

# Cabinet

**Wednesday 19 July 2023**

**Minutes of the meeting held in Conference Room 2 at the Council House, Lichfield Street, Walsall at 6pm.**

## **Present**

Councillor Bird (Chair)	Leader of the Council
Councillor Ali	Customer
Councillor Andrew	Deputy Leader and Regeneration
Councillor Elson	Children's Services
Councillor Ferguson	Internal Services
Councillor Flint	Health and Wellbeing
Councillor Murphy	Clean and Green
Councillor Pedley	Adult Social Care
Councillor Perry	Deputy Leader and Resilient Communities
Councillor M. Statham	Education and Skills

## **In attendance – in person**

S. Rowe, Executive Director – Children's Services  
K. Allward, Executive Director - Adult Social Care and Hub  
D. Brown, Interim Executive Director – Economy, Environment and Communities  
S. Darcy, Director – Finance, Corporate Performance Management and Corporate Landlord  
D. Moore, Interim Director, Regeneration and Economy  
S. Portman, Head of Law  
C. Goodall, Principal Democratic Services Officer  
E. Cook, Assistant Democratic Services Officer

## **In attendance – remote**

S. Gunther, Director of Public Health

## **Part 1 – Public Session**

### **4102 Welcome**

Councillor Bird opened the meeting by welcoming everyone and explaining that the Cabinet was meeting that evening in person and that the agenda and reports for this meeting were available on the Council's website. He explained that voting would be by way of a show of hands which would be witnessed and recorded by the Democratic Services officer in attendance.

### **4103 Apologies**

No apologies were received.

4104 **Minutes**

The minutes of the meeting of 21 June 2023 were submitted.

**Resolved**

That the minutes of 21 June 2023, a copy having been sent to each member of the Cabinet, be approved and signed as a correct record.

4105 **Declarations of interest**

Councillor Flint declared an interest relating to agenda item 11 'Proposal for Household Support Fund 2023/24 and Revised Local Welfare Provision Policy'.

4106 **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.

4107 **Petitions**

No petitions were submitted.

4108 **Questions**

No questions were received.

4109 **Forward plan**

The forward plan as of July 2023 was submitted:

(annexed)

**Resolved** (by assent)

**That the forward plan be noted.**

4110 **Corporate Financial Performance 2023/24, approach to Budget Setting for 2024/25, and changes to the council's Tax Strategy**

Councillor Bird introduced a report which provided an update on the forecast corporate financial position for 2023/24 and the approach for the 2024/25 budget process.

[Annexed]

It was **moved** by Councillor Bird and **seconded** by Councillor Andrew and it was;

**Resolved** (unanimously)

**That Cabinet:**

- 1. Note potential forecast revenue spend above budget of £13.79m and that further actions were being taken to address this potential position. A detailed plan would be reported to Cabinet in September, outlining actions to be taken.**
- 2. Note that there were additionally high risks of £20.05m to the revenue forecast identified within services as set out in Appendix 1. These risks were actively being monitored and action is being taken to reduce / eliminate them where possible.**
- 3. Note the progress on savings approved for 2023/24 and the amendments as detailed in section 4.14 to 4.16.**
- 4. Approve the passporting of unringfenced Section 31 funding for Early Years Professional Development Programme grant, Leaving Care Allowance Uplift Implementation grant, Supported Accommodation reforms, and Pupil Premium Plus Post 16 funding, to Children's Services as detailed at section 4.17 to 4.20 respectively.**
- 5. Approve that the Willenhall bonfire and fireworks event for 2023 was no longer provided as set out in section 4.21.**
- 6. Approve amendments to the capital programme as set out in section 4.23, including the rephrasing of capital programme expenditure provision over the period to 2026/27 at Appendix 6.**
- 7. Note that the forecast for the capital programme was a predicted underspend of £720k.**
- 8. Note financial health indicator performance as set out in section 4.27 and Appendix 4.**
- 9. Note the prudential indicators as set out in section 4.33 and Appendix 5.**
- 10. Approve the write off of debt as detailed in section 4.36.**
- 11. Note the work underway to update to the medium term financial outlook and approve the approach for setting the 2024/25 budget, as set out in sections 4.37 to 4.47, aligned to the Council Plan, Budget Framework and Proud Promises.**
- 12. Approve the updated Medium Term Financial Framework as set out in section 4.48.**

Councillor Bird introduced a report which provided an update on the Quarter 4 markers of success of the Council Plan.

[Annexed]

It was **moved** by Councillor Bird and **seconded** by Councillor Andrew and it was;

**Resolved** (unanimously)

**That Cabinet noted:**

1. The performance in Q4 relating to the period January-March 2023.
2. The key achievements, identified interdependencies and support required to achieve the Outcomes, set out in the report.

4112 **Willenhall Framework Plan: Phase 1 Moat Street and Villiers Street project update and strategic land acquisition (use of the Council's compulsory purchase powers)**

Councillor Andrew introduced a report setting out Phase 1 of the Willenhall Framework Plan which aims to stimulate the regeneration of Willenhall.

[Annexed]

It was **moved** by Councillor Andrew and **seconded** by Councillor Bird and it was;

**Resolved** (unanimously)

**That:**

1. Cabinet note the progress made to develop the Phase 1 scheme.
2. Cabinet authorise use of the compulsory purchase powers conferred on the Council by section 226(1)(a) of the Town and Country Planning Act 1990 to acquire land and rights within the areas shown on the plan at Appendix C ("Order Land") necessary to deliver the Moat Street and Villiers Street scheme.
3. That Cabinet delegate authority to the Executive Director for Resources and Transformation, in consultation with the Portfolio Holder for Regeneration, to effect the making, confirmation, and implementation of the Order and to take all necessary steps to give effect to the Order in respect of the Order Land including, but not limited to, the following procedural steps:
  - I. finalise the Statement of Reasons setting out the Council's reasons for making the Order and how this accords with Government Guidance on CPO;

- II. making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;
  - III. acquire all interests within the Order Land as may be necessary to facilitate the scheme, either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of their land interests;
  - IV. the payment of compensation and dealing with any blight notices served in connection with the CPO;
  - V. approve agreements with landowners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the CPO, including where appropriate seeking exclusion of land from the CPO;
  - VI. make any necessary additions, deletions, or amendments to the Order Land and to seek any requisite modifications to the CPO and any Order maps (as may be considered necessary);
  - VII. the preparation and presentation of the Council's case at any Public Inquiry which may be necessary;
  - VIII. seek confirmation of the Order by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981) (the 1981 Act);
  - IX. in the event the order is confirmed, publication and service of notices of confirmation of the Order and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area;
  - X. including, if required, High Court Enforcement Officer notices; and
  - XI. all steps in any legal proceedings related to the Order including referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber) and/or the courts and any appeals.
4. Cabinet note that reasonable attempts would continue to be made to acquire the various land interests of owners, occupiers, or others with a legal interest in any site by agreement throughout the process.
  5. Cabinet note that it was no longer proposed to develop the Willenhall Framework Plan into a Supplementary Planning Document.
  6. Cabinet note the amendments to the boundary for Phase 1 (Moat Street and Villiers Street) for the purpose of land assembly and planning.
  7. Cabinet note the Equalities Impact Assessment (EqIA) that has been prepared which is included as Appendix E and that this document will be reviewed and updated as necessary.

*Having declared an interest in the next item, Councillor Flint left the room at this point.*

4113 **Proposal for Household Support Fund 2023/24 and Revised Local Welfare Provision Policy**

Councillor Ali introduced a report which sought approval to accept the latest award of Household Support Funding from central government and to facilitate distribution of these funds.

[Annexed]

It was **moved** by Councillor Ali and **seconded** by Councillor Bird and it was;

**Resolved** (unanimously)

**That:**

1. **Cabinet approve for the Director of Customer Engagement to accept the Household Support Funding award from the central government, and any future rounds of funding, and to oversee distribution of funds in accordance with the Walsall Local Welfare Provision Scheme.**
2. **Cabinet approve the Walsall Local Welfare Provision Scheme as set out at Appendix A which will replaces the Walsall Councils Crisis Support policy.**
3. **Authority was delegate to the Director of Customer Engagement in consultation with the Deputy Leader (Resilient Communities) and the Portfolio Holder for Customer to make minor amendments to the Walsall Local Welfare Provision Scheme, to take account of changes to market conditions, funding arrangements, updated government guidance, future consultation or outputs from relevant Equality Impact Assessments.**
4. **Authority was delegate to the Director of Customer Engagement in consultation with the Deputy Leader (Resilient Communities) and the Portfolio Holder for Customer and the procurement team, to enter into agreements with the third-party providers, where their services are necessary to support the timely distribution of essential crisis support in accordance with the updated Walsall Local Welfare Provision Scheme (attached as Appendix A)**

*Councillor Flint returned to the room following the conclusion of the agenda item.*

#### 4114 **Award of Walsall Wellbeing Service Contract Award**

Councillor Flint introduced a report seeking approval for the award of a contract for provision of Walsall's Wellbeing Service.

[Annexed]

*A decision was taken in the private session following consideration of exempt information (see minute number 4116).*

#### 4115 Exclusion of public

##### **Resolved**

**That during consideration of the remaining items on the agenda, the Cabinet considers that the items for consideration are exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the items in private.**

*Whilst the following items were considered the private session, the decisions below are full accounts of the decisions taken.*

#### 4116 Award of Walsall Wellbeing Service Contract Award

Councillor Flint introduced a report which provided exempt information further to the report provided in the public session (see minute 4114).

It was **moved** by Councillor Flint and **seconded** by Councillor Bird and it was

**Resolved** (unanimously)

**That**

- 1. Cabinet approve the award of a contract for the period 1st November 2023 to 31st October 2028, with an option to extend for a further two 12 month periods, with an anticipated value in the region of £5,830,818 (including extension periods) to Maximus UK Services Limited, for provision of the Walsall Wellbeing Service.**
- 2. That Cabinet delegate authority to the Director of Public Health, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to enter into a contract to deliver the Wellbeing Service, and to subsequently authorise the sealing and signing of any deeds, contracts or other related documents for such services.**
- 3. That Cabinet delegate authority to the Director of Public Health, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to authorise any variations to the contractual arrangements or other related documents for the services identified above, should this be required throughout the duration of the term of any contracts and provided they are in line with the Council's Contract Rules and any relevant legislation, including Public Contract Regulations 2015.**

*(Exempt Information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended)*

**4117 To receive recommendations from the Scrutiny Overview Committee regarding the call-in of the Temporary Workers (Agency) Provision Cabinet decision**

Councillor Ferguson introduced a report which provided recommendations from the Scrutiny Overview Committee regarding the all-in of the Temporary Works (Agency) Provision decision taken by Cabinet in June 2023.

It was **moved** by Councillor Ferguson and **seconded** by Councillor Bird and it was;

**Resolved (unanimously)**

**That Cabinet accepted the recommendations of the Scrutiny Overview Committee and that:**

- 1. Cabinet delegate authority to the Director for HR, OD, Administration and Business Support, in consultation with the Portfolio Holder for Internal Services, to take steps to implement the recommendations relating to Temporary Workers (Agency) provision locally.**
- 2. Cabinet note that third party spend and the performance management of contracts was being taken forward within the Commissioning, Procurement and Contract Management team within the Hub, aligned with Commercial Services support.**

*(Exempt Information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended)*

There being no further business, the meeting terminated at 6:27 p.m.

Chair:

Date: