

Cabinet minutes

Wednesday 26 October 2016 at 6.00 p.m.

in the Council Chamber at the Council House, Walsall

Present

Councillor S. Coughlan	Leader of the Council
Councillor Jeavons	Deputy Leader and Regeneration
Councillor Burley	Children's services and education
Councillor J. Fitzpatrick	Community, leisure and culture
Councillor Jones	Clean and green
Councillor Robertson	Health
Councillor S. Coughlan	Social care
Councillor Nawaz	Personnel and business support

3533 Apology

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

3534 Minutes

Resolved

That the minutes of the meeting held on 7 September 2016 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3535 Declarations of interest

In relation to item 11 – Rebalancing the budget: options for consultation, the Monitoring Officer granted a dispensation to all members under Section 33(2)(a) of the Localism Act 2011 on the basis that the number of persons prohibited by Section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of business.

Councillors S. Coughlan, D. Coughlan and Nawaz declared an interest in item 14 Children's Centres consultation and left the room during consideration of the item.

3536 Local Government (Access to Information) Act, 1985

There were no items to be considered in private session.

3537 Petitions

There were no petitions submitted.

3538 Questions

There were no questions.

3539 Forward plan

The forward plan as at 10 October 2016 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3540 Corporate financial performance 2016/17

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That the revenue forecast position of £5.07m above budget and the reasons as set out be noted.
- (2) That the continuing and emerging risks to the forecast, and actions taken to manage these be noted.
- (3) That Cabinet note that actions to address these and a revised 2016/17 budget will be presented to Cabinet as part of the 2016/17-2019/20 budget setting process.
- (4) That the impact of the “*Making Every Penny Count*” expenditure restraint exercise in section 3.2.2 be noted.

- (5) That Cabinet note that the forecast on the Council funded capital programme is expected to be on budget.
- (6) That approval be given to the write off of debt as detailed in section 3.4.
- (7) That approval be given to the change of use of children's earmarked reserve to cover cost pressure within Children's Services as detailed in section 3.5.
- (8) That the level of general reserves as detailed in section 3.6 and the requirement for replenishment be noted.
- (9) That Cabinet noted that the report does not include any additional costs arising from potential changes to the Walsall Council and Walsall Clinical Commissioning Group (CCG) joint funding arrangements, on which there is a paper elsewhere on the agenda. Any potential cost will increase the current year overspend and reduce reserve levels further.
- (10) That approval be given to the amendments to the capital programme as set out in section 3.9.
- (11) That financial health indicator performance as set out in Appendix 1 be noted.

3541 Business rate pilot project

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Walsall Council, as one of the Constituent Members of the West Midlands Combined Authority, participates in a business rates retention pilot from April 2017, on a no detriment basis and in accordance with the terms outlined in this report.
- (2) That Birmingham City Council act as lead authority in order to co-ordinate arrangements and liaise with the Department of Communities and Local Government over all matters relating to the pilot and that a fee is payable in recognition of any costs incurred relating to this role.
- (3) That authority be delegated to the Cabinet Member for Finance, in consultation with the Chief Finance Officer, to approve any changes to the terms outlined in this report, which may be necessary as the negotiation of the detailed terms of the pilot are progressed by the Combined Authority.
- (4) That agreement to participate is subject to each individual constituent member authority's decision on whether to proceed with the pilot.

3542 Walsall Council efficiency plan 2016/17 to 2019/20

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet note and endorse the publication of the Council's Efficiency Plan (attached as Appendix 1).
- (2) That Cabinet accepts the four-year settlement for the period 2016/17 to 2019/20.
- (3) That Cabinet notes the increased flexibility in the use of capital receipts described in paragraph 3.6.

3543 Rebalancing the budget: options for consultation

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve that policy saving options for 2017/18 to 2019/20 set out in Appendix 1 of this report proceed for consultation and equality impact assessment, as required, with feedback on these informing the Draft Budget.
- (2) That the operational savings for 2017/18 set out in Appendix 2 of this report be endorsed, and officers instructed to implement these, subject to consultation, equality impact assessment, and any changes arising as a result of the latter two.
- (3) That Cabinet note the operational savings 2018/19 to 2019/20 set out in Appendix 2 of this report, and instruct officers to consult on these and carry out equality impact assessments, as required.
- (4) That Cabinet note that the medium term financial gap includes an annual increase in Council tax of 3.99% (including a 2% increase ring-fenced to adult social care), the assumed level of "reasonableness" in respect of referendum principles, and that any changes to those principles, as set by the Secretary of State, may change the overall gap.

- (5) That Cabinet note the indicative draft capital programme of £59.80m for 2017/18, £32.27m for 2018/19 and £34.23m for 2019/20, whilst recognising that further work is required to identify funding sources and further prioritise schemes to achieve a balanced programme, which will be reported to Cabinet on 14 December 2016.
- (6) That this report be referred to all overview and scrutiny committees, to enable their comments to be considered by Cabinet on 14 December 2016.
- (7) That Cabinet refer this report and saving options for wider public and stakeholder consultation and for reports on the results to be submitted back to Cabinet to inform the budget as it progresses.
- (8) That Cabinet note that the provisional revenue resources are based on a forecast government grant position, and includes appropriate cost pressures and estimates of other specific grants. This will be confirmed following receipt of our 4 year multi-settlement application. Should the final allocation be less than current estimates, revised options for ensuring a balanced budget will need to be brought back for Cabinet consideration as the budget develops and information is published.
- (9) 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 level to be based on a detailed risk assessment which will be reported to Cabinet in February 2017.
- (10) That Cabinet note and approve the consultation arrangements and reporting timeline back to Cabinet, and that the findings from service change consultation be used alongside other feedback and available data by Cabinet as it further develops the Council's 2017/18 draft corporate revenue and capital budget.

3544 Network management duty plan 2016-2019

Councillor Jeavons presented the report:

(see annexed)

Resolved

- (1) That the network management duty plan be approved.
- (2) That the Executive Director Economy and Environment be authorised, in consultation with the portfolio holder for Regeneration to make any necessary changes to the plan throughout its life.

3545 **Schools funding formula 2017/18**

Councillor Burley presented the report:

(see annexed)

Resolved

- (1) That Cabinet approves the Schools Funding Formula (Appendix 1) that was recommended by Walsall's Schools Forum at their meeting on 11 October 2016.
- (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 receive the October 2016 census data.
- (3) That the Director of Children's Services be delegated authority, in consultation with the Portfolio Holder for Children's Services and Education, to alter or amend the formula in line with DfE requirements and to comply with all and any relevant Department for Education regulations for the 2017/18 Schools Funding Formula.

3546 **Children's Centres**

Councillors S. Coughlan, D. Coughlan and Nawaz having declared an interest left the room during consideration of the item.

Councillor Jeavons in the chair for this item.

Councillor Burley presented the report:

(see annexed)

In presenting the report, Councillor Burley wished to place on record her thanks to Mrs. S. Morgan, Group Manager Early Help, for her services as she was leaving the authority. Cabinet members wished Mrs Morgan well in the future.

Resolved

- (1) That Cabinet approves the commencement of a period of statutory consultation (in line with the requirements of the Childcare Act 2006 and as specified in Children's Centres Statutory Guidance 2013) to seek views on proposals to:
 - (a) redefine current reach areas of Children's Centres to better align with 0-19 partnership locality areas and school cluster arrangements so that professionals can work better together to offer a whole family offer;

- (b) reduce the number of buildings in the newly defined Central and South area from three (Palfrey, Birchills and Alumwell) to one and use of the entire building at Birchills for childcare to help meet the shortage of early learning places and childcare in the surrounding area;
 - (c) consider how the Council delivers services in the East of the borough, focusing on services not buildings. It is proposed that Children's Centre staff as part of Locality Teams could be based in existing Council offices, whilst outreaching across the East of the borough, via home visits and use of community buildings to offer group support. This would save building costs and give greater flexibility and access to services across a large geographical patch; with the majority of current delivery being accessed via outreach and home visits;
 - (d) reduce management costs by bringing Children's Centres into 'Early Help Locality' arrangements.
- (2) That Cabinet agree to the period of consultation commencing on 27 October 2016 to end on 23 December 2016 after which, a further report will be presented to Cabinet in February 2017, summarising consultation feedback, and alternative service delivery options considered and making recommendations about the preferred model of Children's Centre service delivery from April 2017 and future commissioning intentions.
- (3) That, subject to full Council approval of the 2017/2018 budget, Cabinet delegate authority to the Executive Director of Children's Services, in consultation with the Portfolio Holder for Children's Services, to approve the award of an extension to the Council's current contract with Palfrey Community Association for the delivery of Children's Centres services in the South of Walsall for up to 6 months from initial contract expiry on 31 March 2017 to 30 September 2017, to give sufficient time for future service delivery model proposals and commissioning intentions consultation to be undertaken.

3547 Supervised contact services contract for looked after children

Councillor Burley presented the report:

(see annexed)

In presenting the report, Councillor Burley amended recommendation (1) in the report as follows:

Delete "attached to"
Insert "referred to"

Councillor Burley **moved** the recommendations as amended which were seconded and:

Resolved

- (1) That Cabinet note the key elements of the updated supervised contact procedure, guidance and operational toolkit referred to in the report.
- (2) That Cabinet notes the intention to publish a tender for the provision of new contract arrangements from 1 April 2017.
- (3) That Cabinet delegates authority to the Executive Director, Children's Services in consultation with the Portfolio Holder for Children's Services to accept tenders and enter into new contracts with service providers on behalf of the Council and to subsequently authorise the sealing of any deeds, contracts or other related documents for such services.

3548 Black Country Sustainability and Transformation Plan

Councillor Robertson presented the report:

(see annexed)

Resolved

That members note the submission of the Black Country Sustainability and Transformation Plan on 21 October and that it is a draft work in progress which will be subject to full consultation and engagement.

3549 Tobacco Control Strategy for Walsall 2016-2019

Councillor J. Fitzpatrick presented the report:

(see annexed)

Resolved

- (1) That Cabinet approve the revised Tobacco Control Plan for Walsall and endorse The Safer Walsall Partnership Board oversee its implementation.
- (2) That Cabinet sign the Local Government Declaration on Tobacco Control.
- (3) That authority be delegated to the Director of Public Health to implement the plan by using the most appropriate procedures.

3550 Health and social care funding allocations

Councillor D. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet agrees the implementation of the draft 'S117 Joint Decision Tool' for the distribution of S117 costs for a trial period of 6 months, acknowledging that it is likely higher costs will be attributed to Walsall Metropolitan Borough Council than were previously and delegates authority to the Executive Director of Adult Social Care to consider the findings of the trial and decide if to adopt the recommendations in the long term.
- (2) That Cabinet approves the outcome of the pooled budget disaggregation exercise and approves the subsequent reduction of Walsall Clinical Commissioning Group contribution via the Section 75 Partnership Agreement for Commissioning of Services to the learning disability pooled budget of £1,577,059 (full year effect) from 27 October 2016. This equates to £678,000 for the period 27 October 2016 – 31 March 2017.
- (3) That Cabinet notes that any overspend against the learning disability pooled budget will be proportionately split, based on the revised contributions per partner (78.5% and 21.5%) as per the Section 75 Agreement.
- (4) That Cabinet approves the 'Learning Disability Joint Funding Process' detailed within Appendix 2 for the distribution of learning disability package costs for a trial period of 6 months acknowledging that the financial impact of this is unknown and could possibly result in higher costs being attributed to Walsall Metropolitan Borough Council than were previously.
- (5) That Cabinet delegates to the Executive Director for Adult Social Care to enter into a variation (if necessary) to the relevant partnership agreement(s) between Walsall Metropolitan Borough Council and Walsall Clinical Commissioning Group for the learning disability pooled budget, by using the most appropriate procedures and to subsequently authorise the sealing of any deeds, contracts or other related documents for such an agreement.
- (6) That Cabinet agrees that the Joint Commissioning Committee should oversee a piece of work to review the development and application of the Continuing Healthcare plan.
- (7) That Cabinet notes that discussions in relation to budgets within the Better Care Fund will be overseen by the Joint Commissioning Committee and Health and Wellbeing Board.

3551 Unaccompanied asylum seeking children

Councillor Burley presented the report:

(see annexed)

Councillor Burley advised that this report was a separate matter to the dispersal of Unaccompanied Asylum Seeking Children (UASCs) arising from the closure of the migrant camp near Calais. In this respect, she said that the situation was moving at a fast pace and asked the Executive Director for Children's Services, Mr. D. Haley to provide an update on the impact locally.

Mr. Haley explained that there was limited information on the implications for the West Midlands and Walsall at this point in time, however, should there be a need to receive any of this cohort, it was likely to be at a moment's notice and was likely to be with minimal information about the children involved. He said that it would be critical that the needs of the children were known urgently so that those needs could be met quickly. Mr. Haley assured Cabinet members that Directors of Children's Services were working closing with the Home Office and Strategic Migration Partnership accordingly to ensure that local arrangements were in place to receive children as necessary.

The Leader thanked Mr. Haley and it was:

Resolved

- (1) That Cabinet agrees to accept 15 unaccompanied asylum seeking children via the scheme on a phased approach over the next three years from April 2017.
- (2) That one child every 2 /3 months be received via the scheme to allow for appropriate planning of resources.
- (3) That Children's Services seek to negotiate regarding the cohort of children identified to ensure a balance and mix of needs.
- (4) That the Migration Partnership Working Group provide governance arrangements to the reception of unaccompanied asylum seeking children dispersed by the scheme and has an overview of the total population of refugees and unaccompanied asylum seeking children within the Borough.

3552 Remembrance Day Parades

A report was submitted:

(see annexed)

Resolved

- (1) That the interim report and recommendations of the Remembrance Day Working Group be noted at this stage.
- (2) That a report in response to the recommendations be submitted to Cabinet in December.

The meeting terminated at 6.45 p.m.

Chair:

Date: