



Minutes of the **ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Monday 23rd February, 2023, at 6.00 p.m.** at the Council House, Walsall.

Present

Councillor R. Martin (Mayor) in the Chair

Councillor G. Ali

“ B. Allen
“ A. Andrew
“ B. Bains
“ H. Bashir
“ M.A. Bird
“ C. Bott
“ P. Bott
“ R. Burley
“ S. Cheema
“ S.J. Cooper
“ C. Creaney
“ S.K. Ditta
“ S. Elson
“ G. Flint
“ M. Follows
“ N. Gandham
“ A. Garcha
“ N. Gultasib
“ A. Harris
“ L.A. Harrison
“ A.J. Hicken
“ C. Horton
“ A. Hussain
“ I. Hussain
“ K. Hussain
“ S. Hussain

Councillor T. Jukes

“ P. Kaur
“ R. Larden
“ E. Lee
“ F. Mazhar
“ R. K Mehmi
“ K. Murphy
“ J. Murray
“ S. Nasreen
“ A.A. Nawaz
“ A. Nazir
“ K. Pedley
“ G. Perry
“ L.J. Rattigan
“ S. Samra
“ K. Sears
“ G. Singh Sohal
“ P. Smith
“ C.A. Statham
“ M.A. Statham
“ C.D.D. Towe
“ A. Underhill
“ V.J. Waters
“ J. Whitehouse
“ T.S. Wilson
“ R.V. Worrall

56. **Apologies**

Apologies were received on behalf of Councillors James, Rasab, Ferguson and Clarke.

57. **Minutes**

Resolved

That the minutes of the meeting held on 9th January, 2023, a copy having been sent to each member of the Council, be approved as a correct record.

58. **Declarations of interest**

There were no declarations of interest.

59. **Local Government (Access to Information) Act, 1985 (as amended)**

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.

60. **Mayor's announcements**

The Mayor referred to the death of former Councillor Douglas-Maul, a member of Walsall Metropolitan Borough Council from 1979 to 2021 and Mayor of Walsall in 2000. The Mayor and Councillors Bird, Nawaz, Smith, Samra, Underhill, Pedley and Rattigan paid tribute to former Councillor Douglas-Maul, following which it was **moved** by the Mayor, duly seconded and:

Resolved

That this Council have heard with deep regret of the death of former Councillor Douglas Maul, a member of Walsall Metropolitan Borough Council from 1979 to 2021 and Mayor of Walsall in 2000 and places on record their appreciation of his services to the borough over a period of many years and expresses its condolences to his family at this sad time.

61. **Petitions**

No petitions were submitted.

62. **Questions**

(a) From the public: None

(b) From members of the Council:

Councillor Simran Cheema:

On the 16th January, 2023, the Wakes Ground Car Park in Willenhall saw yet another unauthorised encampment, impacting nearby local businesses and parents on the school run. Given that the cost of the Pleck transit site was in its thousands, more than what was anticipated, and was designed to relocate any such unauthorised encampments to the Pleck site -

1. Why are unauthorised encampments still occurring in the Borough
2. How many caravans have been booked on the transit site since its opening
3. How much revenue has been made against costs
4. Have we seen a statistical reduction in the number of unauthorised encampments since its opening?

Councillor Perry replied as follows:

We have a very positive story to tell you with regards to unauthorised encampments. It would be foolhardy for anybody to think that we will eliminate unauthorised encampments from happening full stop. We will continue to get them. The travelling community are protected under the Equalities Act for the nomadic lifestyle they live. Legislation protects that right to travel. Where it is unacceptable is when unauthorised encampments cause antisocial behaviour, intimidation and harassment and that is where the law also protects the wider community from such behaviour associated with a UE.

As you will be aware, we went through a very long process of trying to make sure we had all the tools at our disposal to deal with 'Unauthorised Encampments' (UE's). Since opening in June we have had eight groups stay at the Pleck site for a maximum of four weeks, with one extended for welfare reasons, which was the right thing to do and is enshrined in equalities legislation. In terms of revenue, we have received an income of £7,340 against an operating cost of £17,000 which includes site maintenance, repairs, management, waste collections and on one occasion we had to use bailiffs due to poor behaviour. In terms of that action, that traveller community left through the involvement of our bailiffs. Where they had been previously on other sites, they had caused damage and left the sites unusable. They did not do that in Walsall, which is credit to the team who operate and manage the site on behalf of the Council. In 2019, the cost associated with UEs across Walsall was £297,000. It reduced to £73,500 in 2021/22 and to date, in 2023, it is £10,500. This is a significant net saving against the costs we have incurred during that 3

to 4 year period. We have seen a statistical reduction in the number of unauthorised encampments since it's opening, but not solely attributable to the Pleck site. The community is protected by Equalities Act and has a right to roam. The transit site is also there to offer support for families, particularly where there is a welfare need. There are currently three caravans on the Pleck site.

From 1 June 2022 to February 2023 there have been six unauthorised encampments on Council land. All but one were on land where an injunction order existed. We are now able to get unauthorised encampments off injunction sites within a 24-48 hour period because we use bailiffs to issue notices immediately and do necessary welfare checks. There have been four UEs on private land but these are not always reported to the Council as they are managed at source.

Since the new approach there has been an 80% reduction in UEs from 2019 to 2023. The Council has also successfully defended a High Court challenge against the removal of injunctions on our sites. Since January 2023 there have been just four UEs. We are regionally and nationally recognised for our approach, with its fair and balanced core between the needs of the wider community and recognising the rights of the community to travel.

Councillor Cheema asked the following supplementary question:

The Express and Star previously quoted the Leader as stating that the transit site as a success. To me it's not because it doesn't accommodate enough. If you deem it a success, what would deem to be a failure? Also, how much is it costing the taxpayers of Walsall for the utilisation of bailiffs for the removal of unauthorised encampments?

Councillor Perry replied as follows:

To get one transit site was challenging enough because at every step of the journey we took, and the previous administration to their credit, we were blocked due to community pressure. No site is considered to be adequate for the wider community for the reasons previously discussed and because the media portrays the majority of these sites and users as antisocial, when we know they are not. The recent encampment mentioned was removed swiftly with very little impact. Do we need more transit sites? Yes, but the question is where? It is important members work together non-politically as this is the approach which got us where we are today. I adopted a different approach to my predecessor when becoming Portfolio Holder in 2018, holding a summit with partners and cross-party involvement. Scrutiny were also involved. I look forward to continuing to work with Members to identify where future transit sites can be.

Councillor Peter Smith

Given that I asked a Question at the Council meeting of September 20th 2021 that ended in these words:

“..Will you therefore, if this drive for more and more office- based workers to work from home becomes inevitable, comment on the views that these “remote employees” could become particularly vulnerable in any future drives to save money if looking to delete posts and that the financial viability of the Civic Centre itself could become questionable, thus leading to the call to “rent out” more units of the Civic Centre and/or even to consider it being put up for sale?”.

and given that 16 months has elapsed since, could you update us on

- a) Plans for the future of the Civic Centre and indeed the Town Hall in Leicester Street both of which seem to be closed to the public and very much under-occupied and under-used? and
- b) If and when Full Council will have an opportunity to debate any such plans?

Councillor Bird replied.

Council buildings are open and public access is available in the 26 connected working sites across the Borough and via the website 24 hours a day. The Civic Centre and Council House are used by staff who have a need to work in the buildings either on a permanent basis or for team meetings, training and collaborative in-person meetings with officers and Council Members. There are arrangements in place to upgrade the Council House heating and ventilation systems as a result of a successful £3.7million external funding bid in relation to decarbonisation across the Civic Centre and Council House and to reconfigure some of the spaces to allow for a better Registrars service, better spaces for Children’s services and vulnerable customers as well as working with partners in supporting the one public estate agenda, offsetting some of the overhead costs through rental income.

From March 2020 due to Covid, the Council used this as a catalyst to review working arrangements and roll-out IT equipment to allow remote working through this difficult period. During this time the Council assessed the likely future service requirements across the whole corporate estate and changes needed to future proof service delivery and ensure fit-for -purpose working environments for staff, Members and customers. As part of developing the Strategic Asset Plan which was approved by Cabinet in December 2021, a review of whether to consider releasing the Civic Centre or whether to centralise staff and release other satellite offices was undertaken and concluded it was unviable to release the Civic centre due to the viability gap of housing development on this site. Therefore, the Strategic Asset Plan (SAP) has focussed on improving our key assets to allow staff to transfer between these sites to release underutilised and costly surplus assets, to deliver revenue savings of approximately £1million since the SAP was approved and capital receipts of £2.6million, with a further £2.5million forecast for 2024-25. Further revenue benefits of £1.5million are due to be delivered in this timeframe too.

The Council has now fully embraced hybrid working but having had over two years of low on-site presence in the civic centre throughout 2023 so far numbers of staff utilising the building have increased significantly to around 50%. Given further changes to improve energy efficiency and collaboration spaces to enhance team engagement, we expect to settle with our work services on their future requirements soon with further relocations underway. This allows us to work with our partners and fulfil the one public estate agenda by occupying space within the Civic Centre and covering some of our utility costs and overheads through agreed lease arrangements. A report detailing the separate stages of work, timelines for delivery and contractual arrangements being prepared, will be presented to the Cabinet meeting on 22 March 2023.

Councillor Smith asked the following supplementary question:

Given that there is some concern about funding the CAB and given that there is equal concern about the CAB not having a physical presence in the Borough might it not be possible to offer the CAB some facility in civic centre.

Councillor Bird replied.

The CAB have £1million in reserves; are currently advertising for a chief executive on a salary of between £60,000 to £70,000 and made a conscious decision to move out of the town. If they made a conscious decision to come back into the town then it may be, at their request, that we could consider them and/or others who wish to rent space within the Civic Centre. We already have the Police who pay a rent and the building has been reconfigured to enable income generation. The contracts we now have, in line with all other Councils around the country, are for hybrid working with people working from home sometimes. The Civic Centre is likely to move up to 70% occupation but the reconfigurations allow more collaboration space and a better working environment for those who do come in and the tenants that we have.

Councillor Peter Smith

Would the appropriate Portfolio holder inform me, this Council and members of the public of the most recent information available to him relating to:

- a) The outstanding arrears of Council tax owed to Walsall Council and
- b) The outstanding arrears of Business tax owed to Walsall Council.
- c) The extent of efforts to recover outstanding arrears of Council tax and business tax?

Councillor Bird replied.

The Council tax arrears for the previous four years, 2018 to 2022, is £19.4m. This arrears balance is 3.4% of the total of £565m billed for that period. Regarding the current year, of the £159.5m billed, £19.9m remains outstanding. However £17.7m of this is subject to instalments or the attachment processes. The business rates arrears for the previous 4 years is £4.8m representing 1.9%

of the £252.2m which was billed. £5.6m of the current year's business rates bill, £72.5m in total, remains outstanding with £4.6m of that subject to instalments or arrangements.

Collection, recovery and enforcement of unpaid taxes and rates continues through all options available under legislation. The service uses the best available data to ensure the recovery method is most appropriate to the circumstances of the resident or business. This use of data is even more vital in the current cost-of-living crisis, for example, 53% of the Council Tax arrears is currently being collected through agreed instalment plans or the attachment process, the remainder being subject to other enforcement action. Arrears are only written off once collection is no longer an option, either due to insolvency proceedings, businesses no longer being in existence or residents' circumstances. Collection and recovery is controlled by the options available to the Council through relevant legislation. The preferred method for collection of arrears is through a mutually agreed payment arrangement with the resident or business. Where this is not possible there are options available for the recovery of unpaid sums including attachments of earnings, benefits deductions, use of approved enforcement agents, charging orders, insolvency or committal proceedings. For business rates we use either approved enforcement agents, insolvency or committal proceedings or recovery through the County Court. The Council fully utilises data and different communication methods to ensure it has exhausted all other options before the use of enforcement agents or other intrusive recovery methods.

The breakdown of the last 4 years' arrears and balances are:

- 2018-19: 39% of arrears (£1.1m)
- 2019-20: 47% of arrears (£1.8m)
- 4-years total: £10.3m or 53% of arrears.

With regards to enforcement, 36% of arrears have been retrieved using enforcement and other approaches including identified write-offs amounts to £2m or 11% of the arrears. There is a similar situation with business rates, but the administration is aware that things are difficult and the budget proposed tonight will reflect that.

Councillor Smith asked the following supplementary question:

If we didn't have arrears, what would be the extent of cuts to Council Tax or reductions to services.

Councillor Bird replied as follows:

The budget does build in an element of non-collection and the financial team are exceptionally good at forecasting that. Over many years our collection rate has been the envy of other Councils. Council tax only accounts for 20% of the revenue required to deliver services, so the effect of non-payment is not as large as people may think, though it can have an impact.

Councillor Peter Smith

Given that many of us are all too familiar with ill-informed statements like “*what do we get from our Council other than having our bins emptied*”, would the appropriate Portfolio holder give me, this Council and the public a brief summary of the extent of Council services provided to the public and in particular some specific examples, if possible, of **the average yearly cost to the Council to:**

- a) educate a nursery, primary and a secondary school child.
- b) empty a grey, green and brown bin.
- c) cut back/pruning/pollarding the average tree on Council owned land?

Councillor Bird replied.

Local Authorities are bound by statute. Their functions are set out in numerous Acts of Parliament and many of these functions have associated legal duties. On 13 June 2011, a revised list of duties was published which detailed 219 duties placed on local authorities by the Department of Levelling Up and Communities and 1119 duties from other Government departments. These total 1338 duties and give a clear picture of the requirements placed on local authorities. In addition, this Council takes on a number of duties in line with the priorities within its Council Plan.

Regarding the cost of educating pupils, based on data from an October 2022 census and pupil numbers for 2023-24, funding allocations amount to circa £196m. These figures exclude pupil numbers and funding for Academies which are funded directly through the Academy and not distributed by the local authority. Funding for schools comes from the government allocated Dedicated Schools Grant and the Sixth Form Pupil Funding which is directly passported to schools by the local authority. The estimated split is:

- early years: pupil numbers of 3,580 equating to £7,003 per pupil;
- primary: 18,614 pupils equating to £5,907 per pupil;
- secondary: 2,654 pupils equating to £8,225 per pupil;
- special schools: 1,326 pupils equating to £26,904 per pupil; and
- post-16: 283 pupils equating to £7,369 per pupil.

The cost of collection of residual waste or grey bins is 83p; dry recycling or green bins is 82p; and brown bins cost 49p. The cost per bin of disposal is £1.42 for grey bins; 31p for green bins; and 29p for brown bins. The total cost per bin is £2.25 for a grey/residual waste bin; £1.14 for green bins; and 78p for brown bins. These include an apportionment of fleet, IFM, business rate, management costs, CSS and depot and is based on current forecasts.

To cut back and prune, the average cost of a tree on Council land is estimated to be £250 per tree including the cost of equipment.

The Council expects to spend £722m on services in 2023-34. This is funded through various sources of income but in the main through government grants which account for 56%. Council tax accounts for 20% and retained business rates for 10% with the remainder coming from fees, charges and rental income, including from the Civic Centre.

Due to being heavily funded by government grants we are limited on the additional income we can raise, the main locally raised income a local authority can influence being council tax, although the maximum amount by which it can increase is set by government. It would be interesting if officers could provide all Members of the Council with a breakdown by ward of all arrears which may be enlightening. Of the £406m received from government, £193m relates to dedicated schools funding which is passported directly to schools and £193 million is specific funding from government departments to be spent on specified services, with £20m in general government funding.

The size of and reasons for council tax increases will be different for various councils. Councils have to make decisions on rates and spending based on numerous factors including the amount received from government; the amount in can raise from fees and charges; and the challenges it faces including cost and demographic pressures and loss of income from fees. In Walsall we collect below average income from fees and charges because we are competing with the private sector. 83% of Walsall residents reside within council tax bands A-C meaning that though we may raise Council tax by the same percentage as other authorities, we raise less income than an authority where the banding is more heavily weighted to bands B-D or above. The Walsall council tax income equates to circa 20% of our total income. Walsall will increase council tax rates by 2.99% in 2023-24 which equates to £4.2m of additional income. Whilst we had the opportunity to increase our council tax by an extra 2%, the decision of this administration was not to do so as we are aware of the cost-of-living crisis and burdening people with more Council tax was not the way this Council wanted to go.

Councillor Smith asked the following supplementary question:

Do you not agree with me that given the cost of schooling and cost of emptying the bins that the folk of Walsall are getting a damn good deal from the public sector, which they wouldn't get if we had the casino system of the market economy where one pound note one vote, counts. Aren't they getting good value for money because these services are provided by the public sector.

Councillor Bird replied:

The people of Walsall do not see all the services which they receive every single day. It is easy to knock the Council, however, whilst we are emptying the bins at the cost of 83p per bin, the people who are fly-tipping need to be arrested and their vehicles seized and crushed. They cost this council approximately £750,000 per year and the more people we find and prosecute makes my job much easier. We request that the eyes and ears of the public turn those people in, otherwise it is their pocket which is being hurt, not the fly-tippers'. Officers

go the extra mile to ensure our services are value for money and well delivered. The Proud programme has been a success, bringing savings of £68m, done through prudent management, digitalisation and value for money.

63. **Pay Policy Statement and Living Wage**

The report to Personnel Committee on 8th February, 2023 was submitted.

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

Resolved

1. That the Pay Policy Statement for 2023/24 be approved; and
2. That the continuation of the living wage as detailed in the Pay Policy (as set out in section 6.5 of appendix 1) and as set out in section 4.2, option a, of the report, be approved.

64. **Recommendations of Cabinet**

The Monitoring Officer informed Members that a recorded vote would be required on the budget recommendation and confirmed that he had granted a dispensation to all members in order that the matter could be debated and determined.

The mayor confirmed that the final precepts and settlements had been received and there were no changes to the figures in the budget recommendation contained within the covering report to Council.

The following reports to Cabinet held on 8th February, 2023 were considered:-

a) Corporate Budget Plan 2022/23 -2025/26

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

That the following be approved:

3.3.1 Revenue

- a) The financial envelope of resources for 2023/24 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 2023/24 of £144.16m and a 2.99% increase in council tax.
- 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 not less than £16.12m, 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 23 February 2023. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,614,200
Environment Agency	85,178

- 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 23 February 2023 for the final figures once received:

- I. **£721,685,138** 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. **£577,522,096** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- III. **£144,163,042** 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. **£1,985.48** being the amount at (e) (III) above, divided by the council tax base of 72,608.66, 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
1,323.65	1,544.26	1,764.87	1,985.48
E	F	G	H

2,426.70	2,867.92	3,309.13	3,970.96
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- 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 23 February 2023.

PRECEPTING AUTHORITY	VALUATION BANDS			
Police And Crime Commissioner	A	B	C	D
	135.03	157.54	180.04	202.55
	E	F	G	H
Fire & Rescue	247.56	292.57	337.58	405.10
	A	B	C	D
	48.68	56.79	64.90	73.02
	E	F	G	H
	89.24	105.47	121.69	146.03

- 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 2023/24 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 23 February 2023.

A	B	C	D
1,507.36	1,758.59	2,009.81	2,261.05
E	F	G	H
2,763.50	3,265.96	3,768.40	4,522.09

- 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.

3.3.2 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 flexibility of capital resources used and minimise the ongoing costs of borrowing to the council.
- c) That the S151 Officer, after 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).
- d) The Capital and Investment Strategy set out in **Annex 8** of the Budget Plan **be approved**.
- e) The Flexible Use of Capital Receipts Strategy set out in **Annex 10** of the Budget Plan **be approved**.

3.3.3 Treasury Management

1. **Section B – Part 2A** – The Treasury Management and Investment Strategy 2023/24 onwards, including the council’s borrowing requirement, borrowing limits, and the adoption of 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. **Section B – Part 2B** – Treasury Management Policies, **be approved**.

The following amendment was moved by Councillor Smith but was not Seconded, the amendment **failed** and was not debated.

Proposal

My proposal is to remove the following Policy savings from the budget report:

- Increase in bulky waste charges (P4 - £136,000);
- Reduce grass cutting frequencies (P5 - £40,000);
- Rewilding of all urban grassed areas(P6 - £352,348; and
- 2 Weekly garden waste collection from May to November (P10 - £100,000).

The impact of this is set out in the Chief Finance Officers advice overleaf and I propose that the cost of this proposal is funded from general reserves for 2023/24, with the ongoing financial impact being added into the medium term financial outlook (MTFO) for 2024/25.

Impact on the Budget

I so move that recommendation 3.3.1 of the report as submitted be amended as follows, replacing the statutory determinations within the Council resolution with the following figures:

Section 3.3.1 Revenue

e) The following statutory determinations (references are to the Local Government Finance Act, 1992 as amended):

- VI. **£722,177,486** being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.
- VII. **£578,014,444** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

All other sections of the resolution recommendations in sections 3.3.1, 3.3.2, 3.3.3 remain unchanged by this amendment, including council tax.

Chief Finance Officer's Advice

This proposed alternative budget is confirmed to have been discussed with the Chief Finance Officer (CFO).

The amendment as set out changes the statutory determinations (gross expenditure and gross income), but does not amend the council tax requirement, the level of council tax or the council tax bands from those proposed by Cabinet to Council.

The proposal includes removal of some of Cabinet's savings proposals. These are as set out in the table below, along with the resulting impact on the statutory determinations. Whilst the net effect of these changes is nil, the proposal includes the

use of alternative funding from one off sources, with the use of general reserves in 2023/24 of £628,348.

Saving No.	Saving Description	Original Saving Value 2023/24 to be Removed £	Impact of Amendment on Statutory Determinations	
			Gross Expenditure	Gross Income
P4	Increase in bulky waste charges from £10 to £30 for up to 3 items, £50 for 4-6 items and £70 for 7-9 items.	136,000	N/A	Reduction of £136,000
P5	Reduce grass cutting frequencies.	40,000	Increase of £40,000	N/A
P6	Rewilding of all urban grassed areas.	352,348	Increase of £352,348	N/A
P10	Garden waste collection - 2 Weekly from May to November.	100,000	Increase of £100,000	N/A
	<i>Total</i>	<i>628,348</i>	<i>Increase of £492,348</i>	<i>Reduction of £136,000</i>
	<u>Funded by:</u>			
	Use of general reserves £628,348	-	N/A	Increase of £628,348

	Total changes to Statutory Determinations	-	Increase of £492,348	Increase of £492,348
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In relation to the proposals in this amendment, I can therefore advise as follows:

1) The implications for the statutory determinations are:

- Gross expenditure - a reduction of £492,348 from the removal of P5, P6 and P10, resulting in revised gross expenditure of £722,177,486;
- Gross Income - a reduction in gross income of £136,000 from the removal of P4, offset by an increase in gross income of £628,348 from the use of reserves; a net increase of £492,348, resulting in revised gross income of £578,014,444;
- A net nil change overall to the council tax requirement of £144,163,042.

- 2) Use of Reserves - £628,348: The current estimated closing level of general reserves as at 31 March 2023 is £17.70m. The recommended level of opening reserves for 1 April 2023 is £16.12m, a variance of £1.58m above that required, which is planned to be transferred to earmarked reserves to manage financial risk going forward. After reviewing the budget risks, I can confirm that the use of general reserves to fund this £628,348 reduces the authorities' flexibility in meeting unknown financial pressures (the figure represents c3.5% of the total level of general reserves available), however the opening level of reserves will be in line with those recommended by the S151 Officer for 2023/24.
- 3) Additionally, reserves should only be used on one-off items of expenditure and this amendment provides for ongoing investment. As the funding is one-off, the ongoing financial impact of £628,348 would need to be factored into the next update of the MTFO for 2024/25 onwards, resulting in an unbalanced budget for 2024/25 at this point (the 2024/25 budget is, however, not formally set until February 2024).
- 4) The amendment would increase the cash limit for Economy, Environment and Communities by £628,348 and increase use of reserves by £628,348 for 2023/24 within Section B - Part 1 "The Revenue Corporate Budget Plan and Capital Programme".

Summary Chief Finance Officer advice

The Council is required to set the budget for the forthcoming year, which is 2023/24. The amendment as set out represents a balanced budget for 2023/24, with a reduced level of overall reserves available to manage unforeseen pressures and an additional pressure to balance for 2024/25. However, opening levels of general reserves would be in line with the S151 Officer's recommendations and the additional pressure for 2024/25 onwards could be built into next year's budget process.

The following Amendment was moved by Councillor Nawaz, and seconded by Councillor K. Hussain:-

This amendment proposes to:

1. **Remove Policy Saving Number 2 - a saving of £88,200 in relation to a reduction in grant funding to the Citizens Advice Bureau (CAB) and continue to fund the service at the current grant level of £245,000 for three years, subject to the CAB maintaining a permanent physical presence within Walsall town centre together with physical outreach services via the Council Hubs, on a rota basis.**

Funding for this to be set aside from general reserves for the three years of the agreement.

2. **Invest in the provision of 5 community protection enforcement officers at a cost of £199,449**

Funding for this is proposed to be through a reduction in the Communications, Marketing and Brand budget of £199,449.

Amendment

I so move that recommendation 3.3.1 of the report as submitted be amended as follows, replacing the statutory determinations within the Council resolution with the following figures:

Section 3.3.1 Revenue

e) The following statutory determinations (references are to the Local Government Finance Act, 1992 as amended):

VIII. **£721,773,338** being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.

IX. **£577,610,296** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

All other sections of the resolution recommendations in sections 3.3.1, 3.3.2, 3.3.3 remain unchanged by this amendment, including council tax.

Chief Finance Officer's Advice

This proposed alternative budget is confirmed to have been discussed with the Chief Finance Officer (CFO).

The amendment as set out changes the statutory determinations (gross expenditure and gross income), but does not amend the council tax requirement, the level of council tax or the council tax bands from those proposed by Cabinet to Council.

The proposal includes removal of one saving and one area of additional investment.

These are as set out in the table below, along with the resulting impact on the statutory determinations. Whilst the net effect of these changes is nil, the proposal includes the use of alternative funding from one off sources, with the use of general reserves in 2023/24 of £88,200.

Saving No.	Saving Description	Original Saving Value 2023/24 to be Removed £	Impact of Amendment on Statutory Determinations	
			Gross Expenditure	Gross Income
P2	Reduction in grant funding to the Citizens Advice Bureau (CAB)	88,200	Increase of £88,200	N/A
	<u>Funded by:</u> Use of general reserves £88,200		N/A	Increase of £88,200

New Investment	Value of New Investment 2023/24 £	Impact of Amendment on Statutory Determinations	
		Gross Expenditure	Gross Income
Provision of 5 additional Community Protection Enforcement Officers	199,449	Increase of £199,449	N/A
<u>Funded by:</u> <i>Review and reduction of Communications, Marketing and Brand budget</i>		Reduction of £199,449	N/A

<i>Total changes to Statutory Determinations</i>		<i>Increase of £88,200</i>	<i>Increase of £88,200</i>
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In relation to the proposals in this amendment, I can therefore advise as follows:

- 5) The implications for the statutory determinations are:

- Gross expenditure – an increase of £88,200 from the removal of P2, increase of £199,449 for 5 community protection enforcement officers (at G7), less a reduction in the Communication, Marketing and Brand (CMB) budget of £199,449; a net increase of £88,200, resulting in revised gross expenditure of £721,773,338;
 - Gross Income - an increase in gross income of £88,200 from the use of reserves, resulting in revised gross income of £577,610,296;
 - A net nil change overall to the council tax requirement of £144,163,042.
- 6) Use of Reserves - £88,200 for 2023/24. The proposal is to fund this for three years, totalling £264,600. The current estimated closing level of general reserves as at 31 March 2023 is £17.70m. The recommended level of opening reserves for 1 April 2023 is £16.12m, a variance of £1.58m above that required, which is planned to be transferred to earmarked reserves to manage financial risk going forward. After reviewing the budget risks, I can confirm that the use of general reserves to fund this £264,600 reduces the authorities' flexibility in meeting unknown financial pressures (the figure represents c1.5% of the total level of general reserves available), however the opening level of reserves will be in line with those recommended by the S151 Officer for 2023/24.
- 7) Reserves are recommended to be used for one-off or time limited purposes and not for use for recurring expenditure, therefore should reserves be used to fund this £264,600, then at the end of the three year grant period, a further review would be required to determine if the funding is to continue and if so, how it would be funded.
- 8) The amendment would increase the cash limit for Customer Engagement by £88,200, increase the cash limit for Economy, Environment and Communities by £199,449, reduce the cash limit for Adult Social Care – Hubs (CMB) by £199,499 and increase the use of reserves by £88,200 in 2023/24 (and by a total of £264,600 over the three years from 2023/24) within Section B - Part 1 "The Revenue Corporate Budget Plan and Capital Programme".
- 9) The additional £88,200 per annum for three years is proposed to be subject to the CAB maintaining a presence within the borough. This proposal adds an additional 56% to the proposed grant of £156,800 contained within Cabinet's proposed budget and may require review of the grant agreement, equality impact assessment, and approval of revised grant terms, as appropriate, prior to implementation.
- 10) The reduction of the CMB budget by £199,449 represents c20% of the CMB staffing budget and would require a review of the CMB structure, analysis of impact and appropriate consultation. A part year effect is therefore likely to be achieved, resulting in use of reserves (or alternative actions) to address any shortfall.
- 11) The amendment does not impact on any other sections of the recommendations in 3.3.1 or on the recommendations in 3.3.2 and 3.3.3 of the resolution.

Summary Chief Finance Officer advice

The Council is required to set the budget for the forthcoming year, which is 2023/24. The amendment, if approved, represents a balanced budget for 2023/24, with a call on the use of reserves of £88,200 in each of the three years from 2023/24 and the delivery of a saving in relation to CMB.

On being put to the vote, the amendment was declared **lost** the voting at the request of several members of the Council being recorded as follows:

For the amendment – 19 members	Against the amendment- 35 members	Abstained – 0 members
Cllr: H. Bashir “ C. Bott “ P. Bott “ R. Burley “ S. Cheema “ C. Creaney “ S.K. Ditta “ C. Horton “ N. Gultasib “ K. Hussain “ S. Hussain “ T. Jukes “ F. Mazhar “ R. K Mehmi “ S. Nasreen “ A.A. Nawaz “ A. Nazir “ Underhill “ R.V. Worrall	Cllr: G. Ali “ B. Allen “ A. Andrew “ B. Bains “ M.A. Bird “ R. Martin “ S.J. Cooper “ S. Elson “ G. Flint “ M. Follows “ N. Gandham “ A. Garcha “ A. Harris “ L.A. Harrison “ A.J. Hicken “ A. Hussain “ I. Hussain “ P. Kaur “ R. Larden “ E. Lee “ K. Murphy “ J. Murray “ K. Pedley “ G. Perry “ L.J. Rattigan “ S. Samra “ K. Sears “ G. Singh Sohal “ P. Smith “ C.A. Statham “ M.A. Statham “ C.D.D. Towe “ V.J. Waters “ J. Whitehouse “ T.S. Wilson	

There being no further amendments, the Mayor put **the substantive motion** to the vote which was declared **carried**, the voting being recorded as follows:

For the amendment – 34 members	Against the amendment- 20 members	Abstained – 0 members
Cllr: G. Ali “ B. Allen “ A. Andrew “ B. Bains “ M.A. Bird “ R. Martin “ S.J. Cooper “ S. Elson “ G. Flint “ M. Follows “ N. Gandham “ A. Garcha “ A. Harris “ L.A. Harrison “ A.J. Hicken “ A. Hussain “ I. Hussain “ P. Kaur “ R. Larden “ E. Lee “ K. Murphy “ J. Murray “ K. Pedley “ G. Perry “ L.J. Rattigan “ S. Samra “ K. Sears “ G. Singh Sohal “ C.A. Statham “ M.A. Statham “ C.D.D. Towe “ V.J. Waters “ J. Whitehouse “ T.S. Wilson	Cllr: H. Bashir “ C. Bott “ P. Bott “ R. Burley “ S. Cheema “ C. Creaney “ S.K. Ditta “ C. Horton “ N. Gultasib “ K. Hussain “ S. Hussain “ T. Jukes “ F. Mazhar “ R. K Mehmi “ S. Nasreen “ A.A. Nawaz “ A. Nazir “ Underhill “ R.V. Worrall “ P. Smith	

Resolved

3.3.1 Revenue

- a) The financial envelope of resources for 2023/24 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 2023/24 of £144.16m and a 2.99% increase in council tax.
- 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 not less than £16.12m, 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 23 February 2023. (An estimate has been used within this report based on informal notification from the authorities).

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,614,200
Environment Agency	85,178

- 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 23 February 2023 for the final figures once received:
- X. **£721,685,138** being the aggregate gross expenditure, which the council estimates for the items set out in Section 31A(2) (a) to (f) of the Act.
- XI. **£577,522,096** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- XII. **£144,163,042** 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.
- XIII. **£1,985.48** being the amount at (e) (III) above, divided by the council tax base of 72,608.66, 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).
- XIV. 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
1,323.65	1,544.26	1,764.87	1,985.48
E	F	G	H
2,426.70	2,867.92	3,309.13	3,970.96

- h) 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 23 February 2023.

PRECEPTING AUTHORITY	VALUATION BANDS			
	A	B	C	D
Police And Crime Commissioner	135.03	157.54	180.04	202.55
	E	F	G	H
	247.56	292.57	337.58	405.10
Fire & Rescue	48.68	56.79	64.90	73.02
	E	F	G	H
	89.24	105.47	121.69	146.03

- i) 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 2023/24 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 23 February 2023.

A	B	C	D
1,507.36	1,758.59	2,009.81	2,261.05
E	F	G	H
2,763.50	3,265.96	3,768.40	4,522.09

- 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.

3.3.2 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 flexibility of capital resources used and minimise the ongoing costs of borrowing to the council.
- c) That the S151 Officer, after 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).
- d) The Capital and Investment Strategy set out in **Annex 8** of the Budget Plan **be approved**.
- f) The Flexible Use of Capital Receipts Strategy set out in **Annex 10** of the Budget Plan **be approved**.

3.3.3 Treasury Management

- 5. **Section B – Part 2A** – The Treasury Management and Investment Strategy 2023/24 onwards, including the council’s borrowing requirement, borrowing limits, and the adoption of prudential indicators, **be approved**.
- 6. That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, **be delegated** to the S151 Officer.
- 7. That decisions to use capital receipts or borrowing within the framework of approved prudential indicators **be delegated** to the S151 Officer.
- 8. **Section B – Part 2B** – Treasury Management Policies, **be approved**.

b) Council Tax Premium

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

That the following be approved:

1. That from 1 April 2024, the length of time before being able to charge council tax premium, for properties that have been empty and unfurnished for more than 1 year, be reduced to one year rather than current two;
2. That Council approves the introduction of a 100% council tax premium from 1 April 2024 for furnished properties that are no-ones sole or main residence; and
3. That Cabinet delegates to the Executive Director for Children’s and Customer Services, in consultation with the relevant Portfolio Holder, authority to amend the recommendations to Council in the event of any changes to the Bill during its passage through the legislative process.

The motion, having been put to the vote was declared **carried**, the voting being recorded as follows

For the amendment – 54 members	Against the amendment- No members	Abstained – No members
Cllr: G. Ali “ B. Allen “ A. Andrew “ B. Bains “ M.A. Bird “ R. Martin “ S.J. Cooper “ S. Elson “ K. Ferguson “ G. Flint “ M. Follows “ A. Garcha “ A. Harris “ L.A. Harrison “ A.J. Hicken “ A. Hussain “ I. Hussain “ P. Kaur “ R. Larden “ E. Lee “ K. Murphy “ J. Murray “ K. Pedley “ G. Perry “ L.J. Rattigan “ S. Samra “ K. Sears “ P. Smith		

“	C.A. Statham		
“	M.A. Statham		
“	C.D.D. Towe		
“	V.J. Waters		
“	J. Whitehouse		
“	T.S. Wilson		
“	H. Bashir		
“	C. Bott		
“	P. Bott		
“	R. Burley		
“	S. Cheema		
“	C. Creaney		
“	S.K. Ditta		
“	C. Horton		
“	K. Hussain		
“	S. Hussain		
“	T. Jukes		
“	F. Mazhar		
“	R. K Mehmi		
“	S. Nasreen		
“	A.A. Nawaz		
“	A. Nazir		
“	R.V. Worrall		

Resolved (Unanimously)

4. That from 1 April 2024, the length of time before being able to charge council tax premium, for properties that have been empty and unfurnished for more than 1 year, be reduced to one year rather than current two;
5. That Council approves the introduction of a 100% council tax premium from 1 April 2024 for furnished properties that are no-ones sole or main residence; and
6. That Cabinet delegates to the Executive Director for Children’s and Customer Services, in consultation with the relevant Portfolio Holder, authority to amend the recommendations to Council in the event of any changes to the Bill during its passage through the legislative process.

65. Portfolio Holder Briefings

Deputy Leader and Resilient Communities

Councillor Perry, the Deputy Leader and Resilient Communities Portfolio Holder gave a presentation.

Members asked questions in relation to the presentation which were responded to by Councillor Perry.

Health and Wellbeing

Councillor Flint, the Portfolio Holder for Health and Wellbeing gave a presentation.

Members asked questions in relation to the presentation which were responded to by Councillor Flint.

The meeting terminated at 9.30 p.m.

Mayor:

Date: