

Cabinet

Tuesday 18 October 2022

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

Present – in person

Councillor Andrew	Deputy Leader and Regeneration
Councillor Ferguson	Internal Services
Councillor Flint	Health and Wellbeing
Councillor Pedley	Adult Social Care
Councillor Perry	Deputy Leader and Resilient Communities
Councillor Murphy	Clean and Green
Councillor M. Statham	Education and Skills
Councillor Wilson	Children's

In attendance – in person

K. Allwood, Executive Director, Adult Social Care and Hub
S. Portman, Head of Law
C. Goodall, Principal Democratic Services Officer
E. Cook, Assistant Democratic Services Officer

In attendance – remote

S. Neilson, Executive Director, Economy, Environment and Communities
S. Gunther, Director of Public Health
S. Darcy, Director of Finance Corporate Performance and Corporate Landlord
S. Kelly, Director Access and Inclusion

Part 1 – Public Session

3968 Welcome

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

3969 Apologies

Apologies were received from Councillor Bird and Councillor Ali

3970 Minutes

The minutes of the last meeting were submitted.

Resolved

The minutes of 7 September 2022, a copy having been sent to each member of the Cabinet, be approved and signed as a correct record subject to the following amendment:

The final paragraph of minute number 3959 'Cannock Chase Special Area of Conservation: Mitigation Strategy' be amended to include 'Councillor Bird' as the member that seconded the motion.

3971 Declarations of interest

Councillor Perry declared an interest in item number 15.

3972 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.

3973 Petitions

No petitions were submitted.

3974 Questions

No questions were submitted

3975 Forward plan

The forward plan as at October 2022 was submitted:

(see annexed)

Resolved (by assent)

That the forward plan be noted.

3976 Corporate Financial Performance 2022-23

Councillor Andrew introduced a report which provided an update on the forecast corporate financial position for 2022/23, based on the position to August 2022, and actions which may be required to address this position to ensure the council remains on a sound financial footing.

Resolved (unanimously)

1. That Cabinet noted a potential revenue overspend of £5.24m, progress against delivery of savings and mitigating actions being taken to address these to ensure a balanced outturn is delivered by 31 March 2023.
2. That Cabinet approved the use of £337k of Covid-19 funding from unringfenced grant as referenced in section 4.17: £190k relating to placement costs of children in care, and £147k Contain Outbreak Management Funding costs in services covered by grant which may be required to be returned following review.
3. That Cabinet noted that an assessment of the cost of living increase impact on the financial position for 2022/23 is included within this report.
4. That Cabinet noted that there are additionally high risks of £8.39m to the revenue forecast identified within services as set out in **Appendix 1**. These risks are actively being monitored and action is being taken to reduce / eliminate them where possible.
5. That Cabinet approved passporting of unringfenced Children's Social Care s31 Family Hub grant to Children's Services as detailed at section 4.18.
6. That Cabinet approved the delay in starting any new events until 2023, and the impact on Diwali celebrations, as outlined in 4.19.
7. That Cabinet approved the delegation of authority to the Interim Executive Director of Resources and Transformation, in consultation with the Portfolio Holder for Transformation and Finance (Leader of the Council) to award an up to 12 month contract extension from 1 February 2023 to 31 January 2024 to Socitm Advisory Ltd., for the provision of transformation resources to support Customer and Access Management Work Stream and to sign and vary any associated contractual documents as detailed in section 4.20.
8. That Cabinet approved amendments to the capital programme as set out in section 4.21.
9. That Cabinet noted that the forecast for the capital programme is currently predicted to be on budget after the expected carry forward of £89.15m into 2023/24, as set out in sections 4.22 and 4.23.
10. That Cabinet noted financial health indicator performance as set out in section 4.25 and **Appendix 4**.
11. That Cabinet noted the prudential indicators as set out in section 4.31 and **Appendix 5**.
12. That Cabinet approved the write off of debt as detailed in section 4.34.

3977 **Council Plan Markers of Success Q1 2022-23**

Councillor Andrew introduced a report which provided an update on Quarter 1 of the 2022/23 Council Plan Markers of Success, highlighting achievements for that period and any support requirements to ensure the Markers are met moving forward.

(annexed)

Resolved (by assent)

1. That Cabinet noted the baseline measures set for 2022/23 and the performance in Q1 relating to the period April-June 2022.
2. That Cabinet noted any key achievements, identified interdependencies and support required to achieve the Outcomes, set out in this report.

3978 **West Midlands Enhanced Partnership Scheme Variation**

Councillor Andrew introduced a report which sought to ensure improvement of bus services across the West Midlands through an improvement plan for the whole of the West Midlands Combined Authority area and a more-detailed improvement scheme to cover the same geography. This will support the implementation of West Midlands Bus Service Improvement Plan and Enhanced Partnership Plan.

(annexed)

Concerns were raised following recent news regarding possible changes to bus services within Walsall Borough, including possible service reductions. These potential service changes are being considered as an emergency item at the meeting of the Economy and Environment Overview and Scrutiny Committee on 20 October 2022. It was moved by Councillor Andrew and seconded by Councillor Perry and upon being put to the vote, it was;

Resolved (unanimously)

1. That the item be deferred to a future meeting;
2. That the report be referred as an urgent item to the meeting of the Economy and Environment Overview and Scrutiny Committee taking place on 20 October 2022.

3979 **Update on Resilient Communities Safer Streets Programme**

It was moved by Councillor Perry and seconded by Councillor Andrew and it was;

Resolved (by assent)

1. That the item be deferred to a future meeting.

3980 **Award of Contract for provision of Young Peoples' Accommodation Support Service**

Councillor Wilson introduced a report which sought to ensure Walsall Council effectively delivers on its commitments to support and accommodate young

people aged 16 to 29 through our homelessness duty and provide effective pathways for those leaving the council's care.

(annexed)

It was moved by Councillor Wilson and seconded by Councillor Andrew, and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet delegated authority to award the contract for the provision of Lot 2 Accommodation and Intensive Housing Management for Young People for the period 4 January 2023 to 3 January 2025, with an option to extend for up to a further 24 months to midnight on 3 January 2027 as set out in this Cabinet Report to the Executive Director Children's and Customer, in consultation with the Portfolio Holder for Customer.
2. That Cabinet delegated authority to the Executive Director Children's and Customer, to enter into a new contract to deliver the Lot 2 Accommodation and Intensive Housing Management for Young People and to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents for such services including the optional extension periods.
3. That Cabinet delegated authority to the Executive Director Children's and Customer, in consultation with the Portfolio Holder for Customer, to authorise any variations to the contractual arrangements or other related documents for such services, should this be required throughout the duration of term of any contracts, and provided they are in line with the Council's Contract Rules and any relevant legislation, including Public Contracts Regulations 2015.

3981 **Housing Upgrade Grant (HUG) Round 2**

Councillor Andrew introduced a report which would enable the council to bid for Home Upgrade Grant Round 2 (HUGs 2), by the first application deadline of 18 November 2022, in line with the Grants Manual. The funding is to improve the energy efficiency of off gas dwellings in the borough and help tackle fuel poverty, excess winter deaths and domestic carbon emissions.

(annexed)

It was moved by Councillor Andrew and seconded by Councillor Perry, and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet authorised a bid of over £500,000 to be made to The Department of Business, Energy and Industrial Strategy (BEIS) for Home Upgrade Grant Round 2 (HUGs 2).
2. That Cabinet delegated authority to the Executive Director of Children's Services to enter into the relevant agreements with BEIS if HUGs 2 funding is subsequently approved.

3982 **Climate Emergency Action Plan Update**

Councillor Flint introduced a report which provided an update on the Council's climate emergency action plan, approved by Cabinet on 21 October 2020, including the commitment to becoming a net zero carbon authority by 2050.

(annexed)

It was moved by Councillor Flint and seconded by Councillor Andrew, and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet noted the progress made in delivering the measures identified in the climate emergency action plan, as detailed in **Appendix 1**.
2. That Cabinet agreed that the Council work with all relevant partners and stakeholders to make the Borough carbon neutral by 2041.
3. Cabinet agreed that a revised action plan that delivers outcomes in pursuit of the borough being carbon neutral by 2041 be developed.

3983 **Extension to Integrated Sexual Health Services Contract and Healthy Child Programme 0-5 and 5-19 Contracts with Walsall Healthcare Trust**

It was moved by Councillor Flint and seconded by Councillor Wilson and it was;

Resolved (by assent)

1. That the item be deferred to a future meeting.

3984 **Extension of Adults Social Care Services Frameworks for Residential and Nursing and Community Based Services (CBS)**

Councillor Pedley introduced a report which sought to ensure the Council will continue to have sufficient availability of various services for adults to comply with its statutory obligations and is compliant with its responsibilities under the Care Act 2014. The extensions set out in the report will support the Council to remain compliant whilst it continues with stakeholder engagement and internal review as part of developing the 'Reimagining Care' framework (work-stream 6 of our Adult Social Care Transformation Plan).

(annexed)

It was moved by Councillor Pedley and seconded by Councillor Andrew, and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet approved the further extension of Residential and Nursing Framework from 1 April 2023 to 31 March 2025.
2. That Cabinet delegated authority to the Executive Director of Adult Social Care Public Health and Hub to continue to approve the award of contracts to providers who apply and meet the requirements of the Residential and Nursing Application Process from 1 April 2023 to 31 March 2025.
3. That Cabinet approved the further extension of the Community Based Services Framework from 1 April 2023 to 31 March 2025.
4. That Cabinet approved the extension of the Community Based Services Spot Purchase Contracts from 1 April 2023 to 31 March 2025.
5. That Cabinet delegated authority to the Executive Director of Adult Social Care Public Health and Hub to continue to approve the award of Community Based Services Spot Purchase Contracts to manage capacity within the market to 31 March 2025.
6. That Cabinet delegated authority to the Executive Director of Adult Social Care Public Health and Hub to subsequently authorise the sealing or signing of any associated contracts, deeds or other related documents for such services as identified above.
7. That Cabinet delegated authority to the Executive Director for Adult Social Care Public Health and Hub in consultation with the Portfolio Holders for Adult Social Care, to authorise any variations to the contractual arrangements or other related documents for such services should this be required throughout the duration of the above frameworks.

3985 Proposed Local Funding Formula

Councillor Statham introduced a report setting out the proposed local funding formula, which is the process used to allocate the Schools Block of the Dedicated Schools Grant funding that the Council receives to the mainstream schools in the Borough of Walsall. The Department for Education (DfE) requires all Local Authorities, in consultation with their Schools Forum, to finalise a schools local funding formula for the following financial year by the third week in January each year. Due to the timing of Schools Forum and Cabinet meetings, agreement of the proposed direction for consideration in relation to the 2023/24 local funding formula, required agreement in advance of the Department for Education informing the Local Authority of its Dedicated Schools Grant for 2023/24 year, which is not expected to be provided until the last week of December 2022.

(annexed)

It was moved by Councillor Statham and seconded by Councillor Wilson and upon being put to the vote, it was;

Resolved (by assent)

The Schools Forum had discussed the proposed funding formula at their meeting earlier in the day of the meeting, 18 October 2022.

1. That Cabinet noted that as there is a requirement to utilise all allowable factors in the local formula for 2023/24, a full consultation exercise with all mainstream schools in Walsall will be required (as there is a need to include the two factors that are not currently utilised – Free School Meals 6 and Pupil Mobility).
2. That Cabinet noted the work undertaken by officers and the working group containing members of Schools Forum, and the recommended list of funding formula options proposed, and approves that these options are utilised in a full consultation with all mainstream primary and secondary schools in Walsall.
3. That Cabinet noted the outcome of the consultation will be reported back to Schools Forum and Cabinet in December 2022 to allow a final decision to be made with regard to the formula that will be utilised to distribute funding to mainstream schools and academies within Walsall for 2023/24.

3986 **Recommendations from the Scrutiny Overview Committee**

Councillor Andrew presented a report from the Scrutiny Overview Committee, outlining recommendations made by the Committee to Cabinet at the Scrutiny Overview Committee's meeting of 4 October 2022.

(annexed)

It was moved by Councillor Andrew and duly seconded, and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet noted the recommendations of the Scrutiny Overview Committee;
2. That Cabinet requested that a report responding to the recommendations be presented to the 12 December 2022 meeting of the Scrutiny Overview Committee.

3987 **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 the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the items in private.

Public Summary of decisions taken in the Private Session

3988 **Bloxwich and Walsall Town Deal Update**

Councillor Andrew introduced a report which sought to enable progress towards the final stages to secure the £42.6m of government funding available through the Town Deal allocations, £21.3m for both Bloxwich and Walsall. Gaining approvals from Cabinet for the necessary delegations of authority will ensure good progress towards delivery of transformational schemes in Walsall and Bloxwich, improving the built environment, the resident/visitor/business experience and the life opportunities for the people of the Borough. All Bloxwich Councillors will be fully briefed in due course.

(annexed)

It was moved by Councillor Andrew and seconded by Councillor Wilson and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet delegated authority to the Executive Director of Resources & Transformation, in consultation with the Deputy Leader of the Council, to;
 - a) Accept and sign all funding offers received together with negotiating, approving and amending as necessary any variations to project submissions to government, to ensure that the programme can continue to be delivered.
 - b) Negotiate and enter into the appropriate legal agreements with the Canal & River Trust and the West Midlands Combined Authority (Transport for West Midlands) to deliver the agreed elements of the Active Travel and Connectivity Programmes for both Bloxwich & Walsall, within the project budget available.
 - c) Negotiate and enter into the appropriate legal agreements with successful applicant organisations as part of the; Community Capital and the Promotion of Construction Skills through Regeneration programmes, within the project budget available.
 - d) Negotiate and approve the purchase of an appropriate building, together with entering into subsequent contract/s to develop the chosen building and its environments, into the Bloxwich Incubation Space & Digital Access Centre, within the project budget available.
 - e) Negotiate and enter into the necessary legal agreements to successfully deliver / complete the refurbishment of the three buildings within King George 5th Park, and the improvements to parks selected as part of the Green Bloxwich programme, within the project budget available.
 - f) Submit, negotiate and accept successful external funding bids that generate match funding that supports the delivery of the Town Deal Projects and Programmes for both Bloxwich & Walsall.

- g) Negotiate and enter into the necessary agreements or contracts with Walsall College to successfully deliver / complete the; Bloxwich Construction Skills through Regeneration Programmes and the Walsall Construction Skills Academy and Advanced Vehicle Technology Centre Programmes.
 - h) Negotiate and enter into the necessary legal agreements to support / enable the successfully delivery / completion of the Walsall Digital Skills Hub.
 - i) Negotiate and enter into the necessary legal agreements to successfully deliver the Active Public Spaces (APS) project which includes the public realm works around Gallery Square and Park Street, a new footbridge over the canal and improvement works to the area around the canal basin.
 - j) Negotiate and enter into the necessary agreements or contracts with the Canal & River Trust to successfully deliver the works to the canal basin identified under the APS project
 - k) Authorise the sealing of Deeds and/or signing of contracts and any other related documents for the contracts identified above as well as any extension and variation of the contractual arrangements should this be required throughout the duration of the contracts.
 - l) Enter into the necessary legal agreements with applicants to utilise the up-front 5% Town Deal payments received, enabling projects to commence delivery prior to the receipt of government approvals, where Business Cases have been approved internally and the required documents have been submitted to government.
2. That Cabinet approved a capital budget for 2023/24 to support delivery of the Active Public Spaces project and in doing so approves granite as the preferred material.
 3. That Cabinet approved the purchase of a town centre property to support and accommodate the delivery of the Creative Industries Enterprise Centre noting that:
 - (i) a purchase of the property at this price represents best value
 - (ii) that this is being purchased in advance of completion of the business case for reasons set out in the report

3989 Waste Management Strategy – Waste Transfer Station (WTS) and Household Waste Recycling Centres (HWRC) Update

Councillor Andrew introduced a report which sought to provide a new waste transfer station (WTS) and household waste recycling centre (HWRC) at Middlemore Lane in Aldridge. The existing HWRC at Fryers Road can be upgraded at a later date and the Merchants Way HWRC will be closed once the new facilities are open to local people.

(annexed)

It was highlighted that there has been increases in costs because of the wider economic situation including supply chain costs, however, this is a project which will be in use for many years and will future-proof the provision of a necessary service and facility.

It was moved by Councillor Andrew and seconded by Councillor Murphy and upon being put to the vote it was;

Resolved (unanimously)

1. That Cabinet approved the revised total pre-tender budget for Middlemore Lane to accommodate a new Waste Transfer Station (WTS) and Household Waste Recycling Centre (HWRC);
2. That Cabinet agreed to increase the project budget in the Council's Capital Programme, funded from the Pipeline Investment Fund;
3. That Cabinet agreed to continue to proceed with the scheme;
4. That Cabinet delegated authority to the Executive Director for Economy, Environment and Communities in consultation with the Portfolio Holders for Regeneration and Clean and Green, to approve the award of contract and agree any variations to the design and build of Middlemore Lane WTS and HWRC;
5. That Cabinet noted a further report is required in 2024 on the new HWRC at Fryers Road and additional budget requirements in 2025/26 for the redevelopment.

(Exempt information under Paragraph 1 & 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))

There being no further business, the meeting terminated at 5:36 p.m.

Chair:

Date: