



# Cabinet Meeting

22 October 2014

**Time** 5.00 pm      **Public Meeting?** YES      **Type of meeting** Executive  
**Venue** Committee Room 3 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

## Membership

**Chair** Cllr Roger Lawrence (Lab)  
**Vice-chair** Cllr Peter Bilson (Lab)

## Labour

Cllr Steve Evans  
Cllr Val Gibson  
Cllr Andrew Johnson  
Cllr Elias Mattu  
Cllr Phil Page  
Cllr John Reynolds  
Cllr Sandra Samuels  
Cllr Paul Sweet

Quorum for this meeting is five Councillors.

## Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

**Contact** Dereck Francis  
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

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

*Item No.*    *Title*

### MEETING BUSINESS ITEMS

- 1            **Apologies for absence**
- 2            **Declaration of interests**
- 3            **Minutes of the previous meeting (1 October 2014)** (Pages 1 - 6)  
[For approval]
- 4            **Matters arising**  
[To consider any matters arising from the minutes of the previous meeting]

### DECISION ITEMS (AMBER - DELEGATED TO THE CABINET)

- 5            **2015/16 Budget and Medium Term Financial Strategy 2015/16 - 2018/19**  
(Pages 7 - 32)  
[To approve the budget strategy, to be used as a basis for budget consultation]
- 6            **Regeneration Compliance and Regulation Policy Review** (Pages 33 - 50)  
[To approve the revised policy]
- 7            **Appointments to Outside Bodies** (Pages 51 - 54)  
[To confirm the Council's representative on the Sandwell Youth Employment Commission]



# Meeting of the Cabinet

## Minutes - 1 October 2014

### Attendance

#### Members of the Cabinet

Cllr Roger Lawrence (Chair)  
Cllr Peter Bilson (Vice-Chair)  
Cllr Steve Evans  
Cllr Val Gibson  
Cllr Andrew Johnson  
Cllr Elias Mattu  
Cllr Phil Page  
Cllr John Reynolds  
Cllr Sandra Samuels  
Cllr Paul Sweet

#### Employees

Dereck Francis	Democratic Support Officer
Keith Ireland	Strategic Director, Delivery
Tim Johnson	Strategic Director, Education and Enterprise
Sarah Norman	Strategic Director, Community
Mark Taylor	Assistant Director, Finance
Kevin O'Keefe	Chief Legal Officer

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

*Item No.*    *Title*

- 1 Apologies for absence**  
No apologies for absence were received for the meeting.
- 2 Declaration of interests**  
No declarations of interests were made.
- 3 Minutes of the previous meeting (10 September 2014) and Cabinet (Resources) Panel (9 September 2014)**  
Resolved:  
That the minutes of the meeting held on 10 September 2014 and of the Cabinet (Resources) Panel meeting held on 9 September 2014 be approved as a correct record and signed by the chair.
- 4 Matters arising**  
There were no matters arising from the minutes of the previous meeting of Cabinet and Cabinet (Resources) Panel.

## **DECISION ITEMS (AMBER - delegated to the Cabinet)**

### **5 South Staffordshire Site Allocations Document - Additional Sites**

Cllr Peter Bilson presented a report on the issues arising from the South Staffordshire Site Allocations Document (SAD) Issues and Options: Additional Sites consultation. The report also set out the basis for a proposed Wolverhampton City Council response to the consultation which aimed to ensure that there are appropriate gaps between the Black Country urban area and South Staffordshire villages of Perton, Codsall and Bilbrook.

Resolved:

That the undermentioned response set out in paragraphs 3.8 and 3.13 of the report be approved as the basis of the Council's response to the South Staffordshire Site Allocations Document (SAD) – Issues and Options: Additional Sites consultation:

- South Staffordshire covers large areas of Green Belt land, but those parts which are of most strategic importance are located around the urban area, as they stop settlements from merging and also support urban regeneration. Therefore it is of key importance to maintain the gap between the Black Country urban area and South Staffordshire villages.
- In the case of Perton, site 467 could be allocated for housing up to 2028 and any safeguarded land up to 2038, as this site makes a low contribution to Green Belt purposes and will not reduce the gap between Wolverhampton and Perton. Site 454 should not be allocated or safeguarded for housing, as it makes a high contribution to Green Belt purposes by maintaining the gap between Wolverhampton and Perton and preferable alternative sites are available, such as site 407. If site 454 is considered for housing allocation or safeguarding, this should be designed to: minimise any reduction of the gap, include appropriate landscaped buffers to reduce impact on Wolverhampton residents and have main road access from Perton.
- In the case of Bilbrook, site 443 should not be allocated or safeguarded for housing, as preferable alternative sites are available (sites 213 and 211) which would place less pressure on the Wolverhampton road network.
- In the case of Codsall, sites 446 and 447 could be allocated for housing up to 2028 and safeguarded land up to 2038, as these sites make a more limited contribution to Green Belt purposes and would place less pressure on the Wolverhampton road network than alternative sites.
- Any Perton and Codsall / Bilbrook housing allocations should be phased in the medium (5-10 years) or long (10-15 years) term, to minimise impacts on brownfield housing investment in Wolverhampton.
- The Wobaston Road Playing Fields site (6 ha) should be included in the Preferred Options consultation as an extension to the i54 site, to be made available in the short term.

6 **Black Country Growth Deal**

Cllr Peter Bilson presented a report on the development and delivery of the Black Country Strategic Economic Plan and supporting growth fund opportunities. He also asked Cabinet to approve priorities for Council led proposals for European Union Structural and Investment Funds in anticipation for when the fund is opened for calls in 2015.

Cllr Roger Lawrence added that the opportunities created by the funds were good news for the city, particularly in the first Wolverhampton 'Business Week' which had been well received.

Resolved:

1. That the recommendation to prioritise development work on the undermentioned projects in anticipation of the European Union Structural and Investment Fund being opened for calls in 2015 be approved:
  - Black Country Growth Hub
  - Support for Wolverhampton Local Growth Clusters
  - Low Carbon and Environment
  - Broadband Utilisation Support
  - Employment Support for Over 25's
  - Promoting Social Inclusion amongst disadvantaged groups
2. That the proposed focus for the Council's contribution to Black Country Working, based on the relevant Portfolio Holder functions as set out in the Council's Constitution and the Education and Enterprise Directorate's new operating framework be approved.
3. That the opportunities to obtain significant government funding for Wolverhampton led projects through joint Black Country working be noted.
4. That the current position with EU Strategic Investment funding and the work underway to develop revenue projects that will complement the Growth Deal Capital projects be noted.

7 **Black Country Growth Deal - Cultural Capital Programme**

Cllr Elias Mattu presented the update report on the completion of the final business case for the Civic Halls and Grand Theatre improvement proposal, since it was considered by the Cabinet (Resources) Panel on 29 July 2014. He reported that the award of external funding towards the Civic Halls and Grand Theatre improvement projects was good news for the city and its cultural offer. Projections were that the refurbishment project at the two established venues within the city would safeguard the equivalent of 637 jobs in the wider economy, attract an additional 510,000 visitors per annum and result in a further 120 jobs being created as a result of increased visitor numbers and spend.

Cllr Andrew Johnson added that the funding was good news for the city. It would mean that in addition to the benefits referred to by Cllr Mattu, the increased capacity and improved facilities following the proposed investment would provide an opportunity for the Civic Halls to meet its savings target in the Council's current medium term financial strategy.

Resolved:

1. That the project proceed, and authority be delegated to the Cabinet Members for Leisure and Communities and Resources in consultation with the Strategic Director for Education and Enterprise, the Assistant Director for Finance and the Chief Legal Officer to finalise the grant funding agreement with the Black Country Local Enterprise Partnership (LEP) and Walsall Metropolitan Borough Council, who would be acting as the accountable body for the Black Country Growth Deal funding on behalf of the LEP.
2. That a capital programme budget for the civic halls improvements of £10.4 million be approved and funded from external grant of £6.2 million and £4.2 million as a virement from the capital allocation for regeneration priorities.

## 8 **Wolverhampton City Centre Business Improvement District**

Cllr Peter Bilson sought approval from Cabinet for the Council to support the progression of a Business Improvement District (BID) for Wolverhampton city centre. He reported that the establishment of the BID was a real opportunity to secure the city's future as a prosperous and thriving destination. He referred to the objectives of the BID amongst which included 'to direct and deliver £3 million of investment in the city centre over the next five years'. He also placed on record his thanks and appreciation to the BID Team and Directors and WV1 for all the hard work they had put in to progressing the BID for the city centre.

Resolved:

1. That the Cabinet exercise the Council's vote in support of the proposed BID Ballot in respect of the hereditaments in the Council's ownership within the BID area and authority be delegated to the Strategic Director for Education and Enterprise to complete and return the voting papers on behalf of the Council.
2. That should the BID Ballot be successful the Cabinet Member for Economic Regeneration and Prosperity be authorised to sit as the Council Board member on the BID Board.
3. That authority be delegated to the Cabinet Member for Economic Regeneration and Prosperity in consultation with the Strategic Director for Education and Enterprise and the Assistant Director of Finance to:-
  - take such steps to assist in the delivery of the development and implementation of the city centre BID project.
  - formally approve the BID Business Plan and associated documents,
  - negotiate, agree and complete the BID Operating Agreement between the Council and the BID company if a YES vote is secured.
4. That funding of £13,250 to procure the BID Billing Software required by the Business Rates team to administer collection of the levy be approved.

5. That if a YES vote is secured, up front funding in April 2015 of an amount of £150,000 for the first quarter of the BID levy be confirmed in order that delivery of BID projects and services are not delayed. The Council will be reimbursed after the levy is collected
6. That officer recommendations to charge the BID company £11,200 per annum for the duration of the BID (5 years) to cover WCC's costs associated with collection of the BID levy be confirmed.
7. The Wolverhampton Business Improvement District Business Plan and boundary be noted.
8. That it be noted that formal notice for the Ballot had been received therefore the Returning Officer had been instructed to organise the BID ballot in accordance with the Business Improvement District Regulations (2004).

9 **Schedule of Individual Executive Decision Notices**

Resolved:

That the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with relevant designated employees be noted.

10 **Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item(s) of business as they involve the likely disclosure of exempt information falling within the paragraphs of Schedule 12A of the Act set out below:

<i>Item No.</i>	<i>Title</i>	<i>Applicable paragraph</i>
10	Termination of West Midlands Consortium Services to travelling children, schools and families	1
11	Strategic procurement - award of contracts for works, goods and services	3

## **Part 2- exempt items, closed to press and public**

11 **Termination of West Midlands Consortium**

Cllr Val Gibson introduced the report on a proposal to wind-up the West Midlands Consortium Services to travelling children, schools and families. The key aims that led to the establishment of the consortium had significantly changed and the partners were agreed that they could better provide for travelling children through separate local arrangements than through a partnership.

Resolved:

1. That the proposal to wind-up the 'West Midlands Consortium Services to Travelling Children, Schools and Families' be approved.

2. That the plan which would ensure that the termination of the existing partnership agreement is efficiently completed in a manner which reduces any financial or legal risk to Wolverhampton City Council be approved.
3. That the Council enter into an Agreement to terminate the West Midlands Consortium with Birmingham City Council and Staffordshire County Council and any other parties as may be necessary and authority be delegated to the Cabinet Member for Children and Families in consultation with the Strategic Director for Communities to approve the final form of the agreement.
4. That the tight timelines necessary for completion of the winding-up process in order to minimise any risk to the Council be noted.

12 **Strategic Procurement Report**

Cllr Andrew Johnson presented the report on the award of the contract for the delivery of the Council's customer services strategy. He requested that appropriate performance targets be built into the contract terms.

Resolved:

That the contract for delivery of the Council's customer services strategy be awarded to PA Consulting Group of Buckingham Palace Road, London and the Council's Chief Legal Officer be authorised to execute the contract.





# Cabinet Meeting

22 October 2014

<b>Report title</b>	2015/16 Budget and Medium Term Financial Strategy 2015/16 – 2018/19	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Andrew Johnson Resources	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Keith Ireland, Managing Director Sarah Norman, Community Tim Johnson, Education and Enterprise	
<b>Originating service</b>	Delivery	
<b>Accountable employee(s)</b>	Mark Taylor	Assistant Director Finance 01902 55(6609) <a href="mailto:mark.taylor@wolverhampton.gov.uk">mark.taylor@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Strategic Executive Board	09 October 2014

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## Recommendation(s) for action or decision:

That Cabinet is recommended to:

1. Approve the budget and medium term financial strategy for the four year period 2015/16 to 2018/19 for general fund services as the basis of budget consultation.
2. Approve the key budget assumptions set out in section 4, including budget parameters such as inflationary increases.

3. Approve that expenditure during the remainder of 2014/15 be restricted to that which is essential to enable the Council to undertake its planned level of services.
4. Approve that authority be delegated to the Cabinet Member for Resources in consultation with the Assistant Director Finance to approve the final budget consultation arrangements.

**Recommendations for noting:**

That Cabinet is asked to note:

1. That due to the uncertainty surrounding the future of public finances in 2015/16 and beyond, the variability inherent in forecast assumptions and the difficulties in achieving the successful delivery of significant levels of challenging savings, the projected additional savings requirement in each of the next four financial years could still change significantly as more information becomes available.
2. That due to the current level of uncertainty medium term financial planning has been restricted to a four year period in the Medium Term Financial Strategy.
3. That the assumption regarding pay awards is subject to particular uncertainty with recent proposals by the Local Government Association still being discussed.
4. That whilst the savings proposals identified are sufficient to rebuild general reserves to the minimum £10 million level in 2015/16, it is projected that general fund balances would be exhausted in 2016/17 (see paragraph 2.8). This represents progress against the council's agreed budget strategy but work must continue in order to achieve the further £35 million savings under that strategy to ensure that general fund balances are maintained in the medium term.

## 1. Purpose

- 1.1 This is the second report to Cabinet on the budget for 2015/16 and identifies additional savings proposals to achieve the £25 million savings target agreed by Council in March 2014. The report requests approval from Cabinet to use the budget proposals as the basis for consultation.
- 1.2 The report provides an update to the Medium Term Financial Strategy and presents the base assumptions to Cabinet for approval.

## 2. Summary

- 2.1 In order to tackle the substantial budget deficit that followed the drastic reduction in financial resources available to the Council arising from successive cuts in government grant support the budget strategy approved by Council in March 2014 included the following:
- A minimum of £25 million of additional savings for 2015/16 should be identified and reported to Cabinet in June 2014, in order to demonstrate that a balanced budget can be achieved and that general reserves can be partially replenished.
  - That additional savings for 2014/15 should be identified and reported to Cabinet in June 2014 and then Council in July 2014 in order to revise the 2014/15 budget and reduce the call on general reserves.
  - That a further £35 million of additional savings should be identified, taking the total additional savings to be identified to £60 million, in order to address the projected budget deficit over the medium term to 2018/19.
- 2.2 Substantial progress against this strategy was reported to Cabinet in June 2014 and work has continued to ensure that savings targets agreed are achieved. Table 1 below sets out the position against the target at June 2014 and the current position:

**Table 1 – Overarching savings strategy**

Directorate	June Target	June Identified	Revised Target	October Identified	Difference
	£m	£m	£m	£m	£m
Community	17.0	15.3	15.0	15.0	0.0
Education & Enterprise	1.5	0.7	1.9	1.9	0.0
Delivery (inc. Corporate)	4.0	2.1	7.7	9.8	2.1
Office of the Chief Executive	0.2	0.0	0.4	0.4	0.0
To be allocated	2.3	0.0	0.0	0.0	0.0
<b>Total</b>	<b>25.0</b>	<b>18.1</b>	<b>25.0</b>	<b>27.1</b>	<b>2.1</b>

- 2.3 The June target of £25.0 million included £2.3 million of savings target yet to be allocated. The entire £25.0 million target has now been allocated and, in addition, £2.0 million that was originally allocated to the Community directorate for 2015/16 has been deferred to be a 2016/17 target.
- 2.4 The significant additional work that has been undertaken since June has resulted in the identification of a total of £9.0 million of additional savings proposals bringing the total to £27.1 million. There has been a further £2.0 million identified to meet the additional deferred Community directorate target referred to above.
- 2.5 The assumptions and projections underlying the MTFS have been reviewed and adjusted where necessary (section 4). This review has resulted in adjustments to income from government grant income, expenditure and historic savings proposals. The impact of the 2013/14 outturn as reported to Cabinet (Resources) Panel in July 2014 has also been incorporated in the revised projections. The cumulative impact on the projected deficit is shown in table 2 below.
- 2.6 While this represents progress against the Council's agreed budget strategy, work will continue to deliver the agreed strategy to address the projected budget deficit; namely to identify a further £35 million of savings for 2016/17. The projected position after taking account of the savings that are identified within this report (section 3) and amendments to the MTFS projections (section 4) is summarised in table 2 below:

**Table 2 – Projected remaining budget deficit**

	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000
<b>Projected remaining budget deficit (cumulative)</b>	<b>(11,827)</b>	<b>(21,261)</b>	<b>(32,894)</b>	<b>(50,541)</b>	<b>(59,190)</b>
Savings proposals identified	1,885	25,169	4,716	(1,015)	(765)
MTFS Adjustments	0	(8,889)	(2,416)	(3,209)	547
<b>Revised projected remaining budget deficit (cumulative)</b>	<b>(9,942)</b>	<b>(3,096)</b>	<b>(12,429)</b>	<b>(27,882)</b>	<b>(36,749)</b>

- 2.7 Table 3 below sets out the projected uncommitted General Fund balance after taking account of the savings identified to date and the revised MTFS assumptions and projections:

**Table 3 – Projected uncommitted General Fund balance**

	<b>2014/15</b> <b>£000</b>	<b>2015/16</b> <b>£000</b>	<b>2016/17</b> <b>£000</b>	<b>2017/18</b> <b>£000</b>	<b>2018/19</b> <b>£000</b>
<b>Projected surplus (deficit) as at March 2014</b>	<b>4,512</b>	<b>(16,749)</b>	<b>(49,683)</b>	<b>(100,184)</b>	<b>(159,374)</b>
Cumulative effect of savings proposals identified	1,885	28,939	60,709	91,514	121,554
Cumulative effect of MTFS adjustments	7,548	(1,341)	(12,646)	(20,742)	(28,291)
<b>Revised projected surplus (deficit)</b>	<b>13,945</b>	<b>10,849</b>	<b>(1,620)</b>	<b>(29,462)</b>	<b>(66,211)</b>
Shortfall against £10 million minimum	-	-	11,620	39,462	76,211

- 2.8 As can be seen, whilst the savings proposals identified are sufficient to rebuild general reserves to the minimum £10 million level in 2015/16, work must continue in order to avoid exhausting general fund balances in 2016/17.
- 2.9 In order to support the savings programme in rebuilding general reserves it is proposed that expenditure during the remainder of 2014/15 be restricted to that which is essential to enable the Council to undertake its planned level of services.
- 2.10 It should also be noted that the projected general fund balance is subject to change as a result of any variations in the outturn for 2014/15. These will continue to be monitored on a quarterly basis and the projections updated where necessary.
- 2.11 It is proposed that the 2015/16 budget and medium term financial strategy 2015/16 - 2018/19 (MTFS) as outlined in this report and incorporating the savings and MTFS adjustments shown in sections 3 and 4 respectively are approved as the basis for the 2015/16 budget consultation.
- 2.12 It is proposed that authority be delegated to the Cabinet Member for Resources in consultation with the Assistant Director Finance to approve the final budget consultation arrangements.

### 3. Savings Proposals

3.1 Savings proposals that have been identified are summarised in table 4 below:

**Table 4 – Savings Proposals Summary**

	2014/15 £000	2015/16 £000	Later Years* £000
Savings proposals identified at June 2014	1,684	16,418	(1,171)
Adjustments to June Proposals	150	(823)	1,815
New proposals	51	9,574	(708)
	<b>1,885</b>	<b>25,169</b>	<b>(64)</b>

\* figures reported in brackets represent a reduction to previously approved savings proposals in later years due to these being accelerated and implemented in earlier years.

- 3.2 Savings proposals that were approved in June, subject to the outcome of appropriate consultation and scrutiny and equality analysis, have been subject to further refinement and quantification with the necessary adjustments made. These have largely been amendments to the timing of implementation but have also included increases in the value of savings achievable.
- 3.3 The details of the June 2014 savings proposals as amended are provided in appendix A. Where appropriate further details on individual savings proposals are available on the Council's website using the following link  
<http://www.wolverhampton.gov.uk/budgetsavings>.
- 3.3 New proposals identified since June are summarised in table 5 below:

**Table 5 – New Savings Proposals**

Cabinet Portfolio	No.	2014/15 £000	2015/16 £000	Later Years* £000
Resources	13	-	6,683	(714)
Governance and Performance	2	-	35	-
Leisure and Communities	1	-	35	(35)
Leader of the Council	2	-	400	-
City Services	7	-	807	-
Economic Regeneration and Prosperity	6	-	916	50
Learning and Achievement	1	-	100	(100)
Adult Services	1	51	298	91
Children and Families	2	-	300	-
	<b>35</b>	<b>51</b>	<b>9,574</b>	<b>(708)</b>

\* figures reported in brackets represent a reduction to previously approved savings proposals in later years due to these being accelerated and implemented in earlier years.

- 3.4 Details regarding the savings in table 5 are provided in appendix B. Where appropriate further details on individual savings proposals are available on the Council's website using the following link <http://www.wolverhampton.gov.uk/budgetsavings>.
- 3.5 The most significant new proposal is a technical accounting change to the policy on calculating the Council's Minimum revenue Provision (MRP) which will generate an annual saving of approximately £4.4 million. This is an area that a number of councils have been reviewing and, whilst the new annuity basis of calculation is seen as less prudent traditionally, the resulting provision is still assessed as sufficiently prudent overall by the Section 151 Officer and agreed by the Council's external auditors. This policy change will require separate approval by Cabinet and Council.

#### 4. MTFS Assumptions and Projections

- 4.1 The major assumptions used in the preparation of the MTFS are provided at appendix C. These have been adjusted where necessary based upon the latest available information. However it should be noted that, as is the nature of forecasts, these are subject to change in the light of new information.
- 4.2 Given the level of uncertainty in the outlook for local government finance at present the planning horizon for the current MTFS has been restricted to four years. If the current level of uncertainty persists it is intended that this will be further reduced to three years from 2016/17.
- 4.3 The cumulative impact of the changes to the MTFS is shown in table 6 below:

**Table 6 – Cumulative Impact of Changes to MTFS**

	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000
Cumulative effect of MTFS adjustments	7,548	(1,341)	(12,646)	(20,742)	(28,291)

- 4.4 Further detail of the changes made to the MTFS is provided at Appendix D.
- 4.5 It should be noted that the pay award assumption, which has been revised is subject to particular uncertainty with recent proposals by the Local Government Association still being discussed.

## **5. Budget Risk Management**

- 5.1 The overall level of risk associated with the five year budget and MTFs for 2015/16 to 2018/19 continues to be assessed as Red. The six main areas of risk are summarised in the table at appendix E.

## **6. Financial Implications**

- 6.1 The financial implications are discussed in the body of the report

[NA/08102014/B]

## **7. Legal Implications**

- 7.1 The Council's revenue budgets make assumptions which must be based on realistic projections about available resources, the costs of pay, inflation and service priorities and the likelihood of achieving any savings proposals.
- 7.2 The legal duty to spend with propriety falls under S.151 Local Government Act 1972 and arrangements for proper administration of their affairs is secured by the S.151 Officer as Chief Financial Officer.
- 7.3 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. Both are connected with matters of risk and uncertainty. They are inter-dependent and need to be considered together. In particular, decisions on the appropriate level of Reserves should be guided by advice based upon an assessment of all the circumstances considered likely to affect the Council.
- 7.4 The relevant guidance concerning reserves is Local Authority Accounting Panel Bulletin 77, issued by CIPFA in November 2008. Whilst the Bulletin does not prescribe an appropriate level of reserves, leaving this to the discretion of individual authorities, it does set out a number of important principles in determining the adequacy of reserves. It emphasises that decisions on the level of reserves must be consistent with the Council's MTFs, and have regard to the level of risk in budget plans, and the Council's financial management arrangements (including strategies to address risk).
- 7.5 In addition, section 114 of the Local Government Finance Act 1988 requires the Chief Financial Officer to '...make a report ... if it appears to him that the Authority, a committee or officer of the Authority, or a joint committee on which the Authority is represented':



- (a) has made or is about to make a decision which involves or would involve the Authority incurring expenditure which is unlawful,
- (b) has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Authority, or
- (c) is about to enter an item of account the entry of which is unlawful.

- 7.6 The Chief Financial Officer of a relevant Authority shall make a report under this section if it appears to him that the expenditure of the Authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.
- 7.7 These statutory requirements will have to be taken into account when making final recommendations on the budget and council tax requirement for 2015/16.

[KO/13102014/U]

## **8. Equalities Implications**

- 8.1 Under the Equality Act 2010, the council has a statutory duty to pay due regard to the impact of how it carries out its business on different groups of people. This is designed to help the council identify the particular needs of different groups and reduce the likelihood of discrimination, the nine equality strands covered in the legislation are:
- Age;
  - Disability;
  - Gender reassignment;
  - Marriage and Civil Partnership (this strand only applies to employment and not to service delivery);
  - Pregnancy and Maternity;
  - Race;
  - Religion or Belief;
  - Sex, and
  - Sexual Orientation.

The strands include everyone

- 8.2 In relation to determining the overall revenue budget for the council there is always a difficult balance to be struck in deciding the levels at which to invest, reduce expenditure and raise income set against the often competing needs of different groups within the Wolverhampton community.
- 8.3 In order to address these complex issues the council operates an open and consultative approach to budget and council tax determination. Year-on-year and medium term spending forecasts are provided to every household and business ratepayer within the city as part of the documentation which accompanies the council tax demand.

- 8.4 Budget consultation meetings have been held with the education community, the business community, the voluntary sector, communities of interest and trade unions. The council's budget consultation approach has also included online surveys and a telephone hotline in order to gain feedback on budget and service priorities.
- 8.5 In determining the budget for 2015/16 considerable focus has been placed on the development of savings proposals. All of these proposals will be subject to an equality analysis screening and where necessary a full equality analysis will be conducted.
- 8.6 The Council is facing a particularly challenging short and medium term financial environment in which savings must be generated and a tight control on spending maintained. This means that a greater focus than ever is necessary to ensure that core equalities commitments are met. In determining the 2015/16 budget particular attention has been given to attempts to lessen any adverse impact of proposals on individuals and communities in most need.
- 8.7 In summary the council's annual budget and medium term financial strategy supports a range of services designed to meet key equalities objectives. A cumulative equalities analysis will be conducted on the overall budget proposals, including the overall impact of job losses. This is will be made available on the Council's website.
- 8.8 Councillors should also be aware that under the Equality Act 2010, they must comply with the Public Sector Equality Duty (PSED) when making budget decisions. What this means in practice is that Councillors must consciously think about the three aims of the public sector equality duty as part of the decision making process, the three aims are to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation;
  - Advance equality of opportunity by removing or minimising disadvantages, meet differing needs and encouraging participation, and
  - Foster good relations between people from different groups.
- 8.9 The Act does not require the council to treat everyone in the same way; sometimes different treatment is required, for example, be making reasonable adjustments to meet the needs of disabled people.
- 8.10 Consideration of equality issues must influence the decisions reached by public bodies including:
- How they act as employers;
  - How they develop, evaluate and review policy;
  - How they design, deliver and evaluate services, and
  - How they commission and procure from others.
- 8.11 The Brown Principles, established as a result of a legal case concerning Post Offices closures in 2008, provide an important checklist that should be considered when making decisions:

- Decision makers must be made aware of their duty to have due regard to the identified goals;
- Due regard must be fulfilled before and at the time that a particular decision is being considered, not afterwards;
- The duty must be exercised in substance, with rigour and with an open mind. It is not a question of ticking boxes;
- The duty is cannot be delegated; it must be fulfilled by the organisation in question rather than through the use of an external body to do it to the organisation;
- The duty is a continuing one, and
- It is good practice to keep an adequate record showing that it has considered the identified needs.

## **9. Environmental Implications**

- 9.1 Environmental implications will be addressed on a case by case basis as part of individual savings proposals.

## **10. Human Resources Implications**

- 10.1 In line with the Council's statutory duties as an employer under the Trade Union Labour Relations (Consolidation) Act 1992, an HR1 form has been issued to the Secretary of State for Business, Innovation and Skills identifying the intention to reduce the workforce by up to 1,000 jobs across the Council in the period up to December 2014. The HR1 covers the current voluntary redundancy programme and savings proposals which will result in compulsory redundancies. A further HR1 based on additional proposals will be required from December 2014.
- 10.2 Reductions in employee numbers will be achieved in line with the Council's HR policies. Compulsory redundancies will be mitigated as far as is possible through seeking voluntary redundancies in the first instance, and through access to redeployment. Given the volume and range of savings being proposed, there will be reductions in services and employee numbers which will require fair and due process to be followed regarding consultation, selection and implementation of any compulsory redundancies. The accelerated timetable for achieving savings in the light of the financial settlement is likely to require the Council as an employer to utilise the statutory 45 day and 30 day consultation periods for some service reductions, rather than the best practice position of allowing, where possible, 90 days.
- 10.3 The Council will ensure that appropriate support is made available to employees who are at risk of and selected for redundancy, and will work with partner and external agencies to provide support. Proposals to move service delivery from direct Council management to private, community or third sector providers may have implications under the TUPE regulations.

10.4 There is ongoing consultation with the trade unions on the impact Council's budgetary position and the proposals being made to meet the challenges posed by it.

**11. Corporate Landlord Implications**

11.1 Corporate landlord implications will be addressed on a case by case basis as part of individual savings proposals.

**12. Schedule of Background Papers**

12.1 Report to Cabinet 25 June 2014 – Managing the Budget Cuts – The Next Phase

## Updated June Savings Proposals by Cabinet Portfolio

### Adult Services

Promoting Independence- Disabilities (Residential / Nursing Placements)	Community	-	1,003	-
Promoting Independence - Disabilities (Day Care)	Community	-	129	-
Promoting Independence - Disabilities (Domiciliary Support Plans)	Community	-	570	-
Promoting Independence - Disabilities (High Cost Placements)	Community	-	638	-
Promoting Independence - Disabilities (Supported Living Placements)	Community	-	340	-
Promoting Independence - Disabilities (Transition)	Community	-	320	-
Promoting Independence - Older People	Community	-	512	1,000
Promoting Independence - Mental Health (Resettlement from Long Term Care into Independent Living)	Community	-	200	-
Promoting Independence - Mental Health (Transition)	Community	-	125	-
Promoting Independence - Mental Health (High Cost Residential Placements)	Community	-	175	-
Efficiency Savings in staff from the implementation of the Care Act	Community	-	1,000	(350)
To remodel existing Adult Short Breaks services and contract out to an external provider.	Community	-	100	-
To close the Old Tree Nursery (OTN) in a managed fashion by October 2014 giving appropriate support to the employees who have a disability.	Community	-	199	-
In-house Provision – Supported Employment	Community	-	97	-
To transfer services out of Oxley Day Centre over the next 2 years and in to better quality community settings.	Community	-	50	-

## Updated June Savings Proposals by Cabinet Portfolio

### Adult Services (continued)

Adult Services (continued)				
Commissioning – Bring forward 18/19 savings*	Community	-	38	(38)
Increase and introduce charges for the Council's Carelink Service	Community	-	219	-
More Efficient Use of Very Sheltered Housing	Community	-	500	-
Reduce the total number of care home placements	Community	-	500	-
To Gain Further Efficiencies from External Market Day Service Block Contracts	Community	-	50	-
Single Carer Project	Community	150	338	-
Reduce the number of domiciliary care hours	Community	-	450	-
Housing Support Social Inclusion Savings	Community	81	203	-
Other statutory recharge from HRA	Community	150	-	-

\* These savings are joint with Children and Families Services

### Children and Families

Description of Saving	Directorate	2014/15 £000	2015/16 £000	Later Years £000
Children's Short Breaks administration	Community	19	19	-
Wolverhampton Youth Zone	Community	-	350	(150)
Special Educational Needs Reform Grant Efficiencies	Community	140	(140)	-
Looked After Children	Community	-	5,000	1,000
Commissioning – Bring forward 18/19 savings*	Community	-	53	(53)
Additional Savings - The Haven	Community	-	84	-

\* These savings are joint with Adult Services

## Updated June Savings Proposals by Cabinet Portfolio

### Leisure and Communities

Removal of subsidy for Blakenhall Community & Healthy Living Centre	Community	-	100	-
Deletion of Neighbourhood Wardens Service	Education & Enterprise	-	480	-
Acceleration of reconfiguration of internally delivered Cultural Services	Education & Enterprise	-	220	(220)
Accelerated Savings From Grand Theatre Grant	Education & Enterprise	-	15	(15)

### City Services

Migration of services into the Contact Centre and streamlining existing Customer Service functions	Delivery	-	152	-
Acceleration of saving proposal 0037 (Highways Maintenance)	Delivery	-	400	(400)
Reduction in the level of management in the waste service	Delivery	-	40	-
Acceleration of saving proposal 0041 - reconfiguration of the waste service	Delivery	-	230	(230)

## Updated June Savings Proposals by Cabinet Portfolio

### Economic Regeneration and Prosperity

New combined Housing service	Education & Enterprise	-	100	-
Further merged and shared transportation services.	Education & Enterprise	-	25	(25)

### Health and Wellbeing

Improving health outcomes across the wider determinants of health	Community	150	350	500

### Resources

Revenues & Benefits Restructure	Delivery	100	100	-
Council tax benefit overpayments one-off/short-term benefit (collection fund)	Delivery	-	50	(50)
Advertising Income Generation	Delivery	-	50	-
Sharing Services Across the Black Country	Delivery	-	50	50
Treasury Management technical changes	Delivery	100	-	-
Treasury Management commercial loans opportunities	Delivery	-	50	-
Treasury Management savings from capital programme review and impact of 2013/14 outturn	Corporate	900	(14)	(300)
Internal Audit - Acceleration of previously identified savings	Delivery	-	75	(75)



## Updated June Savings Proposals by Cabinet Portfolio

### Governance and Performance

Chief Officers' Annual Increments Voluntarily Forgone	Office of the Chief Executive	8	-	-
	Delivery	16	-	-
	Community	11	-	-
	Education & Enterprise	9	-	-

Further details on the savings proposals are available on the Council's website via the following link <http://www.wolverhampton.gov.uk/budgetsavings>

## Additional Savings Proposals by Cabinet Portfolio

### Children and Families

Description of Saving	Directorate	2014/15 £000	2015/16 £000	Later Years £000
Children, Young People and Families Voluntary Redundancies.	Community	-	200	-
Review Workforce Need and Capabilities within the Safeguarding and Quality Service	Community	-	100	-

### Adult Services

Description of Saving	Directorate	2014/15 £000	2015/16 £000	Later Years £000
Reduction in the Direct Payment rate related to Personal Assistants	Community	51	298	91

### City Services

Description of Saving	Directorate	2014/15 £000	2015/16 £000	Later Years £000
Efficiency Savings Arising from the Corporate Landlord Model	Delivery	-	192	-
Staffing review of the Markets Service	Delivery	-	25	-
Reduction in waste disposal costs (landfill)	Delivery	-	100	-
Reduction of the winter service budget	Delivery	-	50	-
Removal of the historical contract growth costs for landfill tax	Delivery	-	140	-
Employee car parking fees	Delivery	-	300	-

## Additional Savings Proposals by Cabinet Portfolio

### Economic Regeneration and Prosperity

Highways Maintenance - Reduction in Borrowing for Treasury Management	Education & Enterprise	-	38	-
Efficiency savings across the Directorate	Education & Enterprise	-	78	-
Additional New Homes Bonus through the Empty Homes Council Tax data cleanse	Education & Enterprise	-	400	-
Capitalisation of staff revenue costs associated with development schemes	Education & Enterprise	-	50	(50)
Savings from the restructuring of senior management in order to deliver the Council wide target, of a minimum of £350,000, approved by Full Council on 17 September 2014.	Education & Enterprise	-	100	100
Housing Revenue Account Shops Portfolio	Education & Enterprise	-	250	-

### Learning and Achievement

Review Adult Education funding arrangements	Education & Enterprise	-	100	(100)

### Leisure and Communities

Review of Community Safety Service	Education and Enterprise	-	35	(35)

## Additional Savings Proposals by Cabinet Portfolio

### Resources

Refocusing Legal Services	Delivery	-	177	-
Refocusing of Internal Audit Services	Delivery	-	72	-
Technical change to the Council's policy for Minimum Revenue Provision	Delivery	-	4,400	-
Reduction in West Midlands Integrated Transport Authority Levy	Delivery	-	723	-
Acceleration of Existing Savings both from Efficiencies and the restructuring of senior management in order to deliver the Council wide target, of a minimum of £350,000, approved by Full Council on 17 September 2014.	Delivery	-	274	(274)
Acceleration of existing saving proposal - reduction in contribution to bad debt provision	Delivery	-	175	(175)
Preliminary estimate of banking charges procurement savings; to be revised when procurement exercise concludes	Delivery	-	40	(40)
Reduction in the number of payment cards issued	Delivery	-	10	-
Penalties for failure to supply information relating to council tax recovery	Delivery	-	5	-
One-off saving from Government grant.	Delivery	-	225	(225)
Treasury Management - additional investment income and further reduction in borrowing costs	Delivery	-	205	-
On-going restructuring of the ICT Service and capitalisation of ICT Capital Programme activity	Corporate	-	317	-
Review frequency and the support for meetings.	Delivery	-	60	-

## Additional Savings Proposals by Cabinet Portfolio

### Governance and Performance

Annual Travel Card Scheme Expenditure	Delivery	-	25	-
Occupational Health External Clients	Delivery	-	10	-

### Leader of the Council

Additional savings from Communications restructure (026).	Office of the Chief Executive	-	200	-
Savings from the restructuring of senior management in order to deliver the Council wide target, of a minimum of £350,000, approved by Full Council on 17 September 2014.	Office of the Chief Executive	-	200	-

Further details on the savings proposals are available on the Council's website via the following link <http://www.wolverhampton.gov.uk/budgetsavings>

**Budget Preparation Parameters**

The following key parameters have been reflected in the budget and medium term projections.

	<b>2015/16 Forecast Budget</b>	<b>2016/17 Forecast Budget</b>	<b>2017/18 Forecast Budget</b>	<b>2018/19 Forecast Budget</b>
Council Tax Annual Increase (Council element)	1.99%	1.99%	1.99%	1.99%
Growth in Council Tax Base	0.5%	0.5%	0.5%	0.5%
Pay Awards	1.5%	2.0%	2.0%	2.5%
Price Inflation (excl. Gas, Electricity and NNDR)	0.0%	0.0%	0.0%	0.0%
Price Inflation (Gas)	5.1%	5.1%	5.1%	5.1%
Price Inflation (Electricity)	6.0%	6.0%	6.0%	6.0%
Price Inflation (NNDR)	2.0%	2.0%	2.0%	2.0%
Borrowing Interest Rate (PWLB 25 year rate)	4.8%	4.8%	4.9%	5.0%
Return on Investments	0.3%	0.3%	0.3%	0.3%
NNDR Income Annual Increase	3.0%	3.0%	3.0%	3.0%
Growth in NNDR Tax Base	0.2%	0.2%	0.2%	0.2%
Increase/(Decrease) in Top-Up Grant	2.8%	3.9%	4.1%	0.0%
Increase/(Decrease) in Revenue Support Grant	(29.2)%	(16.7)%	(19.9)%	(25.6)%

Note the NNDR annual increase remains at RPI even though now capped at 2.0% as the shortfall is to be made up by the Government.

**MTFS Adjustments (Cumulative Impact)**

Description	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000	Total £000
1 Primary Schools Expansion Programme	-	-	(400)	(400)	-	(800)
2 Education Services Grant Cut	-	(1,450)	(150)	(150)	(150)	(1,900)
3 Amendments to Terms and Conditions savings including removal of reduced hours proposal	-	(4,299)	(1,098)	3,799	498	(1,100)
4 Adjustment to Redundancy costs projection	(479)	(250)	-	-	250	(479)
5 Additional Business Rates appeals costs	-	(250)	-	-	-	(250)
6 2013/14 and 2014/15 outturn adjustments and amendments to deliverability and timing of historic savings	8,027	(1,975)	575	-	-	6,627
7 Pay award Increase	-	(665)	(1,343)	(40)	(51)	(2,099)
<b>Total Annual Impact on General Balance</b>	<b>7,548</b>	<b>(8,889)</b>	<b>(2,416)</b>	<b>3,209</b>	<b>547</b>	<b>(1)</b>
<b>Total Cumulative Impact on General Balance</b>	<b>7,548</b>	<b>(1,341)</b>	<b>(12,646)</b>	<b>(20,742)</b>	<b>(28,291)</b>	

1. Additional treasury management costs in respect of additional capital expenditure to fund the expansions in primary schools places
2. Cut in the value of the Education Services Grant received from Government together with the impact of the loss of funding from schools transferring to Academy status.
3. Amendment to proposals for changing staff terms and conditions which includes the removal of the proposals to reduce hours from 37 to 35 per week and to freeze increments.
4. Redundancy projections have been reassessed in the light of current costs and savings proposals.
5. National and local experience of rates appeals results since the implementation of localisation of business rates in 2013/14 indicates that the additional costs will result from outstanding appeals

6. Amendment to the MTFS was required for the outturn for 2013/14 and the projected outturn for 2014/15 as reported to Cabinet in July 2014. Further changes have been made in respect of the 2014/15 impact of the proposal for a technical to change the MRP policy, for minor changes to inflation assumptions, and for adjustment to historic savings proposals.
7. The projected pay award has been increased in the light of the most recent information in order to keep a prudent position in the MTFS.



General Fund Budget Risks 2015/16 – 2018/19

Risk	Description	Level of Risk
Financial and Budget Management	Risks that might materialise as a result of the impact of non-pay inflation and pay awards, staff vacancy factors, VAT rules, loss of ICTS facilities, treasury management activity and the impact of single status and budget management failure.	Amber
Transformation Programme	Risks that might materialise as a result of not identifying savings, not delivering the savings incorporated into the budget and not having sufficient sums available to fund the upfront and one-off costs associated with delivering savings and downsizing the workforce.	Red
Income and Funding	Risks that might materialise as a result of income being below budgeted levels, claw back, reduction to government grant or increased levels of bad debts.	Red
Service Demands	Risks that might materialise as a result of demands for services outstretching the available resources.	Amber
Third Parties	Risks that might materialise as a result of third parties and suppliers ceasing trading or withdrawing from the market.	Amber
Government Policy	Risks that might materialise as a result of changes to Government policy including changes in VAT and personal taxation rules and, in particular, from the Care Bill	Red

Details of the risk control measures that are in place in order to manage and mitigate the risks as far as possible have been published on the Council's Website and can be found via the following link <http://www.wolverhampton.gov.uk/budgetsavings>.

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# Cabinet Meeting

22 October 2014

<b>Report title</b>	Regeneration Compliance and Regulatory Policy Review	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor John Reynolds City Services	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Tim Johnson, Education and Enterprise	
<b>Originating service</b>	Regulatory Services	
<b>Accountable employee(s)</b>	Andy Jervis	Head of Regulatory Services
	Tel	01902 551261
	Email	andy.jervis@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

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## Recommendation(s) for action or decision:

The Cabinet is recommended to:

Approve the proposed revised Regeneration Compliance and Regulatory Policy.

## 1.0 Purpose

To seek Cabinet approval of the proposed revised Regeneration Compliance and Regulatory Policy as it applies to matters falling under the remit of the Council's executive. The draft policy is attached at Appendix A.

## 2.0 Background

2.1 Regeneration sits within the Council's Education and Enterprise directorate and within its broad remit - which includes:

- Growing the economy and creating jobs
- Maximising investment
- Strengthening economic development
- Regenerating the city and in particular the city centre
- Public protection

2.2 The service is responsible for discharging the majority of the Council's core regulatory and compliance functions. These are delivered, in varying degrees, by the Regulatory Services (Environmental Health, Trading Standards and Licensing), Planning (Development Control and Building Control), Housing (Private Sector) and Transportation (Highway Safety and Traffic Management) services. Responsibility for these services falls to both the executive and non-executive parts of the Council.

2.3 Regeneration seeks to ensure, through a fair and proportionate approach to compliance and enforcement that the highest levels of protection are afforded to the residents and visitors to the city in relation to public health, the built environment and public realm, housing, environmental protection, food safety, trading standards, historic environment and licensing.

2.4 Proportionate, risk based, consistent and supportive regulation, which is aimed at assisting good business with its compliance obligations, plays a key role in delivering, facilitating and complementing these broad aims whilst adequately protecting public and community safety, health and wellbeing. The targeting of resource to the small proportion of intractably non-compliant commercial operations within the city provides both protection to the public through the identification and elimination of risk and also assistance to the majority of good businesses who want to implement and operate at high levels of compliance.

2.5 The current Regeneration Compliance and Regulatory Policy which was last revised and updated in 2011/2012 became due for review in April 2014 following the publication of the Better Regulation Delivery Office (BRDO) Regulators' Code and the recent restructures following revisions to the Council's budgets. The new policy would also need to reflect the outcomes of recent systems thinking reviews in Planning, Environmental Health, Trading Standards and Licensing which have shifted the emphasis of regulatory activity more towards compliance assistance.

- 2.6 It is also important to periodically review the policy to ensure it continues to fully recognise and appropriately respond to the impact of the economic climate on Wolverhampton's commercial sector through the correct balance of assistance to the trade and proportionate application of regulatory powers to address public health and safety risks.
- 2.7 The latest version of the Regulators' Code came into force on the in April 2014 and Regulatory Services has had full regard to it in developing and implementing its policies and guidance.
- 2.8 As responsibility for these services falls to both the executive and non-executive parts of the Council, approval for the revised policy will also be sought from Licensing Committee.

### 3.0 **The Regulators' Code**

- 3.1 The Code was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ("the Act"). Regulators whose functions are specified by order under section 24(2) of the Act **must** have regard to the Code when developing policies and operational procedures that guide their regulatory activities.
- 3.2 Regulators must equally have regard to the Code when setting standards or giving guidance which will inform the activities of other regulators. If a regulator concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or is outweighed by another relevant consideration, the regulator is not bound to follow that provision, but should record that decision and the reasons for it.
- 3.3 The Regulators' Code contains six basic principles in contrast to the 2008 Regulators Compliance Code which contained seven, there is however little material difference between the plans or the principles.
- 3.4 The six principals of the Regulators' Code are set out below, with the seven principals of the Compliance Code below that.
- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
  - Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
  - Regulators should base their regulatory activities on risk
  - Regulators should share information about compliance and risk
  - Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
  - Regulators should ensure that their approach to their regulatory activities is transparent

The seven principals of the Compliance Code were;

- Economic Progress
- Risk Assessment

- Advice and Guidance
- Inspections and Other Visits
- Information Requirements
- Compliance and Enforcement Actions
- Accountability

3.5 The code contains additional narrative that explains the detail behind these principles and the expectations of the BRDO in relation to compliance by relevant regulators

3.6 The revised draft Regeneration Compliance and Regulatory Policy has been reviewed and revised to reflect the new Regulators Code and is attached at Appendix A for consideration

#### 4.0 **Revised Regeneration Compliance and Regulatory Policy**

4.1 As a general approach to regulation, the Council has adopted the principles set out in the new Regulators Code for a considerable period. In fact, it could be said the new code actually embodies the approach taken by this authority over the last five plus years.

4.2 Additional detail on the Council's approach is contained in the revised Regeneration, Compliance and Regulatory Policy. However, the key points for each of the six new principles are set out below giving examples from the Food Hygiene service to highlight the necessary requirements.

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
  - Employees now take very practical, hands on approach to encourage compliance. This routinely involves showing business operators and food handlers exactly how to undertake specific tasks. The process of working with the business in this way now ensures a much higher level of compliance than simply telling businesses what to do.
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
  - By reducing unnecessary paperwork and back office systems a much greater emphasis is now placed on increasing the amount of time spent with the businesses so any solutions we jointly put in place are tailored to the businesses needs and operating methods. This enhanced engagement provides for a better exchange of views and ideas and therefore a greater degree of compliance and improved working relationships.
- Regulators should base their regulatory activities on risk
  - The whole of the food hygiene inspection and intervention regime is based on an assessment of the risks posed by individual businesses. Clearly, this

facilitates a direction of resources to those businesses most in need of intervention and support.

- Regulators should share information about compliance and risk.
  - All of the changes put in place as a result of the food hygiene systems thinking intervention have been shared, not only with the other Black Country local authorities but with many others interested in pursuing a similar approach. Additionally, the service has worked, and continues to work with the Food Standards Agency to ensure they, as a government body, understand and support the changes we are making to the service and the way it interacts with local businesses.
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
  - When employees are required to document changes in the way a business operates so it can comply with the law this is written in conjunction with the owner of the business in words they understand. Technical jargon is avoided and solutions that suit the business are agreed to facilitate legal compliance
- Regulators should ensure that their approach to their regulatory activities is transparent
  - A fundamental principle of the new approach is an open and clear dialogue with local businesses. In an independent survey commissioned across the Black Country as part of the Regulation for Growth initiative in the catering sector the levels of satisfaction with regulation in Wolverhampton was markedly higher than the other local authorities. This is considered a direct result of the improved relationship we have with our local business community.

## 5.0 **Financial Implications**

- 5.1 All costs associated with the delivery of regulatory functions in accordance with the policy can be accommodated within approved Regeneration service revenue budgets.
- 5.2 Councillors should be mindful however of the reduced budgetary provision and associated staffing resource associated with the councils regulatory services. This will inevitably impact upon both the range of issues the services are capable of responding to and the time taken to initiate a response.

[TK/29092014/H

## 6.0 Legal Implications

- 6.1 No legal proceedings are instigated without the requisite consultation with Legal Services. Prosecutions are authorised by the Assistant Director; Regeneration in consultation with the Chief Legal Officer or nominee who will have regard to the adopted regulatory policy in addition to the Code for Crown Prosecutors and other relevant guidance and legal issues  
KR/24092014/N

## 7.0 Equal Opportunities Implications

- 7.1 The policy was subject to an equalities screening when last revised. It is considered that no significant alterations to the aims of the policy, that would change the anticipated impacts, have been made. The revised policy still aims to ensure an appropriate balance between levels of compliance and economic impact on local businesses and individuals without jeopardising public wellbeing, health and safety. For this reason, it was not necessary to revise the equalities analysis at this time.
- 7.2 The policy aims to be proportionate, transparent consistent and risk based. It aims to remove or reduce any inequalities to acceptable levels and therefore is anticipated to have a positive impact on equalities.
- 7.3 All formal enforcement decisions are made in with regard to the requirements of the Code for Crown Prosecutors which focus on the admissibility of evidence and the public interest of bringing proceedings. Any adverse impacts on equality will be identified and dealt with at this stage.
- 7.4 The policy seeks to target long term non-compliance and provide compliance assistance where required. Both demands are often associated with the more deprived areas of the city. The policy therefore addresses the higher levels of risk these issues expose consumers from these areas to.

## 8.0 Environmental Implications

- 8.1 A significant proportion of the activities and functions undertaken by Regeneration are intended to protect and enhance Wolverhampton's natural, commercial and built environments.
- 8.2 Proportionate, appropriate and focussed regulation can have significant positive impacts on the environmental amenity of buildings, land and entire neighbourhoods.

## 9.0 Corporate landlord implications

- 9.1 The report has no corporate landlord implications.

## 10.0 Schedule of background papers

- 10.1 None.



**EDUCATION &  
ENTERPRISE:**



**REGENERATION  
COMPLIANCE AND  
REGULATORY POLICY**

**Approved By:**

Signed ..... Cabinet Member for  
City Services

Date .....

Signed ..... Cabinet Member for  
Economic Regeneration  
and Prosperity

Date .....

Signed ..... Chair of Licensing  
Committee

Date .....

Signed ..... Assistant Director  
Regeneration

Date .....

## REGENERATION COMPLIANCE AND REGULATORY POLICY

### 1.0 Introduction

1.1 The Regeneration service group, which is part of the Education and Enterprise Directorate, has responsibility for protecting and enhancing many aspects of Wolverhampton's natural, commercial and built environments. Effective regulation, through a balance of support and enforcement has a key contribution to local communities by protecting the public and supporting businesses. Regeneration's regulatory focus, through its various compliance and consenting activities and functions, is based around four central principles:-

- Resources directed towards rogue / higher risk businesses
- Actions focussed on addressing risk and public safety / health issues
- Assisting business compliance through a joint approach towards identifying solutions
- Except in cases relating to the deliberately dishonest, legal action will be pursued as a last resort with a presumption against formal proceedings following requests for help and assistance.
- Actions focussed on improving the environment and experience for residents, shoppers, visitors and businesses.

1.2 Regeneration delivers its regulatory responsibilities through three key service areas:

- Regulatory Services
  - Environmental Health
  - Trading Standards
  - Licensing
- Planning
  - Development Control
  - Building Control
- Housing
  - Private sector standards and management
  - Empty Homes
  - Area Renewal
- Transportation
  - Highway safety
  - Traffic Management

1.3 Regeneration seeks to ensure, through a fair and proportionate approach to compliance and enforcement, appropriate, focussed and timely support to business and effective partnership working, that the highest levels of protection are afforded to the residents and visitors to

the City of Wolverhampton in relation to public health, the built environment and public realm, housing, environmental protection, food safety, trading standards, historic environment and licensing.

- 1.4 This Policy has been developed in conjunction with key stakeholders, including local business and enforcement partners. The Policy was originally developed in 1999 and has been reviewed and updated to take account of the Human Rights Act 1998, Regulation of Investigatory Powers Act 2000, the Council's duty to work in partnership to address crime and disorder and the 'mainstreaming of equalities' into service delivery. The Policy endorses the principles of fair and proportionate compliance and enforcement to guide all of Regeneration's regulatory activities and was last, fully revised in 2012. This revision takes into account changes brought about by the 2014 restructure and the publication, in 2014, of the new Regulators' Code

## 2.0 **Principles of Compliance and Enforcement**

- 2.1 The Policy endorses the principles of good regulatory practice, including high emphasis on the provision of advice and guidance, which will be used to ensure, fair, proportionate and consistent compliance and enforcement activity across all of Regeneration's regulatory functions. The Legislative and Regulatory Reform Act 2006 details the principles of good enforcement:

- Targeted:- intelligence led and risk based.
- Proportionate:- use of powers and sanctions appropriate to address the issue
- Consistent:- use of similar measures in similar circumstances
- Transparent:- clear and understandable to the recipient
- Accountable:- in terms of officer and service ability to explain chosen actions

- 2.2 Although the above Act does not formally apply to all Regeneration's activities (Development/Building Control for example) the principles of good regulatory practice are still applicable to those service areas in the execution of their compliance and enforcement approach.

## 3.0 **Regulators' Code**

- 3.1 The Regulators' Code has been a central part of the current Governments' better regulation agendas for some time now. Its aim is to embed a risk based, proportionate and targeted approach to regulatory inspection and enforcement.

- 3.2 The Code came into force on 6th April 2014 and Regeneration has had full regard to it in developing and implementing its policies and guidance. The Code does not legally apply to some aspects of Regeneration regulatory activity although the provisions are still relevant.

3.3 A copy of the code is attached as an appendix to this document, however Regeneration's interpretation of the provisions contained within the Code, are briefly summarised below:

**1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow**

1.1 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

1.2 When designing and reviewing policies, operational procedures economic growth for compliant businesses and other regulated entities, for example, by considering how they can best:

- understand and minimise negative economic impacts of their regulatory activities;
- minimising the costs of compliance for those they regulate;
- improve confidence in compliance for those they regulate, by providing greater certainty; and
- encourage and promote compliance.

1.3 Regulators should ensure that their officers have the necessary knowledge and skills to support those they regulate, including having an understanding of those they regulate that enables them to choose proportionate and effective approaches.

1.4 Regulators should ensure that their officers understand the statutory principles of good regulation and of this Code, and how the regulator delivers its activities in accordance with them.

*Since implementing a systems thinking approach to regulation, Wolverhampton Regulatory Services have gone further than most to embody this principal into the way it regulates.*

**2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views**

2.1 Regulators should have mechanisms in place to engage those they regulate, citizens and others to offer views and contribute to the development of their policies and service standards. Before changing policies, practices or service standards, regulators should consider the impact on business and engage with business representatives.

2.2 In responding to non-compliance that they identify, regulators should clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. Regulators should provide an opportunity for dialogue in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.

This paragraph does not apply where the regulator can demonstrate that immediate enforcement action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed enforcement action.

2.3 Regulators should provide an impartial and clearly explained route to appeal against a regulatory decision or a failure to act in accordance with this Code. Individual officers of the regulator who took the decision or action against which the appeal is being made should not be involved in considering the appeal. This route to appeal should be publicised to those who are regulated.

2.4 Regulators should provide a timely explanation in writing of any right to representation or right to appeal. This explanation should be in plain language and include practical information on the process involved.

2.5 Regulators should make available to those they regulate, clearly explained complaints procedures, allowing them to easily make a complaint about the conduct of the regulator.

2.6 Regulators should have a range of mechanisms to enable and regularly invite, receive and take on board customer feedback, including, for example, through customer satisfaction surveys of those they regulate.

*Wolverhampton Regulatory Services has consulted widely on its regulatory activity, the last consultation was prior to the implementation of The Regulators Compliance Code, satisfaction surveys of those we regulate, have returned a very positive feedback. Regulatory Services has published service standards for all its regulatory functions since 2001.*

### **3. Regulators should base their regulatory activities on risk**

3.1 Regulators should take an evidence based approach to determining the priority risks in their area of responsibility, and should allocate resources where they would be most effective in addressing those priority risks.

3.2 Regulators should consider risk at every stage of their decision-making processes, including choosing the most appropriate type of intervention or way of working with those regulated; targeting checks on compliance; and when taking enforcement action.

3.3 Regulators designing a risk assessment framework, for their own use or for use by others, should have mechanisms in place to consult on the design with those affected, and to review it regularly.

3.4 Regulators, in making their assessment of risk, should recognise the compliance record of those they regulate, including using earned recognition approaches and should consider all available and relevant data on compliance, including evidence of relevant external verification.

3.5 Regulators should review the effectiveness of their chosen regulatory activities in delivering the desired outcomes and make any necessary adjustments accordingly.

3.6 The Government will discuss with national regulators a common approach to surveys to support benchmarking of their performance.

3.7 The term 'risk assessment framework' encompasses any model, scheme, methodology or risk rating approach that is used to inform risk-based targeting of regulatory activities in relation to individual businesses or other regulated entities.

*Wolverhampton Regulatory Services has had a risk based approach to regulation since the implementation of the Enforcement Concordat in 1998. There will be no inspection without a reason and when engaging with dutyholders, consideration has always been given to the economic impact and public interests of the consequences of regulation.*

#### **4. Regulators should share information about compliance and risk**

4.1 Regulators should collectively follow the principle of "collect once, use many times" when requesting information from those they regulate.

4.2 When the law allows, regulators should agree secure mechanisms to share information with each other about businesses and other bodies they regulate, to help target resources and activities and minimise duplication.

*Where possible data is shared through common IT systems within Regulation. Data Protection Legislation can sometimes hinder this process, Regulatory Services uses all its legal ability to reduce administrative burdens and information obligations.*

**5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply**

5.1 Regulators should provide advice and guidance that is focused on assisting those they regulate to understand and meet their responsibilities. When providing advice and guidance, legal requirements should be distinguished from suggested good practice and the impact of the advice or guidance should be considered so that it does not impose unnecessary burdens in itself.

5.2 Regulators should publish guidance, and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language for the audience.

5.3 Regulators should have mechanisms in place to consult those they regulate in relation to the guidance they produce to ensure that it meets their needs.

5.4 Regulators should seek to create an environment in which those they regulate have confidence in the advice they receive and feel able to seek advice without fear of triggering enforcement action.

5.5 In responding to requests for advice, a regulator's primary concerns should be to provide the advice necessary to support compliance, and to ensure that the advice can be relied on.

5.6 Regulators should have mechanisms to work collaboratively to assist those regulated by more than one regulator. Regulators should consider advice provided by other regulators and, where there is disagreement about the advice provided, this should be discussed with the other regulator to reach agreement.

*Both the Lord Young report and the Loefstedt report recognised Local Government as an excellent resource for advice and guidance, Regulatory Services have long since delivered help and assistance to dutyholders and operated Lead and Home Authority partnerships with significant businesses and sectors within Wolverhampton and Nationally. Officers are always available to give free impartial advice without the threat of regulation.*

**6. Regulators should ensure that their approach to their regulatory activities is transparent**

6.1 Regulators should publish a set of clear service standards, setting out what those they regulate should expect from them.

6.2 Regulators' published service standards should include clear information on: a) how they communicate with those they regulate and

how they can be contacted; b) their approach to providing information, guidance and advice;

c) their approach to checks on compliance, including details of the risk assessment framework used to target those checks as well as protocols for their conduct, clearly setting out what those they regulate should expect; Including inspections, audit, monitoring and sampling visits, and test purchases.

d) their enforcement policy, explaining how they respond to non-compliance;

e) their fees and charges, if any. This information should clearly explain the basis on which these are calculated, and should include an explanation of whether compliance will affect fees and charges;

and

f) how to comment or complain about the service provided and routes to appeal.

6.3 Information published to meet the provisions of this Code should be easily accessible, including being available at a single point on the regulator's website that is clearly signposted, and it should be kept up to date.

6.4 Regulators should have mechanisms in place to ensure that their officers act in accordance with their published service standards, including their enforcement policy.

6.5 Regulators should publish, on a regular basis, details of their performance against their service standards, including feedback received from those they regulate, such as customer satisfaction surveys, and data relating to complaints about them and appeals against their decisions.

- 3.4 In certain instances Regeneration may conclude that full compliance with a provision in the Code is outweighed by another significant factor. It will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

*Wolverhampton Regulatory Services has published its Enforcement Policy Statement since 1998 and reviewed it in line with national government requirements, Service Standards for all regulatory functions have been in place since 2001.*

#### 4.0 **Development Control**

- 4.1 Development Control will have regard to the National Planning Policy Framework and Circular 10/97 "Enforcing Planning Control – legislative



provisions and procedural requirements” in the development of their service specific enforcement policy.

## 5.0 **Enforcement Options and Compliance Measures**

5.1 Regeneration is committed to ensuring an adequate level of public and business protection within the City via a positive and proactive approach to compliance based on advice, education and support with formal action only being taken in appropriate circumstances, usually when all reasonable attempts to secure compliance through assistance and support have been exhausted and/or the case concerns deliberate dishonesty.

5.2 Enforcement action will generally reflect a significant severity of offence or worsening compliance history. Action must adequately protect the public interest and provide an appropriate deterrent to offending. Each case will however, be considered on its own merits in determining the course of action to be taken.

5.3 The range of compliance measures and/or enforcement actions together with a brief description of the circumstances in which they would generally be considered, is set out below.

- **Advice:** A range of general, authoritative information, advice and guidance through a variety of channels will be made available to assist compliance
- **Written Warnings:** Generally used for minor offences.
- **Enforcement Notices:** Issued in relation to significant breaches of legislative requirements or where significant risks to health exist or used in conjunction with other action as appropriate.
- **Fixed Penalty Notices:** Used where there is either a local or current need to address a particular issue through their deterrent effect.
- **Simple Cautions:** May be used as an alternative to prosecution in respect of less serious offences :-
  - where it is considered unnecessary to involve the courts
  - where the offender’s approach makes repeat offending unlikely
  - where the offender’s age or health make it appropriate
  - where offenders have adequately demonstrated improvement since the initial offence(s)

Simple Cautions may only be issued where the offender makes a clear and reliable admission of guilt and understands the significance of accepting a caution.

- **Legal Proceedings:** Regeneration will consider prosecution where there has been a breach of legal requirements such that individual or public safety, health or economic or physical well being or the environment or environmental amenity is adversely affected. The Evidential and Public Interest Tests in the Code for Crown Prosecutions must be met by all prosecution cases.

However, in addition to the paragraph above other circumstances which may justify prosecution are:

- failure to comply with an Enforcement Notice
  - the offer of a Simple Caution has been declined
  - continued, premeditated or reckless non-compliance
  - failure to pay a fixed penalty
  - acts of obstruction or threats of physical harm
  - deliberate non-compliance to secure economic advantage over competitors
- **Injunctions:** Regeneration will pursue injunctive action as a means of preventing an activity or course of action likely to result in continued harm to public safety economic harm to businesses or the public or an adverse impact on environmental amenity.
  - **Licensing Reviews:** In addition to or as an alternative to the above, Regeneration may also use powers available in its capacity as a Licensing Authority and/or a 'responsible authority' in the cases of Environmental health and Trading Standards to apply for review of a licence where an offence or breach of a licence is identified. Under the provisions of the Licensing Act 2003 reviews of Premises Licences can be undertaken in appropriate circumstances. Situations that would normally result in a review application would include for example, under age sales of alcohol and persistent or significant breaches of licence conditions.
  - **Seizure:** The seizure of articles, vehicles and/or equipment will be considered where there is an immediate need to resolve a current, recurring or foreseeable event which is impacting or likely to impact on the public health or wellbeing of a person or community.
  - **Works in Default:** In certain circumstances, when work required by a duty holder to comply with a formal notice is not completed, it will be appropriate for the Council to undertake those works directly and recover the costs at a later date via a local land charge process or as otherwise prescribed in the relevant provisions. Works in default will be considered when the alternative sanction of prosecution will still not rectify the defect or adequately deal with the issue the notice was originally intended to address. Undertaking Work in Default will not preclude the Council also taking other legal actions.

5.4 To ensure that proposed legal proceedings are subject to a robust evaluation before a decision is taken to prosecute. Regeneration has established a Cases Panel to evaluate each potential case. In accordance with the Council's constitution, the Assistant Director for Regeneration in consultation with the Chief Legal Officer (or nominee) will determine legal action based on the salient aspects of each case, in particular a rigorous public interest assessment of the proposed action, identified by the relevant Manager and a Legal Services Officer.

## 6.0 **Complaints and Appeals**

6.1 Service users who express dissatisfaction with enforcement action should be invited to:

- contact the relevant Service Lead or
- contact the relevant Head of Service
- use the Council's Complaints and Compliments Procedure.

6.2 Where legislation provides a formal appeals procedure to challenge enforcement action, written notice of the appeals procedure shall be provided at the time action is taken.

## 7.0 **Equal Opportunities**

7.1 Regeneration is committed to delivering its operational activities in accordance with the Council's Equal Opportunities Policy and the Council's commitment to Equalities. Officers are also committed to work flexibly to meet service user's needs as far as practicable, particularly where those users are from a disadvantaged or vulnerable group.

7.2 This revised Enforcement Policy has been subject to an Equality Analysis in accordance with the Council's guidelines. Since the analysis, no significant alterations to the aims of the policy, that would change the anticipated impacts, have been made. The revised policy still aims to ensure an appropriate balance between levels of compliance and economic impact on local businesses and individuals without jeopardising public wellbeing, health and safety. All decisions made against the policy will be monitored from equalities perspectives.

## 8.0 **Human Rights Act 1998**

8.1 The Human Rights Act 1998 allows enforcement actions to be directly challenged in the UK courts, where it is alleged that rights enshrined in the Human Rights Convention of 1951 have been infringed. The rights most commonly involved would be:

- Article 6 : Right to a fair trial
- Article 8 : Right to respect for private and family life
- Protocol 1 Article 1 : Protection of property

8.2. The right to a fair trial is an absolute right that may not be infringed. The rights expressed in Article 8 and Article 1 of Protocol 1 are conditional rights that may be infringed where it is necessary and proportionate to protect public and community rights. The service protects that right in through compliance with the Police and Criminal Evidence Act 1984, Regulation of Investigatory Powers Act 2000 and all other statutory provisions relating to criminal and evidential procedure and relevant guidance from time to time.

9.0 **Shared Enforcement Role**

9.1 Regeneration will work in partnership with other enforcement agencies with a shared enforcement role under legislation such as the Environmental Protection Act 1990, Enterprise Act 2002, Licensing Act 2003, Food Safety Act 1990 and Gambling Act 2005. The service is also committed to partnership working to address community safety, crime and disorder, public health and community cohesion issues together with the Police, the LNPs, voluntary sector and other central and local government partners.

10.0 **Monitoring and Review**

10.1 All proposed enforcement actions shall be assessed against this policy by the investigating officers concerned in conjunction with line or the service manager where appropriate.

10.2 Effective implementation of the Policy will be monitored by the Regeneration Management Team.



# Cabinet Meeting

22 October 2014

<b>Report title</b>	Appointments to Outside Bodies	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Roger Lawrence Leader of the Council	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	None	
<b>Accountable director</b>	Keith Ireland, Delivery	
<b>Originating service</b>	Democratic Support	
<b>Accountable employee(s)</b>	Dereck Francis Tel Email	Democratic Support Officer 01902 555835 dereck.francis@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

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## Recommendation(s) for action or decision:

The Cabinet is recommended to:

Appoint Cllr Daniel Warren as the Council's representative on the Sandwell Youth Employment Commission in place of Cllr Julie Hodgkiss.

## 1.0 Purpose

- 1.1 To appoint Cllr Daniel Warren as the Council's representative on the Sandwell Youth Employment Commission.

## 2.0 Background

- 2.1 In June 2014 Sandwell Council invited the Council to nominate a councillor to represent Wolverhampton on a new Youth Employment Commission they had established.
- 2.2 The Commission was set up in direct response to the fact that the level of unemployment amongst young people in Sandwell, and the surrounding areas, has been identified as a significant challenge, and one that needs to be addressed if we are to see continuous improvement in the economy of the Black Country and provide better prospects for young people in the area.
- 2.3 In accordance with the aims and objectives of Sandwell Council, and in partnership with partner agencies and representatives from the Black Country boroughs, the overall aim of the Youth Employment Commission is to review Council and wider partnership approach to delivering outcomes in relation to Youth Employment. In order to do so, the Commission will:-
- (a) explore the issues around youth unemployment within the Borough, working with public sector organisations, the business community, schools, colleges, young people's groups and any other interested parties to develop an understanding of the reasons for the levels of youth unemployment, its implications now and for the future, and what can be done to improve the situation for young people seeking employment and entering work;
  - (b) explore the perceptions of local businesses (predominately Small and Medium Enterprises) around youth employment and their expectations of the agencies involved in reducing youth unemployment;
  - (c) identify how the Council may use its strategic role to influence and encourage the improvement and development of the approach to youth unemployment by working closely with the relevant agencies and organisations and local businesses to improve employment prospects for young people.
- 2.4 It was anticipated that the Commission will not only need to undertake initial investigation and drive the establishment of outcomes but to then continue to embed and monitor its impacts over a period of at least two years.
- 2.4 At its meeting on 24 July 2013 Cabinet appointed Cllr Julie Hodgkiss as its representative on the Sandwell Youth Employment Commission. At the time it was anticipated that the work of the commission would take two years to complete and that the appointment would run for the life of the commission.

2.5 Sandwell Council has asked the Council to confirm its appointment onto the commission for a further year. Cabinet is recommended to appoint Cllr Daniel Warren in place of Cllr Julie Hodgkiss as the Council's representative to serve on the commission.

### **3.0 Financial implications**

3.1 There are no financial implications associated with the recommendation in this report.  
[GE/08102014/R]

### **4.0 Legal implications**

4.1 There are no legal implications contained in the recommendations of the report.  
[RB/09102014/X]

### **5.0 Equalities implications**

5.1 There are no direct equalities implications arising from the recommendations of this report.

### **6.0 Environmental implications**

6.1 There are no environmental implications arising from the recommendations of this report.

### **7.0 Human resources implications**

7.1 None

### **8.0 Corporate landlord implications**

8.1 There are no corporate landlord implications arising from the recommendations of this report.

### **9.0 Schedule of background papers**

9.1 Report to Cabinet – 23 July – Appointment to Outside Bodies

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