

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 21 November 2018**

<b>Title</b>	Treasury Management Activity Monitoring -Mid Year Review 2018-2019
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<p>That Cabinet recommends that Council notes:</p> <ol style="list-style-type: none"> <li>1. That a mid-year review of the Treasury Management Strategy Statement has been undertaken and the Council has operated within the limits and requirements approved in March 2018.</li> <li>2. That a revenue net overspend of £2.2 million for the General Fund and an underspend of £12,000 for the Housing Revenue Account (HRA) are forecast from treasury management activities in 2018-2019.</li> <li>3. That the detailed guidance notes for the Code of Practice on Treasury Management and the Prudential Code have recently been published by CIPFA and are under review by the Director of Finance. Therefore, the Treasury Management Statements for 2018-2019 are still based on the Council's interpretation of these Codes.</li> <li>4. The updated position on the revised guidance on Local Government Investments and Minimum Revenue Provision as detailed in paragraphs 2.6 and 2.7 of the report.</li> <li>5. The position regarding the Money Market Fund reform which is effective from 21 January 2019 and will require an update to the Annual Investment Strategy for 2018-2019 as detailed in paragraph 5.11 of the report.</li> </ol>
<b>Options Considered</b>	As this is a monitoring report of treasury management activities undertaken in line with the approved Treasury Management Strategy 2018-2019, there are no alternative options available.
<b>Reasons for Decision</b>	This report provides an update on treasury management activities undertaken in line with the approved Treasury Management Strategy 2018-2019.

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<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	N/A

<b>Title</b>	Capital programme 2018-2019 to 2022-2023 quarter two review
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<p>The Cabinet recommends that Council:</p> <ol style="list-style-type: none"> <li>1. Approves the revised medium term General Fund capital programme of £338.9 million, an increase of £17.9 million from the previously approved programme.</li> <li>2. Approves the net additional General Fund resources of £17.9 million identified for;             <ol style="list-style-type: none"> <li>i. New projects totalling £20.1 million (section 4 of the report);</li> <li>ii. Existing projects net reduction totalling £2.2 million (section 3 of the report).</li> </ol> </li> <li>1. That the General Fund virements detailed at Appendix 4 to the report be approved for;             <ol style="list-style-type: none"> <li>i. Existing projects totalling £11.0 million;</li> <li>ii. New projects totalling £767,000.</li> </ol> </li> <li>2. That the HRA virements totalling £4.5 million detailed at Appendix 4 to the report be approved for;             <ol style="list-style-type: none"> <li>i. New project totalling £4.5 million.</li> </ol> </li> <li>3. That it be noted that there are two projects requiring additional internal and external resources included in this report, but which are subject to a separate detailed project report also on this agenda. The inclusion of these projects is for budget approval purpose and is on the</li> </ol>

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	<p>assumption that the approval to progress with the projects is given. As the progression is dependent on that decision, if the projects are not approved, the capital programme will be reduced accordingly. The names of the projects are:</p> <ul style="list-style-type: none"> <li>• Average Speed Enforcement - Wolverhampton</li> <li>• Average Speed Enforcement - Walsall, Sandwell and Dudley.</li> </ul>
<b>Options Considered</b>	This report provides an update on progress of capital projects during 2017-2018 and anticipated budget requirements for future years. The evaluation of alternative project options is detailed in individual investment proposals.
<b>Reasons for Decision</b>	To seek Cabinet's recommendation to Council to approve the revised capital budgets. This will ensure that the capital programme budget reflects the latest forecasts and requirements.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	N/A

<b>Title</b>	Revenue Budget Monitoring 2018-2019
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the use of £410,000 from the Highway Management Reserve to fund various works and schemes be approved as detailed at paragraph 7.5 of this report.</li> <li>2. That the use of £75,000 from the Transformation Reserve to fund a Project Manager post for 16 months over 2018-2019 to 2019-2020 be approved as detailed at paragraph 7.6 of this report.</li> <li>3. That the use of £140,000 from the Future Works Reserve to support Agresso System upgrade</li> </ol>

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	<p>be approved as detailed at paragraph 7.7 of this report.</p> <ol style="list-style-type: none"><li>4. That the use of £1.3 million from the Adult Social Care Reserve to support cost pressures across the service be approved as detailed at paragraph 7.8 of this report.</li><li>5. That the use of an additional £50,000 from the Budget Contingency Reserve to fund the academy conversion deficit be approved as detailed at paragraph 9.8 of this report.</li><li>6. That 12 virements totalling £1.6 million, for transfers within directorates, be approved as detailed in Appendix 7 to this report.</li><li>7. That the write off of three Non-Domestic Rates (NDR) debts totalling £27,606.41 be approved as detailed in Appendix 8 to this report.</li><li>8. That the write off of 5 sundry debts totalling £164,051.54 be approved as detailed in Appendix 9 to this report.</li><li>9. That it be noted that the overall projected outturn for the General Fund for 2018-2019 is forecast to be an overspend in the region of £1.7 million.</li><li>10. That it be noted that at this stage in the financial year it is difficult to forecast redundancy costs. However, based on recent years it is anticipated that the cost of redundancies can be met from reserves.</li><li>11. That it be noted that 693 council tax accounts totalling £307,511.55, as detailed in paragraph 10.5 of this report, have been approved by for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.</li><li>12. That it be noted that 119 Non-Domestic Rates (NDR) debts totalling £680,774.76, as detailed in paragraph 10.6 of this report, have been approved by for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.</li><li>13. That it be noted that 94 sundry debt accounts totalling £74,497.79, as detailed in paragraph 10.3 of this report, have been approved by for write off by the Director of Finance in</li></ol>
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	<p>accordance with the Council's Financial Procedure Rules.</p> <p>14. That it be noted that 39 housing benefit overpayments totalling £7,778.36, as detailed in paragraph 10.10 of this report, have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.</p> <p>15. That it be noted that five debts relating to Business Improvement District (BID) totalling £513.70, as detailed in paragraph 10.7 of this report, have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.</p> <p>16. That it be noted that a £15.5 million surplus on the Housing Revenue Account (HRA) is projected compared with a budgeted surplus of £15.2 million as shown at Table 9 and in detail at Appendix 6 to this report. The projected increased surplus of £261,000 will be used to redeem debt in line with the HRA Business Plan.</p>
<b>Options Considered</b>	The write-offs, virements and use of reserve requests requiring the approval of Cabinet are all considered to be prudent in the opinion of the Director of Finance and the Cabinet Member for Resources.
<b>Reasons for Decision</b>	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 Cabinet. Contribution to and from reserves also requires the approval of Cabinet. The write-offs, virements and use of reserve requests detailed in this report which seek the approval of Cabinet are all considered to be prudent in the opinion of the Director of Finance and the Cabinet Member for Resources.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	28 November 2018

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 21 November 2018**

<b>Title</b>	Average Speed Enforcement Across the Black Country
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Service Director of City Environment, to approve the implementation of the Average Speed Enforcement system and phased roll out across Wolverhampton.</li> <li>2. That authority be delegated to the Head of City Transportation to lead the development and implementation of the Average Speed Enforcement system on behalf of the Black Country authorities Dudley MBC, Sandwell MBC and Walsall MBC including the design, procurement, advertising and any consultation required to introduce the system.</li> <li>3. That authority be delegated to the Head of City Transportation to lead the negotiations with West Midlands Police to develop and implement a collaboration agreement covering the management and operation of the Average Speed Enforcement system on behalf of the Black Country authorities.</li> <li>4. That authority be delegated to the Director of Governance to enter into collaboration agreements with the other Black Country authorities, West Midlands Combined Authority, West Midlands Police and the Police and Crime Commissioner to implement, manage and operate the Average Speed Enforcement System.</li> <li>5. That it be noted that the capital costs included in this report have been incorporated into the ‘Capital programme 2018-2019 to 2022-2023 quarter two review’ report which is also on this agenda and will subsequently be reported to Full Council for approval on the 5 December 2018, assuming that Cabinet approval to progress with the project is given. As the progression is dependent on that decision, if the project is not approved, the capital programme will be reduced accordingly.</li> </ol>
<b>Options Considered</b>	<p>Consideration of not introducing average speed enforcement should take into account that all other West Midland authorities are either introducing Average Speed Enforcement (ASE) or already have it in place. The West Midland Combined Authority have an aspiration for ASE to be</p>

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	<p>present in each constituent Authority.</p> <p>In respect of implementing ASE as opposed to Spot speed (Fixed Gatso housings) – Following the successful trial in Birmingham and Solihull Coventry have recently commenced rolling out ASE across their network. This approach to enforcement is fully endorsed by West Midlands Police as it improves the traffic speeds along the route and enables the future introduction of enforcing red light running and ensures a consistent approach to the delivery of speed enforcement across the West Midlands area. Furthermore, the Regional Road Safety Strategy has identified the continued introduction and roll out of ASE across the West Midlands as a key enforcement tool. From national trials reductions in excess of 70% in Killed and Serious injury collisions have been recorded and significant reductions in traffic speeds and compliance have been observed along installed routes.</p> <p>Once the locations of fixed spot speed cameras were well known many drivers simply slowed just in their location. The selection of locations for ASE is rigorously scrutinised and will be subject to the process outlined in paragraph 3.3 of the report.</p>
<b>Reasons for Decision</b>	<p>Decision is required to provide the appropriate authority for City of Wolverhampton Council to continue to lead this initiative on behalf of the Black Country Authorities. In addition authority is required to procure the infrastructure and recharge participating partners accordingly together with the approval to enter into associated legal agreements to facilitate this.</p>
<b>Record of Conflicts of Interest</b>	<p>None</p>
<b>Dispensation Granted</b>	<p>N/A</p>
<b>Decision available for implementation (subject to call-in)</b>	<p>28 November 2018</p>

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 21 November 2018**

<b>Title</b>	Roadworks Permitting
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That authority be delegated to the Head of City Transportation to lead the development and implementation of the Highway Permit Scheme including any consultation required.</li> <li>2. That, subject to there being no significant objections or substantial changes, authority be delegated to the Cabinet Member for City Environment, in consultation with the Service Director for City Environment, to:             <ol style="list-style-type: none"> <li>a. Approve the detailed plans and undertake Statutory Consultation on the proposed permit scheme</li> <li>b. Consider objections, determine the final scheme and notify any objectors of the decision.</li> <li>c. Approve and publish the final permit scheme.</li> <li>d. Sign off the implementation of the final scheme and complete any statutory processes.</li> </ol> </li> <li>3. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Service Director for City Environment, to approve the introduction of a Highway Permit Scheme for Wolverhampton.</li> <li>4. That authority be delegated to the Cabinet Member for City Environment and the Cabinet Member for Resources, in consultation with the Strategic Director for Place and Director of Finance, to approve any budgets to deliver this scheme and set and implement charges for a finalised permitting scheme.</li> <li>5. That it be noted that associated with the permitting scheme is a fundamental in-house review of the National Street Gazetteer. It is proposed to consult on any significant changes simultaneously so that the new permitting scheme can be implemented using the most accurate street data available.</li> </ol>

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<b>Options Considered</b>	<p>There is clearly an expectation that all Highway Authorities will introduce a roadworks permitting system. The letter from The Secretary of State in July 2018 points out that government do have powers to compel authorities to introduce a permitting scheme but it is hoped that this will not be necessary.</p> <p>An option to do nothing would therefore carry risk of government intervention and would not deliver the benefits in terms of congestion management that a permit scheme is designed to offer.</p>
<b>Reasons for Decision</b>	The system is designed to be self-financing and introduces a process of controlling roadworks, minimising their impact on the highway network. Utility companies have experience of permit systems in other regions and are expecting all highway authorities to introduce permits.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	28 November 2018

<b>Title</b>	Establishing the Regional Adoption Agency (Adoption@Heart) as a hosted model in the City of Wolverhampton Council
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the establishment of the Regional Adoption Agency be approved.</li> <li>2. That City of Wolverhampton Council's acceptance that the approval of adopters is a function that will be delegated to the Regional Adoption Agency be approved.</li> <li>3. That the revised service design, structure and governance of the Regional Adoption Agency as a 'hosted' model be approved.</li> <li>4. That City of Wolverhampton Council be approved as the host authority for the Regional Adoption Agency and that the TUPE transfer of employees into City of Wolverhampton Council</li> </ol>

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	<p>to work within the Regional Adoption Agency be approved.</p> <p>5. That the revised proposed financial model and funding contributions from the four Councils be approved.</p> <p>6. That the establishment of a Lead Members Regional Adoption Agency Board to enable Lead Members from the four Councils to collectively execute their responsibilities in respect of monitoring outcomes for children in care be approved.</p> <p>7. That authority be delegated to the Cabinet Member for Resources and the Cabinet Member for Children and Young People, in consultation with the Director of Finance and the Director for Children’s Services, to approve the funding agreement.</p>
<b>Options Considered</b>	<p>Alternatives to moving to a RAA hosted by City of Wolverhampton Council were explored:</p> <p>a. To continue with the current arrangements: this would not provide the opportunity to realise the benefits that have been identified; it would also mean that the City of Wolverhampton Council would not be working to Government policy.</p> <p>b. To move to a RAA hosted by one of the other partner LAs: only Dudley MBC expressed an interest in hosting and the due diligence process found greater confidence in Wolverhampton’s submission.</p> <p>c. To continue to develop a RAA as an Local Authority Traded Company: this was seen as more bureaucratic and costly and carried greater risk.</p>
<b>Reasons for Decision</b>	<p>The decision to move to a Regional Adoption Agency (RAA) hosted by City of Wolverhampton Council has been taken for the reasons detailed in the report; chiefly that it will enable the benefits identified to be realised, and the Council to keep in line with Government policy.</p>
<b>Record of Conflicts of Interest</b>	<p>None</p>
<b>Dispensation Granted</b>	<p>N/A</p>

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<b>Decision available for implementation (subject to call-in)</b>	28 November 2018
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<b>Title</b>	Prescribed Alterations to Specialist Educational Provision
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That, in accordance with statutory guidance, the outcomes of Prepublication Consultation and Representation in relation to the proposed prescribed alterations to Penn Hall School, Tettenhall Wood School and Warstones Primary School be formally considered.</li> <li>2. That the proposed prescribed alterations to Penn Hall School be approved.</li> <li>3. That the proposed prescribed alterations to Tettenhall Wood School be approved.</li> <li>4. That the proposed prescribed alteration to Warstones Primary School be approved.</li> <li>5. That it be noted that the two prescribed alterations to Penn Hall School are classified as related proposals which are interdependent and cannot be considered in isolation of one another.</li> <li>6. That it be noted that the two prescribed alterations to Tettenhall Wood School are classified as related proposals which are interdependent and cannot be considered in isolation of one another.</li> <li>7. That it be noted that the capital costs included in this report have been incorporated into the ‘Capital programme 2018-2019 to 2022-2023 quarter two review’ report which is also on this agenda and will subsequently be reported to Full Council for approval on 5 December 2018, assuming that Cabinet approval to progress with the project is given. As the progression is dependent on that decision, if the project is not approved, the capital programme will be reduced accordingly.</li> </ol>

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<b>Options Considered</b>	<p>Whilst alternative solutions exist, the proposed changes offer practical opportunities to maximise the efficient and timely use of resources and align to the Council’s strategic aspirations to:</p> <ul style="list-style-type: none"> <li>• “Ensure Wolverhampton’s school estate is fit for purpose and meets the full range of more complex needs of children and young people with special educational needs</li> <li>• and disabilities now being placed.”</li> <li>• “Develop local provision in order to reduce the number of children needing residential and out of area education, health and care services.” (City of Wolverhampton Council 2016).</li> </ul>
<b>Reasons for Decision</b>	The proposals would support the Council to develop high quality educational provision for pupils with Special Educational Needs and Disabilities and ensure that community needs can be met effectively.
<b>Record of Conflicts of Interest</b>	None
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	28 November 2018

<b>Title</b>	Exclusion of press and public
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	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 relating to the financial or business affairs of any particular person (including the authority holding that information).
<b>Options Considered</b>	N/A

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<b>Reasons for Decision</b>	N/A
<b>Record of Conflicts of Interest</b>	N/A
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	N/A

<b>Title</b>	Appropriation of Land at Railway Street for Planning Purposes
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That it be resolved with immediate effect to appropriate land known as Railway Street car park shown edged red on the Plan at Appendix 1 to this report which is held by City of Wolverhampton Council as highway land having a temporary use as a public car park to Planning Purposes (for an office led commercial and office mixed use development with scope for ancillary retail, residential and leisure uses falling within Classes A2, A3, A4, A5 B1a, C3 and D2 of Town &amp; Country Planning (Use Classes Order) 1987 (as amended) under Section 122 of the Local Government Act 1972 in connection with the proposed development, redevelopment or improvement of the City of Wolverhampton which is likely to contribute to the economic, social or environmental well-being of the City Council's area.</li> <li>2. That it be noted that the appropriation of the car park is necessary and in the public interest to secure the benefits of redevelopment of the site.</li> <li>3. That it be noted that appropriation of the site will enable the development to proceed without the risk of an injunction from adjoining landowners.</li> <li>4. That it be noted that appropriation will limit the level of compensation payments to the value of</li> </ol>

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	<p>the diminution in value of affected properties.</p> <p>5. That it be noted that at its meeting on 20 February 2018, Cabinet declared the Council’s land holding at Railway Street car park surplus to requirement.</p> <p>6. That it be noted that the parcel of land in question is one of numerous development sites outlined in the Interchange Master Development Agreement (2006) and subsequent amendments. The MDA places obligations on Neptune Developments Limited (now ION) to develop these sites.</p> <p>7. That it be noted that the parcel of land in question has been identified as a development site in the City Centre Area Action Plan, adopted September 2016.</p> <p>8. That it be noted that Appropriation of the land for planning purposes under s.122 of the Local Government Act 1972 is one of the criteria required to be satisfied in order to engage s.203 of the Housing and Planning Act 2016.</p> <p>9. That it be noted that when s203 of the 2016 Act is engaged s204 provides that compensation will be paid on a diminution in value basis. If the interests to be overridden relate to private Rights to Light, damages may also be payable in lieu of an injunction.</p>
<b>Options Considered</b>	As outlined in the exempt report.
<b>Reasons for Decision</b>	As outlined in the exempt report.
<b>Record of Conflicts of Interest</b>	N/A
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	28 November 2018

**City of Wolverhampton Council – Decisions taken by the Cabinet on Wednesday, 21 November 2018**

<b>Title</b>	Secondary School Expansion Programme 2019-2020 and Primary School Provision
<b>Status</b>	Recommendations Approved
<b>Record of Decision</b>	<ol style="list-style-type: none"> <li>1. That the formal proposal for schools to be included within the Secondary School Expansion Programme 2019-2020 be approved.</li> <li>2. That permission be granted to enter into formal negotiations with Academy Trusts.</li> <li>3. That it be agreed to receive further reports detailing the proposed works and the arrangements with various schools and academies and detailed cost plans before capital budgets are agreed.</li> <li>4. That it be noted that, in addition to the proposed Secondary School Expansion Programme 2019-2020, projected levels of secondary demand suggest that further significant investment in additional school places may be required in the future to ensure that supply can meet demand. This may be over and above the approved capital programme.</li> <li>5. That it be noted that the Secondary School Expansion Programme 2019-2020 involves both temporary and permanent solutions to meet short and medium-term demand. This approach has been taken to ensure that an oversupply of school places is not created. Future demand may be influenced as a consequence of the United Kingdom leaving the European Union, and through the establishment of free schools within the City.</li> <li>6. That it be noted that the funding strategies to support the Secondary School Expansion Programme 2019-2020 will be subject to approval through the appropriate governance mechanisms.</li> <li>7. That it be noted that pupil forecasts for future primary cohorts show that further uplifts may be required in certain planning areas from 2020. The Local Authority is not proposing any primary expansion programmes at present; however, Cabinet are asked to note the proposal from the Education and Skills Funding Agency (ESFA) to open a primary free school in the City. The Secretary of State is the decision maker in relation to any applications to establish a Free</li> </ol>

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	<p>School.</p> <p>8. That it be noted that the Council is not in full control of all the factors relating to the effective and timely supply of school places. The Regional Schools Commissioner is responsible for determining if academies can expand.</p>
<b>Options Considered</b>	As outlined in the exempt report.
<b>Reasons for Decision</b>	As outlined in the exempt report.
<b>Record of Conflicts of Interest</b>	Councillor Val Gibson declared a non-pecuniary interest as a Governor of Ormiston NEW Academy.
<b>Dispensation Granted</b>	N/A
<b>Decision available for implementation (subject to call-in)</b>	N/A