

City of Wolverhampton Council – Decisions taken by the Joint Cabinet and Cabinet (Resources) Panel on Wednesday, 29 July 2020

Item 5	
Title	Revenue Budget Monitoring Quarter One 2020-2021
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the use of £732,000 from the Regeneration Reserve to fund various regeneration schemes as detailed at paragraph 5.4 of the report be approved. 2. That the use of £200,000 from the Our Technology Reserve to fund continued development of Agresso system as detailed at paragraph 5.5 of the report be approved. 3. That the use of £73,000 from the Adults Safeguarding Reserve to offset additional costs of running the Safeguarding Partnership Board as detailed in paragraph 5.6 of the report be approved. 4. That the creation of a new reserve and the transfer of £190,000 in year underspend against local elections to cover future elections costs as detailed in paragraph 5.7 of the report be approved. 5. That the establishment of supplementary expenditure budgets within the 2020-2021 approved budget as detailed in section 6.0 of the report for grant funded expenditure be approved. 6. That 37 virements totalling £6.2 million, for transfers within directorates, as detailed in Appendix 4 to the report be approved. 7. That the write-off of two Non-Domestic Rates (NDR) debts totalling £13,115.60 as detailed in Appendix 5 to the report be approved. 8. That the write-off of one Council Tax debt totalling £5,203.61 as detailed in Appendix 6 to the report be approved.

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	<ol style="list-style-type: none">9. That the write-off of one Housing Benefit debt totalling £6,910.76 as detailed in Appendix 7 to the report be approved.10. That it be noted that the overall projected outturn for the General Fund for 2020-2021 is forecast to a break-even outturn position, excluding the impact of Covid-19.11. That it be noted that at this stage in the financial year it is difficult to forecast redundancy costs. However, as forecast in recent years it is anticipated that the cost of redundancies can be met from reserves.12. That it be noted that a £10.4 million surplus on the Housing Revenue Account (HRA) is projected compared with a budgeted surplus of £10.8 million as shown at Table 20 and in detail at Appendix 3 to the report. The projected reduction to the surplus of £443,000 would reduce redemption of debt by £443,000.13. That it be noted that 41 sundry debt accounts totalling £21,923.34, as detailed in paragraph 9.3 to the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.14. That it be noted that 320 council tax accounts totalling £112,538.25, as detailed in paragraph 9.5 to the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.15. That it be noted that 18 Non-Domestic Rates (NDR) debts totalling £63,983.68, as detailed in paragraph 9.6, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.16. That it be noted that 9 housing benefit overpayments totalling £5,240.48, as detailed in paragraph 9.9 of the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
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Options Considered	The write-offs, virements and use of reserve requests requiring the approval of Cabinet are all considered to be prudent in the opinion of the Director of Finance and the Cabinet Member for Resources.
Reasons for Decision	In accordance with the Council's financial procedures rules, all virements in excess of £50,000, or those that result in a transfer between Employees and Other Controllable Expenditure headings, require the approval of Cabinet. Contribution to and from reserves also requires the approval from Cabinet. The write-offs, virements and use of reserve requests detailed in this report which seek the approval of Cabinet are all considered to be prudent in the opinion of the Director of Finance and the Cabinet Member for Resources.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	5 August 2020

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Item 6	
Title	Draft Budget and Medium Term Financial Strategy 2021-2022 - 2023-2024
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the draft budget strategy linked to the Five Year Financial Strategy, including changes to corporate resource assumptions and growth and inflation be approved, for inclusion in the Draft Budget and Medium Term Financial Strategy 2021-2022 to 2023-2024, to be reported to Cabinet in October 2020. 2. That work continues between August and October 2020 to further develop budget reduction and income generation proposals, in order to ensure that a balanced budget can be set for 2021-2022. 3. That progress on the development of budget reduction and income generation proposals be reported to Cabinet in October 2020 for approval to proceed to the formal consultation stage of the budget process. 4. That further options are explored between August and October 2020 to address the updated projected budget deficit of £8.7 million for 2021-2022 based on the Council’s Five Year Financial Strategy. 5. That the establishment of supplementary revenue expenditure budgets totalling £2,775,198 funded by the Covid-19 Emergency Funding Grant for Local Government be approved. Authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve all virements required to support additional costs and loss of income relating to Covid-19. 6. That the establishment of supplementary revenue expenditure budgets totalling £393,536 funded by the Local Authority Emergency Assistance Grant for Food and Essential Supplies be approved and authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve all virements required to allocate expenditure and grant to individual schemes.

	<ol style="list-style-type: none">7. That authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance to establish supplementary revenue budgets funded by grant and approve all virements required to support loss of income relating to Covid-19 once this allocation has been confirmed. As detailed in paragraph 6.5 of the report, the Government have announced a co-payment mechanism for irrecoverable sales, fees and charges income, and at this time of writing this report the full details of the scheme had not been released.8. That external grant of £999,000 awarded for the Arthur Street Bridge Project be built into the Transport capital programme and that the borrowing previously set aside in contingency for this project be vired to the corporate contingency.9. That the capital budget of £1 million for the Towns Fund Project, funded by the external grant be approved. That authority be delegated to the Cabinet Member for City Economy and the Cabinet Member for City Environment, in consultation with the Director of Regeneration and the Director of City Environment, to approve virements to individual projects in order that projects can be implemented in an agile and timely manner.10. That the capital budgets of £110,000 for the Ring Road St Peters Crossing, and £193,282 for Active Travel Scheme, funded by external grant be approved and authority be delegated to the Cabinet Member for City Environment, in consultation with the Director of City Environment to approve any virements required to individual projects in order that projects can be implemented in an agile and timely manner. The establishment of supplementary revenue budgets totalling £44,096 funded by external grant to support the Active Travel Scheme. Authority be delegated to the Cabinet Member for City Environment, and the Cabinet Member for Resources, in consultation with the Director of City Environment and the Director of Finance to establish revenue and capital budgets should the Council be successful in securing further funding from this grant fund.11. That it be noted that, a number of assumptions have been made with regards to the level of resources that would be available to the Council as detailed in section 8 of the report. It is important to note that there continues to be a considerable amount of uncertainty with regards
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	<p>to future income streams for local authorities over the forthcoming Comprehensive Spending Review period. At the point that further information is known it would be incorporated into future reports to Councillors. Any reduction in the Government’s allocation of funding to the Council would have a significant detrimental impact and further increase the budget deficit forecast over the medium term.</p> <p>12. That the impact of Covid-19 has had and would continue to have a significant financial impact on the 2020-2021 budget and Medium Term financial Strategy be noted.</p> <p>13. That it ne noted that, if Government do not provide sufficient grant to fund the full financial implications of Covid-19, the Council would need to identify in year efficiencies, which may impact on service delivery.</p> <p>14. That it be noted that the Council would need to re-prioritise resources to fund the Recovery Strategy if further funding is not made available from Central Government.</p> <p>15. That it be noted that, due to external factors, budget assumptions remain subject to significant change, which could, therefore, result in alterations to the financial position facing the Council.</p> <p>16. That the updated projected deficit assumes the achievement of budget reduction and income generation proposals amounting to £8.8 million over period 2020-2021 to 2023-2024 be noted.</p> <p>17. That it be noted that the 2021-2022 budget timetable would, as in previous years, include an updated report presented to Cabinet in October 2020 detailing budget reduction and income generation proposals that would be subject to formal budget consultation during October to December 2020. Further to this, an update on all budget assumptions and the Provisional Local Government Settlement would be presented to Cabinet by January 2021, with the final budget report due to be approved by Full Council in March 2021.</p>
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	18. That the overall level of risk associated with the 2020-2021 Budget and Medium Term Financial Strategy 2020-2021 to 2023-2024 is assessed as Red.
Options Considered	In determining the proposed Five Year Financial Strategy, consideration has been made to the deliverability of budget reduction and income generation proposals and budget pressures. If we were to not implement the budget strategy as proposed in this report, alternative options would need to be identified in order for the Council to set a balanced budget for 2021-2022. This may therefore potentially impact upon service provision.
Reasons for Decision	It is recommended that the Five Year Financial Strategy, is approved by Cabinet for further development between August and October 2020. Cabinet will be provided with an update on progress in the Draft Budget and Medium Term Financial Strategy 2021-2022 to 2023-2024 report which will be presented to Cabinet in October 2020. In approving this strategy, the Council will be working towards identifying options to be able to set a balanced budget for 2021-2022.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	5 August 2020

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Item 7	
Title	City Centre Public Realm - Phases 1 and 3 Progress and Approvals for Project Delivery
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Director for City Environment, to approve the award of the main works contract for City Centre Public Realm phase 1 (Victoria Street) and phase 3 (North Street) at a total estimated contract value within expected funding limits, upon completion of the evaluation process and subject to grant funding being secured. 2. That authority be delegated to the Cabinet Members for Resources and City Environment in consultation with the Director of Finance and Director of City Environment to approve the creation of any supplementary budgets for the two phases of the project. 3. That the progress with the design and delivery of the scheme be noted.
Options Considered	Significant work has already been undertaken to identify the most appropriate option and sequencing for delivery, which has been reported through Cabinet and Scrutiny and for which the Informal Member Reference Group has responsibility.
Reasons for Decision	The preferred option for delivery has already been agreed and is the subject of an external funding bid.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	5 August 2020

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Item 8	
Title	Renewal of the Public Space Protection Order - Drinking Restrictions
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the renewal of the Public Space Protection Order (PSPO) drinking restrictions be approved. 2. That the recommendations for a city-wide PSPO, subject to the mandatory six-week legal challenge period allowed, which includes the same proposals as the previous order. To extend prohibitions on public drinking within Park and St Peter’s wards (to include the city centre) be approved.
Options Considered	<p>Option One: The recommended proposal is for a continuation of the PSPO powers on a city-wide basis, with an outright drinking ban in St Peters and Park wards. This would allow the Police to require a person or persons to stop drinking and surrender their alcohol where ASB is occurring or likely to occur. The outright ban in St Peters and Park wards would allow police to require a person drinking to stop immediately regardless of any ASB being caused. Enabling swifter action to be taken by Police on the confiscation of alcohol where public drinking is occurring and for fixed penalty notices to be issued by Police or officers authorised by the Council where a breach of the PSPO has occurred.</p> <p>Option Two: To renew the city wide PSPO, without the requirement for an outright drinking ban in St Peters and Park Ward. This option would still allow Police and other agreed enforcement operatives to require a person or persons to stop drinking and surrender their alcohol where ASB is occurring or likely to occur and confiscate alcohol if deemed necessary but would not stop people from drinking at all in the highest call to service areas.</p> <p>Option Three: No renewal of the PSPO. The PSPO is an excellent deterrent and is a tool used frequently by the Police to protect the public. It would reduce the preventative measures available to us as a Local Authority and the local Police and would likely lead to an increase in street drinking, particularly around the night time economy. The PSPO provides reassurance to members of the public visiting the city and allows for swift police action to address issues.</p>

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Reasons for Decision	It would allow the Police to require a person or persons to stop drinking and surrender their alcohol where anti social behaviour (ASB) is occurring or likely to occur. The outright ban in St Peters and Park wards would allow Police to require a person drinking to stop immediately regardless of any ASB being caused. Enabling swifter action to be taken by Police on the confiscation of alcohol where public drinking is occurring and for fixed penalty notices to be issued by Police or officers authorised by the Council where a breach of the PSPO has occurred. The recommendation has been supported by the consultation results and is welcomed by West Midlands Police.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	5 August 2020

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Item 9	
Title	Amendments to All Age Travel Assistance Policy
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That a change section 8.8 of the All Age Travel Assistance Policy as detailed in section 3 of the report, to include exceptional circumstances and ensure there is not a 'blanket approach' towards charging for post 16 transport be approved. 2. That an amendment to the definition of 'low income families' in the All Age Travel Assistance Policy glossary as detailed in section 3 of the report, to ensure clarity that an individual or family is considered to be from a low income family if they are in receipt of free school meals as opposed to a list of 'qualifying benefits' be approved.
Options Considered	If amendments are not made to the All Age Travel Assistance Policy, depending on the outcome of the judicial review claim against Hampshire County Council this could leave the City of Wolverhampton Council at risk of legal challenge.
Reasons for Decision	The amendment to the Policy would clarify the glossary and allow for the Council's discretion to be exercised in relation to one part of the policy. If the Policy is not amended this leaves one aspect of the glossary confusing and does not allow for any discretion in one area of the policy which risks that aspect of the Policy being considered of "blanket" application without any scope for discretion which may be considered disproportionate in the circumstances.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	31 July 2020

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Item 10	
Title	External Funding Update Quarter Four 2020/2021
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That authority be delegated to the Cabinet Member for City Environment and the Cabinet Member for Resources, in consultation with the Director of City Environment and Director of Finance to: <ol style="list-style-type: none"> a. Approve acceptance of the grant funding agreements and the Council entering into such agreements if the Black Country Blue Network 2, Wolverhampton Investment Smart Energy and the Black Country Electric Vehicle and Charging Infrastructure Grant Scheme projects are successful at final bid stage. b. Create the necessary supplementary revenue budgets in line with the funding agreements if the projects referred to in recommendation 1 above are successful at final bid stage. c. Create the necessary supplementary capital budgets in line with the funding agreements if the projects referred to in recommendation 1 above are successful at final bid stage. d. Approve additional capital budget of £2.1 million funded through £1.1 million European Regional Development Fund (ERDF) grant and £976,000 Council capital match for the Black Country Blue Network 2 project. The Council capital budget will be fully funded through Section 106 agreements received. e. Approve reimbursement of ERDF grant to delivery partners who are awarded ERDF grant for Black Country Electric Vehicle and Charging Infrastructure Grant Scheme. f. Approve the payment of grants to businesses who are awarded ERDF grant for Black Country Electric Vehicle and Charging Infrastructure Grant Scheme.

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	<ol style="list-style-type: none"> 2. Approve acceptance of memorandum of understanding and creation of required supplementary budgets to deliver the Ministry of Housing, Communities and Local Government (MHCLG) English for Speakers of Other Languages (ESOL) Integration Project. 3. The submission of full bids for key schemes to meet our climate change commitment including environmental improvements through the Black Country Blue Network 2 project, energy efficiency improvements through the Wolverhampton Investment Smart Energy project and supporting the uptake of ultra low emission vehicles through the Black Country Electric Vehicle and Charging Infrastructure Grant Scheme be noted. 4. That the successful outcome of the ESOL for Integration Fund to deliver a series of community based to support English language practice and social integration in the city be noted. 5. That the virement of funding from the Corporate Capital Contingency to create a capital budget for Wolverhampton Investment Smart Energy, subject to business case approval be noted.
<p>Options Considered</p>	<p>No bid - projects would not proceed or would proceed at a lesser scale or over a longer timescale if external funding was not available.</p> <p>Bid - external funding enables the Council to deliver priority projects at a faster pace with greater impact with positive impact on regeneration activity and economic growth including gross value added (GVA) gain, learner assists.</p>
<p>Reasons for Decision</p>	<p>External funding enables priority projects to proceed, at a faster pace and with greater impact. External funders usually require the Council to enter into a Grant Funding Agreement outlining what the resource can be used for and rules and regulations relating to the funding source. There is a risk of clawback of grant if rules and regulations are not followed, therefore dedicated Project Managers are built into costings for larger external funded projects to minimise risk.</p>

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Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	5 August 2020

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Item 11	
Title	Schedule of Individual Executive Decision Notice
Status	Recommendation 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.
Options Considered	Not applicable in relation to the summary report.
Reasons for Decision	In accordance with the Council’s Constitution, a summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees must be reported to the next available meeting of the Cabinet (Resources) Panel.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	31 July 2020

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Item 12	
Title	Exclusion of press and public
Status	Recommendation Approved
Record of Decision	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 relating to the financial or business affairs of any particular person (including the authority holding that information).
Options Considered	Not applicable.
Reasons for Decision	Not applicable.
Record of Conflicts of Interest	Not applicable
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	Not applicable

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Item 13	
Title	Procurement – Award of Contracts for Works, Goods and Services
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the variation of contract for the Very Sheltered Housing Services Schemes (Verona Court) from 1 April 2020 to 31 March 2022 by increasing the contract value by £126,900 be approved. 2. That the contract extension for Printers with Xerox UK Ltd of Bridge House, Oxford Road, Uxbridge, Middlesex, UB8 1HS for a duration of 48 months from 1 November 2020 to 31 October 2024 with an estimated extension value of £262,400 be approved. 3. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive, to approve the award of a contract for Provision Cleaning Materials, Catering Disposables and Polythene Sacks when the evaluation process is complete. 4. That authority be delegated to the Head of Legal Services to execute the contracts in respect of the above as required. 5. That the exemption to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 May to 31 May 2020 as set out in Appendix 1 to the report be noted.
Options Considered	As detailed in the exempt report.
Reasons for Decision	As detailed in the exempt report.

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Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	5 August 2020

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Item 14	
Title	Civic Centre Occupation - Black Country and West Birmingham Clinical Commissioning Group Central Office
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the partial utilisation of the Civic Centre for third party occupation by the NHS Black Country and West Birmingham Clinical Commissioning Group (CCGs) Central Office on commercial terms be approved. 2. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive, to finalise the Heads of Terms, Rental Charges and occupation terms for the CCGs' occupation. 3. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive to authorise any changes in accommodation design due to the CCGs' occupation. 4. That it be noted that the occupation of the Civic Centre by selected third parties would enable business cases to be developed for the investment into the Civic Centre and other Council property assets.
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
Decision available for implementation (subject to call-in)	5 August 2020

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Item 15	
Title	District Heating - Funding for a Feasibility Study
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the undertaking of a feasibility study into a possible District Heating Scheme incorporating the waste heat from the Energy from Waste (EfW) plant be approved 2. That the acceptance of grant funding from the Department of Business Energy and Industrial Strategy (BEIS) via the Heat Network Delivery Unit (HNDU) and consequentially creation of a supplementary budget of £70,000 to fund the feasibility study be approved. 3. That the procurement of an appropriate consultant to deliver the required feasibility study in line with the requirements of the grant funding be approved and approval of the details of the appointment be delegated to the Cabinet Member for City Environment in consultation with the Director of City Environment.
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
Decision available for implementation (subject to call-in)	5 August 2020

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Item 16	
Title	Priority Capital Works for Schools
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That priority capital works at The King’s Church of England School be undertaken subject to the Department for Education formally agreeing to take responsibility for future capital work costs for further non-priority remedial work at the school. 2. That funding be approved so that the replacement of the kitchen roof at The King’s School as an urgent priority can be undertaken prior to the formal agreement referred to in recommendation 1, in order to minimise the risk of school closure on Health and Safety grounds in the Autumn Term 2020. 3. That the virement of capital from the existing School Expansion budgets to support the works detailed in the report be approved. 4. That approval of the details of a grant agreement and any necessary ancillary agreements with the Kings School and/or the Lichfield Diocesan Trust be delegated to the Cabinet Member for Education and Skills in consultation with the Director of Children’s Services. 5. That the updated cost of capital works at Penn Fields Special School that are required to provide a suitable environment for the school population be noted.
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
Decision available for implementation (subject to call-in)	5 August 2020