

# Cabinet

**Wednesday 20 July 2022**

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

## **Present – in person**

Councillor Bird	Leader of the Council
Councillor Ali	Customer
Councillor Ferguson	Internal Services
Councillor Flint	Health and Wellbeing
Councillor Murphy	Clean and Green
Councillor M. Statham	Education and Skills

## **In attendance – in person**

Dr H. Paterson, Chief Executive  
Mrs D. Hindson, Executive Director, Resources and Transformation  
Mr C. Goodall, Principal Democratic Services Officer  
Mr E. Cook, Assistant Democratic Services Officer  
Mr S. Portman, Head of Law

## **In attendance – remote**

Mrs S. Rowe, Executive Director, Children's and Customer  
Mr S. Gunther, Director of Public Health  
Mr S. Neilson, Director  
Mr T. Meadows, Interim Director of Commissioning

## **Part 1 – Public Session**

### **3936 Welcome**

Councillor Bird opened the meeting by welcoming everyone and explaining that the Cabinet was meeting that evening in person with appropriate social distancing requirements and would be conducted using the hybrid meeting system to enable it to be streamed and to enable officers to contribute remotely if required. He said that voting would be by way of a show of hands which would be witnessed and recorded by the Democratic Services officer in attendance; and that the agenda and reports for this meeting were available on the Council's website. Introductions took place and a quorum was established.

### **3937 Apologies**

Apologies for non-attendance were received from Councillors Andrew, Pedley, Perry and Wilson

### **3938 Minutes**

The minutes of the last meeting were submitted.

**Resolved**

That the minutes of the meeting held on 22 June 2022, a copy having been sent to each member of the Cabinet, be approved and signed as a correct record.

**3939 Declarations of interest**

There were no declarations of interest

**3940 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.

**3941 Petitions**

No petitions were submitted.

**3942 Questions**

No questions were submitted

**3943 Forward plan**

The forward plan as at July 2022 was submitted:

(see annexed)

**Resolved** (by assent)

That the forward plan be noted.

**3944 Corporate Financial Performance 2022/23, approach to Budget Setting for 2023/24, and changes to the council's Tax Strategy**

Councillor Bird introduced a report, providing an update on the forecast corporate financial position for 2022/23, based on the position to June 2022, and sets out our approach to budget setting for 2023/24.

(annexed)

There is a forecast overspend of approximately £2.28m however there are mitigation measures in place. Any ongoing pressures or undelivered savings not addressed by these measures will need to be accounted for in the 2023-24 budget process. Cost of

living increases are beginning to have an impact, including on borough finances an example being the effect of rising fuel costs on refuse collection costs. These cost increases are being assessed. There are no changes planned to the Tax Strategy.

Councillor Flint pointed out that there continue to be additional costs associated with the COVID-19 pandemic and the response to it. Support for local businesses will continue to be provided. Whilst the COVID-19 business support has ended, businesses are encouraged to bid in Council tenders and making this easier for small businesses is being investigated.

**Resolved** (unanimously)

- 1) That Cabinet notes the potential forecast revenue overspend of £2.28m, progress against delivery of savings, mitigating actions being taken to address these and actions still required.
- 2) That Cabinet approves the use of £2.45m of Covid-19 funding from unringfenced grant as referenced in section 4.16: £847k to support children in care placement costs, and £1.40m to support the ongoing impact on demand and delay in delivering approved savings within Adult Social Care.
- 3) That Cabinet notes that the cost of living increase is beginning to impact and an assessment is currently being completed to forecast the potential costs on 2022/23.
- 4) 3 That Cabinet approves amendments to the capital programme as set out in section 4.17.
- 5) That Cabinet notes that the forecast for the capital programme is currently predicted to be on budget after the expected carry forward of £80.58m into 2023/24, as set out in sections 4.18 and 4.19.
- 6) That Cabinet notes that there are additionally high risks of £13.19m to the revenue forecast identified within services as set out in Appendix 1. These risks are actively being monitored and action is being taken to reduce / eliminate them where possible.
- 7) That Cabinet notes financial health indicator performance as set out in section 4.21 and Appendix 4.
- 8) That Cabinet notes the prudential indicators as set out in section 4.27 and Appendix 5.
- 9) That Cabinet notes the work underway to update to the medium term financial outlook and approve the approach for setting the 2023/24 budget, as set out in section 4.30 to 4.40, aligned to the Council Plan, Budget Framework and Proud Promises.
- 10) That Cabinet notes that there are no changes to the council's Tax Strategy (section 4.41).

### 3945 **Strategic Asset Plan 2022-27 - Accommodation Policy**

Councillor Bird introduced a report which outlined the Council's Strategic Asset Plan Accommodation Policy. The Strategic Asset Plan is the key document which sets out the Council's vision and approach for the management of its property portfolio under the new Corporate Landlord model. The Accommodation Policy is the final appendix to the Strategic Asset Plan.

(Annexed)

The Council's property function has undergone a transformation to create a comprehensive, joined up service operating under a Corporate Landlord Methodology. The Local Authority has a significant amount of property, some of which it is now apparent is not required, because of changing working patterns and hybrid working. The Accommodation Policy sets out the Council's policies relating to the occupation of property in accordance with the adopted principles of blended working and presence with a purpose and ensuring our premises are fit for purpose to cater for our current and future needs.

Councillor Ferguson added that customer focussed ways of working are being adopted, with services being taken out to the people rather than making them come in to Walsall. Flexible working with intelligent use of technology has improved satisfaction rates and the Accommodation Policy will further extend this new working culture and ensure efficient use of resources and the estate.

**Resolved** (unanimously)

- 1) That Cabinet approves the Accommodation Policy as attached in Appendix A to the report.

### 3946 **Provision of Adult Social Care Service for Supported Living – Spot Contracts**

Councillor Bird introduced a report which sought Cabinet approval to award Spot contracts to the three non-contracted Supported Living Providers who are not on the Supported Living Framework. The three providers are providing complex care packages which are not covered within the Supported Living Framework contracts as these are unable to meet the complexity of these packages of care. Additional spot purchase contracts may be spot purchased in the future.  
(annexed)

**Resolved** (unanimously)

- 1) That Cabinet approves the awarding of Spot contracts to the three non-contracted Supported Living providers identified in this report to 26 January 2023 with two 12 months optional extension periods to 26 January 2025, to ensure the

Council is able to address complexity care packages and comply with its statutory obligations.

- 2) That Cabinet delegates authority to the Director of Adult Social Care in consultation with the Portfolio Holder for Adult Social Care, to award additional Spot contracts to non-contracted for Supported Living providers to 26 January 2023 with two 12 months optional periods to 26 January 2025, to ensure the Council is able to address capacity issues in the market and comply with its statutory obligations.
- 3) That Cabinet delegates authority to the Executive Director of Adult Social Care Public Health and Hub to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents for such services as identified above.
- 4) That Cabinet delegates authority to the Executive Director for Adult Social Care Public Health and Hub, 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 throughout the duration of the Supported Living Framework and the Spot contract arrangements.

**3947 Independent Statutory Advocacy Contract Award For: Care Act Advocacy, Independent Mental Health Advocacy, Independent Mental Capacity Advocacy, and Independent Complaints Advocacy**

Councillor Bird introduced a report which sought to award an Independent Statutory Advocacy Service contract to the successful provider following a competitive tender exercise. This ensures the Council will continue to have an Independent Advocacy service to comply with its statutory obligations, in meeting the needs of those clients who are eligible to receive an Independent Statutory Advocacy Service.

(Annexed)

There is no obligation for people eligible to use these services, however the facility must exist should they wish to. The policy and these contracts will help the Council to achieve its aim to reduce inequalities and for all potential to be maximised.

**Note:** Decision taken in the private session following consideration of confidential information. See minute number 3949.

**3948 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 the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the items in private.

## **Part II – Private Session**

### **3949 Independent Statutory Advocacy Contract Award For: Care Act Advocacy, Independent Mental Health Advocacy, Independent Mental Capacity Advocacy, and Independent Complaints Advocacy**

Cabinet considered the confidential information associated with the awarding of Independent Statutory Advocacy contracts for Care Act Advocacy, Independent Mental Health Advocacy, Independent Mental Capacity Advocacy, and Independent Complaints Advocacy, which included exempt information associated with the tender evaluation, evaluation criteria and the outcome of the evaluation.

#### **Resolved** (unanimously)

- 1) That, following consideration of the confidential report in the private session of the agenda, Cabinet approves the award of the Statutory Independent Advocacy Service contract to POhWER commencing from 1st October 2022 to 30th September 2024 with the option to extend for a further 4 periods of up to 12 months up to 30 September 2028 with an anticipated lifetime value of £1,216,830. This award is following a competitive tender process in accordance with Public Contracts Regulations 2015 and the Council's Contract Rules.
- 2) That Cabinet delegates authority to the Executive Director of Adult Social Care, to enter into a contract to deliver the Statutory Independent Advocacy Service and to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents for such services including the optional extension periods.
- 3) That Cabinet delegates authority to the 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 the services identified above, should this be required at any time during the contract term, in line with Public Contracts Regulations and the Council's Contract Rules.

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

There being no further business, the meeting terminated at 6.58 p.m.

Chair:

Date:

