

CITY OF
WOLVERHAMPTON
C O U N C I L

Meeting of the Cabinet

Minutes - 17 February 2021

Attendance

Members of the Cabinet

Cllr Ian Brookfield (Chair)
Cllr Louise Miles (Vice-Chair)
Cllr Paula Brookfield
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Linda Leach
Cllr John Reynolds
Cllr Stephen Simkins
Cllr Jacqueline Sweetman

Employees

Tim Johnson	Chief Executive
Emma Bennett	Director of Children's and Adult Services
Ross Cook	Director of City Environment
John Denley	Director of Public Health
Richard Lawrence	Director of Regeneration
Claire Nye	Director of Finance
David Pattison	Director of Governance
Jaswinder Kaur	Democratic Services Manager
Dereck Francis	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were submitted on behalf of Councillor Jasbir Jaspal.

2 Declaration of interests

No declarations of interests were made.

3 Minutes of the previous meeting

Resolved:

That the minutes of the previous meeting held on 20 January 2021 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 **Capital Programme 2020-2021 to 2024-2025 Quarter Three Review and 2021-2022 to 2025-2026 Budget Strategy**

Councillor Louise Miles presented the report on revisions to the current approved capital programme covering the period 2020-2021 to 2025-2026 for approval and recommendation to Full Council. The report also provided an update on the financial performance of the General Revenue Account and Housing Revenue Account capital programmes as at quarter three of 2020-2021. The programmes were underpinned by the Council Plan with significant focus on working together to be a city of opportunity. There was a particular strategic commitment to children and young people, more good jobs and investment in the city, better homes for all, and the city's green agenda. This was now supported by the Council's Relighting Our City Strategy.

Resolved:

That Council be recommended to approve:

1. The revised City of Wolverhampton Council Capital Strategy.
2. The revised, medium term General Revenue account capital programme of £316.4 million, an increase of £1.6 million from the previously approved programme, and the change in associated resources.

That Cabinet approves:

1. The virements for the General Revenue Account capital programme detailed at Appendix 5 to the report for:
 - i. existing projects totalling £3.8 million;
 - ii. new projects totalling £971,000.
2. Continuation of both delegations to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve the allocation of:
 - i. The Corporate Contingency to individual projects in order that corporate priorities may be addressed in an agile and timely manner;
 - ii. The Transformation Development Efficiency Strategy to individual transformation projects in order to benefit from the capital receipts flexibility announced in the Autumn Statement 2015 and in line with the Medium Term Financial Strategy.
3. Delegated authority to the Cabinet Member for City Environment, in consultation with the Director of City Environment and Director of Finance, to approve the payments of grants related to the Black Country Blue Network Phase 2 programme where appropriate in order that projects can be progressed in a timely manner.

6 **Treasury Management Strategy 2021-2022**

Councillor Louise Miles presented the report on the Treasury Management Strategy 2021-2022 for approval and recommendation to Full Council. The Strategy set out various strategies the Council must comply with in the management of its borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

Resolved:

That Council be recommended to approve:

1. The authorised borrowing limit for 2021-2022 to support the capital strategy as required under Section 3(1) of the Local Government Act 2003 to be set at £1,166.2 million (PI3, Appendix 3 to the report); the forecast borrowing is below the authorised borrowing limit.
2. The Treasury Management Strategy Statement 2021-2022 as set out in Appendix 1 to the report.
3. The Annual Investment Strategy 2021-2022 as set out in Appendix 2 to the report.
4. The Prudential and Treasury Management Indicators as set out in Appendix 3 to the report.
5. The Annual Minimum Revenue Provision (MRP) Statement setting out the method used to calculate MRP for 2021-2022 as set out in Appendix 4 to the report.
6. The method used to calculate MRP for 2020-2021 as set out in the Annual MRP Statement approved by Council on 4 March 2020 be amended to the method as set out in Appendix 4 to the report.
7. The Treasury Management Policy Statement and Treasury Management Practices as set out in Appendix 6 to the report.
8. That authority continues to be delegated to the Director of Finance to amend the Treasury Management Policy and Practices and any corresponding changes required to the Treasury Management Strategy, the Prudential and Treasury Management Indicators, the Investment Strategy and the Annual MRP Statement to ensure they remain aligned. Any amendments would be reported to the Cabinet Member for Resources and Cabinet (Resources) Panel as appropriate.
9. That authority continues to be delegated to the Director of Finance to lower the minimum sovereign rating in the Annual Investment Strategy, in the event of the UK's credit rating being downgraded by the third credit rating agency, due to the unprecedented impact of Covid-19 on the economy.

The Cabinet approves:

1. That authority is delegated to the Cabinet Member for Resources in consultation with the Director of Finance to progress feasibility and investment propositions in a timely manner. Updates on any propositions would be provided to Cabinet or Cabinet (Resources) Panel in future reports.

The Cabinet recommends that Council be asked to note:

1. That the MRP charge for the financial year 2021-2022 would be £18.2 million; it is forecast to increase to £25.5 million in 2022-2023 (paragraph 2.14 of the report).

2. That Cabinet or Cabinet (Resources) Panel and Council would receive regular Treasury Management reports during 2021-2022 on performance against the key targets and Prudential and Treasury Management Indicators in the Treasury Management Strategy and Investment Strategy as set out in paragraph 2.12 and Appendices 2 and 3 to the report.

7 **2021-2022 Budget and Medium Term Financial Strategy 2021-2022 to 2023-2024**

Councillor Louise Miles presented the highlights from the report on a balanced budget for 2021-2022 aligned to the Council Plan priorities and an update on the Medium Term Financial Strategy 2021-2022 to 2023-2024 for recommendation to Full Council. The report also provided an update on the projected financial implications of the Covid-19 pandemic and the core principles and next steps that would be taken in order to address the financial pressures faced by the Council over the medium term.

Cabinet extended thanks to Councillor Miles and the Finance Team for their stewardship of the Council's finances and pulling together the balance budget.

Resolved:

That Council be recommended to approve:

1. The net budget requirement for 2021-2022 of £258.5 million for General Fund services (paragraph 10.1).
2. The Medium Term Financial Strategy (MTFS) 2021-2022 to 2023-2024 as detailed in Table 4 and the budget preparation parameters underpinning the MTFS as detailed in Appendix 2 to the report.
3. A Council Tax for Council services in 2021-2022 of £1,765.49 for a Band D property, being an increase of 4.99% on 2020-2021 levels, which incorporates the 3% increase in relation to Adult Social Care, in line with Government expectations. (paragraph 8.4, Table 1).
4. That work starts on developing budget reductions and income generation proposals for 2022-2023 onwards in line with the Five Year Financial Strategy (paragraph 10.5).
5. Revisions to the local council tax support scheme (paragraph 8.7).

That Cabinet approves:

1. The updated assumptions used in the Budget 2021-2022 and the MTFS 2021-2022 to 2023-2024 as detailed in sections 7 and Appendix 1 to the report.
2. That authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve the calculation and allocation of growth in the central share of business rates for 2021-2022 and future years to be passported to the West Midlands Combined Authority (WMCA) (Appendix 1, paragraph 1.29).
3. That authority be delegated to the Cabinet Member for Resources and Cabinet Member for Education and Skills, in consultation with Director of Finance and Director of Children's and Adult Services, to approve changes to the local funding formula for Schools including method, principles and rules adopted (paragraph 12.4).

4. That authority continues to be delegated to the Cabinet Member for Resources in consultation with the Director of Finance to consider further opportunities to accelerate pension contribution payments to secure additional budget reductions (Appendix 1 paragraph 1.5).
5. That the external provider of Risk Based Verification (RBV) is no longer beneficial to the service and that the Council ceases to operate the external RBV system from 31 March 2021, using an in-house RBV approach to the verification of new Housing Benefit and Council Tax Support claims (paragraph 8.10).

That Cabinet notes:

1. That the budget for 2021-2022 is in balance without the use of general reserves (paragraph 10.1).
2. That, in the opinion of the Director of Finance (Section 151 Officer), the 2021-2022 budget estimates are robust (paragraph 10.1).
3. That, in the opinion of the Director of Finance (Section 151 Officer), the proposed levels of reserves, provisions and balances is adequate in respect of the forthcoming financial year (paragraph 11.4).
4. That a further £25.4 million needs to be identified for 2022-2023 rising to £29.6 million over the medium term to 2023-2024 in order to address the projected budget deficit (paragraph 10.5).
5. That, due to external factors, in particular the impact of Covid 19, budget assumptions remain subject to significant change, which could therefore result in alterations to the financial position facing the Council (paragraph 7.5).
6. That, there continues to be a considerable amount of uncertainty with regards to future funding streams for local authorities over the forthcoming multi-year Spending Review period. At the point that further information is known it will 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 (paragraph 7.20).
7. That, the overall level of risk associated with the 2021-2022 Budget and Medium Term Financial Strategy 2021-2022 to 2023-2024 is assessed as Red (paragraph 9.1).
8. That Councillors must have due regard to the public sector equality duty (Section 149 of the Equality Act 2010) when making budget decisions (paragraph 17.7).

had been the main priority for the year. She also reported that it was planned to produce an easy read version of The Local Account, and a video highlighting the main points with sign language interpreters and subtitles.

Councillor Ian Brookfield welcomed The Local Account and reported that he looked forward to receiving next year's report highlighting some of the things Adult Social Care we were unable to deliver this year because of the pandemic, and with a focus on the real life experiences of people who deliver and access adult care services during 2020-2021.

Resolved:

1. That the Adult Social Care Local Account for 2019-2020 be approved for publication.
2. That the comments of the Adult and Safer City Scrutiny Panel on the Adult Social Care Annual Report: The Local Account 2019-2020 (Appendix 1) be noted.
3. That the proposed priorities for 2020-2021 be noted.

9 Determined Admission Arrangements for Community and Voluntary Controlled Schools 2022-2023

Councillor Dr Michael Hardacre presented for approval the schemes for co-ordinated school admission arrangements for secondary and primary schools and the admission arrangements for community and voluntary controlled schools for 2022-2023. No changes were proposed to the previous year's admission arrangements.

Resolved:

1. That the Co-ordinated Admission Schemes for secondary and primary school admissions at the normal year of entry for 2022-2023 be approved and that the Secretary of State be notified by 28 February 2021.
2. That the proposed admission arrangements for community and voluntary controlled schools for 2022-2023 be approved.

10 Revision to Private Sector Housing Assistance Policy

Councillor Jacqueline Sweetman presented the report on proposals to amend the Private Sector Housing Assistance Policy to give the Council more flexibility to support a greater number of vulnerable and disabled residents with improvements and adaptations to their homes to enable them to live safely and independently in their own homes. The proposal would also have the effect of preventing wider demand on hospital, council and residential/community care services.

Resolved:

1. That the revised Wolverhampton Private Sector Housing Assistance Policy be approved effective from 1 April 2021.
2. That it be noted that the Private Sector Housing Assistance Policy continues to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Director for City Environment to approve discretionary awarding of grants outside the policy in exceptional circumstances via an Individual Executive Decision Notice.

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 remaining 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).

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 reports 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.

12 **Outcome of the Procurement Process to Appoint an External Operator for the Civic Halls**

Councillor Stephen Simkins presented the report on the outcome of the procurement process to appoint an external operator for the Civic Halls.

Resolved:

1. That a preferred operator for the Civic Halls, based on the outcome of the procurement process be approved.
2. That a reserve operator for the Civic Halls, based on the outcome of the procurement process be approved.
3. That authority be delegated to the Cabinet Member for City Economy and Cabinet Member for Resources, in consultation with the Director of Regeneration and the Director of Finance, to approve the details of an agreement for lease and lease together with any ancillary agreements between the Council and the operator.

13 **Future High Streets Fund - Funding Award Update**

Councillor Steve Evans presented the update report on the Future High Streets Fund (FHSF) award. The Government had made an in principle offer to the Council of £15.76 million, announced on 26 December 2021. This represented 69% of the Council's ask from the FHSF. The report set out a revised City Centre West FHSF programme based on the in principle offer. Councillor Evans placed on records his thanks to the Council's officers for their hard work in putting together a revised City Centre West FHSF programme within a tight time scale.

Councillor Stephen Simkins added that the in principle award presented a key opportunity to secure investment to support the delivery of Council priorities for City Centre West.

Resolved:

1. That the key projects that would form part of the revised City Centre West Future High Streets Fund Programme, to reflect the Government's "in principle" funding offer be noted.

2. That the additional £5,000 supplementary revenue budget to be funded by grant be approved.
- 3 That authority be delegated to the Cabinet Members for Resources, City Environment and City Economy in consultation with Directors of Finance, City Environment and Regeneration to approve the submission to the Future High Street Fund by 26th February 2021 confirming the Council's intention to request the full £15,760,196 provisionally allocated to the Council by the Fund.
4. That authority be delegated to the Cabinet Members for Resources, City Environment and City Economy in consultation with the Directors of Finance, City Environment and Regeneration to approve the creation of specific project budgets, including the required supplementary capital budgets funded by the grant.
5. That the business case for the Bell Street scheme which includes Box Park and Cleveland Street car park at Appendix 1 to the report be approved.
6. That the Council's success in securing an "in principle" funding offer of £15.76 million from the Future High Streets Fund bid and the Council's intent to accept the grant award in line with the delegation approved by Cabinet on 11 November 2020 be noted.
7. That the following proposed governance arrangements that would be established to cover the implementation of projects under the Future High Streets Fund programme. (i) a Future High Streets Steering Group to oversee the delivery of the key projects that would form part of the Future High Streets Fund programme, (ii) an internal officer team for each Future High Streets Fund project be noted.
8. That the approval of the virement of £600,000 from Corporate Contingency to the Future High Street Capital programme in the Capital Programme 2020-2021 to 2024-2025 Quarter Three Review and 2021-2022 to 2025-2026 Budget Strategy report also on today's agenda; in order to meet the revised co-funding requirements, as detailed in the report be noted.

14

Bilston Business Improvement District (BID)

The intention to make a key decision on the report 'Bilston Business Improvement District (BID)' at the meeting was not publicised 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 reason:

- The ballot for the Bilston Business Improvement District (BID) had already been postponed once from September 2020 because of the Covid-19 pandemic and there was uncertainty whether the ballot would be further delayed, although it was now confirmed that all BID ballots affected should be completed by the end of March 2021. The timing of this confirmation did not allow for the required notice to be given and meant that the decisions could not be further delayed.

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 Stephen Simkins presented the report seeking approval for the Council's supports to the continuation of the BID for Bilston. A BID was a business led initiative in a defined area, in this instance Bilston Town Centre, where businesses decide what additional improvements they want to deliver in their trading area. Businesses in the area agree on the level of funding required to deliver the projects and services that are additional to those being provided by the local authority and to fund them through a levy.

Resolved:

1. That the Council's vote be exercised in support of the proposed BID Ballot in respect of the hereditaments in the Council's ownership within the BID area and authority be delegated to the Director of Regeneration to complete and return the voting papers on behalf of the Council.
2. That the Cabinet Member for City Economy be authorised to sit as the Council Board member on the BID Board, should the BID Ballot be successful for another five years.
3. That authority be delegated to the Cabinet Member for City Economy, in consultation with the Director of Regeneration and the Director of Finance, to:
 - a. formally approve the BID Business Plan and associated documents.
 - b. Charge the BID company annual administration and software support charges for the collection of the BID levy which is estimated to be in the region of £1250. In addition, there would also be an implementation (one-off) cost of £5,000 in year one. These costs are for the first year, with the option to review on an annual basis for the duration of the BID (five years) and to cover the Council's costs associated with collection of the BID levy.
 - c. Delegate authority to the Cabinet Member for City Economy, in consultation with Chief Legal Officer, to negotiate, agree and complete the necessary legal agreements required for the proposed BID renewal and any other agreements to give effect to the recommendations above.
4. The Bilston Business Improvement District Business Plan and boundary be noted.
5. That it be noted that formal notice for the Ballot had been received therefore the Returning Officer had been instructed to organise the BID ballot in accordance with the Business Improvement District Regulations (2004).