

Attendance

Members of the Cabinet

Cllr Stephen Simkins (Chair)
Cllr Steve Evans (Vice-Chair)
Cllr Paula Brookfield
Cllr Craig Collingswood
Cllr Jacqui Coogan
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles

Employees

Mark Taylor	Deputy Chief Executive
Ian Fegan	Director of Communications and Visitor Experience
Alison Hinds	Director of Children's Services
Richard Lawrence	Director of City Development
Claire Nye	Director of Finance
David Pattison	Chief Operating Officer
John Roseblade	Director of Resident Services
Jaswinder Kaur	Democratic Services and Systems Manager
Dereck Francis	Democratic Services Officer

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence
Apologies for absence were submitted on behalf of Councillors Obaida Ahmed and Chris Burden. |
| 2 | Declaration of interests
It was reported that Mark Taylor, Deputy Chief Executive would be declaring an interest in items 11 and 13 (Urgent decision relating to City Learning Quarter - Phase 2 College Contract Award), insofar as he is Chair of Governors at Wolverhampton College. He would leave the meeting when the reports are considered. |
| 3 | Minutes of the previous meeting
Resolved:
That the minutes of the previous meeting held on 6 September 2023 be approved as a correct record and signed by the Chair. |

4

Draft Budget 2024-2025 and Medium Term Financial Strategy

Councillor Louise Miles presented the report on the Draft Budget for 2024-2025 and Medium Term Financial Strategy. Cabinet was asked to approve the work that has been done so far for setting a balanced budget for 2024-2025. In doing so she highlighted that the report shows that the Council is in a relatively secure position, certainly compared to some other councils. At present there was a projected budget deficit of £2.6 million for 2024-2025, however, work was ongoing to address this deficit and she believed that the Council was on target to achieve the necessary savings. Pressure points for the Council in the current budget making cycle included Children and Adult Social Care, children's services, temporary and supported accommodation, and home to school transport. She also highlighted that the report shows the Council using its earmarked reserves for their intended purposes.

Resolved:

1. That the draft budget strategy and medium-term financial strategy which underpins Our City, Our Plan, including changes to corporate resource assumptions, growth and inflation and budget reduction and income generation proposals be approved.
2. That authority be delegated to the Cabinet Member for Resources and the Cabinet Member for Job, Skills and Education, in consultation with the Director of Finance and the Director of Children's Services, to approve changes to the local funding formula for Schools including method, principles and rules adopted.
3. That authority be delegated to the Director of Finance to agree the Memorandum of Understanding (MoU) with Government for the ten-year, 100% Business Rates Retention for the West Midlands, in accordance with the Trailblazing Devolution Deal.
4. That it be noted that, due to external factors, budget assumptions remain subject to change which could, therefore, result in alterations to the financial position of the Council. This includes assumptions with regards to the level of resources that would be available to the Council. Any reduction in Government's allocation of funding to the Council would have a significant detrimental impact and further increase the budget deficit over the medium term.
5. That it be noted that it is forecast that the budget deficit is £2.6 million for 2024-2025, rising to over £20 million in 2025-2026 and that work would continue to be undertaken to bring forward proposals to set a balanced budget for 2024-2025 and deliver a sustainable medium term financial strategy whilst seeking to maintain our ambition for the City in line with Our City: Our Plan.
6. That it be noted that the Council has a good track record of strong financial management. However, as a consequence of the level of uncertainty across both demand for services and funding levels, the overall level of risk associated with the Draft Budget and Medium-Term Financial Strategy continues to be assessed as Red.

5 **'Event City': a new five-year event strategy for Wolverhampton**

Councillor Bhupinder Gakhil presented the report that set out the importance of developing an exciting and sustainable five-year event strategy for the City of Wolverhampton, as recommended by independent specialist consultants IPW. Events was already a significant part of the city's visitor economy. Figures from the West Midlands Growth Company showed that in 2022-2023 Wolverhampton welcomed 10 million visitors and the visitor economy in Wolverhampton was worth £400 million. Last year the Council helped bring in 450,000 visitors to the city with an estimated contribution of around £15 million to the local economy. For every £1 spent on the Council's events and culture service the city receives £8 back in local indirect economy benefit. The report was part of wider plans to secure the city's status and reputation regionally and nationally as a 'destination of choice' for visitors.

Resolved:

1. That the strategic aim to use city events as a place-shaping tool to make the City of Wolverhampton a 'destination of choice' for visitors with the vision that: *by 2028, we want people to think differently about the city... as a place where things happen, as a place they visit, maybe as a place they might look to relocate,* be endorsed.
2. That the five-year operational events growth plan, recommended by consultants IPW, which would deliver a commercially focused programme aimed at boosting footfall, increasing economic and social benefit and transforming the reputation of the city be endorsed.
3. That it be noted that additional investment of £399,000 is required to underwrite the delivery of this ambitious strategy. Funding would be considered as part of the 2024-2025 budget-setting process and medium-term financial strategy (MTFS) planning. Whilst this is not yet assumed in the working assumptions, work is being undertaken to determine an optimum funding strategy which may in the short term utilise appropriate reserves. Wherever possible, the aim will be, as the strategy sets out, to offset this expenditure through income from commercial events and external grant-funding as well as indirect benefit to the local economy.

6 **Biodiversity Net Gain and Nature Recovery in Wolverhampton**

Councillor Stephen Simkins presented the report on proposals to help the Council prepare for the introduction of Biodiversity Net Gain and Local Nature Recovery Strategies. Biodiversity Net Gain was a National Planning Policy which would start in January 2024. Developers would have to increase the wildlife value of their sites by 10% or pay to create wildlife areas on other sites. A small portion of sites within Wolverhampton would be affected, as most development was on brownfield land. However, the Council had to be ready to capture any developer money to spend in Wolverhampton, and benefit local wildlife and residents. The report also recommended adoption of the Black Country Local Nature Recovery Strategy while the West Midlands Combined Authority prepare a West Midlands Strategy. It was also proposed to update that the Council's Statement of Community Involvement to support the Wolverhampton Local Plan.

Resolved:

1. That the Black Country Local Nature Recovery Map and Strategy attached as Appendix 1 to the report be adopted for planning purposes, including strategic delivery of biodiversity net gain in Wolverhampton.

2. That authority be delegated to the Leader of the Council and the Cabinet Member for Resources in consultation with the Director of City Development and Director of Finance to authorise completion of Conservation Covenants between the Council and an appropriate responsible body for Pendeford Open Space, Ladymoor Pool and Abbeyfield Parklands (or parts thereof) as detailed in paragraph 4.2 of the report, and the addition of these sites to the national Biodiversity Gain Site Register.
3. That the Statement of Community Involvement, attached as Appendix 2 to the report, be approved to come into effect from 24 October 2023.
4. That submission of Biodiversity Net Gain grant claims and subsequent establishment and spend of supplementary budgets in line with the grant funding conditions be approved.

7 **Wolverhampton Physical Activity Strategy**

Councillor Jasbir Jaspal presented the Wolverhampton Physical Activity Strategy, a partnership strategy owned by Health and Wellbeing Together. The document set the strategic direction for physical activity in the city until 2030. The strategy and its action plans focussed on getting adults who do less than 30 minutes activity per week and children and young people who do less than 30 minutes a day moving more, delivering the greatest health benefits by reducing their risk of many non-communicable diseases, improving their wellbeing and building connected and cohesive communities. The Council and its partners would also continue to support those who are already taking part in regular sport and physical activity to continue to do so and continue to back the city's clubs and other organisations who are delivering a fantastic range of opportunities for the city's residents.

Resolved:

That the Health and Wellbeing Together Wolverhampton Physical Activity Strategy be noted.

8 **Social Housing Regulation Act 2023 - Landlord Services Review**

Councillor Steve Evans reported on the salient points of the report on the Social Housing (Regulation) Act 2023 (the Act) and the impact of its implementation upon the regulatory landscape for the provision of council housing. The report also provided an update of the actions taken by the Council's City Housing Landlord Services in preparation for new regulatory requirements for the delivery of council housing. Cabinet was asked to approve recommendations and an option for the future management of council housing in the city that ensured compliance with the Act and readiness for inspection by the Regulator of Social Housing, and that meets the Council's priorities as set out in the Council Plan (Our City: Our Plan).

Resolved:

That option 3; to implement the key findings, conclusions, and recommendations of the Independent Strategic Housing Review conducted by Campbell Tickell be approved. With a primary focus on the following:

1. An overarching Shareholder Board as a focus for housing governance.

2. Amend the Management Agreement and Partnership Pledge to reflect the Regulatory landscape and strengthen City of Wolverhampton Council's (CWC's) ability to lead on improvements where necessary.
3. Strengthen the clienting arrangements with defined roles and responsibilities, accountabilities for demonstrating assurance and re-assurance, and clear reporting structures.
4. Develop a shared evidence base to demonstrate Regulatory compliance, to support re-assurance testing, a clear line of sight and single view of the truth. CWC lead on creating a Data Process Strategy that ensures data is being recorded consistently across all teams with associated automated Data Quality and reporting.
5. Align Wolverhampton Homes business planning cycles with those of CWC, including the objectives of the refreshed housing strategy.
6. Review all Service Level Agreements and functions delivered to ensure services are fit for purpose, that adequate monitoring and oversight is in place across CWC which provides assurance to the Council and value for money for residents.
7. Following the implementation of the recommended governance changes, review the effectiveness of the new Management Agreement in strengthening CWC expectations, providing sufficient oversight and whether this has provided the direct line of sight required for Regulatory compliance.

9 **Families First for Children Pathfinder**

The intention to make a key decision on the report, 'Families First for Children Pathfinder Update' at the meeting was not published in advance as required by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decision was urgent and could not be reasonably delayed for the following reasons:

1. Wolverhampton were approached by the Department for Education (DfE) to be one of the three wave one local authorities for the Families First for Children pathfinder programme. The programme is the delivery mechanism for implementing some of the most significant reforms to family help, child protection, kinship care and the safeguarding partnership.
2. The programme was launched in July 2023 and is a fast moving initiative. There is significant focus on engaging agencies across the wider partnership, and in ensuring the proposed new delivery model for children's social care is co-designed with all key stakeholders.
3. There is an emerging requirement as part of the programme to ensure Cabinet and wider Councillors are aware of progress made prior to the submission of the proposed delivery model to the DfE at the end of October. The report would provide the required update.

4. It was also apparent that there is a need for strategic leadership in a new Deputy Director role across the children's system to support the successful delivery of model and implementation. A delay in this would impact on the programme delivery.

In light of the above, consent had been obtained for the key decision to be made at the meeting under the General Exception provisions.

Councillor Jacqui Coogan presented an update report on progress made with the Council's participation in the DfE's Stable Homes, Built on Love: Families First for Children Pathfinder Programme (FFCP). The programme was the delivery mechanism for implementing some of the most significant reforms to family help, child protection, kinship care and the safeguarding partnership. Approval was requested to create a Deputy Director for Families First post within Children's Services to entirely focus on leading the development and implementation of the Programme. The post would be fully funded by grants from the DfE.

Resolved:

That Council be recommended to approve:

1. The creation of a Deputy Director for Families First post with immediate effect to strategically lead the implementation and delivery of the Families First Programme. The post would be fully funded by grant from the Department for Education.

That Cabinet notes:

1. The progress made with our participation in the Department for Education Stable Homes, Built on Love: Families First for Children Pathfinder Programme.
2. That the new delivery model would be presented to Cabinet in November 2023 and Full Council in December 2023.

10

Investment Prospectus First Phase Delivery Plan - City Centre West

Councillor Stephen Simkins presented an update report on the progress of the City Centre West development. The Council had been working with the English Cities Fund, a partnership between Homes England, Legal and General and developers Muse with a strong track record of delivery, to bring forward a comprehensive plan for the City Centre West site for development. Approval was requested to delegated authority to develop and approve the scheme's heads of terms with the English Cities Fund. A further report would be presented to a future Cabinet meeting on the scheme business case and the development agreement.

Resolved:

1. That authority be delegated to the Leader of the Council together with the Cabinet Member for Resources, in consultation with the Director of City Development, Director of Finance and Chief Operating Officer to approve the final heads of terms for the City Centre West development.
2. That subject to recommendation 1 above, the appointment of Morgan Sindall Consortium (Muse) be approved, and it be agreed to subcontract its development obligations to the English Cities Fund (ECF) through a direct award via the Pagabo Developer Led Framework to deliver the City Centre West development.

11 **Urgent decision relating to City Learning Quarter - Phase 2 College Contract Award**

Having previously declared an interest, Mark Taylor - Deputy Chief Executive left the meeting whilst Cabinet considered the report.

Councillor Stephen Simkins present, for information, the report on an urgent decision taken to enable the Council to enter into contract with McLaughlin and Harvey Limited for the design and construction of the Phase 2 College (a critical element of the City Learning Quarter) in a timeframe which ensured that the project proceeded as planned to deliver this priority scheme for the city, and was not put further at risk of not continuing, owing to dependencies on third parties outside of the direct control of the Council.

Resolved:

That the following decision relating City Centre Learning Quarter – Phase 2 College Contract Award made under Urgent Decisions for Cabinet be noted:

1. Approved the use of the urgent action powers outlined in Part 12.9 of the Council's constitution detailed in paragraphs 2.1 regarding the use of Urgent Decision.
2. Approved that the Council enters into a NEC4 construction contract for the Phase 2 College with McLaughlin and Harvey Limited to progress and complete the Phase 2 College element of the City Learning Quarter subject to the following:
 - a. Agreement of terms and conditions to the satisfaction of the Chief Operating Officer and the Director of Finance.
3. Authorised the Chief Operating Officer to negotiate, execute, seal and complete all necessary documents to give effect to the above recommendations.

12 **Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Part 2 - exempt items, closed to press and public

The Chair reported that as stated previously the meeting was in confidential session as the information included in the report could, if released into the public domain, prejudice the financial position of the Council or its partners. As such all present are under a legal duty of confidentiality and must not disclose any confidential information - to do so would not only be a breach of the Council's codes (for councillors and employees) but also a breach of the legal duty of confidentiality.

13

Urgent decision relating to City Learning Quarter - Phase 2 College Contract Award

It was noted that having previously declared an interest, Mark Taylor - Deputy Chief Executive had left the meeting prior to Cabinet considering the report.

Councillor Stephen Simkins present an exempt version to the Urgent Decision relating to City Learning Quarter - Phase 2 College Contract Award report discussed at item 11 above.

Resolved:

That the following decision relating City Centre Learning Quarter – Phase 2 College Contract Award made under Urgent Decisions for Cabinet be noted:

1. Approved the use of the urgent action powers outlined in Part 12.9 of the Council's constitution detailed in paragraphs 2.1 regarding the use of Urgent Decision.
2. Approved that the Council enters into a NEC4 construction contract for the Phase 2 College with McLaughlin and Harvey Limited to progress and complete the Phase 2 College element of the City Learning Quarter subject to the following:
 - a. Agreement of terms and conditions to the satisfaction of the Chief Operating Officer and the Director of Finance.
3. Authorised the Chief Operating Officer to negotiate, execute, seal and complete all necessary documents to give effect to the above recommendations.