

Cabinet minutes

Wednesday 14 February 2018 at 6.00 p.m.

in a Conference Room at the Council House, Walsall

Present

Councillor S. Coughlan	Leader of the Council
Councillor Jeavons	Deputy Leader and Regeneration
Councillor Nawaz	Children's services and education
Councillor Jones	Clean and green
Councillor Shires	Community, leisure and culture
Councillor Robertson	Health
Councillor D. Coughlan	Social care
Councillor Chambers	Agenda for change/Personnel and business support

3747 Minutes

Resolved

That the minutes of the meeting held on 13 December 2017 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

3748 Declarations of interest

Councillors Jones and Nawaz declared an interest in the item 19 – Selective licensing scheme for the private rented sector and left the room during consideration of the item.

3749 Local Government (Access to Information) Act, 1985

There were no items to be considered in private session.

3750 Petitions

There were no petitions submitted.

3751 Questions

There were no questions.

3752 Forward plan

The forward plan as at 5 February 2018 was submitted:

(see annexed)

Resolved

That the forward plan be noted.

3753 West Midlands Combined Authority - borrowing, business rates and changes to key route network

The Leader presented the report:

(see annexed)

Resolved

- (1) That Cabinet confirms its approval of the granting of borrowing powers to the Mayoral West Midlands Combined Authority subject to a borrowing cap as provided for in the report.
- (2) That Cabinet confirms its approval of the granting of Business Rate Supplement powers to the Mayoral West Midlands Combined Authority for the Mayor to exercise.
- (3) That Cabinet approves the minor changes provided for in the report to the West Midlands Key Route Network.
- (4) That authority be delegated to the Chief Executive, in consultation with the Leader, to agree the draft Order(s) that will grant the Mayoral West Midlands Combined Authority Borrowing powers, Supplementary Business Rate powers and amend the Key Route Network.

3754 Corporate financial performance 2017/18

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That the revenue forecast overspend of £956k (equivalent to 0.15% of gross expenditure budget) be noted.
- (2) That Cabinet note the forecast on the Council funded capital programme is currently expected to be under budget by £450k (equivalent to 0.44% of the capital programme budget).
- (3) That the amendments to the capital programme as set out in section 3.6 be approved.
- (4) That the financial health indicator performance as set out in Appendix 1 be noted.

3755 Local Government Association Peer Challenge action plan

Councillor S. Coughlan presented the report, together with the LGA feedback report:

(see annexed)

Resolved

That the Corporate Peer Challenge Action Plan be approved.

3756 Corporate Plan

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

That Cabinet supports the amendments and revisions to the Corporate Plan 2017-20 and forwards the refreshed Corporate Plan to Council.

Resolved to recommend to Council

That Council approves the updated version as the new Corporate Plan 2018-21.

3757 Corporate budget plan 2017/18 and 2020/21 and treasury management and investment strategy 2018/19

Councillor S. Coughlan presented the report, together with an update report of the Chief Finance Officer:

(see annexed)

Resolved

(1) That Cabinet note:

- (a) 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. (The council has been advised that they will be approved following meetings scheduled for early to mid February, final figures will therefore be provided prior to or at the Council meeting of 28 February 2018).
- (b) 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. Current estimates have been used for both the Environment Agency and Transport Levy based on informal communication, but these are subject to formal approval. (The final levies are expected to be approved early February, and will be included within the final papers to Council).
- (c) That the council tax base, set by the Chief Finance Officer, under officer delegations, is 69,742.96.
- (d) The feedback from Overview and Scrutiny Committees on the draft capital programme and revenue budget and responses to recommendations, as set out in Appendix 1.
- (e) 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 approve:

- (a) Policy service changes as set out in section 13, table 1 of this report, and instruct executive directors to implement these.
- (b) The allocation of revenue resources for 2018/19 as set out in Appendix 2: Part 1 "The Revenue and Capital Corporate Budget Plan", and delegate authority to the relevant executive directors to implement the 2018/19 savings.
- (c) That delegated authority be given to the Chief Finance Officer to make any necessary amendments, in consultation with the Leader (portfolio holder for finance), to take account of the final levies and precepts; changes required arising from the final Settlement; 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 28 February 2018.

- (d) That delegated authority be given to the Leader of the Council, in consultation with the Chief Finance Officer and Chief Executive, to agree the council's contribution to the West Midlands Combined Authority.
 - (e) The leasing programme set out at 2.3.2 and delegate authority for approval of in year expenditure to the Head of Finance (up to a cumulative value of £500k) and the Chief Finance Officer (above £500k).
- (3) That Cabinet approve **and recommend to Council**, subject to receipt of final precepts and levies, receipt of the final settlement, technical/legislative guidance and final specific grant allocations (*substitute figures and resolution to be provided to Council by the Chief Finance Officer to take account of any changes arising from these*):

(1) Revenue

- a) The allocation of revenue resources for 2018/19 as set out in Appendix 2: Part 1 "The Revenue and Capital Budget Plan".
- b) A Walsall Council net council tax requirement for 2018/19 of £114.99m and a 4.99% increase in council tax.
- c) That the recommendations of the S151 Officer (Chief Finance 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 an opening general reserve of not less than £14.6m, as set out in **Annex 9** 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 28 February 2018. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,160,595
Environment agency	79,939

- 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 the final Settlement, technical/legislative guidance and final specific grant allocations, **and Cabinet approve that these will be substituted** at the Council meeting on 28 February 2018 for the final figures once received:

- I. **£615,333,951** 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. **£500,348,035** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- III. **£114,985,916** 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. **£1,648.71** being the amount at (e) (III) above, divided by the council tax base of 69,742.96, 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
1,099.14	1,282.33	1,465.52	1,648.71
E	F	G	H
2,015.09	2,381.47	2,747.85	3,297.42

- 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 28 February 2018.

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police And Crime Commissioner	85.70	99.98	114.27	128.55
	E	F	G	H
Fire & Rescue	157.12	185.68	214.25	257.10
	A	B	C	D
	39.23	45.77	52.30	58.84
	E	F	G	H
	71.92	84.99	98.07	117.68

- 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 2018/19 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 28 February 2018.

A	B	C	D
1,224.07	1,428.08	1,632.09	1,836.10
E	F	G	H
2,244.13	2,652.14	3,060.17	3,672.20

- 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 “Walsall Advertiser” newspaper circulating in the Authority’s area.
- i) 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, billing, the giving of notices and the taking of necessary steps to ensure collection thereof.
- j) That the Chief Finance 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.

(II) Capital

- a) The allocation of capital expenditure plans as set out in Appendix 2: Part 1 “The Revenue and Capital Budget Plan”.
- b) That the capital and leasing 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 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.
- c) That the Chief Finance 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.

- d) That the Chief Finance Officer, in consultation with the Leader (portfolio holder for finance), 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).
- e) The Flexible Use of Capital Receipts Strategy set out in **Annex 8** of the Budget Plan including the use of new capital receipts from April 2018 to March 2019 to fund revenue transformational projects as detailed, subject to sufficient receipts being available to cover planned capital programme commitments.
- f) That the Chief Finance Officer, in consultation with the Leader (portfolio holder for finance), **be given delegated authority** to allocate new capital receipts to support revenue costs of transformation projects which fulfil the requirements of the 'flexible use of capital receipts strategy', as set out in **Annex 8** of the Budget Plan.

CAPITAL PROGRAMME – MAINSTREAM (COUNCIL FUNDED) SCHEMES				
SCHEME	Estimated Value £			
	2018/19	2019/20	2020/21	2021/22
<i>Ongoing implications of prior year approvals (new spend)</i>				
Broadway West playing fields – refurbish/improve existing changing room provision – match funding required as below	100,000			
Walsall Town Centre Public Realm improvements / Market	1,000,000	1,000,000	1,500,000	
Migration of existing Urban Traffic Control analogue communication network	185,000			
Traffic signals – replacement of obsolete equipment	200,000	200,000	200,000	200,000
Provision of community dropped crossings across footways	20,000	20,000	20,000	20,000
Library redesign including relocation of Local History Centre to Central Library	2,437,000			
Essential Microsoft upgrades and foundation for Office 365	225,000			
Procurement of system for Human Resources management & Oracle financials	2,100,000	1,400,000		
Service improvement for single mobile device management solution	51,000	51,000		
Civic Centre heating	600,000			
Redesign of school kitchens to meet health & safety, food and fire regulations	250,000			
CCTV upgrade to equipment	250,000			
Mosaic Phase 3 implementation of social care case management system	223,085			
<i>Rolling Programme Schemes</i>				
Memorial safety in Walsall cemeteries	40,000	40,000	40,000	40,000
Highway Maintenance Programme	2,800,000	2,800,000	2,800,000	2,800,000
Preventative / Aids and Adaptations and Supporting Independence	750,000	750,000	750,000	750,000
Health Through Warmth – Safety Net support	75,000	75,000	75,000	75,000
Funding to support essential works including Health & Safety	750,000	750,000	750,000	750,000
<i>New Capital Bids</i>				
Supporting transformation – looked after children / out of borough placements	150,000	150,000	150,000	
Supporting transformation – looked after children small residential home	60,000	60,000	60,000	
Pinfold Centre – relocation of Children’s Services Independent Review and Child Protection conference service from Hollies	684,630			
Corporate parenting contact and assessment hub – relocation of 4 into 1	697,571			
Replacement of obsolete analogue weather stations used to provide winter service to the highway network	40,000			
Open water safety schemes - signage	73,650	2,000	5,000	2,000

CAPITAL PROGRAMME – MAINSTREAM (COUNCIL FUNDED) SCHEMES - Continued				
SCHEME	Estimated Value £			
	2018/19	2019/20	2020/21	2021/22
Walsall Arboretum Extension and Country Park infrastructure improvements		190,000		
Oak Park Active Living second artificial grass pitch (match funding as below)	150,000			
Bloxwich Active Living Centre – interactive aquatics play	30,000			
Mobile technology implementation for Building Control	11,500			
Streetly Crematorium installation of air conditioning units and refurbishment of toilets		215,351		
Replacement of obsolete fixed site speed enforcement camera infrastructure	175,000			
Promotion of community health and safety	120,000	120,000	120,000	120,000
M6 Junction 10 road improvements – match funded to grant			650,000	
Aldridge Manor House – development into a commercial opportunity	4,766,000	83,000		
Walsall Council House - modern secure reception	106,000			
Maintaining a safe and secure environment – review of ICT infrastructure including moving data centre and some services to Cloud	5,901,000	2,949,000		
Darlaston Town Hall – asbestos and fire safety works	99,900			
Walsall Town Hall – roofing repair system	61,500			
High level parapet wall – Sneyd Vernon Way	94,350			
Implementing the ICT strategy to support the Council's transformation programme	455,000			
Willenhall Lane travellers site – redesign to create 2 additional plots	85,000			
Adult Social Care and Children's Services mobile working	753,537			
District Town Centre Public Realm improvements	4,000,000			
Total	30,570,723	10,855,351	7,120,000	4,757,000

CAPITAL PROGRAMME 2018/19 - SCHEMES FUNDED FROM EXTERNAL SOURCES	Estimated Value £
Basic Need school allocation (grant)	21,616,745
Devolved Formula Capital school allocation (grant)	534,800
Capital Maintenance school allocation (grant)	2,222,387
Special provision fund – provision for pupils with special educational needs (grant)	319,229
Broadway West playing fields (match funding as above from other third party)	150,000
Oak Park Active Living Centre (match funding as above from other third party)	300,000
M6 junction 10 road improvements (grant)	14,260,000
Highways Maintenance DfT Challenge Fund (grant)	2,348,000
West Midlands Strategic Transport Plan (STP) (grant)	1,283,000
Growth Deal – creation of skills, connections for manufacturing (grant)	19,527,429
National Productivity Investment Fund Programme for junction and cycling improvements (70% grant, 15% other third party). Further local contribution from Strategic Transport Plan and council public realm allocation.	2,601,500
Walsall Memorial Park artwork (other third party)	1,200
Disabled Facilities Grant (grant)	2,145,000
Integrated Community Equipment Store – purchase of specialised equipment (grant)	750,000
Total	68,059,290

CAPITAL PROGRAMME RESERVE LIST 2018/19 – MAINSTREAM (COUNCIL FUNDED) SCHEMES	Estimated Value £
Further provision for Preventative / Aids and Adaptations and Supporting Independence	750,000
Further provision for Health Through Warmth – tackling fuel poverty	75,000
Work required following investigation on drainage at North Walsall Cemetery	100,000
Hatherton Road multi-storey car park – development of demolition plan to address structural repair issues	525,000
Total	1,450,000

LEASING PROGRAMME 2018/19	Expenditure £
Refuse vehicles	481,000
Light commercial vehicles	443,000
Tractors and agricultural machinery	198,000
Welfare vehicles	26,000
Equipment	228,000
Total	1,376,000

(III) Treasury Management

- a) That Appendix 2 – Part 2 – The Treasury Management and Investment Strategy 2018/19 onwards, including the council's borrowing requirement, borrowing limits, and the adoption of the 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 Chief Financial Officer.

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

3758 Renewal of the Council's insurance arrangements

Councillor S. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet delegate authority to award contracts for the provision of Insurance and Claims Handling Services, as set out in section 3.6 of this Cabinet Report, to the Assistant Director of Finance (Chief Finance Officer), for the period 1 April 2018 to 31 March 2021, with an option to extend for a further 2 years from 1 April 2021 to 31 March 2023.
- (2) That Cabinet delegate authority to the Assistant Director of Finance (Chief Finance Officer), to subsequently authorise the sealing of any deeds, contracts or other related documents for the services referred to in recommendation (1).

3759 Houses in multiple occupation and planning control by Article 4 direction

Councillor Jeavons presented the report:

(see annexed)

Resolved

That Cabinet agree to the appointment of consultants to undertake a review of the viability of pursuing an Article 4 Direction removing permitted development rights to convert properties to Houses in Multiple Occupation, thus requiring property owners to make planning applications for the proposed change as is already a requirement for larger HMOs.

3760 Determination of admission arrangements for community and voluntary controlled schools

Councillor Nawaz presented the report:

(see annexed)

Resolved

- (1) That the proposed schemes as set out in Appendix A for inter-authority primary, secondary and midyear co-ordinated admissions for 2019/20 be approved.
- (2) That the admission arrangements for primary community and voluntary controlled schools for the academic year 2019/20, as set out in Appendix B of this report, be determined.
- (3) That Walsall Council informs all consultees of the determination of the admission arrangements for the 2019/20 academic year.

3761 **Playing pitch strategy**

Councillor Shires presented the report:

(see annexed)

Resolved

That the Walsall Playing Pitch Strategy be adopted and published.

3762 **Supported living framework for complex needs and mental health**

Councillor D. Coughlan presented the report:

(see annexed)

Resolved

- (1) That approval be given for the Council to undertake a tender process for Community Based Services in order to create a supported living framework contract for adults and young people with complex care needs who live together in supported living accommodation, with the contract to run for up to five (5) years (3+1+1) from 1 October 2018 to 30 September 2023.
- (2) That approval be given for the Council to exercise its existing unilateral contractual right with supportive living providers only to extend their current transitional 4 contracts for a further 9 months from 1 July 2018 to 31 March 2019 to ensure sufficient time for completion of the tendering exercise, award of the supported living framework agreement and the transfer of work from the outgoing transitional 4 supported living contractors to the successful tenderers (where applicable). Children's Services will not access the extended contracts but will seek to engage with new providers from 1 October 2018.
- (3) That delegated authority to approve the award of the contracts following

completion of the procurement exercise and sign all associated procurement recommendation reports, agreements and other documents associated with the procurement be approved in favour of both the Executive Director of Adult Social Care and Executive Director of Children's Services in consultation with the Portfolio Holders for Adults and Children's Social Care.

3763 Houses in multiple occupation – adoption of minimum property and management standards

Councillor D. Coughlan presented the report:

(see annexed)

Resolved

That Cabinet adopt the Minimum Property and Management Standards (contained in Appendix 1) for Houses in Multiple Occupation in Walsall.

3764 Proposed selective licensing scheme for private rented sector

At this point, Councillors Nawaz and Jones, having declared an interest in the item, left the room and took no part in the discussion or voting thereon.

Councillor D. Coughlan presented the report:

(see annexed)

Resolved

- (1) That Cabinet note the representations received (as summarised in Appendix 4) on the proposed Selective Licensing of Private Rented Accommodation of 2 areas of the borough defined as *Willenhall* (and shown on Map 1: Appendix 3a.) and *Town Centre (and adjoining areas* and shown on Map 2: Appendix 3b) through the statutory consultation, and agree the responses on the basis of those set out in the Appendix 4.
- (2) That Cabinet approve a Council led scheme for Selective Licensing of Private Rented Accommodation in the 2 areas defined in (1) above.
- (3) That Cabinet approve the proposed licensing conditions (Appendix 6) and fee levels and structure (Appendix 7) for the 2 areas identified in (1).
- (4) That Cabinet approve the preparation and publishing of a Public Notice of designation under sections 80 and 83 of the Housing Act 2004. This Notice shall designate the chosen areas listed in (1) above for the introduction of Selective Licensing Schemes and those schemes will last for five years from the date of commencement.

- (5) That Cabinet approve that Housing Standards and Improvement can begin to accept applications for Selective Licensing from 1 July 2018 in anticipation of the scheme coming into effect on 1 September 2018 and that the early bird fee discount will be available from 1 July 2018 to the 30 September 2018.
- (6) That Cabinet approve a public consultation exercise in line with the prescribed process for the Selective Licensing of 2 areas to be known as:
- Harden North West and shown on Map 3: Appendix 3c
 - Caldmore South and shown on Map 4 : Appendix 3d
- This consultation to include proposed licensing conditions (Appendix 6) and fee levels (Appendix 7),
- (7) That Cabinet receives a further report following the consultation recommended in 2.6 above in respect of the 2 areas listed in paragraph (6).

The meeting terminated at 6.45 p.m.

Chair:

Date: