

Cabinet

Wednesday 7 February 2024

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

E. Bennett	Chief Executive
K. Allward	Executive Director – Adult Social Care
D. Brown	Executive Director – Economy, Environment and Communities
J. Greenhalgh	Executive Director – Resources
S. Darcy	Director of Finance, Corporate Performance Management and Corporate Landlord
N. Inglis	Director of Public Health
S. Kelly	Director – Access and Inclusion
S. Portman	Head of Law
C. Goodall	Principal Democratic Services Officer
E. Cook	Democratic Services Officer

Part 1 – Public Session

4171 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.

4172 Apologies

No apologies were received.

4173 Minutes

The minutes of the meeting held on 13 December 2023 were submitted.

Resolved

That the minutes of the meeting held on 13 December 2023, a copy having been sent to each member of the Cabinet, be approved and signed as a correct record.

4174 Declarations of interest

No declarations of interest were received.

4175 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

4176 Petitions

No petitions were submitted.

4177 Questions

No questions were received.

4178 Forward plan

The forward plan as of January 2024 was submitted:

(annexed)

Resolved

That the forward plan be noted.

4179 Corporate Budget Plan 2024/25 – 2027/28, incorporating the Capital Strategy and the Treasury Management and investment Strategy 2024/25

Councillor Bird introduced the report setting out the proposed budget plan for 2024/25 to 2027/28, incorporating the Capital Strategy and the Treasury management and Investment Strategy 2024/25.

(annexed)

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

Resolved (unanimously)

1. That Cabinet noted:

- a. That the final local government settlement for 2024/25 had now been received and the relevant changes made to the 2024/25 budget.
 - 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 2024/25. Draft figures have been included. Final figures will therefore be provided prior to or at the Council meeting of 22 February 2024 should they change.
 - 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 2024/25. Estimates have been used for the Transport Levy based on informal communication. (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 72,932.78 for 2024/25.
 - e. The feedback from Overview and Scrutiny Committees on the draft revenue budget and capital programme and responses to recommendations, as set out in Section A - Part 1 of this report, the supplementary note on feedback from Overview Scrutiny Committee on 6 February 2024, and general consultation feedback.
 - f. The amendments to the revenue budget arising from the final settlement, including changes to savings and investment proposals identified since the December Cabinet report, as set out in section 4.27 and table 1.
 - 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 approved:
- a. The attached report as set out in Section A - Part 2 and Part 3: The Findings from Budget Consultation: Financial Year 2024/25+ 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 - Budget), to take account of the 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 22 February 2024.

- c. Approve the policy service changes as set out in section 4.28, Table 2 of this report.
 - d. That delegated authority be given to the S151 Officer, after consultation with the Leader of the Council and Chief Executive, to agree the council’s final contribution to the West Midlands Combined Authority.
3. That Cabinet approved and recommended to Council, subject to receipt of the final precepts and levies, receipt of and final changes arising from 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 2024/25 as set out in Section B - Part 1 “The Revenue Corporate Budget Plan and Capital Programme”.
- b) A Walsall Council net council tax requirement for 2024/25 of £152.03m and a 2.99% increase in council tax, plus a further 2% increase for Adult Social Care precept (total council tax increase of 4.99%).
- 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 reserves and an opening general reserve of not less than £18.39m, as set out in the S151 Officer Section 25 statement in Annex 11 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 22 February 2024. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,907,475
Environment Agency	86,505

- 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 22 February 2024 for the final figures once received:

- I. £777,287,884 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. £625,255,460 being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- III. £152,032,424 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. £2,084.56 being the amount at (e) (III) above, divided by the council tax base of 72,932.78, 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
1,389.70	1,621.32	1,852.94	2,084.56
E	F	G	H
2,547.79	3,011.02	3,474.26	4,169.11

- 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 22 February 2024.

PRECEPTING AUTHORITY	VALUATION BANDS			
Police And Crime Commissioner	A	B	C	D
	143.70	167.65	191.60	215.55
	E	F	G	H
	263.45	311.35	359.25	431.10
Fire & Rescue	A	B	C	D
	50.13	58.49	66.84	75.20
	E	F	G	H
	91.91	108.62	125.33	150.40

- 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 2024/25 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 22 February 2024.

A	B	C	D
1,583.53	1,847.46	2,111.38	2,375.31
E	F	G	H
2,903.15	3,430.99	3,958.84	4,750.61

- 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 Corporate Budget Plan and Capital Programme” 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.
- 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 - Budget), 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 and Investment Strategy set out in Annex 8 of the Budget Plan be approved.
- e) The Flexible Use of Capital Receipts Strategy set out in Annex 10 of the Budget Plan be approved.

3.3 Treasury Management

- a. Section B – Part 2A – The Treasury Management and Investment Strategy 2024/25 onwards, including the council's borrowing requirement, borrowing limits, and the adoption of prudential indicators, be approved.
- b. That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, be delegated to the S151 Officer.
- c. That decisions to use capital receipts or borrowing within the framework of approved prudential indicators be delegated to the S151 Officer.
- d. Section B – Part 2B – Treasury Management Policies, be approved.

4180 Corporate Financial Performance 2023/24

Councillor Bird introduced a report setting out the forecast corporate financial position for 2023/24 based on known forecast pressures and incorporating actions taken to ensure the Council returned on budget.

(annexed)

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

Resolved (unanimously)

That Cabinet:

1. Noted the forecast revenue spend above budget of £22.27m with services mitigating actions of £3.97m reducing this to £18.30m. A further £18.36m of central mitigating actions have been identified reducing the overall forecast to a small underspend of £62k. The forecast overspend has reduced by £4.94m since reported to Cabinet on 13 December 2023, mainly due to further central one-off mitigations of £5.68m detailed in section 4.9.

2. Noted that there are additionally high risks of £12.51m to the revenue forecast identified within services as set out in Appendix 2. These risks are actively being monitored and action is being taken to reduce / eliminate them.
3. Noted the progress on savings approved for 2023/24 and the amendments as detailed in section 4.11 to 4.12 and Appendix 5 and the use of earmarked reserves to mitigate these in 2023/24. Those ongoing into 2024/25 are expected to be fully delivered or replaced with alternative savings to ensure no financial impact.
4. Approved amendments to the capital programme as set out in section 4.14.
5. Noted that the forecast for the capital programme is a predicted underspend of £480k, after the expected carry forward of £31.78m into 2024/25, as set out in sections 4.14 to 4.16 and Appendix 6.
6. Approved the release of £4.57m from pipeline development in support of the new waste transfer station and household waste recycling centre at Middlemore Lane, as set out in section 4.17.
7. Noted financial health indicator performance as set out in sections 4.18 to 4.23 and Appendix 8.
8. Noted the prudential indicators as set out in section 4.24 to 4.26 and Appendix 9.
9. Noted the performance and demand data at Appendices 10 and 11 in relation to Adult and Children's Social Care Services.

4181 Council Plan 2022-25 – Q2 23/24

Councillor Bird introduced a report which reported on performance regarding Council Plan Markers of Success in Quarter 2 of 2023/24.

(annexed)

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

Resolved (unanimously)

1. That Cabinet noted the performance in Q2 relating to the period July-September 2023.
2. That Cabinet noted any key achievements, identified interdependencies and support required to achieve the Outcomes, set out in this report.

4182 Walsall's Regeneration Pipeline: Strategic Partner Framework Contract Award

Councillor Andrew introduced a report which sought to award contracts to create the Strategic Partner Framework which would help delivery of the regeneration and development pipeline.

(annexed)

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

Resolved (unanimously)

- 1. Cabinet delegated authority to award contract(s) to create Walsall's regeneration pipeline - Strategic Partner Framework, for a period of three years (April 2024 to March 2027), with an option to extend for an additional 12-month period, as set out in this Cabinet Report, to the Executive Director of Economy, Environment and Communities in consultation with the Portfolio for Regeneration.**
- 2. Cabinet delegated authority to the Executive Director of Economy, Environment and Communities to enter into contract(s) and to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents.**
- 3. Cabinet delegated authority to the Executive Director of Economy, Environment and Communities, 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 Contract Rules and any relevant legislation, including the Public Contracts Regulations 2015.**

4183 Investment and Leasing Proposals for Council Owned Community Buildings

Councillor Andrew introduced a report which sought to ensure the council continued to support the delivery of services by the voluntary and community sector through the signing of leasing agreements and underwriting investment gaps for those occupying council-owned properties.

(annexed)

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

Resolved (unanimously)

- 1. Cabinet approved the principles for the provision of circular grant funding to community organisations linked to the grant of formal leases of council-owned properties.**
- 2. Cabinet delegated authority for the approval of circular funding grants with a value of over £500,000 to the Executive Director of Economy, Environment and Communities in consultation with the Deputy Leader**

and Portfolio Holder for Regeneration where the criteria set out in this report are met.

3. **Cabinet approved the underwriting of identified funding gaps associated with successful Community Capital supported projects for council owned and leased buildings, to enable the works to proceed, and delegates authority for the approval of individual project underwriting to the Executive Director of Economy, Environment and Communities in consultation with the Deputy Leader and Portfolio Holder for Regeneration, where the criteria set out in paragraph 4.33 of this report are met.**
4. **Cabinet noted that the approval of circular funding and capital gap funding grants with a value of under £500,000 will be in accordance with existing officer delegations contained within the council's constitution.**

4184 **Balloon and Sky Lantern Release Policy**

Councillor Flint introduced a report which sought to make Walsall a cleaner, greener borough by implementing a ban on the release of balloons and sky lanterns.

(annexed)

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

Resolved (unanimously)

Cabinet approved the adoption of the Balloon and Sky Lantern Release Policy, provided at Appendix A of this report.

4185 **Improving Quality and Value for Money in Adult Social Care Provision**

Councillor Pedley introduced the report setting out proposals for a 3-year plan for improving the quality of care support.

(annexed)

The decision was taken in the private session following consideration of exempt information (see minute number 4189).

4186 **Determination of the Scheme for coordinated admissions, and the Admission Arrangements for Community and Voluntary Controlled Primary Schools for the 2025/26 academic year**

Councillor Statham introduced the report which set out the admission arrangements for community and voluntary controlled schools for the 2025/26 academic year.

(annexed)

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

Resolved (unanimously)

- 1. Cabinet approved and determined the proposed schemes for inter authority coordinated admissions for 2025/26 and that the admission arrangements for community and voluntary controlled primary schools for the academic year 2025/26 as per Appendix 1.**
- 2. That Walsall Council informs all relevant stakeholders of the determination of its admission arrangements for the 2025/26 academic year in accordance with the provisions of the School Admissions Code 2021.**

4187 Recommendations from Scrutiny Overview Committee regarding town centre plans

Councillor Andrew introduced a report which reported on recommendations made to Cabinet by the Scrutiny Overview Committee regarding town centre plans.

(annexed)

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

Resolved (unanimously)

That Cabinet noted:

- 1. The important work to improve transport links in Walsall Town Centre to be delivered by the Connected Gateway Project. A more comprehensive design brief has been prepared and will be brought forward for public consultation shortly.**
- 2. The Council is considering a Healthy Levelling Up Partnership with the Department for Levelling Up, Housing and Communities and Department for Health and Social Care. This will provide a capital budget of approximately £20m. The Partnership is anticipated to include proposals for a range of potential housing sites and other projects around Walsall linked to the Town Deal and Future High Streets Fund.**

4188 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.

Part 2 - Private Session

Whilst the following item was considered in the private session, the below is a full account of the decision taken.

4189 Improving Quality and Value for Money in Adult Social Care Provision

Councillor Pedley introduced the report setting out proposals for a 3-year plan for improving the quality of care support, including exempt information which had not been considered during the public session.

(annexed)

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

Resolved (unanimously)

That:

1. **Following consideration of the confidential report in the private session of the agenda, Cabinet approved the proposals to:**
 - a. **Approve the proposed approach to quality, putting in place a 3 year plan for engaging providers around fees, market sustainability and quality.**
 - b. **Approve the funding of this plan that will implement varied uplifts based on current costs to bring the market closer together and further uplifts based on quality.**
 - c. **Support the development of a local approach to quality that will inform future decisions around uplifts.**
 - d. **Support enhancement of the Brokerage Model to support market management.**
2. **Cabinet delegated authority to the Executive Director for Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, to enter into discussions with commissioned providers around implementation of the proposals.**
3. **Cabinet delegated authority to the Executive Director of Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, to authorise any variations to the contractual arrangements or other related documents for such services should this be required to support adoption of the proposals 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)

There being no further business, the meeting terminated at 6:32 p.m.

Chair:

Date: