



Walsall Council

You are hereby summoned to attend an **extra-ordinary** meeting of the Council of the Metropolitan Borough of Walsall to be held on **THURSDAY the 25TH day of FEBRUARY 2021 at 6.00 p.m.** in Microsoft Teams

Public access via: <https://www.youtube.com/watch?v=8n1NV1ffgnc>

Dated this 17th day of February 2021.

Yours sincerely,

Chief Executive.

The business to be transacted is as follows:

1. To elect a person to preside if the Mayor and Deputy Mayor are not present.
2. Apologies.
3. To approve as a correct record and sign the minutes of the meeting of the Council held on 18th January, 2021 (pages 8 to 11)
4. To approve a correction to the Minutes held on 27th February, 2020 (pages 12 – 21)
5. Declarations of interest.

(Note: The Monitoring Officer has granted a dispensation to all members of the Council under Section 33 (3) of the Localism Act 2011 to allow members to participate, and vote, in item 9b- the setting of the Council budget and item 12- Independent Remuneration Panel)

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

To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.

7. Mayor's announcements.

8. To receive any petitions

9. To confirm the following recommendations of **Cabinet**:

(a) **Corporate Plan 2021-2022 refresh (pages 22 – 45)**

That the refreshed Corporate Plan be approved.

(Note: Report of Cabinet reproduced for this meeting with an updated Corporate Plan appended thereto)

(b) **Corporate Budget Plan 2021/22 to 2023/24, incorporating the Capital Strategy; and the Treasury Management and Investment Strategy 2021/22. (Pages 46 – 241)**

(Notes: In accordance with Council procedure rule 17.8 "A recorded vote will be taken on any decision relating to the Council's budget or Council tax". Report of Cabinet reproduced in the reports booklet for this meeting)

The budget report referred on from Cabinet on 10 February 2021 delegated authority to the S151 Officer to make any necessary amendments, after consultation with the Leader (portfolio holder for finance), to take account of the final local government settlement; final levies and precepts; final grant allocations and final technical guidance or legislation on the budget, and to make any necessary amendments to the statutory determinations and council tax bands to take account of those changes and the resulting final analysis of the budget and for these amendments to be submitted and therefore recommended to Council at its meeting on 25 February 2021).

The final Police Precept has been formally received. The final Fire Precept has been received but awaiting formal notification:

- West Midlands Police and Crime Commissioner has increased the Police element of the council tax by an average band D of £15 for 2021/22, which equates to 9.23%.
- West Midlands Fire and Rescue Authority have increased their element of the council tax by 1.99% for 2021/22.

Neither of the above have any impact on the General Fund, however, there has been minor changes to the Fire precept on bands A and E-H, which are reflected in the revised valuation bands within this resolution.

The WMCA (Transport) Levy and Environment Levy have also been finalised and are reflected in this report. We are awaiting formal notification from the Environment Agency.

Our final 2021/22 central government finance settlement was confirmed on 10 February 2021, and is in line with the provisional settlement.

The Statutory determinations (council gross expenditure and income) have been amended to reflect notifications of grants received since the despatch of the budget report to Cabinet on 10 February 2021. There are also still a number of final grant allocations to be received at this time, and officers will ensure that spend is adjusted to reflect final grant allocations, as appropriate.

The following revised recommendation incorporates the above changes. Due to the minor nature of these changes, and the fact that they have been incorporated into the revised resolution for Council, the updated Section B 'Corporate Budget Plan' has not been reproduced for this meeting but is available upon request.

Revised Recommendation:

That the following be approved:

3.3.1 Revenue

- a) The financial envelope of resources for 2021/22 as set out in **Section B - Part 1** "The Revenue and Capital Budget Plan".
- b) A Walsall Council net council tax requirement for 2021/22 of £132.55m and a 4.99% increase in council tax (inclusive of 3% 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 £16.64m, as set out in the S151 Officer Section 25 statement in **Annex 12** of the Budget Plan.
- d) The final levies below for outside bodies:

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,182,889
Environment Agency	83,781

- 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 specific grant allocations, and technical/legislative guidance:
 - i. **£660,041,370** 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. **£527,495,589** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- III. **£132,545,781** 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. **£1,871.87** being the amount at (e) (III) above, divided by the council tax base of 70,809.41, 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
1,247.91	1,455.90	1,663.88	1,871.87
E	F	G	H
2,287.84	2,703.81	3,119.78	3,743.73

- f) The final precepts 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 And Crime Commissioner	118.37	138.09	157.82	177.55
	E	F	G	H
Fire & Rescue	217.01	256.46	295.92	355.10
	A	B	C	D
	42.02	49.03	56.03	63.04
	E	F	G	H
	77.04	91.05	105.06	126.07

- 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 2021/22 for each of the categories of dwellings shown below:

A	B	C	D
1,408.30	1,643.02	1,877.73	2,112.46
E	F	G	H
2,581.89	3,051.32	3,520.76	4,224.90

- 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 and Capital Budget Plan” 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. Reserve list items will only commence should funding become available during the financial year.
- 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 Strategy set out in **Annex 8** of the Budget Plan **be approved**.
- e) The Flexible Use of Capital Receipts Strategy set out in **Annex 11** of the Budget Plan be approved.

3.3.3 Treasury Management

- a) **Section B – Part 2A** – The Treasury Management and Investment Strategy 2021/22 onwards, including the council’s borrowing requirement, borrowing limits, and the adoption of the prudential indicators, **be approved**.

- b) That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, **be delegated** to the S151 Officer.
- c) That decisions to use capital receipts or borrowing within the framework of approved prudential indicators **be delegated** to the S151 Officer.
- d) **Section B – Part 2B** – Treasury Management Policies, **be approved**.

10. To confirm the following recommendation of the **Personnel Committee**:

Pay policy statement and living wage 2021/22 (page 242 – 275)

Since the Pay Policy was considered by Personnel Committee on 8th February, 2021, the Government has issued Guidance (dated Friday 12th February, 2021) confirming that the **cap**, introduced via the Restriction of Public Sector **Exit** Payments Regulations 2020 (which came into force on 4th November, 2020), on **exit** payments in the public sector may have had unintended consequences and should be **revoked**.

Guidance confirms that affected bodies should continue practices in place prior to the introduction of the 2020 Regulations until such time that further Regulations are made by Central Government. As such, the recommendation to Council is:-

- (1) That Council approve the Pay Policy Statement for 2021/2022 subject to the following amendment:-

Paragraph 17. – existing wording removed and replaced with:-

17.1 Exit payments will be paid in accordance with any prevailing legislation.

17.2 Exit payments will be subject to recovery in accordance with any prevailing legislative requirements.

- (2) That Council approve the continuation of the living wage as detailed in the Pay Policy (section 6.5) and section 4.2, option a) of the report submitted.

(Note: Report of Cabinet reproduced for this meeting)

11. **Appointment of Independent Persons (pages 276 – 279)**

That Council confirms the appointments of:-

- (a) Sureya Ajaz as Independent Person on Audit Committee and Standards Committee; and
- (b) Deborah Mardner and Carl Magness as Independent Persons on Standards Committee.

12. **Independent Remuneration Panel (pages 280 – 297)**

To consider and agree one, or a combination of the recommendations as set out in the report of the Independent Remuneration Panel for a scheme of allowances to be implemented from April 2021.

(Note: Report enclosed)

13. **Membership of Committees.**

To note that that Councillor Nawaz has replaced Councillor Jeavons for the remainder of the municipal year on Corporate Parenting Board and Children's Services Overview and Scrutiny Committee.