

Attendance

Members of the Cabinet (Resources) Panel

Cllr Ian Brookfield (Vice-Chair)
Cllr Paula Brookfield
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Jasbir Jaspal
Cllr Linda Leach
Cllr John Reynolds

Employees

Tim Johnson	Chief Executive
Mark Taylor	Deputy Chief Executive
Emma Bennett	Director of Children and Adult Services
Ross Cook	Director of City Environment
Charlotte Johns	Director of Strategy
Richard Lawrence	Director of Regeneration
Claire Nye	Director of Finance
David Pattison	Director of Governance
Laura Phillips	Deputy Director of People and Change
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 Councillors Louise Miles, Stephen Simkins and Jacqueline Sweetman.
- 2 Declarations of interest**
No declarations of interests were made.
- 3 Minutes of the previous meeting**
Resolved:
That the minutes of the previous meeting held on 7 October 2020 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 **Council Tax Support Scheme**

Councillor Ian Brookfield presented the report on a proposal to revise the local Council Tax Support Scheme, subject to consultation with the West Midlands Combined Authority and the Fire and Police precepting bodies. Although the scheme was discretionary, it was something the Council had continued to provide for over the years. The proposed changes would allow claimants who are living in temporary accommodation, where the Council had made the accommodation available to the renter, to have an award of council tax support from the start of their accommodation regardless of the date of application. It was also proposed to bring forward the date a council tax support claim is paid, to Universal Credit claimants, to the date of their Universal claim. These changes would provide benefits to the claimants and reduce the administrative demands on the Council.

Resolved:

That the proposals to revise the Council Tax Support Scheme for 2021-2022 as outlined in the report, be approved subject to consultation with the West Midlands Combined Authority and the Fire and Police precepting bodies.

6 **Administration of the Black Country Community Discharge Grant**

Councillor Linda Leach presented the report on a proposal for the Council to accept the role of accountable body for the Community Discharge Grant on behalf of the Black Country Transforming Care Partnership (TCP). The Partnership worked together to find local and regional alternatives to psychiatric hospitals by supporting people locally with the right health and wrap around social care support. The grant could be used for training, supporting services to avoid adults with learning disability from admission to hospital or to support their timely discharge from hospital. While the grant was for use across the Black Country region young people and adults in Wolverhampton would also benefit. Taking the lead in administering the grant demonstrated the Council's continued ambition and commitment to supporting adults with a learning disability in quality and local services.

Resolved:

1. That City of Wolverhampton Council accepts, holds and distributes the Community Discharge Grant awarded by the Secretary of State for Health and Social Care, on behalf of the Black Country region which includes the administrative areas of Dudley, Sandwell, Walsall and Wolverhampton Transforming Care Partnership.
2. That the Council accepts the role of accountable body to the Secretary of State for Health and Social Care for the grant.
3. That the Council enter into such legal agreements as necessary to receive the grant as lead authority on behalf of the Black Country Transforming Care Partnership and any further grant payments in 2021-22 and 2022-23.
4. That the Council sign the Memorandum of Understanding (MOU) with the Secretary of State for Health and Social Care to accept the grant of £657,414 for the Black Country Region.
5. That the creation of a supplementary revenue budget in accordance with the MOU document, fully funded by the grant be approved.

6. That it be noted that City of Wolverhampton Council would not be responsible for decisions regarding the approval of grant applications and monitoring of the use of the grant, this would remain the role of the Black Country Transforming Care Partnership Board, of which we are a key partner.

7 **Land at Tremont Street**

Councillor John Reynolds presented the report on a proposal for the asset known as land at Tremont Street to be appropriated from the General Fund to the Housing Revenue Account for housing development. The appropriation would provide a viable robust and sustainable solution to ensure that the asset is efficiently utilised and would provide development of 66 new build apartments for council housing use.

Resolved:

That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Deputy Chief Executive to approve the appropriation of the Land at Tremont Street from the General Fund to the Housing Revenue Account for housing development.

8 **Leasing of Land at Well Lane - Memorial Statue**

Councillor John Reynolds presented the report on the proposed lease of land located at Well Lane, Wednesfield to the Guru Nanak Sikh Gurdwara, Well Lane for the siting of a memorial statue and plaque. It would represent a tribute to the 36th Sikh Regiment and the 21 soldiers who lost their lives in the battle of Saragarhi. The Gurdwara had agreed to look after the statue and the piece of land around it.

Resolved:

1. That the transfer of land at Well Lane, Wednesfield to the Guru Nanak Sikh Gurdwara, Well Lane for the purpose of siting a memorial statue on a 99-year peppercorn lease, subject to 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 approve the terms of the lease.

9 **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.

10 **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 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.

11 **Procurement - Award of Contracts for Works, Goods and Services**

Councillor Ian Brookfield presented for approval the report on the award of contracts for works, goods and services.

Councillor John Reynolds noted that value of the Window Cleaning contract was relatively small, and the social value element of the contract was also small. He reported whilst it could not be guaranteed, it would be appropriate to consider a small local company that represents the local community, to deliver the window cleaning service rather than it being awarded to one of the big companies.

Resolved:

1. 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 Window Cleaning when the evaluation process is complete.
2. That the exemption to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 to 30 September 2020 as set out in Appendix 1 to the report be noted.

12 **Renewal of Black Country Car Cruising Injunction (2021)**

The intention to make a key decision on the report 'Renewal of Black Country Car Cruising Injunction (2021)' 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 reasons:

1. A decision to consider whether the proposed renewal of the Black Country Car Cruising Injunction (and proposed variation) is in the interests of the City of Wolverhampton and the decision whether to authorise the Cabinet Member for Governance and Director of Governance to authorise the issue of proceedings for renewal and variation of the Injunction thereafter, must be made on 11 November 2020. Thus, if a decision is made to pursue an application to renew (and variation) of the Injunction, the Director and Councillor's authorisation for issuing proceedings needs to be given by the end of November 2020.
2. The Black Country Car Cruising Injunction expired at 23:59 on 31 January 2021. Any application to Court must be issued by no later than early December 2020. Issuing proceedings after this date risks the Court being unable to list a hearing prior to 31 January 2021 due to the inevitable disruption of the Christmas period and the pressure on the Courts owing to the

backlog of cases resulting from the Covid-19 pandemic. There is a risk, therefore, that if a decision is made that renewal (and variation) of the injunction is in the Council's interest and such application not issued by early December 2020, the Council and its Black Country Partners (Dudley, Sandwell and Walsall Councils) would lose the protection of the Black Country Car Cruising Injunction due to the expiry of said Injunction. At the time of writing, control of this is in the Council's gift.

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 Paul Brookfield presented the report on the proposal to make an application to renew the Black Country Car Cruising Injunction with a variation to include spectators at a car cruise, for a further three years until 31 January 2024. Since its introduction in 2015 the injunction had been very successful in tackling the problems of car cruising, significantly improving road safety, the lives of residents and improved the prospects of businesses in former hotspot areas as a consequence. If granted, the renewal and variation to the injunction would mean that it was consistent with both Birmingham City Council's and Solihull Metropolitan Borough Council's anti-car cruising injunction. It would make enforcement of the injunctions across the West Midlands region easier for the West Midlands Police to administer.

Resolved:

1. That it be approved that an application to the High Court inviting the Court to renew the Black Country Car Cruising Injunction (granted 1 December 2014, effective from 2 February 2015 and expired 1 February 2018; renewed 9 January 2018 until 1 February 2021) for a further three years until 23:59 hours on 31 January 2024 is in the interests of the City of Wolverhampton Council area.
2. That the making of an application to the High Court inviting the Court to vary the terms of said injunction such that a prohibition be included the effect of which would be that those actively spectating at a car cruise event are deemed to be participating in a car cruise and thus in breach of the injunction be approved. This would bring the Black Country Car Cruising Injunction in line with the car cruising injunctions covering the Birmingham and Solihull areas.
3. That authority be delegated to the Cabinet Member for Governance in consultation with the Director of Governance to execute Individual Executive Decision Notices to the effect that:
 - a. The City of Wolverhampton Council ("the Council") enters an agreement pursuant to sections 101 and 111 of the Local Government Act 1972 with the Borough Councils of Dudley, Sandwell and Walsall, for the Council to lead a project and conduct litigation with the aim of inviting the High Court to extend the injunction for a further three years from its expiry (i.e. until 23:59 hours on 31 January 2021); and for each of Dudley, Sandwell and Walsall to repay the Council one quarter of the Council's legal costs and disbursements in making such application to the Court; and

- b. When the Director of Governance and the Cabinet Member for Governance are satisfied as to the quality and cogency of the evidence in support of the intended application, the Council's Legal Services Department be authorised to issue an application to Court inviting the Court to vary (extend) the injunction for a further three years from its expiry.
4. That it be noted that an application to Court every three years inviting the Court to extend the injunction for a further three years or inviting the Court to grant the injunction in perpetuity is not feasible. Therefore, on a medium term/long-term basis, as car cruising is a national issue, the Council would explore the option of leading a project in cooperation with the West Midlands Combined Authority, West Midlands Police Force to lobby Parliament to address the nuisance of car cruising through legislation. Separate papers would be received in due course in this regard.