



# Walsall Council

**PUBLISHED ON THURSDAY 11 FEBRUARY 2021: Decisions set out below cannot be implemented until 5 clear working days after publication of this notice which is FRIDAY 19 FEBRUARY 2021**

## Cabinet – 10 February 2021

### DECISIONS

#### Part I – Public session

Item	Decision
1. Apologies	None
2. Minutes – 9 December 2020	Approved
3. Declarations of Interest	None
4. Local Government (Access to Information) Act	That the public be excluded during consideration of the item in the private session.
5. Petitions	None
6. Questions	None
7. Forward plan	That the forward plan be noted.
8. Crisis Support Provision for families in financial hardship during the Covid-19 pandemic (Cllr Perry)	1) That Cabinet notes the outcome of the Independent Appraisal of the Crisis Support Provision for families in financial hardship during the Covid-19 pandemic and endorses the recommendations listed in Appendix 1. 2) That Cabinet request a further report on progress made (in 6 months' time).

<p>9. Corporate Plan Delivery – Q3 performance report (Cllr Bird)</p>	<p>That Cabinet notes the performance information provided in the appendix.</p>
<p>10. Corporate Financial Performance and Covid-19 update (Cllr Bird)</p>	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1) Notes the additional funding allocated to Walsall as set out in sections 4.4 and <b>Appendix 1</b> of this report, and that this will be sufficient to cover the additional costs of supporting the council’s Covid-19 response in the short term, assuming the current position does not continue beyond current forecast levels.</li> <li>2) Notes the forecast impact of Covid-19 to November 2020 as set out in section 4.4 to 4.14, and that expenditure plans for all grants shown on Appendix 1 are completed to ensure spend is committed in accordance with respective grant conditions.</li> <li>3) Approves £259k of additional costs in relation to vaccination centres to be funded from the Contain Outbreak Management grant, and £592k for the roll out of lateral flow testing in care homes, as set out in section 4.12.</li> <li>4) Notes the draft forecast non Covid-19 service position is an underspend of £0.26m.</li> <li>5) Approves the write off of debt as detailed in section 4.17.</li> <li>6) Approves the amendments to the 2020/21 capital programme as set out in section 4.18</li> <li>7) Notes the financial health indicator performance as set out in <b>Appendix 3</b>.</li> </ol>
<p>11. Corporate Plan 2021-22 (Cllr Bird)</p>	<ol style="list-style-type: none"> <li>1) That Cabinet supports the refreshed 2021-22 Corporate Plan, as appended to the report.</li> <li>2) To recommend to Council: That the refreshed 2021-22 Corporate Plan be approved.</li> <li>3) That authority be delegated to the Director of Public Health and the Leader of the Council to make minor amendments necessary prior to submission to Council.</li> </ol>

<p>12. Corporate Budget Plan 2021/22 to 2023/24 incorporating Capital Strategy, Treasury Management and Investment Strategy</p> <p>(Cllr Bird)</p>	<p><i>See decision at the end of this document</i></p>
<p>13. A34 Walsall Birmingham SPRINT Scheme – Phase 1</p> <p>(Cllr Andrew)</p>	<p>1) That Cabinet agrees the designs for A34 SPRINT Phase 1 within Walsall Borough as described in Section 4 of the report and incorporating the highway works as set out in Table 2 in this report and as shown in the scheme drawings for the infrastructure works at <b>Appendix C</b>;</p> <p>2) That Cabinet delegates authority to the Executive Director for Economy, Environment and Communities, in consultation with the Cabinet Member for Regeneration and the Local Highway Authority, to agree any changes to the detail of the SPRINT Phase 1 scheme designs with West Midlands Combined Authority who are acting in their capacity as project funder</p>
<p>14. WM Enhanced Partnership Plan and Scheme</p> <p>(Cllr Andrew)</p>	<p>1) That Cabinet agrees to the making of the West Midlands Enhanced Partnership Plan in conjunction with TfWM / WMCA and the other local authorities subject to compliance with the relevant statutory objection and consultation processes for making the EP Plan in order to deliver improvements to bus travel as outlined in ‘Strategic Vision for Bus’ and deliver SPRINT in the A34 and A45 / B425 corridors annexed as <b>Appendix A</b>.</p> <p>2) That Cabinet agrees to make the Enhanced Partnership Scheme for the A34(N) and A45 / B425 in conjunction with TfWM / WMCA and the other local authorities subject to compliance with the relevant statutory objection and consultation processes for making the EP Scheme annexed as <b>Appendix B</b>.</p>
<p>15. Domestic Abuse Emergency Accommodation support Service – Extension of Contract</p> <p>(Cllr Andrew)</p>	<p>1) That Cabinet approve the extension valued at £94,435 of the contract for the Provision of Domestic Abuse Emergency Accommodation Support Service with Accord Housing Association for the period 1 April 2021 to 30 September 2021.</p> <p>2) That Cabinet delegates authority to the Executive Director of Children’s Services to subsequently authorise the sealing or signing of any associated</p>

	<p>contracts, deeds or other related documents for the following contracts.</p> <p>3) That Cabinet delegates authority to the Executive Director for Children’s Services, in consultation with the Portfolio Holder for Regeneration, to authorise any variations to the contractual arrangements for the services identified above, should this be required at any time during the term, in line with Public Contract Regulations 2015 and the Council’s Contract Rules.</p>
<p>16. Options for a Transit Site in Walsall <i>(Cllr Andrew)</i></p>	<p>1) That Cabinet approve Option 2 and consequently, the submission of a planning application to construct a temporary traveller transit site at Narrow Lane.</p> <p>2) That, subject to planning approval, Cabinet approve a budget of £160k for the construction of a traveller transit site in accordance with the planning consent.</p> <p>3) That Cabinet delegate authority to the Executive Director for Economy, Environment and Communities in consultation with the Deputy Leader of the Council, to award a contract for the provision of a traveller transit site at Narrow Lane.</p> <p>4) That Cabinet delegate authority to the Executive Director for Economy, Environment and Communities to enter into the contract, and to subsequently authorise the sealing, signing or variation of any deeds, contracts or other related documents for such services, within the approved budget envelope</p>
<p>17. Supplier Relief Payments to Contracted and non-contracted social care providers <i>(Cllr Martin)</i></p>	<p>1) That Cabinet approves funding of up to a further £900,000 for additional supplier relief to contracted and non-contracted Adult Social Care providers. This will be subject to agreed governance, as set out in this report. This additional supplier relief is projected to meet the demand from the adult social care market until 31<sup>st</sup> March 2021.</p>

	<p>2) That Cabinet approves delegated authority to the Executive Director of Adult Social Care in consultation with the Portfolio Holder of Adult Social Care to enact these recommendations and subsequently authorise the sealing or signing of any associated contracts, deeds, variations and other related documents.</p> <p>3) That Cabinet approves delegated authority to the Executive Director of Adult Social Care in consultation with the Portfolio Holder of Adult Social Care and the S151 officer to extend the flexible arrangements, within the approved budget envelope and in accordance with the Council's Constitution.</p>
<p>18 Sub Regional Supported Accommodation Framework <i>(Councillor Wilson)</i></p>	<p>1) That Cabinet approve Walsall Council to continue to be a member of the sub regional supported accommodation framework approach, where applicable, for 16 and 17 year old looked after young people in the process of leaving care and vulnerable and homeless 16 and 17 year olds supported by Children's Social Care.</p> <p>2) That Cabinet delegate authority to the Executive Director of Children's Services, in consultation with the Portfolio Holder of Children's Services, to enter into call-off contracts with supported accommodation providers that successfully tender to Staffordshire County Council to join the Framework.</p> <p>3) That Cabinet delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Children's Services, 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 Staffordshire County Council to facilitate these services.</p> <p>4) That Cabinet delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Children's Services, 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 and provided they are in line with the Council's</p>

	<p>Contract Rules and relevant Public Contract Regulations 2015.</p> <p>5) That Cabinet delegate authority to the Executive Director of Children Services, in consultation with the Portfolio Holder for Children Services, to extend any existing arrangements, in line with the Council’s Contract Rules and Public Contract Regulations 2015, where this is required to enable a successful transition from the existing framework agreement to the new one for these services.</p>
<p>19. High Needs Funding (Cllr Towe)</p>	<p>1) That Cabinet approve the revised local high needs funding model, recommended by Schools Forum at their meeting on 12 January 2021 and set out in appendices A and B of this report.</p> <p>2) That Cabinet approve the implementation of the proposed high needs funding model for 2020/21, as set out in section 4.5 of this report. Namely for all new EHCPs and all special school EHCP pupils from 1 April 2021 and for mainstream pupils with existing EHCPs through scheduled Annual Reviews from 1 April 2021 onwards.</p> <p>3) That Cabinet approves to delegate authority to the Executive Director of Children’s Services, in consultation with the Portfolio Holder for Education and Skills, to amend the final formula, within the total High Needs block funding that is available, to accommodate any protection that may be required if the request to disapply the Minimum Funding Guarantee is not supported by the Department for Education.</p> <p>4) That Cabinet approves to delegate authority to the Executive Director of Children’s Services, in consultation with the Portfolio Holder for Education and Skills, to agree the utilisation of any amount of available High Needs funding to support special schools and Pupil Referral Units in financial difficulty, as allowed within the High Needs Funding guidelines.</p>
<p>20. Determination of Admission Arrangements for 2022/23 academic year</p>	<p>1) That the proposed schemes as set out in <b>Appendix A</b> for inter-authority coordinated admissions for 2022/23 are approved.</p>

<i>(Cllr Towe)</i>	<p>2) That the admission arrangements for community and voluntary controlled primary schools for the academic year 2022/23, as set out in <b>Appendix B</b> of this report, are determined.</p> <p>3) That Walsall Council informs all relevant stakeholders of the determination of its admission arrangements for the 2022/23 academic year in accordance with the provisions of the School Admissions Code 2014.</p>
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## Part II – Private session – Public Summary

Item	Decision
<p>21. Strategic Acquisitions - High Street Brownhills</p> <p><i>(Cllr Andrew)</i></p>	<p>The Cabinet:</p> <p>1) Delegated authority to approve the use of the Council’s capital budget to cashflow all the final costs associated with acquisition of the third party land parcels</p> <p>2) Authorised the use of Compulsory Purchase Powers under the Town and Country Planning Act 1990 to acquire any third party land to enable the redevelopment of the former Ravenscourt Shopping Centre, Brownhills</p>
<p>22. Willenhall Masterplan – Strategic Land Acquisitions</p> <p><i>(Cllr Andrew)</i></p>	<p>The Cabinet :</p> <p>1) Noted the due diligence that had been completed as part of the stage 1 Baseline Review and noted the recommendation for further workstreams that include the development of a framework masterplan.</p> <p>2) Authorised negotiations with landowners/occupiers of land interests, the outcome of which would be presented to Cabinet in a future report together with any budgetary and legal requirements</p> <p>3) Delegated authority to the Executive Director Economy, Environment and Communities to amend the boundary of the site following title and other investigations in respect of this site.</p>

<p>23 Black Country Enterprise Zone – Gasholders Site – Next Steps  (Cllr Andrew)</p>	<p>The Cabinet:</p> <ol style="list-style-type: none"> <li>1) Approved the preparation of a procurement and delivery strategy, including Prior Information Notice (PIN), to determine the procurement route, the Council’s role in the development and requirements for the appointment of a development partner for the delivery of the Gasholders site, facilitated by an external property consultant and legal advisors.</li> <li>2) Approved the use of the Gasholders site on a temporary basis for meanwhile uses, the rental income from this being used towards the funding of the project delivery costs.</li> </ol>
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## 12. Corporate Budget Plan 2021/22 to 2023/24 including Capital Strategy, Treasury Management and Investment Strategy

### 1. That Cabinet note:

- a) That at the time of despatch of this report, the final local government settlement for 2021/22 has not been received. (The final local government settlement for 2021/22 has been confirmed as 10 February 2021, and any changes will be included within the final papers to Council).
- b) That at the time of despatch of this report, the precepting authorities (fire and police) had not formally notified the authority of their final council tax precept levels for 2021/22. (The council has been advised that they will be approved following meetings scheduled for early to mid-February, final figures may therefore be provided prior to or at the Council meeting of 25 February 2021).
- c) That at the time of despatch of this report, the levy authorities, (Environment Agency and West Midlands Combined Authority - Transport Levy) had not formally notified the authority of their final demand for 2021/22. Estimates have been used for the Transport Levy based on informal communication, but these are subject to formal approval. (The final Transport Levy is expected to be approved early February, and will be included within the final papers to Council).
- d) That the council tax base, set by the S151 Officer under officer delegations, is 70,809.41 for 2021/22.
- e) The feedback from Overview and Scrutiny Committees on the draft capital programme and revenue budget and responses to recommendations, as set out in **Section A - Part 1** of this report.



- f) The amendments to the budget arising from the Provisional Settlement, including additional savings identified since the October Cabinet report, as set out in section 4.25.
- g) That Members must have due regard to consultation feedback and the public sector equality duty (Section 149 of the Equality Act 2010) when making budget decisions.

**2. That Cabinet approve:**

- a) The attached report as set out in **Section A - Part 2 and Part 3**: The Findings from Budget Consultation: Financial Year 2021/22+ and Cabinet Responses and that Members have had regard to their duties in relation to consultation, and in relation to the public sector equality duty, in forming their budget recommendations.
- b) That delegated authority be given to the S151 Officer to make any necessary amendments, after consultation with the Leader (portfolio holder for finance), to take account of the final local government settlement, final levies and precepts; final grant allocations and final technical guidance or legislation on the budget, and to make any necessary amendments to the statutory determinations and council tax bands to take account of those changes and the resulting final analysis of the budget and for these amendments to be submitted and therefore recommended to Council at its meeting on 25 February 2021, after consultation with the portfolio holder for finance (Leader of the Council).
- c) Policy service changes as set out in Table 1 of this covering report, and instruct executive directors to implement these.
- d) That delegated authority be given to the S151 Officer, after consultation with Leader of the Council and Chief Executive, to agree the council's final contribution to the West Midlands Combined Authority.
- e) That members approve a commitment to Birmingham Airport Holdings Ltd (BAHL) to make a loan as set out within section 4.16, and sections 4.31 to 4.40 of this report, having due regard to the information provided in the Private Appendix, and that delegation is given to the S151 Officer after consultation with the Monitoring Officer and Leader of the Council to sign and enter into all legally binding agreements including any variations to the proposal that may arise during the shareholders governance process with BAHL.

**3 To approve and recommend to Council, subject to receipt of the final local government settlement, final precepts and levies, receipt of final grant allocations, technical/legislative guidance and final specific grant allocations (*substitute figures and resolution to be provided to Council by the S151 Officer to take account of any changes arising from these*) the following:**

**3.1 Revenue**

- a) The financial envelope of resources for 2021/22 as set out in **Section B - Part 1** "The Revenue and Capital Budget Plan".

- b) A Walsall Council net council tax requirement for 2021/22 of £132.55m and a 4.99% increase in council tax (inclusive of 3% precept for Adult Social Care).
- c) That the recommendations of the S151 Officer in respect of the robustness of the estimates made for the purposes of the budget calculations and the adequacy of reserves **be approved**, including the levels of central contingency and an opening general reserve of no less than £16.64m, as set out in the S151 Officer Section 25 statement in **Annex 12** of the Budget Plan.
- d) The (estimated) levies below for outside bodies and Cabinet **approve** that the final figures **be substituted** for these provisional ones once they are available at the Council meeting on 25 February 2021. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,183,812
Environment Agency	82,739

- e) The following statutory determinations (references are to the Local Government Finance Act, 1992 as amended), and subject to any final changes arising from receipt of final precepts and levies, receipt of final grant allocations, technical/legislative guidance and final specific grant allocations, **and Cabinet approve that these will be substituted** at the Council meeting on 25 February 2021 for the final figures once received:
- I. **£657,732,870** being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.
  - II. **£525,187,089** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
  - III. **£132,545,781** being the amount, by which the aggregate at (e) (I) above exceeds the aggregate at (e) (II), calculated by the council in accordance with Section 31A(4) of the Act, as its council tax requirement for the year.
  - IV. **£1,871.87** being the amount at (e) (III) above, divided by the council tax base of 70,809.41, calculated by the council in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (average council tax at band D).
  - V. Valuation bands  
Being amounts given by multiplying the amount at (e) (IV) above by the number which, in the proportion set out in Section 5 (1) of the Local Government Act 1992, is applicable to dwellings listed in valuation band D, calculated by the council in accordance with Section 30 and 36 of the Act as

the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

A	B	C	D
1,247.91	1,455.90	1,663.88	1,871.87
E	F	G	H
2,287.84	2,703.81	3,119.78	3,743.73

- f) The draft precept from the Fire and Rescue Authority and the Police and Crime Commissioner, issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwelling shown below and Cabinet **approve** that the final figures **be substituted** once they are available at the Council meeting on 25 February 2021.

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police And Crime	118.37	138.09	157.82	177.55
	E	F	G	H
Fire & Rescue	217.01	256.46	295.92	355.10
	A	B	C	D
	42.03	49.03	56.03	63.04
	E	F	G	H
	77.05	91.06	105.07	126.08

- g) That having calculated the aggregate in each case of the amounts at (e) (v) and (f) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts of council tax for 2021/22 for each of the categories of dwellings shown below and Cabinet **approve** that the final figures **be substituted** once the final precepts are available at the Council meeting on 25 February 2021.

A	B	C	D
1,408.31	1,643.02	1,877.73	2,112.46
E	F	G	H
2,581.90	3,051.33	3,520.77	4,224.91

- h) That notice **be given** of the council tax within twenty one days of it being set by publishing details of the same in the "Express and Star" newspaper circulating in the Authority's area.

- i) That the S151 Officer **be instructed** to take all necessary action in relation to council tax, community charge and national non-domestic rates, including, where appropriate, the signing of all documents, billing, the giving of notices and the taking of necessary steps to ensure collection thereof.
- j) That the S151 Officer **be given delegated authority** to make transfers to and from reserves in order to ensure that reserves are maintained as necessary and in particular, adjusted when reserves are no longer required, or need to be replenished.
- k) That, pursuant to Section 52ZB and 52ZC of the Local Government Finance Act 1992, the relevant basic amount of council tax for the Council is not excessive in relation to determining whether a referendum is required.

### 3.2 Capital

- a) The allocation of capital expenditure plans as set out in **Section B - Part 1** “The Revenue and Capital Budget Plan” and that the capital and leasing programme as set out in **Annex 9 be approved** bearing in mind the principle that unless affordable from within current resources, specific projects funded by borrowing will not be commenced until a payback agreement is in place. Schemes funded from grant will commence when final allocations are published. Reserve list items will only commence should funding become available during the financial year.
- b) That the S151 Officer be **given delegated authority** to determine how each source of finance is used to fund the overall capital programme and to alter the overall mix of financing as necessary, to maximise the flexibility of capital resources used and minimise the ongoing costs of borrowing to the council.
- c) That the S151 Officer, after consultation with the Leader (portfolio holder for finance), be **given delegated authority** to release capital resources held back for any contingent items that may arise (earmarked capital receipts for essential or emergency spend), and also for any match funding requirements that may be required of the Council in order to secure additional external capital funding (e.g. bids for government or other funding).
- d) The Capital Strategy set out in **Annex 8** of the Budget Plan **be approved**.
- e) The Flexible Use of Capital Receipts Strategy set out in **Annex 11** of the Budget Plan be approved.

### 3.3 Treasury Management

1. **Section B – Part 2A** – The Treasury Management and Investment Strategy 2021/22 onwards, including the council’s borrowing requirement, borrowing limits, and the adoption of the prudential indicators, **be approved**.
2. That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, **be delegated** to the S151 Officer.

3. That decisions to use capital receipts or borrowing within the framework of approved prudential indicators **be delegated** to the S151 Officer.
4. **Section B – Part 2B** – Treasury Management Policies, **be approved**.

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