



Walsall Council

Minutes of the **MEETING** of the Council of the Walsall Metropolitan Borough held on **Thursday 24th February 2011 at 6.00 p.m.** at the Council House.

Present

Councillor A.G. Clarke (Mayor) in the Chair

Councillor G. Perry (Deputy Mayor)

“ A.J.A. Andrew
“ R.E. Andrew
“ T.G. Ansell
“ D.A. Anson
“ M. Arif
“ I. Azam
“ L.A. Beeley
“ O.D. Bennett
“ M.A. Bird
“ R. Carpenter
“ B. Cassidy
“ K. Chambers
“ J. R. Cook
“ D. Coughlan
“ S.P. Coughlan
“ C.U. Creaney
“ B.A. Douglas-Maul
“ M. D. Flower
“ A.D. Harris
“ E.F. Hughes
“ P.F. Hughes
“ L.D. Jeavons
“ M. Longhi
“ S.W. Madeley

Councillor Ms. R.A. Martin

“ Mrs. B.V. McCracken
“ M. Munir
“ Mushtaq Ahmed
“ M. Nazir
“ J.G. O'Hare
“ T.S. Oliver
“ A.J. Paul
“ K. Phillips
“ D.J. Pitt
“ L.J. Rattigan
“ I.C. Robertson
“ J. Rochelle
“ B. Sanders
“ K. Sears
“ Mrs. D.A. Shires
“ I. Shires
“ P.E. Smith
“ R.M. Thomas
“ C.D.D. Towe
“ D.J. Turner
“ F.J. Westley
“ G. Wilkes
“ V.G. Woodruff
“ M. Yasin
“ Zahid Ali

96. **Prayers**

Prayers were offered by Reverend Liz Chamberlain, the Curate of St. Matthews Church.

97. **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Barton, C. Bott, P. Bott, Burley, Harrison, E.E. Pitt, Sarohi and Tweddle.

98. **Minutes**

Resolved

That the minutes of the meeting held on 10th January 2011 copies having been sent to each member of the Council, be approved as a correct record and signed.

99. **Declarations of interest**

The following members declared their interest in the items indicated:

Councillor Oliver

Employee of Palfrey Community Association

Councillor Wilkes

West Midlands Special Needs Transport – Ring and Ride (prejudicial)

100. **Mayor's announcements**

Death of former Councillor June Kimber

Councillor S. Coughlan referred to the recent death of Ms. J. Kimber a member of the Council from 1995 to 2003 and paid tribute to her services to the people of Walsall and the Council over a period of many years. It was **moved** by the Mayor, duly seconded and:

Resolved

That this Council expresses its regret at the death of Ms. J. Kimber a member of this Council from 1995 to 2003 and places on record their appreciation of her services to the town and people throughout the Borough and expresses its condolences to her family at this sad time.

Members and officers stood in silence as a mark of respect.

101. **Petitions**

The following petitions were submitted:

- (1) Councillor Anson – Save our Services in Walsall
- (2) Councillor Phillips – Demolition of former Sanstone House
- (3) Councillor D. Shires – Speed of traffic on Mill Lane
- (4) Councillor Smith – 187 Coalpool Lane – objection to off-licence/grocery store
- (5) Councillor Westley – Repairs to Clarendon Street, Bloxwich
- (6) Pleck Library from Mr. Hussain submitted as part of public question time

102. **Questions from members of the public**

(1) Short breaks for disabled children

Ms. S. Ebbans on behalf of Family Voice of Walsall asked the following question of Councillor R. Andrew:

“Can the portfolio holder tell us how the budget for short breaks for disabled children in 2011 compares with that for 2010?”

Councillor R. Andrew referred to the budget proposals before the Council that evening and replied that it was proposed to spend £1.410m next year on funding for short breaks, direct payments and family support.

In 2010/11 in addition to these budgets there was a “transition grant” of approximately £36k. This funding ended in 2010/11.

She said that in 2011/12 the funding would come from the Early Intervention Grant from central government which was an amalgamation of various funding streams. Despite this grant from central government reducing by 12.9% next year, and the funding also going towards valuable protection work, social work development and Sure Start Children’s centres, the Council had ensured that the funding from Early Intervention Grant for short breaks was not reduced next year.

Councillor Andrew said that the Every Child Matters campaign had recommended that local authorities spend at least 8.9% of their Early Integration Grant on short breaks and next year the Council intended to spend 9.6% on this area.

Ms. Ebbans asked the following supplementary question:

How many children utilising the short breaks allocation in 2010/11 would be able to utilise them in 2011/12?

Councillor Andrew said that this would be same for next year and she would write to Ms. Ebbans.

(2) Pleck Library

Mr. Hussain of Bescot Road, Walsall asked the following question of Councillor Harris:

“On behalf of Pleck residents, I have been concerned at the possibility of our local library closure. Alongside Pleck residents I feel it is an essential service that must remain operational in the ward and seek full assurance that the Pleck Library will remain open for public use in its present format?”

Councillor Harris thanked Mr. Hussain for attending the meeting and said that he was grateful for the opportunity to clarify the situation relating to Pleck Library, and other libraries in the borough, in the face of a lot of misleading and sometimes mischievous information in the local press.

He said that contrary to what he may have been told the Council's budget for next year, which would be agreed later this evening, contained no proposals to close any libraries.

However looking to the longer term he acknowledged that there may be changes – for example many people used the internet more to download books and other material. As Mr. Hussain would be aware the Council was facing severe pressure on resources. It made sense therefore that the library service be reviewed to see how it could operate in the future, and whether it could meet future needs in different and more efficient ways, perhaps by working in partnership with other community organisations.

Councillor Harris said that to do this a survey was being undertaken with local people, both library users and non users, to identify their current and future needs and what they value most about the service. A questionnaire would be available from local libraries and online between 28th February and 10th April to encourage the widest possible participation in the survey. The information gathered would be used to inform plans for the future. A range of local community organisations were also being consulted to see how they could help

Until the results of these consultations were fully analysed it was not possible to say which libraries may be closed or relocated.

The Council was already in discussion to find a real way to improve and protect Pleck Library. Councillor Ahmed had stated that the local community used the library and it assisted community cohesion. The community used library services to help educate themselves and their families. He went on to say that Ed Vazey, the Culture Minister agreed with our way forward in consulting with the local community.

Mr. Hussain asked the following supplementary question:

Pleck Library operates on a timescale and certainly from residents that we have spoken to, they are looking for an extension to that to maximise use of the library.

Councillor Harris replied that the Council were addressing this from the same angle, looking to a re-provision, the library may be based where it was now but there were a lot of places to move forward to create on line services, self service and technology would be put in place. He wanted to see libraries have a greater fulfilling influence on the local education of our children and families. There was much to be done.

(3) Budget proposals

Ms. J. Bethell of Clarendon Street, Bloxwich asked the following question of Councillor Bird:

“In respect of the recommendations before the Council this evening, would the Leader of the Council now list and categorise all the main budget proposals that would affect the quality of life of the pensioners and disabled people of this borough, grouped according to whether their impact on these citizens would be a positive, neutral or negative?”

Councillor Bird replied that the budget had been equality impact assessed in its entirety and individual saving proposals also assessed for their impact on staff, service users and residents. This assessment was particularly concerned with impact on the groups protected by the Equality Act 2010 and this included disabled people, older people and vulnerable people. The aim of the assessment was to identify and mitigate any negative impact. Where there was a potential impact on older people or disabled people identified at the initial stages of proposals, particularly within social care and children’s services, but also in transport and neighbourhood services, then these proposals had been amended to ensure a neutral impact. He said that extensive budget consultation had been carried out and this included consultation with disabled people and older and vulnerable people as part of the budget process. The Cabinet had been provided with equality impact assessments to take into account in making their final recommendations to Council.

Ms. Bethell asked the following supplementary question:

As result of the proposed cut in the West Midlands Integrated Transport Authority levy before Council this evening, West Midlands Ring and Ride is to have its budget cut by £900,000 and, as a result, after over 25 years of carrying concessionary bus pass holders at no charge, plans to shortly impose 60p flat fares or a £35 annual ticket.

Would the Leader of the Council and his Cabinet agree to identify the resources to enable continuing free travel for the Borough's nearly 3,000 frail and disabled citizens who are regular users of Ring and Ride, and hold free travel passes, at an estimated annual cost of £75,000, by making savings elsewhere in the Council's budget, for example, an 8-9% cut in the budget for the 60 Councillors' allowances which in 2009/10, cost the taxpayers of this Borough nearly £850,000?

Councillor Bird replied that the cost to this Council for subsidising the ring and ride service was £6.70 per person. West Midlands Special Needs Transport was a charity with £6.5 million in resources within their budget, therefore a reduction in grant of £2 million was a decision for the organisation to make.

103. Questions by members of the Council

(1) Support to scout and guide organisations

Councillor Robertson asked the following question of Councillor Ali:

"How much support financial and otherwise has this Council given to the scout and guide organisations in Walsall in the last financial year and what support is planned for next financial year?"

Councillor Ali said that in the last financial year, i.e. the year ending 31 March 2010, the Walsall Scouts Association was awarded a grant of £14,550 and the West Mercia Guides £12,610.

During the current financial year, 2010/11 grants were awarded for a six month period April to September 2010. The Walsall Scouts Association received £7,057 and the West Mercia Guides £6,116.

There had been no applications for funding for next year from the scouts or guide organisations. The Council had received a letter from the scouts thanking the Council for its support over the years.

Scout and guide organisations would be able to apply for funding in future years, and the Council would be in touch with them to inform them of the process for this during March.

In the current year, 10 scout and guide organisations also received mandatory or discretionary rate relief totalling £11,838. Similar amounts were expected to be granted for next year.

Councillor Robertson welcomed Councillor Ali's support and asked the following supplementary question:

Do you acknowledge that the budget for hiring rooms had been cut?

Councillor Ali invited Councillor Robertson to check the information and said that there had not been any cuts.

(2) Short breaks for disabled children

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

“Could the relevant portfolio holder tell me, this Council and the public of Walsall how many short break Saturday places will be available to residents with disabled children and children with learning difficulties in the financial year 2011/2012?”

Councillor Andrew replied that short break Saturday places were commissioned through the Aiming High for Disabled Children programme by a competitive grant process.

The same level of provision, 208 places in 2010/11, would be made available during 2011/12 subject to the provider organisation Pool Hayes Community Association taking part in a competitive grant process.

She said that during the year 2010/11 a total of 26 half day arts themed workshops were delivered. There were 8 places available per workshop, making a total of 208 places available.

(3) Proposed Pelsall library, medical and children's centre

Councillor Longhi asked the following question of Councillor Harris:

“Will the portfolio holder please advise me and this Council of the current situation regarding the proposed new combined facility of a new library, medical centre and children's centre proposed for Pelsall?”

Councillor Harris said that he was pleased to inform Councillor Longhi and the Council as a whole that this exciting project was currently at the final stage before construction started. The final wording of the Development Agreement with NHS Walsall had now been agreed and this would enable the contract for the construction of the new building to be awarded.

The current library would shortly be vacated and demolished and the service relocated to the old neighbourhood office on Norton Road. The children's centre would also move with the library. Every effort was being made to ensure only a minimum of disruption to the present services. Construction work on the new centre was being phased so that the current GPs' surgery would remain in operation until the new building was ready for their occupation.

This was an exciting and important project, led by the Council, but in a unique partnership with NHS Walsall. Each partner had secured funding for their own element of the building. The new facility would offer enhanced health services with space for four GPs and regular clinics to treat other health issues locally. The library would offer up to date access to information, leisure and learning and the children's centre would support children, families, parents and carers.

Councillor Harris said work on site would be starting before the end of March and was expected to be complete in June 2012.

Councillor Longhi asked the following supplementary question:

As a Pelsall Councillor I am delighted with the response but would like to understand. Could Councillor Harris advise me and the Council whether we propose to close any libraries in this borough this year?

Councillor Harris referred to the previous answer given in questions by the public, and said there were no proposed closure of libraries in the budget in 2011/12. The Council would be putting in significant investment to improve libraries. Fundamental reviews were about to start and he recognised that we have to change but this was an opportunity for us to modernise and do things in a different way. There was ample opportunity with the technology now available. Consultation was taking place.

(4) Respite care at Eldon House

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

"Would the portfolio holder assure me, this Council and the public that not only will there be no reduction in the availability of respite care at Eldon House for children with disabilities but also that re-assessment of individual child's needs will not be skewed to justify an overall reduction in such availability?"

Councillor Andrew replied that a new capital build investment programme at Eldon House would improve facilities and better meet health and safety requirements. The new build would be situated on the Alumwell School site and was due for completion by February 2012. Services would continue at Eldon House until the planned transition into the new provision.

New short term break family support options for families would be introduced, in addition to the overnight residential short term break services. The strategic plan was to set the number of overnight beds/nights at a level which met but did not exceed demand. There were currently nine beds which exceeded demand. Any reduction in overnight short term breaks would be re-invested into new types of short term break which offered families better choice including new families who needed support but were currently not accessing support. Children had begun to be grouped into age and ability to enhance the quality and safety of services experienced by children.

Councillor Andrew said that there was an ongoing assessment process of the children currently using Eldon House which would be completed by 31 March 2011. This was in the form of a core assessment of children's needs that were completed by social workers from the disability team in SERCO who were a separate team from Eldon House services. She assured Councillor Smith that any re-assessment of individual child's needs would not be skewed to justify an overall reduction in such availability for the reasons stated.

Many of the assessments completed to date had resulted in the same or similar levels of respite nights and weekends as previously. In the interests of children and staff development it had been necessary for some minor changes to the routine of respite nights in some instances. Set nights were not generally part of the assessment.

There had been a level of communication with families, e.g. by letter, meeting invite, small parental representative group. However this was not to a satisfactory standard which had been acknowledged by the Head of Service who wrote and met with families apologising for the lack of effective communication and reassured families about development ideas and future opportunities to consult on these matters and on the new build design during a choice of 3 consultation meetings in March 2011.

Councillor Andrew referred to the need for change. Health and safety and suitable premises as identified in Ofsted Inspections. The needs of families not receiving support e.g. autistic children needed to be met. With regard to child development the ability to safely and appropriately group children according to age and ability. The introduction of new types of short term break care offering families choice for example home sitting, leisure activities with partners e.g. Youth Service Workers and evening and weekend clubs as well as existing overnight stays. She said that the new menu of short breaks was devised in consultation with disabled children and their families and very good feedback had been received on this.

Councillor Smith asked the following supplementary question:

Are you aware that there is a lot of circumstantial evidence that this Council was slowly winding down the respite service, such as social workers not offering respite care to new families and that extra time for existing families was being reduced?

Councillor Andrew replied that she was not aware but would welcome any evidence. It was not the intention of the Council to reduce support. The Council was working with families to assess the services needed.

(5) Fly tipping

Councillor Robertson asked the following question of Councillor Ali:

"How does this Council act on information such as vehicle registration numbers given by members of the public reporting instances of fly tipping and how many convictions have been achieved in the last year?"

Councillor Ali replied that the government had written to local authorities in April 2007 stating that the owner of a vehicle could not be held legally responsible for litter thrown from it. The responsibility for litter always lay with the person who deposited it. This had made enforcement against those littering from vehicles extremely difficult as generally keepers of vehicles either did not know who had littered or did not want to incriminate themselves or their passengers. He was hopeful that an amendment would be made to the Localism Bill, currently before Parliament, to deal with this anomaly,

Councillor Ali said that in the last 12 months the Council had investigated 475 fly tipping reports, made 440 visits to premises to ensure compliance with waste regulations and had issued 132 enforcement notices to land owners making them comply with waste legislation. Officers had also undertaken 10 exercises with the Police and other agencies where vehicles carrying waste had been stopped in transit and checked to ensure they complied with waste and vehicle safety legislation.

Councillor Smith asked the following supplementary question:

Do you accept that three cases brought to his attention proves that follow-up was ineffective and what were the costs in the last 12 months.

Councillor Ali said that it was not just about prosecution costs. 440 visits had been made to premises. It was question of education and he could not give a figure.

(6) Performance of Serco

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

“Given the Leader of the Council’s expressed public concerns (Express & Star 18/1/11) over Serco’s performance as the manager of the Council’s education services, with Walsall recently coming 151st out of 171 local authorities for GCSEs and A levels, would the portfolio holder inform me, this Council and the public, assuming she agrees with the Leader, of the actions that she and others propose to take to address the Leader’s concerns, that are also the concerns of a great number of other people in Walsall?”

Councillor Andrew said that on a point of accuracy that the Leader must have been misquoted and said Walsall ranked 130th on 5+ GCSE and 136th on A-Level Average Point score per entry of 151 Councils.

In reply to the question Councillor Andrew said that the education of children in Walsall was a priority for the Council. While primary education was good, with results around 80th in the country, far better than our deprivation levels at 114th, the performance of a few of our secondary schools was a cause for concern and it was these schools that lowered the overall attainment in the Borough.

Firm action was being taken to support these schools. We were negotiating with the Department for Education to convert them to Academy schools with strong partners who would provide additional support.

Implementing interim executive boards as well as the role of Serco in challenging schools to improve, headteachers and Serco staff had reviewed the 400+ output. Headteachers appreciated that the direction of travel meant that in the future they would be responsible for school improvement and increasingly they would commission the services they needed to run their schools. This was looked at in October.

She said that there had been a significant reduction in Government grants for education which was in line with the Government policy (detailed in the White Paper 'The importance of teaching' and the Education Bill 2011) that it would be the 'norm for all state schools to become Academies' and the role of local authorities in educational support and school improvement would be greatly reduced.

Councillor Andrew stated that these fundamental changes were gathering pace and officers were currently discussing with Headteachers what the relationship between schools and the Council should look like in the future. Whatever the final nature of that relationship the Council was committed to supporting schools to improve further and ensure that schools maximise opportunities to invest in the future of the children and young people in Walsall.

(7) Councillor Smith – Pay inequalities (Councillor Towe)

Councillor Smith asked the following question of Councillor Towe:

“In welcoming the recognition that many local authority workers, mainly women, have suffered inequalities in terms of pay and conditions that quite rightly have needed to be addressed, would the portfolio holder inform me, this Council and the public the extent to which he agrees that one group of workers should now be made to pay for the inequalities of another group of workers, which for instance will lead to Walsall’s bin men facing big pay cuts of possibly several thousands of pounds a year?”

Councillor Towe replied that members would be aware that the basis of the national single status agreement was to harmonise terms and conditions of staff under one national agreement known as the “green book”. Part of implementing single status in Walsall had involved objectively evaluating all unique jobs across the Council. The outcome of this evaluation process was that all jobs were given a job evaluation score. The development of a revised pay structure would then set a salary value to the job evaluation score.

He said it was true that in any job evaluation some groups of staff might see a salary reduction, some a salary increase and some would remain on the same salary. The amount of salary reduction or increase in Walsall would not be known until the negotiations were finalised and the Council approved its implementation. He had asked officers to ensure that those staff who occupied

posts that would be down graded, got the necessary support to help them adjust to their new salary. Councillor Towe said he had also asked officers to ensure that the new structure the Council would be asked to consider, protected the Council from future equal pay claims.

Councillor Smith asked the following supplementary question:

If our binmen get cuts of several thousands of pounds a year, will you ensure that Walsall continues to provide excellent services for Walsall to be proud of?

Councillor Towe repeated that he had asked officers to ensure that the new structure the Council would be asked to consider, protected the Council from future equal pay claims

104. Recommendations of Cabinet

(1) Corporate budget plan and Treasury management and investment strategy 2011/12

The report to Cabinet was submitted.

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

(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 7 be endorsed.
- (b) That the net draft levies below for outside bodies be noted. At the time of despatch of this report, formal notification of all of the final levies had not been formally notified to the authority. (The final levy for Centro was approved on 7th February, and reflects no change to the estimated figure within the report. The final Environment Levy will be included within the final papers to Council. An estimate has been used within this report based on informal notification from the authorities).

DRAFT LEVY	AMOUNT (£)
West Midlands Passenger Transport Authority	14,547,000
Environment agency	80,626

- (c) That approval be given to an opening working balance for 2011/12 set at a prudent level in line with the council's medium term financial strategy.
- (d) That the following statutory determinations be noted (references are to the Local Government Finance Act, 1992):

- I. **£710,813,698** being the aggregate gross expenditure, which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act.
- II. **£464,725,149** being the aggregate income which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.
- III. **£246,088,549** being the amount, by which the aggregate at (I) above exceeds the aggregate at (II), calculated by the Council in accordance with Section 32 (4) as its budget requirement for the year.
- IV. **£137,106,595** being the aggregate of the sums which the council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates (**£104,733,246**); Revenue Support Grant (**£32,373,349**); with the Collection Fund expected to break even.
- V. **£1,384.64** being the amount at (d III) above, less the amount at (d IV) above, equal to **£108,981,954**, divided by the Council Tax Base of **78,707.79**, calculated by the Council in accordance with Section 33 (1) of the Act as the basic amount of its Council Tax for the year (average council tax at band D)

VI. Valuation bands

Being amounts given by multiplying the amount at (v) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36 (1) 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
£923.09	£1,076.94	£1,230.79	£1,384.64
E	F	G	H
£1,692.34	£2,000.04	£2,307.73	£2,769.28

- (e) That the estimated precept from the Fire & Civil Defence Authority and the estimated precept for the Police Authority, 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 that the final figures be substituted for these provisional ones once they are available at the Council meeting on 24 February 2011.

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police	£66.30	£77.35	£88.40	£99.45
	E	F	G	H
	£121.55	£143.65	£165.75	£198.90
Fire & Civil Defence	£31.89	£37.20	£42.52	£47.83
	E	F	G	H
	£58.46	£69.09	£79.72	£95.66

- (f) That having calculated the aggregate in each case of the amounts at (d) (vi) 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 2011/12 for each of the categories of dwellings shown below. This represents no change in council tax levels approved in 2010/11.

A	B	C	D
£1,021.28	£1,191.49	£1,361.71	£1,531.92
E	F	G	H
£1,872.35	£2,212.78	£2,553.20	£3,063.84

- (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) Approve the budget plan, including the opening cash limits, savings and investment proposals set out in the annexes.

(ii) Capital

That the draft 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.

DRAFT CAPITAL PROGRAMME 2011/12	
MAINSTREAM SCHEMES	ESTIMATED VALUE £
Project reserve / asset investment reserve	517,544
Council wide IT planned rolling replacement and upgrade	1,629,206
Release of leased accommodation	200,000
Barcroft Primary	225,000
Memorial safety	100,000
Shop maintenance	120,000
Aids and adaptations	1,500,000
General planned property maintenance	500,000
Demolition of redundant buildings to save on rates	200,000
Highways maintenance	950,000
Dilapidations at Bryntysilio	400,000
Fire risk assessment	200,000
Resources 'Delivering Right, Fast and Simple'	500,000
Increased productivity to be delivered by home working	150,000
Supporting independent living – transformation of Social Care	226,200
Preventative adaptations – transformation of Social Care	1,000,000
PARIS development phase 2 – working smarter	750,000

Health through warmth	500,000
Introduction of radio frequency identification in libraries – linked to revenue saving option	232,800
Greenspace improvement plan	50,000
Refurbishment of Leckie sons of rest	190,000
Capital insurance reserves – Risk management	100,000
Capital insurance reserves – Uninsured property damage	200,000
Capital insurance reserves – Asbestos removal	155,000
Capital insurance reserves – Control of legionella	275,000
Capital insurance reserves – Statutory testing of buildings	300,000
Capital insurance reserves – Lighting invest to save	250,000
Total	11,420,750

NON-MAINSTREAM CAPITAL PROGRAMME – SCHEMES FUNDED FROM GRANT 2011/12	
NON MAINSTREAM SCHEMES	ESTIMATED VALUE £
Basic need	2,650,018
Devolved formula capital	868,878
Capital maintenance	4,711,108
Academies	25,726,332
Pelsall health centre, library and children's centre	450,000
Walsall arboretum restoration programme	2,215,912
Willenhall townscape heritage initiative - HLF	300,000
Willenhall townscape heritage initiative - VIEW	150,000
Disabled facilities grant	1,215,000
Department for Health capital allocation	739,992
Local transport plan	2,000,000
Red routes	3,000,000
Total	44,027,240

LEASING PROGRAMME 2011/12 (as set out in annex 13)	
PORTFOLIO	TOTAL BUDGET £
Environment portfolio	5,424,114
Total	5,424,114

(iii) Treasury Management

- (a) That the 2011/12 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 16 be approved.
- (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 Oliver and seconded by Councillor Coughlan:

That in receiving the corporate budget plan, this Council condemns the Conservative-led government's policy of "floor damping" when allocating the formula grant which has seen this Council's revenue grant funding slashed for the forthcoming financial year by an additional £7.3 million (on top of reductions of an additional £9.2 million in formula grant, at least £6.2 million in specific grants, £4.6 million from the emergency budget and £6m Working Neighbourhood Fund) and this Council calls upon this Government and any incoming Government, to review this policy with a view to abolishing this unfair tax on the citizens of Walsall at the earliest possible date.

On being put to the amendment was declared carried unanimously.

Amendment moved by Councillor I. Shires and duly seconded:

That the statutory determinations be amended to read as follows:

- (d) I. **£713,551,489** being the aggregate gross expenditure, which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act.
- II. **£467,426,940** being the aggregate income which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.

In moving this, the Council is setting the opening level of general fund reserves for the Council as at 1 April 2011 at the minimum required by the medium term financial strategy. This would be 2.25% of the 2011/12 net budget, equivalent to an opening reserve of £5.54m. This would release one-off funds of approximately £2.7m compared to the currently estimated reserve of £8.24m.

The Council is requested to be more proactive in the way it helps the residents of Walsall to access essential services and information. It is proposed that Welfare Rights take the initial lead in integrating and developing the provision of advice and access to provide a one stop shop approach for residents. Council is recommended to invest the £2.7m as one-off cost for 2011/12, to provide pump priming capacity building support to allow the Welfare Rights Service to work with the third sector to develop an integrated sustainable approach. Ongoing funding for 2012/13 to be considered as part of the capacity building stage, with a view to mainstreaming or funding from alternative resources.

On being put to the vote the amendment was declared lost only 6 members voting in favour.

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

That Council procedure rule 9(a) be suspended for the remainder of the meeting in order to enable the business to be completed.

On being put to the vote the motion was declared carried and it was:

Resolved

That Council procedure rule 9(a) be suspended for the remainder of the meeting in order to enable the business to be completed.

On being put to the vote the motion as amended was declared carried – 31 members voting in favour and 16 against 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 7 be endorsed.
- (b) That the net draft levies below for outside bodies be noted. At the time of despatch of this report, formal notification of all of the final levies had not been formally notified to the authority. (The final levy for Centro was approved on 7th February, and reflects no change to the estimated figure within the report. The final Environment Levy will be included within the final papers to Council. An estimate has been used within this report based on informal notification from the authorities).

DRAFT LEVY	AMOUNT (£)
West Midlands Passenger Transport Authority	14,547,000
Environment agency	80,626

- (c) That approval be given to an opening working balance for 2011/12 set at a prudent level in line with the council's medium term financial strategy.
- (d) That the following statutory determinations be noted (references are to the Local Government Finance Act, 1992):
 - I. **£710,813,698** being the aggregate gross expenditure, which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act.
 - II. **£464,725,149** being the aggregate income which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.

- III. **£246,088,549** being the amount, by which the aggregate at (I) above exceeds the aggregate at (II), calculated by the Council in accordance with Section 32 (4) as its budget requirement for the year.
- IV. **£137,106,595** being the aggregate of the sums which the council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates (**£104,733,246**); Revenue Support Grant (**£32,373,349**); with the Collection Fund expected to break even.
- V. **£1,384.64** being the amount at (d III) above, less the amount at (d IV) above, equal to **£108,981,954**, divided by the Council Tax Base of **78,707.79**, calculated by the Council in accordance with Section 33 (1) of the Act as the basic amount of its Council Tax for the year (average council tax at band D)

VI Valuation bands

Being amounts given by multiplying the amount at (v) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36 (1) 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
£923.09	£1,076.94	£1,230.79	£1,384.64
E	F	G	H
£1,692.34	£2,000.04	£2,307.73	£2,769.28

- (e) That the estimated precept from the Fire & Civil Defence Authority and the estimated precept for the Police Authority, 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 that the final figures be substituted for these provisional ones once they are available at the Council meeting on 24 February 2011.

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police	£66.30	£77.35	£88.40	£99.45
	E	F	G	H
Fire & Civil Defence	£121.55	£143.65	£165.75	£198.90
	A	B	C	D
Fire & Civil Defence	£31.89	£37.20	£42.52	£47.83
	E	F	G	H
Fire & Civil Defence	£58.46	£69.09	£79.72	£95.66

- (f) That having calculated the aggregate in each case of the amounts at (d) (vi) 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 2011/12 for each of the categories of dwellings shown below. This represents no change in council tax levels approved in 2010/11.

A	B	C	D
£1,021.28	£1,191.49	£1,361.71	£1,531.92
E	F	G	H
£1,872.35	£2,212.78	£2,553.20	£3,063.84

- (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) Approve the budget plan, including the opening cash limits, savings and investment proposals set out in the annexes.

(ii) Capital

That the draft 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.

DRAFT CAPITAL PROGRAMME 2011/12	
MAINSTREAM SCHEMES	ESTIMATED VALUE £
Project reserve / asset investment reserve	517,544
Council wide IT planned rolling replacement and upgrade	1,629,206
Release of leased accommodation	200,000
Barcroft Primary	225,000
Memorial safety	100,000
Shop maintenance	120,000
Aids and adaptations	1,500,000
General planned property maintenance	500,000
Demolition of redundant buildings to save on rates	200,000
Highways maintenance	950,000
Dilapidations at Bryntysilio	400,000
Fire risk assessment	200,000
Resources 'Delivering Right, Fast and Simple'	500,000
Increased productivity to be delivered by home working	150,000
Supporting independent living – transformation of Social Care	226,200
Preventative adaptations – transformation of Social Care	1,000,000
PARIS development phase 2 – working smarter	750,000

Health through warmth	500,000
Introduction of radio frequency identification in libraries – linked to revenue saving option	232,800
Greenspace improvement plan	50,000
Refurbishment of Leckie sons of rest	190,000
Capital insurance reserves – Risk management	100,000
Capital insurance reserves – Uninsured property damage	200,000
Capital insurance reserves – Asbestos removal	155,000
Capital insurance reserves – Control of legionella	275,000
Capital insurance reserves – Statutory testing of buildings	300,000
Capital insurance reserves – Lighting invest to save	250,000
Total	11,420,750

NON-MAINSTREAM CAPITAL PROGRAMME – SCHEMES FUNDED FROM GRANT 2011/12	
NON MAINSTREAM SCHEMES	ESTIMATED VALUE £
Basic need	2,650,018
Devolved formula capital	868,878
Capital maintenance	4,711,108
Academies	25,726,332
Pelsall health centre, library and children’s centre	450,000
Walsall arboretum restoration programme	2,215,912
Willenhall townscape heritage initiative - HLF	300,000
Willenhall townscape heritage initiative - VIEW	150,000
Disabled facilities grant	1,215,000
Department for Health capital allocation	739,992
Local transport plan	2,000,000
Red routes	3,000,000
Total	44,027,240

LEASING PROGRAMME 2011/12 (as set out in annex 13)	
PORTFOLIO	TOTAL BUDGET £
Environment portfolio	5,424,114
Total	5,424,114

(iii) Treasury Management

- (a) That the 2011/12 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 16 be approved.
- (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.
- (iv) That in receiving the corporate budget plan, this Council condemns the Conservative-led government's policy of "floor damping" when allocating the formula grant which has seen this Council's revenue grant funding slashed for the forthcoming financial year by an additional £7.3 million (on top of reductions of an additional £9.2 million in formula grant, at least £6.2 million in specific grants, £4.6 million from the emergency budget and £6m Working Neighbourhood Fund and this Council calls upon this Government and any incoming Government, to review this policy with a view to abolishing this unfair tax on the citizens of Walsall at the earliest possible date.

(2) **Housing Renewal Assistance Policy**

The report to Cabinet was submitted:

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

Resolved

- (1) That the Housing Renewal Assistance Policy 2011-2012 as contained in Appendix A of the report with the commencement dates as listed in the policy document, be adopted and published.
- (2) That funds returned to the Council through the land charging process for all grants and loans be made available for future private sector housing renewal assistance.

105. **Local Government (Miscellaneous Provisions) Act, 1982 – adoption of Schedule 3 – Sexual entertainment venues.**

The report was submitted.

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

Resolved

- (1) That under Schedule 3 sub – paragraph 2 of the Policing and Crime Act 2009 that Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 apply to the area of this local authority and that the Schedule as amended come into force on the 6th April 2011, this date being more than one month after the passing of this resolution.

- (2) That the Licensing and Safety Committee be given delegated authority to licence 'sex establishments' as defined from time to time in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- (3) That the Council implement the procedure under section 2 of the Local Government (Miscellaneous Provisions) Act 1982 for the adoption of the schedule as amended.

106. **Portfolio holder briefing – Children's services**

Councillor R. Andrew, portfolio holder for Children's services gave a presentation.

Members made comments on the presentation which were responded to by Councillor Andrew.

107. **Notice of motion – High Speed Rail Link**

The report was submitted.

The following motion, notice of which had been duly given was **moved** by Councillor I. Shires and duly seconded:

Council welcomes:

- The announcement of the new High Speed Rail link (HS2) from London to include a "Y" shaped network providing links via the Midlands to the North West and North East.

Council notes:

- The "Y" option has been chosen, which means that two High Speed lines will branch out north of Birmingham at Lichfield with a line towards Sheffield, Leeds and the East Coast Mainline, and a line towards Manchester and the West Coast Mainline.

Council also notes:

- The "Y" link will mean the great majority of the British population will have direct access to the High Speed network including Walsall and the Black Country
- To ensure that Walsall gains maximum benefit it is essential that the local network feeding into HS2 includes train stations at Willenhall, Bloxwich and Aldridge.

Council resolves to:

- Write to our three MPs asking that they support HS2 in Parliament and the Chief Executive writes to the Transport Secretary giving this Council's support to HS2.

Amendment moved by Councillor Ansell and seconded by Councillor Bird:

Council welcomes:

- The announcement of the new High Speed Rail link (HS2) from London to include a "Y" shaped network providing links via the Midlands to the North West and North East.

Council notes:

- The "Y" option has been chosen, which means that two High Speed lines will branch out north of Birmingham at Lichfield with a line towards Sheffield, Leeds and the East Coast Mainline, and a line towards Manchester and the West Coast Mainline.

Council also notes in order to ensure that Walsall benefits from HS2, the Council commits itself to exploring the business case and in particular:

- The extent and sources of locally raised public sector funding, whether Council tax or through the Integrated Passenger Transport Authority.
- The impact upon the existing rail network in order that current services are not reduced and the opportunity for new stations is examined.

On being put to the vote the amendment was declared carried – 30 members voting in favour and 14 against.

The substantive motion was put to the vote and declared carried and it was:

Resolved

Council welcomes:

- The announcement of the new High Speed Rail link (HS2) from London to include a "Y" shaped network providing links via the Midlands to the North West and North East.

Council notes:

- The "Y" option has been chosen, which means that two High Speed lines will branch out north of Birmingham at Lichfield with a line towards Sheffield, Leeds and the East Coast Mainline, and a line towards Manchester and the West Coast Mainline.

Council also notes in order to ensure that Walsall benefits from HS2, the Council commits itself to exploring the business case and in particular:

- The extent and sources of locally raised public sector funding, whether Council tax or through the Integrated Passenger Transport Authority.
- The impact upon the existing rail network in order that current services are not reduced and the opportunity for new stations is examined.

108. **Notice of motion – Business rates**

The report was submitted.

The following motion, notice of which had been duly given was **moved** by Councillor Oliver and seconded by Councillor Bird:

This Council supports the principle of a national pooling of business rates and subsequent 'formula based' distribution across Councils on the basis of need - as opposed to any alternative system which favours the "haves" as against the "have nots".

On being put to the vote the motion was declared carried and it was:

Resolved

This Council supports the principle of a national pooling of business rates and subsequent 'formula based' distribution across Councils on the basis of need - as opposed to any alternative system which favours the "haves" as against the "have nots".

The meeting terminated at 9.35 p.m.