

# Cabinet (Resources) Panel

## 6 December 2016

**Time** 5.00 pm **Public Meeting?** YES **Type of meeting** Executive

**Venue** Committee Room 4 - Civic Centre

### Membership

**Chair** Cllr Andrew Johnson (Lab)

**Vice-chair** Cllr Roger Lawrence (Lab)

### Labour

Cllr Val Gibson  
Cllr Milkinderpal Jaspal  
Cllr John Reynolds  
Cllr Sandra Samuels  
Cllr Peter Bilson  
Cllr Paul Sweet  
Cllr Claire Darke  
Cllr Steve Evans

Quorum for this meeting is five Councillors.

### Information for the Public

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

**Contact** Dereck Francis, Democratic Services  
**Tel/Email** 01902 555835 or [dereck.francis@wolverhampton.gov.uk](mailto:dereck.francis@wolverhampton.gov.uk)  
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

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# Agenda

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

*Item No.*    *Title*

### MEETING BUSINESS ITEMS

- 1            **Apologies for absence**
- 2            **Declarations of interests**
- 3            **Minutes of the previous meeting - 1 November 2016** (Pages 5 - 10)  
[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 PANEL)

- 5            **Revenue Budget Monitoring 2016/17** (Pages 11 - 44)  
[To receive an update on the Council's revenue budget monitoring 2016/17]
- 6            **Acquisition of Privately Owned Land by Agreement or Compulsory Purchase: Land Between 44 and 48 Showell Road, Bushbury** (Pages 45 - 54)  
[To authorise the officers to enter into negotiations for the acquisition of the land]
- 7            **Empty Property Strategy - Revocation of a Final Empty Dwelling Management Order - 96 Hawksford Crescent, Bushbury, Wolverhampton** (Pages 55 - 58)  
[To authorise the revocation of the Order currently in force at 96 Hawksford Crescent]
- 8            **Empty Property Strategy - 74 Rayleigh Road, Pennfields, Wolverhampton**  
(Pages 59 - 64)  
[To authorise the commencement of formal negotiations with the owner of the property with a view to its acquisition by agreement]
- 9            **Empty Property Strategy - Compulsory Purchase of 42 Lawrence Avenue, Perry Hall, Wolverhampton** (Pages 65 - 72)  
[To authorise the making of a Compulsory Purchase Order in respect of the property and for negotiations to continue with any established interested parties in advance of confirmation of the Order as appropriate]
- 10          **Empty Property Strategy - Compulsory Purchase of 473 New Birmingham Road** (Pages 73 - 80)  
[To authorise the making of a Compulsory Purchase Order in respect of the property and for negotiations to continue with any established interested parties in advance of confirmation of the Order as appropriate]

- 11 **Flood Risk Management Service Delivery Arrangements** (Pages 81 - 86)  
[To approve joint working with Staffordshire County Council and other Black Country authorities on flood risk management]
- 12 **Schedule of Individual Executive Decision Notices** (Pages 87 - 92)  
[To note the summary of decisions approved by the appropriate Cabinet members in consultation with the relevant employee]
- 13 **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]

## Part 2 - exempt items, closed to press and public

<i>Item No.</i>	<i>Title</i>	<i>Grounds for Exemption</i>
14	<b>Conversion of Properties to Council Housing</b> (Pages 93 - 100) [To approve the conversion of properties into council housing]	Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)
15	<b>Disposal of Garage Site behind 23-33 Beach Avenue, Spring Vale</b> (Pages 101 - 106) [To approve the disposal of the garage site at auction, once outline planning approval for residential use has been obtained]	Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)
16	<b>Procurement - Award of Contracts for Works, Goods and Services</b> (Pages 107 - 130) [To consider various delegations of authority and the award of contracts]	Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)

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# Cabinet (Resources) Panel

## Minutes - 1 November 2016

### Attendance

#### Members of the Cabinet (Resources) Panel

Cllr Andrew Johnson (Chair)  
Cllr Peter Bilson  
Cllr Steve Evans  
Cllr Val Gibson  
Cllr John Reynolds  
Cllr Milkinderpal Jaspal  
Cllr Paul Sweet

#### Employees

Mark Taylor	Director of Finance
Dereck Francis	Democratic Support Officer
Paul Smith	Head of Commissioning - Older People

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

*Item No. Title*

- 1 **Apologies**  
No apologies for absence were received.
- 2 **Declarations of interests**  
There were no declarations of interests.
- 3 **Minutes of the previous meeting - 4 October 2016**  
Resolved:  
That the minutes of the previous meeting held on 4 October 2016 be approved as a correct record and signed by the Chair.
- 4 **Matters arising**  
There were no matters arising from the minutes of the previous meeting.
- 5 **Chair's announcements**  
Cllr Andrew Johnson (the Chair) stated that reports on the following urgent items would be considered at the meeting:
  - Remodelling and Tender of mental Health Preventative Contracts (open item).
  - Wolverhampton Interchange Programme (exempt item)

**6 Wolverhampton Workbox**

Cllr John Reynolds presented the report on the process and funds to develop a fully interactive online Wolverhampton Workbox (*working title*) to provide local people and businesses with improved access to information, careers advice and education, and training and employment opportunities.

Resolved:

1. That the approach to develop the 'Wolverhampton Workbox' which would provide residents with improved access to skills, training and employment be endorsed.
2. That a maximum contribution of £219,000 from the Regeneration Reserve to support the development of a Wolverhampton Workbox be approved.
3. That it be noted that £129,000 of the full project costs would be met from European Social Fund (ESF) funding that had already been secured by the Council. There are a few elements that need further clarification in respect of eligibility for ESF and if all elements that have been identified are approved the amount required from the regeneration reserve would be a maximum of £219,000.
4. That it be noted that the Workbox had been co-designed with a range of local skills and employment providers, under the auspices of the City's Skills and Employment Board, chaired by David Danger, Managing Director, Managing Director, CORP - Engine & Environmental Control Systems. HS Marston Aerospace Limited.

**7 Remodelling and Tender of Mental Health Preventative Contracts**

Further to the discussion at the previous meeting held on 4 October 2016, Cllr Andrew Johnson presented a report on the outcome of the formal consultation, based upon the proposed new service delivery model for Mental Health Preventative Service Provision, contained in the consultation report.

Resolved:

1. That a new service delivery model in relation to low level mental health preventative services be approved.
2. That a tendering exercise in relation to the proposed new service model with a view to implementation on 1 April 2017 be approved.
3. That the outcome of the consultation contained in the Executive Summary of the consultation report be noted.

**8 Schedule of Individual Executive Decision Notices**

Resolved:

That the summary of open and exempt individual executive decisions, approved by appropriate Cabinet Members following consultation with the relevant employees be noted.

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 paragraph 3 of Schedule 12A of the Act.

## **Part 2 - exempt items, closed to press and public**

10 **Disposal of Properties at Langley Road, Whitburn Close, Vicarage Road and Warstones Drive, Wolverhampton**

Cllr Peter Bilson presented a report on proposals for the disposal of properties that were surplus to service requirements.

Resolved:

1. That authority be delegated to the Cabinet Member for Housing and City Assets in conjunction with the Strategic Director for Place to declare the following sites surplus to requirements; provide consent to demolish the buildings currently located on each of the sites; and to tender the works for such demolition:
  - Land and buildings at Whitburn Close Penderford
  - Land and buildings at Langley Road Wolverhampton
  - Land and buildings at Warstones Drive Wolverhampton
  - Land and buildings at Vicarage Road Wolverhampton
2. That the transfer of the freehold interest of the sites to WV Living for the development of market sale and council housing be approved, subject to the WV Living Board approval and Cabinet approval of the revised WV Living Business Plan.
3. That should WV Living not be able to progress the development of housing, the disposal of the site through usual disposal programme methods be approved.
4. That virements from the capital allocation for disposals to establish capital budgets for the demolitions as per the table in paragraph 2.8 of the report be approved.

11 **Procurement - award of contracts for works, goods and services**

The Panel considered a report on proposals for the award of contracts for works, goods and services.

Resolved:

1. That authority be delegated to the Cabinet Member for City Housing and Assets, in consultation with the Strategic Director for Place, to approve the award of a contract for the Supply of Bread and Dairy when the evaluation process is complete.

2. That authority be delegated to the Cabinet Member for City Housing and Assets, in consultation with the Strategic Director for Place, to approve the award of a contract for Supply of Fresh Fruit and Vegetables when the evaluation process is complete.
3. That authority be delegated to the Cabinet Member for City Housing and Assets, in consultation with the Strategic Director for Place, to approve the award of a contract for the Demolition of Care Homes when the evaluation process is complete.
4. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Strategic Director for Place, to approve the award of a contract for Environmental Enforcement when the evaluation process is complete.
5. That authority be delegated to the Cabinet Member for Governance, in consultation with the Cabinet Member for Resources, Director of Governance and Director of Finance, to approve the award of a contract for Yoo Recruit Management Partner when the evaluation process is complete.
6. That authority be delegated to the Director of Governance to execute contracts in respect of the above as required.
7. That a report be submitted 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.

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### **Yoo Recruit Management Partner**

Cllr Milkinder Jaspal presented a report on an appraisal of options to support YOO Recruit (YOO), the Council's wholly owned recruitment agency, to change its business processes and invest in additional support resources and systems to ensure compliance with recent and proposed legislation that directly affect employment agencies, in particular Automatic Pension Enrolment (Pensions Act 2008) and Use of Personal Service Companies in Public Sector (Budget 2016). The option to procure a management partner for Yoo Recruit was recommended.

Cllr Andrew Johnson commented that further work would be required on the Yoo Recruit company structure to ensure that the management partner could be incentivised to grow the business without the need for entering into a joint venture agreement.

Resolved:

1. That the procurement of a management partner for Yoo Recruit be approved.
2. That the request for delegated authority included within the agenda item 'Procurement - award of contract for works, goods and services' (Minute No. 11 above refers).



3. That further piece of work be undertaken to ensure the management partner can be incentivised to grow the Yoo Recruit business without the need for entering into a joint venture agreement.

13 **Wolverhampton Interchange Programme**

Cllr John Reynolds presented an update report on the Wolverhampton Interchange Programme and sought approval to accept a contribution of £10.7 million from the West Midlands Combined Authority (WMCA) towards the delivery of the scheme.

Cllr Johnson advised that following a discussion with the Deputy Section 151 Officer it would be necessary to refer to Full Council the recommendation to accept the contribution from the WMCA. He therefore asked that recommendation 1 in the report be amended by the addition of the words 'subject to Full Council approving recommendation 5 below'.

Resolved:

1. That subject to Full Council approving recommendation 5 below, the contribution of £10.7 million from the West Midlands Combined Authority (WMCA) be accepted, the capital budget be increased to reflect the additional expenditure and associated funding, and completion of associated legal agreements be delegated to the Director of Governance,
2. That it be noted that additional costs have been incurred on the Project and that sources of funding have been identified to address some or all of the additional funding required and that actions are underway to secure the appropriate levels of funding.
3. That the developer's decision to terminate the agreement with the current building contractor and appoint a new contractor to demolish and redevelop Wolverhampton Rail Station be noted.
4. That the Council entering into a Deed of Variation dated 7 June 2016 with West Midlands Passenger Transport Executive in relation to £.1.1 million of the Local Growth Fund/Black Country Local Transport Board be endorsed.
5. That it be noted that a separate report would be presented to Council to seek approval to the Authority underwriting additional costs of up to £8.1 million for the programme and including this in the capital budget funded initially through prudential borrowing, recognising that it is the expectation that external funding would be secured in due course to fund the additional costs.

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# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Revenue Budget Monitoring 2016/17	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Andrew Johnson Resources	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Keith Ireland, Managing Director	
<b>Originating service</b>	Strategic Finance	
<b>Accountable employee(s)</b>	Mark Taylor	Director of Finance
	Tel	01902 554410
	Email	<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	22 November 2016
	Confident Capable Council	15 March 2017

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### Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the use of £100,000 from the Transformation Reserve to fund various transformation priorities as detailed at section 5.2.2.
2. Approve the use of £2.6 million from the Efficiency Reserve to fund various efficiency priorities as detailed at section 5.2.3.
3. Approve the reinvestment of £500,000 surplus generated through Bus Lane enforcement into the Highways Management Reserve as detailed at section 5.2.4.
4. Approve the use of £500,000 from the Future Works Reserve to fund the Milestone 6 Agresso upgrade as detailed at section 5.2.5.

5. Approve the use of £50,000 from the Job Evaluation Reserve to meet the cost of back pay for lunchtime supervisory assistants as detailed in 5.2.6.
6. Approve the write off of seven sundry debts totalling £74,469.36 as detailed in Appendix F.
7. Approve 18 virements totalling £3.4 million, for transfers within service directorates, as detailed in Appendix G.
8. Approve setting up of expenditure budgets within the 2016/17 approved budget as detailed in section 4.2 for grant funded expenditure.
9. Approve the recovery of £85,000 from Penn Hall School as detailed in section 7.6.2.
10. Approve that authority is delegated to the Cabinet Member for Education in consultation with the Director of Education and the Director of Finance for the approval of licensed deficits as detailed in section 7.7.1.

**Recommendations for noting:**

The Cabinet (Resources) Panel is asked to note:

1. That the projected outturn for the General Fund for 2016/17 is on target to achieve a net balanced position.
2. That projected redundancy costs, including the cost of pension strain, totalling £7.0 million are included in the forecast outturn. The projected costs are subject to change dependent upon the actual redundancies approved by year end. It is anticipated that forecast underspends against the Central Provision for Auto-enrolment and Pay Award costs and the Corporate/Transformation Budgets and contingencies, in addition to Capital Receipts flexibility announced by the Secretary of State, will offset the cost of redundancies.
3. That 149 sundry debt accounts totalling £63,581.16 have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
4. That 292 council tax accounts totalling £94,355.99 have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
5. That 27 non domestic rates accounts totalling £108,642.70 have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
6. That 47 housing benefit accounts totalling £6,881.50 have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.

7. That a £18.4 million surplus on the Housing Revenue account (HRA) is projected compared with a budgeted surplus of £15.3 million as shown at Table 7 and in detail at Appendix H. The projected increased surplus of £3.1 million will be used to redeem debt in line with the HRA Business Plan.

## 1.0 Purpose

- 1.1 The purpose of this report is to provide Cabinet (Resources) Panel with a projection of the likely revenue outturn position for the General Fund and Housing Revenue accounts, compared with the Council's approved revenue budgets for 2016/17.

## 2.0 Summary

- 2.1 Overall, the General Fund projected outturn is currently forecast to be in line with the net budget, as analysed in Table 1 below.

**Table 1 – 2016/17 General Fund Revenue Budget Projected Outturn**

	Net Controllable Budget 2016/17 £000	Projected Outturn 2016/17 £000	Projected Variation Over/(Under)	
			£000	%
People	114,882	114,312	(570)	-0.50%
Corporate	60,382	59,566	(816)	-1.35%
Place	41,368	40,825	(543)	-1.31%
Education	718	2,503	1,785	248.61%
<b>Net Budget Requirement</b>	<b>217,350</b>	<b>217,206</b>	<b>(144)</b>	<b>-0.07%</b>
Government Grant (General)	(92,622)	(92,622)	-	0.00%
Enterprise Zone Business Rates	(1,532)	(1,388)	144	9.40%
Council Tax	(86,036)	(86,036)	-	0.00%
Business Rates	(37,805)	(37,805)	-	0.00%
Collection Fund Deficit	2,237	2,237	-	0.00%
Business Rates Equalisation Reserve	(1,592)	(1,592)	-	0.00%
<b>Total Resources</b>	<b>(217,350)</b>	<b>(217,206)</b>	<b>144</b>	<b>0.07%</b>
<b>Net Budget (Surplus) / Deficit</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>

- 2.2 The Council continues to be faced with a challenging projected financial position over the medium term, and significant budget reduction and income regeneration proposals are required in order to achieve a robust financial position. The Budget 2016/17 and Medium Term Financial Strategy 2016/17 to 2019/20 approved by Full Council on 2 March 2016, identified that the Council would be faced with finding further budget reduction and income regeneration proposals totalling £54.6 million over the three year period to 2019/20. It is important to note that the updated projected budget deficit assumes the achievement of prior year budget reduction and income generation proposals amounting to £37.4 million over the four year period to 2019/20.

- 2.3 A report was presented to Cabinet on 19 October 2016, which detailed the outcome of work that has been in progress across all areas of the Council to identify budget reduction and income generation targets to deliver the strategy of identifying £22.2 million for 2017/18.
- 2.4 The projected target of £22.2 million at March 2016 was revised to £23.5 million. This was due to a number of proposals being reprofiled or removed. The Council has currently identified £13.5 million Budget Reduction and Income Generation proposals and £10.0 million Financial Transactions and Base Budget Revisions for 2017/18. A balanced budget is now projected for 2017/18. Work continues to identify additional budget reduction and income generation opportunities to address the projected budget deficit in 2018/19 and 2019/20, amounting to £30.4 million, in order to ensure that a balanced budget can be set over the medium term.
- 2.5 An update on the General Fund budget risks is provided at section 6. Overall the risk for 2016/17 is currently assessed as Amber as the Council has significant budget reductions to deliver and income to achieve.
- 2.6 It is important to note that projected redundancy costs, including the cost of pension strain, totalling £7.0 million are included in the forecast outturn. It is anticipated that forecast underspends against the Central Provision for Auto-enrolment and Pay Award Costs and on the Corporate/Transformation Budgets and Contingencies, in addition to Capital Receipts flexibility announced by the Secretary of State, will offset the cost of redundancies.
- 2.7 In accordance with the Council's financial procedures rules, all virements in excess of £50,000, or those that result in a transfer between Employees and Other Controllable Expenditure headings, require the approval of this panel. There are eighteen virements that require approval in this report as detailed in Appendix G.
- 2.8 The most significant factors contributing towards the projected net underspend against the budget are reported on a service-by-service basis in section 3 below.
- 2.9 The forecast outturn position for the Housing Revenue Account is a surplus of £18.4 million, compared to a budgeted surplus of £15.3 million. The projected additional surplus of £3.1 million, which is mainly due to a forecast underspend on interest payable, will be used to redeem debt to comply with the Council's approved HRA Business Plan.
- 3.0 General Fund Revenue Budget Monitoring: Service Analysis**
- 3.1 People**
- 3.1.1 A summary of the projected outturn against the People 2016/17 revenue budget is provided in the table below, whilst a detailed analysis is provided in Appendix A.

**Table 2 – 2016/17 Revenue Budget Projected Outturn - People**

	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Strategic Director	2,235	2,511	276	12.35%
Older People	27,206	28,353	1,147	4.22%
Disability & Mental Health	38,661	38,538	(123)	-0.32%
Children & Young People	46,780	44,910	(1,870)	-4.00%
Public Health & Wellbeing	-	-	-	0.00%
<b>People Total</b>	<b>114,882</b>	<b>114,312</b>	<b>(570)</b>	<b>-0.50%</b>

3.1.2 Overall a net underspend of £570,000 (-0.50%) is projected for the year. The main factors contributing towards this forecast underspend are:

1. **Strategic Director** – There is an overspend of £276,000 mainly due to the appointment of additional Independent Review Officers within Children’s Safeguarding (£189,000).
2. **Older People** - There is a forecast overspend of £1.1 million for Older People Services mainly as a result of pressures on care purchasing budgets particularly in residential, nursing and domiciliary care (totalling £1.5 million) due to increasing demand for support. This is offset partially by a projected underspend against the following two services:
  - a. The Service Director for Older People is projecting underspends due to the early achievement of a 2017/18 budget reduction target (£99,000).
  - b. The Independent Living Service, Telecare & Adaptations service is also projecting an underspend, primarily arising as a result of a staffing restructure and efficiencies on the equipment budget (£154,000).
3. **Disability & Mental Health** - There is a forecast underspend of £123,000 mainly due to the early achievement of budget reduction proposals within the Physical Disabilities Assessment & Care Management service (£649,000) and All Age Disability & Joint Commissioning Youth Adults service due to vacancies (£123,000). However, the underspend is offset by overspends on the Disabilities In-House Provision due to slippage against budget reduction targets (£362,000) and a cost pressure on care purchasing within the Mental Health Assessment & Care Management service due to increased demand (£185,000).
4. **Children & Young People** - There is a forecast underspend of £1.9 million for this service directorate. There is a projected underspend for Looked-After Children service as a result of one off staff savings and the early achievement

of a budget reduction target (£632,000). The Specialist Support Service is forecasting an underspend due to one off savings arising as a result of the children's service redesign (£516,000). Projected underspends within the Early Intervention service (£392,000) and the Youth Offenders Team (£193,000) are also forecast due to staff vacancies and delays to recruitment of staff. The Children's Commissioning service was also projecting an underspend from staff vacancies and efficiencies against contracts. In addition to this, the Psychology service projected underspends as a result of achieving efficiencies due to income generation. Some of these savings are negated by a projected overspend on the Child Protection service due to budget pressures (£132,000).

## 3.2 Corporate

3.2.1 A summary of the projected outturn against the Corporate 2016/17 revenue budget is provided in the table below, whilst a detailed analysis is provided in Appendix B.

**Table 3 - 2016/17 Revenue Budget Projected Outturn - Corporate**

	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Managing Director	1,378	1,174	(204)	-14.80%
Corporate Services	23,955	23,988	33	0.14%
Governance	7,112	7,411	299	4.20%
Corporate Budgets	27,937	26,993	(944)	-3.38%
<b>Corporate Total</b>	<b>60,382</b>	<b>59,566</b>	<b>(816)</b>	<b>-1.35%</b>

3.2.2 Overall a net underspend of £816,000 (-1.35%) is projected for the year. The main factors contributing towards the forecast underspend are:

1. **Managing Director** – There is a forecast underspend totalling £204,000 due to vacancies held across the Corporate Business Support service.
2. **Governance** – There is a forecast overspend of £299,000 against this budget primarily as a result of a shortfall against markets' income for 2016/17 due to a temporary 50% discount extended to Wolverhampton traders.
3. **Corporate Budgets** - Overall there is a projected underspend of £944,000 against this budget. There is a forecast net underspend of £533,000 against the Treasury Management budget primarily due to a reduced forecast borrowing need in year arising as a result of re-phasing in the capital programme. In addition to this there are underspends projected against the Corporate/Transformation Budgets and Contingencies totalling £1.6 million and the Central Provision for Auto-enrolment and Pay Award Costs totalling £3.0 million. Projected redundancy costs, including the cost of pension strain,



totalling £7.0 million are included in the forecast outturn. It is anticipated that the forecast underspends against the Central Provision for Auto-enrolment and Pay Award Costs and the Corporate/Transformation Budgets and Contingencies, in addition to Capital Receipts flexibility announced by the Secretary of State, will offset the cost of redundancies.

### 3.3 Place

3.3.1 A summary of the projected outturn against the Place 2016/17 revenue budget is provided in the table below, whilst a detailed analysis is provided in Appendix C.

**Table 4 – 2016/17 Revenue Budget Projected Outturn - Place**

	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Strategic Director	471	471	-	0.00%
City Economy	7,140	7,011	(129)	-1.81%
Corporate Landlord	8,646	8,414	(232)	-2.68%
Housing	1,788	1,669	(119)	-6.66%
City Environment	23,323	23,260	(63)	-0.27%
<b>Place Total</b>	<b>41,368</b>	<b>40,825</b>	<b>(543)</b>	<b>-1.31%</b>

3.3.2 Overall a net underspend of £543,000 (-1.31%) is projected for the year. The main factors contributing towards this underspend are:

1. **City Economy** – A £129,000 underspend is forecast within this service directorate mainly due to accelerated savings achieved on cultural facilities by the Visitor Economy Service (£100,000).
2. **Corporate Landlord** - A £232,000 underspend is currently forecast mainly as a result of underspends on non-domestic rates and energy costs (£198,000), within Asset Management, forecast additional income generated for the Cleaning service totalling £131,000 and forecast additional income from former HRA shops totalling £345,000. These underspends are offset by a forecast overspend on the Capital Programme due to a change in accounting treatment of capitalised salaries (£235,000).
3. **Housing** – A £119,000 underspend is forecast within this service directorate due to savings achieved on third party contracts.

### 3.4 Education

3.4.1 A summary of the projected outturn against the Education 2016/17 revenue budget is provided in the table below, whilst a detailed analysis is provided in Appendix D.

**Table 5 – 2016/17 Revenue Budget Projected Outturn - Education**

	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Education	718	2,503	1,785	248.61%
<b>Education Total</b>	<b>718</b>	<b>2,503</b>	<b>1,785</b>	<b>248.61%</b>

3.4.2 Overall a net overspend of £1.8 million (248.61%) is projected for the year. This is largely due to a projected overspend on Special Educational Needs (SEN) Education Out of the City placements due to an increase in demand. Discussions will be held with Schools Forum around charging this to the Dedicated Schools Grant. The School Planning and Resources service is also forecasting an overspend due to increase in demand by the Special Schools home to school transport budget (£342,000). This has recently been independently reviewed and savings identified for future years.

#### 4.0 Changes to Grant Funded Expenditure

4.1 It is not always possible to reflect all grant-funded expenditure in the budget approved by Full Council prior to the start of the financial year. This is due to late notification from grant awarding bodies of grant amounts, and proactive grant applications during the year.

4.2 Approval is sought from the Panel to establish expenditure budgets within the 2016/17 approved budget as set out in the table below, and in accordance with the grant's terms and conditions. This will have no effect on the Council's net revenue budget as the expenditure is fully funded from grant.

**Table 6 – Grant Approval Sought from this Panel**

Grant Name	Description of the Activities this Grant will Fund	Awarding body	Expenditure 2016/17 £000
HeadStart Phase 3	Improving the Mental Wellbeing of Young people in the City of Wolverhampton.	Big Lottery Fund	1,300
Gen Y City - Urbact III	Specialist studies and exchange visits	ERDF via City Of Poznan	22
<b>TOTAL</b>			<b>1,322</b>

#### 5.0 Reserves and Balances

5.1 This report projects at this stage that during 2016/17, the City of Wolverhampton Council will spend in line with the approved budget for 2016/17. However, in those individual

areas where overspends are currently projected, budget managers will seek to identify and manage these during the year to ensure that services outturn at least within budget.

## **5.2 Transfers to/from Earmarked Reserves**

5.2.1 Approval is sought from this meeting for a number of transfers to/from earmarked reserves, as set out in the following paragraphs. In the event that the use of capital receipts replaces previously approved specific reserve drawdowns as a result of the new capital receipts flexibilities announced by central government, an update will be provided to Cabinet and Council.

### **5.2.2 Transformation Reserve**

Approval is sought from this meeting for the use of £100,000 from the Transformation Reserve, as shown below, to fund one-off expenditure:

1. To undertake a business review of the Towers Outdoor Education Centre on options to secure a reduction in the level of council subsidy (£20,000);
2. To support members of the re-launched Equality Diversity Forum (£20,000) and
3. To fund consultancy support to develop trading structures and standard contract templates within Commercial Services (£60,000).

### **5.2.3 Efficiency Reserve**

Approval is sought from this meeting for the use £2.633 million from the Efficiency Reserve, as shown below, to fund one-off expenditure:

1. To appoint additional resources to undertake Education, Health and Care Plans for high needs learners attending Wolverhampton City College (£310,000);
2. To facilitate the transformation of the Waste & Recycling Service and meet additional costs associated with project management, customer service demands and public consultation (£1.5 million);
3. To fund essential works for Priority Works Packages for Corporate Landlord (£500,000);
4. To fund feasibility work for the Education service on potential changes to the school estate to address pressures on school places (£200,000);
5. For the appointment of a SEN Inclusion Manager by Education (£104,000) and
6. To purchase of Post 16 Advanced Level Performance System Data by Education (£19,000).

### **5.2.4 Highways Management Reserve**

Approval is sought from this meeting for transferring £500,000 surplus generated through Bus Lane enforcement into the Highways Management Reserve.

### **5.2.5 Future Works Reserve**

Approval is sought from this meeting for the use of £500,000 from the Future Works Reserve to fund the Milestone 6 Agresso upgrade.

### **5.2.6 Job Evaluation Reserve**

Approval is sought from this meeting for the use of £50,000 from the Job Evaluation Reserve to meet the cost of back pay for lunchtime supervisory assistants.

## **6.0 General Fund Budget Monitoring – Risk Management**

6.1 The overall level of risk associated with the budget 2016/17 is assessed as Amber, it is important to note, however, that the Council has significant budget reductions to deliver and income to achieve. The six main areas of risk are summarised in the table at Appendix E.

## **7.0 Revenue Budget Monitoring – Schools’ Budgets**

- 7.1 Schools received budget settlements for 2016/17 on the 26 February 2016. For 2016/17 the overall schools budget as funded by the Dedicated Schools Grant (DSG) was again protected at “cash flat per pupil”, meaning that every local authority has received the same per pupil amount as it did in 2015/16. The initial DSG allocation for 2016/17 was announced at £208.8 million; a comparative increase of £4.7 million over the previous financial year. This increase is largely due to an increase in the pupil population in the city. In spite of this, increases in demand for out of city Special Educational Needs (SEN) provision meant that an additional £475,000 was required for 2016/17 to meet the minimum funding guarantee provision. This will be recovered from DSG in 2017/18.
- 7.2 In March 2016 the government commenced consultation on the proposal that from 2017/18 local authorities would be funded on the basis of new national funding formula that sought to bring more equitable funding rates for authorities across the country. On 21 July the new education secretary announced that there would be a one year delay in the implementation of these plans. The announcement proposed that some elements of the Education Services Grant (ESG) would be rolled into the DSG from 2017/18 and that some formula factors would be disallowed going forward. These proposals will be implemented from 2017/18.
- 7.3 In preparation for the introduction of the national formula the local authority consulted with schools on a number of proposals in an attempt to closer align the local funding formula to the expected national formula. The main change will be the introduction of a new factor to allocate funding for pupils with English as an additional language.
- 7.4 On 11 August the Department for Education (DfE) published a consultation on an early years national funding formula and changes to the way the 3 and 4 year old free entitlements to childcare are funded. The consultation built on the government’s commitment in the 2015 Autumn Statement to invest over £1 billion more per year in childcare by 2019/20. The main proposals of the consultation were around:

- a) Funding rates to local authorities would increase by 7%;
- b) Additional funding would be made available for disabled children to access provision;
- c) Local authorities would need to move to offer a universal rate to all providers and
- d) Maintained nursery would see some protection for 2 years before being funded on a universal rate.

Final decisions on the early years funding formula and local authority requirements are expected later in the autumn term. Announcements regarding the DSG settlement for 2017/18 will be made in December.

- 7.5 Maintained schools are required to submit budget plans detailing their expected income and planned spending levels at two points in the year 31st May and 31st October. Returns submitted on 31st May estimated that overall balances would reduce by £7.2 million to £5.7 million as shown on the table below. The forecasts included with the plans submitted in October will be reported as part of the quarter 3 monitoring.

**Table 6 – Projected Movement on Schools’ Balances 2016/17**

Sector	Balances as at 31 March 2016 £m	Use of Balances in 2016/17 £m	Balances as at 31 March 2017 £m
Secondary	(0.2)	3.0	(0.2)
Primary	(7.5)	3.8	(3.7)
Junior	(0.6)	0.3	(0.3)
Infant	(0.5)	0.2	(0.3)
Nursery	(1.4)	1.0	(0.4)
Special	(1.4)	0.6	(0.8)
Pupil Referral Units	(1.3)	1.3	-
<b>Total</b>	<b>(12.9)</b>	<b>7.2</b>	<b>(5.7)</b>

## 7.6 Schools with Surplus Balances

- 7.6.1 At the end of 2015/16 schools maintained at the end of 2015/16 ended with balances of £12.9 million, 41 schools were identified as having balances above recognised thresholds of (5% secondary schools and 8% primary, special and nursery schools). School are required to submit surplus balance returns to the Authority stating their plans for the use of resources. A desk top review of plans has been completed and 11 schools have been identified as meriting further review as balances have remained at high levels for a number of years. These schools will be visited during November and December and where it is considered necessary schools will be taken through an arbitration process to consider the recovery of some proportion of balances.
- 7.6.2 During July 2016 eight schools that ended 2014/15 with surplus balances were taken through an arbitration process with a panel consisting of Head teachers, governors and

local authority officers. From the process the panel recommended the recovery of £85,000 from Penn Hall Special School as it was considered that the school did not have a clear plan for the use of resources going forward. Schools Forum approved the recommendations of the arbitration panel on 20th October 2016. Cabinet (Resources) Panel is asked to endorse the decision of the local authority and Schools Forum. The Authority will be identifying school improvement priorities for the use of these resources and taking proposals back to the Forum in the new year.

## 7.7 Schools in a deficit balance position.

7.7.1 The Local Authority is working with 6 schools with deficit balances that have, or will be required to submit, a licensed deficit approval. Cabinet (Resources) Panel is requested to delegate approval for approval of licensed deficits to the Cabinet Member for Education in consultation with the Director of Education and Director of Finance.

### 1. Schools with approved licensed deficits:

- a) **Colton Hills** - At the end of 2015/16 the school had a balance of £266,223. The school has an approval to operate with a licensed deficit until March 2018. The school has reported that it is still in line to recover the deficit in the approved timescales.
- b) **Coppice** - At the end of 2015/16 the school had a deficit balance of £98,151. The school is forecasting a return to a surplus balance position at the end of 2017/18. The current deficit approval expires at the end of March 2017 the school will submit a request for an extension during the autumn term. The school are disputing an invoice of £129,000 raised by the local authority in respect of facilities management. This resolution of this issue will need to be reflected in the deficit extension.
- c) **Woodfield Junior** - The school ended 2015/16 with a deficit of £109,000 this is set against a planned deficit of £56,000 as per the licensed deficit approval. Changes in senior leadership at the school have made it difficult to get an updated position on the schools plans to recover the deficit. The school has been issued with a notice of concern as it is expected to be directed to convert to an academy. Further work will be undertaken with the school during the second half of the autumn term.

### 2. Schools that will require a licensed deficit approval:

- d) **St Matthias** - The school had a balance of £127,000 at the end of 2015/16 and is forecasting a deficit of £618,000 at the end of 2016/17. The school has submitted a licensed deficit application but the authority has had discussions around assumptions in the recovery plan. The local authority has been in discussions with the school regarding income assumption. The

school is to provide additional information to support a licensed deficit application in the second half of the autumn term.

- e) **Woodthorne** - At the end of 2015/16 the school had a deficit balance of £22,800 and is forecasting a deficit of £124,400 at the end of 2016/17. The school has experienced funding reductions in recent years as pupil numbers have fallen. A licensed deficit has been submitted and will be considered for approval in the autumn term.
- f) **Hill Avenue** - At the end of 2015/16 the school had a deficit balance of £106,900 and is forecasting a deficit of £69,000 at the point of conversion to academy status, now scheduled for 1 December 2016.

## 8.0 Debt Write Offs

- 8.1 Debts are only written off as a last resort, when all feasible recovery action has been exhausted. If the situation surrounding an individual case changes in the future, steps would be taken to pursue the debt, despite the debt having been written off.
- 8.2 **Sundry Debtors** - Income is due to the Council for a wide range of services provided to individuals and businesses. To reflect the fact that, despite the Council's best efforts, not all of this income will actually be collected, the Council makes provision for bad and doubtful debts, which it charges directly to the General Fund.
- 8.3 Overall, 156 debt write offs totalling £138,050.52 have been incurred since the last budget monitoring report was submitted to the Panel. All but seven valued at £74,469.36 in total, which require the approval of this Panel (see Appendix F), have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
- 8.4 **The Collection Fund** - The City of Wolverhampton Council acts as billing and collecting authority for council tax and non-domestic rates income. The Council administers a separate Collection Fund account for this purpose. The Collection Fund accounts for the receipt of council tax and business rates (non-domestic rates) income and payments to precepting authorities such as the Fire Authority and the Police. Within this account, provisions are made for bad and doubtful debts and any write offs are charged to the council tax or business rates provision as appropriate.
  - 8.4.1 **Council Tax** - Overall, 292 debt write offs totalling £94,335.99 have been incurred. All have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
  - 8.4.2 **Non-Domestic Rates** - Overall, 27 debt write offs totalling £108,642.70 have been incurred. All have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
- 8.5 **Housing Benefits** - Housing benefit overpayments occur when rent rebate or rent allowance awards exceed a recalculated entitlement. Whilst the Council aims to limit the

incidence of overpayments they may occur for a number of reasons including as a result of fraud or error. In general, overpaid benefit is written off in line with Government guidance where recovery would cause hardship, where the debtor has died or cannot be traced.

- 8.6 The Council receives Government subsidy in respect of overpaid housing benefit at rates of between 40% and 100% according to the circumstances in which the overpayment arose. The unsubsidised element of any overpayment is charged to the General Fund.
- 8.7 Overall 47 write offs totalling £6,881.50 have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.

## 9.0 Housing Revenue Budget Monitoring

- 9.1 The table below shows the latest forecast revenue outturn against budget for the Housing Revenue Account (HRA). The forecast outturn position for the year is a surplus of £18.4 million, compared to a budgeted surplus of £15.3 million. The projected additional surplus of £3.1 million will be used to redeem debt to comply with the Council's approved HRA Business Plan.

**Table 7 – Housing Revenue Account Projected Outturn 2016/17**

	Budget	Projected Outturn	Projected Variation
	£000	£000	£000
Total income	(98,674)	(99,372)	(699)
Total expenditure	70,095	70,025	(70)
Net cost of HRA services	(28,579)	(29,347)	(768)
Interest payments etc.	13,273	10,939	(2,334)
(Surplus)/deficit before transfers to/from reserves and provision for redemption of debt	(15,306)	(18,408)	(3,102)
<i>Allocation of (surplus)/deficit</i>			
Provision for redemption of debt	15,306	18,408	3,102
<b>Balance for the year</b>	-	-	-

- 9.2 The main forecast variance is due to a forecast underspend of £2.3 million on interest payable. This is primarily due to reprofiling on the HRA capital programme and a review of the interest split between the General Fund and HRA, resulting in a reduced proportion to the HRA. In addition, rental income from dwellings is forecast to be slightly higher (0.8%) than budgeted.
- 9.3 This budget reflects virements which require formal approval. The income budget for service charges has been increased by £519,000 to reflect the fact that the privately rented garages would not be transferring to the General Fund as referred to in previous budget monitoring reports. A second virement of £245,000 has been made to correct the service charges income relating to district heating.



## **10.0 Financial Implications**

- 10.1 The financial implications are discussed in the body of the report.  
[MH/22112016/D]

## **11.0 Legal Implications**

- 11.1 Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs. It is a legal requirement under s25 of the Local Government Act 2003 to set a balanced budget and monitor the financial position throughout the year.  
[TS/22112016/E]

## **12.0 Equality Implications**

- 12.1 This report provides details of the projected outturn for 2016/17. The necessary equalities analyses were carried out as part of the preparations for setting the 2016/17 budgets, and will similarly form part of the requisite pre-work for 2017/18.

## **13.0 Environmental Implications**

- 13.1 A range of services focused upon the Council's environmental policies is supported through revenue budgets reviewed in this report. Changes in levels of funding will be considered as such changes are proposed.

## **14.0 Background Papers**

Draft Budget and Medium Term Financial Strategy 2017/18 – 2019/20, report to Cabinet, 19 October 2016.

Budget 2016/17 and Medium Term Financial Strategy 2016/17 to 2019/20, report to Full Council, 2 March 2016.

Revenue Budget Monitoring – People

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Strategic Director People</b>					
Strategic Director	231	318	87	1	
Safeguarding	2,004	2,193	189	43	An overspend is forecast mainly due to the appointment of additional Independent Review Officers within Children's Safeguarding.
<b>Sub Total Strategic Director People</b>	<b>2,235</b>	<b>2,511</b>	<b>276</b>	<b>44</b>	
<b>Older People</b>					
Service Director	264	165	(99)	-	An underspend is forecast due to the early achievement of a 2017/18 budget reduction target.
Business support	31	31	-	-	
Carers Support	1,399	1,350	(49)	-	
Independent Living Service, Telecare & Adaptations	2,681	2,527	(154)	(46)	Projecting an underspend primarily as a result of staffing restructure and efficiencies on the equipment budget.
Older People Assessment & Care Management	15,528	17,066	1,538	1,129	An overspend is forecast as a result of budget pressures across care purchasing due to increasing demand for support.
Older People Provider Management	4,273	4,290	17	46	
Welfare Rights & Financial Assessment	1,560	1,489	(71)	-	
Housing	993	988	(5)	-	
Community Recreation	243	267	24	(138)	
Quality Assurance and Policies	234	180	(54)	-	
<b>Sub Total Older People</b>	<b>27,206</b>	<b>28,353</b>	<b>1,147</b>	<b>991</b>	

### Revenue Budget Monitoring – People

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Disability &amp; Mental Health</b>					
Service Director	177	232	55	-	
Better Care Fund	-	-	-	-	
Children's Disabilities Commissioning	75	72	(3)	(4)	
Disabilities In-House Provision	4,630	4,992	362	370	An overspend is forecast as a result of cost pressures relating to slippage on budget reduction target across In-house provision.
Emergency Duty Team	456	538	82	91	
Mental Health Assessment & Care Management	4,508	4,693	185	121	An overspend is forecast as a result of budget pressures across care purchasing due to increase demand.
Mental Health Commissioning	867	863	(4)	(3)	
Short Breaks	404	476	72	4	
Children With Disabilities	2,363	2,287	(76)	(55)	
Learning Disabilities Assessment & Care Management	17,656	17,631	(25)	147	
Physical Disabilities Assessment & Care Management	5,276	4,627	(649)	(382)	An underspend is forecast mainly due to the early achievement of budget reduction targets across care purchasing budgets.
All Age Disability & Joint Commissioning Young Adults	2,250	2,127	(123)	(82)	An underspend is forecast on staffing budgets as a result of staff vacancies.
<b>Sub Total Disability &amp; Mental Health</b>	<b>38,661</b>	<b>38,538</b>	<b>(123)</b>	<b>207</b>	

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Children &amp; Young People</b>					
Service Director	(236)	(218)	18	(9)	
Early Years	496	546	50	-	
Early Intervention	4,187	3,795	(392)	(200)	An underspend is forecast as a result of one-off savings on staffing due to delays in recruitment following the Children's Re-Design Restructure implementation.
Child Protection	6,509	6,641	132	(190)	An overspend is forecast as a result of budget pressures due to increased Section 17 expenditure of £305,000 and client transport of £29,000, which is off-set in partly by efficiencies on the Contact contract.
Children Commissioning	1,966	1,760	(206)	-	An underspend as a result of savings due to staff vacancies projected at £98,000 along with efficiencies against contracts of £138,000.
Specialist Support	2,740	2,224	(516)	-	An underspend is forecast as a result of one off savings across the service following the Children's Service Re-Design including £193,000 on staffing, £104,000 on general expenditure and £200,000 against therapeutic commissioned services.

This report is PUBLIC  
[NOT PROTECTIVELY MARKED]

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
Looked-After Children	29,181	28,549	(632)	(1,567)	An underspend is projected due to the early achievement of a budget reduction target for LAC of £1.8 million and one off savings against staffing of £538,000. However, these are offset by adoption/residence order allowances and inter-agency payments which have a forecast budget pressure of £1.6 million. There is also Budget pressure against expenditure on Youth Justice Board Remand/Secure of £123,000.
Psychology	682	551	(131)	-	An underspend is forecast as a result of efficiencies due to income generation.
Youth Offenders Team	1,255	1,062	(193)	-	An underspend is forecast as a result of one off efficiencies due to staff vacancies of £186,000.
<b>Sub Total Children &amp; Young People</b>	<b>46,780</b>	<b>44,910</b>	<b>(1,870)</b>	<b>(1,966)</b>	

Revenue Budget Monitoring - People

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Public Health &amp; Wellbeing</b>	-	-	-	-	
Public Health - Service Director	-	-	-	-	
Public Health - Support Costs	-	-	-	-	
Public Health - Healthier Places	-	-	-	-	
Sport & Leisure Trust	-	-	-	-	
Public Health - Commissioning	-	-	-	-	
Public Health - Contracts	-	-	-	-	
Public Health - Health Protection & NHS Facing	-	-	-	-	
Public Health - Intelligence & Evidence	-	-	-	-	
Public Health - Sports Development	-	-	-	-	
Public Health - Transformation	-	-	-	-	
Business Continuity & Emergency Planning	-	-	-	-	
Community Safety	-	-	-	-	
<b>Sub Total Public Health &amp; Wellbeing</b>	-	-	-	-	
<b>Total People Directorate</b>	<b>114,882</b>	<b>114,312</b>	<b>(570)</b>	<b>(724)</b>	

**APPENDIX B**

**Revenue Budget Monitoring – Corporate**

<b>Service</b>	<b>2016/17 Controllable Budget £000</b>	<b>2016/17 Forecast Outturn £000</b>	<b>2016/17 Forecast Variance Q2 £000</b>	<b>2016/17 Forecast Variance Q1 £000</b>	<b>Reason for Variation</b>
<b>Managing Director</b>	<b>1,378</b>	<b>1,174</b>	<b>(204)</b>	<b>(118)</b>	An underspend is forecast due vacancies held across the service.
<b>Corporate Services</b>					
Director of Finance	176	176	-	-	
Audit Services	1,936	1,737	(199)	-	An underspend is forecast due vacancies held across the service.
Corporate Financial Management	4,245	3,582	(663)	(69)	Managed underspend to offset forecast overspends within the Directorate.
Corporate Management	854	991	137	-	An overspend is forecast as there has been an increase in bank charges associated with a shift to card payments and payments made online or over the telephone.
Revenues and Benefits	2,582	2,604	22	-	
Housing Benefits Payments	(452)	(447)	5	-	
Strategic Finance	2,514	2,514	-	-	
The Hub	1,689	1,908	219	-	An overspend is forecast primarily as a result of a reduction in income from schools. The overspend will be managed within the directorate.
Commercial Services	608	985	377	-	The forecast overspend within this service has arisen as a result of additional resources required to improve contract efficiency and commercialisation. Contract efficiencies will be obtained across the Council.
Communications and Marketing	1,874	1,691	(183)	-	An underspend is forecast due vacancies held across the service.

Revenue Budget Monitoring – Corporate

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
Customer Services	1,932	2,233	301	-	The forecast variance is as a result of slower delivery of savings to maintain service levels during an extensive programme of technological improvements. It is important to note that the total savings for 2016/17 are projected to be £500,000.
ICTS	4,528	4,543	15	(43)	
Organisational Development	81	81	-	-	
Leisure	1,390	1,390	-	8	
<b>Sub Total - Corporate Services</b>	<b>23,955</b>	<b>23,988</b>	<b>33</b>	<b>(104)</b>	



Revenue Budget Monitoring – Corporate

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Governance</b>					
Director of Governance	158	168	10	-	
Democratic Services	2,544	2,567	23	-	
HR Advice	3,003	3,008	5	-	
Legal Services	2,177	2,218	41	-	
Markets	(856)	(730)	126	138	A forecast decrease in Income levels, partly due to temporary charging arrangements extended to Wolverhampton traders.
Licensing	(448)	(448)	-	-	Recharges to be calculated at year end.
Other Governance Services	534	628	94	-	
<b>Sub Total - Governance</b>	<b>7,112</b>	<b>7,411</b>	<b>299</b>	<b>138</b>	

Revenue Budget Monitoring – Corporate

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Corporate Budgets</b>					
West Midlands Transport Authority Levy	11,380	11,380	-	-	
Environment Agency Levy	67	67	-	-	
Provision for Bad Debts	200	200	-	-	
Treasury Management Budgets	14,647	14,114	(533)	(886)	This underspend is mainly due to reduced forecast borrowing need in year arising as a result of reprofiling in the capital programme.
Contribution from the Budget Contingency Reserve with regards to BSF Re-financing	(4,200)	(4,200)	-	-	
Birmingham Airport - Rent	(69)	(69)	-	-	
Central Provision for Auto-enrolment and Pay Award Costs	4,593	1,576	(3,017)	(2,750)	A underspend is forecast against the central provision for auto enrolment and pay award costs. It is anticipated that this contingency will not be required in full in this year, however, budget provision is needed in future years. The underspend against this budget will help to offset the cost of redundancy for this year.
Cross-cutting Savings Proposals	(1,286)	(1,286)	-	-	Cross cutting budget reductions held corporately to be distributed during the year in accordance with existing delegations in the Constitution.
Other Corporate /Transformation Budgets and Contingencies	2,605	962	(1,643)	7	It is anticipated that this contingency will not be required in full in this year. The underspend against this budget will help to offset the cost of redundancy for this year.

Revenue Budget Monitoring – Corporate

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
Gross Redundancy Costs	-	7,000	7,000	3,000	Projected redundancy payments during 2016/17, the costs of which may vary significantly during the year, depending on the profile of employees who take redundancy.
Capital Receipts Flexibility – Redundancy Costs	-	(2,751)	(2,751)	-	In December 2015, the Secretary of State announced that from 1 April 2016 capital receipts may be used for revenue transformational projects. It is currently anticipated that capital receipts totalling £2.7 million will be used to offset reorganisation costs.
<b>Sub Total Corporate Budgets</b>	<b>27,937</b>	<b>26,993</b>	<b>(944)</b>	<b>(629)</b>	
<b>Total Corporate</b>	<b>60,382</b>	<b>59,566</b>	<b>(816)</b>	<b>(713)</b>	

Revenue Budget Monitoring – Place

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Strategic Director Place</b>	<b>471</b>	<b>471</b>	<b>-</b>	<b>-</b>	
<b>City Economy</b>					
Service Director - City Economy	136	136	-	-	
Adult Education	(145)	(145)	-	-	
City Development	549	555	6	-	
Enterprise	691	699	8	-	
Library Services	1,339	1,319	(20)	11	
Planning	833	817	(16)	-	
Skills	2,208	2,201	(7)	-	
Visitor Economy	1,529	1,429	(100)	-	An underspend is projected through accelerated savings on cultural facilities.
<b>Sub Total City Economy</b>	<b>7,140</b>	<b>7,011</b>	<b>(129)</b>	<b>11</b>	
<b>Corporate Landlord</b>					
Head of Corporate Landlord	283	283	-	-	
Asset Management	8,403	8,205	(198)	(153)	An underspend if forecast due to additional savings on NNDR & energy.
Capital programme	(195)	40	235	23	An overspend is forecast due to change in accounting treatment of capitalised salaries.
Catering	(1,573)	(1,537)	36	120	
Cleaning	995	864	(131)	(120)	An underspend is projected as a result of additional income generated.

Revenue Budget Monitoring – Place

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
Corporate Landlord Support	489	489	-	-	
Estates and Valuations	(2,663)	(3,008)	(345)	(86)	Additional income is forecast from former HRA shops.
Facilities Management	995	1,079	84	-	
Maintenance Programme	1,912	1,999	87	-	An overspend is forecast on essential repairs and maintenance.
<b>Sub Total Corporate Landlord</b>	<b>8,646</b>	<b>8,414</b>	<b>(232)</b>	<b>(216)</b>	

Revenue Budget Monitoring – Place

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Strategic Director Housing</b>					
Housing	1,788	1,669	(119)	7	An underspend is projected as a result of a saving achieved on third party contracts.
<b>Strategic Director Housing</b>	<b>1,788</b>	<b>1,669</b>	<b>(119)</b>	<b>7</b>	
<b>City Environment</b>					
Service Director - City Environment	124	123	(1)	-	
Bereavement Services	(2,448)	(2,497)	(49)	-	
Environmental Maintenance	6,974	6,979	5	-	
Fleet Services	(836)	(805)	31	-	
Highways Maintenance	1,981	2,180	199	-	An overspend is forecast due to anticipated budget pressure as a consequence of non-capitalisation of employee time in relation to footways works due to transport capital programme priorities.
Landscape	(24)	22	46	-	
Operational Maintenance of Existing Network	727	727	-	-	
Parking Services	(2,023)	(2,721)	(698)	(800)	Increased car parking and bus lane enforcement income offset by additional costs.
Public Protection	2,085	1,974	(111)	-	An underspend is projected as a result of underspend on salaries and a contribution from Public Health.
Street Lighting	2,795	2,793	(2)	-	

Revenue Budget Monitoring – Place

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance Q2 £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
Transportation	658	492	(166)	-	An underspend is forecast as a result of reduced employee and computer hardware expenditure.
Waste & Recycling Services	13,310	13,993	683	780	Overspend forecast as a result of additional vehicle costs, and deferred savings being offset by reduced disposal costs in regards to diverted waste.
<b>Sub Total City Environment</b>	<b>23,323</b>	<b>23,260</b>	<b>(63)</b>	<b>(20)</b>	
<b>Total Place</b>	<b>41,368</b>	<b>40,825</b>	<b>(543)</b>	<b>(218)</b>	

Revenue Budget Monitoring – Education

Service	2016/17 Controllable Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance £000	2016/17 Forecast Variance Q1 £000	Reason for Variation
<b>Education</b>					
Director of Education	134	214	80	20	
Schools	(3,644)	(3,644)	-	-	
Standards and Vulnerable Pupils	741	2,104	1,363	1,305	Special Education Needs (SEN) Education Out of City budget is forecasting to overspend due to increase in demand. Discussions will be held with Schools Forum around charging to DSG.
School Planning & Resources	3,487	3,829	342	330	An overspend is forecast due to special schools home to school transport service. Recent Service review has identified savings not deliverable in current year.
<b>Total Education</b>	<b>718</b>	<b>2,503</b>	<b>1,785</b>	<b>1,655</b>	



**APPENDIX E**

**General Fund Budget Risks 2016/17**

<b>Risk</b>	<b>Description</b>	<b>Level of Risk</b>
Medium Term Forecasting	Risks that might materialise as a result of the impact of non-pay inflation and pay awards, uptake of pension auto enrolment, Equal Pay.	Amber
Budget Management	Risks that might materialise as a result of loss of key personnel or loss of ICTS facilities	Green
Transformation Programme	Risks that might materialise as a result of not identifying budget reductions, not delivering the reductions incorporated into the budget and not having sufficient sums available to fund the upfront and one-off costs associated with delivering budget reductions and downsizing the workforce.	Amber
Income and Funding	Risks that might materialise as a result of income being below budgeted levels, claw back, reduction to government grant or increased levels of bad debts.  The risk of successful appeals against business rates.	Amber
Service Demands	Risks that might materialise as a result of demands for services outstretching the available resources.	Amber
Third Parties	Risks that might materialise as a result of third parties and suppliers ceasing trading or withdrawing from the market.	Amber
Government Policy	Risks that might materialise as a result of changes to Government policy including changes in VAT and personal taxation rules and, in particular, from the Care Bill.	Red

**APPENDIX F**

**General Fund Sundry Debt Write offs to be approved by Cabinet (Resources) Panel**

<b>Account Ref.</b>	<b>Reason for Write-Off</b>	<b>Write off Amount £</b>
<b>Sundry Debtors</b>		
16008909	Deceased	8,644.55
16009061	Deceased	12,029.71
16004018	Statute Bared	8,568.33
16016107	Statute Bared	15,279.37
16019750	Unable to Trace	5,594.64
16001345	Unable to Trace	17,479.84
16002229	Unable to Trace	6,872.92
	<b>Total</b>	<b>74,469.36</b>

**APPENDIX G**

**General Fund Budget Virements**

From		To		£000	Reason for Virements
Directorate	Service	Directorate	Service		
People	Service Director Older People	People	Strategic Director People	38	To fund an additional post in the new Adult MASH. Budget transfer from non-staffing budget to staffing budget.
People	Service Director Older People	People	Mental Health Assessment & Care Management	15	To fund PA post as part of restructure. Budget transfer from non-staffing budget to staffing budget.
People	Safeguarding	People	Strategic Director People	58	To fund posts moved to create new Adult MASH.
People	Physical Disability Assessment	People	Strategic Director People	88	To fund posts moved to create new Adult MASH.
People	Mental Health Assessment & Care Management	People	Strategic Director People	51	To fund posts moved to create new Adult MASH.
People	Older People Assessment & Care Management	People	Strategic Director People	96	To fund posts moved to create new Adult MASH.
People	Carer Support	People	Independent Living Service	107	To transfer budget for Telecare Responder service in line with revised management responsibilities.
Corporate	Customer Service	Corporate	Corporate Communications	83	Transfer of post between services
Corporate	Customer Service	Corporate	Revenues and Benefits	263	Transfer of posts to support Customer Services Transformation
Corporate	Standards & Vulnerable Pupils	Corporate	Corporate Communications	159	Transfer of Research & Assessment Team to Insight & Performance (inclusive of non-controllable budgets).
Corporate	School Planning & Resources	Corporate	Corporate Communications	340	Transfer of ONE Team to Insight & Performance
Corporate	Corporate Business Support	Corporate	ICTS	67	Transfer of post between services
Corporate	Corporate Budgets	Corporate	Schools	1044	Correction of DSG budget
People	Strategic Director People	Corporate	ICTS	58	Transfer of post between services
Place	Strategic Director People	Corporate	ICTS	58	Transfer of post between services
Place	Enterprise	Place	Skills	67	City Economy restructure, non-staffing to staffing
HRA	HRA	HRA	HRA	519	Increase in voluntary MRP due to increased garage income
HRA	HRA	HRA	HRA	245	Correction of service charge income relating to district heating
			<b>Total</b>	<b>3,356</b>	

APPENDIX H

Housing Revenue Account Budget Monitoring

	2016/17 Budget £000	2016/17 Forecast Outturn £000	2016/17 Forecast Variance £000
<b>Income</b>			
Gross rents – dwellings	(92,389)	(93,077)	(688)
Gross rents – non dwellings	(860)	(870)	(10)
Charges to tenants for services and facilities	(5,425)	(5,425)	-
<b>Total income</b>	<b>(98,674)</b>	<b>(99,372)</b>	<b>(699)</b>
<b>Expenditure</b>			
Repairs and maintenance	26,565	26,115	11
Supervision and management	18,674	19,054	(81)
Rents, rates and taxes	435	435	-
Increase in provision for bad debts	2,250	2,250	-
Depreciation of fixed assets	22,171	22,171	-
<b>Total expenditure</b>	<b>70,095</b>	<b>70,025</b>	<b>(70)</b>
<b>Net cost of HRA services</b>	<b>(28,579)</b>	<b>(29,347)</b>	<b>(768)</b>
Interest payable	13,597	11,263	(2,334)
Interest and investment income	(37)	(37)	-
Adjustment for premiums and discounts	(287)	(287)	-
<b>(Surplus)/deficit before transfers to/from reserves and provision for redemption of debt</b>	<b>(15,306)</b>	<b>(18,408)</b>	<b>(3,102)</b>
<b>Allocation of (surplus)/deficit</b>			
Provision for redemption of debt	15,306	18,408	3,102
<b>Balance for the year</b>	<b>-</b>	<b>-</b>	<b>-</b>

# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Acquisition of Privately Owned Land by Agreement or Compulsory Purchase: Land Between 44 and 48 Showell Road, Bushbury	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson City Housing and Assets	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	Bushbury South and Low Hill	
<b>Accountable director</b>	Lesley Roberts, Housing	
<b>Originating service</b>	Private Sector 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>		

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

The Cabinet (Resources) Panel is recommended to:

1. Authorise the Strategic Director, City Housing to negotiate terms for the acquisition of the land, and, in default of that acquisition, give authority for a compulsory purchase order (CPO) to be made under Part II Section 17 Housing Act 1985 in respect of the land.
2. Approve expenditure for the potential acquisition of the land, with subsequent capital receipts being recycled within this programme.
3. In the event that the land is developed to the satisfaction of the Strategic Director, City Housing, authorise withdrawal of the land from the Order.

4. Following any acquisition, authorise the Strategic Director, City Housing to dispose of the land on the open market on condition that planning permission is obtained within a three month period and the development is built within an appropriate period after obtaining the permission.
5. Authorise the Strategic Director, City Housing to:
  - a) 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.
  - b) 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.
  - c) Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).
  - d) Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

## **1.0 Purpose**

- 1.1 The purpose of this report is to request the Panel to authorise the acquisition of the land identified on the attached plan by negotiation or by the making of a Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985. Should it be possible to reach agreement on a mutually acceptable undertaking, agree to the withdrawal of the property from the Order.
- 1.2 This decision is in support of Wolverhampton City Council's Empty Properties Strategy 2010-2015 and the site will provide housing and remove the blight currently being caused by anti-social behaviour at the site.
- 1.3 The development of the site will bring in additional income to the City Council via the New Homes Bonus paid to Local Authorities as a result of increased housing supply.

## **2.0 Background**

- 2.1 The land is unregistered and has been the subject of continual fly-tipping dating back to 2004. The site is considered to be having a detrimental impact on the neighbourhood.
- 2.2 Acquisition/ CPO are only considered as a last resort. Since 2004, Cabinet has received 107 individual reports to acquire/ compulsory purchase empty residential properties. Of these, only 21% have needed to be submitted for confirmation by the secretary of state. The prospect of a CPO often brings about voluntary action by the owner.

## **3.0 Proposals**

- 3.1 Where it is necessary to make a Compulsory Purchase Order and this is subsequently confirmed in favour of the Council, the Council would seek to dispose of the land by tender, auction or private treaty. The land would be sold with the condition that the development is carried out within a specified time limit. This will also apply to any negotiated acquisitions.

## **4.0 Financial implications**

- 4.1 The Housing Capital Programme approved by Council on 20 July 2016 includes provision over the medium term for the Empty Property Strategy. In the event of acquisition, the costs will be met from this provision. The onward sale of properties recycles the funding, ensuring the programme can continue.
- 4.2 A Notice under Section 215 of the Town and Country Planning Act 1990 to tidy the land has been served. However, the Notice has not been complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment.
- 4.3 The development of the site will bring in additional income to the City Council via the New Homes Bonus paid to Local Authorities as a result of increased housing supply.  
[JB/21112016/O]

## **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
- 5.3 Although the site has no known owner, it will be unlikely that agreement will be reached with an owner within a reasonable timescale. It will therefore be necessary to seek a compulsory purchase order.
- 5.4 The Council recognizes that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 17 of ODPM Circular 06/2004) which justifies the overriding of private rights in the land sought to be acquired. It is considered that a compelling case exists here. [RB/17112016/E]

## **6.0 Equalities implications**

- 6.1 Equalities implications have been considered throughout the process and in assessing the outcome. An Equality Analysis has been completed and this does not indicate any adverse implications. The development of the land will improve the visual amenity of the area and can make the area more welcoming to some groups covered by the Equality Act 2010, in doing so this will promote participation in public life.

## **7.0 Environmental implications**

- 7.1 Abandoned sites can have a detrimental impact on neighbourhood sustainability and cause environmental blight. Development of the site will improve the appearance of the neighbourhood and contribute to the regeneration of the City, meeting the Council's strategic objectives.

## **8.0 Corporate landlord implications**

- 8.1 Where applicable, corporate landlord will be required to produce valuations and arrange for the appropriate disposal of the land by auction or private treaty.



## **9.0 Schedule of background papers**

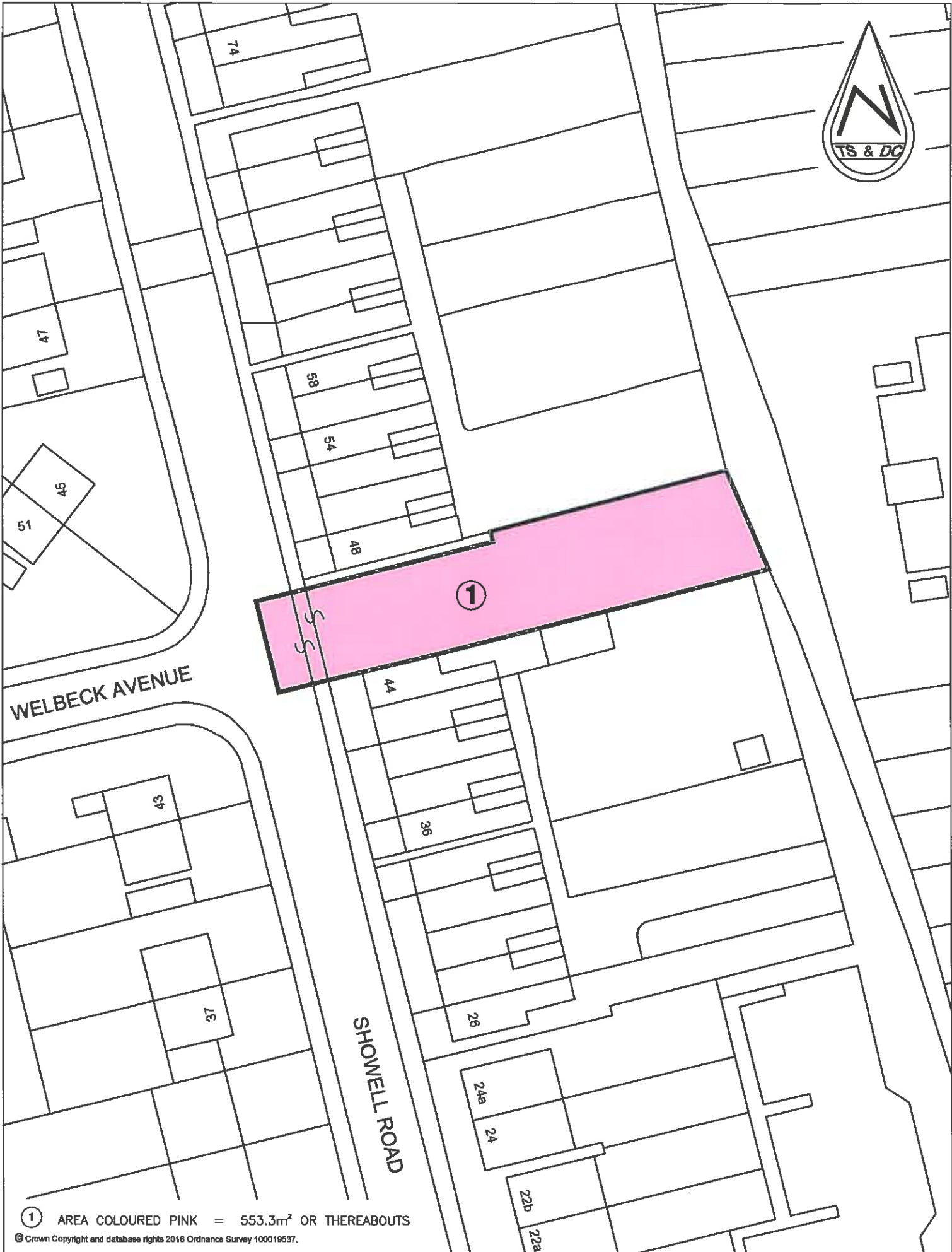
- An Action Plan to Deliver the Empty Property Strategy 11/01/06;
- Private Sector Empty Property Strategy 2010-2015;
- Wolverhampton Housing Needs Survey 2007;

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Land between 44 and 48 Showell Road, Bushbury



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① AREA COLOURED PINK = 553.3m<sup>2</sup> OR THEREABOUTS

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date	November 2016
scale	1:500
drawn by	AJP
dwg. no.	...ICPO's Showell Road 44-48.dwg

THE MAP REFERRED TO IN  
 THE WOLVERHAMPTON CITY COUNCIL  
 (Land Between 44 & 48 Showell Road)  
 COMPULSORY PURCHASE ORDER 2016

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

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# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Empty Property Strategy – Revocation of a Final Empty Dwelling Management Order - 96 Hawksford Crescent, Bushbury, Wolverhampton. WV10 9SQ	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson City Housing and Assets	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	Bushbury South and Low Hill	
<b>Accountable director</b>	Lesley Roberts, Strategic Director, City Housing	
<b>Originating service</b>	Private Sector 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>		

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

The Cabinet (Resources) Panel is recommended to:

1. Authorise the revocation of the Final Empty Dwelling Management Order currently in force at 96 Hawksford Crescent made under Section 136 of the Housing Act 2014.

## **1.0 Purpose**

- 1.1 The purpose of this report is to request that the Panel authorise employees to revoke the Final Empty Dwelling Management Order (EDMO) currently in force at 96 Hawksford Crescent made under Section 136 of the Housing Act 2004.

## **2.0 Background**

- 2.1 The property is a three bedroom semi-detached property and has remained empty since purchased by the current owner in 2001. The property was considered detrimental to the area and as the owner did not make progress to refurbish the property, an Interim EDMO was made on 17 July 2012.
- 2.2 During the Period of the Interim EDMO the owner failed to make significant progress to bring the property back into use and as the Interim EDMO can only remain in place for a period of 12 months, the decision to progress a Final EDMO was authorised by Resources Panel 21 May 2013.
- 2.3 The owner has made a number of appeals against the Final EDMO and during this period the owner has progressed refurbishment of the property. On 10 August 2016 a further inspection prior to the latest appeal hearing revealed that the refurbishment of the property is now substantially complete. The case was adjourned subject to the owner providing valid certificates for the work carried out and these certificates have now been supplied.
- 2.4 As the property is now ready for occupation, it is no longer a necessary for the Council to take management control of the property under the Final EDMO.

## **3.0 Financial implications**

- 3.1 There are no direct financial implications arising from this report.  
[JB/01112016/U]

## **4.0 Legal implications**

- 4.1 As the Order has been sealed by the Council, authorisation is required to Revoke the Order.  
[RB/31102016/J]

## **5.0 Equalities implications**

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



## **6.0 Environmental implications**

6.1 Empty properties can have a detrimental impact and cause environmental blight. The enforcement action taken has led to a long term empty property being refurbished providing much needed sustainable accommodation and has removed a potential magnet for anti-social behaviour. This has improved the appearance of the neighbourhood, enhancing property conditions and contributed to the regeneration of the City, meeting the council's strategic objectives.

## **7.1 Corporate landlord implications**

7.1 There are no Corporate Landlord implications.

## **8.0 Schedule of background papers**

25/5/13 - Empty Property Strategy – 96 Hawksford Crescent, Bushbury, Wolverhampton.  
WV10 9SQ – Proposal to Progress a Final Empty Dwelling Management Order

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# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Empty Property Strategy – 74 Rayleigh Road, Pennfields, Wolverhampton, WV3 0AP – Property Identified for Action	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson City Housing and Assets	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	Graiseley	
<b>Accountable director</b>	Lesley Roberts, Housing	
<b>Originating service</b>	Private Sector Housing	
<b>Accountable officer(s)</b>	Natalie Healy Tel Email	Housing Improvement Officer 01902 550554 natalie.healy@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>		

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

The Cabinet (Resources) Panel is recommended to:

1. Authorise Housing Improvements Officers and Corporate Landlord to enter into formal negotiations to acquire the property 74 Rayleigh Road, Pennfields by agreement.
2. Approve in principle, the use of compulsory purchase action if required.
3. Declare the property surplus to council requirements and dispose of the property on the open market via Auction on condition that the property is refurbished and re-occupied within six or 12 months dependent of the scope of works.

### Recommendations for noting

The Cabinet (Resources) Panel is asked to note:

1. The property identified for action (74 Rayleigh Road) under the Empty Property Strategy.

## **1.0 Purpose**

- 1.1 The purpose of this report is to request the Panel authorises Council employees to commence formal negotiations with the owner of 74 Rayleigh Road with a view to acquiring the property by agreement.
- 1.2 This decision is in support of City of Wolverhampton Council's Empty Property Strategy.

## **2.0 Background**

- 2.1 The property, highlighted on the attached map is a three bedroom terraced property that has been empty for a considerable period. Complaints regarding the condition of the property were first received in 2006 and to date the owner has failed to resolve the on-going situation and bring the property back into use.
- 2.2 The council's empty property team served a Section 215 Notice under the Town and Country Planning Act 1990 on the property, in order to remove the visual detriment the property and land has on the area. Some work to the property and land was carried out; however, the Notice has not been fully complied with.
- 2.3 As informal negotiations and Notices served have not brought about a solution, it is now considered necessary to take further action under the Empty Properties Strategy.

## **3.0 Proposals**

- 3.1 The recommended course of action is to work with corporate landlord to open formal negotiations with the owner in order to bring the property back into residential use.
- 3.2 It is hoped that the offer to acquire, supported by the possibility of compulsory purchase action will achieve an early resolution.

## **4.1 Financial implications**

- 4.1 The approved housing capital programme includes provision over the medium term for the Empty property strategy with a capital allocation in 2015/16 of £550,000. In the event of negotiated acquisition, the costs will be met from this provision initially. Properties acquired under the empty property strategy are then sold on in order to recoup costs as far as possible.
- 4.2 There are no exceptional circumstances in the case of 74 Rayleigh Road, Wolverhampton. A Notice under Section 215 of the Town and Country Planning Act 1990 to tidy the buildings and land has not been fully complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment should the Order be confirmed.
- 4.3 Any financial implications arising from the negotiations or the necessity to progress a Compulsory Purchase Order will be the subject of a further report to this Panel.  
[JB/22112016/Y]

## **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.  
[RB/22112016/C]

## **6.0 Equalities implications**

- 6.1 This report has been developed in line with council's overall strategic approach in this area which itself was subject to an equality analysis. Equalities implications for this property have been considered in the light of the strategy throughout the process and in assessing the outcome. An Equality Analysis has been completed and this does not indicate any adverse implications. Bringing an empty property back into use will improve the visual amenity of the area and can make the area more welcoming to some groups covered by the Equality Act 2010, in doing so this will promote participation in public life. Sale of the property will also make available funds to the council and will be used to provide services to people in housing need.

## **7.0 Environmental implications**

- 7.1 Long term empty properties can have a detrimental impact on neighbourhood sustainability and cause environmental blight. Bringing the property back into residential use will improve the appearance of the neighbourhood, enhance property conditions and contribute to the regeneration of the City, meeting the Council's strategic objectives.

## **8.0 Human resources implications**

- 8.1 There no human resources implications arising from this report.

## **9.1 Corporate landlord implications**

- 9.1 Where applicable, corporate landlord will work with housing to negotiate and agree a valuation with the owner. Should the property be acquired by agreement corporate landlord will arrange for the disposal of the property by auction.

## **10.0 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.







# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Empty Property Strategy – Compulsory Purchase of 42 Lawrence Avenue, Perry Hall, Wolverhampton, WV11 3PE	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson City Housing and Assets	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	Wednesfield South	
<b>Accountable director</b>	Lesley Roberts, Strategic Director, City Housing	
<b>Originating service</b>	Private Sector 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>		

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

The Cabinet (Resources) Panel is recommended to:

- i) Approve the making of the following Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985:  
  
The City of Wolverhampton council (42 Lawrence Avenue, Perry Hall, Wolverhampton, WV11 3PE) Compulsory Purchase Order 2016.
- ii) Authorise the Strategic Director, City Housing on behalf of the council to:
  - a) 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.

- b) Acquire interests in the land within the Order either compulsorily or by agreement before or after making the Order.
- 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 to the making of a General Vesting Declaration.
- e) Following any acquisition, authorise the Strategic Director, City Housing to declare the property surplus and dispose of the property on the open market on condition that the property is refurbished and re-occupied within 6 or 12 months (as appropriate to the scale of the works).
- f) Approve the disposal of the property by auction, tender or private treaty.
- g) Declare the property surplus to council requirements and dispose of the property on the open market via auction on condition that the property is refurbished and re-occupied within 6 or 12 months dependent of the scope of works

## **1.0 Purpose**

- 1.1 The purpose of this report is to request the Panel to authorise the making of a Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985 in respect of 42 Lawrence Avenue, Perry Hall, Wolverhampton, WV11 3PE and for negotiations to continue with any established interested parties in advance of confirmation of the Order as appropriate.
- 1.2 Following confirmation of the Order, approval is sought for the making of a General Vesting Declaration.
- 1.3 Approve the disposal of the property by auction, tender or private treaty subject to the outcome of the Compulsory Purchase Order and General Vesting Declaration.
- 1.4 This decision is in support of City of Wolverhampton council's Empty Property Strategy 2010-2015 which aims to bring empty properties back into use.

## **2.0 Background**

- 2.1 The property, highlighted on the attached map is a three bedroom semi-detached property. The owner passed away in 2011 and the estate is still registered under the deceased owner's name under the Land Registration Act. The council has traced a relative. However, a restriction has been placed by a third party which has not been resolved. The restriction has prevented probate being settled and the property being sold.
- 2.2 The property was identified for action following complaints from neighbours in July 2013, due to the deteriorating condition of the property.
- 2.3 The council served a Section 215 Notice on the property in 2014, which has not been complied with.
- 2.4 Attempts to resolve the situation informally including protracted discussions with a solicitor appointed by one of the beneficiaries has not resolved the situation or brought about a voluntary solution; it is now considered necessary to continue with formal action under the Empty Property Strategy.
- 2.5 The principle of establishing a revolving fund to drive forward the Private Sector Empty Property Strategy was approved by Cabinet on 11 January 2006. The revolving fund provides for properties that are consistent with the strategy to be acquired under compulsory purchase powers, marketed for sale and brought back into residential occupation. The arrangements proposed for the property at 42 Lawrence Avenue are consistent with that strategy. Should the Compulsory Purchase Order be confirmed in favour of the council, the council would seek to dispose of the property by auction. 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.

### **3.0 Financial implications**

- 3.1 In the event of an acquisition the costs can be met from the £540,000 capital budget for the Empty property strategy approved by Council on 20 July 2016. The subsequent sale of the property would result in a capital receipt, ring-fenced to finance future purchases through the Empty property strategy. Any non-capital costs incurred between purchase and sale, for example security measures, must be met from current private sector housing budgets.
- 3.2 There are no exceptional circumstances in the case of 42 Lawrence Avenue. A Notice under Section 215 of the Town and Country Planning Act 1990 to tidy the land have not been complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment should the Order be confirmed.
- 3.3 Bringing empty properties back into use attracts New Homes Bonus to the City Council and could result in additional council tax revenue.  
[JB/01112016/C]

### **4.0 Legal implications**

- 4.1 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.
- 4.2 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.  
[RB/31102016/H]

### **5.0 Equalities implications**

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

## **6.0 Environmental implications**

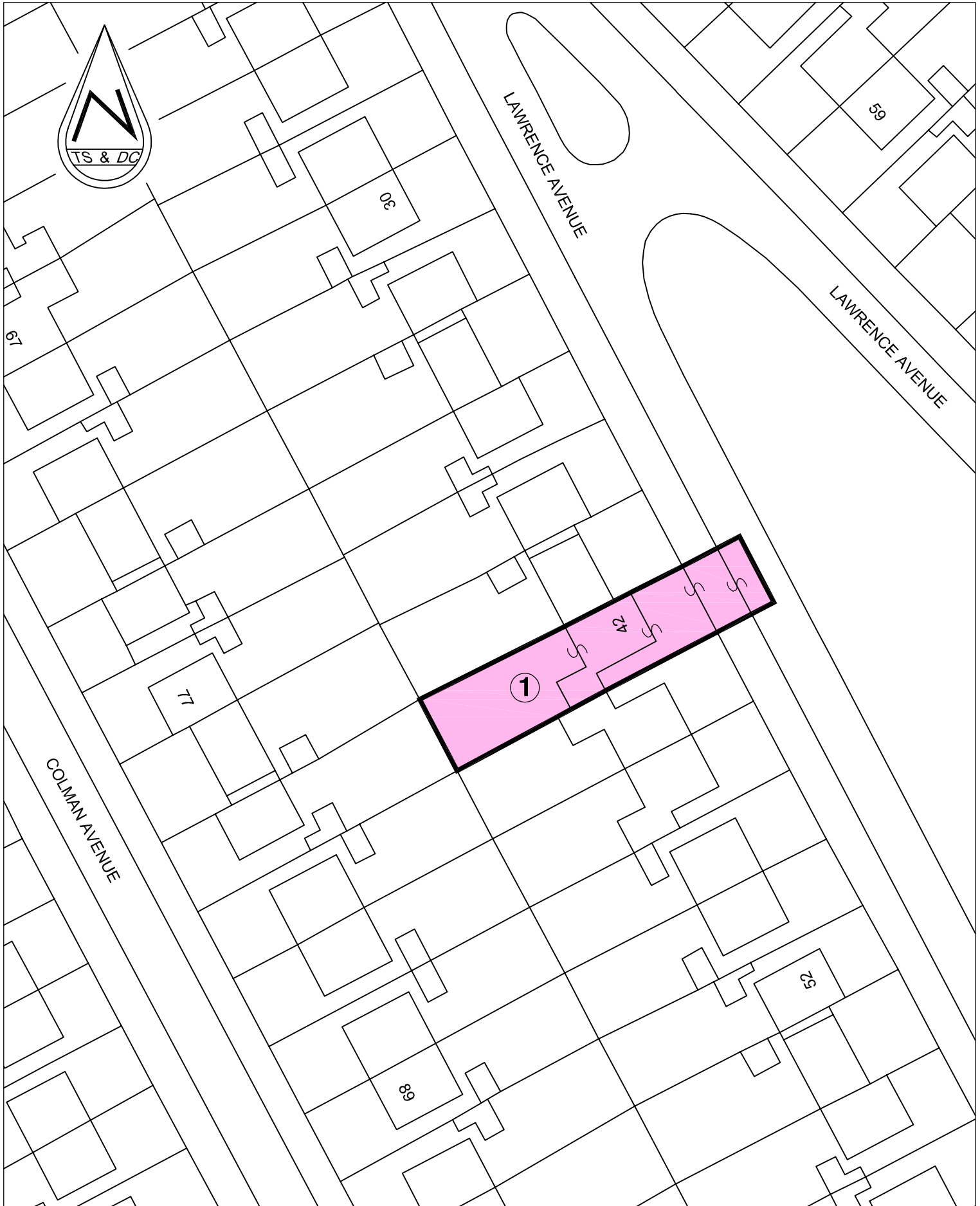
6.1 This report has evidenced the neighbourhood sustainability impact and environmental blight that a long term dilapidated empty property can have in a locality. It will allow a long term empty property to be refurbished providing much needed sustainable accommodation and remove a potential magnet for anti-social behaviour. This will improve the appearance of the neighbourhood, enhancing property conditions and contribute to the regeneration of the City, meeting the council's strategic objectives

## **7.1 Corporate landlord implications**

7.1 Where applicable, corporate landlord will be required to produce valuations and arrange for the appropriate disposal of the property by property by auction.

## **8.0 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.



① AREA COLOURED PINK = 289.8m<sup>2</sup> OR THEREABOUTS

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date	October 2016
scales	1:500
drawn by	AJP
dwg. no.	Lawrence Avenue 42.dwg

THE MAP REFERRED TO IN  
THE CITY OF WOLVERHAMPTON COUNCIL  
(42 Lawrence Avenue)  
**Page 70**  
COMPULSORY PURCHASE ORDER 2016

**City of Wolverhampton Council**

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

42 Lawrence Avenue, Perry Hall, Wednesfield, WV11 3PE



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# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Empty Property Strategy – Compulsory Purchase of 473 Birmingham New Road, WV14 9PJ	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson City Housing and Assets	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	Spring Vale	
<b>Accountable director</b>	Lesley Roberts, Strategic Director, City Housing	
<b>Originating service</b>	Private Sector 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>		

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

The Cabinet (Resources) Panel is recommended to:

- i) Approve the making of the following Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985:  
  
The City of Wolverhampton Council (473 Birmingham New Road, WV14 9PJ)  
Compulsory Purchase Order 2016.
- ii) Authorise the Strategic Director, City Housing on behalf of the council to:
  - a) 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.

- b) Acquire interests in the land within the Order either compulsorily or by agreement before or after making the Order.
- 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 to the making of a General Vesting Declaration.
- e) Following any acquisition, authorise the Strategic Director, City Housing to declare the property surplus and dispose of the property on the open market on condition that the property is refurbished and re-occupied within 6 or 12 months (as appropriate to the scale of the works).
- f) Approve the disposal of the property by auction, tender or private treaty.
- g) Declare the property surplus to council requirements and dispose of the property on the open market via auction on condition that the property is refurbished and re-occupied within 6 or 12 months dependent of the scope of works

## **1.0 Purpose**

- 1.1 The purpose of this report is to request the Panel to authorise the making of a Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985 in respect of 473 Birmingham New Road, WV14 9PJ and for negotiations to continue with any established interested parties in advance of confirmation of the Order as appropriate.
- 1.2 Following confirmation of the Order, approval is sought for the making of a General Vesting Declaration.
- 1.3 Approve the disposal of the property by auction, tender or private treaty subject to the outcome of the Compulsory Purchase Order and General Vesting Declaration.
- 1.4 This decision is in support of City of Wolverhampton council's Empty Property Strategy 2010-2015 which aims to bring empty properties back into use.

## **2.0 Background**

- 2.1 The property, highlighted on the attached map is a three bedroom semi-detached property. The current owner purchased the property in 2011 and the property has remained empty since that time.
- 2.2 The property was identified for action following complaints from neighbours in August 2013, due to the deteriorating condition of the property.
- 2.3 The council has served a Section 215 Notice on the property in order to encourage the owner to progress works and reduce the detrimental effect of the property on the neighbourhood. While some work was carried out, the Notice has not been fully complied with and an overflowing skip has been left at the property since September 2016.
- 2.4 Attempts to resolve the situation informally including protracted discussions and offers by the Council to acquire the property have not resolved the situation or brought about a voluntary solution; it is now considered necessary to continue with formal action under the Empty Property Strategy.
- 2.5 The principle of establishing a revolving fund to drive forward the Private Sector Empty Property Strategy was approved by Cabinet on 11 January 2006. The revolving fund provides for properties that are consistent with the strategy to be acquired under compulsory purchase powers, marketed for sale and brought back into residential occupation. The arrangements proposed for the property at 473 Birmingham New Road are consistent with that strategy. Should the Compulsory Purchase Order be confirmed in favour of the council, the council would seek to dispose of the property by auction. 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.

### **3.0 Financial implications**

- 3.1 In the event of an acquisition the costs can be met from the £540,000 capital budget for the Empty property strategy approved by Council on 20 July 2016. The subsequent sale of the property would result in a capital receipt, ring-fenced to finance future purchases through the Empty property strategy. Any non-capital costs incurred between purchase and sale, for example security measures, must be met from current private sector housing budgets.
- 3.2 There are no exceptional circumstances in the case of 473 Birmingham New Road. A Notice under Section 215 of the Town and Country Planning Act 1990 to tidy the land have not been complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment should the Order be confirmed.
- 3.3 Bringing empty properties back into use attracts New Homes Bonus to the City Council and could result in additional council tax revenue.  
[JB/22112016/A]

### **4.0 Legal implications**

- 4.1 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.
- 4.2 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.  
[RB/21112016/A]

### **5.0 Equalities implications**

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

## **6.0 Environmental implications**

6.1 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 and remove a potential magnet for anti-social behaviour. This will improve the appearance of the neighbourhood, enhancing property conditions and contribute to the regeneration of the City, meeting the council's strategic objectives

## **7.1 Corporate landlord implications**

7.1 Where applicable, corporate landlord will be required to produce valuations and arrange for the appropriate disposal of the property by property by auction.

## **8.0 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.



473 Birmingham New Road, Wolverhampton. WV14 9PJ



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# Cabinet (Resources) Panel

## 6 December 2016

<b>Report title</b>	Flood Risk Management Service Delivery Arrangements	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Steve Evans City Environment	
<b>Key decision</b>	No	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Ross Cook, City Environment	
<b>Originating service</b>	Highway Network	
<b>Accountable employee(s)</b>	Bob Willis	Head of Highway Network
	Tel	01902 555790
	Email	bob.willis@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Place Leadership Team	7 Nov 2016
	Strategic Executive Board	15 Nov 2016

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

The Cabinet (Resources) Panel is recommended to:

1. Approve the use of Staffordshire County Council to assist City of Wolverhampton Council in the delivery of its statutory flood risk management duties.
2. Approve, subject to 1 above, that the Council enters into a legal agreement with Staffordshire County Council in respect of flood risk management delivery.

## **1.0 Purpose**

- 1.1 To approve joint working with Staffordshire County Council and other Black Country authorities on flood risk management. This would substantially raise the level of service the Council would be able to provide in this widening area of work. It needs to be considered by Cabinet (Resources) Panel as there are resource implications for the City Council.

## **2.0 Background**

- 2.1 Following severe flooding across Britain in 2007 the Flood and Water Management Act 2010 (FWMA) established City of Wolverhampton Council, along with other unitary authorities and county councils, as a Lead Local Flood Authority (LLFA) with specific duties and obligations relating to flooding from surface water, groundwater and ordinary watercourses.
- 2.2 The Council has sought to fulfil these statutory duties using contractors (for flood-related issues in planning applications) and a small in-house resource within the Highway Network Service Area. However this service delivery model is proving neither sufficient nor sustainable given competing demands on reduced staff resources (since the restructure of the Transportation Service in summer 2014) coupled with a lack of appropriate expertise and experience.
- 2.3 To provide an effective service to meet minimum statutory obligations we must consider a different service delivery option.
- 2.4 It is acknowledged that significant efficiencies can be achieved by the four Black Country Authorities working together on flood risk management. Joint working arrangements have been endorsed by the Association of Black Country Authorities (ABCA) and were approved by Cabinet Resources Panel on 29 July 2014. The publication of the Black Country Local Flood Risk Management Strategy in March 2016 is evidence of the success of this approach.
- 2.5 Staffordshire County Council have been providing LLFA support to Walsall Council since May 2015. They are now offering to extend this support to the other Black Country Authorities.

## **3.0 Proposal from Staffordshire County Council**

- 3.1 Staffordshire is proposing to expand its existing Flood Risk Management Team from eight to ten officers to enable an integrated flood risk management service to be provided across Staffordshire, Wolverhampton, Sandwell and Walsall (for Dudley see 3.5). The immediate advantages of this structured shared service delivery model for Wolverhampton would be:
  - A step-change improvement in service capability, capacity, effectiveness and resilience from having a qualified and experienced team to discharge LLFA duties (see 3.2)

- Fully integrated joint working on flood risk across the city and 90% of its border
- Qualified and experienced officers to develop Sustainable Drainage Systems (SuDS) to support planning applications and wider city regeneration
- Easier recruitment and retention of staff with the wider career opportunities available in a structured, dedicated flood risk management team

3.2 Current LLFA duties include:

- Prepare, maintain, apply and monitor a strategy for local flood risk management working with partners such as Severn Trent Water and the Environment Agency
- Investigate significant local flooding incidents, including public consultation, and publish the results
- A statutory consultee role on planning applications for major developments with surface water drainage implications
- Carry out consenting and enforcement for works on ordinary watercourses
- Maintain a register of flood risk management assets
- Play a lead role in emergency planning and recovery after a flood event
- Participate in Trent Regional Flood and Coastal Committee (RFCC) processes regarding scheme development and programme management
- Undertake studies, bid for funds and arrange works to manage flood risk from surface runoff, ordinary watercourses and groundwater

3.3 The above duties are currently carried out in Wolverhampton at around 0.2 FTE of the Service Lead - Highway Assets post. In addition the LLFA workload will increase in future as the transfer of responsibilities from the Environment Agency to LLFAs gathers pace and regeneration policies mean more planning applications requiring a Statutory Consultee view.

3.4 The shared service arrangement would also proactively take forward the programme of work contained in the Action Plan for the Black Country Local Flood Risk Management Strategy (LFRMS). It must be emphasised that Wolverhampton would retain control of flood risk management within its boundary via representation on the management group for the contract that would be required to guide the arrangement. The Council would be able to divert more than half the 0.2 FTE resource referred to in 3.3 to other tasks within the widening Highway Network remit. The role of Staffordshire would be to deliver the Black Country LLFA duties and LFRMS Action Plan under the direction of the contract management group.

3.5 Dudley MBC currently has a dedicated resource for the LLFA role of 0.6 FTE. They therefore do not wish to enter into a shared service at this time but want some flexibility to join at a later date if their resources change. Existing liaison will continue to support collaborative working on flood risk management across the Black Country.

3.6 The total Staffordshire County Council staff resource to deliver the proposed shared service to Wolverhampton, Sandwell and Walsall would be:

<b>Role</b>	<b>FTE</b>
Flood Risk Manager	0.2
Flood Risk Officer	1.1
Sustainable Drainage Systems Officer	0.4
Land Drainage Engineer	0.3
Flood Risk Management Technician	0.2
Sustainable Drainage Systems Technician	0.4

3.7 Sandwell and Walsall Councils have already indicated their willingness to enter into an initial 3-year shared service arrangement with Staffordshire County Council. Without similar support the level of service we can provide to Wolverhampton's residents, businesses and visitors is unlikely to be able to meet our minimum statutory obligations and be poor in comparison to our neighbours.

3.8 Alternative service delivery models have been considered including staff recruitment, engaging further external service provision using existing professional service framework contracts and retaining the current mix of in-house plus contractor resource. However the proposed shared service delivery arrangements are not only estimated to be the lowest in cost but also bring the advantages outlined above including scale, continuity, breadth, depth and "buy-in" to the local service offer.

3.9 The proposed arrangement with Staffordshire County Council is therefore believed to offer the best overall value in providing an improved flood risk management service for Wolverhampton.

#### **4.0 Financial implications**

4.1 City of Wolverhampton Council's contribution to the cost of the shared service staff resource over a three year period would be £129,215 as detailed in the table below.

	<b>2017/18</b>	<b>2018/19</b>	<b>2018/19</b>	<b>Total</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Contribution to staff resource costs	43,086	42,725	43,404	129,215

4.2 An annual revenue budget in the region of £60,000 exists for Surface Water Management from which the annual costs shown in the table above can be met. No additional annual costs are anticipated to be incurred against this budget.

4.3 The contribution in 2017/18 includes Staffordshire's costs for recruiting the two extra staff required to deliver the shared service arrangement – costs not incurred in subsequent years. [TT/11112016/O]

## **5.0 Legal implications**

- 5.1 Section 101 of the Local Government Act 1972 allows local authorities to arrange for the discharge of any of their functions by another local authority.
- 5.2 In addition, Section 13(4) of the 2010 FWMA states that “a risk management authority may arrange for a flood risk management function to be exercised on its behalf by another risk management authority”.
- 5.3 The existing Service Level Agreement between Staffordshire County Council and Walsall Council can act as a starting point for the more rigorous contract or Collaboration Agreement required for this initial 3-year arrangement between Staffordshire, Wolverhampton, Sandwell and Walsall. [RB/12112016/C]

## **6.0 Equalities implications**

- 6.1 The service that Staffordshire County Council currently operates is covered by an Equality Analysis which indicates that the service can deal with the differing requirements that groups in Staffordshire and Walsall, protected by the Equality Act 2010, would have of it.
- 6.2 If this report is approved the Council will negotiate a legal agreement that contains the required equality elements to ensure that the service operating in Wolverhampton will be one that is able to cater for the diverse needs of local people at risk of flood. Any future reports will confirm the details of this aspect of the relationship and service so that Councillors can be confident of the breadth and accessibility of service for people in Wolverhampton.

## **7.0 Environmental implications**

- 7.1 If approved this report would significantly improve the Council’s ability to help safeguard Wolverhampton against the environmental impacts of flooding.

## **8.0 Human Resources implications**

- 8.1 There are no Human Resources implications arising from this report. The Staffordshire County Council staff who would deliver the proposed shared service would remain officers of Staffordshire County Council.

## **9.0 Corporate Landlord implications**

- 9.1 There are no Corporate Landlord implications arising from this report.

## **10.0 Schedule of background papers**

- 10.1 none

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# Cabinet (Resources) Panel

## 6 December 2016

<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>	Kevin O'Keefe, Governance	
<b>Originating service</b>	Democratic Support	
<b>Accountable employee(s)</b>	Dereck Francis Tel Email	Democratic Services Officer 01902 555835 dereck.francis@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	N/A	

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### 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

None

#### 2. People

None

#### 3. Place

Decision maker	In consultation with	Date Approved	Contact Officer
Councilor Steve Evans	Service Director, City Environment	28 October 2016	Bob Willis 01902 555790
<b>Title and Summary of Decision</b>			
<b>Proposed stopping up of Public Footpath FP179, Prouds Lane to Angela Close Bilston North, Section 116 Highways Act 1980</b>			
<ol style="list-style-type: none"> <li>1. Approved the recommendation to stop up the Public Footpath FP179, Prouds Lane to Angela Place, and section of highway, Bilston North.</li> <li>2. Authorised the Director of Governance to serve notices and make an application to Wolverhampton Magistrates' Court for an order stopping up the footpath and section of highway under Section 116 of the Highways Act 1980.</li> <li>3. Agreed that upon confirmation of the Stopping Up Order, a Legal Event Modification Order is made to show the effect of the Order on the Wolverhampton Public Rights of Way Definitive Map, if required</li> </ol>			
Decision maker	In consultation with	Date Approved	Contact Officer
Councilor Steve Evans	Service Director, City Environment	28 October 2016	Gwyn James 01902 555755
<b>Title and Summary of Decision</b>			
<b>Interchange Development Cornhill Access - Adoption of Road</b>			
Authorised the Director of Governance to enter into an agreement with the developer under Section 38/278 of the Highways Act 1980, in respect of the new access road off Cornhill, Wolverhampton. The S.38/278 Agreement will also incorporate a license to enter and carry out works. This will allow the developer to enter onto Council owned land and construct a road to be adopted in respect of the new access road off Cornhill, Wolverhampton			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Strategic Director, City Housing	8 November 2016	Kenny Aitchison 01902 554845
<b>Title and Summary of Decision</b>			
<b>Immediately Available to Let Pilot</b>			
<ol style="list-style-type: none"> <li>1. Approved a six month 'immediately available to let' pilot for Council housing identified as difficult to let.</li> <li>2. For the purposes of immediately available to let properties agreed to only allow families eligible for a 2 bedroom house to be considered for a 3 bedroom 'immediately available to let' house subject to an affordability assessment, to support growing families.</li> <li>3. Agreed to extend the pilot beyond six months if it proves successful prior to Cabinet approval for an amendment to the Council's Allocations Policy.</li> </ol>			



Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Service Director, City Economy	27 October 2016	Michele Ross 01902 554038
<b>Title and Summary of Decision</b>			
<b>Adoption of Black Country Air Quality Supplementary Planning Document (SDP)</b> Approved the Council's response to representations received on the Draft Black Country Air Quality Supplementary Planning Document, and adopt the document as SPD, subject to minor amendments.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Service Director, City Economy	24 August 2016	Michele Ross 01902 554038
<b>Title and Summary of Decision</b>			
<b>Small Houses in Multiple Occupation (HMO) Article 4 Direction</b>			
<ol style="list-style-type: none"> <li>1. Authorised the making of a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to remove permitted development rights for changes of use from Use Class C3 to Use Class C4 (as defined in the Town and Country Planning [Use Classes] Order 1987, as amended) within the City of Wolverhampton which will commence on 8 September 2017;</li> <li>2. Agreed to receive a further report to consider any representations made on the Direction and decide whether or not to confirm the Direction.</li> </ol>			

## Part 2 – Exempt Items

### 1. Corporate

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Roger Lawrence	Director of Finance	13 April 2016	Mark Taylor 01902 556609
<b>Title and Summary of Decision</b>			
<b>Award of Contract for Lead Strategic, Economic and Financial Advisor for West Midlands Combined Authority</b> Exercised the option to extend the contract for lead strategic, economic and financial advisor for the West Midlands Combined Authority programme to PwC LLP of 1 Embankment Place, London, for a duration of six months from 1 April to 30 September 2016, for a maximum contract value of £500,000. The final value will be based on the actual cost incurred.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Andrew Johnson	Director of Finance	20 May 2016	Andy Hoare 01902 554563
<b>Title and Summary of Decision</b>			
<b>Award of Contract for ICT Corporate Storage</b> Awarded the contract for ICT Corporate Storage to XMA Ltd of Nottingham for a duration of five years from 1st July 2016 to 30th June 2021 for a total contract value of £382,543.02.			

<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councillor Andrew Johnson	Director of Finance	26 July 2016	Jai Ghia 01902 554563
<b>Title and Summary of Decision</b>			
<b>Award of Contract for ICT Desktop Hardware</b> Awarded call-off contracts for ICT Desktop Hardware to Insight Direct (UK) Limited, of Technology Building, Insight Campus, Terry Street, Sheffield, S9 2BU for the estimated contract value of £50,000 and XMA Limited, of Unit 44, Wilford Industrial Estate, Ruddington Lane, Wilford, Nottingham, NG11 7EP for the estimated contract value of £1.2M for a duration of four years from 26 July 2016 to 25 July 2020.			
<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councillor Milkinder Jaspal and Councillor Andrew Johnson	Director of Finance	23 November 2016	Andy Moran 01902 554132
<b>Title and Summary of Decision</b>			
<b>Hire and maintenance of mayoral car</b> Awarded contract for the hire and maintenance of a mayoral car to Lex Autolease Limited of 25 Gresham Street, London ECW 7HN for a duration of three years from 22 November 2016 to 21 November 2019 for a total lease value of £32,148. Dates to be confirmed once the delivery date is known.			

## 2. People

<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councilor Val Gibson	Strategic Director, People and Service Director, Children and Young People	8 November 2016	Kevin Pace 01902 556817
<b>Title and Summary of Decision</b>			
<b>HeadStart Phase Three Programme and Grant Update</b> <ol style="list-style-type: none"> <li>1. Approved the final negotiated grant from the Big Lottery Grant.</li> <li>2. Noted the increase in the negotiated grant to be received from Big Lottery from £8.8 million to £9.5 million.</li> <li>3. Approve the initial HeadStart implementation plan and budget for Headstart Phase 3.</li> <li>4. Noted the Grant Offer Letter together with: <ul style="list-style-type: none"> <li>• Terms of Conditions</li> <li>• Engagement and grant review</li> <li>• Milestones, targets and budgets.</li> </ul> </li> </ol>			

<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councillor Val Gibson Councillor Sandra Samuels	Managing Director	18 October 2016	Linda Sanders 01902 555300
<b>Title and Summary of Decision</b>			
<b>Contract Extension - Chair of Children's and Adults Safeguarding Board</b>			
<ol style="list-style-type: none"> <li>1. Approved the extension of the existing arrangements for the Chair of both the Children's and Adults Safeguarding Boards up until 31 August.</li> <li>2. Approved the increased daily rate for the Chair of the Children's and Adults Safeguarding Boards to £800 per day with effect from 1 January 2017.</li> </ol>			
<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councillor Sandra Samuels	Strategic Director, People	21 October 2016	Paul Smith 01902 555318
<b>Title and Summary of Decision</b>			
<b>Award of Contracts for Community Activities for Adults</b>			
Awarded the framework contracts for Community Activities for adults to the organisations shown below for a duration of up to four years from 21 October 2016 to 20 October 2020 for a total maximum contract value of £1.8 million:			
<ol style="list-style-type: none"> <li>1. Aladdin's Education Ltd</li> <li>2. Beacon Centre for the Blind</li> <li>3. Get Well Stay Well</li> <li>4. Harmony Care Homes (2003) Limited</li> <li>5. Hayward Befriending</li> <li>6. Heantun Housing Association Limited</li> <li>7. Heath Town Senior Citizens Welfare Project</li> <li>8. Newhampton Arts Centre</li> <li>9. Places for People Leisure</li> <li>10. St. Columba's Day Centre</li> <li>11. The Extra Care Charitable Trust</li> </ol>			

### 3. Place

<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councillor Steve Evans	Strategic Director, Place	4 November 2016	Gwyn James 01902 555755
<b>Title and Summary of Decision</b>			
<b>Award of Contract for Science Park to i54 Cycleway Works</b>			
Awarded the contract for Science Park to i54 cycle and pedestrian route to Stave-Con of Wolverhampton for a total contract value of £357,084.			

<b>Decision maker</b>	<b>In consultation with</b>	<b>Date Approved</b>	<b>Contact Officer</b>
Councillor Peter Bilson	Strategic Director, City Housing	25 October 2015	Steve North 01902 555782
<b>Title and Summary of Decision</b>			
<b>Future Small Site Council Housing Developments</b>			
<ol style="list-style-type: none"><li>1. Approved the next six sites to be investigated for the Housing Revenue Account small sites development programme, subject to a further report to Cabinet (Resources) Panel to approve capital funding for their development.</li><li>2. Agreed to consider a range of procurement methods for the delivery of future small site council housing development, to support small and medium sized enterprises.</li><li>3. Agreed that one of the small sites in phase three be identified for a pilot for modular construction methods, to test the benefits of this alternative delivery approach in terms of cost, quality, and speed of delivery.</li></ol>			

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