

Cabinet Minutes. Wednesday 15 December 2021 at 6p.m.

Held in the Council Chamber at the Council House, Lichfield Street, Walsall

Present – in person

Councillor Bird	Leader of the Council
Councillor Perry	Deputy Leader and Resilient Communities
Councillor Pedley	Adult Social Care
Councillor Butler	Clean and Green
Councillor Towe	Education and skills
Councillor Craddock	Health and Wellbeing
Councillor Statham	Internal Services

In attendance – in person

Dr. H. Paterson, Chief Executive
Mr S. Portman, Head of Law
Mrs H. Owen, Democratic Services Officer

In attendance – remote

Mrs K. Allward, Executive Director, Adults, Public Health and Hub
Mrs D. Hindson, Executive Director, Resources and Transformation
Mr S. Neilson, Executive Director, Economy Environment and Communities
Mrs S. Rowe, Executive Director, Children's and
Mr S. Gunther, Director of Public Health

3813 Welcome

Councillor Bird opened the meeting by welcoming everyone, and explaining that the Cabinet was meeting that evening in person with appropriate social distancing requirements and would be conducted using the hybrid meeting system to enable it to be streamed on YouTube 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.

3814 Apologies

Apologies for non-attendance was received from Councillors Andrew and Wilson.

3815 Minutes

The minutes of the last meeting were submitted

Resolved

That the minutes of the meeting held on 20 October 2021 a copy having been sent to each member of the Cabinet be approved and signed as a correct record subject to the inclusion of Mrs S. Rowe on the list of those present (remote).

3816 **Declarations of interest**

The following declarations of Interest were noted:

Item 8 – Corporate Financial Performance. For the purposes of transparency, the following Councillors declared that they were members of the Barr Beacon Trust Management Committee. Councillors Bird, Butler, Pedley, Towe. Having received legal advice, Members remained in the room and took part in the discussion and voting on this item.

Item 24: Walsall Together Alliance – Councillor Perry - Employee of Walsall Healthcare NHS Trust. Councillor Perry took no part in the discussion or voting thereon.

3817 **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.

3818 **Petitions**

No petitions were submitted.

3819 **Questions**

No questions were submitted

3820 **Forward plan**

The forward plan as at 6 December 2021 was submitted:

(see annexed)

Resolved (by assent)

That the forward plan be noted.

3821 **Corporate Financial Performance 2021/22 and Covid-19 update**

Councillor Bird presented a report which provided an update on the forecast corporate financial position based on the position to October 2021, including an updated assessment of the impact of Covid-19 on the Council's financial performance; Covid-19 Government funding to address cost pressures and income losses; and actions which may be required to address this position to ensure the Council remained on a sound financial footing.

(see annexed)

Councillor Bird Moved approval of the recommendations which was Seconded by Councillor Perry and upon being put to the vote was:

Resolved (unanimous)

That Cabinet:

- 1) Notes the total Covid-19 funding available to Walsall in 2021/22 of £35.72m as set out in section 4.5 and **Appendix 1** of this report, and that this may be insufficient to cover the additional costs of supporting the council's Covid-19 response beyond the short term.
- 2) Notes that of the £35.72m grant, £21.52m is ringfenced for specific activity as set out in **Appendix 1** and this is expected to be fully spent, with the exception of the Winter grant of £37k and Local Authority Practical Support grant of £353k.
- 3) Approves summary expenditure plans for additional grant funding to date for 2021/22 as set out in section 4.8.
- 4) Notes the forecast impact of Covid-19 to October of £7.59m and total forecast of £13.89m for 2021/22 based on known assumptions in relation to costs not covered by specific grant, as set out in section 4.5 to 4.11, and the estimated financial impact on the delivery of 2021/22 approved savings as set out in sections 4.12 to 4.13 and **Appendix 3**, which results in a marginal underspend of c£310k against the £14.20m unringfenced grant.
- 5) Notes the non Covid-19 forecast overspend £1.11m relating to demand and other service pressures as set out in 4.15 to 4.25, and actions being taken to address these. This is a £1.31m reduction on the position reported to Cabinet in October of £2.42m which demonstrates that actions taken to address the overspend are having a positive impact.
- 6) Notes that there are high risks of £7.14m to the forecast identified within services as set out in **Appendix 4** and that these risks are actively being monitored and action is being taken to reduce / eliminate them.
- 7) Approves passporting of unringfenced Children's Social Care Covid-19 Regional Recovery and Building Back Better Fund to Children's Services as detailed at section 4.27.
- 8) Approves amendments to the capital programme as set out in section 4.28.
- 9) Note sthat the forecast on the approved capital programme is an underspend of c£100k, after re-phasing of c£109m into 2022/23.
- 10)Notes financial health indicator performance as set out in section 4.31 to 4.36 and **Appendix 6**.

11) Notes the prudential indicators as set out in section 4.37 to 4.39 and **Appendix 7**.

12) Approves the write off of debt as detailed in section 4.40.

3822 Autumn budget and Spending Review, and feedback from Overview and Scrutiny committees on draft revenue and capital budget proposals 2022/23 to 2025/26

Councillor Bird presented a report which provided an update on the impact of the Autumn budget and Spending Review on the medium term financial outlook, and feedback from Overview and Scrutiny Committees on the draft revenue and capital budget reported to Cabinet on 20 October to inform the final budget to be presented to Council in February 2021:

(see annexed)

Councillor Bird Moved approval of the recommendations which was seconded by Councillor Craddock and upon being put to the vote was:

Resolved (unanimous)

That Cabinet:

- 1) Notes the feedback from Overview and Scrutiny Committees
- 2) Notes the main implications from the Chancellors Autumn Budget and Spending Review announcement on 27 October 2021 and that any financial implications arising once the Provisional Settlement is received, will be included in the budget report to Cabinet on 9 February 2022.

3823 Treasury Management Panel Mid-Year Review

Councillor Bird presented a report which provided an overview of the 2021/22 Treasury Management Mid-Year Review, which the Council was required through regulations to produce.

(see annexed)

Resolved (by assent)

- 1) To note and forward to Council, for consideration and noting (and in line with the requirements of the Treasury Management Code of Practice (2017)), the mid-year position statement for treasury management activities 2021/22 including prudential and local indicators (Appendix A).
- 2) That Cabinet note that all Members should undertake training that is available from the Council's external Treasury Management advisors to enable Members to better understand and challenge the long-term financial implications of matters reported within the Treasury Management Strategy.

3824 **Corporate Plan 2021/22 – Quarter 2 Performance**

Councillor Bird presented a report which updated on the Council's second quarter of the 2021/22 Corporate Plan performance, key achievements, interdependencies and support requirements to ensure that 2021/22 Outcomes were achieved.

(see annexed)

Resolved (by assent)

- 1) That Cabinet notes the overall improved performance from Q1 relating to the period July – Sept 2021, being the 2nd quarter of 2021/22
- 2) That Cabinet notes the achievements, identified interdependencies and support required set out in the report

3825 **Future Provision of Corporate Appointeeships**

Councillor Bird presented a report which gave the outcome of the formal consultation undertaken on the future provision of Walsall Council's Corporate Appointeeship service and sought approval to implement measures to allow the Council to continue providing the service.

(see annexed)

Councillor Bird Moved approval of the recommendations which was Seconded by Councillor Pedley and upon being put to the vote was:

Resolved (unanimous)

- 1) That Cabinet notes the outcome of the formal consultation on the future provision of Corporate Appointeeships that has been undertaken.
- 2) That Cabinet approves the introduction of the charges for the Corporate Appointeeship service from 1 April 2022 as set out at para 4.13 to support the continued provision of the service on a more sustainable basis.
- 3) That Cabinet delegates responsibility to the Executive Director for Resources and Transformation, in consultation with the Leader of the Council as portfolio holder, to review and amend those charges on at least an annual basis.

3826 **Walsall Customer Experience Strategy**

In the absence of Councillor Andrew, The Executive Director Children's and Customer, Mrs S. Rowe, presented a report which sought approval of a strategy to ensure a co-ordinated approach to customer related services in the borough.

(see annexed)

Councillor Bird Moved approval of the recommendations which was duly seconded and upon being put to the vote was:

Resolved:

- 1) That Cabinet approve the Walsall Customer Experience strategy 2021 to 2026 as set out in Appendix A
- 2) That Cabinet delegates authority to make any future amendments to the Strategy to the Executive Director of Children's and Customer Services, in consultation with the Portfolio Holder for Regeneration.

3827 Council Tax Reduction Scheme

Councillor Bird presented a report which gave the outcome of consultation on the preferred scheme previously identified by Cabinet on 8 September 2021

(see annexed)

Councillor Bird Moved approval of the recommendations which was seconded by Councillor Perry and upon being put to the vote was:

Resolved (unanimous)

To recommend to Council: That the Council approves the Local Council Tax Reduction Scheme as set out in Appendix 1 and detailed in Appendix 2 to this report, adopting the principles approved by Cabinet in September, taking account of recent changes in the provision of welfare support nationally and having given regard to the equality impact assessment and consultation comments.

3828 Housing Enforcement Policy

Councillor Bird presented a report on behalf of Councillor Andrew which provided consolidation and updating of the policy

(see annexed)

In presenting the report, Councillor Bird on behalf the Cabinet thanked those officers involved for their hard work.

Councillor Bird Moved approval of the recommendations which was Seconded by Councillor Craddock and upon being put to the vote was:

Resolved (unanimous)

- 1) That Cabinet approve the Housing Standards Enforcement Policy (Appendix A).
- 2) That Cabinet authorise the Executive Director Children's Services in consultation with the Portfolio Holder for Regeneration to update this Policy in the event of future legislative changes that may occur in the next 3 years

3829 **Affordable Housing Commuted Sums Spend Scheme**

In the absence of Councillor Andrew, the Executive Director Children's and Customer, Mrs S. Rowe, presented a report which sought approval for a scheme to ensure that affordable housing commuted sums were spent in a consistent and co-ordinated way to increase the supply of dispersed temporary accommodation for homeless households.

(see annexed)

Members thanked everyone involved in this work.

Councillor Bird Moved approval of the recommendations and upon being put to the vote it was:

Resolved (unanimous)

- 1) That Cabinet approve the use of current and future Affordable Housing Commuted Sums to purchase and refurbish dwellings, or renovate existing surplus residential council assets, for the purpose of providing temporary accommodation to homeless households, where allowed by the terms of the section 106 agreements that provided the funding
- 2) That Cabinet delegate authority to the Director of Customer Engagement, in consultation with the Portfolio Holder for Regeneration, to agree the individual proposals for use of current and future Affordable Housing Commuted Sums for the purchase and refurbishment of dwellings, or renovation of individual surplus residential council assets, for the purpose of providing temporary accommodation to homeless households

3830 **Additional Licensing Scheme – Houses in Multiple Occupation**

In the absence of Councillor Andrew, the Executive Director Children's and Customer, Mrs S. Rowe, presented a report which sought approval of a scheme to improve the quality of management of Houses in Multiple Occupation (HMOs) in specific Wards of the borough through the introduction of Additional Licensing.

(see annexed)

Councillor Bird Moved approval of the recommendations and upon being put to the vote it was

Resolved (unanimous)

- 1) That Cabinet approves a public consultation exercise in line with the prescribed process for the Additional Licensing of HMOs in the Wards of Willenhall South, Birchills Leamore, Blakenall, Bentley and Darlaston North and Darlaston South areas shown on Map 1: Appendix 1. This consultation to include proposed licensing conditions (Appendix 2) and associated fee levels (Appendix 3).
- 2) That Cabinet receives a further report following the above consultation.

3831 **Walsall Council Strategic Asset Plan**

In the absence of Councillor Andrew, the Interim Executive Director Resources and Transformation, Mrs D. Hindson presented a report which sought approval for the Plan which set out the councils vision and approach for the management of its property portfolio under the Corporate Landlord model.

(see annexed)

Councillor Bird Moved approval of the recommendations which was seconded by Councillor Perry and upon being put to the vote was:

Resolved (unanimous)

That Cabinet approves the Strategic Asset Plan 2022-27 as attached in Appendix 1 including the governance arrangements, strategies and processes contained therein with the exception of Appendices 2 and 4 of the Strategic Asset Plan which will be brought to a future Cabinet meeting for approval.

3832 **Walsall and Bloxwich Town Deal**

In the absence of Councillor Andrew, the Executive Director, Economy, Environment and Communities, Mr S. Neilson presented a report which sought approval to put in place the financial arrangements and delegated authority to enable the projects to commence.

(see annexed)

It was Moved by Councillor Bird, seconded by Councillor Perry and upon being put to the vote was:

Resolved (unanimous)

- 1) That delegated authority be given to the Executive Director of Resources & Transformation, in consultation with the Deputy Leader of the Council and Cabinet Member for Regeneration, to approve project business cases and submit the required information to the Department for Levelling Up, Homes and Communities to draw down grant funding
- 2) That cabinet notes the financial details for the Town Deal programme as set out within table 4.4.1, and approves the total sum of £48,079,600 (grant plus Council underwriting and match contributions) be incorporated into the capital programme for the Town Deal programme.
- 3) That the Council's underwriting of £4,229,600 be approved along with the Council's match contribution of £1,250,000 that was submitted as part of the bid towards the Town Centre Performing Arts Venue project in Walsall as set out in table 4.4.1. The required funding and source to be finalised for each project as part of the business case completion and the capital programme to be updated accordingly throughout 2022/23 to reflect this as projects are approved

3833 **Walsall's Street Scene Strategy**

Councillor Butler presented a report which set out the strategy for Walsall which aimed to provide residents, communities and visitors to the borough with information on the Council's aspirations and holistic approach to maintaining and improving the residential street scene and to create a better environment in which to run a business.

(see annexed)

In presenting the report, Councillor Butler thanked volunteers and officers of the clean and green service and the Head of Highways and Transport, Ms K. Moreton, for their hard work and support to keep the borough litter free. Councillor Bird concurred and commended Ms Moreton on the improvements she has made since joining the authority.

Councillor Butler Moved approval of the recommendations which was seconded by Councillor Bird and upon being put to the vote was

Resolved (unanimous)

That the proposed Street Scene Strategy scope, set out in paragraphs 4.4 to 4.7 be approved.

3834 **Bulky and Garden Waste Services**

Councillor Butler presented a report which outlined proposals in relation to future service delivery options for the 2022/23 financial year.

(see annexed)

Councillor Butler Moved approval of the recommendations which was seconded by Councillor Bird and upon being put to the vote, was

Resolved (unanimous)

- 1) That Cabinet approve a trial to determine if there is a demand for a premium bulky waste collection service for any residents who are unhappy with current waiting times for collections.
- 2) That Cabinet approve the continuation of the current garden waste collection service as the most cost-effective option.

3835 **The Borough Plan "Our Walsall Story"**

Councillor Craddock presented a report which sought approval to develop a borough plan, 'Our Walsall Story' which would set out the long-term ambition for Walsall based on its residents, businesses and partners views to be achieved by 2040.

(see annexed)

A video presentation was shown which provided a visual representation of Walsall Borough, its history and its ambitions for the future. Councillor Perry expanded upon the ambition for Walsall, its districts and villages.

Councillor Bird Moved approval of the recommendations and upon being put to the vote it was:

Resolved (unanimous)

That Cabinet approve the development of a borough plan over 2022 to be ready for submission to Council approval in February 2023.

3836 **Food Law Enforcement Service Plan**

Councillor Perry presented a report which presented the latest Plan and which described how the Council would enforce statutory controls regarding food safety and monitor food premises and personnel in a structured manner.

(see annexed)

Councillor Bird Moved approval of the recommendations and upon being put to the vote it was:

Resolved (unanimous)

That That Cabinet receive the Food Law Enforcement Service Plan for the year 2021/22 as evidence of the Council's compliance with its statutory duties in relation to food law and recommend it to Full Council for approval and adoption.

3837 **Walsall Together Alliance**

Note: Councillor Perry having declared an interest in this item took no part in the discussion or voting.

Councillor Pedley presented a report which sought approval to the extension of the Alliance Agreement to allow sufficient time to update the agreement in line with National guidelines

(see annexed)

Councillor Pedley Moved approval of the recommendations which was seconded by Councillor Bird and upon being put to the vote was

Resolved (unanimous)

That Cabinet grants an extension to the Walsall Together Alliance Agreement to 31 March 2022 and provides delegated authority to the Executive Director for Adult Social Care in consultation with the Portfolio Holder for Adult Social Care to extend this for a further 6 months, should this be required.

3838 **Adult Social Care Charging Policy**

Councillor Pedley presented a report which sought approval for public consultation to be carried out to inform the final policy.

(see annexed)

Councillor Pedley Moved approval of the recommendations which was seconded by Councillor Bird and upon being put to the vote was

Resolved (unanimous)

- 1) That Cabinet approves the commencement of a public consultation on the draft Adult Social Care Charging Policy for Walsall as set out in **Appendix 1** to this report.
- 2) That Cabinet agrees to commence consultation on the proposed changes to the Adult Social Care Charging Policy and that the consultation seeks to gather feedback on proposals to amend the current charging policy and most substantively to set a fee for the arrangement of brokerage services which will be paid on each occasion a self-funding service user requests the Council arrange a care package for them. If approved, and subject to consultation, it is proposed that the arrangement fee will be introduced from May 2022.
- 3) That following consultation, Cabinet delegates to the Executive Director of Adult Social Care, in conjunction with the Portfolio Holder for Adult Social Care, authority to make appropriate changes to the Adult Social Care Policy by way of updating and bringing the Policy in line with current legislation, regulations and guidance.
- 4) That Cabinet note that further changes are envisaged for the Adult Social Care Charging Policy due to imminent national policy changes aimed at the health and social care sector, which will result in a further submission of a report to Cabinet during 2023 to reflect the impact of these changes to residents and alignment of residential and community care charging to the Local Authority Circular.

3839 **Day Care/Day Opportunities**

Councillor Pedley presented a report which updated on the progress of consultation and continued development and reshaping of the in-house resource at Goscote as part of an all-age agenda, concept, and evolving strength based model.

(see annexed)

Note: correction to report – consultation undertaken 2.1, 4.1 and Appendix 1 should read consultation was undertaken between 27 September and 22 November.

Councillor Pedley Moved approval of the recommendations which was seconded by Councillor Bird and upon being put to the vote was

Resolved (unanimous)

- 1) That the continued progress of the development of the All Age hub at Goscote and the recent consultation of internal council staff as part of that development be noted.
- 2) That approval be given to engage with customers and stakeholders to develop and implement a model of strength based meaningful day opportunities across Walsall.

3849 **Energy Supplies Contract**

Councillor Statham presented a report which sought approval to award contracts to provide energy to the Council's property portfolio.

(see annexed)

Councillor Statham Moved approval of the recommendations which was seconded by Councillor Statham and upon being put to the vote was

Resolved (unanimous)

- 1) That Cabinet delegates authority to the Interim Executive Director - Resources and Transformation, to enter into gas and electricity supply contracts for the demand driven provision for the Council's property portfolio, for the period 1 October 2022 to 30 September 2024 with one or more suppliers on the framework let by Salisbury NHS Foundation Trust.
- 2) That Cabinet delegates authority to the Interim Executive Director - Resources and Transformation to approve the sealing or signing of contracts, deeds or other documents required in relation to the energy supply contracts.

3850 **Fire Protection Service and Maintenance Contract**

Councillor Statham presented a report which sought approval to award the Fire Protection Servicing and Maintenance Contract to ensure that the fire safety and statutory compliance works continue to be undertaken on Council owned and occupied buildings

(see annexed)

Decision taken in private session following consideration of the confidential information. (see minute number 3852)

3851 **Exclusion of public**

Resolved

That during consideration of the remaining item on the agenda, the Cabinet considers that the item for consideration is 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 item in private.

Public Summary of Decisions

3852 **Fire Protection Service and Maintenance Contract**

The Cabinet received a report which provided confidential information in relation to the award of the contract as detailed the report in the public session and made the following decision:

- 1) That Cabinet approve the award of the contract, valued in the region of £700,000, to Kestrel Electrical Systems Ltd, for the provision of Fire Protection Services and Maintenance, for the period 1 January 2022 until 31 December 2025 with 2 optional extension periods of up to 12 months each.
- 2) That Cabinet delegate authority to the Interim Executive Director for Resources and Transformation to enter into the contract and to subsequently authorise the sealing, signing or variation of any deeds, contracts or other related documents for such services including the optional extension periods.

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

3853 **Waste management Strategy – Household Waste Recycling Centres**

The Cabinet considered a report which proposed changes to the current Household Waste Recycling Centre provision in the borough and which included the outcome of the associated pre-planning public engagement exercise to date.

The Cabinet delegated authority to the Executive Director for Economy, Environment and Communities, in consultation with the Portfolio Holder for Regeneration, to submit a planning application for a new Waste Transfer Station and Highways Waste Recycling Centre at Middlemore Lane and an upgraded Highways Waste Recycling Centre at Fryers Road, subject to the satisfactory conclusion of the pre-planning public engagement.

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

The meeting terminated at 7.31 p.m.

Chair:

Date: