



Walsall Council

Minutes of the **ORDINARY MEETING** of the Council of the Walsall Metropolitan Borough held on **Thursday 24th February, 2022, at 6.00 p.m.** at the Town Hall, Walsall.

Present

Councillor R. Burley (Mayor) in the Chair

Councillor B. Allen

“ A. Andrew
“ H. Bashir
“ M.A. Bird
“ C. Bott
“ P. Bott
“ O. Butler
“ A.G. Clarke
“ S.J. Cooper
“ S. Craddock
“ C. Creaney
“ S.K. Ditta
“ S. Elson
“ K. Ferguson
“ G. Flint
“ M. Follows
“ N. Gandham
“ N. Gultasib
“ L.A. Harrison
“ A.J. Hicken
“ A. Hussain
“ K. Hussain
“ D. James
“ L. Jeavons
“ S. Johal
“ P. Kaur

Councillor E. Lee

“ Mrs. R.A. Martin
“ F. Mazhar
“ K. Murphy
“ J. Murray
“ S. Nasreen
“ A.A. Nawaz
“ A. Nazir
“ M. Nazir
“ K. Pedley
“ G. Perry
“ L.J. Rattigan
“ I.C. Robertson
“ 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
“ R.V. Worrall
“ A. Young

67. **Apologies**

Apologies were received on behalf of councillors D. Coughlan, A. Underhill, G. Ali, W. Rasab and A. Harris.

68. **Minutes**

Resolved

That the minutes of the meetings held on 10th January, 2022 , copies having been sent to each member of the Council, be approved as a correct record subject to the inclusion of Councillor S. Craddock within the list of attendees.

69. **Declarations of interest**

Councillor J. Murray declared an interest in item 11 – Pay Policy.

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

There were no items to be considered in private session.

71. **Mayor's announcements**

Death of Sir Richard Shepherd.

The Mayor referred to the death of Sir Richard Shephard Member of Parliament for Aldridge – Brownhills, from 1979 to 2015. Councillors Bird, Perry. Murray, Smith, Nawaz and Waters paid tribute to Sir Richard Shephard, following which it was **moved** by the Mayor, duly seconded and:

Resolved:

That this Council have heard with deep regret of the death of Sir Richard Shepherd, Member of Parliament for Aldridge – Brownhills, from 1979 to 2015 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.

72. **Petitions**

The following petition was submitted:

- Councillor J. Murray – Pedestrian Crossing – Birmingham Road, Aldridge.

73. **Questions by members of the Public**

None

74. **Questions by members of the Council**

Councillor Smith asked a question in relation to the academisation of Walsall local authority run schools which was duly responded to by the Portfolio Holder for Education, Councillor Towe. Councillor Smith then asked a supplementary question which again was responded to by the Portfolio Holder for Education.

Councillor Smith then asked a second question relating to democratic accountability which was responded to by the Leader, Councillor Bird. Councillor Smith then asked a supplementary question which again was responded to by the Leader.

Councillor Worrall asked a question relating to the provision of mitigating, effective, traffic calming/road safety/speed reduction measures on feeder routes to the proposed Householder Waste Recycling Centre at Middlemore Lane, Aldridge which was responded to by the Deputy Leader and Portfolio Holder for Regeneration, Councillor Andrew.

75. **Mayoralty 2022/23**

It was **moved** by Councillor Bird, Seconded by Councillor Andrew and

Resolved

(a) Mayor Elect

That Councillor Rose Martin be nominated as Mayor of the Walsall Metropolitan Borough Council for the municipal year 2022/23; and

(b) Deputy Mayor Elect

That Councillor Chris Towe be nominated as Deputy Mayor of the Walsall Metropolitan Borough Council for the 2022/23 Municipal Year.

76. **Annual Audit Report**

It was **moved** by Councillor Johal, Seconded by Councillor Andrew and

Resolved

That the Annual Audit Report be noted.

77. Recommendation of Personnel Committee

(a) Pay Policy Statement and Living Wage

The report to Personnel Committee on 24th January, 2022 was submitted.

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

Resolved

- 1) That the Pay Policy Statement for 2022/2023 be approved; and
- 2) That the continuation of the living wage as detailed in the Pay Policy (section 6.5) and section 4.2, (option a) of the report (appended) be approved.

78. Recommendations of Cabinet

(a) Our Council Plan 2022 - 2025

The report to Cabinet on 9 February, 2022 was submitted.

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

Resolved

- 1) That the 2022-25 Our Council Plan be approved.
- 2) That the final design of the document be agreed with the Chief Executive in consultation with the Leader.

(b) Corporate Budget Plan 2022/23 -2025/26, incorporating Capital Strategy; and the Treasury Management and Investment Strategy 2022/23.

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.

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

Resolved

That the following be approved:

3.3.1 Revenue

- a) The financial envelope of resources for 2022/23 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 2022/23 of £138.43m and a 1.99% increase in council tax, plus a further 1% increase for Adult Social Care precept (total council tax increase of 2.99%).
- c) That the recommendations of the S151 Officer in respect of the robustness of the estimates made for the purposes of the budget calculations and the adequacy of reserves **be approved**, including the levels of central contingency and an opening general reserve of no less than £16.11m, as set out in the S151 Officer Section 25 statement in **Annex 11** of the Budget Plan.
- d) The final levies below for outside bodies:

LEVY	AMOUNT (£)
West Midlands Combined Authority Transport Levy	11,411,844
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 specific grant allocations, and technical/legislative guidance:

- I. **£703,984,510** 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. **£565,559,260** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- III. **£138,425,250** 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. **£1,927.84** being the amount at (e) (III) above, divided by the council tax base of 71,803.35, 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
1,285.23	1,499.43	1,713.63	1,927.84
E	F	G	H
2,356.25	2,784.66	3,213.06	3,855.68

- 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			
Police And Crime Commissioner	A	B	C	D
	125.03	145.87	166.71	187.55
	E	F	G	H
	229.23	270.91	312.58	375.10
Fire & Rescue	A	B	C	D
	45.35	52.91	60.47	68.03
	E	F	G	H
	83.14	98.26	113.38	136.05

- 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 2022/23 for each of the categories of dwellings shown below:

A	B	C	D
1,455.61	1,698.21	1,940.81	2,183.42
E	F	G	H
2,668.62	3,153.83	3,639.02	4,366.83

- 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, revised**

for the below change, 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.

Change - External funded programme increased by £7,923,614 for Social Housing Decarbonisation grant, resulting in a total capital programme of £194,881,080 for 2022/23 (£79,701,064 council funded and £115,180,016 external funded).

- 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 10** of the Budget Plan **be approved**.

3.3.3 Treasury Management

- a) **Section B – Part 2A** – The Treasury Management and Investment Strategy 2022/23 onwards, including the council's borrowing requirement, borrowing limits, and the adoption of 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**.

An Amendment was moved by Councillor Nawaz and seconded by Councillor K. Hussain to create a £1m 'Cost of Living Crisis Fund' for 2022/23 financed by an additional investment of £500,000 from general reserves and incorporating the existing £500,000 Crisis Support Scheme budget by amending recommendation 3.3.1 of the report, as submitted, as follows, noting that this amendment would require a change to the statutory determinations within the Council resolution, increasing both gross expenditure and gross income by £500,000 as follows:

Section 3.3.1 Revenue

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. **£704,484,510** 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. **£566,059,260** being the aggregate income which the council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

Additionally, it would increase the cash limit for Customer Engagement by £500,000 and increase use of reserves by £500,000 for 2022/23 only within **Section B - Part 1** "The Revenue Corporate Budget Plan and Capital Programme".

Note: There is no impact on other sections of the recommendations in 3.3.1 or on the recommendations in 3.3.2 and 3.3.3.

Advice from the Chief Finance Officer to enable consideration of the amendment

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

The proposal is for £500k of new one-off investment into a cost of living crisis fund for 2022/23. The net effect of this proposal is nil, as it includes the use of general reserves of £500k to fund the investment.

In relation to the proposals in this amendment, I can advise as follows:

The current estimated opening level of reserves as at 1 April 2022 is c£16.61m. The recommended level of reserves is £16.11m, leaving £500k of reserves available. After reviewing the budget risks, I can confirm that the release of the £500k reduces the authorities' flexibility in meeting unknown financial pressures as the £16.61m estimated level of reserves assumes use of £1m in 2021/22 as reported in the S25 Statement, Annexe 11 of the Budget report, to fund a forecast general fund overspend - should this increase, then the £500k currently available would not be available for use to fund this amendment. However, I consider the risk of this to be low.

General reserves provide a buffer and mitigate against risks, such as unavoidable and unknown demand and other service cost pressures which may arise in the year and are therefore not normally planned to be used. In this case, as the level of opening reserves are above the recommended level, there is headroom in the general reserves balance, so the minimum opening general fund balance required of the medium term financial strategy would not be compromised if this amendment were agreed.

This additional £500k investment is proposed to be used to top up the existing crisis support scheme fund for 2022/23. This proposal doubles the available resources (currently £500k per annum) in 2022/23. Details of the scheme, if

proposing to change the criteria used to agree claims, may require approval by Cabinet, and equality impact assessment, as appropriate, prior to implementation.

Summary Chief Finance Officer advice

The Council is required to set the budget for the forthcoming year, which is 2022/23. The amendment, if approved, represents a balanced budget for 2022/23, with a call on the use of one-off reserves in 2022/23.

On being put to the vote **the amendment** was declared **lost** the voting being recorded as follows:

For the amendment – 14 members

Cllr: A.A. Nawaz
R. Burley
H. Bashir
C. Bott
P. Bott
S.K. Ditta
N. Gultasib
K. Hussain
L. Jeavons
F. Mazhar
S. Nasreen
A. Nazir
I.C. Robertson
A. Young

Against the amendment- 35 members

Cllr: M.A. Bird
B. Allen
A. Andrew
O. Butler
A.G. Clarke
S.J. Cooper
S. Craddock
S. Elson
K. Ferguson
G. Flint
M. Follows
N. Gandham
L.A. Harrison
A.J. Hicken
A. Hussain
D. James
S. Johal
P. Kaur
E. Lee
R.A. Martin
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 motion –
34 members**

Cllr: M.A. Bird
B. Allen
A. Andrew
O. Butler
A.G. Clarke
S.J. Cooper
S. Craddock
S. Elson
K. Ferguson
G. Flint
M. Follows
N. Gandham
L.A. Harrison
A.J. Hicken
A. Hussain
D. James
S. Johal
P. Kaur
E. Lee
R.A. Martin
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

**Against the motion –
15 members**

Cllr: A.A. Nawaz
R. Burley
H. Bashir
C. Bott
P. Bott
S.K. Ditta
N. Gultasib
K. Hussain
L. Jeavons
F. Mazhar
S. Nasreen
A. Nazir
I.C. Robertson
P. Smith
A. Young

and it was:

Resolved

That the following be approved:

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- 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 £16.11m, as set out in the S151 Officer Section 25 statement in **Annex 11** of the Budget Plan.
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- 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 2022/23 for each of the categories of dwellings shown below:

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- 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, revised**

for the below change, 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.

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- 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**.
- f) The Flexible Use of Capital Receipts Strategy set out in **Annex 10** of the Budget Plan **be approved**.

3.3.3 Treasury Management

- e) **Section B – Part 2A** – The Treasury Management and Investment Strategy 2022/23 onwards, including the council's borrowing requirement, borrowing limits, and the adoption of prudential indicators, **be approved**.
- f) That decisions to effect movements between conventional borrowing and other long term liabilities, such as leases, **be delegated** to the S151 Officer.
- g) That decisions to use capital receipts or borrowing within the framework of approved prudential indicators **be delegated** to the S151 Officer.
- h) **Section B – Part 2B** – Treasury Management Policies, **be approved**.

79. **Portfolio Holder Briefings**

Children's Services

A report was submitted.

The Portfolio Holder for Children's Services, Councillor Wilson, gave a presentation.

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

Internal Services

A report was submitted.

The Portfolio Holder for Internal Services, Councillor M. Statham, gave a presentation.

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

80. Notice of Motion – Rise in National Insurance Contributions

A report was submitted.

The following motion, notice of which had been duly given was **moved** by Councillor Nawaz and seconded by Councillor Hussain:

That:

This Council is opposed to the rise in National Insurance contributions which will exacerbate in work poverty and disproportionately impact on young people and less affluent residents within the Borough; and asks the Leader of the Council to write to the Chancellor of the Exchequer to express Walsall Council's opposition to this unjust tax rise.

On being put to the vote the motion was declared **lost**.

The meeting terminated at 8.50 p.m.

Mayor:

Date: