

Cabinet (Resources) Panel

17 January 2024

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

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

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Tel/Email 01902 555835 or dereck.francis@wolverhampton.gov.uk
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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 - 18)
[To approve the award of contracts for works, goods and services]
- 5 **Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 52 Bridge Street, Willenhall, WV13 3EQ** (Pages 19 - 28)
[To approve the acquisition of privately owned empty property by agreement or compulsory purchase]
- 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 29 - 50)
[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 - 13 December 2023
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Attendance

Members of the Cabinet (Resources) Panel

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

Employees

Ian Fegan	Director of Communications and Visitor Experience
Alison Hinds	Director of Children's Services
Charlotte Johns	Director of Strategy
Richard Lawrence	Director of Regeneration
Claire Nye	Director of Finance
David Pattison	Chief Operating Officer
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 Jacqui Coogan.
- 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 15 November 2023 be approved as a correct record and signed by the Chair.
- 4 **Procurement - Award of Contracts for Works, Goods and Services**
Councillor Louise Miles presented the report seeking approval to delegate authority to the Cabinet Member for Environment and Climate Change to approve the award of

a contract once the evaluation process was complete. The report also included, for information, an update on the government's overhaul of procurement Legislation in 2024.

Resolved:

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.

5 **Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 2 Beechwood Drive, Wolverhampton, WV6 8NN**

Councillor Steve Evans presented the report on a proposal for the Council to acquire through negotiation or compulsory purchase, 2 Beechwood Drive, Wolverhampton. The property, a detached bungalow, had been empty since July 2020 and was deteriorating. There were ongoing concerns regarding security and its dilapidated condition. A Notice requiring the owners to remedy the detrimental effect of the property was served. No appeal against the notice was made and the notice had not been complied with. The proposal to bring a long term empty property back into residential use was in support of the Council's Empty Property Strategy.

Resolved:

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:
 - 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).
- d. Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

6 **Transforming the Chubb Cinema to Boost City Centre Vibrancy**

Councillor Bhupinder Gakhel presented the report on a proposal for the Council owned space within the Chubb building to be brought back into use as a new four screen cinema with a new, experience commercial operator PDJ Cinema Ltd, who would help bring a predicted 132,000 visitors into the city, contributing to the city centre vibrancy and the local economy. It was proposed to enter into a lease arrangement with PDJ to bring the Cinema back into beneficial use and to enter into a lease arrangement with MIA for Unit 5 within the Chubb building which would subsequently be sub leased to PDJ for their box office operation. A capital contribution of £1.5 million would be allocated from the Capital Corporate Provision and Contingency for Future Programmes to the Chubb Cinema project in order to contribute towards the refurbishment and fit out of the Cinema. This contribution would be paid in the form of a grant to PDJ.

Resolved:

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.

7 **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

The Chair reported that as stated previously the meeting was in confidential session as the information included in the reports could, if released into the public domain, prejudice the financial position of the Council or its partners. As such all present are under a legal duty of confidentiality and must not disclose any confidential information - to do so would not only be a breach of the Council's codes (for councillors and employees) but also a breach of the legal duty of confidentiality.

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

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

Resolved:

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.
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.
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.

9

Transforming the Chubb Cinema to Boost City Centre Vibrancy

Councillor Bhupinder Gakhel presented an exempt version of the report Transforming the Chubb Cinema to Boost City Centre Vibrancy as discussed at item 6 above. The report included the financial details on costs associated with the proposal.

Resolved:

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.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 January 2024
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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	James Howse, Interim 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 Jobs, Skills and Education, in consultation with the Deputy Director of Education, to approve the award of a contract for the Managed Client Caseload System when the evaluation process is complete.
2. 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 Our People Project when the evaluation process is complete.

1.0 Councillor Jacqui Coogan – Cabinet Member for Jobs, Skills, and Education
1.1 Delegated Authority to Award a Contract – Managed Client Caseload System

Ref no:	CWC23097
Council Plan aim	More local people into good jobs and training
Originating service	Skills
Accountable officer	Niginder Kaur, Connexions Team Leader (01902) 558469
Leadership Team approval	30 November 2023
Accountable Lead Cabinet Member	Cllr Jacqui Coogan, Cabinet Member for Jobs, Skills, and Education (01902) 553345
Date Lead Cabinet Member briefed	13 December 2023
Procurement advisor	Sheena Douglas, Procurement Buyer (01902) 553406

1.2 Background

- 1.3 This procurement is for access to a service for the provision of a Client Caseload Information System (CCIS) and tracking that must be operational on 1 April 2024 or as otherwise agreed. The supplier will provide a tracking service that conforms to the statutory responsibility to report to the Department for Education (DfE) on young people’s post-16 activities. In addition, the supplier will also be required to trial an enhanced tracking service in the first year of this contract to those young people who are aged 19+.
- 1.4 CCIS is a local database that provides Local Authorities with the information they need to support young people to engage in education and training; to identify those who are not participating and to plan services that meet young people’s needs. It enables local authorities to provide management information to the DfE through the National Client Caseload Information System (NCCIS).

Proposed Contract Award	
Contract duration	3 years and 6 months (1.5 + 2)
Contract Commencement date	1 April 2024

Annual value	£99,000 + 5% inflationary rise per year
Total value	£369,500

1.5 Procurement Process

- 1.6 The procurement procedure will be an Open tender procedure in accordance with the Public Contract Regulations 2015 and the Council's Contract Procedure Rules. This route to market also offers opportunities for local suppliers to submit bids supporting the Wolverhampton Pound.
- 1.7 The evaluation scoring criteria will be Price 40%, Quality (including Social Value and Equalities) 60%. 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 of:

Name	Job Title
Niginder Kaur	Connexions Team Leader
Joseph Burley	Skills Systems Development Manager
Sue Lindup	Skills and Employability Manager

1.9 Evaluation of alternative options

- 1.10 **Option 1** – Do nothing. The current contract for CCIS will expire and we will be unable to continue to monitor and track our young people's destinations in the city. We would not be able to meet the requirement to make our annual statutory returns to DfE.
- 1.11 **Option 2** – Monitor the Cohort of Young People within CWC. CWC does not hold a CCIS monitoring system and if CWC were to decide to commission such a service internally, it would take several months/years to plan and develop the system before it could be used efficiently. An in-house system would be costly to develop and to administer.

1.12 Reason for decisions

- 1.13 To ensure value for money is achieved, the service will be procured externally as there are providers on the market who have the expertise and systems already in place to deliver the service required by CWC. The provider will be responsible for full

implementation, management, maintenance, training, data migration, cleansing and report production.

1.14 Financial implications

- 1.15 The total amount of funding allocated to this project is £369,500 over a full term of three years and six months.
- 1.16 The funding is generated from the Skills, Connexions revenue budget which is a combined revenue and traded service budget.
- 1.17 In addition, up to £27,000 has been allocated from the Commonwealth Games Legacy funding to trial an enhanced tracking system for young people aged up to 19 years in Year 1.

Financial Year	Year 1 April 2024- March 2025 (£)	Year 2 April 2025- March 2026 (£)	Year 3 April 2026- March 2027 (£)	Year 4 April 2027- Sept 2027 (£)	Total (£)
Skills/Connexions	72,000	104,000	109,000	57,500	342,500
Commonwealth Games Funding	27,000				27,000
Total	99,000	104,000	109,000	57,500	369,500

- 1.18 Funding for the trial enhanced tracking service for 19+ will be reviewed at the end of year 1 to identify if the continuation of this part of the contract is feasible to be continued as part of the overall CCIS service in Year 2, 3, 4. This will involve discussions with schools and the provider to identify if a traded service to schools is feasible.
- 1.19 It is also proposed to build in a break clause for the statutory part of the contract after 18 months to ensure that the contract continues to meet our needs and that the revenue from the Connexions budget is available to cover the additional costs.

1.20 Legal implications

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

1.22 Equalities implications

- 1.23 The equality impact assessment (EIA) has been completed by the Equality Diversity and Inclusion (EDI) team in relation to the procurement of a Managed Client Caseload System used by Connexions to manage data related to their responsibilities. The purposes of processing this data include assessing, tracking and monitoring of young

people, meeting statutory reporting requirements to the DfE, sharing and exchanging of information between City of Wolverhampton Schools and CWC.

1.24 All other implications

- 1.25 The purpose of the data processing is to comply with Statutory responsibilities of tracking and monitoring young people who are not in employment, education, or training.
- 1.26 The nature of the processing will be collection, recording, organisation, structuring, storage, adaptation and alteration, retrieval, use, disclosure by transmission, dissemination, restriction, alignment and combination, erasure and destruction of data.
- 1.27 The purposes of processing include assessing, tracking and monitoring of young people, meeting reporting requirements to the Department of Education, sharing and exchanging of information between City of Wolverhampton Schools and CWC.

1.28 Recommendation

- 1.29 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Jobs, Skills and Education, in consultation with the Deputy Director of Education, to approve the award of a contract for the Managed Client Caseload System when the evaluation process is complete.

2.0 Councillor Jasbir Jaspal – Cabinet Member for Adults and Wellbeing

2.1 Delegated Authority to Award the Our People Project Contract

Ref no: CWC23198	
Council Plan aim	Healthy, Inclusive Communities
Originating service	Homelessness & Migration
Accountable officer	Satvinder Goraya – Lead Officer New Communities and Housing
Leadership Team approval	Public Health Leadership Team 25 July 2023
Accountable Lead Cabinet Member	Cllr Jasbir Jaspal – Cabinet Member for Adults and Wellbeing
Date Lead Cabinet Member briefed	27 July 2023
Procurement advisor	Adebimpe Winjobi – Procurement Manager

2.2 Background

2.3 International migration and displacement and its rising unknown risks have increased pressures on resources and support systems across CWC since 2021.

2.4 In response to these CWC has recognised the need to implement a service to mitigate risk and provide priority access to support, advice and guidance for new, transient, and migrant cohorts living in or arriving at Wolverhampton.

Proposed Contract Award	
Contract duration	Three years (1+1+1)
Contract Commencement date	1 April 2024
Annual value	£200,000
Total value	£600,000

2.5 Procurement Process

2.6 The intended procurement procedure will be an open, above threshold 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 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 focus primarily on the quality of services - Quality 70%, 5% Social Value, 5% Equality Diversity & Inclusion, and 20% 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.

2.8 The evaluation team will comprise.

Name	Job Title
Satvinder Goraya	Lead Officer – New Communities & Housing Officer
Anthony Walker	Head of Homelessness & Migration
Clare Reardon	Principal Public Health Specialist
Leah Arnold	Service Manager

2.9 Evaluation of alternative options

2.10 In-house service delivery was considered, however there were several factors that led to the conclusion that this was not a viable option. The mobilisation period would be a lengthy process due to the need to employ new skilled staff and ensure that they were able to provide the specialist intervention and immigration support that has been identified. Furthermore, the legal requirement of the local authority to become Office of the Immigration Services Commissioner (OISC) registered to meet elements within the service would require additional exploration and would cause further delays in the service commencement. The total cost of developing this new service area would not be commercially viable.

2.11 Utilising existing services to meet the need and demand was evaluated but was not considered a suitable approach due to the diverse and complex needs of the service user cohort. Lessons learned from previous projects and the consultation conducted across departments highlighted that there was a need for a specialist service provision due to additional complexities of immigration that the cohort face. Where services will endeavour to support the cohort, it is recognised that not all services have the infrastructure or skills to offer the intervention required to mitigate against risk.

2.12 The option to utilise a framework has been discounted as there are no framework's available for this type of service requirement.

2.13 Reason for decisions

2.14 The proposed service will align the different elements that are currently separately commissioned to support those from new, transient, and migrant household living in or arriving to Wolverhampton. This will provide a more streamlined pathway for beneficiaries of the service and will allow support to be increased or decreased for an individual in response to changing needs, ensuring the best possible outcome. This will also support value for money by combining current services.

2.15 The elements within this contract directly support the Council Plan:

- Healthy, inclusive communities and Fulfilled lives for all with quality care for those that need it: Health Navigation to reduce health inequalities faced by new, transient, and migrant household living in or arriving to Wolverhampton. Ensuring access to provision and services in a timely, and equitable manner.
- More local people into good jobs and training: The Our People aims to bring new opportunity for local delivery and recruitment of local people, offering 3-year minimum stability.
- Strong families where children grow up well and well and achieve their full potential: Education and Family Navigation ensuring household can thrive as resident of the city. Providing household with information, support and assistance, empowering household to feel fully informed on their right and entitlement; gaining access to opportunity that can lead to safe and prosperous families.

2.16 Financial implications

2.17 The contract costs will be charged to the existing approved Homelessness and New Communities budgets which are within the Public Health directorate and will be fully funded from grants received from the Home Office between the periods of 2024-2027.

2.18 Legal implications

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

2.20 Equalities implications

2.21 A full equality impact assessment has been undertaken for the services under the contract which ensures that people experiencing multiple disadvantages can access services and receive the best possible support.

2.22 All other implications

2.23 There are no other implications associated with this report.

2.24 Recommendation

2.25 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 Our People Project when the evaluation process is complete.

3.0 Financial implications

3.1 All financial implications are included within the relevant section of the report.
[RP/03012024/H]

4.0 Legal implications

4.1 All legal implications are included within the relevant section of the report.
[SZ/04012024/P]

5.0 Equalities implications

5.1 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.

6.0 All other implications

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

7.0 Schedule of background papers

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

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel 17 January 2024
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Report title	Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 52 Bridge Street, Willenhall, WV13 3EQ	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Steve Evans Deputy Leader: City Housing	
Key decision	No	
In forward plan	Yes	
Wards affected	Bilston North	
Accountable Director	John Roseblade, Director of Resident Services	
Originating service	Private Sector Housing	
Accountable employee	Richard Long Tel Email	Housing Improvement Officer 01902 555705 Richard.long@wolverhampton.gov.uk
Report to be/has been considered by	Resident Services Leadership	19 December 2023

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Authorise the Director of Resident Services to negotiate terms for the acquisition of the property 52 Bridge Street, Willenhall, WV13 3EQ, 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. Approve expenditure for the potential acquisition of the property, with subsequent capital receipts being recycled within the Empty Property Strategy programme.
3. In the event that the property is improved and re-occupied to the satisfaction of the Director of Resident Services, authorise withdrawal of the property from the CPO.

4. Following any acquisition, authorise the Director of Resident Services 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. Authorise the Chief Operating Officer to:
 - 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).
 - d. Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

1.0 Purpose

- 1.1 The purpose of this report is to request the Panel to authorise the acquisition of 52 Bridge Street, Willenhall, WV13 3EQ. by negotiation or by the making of a Compulsory Purchase Order (CPO) under Section 17 of Part II of the Housing Act 1985. Should it be possible to reach agreement on a mutually acceptable undertaking, agree to the withdrawal of the property from the CPO.
- 1.2 This decision is in support of the Council's Empty Properties Strategy which aims to bring long term empty properties back into use.
- 1.3 The reoccupation of empty properties brings in additional income to the Council via the New Homes Bonus paid to Local Authorities as a result of increased housing supply.

2.0 Background

- 2.1 The property highlighted on the attached plan and photograph (Appendix 1 and 2) is a semi-detached property that has suffered extensive fire damage. The fire was reported to have occurred 10 September 2023.
- 2.2 It has not been possible to establish contact with the owner. Notices have been served to secure the property following the fire and these works have been carried out in default by the Council. The property is attracting high levels of anti-social behaviour including repeated attempts to access the property and the vandalism of two motor vehicles within the property boundary. A further Notice to abate the nuisance of running water within the property was again not responded to and these works were subsequently carried out by Severn Trent Water. The gas supply was capped off and made safe by Cadent following the fire.
- 2.3 A further Notice under Section 215 of the Town and Country Planning Act 1990 requiring the owner to remedy the detrimental effect of the property was served on 26 October 2023. The Notice became effective on 26 November 2023 and no contact or appeal has been made by the owner. Due to the extent and nature of the work required, a compliance date of 26 February 2024 was set. However, as there has been no progress or contact from the owner, it is considered prudent to begin the process of acquisition at an early stage. It will be possible to pause or withdraw from the Compulsory Purchase Order should the owner come forward and make reasonable progress to rectify the situation.
- 2.4 The principle of establishing a revolving fund to drive forward the Private Sector Empty Property Strategy was approved by Cabinet on 11 January 2006. The revolving fund provides for properties that are consistent with the strategy to be acquired, marketed for sale and brought back into residential occupation. The arrangements proposed for the property identified are consistent with that strategy. Should the Compulsory Purchase Order be confirmed in favour of the Council, the Council would seek to dispose of the property by tender, auction, or private treaty. The property would be sold with the

condition that the property is brought back to a required standard of repair within a specified time limit. This will also apply to any negotiated acquisitions.

3.0 Evaluation of alternative options

3.1 There are three options that the Council could consider:

- a. 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.
- b. 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.
- c. 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.

3.2 Based on the above it is recommended that the option of a Compulsory Purchase Order is progressed.

4.0 Reasons for decision(s)

4.1 The reasons for the decision are:

- a. To ensure that the property provides much needed housing by prompting the owner either to act voluntarily or via enforcement through a CPO.
- b. To ensure that the property does not continue to be a drain on public resources.
- c. To ensure that the detrimental effect that the property is having on the area is removed.
- d. To ensure that the property has a positive financial impact on the public purse through additional New Homes Bonus funding.
- e. The proposal to pursue a CPO is the most cost effective in terms of financial and physical resources for the Council.

5.0 Financial implications

5.1 In the event of an acquisition, the costs can be met from the approved capital budget for 2023-2024 of £241,000 for the Empty Property Strategy. The subsequent sale of the property would result in a capital receipt ring-fenced to finance future purchases through the Empty Property Strategy. Any non-capital costs incurred between purchase and sale, for example security measures, must be met from current private sector housing budgets.

5.2 As the Notice under Section 215 of the Town and Country Planning act 1990 has been served the additional statutory 7.5% compensation payment will not be applicable if the Notice is not complied with.

5.3 Bringing empty properties back into use attracts New Homes Bonus to the City Council and will result in additional council tax revenue.
[JM/18122023/H]

6.0 Legal implications

6.1 Section 17 of the Housing Act 1985 empowers local housing authorities to compulsorily acquire land, houses or other properties for the provision of housing accommodation. However, the acquisition must achieve a qualitative or quantitative housing gain. In order to make a Compulsory Purchase Order under this power and achieve successful confirmation, the Council will need to show compliance with the requirements of the relevant statutory provision and circular 06/2004 Compulsory Purchase and the Crichel Down Rules. Where there are objections to a Compulsory Purchase Order the matter may go forward to a public inquiry and specialist Counsel may need to be engaged to present the Council's case.

6.2 Article 1 of Protocol 1 of the Human Rights Act 1988 guarantees peaceful enjoyment of possessions and would be engaged by the making of a CPO. However, the contents of this report and the actions recommended are considered to be proportionate and compatible with the Human Rights Act 1988, particularly bearing in mind the above checks and balances on the Local Authority's power.
[TC/19122023/A]

7.0 Equalities implications

7.1 Equalities implications have been considered throughout the process and in assessing the outcome. An Equality Analysis has been completed for similar acquisitions of privately owned empty properties and the analysis does not indicate any adverse implications or impacts. Bringing an empty property back into use will improve the visual amenity of the area and can make the area more welcoming to some groups covered by the Equality Act 2010, in doing so this will promote participation in public life.

8.0 All other implications

8.1 Where applicable, Corporate Landlord Estates Team will be required to produce valuations and arrange for the appropriate disposal of the property by auction or private treaty.

8.2 Bringing an empty property back into use will improve the health and wellbeing of the new occupants by providing safe and secure housing.

8.3 Enabling occupation and removing the detrimental effect of the property will reduce the anxiety associated with crime and the fear of crime that living adjacent to an empty property can cause.

9.0 Schedule of background papers

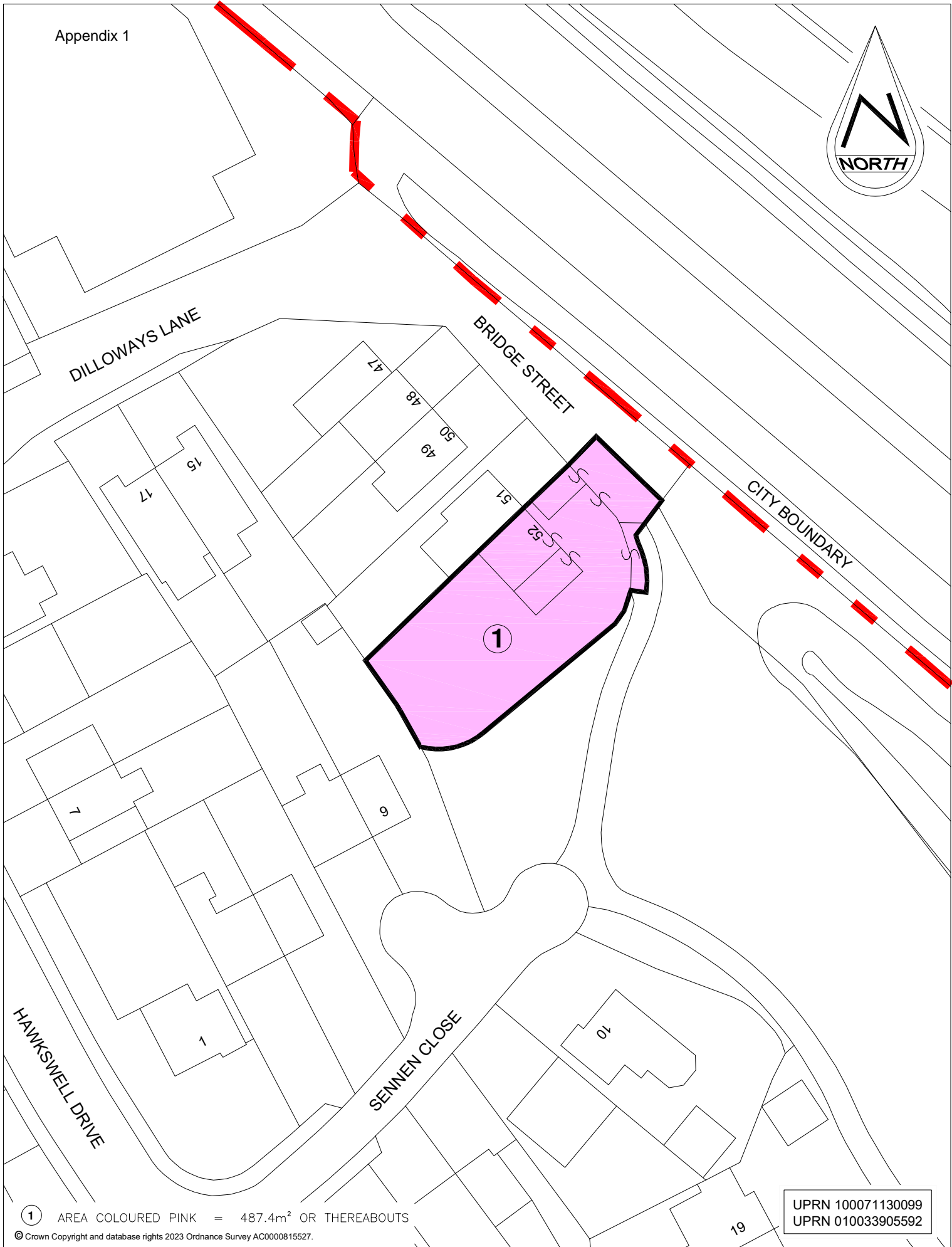
9.1 Empty Homes Policy and Strategy 2019 – 2024

9.2 The Wolverhampton Strategic Housing Land Availability Assessment (SHLAA).

10.0 Appendices

10.1 Appendix 1: Site Plan

10.2 Appendix 2: Photographs



① AREA COLOURED PINK = 487.4m² OR THEREABOUTS

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date	December 2023
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THE MAP REFERRED TO IN
THE WOLVERHAMPTON CITY COUNCIL
(52 Bridge Street, **Page 25** WOLVERHAMPTON)
COMPULSORY PURCHASE ORDER 2023

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