

Cabinet – Wednesday 7 February 2024**DECISIONS – PUBLIC**

PUBLISHED ON 8 FEBRUARY 2024: Decisions set out below cannot be implemented until 5 clear working days after publication of this notice which is FRIDAY 16 FEBRUARY 2024.

Item	Decision
1. Apologies	None received.
2. Minutes	The minutes of 13 December 2023 were approved as a correct record.
3. Declarations of Interest	None received.
4. Local Government (Access to Information) Act	Resolved that the public be excluded during consideration of the items in the private session.
5. Petitions	No petitions received.
6. Questions	No questions received.
7. Forward plan	The forward plan was noted.

8. Corporate Budget Plan 2024/25 – 2027/28, incorporating the Capital Strategy and the Treasury Management and investment Strategy 2024/25

1. Cabinet noted:

- a) That the final local government settlement for 2024/25 had now been received and the relevant changes made to the 2024/25 budget.
- b) 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 for 2024/25. Draft figures have been included. Final figures will therefore be provided prior to or at the Council meeting of 22 February 2024 should they change.
- c) 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 for 2024/25. Estimates have been used for the Transport Levy based on informal communication. (The final Transport Levy is expected to be approved early February and will be included within the final papers to Council).
- d) That the council tax base, set by the S151 Officer under officer delegations, is 72,932.78 for 2024/25.
- e) The feedback from Overview and Scrutiny Committees on the draft revenue budget and capital programme and responses to recommendations, as set out in **Section A - Part 1** of this report, the supplementary note on feedback from Overview Scrutiny Committee on 6 February 2024, and general consultation feedback.
- f) The amendments to the revenue budget arising from the final settlement, including changes to savings and investment proposals identified since the December Cabinet report, as set out in section 4.27 and table 1.
- g) 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 approved:

- a) The attached report as set out in **Section A - Part 2 and Part 3: The Findings from Budget Consultation:**

Financial Year 2024/25+ and Cabinet responses and that Members have had regard to their duties in relation to consultation, and in relation to the public sector equality duty, in forming their budget recommendations.

- b) That delegated authority be given to the S151 Officer to make any necessary amendments, after consultation with the Leader (Portfolio Holder for Finance - Budget), to take account of the final levies and precepts, 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 22 February 2024.
- c) Approve the policy service changes as set out in section 4.28, Table 2 of this report.
- d) That delegated authority be given to the S151 Officer, after consultation with the Leader of the Council and Chief Executive, to agree the council's final contribution to the West Midlands Combined Authority.

3. That Cabinet **approved and recommended to Council**, subject to receipt of the final precepts and levies, receipt of and final changes arising from final grant allocations, technical/legislative guidance and final specific grant allocations (*substitute figures and resolution to be provided to Council by the S151 Officer to take account of any changes arising from these*) the following:

3.1 Revenue

- a) The financial envelope of resources for 2024/25 as set out in **Section B - Part 1** "The Revenue Corporate Budget Plan and Capital Programme".
- b) A Walsall Council net council tax requirement for 2024/25 of £152.03m and a 2.99% increase in council tax, plus a further 2% increase for Adult Social Care precept (total council tax increase of 4.99%).
- c) That the recommendations of the S151 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 reserves and an opening general reserve of not less than £18.39m, as set out in the S151 Officer Section 25 statement in **Annex 11** 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 22 February 2024. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,907,475
Environment Agency	86,505

- 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 final grant allocations, technical/legislative guidance and final specific grant allocations, **and Cabinet approve that these will be substituted** at the Council meeting on 22 February 2024 for the final figures once received:

£777,287,884 being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.

£625,255,460 being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

£152,032,424 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.

£2,084.56 being the amount at (e) (III) above, divided by the council tax base of 72,932.78, 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).

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
1,389.70	1,621.32	1,852.94	2,084.56
E	F	G	H
2,547.79	3,011.02	3,474.26	4,169.11

- 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 22 February 2024.

PRECEPTING AUTHORITY	VALUATION BANDS			
Police And Crime Commissioner	A	B	C	D
	143.70	167.65	191.60	215.55
Fire & Rescue	E	F	G	H
	263.45	311.35	359.25	431.10
	A	B	C	D
	50.13	58.49	66.84	75.20
	E	F	G	H
	91.91	108.62	125.33	150.40

- 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 2024/25 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 22 February 2024.

A	B	C	D
1,583.53	1,847.46	2,111.38	2,375.31
E	F	G	H
2,903.15	3,430.99	3,958.84	4,750.61

- 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 “Express and Star” newspaper circulating in the Authority’s area.
- i) That the S151 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 S151 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.

3.2 Capital

- a) The allocation of capital expenditure plans as set out in **Section B - Part 1** “The Revenue Corporate Budget Plan and Capital Programme” and that the capital and leasing programme as set out in **Annex 9 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.
- b) That the S151 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

	<p>flexibility of capital resources used and minimise the ongoing costs of borrowing to the council.</p> <p>c) That the S151 Officer, after consultation with the Leader (Portfolio Holder for Finance - Budget), 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).</p> <p>d) The Capital and Investment Strategy set out in Annex 8 of the Budget Plan be approved.</p> <p>e) The Flexible Use of Capital Receipts Strategy set out in Annex 10 of the Budget Plan be approved.</p> <p>3.3 <u>Treasury Management</u></p> <p>a) Section B – Part 2A – The Treasury Management and Investment Strategy 2024/25 onwards, including the council’s borrowing requirement, borrowing limits, and the adoption of prudential indicators, be approved.</p> <p>b) That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, be delegated to the S151 Officer.</p> <p>c) That decisions to use capital receipts or borrowing within the framework of approved prudential indicators be delegated to the S151 Officer.</p> <p>d) Section B – Part 2B – Treasury Management Policies, be approved.</p>
<p>9. Corporate Financial Performance 2023/24</p>	<p>That Cabinet:</p> <p>1. Noted the forecast revenue spend above budget of £22.27m with services mitigating actions of £3.97m reducing this to £18.30m. A further £18.36m of central mitigating actions have been identified reducing the overall forecast to a small underspend of £62k. The forecast overspend has reduced by £4.94m since</p>

	<p>reported to Cabinet on 13 December 2023, mainly due to further central one-off mitigations of £5.68m detailed in section 4.9.</p> <ol style="list-style-type: none"> 2. Noted that there are additionally high risks of £12.51m to the revenue forecast identified within services as set out in Appendix 2. These risks are actively being monitored and action is being taken to reduce / eliminate them. 3. Noted the progress on savings approved for 2023/24 and the amendments as detailed in section 4.11 to 4.12 and Appendix 5 and the use of earmarked reserves to mitigate these in 2023/24. Those ongoing into 2024/25 are expected to be fully delivered or replaced with alternative savings to ensure no financial impact. 4. Approved amendments to the capital programme as set out in section 4.14. 5. Noted that the forecast for the capital programme is a predicted underspend of £480k, after the expected carry forward of £31.78m into 2024/25, as set out in sections 4.14 to 4.16 and Appendix 6. 6. Approved the release of £4.57m from pipeline development in support of the new waste transfer station and household waste recycling centre at Middlemore Lane, as set out in section 4.17. 7. Noted financial health indicator performance as set out in sections 4.18 to 4.23 and Appendix 8. 8. Noted the prudential indicators as set out in section 4.24 to 4.26 and Appendix 9. 9. Noted the performance and demand data at Appendices 10 and 11 in relation to Adult and Children’s Social Care Services.
<p>10. Council Plan 2022-25 – Q2 23/24</p>	<ol style="list-style-type: none"> 1. That Cabinet noted the performance in Q2 relating to the period July-September 2023. 2. That Cabinet noted any key achievements, identified interdependencies and support required to achieve the Outcomes, set out in this report.
<p>11. Walsall’s Regeneration Pipeline: Strategic</p>	<ol style="list-style-type: none"> 1. Cabinet delegated authority to award contract(s) to create Walsall’s regeneration pipeline - Strategic Partner Framework, for a period of three years (April 2024 to March 2027), with an option to extend for an

<p>Partner Framework Contract Award</p>	<p>additional 12-month period, as set out in this Cabinet Report, to the Executive Director of Economy, Environment and Communities in consultation with the Portfolio for Regeneration.</p> <ol style="list-style-type: none"> <li data-bbox="488 304 2103 408">2. Cabinet delegated authority to the Executive Director of Economy, Environment and Communities to enter into contract(s) and to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents. <li data-bbox="488 448 2103 616">3. Cabinet delegated authority to the Executive Director of Economy, Environment and Communities, 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 the Public Contracts Regulations 2015.
<p>12. Investment and Leasing Proposals for Council Owned Community Buildings</p>	<ol style="list-style-type: none"> <li data-bbox="488 632 2103 695">1. Cabinet approved the principles for the provision of circular grant funding to community organisations linked to the grant of formal leases of council-owned properties. <li data-bbox="488 735 2103 839">2. Cabinet delegated authority for the approval of circular funding grants with a value of over £500,000 to the Executive Director of Economy, Environment and Communities in consultation with the Deputy Leader and Portfolio Holder for Regeneration where the criteria set out in this report are met. <li data-bbox="488 879 2103 1062">3. Cabinet approved the underwriting of identified funding gaps associated with successful Community Capital supported projects for council owned and leased buildings, to enable the works to proceed, and delegates authority for the approval of individual project underwriting to the Executive Director of Economy, Environment and Communities in consultation with the Deputy Leader and Portfolio Holder for Regeneration, where the criteria set out in paragraph 4.33 of this report are met. <li data-bbox="488 1102 2103 1158">4. Cabinet noted that the approval of circular funding and capital gap funding grants with a value of under £500,000 will be in accordance with existing officer delegations contained within the council's constitution.
<p>13. Balloon and Sky Lantern Release Policy</p>	<p>Cabinet approved the adoption of the Balloon and Sky Lantern Release Policy, provided at Appendix A of this report.</p>

<p>14. Improving Quality and Value for Money in Adult Social Care Provision</p>	<p><i>The decision was taken in the private session following consideration of exempt information (see agenda item 17).</i></p>
<p>15. Determination of the Scheme for coordinated admissions, and the Admission Arrangements for Community and Voluntary Controlled Primary Schools for the 2025/26 academic year</p>	<ol style="list-style-type: none"> 1. Cabinet approved and determined the proposed schemes for inter authority coordinated admissions for 2025/26 and that the admission arrangements for community and voluntary controlled primary schools for the academic year 2025/26 as per Appendix 1. 2. That Walsall Council informs all relevant stakeholders of the determination of its admission arrangements for the 2025/26 academic year in accordance with the provisions of the School Admissions Code 2021.
<p>16. Recommendations from Economy & Environment Overview and Scrutiny Committee regarding town centre plans</p>	<p>Cabinet noted:</p> <ol style="list-style-type: none"> 1. The important work to improve transport links in Walsall Town Centre to be delivered by the Connected Gateway Project. A more comprehensive design brief has been prepared and will be brought forward for public consultation shortly. 2. The Council is considering a Healthy Levelling Up Partnership with the Department for Levelling Up, Housing and Communities and Department for Health and Social Care. This will provide a capital budget of approximately £20m. The Partnership is anticipated to include proposals for a range of potential housing sites and other projects around Walsall linked to the Town Deal and Future High Streets Fund.

Part II – Private session – public summary of decisions.

Item	Decision – Public Summary
<p>17. Improving Quality and Value for Money in Adult Social Care Provision</p>	<ol style="list-style-type: none"> 1. Following consideration of the confidential report in the private session of the agenda, Cabinet approved the proposals to: <ol style="list-style-type: none"> a. Approve the proposed approach to quality, putting in place a 3 year plan for engaging providers around fees, market sustainability and quality. b. Approve the funding of this plan that will implement varied uplifts based on current costs to bring the market closer together and further uplifts based on quality. c. Support the development of a local approach to quality that will inform future decisions around uplifts. d. Support enhancement of the Brokerage Model to support market management. 2. Cabinet delegated authority to the Executive Director for Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, to enter into discussions with commissioned providers around implementation of the proposals. 3. Cabinet delegated authority to the Executive Director of Adult Social Care, in consultation with the Portfolio Holder for Adult Social Care, to authorise any variations to the contractual arrangements or other related documents for such services should this be required to support adoption of the proposals 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.