

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 17 January 2024

Item 4	
Title	Housing Revenue Account Business Plan 2024 - 2025 including Rent and Service Charges
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to:</p> <ol style="list-style-type: none"> 1. Adopt the Business Plan set out at Appendix 1 to the report as the approved Housing Revenue Account Business Plan including: <ol style="list-style-type: none"> a. The revenue budget for 2024-2025 at Appendix 1 to the report. b. The Capital Programme for 2024-2025 to 2028-2029 at Appendix 2 to the report that includes the following among the proposed investment plans: <ul style="list-style-type: none"> • £100 million for new homes • £67 million provision for estate remodelling • £41 million to complete the refurbishment of the Heath Town estate • £46 million remediation works to non-traditional properties including energy efficiency improvements • £141 million for programmes to high rise estates to include building safety improvements, infrastructure replacement, and external works to include energy efficiency • £34 million for low and medium rise infrastructure improvements 2. Approve the implementation of an increase of 7.7% to social housing rents in accordance with the Rent Standard and the Welfare Reform and Work Act 2016 and to give 28 days notice to all secure and introductory tenants of the rent increase from 1 April 2024. 3. Approve the rates for garage rents and service charges set out in Appendix 3 to the report and formally notifies tenants. 4. Approve an increase to Shared Ownership rents of 7.7%.

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5. Approve allowances to Managing Agents as follows:

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| • Wolverhampton Homes | £47,700,000 |
| • Bushbury Hill Estate Management Board | £2,070,000 |
| • Dovecotes TMO | £1,280,000 |

6. Delegate authority to the Deputy Leader: City Housing in consultation with the Director of Resident Services to approve managing allowances to New Park Village Tenant Management Cooperative to allow for further work on costs relating to the redevelopment of the estate and management responsibilities.

7. Delegate authority to the Deputy Leader: City Housing in consultation with the Director of Resident Services to approve the equity sale of Shared Ownership properties.

That Cabinet notes:

1. From 1 April 2020 the Regulator of Social Housing has regulated social rents charged by Local Authorities as set out in the Rent Standard 2020. Local authorities are able to apply a rent increase below the maximum set out in the standard but the decision would be taken in the context of the affordability in terms of a balanced HRA business plan that ensures service delivery and investment can be maintained over the lifetime of the business plan.
2. That, in the opinion of the Director of Finance (Section 151 Officer) the current levels of reserves and provisions is appropriate and adequate for the forthcoming financial year.
3. The increasing cost pressures from policy and legislative changes; Building Safety Act (2022), Fire Safety (England) Regulations 2023, the Regulator and the Social Housing Ombudsman, and a shift from reactive to a proactive regulatory regime.
4. The HRA revenue budget includes provision of £300,000 for those tenants who may experience financial hardship due to the rent increase.

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Options Considered	The Council could decide not to increase the rents, or to apply a lower rent increase. This would reduce the resources available to fund core services and the capital programme. The Council would have to reduce the number of new homes and programmes to remediate non-traditional homes and low and medium rise estates would need to be postponed for several years, allowing the condition of the properties to deteriorate. Reducing revenue costs would impact on service standards.
Reasons for Decision	<ol style="list-style-type: none"> 1. The Council is asked to approve the 7.7% increase to dwellings rent and garage rents in order to be able to maintain services provided to tenants, meet consumer, building and fire safety standards and finance the capital investment as set out in Section 5 of this report. 2. The Council is required to approve a balanced HRA budget which is based on income forecasts, maintains supervision and management expenditure, provides for depreciation and finances borrowing.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	25 January 2024

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Item 5	
Title	Council Tax Base and Business Rates (NDR) Net Rate Yield 2024-2025 and Update on the Provisional Local Government Finance Settlement
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the Collection Fund Council Tax Base for 2024-2025 be set at 66,645.60 Band D equivalents. 2. That the Collection Fund Business Rates, also referred to as Non-Domestic Rates (NDR), Net Rate Yield for 2024-2025 be set at £78.6 million. 3. That authority be delegated to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to approve amendments to: <ol style="list-style-type: none"> a. The final Business Rates Net Rate Yield as required as a result of changes to the NNDR 1 form (National Non-Domestic Rates return) by the Department for Levelling Up, Housing and Communities or data revisions and changes in projections. b. The Council Tax Base as a result of any data revisions and changes in projections. 4. That the following extensions to the local Business Rates Discretionary Relief Policy be approved: <ol style="list-style-type: none"> a. In respect of charitable and voluntary organisations for one year from 1 April 2024. b. In respect of Retail, Hospitality and Leisure Business Rates relief scheme for one year from 1 April 2024. c. In respect of transitional relief for the period from 1 April 2024 to 31 March 2026. d. In respect of supporting small businesses for the period from 1 April 2024 to 31 March 2026. e. In respect of Improvement Relief for the period from 1 April 2024 to 31 March 2029.

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	<ol style="list-style-type: none">5. That applications for discretionary rate relief should be made within the financial year for which relief is being sought effective from 1 April 2024. Authority be delegated to the interim Director of Finance in consultation with the Head of Revenues and Benefits to award relief in exceptional circumstances for applications received after this time.6. That authority be delegated to the interim Director of Finance in consultation with the Head of Revenues and Benefits to award relief in individual cases which satisfy the criteria for the categories of discretionary rate relief in accordance with Section 47 Local Government Finance Act 1988.7. That the outcome of the 2024-2025 Provisional Local Government Finance Settlement be noted.
Options Considered	<ol style="list-style-type: none">1. The Council Tax Base and the Business Rates Net Rate Yield have been prepared in accordance with relevant legislation.2. The Council could choose not to extend the discretionary relief schemes.<ol style="list-style-type: none">a. In respect of relief for charitable and voluntary organisations, this option has been discounted because of the beneficial impact to local communities of the services provided. In addition, there could potentially be increased demand for Council services should these services be withdrawn.b. In respect the other business rates discretionary relief schemes, this option has been discounted as the criteria for award will match the requirement to be fully funded by Government and they provide an opportunity to reduce rates bills for local businesses.3. The Council could choose not to award any period of backdating for discretionary relief schemes. This has been discounted due to the charitable and non-profit making organisations generally requiring a period of time to be aware of and submit the necessary information in support of an application. There are also situations which are outside of the control of the organisation, such as delays in notification of a rateable value by the Valuation Office Agency.

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Reasons for Decision	<ol style="list-style-type: none"> 1. To comply with legislative requirements, Cabinet are recommended to approve the Council Tax Base and Business Rates Net Rate Yield for 2024-2025. This will inform the budget setting process for 2024-2025, for the Council and precepting bodies. 2. Approval is also sought to delegate authority to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to approve any final changes to the final Business Rates Net Rate Yield as required as a result of changes to the NNDR 1 form and the Council Tax Base reflecting any further information received ahead of the statutory deadline of 31 January 2024. 3. Extending the scheme for charitable and voluntary organisations continues to support a range of organisations providing support to vulnerable groups allowing the Council to foster good relations and enhance equal opportunities. 4. Providing discretionary rate relief to businesses in accordance with Government guidance reduces the business rate bill at no cost to the Council. 5. The Council is required to determine an effective date for eligibility to discretionary rate relief following changes in legislation.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	22 January 2024

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Item 6	
Title	Collection Fund Estimated Outturn 2023-2024
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That it be approved that the estimated outturn for Council Tax in 2023-2024 is a cumulative surplus of approximately £546,000 which includes the carry forward of the in-year 2020-2021 deficit, which the Government confirmed could be spread over three years from 2021- 2022 to 2023-2024. 2. That it be approved that the estimated outturn for Business Rates, also referred to as Non-Domestic Rates, in 2023-2024 is a cumulative surplus of approximately £3.3 million with an estimated deficit in 2023-2024 totalling approximately £354,000. 3. That authority be delegated to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to confirm any final changes to the forecast outturn reflecting any further information received ahead of the statutory deadline of 31 January 2024. 4. That authority be delegated to the interim Director of Finance to confirm and arrange the final payments to the precepting authorities.
Options Considered	The estimated outturn on the Collection Fund for 2023-2024 has been prepared in accordance with specifications, regulations and directions made under various sections of the Local Government Finance Acts 1988 and 1992.
Reasons for Decision	<ol style="list-style-type: none"> 1. Cabinet is recommended to approve the payments to/from the precepting bodies based on the estimated outturn of the Collection Fund for 2023-2024. This will inform the budget setting process for 2024-2025, for the Council and precepting bodies. 2. Approval is also sought to delegate authority to the Cabinet Member for Resources, in consultation with the Director of Finance, to confirm any final changes to the forecast outturn reflecting any further information received ahead of the statutory deadline of 31 January 2024. This will ensure that the most up to date information is used to inform 2024-2025 budgets.

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Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	22 January 2024

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Item 7	
Title	Response to Dudley, Sandwell and Telford & Wrekin Local Plan Consultations and South Staffordshire Duty to Cooperate letter
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the City of Wolverhampton Council response to the Sandwell Local Plan Draft Plan consultation be approved on the basis of the approach set out in paragraphs 3.4 to 3.7 of the report. 2. That the City of Wolverhampton Council response to the Dudley Local Plan Draft Plan consultation be approved on the basis of the approach set out in paragraphs 4.4 to 4.7 of the report. 3. That the City of Wolverhampton Council response to the Telford & Wrekin Local Plan Draft Plan consultation be approved on the basis of the approach set out in paragraphs 5.8 to 5.10 of the report. 4. That the City of Wolverhampton Council response to the South Staffordshire Council Duty to Cooperate Letter be approved on the basis of the approach set out in paragraph 6.4 of the report.
Options Considered	The alternative option to making a response to the consultation would be to make no response. This would not be in accordance with the Duty to Cooperate responsibilities of the Council.
Reasons for Decision	It is important that the Council responds to consultations on Local Plans being progressed for neighbouring authorities, in line with the Duty to Cooperate.

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Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	22 January 2024

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Item 8	
Title	Annual Health and Safety Report – 2023
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the revisions to the Corporate Health and Safety Policy on, the updated structure within the organisation for managing health and safety and that the Policy is endorsed by the new Leader of the Council, Councillor Stephen Simkins be approved. 2. That the progress and action taken during 2023 with regards to managing health and safety in the organisation be noted.
Options Considered	<ol style="list-style-type: none"> 1. The option to do nothing and continue without recognition or discussion of health and safety would present an obvious failure of the organisation to adequately consider, address and plan for health and safety. This would present a failure of the organisation with regards to its health and safety responsibilities and could indicate a lack of management and leadership with regards to health and safety. 2. Failure to maintain and update a corporate health and safety policy likewise could be interpreted as a failure of legal responsibilities placed on the Council under the Health and Safety at Work etc. Act 1974. 3. Presentation of the report helps to demonstrate the commitment to health and safety from senior leadership within the organisation, and a commitment continuous improvement with regards to health and safety.
Reasons for Decision	There are potentially serious risks for the Council and its operations from inadequate consideration of health and safety issues. The punitive measures include not only enforcement powers of inspectors but can include both personal and corporate liability proceedings. As a significant presence in the West Midlands, the Council is a high profile case, particularly if things go wrong.

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Record of Conflicts of Interest	None
Dispensation Granted	applicable
Decision available for implementation (subject to call-in)	22 January 2024