

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 4</b>	
<b>Title</b>	Our City: Our Plan Refresh 2023/2024
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<p><b>That Council be recommended to:</b></p> <ol style="list-style-type: none"> <li>1. Approve the Our City: Our Plan refresh, the City of Wolverhampton Council Plan.</li> <li>2. Seek cross party engagement to deliver the priorities set out in Our City: Our Plan the strategic framework to level up our city.</li> </ol> <p><b>That Cabinet notes:</b></p> <ol style="list-style-type: none"> <li>1. That the priorities of Our City: Our Plan have been developed through a continuous conversation with our communities and partners.</li> <li>2. That a presentation and draft Our City: Our Plan was received by Scrutiny Board on the 7 February 2023.</li> </ol>
<b>Options Considered</b>	<p><b>Option 1</b> would be to not refresh Our City: Our Plan. This would mean that the Council's main strategic framework may not reflect key priorities of local people which have emerged over the last 12 months.</p> <p><b>Option 2</b> and the chosen option is to refresh Our City: Our 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>
<b>Reasons for Decision</b>	Cabinet is recommended to approve the refreshed Our City: Our Plan to ensure the Council's strategic framework continues to reflect the needs and priorities of local people.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	2 March 2023

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<b>Item 5</b>	
<b>Title</b>	Capital Programme 2022-2023 to 2026-2027 Quarter Three Review and 2023-2024 to 2027-2028 Budget Strategy
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<p><b>That Council be recommended to approve:</b></p> <ol style="list-style-type: none"> <li>1. The updated City of Wolverhampton Capital Strategy.</li>   <li>2. The revised, medium term General Revenue Account capital programme of £351.5 million, an increase of £11.1 million from the previously approved programme, and the change in associated resources.</li> </ol> <p><b>That Cabinet approves:</b></p> <ol style="list-style-type: none"> <li>1. The virements for the General Fund capital programme detailed at Appendix 5 to the report for: <ol style="list-style-type: none"> <li>i. existing projects totalling £10.7 million.</li>   <li>ii. new projects totalling £1.8 million.</li> </ol> </li>   <li>2. Entry into all necessary legal agreements with the West Midlands Combined Authority (WMCA) for the City Regional Sustainable Transport Settlement (CRSTS) allocation towards the Regional Transport Coordination Centre (RTCC) Signal Upgrades scheme detailed in Appendix 4 to the report.</li>   <li>3. Entry into all necessary legal agreements with the Black County Transport (BCT) Walk/Cycle and Bus Priority Improvement Measures (A4123) schemes detailed in Appendix 4 to the report.</li>   <li>4. Continuation of both delegations to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance, to approve the allocation of:</li> </ol>

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	<ul style="list-style-type: none"><li>i. The Corporate Provision for Future Programmes budget to individual projects in order that corporate priorities may be addressed in an agile and timely manner.</li><li>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.</li></ul>
<b>Options Considered</b>	The report provides an update on progress of capital projects during 2022-2023 and anticipated budget requirement for future years. The evaluation of alternative project options is detailed in individual investment proposals.
<b>Reasons for Decision</b>	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.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	2 March 2023

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<b>Item 6</b>	
<b>Title</b>	Treasury Management Strategy 2023-2024
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<p><b>That Council be recommended to approve:</b></p> <ol style="list-style-type: none"> <li>1. The authorised borrowing limit for 2023-2024 to support the capital strategy as required under Section 3(1) of the Local Government Act 2003 to be set at £1,213.0 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.</li> <li>2. The Treasury Management Strategy Statement 2023-2024 as set out in Appendix 1 to the report.</li> <li>3. The Annual Investment Strategy 2023-2024 as set out in Appendix 2 to the report.</li> <li>4. The Prudential and Treasury Management Indicators as set out in Appendix 3 to the report.</li> <li>5. The Annual Minimum Revenue Provision (MRP) Statement setting out the method used to calculate MRP for 2023-2024 as set out in Appendix 4 to the report.</li> <li>6. The Treasury Management Policy Statement and Treasury Management Practices as set out in Appendix 6 to the report.</li> <li>7. 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 Cabinet Member for Resources and Digital City and Cabinet (Resources) Panel as appropriate.</li> </ol>

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	<p>8. 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.</p> <p>9. That authority is delegated to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance, to amend the MRP statement should this be required following the outcome of the consultation.</p> <p><b>That Cabinet approves:</b></p> <p>1. That authority is delegated to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance to progress feasibility and investment propositions in a timely manner. Updates on any propositions would be provided to Cabinet or Cabinet (Resources) Panel in future reports.</p> <p><b>That Council be recommended to note:</b></p> <p>1. That the MRP charge for the financial year 2023-2024 would be £20.6 million; it is forecast to increase to £22.4 million in 2024-2025 (paragraph 2.13 of the report).</p> <p>2. That Cabinet or Cabinet (Resources) Panel and Council would receive regular Treasury Management reports during 2023-2024 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 2.11 and Appendices 2 and 3 to the report.</p>
<p><b>Options Considered</b></p>	<p>The Treasury Management Strategy 2023-2024 outlined reflect the requirements of The Chartered Institute of Public Finance and Accountancy’s (CIPFA’s) Code of Practice on Treasury Management and the Prudential Code for Capital Finance along with the Department for Levelling Up, Housing and Communities’ (DLUHC’s) Guidance on Local Government Investments and Minimum Revenue Provision.</p> <p>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.</p>

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<b>Reasons for Decision</b>	To seek approval of the Treasury Management Strategy 2023-2024 in accordance with both government guidance and Codes of Practice.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	2 March 2023

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<b>Item 7</b>	
<b>Title</b>	2023-2024 Budget and Medium Term Financial Strategy 2023-2024 - 2025-2026
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<p><b>That Council be recommended to approve:</b></p> <ol style="list-style-type: none"> <li>1. The net budget requirements for 2023-2024 of £306.4 million for General Fund services.</li> <li>2. The Medium Term Financial Strategy (MTFS) 2023-2024 to 2025-2026 as detailed in Table 6 and the key assumptions underpinning the MTFS as detailed in Appendices 1 and 2 to the report.</li> <li>3. A Council Tax for Council services in 2023-2024 of £1,909.01 for a Band D property, being an increase of 4.99% on 2022-2023 levels, which incorporates the 2% in relation to Adult Social Care.</li> <li>4. The Reserves Strategy as detailed in Appendix 8 to the report.</li> </ol> <p><b>That Cabinet approves:</b></p> <ol style="list-style-type: none"> <li>1. The updated assumptions used in the Budget 2023-2024 and the MTFS 2023-2024 to 2025-2026 as detailed in the report.</li> <li>2. That £1.7 million is transferred from the Budget Strategy Reserve to the General Fund Reserve in order that it can be maintained at approximately 5% of the 2023-2024 net budget, which is in line with recommended good practice.</li> <li>3. That authority continues to be delegated to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance, to approve the calculation and allocation of growth in the central share of business rates for 2023-2024 and future years to be passported to the West Midlands Combined Authority (WMCA).</li> </ol>

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4. That authority is delegated to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance to approve changes to the Council Tax Discretionary Discount Scheme including the establishment of further supplementary budgets if required.
5. That authority continues to be delegated to the Cabinet Member for Resources and Digital City in consultation with the Director of Finance to consider further opportunities to accelerate pension contribution payments to secure additional budget reductions.
6. That authority be delegated to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance to allocate budgets from the Corporate Contingency for Budget Growth once business cases have been completed.
7. That authority be delegate to the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance to allocate the efficiency target held corporately across the services.
8. That authority be delegated to the Leader of the Council and Cabinet Member for Resources and Digital City, in consultation with the Executive Director for Families and the Director of Finance to agree the basis on which £500,000 set aside to support residents struggling with Council Tax payments will be applied. This would be aligned to the Financial Wellbeing Strategy.
9. That the Council enter into the Better Care Fund Section 75 Agreement along with the necessary ancillary agreements from the main agreement for 2023-2024 with the Black Country Integrated Care Board, and delegate authority to the Cabinet Member for Resources and Digital City, Cabinet Member for Adult Services and the Cabinet Member for Public Health and Wellbeing, in consultation with the Director of Adults and the Director of Finance to approve the final terms of the agreement.

**That Cabinet notes:**

1. That the budget for 2023-2024 is in balance without the use of general reserves.



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	<ol style="list-style-type: none"> <li>2. That, in the opinion of the Director of Finance (Section 151 Officer), the proposed levels of reserves are adequate in respect of the forthcoming financial year.</li> <li>3. That it is estimated that a further £16.4 million needs to be identified for 2023-2024, rising to £23.1 million over the medium term to 2025-2026 in order to address the projected budget deficit.</li> <li>4. That, due to external factors, in particular the impact of the increasing cost of living and rising inflation, budget assumptions remain subject to significant change, which could therefore result in alterations to the financial position facing the Council.</li> <li>5. That, there continues to be considerable amount of uncertainty with regards to future funding streams for local authorities over the medium term. 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.</li> <li>6. That, the overall level of risk associated with the Medium Term Financial Strategy to 2025-2026 is assessed as Red.</li> <li>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.</li> <li>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.</li> <li>9. The impact of related parties on the Medium Term Financial Strategy.</li> </ol>
<p><b>Options Considered</b></p>	<p>In determining the proposed 2023-2024 Budget and Medium Term Financial Strategy 2023-2024 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</p>

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	proposed in this report, alternative options would need to be identified in order for the Council to set a balanced budget for 2023-2024.
<b>Reasons for Decision</b>	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.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	2 March 2023

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 8</b>	
<b>Title</b>	Wolverhampton Investment Prospectus
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the Wolverhampton Investment Prospectus to outline the Council’s vision for investment, development and regeneration in the city and provide a commercially informed business case that will be utilised to secure public and private sector funding and investment be approved.</li> <li>2. That authority be delegated to the Deputy Leader: Inclusive City Economy, in consultation with the Director of Regeneration, to approve amendments and updates to the Prospectus in order that it is kept up to date, live and reflective of future changes in project development and delivery, the economy and the needs of businesses and residents. This authority would be for amendments and updates to projects already included in the Prospectus with new projects requiring Cabinet approval for inclusion. The Prospectus would be updated as and when required and would otherwise be reviewed on a six-monthly basis.</li> <li>3. That it be noted that the full prospectus includes more detailed information on specific investment opportunities and schemes not included in the Executive Summary and as a result requires approval by the Cabinet. A link to download the Prospectus is available at Appendix 1 to the report.</li> </ol>
<b>Options Considered</b>	<p><b>Option one</b> would be to retain the previous City Centre Prospectus (2019) and make no changes or updates, given that this was a 10-year plan. This would mean however that the prospectus would not reflect the local economy and significantly changed needs of businesses and residents.</p> <p><b>Option two</b> would be to partially update the 2019 Prospectus, potentially to incorporate a wider geographical remit beyond the city centre. Similarly to option one, given the significant impact and challenges presented by the Covid-19 pandemic, Brexit and recession the resulting prospectus would not be as current and relevant to investors, residents and businesses to the extent that it could and should be.</p>

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<p><b>Reasons for Decision</b></p>	<ol style="list-style-type: none"> <li>1. Since the release of the City Centre Prospectus in 2019 there have been major economic shocks, predominantly as a result of the Covid-19 pandemic, Brexit and the Ukraine war. As a result, the demands of investors, developers, businesses and residents have changed dramatically. Despite this, the scale of the Council’s ambition has not changed, and this was tangibly reflected in the development of the i9 office building. This investment was justified with confirmation of three major occupiers, including Department for Levelling Up, Housing and Communities (DLUHC), prior to practical completion.</li>   <li>2. The new citywide investment prospectus takes account of the changing investment and economic landscape and the needs of businesses and residents as highlighted in the Strategic Economic Plan. It is based on current market intelligence, is commercially informed, realistic and deliverable. It also reflects the strengths of the city, the Levelling up agenda, future growth potential in city centre living, leisure and night-time economy, and modern methods of construction.</li>   <li>3. By not commissioning a new investment prospectus would have hindered the Council’s ability to effectively articulate the scale of transformational opportunity in the city and inform discussions with investors and central government.</li> </ol>
<p><b>Record of Conflicts of Interest</b></p>	<p>None</p>
<p><b>Dispensation Granted</b></p>	<p>Not applicable</p>
<p><b>Decision available for implementation (subject to call-in)</b></p>	<p>27 February 2023</p>

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<b>Item 9</b>	
<b>Title</b>	City Centre Public Realm Improvement Programme - phase 2 - (Lichfield Street/Queen Square) outcome of stakeholder and public engagement
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the next steps for the development and delivery of the City Centre Public Realm improvements programme – phase 2 (Lichfield Street / Queen Square) project be approved.</li> <li>2. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services, to approve the award of the main works contracts for the City Centre Public Realm phase 2 Lichfield Street and Queen Square project as a 2 stage award, stage 1 being Early Contractor Involvement, and stage 2 would be the main works construction at a total estimated contract value within the available project funding limits.</li> <li>3. That the outcome of the public and stakeholder engagement and responses provided to address any issues raised be noted.</li> </ol>
<b>Options Considered</b>	<ol style="list-style-type: none"> <li>1. The project aims to create a significantly improved pedestrian and cycling environment, which builds greater connectivity between the city’s transport interchange, the key strategic regeneration initiatives and the city core. Focussed around Lichfield Street, Queen Square and Darlington Street the project will provide the “missing link” between the phase 1 project in Victoria Street, phase 3 around the Civic Halls and the city’s Interchange whilst increasing footfall within and around the area which will contribute to the overarching output of increased retail activity. In addition to creating more attractive, well connected public realm, the project will create an enlarged events space in Queen Square, and smaller scale events spaces at the top of Victoria Street and in Lichfield Street. This option presents the greatest opportunity to achieve the maximum benefits and to accord with the desired outputs and outcomes identified within the Towns Fund allocation for the project and the City Region Sustainable Transport Settlement (CRSTS) bid.</li> </ol>

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	<ol style="list-style-type: none"> <li>2. Other options around removing all traffic in the project area and returning to two way vehicular movement have been discounted as they would not achieve the required outputs for the funding streams.</li> <li>3. The detailed design of the scheme will ensure that a possible option to deliver a reduced area of improvement around Darlington Street and Queen Square can still be undertaken in the event that the CRSTS funding is not secured in part or whole. Thus allowing for a phased delivery if necessary. This will ensure that the approved Towns Fund spend and required outputs can still be achieved.</li> <li>4. The option to ‘do nothing’ is not recommended because if the Towns Fund grant is not spent or spent as per the agreed drawdown schedule then all or part of the £2.97 million offer will be withdrawn, and the opportunity to deliver key priority projects and create conditions to stimulate further investment will be lost or deferred indefinitely. In addition the CRSTS bid for £9.5 million would need to be withdrawn as the project would not deliver any of the required outputs.</li> </ol>
<b>Reasons for Decision</b>	<ol style="list-style-type: none"> <li>1. The project directly supports The Our City: Our Plan outcomes. In particular, it will help provide a “Thriving economy in all parts of the City” by re-purposing the city centre and surrounding areas through widening the offer and supporting the evening economy. It will also get “more local people into good jobs and training” by supporting existing city centre businesses and by delivering accessible new job opportunities in the leisure and cultural sectors.</li> <li>2. Changing the way people access and move around the spaces within our city centre is a critical aspect to support the city’s ambitious plans for redevelopment, and in reimagining the role of the declining city centre for a new era. Core to these aspirations is ensuring access for all whilst promoting sustainable low carbon modes of transport and healthy lifestyles.</li> </ol>
<b>Record of Conflicts of Interest</b>	None

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<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	27 February 2023

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 10</b>	
<b>Title</b>	Consultation on Reforms to National Planning Policy - Wolverhampton Response
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the response to the Consultation on Reforms to National Planning Policy attached as Appendix 1 to the report be approved.</li> <li>2. That the revised Wolverhampton Local Development Scheme attached as Appendix 2 to the report be approved.</li> <li>3. That a further report on the Wolverhampton Local Plan, following publication of the revised National Planning Policy Framework be submitted to Cabinet.</li> <li>4. That the response to the South Warwickshire Local Plan Issues and Options consultation set out in paragraph 5.1 of the report be approved.</li> </ol>
<b>Options Considered</b>	<ol style="list-style-type: none"> <li>1. The alternative option to preparing a revised Local Development Scheme would be to make no change to the existing Black Country Core Strategy. This would mean that the city would not have an up-to-date Local Plan in place for a number of years.</li> <li>2. Failure to have a Local Plan that is based on sound evidence could result in the city having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development taking place in the wrong locations, leading to an inefficient use of resources, traffic congestion and other harm. Having an up-to-date Local Plan in place is also essential to defend the Council's position at planning appeals. Lack of an up-to-date Plan risks intervention from central government and may compromise our ability to make decisions locally.</li> </ol>



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<b>Reasons for Decision</b>	It is important that Wolverhampton is covered by an up-to-date Local Plan, in order to meet statutory requirements and to support regeneration and investment in the City and protect areas of value from development. Cabinet approval is required for each consultation stage of the Local Plan preparation process. Linked to this, it is important that the Council responds to consultations on national policy and guidance and the Local Plans being progressed for neighbouring authorities.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	27 February 2023

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 11</b>	
<b>Title</b>	Determined Admissions Arrangements for Community and Voluntary Controlled Schools 2024-2025
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the Co-ordinated Admission Schemes for secondary and primary school admissions at the normal year of entry for 2024-2025 be approved and that the Secretary of State be notified by 28 February 2023.</li> <li>2. That the proposed admission arrangements including the oversubscription criterion relating to children of staff for community and voluntary controlled schools for 2024-2025 be approved.</li> <li>3. That the outcome of the external consultation in relation to the Determined Admission Arrangements for Community and Voluntary Controlled Schools 2024-2025 included in section 4 of the report be noted.</li> <li>4. That it be noted that a copy of the complete consultation results are included at Appendix 2 to the report.</li> </ol>
<b>Options Considered</b>	To consult on the admissions arrangements without any changes in accordance with the School Admissions Code 2021. As the last consultation occurred in 2015, consultation was due.
<b>Reasons for Decision</b>	<ol style="list-style-type: none"> <li>1. Due to the outcome of consultation, it is recommended that the oversubscription criterion of children of staff be included above criterion 6 (for distance) in the City of Wolverhampton Council School Admission Arrangements (CWC SAA) for maintained &amp; voluntary controlled schools for 2024-25. <ol style="list-style-type: none"> <li>A. 62% of consultees agreed that the oversubscription criterion of children of staff should be included in the 2024-25 CWC School Admission Arrangements.</li> </ol> </li> </ol>

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	<ol style="list-style-type: none"><li>2. Approval of the admission arrangements without the proposed change may create a misalignment in staff recruitment and retention between maintained and voluntary controlled schools and some academies (who are the admission authority) in the local area.</li><li>3. In addition, having the option to assist with staff recruitment and retention can contribute to outcomes for children and young people. This will align to the Council Plan as an overarching link to Strong families where children grow up well and achieve their full potential.</li><li>4. It is also recommended that the proposed CWC School Admission Arrangements for 2024-2025 be approved as proposed as all comments have been considered and addressed.</li></ol>
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	23 February 2023

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 12</b>	
<b>Title</b>	Financial Wellbeing Strategy Progress Review
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the progress that has been made in delivering the principles and priorities of the Financial Wellbeing Strategy be recognised.</li> <li>2. That the direction of travel for 2023/2024 and associated priorities be supported.</li> </ol>
<b>Options Considered</b>	This is a progress report so there are no alternative options.
<b>Reasons for Decision</b>	<ol style="list-style-type: none"> <li>1. The strategy will help support avoidance of escalation of need and identify support at the earliest opportunity. It will support partnership working as the key to delivery, working with our community, voluntary and faith partners to strengthen resilience within communities.</li> <li>2. The wealth of local data and information to evidence the need for financial support cannot be underestimated. Through the collection of local data, we have established an understanding of the level and type of hardship experienced by households in the city. In the shorter-term residents of the city affected by financial hardship will continue to require urgent essential crisis support, but by adopting this strategy we can work in our local communities to support that immediate crisis need and prevent and reduce the level of future crisis support required. The implementation of the strategy will give an opportunity to move from reliance on essential crisis support to a position of increased financial resilience for residents.</li> </ol>
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	23 February 2023

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 13</b>	
<b>Title</b>	Adult Social Care Annual Report: The Local Account 2021-2022
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That how Adult Social Care performed as detailed within The Local Account 2021-2022 attached as Appendix 1 to the report be noted.</li> <li>2. That the different approach taken to produce the Local Account 2021-2022 be noted.</li> </ol>
<b>Options Considered</b>	<ol style="list-style-type: none"> <li>1. The option of not producing a Local Account has been considered. However, this annual report is a key way of ensuring accountability to residents and wider communities. There could also be a reputational risk if the report was not produced as, although not mandatory, it is considered good practice for Local Authorities to produce one annually and will be a key document for Care Quality Commission (CQC) assurance.</li> <li>2. It has been considered whether to continue to use the same approach as in previous years to structure the Local Account. However, as detailed in paragraph 2.6 of the report a decision has been taken to use the Think Local Act Personal (TLAP) making it real framework because of the emphasis on coproduction and personalisation to make sure people are the centre of our approach.</li> </ol>
<b>Reasons for Decision</b>	Local Accounts are a way for Local Authorities to be accountable to and open with residents about the successes that have been achieved as well as the challenges being faced. The risk of not publishing a Local Account is that the realities of such challenges go unnoticed and also local people with care and support needs are not involved in decisions about the priorities for the coming year, which is a key part of the consultation process for the Local Account.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	Not applicable
<b>Decision available for implementation (subject to call-in)</b>	23 February 2023

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 22 February 2023**

<b>Item 14</b>	
<b>Title</b>	Energy from Waste - Future Operation
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That an exemption be approved from the Council's Contracts Procedure Rules for all specialist advisors listed in Appendix 1 to the report who are required to continue to provide the specialist advice for the Energy from Waste Programme until completion of all workstreams to provide continuity and continuation to the EFW Programme.</li> <li>2. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services to approve the award of a contract for a short-term operator of the Energy from Waste plant to commence in June 2023 and a maximum period of up to five years.</li> <li>3. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services to approve the award of a contract for conducting dilapidation repairs for the Energy from Waste plant.</li> <li>4. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services to approve the award of a contract for upgrading and compliance works necessary for the continued operation of the Energy from Waste plant.</li> <li>5. That exemption be approved from the Council's Contracts Procedure Rules for all additional suppliers listed in Appendix 2 to the report necessary for the continued operation of the Energy from Waste plant for a period of the contract referenced in recommendation 2 above but ensuring compliance with Public Contract Regulations 2015 (PCR).</li> <li>6. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with Chief Operating Officer, Director of Resident Services and Director of</li> </ol>

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	<p>Finance to agree settlement of all contractual termination obligations including dilapidations and financial settlement to Wolverhampton Waste Services.</p> <p>7. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with Chief Operating Officer, Director of Resident Services and Director of Finance to create supplementary capital budgets for any works to be undertaken which are funded through the settlement with Wolverhampton Waste Services.</p> <p>8. That authority be delegated to the Chief Operating Officer and Director of Resident Services to exercise the rights within the Wolverhampton Waste Services contract to directly acquire essential plant, spares and consumables.</p> <p>9. That the decisions made on 9 February 2023 under the urgent decision provisions of article 12.9 in Part 2 of the Council's Constitution by the Leader in consultation with the Chair of Scrutiny Board, Vice Chair of Scrutiny Board and Chief Executive who authorised the following, be noted:</p> <ul style="list-style-type: none"><li>a. Approve the Transfer of Undertakings (Protection of Employment) regulations (TUPE) transfer of the identified EfW staff into the council from the 11 February 2023.</li><li>b. Delegate authority to the Chief Operating Officer to agree the contractual terms and authorise the completion of an agreement with North Midlands Operations Limited (NMOL) substantially in accordance with the draft heads of terms at appendix 1.</li><li>c. Authorise the adoption of non-standard procurement procedures, in relation to the supplies, goods and services listed at appendix 2, to enable the council to procure specialist supplies, goods and services for the continued operation of the EfW plant through its management agent NMOL.</li><li>d. Following on from recommendation 3 approve an exemption from the Council's Contracts Procedure Rules for all suppliers listed in Appendix 2 necessary for the continued operation of the EfW plant for a period of the NMOL contract but ensuring compliance with Public Contract Regulations 2015 (PCR).</li></ul>
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|  | <ul style="list-style-type: none"><li>e. Approve an exemption from the Contracts Procedure Rules but within the Public Procurement Regulations 2015 and specifically subject to further legal advice potential use of the exemptions contained therein under PCR 32(2)(b) to award a contract for specialist insurance policies to cover the EfW plant, to be placed by the council's insurance brokers.</li><li>f. Delegate authority to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services and Director of Finance for the procurement of a contract to allow the sale of electricity generated from the EfW and to enter into a Power Purchase Agreement.</li><li>g. Delegate authority to the Director of Resident Services and the Head of Environmental Services to order and procure any parts, consumables or services as necessary for the operation of the EfW plant, this will include the delegation of authority for procurement outside of the normal contract procedure rules but ensuring compliance with Public Contract Regulations 2015.</li><li>h. Delegate authority to the Chief Operating Officer, Director of Resident Services and Director of Finance to exercise the rights within the WWS contract at contract end to directly acquire those items of plant, spares and consumables that are essential to the operation of the plant and cannot wait until such time as further Cabinet approval can be obtained.</li></ul> <p>10. That the need to undertake further work to determine the future strategic direction in terms of the Energy from Waste Plant be noted.</p> <p>11. That the need to provide dedicated ongoing Programme Management, Legal and Procurement resources to support the delivery of the EfW Programme be noted.</p> <p>12. That it be noted that any amendments to the procurement procedure approved by this report would be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.</p> |
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<b>Options Considered</b>	<ol style="list-style-type: none"><li>1. The Council reviewed alternative options for the continued waste disposal requirements. These were contained in the 9 February 2023 urgent decision report and concluded that the approach to reconfigure the operation of the plant to a council service with a short term management contract with NMOL as set out in this report demonstrated the best value for money approach, showing the other approaches were less advantageous to the Council and the City.</li><li>2. Those approaches considered were:<ul style="list-style-type: none"><li>• Extension of the contractual arrangements with WWS – it was not possible to progress this.</li><li>• 3<sup>rd</sup> Party waste disposal to alternative EfW facilities across the country – this was not considered value for money and had a significant number of disadvantages including loss of local jobs, statutory compliance issues, increased costs, loss of income and adverse environmental impacts.</li><li>• Direct Award of a new Operating Contractor – the council were unable to progress this following legal advice due to the likely value of such a contract.</li></ul></li><li>3. The procurement exercises identified within this report for short-term and longer-term contracts to support the plant's ongoing operation will consider the options available for best value, and this will be subject to further reporting under the delegations requested within this report.</li><li>4. The ongoing operation of the plant is dependent on the completion of the required maintenance. If this work is not undertaken the plant will not meet regulatory or industry standards and will run the risk of failure and closure of the plant. This work would have been required regardless of the operating model of the plant.</li><li>5. The retention of the specialists requested within this report would retain the continuity of advice and utilise the existing knowledge of those specialists for the current EfW Programme. If these specialists are not retained continuity will not be obtained, and additional time, money and resources will need to be allocated to updating any new advisors engaged which is not deemed value for money.</li></ol>
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<p><b>Reasons for Decision</b></p>	<p><b>Authority to procure contract</b></p> <ol style="list-style-type: none"> <li>1. For the plant to remain operational a new short-term contract to commence in June 2023 is essential. Without this in place the plant will have to close and the 3<sup>rd</sup> Party contingency option to send waste to other sites will need to be engaged. Once the plant closes for a period of time it may be very difficult and expensive to get it operational again</li> <li>2. It is therefore essential to meet the tight time frames associated with the end of the NMOL contract that these procurements commence as a matter of urgency.</li> </ol> <p><b>Authority to procure works contracts to upgrade and maintain the plan</b></p> <ol style="list-style-type: none"> <li>1. Without this work being undertaken the plant will not be fully compliant with regulatory and industry standards, it will also be more likely to fail and require expensive maintenance or be required to close with the loss of jobs and need to send waste to other plants across the country.</li> </ol> <p><b>Exemptions Provided for all suppliers/supporting specialists/advisors -</b></p> <ol style="list-style-type: none"> <li>1. The requested exemptions for the technical advisors and supporting specialists are required to provide ongoing and continuity of specialist advice.</li> </ol>
<p><b>Record of Conflicts of Interest</b></p>	<p>None</p>
<p><b>Dispensation Granted</b></p>	<p>Not applicable</p>
<p><b>Decision available for implementation (subject to call-in)</b></p>	<p>27 February 2023</p>