

City of Wolverhampton Council – Decisions taken by the Cabinet (Resources) Panel on Wednesday, 13 December 2023

Item 4	
Title	Procurement - Award of Contracts for Works, Goods and Services
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That authority be delegated to the Cabinet Member for Environment and Climate Change, in consultation with the Director of Resident Services, to approve the award of a contract for the Supply of two Material Handlers and one Wheel Loader when the evaluation process is complete. 2. That the UK Procurement Legislative Changes be noted.
Options Considered	The options are detailed within the evaluation of alternative options section of the individual contract reports.
Reasons for Decision	The reason for the decisions are detailed within the relevant section of the individual contract reports.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	18 December 2023

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Item 5	
Title	Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 2 Beechwood Drive, Wolverhampton, WV6 8NN
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the Director of Resident Services be authorised to negotiate terms for the acquisition of the property 2 Beechwood Drive, Wolverhampton, WV6 8NN, and, in default of that acquisition, give authority for a compulsory purchase order (CPO) to be made under Part II Section 17 Housing Act 1985 in respect of the property. 2. That expenditure for the potential acquisition of the property, with subsequent capital receipts being recycled within the Empty Property Strategy programme be approved. 3. That in the event that the property is improved and re-occupied to the satisfaction of the Director of Resident Services, withdrawal of the property from the CPO be authorised. 4. That following any acquisition, the Director of Resident Services be authorised to dispose of the property on the open market on condition that the property is refurbished and re-occupied within six or 12 months (as appropriate to the scale of the works). 5. That the Chief Operating Officer be authorised to: <ol style="list-style-type: none"> a. Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the CPO including the publication and service of all Notices and the presentation of the Council’s case at any Public Inquiry. b. Approve agreements with the owners of the property setting out the terms for the withdrawal of objections to the CPO, and/or making arrangements for re-housing or relocation of any occupiers. c. Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).

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	<p>d. Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.</p>
<p>Options Considered</p>	<p>Do nothing – the property is likely to remain empty, continue to be a wasted housing resource, continue to have a detrimental effect on the amenity of the area and continue to be a drain on the public purse.</p> <p>Empty Dwelling Management Order (EDMO) – An EDMO is considered to be a less draconian option than a compulsory purchase. However, the cost of refurbishment could place a strain on the Council’s finances. It may not be possible to recover the cost of initial refurbishment and subsequent management/ maintenance through the rental income generated over the seven years that a Final EDMO could be in place.</p> <p>Compulsory Purchase Order (CPO) – The prospect of a CPO often prompts the owner to act leading to the property being refurbished and re-occupied. However, if it is necessary to acquire the property, the proposals for the onward disposal and refurbishment ensure that the property is brought back into use at a minimum cost to the public purse.</p>
<p>Reasons for Decision</p>	<p>a. To ensure that the property provides much needed housing by prompting the owner either to act voluntarily or via enforcement through a CPO.</p> <p>b. To ensure that the property does not continue to be a drain on public resources.</p> <p>c. To ensure that the detrimental effect that the property is having on the area is removed.</p> <p>d. To ensure that the property has a positive financial impact on the public purse through additional New Homes Bonus funding.</p> <p>e. The proposal to pursue a CPO is the most cost effective in terms of financial and physical resources for the Council.</p>

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Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
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Item 6	
Title	Transforming the Chubb Cinema to Boost City Centre Vibrancy
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That new commercial plans to bring the Chubb Cinema back to life and bring a predicted 132,000 visitors a year to the venue, contributing to city centre vibrancy and the local economy when it opens in the Summer of 2024 be approved. 2. That a lease agreement be entered into with experienced, commercial independent cinema operators PDJ Cinema Ltd (PDJ) for the Cinema space. 3. That a lease agreement be entered into with Midlands Industrial Association (MIA) for Unit 5 within the Chubb building to be subsequently subleased to the cinema operator PDJ. 4. That the Council and PDJ equally share the rental and service charge costs of Unit 5 within the Chubb Building on a full repairing lease arrangement. 5. That the virement of £1.5 million from the Capital Corporate Provision and Contingency for Future Programmes to the Chubb Cinema be approved in order that a contribution towards the refurbishment and fit out works of the cinema space, which would be paid in the form of a grant. 6. That authority be delegated to the Cabinet Member for Equalities and Governance in consultation with the Deputy Director of Assets, the Section 151 Officer and Chief Operating Officer to approve the lease agreement and final Heads of Terms for the lease arrangements with the new operator and MIA.
Options Considered	Option 1: The Council could continue to market the vacant cinema accommodation via specialist Property Agents and agree to invest in refurbishing the space in an attempt to attract a new occupier (cost to be confirmed). However, any refurbishment can only be limited because this sector is led by the market and branded therefore fit-out will always be required once a

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	<p>tenant/operator is identified. A full fit-out would require significant capital expenditure however, such investment would be very speculative with no guarantee that a deal would be achieved in the short term. In addition, an occupier would likely expect other incentives including rent free capital contribution and a likely lease break option to sign up to a 30 year lease or longer term.</p> <p>Option 2: To leave the cinema accommodation in its existing and relatively poor condition and continue to market via specialist Property Agents. This option would however be unlikely to generate a letting in the short to medium term given the current market conditions and the condition of the accommodation and will deteriorate further through lack of use, more costly to bring back into use and become increasingly less attractive to potential tenants whilst it remains empty.</p>
<p>Reasons for Decision</p>	<ol style="list-style-type: none"> 1. If the Council were to do nothing, the condition of the asset will continue to deteriorate, impacting upon an important and heritage asset within the city centre. If the condition were to deteriorate further, it will only increase the capital expenditure required and will most likely make it more difficult to find a suitably qualified occupier. The Cinema, as it is, presents a liability to the city and requires significant investment to be brought back into beneficial use. 2. Based upon PDJ's forecast, the Cinema, at maturity is predicted to attract some 132,000 visitors to the city centre which will help to support the local economy and protect jobs.
<p>Record of Conflicts of Interest</p>	<p>None</p>
<p>Dispensation Granted</p>	<p>Not applicable</p>
<p>Decision available for implementation (subject to call-in)</p>	<p>18 December 2023</p>

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Item 7	
Title	Exclusion of press and public
Status	Recommendation Approved
Record of Decision	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).
Options Considered	Not applicable.
Reasons for Decision	Not applicable.
Record of Conflicts of Interest	Not applicable.
Dispensation Granted	Not applicable.
Decision available for implementation (subject to call-in)	Not applicable.

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Item 8	
Title	Procurement - Award of Contracts for Works, Goods and Services
Status	Recommendations Approved
Record of Decision	<ol style="list-style-type: none"> 1. That the award of a contract for A4124 Cycle Corridor – Phase 3 to Taylor Woodrow Infrastructure Ltd, Company no. 14081596 of Astral House, Watford, Hertfordshire, WD24 4WW, for a duration of ten months from 1 March 2024 to 31 December 2024 for a total contract value of £1.3 million be approved, subject to a signed grant agreement. 2. That the award of a contract for Supply of four Refuse Collection Vehicles to Dennis Eagle Ltd of Heathcote Way, Heathcote Industrial Estate, Warwick, Warwickshire, CV34 6TE for a total contract value of £997,500 be approved. 3. That the award of a contract for Supply of three Hook loaders to Faun Zoeller (UK) Ltd of Units 4 & 5 Colemeadow Road, Moons Moat North Industrial Estate, Redditch, Worcestershire, B98 9PB for a total contract value of £519,750 be approved. 4. That the award of a contract for Supply of two Large Sweepers to Scarab Sweepers Ltd of Pattenden Lane, Marden, Tonbridge, Kent, TN12 9QD for a total contract value of £375,900 be approved. 5. That the award of a contract for Supply of eight Electric Vans to AWR Automotive UK Ltd T/A West Way Nissan Birmingham, 127 Chester Road, Streetly, Sutton Coldfield, Birmingham B74 2HE for a total contract value of £260,400 be approved. 6. That the award of a contract for the Noose Lane to Pinson Road Cycle Scheme to Taylor Woodrow Infrastructure Limited, Company no. 14081596 of Astral House, Watford, Hertfordshire, WD24 4WW, for a duration of twelve months from 1 January 2024 to 31 December 2024 for a total contract value of £1.9 million be approved, subject to a signed grant agreement and budget approval.

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	<p>7. That a variation to the contract for the Statutory Advocacy provision with PohWER of Hertlands House, Primett Road, Stevenage, Hertfordshire, SG13EE for the period 14 December 2023 to 15 July 2024 with a variation value of £33,786 be approved.</p> <p>8. That the award of a contract for i54 Commercial Property Agent to Jones Lang LaSalle Limited of 30 Warwick Street, London, W1B 5NH for a duration of five years from 18 December 2023 to 17 December 2028 for a total contract value of £245,000 be approved.</p>
Options Considered	As detailed in the exempt report.
Reasons for Decision	As detailed in the exempt report.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	18 December 2023

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Item 9	
Title	Transforming the Chubb Cinema to Boost City Centre Vibrancy
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Options Considered	As detailed in the exempt report.

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Reasons for Decision	As detailed in the exempt report.
Record of Conflicts of Interest	None
Dispensation Granted	Not applicable
Decision available for implementation (subject to call-in)	18 December 2023