

SCRUTINY OVERVIEW COMMITTEE

TUESDAY 7 FEBRUARY 2023, 6:00pm

In the Council Chamber at the Council House, Walsall

Committee Members present:

Councillor J. Murray (Chair)
Councillor A. Nawaz (Vice Chair)
Councillor B. Bains
Councillor P. Bott
Councillor S. Cooper
Councillor S. Ditta
Councillor Follows
Councillor Hicken
Councillor K. Hussain
Councillor S. Samra
Councillor Singh-Sohal

Portfolio Holders present:

Councillor Bird
Councillor Andrew
Councillor Ali
Councillor Elson
Councillor Ferguson
Councillor Murphy
Councillor Perry

Officers present:

Simon Neilson	Executive Director, Economy & Environment and Communities
Dave Brown	Director – Place and Environment
Shaun Darcy	Director – Finance Corporate Performance and Corporate Landlord
Elise Hopkins	Director - Customer Engagement
David Elrington	Head of Community Safety and Enforcement
Nikki Gough	Democratic Services Officer
Edward Cook	Assistant Democratic Services Officer

445/22 Apologies

No apologies were received.

446/22 Substitutions

There were no substitutions.

447/22 **Declarations of interest and party whip**

No declarations of interest or party whip were received.

448/22 **Local Government (Access to Information) Act 1985 (as amended)**

There were no agenda items requiring the exclusion of the public.

449/22 **Minutes**

A copy of the minutes of the meeting held on 12 December 2022 was submitted.

[Annexed]

The Chairman explained that every effort had gone in to arranging for the outgoing Chief Executive to attend a meeting of the Committee following the request at the meeting held on 12 December 2022, however, this had not been possible to arrange within the time available.

Resolved:

That the minutes of the meeting held on 12 December 2022, a copy having previously been circulated, be approved and signed by the Chair as a true and accurate record.

450/22 **Corporate Financial Performance 2022/23 – 7 month position ended 31 October 2022**

The Committee received a report, which provided the updated forecast financial position for 2022/23, based on the seven-month position at the end of October 2022.

[Annexed]

The Chairman explained that this item had been added as a late item to the agenda in response to the worsening financial situation and forecast overspend. The Director (Finance Corporate Performance and Corporate Landlord) explained that the main source of the forecast overspend was in Adult Social Care and Children's Services, due to rising costs of care packages and increasing costs to providers, but that mitigating measures were in place. For services within the remit of the Committee there was an underspend which was helping off-set the over-spend in different service areas.

Responding to Member questions, the Director (Finance Corporate Performance and Corporate Landlord) explained that outstanding debts owed to the Council by other bodies did not contribute to the overspends, as they were treated as part of cash-flow, rather than spending. Provisions were in place to write-off bad debt, and significant resources had been invested to improve debt collection. A discussion was

held on money owed by the Integrated Care Board (ICB) with further detail provided on action taken to rectify this situation. The Leader of the Council affirmed that social care was needed and the Council would never leave those who needed care without it. Whilst the Government had allowed further increases in council tax to fund Adult Social Care, Cabinet had felt those in need would struggle to pay this, thus moving debt from one source to another. Regarding questions about energy costs in schools the Leader of the Council explained that Cabinet and Council had written to Government calling for contingency plans and support for schools and businesses.

Resolved:

1. That the Committee noted:

- a. **The forecast 2022/23 year-end financial position for the council as a whole including a predicted net revenue overspend of £11.33m (an increase of £5.21m since last reported to Cabinet in October 2022), and capital break-even position after re-phasing of £92.64m into 2023/24;**
- b. **That the section 151 Officer had requested that all budgets be reviewed and that services identify mitigating actions to address the revenue position. Following this review, £11.28m of mitigating actions had been identified to address this, resulting in a marginal revenue forecast overspend of £0.05m. Any on-going pressures or undelivered savings not addressed in-year would need to be considered as part of the 2023/24 budget process, putting pressure on that process. Officers were confident at this stage, based on known assumptions, that actions being taken will address this and outturn on budget;**

2. That the Committee noted the forecast 2022/23 year-end financial position for services within the remit of the committee including a predicted net revenue underspend of £1.27m and net capital break even position after re-phasing of £19.33m into 2023/24, subject to ongoing review.

3. That the full list of mitigating actions taken in response to the forecast overspend, as set out in the report submitted to cabinet, be shared with members of the Committee.

The Committee received a report and supplementary paper, which provided the draft revenue budget proposals for services within the remit of the committee and for Council-wide services. 'Part A' of the report set out the draft revenue budget proposals for services within the remit of the committee. 'Part B' outlined the draft revenue budget and capital programme covering Council-wide services, as submitted to Cabinet on 14 December 2022 and with amendments due to be presented to Cabinet on 8 February 2023 summarised in the supplementary paper.

[Annexed]

The Leader introduced the report, providing headline figures, details of investments, efficiencies, cost pressures, and the proposed draft capital programme spending. The Portfolio Holders for Resilient Communities, Customer and Internal Services provided further descriptions of proposals within the remit of the Committee.

An extensive discussion was held on the draft revenue and capital budget proposals, with particular challenge provided in relation to:

- Card payments and online services capital investment schemes – it was suggested that this needed future scrutiny.
- The level of reserves held by the Authority.
- Overspend within the Childrens Service and Adults Social Care.
- Increasing cost pressures through rising prices of commodities, fuel and energy.
- Review of provision - school crossing patrols.

The Committee considered the future use of the civic centre, including hybrid working arrangements, enhancing the council's registrars offer and the proposal to lease out space within the civic, as set out in Appendix 2 - OP 32 and Appendix 3. The Leader clarified that this investment was required to ensure the space was fit for purpose, met health and safety requirements and to ensure that maximum income was achieved from the building from both a service offer and working with partners from a one public estate perspective. Officers clarified that this would be a capital scheme, also supported by a £3.7m capital grant from the Public Sector Decarbonisation Scheme supporting air source heat pumps across the civic centre and Council House to deliver towards the net carbon zero agenda and drive energy efficiency. It would also provide an enhanced service offer for registrars, which would generate additional ongoing revenue benefits, especially from increased marriage ceremonies from a much improved, town centre space. Concern was expressed by the Committee that investment in the civic centre was not prudent at this time. The Leader of the Council clarified that he had never said that the Civic Centre may be sold and that there had been no consideration of this, contrary to reports in the press.

The Leader explained the reasons for the reduction in the grant funding provided to the Citizens Advice Bureau (CAB) set out in Appendix 2 P2, stating that this was no longer a satisfactory service to Walsall residents.

It was **moved** and **seconded** that a recommendation be made to Cabinet to review the proposed funding cut to the CAB and that Cabinet be asked to continue funding the CAB at the current level on the condition that it provides services in Walsall (Civic Centre) and community centres across the Borough to support residents.

The Committee discussed this motion. Members debated the merits of the service provided - it was acknowledged that this was previously of significant value to Walsall residents, however, it was felt by some Members that this was no longer the case. A Member stated that he could not support the CAB as it did not support his local community, it was suggested that an alternative provider/in house should be sought to deliver the help. Concerns were raised in relation to the CAB capacity and if they would be able to deliver what was being suggested, the identification of an alternative provider was suggested as a better option for Walsall residents. A Member stated that it was his understanding that the CAB did deliver services from Beechdale and this proposal would ensure that they had a presence in Walsall – with the funding conditional on provision of the service in a way that was designed by the Authority. It was stressed that the CAB had not been delivering an adequate level of service in Walsall despite receiving funding and it was concluded by some members it would be wrong to recommend that the funding be continued as the CAB did not have the capacity to deliver.

Upon being put to the vote, this was **rejected** and the proposed resolution failed for this reason.

The Committee further discussed the service provided by the CAB and the benefits of developing an in-house service or using an alternative provider and it was suggested that this should be a future agenda item for the Scrutiny Overview Committee.

Resolved:

- 1. That the Scrutiny Overview Committee support recommendation one made by the Social Care and Health Overview and Scrutiny Committee, in relation to the draft revenue and capital programme 2023/24 – 2026/27, at its meeting on 19 January 2023. (That recommendation being ‘Cabinet be advised that the Committee is unable to support the savings listed in the ‘Summary of Operational Proposals by Outcome 2023/24 – 2026/27’, contained with Appendix 2 (Savings in relation to Social Care);**
- 2. That the Scrutiny Overview Committee request that Cabinet produce a full options appraisal on the future use of the Civic Centre before allocating resources to its refurbishment;**
- 3. That the Scrutiny Overview Committee ask Cabinet to consider the impact of the financial overspend within Adult Social Care and**

Children's Services and that a robust action plan aimed at dealing with the overspend is produced for the next financial year.

- 4. That information be provided on funding brought in for Clean and Green purposes.**

452/22 **Community Protection Enforcement**

The Committee received a report, which provided an overview of community protection enforcement in Walsall.

[Annexed]

The Portfolio Holder for Resilient Communities introduced the report and highlighted the key points. Responding to questions, the Head of Community Safety and Enforcement stated that the number of registered scrap vehicles was relatively low and that license plates for these vehicles were available. Whilst they were not legally mandatory, there had been enthusiastic take-up. A significant challenge regarding fly tipping was recurring sites and identifying offenders. Improving partnership working would be an important factor in strengthening enforcement.

Regarding the time taken to respond to and resolve complaints, the Head of Community Safety and Enforcement explained that there was a very pressing demand on services and that despite operational changes, expectations needed to be realistic. Cases were prioritised with considerations including the nature and level of threat/harm and the quality of evidence provided. There were often delays in seeing the results of enforcements due to backlogs in the legal system. The issuing of 'Fixed Penalty Notices' followed a strict process, but Walsall had issued the highest number in the Black Country this year.

The Head of Community Safety and Enforcement explained that the Team Leader post in Community Protection team was currently vacant with members of the team temporarily covering. Community Protection Enforcement officers workloads were periodically prioritised and staff had recently been focussing on street-drinking, homelessness, environmental patrols and supporting the police.

Resolved:

- 1. That the Committee noted the information contained in the report and on how resources are allocated to provide integrated enforcement to support the resilient communities approach;**
- 2. That information be provided to Committee Members regarding the number of scrap metal dealers licensed in Walsall.**

453/22 Feedback from Overview & Scrutiny Committees

The Committee received feedback from the Chairs of the Overview & Scrutiny Committees on meetings of their committees since 12 December 2022.

Resolved:

- 1. That the feedback from Overview and Scrutiny Committees be noted;**
- 2. That the Committee congratulate the Officers in Children's Services and Education for their work regarding SEND.**

454/22 Recommendation Tracker

The Committee received the tracker of recommendations from previous meetings, including progress made and outstanding items.

[Annexed]

Resolved:

That the recommendation tracker be noted.

455/22 Areas of Focus 2022-23

Members received the Committee's Work Programme and considered the Forward Plans of the Council and the Black Country Executive Joint Committee.

[Annexed]

It was noted that the report produced following the recent Local Government Association peer review was due to be considered by Cabinet in March 2023 so would likely to come before the Committee in April 2023.

Resolved:

- 1. That the following items be considered at the meeting of 16 March 2023:**
 - a. Council Customer Engagement including member queries and responses;**
 - b. Council Plan performance report;**
 - c. School Gate Working Group.**
- 2. That the We Are Walsall 2040 draft strategy framework be added to the work programme for consideration at the meeting of 20 April 2023;**
- 3. That the Walsall Local Plan be added to the Committee's areas of focus, for consideration when appropriate during the next Municipal Year;**

4. That the Children's Play Strategy be referred to the Economy & Environment Committee for consideration as soon as practicable;
5. That the Black Country UNESCO Global Geopark be referred to the Economy & Environment Committee for consideration at a future meeting;
6. That the Forward Plans be noted.

456/22 **Date of next meeting**

The next meeting would be held on 16 March 2023 at 6pm.

There being no further business this meeting was terminated at 9:34pm.

Signed:

Date: