

City of Wolverhampton Council – Decisions taken by the Cabinet (Resources) Panel on Wednesday, 24 April 2024

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| 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 Governance and Equalities, in consultation with the Deputy Director of Assets, to approve the award of a contract for Oxley Health & Wellbeing Facility and Self & Custom Build Accommodation Main Contractor when the evaluation process is complete. 2. That authority be delegated to the Cabinet Member for Children and Young People, in consultation with the Director of Children’s Services, to approve the award of a contract for Families First for Children’s Pathfinder Targeted Youth Support when the evaluation process is complete. 3. 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 Personal Projective Equipment (PPE) and Corporate Wear when the evaluation process is complete. 4. That authority be delegated 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 Service when the evaluation process is complete. |
| Options Considered | The options considered are detailed within the individual contract reports. |
| Reasons for Decision | The reasons for the decisions are detailed within the individual contract reports. |
| Record of Conflicts of Interest | None |

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| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 29 April 2024 |

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| Item 5 | |
| Title | Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase:11 Brown Street, Wolverhampton, WV2 1HR |
| 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 11 Brown Street, Wolverhampton, WV2 1HR, 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 is 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 reoccupied 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>Based on the above it is recommended that the option of a Compulsory Purchase Order is progressed.</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> |

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| | e. The proposal to pursue a CPO is the most cost effective in terms of financial and physical resources for the Council. |
| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 29 April 2024 |

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| Item 6 | |
| Title | City Learning Quarter Phase 2 - Central Library and Adult Education Project |
| Status | Recommendations Approved |
| Record of Decision | <ol style="list-style-type: none"> 1. That the Council enter into a pre-construction contract, Pre-Construction Services Agreement (“PCSA”) with Speller Metcalfe (Malvern) Limited (“Speller”) to progress design, enabling works and to provide construction cost certainty for the Central Library and Adult Education Project (inclusive of library façade restoration) that forms part of the City Learning Quarter Phase 2. 2. That authority be delegated to the Leader of the Council and Cabinet Member for Resources in consultation with the Directors of City Development and Finance to enter into the main construction contract with Speller provided that: <ol style="list-style-type: none"> a. The contract sum is within the approved budget; and b. The design, cost and programme have been approved by the City Learning Quarter Programme Board. |
| Options Considered | <ol style="list-style-type: none"> 1. The option to do nothing would lead to further dilapidation of the public library facility which could result in additional works should the project be brought forward in the future. Established funding would be lost. 2. The second option for single stage tender for the project was considered. A Prior Information Notice was issued to understand the market for the work. Feedback from contractors indicated they were unwilling to accept design responsibility outside of a two-stage contract and therefore there was a high risk of no tenders being received. 3. The third option of a two-stage contract has therefore been proposed in the report. This allows for early contractor engagement so they can gain a better understanding of the project and risks which will lead to greater price certainty. Given the complexity and risk involved with restoration of the Library heritage building, the Council’s need for cost certainty and a fixed timeframe for delivery to meet funders requirements, a two-stage contract is recommended. |

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| | <p>4. The use of the Construction West Midlands Framework (CWMF) as an alternative to an open tender reduces the procurement timescale in line with the funding constrains. The programme team are satisfied that Speller, who are currently delivering Phase 1 CLQ Advanced Technology Automobile Centre (“ATAC”), have capacity and capability to undertake all aspects of this project.</p> |
| <p>Reasons for Decision</p> | <ol style="list-style-type: none"> 1. The CWMF direct award to Speller for the development and delivery of the City Learning Quarter (CLQ) Central Library and Adult Education project is Public Contracts Regulations 2015 (PCR) compliant and will enable the project to achieve practical completion by Spring 2025 in line with funders requirements. 2. The CLQ Project Team are satisfied that Spellers proposed team for this project have the capability to deliver the scheme having proven experience of completing schemes of a similar scale and complexity. 3. Entering the Pre-Construction Services Agreement (PSCA) does not commit the Council to enter the Construction agreement. Appointment of Speller for the construction phase will be dependent on satisfactory completion of the PSCA and the agreed construction works price which will be subject to an Individual Executive Decision Notice. |
| <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>29 April 2024</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 | City Learning Quarter Phase 2 - Central Library and Adult Education Project |
| Status | Recommendation Approved |
| Record of Decision | That the proposed costed risk register for the City Learning Quarter Phase 2 - Central Library and Adult Education project be approved. |
| Options Considered | <ol style="list-style-type: none"> 1. The option to do nothing would lead to further dilapidation of the public library facility which could result in additional works should the project be brought forward in the future. Established funding would be lost. 2. The second option for single stage tender for the project was considered. A Prior Information Notice was issued to understand the market for the work. Feedback from contractors indicated they were unwilling to accept design responsibility outside of a two-stage contract and therefore there was a high risk of no tenders being received. 3. The third option of a two-stage contract has therefore been proposed in the report. This allows for early contractor engagement so they can gain a better understanding of the project and risks which will lead to greater price certainty. Given the complexity and risk involved with restoration of the Library heritage building, the Council's need for cost certainty and a fixed timeframe for delivery to meet funders requirements, a two-stage contract is recommended. 4. The use of the Construction West Midlands Framework (CWMF) as an alternative to an open tender reduces the procurement timescale in line with the funding constraints. The programme team are satisfied that Speller, who are currently delivering Phase 1 CLQ Advanced Technology Automobile Centre ("ATAC"), have capacity and capability to undertake all aspects of this project. |
| Reasons for Decision | <ol style="list-style-type: none"> 1. The CWMF direct award to Speller for the development and delivery of the City Learning Quarter (CLQ) Central Library and Adult Education project is Public Contracts Regulations 2015 (PCR) compliant and will enable the project to achieve practical completion by Spring 2025 in line with funders requirements. |

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| | <p>2. The CLQ Project Team are satisfied that Spellers proposed team for this project have the capability to deliver the scheme having proven experience of completing schemes of a similar scale and complexity.</p> <p>3. Entering the Pre-Construction Services Agreement (PSCA) does not commit the Council to enter the Construction agreement. Appointment of Speller for the construction phase will be dependent on satisfactory completion of the PSCA and the agreed construction works price which will be subject to an Individual Executive Decision Notice.</p> |
| Record of Conflicts of Interest | None |
| Dispensation Granted | Not applicable |
| Decision available for implementation (subject to call-in) | 29 April 2024 |

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| Item 9 | |
| 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 contract for the Supported Living Service at Burton Crescent with Midway Care Group of Harmac House, 131 Lincoln Road North, Acocks Green, Birmingham, B27 6RT be extended for the period 1 May 2024 to 30 April 2025 with an extension value of £788,821.28. 2. That the contract for Contraceptive Device Charges be awarded to the Black Country Integrated Care Board (BCICB) at the Civic Centre, St Peters Square, Wolverhampton, WV1 1SD, for a duration of five years from 1 May 2024 to 30 April 2029 for a total contract value of £525,000. 3. That the contract for Out of Area Sexual Health be awarded to the various NHS Trusts noted within paragraph 3.18 of the report for a duration of five years from 1 May 2024 to 30 April 2029 for a total contract value of £1,285,000. 4. That the contract for Telecare Responder Service be awarded to Royal Wolverhampton NHS Trust of Wolverhampton Road, Wolverhampton, WV10 0QP for a duration of up to four years from 20 May 2024 to 19 May 2028 for a total contract value of £1,280,000. |
| Options Considered | As detailed in the exempt report. |
| Reasons for Decision | As detailed in the exempt report. |
| Record of Conflicts of Interest | None |

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| Dispensation Granted | Not applicable. |
| Decision available for implementation (subject to call-in) | 29 April 2024 |