

Cabinet minutes

Wednesday 15 July 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

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.

3572 Minutes

Councillor Bird moved approval of the minutes of the meeting on 17 June 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 17 June 2020 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3573 Declarations of interest

There were no declarations of interest.

3574 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.

3575 Petitions

No petitions were received

3576 Questions

No questions from the public had been received

3577 Forward plan

The forward plan as at 6 July 2020 was submitted:

(see annexed)

Resolved (by assent)

That the forward plan be noted.

3578 Corporate financial performance 2020/21 and Covid-19

Councillor Bird presented the report:

(see annexed)

In presenting the report, Councillor Bird said that he was of the view that the Council should support the Borough's medium and small businesses wherever possible to provide goods and services to the Council, albeit having regard to relevant legislation including Contract Law and EU rules. Cabinet members supported this view.

Councillor Bird moved the 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:

- (1) Note the additional funding allocated to Walsall as set out in sections 4.5 and 4.6 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.
- (2) Approve the passporting of £253,601 of Reopening of High Streets Safely funding to Economy, Environment and Communities, as set out in 4.6 VI.
- (3) Note the forecast impact of Covid-19 to July 2020 as set out in section 4.7 to 4.24, including:
 - (i) The loss of income as set out in sections 4.13 to 4.16.
 - (ii) £3.46m of additional costs approved through Cabinet, Gold and Silver Control between 20 March and this report despatch date, and additional estimated costs to July 2020 of £1.03m, as set out at sections 4.17 to 4.21 and Appendix 1.
 - (iii) The estimated financial impact on the delivery of 2020/21 approved savings, as set out in sections 4.22 to 4.24.
- (4) Note the potential monthly cost of Covid-19 beyond July 2020 in section 4.9 to 4.11.
- (5) Approve the utilisation of Covid-19 grant to fund ICT business continuity as set out in 4.21.
- (6) Note a number of non Covid-19 related demand and other service pressures totalling c£4m as set out in 4.25 to 4.30, and actions being taken to address these.
- (7) Note, in summary, total pressures in 2020/21 ranging from c£35m to c£47m, which, after applying the known unringfenced Covid-19 Government grant and yet to be confirmed estimated grant for loss of income, results in net pressures of between £11m to £23m and that should no further Government funding be provided, then the council will be required to take action to address funding shortfalls. This is set out in sections 4.31 to 4.33.
- (8) Approve amendments to the capital programme as set out in section 4.35.
- (9) Note that the forecast council funded capital programme is expected to be a marginal overspend of £110k after re-phasing of £1.79m into 2021/22.
- (10) Note financial health indicator performance as set out in section 4.41 to 4.46 and Appendix 2.
- (11) Note the prudential indicators as set out in section 4.47 to 4.49 and Appendix 3.

- (12) Note the work underway to update to the Medium Term Financial outlook and approve the process for setting the 2021/22 to 2023/24 budget framework, as set out in section 4.50 to 4.60.
- (13) Note and approve the amendments to the Medium Term Financial Strategy, as set out in section 4.61.
- (14) Note that there are no amendments to the Tax Strategy and governance arrangements and that it remains fit for purpose.

3579 Regional Temporary Mortuary facility

Councillor Bird 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.

3580 Mental wellbeing impact of Covid-19

Councillor Craddock presented the report:

(see annexed)

Councillor Craddock 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 approve the Action Plan for managing the anticipated impact of Covid-19 in the population, as set out in the appendix to the report.
- (2) That Cabinet note that the Health and Wellbeing Board will receive reports on the mental wellbeing outcomes of the Action plan.

3581 Community response to Covid-19

Councillor Perry presented the report:

(see annexed)

During the ensuing discussion, the Cabinet acknowledged the many organisations who had contributed to the response, including those who had not recorded the support they had given, and were thanked for their work.

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)

- (1) That Cabinet notes the work of staff, partner organisations, the VCS and Communities in responding to the COVID-19 pandemic and thanks all those who have assisted in the community response.
- (2) That Cabinet notes the cessation of the Sneyd, central food parcel operation at the end of July 2020
- (3) That Cabinet approves the ongoing support of key infrastructure elements of the pandemic response in readiness for any potential second-wave or any local lockdown requirements;
 - Making Connections Walsall;
 - Community Hubs;
 - The network of Community Associations.
- (4) That Cabinet approves the support for Test, Trace and Isolate through Making Connections Walsall and Money, Home Job.

3582 Occupancy of Hollybank House – stroke rehabilitation unit

Councillor Martin presented the report:

(see annexed)

Councillor Martin 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 approves the issuing of a long-term lease by Walsall Council to Walsall Healthcare Trust of Hollybank House (shown edged in black on plan number EPMS 4845/1) to allow WHT to deliver their in-patient Stroke Rehabilitation Service.
- (2) That Cabinet delegates authority to the Executive Director Economy, Environment and Communities, in consultation with the Executive Director of Adult Social Care and the Portfolio Holder for Regeneration to agree the final terms of the lease.

- (3) That Cabinet approves that the rental income from Hollybank House can be used to fund the costs associated with Adult Social Care staff occupying community buildings alongside WHT colleagues at Blakenall Village Centre and other locality locations as well as using any balance of the income to support any costs arising from the Council's retained maintenance responsibilities of Hollybank House.

3583 **Future of Stanleys Nursery, Birchills**

Councillor Wilson presented the report:

(see annexed)

Councillor Wilson 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 action taken to date in relation to Stanley's Nursery Birchills is noted.
- (2) That the results and feedback from parents / carers and stakeholders consulted on 4 options about the future of Stanley's Nursery be noted.
- (3) That the closure of Stanley's Nursery, Birchills (option 4) be approved.

3584 **Surveillance and access to communications data**

Councillor Perry presented the report:

(see annexed)

Councillor Bird moved approval of the recommendations and it was:

Resolved (by assent)

- (1) That Cabinet notes the use of the Regulation of Investigatory Powers Act 2000 for the years ending 31 March 2017, 31 March 2018, 31 March 2019 and 31 March 2020 and is assured by the Executive Director Economy Environment and Communities, as the Council's Senior Responsible Officer for this legislation, that usage is consistent with the Council's Policy and Procedures.
- (2) **To recommend to Council**
 - (a) That the draft Corporate Policy and Procedures on the Regulation of Investigatory Powers Act 2000 be approved.

- (b) That the draft Corporate Policy and Procedures on the Investigatory Powers Act 2016 on the Acquisition of Communications Data be approved.
- (3) That the Executive Director Economy Environment and Communities be delegated authority to make administrative amendments to the policies as part of the report to Council.

3585 **Alternative Education Framework contract**

Councillor Towe presented the report:

(see annexed)

Councillor Towe 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 delegate authority to the Executive Director of Children's Services, in consultation with the Portfolio Holder for Education and Skills, to extend the contracts with the Alternative Education providers (in Appendix A) for 1 year, from 1 August 2020 to 31 July 2021.
- (2) That Cabinet delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Education and Skills, 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 variations to the contractual arrangements or other related documents should this be required throughout the duration of any contracts.
- (3) That Cabinet delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Education and Skills, to enter into contracts with providers of Alternative Education, not currently covered with these existing contractual arrangements, to meet identified gaps for children and young people with Special Education Needs and Disabilities (SEND.).

3586 **Special Educational Needs Disability Advice, Information and Support Service**

Councillor Towe presented the report:

(see annexed)

Councillor Towe moved the 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 delegate (i) authority to the Executive Director Children's Services to award a contract to the successful tender applicant to deliver the Special Educational Needs Disability Information, Advice and Support Service (SENDIASS) in consultation with the Portfolio Holder for Education and Skills from 7 September 2020 to 6 September 2022 and (ii) to delegate authority to extend the contract for up to 24 months if required.
- (2) That Cabinet delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Education and Skills, 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 variations to the contractual arrangements or other related documents should this be required throughout the duration of any contracts.
- (3) That Cabinet delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder for Education and Skills, to authorise any variations to the SENDIASS contract, should this be required at any time during the term.

At this point in the meeting, Councillor Bird said that he was hugely impressed by the exceptional work being done and the time commitment of Council officers of all levels, in particular, the senior officer structure, to keep the Council functioning during the current pandemic and asked that his thanks be recorded.

3587 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.

3588 Regional Temporary Mortuary facility

Councillor Bird presented the report:

(see annexed)

Councillor Bird moved the approval of the recommendations which was duly seconded.

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 urgent action waiver taken on 25 March 2020, by the Chief Executive, in consultation with the Leader, to enter into a Memorandum of Understanding with the six other West Midlands councils and Warwickshire County Council to contract with Kenyon International Emergency Services, for the provision of a temporary mortuary facility to manage excess death planning, for an initial period of up to 20 weeks from 26 March 2020.
- (2) That Cabinet approve the award of a contract to Kenyon International Emergency Services to continue delivery of the temporary regional mortuary with a reduced operation for up to the end of February 2021, in accordance with Option 5, as set out in this report and the attached private paper, which is the West Midlands Chief Executives' preferred option.
- (3) That Cabinet note that the costs of Option 5, as set out in the private paper, can be accommodated from the original financial envelope set aside, noting that this cost is being set against the Government's unringfenced Covid-19 response fund.
- (4) That the Executive Director, Economy, Environment and Communities, in consultation with the Leader, be authorised to sign contracts or contract variations and any other related documents for the continued operation of the temporary regional mortuary and to agree any minor variations to the contractual arrangements or other related documents should this be required throughout the duration of provision.

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

The meeting terminated at 5.00 p.m.

Chair:

Date: