

City of Wolverhampton Council – Decisions taken by the Cabinet (Resources) Panel on Tuesday, 3 October 2017

Item 5	
Title	Fees and Charges Review 2018-2019
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the fees and charges as set out in Appendices A to D to the report be approved to take effect from 1 November 2017 (or as soon as possible thereafter). 2. That in the following instances, authority be jointly delegated to the responsible Strategic Director in consultation with the Director of Finance, to vary fees and charges during the financial year: <ol style="list-style-type: none"> a. Where the cost of food (including frozen food) and drink procured for resale or onward supply changes, fees and charges may be set taking the new costs into account. b. Where short-term change in fees and charges to ensure that a business opportunity can be pursued or secured; if the change is for a period of more than two months then the change should be referred to Cabinet (Resources) Panel for decision during the two month period. c. Where an opportunity arises to secure a sale by matching the price to that of an organisation the Council is in competition with, ensuring that satisfactory 'price match' documentation is maintained to evidence the one-off fee amendment. d. Where market conditions dictate, leisure membership fees may be varied providing that satisfactory market information is maintained. e. Leisure centre activity prices may be varied in line with market conditions providing that satisfactory market information is maintained. f. Charges to partner organisations for support services may be varied. g. Court summons costs charged to council tax and business rates payers may be varied following default on payments.

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	<ul style="list-style-type: none">h. Where the cost of poison procured for the purpose of pest control changes, pest control fees and charges may be varied in proportion with the change in costs.i. Where market conditions dictate, charges for commercial waste collection may be varied providing that satisfactory market information is maintained.j. Library charges may be varied to fall in line with Black Country Libraries in Partnership (BCLiP) participating authorities (Dudley, Walsall, Wolverhampton and Sandwell).k. Adult Education Service charges may be varied in response to Skills Funding Agency and Education Funding Agency funding allocations for the applicable academic year.l. Charges to schools/academies for services delivered under Service Level Agreements (SLAs) may be varied.m. Where bespoke professional services are provided to external organisations. <p>3. That in the following instances, authority be jointly delegated to the responsible Cabinet Member for the service and Cabinet Member for Resources, in consultation with the relevant Strategic Director and the Director of Finance as appropriate, to vary existing fees and charges during the financial year:</p> <ul style="list-style-type: none">a. Where the Council wishes to subsidise a charitable event that may not break even financially for the authority.b. Where the Council wishes to generate income from advertising upon Council property.c. Where the Council wishes to vary charges for bars and catering.d. Where it is beneficial to the Council to generate additional income that will reduce the net budget.
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	<p>4. That where there is an opportunity to secure an act or event or utilise available rooms or halls for hire within Visitor Economy services and the projected net cost of the act, event or room hire generates a commercial return (including taking account of secondary spend from catering and sales), authority shall be jointly delegated to the Head of Service - Visitor Economy and the Director of Finance to vary the fees and charges. Any such variations will be recorded, along with the reason, as part of the normal evidencing process for audit purposes. Details of any variations should to be reported to Strategic Finance in a format agreed by the Director of Finance.</p> <p>5. That, should any amendment be made to the VAT treatment of specific fees and charges, authority to vary those fees and charges be delegated to the Cabinet Member for Resources, together with the responsible Cabinet Member, in consultation with the Director of Finance and the responsible Strategic Director.</p> <p>6. That any variations to fees and charges made under recommendations 2 to 5 above must be properly documented and appropriate records retained to ensure that there are robust records for the purpose of independent audit.</p> <p>7. That it be noted that the fees and charges for the following items, are not reviewed as part of this report as they will be subject to separate arrangements for their approval:</p> <ul style="list-style-type: none"> a. Adult social care contributions to care packages. b. Street trading, Hackney Carriage and private hire licensing and general licensing charges. c. Food and drink (for onward supply or resale) prices (see recommendation 2.a above).
Options Considered	<p>In determining the proposed fees and charges for approval, consideration has been made to the impact on demand as a result of price fluctuations and commercialisation. Some prices have been frozen or reduced, whilst others have been uplifted. If we were to freeze all prices at the current levels, any potential additional income that could be generated to support the Council over the medium term would be lost. This would therefore impact on the resources available to the Council and potentially service delivery.</p>

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Reasons for Decision	It is anticipated that the implementation of the revised fees and charges will generate additional income which will contribute towards reducing the Council's projected medium term budget deficit, which stands at £15.5 million to be identified by 2019-2020, as reported to Cabinet on 19 July 2017.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017

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Item 6	
Title	Financial Support to Carers of Children Subject to Adoption, Special Guardianship, and Child Arrangement Orders
Status	Recommendations Approved
Record of Decision	That the policy for Financial Support to Carers of Children Subject to Adoption, Special Guardianship or Child Arrangement orders, approved by Cabinet on 26 April 2017 be amended to ensure that it is compliant with national guidance, particularly how universal benefits should be regarded when completing financial assessments for support.
Options Considered	<p>Option One - the policy remains the same as per approved by Cabinet on 26 April 2017. This would mean that the City of Wolverhampton is duplicating the payment of universal benefits in its allowances which is not in accordance with national guidance.</p> <p>Option Two - the policy is amended in accordance with national guidance. This will ensure compliance with national guidance, with particular reference to how universal benefits should be regarded when completing financial assessments for Adoption, Special Guardianship or Child Arrangement Order support assessments.</p>
Reasons for Decision	To ensure the policy is compliant with national guidance.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017

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Item 7	
Title	Heath Town Regeneration Project - Multi Use Games Area Improvements
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the improvements proposed for the existing Multi-Use Games Area (MUGA) on the Heath Town estate including the cost of the work in the sum of £210,000 be approved. 2. That it be noted that further consultation is planned with residents about the Heath Town Regeneration Project and Wolverhampton Homes Investment Plan programme and phasing of work. 3. That it be noted that further consultation is planned with residents regarding improvements to support the sports use of the green field in Grosvenor Street.
Options Considered	<p>The Heath Town estate has a number of play areas which have either been closed due to health and safety reasons or are no longer used as they are old and out of date. Whilst some of these will receive investment as part of the Masterplan works, they do not provide an alternative sports venue for the estate. Nor is there an alternative location on the estate or nearby that will provide this kind of facility.</p> <p>There is a need to provide alternative options for sport, supporting healthy life choices, and residents have identified the green field in Grosvenor Street as an option for this. This field is used by local children for informal games during the summer months, and by some organised football clubs from time to time, and is maintained by Wolverhampton Homes. However, it is not a formal pitch, does not have any markings, posts, fencing or lighting, and requires remediation works relating to water drainage. The space also has limitations in not being overlooked by housing for natural surveillance.</p> <p>The site at Grosvenor Street has recently been appropriated from the General Fund to the Housing Revenue Account (HRA) so that it can be managed and maintained with the rest of the estate and contribute to the regeneration proposals for the wider area. It is intended to invest in this space as a grass surface for ball games, especially football. Funding for this space has been identified from a S106 contribution from the nearby Burton Crescent scheme. However, this does not provide for sports such as tennis or basketball, which require a harder surface.</p>

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	<p>Consultation with residents established that the MUGA is a facility well-used by residents but requires upgrading, especially the surface, which is a hard surface and has resulted in injuries from falls in the past. In addition, the current form of the MUGA, divided into three parallel courts, limits the number of sports that can be played on it, and the number of games that can happen simultaneously. It is in order to address these issues that designs have been developed for this area which provide for an upgraded surface divided into four courts, and with fencing between the courts to allow a variety of sports to be played.</p>
Reasons for Decision	<p>Residents have made it clear that there is a need for sport and play facilities on the Heath Town estate.</p> <p>The proposed new housing planned through the Heath Town Masterplan will attract more families onto the estate which will result in increased demand for up-to-date sport and play facilities.</p> <p>Investment in the MUGA will see the facility updated to provide an improved sports venue for residents, to be complemented by investment in play areas, green gym equipment, and an upgraded grass pitch on the nearby Grosvenor Street open space. This will provide the sport and play infrastructure to support the wider Masterplan ambitions for the estate.</p>
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017

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Item 8	
Title	23 Meadow Lane, Lanesfield - Proposal to Make a Final Empty Dwelling Management Order
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the Director of Governance be authorised to make a Final Empty Dwelling Management Order (FEDMO) at 23 Meadow Lane, Bilston subject to the outcome of any representations made by the owner or other interested parties. 2. That the Director of Governance be authorised to: <ol style="list-style-type: none"> a. Take all reasonable steps to make the FEDMO which will effectively follow on from the existing Order in place until 10 April 2018. b. Ensure the timely publication and service of all Notices and if necessary the presentation of the Council's case at any Property Tribunal. c. Approve agreements with the owner(s) of the property setting out the terms for the Revocation of the Final Empty Dwelling Management Order where applicable. 3. That Wolverhampton Homes continue to manage the property on behalf of the Council.
Options Considered	<ol style="list-style-type: none"> a. Do nothing – The FEDMO would expire 10 April 2018 and the existing tenant would have to be found alternative accommodation. The property would then be likely to remain empty without a responsible owner. b. Compulsory Purchase – The tenant would have to be found alternative accommodation. The Council would incur costs making the CPO, disposing of the property and unless a beneficiary is identified, paying any compensation into court. c. Continue with the current arrangements by making further FEDMO to follow the existing FEDMO already in place. The existing tenant can remain in occupation and the action is cost neutral to the Council.

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Reasons for Decision	<ul style="list-style-type: none"> a. To ensure that the property continues to provide housing for the existing tenant(s). b. The property potentially provides much needed housing for a further seven years in the absence of the existing leaseholder. c. To ensure that the property does not become empty which could potentially be visually detrimental to the area and attract anti-social behaviour. d. To ensure that the property continues to generate revenue for the City through Council Tax and the potential adverse impact on New Homes Bonus revenue is negated. e. The proposal to make a further EDMO and to continue with the existing management arrangements is the least disruptive for the tenant(s) and most cost effective in terms of financial and physical resources for the Council.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
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Item 9	
Title	Acquisition of Privately Owned Empty Properties by agreement or Compulsory Purchase: 78 - 80 Byrne Road, Blakenhall, Wolverhampton. WV2 3DP
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the Strategic Director, City Housing be authorised to negotiate terms for the acquisition of 78 – 80 Byrne Road, Blakenhall, Wolverhampton. WV2 3DP property, and, in default of that acquisition, give authority for a compulsory purchase order (CPO) to be made under Part II Section 17 Housing Act 1985 in respect of the property. 2. That expenditure for the potential acquisition of the property, with subsequent capital receipts being recycled within this programme be approved. 3. That in the event that the property is improved and re-occupied to the satisfaction of the Service Director for City Housing, authorise withdrawal of the property from the CPO. 4. That following any acquisition, the Strategic Director, City Housing be authorised to dispose of the property on the open market on condition that the property is refurbished and re-occupied within six or 12 months (as appropriate to the scale of the works). 5. That the Director of Governance be authorised to: <ol style="list-style-type: none"> a. Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the CPO including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry. b. Approve agreements with the owners of the property setting out the terms for the withdrawal of objections to the CPO, and/or making arrangements for re-housing or relocation of any occupiers. c. Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).

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	<p>d. Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.</p>
Options Considered	<p>a. Do nothing – The property is likely to remain empty, continue to attract anti-social behaviour/ fly tipping and continue to be a drain on the public purse.</p> <p>b. Empty Dwelling Management Order (EDMO) – An EDMO is considered to be a less draconian option than compulsory purchase. However, the cost of refurbishment/ conversion of this property would place a strain on the Council's finances and it would be unlikely that the cost of initial refurbishment and subsequent management and maintenance would be recovered through rental income over seven years.</p> <p>c. Compulsory Purchase Order (CPO) – The prospect of a CPO often prompts the owner to act leading to the property being refurbished and re-occupied. However, if it is necessary to acquire the property, the proposals for the onward disposal and refurbishment set out at 5.0 of this report ensure that the property is brought back into use at a minimum cost to the Public Purse.</p>
Reasons for Decision	<p>To ensure that the property provides much needed housing by prompting the owner either act voluntarily or via enforcement through a CPO.</p> <p>To ensure that the property does not continue to be visually detrimental to the area and does not continue to attract anti-social behaviour/ fly tipping.</p> <p>To ensure that the property has a positive financial impact on the public purse through additional New Homes Bonus funding and removing the on-going expenditure arising from anti-social behaviour.</p> <p>The proposal to pursue a CPO is the most cost effective in terms of financial and physical resources for the Council.</p>

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Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017

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Item 10	
Title	Schedule of Individual Executive Decision Notices
Status	Recommendations Approved
Record of Decision	That the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees be noted.
Options Considered	Not applicable in relation to the summary report.
Reasons for Decision	In accordance with the Council's Constitution, a summary of individual executive decisions approved by Cabinet Members following consultation with the relevant employees must be reported to the next available meeting of the Cabinet (Resources) Panel for information.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	Not applicable

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Item 12	
Title	Procurement - award of contracts for works, goods and services
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That authority be delegated to the Cabinet Member for City Housing and Assets, in consultation with the Strategic Director of Place, to approve the award of a contract for New Build Housing at Burton Crescent when the evaluation process is complete. 2. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Strategic Director for Place, to approve the award of a contract for purchase of 20 new Refuse Collection Vehicles when the evaluation process is complete. 3. That authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve the award of a contract for Supply of Audio Visual Equipment when the evaluation process is complete. 4. That in relation to the Black Country Impact: <ol style="list-style-type: none"> a. The use of the Impact Dynamic Purchasing System (DPS) and providers registered to purchase support for young people in response to demand be approved. b. Authority be delegated to the Cabinet Member for City Economy, in consultation with the Service Director City Economy to award contracts from the DPS where the value is over £164,000. 5. That authority be delegated to the Cabinet Member for Public Health and Wellbeing, in consultation with the Strategic Director for People, to approve the award of a contract for Drug and Alcohol Services when the evaluation process is complete. 6. That the Director of Governance be authorised to execute contracts in respect of the above as required. 7. That the approach to commercial pension issues arising out of staff transfers from the Council be noted.

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Options Considered	As detailed in the exempt report.
Reasons for Decision	As detailed in the exempt report.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
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Item 13	
Title	Development Finance and Grant Bidding Strategy
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the strategy for funding newbuild Housing Revenue Account (HRA) development be approved. 2. That the bidding strategy for grant funding to support the delivery of HRA Affordable Rent and Shared Ownership units be approved. 3. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Strategic Director of Housing to vary the detail of the grant bids approved, and to enter into any contracts or agreements required for the draw down or application of grant. 4. That it be noted that further grant funding bids will be prepared to secure additional funding to support the delivery of new homes, such as bidding into the Homes and Communities Agency's (HCA's) Housing Infrastructure Fund.
Options Considered	<p>The alternative to bidding for HCA grant support is to deliver new Council homes directly using the Council's HRA capital funds. This option is not favoured, as it will mean fewer new affordable homes are delivered for the Council's financial input. The Council's development programme will not achieve its goal of maximising new homes in the city if its resources are not supplemented by external funding.</p> <p>A benefit of delivery without HCA funding would be that the Council's activities would not be subject to HCA deadlines and audit. However, these requirements can provide useful standards and programme milestones for delivery.</p> <p>A further alternative option is to seek external funding from private sector sources, such as pension funds, or other large investors seeking a low risk return on their funding.</p>

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Reasons for Decision	<p>It maximises the Council's opportunity to build new homes across a number of sites, extending our financial capacity, and supporting our wider goals.</p> <p>The development finance strategy is recommended in order to maximise the potential of varied funding resources for newbuild Council housing, which have different deadlines and constraints upon their use.</p>
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017

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Item 14	
Title	Disposal of former Housing Revenue Account garage sites and land
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the disposal at auction of part of the garage site at Hall Green Street, in Bilston East Ward, as shown on the plan attached at Appendix 1 to the report be approved, subject to the site obtaining outline planning approval for residential use. 2. That the disposal at auction of the land adjacent to 103 Sweetman Street, in Park Ward, as shown on the plan attached at Appendix 2 to the report be approved, subject to the site obtaining outline planning approval for residential use. 3. That the disposal at auction of the garage site at Genge Avenue in Spring Vale Ward, as shown on the plan attached at Appendix 3 to the report be approved, subject to the site obtaining outline planning approval for residential use. 4. That the disposal at auction of the garage site at Hurst Road in Spring Vale Ward, as shown on the plan attached at Appendix 4 to the report be approved, subject to the site obtaining outline planning approval for residential use.
Options Considered	<p>The first alternative to disposing of these sites at auction would be to progress them for Council housing development. However, these sites have a number of development constraints, including inadequate accesses, potential overlooking issues from neighbouring properties, and access rights for surrounding residents that would prove restrictive for development purposes.</p> <p>The second alternative to disposal is to leave these sites as they are, under the management of Wolverhampton Homes. However, these sites are generally in poor condition and require substantial investment, there is not a large resident demand to use the garages, and the likelihood of anti-social behaviour, such as fly tipping, on the sites would increase if they are left as they are.</p>

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Reasons for Decision	<p>Disposal of the sites at auction, subject to obtaining outline planning approval, will ensure that the Council achieves best consideration for the land. Disposal of these sites, rather than keeping them in Council ownership, should also ensure that the current poor condition of the sites will improve.</p> <p>Obtaining outline planning approval on these sites, prior to going to auction, should increase the likelihood of these sites being developed.</p>
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017

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Item 15	
Title	Special Educational Needs and Disability (SEND) Implementation Grant
Status	Recommendations Approved
Record of Decision	That the expenditure of £339,655 in 2017-2018 to be funded from the Special Educational Needs and Disability (SEND) Implementation Grant to fund the implementation of the Children and Families Act 2014, and facilitate the transfer of those with statements to Education, Health and Care Plans (EHCP) in accordance with the statutory transitional order and guidance be approved.
Options Considered	There are no alternative options, as funding is required by the services listed detailed in the exempt to implement the SEND reforms as set out in the Children and Families Act 2014.
Reasons for Decision	To implement the SEND reforms as set out in the Children and Families Act 2014.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	11 October 2017