

Cabinet (Resources) Panel

Minutes - 3 October 2017

Attendance

Members of the Cabinet (Resources) Panel

Cllr Andrew Johnson (Chair)
Cllr Roger Lawrence (Vice-Chair)
Cllr Claire Darke
Cllr Steve Evans
Cllr Val Gibson
Cllr John Reynolds
Cllr Sandra Samuels OBE
Cllr Paul Sweet

Employees

Dereck Francis	Democratic Services Officer
Keith Ireland	Managing Director
Tim Johnson	Deputy Managing Director/Strategic Director - Place
Claire Nye	Director of Finance
Kevin O'Keefe	Director of Governance
Laura Phillips	Head of Business Management

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies for absence were submitted on behalf of Councillors Peter Bilson and Milkinder Jaspal.
- 2 **Declarations of interests**
No declarations of interests were made.
- 3 **Minutes of the previous meeting - 25 July 2017**
Resolved:
That the minutes of the meeting held on 25 July 2017 be approved as a correct record and signed by the Chair.
- 4 **Matters arising**
There were no matters arising from the minutes of the previous meeting.

5 **Fees and Charges Review 2018-2019**

Councillor Andrew Johnson presented the report on proposed tariffs for the majority of fees and charges receivable by the Council, to take effect from 1 November 2017 (or as soon as possible thereafter).

An addendum to the report was tabled containing statutory Register Office fees for 2018/2019 which were received from the Government after the report had been published.

Councillor Steve Evans reported on proposed fees and charges relating to his portfolio area, particularly for the markets, bereavement services and car parking.

Resolved:

1. That the fees and charges as set out in Appendices A to D to the report, including the fees set out in the addendum 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:
 - 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.
 - 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.
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:
- 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.
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 be reported to Strategic Finance in a format agreed by the Director of Finance.
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.

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.
7. That it be noted that the fees and charges for the following items, are not reviewed as part of the report as they would be subject to separate arrangements for their approval:
 - 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).

6 Financial Support to Carers of Children Subject to Adoption, Special Guardianship, and Child Arrangement Orders

Councillor Val Gibson requested approval to an amendment to the policy agreed at Cabinet on 26 April 2017 to ensure that it is compliant with the Special Guardianship Guidance 2017.

Resolved:

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.

7 Heath Town Regeneration Project - Multi Use Games Area Improvements

Councillor Andrew Johnson presented the report seeking approval for funding to upgrade the existing multi-use games area (MUGA) on the Heath Town estate.

Residents on the Heath Town estate had made it clear that there was a need for sport and play facilities on the estate. Proposed new housing planned through the Heath Town Masterplan would also attract more families onto the estate which would result in increased demand for up-to-date sport and play facilities.

Resolved:

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.

8 **23 Meadow Lane, Lanesfield - Proposal to Make a Final Empty Dwelling Management Order**

Councillor Andrew Johnson presented the report on a proposal to make a further Final Empty Dwelling Management Order in respect of 23 Meadow Lane, Dransfield, Wolverhampton. The proposal would ensure that the property continues to provide housing for the existing tenant(s); ensure that the property does not become empty which could potentially be visually detrimental to the area and attract anti-social behaviour; and ensure that the property continues to generate revenue for the Council through Council Tax.

Resolved:

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:
 - a. Take all reasonable steps to make the FEDMO which would 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.

9 **Acquisition of Privately Owned Empty Properties by agreement or Compulsory Purchase: 78 - 80 Byrne Road, Blakenhall, Wolverhampton. WV2 3DP**

Councillor Andrew Johnson presented the report which sought approval to authorise the acquisition of privately owned empty properties 78 - 80 Byrne Road, Blakenhall, Wolverhampton by agreement or Compulsory Purchase.

The proposal would ensure that the property provides much needed housing by prompting the owner either act voluntarily or via enforcement through a CPO; 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; and 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.

Resolved:

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, authority be granted 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, the property be withdrawn 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:
 - 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).
 - d. Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

10 **Schedule of Individual Executive Decision Notices**

Resolved:

That the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees be noted.

11 **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 items of business as they involve the likely disclosure of exempt information falling within the paragraph 3 of Schedule 12A of the Act.

Part 2 - exempt items, closed to press and public

12 **Procurement - award of contracts for works, goods and services**

The Panel considered a report on proposals for the award of contracts for works, goods and services. The report also set out the Council's approach to commercial pension issues arising out of staff transfers from the Council.

Resolved:

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:
 - 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.

13

Development Finance and Grant Bidding Strategy

Councillor Andrew Johnson presented for approval a funding strategy for new Housing Revenue Account (HRA) developments, to optimise the use of different funding sources, and allow HRA capital to be supplemented wherever possible. Approval was also sought to a proposed strategy for bidding for grant funding from the Homes and Communities Agency (HCA) and other agencies, in support of newbuild activity.

Resolved:

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 for 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 would be prepared to secure additional funding to support the delivery of new homes, such as bidding into the Homes and Communities Agency's Housing Infrastructure Fund.

14

Disposal of former Housing Revenue Account garage sites and land

Councillor Andrew Johnson presented the report on proposals to dispose of sites within the Housing Revenue Account at auction, once outline planning approval for residential use had been obtained. The garage sites had been assessed as part of a review of a larger list of Council assets that are currently underused or problematic, and have been considered for housing development potential. The proposals would ensure that the Council achieved best consideration for the land.

Resolved:

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.

15

Special Educational Needs and Disability (SEND) Implementation Grant

Councillor Claire Darke presented the report on the Special Educational Needs and Disability (SEND) Implementation Grant income and on projected spend for 2017-2018.

Resolved:

That expenditure of £339,655 in 2017-2018 from the SEND Implementation Grant be approved 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 in accordance with the statutory transitional order and guidance.