

City of Wolverhampton Council – Decisions taken by the Cabinet (Resources) Panel on Wednesday, 17 March 2021

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| Item 5 | |
| Title | Revenue Budget Monitoring Quarter Three 2020-2021 |
| Status | Recommendations Approved |
| Record of Decision | <ol style="list-style-type: none"> 1. That the use of £65,000 from the Regeneration Reserve to develop a business case for a hotel, including delivery and funding options, financial performance and disposal advice as detailed in paragraph 6.4 of the report be approved. 2. That the contribution of £75,000 to the Regeneration Reserve for use on the development of the British Steel site in future years as detailed in paragraph 6.5 of the report be approved. 3. That the use of £113,000 from the Efficiency Reserve to fund resources including a Manager, a Business Analyst and Developer to work on the Councillor Enquiries project as detailed at paragraph 6.6 of the report be approved. 4. That the change of name of the 2020-2021 Budget Strategy Reserve to Future Years Budget Strategy Reserve to enable this reserve to hold funds to support the Budget Strategy in accordance with the approved medium-term financial strategy (MTFS) as detailed at paragraph 6.7 of the report be approved. 5. That the establishment of supplementary expenditure budgets within the 2020-2021 approved budget as detailed in section 7.0 of the report for grant funded expenditure be approved. 6. That authority be delegated to the Cabinet Member for Education and Skills, and the Cabinet Member for Children and Young People, in consultation with the Director of Children's Services to make payments in line with Government guidance and approve any necessary virements under the Winter Grants Scheme and Holiday Activities Programme. 7. That 20 virements totalling £5.8 million, for transfers within directorates, as detailed in Appendix 4 to the report be approved. |

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8. That the write-off of two Non-Domestic Rates (NDR) debts totalling £23,696.34 as detailed in Appendix 5 to the report be approved.
9. That the write-off of one Council Tax debt totalling £5,222.08 as detailed in Appendix 6 to the report be approved.
10. That the write-off of one Housing debt totalling £6,105.80 as detailed in Appendix 7 to the report be approved.
11. That it be noted that the Council has once again managed its money well and delivered within budget. Overall, the General Fund projected outturn for 2020-2021 is currently forecast as a relatively small underspend of £507,000 (excluding the impact of Covid-19).
12. That it be noted that it is anticipated that corporately held redundancy costs during 2020-2021 could be in the region of £1.5 million which can be met from efficiencies.
13. That it be noted that a £10.1 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 £720,000 would reduce redemption of debt by £720,000.
14. That it be noted that 34 sundry debt accounts totalling £6,278.52, as detailed in paragraph 10.3 of 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 981 council tax accounts totalling £346,464.49, as detailed in paragraph 10.5 of the report, 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 27 Non-Domestic Rates (NDR) debts totalling £130,452.02, as detailed in paragraph 10.6 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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| | <p>17. That it be noted that eight housing benefit overpayments totalling £4,490.76 as detailed in paragraph 10.10 of the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.</p> <p>18. That it be noted that two debts relating to Business Improvement District (BID) totalling £746.69, as detailed in paragraph 10.7 of the report, have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.</p> |
| Options Considered | The write-offs, virements and use of reserve requests requiring the approval of Cabinet (Resources) Panel 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 (Resources) Panel. Contribution to and from reserves also requires the approval from Cabinet (Resources) Panel. The write-offs, virements and use of reserve requests detailed in this report which seek the approval of Cabinet (Resources) Panel 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) | 18 March 2021 |

City of Wolverhampton Council – Decisions taken by the Cabinet (Resources) Panel on Wednesday, 17 March 2021

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| Item 6 | |
| Title | Treasury Management Activity Monitoring Quarter Three 2020-2021 |
| Status | Recommendations Approved |
| Record of Decision | <ol style="list-style-type: none"> 1. That it be noted that the Council is continuing to operate within the Prudential and Treasury Management Indicators approved by Council, and also within the requirements set out in the Council's approved Treasury Management Strategy for 2020-2021. 2. That it be noted that revenue underspends of £2.4 million for the General Revenue Account and £800,000 for the Housing Revenue Account (HRA) are forecast from treasury management activities in 2020-2021, arising as a result of re-phasing of the capital programme and lower interest rates forecast on borrowing due to the impact on the economy of Covid-19. 3. That it be noted that two of the three credit rating agencies have downgraded the UK's credit rating. If the remaining credit rating agency follows suit the Director of Finance would lower the minimum sovereign rating in the Annual Investment Strategy in line with the delegated authority approved by Council on 17 July 2020. |
| Options Considered | As this is a monitoring report of treasury management activities undertaken in line with the approved Treasury Management Strategy for 2020-2021, there are no alternative options available. |
| Reasons for Decision | The report provides an update on treasury management activities undertaken in line with the approved Treasury Management Strategy for 2020-2021. |

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| Record of Conflicts of Interest | <table border="1"> <thead> <tr> <th>Councillor/Officer</th> <th>Interest</th> <th>Reason</th> </tr> </thead> <tbody> <tr> <td>Councillor Louise Miles</td> <td>Non-pecuniary</td> <td>WV Living Shareholder Board member</td> </tr> <tr> <td>Councillor Jacqueline Sweetman</td> <td>Non-pecuniary</td> <td>WV Living Shareholder Board member</td> </tr> <tr> <td>Mark Taylor, Deputy Chief Executive</td> <td>Non-pecuniary</td> <td>Director of WV Living</td> </tr> <tr> <td>Ross Cook, Director of City Environment</td> <td>Non-pecuniary</td> <td>Director of WV Living</td> </tr> </tbody> </table> | | | Councillor/Officer | Interest | Reason | Councillor Louise Miles | Non-pecuniary | WV Living Shareholder Board member | Councillor Jacqueline Sweetman | Non-pecuniary | WV Living Shareholder Board member | Mark Taylor, Deputy Chief Executive | Non-pecuniary | Director of WV Living | Ross Cook, Director of City Environment | Non-pecuniary | Director of WV Living |
|---|--|-----------------------|------------------------------------|---------------------------|-----------------|---------------|-------------------------|---------------|------------------------------------|--------------------------------|---------------|------------------------------------|-------------------------------------|---------------|-----------------------|---|---------------|-----------------------|
| | Councillor/Officer | Interest | Reason | | | | | | | | | | | | | | | |
| | Councillor Louise Miles | Non-pecuniary | WV Living Shareholder Board member | | | | | | | | | | | | | | | |
| | Councillor Jacqueline Sweetman | Non-pecuniary | WV Living Shareholder Board member | | | | | | | | | | | | | | | |
| | Mark Taylor, Deputy Chief Executive | Non-pecuniary | Director of WV Living | | | | | | | | | | | | | | | |
| Ross Cook, Director of City Environment | Non-pecuniary | Director of WV Living | | | | | | | | | | | | | | | | |
| Dispensation Granted | Not applicable | | | | | | | | | | | | | | | | | |
| Decision available for implementation (subject to call-in) | 18 March 2021 | | | | | | | | | | | | | | | | | |

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| Item 7 | |
| Title | HR Policies: Support for Carers Policy |
| Status | Recommendation Approved |
| Record of Decision | That the revised Support for Carers Policy be approved for use by the Council's managers and employees. |
| Options Considered | An option would be to make no change to the existing policy. This could result in lack of support provisions for employees who need to take time off to support dependents. It could also result in grievance/complaints being submitted as a result of the Council not providing employees with up to date, valid information on their rights associated with maternity, paternity, adoption, fostering, supporting dependants and parental bereavement leave. |
| Reasons for Decision | <p>Approval of the revised policy will help ensure:</p> <ul style="list-style-type: none"> • Employees are supported to care for their dependants and have information available to them enabling them to make informed decisions. • Managers have up to date and relevant information, to support their employees and undertake risk assessments associated with employees taking maternity leave. • Employees and managers understand their obligations before taking time off to support people they care for and dependents. • Employees understand how much time they can take off, how to report this. • Employees being able to report the leave using the Agresso solution and removing the need for them to notify their manager, payroll and HR separately of maternity leave. • Managers understand the legislation associated with maternity, paternity, shared parental leave, parental bereavement leave, time off to support carers and anti-natal and post-natal care. • Grievances/complaints are not received due to the current support for carers policy being outdated and therefore not valid. |

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| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 23 March 2021 |

City of Wolverhampton Council – Decisions taken by the Cabinet (Resources) Panel on Wednesday, 17 March 2021

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| Item 8 | |
| Title | Supporting people who need us most by providing 500,000 meals to our City's food banks |
| Status | Recommendation Approved |
| Record of Decision | That the allocation of £450,000 to deliver a further 500,000 meals to our most hard-pressed families in the City, as part of a wider package of support to our food banks to support people who need us most be approved. |
| Options Considered | Not applicable. |
| Reasons for Decision | To continue to support those who need us most in our city during the pandemic. |
| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 23 March 2021 |

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| Item 9 | |
| Title | Adult Education Contract Review |
| Status | Recommendations Approved |
| Record of Decision | <ol style="list-style-type: none"> 1. That the revised teaching contract and associated terms and conditions for Adult Education Wolverhampton (AEW) teaching employees be approved. 2. That it be noted that the new teaching contract does not apply to senior managers or business-related roles within the service who would consistently receive NJC contracts of employment to reflect the nature of their duties. 3. That it be noted that a Memorandum of Understanding has been developed with the University and College Union (UCU) to regularise future working arrangements. |
| Options Considered | <p>Option one would be to make no change to the existing contract and associated terms and conditions. This would result in continued recruitment and retention issues for the service and an outdated contract for employees.</p> <p>Option two would be to update the contract to meet current legal and service needs retaining the current pay model. This would result in continued recruitment and retention issues.</p> <p>Option three would be to move to an NJC contract for teaching employees. This was discounted following legal advice.</p> |
| Reasons for Decision | The proposals provide a contract that is fit for purpose. It meets current legal requirements whilst also facilitating high quality service delivery. The accompanying pay model will ensure that AEW can recruit and retain excellent teaching employees within a competitive market. The risk in not taking the decision will be that the service is unable to recruit teaching employees to provide the learning support that residents need. |

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| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 23 March 2021 |

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| Item 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Title | Care and Support Provider Fee Review 2021-2022 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Status | Recommendations Approved | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Record of Decision | <p>1. That the proposed increase in fee levels for 2021-2022 as recommended in the report to meet the additional costs (employee and employer) resulting from the increases to the National Living Wage (NLW) and where applicable increases to sustain the care market be approved.</p> <table border="1"> <thead> <tr> <th>Type of provision</th> <th>Recommendation</th> <th>% Increase</th> <th>Current £</th> <th>Proposed £</th> </tr> </thead> <tbody> <tr> <td>Home Care</td> <td>Increase fee levels to meet the additional costs (employee and employer) resulting from the increases to the National Living Wage. *</td> <td>1.8</td> <td>15.56 (hourly rate)</td> <td>15.84 (hourly rate)</td> </tr> <tr> <td>Home Care – reablement / homefirst and rapid response</td> <td>These rates are set at 10% above the home care rate.</td> <td>1.9</td> <td>17.12 (hourly rate)</td> <td>17.44 (hourly rate)</td> </tr> <tr> <td>Home Based Respite</td> <td>Home base respite is aligned to the supported living rate. *</td> <td>1.9</td> <td>14.84 (hourly rate)</td> <td>15.12 (hourly rate)</td> </tr> <tr> <td>Direct</td> <td>Direct payment</td> <td>1.9</td> <td>14.84</td> <td>15.12</td> </tr> </tbody> </table> | | | | Type of provision | Recommendation | % Increase | Current £ | Proposed £ | Home Care | Increase fee levels to meet the additional costs (employee and employer) resulting from the increases to the National Living Wage. * | 1.8 | 15.56 (hourly rate) | 15.84 (hourly rate) | Home Care – reablement / homefirst and rapid response | These rates are set at 10% above the home care rate. | 1.9 | 17.12 (hourly rate) | 17.44 (hourly rate) | Home Based Respite | Home base respite is aligned to the supported living rate. * | 1.9 | 14.84 (hourly rate) | 15.12 (hourly rate) | Direct | Direct payment | 1.9 | 14.84 | 15.12 |
| Type of provision | Recommendation | % Increase | Current £ | Proposed £ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Care | Increase fee levels to meet the additional costs (employee and employer) resulting from the increases to the National Living Wage. * | 1.8 | 15.56 (hourly rate) | 15.84 (hourly rate) | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Care – reablement / homefirst and rapid response | These rates are set at 10% above the home care rate. | 1.9 | 17.12 (hourly rate) | 17.44 (hourly rate) | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Based Respite | Home base respite is aligned to the supported living rate. * | 1.9 | 14.84 (hourly rate) | 15.12 (hourly rate) | | | | | | | | | | | | | | | | | | | | | | | | | |
| Direct | Direct payment | 1.9 | 14.84 | 15.12 | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | | Payments Agency Rate | agency rate is aligned to the supported living | | (hourly rate) | (hourly rate) | |
| | | Direct Payments for Personal Assistants | No increase | 0 | 10.76 (hourly rate) | 10.76 (hourly rate) | |
| | | Residential and Nursing Care for Older People | Increase agreements with a current rate of less than £468.65 to £468.65 to meet NLW increases, on costs and to maintain market sufficiency (any above this amount will receive a payment to meet NLW increase with on costs). | 3 | 455.00 (weekly rate) | 468.65 (weekly rate) | |
| | | Residential and Nursing care for Older People with dementia support needs | Increase agreements with a current rate of less than £503.86 to £503.86 to meet NLW increases, on costs and to maintain market sufficiency (any above this amount will receive a | 3 | 489.16 (weekly rate) | 503.86 (weekly rate) | |

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| | | | payment to meet NLW increase with on costs). | | | | |
| | | Extra Care | Increase each contract to reflect NLW, on costs and to ensure market sufficiency | 3 | N/A part of block contract | Increase to all contracts | |
| | | Supported Living | Increase fee levels to meet the additional costs (employee and employer cost) resulting from the increases to the National Living Wage. * | 1.9 | 14.84 (hourly rate) | 15.12 (hourly rate) | |
| | | Nursing and Residential for | Increase fees of placements to meet | 2 | N/A no locally | Increase to all contract | |

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| | people under 65 years old | NLW increases | | agreed rate in place | totals | |
| | Community Activities for Older People | Increase based on supporting market sufficiency | 10 | 25.36 sessional rate | 27.90 sessional rate | |
| | Community Opportunities for Adults with Complex Needs | Ensure that the rate is consistent with the supported living rate and proportionate to 1:1 1:2 1:3 staffing ratios | 1.9 | 14.84 per hour for 1:1 staffing 7.42 per hour for 1:2 staffing 4.94 per hour for 1:3 staffing | 15.12 per hour for 1:1 staffing 7.56 per hour for 1:2 staffing 5.04 per hour for 1:3 staffing | * except where the provider tendered below the current rate, in this case it will be uplifted proportionately. To |
| | note due to current IT payment systems – rates for care homes need to be divisible by 7 and for hourly rates by 4. | | | | | |
| | 2. That any increase in fees are in effect from 5 April 2021. (This date is aligned to charging processes and the capability of the payment system). | | | | | |
| | 3. That it be noted that engagement has been undertaken with current care and support providers as part of the fee review to listen to feedback, however due to current financial | | | | | |

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| | <p>restraints the recommendations are not solely based on provider requests.</p> <p>4. That it be noted that the impact of the Covid-19 pandemic has changed the usual demand and take up of care services. The long-term impact of Covid-19 cannot be predicted, and the Adults Commissioning Team would continuously review sufficiency within the market.</p> <p>5. That it be noted that the Adults Commissioning Team continuously works with providers in developing the social care market to ensure a shared approach between the Council and social care providers to meet resident’s needs.</p> <p>6. That it be noted that the Adults and Safer City Scrutiny Panel endorsed the proposed recommendations in its 8 March 2021 meeting.</p> |
| Options Considered | The options for revised fees are detailed in the report. |
| Reasons for Decision | The proposed recommendations are based on ensuring the Council meets its statutory duties in relation to Section 5 of the Care Act to ensure a sustainable market of care in Wolverhampton, which has including considering benchmarking information, provider feedback and local market trends and available budget to determine the final recommendation. |
| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 18 March 2021 |

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| Item 11 | |
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| Title | Acquisition of Privately Owned Empty by Agreement or Compulsory Purchase: 4 Moathouse Lane East, Wednesfield, Wolverhampton, WV11 3BN |
| Status | Item Withdrawn |
| Record of Decision | The report was withdrawn. |
| 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 12 | |
| Title | Schedule of Individual Executive Decision Notices |
| Status | Recommendation Approved |
| Record of Decision | That the summary of open and exempt individual executive decisions approved by appropriate Cabinet Members following consultation with 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 open and exempt individual executive decisions approved by Cabinet Members following consultation with 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) | 18 March 2021 |

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| Item 13 | |
| 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 14 | |
| 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 Leader of the Council, in consultation with the Director of City Environment, to approve the award of a contract for Supply and Delivery of Food Parcels when the evaluation process is complete. 2. That authority be delegated to the Cabinet Member for Governance, in consultation with the Director of Governance, to approve the award of a contract for Scanning of Archive Files when the evaluation process is complete. 3. That the award the contract for Cremator and Mercury Abatement Plant to Facultatieve Technologies Ltd of Moor Road, Leeds, LS10 2DD for a duration of 15 years from 20 March 2021 to 19 March 2036 for a total contract value of £2.6 million be approved. 4. That the award of the contract for Fuel Oils to Certas of 302 Bridgewater Place, Birchwood, Warrington, WA3 6XG for a duration of four years from 1 April 2021 to 31 March 2025 for a total contract value of £4.4 million be approved. 5. That the award of the contract for the Reminiscence Interactive Therapy / Activity (RITA) system for Care Homes and the Community to My Dementia Improvement Network Limited of 5 Brooklands Place, Brooklands Road, Sale, M33 3SD for a duration of three years from 1 April 2021 to 31 March 2024 for a total contract value of £387,660 be approved. 6. That authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Strategy, to approve the award of a contract for Wide Area Network when the evaluation process is complete. |

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| | 7. That the exemptions to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 to 31 January 2021 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. |
| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 23 March 2021 |

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| Item 15 | |
| Title | Approval to Cease Tenancies and Demolish Two Properties on Old Fallings Crescent to Enable Future Development |
| Status | Recommendations Approved |
| Record of Decision | <ol style="list-style-type: none"> 1. That entering negotiations with the tenants of 149 and 151 Old Fallings Crescent with a view to terminating tenancies to enable the Council to incorporate the properties into the re-development site be approved. 2. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Director of City Environment to approve: <ul style="list-style-type: none"> • Ceasing lettings and suspending the right to buy for tenants of 149 and 151 Old Fallings Crescent. • The serving of notices to terminate tenancies under s138A-B and Schedule 5A of the Housing Act 1985. • The allocation of tenants into like for like alternative temporary accommodation to facilitate the development. • The allocation of tenants of 149 and 151 Old Fallings Crescent into the new build accommodation once the development is complete, achieved through a local lettings plan. • Statutory Home Loss Compensation of £6,500 for each tenant affected by the re-development proposals. Approve further Statutory Home Loss Compensation for each tenant that has previously qualified for compensation as a result of moving into temporary accommodation and into newbuild accommodation on the site. • Disturbance payments up to the value of £1,500 for each resident affected by the redevelopment. Approve further disturbance payments of £1,500 once the tenants move into the new build accommodation on the site. • The use of Schedule 2 to the Housing Act 1985, Ground 10, if required to seek possession of the properties. |

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| | <ul style="list-style-type: none"> • The demolition of 149 and 151 Old Fallings Crescent once the tenancies are terminated and properties are vacant. <ol style="list-style-type: none"> 3. That the delegation of any other agreements including deed of covenants, collateral warranties, assignments and such other ancillary agreements, including variations as may be deemed necessary to facilitate the redevelopment of the estate to the Cabinet Member for City Assets and Housing in consultation with the Director of City Environment be approved. 4. That it be noted that an architect and construction contractor to design and build out the site would be procured separately from this report. 5. That it be noted that further reports on the re-development proposals for the site would be submitted to Cabinet (Resources) Panel. |
| 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) | 23 March 2021 |