



# Cabinet (Resources) Panel

## 3 March 2015

**Time** 5.00 pm **Public Meeting?** YES **Type of meeting** Executive  
**Venue** Committee Room 4 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

### Membership

**Chair** Cllr Andrew Johnson (Lab)  
**Vice-chair** Cllr Roger Lawrence (Lab)

### Labour

Cllr Peter Bilson  
Cllr Steve Evans  
Cllr Phil Page  
Cllr John Reynolds  
Cllr Paul Sweet

Quorum for this meeting is two Councillors.

### Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

**Contact** Andrew Harvey  
**Tel/Email** 01902 552752 or [andrew.harvey@wolverhampton.gov.uk](mailto:andrew.harvey@wolverhampton.gov.uk)  
**Address** Democratic Support, Civic Centre, 2nd floor, St Peter's Square,  
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

**Website** <https://wolverhamptonintranet.moderngov.co.uk/uuCoverPage.aspx?bcr=1>  
**Email** [democratic.support@wolverhampton.gov.uk](mailto:democratic.support@wolverhampton.gov.uk)  
**Tel** 01902 555043

Please take note of the protocol for filming and recording of, and use of social media in, meetings, copies of which are displayed in the meeting room.

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 5 - 8)  
[To approve the minutes of the previous meeting as a correct record.]
- 4            **Matters arising**  
[To consider any matters arising from the minutes.]

### DECISION ITEMS (AMBER - DELEGATED TO THE CABINET)

- 5            **Roll out of Broadband Vouchers** (Pages 9 - 14)  
[To approve rolling out the broadband voucher scheme in Wolverhampton and leading the rollout across the Black Country.]
- 6            **Charging and Contributions Policies for Adult Care and Support Services'**  
(Pages 15 - 26)  
[To approve the changes to charges and contributions policies for adult social care.]
- 7            **Armed Forces Community Covenant Grants Scheme** (Pages 27 - 32)  
[To approve the proposal for the Council to establish an expenditure budget for Community Covenant Grants.]
- 8            **PCC Community Safety Grant** (Pages 33 - 40)  
[To approve delegation of the 2015/16 ring-fenced allocation from the Police and Crime Commissioner (PCC) to Safer Wolverhampton Partnership (SWP).]
- 9            **Compulsory Purchase of 114 Dixon Street, Parkfields, Wolverhampton**  
(Pages 41 - 50)  
[To agree action in relation to an empty house (114 Dixon Street) under the Empty Property Strategy.]
- 10           **Schedule of Individual Executive Decisions** (Pages 51 - 54)  
[To note the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees.]

11 **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 items of business as they involve the likely disclosure of exempt information on the grounds shown below.]

<i>Item No:</i>	<i>Title Applicable</i>	<i>Paragraph</i>
12	BSF – Deeds of termination Facilities Management.	3
13	Bilston Centre Regeneration Local growth Funding Approvals	3
14	Transfer of Bilston Junior Attendance Centre to WCC	1 and 4
15	Short Term Leasing of Surplus Former School Site and Buildings	3
16	Strategic Procurement	3

**PART 2 - EXEMPT ITEMS, CLOSED TO PRESS AND PUBLIC**

- |    |  |  |
|----|--|--|
| 12 | <p><b>BSF Facilities management - Deed of termination</b><br/>(Pages 55 - 64)</p> <p>[To approve the termination of a contract.]</p>   | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p>  |
| 13 | <p><b>Bilston Centre Regeneration Local Growth Funding approvals</b> (Pages 65 - 78)</p> <p>[To approve works, contracts and funding relating to the Bilston Centre Regeneration project.]</p>           | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p>  |
| 14 | <p><b>Transfer of Bilston Junior Attendance Centre to WCC</b> (Pages 79 - 84)</p> <p>[To approve the transfer of responsibility for Bilston Junior Attendance Centre to Wolverhampton City Council.]</p> | <p>Information relating to any individual.<br/>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or</p> |

a Minister of the Crown and employees of, or office holders under the authority. Para (1, 4)

15      **Short Term Leasing of Surplus Former School Site and Buildings** (Pages 85 - 90)

[To endorse the agreement of terms and approve the short term leasing of part of the surplus former Parkfields school site and buildings, prior to the disposal of this surplus asset]

Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)

16      **Strategic Procurement** (Pages 91 - 96)

[To agree the award of contracts as set out in the report.]

Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)



# Cabinet (Resources) Panel

## Minutes - 10 February 2015

### 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

Adam Hadley	Scrutiny and Transparency Manager
Andrew Harvey	Graduate Management Trainee
Christopher Hale	Head of Housing
Keith Ireland	Managing Director
Kevin O'Keefe	Director of Governance
Mark Taylor	Director of Finance
Ian Fegan	Head of Communications

---

## Part 1 – items open to the press and public

*Item No.*      *Title*

- 1      **Apologies for absence**  
There were no apologies for absence.
- 2      **Declarations of interest**  
There were no declarations of interest.
- 3      **Minutes of the previous meeting (20 January 2015)**  
Resolved:  
That the minutes of the meeting held on 20 January 2015 be approved as a correct record and signed by the Chair.
- 4      **Matters arising**  
There were no matters arising.
- 5      **Treasury Management Activity Monitoring Quarter Three**  
Cllr Johnson introduced the report which outlined the savings made for the General Fund and Housing Revenue account in 2014/15 due to changes in the Council's minimum revenue provision.  
  
Resolved:

To note the savings of £4.5 million for the General Fund and £6.0 million for the Housing Revenue Account from treasury management activities in 2014/15.

**6 Discretionary Rate Relief: additions, revisions and extensions to the local scheme**

Cllr Johnson introduced the report which outlined the changes to business rates and rate relief. Cllr Johnson indicated that the first two proposals related to discounted rate relief as a result of the Autumn Statement and that the third proposal is an extension of the current programme of rate relief.

Resolved:

- (1) To approve an addition to the local scheme for business rates discretionary relief to replace statutory transitional relief in line with government proposals.
- (2) To delegate authority to the Cabinet Member for Resources in consultation with the Director of Finance to finalise the policy detail on discretionary (transitional) relief after review of government guidance.
- (3) To delegate authority to the Head of Revenues and Benefits to award relief in respect of this addition to the scheme, noting that updates on the numbers and value of such awards will be reported to Cabinet (Resources) Panel for information on a quarterly basis.
- (4) To approve a revision to the local scheme in relation to discretionary (retail discount) relief in line with government proposals.
- (5) To approve the extension of the scheme for discretionary rate relief for charitable and voluntary organisations for 2015/16.

**7 Empty Property Strategy - 14a Park Avenue**

Cllr Bilson introduced the report which outlined the Council's intention to enter into negotiations to acquire the property at 14a Park Avenue under the empty property strategy. Christopher Hale, Head of Housing informed the Panel that this property was within Park electoral ward and not St Peter's as outlined on the front page of the report.

Resolved:

- (1) To include Corner House, 14a Park Avenue under the empty property strategy 2010-2015.
- (2) To authorise employees to enter into formal negotiations to acquire the property by agreement.
- (3) To approve in principle, the use of compulsory purchase action if required.

**8 Schedule of Individual Executive Decisions**

Resolved:

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

9 **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 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
10	2015 Primary Expansion Programme	3
11	Discretionary Disabled Facilities Grant	1, 2 and 3
12	Procurement of Housing Assistance Measures	3
13	Corporate Procurement	3

10 **2015 Primary Expansion Programme**

Cllr Page introduced the report which sought approval of additional funds required for the 2015 primary expansion programme through existing unallocated revenue streams.

Resolved:

- (1) To approve a revised funding strategy for the 2015 Primary School Expansion Programme in order to support the Programme's enlargement.
- (2) To approve a virement of £200,000 from the 2014 Primary School Expansion Programme and a virement of £653,000 from unallocated funding in the schools capital programme into the 2015 Primary School Expansion Programme and use of the contingency within the 2015 Programme of £847,000 to meet the additional costs for programme enlargement.
- (3) To delegate authority to Cabinet Member for Schools, Skills and Learning in consultation with the Director of Education and Director of Finance, to accept tenders within the agreed funding for schemes within the 2015 Primary School Expansion Programme.

11 **Discretionary Disabled Facilities Grant**

Cllr Steve Evans introduced the report which sought approval for a discretionary disabled facilities grant.

Resolved:

- (1) To approve the request of Mr and Mrs B for a discretionary disabled facilities grant to top up expenditure in excess of the maximum mandatory grant of £30,000, in order to provide suitable facilities for their daughter to remain safe in the family home.
- (2) That the full amount of any discretionary grant paid become repayable to the Council if the property is sold within ten years of the completion of the work.

12      **Procurement of Housing Assistance measures**

Cllr Bilson introduced the report proposing to support residents living in private sector housing, through the Wolverhampton Homes Improvement Service.

Resolved:

- (1) To continue the arrangements to deliver the Private Sector Housing Assistance Policy through the Wolverhampton Home Improvement Service (WHIS) and Wolverhampton Homes through a Teckal agreement.
- (2) To delegate authority to the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director – Place, to appoint contractors to deliver some of the works elements currently exempted by waiver agreement following a procurement framework process.
- (3) To maintain existing delivery arrangements if necessary should the tendering process extend beyond 31 March 2015.

13      **Procurement**

Cllr Johnson introduced the report proposing the letting of a contract.

Resolved:

- (1) To award a contract to Concept Elevators (Midlands) Ltd of Cannock, Staffordshire, for Lift Maintenance and Servicing.
- (2) To delegate authority to the Director of Governance to execute contracts in respect of the above as required.



## Notice of key decision to be made under General Exception provisions

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

**Date of notice:** 10 February 2015

**To:** Councillor Peter O'Neill  
Chair of Scrutiny Board

**From:** Heather Clark  
Service Development Manager, City Economy

An intention to make the following key decision, which is to be considered by the Cabinet (Resources) Panel on 3 March 2015, was not publicised in advance as required by the Regulations.

**Report title:** Black Country Broadband Vouchers

**Classification:** PUBLIC

*The reason(s) for the omission from the forward plan of key decisions and the reason(s) why this decision cannot be delayed until the requisite 28 days have elapsed are:*

In the Autumn statement, the Government announced an extension of the broadband voucher scheme. The scheme provides up to £3,000 grants to small and medium sized enterprises to cover the installation costs of a faster and better broadband service. The extension of the voucher scheme will allow Wolverhampton to address the gap in superfast broadband in Wolverhampton city centre and allow a shorter term solution to slow broadband speeds on our business parks prior. At a workshop on 29 January 2015, the timescale for steps required to be completed to allow the rollout to start 1 April 2015 was outlined, including the requirement for the Senior Responsible Officer to sign a formal agreement by 21 March 2015. Although a report on Smart Cities was planned for Cabinet (Resources) panel on 24 March 2015, we need to seek approval to enter into the formal agreement in advance of this meeting.

This page is intentionally left blank



# Cabinet (Resources) Panel

## 3 March 2015

<b>Report title</b>	Rollout of Broadband Vouchers	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Keren Jones, City Economy	
<b>Originating service</b>	City Economy	
<b>Accountable employee(s)</b>	Heather Clark Tel Email	Service Development Manager 01902 555614 Heather.clark2@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

---

### Recommendation(s) for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Endorse the approach to rolling out the broadband voucher scheme in Wolverhampton and the Black Country.
2. Delegate authority to the Cabinet Member of Economic Regeneration and Prosperity and Strategic Director Place to approve the terms of a formal agreement to enable the rollout of broadband vouchers to Wolverhampton.
3. Agree to Wolverhampton City Council leading on the rollout of broadband vouchers across the Black Country.

## **1.0 Purpose**

- 1.1 The purpose of the report is to provide an overview of the approach to rollout out the broadband voucher scheme in Wolverhampton and the Black Country and seek delegated authority to enter into formal agreements to enable the rollout.

## **2.0 Background**

- 2.1 Wolverhampton already has strong superfast broadband availability at 93%, covering 103,550 dwellings and 236,400 people, however there are several areas which do not have access to superfast broadband. These areas tend to correlate with our key business areas including Wolverhampton City Centre, Stafford Road Technology Corridor, Bilston and Wednesfield.
- 2.2 The availability of superfast broadband can greatly increase the productivity of a business. A good broadband connection means there is greater capacity to send and receive data electronically. This will allow files to be downloaded and uploaded faster and emails sent and received much quicker, which will be particularly beneficial for companies that regularly need to send or archive large data files.
- 2.3 The Black Country has been awarded £12.2 million aimed at extending the availability of high-speed fibre broadband to 98 per cent of homes and businesses made up of £2.9 million from the Broadband Delivery (BDUK), £6.4 million from BT and £2.9 million from the Black Country Local Enterprise Partnerships Growing Places Fund. Although the proposed Black Country Local Broadband plan will increase coverage to 97.8% coverage, representing 502,428 premises across the Black Country, Wolverhampton city centre is excluded from the rollout and the remaining rollout within Wolverhampton will take place in the later phases of the rollout in late 2016 to 2017.

## **3.0 Rollout of the Broadband Voucher scheme**

- 3.1 In the Autumn statement, the Government announced an extension of the broadband connection voucher scheme to 22 additional cities including Wolverhampton from 1 April 2015. Broadband Vouchers provide grants of up to £3,000 to small medium sized enterprises (SME's) to cover the installation costs of a faster and better broadband service. The extension of the voucher scheme will allow Wolverhampton to address the gap in superfast broadband in Wolverhampton city centre and also allow a shorter term solution to slow broadband speeds on our business parks prior to the rollout of infrastructure as part of the Black Country Local Broadband Plan. The city is allowed to retain ten per cent of all vouchers issued to fund demand stimulation activity and costs associated with delivering the scheme.
- 3.2 A number of options were considered with the preferred option being Wolverhampton City Council running the scheme on behalf of the wider Black Country. The role would involve for off the shelf packages, checking eligibility, paying the supplier and claiming back from BDUK. For bespoke packages, including aggregate schemes, businesses will apply to the city; the city checks their eligibility and issues a voucher, pays the supplier

and claims back from BDUK. To enable the scheme to start 1 April 2015, the council must identify a senior responsible officer, enter into a funding agreement, identify a project team with day-to-day responsibility for administering the scheme, and develop a project plan with monthly milestones and a demand stimulation plan.

- 3.3 The demand stimulation plan for the Black Country, outlining approaches to promoting broadband vouchers, building on what has worked elsewhere, is likely to include:
- Promoting the benefits of superfast broadband and availability of the broadband voucher schemes to businesses using the business rate database. This method was used in Leeds and generated a 2% response.
  - Promoting the opportunity to businesses through the Black Country Growth Hub, the one-stop-shop for business support, in particular its product, Optimising Business Technology which supports businesses to take-up and maximise usage of superfast broadband.
  - Geographical targeting: 40% of businesses on Pendeford business park who responded to the Junction 2 survey reported slow broadband as an issue as have businesses at Wolverhampton Science Park due to copper cabling from the superfast enabled cabinet.
  - Sector based targeting: retail businesses are eligible, therefore this opportunity would be of interest to Business Improvement District (BID) Areas. A number of retailers in Newcastle bought their broadband vouchers together with an extra benefit of wireless broadband.
  - Multi-occupancy buildings by targeting landlords to engage businesses benefiting both the businesses with superfast broadband and also the building branded superfast.
  - Business champions are already active in Wolverhampton and have previously been involved in a series of innovation series whereby big employers supported smaller businesses selling the benefits of technology.

#### **4.0 Financial implications**

- 4.1 Wolverhampton City Council will be responsible for issuing the broadband vouchers and paying the supplier, exclusive from VAT, once the work is complete, claiming back from BDUK on a quarterly basis. The rollout of broadband vouchers also enables us to generate income since Cities will be paid the equivalent of 10% on top of all vouchers issued in their area towards demand stimulation activity and associated administration costs. Resources have also been identified in the Black Country European Structural and Investment Fund Strategy 2014-20 to stimulate demand and usage of information communication technology by businesses. The rollout out of vouchers will be based on demand and therefore at this stage cannot be quantified. Any adjustments to budget for delivery of this scheme will be subject to the normal budgetary approval processes.

[ES/12022015/K]

## **5.0 Legal implications**

- 5.1 To enable the rollout of broadband vouchers in Wolverhampton, Wolverhampton City Council will need to enter into a formal agreement with BDUK and meet a number of requirements including governance arrangements, project team, project plan and demand stimulation plan.
- 5.2 As the details of the formal agreement are not yet known, this report delegates authorisation of the formal agreement to an Individual Executive Decision Notice. Legal advice will be provided in this matter to ensure that the agreement is in accordance with relevant statutes and the Council's constitution.

[TS/12022015/M]

## **6.0 Equalities implications**

- 6.1 Superfast broadband can enable positive equalities implications since new technologies can meet the needs of people with disabilities, for example voice recognition software.

## **7.0 Environmental implications**

- 7.1 Superfast broadband can have positive environmental implications through enabling home working, reducing journeys through technology including video conferencing and sending files over the internet.

## **8.0 Human resources implications**

- 8.1 There are no human resource implications to this report.

## **9.0 Corporate landlord implications**

- 9.1 There are no corporate landlord implications to this report. Although businesses in council owned premises may be eligible for broadband vouchers.

## **10.0 Schedule of background papers**

- 10.1 Cabinet Resource Panel 17 June 2014 Black Country Local Broadband Plan



# Cabinet (Resources) Panel

## 3 March 2015

<b>Report title</b>	Charging and contributions policies for adult social care	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Steve Evans Adult Social Care	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Linda Sanders, People	
<b>Originating service</b>	Older People	
<b>Accountable employee(s)</b>	Helen Winfield Tel Email	Head of Service – Financial Support Services 01902 553353 helen.winfield@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

---

### Recommendation(s) for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve that the Council exercises its power to charge for residential and nursing care and non-residential care and support in every case, unless it is prohibited from doing so by law or determines not to do so under Council policy
2. Approve the arrangement fee in any non-residential case where the person is able to pay the full costs of their care and support but nevertheless the person asks the Council to make the arrangements under the Council's usual terms and conditions (outlined in paragraphs 3.5)
3. Approve the annual uplifted contributions to non-residential care and support from 1 April 2015 (outlined in paragraph 3.6 and Appendix A)

4. Confirm that the policy of not charging for carers services be continued pending a review to establish the best use of resources in relation to enhanced Care Act responsibilities (outlined in paragraph 4.7)
5. Approve the use of the maximum permitted interest rate and administrative costs (outlined in paragraph 5.6) for the Council's revised Deferred Payment and Loan Policy
6. Approve the proposal to undertake a review of charging and contributions policies between now and October 2015 in the light of the Care Act funding reform changes to be implemented from April 2016 (outlined in paragraphs 6.1 to 6.9)

## **1.0 Purpose**

- 1.1 This report will set out the rights of the Council to charge for adult social care and support under the Care Act 2014. It will set out proposed new charges for people who request the Council arrange their care and support even though they have the finances to pay it themselves. The report also sets out proposed charges under a Deferred Payments Agreement and Loan Policy in accordance with the Care Act. Finally, it will set out the proposed contributions for non-residential care and support following annual inflation uplift from April 2015. This report does not significantly change charging for the majority of people currently receiving care and support.

## **2.0 Background**

- 2.1 From 1 April 2015, local authorities must implement part 1 of the Care Act 2014. Fundamental reforms to the way in which people pay for their care will become law from April 2016. The Act provides the opportunity to introduce some relatively minor adjustments to the way that the contributions/charging system for care and support operates from April 2015. Under the Care Act, new rules for charging will apply when a Council arranges care and support to meet a person's care and support needs. In certain circumstances, the Act states that care and support must be provided free of charge, for example, intermediate care for up to six weeks; however in other circumstances, the Council may ask the person to pay towards the cost of providing care and support, for example, support at home or in residential care. There are also circumstances when the Council is prohibited from contributing towards the cost of a person's care and support, for example when a person in residential care has savings or capital above a prescribed limit.
- 2.2 The Care Act 2014 now gives the Council a right rather than a duty to charge for certain care and support. The Act also establishes a Council duty to offer a Deferred Payment Agreement to those who wish to use an asset, usually an owned property, to defer their costs towards residential and nursing care. This Council already has such a scheme in place. The Act does give the Council a new power to use a compound interest rate on the deferred amounts and also to recover reasonable costs for setting up such agreements.

## **3.0 Power to Make Charges**

- 3.1 The Care Act 2014 and supporting regulations and statutory guidance will replace a raft of legislation and guidance that has been in place for many years. From 1 April 2015, the legal basis for charging will be a power rather than a duty. This new power replaces the existing duty to charge under the National Assistance Act 1948 for residential and nursing provision and the power to charge for non-residential services under the Health and Social Services and Social Security Adjudications Act 1983. This means that from April 2015 a Council may make a charge under Section 14 of the Care Act for meeting needs but is no longer required to do so. The exception to this is where a person in a care home has assets above the upper capital limit; in this situation the Council is precluded from paying towards the cost of care and support.

- 3.2 The Council needs to determine whether or not it intends to exercise its' power to charge for residential and nursing provision as well as non-residential services. The income from charging for 2014/15 will be in the region of £18.2 million; approximately £14.0 million from residential and nursing care support and the balance of £4.2 million from non-residential contributions.
- 3.3 Income from charging is an essential contribution to Adult Social Care's budget to help maintain front-line services and it is recommended that the Council exercises the power to charge for all residential and nursing care and non-residential services unless it is prohibited from charging under the regulations or otherwise outside of our current policy.
- 3.4 The legal framework for charging is set out in Sections 14 and 17 of the Care Act. When choosing to charge, a Council must not charge more than the cost that it incurs in meeting the assessed needs of the person. It also cannot recover any administration fee relating to arranging that care and support unless a person with eligible needs has assets above the upper capital limit and has asked the Council to arrange their non-residential care and support on their behalf. In such cases where a person does have assets above the upper capital limit, the Council may apply an arrangement or administration fee to cover its costs.
- 3.5 It would be costly to make arrangements for those who have the means and capacity to make their own arrangements and the usual response in these circumstances has been to offer information and advice to enable the person to make their own arrangements. However, under the Care Act there is a duty (spelt out in paragraph 8.55 of the statutory guidance) to meet eligible need in cases where a person asks the Council to do so irrespective of their resources. Where such arrangements are made for a person whose resources are above the capital limit it is recommended that the Council exercises this power. The power to levy an arrangement fee in similar circumstances for residential and nursing cases is due to come into force in 2016 but is currently being reviewed. It is proposed that that a level of costs that are reasonable and do not exceed the actual costs involved will be charged. The proposed indicative charge is £150.00 which will be subject to review under the annual fees and charges exercise.
- 3.6 On the basis that the Council exercises its right to charge for non-residential care and support it is proposed to uplift the current contributions with effect from 1 April 2015. The proposed rates reflect the 1% increase in basic working age benefits (as per the welfare reform cap) and a 1.2% increase in Attendance Allowance (AA)/Disability Living Allowance (DLA)/Personal Independence Payment (PIP). A 1% rise has been therefore been applied to Band B/C and a 2.2% rise for all other bands. The proposed rises for the lower and higher rate contribution bands for very sheltered housing, supported living and shared lives reflect the actual increase in the rate of AA/DLA/PIP and the actual rise in the amount for severe disability. It is not proposed to change the formula of 50% of the AA/DLA (middle and higher rates only)/PIP plus 80% of the amount for severe disability for contributions towards the cost of these types of 24 hour care and support.
- 3.7 These proposed increases to contributions are detailed in the **Appendix A** to this report. Cabinet (Resources) Panel on 9 December 2014 agreed to receive a separate report (to that for Fees and Charges) for Adult Social Care Charges.

- 3.8 Major funding reforms are due in April 2016 (see part 6 below). Draft regulations (*The Care and Support (Cap on Care Costs, etc.) Regulations 2015*) and draft statutory guidance are currently subject to government consultation which ends on 30 March 2015. When these are finalised in late 2015 the impact of this will need to be considered alongside the annual review of charges and contributions and the overall policies.
- 3.9 The annual review of adult social care charges and contributions will, in future, take place in October in accordance with the corporate realignment of increases to fees and charges.

#### **4.0 Carers Services**

- 4.1 It is recognised that carers play a vital role in the care and support system, it is estimated that nationally carers provide £87 billion worth of care (Carers Trust 2014).
- 4.2 Where a carer has eligible support needs of their own, as set out in the Care Act 2014, the Council, for the first time, has a duty to arrange support to meet these eligible needs. It also has powers to provide services which do not meet the eligibility criteria, for instance as a preventative measure.
- 4.3 Where a Council is meeting the needs of a carer by providing support directly to them, it has the power to charge the carer.
- 4.4 This Council does not currently charge for support delivered to carers directly. Estimates on the income of the Care Act regarding the volume of carers seeking direct carer support cannot be based upon existing activity so this area will need to be part of the review following implementation of the Act from 1 April 2015.
- 4.5 In addition, this Council does not currently charge for non-residential support delivered to the person with care and support needs where the primary objective is to support the carer. This currently includes approximately 400 carers. The review will need to examine this area too.
- 4.6 With Care Act responsibilities for carers' support needs, the Council will have to balance the value of the caring role with the risk of a significant increase in the number of carers with eligible support needs whom the Council will have a duty to support. The Council may therefore need to consider whether carers (with a wide range of income and capital levels) should be expected to contribute to the cost of any support they receive.
- 4.7 On this basis it is recommended that the current policy of not charging for carer support remains in place, until October 2015, pending the outcome of a review to establish the best use of Council resources in relation to Care Act responsibilities for carer support needs.

## **5.0 Deferred Payment Agreement and Loan Policy**

- 5.1 Under the current arrangements, deferred payment agreements are discretionary. From 1 April 2015, Councils must offer a deferred payment agreement to people who meet the eligibility criteria for such a scheme.
- 5.2 This Council has a deferred payment scheme in place already. In light of the Care Act the policy related to the scheme has been reviewed and the revised policy has been approved by the Care Act Programme Board. The policy is included as part of the background papers for this report. The summary of changes to the policy is as follows, and principally covers discretionary aspects provided under the new regulations:
- The Council is permitted to offer a deferred payment agreement to people who do not fully meet the eligibility criteria e.g. where a person has slightly more than the upper capital limit in liquid assets or where a person's care and support is provided in supported living accommodation rather than a care home.
  - The Council is permitted to accept other forms of security, such as a third-party guarantor, a solicitor's undertaking, a valuable object or an agreement to repay the amount deferred from proceeds of a life assurance policy.
  - The Council is permitted to charge compound interest on any amount deferred from the commencement of the agreement until the debt is repaid. The amount of interest must not exceed the maximum amount specified in regulations.
  - The Council is permitted to charge an administration fee to include any reasonable costs incurred by the Council in relation the deferred payment agreement e.g. Land Registry costs.
- 5.3 There are some 120 Deferred Payment Agreements in operation and it is expected that there will be a turnover of some 30 ending and new ones established in 2015/16.
- 5.4 The interest rate for deferred payments is based on the cost of government borrowing. The regulations and statutory guidance for the Care Act 2014 set out the maximum interest rate chargeable by the Council, which is derived from the 15-year average gilt yield. The Council can charge less than this rate (or can charge no interest at all), but cannot charge more than the nationally-set maximum rate, which is derived by adding this gilt yield rate to the default component (0.15 %). On the basis of the current gilt rate (2.5 per cent) it is proposed that the compound interest rate that the Council will charge from 1 April 2015 to 30 June 2015 will be 2.65 per cent.
- 5.5 The rate which will be applicable from 1 July 2015 to 31 December 2015 will be dictated by the next fiscal event with the rate matching the figures published by the Office for Budget Responsibility (OBR) in the coming months. It is proposed that the Council will use the maximum allowed interest rate.
- 5.6 The costs for the Council of setting up an agreement vary if the property is registered or unregistered with the Land Registry. Based on reasonable costs from current agreements it is proposed that if the property used as part of the agreement is registered

then the cost will be £396.00 and if the property is unregistered and will need to be registered then the cost will be £596.00. It is recommended that the Council include these amounts with the deferred debt or, if a customer requests, charge for them separately 'up-front'.

- 5.7 This Council also incurs costs in respect of monitoring deferred payment agreements. However, this can vary quite considerably between agreements and therefore it is recommended that no additional fees are charged in 2015/16 other than the legal fees previously discussed (paragraph 5.6 above) and that the establishment of other charges should be considered as part of the next fee and charges exercise.

## **6.0 Funding Reforms under the Care Act 2014 to be implemented in April 2016**

- 6.1 From April 2016, the Care Act 2014 introduces major financial changes to the provision of care and support. A '**cap**' on care costs, '**independent personal budgets**' and '**care accounts**' will be introduced (as outlined below).
- 6.2 Where a person is assessed as having eligible care and support needs but is not eligible for financial support to meet them due to the level of their resources, Councils will have a duty to provide the person with an **independent personal budget** setting out what it *would* cost the local authority.
- 6.3 Councils must set up and update a **care account** for all people with a **personal budget** (where they are eligible for financial support) or an **independent personal budget** (where they are not eligible for financial support) which details the costs (or notional costs in the case of an independent personal budget) of meeting their eligible needs for care and support.
- 6.4 When the total amount accrued in the **care account** reaches the **cap** figure to be defined in regulations, the person becomes eligible for full funding for their care and support and will not be liable for charges. This figure is due to be set at £72,000 in 2016-17 and will rise each year in line with average earnings.
- 6.5 The **care account** will exclude the 'daily living costs' of people in residential care who will pay an amount of £230 per week (in 2016-17) towards meeting expenses associated with room and board. The Act ensures that progress towards the cap will not include people's contribution towards these 'daily living costs' and residents will be liable for daily living costs even when their accrued care costs reach the cap.
- 6.6 Financial support will need to be provided to more people overall to help them with care costs as the financial limit above which financial support from the Council is not available will increase from £23,250 to £118,000 including their share of the value of their home, if it is not otherwise disregarded.
- 6.7 Where the value of a care home resident's home is disregarded or where a person is receiving non-residential care and support at home, they will be eligible for financial support for their care and support if they have capital of £27,000 or less (instead of the current capital limit of £23,250 or less).

- 6.8 The Care Act 2014 includes a power to set the **cap** at different amounts for people of different ages in regulations, including a **zero cap** for specified categories of person, for example, people who have eligible needs for care and support at the point when they turn 18. People of working age who develop care needs before retirement age will benefit from a cap set lower than £72,000.
- 6.9 These major funding reforms are due to be implemented in April 2016. Draft regulations (*The Care and Support (Cap on Care Costs, etc.) Regulations 2015*) and draft statutory guidance are currently subject to government consultation which ends on 30 March 2015. When these are finalised in late 2015 the impact of this will need to be considered by the Council.
- 6.10 It is therefore proposed to undertake a further review of charging and contributions policies between now and October 2015 in the light of the Care Act funding reform changes to be implemented from April 2016

## **7.0 Financial implications**

- 7.1 Continuing to charge for residential and non-residential care and support is essential in order to sustain the Adult Social Care budget. A decision not to charge would cost the Council up to £18.2 million of receipts annually. The proposed uplift of non-residential services will result in approximately £65,000 (based on the same number and profile of customers retaining their care and support).
- 7.2 In light of the financial pressures the Council faces, it is equally important that any new contributions or charging policies do not create an additional administrative burden. As such, it is recommended that administration charges are levied on commissioning care for individuals who have the means to pay for their own non-residential care and for those individuals to whom a deferred payment agreement is offered. This will ensure that front line services are not affected by these policy changes. Any administration charge will need to be robust and justifiable if challenged.
- 7.3 Based on an estimate of 10 care and support packages put in place for those people with assets above the threshold at an estimated cost of £150 each, this would equate to £1,500 of cost recovery per annum.
- 7.4 Based on an estimate of 30 new deferred payment agreements with an administration charge of £396.00 for 90 per cent of agreements and £596 for 10 per cent of agreements this would equate to £12,480 of cost recovery per annum.

[AS/20022015/S]

## **8.0 Legal implications**

- 8.1 Any change to existing, or introduction of new charges are permitted or mandated by the Care Act 2014.
- 8.2 Whilst there is no statutory duty to consult on proposals to change the way in which a Council carries out its duties, there is an expectation enshrined in case law that any

Council making decisions affecting the public will do so fairly and in a way that cannot to be said to be an abuse of power. A number of proposals referred to in this report relate to a desire by the authority to make a charge to its residents using a power rather than a duty. It is therefore important to test the fairness of that approach in a consultation exercise.

- 8.3 A consultation exercise is underway which ends on Thursday 26<sup>th</sup> February 2015. The outcome will be reported verbally to the Cabinet (Resources) Panel.

[RB/17022015/S]

## **9.0 Equalities implications**

- 9.1 The initial equalities analysis has been completed. The current policies for charging and contributions are being confirmed rather than substantially changed. The proposed increase to banded contributions for non-residential care and support will be an inflationary increase only which matches the inflationary increase proposed for social security benefits and therefore there will be no impact.
- 9.2 The introduction of new administrative charges, interest charges and arrangement fees will affect people who wish to enter a deferred payment agreement or have assets above the threshold and wish the Council to arrange for their care and support. This service will only be available for disabled people with eligible needs and there will be no adverse impact on any other protected characteristics.

## **10.0 Environmental implications**

- 10.1 There are no direct environmental implications of this report.

## **11.0 Human resources implications**

- 11.1 There are no direct human resource implications of this report.

## **12.0 Corporate landlord implications**

- 12.1 There are no direct Corporate Landlord implications of this report.

## **13.0 Schedule of background papers**

- 13.1 The following are documents that have relevance to the subject matter:

- Deferred Payment Agreements and Loan Policy under the Care Act 2014

# Non-residential Banded Contributions

## APPENDIX A

### Table 1: Light-touch Financial Assessment for Sessional Support

MAXIMUM AMOUNTS FOR THOSE WITH LESS THAN £23,250			
YOUR BAND	GETTING A MEANS-TESTED BENEFIT	YOUR WEEKLY CONTRIBUTION	
		April 2014	April 2015
<b>A</b>	You (or your partner) receive a means-tested benefit* and you do not receive Attendance Allowance**	No Contribution	No Contribution
<b>B/C</b>	You (or your partner) receive a means-tested benefit* and <u>you</u> receive Attendance Allowance**	£8.00	£8.08
<b>D/E</b>	You (or your partner) receive a means-tested benefit* and <u>you</u> receive Attendance Allowance** <u>and</u> an additional amount or premium for severe disability is paid for you	£64.20	£65.61
<b>NOT GETTING A MEANS-TESTED BENEFIT</b>			
<b>F</b>	You (or your partner) do not receive a means-tested benefit* and <u>you</u> do <u>not</u> receive Attendance Allowance**	£54.20	£55.40
<b>G/H</b>	You (or your partner) do not receive a means-tested benefit* and <u>you</u> receive Attendance Allowance **	£74.20	£75.84
AMOUNT FOR THOSE WITH MORE THAN £23,250			
<b>J</b>	Any income	Full Cost	Full Cost

# Non-residential Banded Contributions

## Table 2: Light-touch Financial Assessment for Day and Night Support for People living in Very Sheltered Housing, Supported Living or 'Shared Lives' accommodation

MAXIMUM AMOUNTS FOR THOSE WITH LESS THAN £23,250			
YOUR BAND	Amount of Attendance Allowance or Disability Living Allowance Care Component or PIP Daily Living Component	YOUR WEEKLY CONTRIBUTION	
		April 2014	April 2015
<b>Lower</b>	You receive Attendance Allowance at the lower rate or DLA middle rate care component or PIP standard rate Daily Living component	£76.10	£77.03
<b>Higher</b>	You receive Attendance Allowance at the higher rate or DLA higher rate care component or PIP enhanced rate Daily Living component	£89.53	£90.63
AMOUNT FOR THOSE WITH MORE THAN £23,250			
<b>Full Cost</b>	Any income	Full Cost	Full Cost

## Non-residential Banded Contributions

### Table 3: Light-touch Financial Assessment for Pocklington Supported Living

MAXIMUM AMOUNTS FOR THOSE WITH LESS THAN £23,250			
YOUR BAND	GETTING A MEANS-TESTED BENEFIT	YOUR WEEKLY CONTRIBUTION	
		April 2014	April 2015
<b>A</b>	You (or your partner) receive a means-tested benefit* and you do not receive Attendance Allowance**	<b>No Contribution</b>	<b>No Contribution</b>
<b>B</b>	You (or your partner) receive a means-tested* benefit and you receive lower rate Attendance Allowance**	<b>£8.00</b>	<b>£8.08</b>
<b>C</b>	You (or your partner) receive a means-tested* benefit and you receive higher rate Attendance Allowance**	<b>£18.00</b>	<b>£18.08</b>
<b>D</b>	You (or your partner) receive a means-tested benefit* you receive lower rate Attendance Allowance** and an additional amount or premium for severe disability is paid to you	<b>£64.20</b>	<b>£65.61</b>
<b>E</b>	You (or your partner) receive a means-tested benefit* you receive higher rate Attendance Allowance** and an additional amount or premium for severe disability is paid to you	<b>£74.20</b>	<b>£75.61</b>
<b>NOT GETTING A MEANS-TESTED BENEFIT</b>			
<b>F</b>	You (or your partner) do not receive a means-tested benefit* and <u>you</u> do <u>not</u> receive Attendance Allowance**	<b>£54.20</b>	<b>£55.40</b>
<b>G</b>	You (or partner) do not receive a means-tested benefit* and you receive lower rate Attendance Allowance**	<b>£74.20</b>	<b>£75.84</b>
<b>H</b>	You (or partner) do not receive a means-tested benefit* and you receive higher rate Attendance Allowance**	<b>£84.20</b>	<b>£85.84</b>
<b>AMOUNT FOR THOSE WITH MORE THAN £23,250</b>			
<b>J</b>	Any income	<b>Full Cost</b>	<b>Full Cost</b>

\* The means-tested benefits are Pension Credit (Guarantee Credit) but not Pension Credit (Savings Credit), Income Support, Income-related Employment & Support Allowance (ESA) (but not Contributory ESA), Income-based Jobseeker's Allowance (but not contribution-based JSA) and/or Housing Benefit and/or Council Tax Reduction.

\*\* Attendance Allowance or an equivalent rate of the Disability Living Allowance or Personal Independence Payment.

The April 2015 proposed rates reflect the 1% increase in basic working age benefits (as per the Welfare Reform cap) and a 1.2% increase in AA/DLA/PIP. A 1% rise has been applied for Band B/C and 2.2% for all other bands.

This page is intentionally left blank



## **Cabinet (Resources) Panel**

3 March 2015

<b>Report title</b>	<b>Armed Forces Community Covenant Grants Scheme</b>	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Elias Mattu and Councillor Peter Bilson Leisure and Communities and Economic Regeneration and Prosperity	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Tim Johnson, Place	
<b>Originating service</b>	Economic Inclusion	
<b>Accountable employee(s)</b>	Sam Axtell	Consultation and Community Involvement Officer
	Tel	01902 554918
	Email	Sam.axtell2@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

---

### **Recommendation(s) for action or decision:**

The Cabinet (Resources) Panel is recommended to:

1. Approve the proposal for the Council to establish an expenditure budget for Community Covenant Grants.
2. Approve the proposal for the Council to approve the payment of grants to individual recipients.
3. Approve delegated authority for the Cabinet Member for Leisure and Communities in consultation with the Strategic Director, Place, to agree any further changes in budget and grants payments to organisations successful in securing grant under the scheme.

## **1.0 Purpose**

- 1.1 Cabinet Resources Panel is asked to approve the establishment of the expenditure budget for Community Covenant Grants and to approve the payment of grants to individual recipients.

## **2.0 Background**

- 2.1 A community covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.
- 2.2 Community covenants are intended to complement, at local level, the National Armed Forces Covenant, which outlines the moral obligation between the nation, the Government and the Armed Forces. The aim of the community covenant is to encourage local communities to support the Service community in their area and promote understanding and awareness amongst the public of issues affecting the Armed Forces Community.
- 2.3 The covenant sets out what a community covenant seeks to achieve in a particular area and, where possible, has been signed by representatives by all parts of the community.
- 2.4 Wolverhampton's Armed Forces Community Covenant was signed at a ceremony in the Mayor's Parlour on 2 October 2012.
- 2.5 In addition to the lead signatories, RAF Cosford and Wolverhampton City Council, other signatories include:
- The Voluntary Sector Council
  - The Chamber of Commerce
  - City of Wolverhampton College
  - The Clinical Commissioning Group
  - University of Wolverhampton
  - Some Local Neighbourhood Partnerships
  - The Royal British Legion
  - Wolverhampton Partnership
  - Wolverhampton Interfaith and Regeneration Network
  - SSAFA Forces Help
  - West Midlands Fire service
- 2.6 The community covenant is supported by the Community Covenant Grant Scheme which has been established to financially support projects, at the local level, which strengthen the ties or the mutual understanding between members of the Armed Forces Community and the wider community in which they live. £30 million has been available nationally over a three year period. The Council receives the grant on behalf of any successful applicants. A scheme has been established locally. The final round of the current scheme will close locally in December 2014. The Ministry of Defence has announced that £10

million will be available in perpetuity for community covenant activity but it is not yet clear what the focus of activity will be and whether the grants scheme will continue.

### 3.0 Progress, options, discussion, etc.

3.1 At a local grants panel in October 2014 and subsequently at Regional level, a grant of £2370 was approved. In the final round of the current scheme approximately £58,000 of funding is being sought by local community organisations. The outcome of these applications will be known in February 2015.

3.2 A breakdown of the funding that has been submitted to regional panel for approval is outlined in the table below at 2.3. Please note that some of the groups that have applied are outside the Wolverhampton geographical boundary and are from Albrighton. This is because of Wolverhampton's relationship with RAF Cosford, our nearest military base, and lead co-signatories to the Wolverhampton community covenant.

3.3

Group	Project title	Amount requested
Albrighton and Donnington Playscheme Committee	Albrighton and Donnington Playscheme	2,370 <sup>1</sup>
RAF Cosford	Coaching for Kids	4,227
Wolverhampton City Council	Community Covenant Awareness raising	3,950
Brownies	Joint Brownie Holiday	5,362
St Mary's Nursery	Outdoor Classroom	2,150
St Mary's CE Primary School	RAF Children's Spitfire Club	12,835
Stonham Housing Group	Stonham Veteran's Service	25,437
	<b>Total</b>	<b>56,331</b>

3.4 The conditions of the funding require the local authority to act as a partnership body for the funding. This places certain responsibilities on the community covenant partnership to ensure value for money, monitor that the funded activity delivers the stated benefits and retains records for audit purposes. A copy of the terms and conditions is appended to this report.

3.5 A community covenant action planning sub-group has been established to oversee this monitoring activity.

3.6 The work is led by the consultation and community involvement officer of the economic inclusion team who also leads the action planning sub-group. Her role is to co-ordinate the grants panel, action planning group and the Covenant Board who has overall strategic responsibility for the covenant in Wolverhampton.

- 3.7 The Portfolio Holder for Leisure and Communities is the Armed Forces Community Covenant Champion for Wolverhampton. This role includes chairing the Armed Forces Community Covenant Board meeting and being an advocate for the covenant.

#### **4.0 Financial implications**

- 4.1 This report seeks approval to establish a revenue budget under Inclusion and Employment up to the value of £56,330 should the applicants be successful in securing Community Covenants Grant. This report also seeks approval to pay grants to the recipients set out in section 2.3 and delegates authority to increase the revenue budget and approve any further grants awarded under the scheme. The Council will be responsible for invoicing the MoD and paying and monitoring grant payments to groups.
- 4.2 Further guidance has been sought from the MoD in addition to the terms and conditions appended to this report. They have confirmed that, whilst the Council has a monitoring role, it will not be accountable for any claw back should any local groups fail to spend their grant allowance, act fraudulently or overspend on project costs.

[ES/10022015/U]

#### **5.0 Legal implications**

- 5.1 As the partnership agency for the funding, there are no legal implications for the Council. In the event of any misappropriation of funds, fraud or underspend, the MOD would be responsible for leading any investigation (a process that the local authority would cooperate in).

[KO/29012015/C]

#### **6.0 Equalities implications**

- 6.1 Whilst the armed forces are not one of the nine protected characteristics under the Equalities Act, the action plan has been developed entirely with equalities in mind, seeking to address not only the inequalities that the armed forces face (in relation to issues such as health care and education) but also their dependants, many of whom will be female or children.

#### **7.0 Environmental implications**

- 7.1 There are no direct environmental implications arising from this report.

#### **8.0 Human resources implications**

- 8.1 There are no direct Human resources implications arising from this report.

#### **9.0 Corporate landlord implications**

9.1 There are corporate landlord implications arising from this report.

**10.0 Schedule of background papers**

N/A

This page is intentionally left blank



# Cabinet (Resources) Panel

3 March 2015

<b>Report title</b>	Police & Crime Commissioner Community Safety Fund Allocation 2015/16	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Elias Mattu Leisure and Communities	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Linda Sanders, People	
<b>Originating service</b>	Community Safety Team	
<b>Accountable employee(s)</b>	Karen Samuels	Head of Community Safety
	Tel	01902 551341
	Email	Karen.samuels@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

---

## Recommendation(s) for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve delegation of the 2015/16 ring-fenced allocation from the Police and Crime Commissioner (PCC) to Safer Wolverhampton Partnership (SWP) for the purposes of delivering against the city's Crime Reduction, Community Safety and Drugs Strategy 2014-17 and the Local Policing & Crime Plan 2015-16.

## 1.0 Purpose

- 1.1 To seek delegation of the ring-fenced Community Safety Fund (CSF) 2015/16 allocation from the Police and Crime Commissioner (PCC) to Safer Wolverhampton Partnership (SWP) in line with grant conditions, to aid delivery of agreed city-wide crime and community safety objectives. Allocation of the CSF for 2015/16 is subject to PCC approval of a fully costed programme of delivery, the details of which are outlined in this report.

## 2.0 Background

- 2.1 The city's Crime Reduction, Community Safety and Drugs Strategy 2014-17 was agreed by SWP Board and approved at Cabinet at its meeting on 14 May 2014; the strategic priorities of reducing reoffending, substance misuse, gangs/youth crime and violence against women and girls are incorporated within the strategy; progress is monitored through a robust performance framework.
- 2.2 Since the introduction of elected PCCs in November 2012, the Home Office funding of CSF previously received by local statutory organisations has been diverted to PCCs. Across the West Midlands Police Force Area (WMPFA), the PCC has opted to passport CSF subject to establishment of Local Police and Crime Boards (LPCB). SWP Board extended its membership in July 2013 to include voluntary, community sector and resident representation to fulfil these requirements.
- 2.3 The PCC has imposed conditions of funding which ringfences use of the CSF grant by LPCBs for delivery of its plan: *CSF is to be used solely for the purpose of achieving the priorities outlined in the Local Policing and Crime Plan, as agreed by the Local Police and Crime Board.*
- 2.4 The grant is paid to the Council as the accountable body for SWP, and is therefore subject to compliance with council financial regulations; spend decisions are delegated to SWP which maintains governance responsibility for the grant and any associated service delivery. The PCC also maintains oversight of the grant through quarterly progress reports detailing progress, outcomes and expenditure.
- 2.5 There is an expectation that the costed programme for 2015-16 should also be aligned to PCC priorities detailed in the Draft Strategic Police & Crime Plan 2015-16. The key features of the draft plan as they currently stand are summarised below:
  - **Pride in our police** – this theme is primarily concerned with increasing public confidence in West Midlands Police
  - **Stronger, safer, more prosperous communities** – this theme sets out the part West Midlands Police plays in the wider economy, community and network of partnerships
  - **Protecting people from harm** – which covers how West Midlands Police will reduce the threat, risk and harm caused by criminality
  - **Making better use of our people and resources** – this theme is about financial planning during austerity and preparing the workforce for future challenges

- **Creating a new era in policing** – this theme is about how the existing change programme and the WMP2020 partnership with Accenture will make West Midlands Police ready for the future, equipped with new technology and using the most effective processes
- **Playing our part in responding to national threats** – this theme covers how West Midlands Police will fulfil its obligations under the national Strategic Policing Requirement

### 3.0 Funding Availability

- 3.1 From April 2013, various Home Office funding streams were diverted to the PCC; these included funding for Youth Offending services and the drug intervention programme. Historically, SWP has allocated a significant proportion of CSF to support the criminal justice element of the Public Health commissioned drug and alcohol contract; reflecting these changed grant allocations. Public Health has confirmed that for 2015-16 it is not seeking a contribution towards this contract; thus releasing a significant proportion of the grant for wider use.
- 3.2 Increasingly, during the current financial year, delivery has been heavily reliant on the use of mainstream resources; it is anticipated that during 2015-16, this focus should continue and relationships strengthened between other city-wide forums such as Adults and Children's Safeguarding Boards, Health and Well Being Board and the city's Troubled Families programme; maximising opportunities for use of collective effort and resources.
- 3.3 The PCC has indicated that he is again willing to continue passporting CSF to local areas up to the same levels as 2014/15 on submission of a fully costed plan which would be subject to his approval; for Wolverhampton, this would result in an allocation of £492,000.

### 4.0 Programme Proposals

- 4.1 At its meeting on 13 February 2015, SWP considered and approved a costed programme of delivery for 2015/16 to support delivery of its strategic priorities; approval was also secured for the 2015/16 Local Police & Crime Plan (LPCP). The delivery programme is attached as **Appendix A**. It must be noted, however, that not all areas of delivery against the Strategic priorities and LPCP require a resource allocation of CSF; the majority of SWP delivery continues to draw on the mainstream resources of partners.
- 4.2 The programme includes continuation of core team functions to ensure statutory requirements of SWP are met and delivery against the strategic priorities of reducing reoffending, violence against women and girls, substance misuse and gangs/youth crime is maintained. The programme will deliver against identified actions within the LPCP; for 2015/16, these priorities include speeding and inconsiderate parking, drug dealing and use, and tackling anti-social behaviour.
- 4.3 Provision is also be made to deliver requirements of the new Prevent duty (arising from the Counter Terrorism and Security Bill which is being progressed through Parliament

and expected to come into force early summer 2015) and interventions to reduce harm and vulnerability in the city.

- 4.4 SWP agreed that delivery for 2015/16 should be underpinned by robust evaluation and a commitment that programme delivery should be viewed only as a short term measure; by evidencing the impact and cost savings associated with service delivery, this should aid development of a strong business case for long term sustainability using mainstream resources.
- 4.5 The fully costed programme will be forwarded to the PCC for final approval following endorsement by SWP; this will enable the PCC to be satisfied that there is sufficient alignment with the PCC's Strategic Policing & Crime Plan for the West Midlands.

## **5.0 Financial implications**

- 5.1 The PCC has confirmed an allocation of £492,000 is available for Wolverhampton to support community safety objectives in 2015/16 in line with grant conditions detailed in section 3 of this report. Cabinet (Resources) Panel approval is now sought to delegate this resource to SWP to support delivery against the strategic objectives detailed in section 4. Delivery of the costed programme in **Appendix A** will be funded entirely through CSF; there are no cost implications for the Council.

[MF/10022015/U]

## **6.0 Legal implications**

- 6.1 Sections five and six of the Crime and Disorder Act 1998 require the Council and other responsible authorities to formulate and implement strategies to reduce crime and disorder in the area. Subsequent revisions to the Act (Police and Justice Act 2006) places a duty on Community Safety Partnerships to prepare strategic assessments with the purpose of informing the partnership plan revisions.

[RB/06022015/L]

## **7.0 Equalities implications**

- 7.1 The programme of delivery for 2015/16 will be based on an assessment of need and contribute towards implementation of the strategic priorities in the Crime Reduction, Community Safety and Drugs Strategy tackling crime within some of the City's most deprived neighbourhoods and providing support to some of the City's most vulnerable residents through targeted interventions. A full equality analysis has been undertaken on the strategy; there are no negative implications from its delivery.

## **8.0 Environmental implications**

- 8.1 Delivery of the programme detailed in this report will impact positively across all areas of the City through the implementation of crime reduction initiatives; particularly those neighbourhoods adversely affected by crime and anti-social behaviour.

## **9.0 Human resources implications**

- 8.1 The proposals contained within the work programme detailed in Appendix A will support continuation of existing posts within the Youth Offending Team and create two (12 month) fixed term posts within the Council's Community Safety Team.

## **10.0 Corporate landlord implications**

- 10.1 There are no Corporate Landlord implications.

## **11.0 Schedule of background papers**

N/A

This page is intentionally left blank

# Appendix A - SWP Work Programme 2015-16

Available Community Safety Fund: £492,500

Core Team Delivery	£	Comments
SWP Analyst	37,000	Provision of analytical support across all areas of SWP business.
Community Safety Coordinator	37,000	Provision of additional operational capacity with CST; to free up strategic focus on longer-term mainstreaming options for future delivery.
Running costs	3,000	
DHRs	27,000	Provision for DHR panels to be convened if required and action planning/delivery to support implementation of recommendations.
Locations	7,500	To cover domehawk deployment/maintenance and support for PACT infrastructure
<b>Priority: VAWG</b>		
Strategy Coordinator	45,000	To lead development and implementation of VAWG strategy and coordination of related services.
Business Admin	25,000	
CJ IDVA	27,000	Facilitate improved criminal justice outcomes against offenders.
MARAC Coordinator (6 months)	13,500	Provision for existing role to be extended from Sept to March 2016.
IDVA x 2.5	74,000	Match fund Home Office grant for co-located IDVA; 2 additional IDVA posts to build capacity in managing increase in high risk cases referred to MARAC. Potential for flexible deployment to work within key services. ISVA role to be continued 2015-16 by WDVf.
Training	27,000	
Publicity materials/resources	2,500	
<b>Priority: Reducing Reoffending</b>		
Offender Management Coordination	35,000	Revised role to include coordination of adults and young offenders and strengthened links to vulnerability.
<b>Priority: Gangs/Youth Crime</b>		
Gangs/youth violence specialist commissioning	44,000	Delivery of targeted interventions addressing gang issues, youth violence and the growing prevalence of internet/phone grooming affecting young people.
Youth Crime Prevention	66,000	Delivery includes engaging young people subject to Out of Court Disposals, YISP delivery, engagement work with young people on the cusp of criminal justice system
<b>Vulnerability</b>		
Prevent, Vulnerability and Cohesion	22,000	Current part time Prevent role to be extended to full time with responsibilities expanded to include wider cohesion and vulnerability agenda.
<b>Total</b>	<b>492,500</b>	

**Glossary of Terms:** SWP: Safer Wolverhampton Partnership; CST: Community Safety Team; DHR: Domestic Homicide Review; PACT: Partners and Communities Together; VAWG: Violence Against Women & Girls; IDVA: Independent Domestic Violence Advisor (CJ – Criminal Justice); MARAC: Multi-Agency Risk Assessment Conference; ISVA: Independent Sexual Violence Advisor; WDVF: Wolverhampton Domestic Violence Forum; YISP: Youth Inclusion & Support Panel



# Cabinet (Resources) Panel

3 March 2015

**Report title** Compulsory Purchase of 114 Dixon Street,  
Parkfields, Wolverhampton. WV2 2BJ

<b>Decision designation</b>	AMBER
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity
<b>Key decision</b>	No
<b>In forward plan</b>	No
<b>Wards affected</b>	Ettingshall
<b>Accountable director</b>	Tim Johnson, Place
<b>Originating service</b>	Housing
<b>Accountable employee(s)</b>	Richard Long      Housing Improvement Officer Tel      01902 555705 Email      Richard.long@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A

---

## Recommendation(s) for action or decision:

Cabinet (Resources) Panel is recommended:

- i) To make the following Compulsory Purchase Order under Section 17 of Part 2 of the Housing Act 1985

The Wolverhampton City Council (114 Dixon Street, Parkfields Wolverhampton)  
Compulsory Purchase Order 2015 as shown on the plan attached.

- ii) To authorise the Strategic Director - Place 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

## **1.0 Purpose**

- 1.1 The purpose of this report is to request that Cabinet (Resources) Panel authorise the making of a Compulsory Purchase Order under Section 17 of Part 2 of the Housing Act in respect of 114 Dixon Street, Parkfields Wolverhampton and for negotiations to continue with the owner to purchase in advance of confirmation of the Order.
- 1.2 Following confirmation of the Order, approval is sought for the making of a General Vesting Declaration.
- 1.3 This decision is in support of Wolverhampton City Council's Empty Properties Strategy 2010-2015.

## **2.0 Background**

- 2.1 The property highlighted on the attached map is a two bedroom semi-detached house and has been empty since 2010 according to council tax records.
- 2.2 Following a Warrant granted 21 February 2012 under Section 240 of the Housing Act 2004 access was gained and a survey of the property was undertaken. The property was found to be in a severely dilapidated condition and the costs of refurbishment rendered the property unsuitable for an Empty Dwelling Management Order.
- 2.3 Contact was eventually made with the owner in May 2013 and the option of a lease was offered via Heantun Housing Association. The lease would have effectively enabled the refurbishment of the property in return for a 10 year lease. The owner did not respond to the offer made by Heantun H.A.
- 2.4 A Notice under Section 215 of the Town and Country Planning Act 1990 was served on 114 Dixon Street requiring the owner to remove the detrimental effect the condition of the property/ land is having on the amenity of the area. The Notice required compliance by 22 August 2014. As the owner has not responded or complied with the Notice served, a prosecution is currently being progressed.
- 2.5 The above attempts to negotiate with the owner since April 2010 have not produced any meaningful dialogue or solution and it is now considered necessary to take further action under the Empty Property Strategy.

## **3.0 Proposals**

- 3.1 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.
- 3.2 It is hoped that the possibility of Compulsory Purchase action will achieve an early resolution.

#### **4.0 Financial implications**

- 4.1 The Housing Capital Programme includes provision over the medium term for the Empty Property Strategy. In the event of negotiated acquisition/ confirmation of the Order, the costs/ compensation will be met from this provision.
- 4.2 There are no exceptional circumstances in the case of 114 Dixon Street. A Notice under Section 215 of the Town and Country Planning Act 1990 to tidy the land/ buildings has not been complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment.

[CF/09022015/B]

#### **5.0 Legal implications**

- 5.1 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.
- 5.2 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 proportional and compatible with the Human Rights Act 1988, particularly bearing in mind the above checks and balances on the local authority's power.

[EB/03022015/D]

#### **6.0 Equalities implications**

- 6.1 Equalities implications have been considered throughout the process and in assessing the outcome. An initial screening has been completed and this does not indicate any adverse implications.

#### **7.0 Environmental implications**

- 7.1 This report has evidenced the neighbourhood sustainability impact and environmental blight that a long term dilapidated empty property can have in a locality. It will allow a long term empty property to be refurbished providing much needed sustainable accommodation as highlighted in the Housing Needs Survey (2007) and remove a potential magnet for anti-social behaviour and environmental blight. This will improve the appearance of the neighbourhood, enhancing property conditions and contribute to the regeneration of the City.

## **8.0 Corporate landlord implications**

- 8.1 This property is within the private housing sector and if negotiations to acquire are successful it will be sold at auction for refurbishment and the property will remain in that sector. There are no Corporate Landlord implications.

## **9.0 Schedule of background papers**

- An Action Plan to Deliver the Empty Property Strategy 11/01/06;
- Private Sector Empty Property Strategy 2010-2015;
- Wolverhampton Housing Needs Survey 2007.

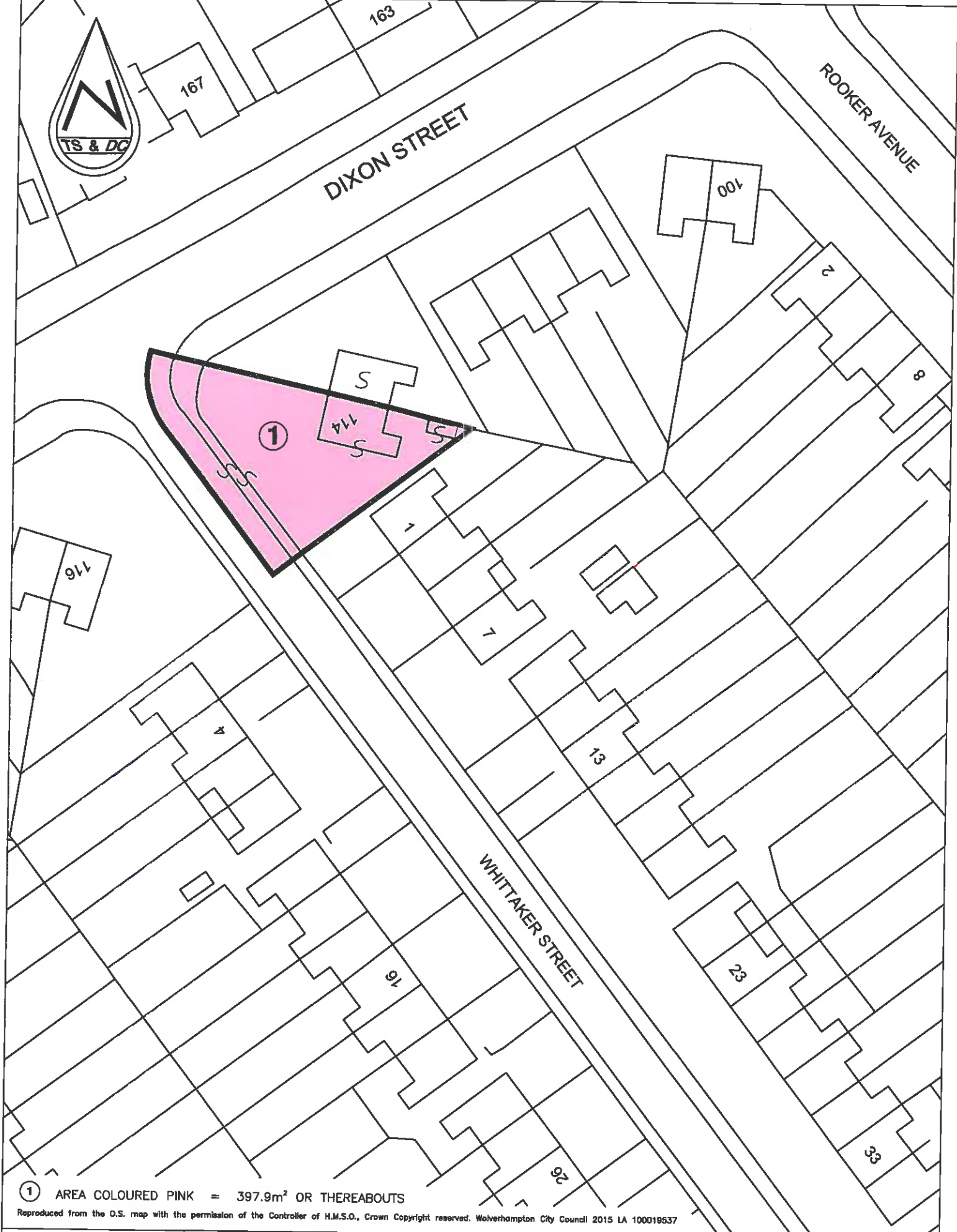
This page is intentionally left blank

114 DIXON STREET  
27/1/15

Page 47



This page is intentionally left blank



① AREA COLOURED PINK = 397.9m<sup>2</sup> OR THEREABOUTS

Reproduced from the O.S. map with the permission of the Controller of H.M.S.O., Crown Copyright reserved. Wolverhampton City Council 2015 LA 100019537

date	January 2015
scale	1:500
drawn by	AJP
dwg. no.	...
...CPO's Dixon Street 114.dwg	

THE MAP REFERRED TO IN  
 THE WOLVERHAMPTON CITY COUNCIL  
 (114 Dixon Street)  
 COMPULSORY PURCHASE ORDER 2015

**Wolverhampton City Council**  
 Strategic Director – Place  
 Civic Centre, St. Peter's Square, Wolverhampton  
 Tel. (01902) 556556

This page is intentionally left blank



# **Cabinet (Resources) Panel**

## **3 March 2015**

<b>Report title</b>	Schedule of Individual Executive Decision Notices	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	All	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Keith Ireland, Managing Director	
<b>Originating service</b>	Democratic Services	
<b>Accountable employee(s)</b>	Laura Gilyead Tel Email	Graduate Management Trainee 01902 553219 Laura.gilyead@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

---

### **Recommendations for noting:**

The Cabinet (Resources) Panel is asked to note the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees.

## Schedule of Individual Executive Decision Notices

### Part 1 – Open Items

#### 1. Corporate

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Phil Page	Director of Education	10 February 2015	Emma Balchin, 01902 555269
<b>Title and Summary of Decision</b>			
<b>Instrument of Government</b> That the Cabinet Member for Schools, Skills and Learning, in consultation with the Director of Education approves the proposed Instrument of Government for Low Hill Nursery School.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John	Managing Director	12 February 2015	Sue Handy, 01902 553053
<b>Title and Summary of Decision</b>			
<b>Management of unreasonable complainant behaviour</b> That the Cabinet Member for City Services, in consultation with the Managing Director, approves and agrees the implementation of a policy for the management of unreasonable complainant behaviour.			

#### 2. People

None

#### 3. Place

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Strategic Director, Place	10 February 2015	Ian Hipkiss, 01902 554241
<b>Title and Summary of Decision</b>			
<b>The Avenue Proposed One Way and 20 mph Speed Limit Traffic Regulation Orders Central Baths</b> That the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director, Place:			
1. Approves The Avenue one way and 20 mph speed limit traffic regulation orders.			
2. Authorises the Chief Legal Officer to advertise the above orders under the Road Traffic Regulation Act 1984 and, subject to there being no unresolved objections, to subsequently implement the orders.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Strategic Director, Place	10 February 2015	Rowan Jones, 01902 554990
<b>Title and Summary of Decision</b>			
<b>Wolverhampton Federation of Tenants Association Contract</b> That the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director, Place, agrees Wolverhampton Federation of Tenants Association's budget for 2015/16 for an amount of £35,000.			

## Part 2 – Exempt Items

### 1. Corporate

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Phil Page	Director of Education and Director of Finance	10 February 2015	Marc Webb, 01902 551368
<b>Title and Summary of Decision</b>			
<b>Acceptance of Tender for Trinity CE Primary School: Primary Expansion Programme</b> That the Cabinet Member for Schools, Skills and Learning, in consultation with the Director of Education and Director of Finance, accepts the preferred tender for the primary expansion programme at Trinity CE Primary School.			

### 2. People

None

### 3. Place

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Strategic Director, Place	27 January 2015	Karen Beasley, 01902 554893
<b>Title and Summary of Decision</b>			
<b>Low Hill Residential Repairs (pods) – Private Property Acquisitions</b> That the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director, Place, approves the completion of the purchase of a property and the sale of a property in a property exchange (in this case all the consideration consisting of a like for like property exchange).			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Service Director, City Economy	3 February 2015	Kevin Moore, 01902 555570
<b>Title and Summary of Decision</b>			
<b>Bilston Urban Village Advanced Works Programme Site Clearance</b> That the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director, Place, approves that the Council signs a letter of intent for the specific undertaking of site clearance works only.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Service Director, City Assets	11 February 2015	Karen Beasley, 01902 554893
<b>Title and Summary of Decision</b>			
<b>Low Hill Residential Repairs (pods) – Private Property Acquisitions</b> That the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Service Director, City Assets, approves the completion of the purchase of a property and approves the granting of an introductory tenancy.			

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Strategic Director, Place	11 February 2015	Bob Willis, 01902 555790
Title and Summary of Decision			
<b>Appointment of Contractor for supply, installation and fully comprehensive maintenance of CCTV site based</b> That the Cabinet Member for Economic Regeneration and Prosperity, in consultation with the Strategic Director, Place, awards a contract for a period of five years from the execution of the contract.			

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank