

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 Steve Evans (Lab)

Labour

Cllr Obaida Ahmed
Cllr Paula Brookfield
Cllr Chris Burden
Cllr Craig Collingswood
Cllr Jacqui Coogan
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles
Cllr Stephen Simkins

Quorum for this meeting is three voting members.

Information for the Public

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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 **Declarations of interest**
- 3 **Minutes of the previous meeting** (Pages 3 - 8)
 [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 9 - 22)
 [To approve the award of contracts for works, goods and services]
- 5 **Well Connected Communities - A454 City East Gateway Phases 1 & 2 Progress Report** (Pages 23 - 30)
 [To approve recommendations to progress the next stages of the A454 City East Gateway Phases 1 & 2 project]
- 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 item of business as it involves the likely disclosure of exempt information on the grounds shown below]

Part 2 - exempt items, closed to press and public

- 7 **Procurement - Award of Contracts for Works Goods and Services** (Pages 31 - 46)
 [To approve the award of 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)

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

Members of the Cabinet (Resources) Panel

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

Employees

Mark Taylor	Deputy Chief Executive
John Denley	Director of Public Health
Alison Hinds	Deputy Director of Children's Social Care
Charlotte Johns	Director of Strategy
Richard Lawrence	Director of Regeneration
David Pattison	Chief Operating Officer
Laura Phillips	Deputy Director of People and Change
John Roseblade	Director of Resident Services
Becky Wilkinson	Director of Adult Social Services
Alison Shannon	Chief Accountant
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**
No apologies for absence were received for the meeting.

- 2 **Declarations of interest**
David Pattison, Chief Operating Officer reported that Mark Taylor, Deputy Chief Executive would be declaring an interest in items 5 and 7 (Acquisition and Redevelopment of Newhampton Arts Centre) in so far as he is the Chair of Governors at Wolverhampton College. He would leave the meeting when the reports are considered.

3 **Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 26 February 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, Adults and Wellbeing, Governance and Equalities, and Inclusive City Economy portfolios.

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 Enforcement Agents (Lot 1) for five years when the evaluation process is complete.
2. 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 Second Referral Enforcement Agents (Lot 2) for five years when the evaluation process is complete.
3. That authority be delegated to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of Resident Services to approve the award of a contract for Enforcement Agents for the Collection of Penalty Charge Notice's (PCN's) (Lot 3) for five years when the evaluation process is complete.
4. That authority be delegated 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.
5. That authority be delegated 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.
6. That authority be delegated 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.
7. That authority be delegated 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.
8. That authority be delegated 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.

9. That authority be delegated 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.

5 **Acquisition and Redevelopment of Newhampton Arts Centre**

Having previously declared an interest, Mark Taylor - Deputy Chief Executive left the room whilst Cabinet (Resources) Panel considered the report.

Councillor Stephen Simkins presented the report on a proposal to acquire the freehold interest of the part of Newhampton Arts Centre (NAC), a multi-space and multi-user arts and culture centre operating on a site within Whitmore Reans, currently in the ownership of Wolverhampton College. Following acquisition, immediate priority renovation works would be undertaken to enable parts of the building to be brought back into immediate use by NAC, thereby protecting existing uses and creating space for new opportunities. It would also strengthen the position for the next phase of the renovation/ restoration of a locally listed building. A Community Asset Transfer of the entire NAC building to NAC was also proposed. The community asset transfer would ensure that the Council carried nil risk but also enabled the future proofing of the facility moving forward for the good of the local and wider community.

Resolved:

1. That the acquisition of freehold interest of the one half of the Newhampton Arts Centre currently in the ownership of Wolverhampton College be approved.
2. That authority be delegated 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. That authority be delegated 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.
4. That the current condition and reasons for acquiring the building be noted.
5. That the progress with emergency work to allow existing tenants to remain in the building be noted.
6. That it be noted that supplementary budget approval was granted by Individual Executive Decision Notice in July 2023.

6 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 items of business as they involve the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Part 2 - exempt items, closed to press and public

7 Acquisition and Redevelopment of Newhampton Arts Centre

Having previously declared an interest, Mark Taylor - Deputy Chief Executive left the room whilst Cabinet (Resources) Panel considered the report.

Councillor Stephen Simkins presented an exempt version of the Acquisition and Redevelopment of Newhampton Arts Centre report discussed at item 5 above. The report included information that was exempt due to its commercial sensitivity.

Resolved:

1. That the acquisition of freehold interest of the one half of the Newhampton Arts Centre currently in the ownership of Wolverhampton College be approved.
2. That authority be delegated 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. That authority be delegated 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.
4. That the current condition and reasons for acquiring the building be noted.
5. That the progress with emergency work to allow existing tenants to remain in the building be noted.
6. That it be noted that supplementary budget approval was granted by Individual Executive Decision Notice in July 2023.

8 Procurement - Award of Contracts for Works, Goods and Services

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

Resolved:

1. That the contract for the Independent Mental Health Act provision with PohWER of Hertlands House, Primett Road, Stevenage, Hertfordshire, SG13EE be extended for a duration of nine months from 14 October 2023 to 15 July 2024 with a variation value of £25,328.
2. That the contract for the Statutory Advocacy with PohWER of Hertlands House, Primett Road, Stevenage, Hertfordshire, SG13EE be extended for a duration of nine months from 14 October 2023 to 15 July 2024 with an estimated variation value of £99,289, which would be met by the existing original Cabinet (Resources) Panel approved expenditure.
3. That the contract for the Wolverhampton Health Advocacy Complaints Service (WHACS) with PohWER of Hertlands House, Primett Road, Stevenage, Hertfordshire, SG13EE be extended for a duration of nine months from 14 October 2023 to 15 July 2024 with a variation value of £36,540.
4. That the exemptions to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 to 30 June 2023 be noted.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 18 October 2023
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Report title	Procurement – Award of Contracts for Works, Goods and Services
Decision designation	AMBER
Cabinet member with lead responsibility	Councillor Louise Miles Resources
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 Visitor City, in consultation with the Director of Communications and Visitor Experience, to approve the award of a contract for Events Security when the evaluation process is complete.
2. Delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Social Care to approve the award of a contract for Dementia Community Support Service when the evaluation process is complete.
3. Delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Social Care to approve the award of a contract for Direct Payment Support, and Bookkeeping and Payroll Service when the evaluation process is complete.
4. Delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health, to approve the award of a contract for the Wolverhampton Young Peoples Activity Programme when the evaluation process is complete.

1.0 Councillor Bhupinder Gakhal, Cabinet Member for Visitor City

1.1 Delegated Authority to Award a Contract - Events Security

Ref no: CWC23115	
Council Plan Aim	Thriving economy in all parts of the city
Originating service	City Events
Accountable officer	Jules Raikes, City Events Business Manager (01902) 551475
Leadership Team approval	28 September 2023
Accountable Lead Cabinet Member	Cllr Bhupinder Gakhal, Cabinet Member for Visitor City
Date Lead Cabinet Member briefed	4 October 2023
Procurement advisor	Sheena Douglas, Procurement Buyer (01902) 553406

1.2 Background

1.3 The City Events Team run a number of annual events throughout the year. The programme of events is growing year on year, meaning an increased requirement for security to deliver our events. The functions carried out by the supplier will include, but is not limited to, stewarding, entrance supervision, customer facing interactions and overnight asset supervision. All security crew are booked and managed onsite by the Security Supervisor and the Event Manager in the City Events Team.

1.4 It is imperative that the selected supplier is competent and is able to manage the security provision of these events safely and efficiently. The contract management approach will be in the form of Key Performance Indicators (KPIs), with a designated CWC officer monitoring at the event.

Proposed Contract Award	
Contract duration	Three years (2 + 1)
Contract Commencement date	1 March 2024
Annual value	£92,516
Total value	£277,548

1.5 Procurement Process

- 1.6 The intended procurement procedure will be an open process in accordance with the Public Contract Regulations 2015. This process will provide the opportunity for local organisations to bid for the contract supporting the Wolverhampton Pound.
- 1.7 The evaluation scoring balance will be Price 40%, Quality 50%, Social Value 5% and 5% Equality, Diversity and Inclusion (EDI). 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.
- 1.8 The evaluation team will comprise:

Name	Job Title
Bethany Hazlehurst	Events Co-ordinator
Neil Johnson	City Events Operations Manager
Jules Raikes	City Events Business Manager

1.9 Evaluation of alternative options

- 1.10 The first alternative option would be to not procure a contracted supplier. However, as the events would still be held, this would leave CWC non-compliant with health and safety policies and at greater risk should any incidents occur at any event. This would also make the events unmanageable.
- 1.11 The second alternative option would be to undertake the service in-house. There is no provision available in-house for this service so a full team would need to be recruited.

1.12 Reason for decisions

- 1.13 Having a competent security provider is crucial for the safe delivery of all events run by CWC. An external provider will supply team members with expertise and the necessary qualifications. The contractor will be responsible for recruitment and training of the security team. There is a requirement for a high number of staff for long hours and the City Events could not support a staffing pool of that size.

1.14 Financial implications

- 1.15 The total maximum contract value for three years is £277,550. This contract will be funded from within the individual events security budgets held for Darts at Aldersley, Fireworks Spectacular, Vaisakhi, Christmas Festivities, Diwali, Bilston Town Hall, Armed Forces Day, Kabaddi, Crazy Races and Wolverhampton Pride.

1.16 Legal implications

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

1.18 Equalities implications

1.19 As part of the tender process, and prior to a contract being awarded, the selected supplier must sign up to CWC's EDI principles. The supplier must also evidence that they have an understanding of the make-up of our diverse city. The selected supplier will need to submit their policies/statements, such as EDI Policy, Harassment and Discrimination, which ensure that their organisation is fair and inclusive. Additionally, the selected supplier will need to ensure that events are accessible, taking account of all equality groups such as accessibility needs for disability person and cultural barriers.

1.20 All other implications

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

1.22 Recommendation

1.23 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Visitor City, in consultation with the Director of Communications and Visitor Experience to approve the award of a contract for Events Security when the evaluation process is complete.

2.0 Councillor Jasbir Jaspal, Cabinet Member for Adults and Wellbeing

2.1 Delegated Authority to Award a Contract - Dementia Community Support Service

Ref no:	CWC23145
Council Plan aim	Fulfilled lives for all with quality care for those that need it.
Originating service	Adults' Commissioning
Accountable officer	Raymond Codner, Commissioning Officer (01902) 550820
Leadership Team approval	7 September 2023
Accountable Lead Cabinet Member	Cllr Jasbir Jaspal, Cabinet Member for Adults and Wellbeing
Date Lead Cabinet Member briefed	18 September 2023
Procurement advisor	Adebimpe Winjobi, Procurement Manager

2.2 Background

2.3 In 2022 CWC commissioned a comprehensive post dementia diagnosis support service. The service comprises of two components: Dementia Navigators (DN) and Community Café. The DN support service is available for all Wolverhampton residents with a dementia diagnosis and their carers. The community café builds upon the DN element and provides a support network for eligible residents and their carers; with service users, carers and their families actively encouraged to contribute to, and support the operation of the café. This is an established service in CWC and forms part of the Council's Dementia Strategy.

2.4 In 2023, the reported dementia diagnosis rate in Wolverhampton is at 67.2% - similar to the national average at 62%. Projecting Older People Population Information (POPPI) estimates that by 2040 there will be a 37% increase in the number of Wolverhampton residents living in the city with dementia.

Proposed Contract Award	
Contract duration	Seven years (5+1+1)
Contract Commencement date	1 April 2024
Annual value	£72,895
Total value	£510,265

2.5 Procurement Process

- 2.6 The intended procurement procedure will be an open, below Light Touch Regime threshold procedure in accordance with Public Contract Regulations 2015 and Council's Contracts Procedure Rules. This route to market has been decided because the Council 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.
- 2.7 The evaluation scoring balance will be quality 70%, 5% Social Value, 5% EDI and 20% Price.
- 2.8 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.
- 2.9 The evaluation team will comprise.

Name	Job Title
Vicki Mosley	Senior Commissioning Officer
Raymond Codner	Commissioning Officer
Parpinder Singh	Principal Public Health Specialist
Lesley Johnson	Carer & Community Support Manager

2.10 Evaluation of alternative options

- 2.11 The option to use internal resources has been discounted as the Council does not have the resources or infrastructure to undertake the service, nor does it hold the service area expertise, unlike dementia-specific organisations and charities.
- 2.12 The option to extend has been discounted as there are no further extension provisions built into the contract.
- 2.13 The option to utilise a framework has been discounted as there are no frameworks available for this type of service requirement.
- 2.14 The option to undertake an open above threshold tender process would allow all providers in the market to submit their offer and thereby establish value for money.

2.15 Reason for decisions

- 2.16 The number of people with a dementia diagnosis is expected to increase in the coming years. The result of not commissioning this service would mean an increased risk of CWC not adhering to the Care Act in providing greater choice, control and independence

as services would be significantly restricted. Additionally, without such a service would likely increase the risk of diagnosed individual's and carer's needs escalating at a faster pace and therefore will add extra pressure to the social care and health system.

2.17 CWC is known as a dementia friendly city, and this service forms part of the Council's Dementia Strategy.

2.18 An improved service specification together with effective contract management will ensure delivery of outcomes and KPIs.

2.19 Financial implications

2.20 The estimated annual contract value can be met from an existing approved budget in Commissioning and Transformation.

2.21 Legal implications

2.22 The procurement procedure will be an open, Light Touch Regime threshold procedure in accordance with Public Contract Regulations 2015 and Council's Contracts Procedure Rules.

2.23 Equalities implications

2.24 Positive impacts, and solutions to negative impacts have been recorded within the project's equality analysis, ensuring all relevant equality themes, and their protected characteristics have been considered and mitigated.

2.25 All other implications

2.26 Transfer of Undertakings Protection of Employment Rights (TUPE) may apply.

2.27 Recommendation

2.28 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Social Care to approve the award of a contract for Dementia Community Support Service when the evaluation process is complete.

3.0 Councillor Jasbir Jaspal, Cabinet Member for Adults and Wellbeing

3.1 Delegated Authority to Award a Contract – Direct Payment Support and Bookkeeping and Payroll Service

Ref no:	CWC23124
Council Plan aim	Fulfilled lives for all with quality care for those that need it
Originating service	Commissioning - Adults
Accountable officer	Manju Raillay, Commissioning Officer (01902) 556244
Leadership Team approval	7 September 2023
Accountable Lead Cabinet Member	Cllr Jasbir Jaspal - Cabinet Member for Adults and Wellbeing
Date Lead Cabinet Member briefed	4 September 2023
Procurement advisor	Babita Mal, Procurement Manager

3.2 Background

3.3 The Care Act (2014) places a duty on all local authorities to ensure that every adult assessed as being eligible for funded care and support can access a Personal Budget (PB), which is sufficient to meet their assessed needs. Direct Payments (DP) are the established route by which an individual can receive their allocated budget if they prefer to arrange their own support rather than receive a commissioned service.

3.4 The DP Support Service enables access to information, advice, and signposting. The Bookkeeping and Payroll Service is only for those individuals who have either been assessed under Section 2 of the Carers and Disabled Children Act 2000, Care Act 2014 or Children and Families Act 2014 and who are ordinarily a resident within the City of Wolverhampton. This will include older and disabled people over the age of 16, people with parental responsibility for a disabled child and carers aged 16 and over or an appointed suitable person.

3.5 As of 8 August 2023, there were 548 individuals (Adults over 18yrs and carers) in receipt of a DP's in the city of Wolverhampton.

Proposed Contract Award	
Contract duration	5 years + 1 year + 1 year
Contract Commencement date	17 April 2024
Annual value	£110,000
Total value	£770,000

3.6 Procurement Process

- 3.7 The intended procurement procedure will be an open above threshold tender 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.
- 3.8 The evaluation scoring balance will be quality 70%, 5% Social Value, 5% EDI and Price 20%.
- 3.9 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
Manju Raillay	Commissioning Officer (Adults)
Vicky Mosley	Senior Commissioning Officer
Nicky Hack	Senior Social Work Manager
David Drayton-Green	Direct Payments Service Manager

3.11 Evaluation of alternative options

- 3.12 The option to use internal resources has been discounted as CWC does not have the resources or infrastructure to undertake the service, nor does it hold the service area expertise.
- 3.13 The option to extend has been discounted as there are no further extension provisions built into the contract.
- 3.14 The option to utilise a framework has been discounted as there are no framework's available for this type of service requirement.
- 3.15 The option to undertake an open above threshold tender process would allow all providers in the market to submit their offer and thereby establish value for money.

3.16 Reason for decisions

- 3.17 The number of people accessing DPs is increasing every year. The proportion of adults receiving a DP has increased from 19.6% in 2016-2017 to 25.8% in 2021-2022. The proportion of carers receiving a DP for carer support has increased from 23.4% in 2016-2017 to 24.9% in 2021-2022.

3.18 The result of not commissioning this service would mean support would not be given for those individuals who want to access a direct payment. DP's are required in the Care Act to be offered to individuals to increase choice and flexibility in their care.

3.19 Adults' Leadership Team 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, value for money, a better customer journey and experience; and ultimately offering an opportunity to deliver efficiencies.

3.20 Financial implications

3.21 The estimated annual contract value can be met from an existing approved budget in Commissioning and Transformation.

3.22 Legal implications

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

3.24 This service is an important part of CWC's performance of its obligations under the Children's and Families Act 2014 and the Care Act 2014.

3.25 Equalities implications

3.26 Positive impacts, and solutions to negative impacts have been recorded within the project's equality analysis, ensuring all relevant equality themes, and their protected characteristics have been considered and mitigated.

3.27 All other implications

3.28 TUPE may apply. Potential providers will have access to TUPE information from the incumbent provider during the tender process.

3.29 Recommendation

3.30 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Social Care to approve the award of a contract for Direct Payment Support, and Bookkeeping and Payroll Service when the evaluation process is complete.

4.0 Councillor Jasbir Jaspal, Cabinet Member for Adults and Wellbeing

4.1 Delegated Authority to Award a Contract - Wolverhampton Young People’s Activity Programme

Ref no:	CWC23111
Council Plan aim	Healthy, inclusive communities
Originating service	Public Health
Accountable officer	Richard Welch, Head of Partnerships (Public Health) (01902) 552162
Leadership Team approval	27 June 2023
Accountable Lead Cabinet Member	Cllr Jasbir Jaspal, Cabinet Member for Adults and Wellbeing
Date Lead Cabinet Member briefed	3 July 2023
Procurement advisor	Adebimpe Winjobi, Procurement Manager

4.2 Background

- 4.3 The Wolverhampton Young People’s Activity Programme (WYPAP) aims to support children and young people in the city of Wolverhampton to undertake physical activity to meet recommended government guidelines. The WYPAP will offer ongoing, free, physical activity sessions across the city, throughout the school year, supporting the established Holiday Activity Fund (HAF) and #YES youth engagement strategy.
- 4.4 The proposed service will appoint a lead service provider which will directly deliver, schedule, and manage a variety of activity sessions across WVActive, and community-based facilities.

Proposed Contract Award	
Contract duration	24 months
Contract Commencement date	20 November 2023
Annual value	£150,000
Total value	£300,000

4.5 Procurement Process

- 4.6 The intended procurement procedure will be an open, below Light Touch Regime procedure in accordance with Public Contract Regulations 2015 and Council's Contracts Procedure Rules. 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.
- 4.7 The evaluation scoring balance will be Price (30%), Quality (60%), Social Value (5%) and Equality, Diversity and Inclusion (EDI) (5%). 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.
- 4.8 The evaluation team will comprise:

Name	Job Title
Andrea Fieldhouse	Principal Public Health Specialist
Hettie Pigott	Senior Public Health Specialist
Paul Yeomans	WVActive Service Lead
Tessa Meek	Community Hubs Development Manager

4.9 Evaluation of alternative options

- 4.10 The option to use internal resources has been discounted due to no existing resource being available, and the challenge in being able to recruit appropriately skilled personnel within the timeframe needed, for a fixed term contract.
- 4.11 There are no existing frameworks available for this type of service provision.
- 4.12 Market engagement highlighted that sufficiently skilled resource was available in the local provider market.
- #### 4.13 Reason for decisions
- 4.14 The service model requires the lead service provider to manage a wide variety of activity sessions, which will be achieved via sourcing subcontracted local providers, supporting value for money and the Wolverhampton Pound.
- 4.15 Having one main provider, acting in a lead delivery position will provide stability, enable strategic contract management, and support an effective variety of activity opportunities for the youth of Wolverhampton.

4.16 Financial implications

4.17 The estimated contract cost will be met from the approved budget of £450,000 for Yo Wolves within the Healthy Life Expectancy Service funded from the Public Health grant reserve.

4.18 Legal implications

4.19 The procurement procedure will be an open, Light Touch Regime procedure in accordance with Public Contract Regulations 2015 and Council's Contracts Procedure Rules.

4.20 Equalities implications

4.21 Positive impacts, and solutions to negative impacts have been recorded within the project's equality analysis, ensuring all relevant equality themes, and their protected characteristics have been considered and mitigated.

4.22 All other implications

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

4.24 Recommendation

4.25 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health, to approve the award of a contract for the Wolverhampton Young Peoples Activity Programme when the evaluation process is complete.

5.0 Financial implications

5.1 All financial implications are included within the relevant section of the report.
[RP/20231006/P]

6.0 Legal implications

6.1 All legal implications are included within the relevant section of the report.
[SZ/09102023/P]

7.0 Equalities implications

7.1 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.

8.0 All other implications

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

9.0 Schedule of background papers

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

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 18 October 2023
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Report title	Well Connected Communities - A454 City East Gateway Phases 1 & 2 Progress Report	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Craig Collingswood Environment and Climate Change	
Key decision	Yes	
In forward plan	Yes	
Wards affected	East Park	
Accountable Director	John Roseblade, Director of Resident Services	
Originating service	Transportation Strategy	
Accountable employee	Orla Duffey	Black Country Transport Project Manager
	Tel	07717732870
	Email	Orla.Duffey@wolverhampton.gov.uk
Report to be/has been considered by	Directorate Leadership Team	22 August 2023
	Strategic Executive Board	29 August 2023

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Delegate authority to the Cabinet Member for Environment and Climate Change in consultation with the Director of Resident Services to approve the advertisement and pursuit of Traffic Regulation Orders for the A454 City East Gateway Phases 1 & 2 – Willenhall Road project in line with the approvals granted in the Investing In Our Well-Connected Communities Transport Capital Programme 2023-2024 report.
2. Approve engagement in Early Contractor Involvement for development of the work programme under the Midlands Highway Alliance Medium Scheme Framework or other alternative appropriate framework up to a value of £100,000 subject to a signed grant agreement.
3. Authorise the removal of vegetation and trees, subject to grant funding being secured.

4. Approve a supplementary capital budget of £400,000 for the development of the A454 City East Gateway – Willenhall Road project fully funded by City Region Sustainable Transport Settlement (CRSTS) grant and to approve the utilisation, subject to a signed grant agreement.
5. Authorise the Chief Operating Officer to enter into or execute or seal the Grant Agreement, an agreement pursuant to Section 8 of the Highway Act 1980 together with any other legal agreement in relation to the scheme as deemed necessary in respect of the above-mentioned paragraphs.

Recommendations for noting:

The Cabinet (Resources) Panel is asked to note:

1. The submission of the draft Outline Business Case to the Department for Transport and expected decision in early 2024.
2. The ongoing development work on the A454 City East Gateway Phases 1 & 2 - Willenhall Road Outline Business Case and towards the Full Business Case submission to the Department for Transport (DfT) and West Midlands Combined Authority (WMCA), in line with the approvals granted by the Investing In Our Well-Connected Communities Transport Capital Programme 2023-2024 report.
3. Further approvals will be sought for additional externally provided development funding.
4. The submission of the Strategic Outline Business Case to the Single Assurance Framework at West Midlands Combined Authority in December 2022 and approved £400,000 of the project's CRSTS allocation.
5. The engagement in ongoing consultation with impacted parties.
6. Future property acquisitions will be considered in a separate report, A454 City East Gateway Phases 1 and 2 (Willenhall Road) Property Acquisitions Report, which details the property acquisitions required to deliver the project and the approvals needed for the acquisitions.

1.0 Purpose

- 1.1 The purpose of this report is to seek the authorisation of powers and delegation of final approvals to progress the next stages of the A454 City East Gateway Phases 1 & 2 – Willenhall Road project, including to approve the Council to enter into a Grant Agreement with WMCA and such other ancillary agreements.

2.0 Background

- 2.1 The A454 Willenhall Road Corridor is a key route providing essential connectivity and accessibility to and between the city centre and priority housing and employment sites, including Canalside, East Park and the Neachells industrial area. It also represents core access to the motorway network and surrounding region for freight, business and visitor trips.
- 2.2 As part of the Council's commitment to improve transportation in the region and to support the development aspirations of the city, the City East Gateway corridor comprises of seven projects which have been developed and business cases taken forward to seek funding for their implementation.
- 2.3 The A454 City East Gateway Phases 1 & 2 – Willenhall Road project extends from Bilston Street Island through Middle Cross and Lower Horseley Fields, up to the Chillington Fields junction. The scheme also incorporates Walsall Street and Lower Walsall Street.
- 2.4 The scheme looks to deliver enhancements to access for all road users, with active travel infrastructure and consistent journey times for public transport and other vehicles. Supporting opportunities for residents and visitors to make their first choice for journeys a healthy and green one, but ensuring essential access for drivers is also supported.
- 2.5 The Outline Business Case has been developed to release £36 million of direct investment for this priority corridor, and to further enable additional investment through priority site development. Upon approval of the project's refreshed Outline Business Case, this will provide the equivalent of 'programme entry'. This formalises the commitment to the project by the Department for Transport and will provide confidence in the availability of £37.5 million of Major Road Network and CRSTS funding.
- 2.6 In addition to the Major Route Network funding, Black Country Transport have been successful in receiving an allocation of the City Region Sustainable Transport Settlement (£1.05 billion). A proportion of the £1.05 billion has been allocated to the A454 corridor (£18.2 million) to support all transport projects including the A454 City East Gateway Phases 1 & 2 – Willenhall Road project.

3.0 Progress

- 3.1 In the last 12 months, the Outline Business Case for the project has been undergoing a refresh in response to feedback from the Department for Transport.

- 3.2 The refreshed business case will be submitted to the Department for Transport in late 2023 and a decision is expected later in the year or early 2024.
- 3.3 The A454 City East Gateway Phases 1 & 2 – Willenhall Road project has been approved by the West Midlands Combined Authority Single Assurance Framework at the Strategic Outline Business Case Stage. This was confirmed on 15th December 2022.
- 3.4 This approval will allow the A454 City East Gateway Phases 1 & 2 – Willenhall Road project to draw down £400,000 from the A454 allocation of the City Region Sustainable Transport Settlement for scheme development for the year 2023-2024, subject to a signed grant agreement.
- 3.5 In January 2023, the project team met with the Cycling and Walking Team at Transport for West Midlands to discuss the project's compliance with the latest guidance on design for active travel. Since this meeting, the project team have been working with the design team to refresh the designs based on the feedback given.
- 3.6 Accurate detailed cost estimates will be required to inform the Full Business Case submission to DfT, along with a finalised programme for delivery. In order to best inform these commitments within the FBC and reduce the risk of increased cost to the Council, Early Contractor Involvement (ECI) is considered best practice. As a member of the Midlands Highway Alliance (MHA) we have access to their Major Schemes Framework (MSF4) for delivery, from which it is proposed we engage a suitable contractor in ECI for the scheme. The MHA route has proven benefits for cost management, local investment, collaboration and added social value. In the event that MSF4 were not available for any reason, an alternative equivalent framework would be sourced for appointment.
- 3.7 The detailed design identifies a number of considerable changes to traffic movements which will need to be delivered with a corresponding Traffic Regulation Order, some of which will take time to consult on and advertise, therefore delegation is sought for their approval.

The Traffic Regulation Orders required for this project include, but are not limited to:

- Walsall Street and Lower Walsall Street becoming one-way westbound
- Minerva Lane becoming a one-way street

- 3.8 The scheme will include alterations to statutory undertakers' equipment and the removal of vegetation and trees during both preparation and construction stages, in order to establish the most efficient programme, secure statutory undertakers for works, and fulfil any requirements for potentially time sensitive works around vegetation, early approval is sought on this item.

4.0 Evaluation of alternative options

- 4.1 The preferred option for this project was presented and endorsed by the Council on 2 April 2019. This is Option D: Multi-Modal Corridor Enhancements.

4.2 Options A (Minor Interventions), B (A Focus on Sustainable Modes) and C (Bus Priority Route) were not pursued because:

- Option A offered limited improvement for sustainable transport, did not change access options for future development sites or meet any of the corridor aspirations in regard to improved air quality and working environment.
- Option B offered no change in access options for future development sites and the level of anticipated mode shift was not sufficient to address the issues of air quality and noise along the corridor.
- Option C offered no improvement to access development sites, and the width of bus lanes required to make this option viable would significantly impact other modes.

5.0 Reasons for decision(s)

5.1 With the project already approved for development, the primary reason for the decisions in this report is to ascertain the approvals needed to progress the scheme towards implementation.

The current scheme programme has the following timescales:

Milestone	Forecast Date (end)
OBC Submission	November 2023
FBC Production	January - August 2024
FBC Submission	August 2024
FBC Approval	End 2024
Project Construction	2025 - 2027

- 5.2 The project requires land acquisition, albeit some land is within the highway boundary, but some land sits within private ownership. A report seeking a decision to approve the use of Compulsory Purchase Order powers to acquire the land in the event that negotiations with landowners do not succeed will be bought separately for consideration.
- 5.3 The early approvals and delegations sought all contribute to helping ensure the Council secures sufficient funding to deliver the desired outcomes of the scheme, both on time and within the identified budget.
- 5.4 If the approvals to proceed with the development work outlined are not granted, there is a risk that the Council is not able to utilise the provisional Department for Transport funding to deliver capital assets that contribute to the Council's objectives. There is also a risk that spend to date on development of the scheme proposals will be subject to clawback arrangements if no capital improvement is delivered.
- 5.5 Approving the Council to enter into the grant agreement and utilisation of the £400,000 will benefit the progression of the development work of the A454 City East Gateway –

Willenhall Road project. This will ensure the project team can meet the milestones within the programme.

6.0 Financial implications

- 6.1 The A454 City East Gateway corridor was identified as in CRSTS programme and received an allocation of £18.2 million. The spend deadline of this funding source is March 2027.
- 6.2 The Phases 1 and 2 project has been provisionally allocated £6.0 million of this total allocation for the A454 City East Gateway corridor.
- 6.3 The project has worked through the WMCA approvals process for the CRSTS to begin drawing down on this funding. To date, the project has received WMCA approval to draw down £400,000 of this £6.0 million allocation for scheme development in the financial year 2023/2024. A grant agreement for the £400,000 is being finalised between the Council and West Midlands Combined Authority.
- 6.4 This report seeks approval for a supplementary capital budget of £400,000 for scheme development fully funded through this first tranche of CRSTS grant. This budget approval will be subject to the signing of the grant agreement with WMCA for this funding.
- 6.5 Engagement in Early Contractor Involvement for development of the work programme is anticipated to have financial implications up to a value of £100,000. This will be financed by the £400,000 capital budget subject to the signed grant agreement.
- 6.6 The development phase of this project is fully funded through the grant and future phases will be subject to business case and will be considered in future reports. WMCA guidance sets out where a scheme does not proceed due to a business case being rejected, the Department would not look to recover development costs incurred.
- 6.7 Further to the above it should be noted that current market conditions, particularly inflationary pressure is very challenging for the delivery of capital projects at this time. The Council are continuing to monitor and mitigate this risk where possible.
[ES/09102023/Q]

7.0 Legal implications

- 7.1 Pursuant to Section 1 of the Localism Act 2011 the Council has a general power to anything that an individual may generally do provided that it is not prohibited by other legislation and the power is exercised in accordance with the limitations specified in that Act.
- 7.2 This will require the Council entering into a grant agreement, as detailed in the body of the report the Council is proposing to receive grant funding for the purpose of A454 City East Gateway project. The Council as the recipient of the grant funding will need to ensure that it adheres to all the obligations set out in the Grant Agreement, which will

include milestones that must be achieved. The Council will be subject to clawback should it fail to meet the terms of the Grant Agreement and therefore should ensure that it is able to satisfy these and where possible procure compliance through its contractor and any other third party. In order to achieve this a contractor and any other third party will need to be made aware of any obligations imposed on it.

- 7.3 As detailed within the body of the report, the ongoing development of the scheme towards construction will require authorisation for Traffic Regulation Order's and Early Contractor Involvement. In relation to the procurement of a Contractor, the Council must comply with its Constitution and all applicable legislation and regulations including GDPR and Subsidy Control.
- 7.4 As Traffic Regulation Orders are a statutory instrument, the Council will engage in consultation with statutory consultees and impacted communities to ensure a fair process has been undertaken in line with its obligations.
[JA/06102023/E]

8.0 Equalities implications

- 8.1 The scheme will be designed in accordance with all Department of Transport guidance to ensure it is accessible to all members of the community.
- 8.2 The scheme has also been subject to a Road Safety Audit and LTN1/20 review to ensure that the scheme will operate safely for all users.
- 8.3 The need for land acquisition to deliver the project recognises the impact this could have on personal or commercial interests relating to the plots of land that need to be acquired.
- 8.4 The need for land acquisition also recognises that steps will be taken to ensure any parties affected parties are consulted upon and that appropriate provision is put in place to do this, for example making consultation materials available in other languages.

9.0 All other implications

- 9.1 Climate change and environmental impacts have been considered for the A454 Willenhall Road full scheme.
- 9.2 The health and wellbeing objectives of the scheme are to increase modal shift to active travel and public transport and to improve air quality along the A454.
- 9.3 Approving the recommendations of this report will allow the construction of infrastructure to allow residents to make more journeys by sustainable modes, in the long term, reducing harmful emissions and addressing Wolverhampton as an air quality management area.

10.0 Schedule of background papers

- 10.1 Cabinet (Resources) Panel - 2 April 2019 - [City East Gateway A454 Phase 1 and 2 Consultation Feedback and Preferred Option](#)

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