

Time 4.30 pm **Public Meeting?** YES **Type of meeting** Executive

Venue Committee Room 3 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Stephen Simkins (Lab)

Labour

Cllr Obaida Ahmed
Cllr Paula Brookfield
Cllr Chris Burden
Cllr Craig Collingswood
Cllr Steve Evans
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles

Quorum for this meeting is three voting members.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Dereck Francis, Democratic Services
Tel/Email 01902 555835 or dereck.francis@wolverhampton.gov.uk
Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website <https://wolverhamptonintranet.moderngov.co.uk>
Email democratic.services@wolverhampton.gov.uk
Tel 01902 550320

Please take note of the protocol for filming, recording, and use of social media in meetings, copies of which are displayed in the meeting room.

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 **Declarations of interest**
- 3 **Minutes of the previous meeting** (Pages 3 - 6)
[To approve the minutes of the previous meeting as a correct record]

DECISION ITEMS (AMBER - DELEGATED TO THE CABINET (RESOURCES) PANEL)

- 4 **Procurement - Award of Contracts for Works, Goods and Services** (Pages 7 - 34)
[To approve the award to contracts for works, goods and services]
- 5 **Acquisition and Redevelopment of Newhampton Arts Centre** (Pages 35 - 48)
[To approve a proposal for acquisition and redevelopment of Newhampton Arts Centre]
- 6 **Exclusion of press and public**
[To pass the following resolution:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below]

Part 2 - exempt items, closed to press and public

- | | | |
|---|---|--|
| 7 | Acquisition and Redevelopment of Newhampton Arts Centre (Pages 49 - 62)
[To approve a proposal for acquisition and redevelopment of Newhampton Arts Centre] | Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3) |
| 8 | Procurement - Award of Contracts for Works, Goods and Services (Pages 63 - 78)
[To approve the award to contracts for works, goods and services] | Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3) |

Attendance

Members of the Cabinet (Resources) Panel

Cllr Stephen Simkins (Chair)
Cllr Obaida Ahmed
Cllr Chris Burden
Cllr Craig Collingswood
Cllr Steve Evans
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles

Employees

Tim Johnson	Chief Executive
Mark Taylor	Deputy Chief Executive
Emma Bennett	Executive Director of Families
John Denley	Director of Public Health
Richard Lawrence	Director of Regeneration
Claire Nye	Director of Finance
David Pattison	Chief Operating Officer
John Roseblade	Director of Resident Services
Becky Wilkinson	Director of Adult Social Services
Jaswinder Kaur	Democratic Services and Systems Manager
Dereck Francis	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
Apologies for absence were submitted on behalf of Councillor Paula Brookfield.
- 2 Declarations of interest**
No declarations of interests were made.
- 3 Minutes of the previous meeting**
Resolved:
That the minutes of the previous meeting held on 12 July 2023 be approved as a correct record and signed by the Chair.

4 **Procurement - Award of Contracts for Works, Goods and Services**

Councillor Obaida Ahmed presented the report on the latest procurement activity for approval covering the Resources and Digital, City Environment and Climate Change, City Housing and Jobs and Skills portfolios. Delegated authority was requested to award contracts once the evaluation process is complete. It was noted that in line with the Council's commitment to the Wolverhampton Pound and maximising the value of spend with local businesses, the procurement contract for Wolverhampton Housing Development Framework - New Build Housing and Regeneration was using an open tender process which would allow local contractors to apply to the Framework. In addition to the delivery of new homes and estate regeneration across a number of council own sites, the Framework would also deliver significant social value benefits to the city including training and apprenticeship opportunities.

Resolved:

1. That authority be delegated to the Cabinet Member for Resources and Digital, in consultation with the Director of Finance, to approve the award of a contract for a Contract Lifecycle Management System when the evaluation process is complete.
2. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services, to approve the award of a contract for Inspection of Highway Structures when the evaluation process is complete.
3. That authority be delegated to the Cabinet Member for City Housing, in consultation with the Director of Resident Services to approve:
 - a. The award of a contract for Wolverhampton Housing Development Framework - New Build Housing and Regeneration when the evaluation process is complete, including call off contracts from the framework.
 - b. Any other agreements including preparing the framework agreement, deed of covenants, collateral warranties, assignments, and such other ancillary agreements, including variations as may be deemed necessary to facilitate the delivery of any projects through the City of Wolverhampton Council (CWC) New Build Housing and Regeneration framework as highlighted within this report.
 - c. Entering into an Authorising Agreement with any Other Users as identified in the framework agreement and procurement process as highlighted within this report.
4. That authority be delegated to the Cabinet Member for City Housing, in consultation with the Director of Resident Services, to approve any other agreements including preparing the framework agreement, deed of covenants, collateral warranties, assignments and such other ancillary agreements, including variations as may be deemed necessary to facilitate the delivery of any projects through the City of Wolverhampton Council New Build Housing and Regeneration framework as highlighted within this report.

5. That authority be delegated to the Cabinet Member for City Housing in consultation with the Director of Resident Services to approve entering into an Authorising Agreement with any Other Users as identified in the framework agreement and procurement process as highlighted within this report.
6. That authority be delegated to the Cabinet Member for Jobs and Skills, in consultation with the Executive Director of Families, to approve the award of a contract for Adult Education Learning Services when the evaluation process is complete.

5 **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 remaining item of business as it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Part 2 - exempt item, closed to press and public

6 **Procurement - Award of Contracts for Works, Goods and Services**

Councillor Obaida Ahmed presented, for approval, the exempt report on the award of contracts for works, goods and services.

Resolved:

1. That the contract for Provision of Engineering Services for the Wolverhampton Midrise and Highrise Infrastructure Refurbishment Projects be awarded to Pick Everard of Halford House, Charles Street, Leicester, LE1 1HA, for a duration of four years, from 28 July 2023 to 31 July 2027 for a total contract sum of £710,640.
2. That the contract for Franking Credits be awarded to Pitney Bowes Limited of Building 5 Trident Place, Mosquito Way, Hatfield, Hertfordshire AL10 9UJ for a duration of four years from 1 August 2023 to 31 July 2027 for a total contract value of £458,000.
3. That the Partnership arrangement to deliver Public Health services with The Royal Wolverhampton Trust of New Cross Hospital Wolverhampton West Midlands WV10 0QP for an increase of contract value from 1 September 2023 to 31 March 2025 with a total variation value of £35,711.75.
4. That the current contract be extended, accept the price increase and approve the utilisation of increased sufficiency for the Residential Short Break with Outreach for CYP with a Disability Service to Progress Children's Services of 127 Millfields Road, Bilston, Wolverhampton, West Midlands, WV4 6JG for the Residential Short Break with Outreach for CYP with a Disability Service with a variation value of £682,960.
5. That the contract for Adult Service Redesign be awarded to Impower Consulting Services for a duration of eight months from 3 July 2023 to 1 March 2024 for a total contract value of £720,000.

6. That the contract for the Drug and Alcohol Treatment and Recovery Service with Nacro of Walkden House, 16-17 Devonshire Square, London, England, EC2M 4SQ be varied for an increase of contract value from 1 September 2023 to 31 March 2025 with a variation value of £99,129.
7. That the contract for Provision of Voluntary and Community Services be varied:
 - a. With Wolverhampton Voluntary Sector Council of 16 Temple Street, Wolverhampton, WV2 4AN for Lot 1 Infrastructure Support from 1 October 2023 to 31 December 2023 with a variation value of £25,000.
 - b. With Wolverhampton Voluntary Sector Council of 16 Temple Street, Wolverhampton, WV2 4AN for Lot 3 Structured and Supported Volunteering from 1 October 2023 to 31 December 2023 with a variation value of £15,000.
 - c. With Citizens Advice Bureau Wolverhampton of 26 Snow Hill, Wolverhampton, WV2 4AD for Lot 6 Welfare Support Service from 1 October 2023 to 31 December 2023 with a variation value of £66,250.

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 6 September 2023
--	---

Report title	Procurement – Award of Contracts for Works, Goods and Services	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Obaida Ahmed Resources and Digital	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Claire Nye, Director of Finance	
Originating service	Procurement	
Accountable employee	John Thompson	Head of Procurement
	Tel	01902 554503
	Email	John.Thompson@wolverhampton.gov.uk
Report to be/has been considered by	Directorate Leadership Team	

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Delegate authority to:
 - the Cabinet Member for Resources and Digital, in consultation with the Director of Finance, to approve the award of a contract for Enforcement Agents (Lot 1) for five years when the evaluation process is complete.
 - the Cabinet Member for Resources and Digital, in consultation with the Director of Finance, to approve the award of a contract for Second Referral Enforcement Agents (Lot 2) for five years when the evaluation process is complete.
 - the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services to approve the award of a contract for Enforcement Agents for the Collection of PCN's (Lot 3) for five years when the evaluation process is complete.

2. Delegate authority to the Cabinet Member for Resources and Digital, in consultation with the Director of Strategy, to approve the award of a contract for Data Back Up when the evaluation process is complete.

3. Delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health and Director of Strategy, to approve the award of a contract for Library Self Service Kiosks when the evaluation process is complete.
4. Delegate authority to the Cabinet Member for Governance and Equalities, in consultation with the Deputy Director of People and Change, to approve the award of a contract for Management and Leadership Coaching and Workshop Facilitation when the evaluation process is complete.
5. Delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Services to approve the award of a contract for a Low-Level Preventative Community Wellbeing Service when the evaluation process is complete.
6. Delegate authority to the Cabinet Member for Governance and Equalities, in consultation with the Chief Operating Officer, to approve the award of a contract for West Midlands Employers/Tribepad when the evaluation process is complete.
7. Delegate authority to the Deputy Leader: Inclusive City Economy, in consultation with the Director of Regeneration and Director of Strategy, to approve the award of a contract for UKSPF Start-Up Tender when the evaluation process is complete.

- 1.0 Councillor Obaida Ahmed, Cabinet Member for Resources and Digital
- 1.1 Councillor Craig Collingwood, Cabinet Member for City Environment and Climate Change
- 1.2 Delegated Authority to Award a Contract - Enforcement Agent Services

Ref no:	CWC22184
Council Plan aim	Fair and Equal
Originating service	Revenues and Benefits
Accountable officer	Tracey Richards, Head of Revenues and Benefits (01902) 552493 Yvonne Walker, Parking Enforcement Manager (01902) 550307
Leadership Team approval	Lots 1 & 2 - 7 June 2023 Lot 3 - 25 July 2023
Accountable Lead Cabinet Member	Cllr Obaida Ahmed, Cabinet Member for Resources and Digital Cllr Craig Collingwood, Cabinet Member for City Environment and Climate Change
Date Lead Cabinet Member briefed	Lots 1 & 2 - 8 June 2023 Lot 3 - 27 July 2023
Procurement advisor	Sean Hynes, Procurement Manager (01902) 554950

1.3 Background

1.4 Local Authorities have a duty to collect unpaid Council Tax, Non-Domestic rates, Business Improvement District levy and sundry debts and Penalty Charge Notices (PCN's). City of Wolverhampton Council (CWC) is part of a consortium of local authorities taking part in this procurement. The other authorities being Dudley, Sandwell, and South Staffordshire.

1.5 This procurement will be split into Lots as follows:

- Lot 1 - Enforcement Agents for the Collection of Council Tax, Non-Domestic Rates, Business Improvement Districts (BIDs), County and High Court Judgements and

Commercial Rent Arrears Recovery and Collection Agent for Sundry Debts, including housing benefit overpayments - it is CWC's intention to award contracts to deliver these services to at least two companies as the primary providers.

- Lot 2 - Second referral Enforcement Agent Collection Service for unpaid Council Tax and Business Rates - it is CWC's intention to award a contract to deliver these services to one company due to the reduced level of work created at this level secondary level.
- Lot 3 - Enforcement Agents for the Collection of Penalty Charge Notices (PCN's). CWC requires a contract for the collection of unpaid PCN's. It is CWC's intention to award contracts to deliver these services to two companies.

- 1.6 The contract is at no cost to CWC. The service providers will collect fees from the debtors, such fees being fixed in accordance with The Taking Control of Goods (Fees) Regulations 2014.

Proposed Contract Award	
Contract duration	Five Years
Contract Commencement date	1 December 2023
Annual value	Lot 1 - £600,000 Lot 2 - £200,000 Lot 3 - £175,000
Total value	Lot 1 - £3,000,000 Lot 2 - £1,000,000 Lot 3 - £875,000 Contract Value £4.875 million

1.7 Procurement Process

- 1.8 The intended procurement procedure will be a further competition using the Crown Commercial Services (CCS) Framework RM6226 Debt Resolution Services (Lot 5) Enforcement Services and in accordance with Public Contract Regulations 2015. This route to market has been decided because the framework provides access to a panel of enforcement agencies who have the capacity and capability to work nationally, having expertise in debt and strong controls in place to make sure all legal processes are followed.
- 1.9 The evaluation scoring balance will be 90% quality / 10% price, due to costs being legislated. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in

consultation with the relevant Director in accordance with the delegation within this report.

- 1.10 The quality criteria will assess the tenderers proposals in providing enforcement agent services to the Council. Quality is of high importance on this contract due to the companies being required to deal with vulnerable people sensitively. Given that the fees to debtors are now fixed the price criteria asks bidders to confirm their adherence to the legislation and whether other ancillary costs are incurred i.e., telephone calls, methods of payment, etc.
- 1.11 The evaluation team will comprise:

Name	Job Title	Organisation (if not WCC)
Tracey Richards	Head of Revenues and Benefits	
Paul Dainty	Revenues and Benefits Manager	
James Skeldon	Revenues Manager	Dudley MBC
Chris Lander	Revenues Team Manager	South Staffordshire District Council
Anthony Griffiths	Revenue & Benefits Recovery Team Manager	Sandwell MBC
Yvonne Walker	Parking Enforcement Manager	
Steve Cooksey	Team Manager – Parking Services	Dudley MBC

1.12 Evaluation of alternative options

- 1.13 The option to use internal resources has been discounted due to the challenge in being able to recruit appropriately skilled personnel and satisfying the legislative requirements to undertake an enforcement role.
- 1.14 The option not to employ external enforcement agents in the collection of outstanding debts owed to CWC has been discounted to ensure that all options are utilised to maximise the income received by CWC, which in turn can be used to deliver its services.
- 1.15 The option to undertake an Open above threshold tender exercise has been discounted due to the additional resources and time required and that it is deemed that this would not be beneficial.

1.16 Reason for decisions

- 1.17 The reason for procuring external enforcement agents utilising a framework agreement, being CCS Framework RM6226 Debt Resolution Services (Lot 5: Enforcement Services), is that it requires suppliers to evidence their capacity, capability, and expertise in the collection of debts and provides access to a range of high quality and highly capable suppliers who are committed to providing excellence and strong collections and recoveries performance meaning the agreement will maximise the amount of debt recovered. This framework is further endorsed by major debt charities and committed to providing social value and achieving fair outcomes therefore using this framework to procure these services provides value for money with the assurance of a good quality service.

1.18 Financial implications

- 1.19 The contract has no direct financial implications to the council. The service providers collect their fees and disbursements from the debtors, such fees being set in accordance with The Taking Control of Goods (Fees) Regulations 2014.

1.20 Legal implications

- 1.21 The procurement will be an above threshold framework call-off procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

1.22 Equalities implications

- 1.23 As part of this contract, we will ensure through the procurement arrangements that the proposed supplier have a clear Equality, Diversity and Inclusion (EDI) Policy and Vision that is similar to CWC. One of the key aspects will be to ensure that the customer's individual circumstances are considered when action is proceeding, in order that we can demonstrate that we have been able to treat them as fair as possible.
- 1.24 The Code of Conduct, aligned to the contract, identifies the requirement to act in accordance with the Equality Act 2010 and identifies the action required if dealing with a vulnerable person, whether due to age, disability, pregnancy, communication difficulties or any other protected characteristic.

1.25 Recommendation

- 1.26 The Cabinet Resources Panel is recommended to delegate authority to the:
1. Cabinet Member for Resources and Digital, in consultation with the Director of Finance, to approve the award of a contract for Enforcement Agents (Lot 1) for five years when the evaluation process is complete.
 2. Cabinet Member for Resources and Digital, in consultation with the Director of Finance, to approve the award of a contract for Second Referral Enforcement Agents (Lot 2) for five years when the evaluation process is complete.

3. Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services to approve the award of a contract for Enforcement Agents for the Collection of PCN's (Lot 3) for five years when the evaluation process is complete.

2.0 Councillor Obaida Ahmed, Cabinet Member for Resources and Digital
2.1 Delegated Authority to Award a Contract – Data Back Up

Ref no:	CWC23093
Council Plan aim	Driven by Digital
Originating service	Digital & IT
Accountable officer	Jai Ghai, Head of Digital and IT (01902) 552072
Leadership Team approval	9 June 2023
Accountable Lead Cabinet Member	Cllr Obaida Ahmed, Cabinet Member for Resources and Digital
Date Lead Cabinet Member briefed	17 July 2023
Procurement advisor	Barry Greenwood, ICT Procurement Business Partner

2.2 Background

- 2.3 City of Wolverhampton Council (CWC) wishes to replace its current data backup solution with a modern enterprise solution that is resistant to Ransomware and able to provide a guaranteed service level agreement (SLA) for restoration of data based on internally agreed service levels.
- 2.4 Not replacing the existing backup solution will lessen the overall operational effectiveness of disaster recovery and business continuity.

Proposed Contract Award	
Contract duration	Five years (3+1+1)
Contract Commencement date	1 January 2024
Annual value	£50,000
Total value	£250,000

2.5 Procurement Process

- 2.6 The intended procurement procedure will be a further competition using the Crown Commercial Framework (CCS) Technology Products and Associated Services RM6068

in accordance with Public Contract Regulations 2015. This route to market has been decided because it provides an efficient, effective and compliant procedure using a further competition against suppliers that have already been pre-approved by CCS under agreed specific ICT framework terms and conditions.

2.7 The evaluation scoring balance will be Quality 60% and Price 40%. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

2.8 The evaluation team will comprise:

Name	Job Title
Chris Jones	Architects and Security Manager
Peter Davies	Domain Architect – Database & Storage
Matt Turner	Digital Infrastructure Engineer (Database & Storage)

2.9 Evaluation of alternative options

2.10 Do nothing: Not a viable option as the current contractual arrangement for the existing data backup solution expires 31 March 2024 and there needs to be continuity in the provision of a data backup solution.

2.11 Extend existing contract: there are no further extensions built into the contract.

2.12 Direct Award: Market research was carried out with leading market providers for input to a requirements specification. Following this exercise it was assessed that a direct award could not address the complexity of the required solution and a further competition under a Framework would provide the best value for money for the Council.

2.13 Reason for decisions

2.14 As stated above in 2.12, the detailed specification produced from the market research has directed us in determining the most effective procurement route.

2.15 The Framework selected for a further competition:
a) offers a wide choice of potential suppliers,
b) offers solutions that meet the requirement for an on-premise solution
c) meets out required timescales which allow for a possible period of transition

2.16 Financial implications

2.17 The estimated contract cost can be accommodated within the existing ICT Capital budget per the approved Capital programme.

2.18 Legal implications

2.19 The procurement will be an above threshold further competition procedure via framework (ref number RM6068) in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

2.20 Equalities implications

2.21 There are no equalities implications as this is a software solution intended for internal use only to support IT operations.

2.22 All other implications

2.23 There are no other implications arising from the recommendations of this report.

2.24 Recommendation

2.25 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Resources and Digital, in consultation with the Director of Strategy, to approve the award of a contract for Data Back Up when the evaluation process is complete.

- 3.0 Councillor Obaida Ahmed, Cabinet Member for Resources and Digital
- 3.1 Councillor Jasbir Jaspal, Cabinet Member for Adults and Wellbeing
- 3.2 Delegated Authority to Award a Contract for Library Self-Service Kiosks

Ref no: CWC23036	
Council Plan aim	Driven by Digital
Originating service	Public Library Service
Accountable officer	Robert Johnson, Chief Librarian (01902) 552186
Leadership Team approval	10 January 2023
Accountable Lead Cabinet Member	Cllr Obaida Ahmed, Cabinet Member for Resources and Digital Cllr Jasbir Jaspal, Cabinet Member for Adults and Wellbeing
Date Lead Cabinet Member briefed	Cllr Jaspal: 24 May 2023 Cllr Ahmed: 17 July 2023
Procurement advisor	Sean Hynes, Procurement Manager

3.3 Background

- 3.4 As a vital part of its services infrastructure, Wolverhampton Public Libraries provides self-service kiosks for the public to use, renew and return stock as well as pay library fines. If self-service provision were not to continue, this would lead to extra demands on already stretched single staffed libraries and reduce the capacity to stage much loved and popular community events.
- 3.5 The self-service kiosks in Wolverhampton's public libraries are end of life and need to be replaced.
- 3.6 The new self-service kiosks will enhance available functionality by adding additional services for customers to utilise.

Proposed Contract Award	
Contract duration	Seven years (5+1+1)
Contract Commencement date	1 September 2023
Annual value	Year 1: £160,000 Capital outlay Year 1-7: £15,000 maintenance and support
Total value	£265,000

3.7 Procurement Process

3.8 The intended procurement procedure will be a further competition on a complaint public sector framework in accordance with Public Contract Regulations 2015. This route to market has been decided because Eastern Shire Purchasing Organisation (ESPO) have a framework for Library Solutions and Systems (Framework 350_19) .

3.9 The evaluation scoring balance will be 60% quality and 40% price. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

3.10 The evaluation team will comprise:

Name	Job Title
Robert Johnson	Chief Librarian
David Potts	Senior Librarian
Duncan Fellows	Assistant Librarian

3.11 Evaluation of alternative options

3.12 Alternative Option One: Replace 50% of self-service kiosk estate. Only replacing 50% of the estate runs the risk of having a mixed economy of differently aged kiosks and different suppliers. Managing the same number of kiosks with two different suppliers is untenable and technically complex when it comes to eliciting management information. Similarly, only offering cashless payments at half of our library locations would be mixed messaging for customers. The same would go for autonomous print management. It would also mean that 50% of the kiosks would retain their 'cash only' status retaining the security risk we are trying to remove. Finally, it would not take away the need to replace the older kiosks sometime soon as they are currently out of support.

3.13 Alternative Option Two: Retain existing kiosks. The risk of not replacing our current kiosks means that libraries would be offering customer self-service with technology that is now out of support. This means that if it malfunctions (and the machines are ten years old already) the chances of repair and upgrade are dramatically reduced – it is also possible there can be no repair at all. This will significantly impact on library staff and customers as all stock transactions would have to return to the counter meaning there is less time for staff to hold community events and help with customer enquiries. Finally, this would mean that all our kiosks would remain as ‘cash only’ facilities retaining the security risk.

3.14 Reason for decisions

3.15 The current approach of replacing all kiosks was chosen because:

- A complete replacement of self-service kiosks would mean library customers would have the latest self-service technology covering the next the next seven years. This provides stability in our customer offer and technical reassurance any functional issues can be swiftly resolved.
- Being able to offer cashless payments at the kiosks is more in keeping with today’s increasingly cashless society and a service previously unavailable to customers. It also removes the security risk of kiosks holding cash. Finally, it will hugely improve our banking processes by automating the transaction transfer to the banking team rather than having to count cash and complete manual proformas.
- New kiosks will mean that customers will be able to control the process for print management. This reduces their waiting time for printouts by taking the process away from the currently manual process based at the staff desk. Another added benefit to customers will be staff having more time to help with enquiries and events. The current print management process managed by staff is time consuming and cumbersome and this will help free up staff time.

3.16 Financial implications

3.17 There is an approved budget in the ICT capital programme of £160,000 for Replacement of Library Kiosks.

3.18 The annual maintenance costs of around £15,000 per year will come from existing revenue budgets within the library service.

3.19 Legal implications

3.20 The procurement will be an above threshold further competition framework call-off procedure in accordance with the Public Contract Regulations 2015, the framework rules and Council’s Contract Procedure Rules.

3.21 Equalities implications

3.22 The equalities team have been consulted and an Equalities Impact Assessment (EIA) is not required. The standard EDI questions will be used for this procurement exercise.

3.23 All other implications

3.24 There are no other implications arising from this report

3.25 Recommendation

3.26 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Adults and & Wellbeing, in consultation with the Director of Public Health and Director of Strategy, to approve the award of a contract for Library Self Service Kiosks when the evaluation process is complete.

4.0 Councillor Paula Brookfield, Cabinet Member for Governance and Equalities

4.1 Delegated Authority to Award a Contract - Management and Leadership Coaching and Workshop Facilitation

Ref no:	CWC23092
Council Plan aim	Fair and Equal
Originating service	Organisational Development
Accountable officer	Laura Phillips Deputy Director of People and Change (01902) 558892
Leadership Team approval	4 July 2023
Accountable Lead Cabinet Member	Cllr Paula Brookfield, Cabinet Member for Governance and Equalities (01902) 551217
Date Lead Cabinet Member briefed	17 July 2023
Procurement advisor	Carol Wintle Procurement Business Partner (01902) 553836

4.2 Background

4.3 City of Wolverhampton Council (CWC) are invested in being an employer of choice, developing our workforce and supporting managers and leaders to enable and support them to deliver for the city. Executive coaching, facilitated team building, development workshops and personal development is a crucial part of management and leadership development and supports the Council priority to 'grow our own' and respond proactively to local and national recruitment and retention challenges. Management and leadership development has been paramount in strengthening the Council's 'people centric' culture, commitment to equalities, diversity and inclusion and developing new ways of working – all supporting and enabling the leadership within the Council to deliver for the city.

Proposed Contract Award	
Contract duration	Three years
Contract Commencement date	1 November 2023
Total value	Up to £470,000

4.4 Procurement Process

4.5 The intended procurement procedure will be an open procedure in accordance with The Public Contract Regulations 2015. This route to market has been decided because there is a sufficient supply market to encourage competition and therefore ensure best value and this also offers opportunities for local suppliers to submit bids supporting the Wolverhampton Pound.

4.6 The evaluation scoring balance will be 60% Quality and 40% price. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

4.7 The evaluation team will comprise:

Name	Job Title
Laura Phillips	Deputy Director of People and Change
Tina Cook	Interim Head of Organisational Development
Sean Cullen	Senior Organisational Development Advisor

4.8 Evaluation of alternative options

4.9 An internal training programme was considered, however this option was not cost effective or logistically feasible to achieve the desired outcomes. However, we have built into the contract that the preferred supplier will support the Council in growing their own employees to enable the Council to carry out some of this activity internally in the future.

4.10 Reason for decisions

4.11 To provide a proven, credible approach and a personalised development solution for managers, leadership and future leaders, cost effectively from a supplier with expert knowledge of Public Sector organisations.

4.12 Financial implications

4.13 The cost of the contract for the first year will be funded from within existing budgets held within Corporate Accounts. The cost of the contract for years two and three will be included in future council budget setting reports, seeking budget approval upon identification of potential funding sources taken into consideration with the medium term financial strategy (MTFS). In the event that funding is not identified or approved, efficiencies will need to be identified to fund these contracted costs.

4.14 Legal implications

4.15 The procurement will be an above threshold open procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

4.16 Equalities implications

4.17 To understand the equalities impact on employees who will be engaging in the Lumina Spark psychometric assessments. To ensure all employees have the relevant support they need to deliver the outcomes of their role, are supported with any wellbeing issues and activities, are given the opportunity to develop within their current role and with career development.

4.18 All employees will have the relevant support they need to deliver the outcomes of their role. Equality of opportunity for our diverse workforce is an essential value, this means recognising the inequalities and continuing to take action to eliminate/reduce them.

4.19 Consensual good practices adopted to create an accessible working environment where individuals can maximise their potential and fulfil development aspirations.

4.20 All other implications

4.21 Information Governance (IG) Impact Assessment has been completed and reviewed by IG. Provider should complete the third-party supplier checklist through the procurement process.

4.22 Recommendation

4.23 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Governance and Equalities, in consultation with the Deputy Director of People and Change, to approve the award of a contract for Management and Leadership Coaching and Workshop Facilitation when the evaluation process is complete.

5.0 Councillor Jasbir Jaspal, Cabinet Member for Adults and Wellbeing

5.1 Delegated Authority to Award a Contract - Low-Level Preventative Community Wellbeing Service

Ref no:	CWC23016
Council Plan aim	Fulfilled lives for all with quality care for those that need it
Originating service	Commissioning - Adults
Accountable officer	Shen Campbell - Commissioning Officer (01902) 551040
Leadership Team approval	20 April 2023
Accountable Lead Cabinet Member	Cllr Jasbir Jaspal - Cabinet Member for Adults and Wellbeing
Date Lead Cabinet Member briefed	17 July 2023
Procurement advisor	Babita Mal - Procurement Manager

5.2 Background

5.3 Currently two providers are commissioned to deliver preventative, community-based services:

- Starfish CIC was awarded the contract to commence delivery of the low-level Community Mental Health Service on 1 April 2017.
- P3 was awarded the contract to commence delivery of the low-level Generic Housing and Preventative Floating Support Service on 13 December 2017.

5.4 Service reviews have been conducted and needs and value for money aspects of provision determined. Briefing papers were presented to Adult Leadership Team (ALT) on 20 April 2023 which outlined the findings from the service reviews and options for commissioning and procuring a preventative service. ALT endorsed the option to commission a new enhanced preventative service which brings together the aims and outcomes of both services. The streamlined pathway will help minimise or avoid the escalation of needs, whilst also ensuring there is no duplication and maximising value for money.

5.5 A briefing note was presented at Senior Leadership Team and no future funding sources were identified after September 2023 for the low-level Community Mental Health Service.

5.6 Adults Commissioning, Children's Commissioning and Public Health were asked by Senior Management to explore synergies with contracts due for (re)procurement within

the work areas and opportunities where they can be aligned. In order for this work to be completed and to allow adequate time for the planning, procurement, and mobilisation of the new contract, both services continue to be funded via Adult Social Care until 30 March 2024.

- 5.7 Adults Commissioning have been working with Public Health to remodel provision. All elements of the contracts relating to housing related support will come under the remit of services due to be established and commissioned by Public Health. The in-house Call Us First housing related support service is due to go live in August 2023. The Single Persons Accommodation and Support and Rough Sleeper services are to be commissioned with start date of 1 April 2024.

Proposed Contract Award	
Contract duration	Five years (4 + 1)
Contract Commencement date	1 April 2024
Annual value	£201,000
Total value	£1,005,000

5.8 Procurement Process

- 5.9 The intended procurement procedure will be an open above threshold procedure in accordance with Public Contract Regulations 2015 under the Light Touch Regime. This route to market also offers opportunities for local suppliers to submit bids supporting the Wolverhampton Pound.
- 5.10 The evaluation scoring balance will be Quality 70% (including Social Value 5% and 5% EDI) and Price 30%. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.
- 5.11 The evaluation team will comprise of:

Name	Job Title
Shen Campbell	Commissioning Officer (Adults)
Jamie Annakin	Principal Public Health Specialist
Karen Chance	Mental Health Service Manager

5.12 Evaluation of alternative options

5.13 Options such as a framework and lots are not appropriate as a single service will be commissioned.

5.14 Reason for decisions

5.15 As a result of the duplication identified through the service reviews, ALT approved the recommended option to bring together the aims and outcomes of both services streamlining the pathway. One service is to be procured. This approach will achieve economies of scale and value for money. This will also provide an opportunity to deliver efficiencies.

5.16 Financial implications

5.17 The annual cost of £201,000 will be met from an existing approved budget in Commissioning and Transformation.

5.18 Legal implications

5.19 The procurement will be an above threshold open procedure in accordance with the Light Touch Public Contract Regulations 2015 and Council's Contract Procedure Rules.

5.20 Equalities implications

5.21 The service is city-wide and will continue to support equality and be compliant with equality and disability legislations. In addition, the new provision will target 'hard to reach' and marginalised individuals to augment equality. The service specifications will include a requirement for the provider to collate demographic information.

5.22 All other implications

5.23 Transfer of Undertakings Protection of Employment Rights (TUPE) will apply.

5.24 Recommendation

5.25 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Services to approve the award of a contract for a Low-Level Preventative Community Wellbeing Service when the evaluation process is complete.

6.0 Councillor Paula Brookfield, Cabinet Member for Governance and Equalities
6.1 Delegated Authority to Award a Contract – Applicant Tracking System

Ref no: CWC23103	
Council Plan aim	Driven by Digital
Originating service	People Services (formerly HR)
Accountable officer	Sukhvinder Mattu, Head of People Services (01902) 555375
Leadership Team approval	18 July 2023
Accountable Lead Cabinet Member	Cllr Paula Brookfield, Cabinet Member for Governance and Equalities
Date Lead Cabinet Member briefed	24 July 2023
Procurement advisor	Barry Greenwood, Procurement Business Partner

6.2 Background

6.3 City of Wolverhampton Council (CWC) currently use Talentlink which is an applicant tracking system used to digitise recruitment and recruitment transactions. CWC procure Talentlink through West Midlands Employers (WME), as do 14 other local authorities. The contract between WME and Talentlink is ending on 31 March 2024. WME have conducted a procurement exercise and an award has been made to a new supplier – Tribepad. Combining Applicant Tracking System, Customer Relationship Management, Video interviewing and onboarding.

6.4 CWC wish to enter into a contract with WME to move to Tribepad to enable our recruitment processes to continue to be digitised and support us to improve our offer to new entrants to the council creating a good first impression.

Proposed Contract Award	
Contract duration	Five years (3+1+1)
Contract Commencement date	October 2023
Annual value	£46,000 (year one, year 2 and 3 will be subject to RPI)
Total value	£230,000 (3 years subject to RPI and other increases)

6.5 Procurement Process

6.6 The intended procurement procedure will be a framework award using West Midlands Employers framework in accordance with Public Contract Regulations 2015. This route to market has been decided because West Midlands Employers have combined the whole of the West Midlands spending on applicant tracking systems to achieve a more competitive price. The Council would not receive the same offer if it procured an Applicant System individually.

6.7 The framework is a single supplier framework so no evaluation criteria will be used for the award of contract. West Midlands Employers have already conducted the evaluation process. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

6.8 The evaluation team will comprise:

Name	Job Title
Sukhvinder Mattu	Head of People Services
Joanne Farley	Human resources Business Partner

6.9 Evaluation of alternative options

6.10 CWC undertake their own procurement exercise for a new applicant tracking system.

6.11 Reason for decisions

6.12 The Head of People Services was part of the WME procurement evaluation team and therefore reviewed other applicant tracking systems that met WME's criteria. Tribepad would have been CWC's preferred provider based on the information and demonstration of system provided. In addition, CWC will benefit from regional expertise and knowledge around system use, will receive wrap around support from WME including knowledge sharing and quarterly updates.

6.13 To procure Tribepad directly it would cost CWC £55,200 per annum and we would need to pay £15,631 plus VAT to advertise our vacancies on WMJobs in addition to this.

6.14 Financial Implications

6.15 The current budget for 2023-2024 held within HR Advice of £30,844 to cover existing Applicant Tracking System costs will contribute to funding the new contract.

6.16 The additional costs of the contract for 2024-2025 total £16,000 and will be included in future council budget setting reports, seeking budget approval upon identification of potential funding sources taken into consideration with the medium term financial

strategy (MTFS). In the event that funding is not identified or approved, efficiencies will need to be identified to fund these contracted costs.

6.17 Legal implications

6.18 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

6.19 Equalities implications

6.20 Tribepad has similar tools and techniques to support CWCs choice of anonymising application forms. However, we will need to move away from CV application back to application form. Tribepad also has the same functionality to identify applicants who have declared their disability allowing us to offer them reasonable adjustments.

6.21 All other implications

6.22 System integration and implementation within People Services, the HUB and schools recruitment. Phase out of current recruitment system and impact on applicants to be considered during implementation. Communication to affected stakeholders will commence asap.

6.23 Recommendation

6.24 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Governance and Equalities, in consultation with the Chief Operating Officer, to approve the award of a contract for West Midlands Employers/Tribepad when the evaluation process is complete.

7.0 Councillor Stephen Simkins, Deputy Leader: Inclusive City Economy

7.1 Delegated Authority to Award a Contract – UKSPF Start Up Tender

Ref no: CWC23094	
Council Plan aim	Thriving economy in all parts of the city
Originating service	Enterprise/External Funding and Digital Strategy
Accountable officer	Emma Kirkbride, External Funding Programme Manager
Leadership Team approval	21 February 2023
Accountable Lead Cabinet Member	Cllr Stephen Simkins: Deputy Leader: Inclusive City Economy
Date Lead Cabinet Member briefed	24 July 2023
Procurement advisor	Sean Hynes, Procurement Manager (01902) 554950

7.2 Background

7.3 The UK Shared Prosperity Fund (UK SPF) aims to increase life chances and build pride in place across the UK, by empowering places to invest in local priorities across three priority areas: communities and place, local business and people and skills. Wolverhampton’s local allocation under the Local Business investment priority, is intended to be used to strengthen local entrepreneurial systems.

7.4 The commissioning of this project will deliver start-up support to increase new business and strengthen young businesses, that targets Wolverhampton residents, including unemployed, those living in deprived areas and at risk of redundancy, to engage and access skills that will provide the foundation to prepare, start and ensure businesses start up and business survival in the city. Although the focus is on start-up, should residents supported decide that start up is not right for them, we expect the provider to support them onto other positive destinations, for example into employment, working closely with Wolves at Work.

Proposed Contract Award	
Contract duration	1 year and 6 months
Contract Commencement date	1 October 2023

Annual value	£100k Year 1 (1 October 2023 – 31 March 2024) £200k year 2 (1 April 2024 - 1 March 2025)
Total value	£300,000

7.5 Procurement Process

7.6 The intended procurement procedure will be open tender procedure in accordance with Public Contract Regulations 2015. This route to market has been decided because CWC is committed to demonstrating that the services it procures represent good value for money which have been sourced using open, transparent, and equitable processes. This route to market also offers opportunities for local suppliers to submit bids supporting the Wolverhampton Pound.

7.7 Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

7.8 The evaluation team will comprise:

Name	Job Title
Emma Kirkbride	External Funding Programme Manager
Heather Clark	Head of External Funding and Digital Projects
Isobel Woods	Head of Enterprise
Jeff Marlow	Business Development Manager

7.9 Evaluation of alternative options

7.10 Not spending the local business start-up allocation of UK SPF would result in a loss of external funding to the city and impact on our ability to address key challenges.

7.11 Reason for decisions

7.12 The preferred route is an open tender process to provide start-up support, which will help increase new businesses in the city and strengthen young businesses. This will provide an opportunity to bring knowledge and expertise from the market and fulfil our obligations for the approved UK SPF grant funding. This will also help support the Wolverhampton Pound, inviting those who tender to bring innovation and value for money.

7.13 Financial implications

7.14 The contract will be fully met from the UK Shared Prosperity Funding budget for 2023-2024 and 2024-2025 financial years.

7.15 Legal implications

7.16 The open tender procedure will be in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

7.17 Equalities implications

7.18 As part of the governance for UK Shared Prosperity Fund programme, an Equalities Impact Assessment (EIA) has taken place. This has extended to this contract. The service will have positive impact given focus on unemployed and deprived areas and the support that will be provided to people to start-up businesses or explore employment if they decide self-employment is not suitable for them.

7.19 All other implications

7.20 There are no other implications arising from the recommendations of this report.

7.21 Schedule of background papers

7.22 Cabinet (Resources) Panel 7 May 2023 UK Shared Prosperity Fund 2023/24 Approvals

7.23 Recommendation

7.24 Cabinet (Resources) Panel is recommended to delegate authority to the Deputy Leader: Inclusive City Economy, in consultation with the Director of Regeneration and Director of Strategy, to approve the award of a contract for UKSPF Start-Up Tender when the evaluation process is complete.

8.0 Financial implications

8.1 All financial implications are included within the relevant section of the report.
[RP23082023/HP]

9.0 Legal implications

9.1 All legal implications are included within the relevant section of the report.
[SZ/28072023/P]

10.0 Equalities implications

10.1 The relevance to equalities and progress in terms of equality analysis will vary for each proposal included in this report. Accountable officers have and will ensure that evidence is collected and used to demonstrate compliance with CWC's legal obligations under the Equality Act 2010.

11.0 All other implications

11.1 All other implications are included within the relevant section of the report.

12.0 Schedule of background papers

12.1 All background papers are included within the relevant section of the report.

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 6 September 2023
--	---

Report title	Acquisition and Redevelopment of Newhampton Arts Centre	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Paula Brookfield Governance & Equalities	
Key decision	Yes	
In forward plan	Yes	
Wards affected	Park	
Accountable Director	Julia Nock, Deputy Director of Assets	
Originating service	City Assets	
Accountable employee	Stuart Rutherford	Head of Assets
	Tel	01902 550316
	Email	Stuart.Rutherford@wolverhampton.gov.uk
Report to be/has been considered by	City Assets Leadership Team	9 August 2023
	Leaders Briefing	29 August 2023
	Strategic Executive Board	28 July 2023

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the acquisition of freehold interest of the one half of the Newhampton Arts Centre currently in the ownership of Wolverhampton College.
2. Delegate authority to the Cabinet Member for Governance and Equalities in consultation with the Director of Finance and the Deputy Director of Assets, to approve the negotiated acquisition and contract of the freehold interest of the one half of the Newhampton Arts Centre currently in the ownership of Wolverhampton College. This would be subject to full due diligence e.g. condition surveys etc to understand the liabilities and risks to the Council
3. Delegate authority to the Cabinet Member for Governance and Equalities in consultation with the Chief Operating Officer and Deputy Director of Assets, to approve the long-term lease / community asset transfer of the entire building (subject to approval of the acquisition of the part owned by Wolverhampton College) to the Newhampton Arts Centre.

Recommendations for noting:

The Cabinet (Resources) Panel is asked to note:

1. The current condition and reasons for acquiring the building.
2. The progress with emergency work to allow existing tenants to remain in the building.
3. Supplementary budget approval was granted by Individual Executive Decision Notice in July 2023.

1.0 Purpose

- 1.1 To inform Cabinet (Resources) Panel of the project change and to provide a background to the Towns Fund Arts Park Newhampton Art Centre project.
- 1.2 To seek authority to purchase the share of the building in ownership of the College (Site Plan included in Appendix 1) and to provide an update on the current condition of the building.
- 1.3 To seek approval to initiate the immediate emergency work to the building.
- 1.4 To recommend a long lease/community asset transfer to Newhampton Art Centre.

2.0 Background

- 2.1 On 3 March 2021 the Department for Levelling Up, Housing and Communities (DLUHC) announced the outcome of the Towns Fund (TF) bidding process which resulted in the City of Wolverhampton being awarded a funding offer of £25 million for the Towns Funds projects submitted as part of the Wolverhampton Investment Plan.
- 2.2 Cabinet on 9 December 2020 approved delegations to Individual Executive Decision Notice (IEDN) for the acceptance of Towns Fund grant terms and conditions, entering into any necessary agreements to receive and distribute the grant and to create the supplementary capital and revenue budgets for projects subject to the successful receipt of the Towns Fund grant. To secure the £25 million grant award each project has submitted a S151 signed off business case to DLUHC for approval through various gateway submissions in 2021-2022.
- 2.3 The original scheme identified for Arts Park and approved by the Towns Fund Board was for the expansion of the Grand Theatre on Lichfield Street which was to be enabled through the acquisition of the neighbouring property at 66 – 70 Lichfield Street. Following the failure to negotiate the acquisition of the property and legal advice that cautioned against a Compulsory Purchase Order, it was determined that funds should be redirected to an alternative project that could be defrayed in line with the expenditure commitment and meet some or all of the same committed outputs. This approach has been discussed fully with key fund contacts at DLUHC and agreed in principle subject to relevant governance.
- 2.4 A project adjustment request form was submitted to DLUHC on 17 May 2023 following the approval from Strategic Executive Board to change from The Grand Theatre to Newhampton Arts Centre. Representatives from the Department for Business, Energy and Industrial Strategy (BEIS) who administer the grant, visited the site and received a presentation on 16 May 2023 which received a positive in principle endorsement to the change control being progressed. The project adjustment request form was approved by DLUHC 6 July 2023.
- 2.5 Newhampton Arts Centre (NAC) is a multi-space and multi-user arts and cultural centre operating on a site located within Whitmore Reans, just north of the Wolverhampton ring road, a five minutes' walk from the city centre.

- 2.6 NAC occupies a former school building on a site facing onto Newhampton Road, opposite West Park. The buildings are arranged in a rough quadrangle around a central courtyard that is used as car parking, and in the summer as the site of the New Horizons stage-tent. Access to the site is currently from an entrance on Dunkley Street- a cul-de-sac to the side of the main road frontage.
- 2.7 The school that occupied the older buildings on the site closed in 1989 and the site was developed by City of Wolverhampton Council and City of Wolverhampton College as a joint creative industries and creative education site.
- 2.8 The site is still owned by both of these bodies; the main former school buildings and newer theatre block are owned by the College with the Council owning the rest of the site which includes the studio block and buildings to the north of the site. The courtyard is divided equally between the two owners.
- 2.9 NAC is constituted as a charity and company limited by guarantee. It was set up specifically for the council-owned half of the site to begin with- to run a programme of live events, courses and classes, and then, when the College vacated the site in 2015, NAC took on management of the College half of the site too, letting former classrooms to a range of artists and organisations.
- 2.10 The programme managed by NAC has a number of elements: approximately 120 live music and theatre events per year in the theatre and New Horizons stage tent, weekly courses and classes, a community and education programme and activities run by its resident artists/ organisations (of which there are about twenty). Courses and classes include subjects as varied as youth theatre, yoga, English for Speakers of Other Languages (ESOL), visual art and keep fit.
- 2.11 NAC is one of five Arts Council National Portfolio Organisation (NPOs) in Wolverhampton. Wolverhampton was included in the Arts Council England's list of 54 priority areas for increased investment in the coming decade.
- 2.12 The last significant capital investment in the site came twenty years ago in the development that brought NAC into being. Since then, investment has been limited to routine maintenance. The condition of the building is now in need of capital investment.
- 2.13 The building is now in urgent need of further significant capital investment. As well as the urgent requirement to update and replace major building services installations (e.g. boilers), fittings at the end of their life and major fabric repairs, the time is ripe to architecturally appraise the whole site and buildings in view of its current uses, given that the site is being used for purposes and to an extent never envisaged 25 years ago.
- 2.14 As NAC have no formal legal interest in the building (currently out of lease), they have little remit nor responsibility to invest in the fabric of the building, nor would they be able to bring in any external capital funding without a legal interest.

3.0 Project progress and proposals

- 3.1 To progress the early stages of the project and understand the challenges and opportunities with the building NAC commissioned a feasibility study by APEC which included extensive stakeholder engagement completed in Q1 of 2023.
- 3.2 The Council's City Assets Team have had discussions with the College and their interest in selling their owned part of the building to establish one owner of the property.
- 3.3 The project will act as an opportunity to reduce the Council's Carbon footprint, continue providing employment opportunities and key community assets for the community.
- 3.4 The Council commissioned Bruton Knowles to provide a valuation for the part of the site that is owned by the College. The valuation was determined at £XXX, however due to the immediate remediation works that are required, the valuation has been adjusted by Bruton Knowles to £XXX. It is acknowledged that the College are likely to want to negotiate on the acquisition price and therefore an assumption of £XXX has been made. This forms part of the funding package outlined below in paragraph 3.6.
- 3.5 Subject to approval, further condition surveys will be required prior to entering into negotiations with the owner Wolverhampton College in order to agree the terms of the purchase. The condition surveys will establish the required capital investment and long term ongoing building maintenance liabilities of the building.
- 3.6 Any additional contingency has been added to the total acquisition value as detailed in Table 1 to allow for any changes in market conditions up to the point of purchase along with an allowance for Stamp Duty Land Tax (SDLT) (value to be and included in the Individual Executive Decision Notice) bringing the required total budget for the project and acquisition to £1.5 million.

Table 1 – Estimated costs	
	£
Freehold purchase costs	XXX
Surveys	XXX
Design & Development	XXX
Asbestos Removal	XXX
Boiler	XXX
Renovation	XXX
Contingency XXX	XXX
Total	1,500,000

- 3.7 To maintain a strong and disciplined control on project costs and programme, in addition to the provision of internal resources, an external team of professional consultants will be appointed to lead the project after obtaining planning consent and for monitoring

purposes. This will offer assurance during the development stages of the project and robust contract management during the delivery stage.

- 3.8 The Council will need to undertake a procurement for the proposed development and associated goods, works and services. It will need to adhere to its Contracts and Procedure Rules and the law relating to Subsidy Control.
- 3.9 The following are key milestones to help understand the roadmap to delivering the overall project based on the preferred option evaluated in section 4.0:

Cabinet Resource Panel	6 September 2023
Removal of asbestos in boiler room	October/November
Acquisition of building	November
Long term lease agreement	November
Royal Institute of British Architects (RIBA) 2 completion	October
Boiler replacement	December
Immediate renovation work	Q4 2023 – Q1 2024
NAC apply for grant funding	Q4 2023
Phase 1 completion	March 2024

- 3.10 To reduce the ongoing financial risk to the Council and funders and maintain an ambitious but affordable project, the following activities are proposed as conditions:
1. Simultaneous acquisition of freehold and transfer by way of a community asset transfer to NAC on terms to be agreed. The NAC have provided a letter of intent to enter into a community asset transfer which is shown in Appendix 2.
 2. Grant funding is secured to cover costs.
 3. Cost would be managed and risks would be mitigated by undertaking full surveys and a complete RIBA Stage 2 design. Specialist consultants will be engaged to both manage and coordinate the maintenance works. The costs shown above are estimated and the full market rates will be established once the procurement strategy has been undertaken. There is also a XXX project contingency budget established within the above estimated costs for the already identified works. The works to be undertaken will be managed within the available budget and therefore the scope may need to be reduced should the costs be higher than estimated.
 4. Planned support to NAC in the grant funding applications to secure capital funding for remaining parts of the building.

4.0 Evaluation of alternative options

- 4.1 The Council could choose to not proceed with the acquisition of the property and carry out emergency work. Whilst evaluating the options and determining the preferred option in the outline business case, it was imperative to ensure good value for money, maximising outputs from the asset with job creation and addressing community needs with the provision for NAC to continue delivering their activities in support for Wolverhampton.

- 4.2 **Option 1: Do Nothing** – The project team started by looking at the option of doing nothing. This option would result in NAC ceasing operations as not able to secure a long term lease from two property owners and with the failing heating plant unable to keep current tenants and run events. The grant funding would also be returned to DLUHC.
- 4.3 **Option 2: Preferred option** – Acquire the College owned part of the building and undertake essential repairs. Complete community asset transfer to NAC.

Advantages

- One property owner instead of two.
- NAC able to secure long term lease and apply for grant funding.
- Heating system to be updated and full rent to tenants can be obtained.
- Essential repair work can commence to secure the running of the facility and provide security for its tenants and community attending training and events.
- Jobs are secured for the future.

Disadvantages

- Current funding will only cover essential repair work.
- Risk of cost overrun.

5.0 Reasons for decision

- 5.1 It is recommended to begin negotiations with the owner Wolverhampton College to sell their part to avoid the building falling further in disrepair.
- 5.2 The building represents a significant, ongoing financial liability to both the Council and the College, if retained in current ownership without a long-term lease to NAC.
- 5.3 A long-term lease will allow NAC to pursue further capital grant funding to invest in the building.
- 5.4 Immediate repair work will strengthen NAC's position in the next phase of the renovation/restoration of a local listed building.

6.0 Financial implications

- 6.1 Following the decision that the original Town Fund project, Arts Park was not viable as detailed in the report a project change request was submitted to deliver this alternative project, Newhampton Arts Centre, with approval received 6 July 2023. This secures the grant for Wolverhampton and therefore ensures delivery of outcomes in line with the grant terms and conditions.
- 6.2 This report requests the approval for the purchase of the property, which will be funded from the supplementary capital budget for the Newhampton Arts Centre project. The budget was approved through the Council's Individual Executive Decision Notice (IEDN) process in July 2023.

- 6.3 The estimated project cost is £1.5 million, the costs include the acquisition, legal and surveyor fees and immediate renovation / restoration work, as detailed in the table at 3.6 above; this includes a robust contingency of £XXX and will be fully funded through the Towns Fund grant. It should also be noted that the scope of works can, if required be adjusted to manage delivery within the approved project budget.
- 6.4 The proposal is a back to back purchase of the College's half of the building and the community asset transfer of the property to Newhampton Arts Centre, this will remove the risk to the Council of any issues arising during the period before the ownership is transferred. The ongoing financial commitment required to maintain the asset will also transfer under the lease, therefore there will not be a revenue cost of maintenance for the Council.
- 6.5 The financial risks of the project are mitigated through ongoing monitoring of project costs through the Council's quarterly reporting processes and the robust project contingency, which if not required to cover unexpected / increased costs, this will be used to carry out further refurbishment works to ensure full use of the grant and delivery of required outputs. It should be noted that at this time capital project costs are being impacted by the high rates of inflation and therefore there is a risk costs could increase.
[HM/18082023/C]

7.0 Legal implications

- 7.1 As part of the Local Government Act 1972, the Council is permitted to acquire land for the purposes of any of its functions, benefit, improvement or development of its area. The purpose of the acquisition is detailed in the report. In the event of the Council acquiring the freehold interest in the property there will be stamp duty land tax payable together with professional fees and Land Registration fees payable by the Council.
- 7.2 To give effect to the recommendations in this report, the Council will need to enter into a deed of surrender, sale contracts and transfer together with other ancillary agreements, which may be required as part of the negotiations between the Council and the landlord.
- 7.3 The Council's Legal Services is able to provide advice in this transaction as the matter progresses.
[TC/24082023/A]

8.0 Equalities implications

- 8.1 An equalities analysis has established that this project is relevant to the Council's duty to advancing equality of opportunity. The Senior Equality Diversity and Inclusion Officer has been satisfactorily consulted on this matter and no implications have been highlighted whilst jointly reviewing the Equality Analysis Form.

9.0 All other implications

- 9.1 The selection of award of the professional team and construction works will be fully tendered and compliant with the Council's and public procurement rules and policies. A clear procurement and contract strategy are to be developed as part of the project in consultation with the Councils procurement team.

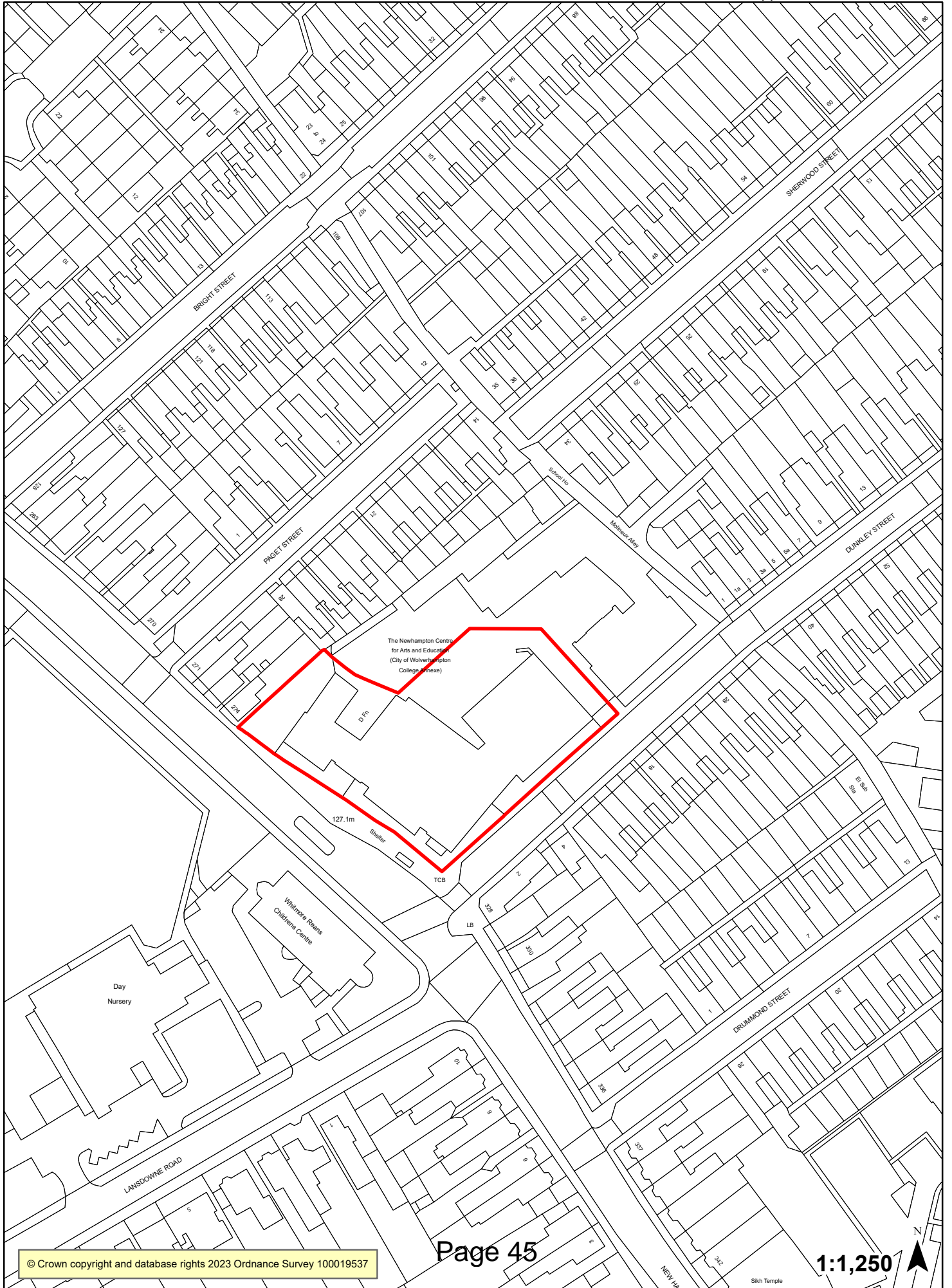
10.0 Schedule of background papers

- 10.1 Individual Executive Decision Notice - Towns Fund Towns Fund Arts Park Project Capital Budget

11.0 Appendices

- 11.1 Appendix 1: Site Plan
11.2 Appendix 2: Letter of Intent from NAC

This page is intentionally left blank



The Newhampton Centre
for Arts and Education
(City of Wolverhampton
College Annex)

127.1m
Shelter

TCB

Wings' Reans
Childrens Centre

Day
Nursery

LANSDOWNE ROAD

DRUMMOND STREET

DUNKLEY STREET

1:1,250



This page is intentionally left blank



TO WHOM IT MAY CONCERN

17.08.2023

PROPOSED COMMUNITY ASSET TRANSFER OF NEWHAMPTON ARTS CENTRE

The Board and staff of Newhampton Arts Centre appreciate the ongoing and consistent support of Wolverhampton City Council over the last five years in resolving the complex ownership issues around the site.

Both NAC and the Council recognise that significant capital investment into the site is required to enable it to continue as a cultural asset for the city, a home to thirty creative and community enterprises, and a provider of a wide range of live events and classes for the people of Wolverhampton. The resolution of the ownership of the site will allow NAC to proceed with a site redevelopment plan with the Council's agreement.

The Trustee Board will use its best endeavours to raise sufficient grant funding from external sources to fully renovate and improve the entire site for the benefit of the community over a period of time to be determined by the Centre's Trustee Board in consultation with all interested parties.

The Trustee Board and the management team at Newhampton Arts Centre fully support the Council's proposal that when the Council is able to transfer the site as a whole it will make a community asset transfer to Newhampton Arts Centre's Board of Trustees.

They will be very happy to take over the ownership and operation of the asset within an appropriate and negotiated timescale.

For its part, the NAC Board of Trustees will undertake to act as expeditiously as possible in respect of both of these matters.

The Council undertakes to provide such assurances as might be necessary to secure external funding for the renovation and redevelopment of the site.

Yours faithfully,

Trevelyan Wright
Chief Executive
on behalf of the Board of Trustees

Newhampton Arts Centre, Dunkley Street, Wolverhampton WV1 4AN
Registered Charity No: 1066687 Registered Company No: 3340600

admin@newhamptonarts.co.uk

www.newhamptonarts.co.uk

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank