



Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Thursday 21st February 2013 at 6.00 p.m.** at the Council House.

Present

Councillor D.A. Anson (Mayor) in the Chair

Councillor M. Nazir (Deputy Mayor)

“ A.J.A. Andrew
“ R.E. Andrew
“ T.G. Ansell
“ M. Arif
“ I. Azam
“ D.J. Barker
“ O.D. Bennett
“ M.A. Bird
“ C. Bott
“ P. Bott
“ R. Burley
“ B. Cassidy
“ K. Chambers
“ A.G. Clarke
“ J. R. Cook
“ D. Coughlan
“ S.P. Coughlan
“ C.U. Creaney
“ A. Ditta
“ B.A. Douglas-Maul
“ M. D. Flower
“ A.D. Harris
“ L.A. Harrison
“ E.F. Hughes
“ K. Hussain
“ G. Illmann-Walker
“ D. James

Councillor L.D. Jeavons

“ T.J. Jukes
“ P. Lane
“ M. Longhi
“ Ms. R.A. Martin
“ Mrs. B.V. McCracken
“ J. Murray
“ G. Perry
“ K. Phillips
“ L.J. Rattigan
“ J. Rochelle
“ E.B. Russell
“ H.S. Sarohi
“ K. Sears
“ Mrs. D.A. Shires
“ I. Shires
“ P.E. Smith
“ R.M. Thomas
“ C.D.D. Towe
“ A. Underhill
“ D.J. Turner
“ S. Wade
“ F.J. Westley
“ V. Whyte
“ V.G. Woodruff
“ R.V. Worrall
“ A. Young
“ Zahid Ali

88. Apologies

Apologies for non-attendance were submitted on behalf of Councillor J. Fitzpatrick, S. Fitzpatrick and Oliver.

89. Minutes

Resolved

That the minutes of the meeting held on 7th January 2013 copies having been sent to each member of the Council, be approved as a correct record and signed.

90. Declarations of interest

There were no declarations of interest.

91. Mayor's announcements

(1) Councillor Oliver

The Mayor informed the Council that Councillor Oliver had recently undergone surgery and on behalf of the Council wished him a speedy recovery and return to good health. Councillors S. Coughlan, C. Bott, P. Bott, Bird, I. Shires and Smith also expressed their best wishes to Councillor Oliver.

(2) Urgent item

The Mayor referred to the urgent report and recommendation of the Appointments Board relating to Pension schemes – automatic enrolment and transitional delay. He said that as a decision on the report was required by 1st March 2013 the item would be taken as the last item of business.

(3) Budget debate

The Mayor said that as the budget Council could be difficult it was his role to make the meeting work as smoothly as possible. He said that if members used any unparliamentary language he would require an apology. If that member did not apologise he would adjourn the meeting until an apology was received, even if that meant coming back tomorrow night to finish the business.

He said that shouts of "point or order" followed by a speech would not be allowed this evening.

The Mayor said that Council procedure rule 15.12 made it clear that a "point of order" only related to a breach of law or the procedure rules. So if a member called "point of order", everyone else must be quiet immediately so that the member could cite the law or the specific rule that they believed had been broken. While members stayed quiet, he would decide on the point.

The procedure rules also provided for a point of “personal explanation”. This was not meant to shut someone else up and it was not a chance for members to say something they had forgotten the last time they were on their feet. It was right to correct a misunderstanding of something said in a previous speech in this debate, but not something from history.

The Mayor concluded that members were at the meeting to do important business and asked them to be courteous to each other and to remember that his decision was final.

92. **Petitions**

The following petitions were submitted:

- (1) Councillor Bennett – Resurfacing of track across Pelsall Common from Victoria Road to Norton Road.
- (2) Councillor Lane – from residents of Dudley Fields regarding the closure of the crossing in Reeves Street.

93. **Questions by members of the Council**

(1) **Improvements to Ravenscourt, Brownhills**

Councillor Wade asked the following question of Councillor A. Andrew:

“Given that a new Tesco store in Brownhills no longer seems to be on the horizon, can Councillor Andrew provide guarantees to me and the people of Brownhills that he will now instruct officers to begin to explore viable options relating to the improvement of Ravenscourt? I ask this because many in Brownhills believe that Walsall Council have quietly abandoned any plans for the court, have been complicit in the court’s demise and have allowed the area to become a blot on Brownhills’ landscape.”

Councillor A. Andrew replied that there were no specific plans for Ravenscourt. There had been no reply from Tesco, but nothing could be done while it was the subject of a compulsory purchase order.

Councillor Andrew said that communication from Tesco was awaited. Clearly significant maintenance work and upgrading of the properties within the ownership of Lightquote would be required to attract occupiers to the vacant units, but with the Tesco consent still valid until 2014 and the prospect of potential CPO action, it made any request of Lightquote to invest in Ravenscourt more challenging.

Councillor Wade asked the following supplementary question:

“What options were being prepared to pursue and what outcomes do you expect to achieve if Tesco do not develop the store?”

Councillor Andrew said that the Council do not own Ravenscourt and did not know what Tesco were doing.

(2) **Coroner service**

Councillor Ditta asked the following question of Councillor Harris:

"The Walsall coroner service was merged with that of Dudley and Sandwell under the promise of better service and greater savings to the taxpayer, and recently Wolverhampton was also added to the collective - increasing the demand on service greatly; furthermore it was promised that Walsall would receive two deputy coroners, which has not happened, and the service has not been of the quality promised. I would like to ask over the years how much Walsall Council has contributed to the merged coroner service, and what savings have been made on behalf of the taxpayer as was proposed?"

Councillor Harris replied that Walsall's part-time coroner functions were merged in 2004 to form the Black Country Coroner Service as a shared service between Walsall, Dudley and Sandwell. This jurisdiction was enlarged last year, by agreement with all authorities, to include Wolverhampton following the retirement of the part-time coroner of that district. The jurisdiction now covered approximately one million people in line with the government expectation for a full-time coroner.

He confirmed that the HM Black Country Coroner had appointed both a Deputy Coroner and an Assistant Deputy Coroner who assisted him particularly when he had to prepare for heavy cases. They also covered his holiday absences.

Since the jurisdiction was enlarged to include Wolverhampton, it could be reported that the level of service received by Walsall residents had been maintained and he believed it continued to be of good quality.

Councillor Harris said that the government continued to be committed to a national position of full-time coroners and therefore the population size of jurisdictions needed to be at a justifiable level. The Black County Coroner arrangements met this.

The Coroner had confirmed that he would do everything he could to ensure that the requirements of the Muslim community were dealt with as promptly as possible and he was confident that he had done so. The Coroner pointed out that it would be a clear breach of the Equality Act for him to give priority to one section of the community over another.

Councillor Ditta said he was anxious to ensure good service for the community and how this would be achieved?

Councillor Harris said he had answered Councillor Ditta's question comprehensively and advised him to contact officers for more information.

(3) **“Bedroom tax”**

Councillor Smith asked the following question of Councillor Towe:

“Given that at the Council meeting of 9th July 2012, following my question about the impact of the “bedroom tax” on Walsall Households and in particular my request for a ward by ward breakdown of the household numbers affected and given your response that Borough wide approximately 3300 households of working age would be affected, adding that it was at that stage not possible to give a ward by ward breakdown, could I ask you, now that seven months has elapsed since my original question, to give me, this Council and the public a ward by ward breakdown of the number of households likely to be affected by the so called “bedroom tax”?”

Councillor Towe replied that from 1st April 2013 local housing allowance size criteria rules would be introduced into the social rented sector for working aged claimants, where previously there had been none.

He said that anyone who was assessed as under-occupying their property would have a percentage reduction from their eligible rent which was 14% for under-occupation by one bedroom meaning an average £12.08 per week and 25% for under-occupation by two or more bedrooms meaning an average of £21.33 per week. The ward by ward breakdown was as follows:

Ward	14%	25%	Total
Aldridge Central & South	79	6	85
Aldridge North & Walsall Wood	65	19	84
Bentley & Darlaston North	210	45	255
Birchills-Leamore	400	67	467
Blakenall	322	128	450
Bloxwich East	257	82	339
Bloxwich West	245	53	298
Brownhills	164	32	196
Darlaston South	282	63	345
Paddock	7	2	9
Palfrey	150	57	207
Pelsall	66	12	78
Pheasey Park Farm	16	1	17
Pleck	183	45	228
Rushall-Shelfield	108	24	132
Short Heath	79	15	94
St. Matthews	420	28	448
Streetly	2	0	2
Willenhall North	114	33	147
Willenhall South	239	56	295
Total	3408	768	4176

Councillor Smith asked the following supplementary question:

Given that there used to be a “hearth tax”, we have had a “window tax” and now regressed and instead of taxing the rich would you not agree that whereas the hearth tax and window tax were a tax on the rich and therefore justifiable, the bedroom tax is a tax on the least well off and do you not agree that the coalition budget that brought it in is shameful?

Councillor Towe replied he agreed with the comments made by Councillor Smith.

(4) **Academies**

Councillor Ditta asked the following question of Councillor R. Andrew:

"As we are all too aware, many of the schools in borough have become or are in the process of becoming academies, and there is already the fear expressed of covert selection creeping into our local schools. Would the portfolio holder agree with me that - as with the housing associations and hospital trusts - local elected members will lose their influence in how our schools are run, and furthermore outline the policies this council intends to follow to retain accountability and ensure improved performance on behalf of our young people?"

Councillor Andrew replied that in her visits to academies and schools in Walsall, she believed that, overall, we do have an impressive commitment to social inclusion by our schools. Every single academy had a local authority representative on the governing body or board of directors; admissions must be maintained for children in Walsall. Arrangements for admissions to academies were different from those of maintained schools. Maintained schools were bound by the Admissions Code whereas academies were bound by their funding agreements with the Secretary of State. She said that certain exceptions (derogations) may be granted as part of those individual funding agreements and academies were their own admission authority, able to make their arrangements and manage their own appeals. They were different to Walsall schools and worked with the Secretary of State.

We have talked with head teachers and with schools and have not had any problems with academies; they were keen to stay as part of the local authority. The commitment of academies was the same as any commitment of head teachers, they were all committed to the children and young people of Walsall.

Councillor Andrew said that with regard to educational achievement, there were challenges, where academies or any local authority had less influence as it did before schools were judged by the Secretary of State. What Walsall was doing was not specific to academies, the Director of Children’s Services had written to the Department for Education to ask how they were challenging academies that were not doing what they should. We offered both challenge and support and ultimately it was about the children and young people of Walsall not specific schools/academies. The local authority needed to influence and provide the right environment for children at school and that they achieved their aspirations.

She said that some work was being done at the end of the Serco contract to ensure that they worked with us to improve the chances for young people. Working with head teachers and governors to find out what we could do for the best for the young people of Walsall.

Councillor Ditta referred to the low pay of staff in schools.

Councillor Andrew said the Council were aiming to talk to scrutiny and schools about provision for Walsall and education in the future it was about having a framework for what we wanted to do in the future. The focus needed to be on children and young people and support schools to do the right thing and give teachers the opportunity to make the right sounds; it was about taking our responsibility as corporate parents seriously.

(5) **Walsall North area profile**

Councillor Smith asked the following question of Councillor I. Shires:

“Having recently received details of the latest 6 Area Partnership Profiles and with particular reference to the Walsall North Area Profile (Area 3) that indicates; significantly lower life expectancy than the Borough average; some of the worst multiple deprivation not only in the Borough but in the country; a higher than Walsall average of young people not in employment, education or training; a well below Borough and national average for Secondary school attainment; a higher than Borough average level of youth offending; the highest level of child poverty in the Borough and much higher than the Walsall and national averages; much higher rates of infant and perinatal mortality than the Borough and national averages; higher hospital emergency admissions than the Borough and national averages; cancer mortality rate significantly higher than the Borough average; higher levels of anti-social behaviour than the Borough average; the highest levels of burglary, vehicle damage ,criminal damage and incidents of arson attacks in the Borough; given all this and even more worrying comparative statistics, what is Walsall Council planning to do that the £52m of New Deal money seemingly failed to do, to help reduce the inequalities across the Borough?”

Councillor Shires replied that the area profiles were an important tool for understanding social and economic inequalities in the Borough. He commended Councillor Smith for using them in respect of his area of the Borough and encouraged all Councillors to do the same for their areas. Walsall contained many deprived communities and Councillor Smith was correct to point out that North Walsall contained some of the most acute deprivation in the borough, but there were also very deprived communities in Darlaston, Willenhall and South Walsall and indeed pockets of deprivation in the more affluent east of the borough.

Tackling inequalities was perhaps the most pressing priority we faced as Councillors because we know that so many social, health and economic problems have their origins in inequalities. That was why as Liberal Democrats we ensured inequalities were enshrined in the coalition. He was pleased that the Cabinet last year agreed the objectives of the Marmot Review to underpin everything we did. These objectives provided a focus, from cradle to grave, on tackling social and health inequalities. The Health and Wellbeing Board had agreed to adopt those principles.

So what are we actually doing in North Walsall? We can see that New Deal did not deliver the lasting legacy of improved life chances change in Blakenall as was originally promoted. There were improvements as you would expect from investing over £50 million, but as Councillor Smith reminded us deprivation was high as ever. The answer was not in short term investment like New Deal, but in helping achieve more fundamental change, fundamental and lasting change.

Councillor Shires said that there was a great deal of work taking place at the moment to tackle the indicators that Councillor Smith referred to. He said that he could not mention everything in his short verbal reply but quoted the following examples:

- In relation to health there were smoking cessation and obesity programmes, bowel, breast and cervical cancer screening programmes, breast feeding support, immunisations and better care during pregnancy and birth.
- To tackle the crime concerns there was a combination of different approaches in the area including dispersal orders, working with the community on tidy ups to remove the rubbish that encouraged fires, trialling new ways to tackle the problems of scrap metal, and intensive work with the families that have the most impact on crime. Some of this must be effective because last year Walsall saw a 25% drop in crime, the greatest reduction in crime across the West Midlands.
- To help young people we were providing support through the Bloxwich Community Partnership to deliver youth work, working with 16-19 years olds through detached teams in the centres in Proffitt Street and Mossley and delivering more activity to reduce teenage pregnancies.

He said that above all we needed to ensure that all the main service providers, the Council, Walsall Housing Group, police service, NHS and voluntary groups, worked together on a shared agenda. New Area Plans were now being prepared and they would focus on improving health, the local economy, creating safe, sustainable and inclusive communities and improving the learning and life chances for children and young people. In order to achieve more with less there needed to be greater alignment of teams and resources, and greater empowerment of local people.

Councillor Shires concluded by saying there was no quick fix, but by working better together the area partnership would be much better placed to make a positive difference to local communities reducing the level of social and economic inequalities which were currently experienced. The aim of this was that no longer were people to be victims of their postcodes.

Councillor Smith asked the following supplementary question:

Over time how will the Council measure the extent to which it is making a difference in reducing the serious inequalities outlined in the Area profiles, especially since I have become rather cynical having seen, since I was first elected to the Council in 1983, report after report by one set of officers after the other, that have informed us of the same inequalities within the wards and neighbourhoods, roughly remaining in the same pecking order, from the least to the most deprived, year after year for the last 30 years, with apparently only boundary changes seemingly changing the pecking order and only then marginally?

Councillor Shires said there were no quick fixes. Area partnerships were being reviewed with their responsibilities enhanced and a scrutiny role introduced.

Councillor Perry left the meeting for the duration of the question on mortality rates

(6) Mortality rates

Councillor Smith asked the following question of Councillor Longhi:

“Having noted that the Health Scrutiny and Performance Panel has commissioned a private business called Mott MacDonald to undertake an “independent” review of mortality rates at the Manor Hospital, at a cost so far unspecified, Mott MacDonald being a limited company, whose group, according to its website is “a diverse management, engineering and development consultancy delivering solutions for public and private clients world-wide”, could the Chair of the Scrutiny and Performance Panel comment on a widely held view that this is nothing more than a public relations exercise and a total waste of public money by the Health Scrutiny and Performance Panel, designed, by the very nature of the terms of reference set down, to come to the self fulfilling prophecy that the Manor Hospital has made sufficient progress in reducing its mortality rates since April 2011, and thus hoping that such a conclusion might strengthen the Trust’s bid for Foundation status?”

Councillor Longhi replied that the criticism of Staffordshire Council’s scrutiny over the events at Mid Staffs Hospital had emphasised the importance of the scrutiny process in all Councils taking a very close look at mortality rates in their local acute hospital in order to provide a level of assurance to the local population that everything was being done to address the issue.

The Dr. Foster league tables of mortality rates that were published in November 2012 for the financial year 2011/12 showed that mortality rates at The Manor Hospital were amongst the highest of all acute hospitals across the country. By then, Health Scrutiny Committee had received a report from the Chief Executive of Walsall Healthcare Trust, and subsequently a further report from NHS Walsall in their role as commissioners, to account for these high levels and explain how the issue was being addressed. Walsall Council was also directly implicated on the level of mortality at the hospital by its partnership working with the hospital.

Councillor Longhi said mortality rates had been at lower levels to date during 2012/13, however, Health Scrutiny Committee had been mindful of the criticisms relating to Mid Staffs and that there was a need to step outside of the NHS and the Council to ensure that a thorough examination of the issues had been conducted. Such an examination provided a challenge to the process of Walsall Healthcare Trust applying for Foundation Trust rather than necessarily strengthening the bid.

Mott MacDonald had been commissioned via an open tender process conducted by the Council's Corporate Procurement Team. The specification made clear that the sum available for the work would not exceed £30,000. Mott MacDonald were an independent company with a track record in reviewing mortality rates, most recently at George Elliot Hospital, Nuneaton and Northampton Hospital.

He said that the study would take 12 weeks from the start of January 2013 and Mott MacDonald would provide a report to Health Scrutiny that was independent of Walsall Healthcare Trust, NHS Walsall and Walsall Council and would draw independent conclusions. The three agencies would be able to comment on matters of accuracy. It was therefore inappropriate to pre-judge the outcome of the review prior to receiving the report.

Councillor Longhi said that in some respects, he was glad that Councillor Smith had raised the question because he believed this was of such significance and that it needed addressing in the Council Chamber against allegations made in the question about helping Walsall Manor with foundation trust status. It was offensive to himself and colleagues that in trying to make sure that the best possible care was afforded to the people of Walsall and it was that treatment that Walsall people duly deserved. He would like to know where the widely held view had come from regarding the public money. What was a widely held view was that Councillor Smith liked to use forums like this for his promotion.

If this question had been asked of Stafford Borough Council by the people who had been affected at Stafford Hospital they would have been happy it was.

In terms of the foundation trust application he could not imagine a single member of Walsall Hospital welcoming this.

Councillor Smith asked the following supplementary question:

Given that all these potential risks are highlighted in various reports that went before the Trust's Board in January 2013, the risks facing the Trust including as well as the mortality figures,

- A & E performance with regard to the 4 hour waiting time breaches,
- The reduction in income in 2013/14 due to an increase in readmission rates
- Failure to improve the quality of clinical documentation
- Failure to deliver recurrent savings targets
- Failure to deliver reductions in patient falls

- Failure to meet targets with regard to waiting times for some cancer patients
 - A vacancy rate of 170 full time equivalent posts
 - Concern over the high bill for temporary agency staff
 - Sickness levels amongst staff, particularly stress related sickness being well above target
- and more, do you honestly think that the way forward for the Manor Hospital is to seek Foundation status?

Councillor Longhi said that this Council had debated whether the Manor Hospital should be supported in its application for Foundation Trust status many times before; Councillor Smith was granted a question at a Scrutiny meeting where this debate was being held and this Council had fully supported the Manor Hospital moving forward to foundation trust status. There was no status in law that a hospital would exist if it did not become a foundation trust. If the Manor Hospital failed to become a foundation it would cease to exist in its current form, he believed the Manor Hospital should be available for the public of Walsall.

94. **Recommendation of Cabinet – Corporate Budget Plan and Treasury Management and Investment Strategy 2013/14**

The report to Cabinet was submitted.

The revised recommendation of Cabinet to take into account changes to levies, Fire and Police precepts and changes to the statutory determinations was circulated around the Council Chamber.

It was **moved** by Councillor Towe and seconded by Councillor Bird:

(i) Revenue

- (a) That the recommendations of the Chief Financial Officer (CFO) in respect of the robustness of the estimates made for the purposes of the budget calculations and the adequacy of reserves as set out in Annex 3 be approved.
- (b) That the net levies below for outside bodies be noted.

LEVY	AMOUNT (£)
West Midlands Passenger Transport Authority	14,313,709
Environment agency	72,150

- (c) That approval be given to an opening working balance for 2013/14 to be set at a prudent level in line with the council's medium term financial strategy.
- (d) That the following statutory determinations be noted and approved (references are to the Local Government Finance Act, 1992, as amended):

- I. **£627,227,911** 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. **£541,675,996** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- III. **£85,551,915** being the amount, by which the aggregate at (d) (I) above exceeds the aggregate at (d) (II), calculated by the council in accordance with Section 31A(4) of the Act, as its council tax requirement for the year.
- IV. **£1,410.26** being the amount at (d) (III) above, divided by the council tax base of **60,664.11**, 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 (d) (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
£940.17	£1,096.87	£1,253.56	£1,410.26
E	F	G	H
£1,723.65	£2,037.04	£2,350.43	£2,820.51

- (e) That the final precept from the Fire and Rescue Authority and the final precept for 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 be noted and approved.

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police	£68.29	£79.67	£91.05	£102.43
	E	F	G	H
Fire & Rescue	£125.19	£147.95	£170.72	£204.86
	A	B	C	D
Fire & Rescue	£35.21	£41.08	£46.95	£52.82
	E	F	G	H
Fire & Rescue	£64.55	£76.29	£88.03	£105.63

- (f) That having calculated the aggregate in each case of the amounts at (d) (v) and (e) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts of council tax for 2013/14 for each of the categories of dwellings shown below.

A	B	C	D
£1,043.67	£1,217.62	£1,391.56	£1,565.51
E	F	G	H
£1,913.39	£2,261.28	£2,609.18	£3,131.00

- (g) That notice be given of the council tax within twenty one days of it being set by publishing details of the same in the "Walsall Advertiser" newspaper circulating in the authority's area.
- (h) That the Chief Financial 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, the giving of notices and the taking of necessary steps to ensure collection thereof.
- (i) That the budget plan be approved, subject to any changes within this recommendation and the amendment by Cabinet on 23 January 2013 as follows:

"The catering saving proposal (Annex 10c, page 140) be reduced from £762,000 to £600,000 to allow the catering service to work with schools to develop a new model. The reduction of £162,000 to be funded as a one-off in 2013/14 from general reserves."

- (j) 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.

(ii) **Capital**

That the capital programme set out in the following tables be approved bearing in mind the principle that unless affordable from within current resources, specific projects funded by unsupported 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.

CAPITAL PROGRAMME 2013/14	
MAINSTREAM (COUNCIL FUNDED) SCHEMES	ESTIMATED VALUE £
Arboretum Play Area	175,000
Walsall Arboretum Restoration Programme – Illuminated Park proposals	270,000
Willenhall Memorial Park	180,000
Greenspace Improvement Plan	100,000
Allotment and Community Garden Strategy – Borneo Street	50,000
Roadway extensions in Streetly Cemetery	150,000

Headstone safety in Cemeteries	80,000
Willenhall Lawn Cemetery extension	120,000
Highways Maintenance	1,450,000
Verge Parking	250,000
Retained Housing Land	100,000
Health Through Warmth and related Retro Fit schemes	470,000
Demolition of Redundant Buildings	200,000
Regenerating Walsall	200,000
Civic Centre Essential Maintenance	566,306
Improving the customer experience when visiting the Council House – includes front of house facilities	700,000
Shop Maintenance	120,000
Aids and Adaptations (statutory element)	1,000,000
Preventative Adaptations – part of the transformation of Social Care (non-statutory element linked to Aids and Adaptations)	750,000
Essential Enhancement to Data Security Systems	60,000
Bring your own device security layers	70,000
Council wide IT planned rolling replacement and upgrade: Telephony consolidation	50,000
Council wide IT planned rolling replacement and upgrade: Upgrade of Windows	705,700
Replace essential Wide Area Network data circuits that will no longer be supplied by BT. These circuits connect buildings that are not being consolidated by Smarter Workplaces.	21,120
General reactive/planned property maintenance	500,000
Asbestos Removal	155,000
Control of Legionella	275,000

MAINSTREAM (COUNCIL FUNDED) SCHEMES (Continued)	ESTIMATED VALUE £
Work resulting from the statutory testing of building services	300,000
Fire Risk Assessment	200,000
Leasing versus Buy	340,000
Risk Management	100,000
Uninsured property damage	200,000
Total	9,908,126

NON-MAINSTREAM CAPITAL PROGRAMME – SCHEMES FUNDED FROM EXTERNAL SOURCES 2013/14	
GRANT / EXTERNALLY FUNDED SCHEMES	ESTIMATED VALUE £
Basic Need	2,097,621
Devolved Formula Capital	662,580
Capital Maintenance	3,530,556
Local Transportation Plan Highway Maintenance	1,945,000
Local Highways Maintenance funding	352,000
Low Emissions Town & Cities	100,000
Disabled facilities grant	1,351,000

Gypsy & Travellers	20,000
Darlaston Strategic Development Area Access	10,880,000
Local Transport Plan (excluding contribution to Darlaston Strategic Development Agency)	1,115,000
Local Sustainable Transport Fund	260,000
Personal Social Services Grant	769,958
Blackwood Park	95,700
Play Strategy	512,000
George Rose Park	50,000
High Heath Park	129,515
Holland Park	230,000
King George V Playing Fields	280,000
Kings Hill Park	55,000
Health in Parks	30,000
Bentley Green Spaces	88,000
Oak Park and Walsall Wood	40,000
Palfrey Park	30,000
Pelsall Common	78,400
Pleck Park	110,000
Reedswood Park	115,000
The Croft	66,000
Willenhall Memorial Park	123,250
Willenhall Townscape Heritage Initiative – Heritage Lottery	150,000
Willenhall Townscape Heritage Initiative – VIEW	100,000
BC Enterprise Zone – Darlaston Site Investigation Programme	847,250
Noirit Site Infrastructure	987,189
Black Country Property Investment Programme	3,075,490
Total	30,276,509

LEASING PROGRAMME 2013/14	
PORTFOLIO	NEW EXPENDITURE £
Transport and Environment portfolio	4,412,657
Business Support portfolio	69,000
Total	4,481,657

CAPITAL PROGRAMME RESERVE LIST ITEMS 2013/14	
MAINSTREAM SCHEMES	ESTIMATED VALUE £
Refurbishment of Fryers Road Transfer Station / HWRC site	250,000
Hatherton multi story car park	200,000
Generic highway improvement	125,000
Darlaston Town Hall	500,000
Aids and adaptations	500,000
Health through warmth and retro fit schemes	330,000
Preventative adaptations	250,000
Total	2,155,000

(iii) **Treasury Management**

- (a) That the 2013/14 treasury management and investment strategy document set out in Section 2 of the budget plan, and the adoption of the prudential indicators set out in Annex 6, be approved with the following amendment to PCI7.

National Prudential Indicators 2013/14 to 2015/16				
No.	Indicator	2013/14	2014/15	2015/16
PCI 7	Gross Borrowing exceeds Capital Financing Requirement	No	No	No
The CFR represents the underlying level of borrowing needed to finance historic capital expenditure. Actual borrowing should be lower than this because of strong positive cash flow and balances. It would be a cause for concern if borrowing exceeded CFR.				

- (b) That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, be delegated to the Chief Finance Officer.
- (c) That decisions to use capital receipts or unsupported borrowing within the framework of approved prudential indicators be delegated to the Chief Finance Officer.

Amendment moved by Councillor S. Coughlan and duly seconded

- (1) That the statutory determinations for both gross expenditure and gross income be increased by £759,118 in 2013/14, resulting in an unchanged Council tax requirement and Band D Council tax. This will require release of £759,118 from general reserves to fund the one-off cost of the investments set out on page 2.
- (2) That the capital programme be amended as follows:
- To reduce the capital investment for item 16 on page 161 of the mainstream capital programme (improving the customer experience when visiting the Council House) from £700,000 to £600,000 and scale the project accordingly to meet the revised funding level.
 - To invest the £100,000 taken from item 16 into item 18, page 161 (Aids and adaptations) increasing the investment from £1,000,000 to £1,100,000.

At 7.20 p.m. the Council adjourned to enable members to consider the amendment.

The meeting reconvened at 7.40 p.m.

On being put to the vote the amendment was declared lost – the voting at the request of several members of the Council being recorded as follows:

**For the amendment -
28 members**

Cllr: Anson
C. Bott
P. Bott
Burley
Cassidy
Chambers
D. Coughlan
S. Coughlan
Creaney
Ditta
Hussain
Illmann-Walker
James
Jeavons
Jukes
Lane
Nazir
Phillips
Russell
Sarohi
Smith
Thomas
Underhill
Wade
Westley
Whyte
Worrall
Young

**Against the
amendment –
29 members**

Cllr: Bird
I. Shires
A. Andrew
R. Andrew
Ansell
Arif
Azam
Barker
Bennett
Clarke
Cook
Douglas-Maul
Flower
Harris
Harrison
Hughes
Longhi
Martin
McCracken
Murray
Perry
Rattigan
Rochelle
Sears
D.A. Shires
Towe
Turner
Woodruff
Zahid Ali

Amendment moved by Councillor Chambers and seconded by Councillor Underhill:

The government's comprehensive spending review has given rise to the need for the public sector to review how it manages and delivers services.

The Council's medium term financial plan requires savings to be made of £70m over the period 2014/15 to 2017/18.

The Council also has the responsibility of taking back the education services when the contract with Serco ends in 2013.

This amendment proposes a review of the various levels of management within the Council to establish the arrangements necessary to manage effectively and efficiently the changes required.

The review to be the subject of a report back to Council within 6 months.

At 8.10 p.m. the Council adjourned to enable members to consider the amendment.

The meeting reconvened at 8.20 p.m.

On being put to the vote the amendment was declared lost – the voting at the request of several members of the Council being recorded as follows:

For the amendment - 25 members	Against the amendment – 29 members	Neutral – 3 members
Cllr: Anson	Cllr: Bird	Cllr. C. Bott
Burley	I. Shires	P. Bott
Cassidy	A. Andrew	Smith
Chambers	R. Andrew	
D. Coughlan	Ansell	
S. Coughlan	Arif	
Creaney	Azam	
Ditta	Barker	
Hussain	Bennett	
Illmann-Walker	Clarke	
James	Cook	
Jeavons	Douglas-Maul	
Jukes	Flower	
Lane	Harris	
Nazir	Harrison	
Phillips	Hughes	
Russell	Longhi	
Sarohi	Martin	
Thomas	McCracken	
Underhill	Murray	
Wade	Perry	
Westley	Rattigan	
Whyte	Rochelle	
Worrall	Sears	
Young	D.A. Shires	
	Towe	
	Turner	
	Woodruff	
	Zahid Ali	

At this point in the meeting, it was **moved** by Councillor Bird, duly seconded and:

Resolved

That Council procedure rules be suspended to enable the business of the meeting to be completed.

On being put to the vote the motion was declared carried – the voting at the request of several members of the Council being recorded as follows:

**For the motion -
29 members**

Cllr: Bird
I. Shires
A. Andrew
R. Andrew
Ansell
Arif
Azam
Barker
Bennett
Clarke
Cook
Douglas-Maul
Flower
Harris
Harrison
Hughes
Longhi
Martin
McCracken
Murray
Perry
Rattigan
Rochelle
Sears
D.A. Shires
Towe
Turner
Woodruff
Zahid Ali

**Against the motion –
1 member**

Cllr: Smith

**Neutral –
27members**

Cllr. Anson
C. Bott
P. Bott
Burley
Cassidy
Chambers
D. Coughlan
S. Coughlan
Creaney
Ditta
Hussain
Illmann-Walker
James
Jeavons
Jukes
Lane
Nazir
Phillips
Russell
Sarohi
Thomas
Underhill
Wade
Westley
Whyte
Worrall
Young

and it was:

Resolved

(i) Revenue

- (a) That the recommendations of the Chief Financial Officer (CFO) in respect of the robustness of the estimates made for the purposes of the budget calculations and the adequacy of reserves as set out in Annex 3 be approved.
- (b) That the net levies below for outside bodies be noted.

LEVY	AMOUNT (£)
West Midlands Passenger Transport Authority	14,313,709
Environment agency	72,150

- (c) That approval be given to an opening working balance for 2013/14 to be set at a prudent level in line with the council's medium term financial strategy.
- (d) That the following statutory determinations be noted and approved (references are to the Local Government Finance Act, 1992, as amended):

- VI. **£627,227,911** being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.
- VII. **£541,675,996** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- VIII. **£85,551,915** being the amount, by which the aggregate at (d) (I) above exceeds the aggregate at (d) (II), calculated by the council in accordance with Section 31A(4) of the Act, as its council tax requirement for the year.
- IX. **£1,410.26** being the amount at (d) (III) above, divided by the council tax base of **60,664.11**, 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).
- X. Valuation bands

Being amounts given by multiplying the amount at (d) (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
£940.17	£1,096.87	£1,253.56	£1,410.26
E	F	G	H
£1,723.65	£2,037.04	£2,350.43	£2,820.51

- (e) That the final precept from the Fire and Rescue Authority and the final precept for 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 be noted and approved.

PRECEPTING AUTHORITY	VALUATION BANDS			
	Police	A	B	C
£68.29		£79.67	£91.05	£102.43
E		F	G	H
	£125.19	£147.95	£170.72	£204.86
Fire & Rescue	A	B	C	D
	£35.21	£41.08	£46.95	£52.82
	E	F	G	H
	£64.55	£76.29	£88.03	£105.63

- (f) That having calculated the aggregate in each case of the amounts at (d) (v) and (e) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts of council tax for 2013/14 for each of the categories of dwellings shown below.

A	B	C	D
£1,043.67	£1,217.62	£1,391.56	£1,565.51
E	F	G	H
£1,913.39	£2,261.28	£2,609.18	£3,131.00

- (g) That notice be given of the council tax within twenty one days of it being set by publishing details of the same in the "Walsall Advertiser" newspaper circulating in the authority's area.
- (h) That the Chief Financial 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, the giving of notices and the taking of necessary steps to ensure collection thereof.
- (i) That the budget plan be approved, subject to any changes within this recommendation and the amendment by Cabinet on 23 January 2013 as follows:
- "The catering saving proposal (Annex 10c, page 140) be reduced from £762,000 to £600,000 to allow the catering service to work with schools to develop a new model. The reduction of £162,000 to be funded as a one-off in 2013/14 from general reserves."
- (j) 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.

(ii) **Capital**

That the capital programme set out in the following tables be approved bearing in mind the principle that unless affordable from within current resources, specific projects funded by unsupported 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.

CAPITAL PROGRAMME 2013/14	
MAINSTREAM (COUNCIL FUNDED) SCHEMES	ESTIMATED VALUE £
Arboretum Play Area	175,000
Walsall Arboretum Restoration Programme – Illuminated Park proposals	270,000
Willenhall Memorial Park	180,000
Greenspace Improvement Plan	100,000
Allotment and Community Garden Strategy – Borneo Street	50,000
Roadway extensions in Streetly Cemetery	150,000
Headstone safety in Cemeteries	80,000
Willenhall Lawn Cemetery extension	120,000
Highways Maintenance	1,450,000
Verge Parking	250,000
Retained Housing Land	100,000
Health Through Warmth and related Retro Fit schemes	470,000
Demolition of Redundant Buildings	200,000
Regenerating Walsall	200,000
Civic Centre Essential Maintenance	566,306
Improving the customer experience when visiting the Council House – includes front of house facilities	700,000
Shop Maintenance	120,000
Aids and Adaptations (statutory element)	1,000,000
Preventative Adaptations – part of the transformation of Social Care (non-statutory element linked to Aids and Adaptations)	750,000
Essential Enhancement to Data Security Systems	60,000
Bring your own device security layers	70,000
Council wide IT planned rolling replacement and upgrade: Telephony consolidation	50,000
Council wide IT planned rolling replacement and upgrade: Upgrade of Windows	705,700
Replace essential Wide Area Network data circuits that will no longer be supplied by BT. These circuits connect buildings that are not being consolidated by Smarter Workplaces.	21,120
General reactive/planned property maintenance	500,000
Asbestos Removal	155,000
Control of Legionella	275,000

MAINSTREAM (COUNCIL FUNDED) SCHEMES (Continued)	ESTIMATED VALUE £
Work resulting from the statutory testing of building services	300,000
Fire Risk Assessment	200,000
Leasing versus Buy	340,000
Risk Management	100,000
Uninsured property damage	200,000
Total	9,908,126

NON-MAINSTREAM CAPITAL PROGRAMME – SCHEMES FUNDED FROM EXTERNAL SOURCES 2013/14	
GRANT / EXTERNALLY FUNDED SCHEMES	ESTIMATED VALUE £
Basic Need	2,097,621
Devolved Formula Capital	662,580
Capital Maintenance	3,530,556
Local Transportation Plan Highway Maintenance	1,945,000
Local Highways Maintenance funding	352,000
Low Emissions Town & Cities	100,000
Disabled facilities grant	1,351,000
Gypsy & Travellers	20,000
Darlaston Strategic Development Area Access	10,880,000
Local Transport Plan (excluding contribution to Darlaston Strategic Development Agency)	1,115,000
Local Sustainable Transport Fund	260,000
Personal Social Services Grant	769,958
Blackwood Park	95,700
Play Strategy	512,000
George Rose Park	50,000
High Heath Park	129,515
Holland Park	230,000
King George V Playing Fields	280,000
Kings Hill Park	55,000
Health in Parks	30,000
Bentley Green Spaces	88,000
Oak Park and Walsall Wood	40,000
Palfrey Park	30,000
Pelsall Common	78,400
Pleck Park	110,000
Reedswood Park	115,000
The Croft	66,000
Willenhall Memorial Park	123,250
Willenhall Townscape Heritage Initiative – Heritage Lottery	150,000
Willenhall Townscape Heritage Initiative – VIEW	100,000
BC Enterprise Zone – Darlaston Site Investigation Programme	847,250

Noirit Site Infrastructure	987,189
Black Country Property Investment Programme	3,075,490
Total	30,276,509

LEASING PROGRAMME 2013/14	
PORTFOLIO	NEW EXPENDITURE £
Transport and Environment portfolio	4,412,657
Business Support portfolio	69,000
Total	4,481,657

CAPITAL PROGRAMME RESERVE LIST ITEMS 2013/14	
MAINSTREAM SCHEMES	ESTIMATED VALUE £
Refurbishment of Fryers Road Transfer Station / HWRC site	250,000
Hatherton multi story car park	200,000
Generic highway improvement	125,000
Darlaston Town Hall	500,000
Aids and adaptations	500,000
Health through warmth and retro fit schemes	330,000
Preventative adaptations	250,000
Total	2,155,000

(iii) **Treasury Management**

- (a) That the 2013/14 treasury management and investment strategy document set out in Section 2 of the budget plan, and the adoption of the prudential indicators set out in Annex 6, be approved with the following amendment to PCI7.

National Prudential Indicators 2013/14 to 2015/16				
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The CFR represents the underlying level of borrowing needed to finance historic capital expenditure. Actual borrowing should be lower than this because of strong positive cash flow and balances. It would be a cause for concern if borrowing exceeded CFR.				

- (b) That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, be delegated to the Chief Finance Officer.

- (c) That decisions to use capital receipts or unsupported borrowing within the framework of approved prudential indicators be delegated to the Chief Finance Officer.

95. **Recommendation of Audit Committee – Annual review of Treasury Management policies**

The report to Audit Committee was submitted.

It was **moved** by Councillor Hughes, duly seconded and:

Resolved

That the Treasury Management policies as set out in Appendix A of the report be approved with immediate effect.

96. **Deputy Mayor 2013/14**

The Mayor informed the Council that following his nomination as Deputy Mayor for 2013/14 at the meeting of Council on 7th January 2013, Councillor Sean Coughlan had now decided that it would not be appropriate for him to take up the position and therefore he invited a fresh nomination for Deputy Mayor elect.

It was **moved** by Councillor P. Bott, seconded by Councillor C. Bott and:

Resolved

That Councillor P.E. Smith be nominated as Deputy Mayor of the Walsall Metropolitan Borough Council for the municipal year 2013/2014.

97. **Transition of public health**

A report was submitted.

It was **moved** by Councillor Bird, seconded by Councillor A. Andrew and it was:

Resolved

That the delegations to the Director of Public Health be approved as set out in the Appendix to this report to take effect from 1st April 2013, and that the Constitution be amended accordingly.

98. **Portfolio holder briefing – Children’s services**

Councillor R. Andrew, portfolio holder for children’s services gave a presentation.

Members asked questions in relation to the presentation which were responded to by Councillor Andrew.

99. **Urgent item – Recommendation of Appointments Board - Pension schemes – automatic enrolment and transitional delay**

The report to Appointments Board was submitted.

It was **moved** by Councillor Towe, duly seconded and it was:

Resolved

That the Council approve the transitional delay of the Pensions Automatic Enrolment Scheme until 1st October, 2017, which will, in turn, avoid a potential financial strain of approximately £4.6 million per annum on the authority.

The meeting terminated at 9.35 p.m.

Mayor:

Date: