

Council – 25th February, 2021

Correction of Minutes held on 27th February, 2020

1. PURPOSE OF REPORT

To advise of a procedural matter in relation to records of minutes and seek approval to amend the record of the minutes of the meeting held on 27th February, 2020.

2. RECOMMENDATIONS

That:-

- (a) Subject to approval of recommendation (b) below, the Monitoring Officer make a note against the original minutes indicating the subsequent corrections; and
- (b) That the Minutes of the meeting held on 27th February, 2020 and approved on 14th September, 2020 be amended to correct an inaccuracy subsequently discovered, as set out in appendix 'A' to this report.

3. REPORT DETAIL

- 3.2 The Minutes of the meeting held on 27th February, 2020 contained a resolution which referred to the financial envelope of resources 2019/20. This should have referred to 2020/21. Due to this, a report is required to correct the drafting error by resolution. This will ensure that the minutes correctly reflect the agreed resolution as approved by Council at the meeting on 27th February, 2020.
- 3.3 There is a legal requirement for the Council to keep an accurate record of committee decisions. This is done by way of minutes. It is permissible to correct a set of minutes on the grounds of their accuracy. This usually occurs at the next available meeting when the minutes are submitted for approval. However, where an inaccuracy is later discovered, the committee should, by resolution, amend the record of their decision despite their having been already approved and signed as a correct record at a previous meeting.
- 3.4 Should Council agree to the recommendations as set out in paragraph 2 - the Monitoring Officer will make a note against the original minutes indicating the subsequent corrections.
- 3.5 It should be noted that the certified resolution of the minute and the Statutory Notice relating to Council Tax were correct. It is only the record of the decision, the minutes, which require correcting.

4. LEGAL IMPLICATIONS

- 4.1 The Council is under a duty to keep an accurate record of proceedings.
- 4.2 The minutes of a Committee meeting, when written up and entered in the minute book, are presented to the following Committee meeting for confirmation. Confirmation is not required before the minutes can be acted upon by officers: the decisions taken at a meeting are of immediate effect. The minutes are, however, the public record of those decisions and therefore are put to the following meeting, for confirmation of their accuracy. The Committee cannot reopen debate upon any matter in the minutes when being asked to confirm them as a proper record of the previous meeting. They are simply confirmed as a correct record of the previous meeting.
- 4.3 If a member of the Committee considers there to be an inaccuracy in the minutes presented, the minute of the meeting confirming the minute should record that the minutes were approved subject to the following correction and then set out the correction.
- 4.4 Once minutes have been confirmed, the minutes cannot be altered in any circumstances whatsoever. If an inaccuracy is discovered after the minutes have been signed as confirmed, the inaccuracy can only be corrected by resolution of the Committee. In these circumstances, the minute of the meeting addressing the inaccuracy should record:

The minutes of the meeting held on [] approved by the Committee and signed by the chairman at the meeting on [] be amended in the following respect to correct an inaccuracy subsequently discovered: ...

- 4.5 No amendment may be made to the original inaccurate minute other than for the Monitoring Officer to note, in pencil, that there has been a subsequent correction.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications of this report.

6. WARD(S) AFFECTED

None.

7. CONSULTEES

Officers in Legal Services have been consulted in the preparation of this report.

8. BACKGROUND PAPERS

None.

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94. **Recommendation of Cabinet – Corporate Budget Plan 2019/20 to 2022/23 and treasury management and investment strategy 2020/21**

The Mayor reminded members that a recorded vote would be required on the final budget recommendation.

He also said that the final precepts and settlements had now been received and there were no changes to the figures in the budget recommendation.

It was **moved** by Councillor Bird and seconded by Councillor Andrew:

That the following be approved:

(1) Revenue

- a) The financial envelope of resources for 2020/21 as set out in **Section A: Part 1** “The Revenue and Capital Budget Plan”.
- b) A Walsall Council net council tax requirement for 2020/21 of £127.566m and a 3.99% increase in council tax (inclusive of 2% precept for Adult Social Care).
- 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 an opening general reserve of no less than £13.55m, as set out in **Annex 12** of the Budget Plan.
- d) The final levies below for outside bodies:

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,146,812
Environment Agency	82,739

- e) The following statutory determinations (references are to the Local Government Finance Act, 1992 as amended):
 - I. **£641,492,969** 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. **£513,926,831** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
 - III. **£127,566,138** 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. **£1,782.90** being the amount at (e) (III) above, divided by the council tax

base of 71,549.80, 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
1,188.60	1,386.70	1,584.80	1,782.90
E	F	G	H
2,179.10	2,575.30	2,971.50	3,565.80

- 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:

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police	108.37	126.43	144.49	162.55
	E	F	G	H
And	198.67	234.79	270.92	325.10
Crime	A	B	C	D
	41.20	48.07	54.93	61.81
Fire & Rescue	E	F	G	H
	75.54	89.27	103.01	123.61

- 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 2020/21 for each of the categories of dwellings shown below:

A	B	C	D
1,338.17	1,561.20	1,784.22	2,007.26
E	F	G	H
2,453.31	2,899.36	3,345.43	4,014.51

- 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.

(2) Capital

- a) The allocation of capital expenditure plans as set out in **Section A: 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 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 flexibility of capital resources used and minimise the ongoing costs of borrowing to the council.
- d) That the S151 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 Capital Strategy set out in **Annex 10** of the Budget Plan **be approved**.
- f) The Flexible Use of Capital Receipts Strategy set out in **Annex 11** of the Budget Plan be approved.

CAPITAL PROGRAMME – COUNCIL FUNDED SCHEMES			
Scheme	2020/21 £	2021/22 £	2022/23 £
<i>Rolling Programme Schemes</i>			
Memorial Safety in Walsall cemeteries	40,000	20,000	20,000
Highway Maintenance Programme – legal responsibility to maintain the highway network	2,800,000	2,800,000	2,800,000
Aids and Adaptations, Preventative Adaptations and Supporting Independence	400,000	400,000	400,000
Health through warmth	75,000	75,000	75,000
Funding to support essential works including health and safety	750,000	750,000	750,000
<i>Ongoing implications of prior year approvals (new spend)</i>			
Supporting transformation - Looked after children – out of borough placements	150,000		
Traffic Signals - Replacement of obsolete traffic signal control equipment	200,000	200,000	200,000
Provision of community dropped crossings along footways	20,000	20,000	
Promotion of Community Health and Safety	120,000	120,000	
Open water safety schemes – signage	5,000	2,000	
M6 Junction 10 road improvements in partnership with Highways England (grant)			650,000
Walsall Arboretum Extension and Country Park – infrastructure improvements		190,000	
New rail stations at Willenhall, Darlaston and Aldridge – local 10% contribution		1,500,000	1,500,000
Yorks bridge – increased funding for construction of replacement bridge		750,000	750,000
Willenhall Lane Cemetery Extension / Development of land for burials	525,600		
Strategic Acquisition for Third Sector Hub and operational accommodation - purchase of accommodation to support the formation of a third sector co-located hub and provide additional office accommodation for the council to support its ongoing rationalisation of its operational estate.	1,845,550	219,373	
Regional Materials Recycling Facility Project – Cabinet on 4 September 2019 approved for the Council to enter into a Joint Working Arrangement with 5 partner councils in order to facilitate the delivery stage of a local authority owned Materials Recycling Facility.	2,429,000	4,758,000	2,722,000
DfT Highways Challenge Fund Bid – funding to improve the quality of roads	260,000	260,000	
Enterprise Zones business investment as part of the Black Country LEP	4,185,088	10,599,915	9,715,704
Willenhall Lane Travellers site pumping station pump replacement	44,400		
ICT telephony cloud based system	500,000		
Civic Centre window replacement – improving energy efficiency		1,307,025	
Civic Centre plumbing – non heating related		66,600	
Council House general heating	1,085,000	1,085,000	

Scheme	2020/21 £	2021/22 £	2022/23 £
Council House internal decoration	55,500		
Walsall Proud Programme – Enabling Technology work stream	10,200,000		
<i>New Capital Bids</i>			
Darlaston Pool – health & safety fall arrest system	11,000		
Children’s Locality Model – transformation to connect services and professionals by integrating staff into communities	73,000		
Upgrade of CCTV cameras in Bloxwich, Leamore, Willenhall, Darlaston, Palfrey and Caldmore	432,000	200,000	
School estate condition surveys		250,000	250,000
School temporary classrooms – ongoing provision for improving / replacing permanent mobile classrooms when they reach a state of disrepair		250,000	250,000
Rolling capital maintenance – to fund essential maintenance of council owned buildings	250,000		
Council House roof repairs		750,000	750,000
Replacement of tablet technology – rollout of new technology to enable agile working			2,250,000
Smartphones – replacement of current mobile phone devices from 2021/22		200,000	200,000
Proud card payments, digital website – to ensure council remains PCI compliant and allows for citizens to pay for services on line	500,000	500,000	
Maintaining a safe and secure environment – hardware and software upgrade	100,000	100,000	200,000
Flexible Use of Capital Receipts Strategy	4,000,000	0	0
Revised council payments system linked to the Enabling Technology work stream	265,000	0	0
Total Capital Programme – Council Funded Schemes	31,321,138	27,372,913	23,482,704

CAPITAL PROGRAMME 2020/21 - SCHEMES FUNDED FROM EXTERNAL SOURCES	Estimated Value £
Growth Deal (grant)	32,948,081
LTP Highway Maintenance Programme (grant)	1,943,000
West Midlands Strategic Transport Plan (STP) 'Movement for Growth'	1,276,300
DfT Highways Maintenance Incentive Fund	405,000
DfT Pothole Action Fund	154,600
Land and Property Investment Fund	22,348,000
Disabled Facilities Grant –supports the council's statutory requirement to provide disabled facility grants (DFGs) (grant).	2,894,013
Integrated Community Equipment Store – specialised equipment as part of BCF (grant)	810,000
Basic Need school allocation (grant)	1,322,344
Devolved Formula Capital school allocation (grant)	544,028
Capital Maintenance school allocation (grant)	2,071,685
Special provision fund – provision for pupils with special educational needs (grant)	319,229
Total Capital Programme – External Funded Schemes	67,036,280

CAPITAL PROGRAMME RESERVE LIST 2020/21 – COUNCIL FUNDED SCHEMES	Estimated Value £
Further provision for Preventative / Aids and Adaptations and Supporting Independence	250,000
Further provision for Health Through Warmth – tackling fuel poverty	75,000
Darlaston Leisure replacement boilers	250,000
North Walsall Cemetery – drainage improvements to solve long standing localised flooding on site	252,000
Bloxwich Leisure landing remodel – invest to save	150,000
Oak Park poolside seating – invest to save	26,000
Darlaston Leisure steam room generator replacement	4,000
CCTV replacement for Darlaston Leisure	4,000
CCTV replacement system for Gala Baths and Oak Park overflow car park	12,000
Walsall Arena and Arts Centre – creation of new theatre bar and associated facilities – invest to save	15,000
Walsall Arena and Arts Centre – new tiered seating in theatre	15,000
Cemetery and Crematorium – replacement roads, pathways, pothole repairs	100,000
Registry Office phase 2 – redesign to reception and ceremony areas	10,000
Air Quality Monitoring stations – replacement units	70,000
Cloud 2 – ICT transformation as part of Walsall Proud Programme	500,000
Replacement guillotine in print room	35,000
Purchase of UV printer for promotional materials in print room	25,518
Total	1,793,518

LEASING PROGRAMME 2020/21	Expenditure £
Refuse vehicles	1,860,000
Light commercial vehicles	1,892,000
Tractors and agricultural machinery	156,000
Welfare vehicles	496,000
Total	4,404,000

(3) Treasury Management

1. That Section A – Part 2A – The Treasury Management and Investment Strategy 2020/21 onwards, including the council's borrowing requirement, borrowing limits, and the adoption of the prudential indicators, be approved.
2. That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, be delegated to the S151 Officer.
3. That decisions to use capital receipts or borrowing within the framework of approved prudential indicators be delegated to the S151 Officer.
4. That Section A – Part 2B – Treasury Management Policy statement, be approved.