Table 2 in Section 4 of this report.

- (3) That Cabinet approves the utilisation of the Integrated Transport Block element of the grant funding for 2020/21 as described in paragraphs 4.36 to 4.40 of this report and Appendices A to H, including the allocation of any slippage from 2019/20 to the 2020/21 programme.
- (4) That Cabinet agrees to accept the Better Streets grant award for 2020/21 and 2021/22 subject to acceptance of business cases for each of the projects, and agrees the programme of works as set out in paragraphs 4.8 and 4.9.
- (5) That Cabinet delegate authority to the Executive Director for Economy & Environment, in consultation with the Cabinet Member for Regeneration, to manage any required changes to the 2020/21 and 2021/22 Better Streets allocations, including amending individual scheme budgets (within the overall programme budget); revising project scope; and adding new projects (to replace or part-replace other projects that can no longer be delivered), in order to maximise the use of the grant.
- (6) That Cabinet delegate authority to the Executive Director for Economy & Environment, in consultation with the Cabinet Member for Regeneration, to manage any required changes to the 2020/21 Integrated Transport Block programme, including amending individual scheme budgets (within the overall programme budget); and adding new projects (to replace or part-replace other projects that can no longer be delivered), in order to maximise the use of the grant.
- (7) That Cabinet delegate authority to the Executive Director for Economy & Environment, in consultation with the Cabinet Member for Regeneration, to negotiate on its behalf with the Black Country Local Enterprise Partnership, WMCA and government departments to maximise the values of future financial resources allocated to the Council in pursuit of its transport priorities, including signing relevant agreements and contracts for schemes which are approved within the Walsall Transport Capital Programme 2020/21.

3521 Dissolution of VIEW Board and allocation of funds

Councillor Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet accept the offer from Walsall Housing Group from the Visionary Investment Enhancing Walsall programme of £295,000 into the Inclusive Economic Growth Programme to sponsor Economic Development activities during 2020/21 and beyond.

- (2) That the Cabinet notes the £100,000 of support offered through the Visionary Investment Enhancing Walsall programme in supporting the activities of One Walsall throughout 2020/21 and 2021/22.
- (3) That Cabinet accepts the proposals from the Walsall Housing Group Board for the dissolution of the current Visionary Investment Enhancing Walsall programme, board and company and agrees to:
 - (a) End the current transfer agreement arrangements that relate to VAT sharing.
 - (b) The dissolution of the Visionary Investment Enhancing Walsall (VIEW) Board.
 - (c) The transfer of all remaining funds held by VIEW to Walsall Housing Group.
 - (d) The payment of all further VAT savings to Walsall Housing Group.
- (4) That Cabinet approves the cancellation of the current Development Clawback Agreement with Walsall Housing Group, accepting a commitment from Walsall Housing Group to ring-fence all monies received from disposals for regeneration activity within Walsall Borough.
- (5) That Cabinet authorises officers to follow the statutory process and required procedures for the dissolution of the current VIEW and Development Clawback agreements with Walsall Housing Group.

To recommend to Council

- (6) That Council delegates authority to the Executive Director Economy & Environment to negotiate and agree the final terms of the Deed of Variation, to the 15th and 16th Schedules of the Stock Transfer Agreement (2003), to be entered into with WHG to record the changes set out in recommendations (3) and (4) above.

3522 Tackling long term empty dwellings

Councillor Andrew presented the report:

(see annexed)

Resolved

- (1) That authority be delegated to the Executive Director, Economy and Environment, to acquire the properties set out in paragraph 3.3 of the report, including by way of Compulsory Purchase Orders (CPOs), using either:
 - (a) New Homes Bonus Empty Homes fund for homes which are to be resold; or
 - (b) Affordable Housing Commuted Sums for those homes to be retained by the Council as affordable temporary accommodation.
- (2) That authority be delegated to the Executive Director, Economy and Environment, in consultation with Portfolio Holder Regeneration, to consider the acquisition of the properties listed in Appendix 1, including by way of Compulsory Purchase Orders, which would be funded using either:
 - (a) the New Homes Bonus Empty Homes fund for home which are to be resold; and/or
 - (b) Affordable Housing Commuted Sums or those homes to be retained by the Council as affordable temporary accommodation.

3523 Housing Strategy 2020 to 2025

Councillor Andrew presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the Walsall Housing Strategy 2020 to 2025 as set out in Appendix A.
- (2) That Cabinet delegates authority to make any future minor amendments to the Strategy, if and when required, to the Executive Director Economy and Environment in consultation with the Portfolio Holder for Regeneration.

3524 Provider Section 75 Agreement – Walsall Healthcare NHS Trust

Councillor Martin presented the report:

(see annexed)

It was noted that the decision on this matter would be made in the private session following consideration of a report containing confidential information.

3525 Provision of residential and nursing care services for older people, complex care and mental health

Councillor Martin presented the report:

(see annexed)

Resolved

- (1) That Cabinet delegate authority to the Executive Director for Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, to approve the extension of 2019/20 transitional contractual arrangements for the provision of the Residential and Nursing Care services for the period of up to 6 months from 1 April 2020 to 30 September 2020.
- (2) That Cabinet delegate authority to the Executive Director for Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, to approve the award of and the ongoing application process for contractual arrangements for the provision of the Residential and Nursing Care services for Older People, Complex Care and Mental Health services for the period from 1 October 2020 to 31 March 2030 and to subsequently authorise the sealing of deeds and/or signing of contracts and any other related documents for the provision of such services, as appropriate, including any agreement with the CCG to facilitate these services.
- (3) That Cabinet delegate authority to the Executive Director for Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, 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.

3526 Enhanced street cleansing activities

Councillor Butler presented the report:

(see annexed)

In presenting the report, officers in the Clean and Green team were commended for their work this year to ensure that the town was maintained to a high standard, contributing to visitors' feeling of wellbeing.

With regard to provision of the waste collection services during the current Covid-19 emergency, Councillor Butler advised that the brown bin (garden waste) collection service would cease until further notice in order that resources could be focused on maintaining the core household waste and recycling collection service

Resolved

That Cabinet approve additional funding on a time limited basis from 1 April 2020 until 31 March 2021 for:

- (1) An annual deep clean of the town centre at a cost of £26k.
- (2) A town centre reactive rapid response team at a cost of £66.2k
- (3) Continued pigeon control on a weekly basis at a cost of £7.8k
- (4) Eight Environmental Operatives in a mobile street cleansing 'Barrowman' role at a cost of £268k
- (5) An agency budget to cover holidays, sickness absence and training at a cost of £308k.
- (6) A budget for the supervision of a Community Payback Team at a cost of £20k
- (7) An annual deep clean of the five district centres at a cost of £19.3k

3527 Out of Borough care leavers and Council tax

Councillor Wilson presented the report:

(see annexed)

Resolved

That Walsall Council matches the exemption for council tax relief to those care leavers residing outside of the Borough until they are aged 25 from 1 April 2020.

3528 High Needs Funding Formula

Councillor Towe presented the report:

(see annexed)

Resolved

- (1) That Cabinet notes the outcome of working group exercise and approves the High Needs Local Funding Formula recommended by Walsall's Schools Forum at its meeting on 26 February 2020 (as set out at Appendix A and B).
- (2) That Cabinet approves the implementation of the one year Transitional Top-up Support for primary and secondary pupils without a statutory assessment (as set out in paragraph 4.11. to 4.15 and detailed in Appendix B).

3529 Early years funding formula for two, three and four year olds

Councillor Towe presented the report:

(see annexed)

Resolved

That Cabinet approves the Early Years Funding Formula (Appendix A) recommended by Walsall's Schools Forum at their meeting on 11 March 2020.

3530 Goldsmith Academy revocation – School place planning and expansion

Councillor Towe presented the report:

(see annexed)

Resolved

That Cabinet approve that the proposal to expand Goldsmith Academy be revoked.

3531 Falls prevention services review

Councillor Bird presented the report:

(see annexed)

Resolved

- (1) That Cabinet approves the proposal to continue a remodelled falls prevention services (described at 4.10).

- (2) That Cabinet approves the proposed budget contribution of £137,000 from the Council for the falls prevention services for a period of 12 months from 1 April 2020 with continued funding under review, subject to any changes associated with the Public Health grant conditions for 2021/22 and beyond.
- (3) That Cabinet delegates authority to the Executive Director, Economy and Environment or their nominated officer to enter into fixed price contracts for the delivery of falls prevention services.

3532 Unauthorised Encampments (UEs)

The report of the Economy and Environment Overview and Scrutiny Committee was submitted, including a final report of the Unauthorised Encampments Working Group which had been established to consider the need for a long-term strategy to reduce the numbers of UEs in the Borough and to explore options for a transit site:

(see annexed)

Councillor Perry thanked the Overview and Scrutiny Committee for what he said was a great piece of work and advised that officers were continuing to look at potential transit arrangements and location, followed by housing and education implications. He said that the recommendations of the working group would be considered during this ongoing work which would be reported to Cabinet in due course.

Resolved

- (1) That the Overview and Scrutiny Committee be thanked for their work.
- (2) That the report be received and that a full and comprehensive response be received in due course

3533 Private session

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.

Summary of items considered in private session

3534 Pelsall Labour Club, Church Road, Pelsall

Councillor Andrew presented the report:

(see annexed)

Resolved

That authority be granted to the Executive Director of Environment and Economy and the S151 Officer of the Council, in consultation with the Leader of the Council to enter into an agreement with the owners of the Pelsall Labour Club and properties at Unity Drive, Pelsall empowering the Council to carry out necessary work on their behalf and assigning their right of action against the developer to the Council up to the value of £50,000.

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

3535 Land at Hatherton Road, Walsall

Councillor Andrew presented the report:

(see annexed)

Cabinet:

- (1) approved the disposal of the Council's freehold interest in the land edged on the EPMS plan 4682/6 and extending to approximately 0.5 hectares (1.237 acres) to Purple Platypus Property.
- (2) delegated authority to the Executive Director for Economy and Environment in consultation with the Cabinet Portfolio Holder for Regeneration to approve the final terms for the disposal to Purple Platypus Property Limited.
- (3) approved the Council works and associated costs (set out in section 4.10 and 4.11) be funded from the land receipt and the existing Regenerating Walsall capital programme.

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

3536 Provider Section 75 Agreement – Walsall Healthcare NHS Trust

Councillor Martin presented the report:

(see annexed)

Resolved

That Cabinet:

- (a) Authorises the Executive Director for Adult Social Care to enter into an agreement pursuant to Section 75 of the NHS Act 2006 with Walsall Healthcare NHS Trust for an initial term of 5 years, from 1 April 2020 until 31 March 2025, with an option to extend the arrangements for up to a further 5 years.
- (b) Delegates authority to the Executive Director Adult Social Care, in consultation with the portfolio holder, to make minor amendments to the Section 75 agreement.
- (c) Approves any changes to the Section 75 agreement as part of future phases of the Walsall Together Programme.

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

The meeting terminated at 7.05 p.m.