



Cabinet (Resources) Panel

Minutes - 29 July 2014

Attendance

Members of the Cabinet (Resources) Panel

Cllr Andrew Johnson (Chair)
Cllr Roger Lawrence (Vice-Chair)
Cllr Peter Bilson
Cllr Steve Evans
Cllr Phil Page
Cllr John Reynolds
Cllr Paul Sweet

Employees

Kenny Aitchison	Service Manager Housing Strategy/Development
Nick Alderman	Chief Accountant
Marie Bintley	Head of Physical Development
Ian Fegan	Head of Communications
Keith Ireland	Strategic Director, Delivery
Tim Johnson	Strategic Director, Education and Enterprise
Haley Macmichael	Category Manager
Alistair Merrick	Assistant Director, Central Services
Kevin O'Keefe	Chief Legal Officer
Mark Bassett	Specialist Property Advisor
Martyn Sargeant	Head of Democratic Services

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Declarations of interest**
There were no declarations of interest.
- 2 **Apologies for absence**
There were no apologies for absence.
- 3 **Minutes of the previous meeting**
The minutes of the meeting on 8 July 2014 were approved as an accurate record.
- 4 **Matters arising**
There were no matters arising.
- 5 **Business rates discretionary rates relief (partly occupied)**
Cllr Johnson introduced the report and outlined the policy, which relates to partly occupied properties becoming occupied in the near future.

Resolved:

To approve the local policy for awarding discretionary business rates relief to partly occupied properties.

6 **Business Rates Discretionary Rates Relief (Hardship) Policy**

Cllr Johnson introduced the report and outlined the benefits of the policy, which will provide assistance to businesses encountering hardship, thus supporting the local economy.

Resolved:

To approve the local policy for awarding discretionary business rates relief on grounds of hardship.

7 **Empty Property Strategy - Compulsory Purchase of 171 Caledonia Road, Parkfields, Wolverhampton**

Cllr Bilson introduced the report and asked for the compulsory purchase order to be made for the property involved.

Resolved:

1. To make the following Compulsory Purchase Order under Section 17 of Part 2 of the Housing Act 1985: The Wolverhampton City Council (171 Caledonia Road, Parkfields, Wolverhampton. WV2 1JA) Compulsory Purchase Order 2014.
2. To authorise the Strategic Director for Education and Enterprise on behalf of the Council to:
 - a) Acquire interests in the land within the Order either compulsorily or by agreement before or after making the Order.
 - b) Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the Order including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry.
 - c) Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, and/or making arrangements for re-housing or relocation of any occupiers.
 - d) Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).
 - e) Approve the disposal of the whole and/ or parts of the property under lease by auction, tender or private treaty.

8 **Flood risk management**

Cllr Reynolds introduced the report, which will enable regional working to manage flooding risks across the West Midlands. Cllr Lawrence added that working jointly will reduce the costs of the service.

Resolved:

1. To approve the proposed joint working arrangements with the metropolitan borough councils of Dudley, Sandwell and Walsall in respect of the councils' flood risk management functions, including the appointment of a Black Country Flood Risk Manager and 25% funding contribution from Wolverhampton Council until March 2016.
2. To authorise the Chief Legal Officer to enter into any necessary legal agreement or memorandum of understanding with the other authorities.
3. To note the intention to develop proposals for a joint Black Country approving body for sustainable drainage, to be reported at a future meeting.

9 **Black Country Growth Deal (Civic Halls and Grand Theatre Improvement Programme)**

Cllr Johnson moved the report. Cllr Mattu spoke about the necessity of the work, and the benefits it will bring to the city in both ticket sales and the wider economy. He said that there was some funding needed from the Council to receive the monies but that the work was much needed, some of which would be required regardless of whether the external funding had been secured. Cllr Lawrence welcomed the development. He emphasised that such funding would enable the venues to be more viable and self-sufficient. Cllr Lawrence agreed that the maintenance backlog would need to be addressed regardless of external funding. He recommended that employees continue to seek external funding. Cllr Mattu expressed his appreciation for the hard work that had been conducted to secure the investment.

Resolved to approve the recommendations with an additional third recommendation:

1. To agree that the project can proceed to final detailed business case, which will be submitted for final consideration by the Black Country Joint Committee and Local Enterprise Partnership (LEP) Board in September 2014.
2. To note that £170,000 is allocated from the regeneration reserve in order to proceed with critical stages in the work programme.
3. To receive an update report in September.

10 **External funding report**

Cllr Bilson introduced the report, to note and endorse the three externally funded projects. He added that within these schemes Wolverhampton City Council acts as the accountable body on behalf of the region.

Resolved:

1. Note and endorse progress on three externally funded projects (Black Country Growth Opportunities - local delivery project (GOLD), Broadband Business Support, and Transformation Challenge Award) worth £3 million in total.
2. Agree to act as accountable body for the expanded Black Country GOLD project, should the bid extension be successful and to delegate authority to the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director Education and Enterprise and Assistant Director, Finance, to sign the variation to the funding agreement and collaboration agreements.
3. Approve spending in relation to the three externally funded projects and approve the establishment of separate budget codes for project revenue.

11

Urban Traffic Control Major Scheme: Journey Time Monitoring

Cllr Bilson introduced the report and told the panel that the system will be financed through additional external funding from the Department for Transport and will be used for traffic management purposes only. Cllr Lawrence reiterated that the scheme was completely externally funded and that the funding is not available for any other use, and that any change in the use of the system would need to be approved by Cabinet (Resources) Panel.

Resolved:

1. To approve the proposals regarding the implementation of a journey time monitoring system (JTMS) within Wolverhampton associated with the West Midlands Urban Traffic Control Major Scheme (UTCMS).
2. To approve the proposed locations of the associated automatic number plate recognition (ANPR) cameras for journey time and traffic control monitoring purposes.
3. To note the system will be used for traffic management and not enforcement purposes, however, should the police request use of the system for enforcement, a further report will be submitted for consideration.
4. To note the JTMS is one of the final work streams of the UTCMS - the scheme is due to finish on 30 September 2014.
5. To note the work streams associated with the scheme are grant funded by the Department for Transport and previously approved by the Planning and Transportation sub-committee in accordance with the agreed governance structure for the project.

12

Neighbourhood employment and skills

Cllr Page outlined the expansion of the scheme.

Resolved:

1. To approve the arrangements for the extension of the Neighbourhood Employment and Skills Service (NESS) grant from the European Regional Development Fund and to delegate authority for the Director for Education and Enterprise to sign the contract between the Department for Communities and Local Government (DCLG) and Wolverhampton City Council (WCC) for these arrangements.
2. To acknowledge receipt of up to £530,000 European Regional Development Fund (ERDF) grant to WCC for the period 1 July 2014 to 31 December 2015.
3. To delegate authority to the Cabinet Member for Schools, Skills and Learning, in consultation with the Assistant Director for Partnerships, Economy and Culture, to manage the distribution of the additional ERDF grant between WCC and its partners within the NESS Consortium in accordance with contract terms and conditions.
4. To approve the virement of £530,000 to the grant payments budget, and compensating £530,000 from the grant income budget - £265,000 for the financial year 2014/15 and £265,000 for the financial year 2015/16, with the contract ending 31 December 2015.
5. To delegate authority to the Chief Legal Officer to execute the contract between the Department for Communities and Local Governance and the Council.

13

Quarter One Revenue Budget Monitoring report 2014/15

Cllr Johnson introduced the report.

Resolved:

1. To approve the use of up to £18,000 from the efficiency reserve to employ a data analyst within the Families in Focus Service for a six month period, to review historical records concerning improvements in families, in order to secure additional payment by results funding.
2. To approve the use of £250,000 from the Looked After Children Transformation Reserve, to fund management and administrative support for the programme to reduce the total cost of looked after children.
3. To approve the use of £2.4 million remaining in the FutureWorks reserve to fund the programme costs during 2014/15.
4. To approve the use of £658,000 from the regeneration reserve to fund various regeneration priorities.
5. To approve the delegation of authority to the Cabinet Member for Resources, in consultation with the Chief Accountant, to vary the terms of the loan agreement to YOO Recruit in light of turnover and cash flow, up to the period ending 31 March 2015.

6. To note the projected outturn for the General Fund which is a net over spend of £613,000 (0.25%) against the net budget requirement of £247.8 million, after taking account of the projected cost of redundancies which will be funded by calling on general balances.
7. To note that, with regard to schools, a significant number of budget plans remain outstanding so it is not possible to provide a comprehensive view on the anticipated use of balances over 2014/15. A further update will be reported to Cabinet (Resources) Panel on schools plans and forecasts for 2014/15 to 2016/17 inclusive.

14 **Schedule of Individual Executive Decision Notices**

Resolved:

To note the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant designated employees.

15 **Exclusion of the 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 following items of business as they involve the likely disclosure of exempt information falling within the paragraphs of Schedule 12A of the Act set out below:

Item no.	Title	Applicable paragraph
16	Alternative design and construction arrangements for the primary expansion programme	3
17	Bilston centre regeneration	3
18	West Midlands construction university technical college	3
19	Reorientation of the Council's printing operations	3
20	Corporate asset management fund – approval of schemes 2014/15	3
21	Corporate landlord implementation report	3
22	Block 10, Wolverhampton Interchange	3
23	Bushbury Hill estate management right to transfer	3
24	Procurement report	3
25	Quarter one revenue budget monitoring report 3	3
26	Chief Executive	3
27	Senior management structure	3

16 **Alternative Design and Construction Arrangements for the Primary Expansion Programme**

Cllr Page introduced the report and outlined the recommendations.

Resolved:

1. To approve the alternative design and construction arrangements proposed for the primary school expansion programme

2. To approve an exemption to allow William Gough Ltd, the Council's maintenance contractor to carry out a schedule of works to existing nursery accommodation to provide additional capacity as detailed in paragraph 4.6.
3. To note the revised timetable for the delivery of the three schemes.

17

Bilston centre regeneration

Cllr Bilson informed the panel that the proposals had been shown to the Bilston Advisory Group the previous week. Cllr Page expressed his appreciation of the work conducted.

Resolved:

1. To approve the Homes and Communities Agency's sale of the commercial development plot A2.
2. To delegate authority to the Cabinet Member for Economic Regeneration and Prosperity in consultation with the Strategic Director for Education and Enterprise for the selection and appointment of a developer for residential plots N and F.
3. To delegate the award of the advance works programme contract following the completion of the procurement process to the Cabinet Member for Economic Regeneration and Prosperity in consultation with the Director for Education and Enterprise.
4. To approve the external appointment of a suitably experienced project manager for the management of the advance works programme NEC3 contract.
5. To approve - in principle - entering into a contract for the transfer of land and funding for the Bilston Urban Village project from the Homes and Communities Agency to the Council and delegate the approval of final heads of terms to the Cabinet Member for Economic Regeneration and Prosperity in consultation with the Strategic Director for Education and Enterprise, subject to the satisfactory outcome of the due diligence process.
6. To note the progress in bringing forward new commercial and residential development on the Urban Village site, the completion of the High Street Link due in April 2015 and the provisional award of £3.25 million funding from the Local Growth Fund for further works to enable the delivery of new housing and the priority given to the improvement of the local highway network junctions in the Local Enterprise Partnership Access to Growth Fund.
7. To note that proposals for the widened scope of the project for the regeneration of Bilston Centre will be brought to a future meeting of Cabinet in the autumn.

18 **West Midlands Construction University Technical College**

Cllr Bilson introduced the report.

Resolved (with an additional recommendation):

1. To support the establishment of a West Midlands Construction University Technical College (WMCUTC) in the City.
2. To approve the temporary use of the designated site for the academic year 2014-15, on terms to be delegated for approval by the Cabinet Member for Economic Regeneration and Prosperity and Cabinet Member for Resources in consultation with the Director for Education and Enterprise and Assistant Director of Finance.
3. To approve the development of a sustainable transport plan to the site identified.

19 **Re-orientation of the Council's printing operations**

Cllr Johnson introduced the report.

Resolved:

1. To note the progress undertaken with the two phased approach to the reorientation of the Council's printing operations.
2. To receive a further report once the OJEU tenders have been received and a decision made on the best approach to the provision of print for the Council.

20 **Corporate Asset Management Funds - Approval of schemes 2014/15**

Cllr Bilson introduced the report and asked for approval from the panel.

Resolved:

1. To approve the list of nine priority schemes to be funded from the Corporate Asset Management Fund as part of the Planned Programme of Enhancement Works for 2014/15:
 - Bilston Community Centre
 - Bilston Library and Museum
 - Wolverhampton Art Gallery
 - Bingley Enterprise Centre
 - Civic and Wulfrun Halls (two schemes)
 - Wolverhampton Art Gallery
 - Grand Theatre (two schemes)
2. To note the reserve projects, which may be progressed if the priority schemes are delivered under budget or do not proceed.

21 **Corporate Landlord Implementation Report**

Cllr Bilson introduced the report.

Resolved:

1. To endorse the asset categorisation proposed as an outcome of the Strategic Asset Review and sites excluded from the disposals programme as strategic regeneration sites.
2. Approve the programme of activity for the Corporate Landlord function to deliver.

22 Block 10, Wolverhampton Interchange

Cllr Bilson introduced the report.

Resolved:

1. Confirm that the phase agreement for the construction of Block 10, Interchange between the Council and Neptune Projects Limited is now unconditional as a result of waiving the pre-let condition in the phase agreement which relates to the first tenant of the ground floor having a satisfactory premises licence to operate and that heads of terms have been substantially agreed for an additional pre-let on a substantial area of the ground floor to comply with the terms of the pre-let condition.
2. To note the coverage of floorspace on which the pre-let lease is agreed and heads of terms agreed in principle is 460sq ft short of the required 12,373 sq ft.
3. To note that in waiving the pre-let condition in the phase agreement, the Council will be exposed to financial risk but this will be mitigated by the non-contentious nature of the premises licence required by the tenant and Balfour Beatty's agreement to ring-fence the cost of its site mobilisation process, the period for which should allow for the first tenant's premises licence application to be determined.

23 Bushbury Hill Estate Management Board Right to Transfer - Submission to the HCA

Cllr Bilson introduced the report and outlined the recommendations.

Resolved:

1. To approve the appointment of Trowers and Hamlins LLP (Solicitors) to provide the Council with support and legal advice throughout the right to transfer process.
2. To delegate authority to the Cabinet Members for Resources and for Economic Regeneration and Prosperity, in consultation with the Strategic Director Education and Enterprise and the Assistant Director for Finance, to approve an agreed attributable debt amount and transfer value. If agreement cannot be reached to authorise the Head of Housing to put the Council's case to the Homes and Communities Agency.

24 Procurement Report

Cllr Johnson outlined the recommendations for the panel.

Resolved with the amended recommendation 10:

1. Award of a contract for provision of Black Country Broadband Business Support to Winning Moves Limited of Wolverhampton; the Chief Legal Officer to execute the contract.
2. Award of a contract for highways fencing, guardrail and labour including lot one - Maintenance of Fencing and Guardrails on Highways and lot two - Provision of Highways Labour and Plant to Hilton Main Construction of Bloxwich, West Midlands.
3. Extend existing contract arrangements for the affordable warmth programme and continue with service delivery short term via a direct supply contract with DGS to provide a proven value for money service until a competitive exercise has been completed. The Chief Legal Officer to execute the contract.
4. Approve a variation to reduce the existing housing related floating support service contract with Heantun Housing Association and delegate authority to the Head of Procurement supported by the Assistant Director for Finance to reduce the service provided by approximately 30% in line with revised demand.
5. Approve a variation to reduce the existing housing related support service for older people with Heantun Housing Association and delegate authority to the Head of Procurement supported by the Assistant Director for Finance to approve the reduction.
6. Extend existing contract arrangements for floating support for housing Omari and Navjeevann services with Heantun Housing Association and delegate authority to the Head of Procurement supported by the Assistant Director for Finance to vary the contract for a period of up to 12 months to ensure that social care assessments can be carried out and appropriate actions taken.
7. Delegate authority to the Cabinet Member for Children and Families in consultation with the Strategic Director Community to participate in a framework arrangement for the provision of Children's Residential Care for a period of three years.
8. Approve a two-year transitional contract for accommodation based service for people with mental health needs with Heantun Housing Association to support the remaining tenants at Blakely Green to achieve and maintain their independence so that they can remain within their accommodation or move on into independent accommodation.
9. Delegate authority to waive the contract procedure rules to the Head of Procurement supported by the Assistant Director for Finance in the purchasing of specialist assessment services for one year. These assessments can only be undertaken by registered Best Interest Assessors and DoLs accredited doctors.

10. To approve in principle to delegate authority to temporarily waive the contract procedure rules to the Director of Public Health supported by the Head of Procurement and the Assistant Director for Finance for the procurement of sexual health services, medicines and devices and water fluoridation to enable continued service provision, on the condition that a report is brought to Cabinet (Resources) Panel on the issue and the timescale of the waiving is agreed at the next panel meeting.
11. Delegate authority to waive the contract procedure rules to the Cabinet Member for City Services in consultation with the Strategic Director for Delivery to approve the award of contracts, once the evaluation process has been completed, for:
 - a) The short term hire of a wheel loaded shovel for seven months, with a full repairs and maintenance contract.
 - b) The purchase of a new vehicle only with a five year repairs and maintenance contract with the option to extend the repairs and maintenance contract for a further two years and the Chief Legal Officer to execute the contracts.

25 **Alternative Design and Construction Arrangements for FutureSpaces**
Cllr Johnson introduced the report and recommendations.

Resolved:

1. To confirm the de-selection of the current preferred bidder, which was previously approved by Cabinet (Resources) Panel on 15 October 2013.
2. To approve the proposed alternative design and construction arrangements for the FutureSpaces programme.
3. To endorse the retention of the current construction advisors, to develop the RIBA Stage C and D designs and cost plan to develop the Council's design concept as the basis for re-tender.
4. To approve that the Parkfields site (excluding the Pupil Referral Unit space) be declared surplus and disposed of through an informal tender process using the appropriate framework for house builders in the West Midlands in order to shortlist those developers invited to tender with the terms of the eventual disposal to be under delegated authority to the Cabinet Member for Resources in consultation with the Strategic Director for Delivery.
5. To note the outcome of the soft market testing of the potential to dispose of the Parkfields site.

The meeting was adjourned by the Chair at 5.50pm.

26 **Chief Executive**
The meeting reconvened at 6pm.

Resolved:

To approve the proposals in the report subject to ratification by Council on 17 September 2014 and the agreement of the External Auditor (PwC).

27

Senior Management Structures

Resolved:

To approve the proposals within the report subject to ratification by Council on 17 September 2014.