

# Council Meeting

14 December 2016

**Time** 5.45 pm **Public Meeting?** YES **Type of meeting** Full Council

**Venue** Council Chamber - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

## Membership (Quorum for this meeting is 15 Councillors)

**Mayor** Cllr Barry Findlay (Con)

**Deputy Mayor** Cllr Elias Mattu (Lab)

### Labour

Cllr Ian Angus  
Cllr Harbans Bagri  
Cllr Harman Banger  
Cllr Mary Bateman  
Cllr Philip Bateman  
Cllr Payal Bedi-Chadha  
Cllr Peter Bilson  
Cllr Alan Bolshaw  
Cllr Greg Brackenridge  
Cllr Ian Brookfield  
Cllr Paula Brookfield  
Cllr Ian Claymore  
Cllr Craig Collingswood  
Cllr Claire Darke  
Cllr Steve Evans  
Cllr Val Evans

Cllr Bhupinder Gakhal  
Cllr Val Gibson  
Cllr Dr Michael Hardacre  
Cllr Julie Hodgkiss  
Cllr Keith Inston  
Cllr Jasbir Jaspal  
Cllr Milkinderpal Jaspal  
Cllr Andrew Johnson  
Cllr Rupinderjit Kaur  
Cllr Welcome Koussoukama  
Cllr Roger Lawrence  
Cllr Linda Leach  
Cllr Hazel Malcolm  
Cllr Louise Miles  
Cllr Lynne Moran  
Cllr Anwen Muston

Cllr Peter O'Neill  
Cllr Phil Page  
Cllr Rita Potter  
Cllr John Reynolds  
Cllr John Rowley  
Cllr Judith Rowley  
Cllr Zee Russell  
Cllr Sandra Samuels  
Cllr Caroline Siarkiewicz  
Cllr Stephen Simkins  
Cllr Mak Singh  
Cllr Tersaim Singh  
Cllr Jacqueline Sweetman  
Cllr Paul Sweet  
Cllr Martin Waite  
Cllr Daniel Warren

### Conservative

Cllr Christopher Haynes  
Cllr Christine Mills  
Cllr Patricia Patten  
Cllr Arun Photay  
Cllr Paul Singh  
Cllr Udey Singh  
Cllr Wendy Thompson  
Cllr Andrew Wynne  
Cllr Jonathan Yardley

### UKIP

Cllr Malcolm Gwinnett

## Information for the Public

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

**Contact** Jaswinder Kaur  
**Tel/Email** 01902 550320/ [jaswinder.kaur@wolverhampton.gov.uk](mailto:jaswinder.kaur@wolverhampton.gov.uk)  
**Address** Democratic Support, Civic Centre, 1<sup>st</sup> floor, St Peter's Square,  
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

**Website** <http://wolverhampton.moderngov.co.uk>  
**Email** [democratic.support@wolverhampton.gov.uk](mailto:democratic.support@wolverhampton.gov.uk)  
**Tel** 01902 550320

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

---

# Agenda

*Item No.*    *Title*

## MEETING BUSINESS ITEMS

- 1            **Apologies for absence**
- 2            **Declarations of interest**
- 3            **Minutes of previous meeting** (Pages 5 - 14)  
[To receive the minutes of the meeting of 9 November 2016]
- 4            **Communications**  
[To receive the Mayor's announcements]

## DECISION ITEMS

- 5            **Capital budget quarter two monitoring 2016/17** (Pages 15 - 16)  
[To consider an update on the 2016/17 financial performance of the General Fund and HRA capital programmes and the revised forecast for 2016/17 as at quarter two of 2016/17]
- 6            **Treasury Management Activity Monitoring - Mid Year Review 2016/17** (Pages 17 - 18)  
[To consider an update on the treasury management activity for the second quarter of 2016/17 as part of the mid-year review]
- 7            **Appointment of External Auditors** (Pages 19 - 24)  
[To consider the recommendation from Cabinet (Resources) Panel on the appointment of external auditors]
- 8            **Making of Employment of Children Byelaws** (Pages 25 - 40)  
[To authorise the making of the byelaw relating to the employment of children]
- 9            **Written Questions** (Pages 41 - 42)  
[That the Cabinet Member for Education responds to the question received]

This page is intentionally left blank

# Meeting of the Council

## Minutes - 9 November 2016

### Attendance

**Mayor** Cllr Barry Findlay (Con)  
**Deputy Mayor** Cllr Elias Mattu (Lab)

### Labour

Cllr Ian Angus	Cllr Bhupinder Gakhal	Cllr Phil Page
Cllr Harbans Bagri	Cllr Val Gibson	Cllr Rita Potter
Cllr Harman Banger	Cllr Dr Michael Hardacre	Cllr John Reynolds
Cllr Mary Bateman	Cllr Julie Hodgkiss	Cllr John Rowley
Cllr Philip Bateman	Cllr Keith Inston	Cllr Judith Rowley
Cllr Payal Bedi-Chadha	Cllr Jasbir Jaspal	Cllr Zee Russell
Cllr Peter Bilson	Cllr Milkinderpal Jaspal	Cllr Sandra Samuels
Cllr Alan Bolshaw	Cllr Andrew Johnson	Cllr Caroline Siarkiewicz
Cllr Greg Brackenridge	Cllr Rupinderjit Kaur	Cllr Stephen Simkins
Cllr Ian Brookfield	Cllr Welcome Koussoukama	Cllr Mak Singh
Cllr Paula Brookfield	Cllr Roger Lawrence	Cllr Tersaim Singh
Cllr Ian Claymore	Cllr Linda Leach	Cllr Jacqueline Sweetman
Cllr Craig Collingswood	Cllr Hazel Malcolm	Cllr Paul Sweet
Cllr Claire Darke	Cllr Lynne Moran	Cllr Martin Waite
Cllr Steve Evans	Cllr Anwen Muston	Cllr Daniel Warren
Cllr Val Evans	Cllr Peter O'Neill	

### Conservative

Cllr Christopher Haynes  
Cllr Christine Mills  
Cllr Patricia Patten  
Cllr Arun Photay

### UKIP

Cllr Malcolm Gwinnett

### Employees

Keith Ireland	Managing Director
Kevin O'Keefe	Director of Governance
Mark Taylor	Director of Finance
Tracey Christies	Head of Legal Services
Ross Cook	Service Director – City Environment
Colin Parr	Head of Governance
Laura Phillips	Strategic Business Manager
Jaswinder Kaur	Democratic Services Manager
Julia Cleary	Scrutiny and Systems Manager

---

The proceedings opened with Prayers

---

*Item No.*    *Title*

**1        Apologies for absence**

Apologies for absence were received from Councillor Jonathan Yardley.

**2        Declarations of interest**

There were no declarations of interests made.

**3        Minutes of previous meeting**

The Mayor proposed, the Leader seconded, and it was resolved:

That the minutes of the previous meeting, held on 21 September 2016, be agreed as a correct record and signed accordingly by the Mayor.

**4        Communications**

**The Late Former Councillor John Shelley**

The Mayor announced that it was with great sadness that we had learned of the death of, former Councillor John Shelley on the 3 November 2016. The Mayor extended the council's sincere condolences to John Shelley's family. The Leader then paid tribute to Gwen Stafford-Good and John Shelley.

The council stood in silent tribute to John Shelley.

**Councillor Phil Bateman**

The Mayor congratulated Councillor Phil Bateman on winning the LGiU Communicator of the Year Award at the seventh annual LGiU & CCLA Councillor Achievement Awards Ceremony.

**Remembrance Events**

The Mayor advised that he would be attending three Services of Remembrance between the 11 and 13 November, 2016.

**1.    Armistice Day – 11<sup>th</sup> of the 11<sup>th</sup>**

The Mayor invited councillors to the Royal British Legion City of Wolverhampton Central Branch's annual Armistice Day Service which was taking place on Friday 11 November, 2016 at 10:50 am at the Cenotaph.

**2.    Dutch War Graves**

The Mayor invited councillors to attend the annual Service for Dutch Soldiers buried at Jeffcock Road cemetery which was taking place on Saturday 12 November, 2016, at 10am at Merridale Cemetery.

### **3. Remembrance Sunday**

The Mayor informed councillors of the arrangements for the Remembrance Sunday Service which was taking place on Sunday, 13 November.

### **United Nations Orange the World campaign**

The Mayor informed councillors of the United Nations' Orange the World campaign, which was an international campaign to end violence against women and girls.

### **Prince Albert 150 Celebrating Wolverhampton Events**

The Mayor informed councillors of the programme of events in celebration Wolverhampton's iconic Prince Albert statue turning 150 years old on the 30 November 2016.

### **Civic Carol Service**

The Mayor invited Councillors to the Civic Carol Service which was taking place on Tuesday, 13 December at 5pm at Darlington Street Methodist Church.

## **5 Implementing the Devolution Agreement - Mayoral Combined Authority Functions**

The Leader presented the summary of consultation responses in respect of the Mayoral West Midlands Combined Authority (WMCA) Scheme. The development of the draft West Midlands Combined Authority (Functions and Amendment) Order 2016 was brought to the Council's attention, due to the draft Order not being available for consideration; agreement was sought that Cabinet consider the draft Order. Councillor Wendy Thompson would be invited to the Cabinet meeting to comment on the draft Order.

The Council were informed there were two outstanding issues around voting and non-transport borrowing which required resolution; however the Leader was optimistic that the Chair of the WMCA would acquire a solution which was acceptable to all. The Leader commended the work of the WMCA Chair.

The Leader highlighted the investment opportunities the devolution deal would provide to Wolverhampton and the wider region.

The recommendations were moved by the Leader and seconded by Councillor Peter Bilson.

Councillor Wendy Thompson welcomed the report and recognised the benefits devolution would provide.

Resolved:

1. That the development of the draft West Midlands Combined Authority (Functions and Amendment) Order 2016 to date, detailed in appendix A of the report be noted.

2. That the draft Order is considered and, if appropriate, approved (subject to minor and drafting amendments) at Cabinet on 30 November 2016 be agreed, as elements require government response and approval. Constituent Council approvals pending, Cabinet approval will ensure the Order can be laid in Parliament following the Combined Authority consideration of the Order on 9 December 2016.
3. The summary of consultation results in respect of the Mayoral WMCA Scheme, as submitted to the Secretary of State for Communities and Local Government on 5 September 2016, be noted.

## **6 Financial Plan and Efficiency Strategy**

Councillor Andrew Johnson sought approval to publish the Financial Plan and Efficiency Strategy. The updated Financial Plan and Efficiency Strategy provides further evidence to support the Council's submission for a four year central government funding settlement which will enable the Council to operate with increased financial certainty in the medium term.

Councillor Andrew Johnson commended the work of Michelle Howell and colleagues in making the plan accessible and robust.

Councillor Andrew Johnson proposed and Councillor Peter Bilson seconded the recommendations.

Councillor Wendy Thompson stated the four year plan was useful however was concerned about the impact of phasing out of government grant funding and retention of business rates. She highlighted that businesses needed to be supported to grow further and survive to ensure the Council received sufficient funds to provide services.

Councillor Andrew Johnson recognised the importance of businesses growing and added that the WMCA was participating in a pilot of 100% retention of business rates and this would allow the Council to exert influence on the pilot.

Resolved:

That the final Financial Plan and Efficiency Strategy be approved for publication, following presentation of the draft document to Cabinet on 19 October 2016 and the delegation of authority to the Cabinet Member for Resources, in consultation with the Director of Finance, to agree the final amendments to the Financial Plan and Efficiency Strategy.

## **7 Wolverhampton Interchange Programme**

Councillor John Reynolds presented an update on the Wolverhampton Interchange Programme. Cabinet Resources Panel received a report on the Wolverhampton Interchange Programme and was recommended that a contribution of £10.7 million from the West Midlands Combined Authority be accepted and that the capital budget be increased to reflect the additional expenditure and associated funding, with the completion of associated legal agreements delegated to the Director of Governance.

Approval was sought that the Council underwrite additional costs of up to £8.1 million for the programme and included this in the capital budget, funded initially through prudential borrowing, recognising that it was the expectation that external funding would be secured in due course to fund the additional costs.

Councillor John Reynolds proposed and Councillor Andrew Johnson seconded the recommendations.

Councillor Wendy Thompson and Councillor Malcolm Gwinnet raised concern around the considerable cost to be incurred, however welcomed the improvements to the railway station and recognised that the area around the station also required investment.

Councillor Andrew Johnson clarified the two options available should external funding not be secured.

Councillor John Reynolds agreed to share further information on borrowing with Councillor Wendy Thomson and Councillor Malcolm Gwinnet.

Resolved:

1. That the Council underwrites additional costs of £8.1 million initially funded through prudential borrowing with the expectation that external funding would be secured in due course be approved.
2. That the capital programme was updated to reflect the additional budget required be approved.

## 8 **Community Governance Review**

Councillor Andrew Johnson advised that the Council had received a formal request (dated 8 April 2016) for a community governance review, specifically in relation to Tettenhall Wightwick and Tettenhall Regis, to which it had a statutory obligation to respond. As the request meets the legislative criteria for triggering a review, the Council had a duty to arrange a community governance review. The Special Advisory Group had considered a report on the proposed approach for doing so.

Councillor Andrew Johnson proposed and Councillor Milkinder Jaspal seconded the recommendations.

Councillor Andrew Wynn welcomed the report and highlighted that the decision making process would be bought closer to the people. He commended the officers in preparing the report.

Resolved:

1. That a community governance review be conducted for the whole of Wolverhampton but with more detailed work in the Tettenhall area be agreed.
2. That the draft terms of reference for a community governance review of the whole of the city be agreed.
3. That in principle, that the Special Advisory Group, to act as the lead committee for the review process, ultimately making recommendations to Council for the city's community governance arrangements be agreed.

4. That it be noted, the costs of the review, to include resourcing the review itself and the associated consultation, have yet to be quantified but will be reported to the Special Advisory Group in due course.
5. That the proposed timetable for the review be noted.

## 9 **Proposed Revised Petitions Scheme**

Councillor Andrew Johnson presented the revised petitions arrangements following the dissolution of the Petitions Committee and outlined the new arrangements for considering petitions from the public. Councillor Andrew Johnson proposed the recommendations.

Councillor Milkinder Jaspal seconded the recommendations and added that the arrangements outlined would ensure members of the public received speedier responses and that relevant councillors would also be updated on the response.

Councillor Wendy Thompson requested that the summary of responses detailed the relevant amount of information and that summary responses also be reported to the Shadow Leader's office.

Councillor Andrew Johnson agreed to the request.

Resolved:

1. a. That petitions with fewer than 2,499 signatures be considered and responded to by employees, within 28 days of receipt by the relevant service area. A summary of responses would be reported to Scrutiny Board, the relevant Cabinet Member(s), Shadow Leader's office and, where appropriate, the relevant Ward Members.
- b. That petitions with 2,500-4,999 signatures be considered by the relevant scrutiny panel with recommendations made for action by employees or review by the Executive as appropriate.
- c. That petitions with 5,000+ signatures be considered by the Council as per the existing arrangements.

## 10 **Motions on Notice**

### **Local impact of national cuts to community pharmacies**

Councillor Phil Bateman moved the following motion:

That this Council notes with concern the government announcement on 14 October 2016 that it is reducing funding for community pharmacies by £113m in the four months from December 2016 - March 2017.

This equated to an average loss of £8,000 for each pharmacy in Wolverhampton, representing a 12% cut. In addition the timing of this announcement means it is required to be delivered in a very short time scale, leaving local pharmacies very little time to plan or implement.

A further cut of £208m, on average £14,500 per pharmacy in Wolverhampton, will be imposed next year.

These cuts will have a direct negative impact on the Council's strategic priorities related to Public Health as well as the possible closure of local pharmacies across the city, leading to a reduction in accessible healthcare for vulnerable communities, and increased pressure on other parts of the health and social care systems.

We therefore call on the Chair of the Health and Wellbeing Board to write to our local MPs raising these concerns and asking them to lobby government to highlight the local impact of this national policy.

Councillor Phil Simkins seconded the motion and outlined the importance of supporting community pharmacies and highlighted the impact of a closure of a pharmacy in his ward.

Councillor Wendy Thompson outlined the rationale why government were making changes to funding for community pharmacies and emphasised that instead funding would be transferred into the NHS to fund vital services. She requested that Health Scrutiny consider the item in detail.

Councillor Phil Bateman urged Councillors to support the motion and support the pharmacy businesses in Wolverhampton.

Upon being put to the meeting, and a division having been demanded and taken voting thereon was as follows:

For

Councillors

Bagri	Banger	M Bateman
P Bateman	Bedi	Bilson
Bolshaw	Brackenridge	Claymore
Collingswood	Darke	S Evans
V Evans	Gakhal	Gibson
Gwinnett	Hardacre	Hodgkiss
Inston	M Jaspal	Johnson
Kaur	Koussoukama	Lawrence
Malcolm	Miles	Moran
Muston	O'Neill	Page
Potter	Reynolds	John Rowley
Judith Rowley	Russell	Samuels
Siarkiewicz	Simkins	M Singh
T Singh	Sweet	Sweetman
Warren		

Against

Mayor  
Councillors

Haynes	Mills	Patten
Photay	P Singh	U Singh
Thompson	Findlay	

Resolved:

That motion on local impact of national cuts to community pharmacies be agreed.

### **City of Sanctuary**

The Leader moved the following motion:

Wolverhampton has a proud history of welcoming diverse communities, particularly those suffering from war and persecution.

As the refugee crisis continues this city will accept and welcome our share of people in need.

To promote the inclusion and welfare of those coming to the city we resolve

- To join the growing network of cities across the country by designating Wolverhampton as a City of Sanctuary
- To support local people in welcoming and helping new communities to integrate into local and civic society
- To promote the positive contribution migrants make to the social, cultural and community life of Wolverhampton
- To work with regional and national partners to prove a safe home for unaccompanied asylum seeking children

Councillor Ian Claymore seconded the motion.

Councillor Wendy Thompson stated the city was already a city of sanctuary. She highlighted that the city was welcoming and had welcomed a large number of immigrants over the last couple of years and that priority should be given to families and children.

Councillor Roger Lawrence requested that the council make an overt commitment to this resolution.

Resolved:

That the motion on City of Sanctuary be agreed.

### 11 **Questions to Cabinet Members**

Councillor Paul Singh asked the following question:

*Could the Cabinet Member inform Council of the revenue to the authority from bus lane enforcement fines in Wolverhampton during the last two financial years?*

Councillor Steve Evans responded that the Council had received £1.1 million in 2015/16 from the payment of fines and to date had received £1.3 million for 2016/17. Councillor Paul Singh asked a supplementary question:

*Could the Cabinet Member confirm whether any health & safety, road maintenance schemes had been funded from the revenue collected?*

Councillor Steve Evans confirmed that for the years 2015/16 and 2016/17 the income generated through the enforcement of bus lanes was £1.1 million and £1.3 million respectively. Costs associated with the provision of the bus lane enforcement service were £350,000. Section 55 of the road Traffic Act stipulates that Penalty Charge Notice income should pay for the enforcement service and any surplus must be used for transportation projects and improvements. A number of projects and improvement schemes had been funded from the revenue received.

Councillor Udey Singh asked the following question:

*Could the Cabinet Member inform Council of the percentage take-up of childhood vaccinations offered universally through the NHS by children in Wolverhampton during the last two completed financial years, and an indication of the likely take-up so far exhibited in this financial year?*

Councillor Paul Sweet put on record the importance of childhood vaccinations across the world in the prevention of death. The following breakdown was provided on Childhood immunisation uptake data for Wolverhampton (as at September 2016):

<b>Childhood Immunisation Uptake</b>		<b>2014/15</b>	<b>2015/16</b>	<b>2016/17 Quarter One</b>
Reaching 1st Birthday	DTaP/IPV/Hib	91.6%	92.3%	90.9%
	PCV	91.1%	92.0%	91.2%
Reaching 2 <sup>nd</sup> Birthday	Hib/MenC Booster	90.1%	91.1%	90.5%
	PCV Booster	90.5%	91.3%	91.3%
	MMR 1	90.4%	91.5%	91.0%
Reaching 5 <sup>th</sup> Birthday	DTaP/IPV Booster	86.4%	87.3%	84.9%
	MMR 2	86.6%	87.1%	80.2%
	Human Papilloma Virus (HPV)	92.5% (dose 1)		
All 2 year olds (combined)	Seasonal Flu vaccine uptake	34.9%	30.7%	
All 3 year olds (combined)		39.7%	35.2%	
All 4 year olds (combined)		30.6%	26.1%	
Children in school years 1 age (aged 5 rising to 6 years)			58.2%	
Children in school years 2 age (aged 6 rising to 7 years)			56.4%	

Councillor Udey Singh asked a supplementary question:

Can the Cabinet Member advise how the uptake of childhood vaccinations would be kept consistent and stable?

Councillor Paul Sweet responded that regular reports were received by Public Health, however one of the challenges faced was that access to information was not readily available. A regular city-wide meeting took place with stakeholders to ensure there was timely access to GP surgeries who were not performing as highly. Councillor Paul Sweet was happy to provide further information on challenging GP surgeries.

# Meeting of the City Council

## 14 December 2016

<b>Report title</b>	Capital budget quarter two monitoring 2016/17	
<b>Referring body</b>	Cabinet, 30 November 2016	
<b>Councillor to present report</b>	Councillor Andrew Johnson	
<b>Wards affected</b>	All	
<b>Cabinet Member with lead responsibility</b>	Councillor Andrew Johnson Resources	
<b>Accountable director</b>	Keith Ireland, Managing Director	
<b>Originating service</b>	Strategic Finance	
<b>Accountable employee(s)</b>	Mark Taylor Tel Email	Director of Finance 01902 554410 <a href="mailto:Mark.Taylor@wolverhampton.gov.uk">Mark.Taylor@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Strategic Executive Board Cabinet Confident Capable Council Scrutiny Panel	15 November 2016 30 November 2016 15 March 2017

---

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

The Council is recommended to:

1. Approve to undertake borrowing of £30.0 million and pay a capital grant of the equivalent amount to the West Midlands Combined Authority – Land Remediation Fund. This borrowing is required until the powers of the West Midlands Combined Authority (CA) are revised to enable them to borrow for non-transport related purposes. The CA will in return pay a revenue grant to the Council to cover the borrowing costs of interest and minimum revenue provision.
2. Approve the additional General Fund resources of £3.4 million identified for;
  - i. nine new projects totalling £1.9 million.
  - ii. i54 Western Extension, a new project, of £1.5 million.

## **1.0 Purpose**

- 1.1 To provide Council with an update on the 2016/17 financial performance of the General Fund and Housing Revenue Account capital programmes and the revised forecast for 2016/17 as at quarter two of 2016/17.
- 1.2 To recommend revisions to the current approved General Fund capital programme covering the period 2016/17 to 2020/21.

## **2.0 Background**

- 2.1 On 30 November 2016 Cabinet considered a report on 'Capital budget quarter two monitoring 2016/17'. The report can be accessed online on the Council's website by clicking onto the following the link:

[http://wolverhampton.moderngov.co.uk/documents/s33506/Item%205%20-%20Q2%201617%20Cabinet\\_Final.pdf](http://wolverhampton.moderngov.co.uk/documents/s33506/Item%205%20-%20Q2%201617%20Cabinet_Final.pdf)

- 2.2 Cabinet recommended to Full Council that it:

1. Approves to undertake borrowing of £30.0 million and pay a capital grant of the equivalent amount to the West Midlands Combined Authority – Land Remediation Fund. This borrowing is required until the powers of the West Midlands Combined Authority (CA) are revised to enable them to borrow for non-transport related purposes. The CA will in return pay a revenue grant to the Council to cover the borrowing costs of interest and minimum revenue provision.
2. Approves the additional General Fund resources of £3.4 million identified for;
  - i. nine new projects totalling £1.9 million.
  - ii. i54 Western Extension, a new project, of £1.5 million subject to Cabinet approving the exempt report of the same name also on the agenda.

- 2.3 The exempt report 'i54 Western Extension Update' mentioned in the above paragraph was subsequently approved by Cabinet on 30 November 2016.

## **3.0 Financial, legal, equalities, environmental, human resources and corporate landlord implications**

- 3.1 The implications are detailed in the Cabinet report of 30 November 2016.

## **4.0 Schedule of background papers**

- 4.1 30 November 2016 Cabinet report – Capital budget quarter two monitoring 2016/17
- 4.2 30 November 2016 Cabinet report – i54 Western Extension Update

# Meeting of the City Council

## 14 December 2016

<b>Report title</b>	Treasury Management Activity Monitoring – Mid Year Review 2016/17	
<b>Referring body</b>	Cabinet, 30 November 2016	
<b>Councillor to present report</b>	Councillor Andrew Johnson	
<b>Wards affected</b>	All	
<b>Cabinet Member with lead responsibility</b>	Councillor Andrew Johnson Resources	
<b>Accountable director</b>	Mark Taylor, Director of Finance	
<b>Originating service</b>	Strategic Finance	
<b>Accountable employee(s)</b>	Claire Nye Tel Email	Chief Accountant 01902 550478 <a href="mailto:Claire.Nye@wolverhampton.gov.uk">Claire.Nye@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Strategic Executive Board Cabinet Confident, Capable Council Scrutiny Panel	15 November 2016 30 November 2016 15 March 2017

---

### Recommendations for noting:

The Council is asked to note:

1. A mid-year review of the Treasury Management Strategy Statement has been undertaken and the Council has operated within the limits and requirements approved in March 2016.
2. Savings of £533,000 for the General Fund and £2.3 million for the Housing Revenue Account (HRA) are forecast from treasury management activities in 2016/17.

## **1.0 Purpose**

- 1.1 To provide Council with a monitoring and progress report on treasury management activity for the second quarter of 2016/17 as part of the mid-year review, in line with the Prudential Indicators approved by Council in March 2016.

## **2.0 Background**

- 2.1 On 30 November 2016 Cabinet considered a report on 'Treasury management activity monitoring – mid-year review 2016/17'. The report can be accessed online on the Council's website by clicking onto the following the link:

<http://wolverhampton.moderngov.co.uk/documents/s33505/Item%20%20-%20Cabinet%20301116%20TM%20Q2%20Mid%20Year%20Review%201617%20v3.pdf>

- 2.2 Cabinet recommended to Full Council that it notes:

1. A mid-year review of the Treasury Management Strategy Statement has been undertaken and the Council has operated within the limits and requirements approved in March 2016.
2. Savings of £533,000 for the General Fund and £2.3 million for the Housing Revenue Account (HRA) are forecast from treasury management activities in 2016/17.

## **3.0 Financial, legal, equalities, environmental, human resources and corporate landlord implications**

- 3.1 The implications are detailed in the Cabinet report of 30 November 2016.

## **4.0 Schedule of background papers**

- 4.1 30 November 2016 Cabinet report – Treasury Management Activity Monitoring – Mid-Year Review 2016/17

# Meeting of the City Council

## 14 December 2016

<b>Report title</b>	Appointment of External Auditors	
<b>Referring body</b>	Cabinet (Resources) Panel, 1 November 2016	
<b>Councillor to present report</b>	Councillor Andrew Johnson, Resources	
<b>Wards affected</b>	All	
<b>Cabinet Member with lead responsibility</b>	Councillor Andrew Johnson Resources	
<b>Accountable director</b>	Mark Taylor, Corporate	
<b>Originating service</b>	Audit Services	
<b>Accountable employee(s)</b>	Peter Farrow Tel Email	Head of Audit 01902 554460 <a href="mailto:peter.farrow@wolverhampton.gov.uk">peter.farrow@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Cabinet (Resources) Panel	1 November 2016

---

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

The Council is recommended to:

1. Approve the recommendation of the Cabinet (Resources) Panel to opt-in to a sector led body either jointly with the seven West Midlands Combined Authority councils or if a joint agreement cannot be reached then a sole appointment of external auditors for 2018/19 onwards for a maximum of five years and that authority is delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to award the contract when the appointment process is completed.

## **1.0 Purpose**

- 1.1 Following the closure of the Audit Commission the Council will be responsible for appointing its own external auditors by 31 December 2017 for 2018/19 onwards.
- 1.2 A number of options have been considered by the Cabinet (Resources) Panel to put in place new arrangements in time to make an appointment of new external auditors by the statutory deadline of 31 December 2017.

## **2.0 Background**

- 2.1 The Local Audit and Accountability Act 2014 brought to a close the Audit Commission and established transitional arrangements for the appointment of external auditors and the setting of audit fees for all local government and NHS bodies in England. On 5 October 2015 the Secretary of State Communities and Local Government (CLG) determined that the transitional arrangements for local government bodies would be extended by one year to also include the audit of the accounts for 2017/18.
- 2.2 The Council's current external auditor is Grant Thornton, this appointment having been made under a contract let by the Audit Commission. Following closure of the Audit Commission the contract is currently managed by Public Sector Audit Appointments Limited (PSAA), the transitional body set up by the LGA with delegated authority from the Secretary of State CLG. Over recent years the Council has benefited from a reduction in fees in the order of 50% compared with historic levels. This has been the result of a combination of factors including new contracts negotiated nationally with the firms of accountants and savings from closure of the Audit Commission.
- 2.3 When the current transitional arrangements come to an end on the 31 March 2018 the Council will be required to appoint an external auditor. Current fees are based on discounted rates offered by the firms in return for substantial market share. When the contracts were last negotiated nationally by the Audit Commission they covered NHS and local government bodies and offered maximum economies of scale.
- 2.4 The scope of the audit will still be specified nationally, the National Audit Office (NAO) is responsible for writing the Code of Audit Practice which all firms appointed to carry out the Council's audit must follow. Not all accounting firms will be eligible to compete for the work, they will need to demonstrate that they have the required skills and experience and be registered with a Registered Supervising Body approved by the Financial Reporting Council. The registration process has not yet commenced and so the number of firms is not known but it is reasonable to expect that the list of eligible firms may include the top 10 or 12 firms in the country, including our current auditor. It is unlikely that small local independent firms will meet the eligibility criteria.

## **3.0 Options**

- 3.1 There are three options open to the Council under the Local Audit and Accountability Act 2014 (the Act):

### **Option 1 - To make a stand-alone appointment**

- 3.1 In order to make a stand-alone appointment the Council will need to set up an Auditor Panel. The members of the panel must be wholly or a majority independent members as defined by the Act. Independent members for this purpose are independent appointees, this excludes current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing which firm of accountants to award a contract for the Council's external audit. A new independent auditor panel established by the Council will be responsible for selecting the auditor (assuming there is no existing independent committee such as the Audit Committee that might already be suitably constituted).
- 3.2 Advantages/benefit
- Setting up an auditor panel allows the Council to take maximum advantage of the new local appointment regime and have local input to the decision.
- 3.3 Disadvantages/risks
- Recruitment and servicing of the Auditor Panel, running the bidding exercise and negotiating the contract is estimated by the LGA to cost in the order of £15,000 plus on going expenses and allowances.
  - The Council will not be able to take advantage of reduced fees that may be available through joint or national procurement contracts.
  - The assessment of bids and decision on awarding contracts will be taken by independent appointees and not solely by elected members.

### **Option 2 - Set up a Joint Auditor Panel/local joint procurement arrangements**

- 3.4 The Act enables the Council to join with other authorities to establish a joint auditor panel. Again this will need to be constituted of wholly or a majority of independent appointees (members). Further legal advice will be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council need to liaise with other local authorities to assess the appetite for such an arrangement.
- 3.5 Advantages/benefits
- The costs of setting up the panel, running the bidding exercise and negotiating the contract will be shared across a number of authorities.
  - There is greater opportunity for negotiating some economies of scale by being able to offer a larger combined contract value to the firms.
- 3.6 Disadvantages/risks
- The decision making body will be further removed from local input, with potentially no input from elected members where a wholly independent auditor panel is used or possible only one elected member representing each Council, depending on the constitution agreed with the other bodies involved.
  - The choice of auditor could be complicated where individual Councils have independence issues. An independence issue occurs where the auditor has recently or is currently carrying out work such as consultancy or advisory work for the Council. Where this occurs some auditors may be prevented from being

appointed by the terms of their professional standards. There is a risk that if the joint auditor panel choose a firm that is conflicted for this Council then the Council may still need to make a separate appointment with all the attendant costs and loss of economies possible through joint procurement.

### **Option 3 - Opt-in to a sector led body for a Council appointment**

- 3.7 In response to the consultation on the new arrangement the LGA successfully lobbied for Councils to be able to 'opt-in' to a Sector Led Body (SLB) appointed by the Secretary of State under the Act. An SLB would have the ability to negotiate contracts with the firms nationally, maximising the opportunities for the most economic and efficient approach to procurement of external audit on behalf of the whole sector.
- 3.8 Advantages/benefits
- The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities.
  - By offering large contract values the firms would be able to offer better rates and lower fees than are likely to result from local negotiation.
  - Any conflicts at individual authorities would be managed by the SLB who would have a number of contracted firms to call upon.
  - The appointment process would not be ceded to locally appointed independent members. Instead a separate body set up to act in the collective interests of the 'opt-in' authorities. The LGA are considering setting up such a body utilising the knowledge and experience acquired through the setting up of the transitional arrangements.
- 3.9 Disadvantages/risks
- Individual elected members will have less opportunity for direct involvement in the appointment process other than through the LGA and/or stakeholder representative groups.
  - In order for the SLB to be viable and to be placed in the strongest possible negotiating position the SLB will need Councils to indicate their intention to opt-in before final contract prices are known.
- 3.10 There are two options that could be implemented:
1. A joint appointment for the seven councils in the West Midlands Combined Authority (WMCA). The appointment of a single external auditor will bring a consistent approach which will be advantageous particularly where there is joint working. A joint appointment should also realise better value for money.
  2. If agreement with the councils in the WMCA is not reached then the Council will make an appointment solely for itself.
- 3.11 Cabinet (Resources) Panel approved the submission of a report to Full Council recommending the option to opt-in to a sector led body either jointly with the seven WMCA councils or if a joint agreement cannot be reached then a sole appointment of external auditors for 2018/19 onwards for a maximum of five years and that authority is delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to award the contract when the appointment process is completed.

#### **4.0 Financial implications**

- 4.1 There is a budget of just over £260,000 set aside to cover all external audit fees, including the main audit and grant certification work.  
[GE/28102016/L]

#### **5.0 Legal implications**

- 5.1 The Local Audit and Accountability Act 2014 requires the Council to appoint an external auditor to audit its accounts.
- 5.2 Section 7 of the Act requires a relevant authority to appoint an auditor not later than 31 December in the preceding year.
- 5.3 Section 8 of the Act governs the procedure for appointment including that the authority must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor.
- 5.4 Section 17 of the Act gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a Sector Led Body to become the appointing person.  
[TS/18102016/P]

#### **6.0 Equalities implications**

- 6.1 There are no equalities implications arising from the recommendations in this report.

#### **7.0 Environmental implications**

- 7.1 There are no environmental implications arising from the recommendations in this report.

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

- 8.1 There are no human resources implications arising from the recommendations in this report.

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

- 9.1 There are no corporate landlord implications arising from the recommendations in this report.

#### **10.0 Schedule of background papers**

- 10.1 None

This page is intentionally left blank

# Meeting of the City Council

## 14 December 2016

<b>Report title</b>	Making of Employment Children Byelaw	
<b>Referring body</b>	Standards Committee, 24 March 2016	
<b>Councillor to present report</b>	Councillor Ian Brookfield	
<b>Wards affected</b>	All	
<b>Cabinet Member with lead responsibility</b>	Councillor Milkinder Jaspal Governance	
<b>Accountable director</b>	Kevin O'Keefe - Director of Governance	
<b>Originating service</b>	Democracy	
<b>Accountable employee(s)</b>	Sarah Hardwick Tel Email	Solicitor 01902 554956 <a href="mailto:sarah.hardwick@wolverhampton.gov.uk">sarah.hardwick@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Standards Committee	24 March 2016

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

The Council is recommended to:

1. Authorise the making of the byelaw as detailed at Appendix 1 relating to the employment of children and to affix the common seal of the Council.
2. Authorise the Director of Governance to publish in one or more local newspapers a notice of the Council's intention to apply for confirmation of the byelaw.
3. Authorise the Director of Governance to submit the byelaw for confirmation.
4. Approve the revocation of the existing byelaw relating to the employment of children that was made on 16 December 1998.

## **1.0 Purpose**

- 1.1 To recommend to the Council the making of byelaws that replace those that were made on 16 December 1998 and to revoke those made on 16 December 1998.

## **1.0 Background**

- 2.1 The laws which govern the employment of children under school leaving age are mainly contained in the Children and Young Persons Act 1933. The Act gives local authorities the power to make byelaws which provide additional controls regarding the employment of children. Many authorities make byelaws which broadly follow the model published by the Department of Health but some do depart from it, to varying degrees, to suit local circumstances.
- 2.2 On 16 December 1998 Wolverhampton Metropolitan Borough Council approved byelaws to regulate the employment of children. The Children (Protection at Work) Regulations 1998 outlines amendments to the 1933 Act to include providing for the employment of children by the parents or guardians in light agricultural/horticultural work on an occasional basis only. It is this provision the Council now wish to appear in the byelaws and this addition can be seen in the document attached at Appendix 1 with the proposed addition to the 1998 byelaw marked in red.
- 2.3 On the making of the byelaws attached at Appendix 2, which will incorporate the proposed amendment, the byelaws made on 16 December 1998 need to be revoked.

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

- 3.1 Section 236 of the Local Government Act 1972 sets out the procedure to be followed by a Council when making byelaws. Full Council has authority to make and revoke byelaws and it is the role of Standards Committee to advise the Council on the making and revoking of those byelaws.

## **4.0 Financial implications**

- 4.1 There are no direct implications arising from this report.  
[GS/30112016/E]

## **5.0 Legal implications**

- 5.1 These are contained in the body of the report.  
[SH/30032016/U ]

## **6.0 Equalities implications**

- 6.1 There are no direct implications arising from this report.

**7.0 Environmental implications**

7.1 There are no direct implications arising from this report.

**8.0 Human resources implications**

8.1 There are no direct implications arising from this report.

**9.0 Corporate landlord implications**

9.1 There are no direct implications arising from this report.

**10.0 Schedule of background papers**

10.1 Children and Young Persons Act 1933  
The Children (Protection at Work) Regulations 1998  
Section 236 of the Local Government Act 1972

This page is intentionally left blank



**WOLVERHAMPTON**  
**METROPOLITAN BOROUGH COUNCIL**

**Employment of Children Byelaws**  
**1998**

**THE COUNCIL OF THE BOROUGH OF WOLVERHAMPTON**

**BYELAWS**

**Made to**

**Coming into force .....**

The Council of the Borough of Wolverhampton, in exercise of the powers conferred on it by sections 18(2) and 20(2) of the Children and Young Persons Act 1933<sup>1</sup>, hereby makes the following Byelaws:

**Citation and commencement**

1. These Byelaws may be cited as the Council of the Borough of Wolverhampton Byelaws on the Employment of Children 1998 and shall come into force on .....199

**Interpretation and extent**

2. In these Byelaws, unless the context otherwise requires:

"the authority" means The Council of the Borough of Wolverhampton;

"child" means a person who is not over compulsory school age;

"employment" means assistance in any trade or occupation which is carried on for profit, whether or not payment is received for that assistance;

"light work" means work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed -

a) is not likely to be harmful to the safety, health or development of children; and

b) is not such as to be harmful to their attendance at school, their participation in work experience in accordance with section 560 of the Education Act 1996, or their capacity to benefit from the instruction received or, as the case may be, the experience gained.

"parent" includes any person who has for the time being parental responsibility for a child within the meaning of section 3 of the Children Act 1989.

"year", except in expressions of age, means a period of twelve months beginning with 1st January.

Words importing the masculine gender include the feminine gender.

### **Prohibited Employment**

3. No child of any age may be employed -
- (a) in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given entirely by children;<sup>2</sup>
  - (b) to sell or deliver alcohol, except in sealed containers;
  - (c) to deliver milk;
  - (d) to deliver fuel oils;
  - (e) in a commercial kitchen;
  - (f) to collect or sort refuse;
  - (g) in any work which is more than three meters above ground level or, in the case of internal work, more than three meters above floor level;
  - (h) in employment involving harmful exposure to physical, biological or chemical agents;
  - (i) to collect money or to sell or canvas door to door;
  - (j) in work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children;
  - (k) in telephone sales;
  - (l) in any slaughterhouse or in that part of any butcher's shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses or meat for sale;
  - (m) as an attendant or assistant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill or similar devices;
  - (n) in the personal care of residents of any residential care home or nursing home.

---

<sup>2</sup>This does not prevent children taking part in performances under the provisions of a licence granted in accordance with the Children and Young Persons Act 1963, and the associated Regulations.

### **Permitted employment of children aged 14 and over**

4. A child aged 14 or over may be employed only in light work.

### **Permitted employment of children aged 13**

5. A child aged 13 may not be employed except in light work in one or more of the following specified categories:
  - (a) agricultural or horticultural work;
  - (b) delivery of newspapers, journals and other printed material;
  - (c) shop work, including shelf stacking;
  - (d) hairdressing salons;
  - (e) office work;
  - (f) in a cafe or restaurant; and
  - (g) in livery and riding stables.
6. **Employment of a child aged 13 years in light agricultural or horticultural work is permitted by and under direct supervision of parents or guardians on an occasional basis.**

### **Employment before school**

7. Subject to the other provisions of these byelaws, children may be employed in the delivery of newspapers for up to one hour before the commencement of school hours on any day on which they are required to attend school.

### **Additional condition[s]**

8. No child may be employed in any work unless wearing suitable clothes and shoes.

### **Notification of Employment and employment permits**

9. Within one week of employing a child, the employer must send to the authority written notification stating:
  - (a) his own name and address;
  - (b) the name, address and date of birth of the child;

- (c) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and, if different from (a) above, the place of employment;
- (d) a statement of the child's fitness to work, and of approval for the child to be employed, completed by the child's parent;
- (e) details of the school at which the child is a registered pupil; and
- (f) a statement to the effect that an appropriate risk assessment has been carried out by the employer.

10. Where, on receipt of a notification, the local authority is satisfied that:

- (a) the proposed employment is lawful;
- (b) the child's health, welfare or ability to take full advantage of his education would not be jeopardised; and
- (c) the child is fit to undertake the work for which he is to be employed,

it will issue the employer with an employment permit 11 Before issuing an employment permit a local authority may require a child to have a medical examination.

12. The employment permit will state:

- (a) the name, address and date of birth of the child;
- (b) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and the place of employment.

13. A child may be employed only in accordance with the details shown on his employment permit.

14. A local authority may amend a child's employment permit from time to time on the application of an employer.

15. The local authority may at any time revoke a child's employment permit if it has reasonable grounds to believe -

- (a) that the child is being unlawfully employed, or
- (b) that his health, welfare or ability to take advantage of his education are suffering or likely to suffer as a result of the employment.

16. A child must produce his employment permit for inspection when required to do so by an authorised officer of the authority or a police officer.

**Revocation**

17. The Byelaws with respect to the employment of children made by The Borough of Wolverhampton Council on the 28th day of April 1976 and confirmed by the Secretary of State on the 1st day of July 1976 are hereby revoked.

THE COMMON SEAL of The Council of the Borough of Wolverhampton was affixed to these Byelaws on 6<sup>th</sup> Feb 199a. in the presence of:

Signed



Director of Law, Environmental Protection and Central Services

These Byelaws are hereby confirmed by the Secretary of State for Health on ..... 199. and shall come into operation on.../4 .....  
.....1996

Signed



Department of Health



**CITY OF  
WOLVERHAMPTON  
COUNCIL**

**Employment of Children  
Byelaws**

**2016**

# THE CITY OF WOLVERHAMPTON COUNCIL

## BYELAWS

Made .....

Coming into force .....

The Council of the City of Wolverhampton, in exercise of the powers conferred on it by sections 18(2) and 20(2) of the Children and Young Persons Act 1933<sup>1</sup>, hereby makes the following Byelaws:

### Citation and commencement

1. These Byelaws may be cited as the Council of the City of Wolverhampton Byelaws on the Employment of Children 2016 and shall come into force on .....2016

### Interpretation and extent

2. In these Byelaws, unless the context otherwise requires:

"the authority" means The Council of the Borough of Wolverhampton;

"child" means a person who is not over compulsory school age;

"employment" means assistance in any trade or occupation which is carried on for profit, whether or not payment is received for that assistance;

"light work" means work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed -

- (a) is not likely to be harmful to the safety, health or development of children; and
- (b) is not such as to be harmful to their attendance at school, their participation in work experience in accordance with section 560 of the Education Act 1996, or their capacity to benefit from the instruction received or, as the case may be, the experience gained.

"parent" includes any person who has for the time being parental responsibility for a child within the meaning of section 3 of the Children Act 1989.

"year", except in expressions of age, means a period of twelve months beginning with 1st January.

Words importing the masculine gender include the feminine gender.

### **Prohibited Employment**

3. No child of any age may be employed -
- (a) in a cinema, theatre, discotheque, dance hall or night club, except in connection with a performance given entirely by children;<sup>2</sup>
  - (b) to sell or deliver alcohol, except in sealed containers;
  - (c) to deliver milk;
  - (d) to deliver fuel oils;
  - (e) in a commercial kitchen;
  - (f) to collect or sort refuse;
  - (g) in any work which is more than three meters above ground level or, in the case of internal work, more than three meters above floor level;
  - (h) in employment involving harmful exposure to physical, biological or chemical agents;
  - (i) to collect money or to sell or canvas door to door;
  - (j) in work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children;
  - (k) in telephone sales;
  - (l) in any slaughterhouse or in that part of any butcher's shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses or meat for sale;
  - (m) as an attendant or assistant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill or similar devices;
  - (n) in the personal care of residents of any residential care home or nursing home.

---

<sup>2</sup>This does not prevent children taking part in performances under the provisions of a licence granted in accordance with the Children and Young Persons Act 1963, and the associated Regulations.

### **Permitted employment of children aged 14 and over**

4. A child aged 14 or over may be employed only in light work.

### **Permitted employment of children aged 13**

5. A child aged 13 may not be employed except in light work in one or more of the following specified categories:
  - (a) agricultural or horticultural work;
  - (b) delivery of newspapers, journals and other printed material;
  - (c) shop work, including shelf stacking;
  - (d) hairdressing salons;
  - (e) office work;
  - (f) in a cafe or restaurant; and
  - (g) in livery and riding stables.
6. Employment of a child aged 13 years in light agricultural or horticultural work is permitted by and under direct supervision of parents or guardians on an occasional basis.

### **Employment before school**

7. Subject to the other provisions of these byelaws, children may be employed in the delivery of newspapers for up to one hour before the commencement of school hours on any day on which they are required to attend school.

### **Additional condition[s]**

8. No child may be employed in any work unless wearing suitable clothes and shoes.

### **Notification of Employment and employment permits**

9. Within one week of employing a child, the employer must send to the authority written notification stating:
  - (a) his own name and address;
  - (b) the name, address and date of birth of the child;

- (c) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and, if different from (a) above, the place of employment;
  - (d) a statement of the child's fitness to work, and of approval for the child to be employed, completed by the child's parent;
  - (e) details of the school at which the child is a registered pupil; and
  - (f) a statement to the effect that an appropriate risk assessment has been carried out by the employer.
10. Where, on receipt of a notification, the local authority is satisfied that:
- (a) the proposed employment is lawful;
  - (b) the child's health, welfare or ability to take full advantage of his education would not be jeopardised; and
  - (c) the child is fit to undertake the work for which he is to be employed,
- it will issue the employer with an employment permit.
11. Before issuing an employment permit a local authority may require a child to have a medical examination.
12. The employment permit will state:
- (a) the name, address and date of birth of the child;
  - (b) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and the place of employment.
13. A child may be employed only in accordance with the details shown on his employment permit.
14. A local authority may amend a child's employment permit from time to time on the application of an employer.
15. The local authority may at any time revoke a child's employment permit if it has reasonable grounds to believe -
- (a) that the child is being unlawfully employed, or

- (b) that his health, welfare or ability to take advantage of his education are suffering or likely to suffer as a result of the employment.

- 16. A child must produce his employment permit for inspection when required to do so by an authorised officer of the authority or a police officer.

**Revocation**

- 17. The Byelaws with respect to the employment of children made by The Borough of Wolverhampton Council on the 6 October 1998 and confirmed by the Secretary of State on the 16 December 1998 are hereby revoked.

THE COMMON SEAL OF The City

Of Wolverhampton Council was hereto

Affixed this    day of                      Two

Thousand and sixteen in the presence of:

Authorised Officer

These byelaws are hereby  
confirmed by the Secretary of State for  
Health on        2016 and shall come  
into operation on                      2016

Member of the Senior Civil Service

Department of Health

# Meeting of the City Council

## 14 December 2016

<b>Report title</b>	Questions to Cabinet Members	
<b>Referring body/Person</b>	Councillor Udey Singh	
<b>Cabinet Members with lead responsibility</b>	Councillor Claire Darke, (Education)	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Kevin O'Keefe, Governance	
<b>Originating service</b>	Democratic Support	
<b>Accountable employee(s)</b>	Colin Parr Tel Email	Head of Governance 01902 550105 colin.parr@wolverhampton.gov.uk

---

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

1. That the Cabinet Member for Education respond to the question received in accordance with the Council's procedure rules.

## **1.0 Purpose**

1.1 For Cabinet Member to respond to the question received:

### **Educational Attainment**

Councillor Udey Singh to ask the Cabinet Member for Education (Councillor Claire Darke): -

“According to research it is widely acknowledged that children from white working class in the UK are falling behind their BME counterparts in terms of education. Can the Cabinet Member confirm whether this is also the case in Wolverhampton?”