

Wednesday 21 July 2021 at 6.00 p.m.

Held in Council Chamber at the Council House Walsall

Note: This meeting was held in the Council Chamber in accordance with s.102 of the Local Government Act 1972 and the Council's Constitution. In order to comply with social distancing requirements as a result of the Covid-19 pandemic, the meeting was conducted via Microsoft Teams in accordance with the Council's Standing Orders for Remote Meetings.

Present

Councillor Bird	Leader of the Council
Councillor Perry	Deputy Leader and Resilient Communities
Councillor Martin	Adult Social Care
Councillor Wilson	Children's
Councillor Butler	Clean and green
Councillor Towe	Education and skills
Councillor Statham	Internal Services

In attendance – in person

Dr. H. Paterson, Chief Executive

Mr A. Cox, Director of Governance and Monitoring Officer

Mrs H. Owen, Democratic Services Officer

In attendance – remote

Mrs D. Hindson, Executive Director, Resources and Transformation

Mr S. Neilson, Executive Director, Economy Environment and Communities

Mrs K. Allward, Executive Director, Adults, Public Health and Hub

Mrs S. Rowe, Executive Director Children's and Customer

Mr S. Gunther, Director of Public Health

3749 Welcome

At this point, Councillor Bird opened the meeting by welcoming everyone, and explaining that as the emergency legislation which enabled Council meetings to meet virtually had expired, the Cabinet was meeting that evening in person with appropriate social distancing requirements. He advised that the meeting would be conducted however via Microsoft Teams to enable it to be streamed on YouTube for members of the public to view and enable officers to contribute remotely if required. He also confirmed that voting that evening would be by way of a show of hands which would be visible on YouTube. Councillor Bird 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.

3750 Apologies

An apology for non-attendance was received from Councillor Andrew and Councillor Craddock

Note: Councillor Craddock attended remotely as an observer and took no part in the discussion or voting on the agenda items.

3751 Minutes

The minutes of the meetings held on 16 June and 7 July were submitted.

Resolved

That the minutes of the meeting held on 16 June and 7 July 2021 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3752 Declarations of interest

There were no declarations of interest.

3753 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.

3754 Petitions

No petitions were submitted.

3755 Questions

No questions were submitted

3756 Forward plan

The forward plan as at 5 July 2021 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3757 Corporate Financial Performance

Councillor Bird presented a report which provided the forecast financial position for 2021/22, including the impact of Covid-19; the approach to the 2022/23 budget process and amendments to the Tax Strategy; and which provide a high level assessment of the Council's compliance with the CIPFA Code of Financial Management.

(see annexed)

Resolved:

That Cabinet:

- 1) Notes the total Covid-19 funding available to Walsall in 2021/22 of £29.31m as set out in section 4.6 and **Appendix 1** of this report, and that this may be insufficient to cover the additional costs of supporting the council's Covid-19 response beyond the short term.
- 2) Notes that, of the £29.31m grant, £14.64m is ringfenced for specific activity as set out in **Appendix 1** and this is expected to be fully spent.
- 3) Notes the forecast impact of Covid-19 to May 2021 £1.82m and total forecast of £12.28m for 2021/22 based on known assumptions in relation to costs *not covered by specific grant*, as set out in section 4.6 to 4.12, and the estimated financial impact on the delivery of 2021/22 approved savings as set out in sections 4.13 to 4.15 and **Appendix 3**.
- 4) Approves the use of £5.51m of Covid-19 funding from unringfenced grant to support Adult Social Care demographic and workforce pressures, looked after children pressures and increased waste disposal costs, as referenced in section 4.12.
- 5) Approves the use of £905k of unringfenced Covid-19 funding to support the one-off shortfall in savings set out in **Appendix 3**, noting that the £306k saving for Money Home Job was approved by the Leader on 19 April 2021 in advance of Cabinet due to the impact on the service, as referred to in section 4.15.
- 6) Notes that, of the £14.67m of unringfenced Covid-19 grant available, all but £1.92m is allocated, leaving little to manage any further unknown pressures that may arise.
- 7) Notes the non Covid-19 related demand and other service pressures totalling c£4.49m as set out in 4.16 to 4.27, and actions being taken to address these.
- 8) Approves the passporting of Financial Transparency in Local Authority Maintained Schools Grant to Finance as set out in section 4.28.
- 9) Approves amendments to the capital programme as set out in section 4.29, including noting the redesignation of existing resources of £500k to fund additional One Source costs for the development of payroll systems, as approved by the Leader.

- 10) Notes that the forecast for the council funded capital programme is currently expected to be on budget with no carry forwards currently being reported into 2022/23.
- 11) Notes financial health indicator performance as set out in section 4.32 to 4.37 and **Appendix 4**.
- 12) Notes the prudential indicators as set out in section 4.38 to 4.40 and **Appendix 5**.
- 13) Notes the work underway to update to the medium term financial outlook and approve the approach for setting the 2022/23 budget, as set out in section 4.41 to 4.50 alongside the council's budget framework and Proud promises.
- 14) Notes that the Medium Term Financial Strategy is being assessed against the CIPFA Code of Financial Management, and amendments will be reported back to Cabinet in October, as set out in section 4.51.
- 15) Approves the amendments to the Tax Strategy and governance arrangements to ensure it remains fit for purpose, as set out in section 4.52.

3758 **Treasury Management Annual Report**

Councillor Bird presented a report which set out the Council's 2020/21 year end position for Treasury Management activities.

(see annexed)

Resolved:

To note and forward to Council, for consideration and noting (in line with the requirements of the Treasury Management Code of Practice (2017)), the annual position statement for treasury management activities 2020/21 including prudential and local indicators (Appendix A).

3759 **Performance Management Framework**

Councillor Bird presented a report which sought approval for a refreshed Performance Management Framework

(see annexed)

Resolved:

- 1) That Cabinet notes and accepts the comments and recommendations of Audit Committee and thanks them for the Committee's assurance role in this matter.

- 2) That Cabinet approves the Performance Management Framework and its use by all services.

3760 Restart Scheme

Councillor Bird presented a report on behalf of Councillor Andrew which explained the scheme, being a Department for Work and Pension (DWP) national welfare to work programme, and which sought approval to provide services on behalf of the partner acting for the Restart scheme.

(see annexed)

Resolved

- 1) That Cabinet approves the Council to enter into a contract with Serco for a term of 5 years to act as a supply chain partner on the Restart scheme subject to intensive scrutiny, due diligence and contract negotiations.
- 2) That Cabinet notes the financial implications and financial risks set out in Section 4 of the report.
- 3) That Cabinet delegates authority to the Executive Director for Economy Environment and Communities in consultation with the Deputy Leader of the Council and Portfolio Holder for Regeneration to authorise the Council to enter into a contract and to subsequently authorise the sealing of any deeds, or signing of contracts or other related documents for such services and variations to the contract during its term.

3761 Civil parking and Moving Traffic Enforcement contract

Councillor Bird presented a report on behalf of Councillor Andrew which sought approval to award a contract to provide a mechanism to enforce parking, bus lane and moving traffic contravention restrictions that are necessary to maintain the safe and efficient operation of the public highway.

(see annexed)

Councillor Bird advised that the Cabinet would make the decision following consideration of the confidential information in the private session of the agenda.

(See decision at minute number 3768)

3762 Local Authority Delivery Scheme (LADS) Housing Retro fit – appointment of contractor

Councillor Bird presented a report on behalf of Councillor Andrew which sought approval to award a contract to ensure that the Council could use time-limited LADS funding to improve the energy efficiency of dwellings in the borough and help tackle fuel poverty, excess winter deaths and domestic carbon emissions

(see annexed)

Resolved:

- 1) That Cabinet awards a contract to E.on Energy Services Limited for energy efficiency works to homes in Walsall as provider for the Local Authority Delivery Scheme (LADS) 1B and 2 schemes, as call offs from the Fusion 21 Framework, for a period from 2 August 2021 up to end of March 2022, with an option to extend if required and with an anticipated value of up to £4,530,000.
- 2) That Cabinet delegates authority to the Executive Director of Children's Services to enter into the relevant agreements with E.on Energy Services Limited on behalf of the council and to subsequently authorise signing of any associated contracts, deeds or other related documents related documents.

3763 Domestic Abuse Accommodation Services

Councillor Wilson presented a report which sought approval for a new service delivery model to ensure that the Council effectively delivered its new duties outlined in the Domestic Abuse Act.

(see annexed)

Resolved:

- 1) That Cabinet approves the new Domestic Abuse service delivery model, and undertaking of a competitive procurement process, to determine the most suitable provider(s) for the delivery of support to all victims with children who need Children's Services interventions
- 2) That Cabinet delegates authority to the Executive Director of Children's Services, in consultation with the Portfolio Holder for Regeneration, to approve the new service delivery model for domestic abuse safe accommodation and support following a public consultation exercise, and note that Cabinet will receive a further report to approve contract award following the procurement exercise.

3764 Shared Lives Payments remodelling

Councillor Martin presented a report which provide the outcome of a consultation on a new model of service and sought approval for its implementation.

(see annexed)

Resolved:

That Cabinet:

- 1) Notes the summary of key findings from the recent consultation exercise (**Appendix 1**).
- 2) Approves the Directorate's wish to proceed to implementation of the preferred payment model inclusive of four bandings, for purpose of payments to Shared Lives carers as originally set out within the report to cabinet in April 2021.

- 3) Agrees that this work can be delivered across several months as part of good practice and to maximise the opportunities of the service retaining its current cohort of carers, to minimise disruption to existing end users of the service and to ensure that people are given sufficient notice of the changes, noting that the changes will also require the support of other Directorate teams and systems to ensure the smooth process for payments across the scheme.

3765 Liquid fuel supply contract

Councillor Butler presented a report which sought approval to award a contract for the provision of fuel to enable the provision of a number of frontline services including waste collections, street cleaning, highways maintenance and school transport.

(see annexed)

Councillor Butler advised that the Cabinet would make the decision following consideration of the confidential information in the private session of the agenda.

(See decision at minute number 3770)

3766 Variation to Determined Admission Arrangements for 2021/22 and 2022/23

Councillor Towe presented a report which sought to ensure that the Council met its statutory duty to ensure that children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted are given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC).

(see annexed)

Resolved

- 1) That Cabinet approves the amended paragraphs 2.1, 3.1 and 4.1 of the Local Authority's determined admissions arrangements for community and voluntary controlled schools for the academic years 2021/22 and 2022/23 as previously determined by Cabinet on 12 February 2020 and 10 February 2021.
- 2) That Cabinet gives conditional approval for these variations to take effect from 1 September 2021. In the event that the draft Code does not come into force from 1 September 2021 then the existing determined arrangements for the 2021/22 and 2022/23 academic years as previously determined by Cabinet on 12 February 2020 and 10th February 2021 will stand.
- 3) That Walsall Council informs all relevant stakeholders of these variations to its determined admission arrangements for the 2021/22 and 2022/23 academic year in accordance with the provisions of the School Admissions Code 2021

3767 **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.

Private session - Public Summary of matters considered

3768 **Civil Parking and Moving traffic Enforcement Contract**

(see public session minute number 3761)

A report containing confidential information was submitted.

Public summary: Following consideration of confidential information, the Cabinet

- 1) Approved the award of contract to APCOA Parking (UK) Ltd for the provision of civil parking and moving traffic enforcement services for the period 1 October 2021 to 30 September 2026.
- 2) Delegated authority to the Executive Director for Economy, Environment and Communities, in consultation with the Cabinet Member for Regeneration, to authorise the award of the additional 2 further optional 1 year extensions for the periods 1 October 2026 to 30 September 2027 and 1 October 2027 to 30 September 2028.
- 3) Delegated authority to the Executive Director for Economy, Environment and Communities, in consultation with the Cabinet Member for Regeneration, to authorise the signing and sealing of the contract documentation.

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

3769 **Phoenix 10 project - Environmental Impairment Liability Insurance**

A report containing confidential information was submitted.

Public Summary: The Phoenix 10 project aims to secure major investment in the borough to enable substantial new employment floor space and significant job creation.

The Cabinet considered a confidential report relating to the need secure the necessary approvals to enable contractual obligations to be met in respect of the provision of Environmental Impairment Liability Insurance.

The Cabinet delegated authority to the Executive Director for Economy, Environment and Communities in consultation with the Portfolio Holder for Regeneration to award the contract for Environmental Impairment Liability Insurance for the Phoenix 10 Project; 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 well as any extension and variation of the contractual arrangements including cancelation and re-write arrangements or other related documents should this be required throughout the duration of the contract

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

3770 **Liquid fuel supply contract**

(see public session minute number 3765)

A report containing confidential information was submitted.

Public summary: Following consideration of confidential information, the Cabinet:

- 1) Approved the award of the contract to supply vehicle fuel and heating oil to Certas Energy UK Ltd through the Yorkshire Purchasing Organisation Liquid Fuel 981 framework for an initial period of 24 months commencing 1 October 2021 with the option to extend the contract for a further 24 months (2 x 12 month extensions).
- 2) Delegated authority to the Executive Director of Economy, Environment and communities to authorise the award of the contract to Certas for the initial 24 months and the two subsequent 12 month extensions.

The meeting terminated at 6.31 p.m.

Chair:

Date: