

# Cabinet minutes

**Tuesday 19 May 2020 at 4.00 p.m.**

## **Virtual meeting via Microsoft Teams**

*Held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020; and conducted according to the Council's Standing Orders for Remote Meetings and those set out in the Council's Constitution.*

## **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
Councillor Craddock	Health and wellbeing
Councillor Chattha	Personnel and business support

## **3537 Welcome**

At this point, the Leader opened the meeting by welcoming everyone, and explaining the rules of procedure and legal context in which the meeting was being held. He also directed members of the public viewing the meeting to the papers which could be found on the Council's Committee Management Information system (CMIS) webpage.

Cabinet members confirmed that they could both see and hear the proceedings.

## **3538 Minutes**

Councillor Bird moved approval of the minutes of the meeting on 18 March 2020 which was put to the vote by way of a roll-call of Cabinet members

The motion subsequently declared carried and it was:

### **Resolved** (unanimously)

That the minutes of the meeting held on 18 March 2020 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

## **3539 Declarations of interest**

There were no declarations of interest.

**3540 Local Government (Access to Information) Act, 1985**

**Resolved** (by assent)

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.

**3541 Forward plan**

The forward plan as at 5 May 2020 was submitted:

(see annexed)

**Resolved** (by assent)

That the forward plan be noted.

**Note:**

During the presentation of the reports on the agenda, Cabinet members used this first opportunity to publicly extend their thanks to Council officers, teachers, partner organisations including Walsall Housing Group and the West Midlands Fire Service, and local supermarket Morrison's for their exceptional work, commitment and dedication to making sure that residents and businesses were supported during this national crisis. Cabinet members were complementary about the way in which officers had embraced new technology and the remote way of working. The Leader also took the opportunity to thank his Cabinet members for their hard work in this respect and said that he was proud of the way in which the Council had responded to the crisis.

**3542 Walsall Council response to Covid-19 pandemic**

**(a) Public health**

Councillor Craddock presented the report:

(see annexed)

**Resolved** (by assent)

That Cabinet note the contents of this report and the measures being taken to assist the Council in their response to the Covid-19 crisis and in the protection of Walsall residents.

(b) **Governance and decision making**

Councillor Bird presented the report:

(see annexed)

**Resolved** (by assent)

That Cabinet note the report.

(c) **Safeguarding response**

Councillors Wilson, Towe and Martin presented the report:

(see annexed)

In presenting the Education element of the report, Councillor Towe provided updated figures in relation to the number of children attending school and said that the number of vulnerable children attending school was growing and in line with the national situation. In addition he advised that over 1200 laptops had been provided to care workers and disadvantaged pupils and routers had been, or would shortly be, provided for those finding it difficult to access the internet.

**Resolved** (by assent)

That Cabinet note the changes in delivery of services to vulnerable children and adults as a response to the Covid 19 pandemic designed to ensure that the safeguarding of our most vulnerable members of society continues.

(d) **Supporting shielded and vulnerable residents**

Councillor Perry presented the report:

(see annexed)

Councillor Perry moved the approval of the recommendations which was seconded by Councillor Bird.

The motion was put to the vote by way of a roll-call of Cabinet members and subsequently declared carried and it was:

**Resolved** (unanimously)

That Cabinet approve:

- (1) The Director of Resilient Communities, in consultation with the Cabinet Member for Communities, leisure and culture, to distribute additional grant monies totalling £116,925 to community associations, or other key voluntary sector organisations, needed to facilitate the mobilisation of a public response to support vulnerable people to remain safely at home during the COVID-19 crisis (for the 12 week period from 23 March 2020 to 15 June 2020).

- (2) Retrospectively £183,075 in additional grant monies, which has already been committed to support community associations and other key voluntary sector organisations, needed to facilitate the mobilisation of a public response to support vulnerable people to remain safely at home during the Covid-19 crisis since 23 March 2020.
- (3) The Director of Resilient Communities entering into contracts for the procurement of essential services, equipment, and food, needed to support vulnerable individuals and families experiencing hardship, due to the COVID-19 emergency, up to a maximum of £733,000 for the 12 week period from 23 March 2020 to 15 June 2020.
- (4) The Director of Resilient Communities, in consultation with the relevant portfolio holders, to use any remaining balance of funds to extend the activities detailed in recommendation 1 and 2 beyond the initial 12 week period (should the need arise).
- (5) That a future report is brought to Cabinet on any extension of time and/or change to the operation of the model which might have amended and/or new resource implications for the Council.

(e) **Business rate relief and grant programmes in Walsall**

Councillor Andrew presented the report:

(see annexed)

Councillor Andrew moved the approval of the recommendations which was seconded by Councillor Bird.

The motion was put to the vote by way of a roll-call of Cabinet members and subsequently declared carried and it was:

**Resolved** (unanimously)

- (1) That Cabinet notes the contents of this report and the progress that is being made to ensure that local businesses benefit from these programmes.
- (2) That to ensure swift prosecution of the new discretionary grant fund scheme, that Cabinet delegate's responsibility for agreeing the administration processes, approval criteria and payment approvals to the Executive Director Economy Environment and Communities in consultation with the Deputy Leader for the new Local Authority Discretionary Grant Fund.

### 3543 **Paying for the community based commissioning service during Covid-19**

Councillor Martin presented the report:

(see annexed)

Councillor Martin moved approval of the recommendations which was seconded by Councillor Bird.

The motion was put to the vote by way of a roll-call of Cabinet members and subsequently declared carried and it was:

**Resolved** (unanimously)

- (1) That Cabinet notes the revised Adult Social Care provider payments arrangements put in place on 23 March as set out in this report.
- (2) That Cabinet approves the continuation of the ASC recommended provider payment option of payment by plan (except where there is no evidence of care having taken place) at an estimated cost of £119,000, noting that this may increase significantly and at short notice if demand, complexity or staff absence changes.
- (3) That Cabinet approves funding of £200,000 for additional supplier relief to contracted and non-contracted Adult Social Care providers following a task and finish analysis of provider Covid-19 related additional expenditure. This will be subject to agreed governance, as set out in this report.
- (4) That Cabinet approves delegated authority to the Executive Director of Adult Social Care in consultation with the Portfolio Holder of Adult Social Care to enter into any necessary contractual variations to enact these recommendations.
- (5) That Cabinet notes the plans to address the financial sustainability of the Care Home market through a task and finish project of open book accounting.

### 3544 **Walsall Proud Programme – Managing delivery during Covid-19**

Councillor Bird introduced Ms. D. Hindson, Interim Executive Director for Resources and Transformation who presented the report in detail:

(see annexed)

**Resolved** (by assent)

- (1) That Cabinet note this update position in relation to the status of the Walsall Proud Programme that has arisen as a result of the Council's response to COVID-19 and its subsequent impact on Programme activities and benefits delivery.

- (2) That Cabinet note that this assessment is based on some key assumptions and that these will be monitored in the weeks and months ahead.
- (3) That Cabinet note that there will be a financial impact arising from this report, including a delay in delivery of programme benefits approved as part of the 2020/21 budget of £2.15m to June 2020 and £912k per month thereafter should the impact of lockdown continue.
- (4) That Cabinet note the implications of this and the Council's response to managing the financial impact is contained within a separate report on tonight's Cabinet agenda.

### 3545 **Covid-19 and Corporate financial performance**

Councillor Bird introduced Ms. D. Hindson, Interim Executive Director for Resources and Transformation who presented the report in detail:

(see annexed)

It was noted that regular updates would be provided to Cabinet on the financial implications of Covid-19.

Councillor Bird moved approval of the recommendations which was seconded by Councillor Wilson.

The motion was put to the vote by way of a roll-call of Cabinet members and subsequently declared carried and it was:

#### **Resolved** (unanimously)

- (1) That Cabinet note the draft revenue outturn for 2019/20 of an underspend against budget of £242k, after taking into account £269k of additional costs and loss of income as a direct result of Covid-19, noting that this may change as entries are finalised and that this is subject to external audit of the accounts,
- (2) That Cabinet delegate approval of final carry forwards and transfers to and from reserves to the S151 Officer, in consultation with the Leader (portfolio holder for Finance).
- (3) That Cabinet note the additional funding allocated to Walsall as set out in section 4.4 and 4.5 of this report, and that this will be insufficient to cover the additional costs of supporting the Council's Covid-19 response beyond the short term.
- (4) That Cabinet note and endorse the financial governance arrangements (Silver and Gold reporting) put in place to manage the allocation of funds and approval of additional costs during Covid-19.

- (5) That Cabinet approve that new funding allocations, where there are specific terms and conditions directed to specific functions or services (such as the emergency funding for rough sleepers to self-isolate) will be passed through to these services, and will be managed within existing grant rules.
- (6) That Cabinet approve that un-ringfenced allocations (such as the S31 Covid-19 Response funds) will be pooled and subject to existing finance rules, and administered by the council's S151 Officer, with additional Covid-19 related reporting to Silver and Gold Command and Cabinet, as set out in this report.
- (7) That Cabinet approve that, as a contingency measure, any unbudgeted windfall income/grant is pooled to provide additional funds should they be needed, to be administered by the councils S151 Officer.
- (8) That Cabinet note the forecast impact of Covid-19 to the end of quarter 1 (June) and per month thereafter as set out in section 4.13 and the reasonable worst case costs set out in 4.14.
- (9) That Cabinet note the loss of income as set out in sections 4.15 to 4.18.
- (10) That Cabinet note the £1.7m additional costs approved through Silver and Gold Control between 20 March and this report despatch date and approve the allocation of additional budgets as set out in section 4.20 and Appendix 1, funded from the Covid-19 grant.
- (11) That Cabinet note the additional estimated costs to June 2020 as set out in section 4.21 and 4.22.
- (12) That Cabinet note the estimated financial impact on the delivery of 2020/21 approved savings, as set out in sections 4.26 to 4.29 of this report and the potential impact on 2021/22.
- (13) That Cabinet delegate authority to the S151 Officer, in consultation with the Leader, to allocate unringfenced Covid-19 funds to manage the forecast impact of income losses, additional costs, and delays in delivery of savings, as set out in this report, once actual figures are finalised.
- (14) That Cabinet note the potential monthly cost of Covid-19 beyond quarter 1, and that should no further Government funding be provided, then the council may be required to start utilising its general reserves during quarter 2 to fund Covid-19 costs and take further action to address funding shortfalls.
- (15) That Cabinet note the additional financial and non-financial risks to the council as set out in section 4.34 onwards.
- (16) That Cabinet note the potential impact of Covid-19 on the capital programme as set out in section 4.30 to 4.32.
- (17) That Cabinet note that an update report will be presented to the next meeting of Cabinet.

### 3546 **Post lockdown: Resetting and recovery of business**

Councillor Bird presented the report:

(see annexed)

Cabinet members briefly reported on the position with regard to services in their portfolio following which Councillor Bird moved approval of the recommendations which was seconded by Councillor Craddock.

The motion was put to the vote by way of a roll-call of Cabinet members and subsequently declared carried and it was:

**Resolved** (unanimously)

- (1) That Cabinet support a twofold approach to the reset objective work comprising:

**Practical reset**

*Retain:* what we need to do to ensure vital services remain operational

*Restart:* what we have had to stop doing to focus on the crisis but now need to pick up in some form

*Amplify:* what we have been able to do that show signs of promise for the future

*Let go:* of what we have stopped doing that was already or is now unfit for purpose

*End:* what we did in response to the immediate crisis but is specific to the crisis

**Proud reset** – how the Proud programme can be adapted to support the practical resetting of services , utilising and embedding aspects of learning / new ways of working and changes made during Covid-19.

- (2) That Cabinet endorse the proposed reset framework, intended to guide our planning, actions and responses over the immediate, medium and long-term future that will encompass lessons learned and experience of good practice during the pandemic period.

### 3547 **Corporate Plan delivery Quarter 4 update**

Councillor Bird presented the report:

(see annexed)

Councillor Bird moved approval of the recommendations which was seconded by Councillor Andrew.

The motion was put to the vote by way of a roll-call of Cabinet members and subsequently declared carried and it was:



**Resolved** (unanimously)

That Cabinet endorse the performance information provided in the appendix.

**3548 Review of achievements 2019-20**

Councillor Bird presented the report:

(see annexed)

**Resolved** (by assent)

That Cabinet note the achievements as detailed in the Review of Achievements 2019-20 document attached as appendix and agree the publication of this document on the council's website.

**3549 Internal Audit and risk management service contract**

A report was submitted:

(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.

**3550 Private session**

**Exclusion of public**

**Resolved** (by assent)

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 items considered in private session**

**3551 Internal Audit and risk management service contract**

Councillor Bird presented the report:

(see annexed)

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of Cabinet members.

The motion was subsequently declared carried and it was:

**Resolved** (unanimously)

- (1) That Cabinet award the contract for the provision of an Internal Audit and Risk Management service to Mazars LLP from 1 July 2020 until 31 March 2022 (with the option to extend for 2 further 12 month periods).
- (2) That authority be delegated to the Executive Director of Resources and Transformation to enter into a new contract to deliver the Internal Audit and Risk Management Service by using the most appropriate procedures and to subsequently authorise the sealing of any deeds, contracts or other related documents for the provision of such services.
- (3) That authority be delegated to the Executive Director of Resources and Transformation to vary the contract during the contractual period to ensure the Council continues to achieve value for money and the services continue to meet the corporate priorities.

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

**3552 Acquisition of property to support waste management strategies**

The Cabinet received a report which made recommendations to future proof the delivery of the Borough's waste collection and disposal services in order to meet changing legislation and demands.

Councillor Andrew moved approval of the recommendations which was put to the vote by way of a roll-call of Cabinet members.

The Cabinet:

- (1) noted the findings of the Waste Transfer Station (WTS) and Household Waste Recycling Centre (HWRC) Business Case (Appendix B), taking account of the Council's legal responsibilities under Section 120 and Section 111 of the Local Government Act 1972, and the Section 1 of the Localism Act 2011.
- (2) agreed the 'Preferred Option' set out in the WTS and HWRC Business Case, and in doing so approved the purchase of property to support this option.
- (3) delegated authority to the Executive Director for Economy, Environment and Communities in consultation with the Portfolio Holders for Regeneration and Clean and Green to agree any variations in the terms of the property transaction.

- (4) delegated authority to the Executive Director for Economy, Environment and Communities in consultation with the Portfolio Holders for Regeneration and Clean and Green, to enter into any contracts, deeds or warranties deemed necessary for the purchase of the property.
- (5) agreed to recommend to Council an amendment of the Capital Programme to cover costs of the Preferred Option,
- (6) Noted that revenue costs for interest and MRP associated with the Capital budgets can be funded from existing resources.
- (7) noted that changes to the operational costs as set out in Table 5 (see 4.48) will be contained within the Medium Term Financial Plan (MTFP).
- (8) agreed to receive a further report detailing the delivery of the new facility(s) and setting out the outcomes of the next stage of work that will entail the preparation of detailed designs for the new facility, enabling the securing of all statutory consents, and to agree the undertaking of a procurement(s) exercise to deliver the construction of the new facility(s).

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

### **3553 Disposal of property at Broadway North, Walsall**

The Cabinet received a report which made recommendations relating to the disposal of the Broadway North Site which had been declared surplus to the Council's requirements. As part of the Council's normal disposal process, the property had been openly marketed and an offer to purchase the site had been received.

Councillor Andrew moved approval of the recommendations which was put to the vote by way of a roll-call of Cabinet members.

The Cabinet approved the acceptance of the offer for the purchase of the Council's freehold interest in the former Broadway North Site shown edged in black for identification purposes on plan reference EPMS 3499 from the highest residential bidder at less than best consideration and undervalue, subject to conditions, including the requirement for planning consent, further site investigations; and that the proposed residential development would contribute to the objective to promote economic and social wellbeing.

The Cabinet also delegated authority to the Executive Director for Economy, Environment and Communities in consultation with the Cabinet Portfolio holder for Regeneration to approve the final terms for the disposal to the highest residential bidder.

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

The meeting terminated at 5.35 p.m.