

# Cabinet

**Wednesday 13 December 2023**

**Minutes of the meeting held in Conference Room 2 at the Council House, Lichfield Street, Walsall at 6pm.**

## **Present**

Councillor Bird (Chair)	Leader of the Council
Councillor Ali	Customer
Councillor Andrew	Deputy Leader and Regeneration
Councillor Elson	Children's Services
Councillor Ferguson	Internal Services
Councillor Flint	Health and Wellbeing
Councillor Murphy	Clean and Green
Councillor Pedley	Adult Social Care
Councillor Perry	Deputy Leader and Resilient Communities
Councillor M. Statham	Education and Skills

## **In attendance**

E. Bennett	Chief Executive
K. Allward	Executive Director – Adult Social Care
D. Brown	Executive Director – Economy, Environment and Communities
J. Greenhalgh	Executive Director – Resources
C. Male	Executive Director – Children's Services
A. Cox	Director of Governance
S. Darcy	Director of Finance, Corporate Performance Management and Corporate Landlord
N. Inglis	Director of Public Health
C. Goodall	Principal Democratic Services Officer
E. Cook	Democratic Services Officer

## **Part 1 – Public Session**

### **4149 Welcome**

Councillor Bird opened the meeting by welcoming everyone and explaining that the Cabinet was meeting that evening in person and that the agenda and reports for this meeting were available on the Council's website. He explained that voting would be by way of a show of hands which would be witnessed and recorded by the Democratic Services officer in attendance.

### **4150 Apologies**

No apologies were received.

### **4151 Minutes**

The minutes of the meeting held on 18 October 2023 were submitted.

**Resolved**

**That the minutes of the meeting held on 18 October 2023, a copy having been sent to each member of the Cabinet, be approved and signed as a correct record.**

**4152 Declarations of interest**

No declarations of interest were received.

**4153 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**

**4154 Petitions**

No petitions were submitted.

**4155 Questions**

No questions were received.

**4156 Forward plan**

The forward plan as of December 2023 was submitted:

(annexed)

**Resolved**

**That the forward plan be noted.**

**4157 Internal Audit Service Contract Award**

Councillor Ferguson introduced a report which sought authority to appoint a contract for the provision of an internal audit service to support the statutory requirements of the Council's Section 151 Officer and to add value to and improve the Council's operations.

(annexed)

*The decision was taken in the private session following consideration of exempt information (see minute number 4169).*

## 4158 **Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28 – Update**

Councillor Bird introduced a report which provided an update on the medium-term financial outlook including the current in-year position; provided initial analysis of the Government's Autumn Statement; and provided feedback and updates on budget consultations to date.

(annexed)

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

**Resolved** (unanimously)

**That Cabinet:**

1. **Notes the update to the current Corporate Financial Performance for 2023/24 – a forecast revenue spend above budget of £19.75m with services mitigating actions of £4.05m and central mitigating action of £10.82m, reducing this to £4.88m.**
2. **Approves the passporting of two unringfenced Section 31 grants to Childrens Services – one to support the delivery of the expanded Early Years entitlements, and the other for wrap around care, along with the passporting of Commonwealth Games Legacy Enhancement funding to Economy, Environment and Communities for localised targeted job support, as detailed at section 4.13 to 4.15.**
3. **Approves amendments to the capital programme as set out in section 4.16 and notes that the forecast on the approved capital programme is an underspend of £710k, after the forecast carry forward of £32.37m into 2024/25. Any in year underspend will be transferred to capital contingency to cover any emerging pressures within other approved schemes due to cost of living rises and any new unforeseen capital expenditure.**
4. **Approves the release of £6.42m from the development pool for the Homelessness Temporary Accommodation Expansion and Redesign Programme, £170k for Bereavement Services Maintenance Programme, and £854k for the new Internal Residential Home Programme, as set out in sections 4.19, 4.20 and 4.21 respectively.**
5. **Approves the capitalisation of the Library Book Fund of £145k to be funded from the forecast capital underspend in 2023/24, as set out in section 4.22.**
6. **Notes the feedback from Overview Scrutiny Committees at Appendix 3 and considers this feedback in preparation for final budget recommendations in February 2024.**
7. **Notes the changes to the Medium-Term Financial Outlook, and subsequent plans to address the remaining c£12m revenue gap in 2024/25 as detailed at section 4.24 to 4.29 and 4.37 to 4.38.**

8. **Notes the high risk to the MTFO predictions from April 2024 as outlined in section 4.27.**
9. **Notes the extension of the ringfencing of Dedicated School Grant deficits to 31 March 2026 as detailed in sections 4.30 and 4.31 and that a further update will be provided when more details are known.**
10. **Notes the changes to the Draft Capital Programme 2024/25 to 2027/28 as detailed at section 4.32 to 4.34.**
11. **Notes the main implications from the Chancellors Autumn Statement announcement on 22 November 2023 as detailed at section 4.35 and 4.36, and that the council at the time of despatch of this report, is still awaiting details of the Provisional Settlement.**
12. **Notes that further reports may be referred to Scrutiny Overview Committee should there be any significant changes to proposals relating to the individual remit of each Committee, as appropriate.**

#### 4159 **LGA Corporate Peer Challenge Revisit**

Councillor Bird introduced a report which presented the findings of the recent Local Government Association (LGA) Corporate Peer Challenge (CPC) revisit and presented the final report from the LGA in the peer review process.

(annexed)

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

**Resolved** (unanimously)

1. **That Cabinet notes and celebrates the successes highlighted by the final Corporate Peer Challenge report.**
2. **That Cabinet notes how any remaining actions are now being taken forward under existing internal programmes and governance.**

#### 4160 **The Walsall Borough Local Plan - Call for Sites**

Councillor Andrew introduced a report which sought permission to implement a Call for Sites as part of work preparing the Walsall Borough Local Plan.

(annexed)

Councillor Andrew emphasised that it was not guaranteed that any sites put forward in the Call for Sites would be incorporated into the final Walsall Borough Local Plan and that the call for sites would also welcome suggestions of sites for employment land and protection as green spaces.

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

**Resolved** (unanimously)

1. That Cabinet authorises the publicising and implementation of a call for sites to commence from January 2024 onwards.
2. That Cabinet delegates authority to the Executive Director for Economy, Environment and Communities to agree the detail, scope and timing of the issuing of the call for sites in consultation with the Portfolio Holder for Regeneration.

4161 **Walsall Youth Justice Annual Strategic Plan**

Councillor Elson introduced a report seeking Cabinet support for the Annual Youth Justice Plan and its recommendation to Council for approval.

(annexed)

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

**Resolved** (unanimously)

1. That Cabinet recommends Walsall's Youth Justice annual strategic plan to Council for approval.
2. That Cabinet delegates authority to make any future minor amendments to the plan, if and when required, to the Executive Director of Children's Services in consultation with the Portfolio Holder for Children's services

4162 **Treasury Management Mid-Year Position Statement 2023/24**

Councillor Ferguson introduced a report which provided a mid-year position statement reviewing treasury management activities and prudential and treasury indicator performance.

(annexed)

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

**Resolved** (unanimously)

**That Cabinet notes and forwards to Council, for consideration and noting (and in line with the requirements of the Treasury Management Code of Practice (2021)), the mid-year position statement for treasury management activities 2023/24 including prudential and local indicators (Appendix A).**

4163 **Walsall Children and Families Healthy Eating Programme**

Councillor Flint introduced a report which sought to award a contract to ensure Walsall Council delivered a programme of interventions to promote and influence healthy eating and growing in early years settings, schools and communities.

(annexed)

*The decision was taken in the private session following consideration of exempt information (see minute number 4170).*

#### 4164 **Tobacco Control Plan for Walsall 2023 to 2027**

Councillor Flint introduced a report which sought to ensure the council could provide a co-ordinated approach to tobacco control in Walsall.

(annexed)

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

**Resolved** (unanimously)

1. **That Cabinet approves the revised Tobacco Control Plan for Walsall.**
2. **That Cabinet delegates The Safer Walsall Partnership Board to oversee the implementation of the local Tobacco Control Plan, with appropriate health partnership input provided through the Health and Wellbeing Board.**
3. **That Cabinet authorises the Leader of the Council; Portfolio Holder for Wellbeing, Leisure and Public Spaces; Deputy Leader – Resilient Communities; Chief Executive and Interim Director of Public Health to sign the Local Government Declaration on Tobacco Control, supporting the national ambition of being smoke free by 2030.**

#### 4165 **Adult Social Care contributions policy for community and residential**

Councillor Pedley introduced a report setting out changes to the Council's contributions policy for community and residential care services.

(annexed)

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

**Resolved** (unanimously)

1. **That Cabinet approves the updated Adult Social Care Contributions Policy, to go live on Monday 5 February 2024.**

- 2. That Cabinet notes the progress made to date to improve business processes and the experience of customers who require a financial assessment.**

**4166 Recommendations from Education Overview and Scrutiny Committee regarding school performance data**

Councillor Statham introduced a report which reported recommendations made to Cabinet by the Education Overview and Scrutiny Committee regarding school performance data.

(annexed)

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

**Resolved** (unanimously)

**That Cabinet notes the recommendation from the Education Overview and Scrutiny Committee and the outcome it sought. It is important to understand the performance of all local schools on behalf of local children and young people, however, on consideration presenting school performance data as a borough wide statistic for Local Authority averages is appropriate, noting that more detailed information about individual school performance is publicly available on the Department for Education website for those who wish to view it.**

**4167 Recommendations from Scrutiny Overview Committee regarding policing within Walsall**

Councillor Perry introduced a report which reported on recommendations made to Cabinet by the Scrutiny Overview Committee regarding policing within Walsall.

(annexed)

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

**Resolved** (unanimously)

**That Cabinet notes that the Council undertakes significant partnership work with West Midlands Police including the co-location of teams in the Civic Centre. To further enhance these arrangements, Cabinet supports the creation of a Walsall Road Safety Group by West Midlands Police.**

**4168 Exclusion of public**

**Resolved**

**That during consideration of the remaining items on the agenda, the Cabinet considers that the items for consideration are exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the items in private.**

## Part 2 - Private Session

### Public Summary of decisions taken in the Private Session

#### 4169 Internal Audit Service Contract Award

Councillor Ferguson introduced a report into the Internal Audit Service Contract Award, including exempt information which had not been considered during the public session.

(annexed)

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

**Resolved** (unanimously)

- 1. That Cabinet Awards the contract for the provision of an Internal Audit Service to Mazars LLP from 1 April 2024 until 31 March 2026 (with the option to extend for 2 further 12 month periods).**
- 2. That Cabinet delegates authority to the Executive Director of Resources and Transformation to enter into a new contract to deliver the Internal Audit Service by using the most appropriate procedures and to subsequently authorise the sealing of any deeds, contracts or other related documents for the provision of such services.**
- 3. That Cabinet delegates authority to the Executive Director of Resources and Transformation to vary the contract during the contractual period to ensure the Council continues to achieve value for money and the services continue to meet corporate priorities.**

*(Exempt Information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended)*

*The following is a full record of the decision taken of the decision taken in the private session.*

#### 4170 Walsall Children and Families Healthy Eating Programme

Councillor Flint introduced a report into the Walsall Children and Families Healthy Eating Programme including exempt information which had not been considered during the public session.

(annexed)

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

**Resolved** (unanimously)



- 1. That Cabinet approves the award of a contract for the period 1 April 2024 to 31 March 2027, with an option to extend for two periods of up to twelve months (2 x 12 months), with an anticipated value in the region of £1.148m to Soil Association Limited (The), for the delivery of the Children and Families Healthy Eating Programme.**
- 2. That Cabinet delegates authority to the Director of Public Health, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to enter into a contract to deliver the Children and Families Healthy Eating Programme, and to subsequently authorise the sealing and signing of any deeds, contracts or other related documents for such services be approved.**
- 3. That Cabinet delegates authority to Director of Public Health, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to authorise any variations to the contractual arrangements or other related documents for such services should this be required throughout the duration of the term of any contracts and provided they are in line with the Council's Contract Rules and any relevant legislation, including Public Contract Regulations 2015.**

*(Exempt Information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended)*

There being no further business, the meeting terminated at 6:50 p.m.

Chair:

Date: