

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 4	
Title	Capital Programme 2021-2022 to 2025-2026 Quarter Three Review and 2022-2023 to 2026-2027 Budget Strategy
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to approve:</p> <ol style="list-style-type: none"> 1. The revised City of Wolverhampton Capital Strategy. 2. The revised, medium term General Revenue Account capital programme of £346.1 million, an increase of £47.7 million from the previously approved programme, and the change in associated resources. <p>That Cabinet approves:</p> <ol style="list-style-type: none"> 1. The virements for the General Revenue Account capital programme detailed at Appendix 5 to the report for: <ol style="list-style-type: none"> i. existing projects totalling £9.7 million; ii. new projects totalling £6.3 million. 2. The amendments to the Collaboration Agreement in relation to the Black Country Executive Joint Committee City Deal and Growth Deal dated the 7 May 2014, the aim being to simplify the governance arrangements and reduce timeframes for project approvals. 3. Wolverhampton Council’s entry into a Deed of Variation relating to the above Collaboration Agreement to these record changes as detailed within Appendix 6 to the report. 4. Delegated authority to the Deputy Leader: Inclusive City Economy in consultation with the Chief Operating Officer and Directors of Regeneration and Finance to conduct any negotiations and to agree any minor amendments and to subsequently authorise the sealing of this Deed of Variation.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

	<p>5. The continued delegations to the Portfolio Holder responsible for Resources, in consultation with the Director of Finance, to approve the allocation of:</p> <ul style="list-style-type: none">i. The Corporate Provision for Future Programmes (previously known as the Corporate Contingency) budget 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. <p>That Cabinet notes:</p> <ul style="list-style-type: none">1. That description of the budget known as the Corporate Contingency was reviewed to better reflect its purpose. Therefore, it was renamed to the Corporate Provision for Future Programmes budget.2. That Chartered Institute of Public Finance and Accountancy (CIPFA) have published changes to the Prudential Code for Capital Finance in Local Authorities. The Capital Strategy would be reviewed over the coming months in light of these changes and an update would be provided to Cabinet and Council for approval at a future meeting.
Options Considered	The report provides an update on progress of capital projects during 2021-2022 and anticipated budget requirement for future years. The evaluation of alternative project options is detailed in individual investment proposals.
Reasons for Decision	To seek Cabinet’s recommendation to Council to approve the revised capital budgets. This will ensure that the capital programme budget reflects the latest forecasts and requirements.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	3 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 5	
Title	Treasury Management Strategy 2022-2023
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to approve:</p> <ol style="list-style-type: none"> 1. The authorised borrowing limit for 2022-2023 to support the capital strategy as required under Section 3(1) of the Local Government Act 2003 to be set at £1,163.3 million (PI3, Appendix 3 to this report). The authorised borrowing limit includes a forecast provision for potential business cases that may be brought forward during the year, additional borrowing will only be authorised if the business case proves to be affordable over the medium term. The forecast borrowing is below the authorised borrowing limit. 2. The Treasury Management Strategy Statement 2022-2023 as set out in Appendix 1 to this report. 3. The Annual Investment Strategy 2022-2023 as set out in Appendix 2 to this report. 4. The Prudential and Treasury Management Indicators as set out in Appendix 3 to this report. 5. The Annual Minimum Revenue Provision (MRP) Statement setting out the method used to calculate MRP for 2022-2023 as set out in Appendix 4 to this report. 6. The Treasury Management Policy Statement and Treasury Management Practices as set out in Appendix 6 to this report. 7. That authority be delegated to Cabinet to approve updates to the Treasury Management Strategy and corresponding practices during 2022-2023 to reflect the additional reporting requirements detailed in the most recent publication of the revised Treasury Management

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

and Prudential Codes. It is important to note that, the Council complies with the principles of the codes however due to the timing of the release of the new Codes, CIPFA has allowed reporting on the Codes to be deferred until 2023-2024.

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 will be reported to the Portfolio Holder 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 current economic climate.
10. That authority is delegated to the Portfolio Holder for Resources, in consultation with the Director of Finance, to amend the MRP statement should this be required following the outcome of the consultation.

That Cabinet approves:

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

That Council be recommended to note:

1. That the MRP charge for the financial year 2022-2023 will be £19.8 million; it is forecast to increase to £21.1 million in 2023-2024 (paragraph 2.20 of the report).

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

	<ol style="list-style-type: none">2. That Cabinet or Cabinet (Resources) Panel and Council would receive regular Treasury Management reports during 2022-2023 on performance against the key targets and Prudential and Treasury Management Indicators in the Treasury Management Strategy and Investment Strategy, as set out in the paragraph 2.18 and Appendices 2 and 3 to this report.3. That the new Treasury Management and Prudential Codes have been published and are effective immediately. However, due to the date of their release some elements, mainly changes to the capital strategy, prudential indicators and investment reporting can be deferred until 2023-2024. The documents covered in this report have been updated where possible to reflect the new Codes, any changes not reflected due to the timescales will be implemented and approval sought during 2022-2023.4. That the documents covered in this report have been updated to reflect the latest interest rate forecasts available, however, due to uncertainties with the economy, should interest rates increase quicker than forecast, this may create a budget pressure on the treasury management budget. In the event that this were to occur, approval would be sought to accommodate the budget pressure by making a call on the Budget Contingency Reserve. This will continue to be monitored and reviewed in light of the changing economic environment, with updates provided to Councillors throughout 2022-2023 as part of the quarterly update reports.
Options Considered	<ol style="list-style-type: none">1. The Treasury Management Strategy 2022-2023 outlined reflect the new requirements of CIPFA's Code of Practice on Treasury Management and the Prudential Code for Capital Finance along with the DLUHC's Guidance on Local Government Investments and Minimum Revenue Provision. As noted in the body of the report, where possible the changes to the Codes have been implemented in the documents covered in this report, however due to timescales, some areas will be implemented, and approval sought, during 2022-2023.2. The DLUHC guidance defines a prudent investment policy as having two objectives, security which must be achieved first, followed by liquidity. Only after these have been met should yield be considered. The criteria included in this report are that which meet all the above guidance.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Reasons for Decision	To seek approval of the Treasury Management Strategy 2022-2023 in accordance with both government guidance and Codes of Practice.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	3 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 6	
Title	2022-2023 Final Budget and Medium Term Financial Strategy 2022-2023 - 2025-2026
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to approve:</p> <ol style="list-style-type: none"> 1. The net budget requirement for 2022-2023 of £267.2 million for General Fund services. 2. The Medium Term Financial Strategy (MTFS) 2022-2023 to 2025-2026 as detailed in Table 5 and the key assumptions underpinning the MTFS as detailed in Appendix 1 to the report. 3. A Council Tax for Council services in 2022-2023 of £1,818.27 for a Band D property, being an increase of 2.99% on 2021-2022 levels, which incorporates the 1% in relation to Adult Social Care. <p>That Cabinet approves:</p> <ol style="list-style-type: none"> 1. The updated assumptions used in the Budget 2022-2023 and the MTFS 2022-2023 to 2025-2026 as detailed in section 7 of the report. 2. That authority be delegated to the Portfolio Holder 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 2022-2023 and future years to be passported to the West Midlands Combined Authority (WMCA). 3. That authority be delegated to the Portfolio Holder for Resources and the Cabinet Member for Education, Skills and Work, in consultation with the Director of Finance and the Executive Director of Families, to approve changes to the local funding formula for Schools including method, principles and rules adopted.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

	<ol style="list-style-type: none">4. That authority continues to be delegated to the Portfolio Holder for Resources in consultation with the Director of Finance to consider further opportunities to accelerate pension contribution payments to secure additional budget reductions.5. The continuation of the policy to fully disregard income that claimants receive from the War Widows (Widowers), War Disablement Scheme and the Armed Forces Compensation Schemes in any housing benefit assessment.6. That the Council enter into the Better Care Fund Section 75 Agreement along with the necessary ancillary agreements from the main agreement for 2022-2023 with the Black Country and West Birmingham Clinical Commissioning Group, and delegate authority to the Portfolio Holder for Resources, Cabinet Member for Adult Services and the Cabinet Member for Public Health and Wellbeing, in consultation with the Executive Director of Families and the Director of Finance to approve the final terms of the agreement.7. That approval is given to build in supplementary budgets, fully funded by grant for the £150 council tax energy rebate for all households in England whose primary residence is valued in council tax bands A – D and delegate authority to the Portfolio Holder for Resources, in consultation with the Director of Finance to approve any changes to the Council Tax Discretionary Discount Scheme including the establishment of supplementary budgets as required. <p>That Cabinet notes:</p> <ol style="list-style-type: none">1. That the budget for 2022-2023 is in balance without the use of general reserves.2. 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.3. That it estimated that a further £12.6 million needs to be identified for 2023-2024, rising to £25.8 million over the medium term to 2025-2026 in order to address the projected budget deficit.
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City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

	<ol style="list-style-type: none"> 4. 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. 5. That, there continues to be considerable amount of uncertainty with regards to future funding streams for local authorities over the 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. 6. That, the overall level of risk associated with the Medium Term Financial Strategy to 2025-2026 is assessed as Red. 7. That Councillors must have due regard to the public sector equality duty (Section 149 of the Equality Act 2010) when making budget reduction decisions. 8. That the Council continues to engage with residents, businesses and other key stakeholders throughout the year which focuses on understanding people’s priorities for Wolverhampton. 9. The impact of related parties on the Medium Term Financial Strategy.
<p>Options Considered</p>	<p>In determining the proposed 2022-2023 Budget and Medium Term Financial Strategy 2022-2023 to 2025-2026, 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 2022-2023.</p>
<p>Reasons for Decision</p>	<p>Section 25 of the Local Government Act 2003 requires the Chief Financial Officer to report to the Council when it is making the statutory calculations required to determine its Council Tax. The Council is required to take this report into account when making its budget decision. The Chief Financial Officer’s report must deal with the robustness of the budget estimates and the adequacy of the reserves for which the budget provides.</p>

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	3 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 7	
Title	Our City: Our Plan
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to:</p> <ol style="list-style-type: none"> 1. Approve the Our City: Our Plan, the City of Wolverhampton Council Plan. 2. Seek cross party engagement to deliver the priorities set out in Our City: Our Plan the strategic framework to level up our city. <p>That Cabinet notes:</p> <ol style="list-style-type: none"> 1. That the priorities of Our City: Our Plan have been developed through a continuous conversation with our communities and partners with over 3,000 people engaged building on the Relighting Our City recovery commitment. 2. That a presentation and draft strategy of Our City: Our Plan was received by Scrutiny Board on the 8 February 2022.
Options Considered	<p>Option 1 - to use our existing Council Plan 2019- 2024. This would mean that the Council's main strategic framework would not reflect the significant change the city has faced as a result of the coronavirus pandemic.</p> <p>Option 2 - and the chosen option is to refresh the Council Plan which will enable the city to address key challenges and capitalise on new opportunities as we transition to a new normal and level up our city.</p>

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Reasons for Decision	Cabinet is recommended to approve the Our City: Our Plan to ensure the Council's strategic framework continues to reflect the needs and priorities of local people.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	3 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 8	
Title	Pay Policy Statement 2022 -2023
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to approve:</p> <ol style="list-style-type: none"> 1. The Pay Policy Statement for 2022 - 2023. 2. The publication of the Pay Policy Statement in line with the requirements of the Localism Act 2011. <p>That Council be recommended to note:</p> <ol style="list-style-type: none"> 1. That the national pay award for National Joint Council (NJC) and Joint Negotiating Committee (JNC) Chief Officers and Chief Executives had not been agreed, at the time of writing the Pay Policy Statement. 2. That in the absence of the NJC having yet reached a pay agreement for 2021, SCPs 1 and 2 would fall below the statutory NLW. Organisations must therefore ensure that employees currently paid on those two pay points have their pay increased with effect from 1 April 2022 to £9.50 per hour. These updated figures would continue to be paid until NJC reaches a settlement on pay for 2021.
Options Considered	The authority is required to prepare and publish a Pay Policy in accordance with the Localism Act 2011.
Reasons for Decision	To ensure that the authority complies with the relevant legislation and best practice guidance.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	3 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Adoption 9	
Title	Adoption of South Staffordshire District Council's delegated licensing function
Status	Recommendations Approved
Record of Decision	<p>That Council be recommended to approve:</p> <ol style="list-style-type: none"> 1. The adoption of the executive licensing functions, as delegated, by South Staffordshire Council subject to the signing of the finalised agreement. 2. The adoption of the non-executive licensing functions, as delegated, by South Staffordshire Council subject to the signing of the finalised agreement. 3. Delegated authority for the signing of the final agreement to the Chief Operating Officer in consultation with the Director of City Housing and Environment.
Options Considered	<p>Option one would be to decline the delegation from South Staffordshire District Council. This would result in no change to the current licensing practices of Wolverhampton.</p> <p>Option two is to adopt the delegation as proposed.</p>
Reasons for Decision	Licensing welcomes the Government's approach to local authorities joining together their taxi licensing functions. City of Wolverhampton Council will be the first Council to negotiate this type of transfer and will pave the way for other local authorities to follow.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	3 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 10	
Title	Gender Pay Gap Report – 2021
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the contents of the report on the Gender Pay Gap as of the snapshot date of 31 March 2021 be noted. 2. That it be noted that the median Gender Pay Gap for 31 March 2021 is 0.64% and the mean is 4.04%. 3. That it be noted that the comparison with March 2020 data – the median Gender Pay Gap was 0.00% and the mean was 4.24%. 4. That the proportion of men and women in each quartile in our pay structure as of 31 March 2021 be noted. 5. That the actions the Council has taken so far to improve equality, diversity and inclusion within the workplace (section 3.15 and 3.16) be noted. 6. That the actions proposed to continue to remove inequality and further promote equality, diversity and inclusion (section 3.17) be noted 7. That it be noted that the Equality Act 2010 (Specific Duties and Public Authorities) regulations 2017 only requires organisations to report on the gender pay gap. In addition to this, the Council have chosen to report on the race pay gap and the disability pay gap to identify areas for improvement. The Council would continue to expand this portfolio and hopes to include a review of the LGBTQ+ pay gap soon.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Options Considered	There are no alternative options in terms of the way that data is collected as legislation defines the requirement for gender pay gap reporting.
Reasons for Decision	Information is being provided to meet legislative requirements as prescribed in section paragraph 2.0.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	1 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 11	
Title	Cannock Chase Special Area of Conservation Partnership Memorandum of Understanding and Planning Guidance
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the adoption of a new developer contribution charge of £290.58 (subject to an annual index linked increase) for each net new home within 15km of the Cannock Chase Special Area of Conservation, to apply to all planning applications for net new homes submitted to City of Wolverhampton Council from 1 April 2022 onwards be approved. 2. That authority be delegated to the Deputy Leader: Inclusive City Economy in consultation with the Director of Regeneration, to sign the final version of the draft Cannock Chase Special Area of Conservation Partnership Memorandum of Understanding attached as Appendix 1 to the report on behalf of City of Wolverhampton Council. 3. That authority be delegated to the Deputy Leader: Inclusive City Economy in consultation with the Director of Regeneration, to sign the final version of the draft Cannock Chase Special Area of Conservation Partnership Financial Agreement attached as Appendix 2 to the report on behalf of City of Wolverhampton Council. 4. That the Planning Guidance to Mitigate the Impact of New Residential Development on Cannock Chase SAC attached as Appendix 3 to the report be approved.
Options Considered	<p>Option one - to make no change to the existing planning contributions system. This could result in challenges to the legal basis of planning decisions made within 15km of Cannock Chase SAC and the soundness of the emerging Black Country Plan.</p> <p>Option two - to implement the recommendations of the report. This would result in a more robust legal basis for planning decisions and the Black Country Plan review.</p>

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Reasons for Decision	Option two (to implement the recommendations of this report) has been selected because the proposed contributions system and participation in the Cannock Chase SAC Partnership would result in a more robust legal basis for planning decisions and the Black Country Plan review.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	1 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 12	
Title	Business Rates Discretionary Relief
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the following extensions to the local Business Rates Discretionary Relief Policy be approved: <ol style="list-style-type: none"> a. In respect of charitable and voluntary organisations for one year from 1 April 2022. b. In respect of Retail, Hospitality and Leisure Business Rates relief scheme for one year from 1 April 2022 c. In respect of transitional relief for one year from 1 April 2022 d. In respect of supporting small businesses for one year from 1 April 2022 e. In respect of local newspaper relief for one year from 1 April 2022. 2. That authority be delegated to the Director of Finance in consultation with the Head of Revenues and Benefits to award relief in individual cases which satisfy the criteria for the categories of discretionary rate relief in accordance with Section 47 Local Government Finance Act 1988.
Options Considered	<ol style="list-style-type: none"> 1. The Council could choose not to extend the discretionary relief schemes. <ol style="list-style-type: none"> a. In respect of relief for charitable and voluntary organisations, this option has been discounted because of the beneficial impact to local communities of the services provided. In addition, there could potentially be increased demand for Council services should these services be withdrawn.

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

	<p>b. In respect the other business rates discretionary relief schemes, this option has been discounted as the criteria for award will match the requirement to be fully funded by Government and they provide an opportunity to reduce rates bills for local businesses.</p> <p>2. The Council could choose to top up the Government funding from its own resources. This option has been discounted because of affordability and the impact on the medium-term financial strategy.</p>
Reasons for Decision	<p>1. Extending the scheme for charitable and voluntary organisations continues to support a range of organisations providing support to vulnerable groups allowing the Council to foster good relations and enhance equal opportunities.</p> <p>2. Providing discretionary rate relief to businesses in accordance with Government guidance reduces the business rate bill at no cost to the Council.</p>
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	1 March 2022

City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 23 February 2022

Item 13	
Title	Rainbow City
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the Council’s Rainbow City Commitment Document as attached at Appendix 1 to the report be approved. 2. That the Council’s Rainbow City Action Plan as attached at Appendix 2 to the report be approved.
Options Considered	<p>Option one - not to proceed with the Rainbow City. This would result in no change within the City for Lesbian, Gay, Bi and Trans+ community and would leave the city in the same situation that is it currently in.</p> <p>Option Two - to proceed with the Rainbow City. The Rainbow City Commitment Document evidences the Council’s commitment for equality, diversity and inclusion and in particular the Lesbian, Gay, Bi and Trans+ community.</p>
Reasons for Decision	Option Two is the preferred option. The reason for the decision to approve and endorse this approach is to celebrate the city commitment to the values of equality, diversity and inclusion which aims through a number of steps to ensure that we treat all of our citizens with fairness, dignity and respect.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	1 March 2022