

# Cabinet

**Wednesday 7 September 2022**

**Minutes of the meeting held in the Council Chamber at the Council House, Lichfield Street, Walsall at 6pm.**

## **Present – in person**

Councillor Bird	Leader of the Council
Councillor Ali	Customer
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**

H. Paterson, Chief Executive  
S. Portman, Head of Law  
C. Goodall, Principal Democratic Services Officer

## **In attendance – remote**

K. Allwood, Executive Director, Adult Social Care and Hub  
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**

### **3950 Welcome**

Councillor Bird opened the meeting by welcoming everyone and explaining that the Cabinet was meeting that evening in person and would be conducted using the hybrid meeting system to enable it to be streamed and to enable officers to contribute remotely if required. 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. Introductions took place and a quorum was established.

### **3951 Apologies**

There were no apologies received.

**3952 Minutes**

The minutes of the last meeting were submitted.

**Resolved**

That the minutes of the meeting held on 20 July 2022, a copy having been sent to each member of the Cabinet, be approved and signed as a correct record.

**3953 Declarations of interest**

There were no declarations of interest

**3954 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.

**3955 Petitions**

No petitions were submitted.

**3956 Questions**

No questions were submitted

**3957 Forward plan**

The forward plan as at August 2022 was submitted:

(see annexed)

**Resolved** (by assent)

That the forward plan be noted.

**3958 Treasury Management Annual Report 2021/22**

Councillor Bird introduced a report which set out the council's 2021/22 year-end position for treasury management activities, in accordance with the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

(Annexed)

It was moved by Councillor Bird and Seconded by Councillor Perry and on being put to the vote, it was;

**Resolved (unanimously)**

That Cabinet note and forward to Council, for consideration and noting (in line with the requirements of the Treasury Management Code of Practice (2017)), the annual position statement for treasury management activities 2021/22 including prudential and local indicators (Appendix A).

**3959 Cannock Chase Special Area of Conservation: Mitigation Strategy**

Councillor Andrew introduced a report which sought to agree the approach to meeting Walsall MBC's duty as a Competent Authority under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regs.) to ensure that planning application decisions which have an impact on Cannock Chase SAC comply with the Habitats Regulations. Members discussed the item during which they expressed concern at the requirements of the regulations.

(Annexed)

It was moved by Councillor Andrew and Seconded by Councillor and on being put to the vote, it was;

**Resolved (unanimously)**

That Cabinet agree to formal membership of the Cannock Chase Special Area of Conservation Partnership, to adopt the Habitats Regulation Assessment and agree the Memorandum of Understanding for developers to pay £290.58 per dwelling on new developments.

**3960 Surveillance and Access to Communications Data**

Councillor Perry introduced a report which updated members on the use of the powers contained in the Regulation of Investigatory Powers Act 2000 (RIPA 2000) and the Investigatory Powers Act 2016 (IPA 2016) with regard to surveillance and acquisition of communications data. It further informed members of the draft amended policies on these matters which will be presented for adoption at the next full meeting of Council.

(Annexed)

It was moved by Councillor Perry and Seconded by Councillor Bird and on being put to the vote, it was:

**Resolved (unanimously)**

1. That Cabinet note the use of the Regulation of Investigatory Powers Act 2000 for the years ending 31 March 2018, 31 March 2019, 31 March 2020, 31

March 2021 and 31 March 2022 and is assured by the Executive Director Economy Environment and Communities, as the Council's Senior Responsible Officer for this legislation, that usage is consistent with the Council's Policy and Procedures.

2. That the draft Corporate Policy and Procedures on the Regulation of Investigatory Powers Act 2000 be presented to Council for approval.
3. That Cabinet delegate authority to the Executive Director Economy Environment and Communities to make administrative amendments to the policies as part of the report to Council.

#### **3961 Award of contracts for provision of Refugee Resettlement Support services**

Councillor Ali introduced a report which sought to ensure Walsall Council effectively deliver on commitments to support the integration of any existing and new refugee households welcomed to Walsall through the United Kingdom Resettlement Scheme (UKRS), Homes for Ukraine (HfU), and Afghan Resettlement schemes consisting of the Afghan Relocations and Assistance Policy (ARAP) and Afghan Citizen Resettlement Scheme (ACRS).

(Annexed)

**Note:** Decision taken in the private session following consideration of exempt information. See minute number 3966.

#### **3962 Additional Licensing Scheme (Scheme 2) for Houses in Multiple Occupation (HMOs) - Statutory Consultation Results**

Councillor Bird introduced a report which aimed to improve the quality of management of Houses in Multiple Occupation (HMOs) in specific Wards of the borough through the introduction a further Additional Licensing scheme (Scheme 2).

(Annexed)

It was moved by Councillor Ali and Seconded by Councillor Bird and on being put to the vote, it was;

#### **Resolved (unanimously)**

1. That Cabinet noted and considered the matters raised by the consultees/petitioners and the responses to the same as contained in Appendix 6 to the report;
2. That Cabinet approve:
  - i. To designate the Wards of Willenhall South, Birchills Leamore, Blakenall, Bentley and Darlaston North, and Darlaston South as shown on Map 1 (Appendix 1) as subject to Additional Licensing under

Section 56(1)(a) of the Housing Act 2004 for all private rented Houses in Multiple Occupation (HMOs):

- that contain three or four occupiers irrespective of the number of storeys;
  - defined under Section 257 of that Act where the freehold of the whole property belong to the same 'person' and they are mainly or wholly tenanted, including those with resident landlords;
- ii. That the designations in paragraphs i. above come into force on the 1 July 2023 for a period of 5 years;
- iii. That authorisation be given to the Executive Director Children's and Customer to sign the Walsall Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2023 (Scheme 2) as attached at Appendix 2;
- iv. That the proposed fees and charges structure as attached at Appendix 4 be agreed and that the fees be reviewed annually to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with the law.

### 3963 **Social Care Reforms**

Councillor Pedley introduced a report which provided an update on and sought approval for the strategic direction, implications and resource requirements of Adult Social Care reforms across the 3 key themes as detailed in the 'People at the Heart of Care: Adult Social Care Reform' White Paper 2022, namely, Charging reforms, Assurance Framework and Sustainable Care Market.

(Annexed)

It was moved by Councillor Pedley and Seconded by Councillor Bird and on being put to the vote, it was;

#### **Resolved (by assent)**

That Cabinet note the strategic direction and implications for the Council resulting from the implementation of the White Paper.

### 3964 **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.

## **Part II – Private Session**

### **3965 Disposal of Council Property on Lichfield Street, Walsall**

Councillor Andrew introduced a report seeking approval from Cabinet to dispose of a Council-owned property on Lichfield Street, which is surplus to the Council's requirements, on the open market. It was moved by Councillor Andrew and Seconded by Councillor Ferguson and on being put to the vote, it was;

#### **Resolved (unanimously)**

1. That Cabinet approve the disposal of the Council's freehold interest in Quest Building, 139-144 Lichfield Street on the proviso that the sale represents best consideration.
2. Cabinet delegate authority to the Executive Director for Resources and Transformation in consultation with the Cabinet Portfolio Holder for Regeneration to approve the final terms for the disposal or to agree terms with an alternative party if required, on the proviso that the sale represents best consideration.

(Exempt information under paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended))

### **3966 Award of contracts for provision of Refugee Resettlement Support services**

Further to the public report considered earlier in the meeting (see minute number 3961), exempt information was considered. It was moved by Councillor Ali and Seconded by Councillor Bird and on being put to the vote, it was;

#### **Resolved (unanimously)**

1. That Cabinet approve the award of the contracts:
  - a. For the period 1 December 2022 to 30 November 2025 with an option to extend for up to a further 24 months to 30 November 2027 in accordance with the financial implications detailed in the private session report to the Refugee and Migrant Centre for the provision of Refugee Resettlement Support Lot 1 – United Kingdom Resettlement Scheme, noting that external factors may result in a future significant increase in the number of households requiring support and that any additional financial burden as a result would be fully reimbursed by central government tariffs.
  - b. For the period 1 December 2022 to 30 November 2023 with an option to extend for up to a further 24 months to 30 November 2025 in accordance with the financial implications detailed in the private session report to the Refugee and Migrant Centre for the provision of Refugee Resettlement Support Lot 2 – Homes for Ukraine, noting that external factors may result in a future significant increase in the number of households requiring support

and that any additional financial burden as a result would be fully reimbursed by central government tariffs.

- c. For the period 1 December 2022 to 30 November 2024 with an option to extend for up to a further 24 months to 30 November 2026 in accordance with the financial implications detailed in the private session report to the Refugee and Migrant Centre for the provision of Refugee Resettlement Support Lot 3 – Afghan Resettlement schemes, noting that external factors may result in a future increase in the number of households requiring support and that any additional financial burden as a result would be fully reimbursed by central government tariffs.
2. That Cabinet delegate authority to the Executive Director of Children's and Customer, to enter into a contract/s to deliver the 'Refugee Resettlement Support services' 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 delegate authority to the Executive Director for 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 the services identified above, should this be required at any time during the contract term, in line with Public Contracts Regulations 2015 and the Council's Contract Rules.

(Exempt information under paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972 (as amended))

### **3967 Award of supported living care package**

Councillor Pedley introduced a report which advised on a high-cost community-based service provision for an individual and sought approval for delegated authority to the Executive Director, Adults, Public Health and Hub, in consultation with the Portfolio Holder for Adult Social Care, to award a contract in a timely manner to avoid delay in discharge.

It was moved by Councillor Pedley and Seconded by Councillor Bird and on being put to the vote, it was;

#### **Resolved (unanimously)**

1. That Cabinet delegate authority to the Executive Director, Adults, Public Health and Hub, in consultation with the Portfolio Holder for Adult Social Care, to accept tenders and award a contract for the provision of a supported living package for a period of five years, with the option to extend on an annual basis for a further period of up to three years, following completion of a competitive dialogue tender process.
2. That Cabinet delegate authority to the Executive Director, Adults, Public Health and Hub, to enter into a contract for the provision of a supported living

package of care and to subsequently authorise the sealing or signing of any deeds, contracts or other related documents for such services.

3. That Cabinet delegate authority to the Executive Director, Adults, Public Health and Hub to agree annual contract modifications, including costs within delegated limits with the service provider during the supported living package contract.

(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: