

### Attendance

#### Members of the Cabinet

Cllr Stephen Simkins (Vice-Chair, in the Chair)  
Cllr Obaida Ahmed  
Cllr Paula Brookfield  
Cllr Steve Evans  
Cllr Bhupinder Gakhal  
Cllr Dr Michael Hardacre  
Cllr Jasbir Jaspal  
Cllr Linda Leach  
Cllr Beverley Momenabadi

#### Employees

Tim Johnson	Chief Executive
Emma Bennett	Executive Director of Families
Ian Fegan	Director of Communications and External Relations
Charlotte Johns	Director of Strategy
Richard Lawrence	Director of Regeneration
Laura Phillips	Deputy Director of People and Change
David Pattison	Chief Operating Officer
John Roseblade	Director of City Housing and Environment
Becky Wilkinson	Director of Adult Social Services
Alison Shannon	Chief Accountant
Jaswinder Kaur	Democratic Services Manager
Dereck Francis	Democratic Services Officer

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## Part 1 – items open to the press and public

- | Item No. | Title   |
|----------|---|
| 1        | <b>Apologies for absence</b><br>Apologies for absence were submitted on behalf of Councillor Ian Brookfield.  |
| 2        | <b>Declaration of interests</b><br>No declarations of interests were made.  |
| 3        | <b>Minutes of the previous meeting</b><br>Resolved:<br>That the minutes of the previous meeting held on 23 February 2022 be approved as a correct record and signed by the Chair. |

4 **Youth Offending Team Inspection Outcome**

Councillor Beverley Momenabadi presented the report on an overview of the Youth Offending Team (YOT) Inspection Outcome. The Inspection had been undertaken by Her Majesty's HM Inspectorate of Probation in October 2021. The YOT had been rated 'Good' overall, with six aspects rated 'Outstanding' and three recommendations being made for areas of improvement. An action plan had been produced in response to the YOT inspection. Cabinet was asked to recommend to Council that it endorse the adoption of the Inspection Action Plan.

Resolved:

That Council be recommended to:

1. Endorse the adoption of the Youth Offending Team inspection action plan.

That Cabinet notes:

1. The 'Good' inspection rating of the Youth Offending Team and how the positive work will continue to further improve services for young people in the city.

5 **Wolverhampton Homes Delivery Plan 2022-2023**

Councillor Bhupinder Gakhal presented the Wolverhampton Homes Annual Delivery Plan 2022-2023 and its monitoring arrangements for recommendation to Full Council for approval. The plan set out how Wolverhampton Homes contributes to the Council's priority to deliver 'Good homes in well-connected neighbourhoods' and how it would operate in the coming year. He also delivered an overview of work undertaken by Wolverhampton Homes including details of further work recently carried out to support tenants.

Resolved:

That Council be recommended to approve:

1. The Wolverhampton Homes Delivery Plan 2022-2023.
2. The arrangements for monitoring the delivery of the Wolverhampton Homes Delivery Plan to be reported to Cabinet.

6 **Oxley Health and Wellbeing facility and Residential Accommodation**

Councillor Bhupinder Gakhal presented the report on a proposal prepared with the support of Wolverhampton Clinical Commissioning Group to develop the former Oxley Day Training Centre, currently a vacant asset, for a mixed use modern health and wellbeing facility with residential accommodation. Approval was requested to progress the capital project but not until obtaining outline planning consent, securing grant funding, achieving cost certainty from market tenders, securing leases with health care tenants and a pre-sale agreement with a Registered Provider for the new homes.

Resolved:

That Council be recommended to approve:

1. The project and appropriate capital budgets funded through grant and prudential borrowing as detailed within the report, subject to confirmation of successful grant bids.

That Cabinet approves:

1. The development by the Council of a modern health, wellbeing facility and residential accommodation on the Council owned former Oxley Day Training Centre site.
2. Delegated authority to the Leader of the Council and the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive and Director of Finance to agree and enter into the required funding agreements, Heads of Terms, Lease agreements with the health facility occupiers and Heads of Terms and Lease agreement with the Registered Provider upon selection together with any ancillary agreements.

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**Performance, Budget Monitoring and Budget Update 2021-2022**

Councillor Stephen Simkins outlined key points from the integrated finance and performance update report against the Council's Relighting Our City recovery priorities. The report also detailed the likely budget outturn projection for the 2021-2022 financial year.

Resolved:

1. That the establishment of supplementary expenditure budgets within the 2021-2022 approved budget as detailed in section 9.0 and Appendix 3 to the report for grant funded expenditure be approved.
2. That the use of £7,000 from the Wholesale Market Sinking Fund to fund car park resurfacing at Wholesale Markets as detailed in paragraph 10.4 of the report be approved.
3. That the use of £190,000 from the Budget Contingency Reserve to fund the additional resources required to support a temporary expansion in recruitment processes across the Council as detailed at paragraph 10.5 of the report be approved.
4. That the contribution of £47,000 from the Budget Contingency Reserve to fund additional resources in the Information Governance Team to ensure continued statutory compliance as detailed in paragraph 10.6 of the report be approved.
5. That the use of £1.8 million from the Adults Social Care Reserve to fund growing demand within various services as detailed in paragraph 10.7 of the report be approved.
6. That the write-off of six Council Tax debts totalling £40,607.02 as detailed in Appendix 9 to the report be approved.
7. That the write-off of two Non-Domestic Rates (NDR) debts totalling £63,595.44 as detailed in Appendix 10 to the report be approved.
8. That the write-off of six Sundry Debts totalling £147,325.73 as detailed in Appendix 8 to the report be approved.

9. That 21 virements totalling £6.7 million, for transfers within directorates, as detailed in Appendix 11 to the report be approved.
10. That it be noted that the General Fund projected outturn for 2021-2022 is currently forecast to be a breakeven position (excluding the impact of Covid-19). This forecast is after the transfer of £4 million into the Future Years Budget Strategy Reserve in accordance with the 2022-2023 budget strategy and £3.4 million contribution towards reducing the utilisation of capital receipts flexibility in line with the 2021-2022 budget strategy.
11. That it be noted that it is anticipated that the cost of redundancies can be met from reserves.
12. That it be noted that a £11.5 million surplus on the Housing Revenue Account (HRA) is projected compared with a budgeted surplus of £13.1 million as shown at Table 3 and in detail at Appendix 5 to the report. The projected reduction to the surplus of £1.6 million would reduce redemption of debt by £1.6 million.
13. That it be noted that 733 council tax accounts totalling £456,782.91, as detailed in paragraph 11.2 and Appendix 7 to the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
14. That it be noted that 28 Non-Domestic Rates (NDR) debts totalling £194,901.74, as detailed in paragraph 11.2 and Appendix 7 to the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
15. That it be noted that 16 housing benefit overpayments totalling £1,451.30 as detailed in paragraph 11.2 and Appendix 7 to 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 73 sundry debt accounts totalling £45,619.10, as detailed in paragraph 11.2 and Appendix 7 to the report, have been approved for write-off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
17. That the performance against the key indicators as set out in appendix 1 to the report be noted.

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### **Digital Wolverhampton Strategy**

Councillor Obaida Ahmed presented for approval a new Digital Wolverhampton Strategy which had been developed through engagement with the Digital Wolverhampton Partnership and other key stakeholders. It set out the vision and aims for digital in Wolverhampton acting as a framework to update the city's current Digital Infrastructure Strategy. It also supported innovation in delivery of services, growing the digital economy and supporting residents to access job opportunities as well as addressing the digital divide.

Resolved:

1. That the Digital Wolverhampton Strategy be approved.

2. That minor amendments to the strategy be delegated to the Cabinet Member for Digital City in consultation with the Director of Strategy to approve.

9 **Open Space Strategy and Action Plan**

Councillor Stephen Simkins presented the report on a proposal to commission a new Open Space Strategy and Action Plan. The last full update of the current Strategy took place in June 2018 with subsequent updates being partial reviews of that piece of work. An up to date Strategy and Action Plan was now required for the city to support to the management of its open spaces including decisions on disposal, investment, developer contributions and funding bids.

Cabinet Members spoke about the value of the city's allotments and green and open spaces on the physical, mental health and wellbeing of the city's residents, that was highlighted during the Covid-19 pandemic when the Country was in a National lockdown.

Resolved:

1. That the commissioning of a new Open Space Strategy and Action Plan be approved.
2. That the importance of cross-directorate working to the successful implementation of the Open Space Strategy and Action Plan be noted.

10 **Financial Wellbeing Strategy: Tackling the Cost-of-Living Crisis**

Councillor Stephen Simkins asked Cabinet to approve and endorse the Financial Wellbeing Strategy: Tackling the Cost-of-Living Crisis 2022-2025. The Strategy had been developed to support a reduction, and future avoidance, of the financial hardship currently being experienced by residents of the city. It strived to strengthen individual and community resilience to offer local support to residents when in crisis, but also to facilitate strategies for prevention of future hardship including cross cutting work with other key city priorities such as tackling unemployment.

Cabinet Members spoke in support of the Strategy and the security it would provide and difference it would make to residents of the city who are experiencing financial hardship.

Resolved:

1. That the Financial Wellbeing Strategy: Tackling the Cost-of-Living Crisis and the funding allocated for implementation be approved and endorsed.
2. That authority be delegated to the Leader of the Council in consultation with the Executive Director of Families for any final minor updates to the strategy.
3. That it be noted that this item was considered for pre-decision scrutiny on 15 March 2022 by Scrutiny Board and would therefore not be available to call in once a decision is made by Cabinet.

11 **Council Tax Discretionary Reduction**

The intention to make a key decision on the report 'Council Tax Discretionary Reduction' at the meeting was not published 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 report is recommending the approval of the use of balances of grant funding and court costs refund to reduce the amount of council tax payable by working age households in receipt of council tax support during 2021-2022 and establish supplementary budgets fully funded from grant and other income.
- Approval is required before 31 March 22 to ensure that we comply with grant funding criteria. Approval is already in place for the use of the grant funding, but following the recent notification of an amount of £256,000 to be refunded to the Council due to the courts having overcharged liability order costs (which are generated for council tax and business rates accounts) between April 2014 and July 2018, approval is requested to use this amount together with the grant funding to reduce council tax liability for working age households in receipt of council tax support during 2021-22.

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 on a proposal to use balances of grant funding and the value received through a refund of court costs to reduce the amount of council tax payable by working age households in receipt of council tax support during 2021-2022. The proposal would equate to a reduction of approximately £45 in council tax for the 2021-2022 financial year. It was in line with the Financial Wellbeing Strategy discussed at item 10 and was the most effective way to use the funding available to support those most likely to be in need.

Resolved:

That the use of balances of grant funding and court costs refund to reduce the amount of council tax payable by working age households in receipt of council tax support during 2021-2022 and the establishment of supplementary budgets totalling £743,000 fully funded from grant and other income be approved.

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### **Investing in our Well Connected Communities - Transport Capital Programme 2022-2023**

Councillor Steve Evans presented for approval the report on a programme of capital projects to develop and maintain both the Wolverhampton transportation network and the wider Black Country transportation network where relevant for the financial year 2022-2023 and future years, subject to available resources and annual review. He informed Cabinet that £58.1 million had been invested in the City's highways network between the financial years, 2018-2019 to 2021-2022. He also highlighted from the report notable schemes that had been delivered during 2021-2022.

Resolved:

1. That the list of projects for development and implementation as part of the Transportation Capital Programme 2022-2023 and future years, as set out in Appendices 3, 4, and 5 to the report be approved.
2. That the Head of Transport be authorised to proceed with development work for each project detailed in Appendices 3, 4, and 5 to the report including

surveying, site investigation, options appraisal, feasibility analysis, traffic modelling, detailed design, statutory advertising and public consultation, as appropriate.

3. That the creation of supplementary budgets for 2022-2023 be approved for the projects marked 'Approve' in the 'Decision' column of Appendices 3 and 4 to the report for implementation, subject to the availability of funding.
4. That the virement of existing approved budgets for 2022-2023 totalling £270,000 within the Transport Capital programme to other projects as per section 6.12 of the report be approved.
5. That the Cabinet Member for City Environment and Climate Change, in consultation with the Director of City Housing and Environment be authorised to approve, through an Individual Executive Decision Notice (IEDN), implementation of the projects on the list marked 'IEDN' in the 'Decision' column of Appendices 3 and 4 to the report, subject to the satisfactory outcome of public consultation, availability of funding and any other relevant considerations.
6. That the Cabinet Member for City Environment and Climate Change, in consultation with the Director of City Housing and Environment be authorised to approve, through an Individual Executive Decision Notice, the bringing forward of projects from Appendix 5 to Appendix 3 or 4 to the report and thereafter to approve them for implementation during 2022-2023 subject to the satisfactory outcome of public consultation, availability of funding and any other relevant considerations.
7. That the Cabinet Member for City Environment and Climate Change, and the Leader of the Council in consultation with the Director of City Housing and Environment and the Director of Finance be authorised to approve, through an Individual Executive Decision Notice, appropriate virements between existing approved budgets within the transport capital programme maximising use of resources.
8. That the Chief Legal Officer be authorised to serve all necessary notices in respect of the projects listed in Appendices 3 and 4 to the report and, subject to there being no unresolved objections, make traffic regulation orders as required.
9. That the Head of City Transport and/or Black Country Director of Transport be authorised to make applications and bids for additional external funding noting that agreement ahead of submission would be obtained from the Director of Finance and appropriate governance would be followed to amend budgets on receipt of such funding.
10. That the Director of Finance be authorised to approve the Council entering into funding agreements with the various funding bodies to receive grant funding in respect of the projects included in the report.
11. That the Director of Finance be authorised to approve the Council entering into funding agreements with the various funding bodies to receive revenue grant funding in respect of the Local Authority Capability Fund, Capacity

Funding and City Region Sustainable Transport Settlement (CRSTS) development funding.

12. That the Black Country Director of Transport be authorised to enter into funding agreements with Black Country Authorities to passport Black Country Transport scheme funding in accordance with the approved collaboration agreement and to provide funding to Black Country Consortium in accordance with the Local Authority Capability Fund Grant Agreement.
13. That use of Local Authority Capability Fund, Capacity Funding, CRSTS development funding and Midland Connects Funding included in the report be approved.
14. That the expenditure and progress made in delivering £58.1 million worth of projects in the Transportation Capital Programme during 2018-2019, 2019-2020, 2020-2021 and forecast in 2021-2022 as set out in Appendix 2 to the report be noted.
15. That the Council's continuing success in bidding for additional funding and delivering new projects through the Active Travel Funding, Local Growth Fund, Access to Growth, and the West Midlands Combined Authority be noted.
16. That the inclusion of revenue funding as part of the CRSTS Development Funding package and Local Authority Capability Fund to support the development of the programme and the wider Black Country Programme be noted.

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**Former Wolverhampton Eye Infirmary: proposed in-principle compulsory purchase order**

Councillor Stephen Simkins presented the report that sought approval in principle to the use of the Council's compulsory purchase order powers to facilitate the redevelopment and beneficial use of the site that houses the former Wolverhampton Eye Infirmary, Nurses Homes and 20th century addition as well as some vacant land. Extensive dialogue had been undertaken with the current owners to establish a way forward for the development of the site, without success. The in principle decision would provide a robust framework within which to continue proactive and positive dialogue with the current owners and would provide certainty that regeneration activity would occur within a reasonable time frame.

Cabinet Members supported the approach of using compulsory purchase order powers in this way to progress the development of sites across the city that have been granted planning approval but have remained undeveloped for a significant period, causing a blight on neighbourhoods.

Resolved:

1. That it be agreed to authorise in-principle the making of a compulsory purchase order ("CPO") to acquire the necessary interests in the land shown indicatively by the hatched area shown on Appendix 1 to the report required to deliver the proposed regeneration of the Site pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and, in the case of any new rights, pursuant to section 13 of the Local Government (Miscellaneous Provisions) Act 1976, because it considers that:



- a. the acquisition would facilitate the carrying out of the development, redevelopment or improvement of land; and
  - b. the development, redevelopment or improvement of the land is likely to contribute to the achievement of any one or more of the promotion or improvement of the economic, social and environmental well-being of Wolverhampton.
2. That the Deputy Leader: Inclusive City Economy in consultation with the Director of Regeneration, be authorised to approve all necessary steps to commence the process for the making, confirmation and implementation of the CPO, including securing the appointment of suitable external advisors and preparing all necessary CPO documentation.
  3. That a further report be put before Cabinet to approve the final extent of the land to be acquired following the finalisation of the necessary preparatory work.

14 **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.

15 **Compulsory Purchase Order 66-70 Lichfield Street**

Councillor Stephen Simkins presented the report that sought approval to progress the making of a compulsory purchase order for 66-70 Lichfield Street, Wolverhampton to complete the acquisition of land, property and new rights to enable the expansion of the Grand Theatre. The proposal would offer significant benefits for the economic, social and environmental wellbeing of Wolverhampton.

Resolved:

1. That the making of the City of Wolverhampton Council (Grand Theatre Expansion) Compulsory Purchase Order ("the Order") under Section 226 (1) (a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of land and new rights at 66-70 Lichfield Street for the purposes of securing an expansion of the adjacent Grand Theatre be approved.

2. That authority be delegated to the Deputy Leader: Inclusive City Economy, in consultation with the Director of Regeneration, to:
  - a. Take all necessary steps to secure the making, confirmation and implementation of the Order including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry.
  - b. Acquire interests in land and new rights within the Order either by agreement or compulsorily including prior to the making of the Order.
  - c. Approve agreements with land owners and occupiers setting out the terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land or new rights from the Order and/or making arrangements for rehousing or relocation of any occupiers.
3. That the Chief Operating Officer be authorised to execute all necessary legal agreements relating to the Order and the acquisition of land.

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**Oxley Health and Wellbeing facility and Residential Accommodation**

Councillor Bhupinder Gakhal presented the exempt version of the report Oxley Health and Wellbeing facility and Residential Accommodation discussed at item 6 above. The exempt report contained further detail on the scheme financial viability; grant funding; delivery timescales; and a letter of support from the NHS Black Country and Birmingham Clinical Commissioning Group.

Resolved:

That Council be recommended to approve:

1. The project and appropriate capital budgets funded through grant and prudential borrowing as detailed within the report, subject to confirmation of successful grant bids.

That Cabinet approves:

1. The development by the Council of a modern health, wellbeing facility and residential accommodation on the Council owned former Oxley Day Training Centre site.
2. Delegated authority to the Leader of the Council and the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive and Director of Finance to agree and enter into the required funding agreements, Heads of Terms, Lease agreements with the health facility occupiers and Heads of Terms and Lease agreement with the Registered Provider upon selection together with any ancillary agreements.

That Cabinet notes:

1. The letter of support from the Clinical Commissioning Group for the proposed scheme.