

CITY OF WOLVERHAMPTON COUNCIL	Cabinet (Resources) Panel Minutes - 17 February 2021
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Attendance

Members of the Cabinet (Resources) Panel

Cllr Louise Miles (Chair)
Cllr Ian Brookfield (Vice-Chair)
Cllr Paula Brookfield
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Linda Leach
Cllr John Reynolds
Cllr Stephen Simkins
Cllr Jacqueline Sweetman

Employees

Tim Johnson	Chief Executive
Emma Bennett	Director of Children's and Adult Services
Ross Cook	Director of City Environment
John Denley	Director of Public Health
Richard Lawrence	Director of Regeneration
Claire Nye	Director of Finance
David Pattison	Director of Governance
Dereck Francis	Democratic Services Officer
Jaswinder Kaur	Democratic Services Manager

Part 1 – items open to the press and public

Item No. Title

- 1 **Apologies for absence**
Apologies for absence were submitted on behalf of Councillor Jasbir Jaspal.
- 2 **Declarations of interest**
Councillor Linda Leach declared a non pecuniary interest in item 5 (Business Rates Discretionary Relief) as she is a leaseholder.
- 3 **Minutes of the previous meeting**
Resolved:
That the minutes of the previous meeting held in 20 January 2021 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 **Business Rates Discretionary Relief**

Councillor Louise Miles presented the report on the proposal to extend the Council's scheme for Business Rates Discretionary Relief for charitable and voluntary organisations with effect from 1 April 2021. In doing so she paid tribute to charities and voluntary organisations in the city for all that they do for the city and its residents, and particularly for the tremendous work they have done over last year in the face of the Covid-19 pandemic. She also drew to the Panel's attention the importance of the scheme as an important part of the Council's Equalities agenda in that the Council continued to support charities and voluntary organisations in the city in their work supporting the most vulnerable residents.

Resolved:

That the extension to the local Business Rates Discretionary Relief Policy in respect of charitable and voluntary organisations for one year from 1 April 2021 be approved.

6 **Nominations Agreement with Registered Housing Providers**

Councillor Jacqueline Sweetman presented the report on a proposal to adopt a revised Nominations Agreement with Registered Providers (RP) that provide social housing in the city. The revisions to the Agreement would bring it in line with approved changes to the Council's Allocations Policy.

Under Section 170 of the 1996 Housing Act, it is a requirement of RPs to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority under the Local Authority's housing allocation scheme. This is achieved through a Nominations Agreement between the Local Authority and individual RPs offering affordable housing to let in the city which sets out the proportion of their properties that become available to let that are made available to the Council for applicants on the citywide housing register.

Resolved:

1. That the revised Agreement between the Council and Registered Providers of Social Housing for Nominations be approved.
2. That authority be delegated to the Cabinet Member City Assets and Housing, in consultation with the Director of City Environment to agree future revisions to the Nominations Agreement.

7 **Prescribed Alterations to Specialist Educational Provision**

Councillor Dr Michael Hardacre presented the report on the outcomes of Pre-publication Consultation and Representation on the proposed prescribed authorised alterations to specialist educational provision at St. Michael's CE (A) Primary School. It was proposed to implement the proposed prescribed alterations and establish a resource base for pupils with Social, Emotional and Mental Health needs at the school. In commending the report he added that the proposal was ensuring that Wolverhampton was in a position to provide the best possible education for all its children and especially those who have special educational needs.

Resolved:

1. That the proposed prescribed alteration to St Michael's CE (A) Primary School be approved.

2. That the capital allocation and the release of funds to establish new accommodation for a Resource Base at St Michael's CE (A) Primary School be approved.
3. That the outcomes of Pre-publication Consultation and Representation in relation to the proposed prescribed alterations to St Michael's CE (A) Primary School be received and noted.
4. That the Council entering into a Grant Agreement with St Michael's CE (A) Primary School be approved.
5. That the virement from the Special Provision Capital Fund to the St Michael's CE (A) Primary School Project to fund the establishment of a new Resource Base to cater for pupils with Social, Emotional and Mental Health difficulties be approved.
6. That the awarding of a grant to St Michael's CE (A) Primary School to fund the establishment of new accommodation be approved.

8 **Adult Education Traineeship Budget**

The intention to make a key decision on the report 'Adult Education Traineeship Budget' at the meeting was not publicised in advance as required by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decision was urgent and could not be reasonably delayed for the following reasons:

- Notified on 20 January 2021 of successful outcome of Education and Skills Funding Agency Traineeship bid.
- Proposed original timeline for start date for contracts is 1 February 2021. (This may be slightly delayed due to late notification of award.)
- Due to tight timeline between notification of award and contract start date it could not be put on the forward plan for February and March Cabinet (Resources) Panel (CRP) meeting would be too late.
- CRP approval to receive the associated budget is the first step to getting contracts signed and delivery in place.

In light of the above, consent had been obtained for the key decision to be made at the meeting under the General Exception provisions.

Councillor Dr Michael Hardacre presented the report on a proposal for the Council to enter into the Contract for Services with the Education and Skills Funding Agency (ESFA) to deliver Traineeships to prepare young people in the city aged 16 to 24 (up to 25 for those with an Education Health Care Plan) for moving into work. The proposal would provide increased opportunities for young people in the city; provide valuable work experience employability skills; provide a pathway to employment; and form part of a wider offer to young people in Wolverhampton.

Resolved:

1. That the Council enters the Contract for Services with the Education and Skills Funding Agency (ESFA) to deliver Traineeships.

2. That the creation of supplementary revenue expenditure budgets up to £33,000 fully funded from income to support the Traineeships programme be approved.
3. That authority be delegated to the Cabinet Member for Education and Skills, in consultation with the Director of Regeneration, to annually approve entering into a Contract for Services with the ESFA for up to a further three years.
4. That it be noted that this contract is anticipated to generate up to £308,000 of income from the (ESFA) for the delivery of Traineeships.

9 **Acquisition of Privately Owned Empty Property by Agreement or Compulsory Purchase: 91 Griffiths Drive, Wolverhampton, West Midlands. WV11 2JW**

Councillor Jacqueline Sweetman presented the report on a proposal for the Council to acquire through negotiation or compulsory purchase, 91 Griffiths Drive, Wolverhampton. The property had been listed as awaiting probate since 2017 and offers of assistance to move matters forward voluntarily had not been progressed by the beneficiaries of the estate. A Notice requiring the estate to remedy the detrimental effect of the property had also not been fully complied with. The proposal was in support of the Council's Empty Property Strategy which aimed to bring long term empty properties back into use.

Resolved:

1. That the Director of City Environment be authorised to negotiate terms for the acquisition of the property 91 Griffiths Drive, Wolverhampton, WV11 2JW 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 property.
2. That expenditure for the potential acquisition of the property, with subsequent capital receipts being recycled within the Empty Property Strategy programme be approved.
3. That in the event that the property is improved and re-occupied to the satisfaction of the Director of City Environment, the withdrawal of the property from the CPO be authorised.
4. That following any acquisition, the Director of City Environment be authorised to dispose of the property on the open market on condition that the property is refurbished and re-occupied within six or 12 months (as appropriate to the scale of the works).
5. That the Director of Governance be authorised to:
 - a. Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the CPO including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry.

- b. Approve agreements with the owners of the property setting out the terms for the withdrawal of objections to the CPO, 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.

10 **Schedule of Individual Executive Decision Notices**

Resolved:

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

11 **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 remaining 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).

Part 2 - exempt items, closed to press and public

The Chair reported that as stated previously the meeting was in confidential session as the information included in the reports could, if released into the public domain, prejudice the financial position of the Council or its partners. As such all present are under a legal duty of confidentiality and must not disclose any confidential information - to do so would not only be a breach of the Council's codes (for councillors and employees) but also a breach of the legal duty of confidentiality.

12 **Procurement Award of Contracts for Works, Goods, and Services**

Councillor Louise Miles presented for approval the report on the award of contracts for works, goods and services. She drew to the Panel's attention the exemption to the Contract Procedure Rules approved by the Head of Procurement and Director Finance for the period 1 to 31 December 2020.

Councillor Steve Evans drew to the Panel's attention the contract for a central management system to enhance savings from the conversion of street lighting to low energy Light Emitting Diode (LED) luminaries. The system would form part of the Council's Digital Transformation Programme and would provide remote dynamic street lighting control. He placed on record his thanks to officers involved in securing funding from the European Regional Development Fund budget for the contract.

Resolved:

1. That the award of the contract for Arthur Street bridge main works to Eurovia Infrastructure Limited T/A Eurovia Contracting North of Pioneer Close, Wath Upon Dearne, Rotherham, S63 7JZ for a duration of four months from 17 February 2021 to 16 June 2021 for a total contract value of £687,000 be approved.

2. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Director of City Environment, to approve the award of a contract for a Fleet Management System when the evaluation process is complete.
3. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Director of City Environment, to approve the award of a contract for streetlighting central management system when the evaluation process is complete.
4. That authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve the award of a contract for Asset Valuations when the evaluation process is complete.
5. That authority be delegated to the Cabinet Member for Children and Young People in consultation with the Director of Children's and Adult Services to approve the award of the contract for the Specialist Intensive Therapeutic Support service when the evaluation process is complete.
6. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive, to approve the award of a contract for Sandwiches and Food-to-Go when the evaluation process is complete.
7. That the exemptions to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 to 31 December 2020 as set out in Appendix 1 to the report be noted.

13

49 & 51 School Lane, Bushbury - Structural condition and demolition.

Councillor Jacqueline Sweetman presented the report on the findings of a structural condition report of 51 School Lane, Bushbury and outbuildings and the impact of the findings on the adjoining property, 49 School Lane. Due to structural defects outlined in the structural condition report, it was proposed that both properties be demolished.

Resolved:

1. That the demolition of 49 and 51 School Lane, Bushbury and outbuildings due to the structural defects as outlined in paragraph 3 of the report be approved.
2. That the award of Home Loss and Disturbance payment to the tenants as outlined in paragraph 2.2 of the report and to pay 25% of the Home Loss payment in advance, when suitable alternative accommodation is offered and accepted be approved.

14

Appropriation of Bond House to the Housing Revenue Account

Councillor Jacqueline Sweetman presented an overview of the report on a proposal to appropriate Bond House from the General Fund to the Housing Revenue Account.

Resolved:

That the appropriation of Bond House from the General Fund to the Housing Revenue Account be approved.

15

New Park Village Redevelopment Programme - Private Owner Options

Councillor Jacqueline Sweetman presented the update report on progress made with the Ellerton Walk redevelopment scheme on New Park Village. Approval was sought to a range of recommendations that would support the delivery of the estate redevelopment.

Resolved:

1. That the phasing plan of the Ellerton Walk redevelopment area as set out in section 4.0 and Appendix 1 to the report be approved.
2. That the demolition of all housing and retail units as set out in the proposed phasing plan for the Estate as shown at Appendix 1 to the report be approved.
3. That all initial development project budget spend as outlined in paragraph 5 of the report be approved.
4. That the options as shown in Appendix 3 to be offered during negotiations with owners of leasehold and freehold properties within Ellerton Walk, Shawbury Road and Valley Road be approved.
5. That the process where owners wish to seek a second property valuation during the negotiation period be agreed.
6. That the making of a Compulsory Purchase Order (CPO) under Section 17 of the Housing Act 1985 as detailed in paragraph 7 and shown coloured pink on Appendix 3 to the report be approved.
7. That negotiations be entered into with the freeholder of commercial units as detailed in paragraph 7 of the report, with a view to acquiring the units to incorporate the land into the development site. If negotiations fail, the making of a Compulsory Purchase Order (CPO) under Part II, Section 17, Housing Act 1985 as shown coloured pink on Appendix 5 to the report be approved.
8. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Director of City Environment to agree the expenditure on individual property purchases, including payment Home Loss and Disturbance payments, using the Land Compensation Act 1973 as a basis for compensation payments.
9. That replacement units of temporary accommodation within the Council housing stock as they are lost on the estate be approved.
10. That further Statutory Home Loss Compensation of £6500 (in any 12-month period), for each resident that has qualified previously for Statutory Home Loss Compensation be approved. This applies to residents who have already moved from one maisonette block to another suitable property on the estate (including those Maisonettes earmarked for demolition) so that it enables the speedy demolition and redevelopment of the estate.
11. That the Chief Legal Officer or other authorised officers be authorised to execute legal documentation to put the purchases into effect.

12. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Director of City Environment to approve any other agreements including deed of covenants, collateral warranties, assignments and such other ancillary agreements, including variations as may be deemed necessary to facilitate the redevelopment of the estate.
13. That the progression of a local lettings plan for this development for both temporary decanting and newbuild redevelopment on the estate be approved.
14. That it be noted that an Independent Tenant and Home Advisor for New Park Village Tenant Management Cooperative (NPV TMC) is being procured separately from this report. This is for the use for of NPV TMC and its residents as well as the Council to ensure that residents have access to impartial advice concerning all redevelopment matters on the estate.
15. That it be noted that further reports on the redevelopment proposals for the New Park Village Estate would be submitted to the Panel.

16 **Procurement - Mobile Lateral Flow Testing**

The intention to make a key decision on the report 'Procurement – Mobile Lateral Flow Testing' at the meeting was not publicised in advance as required by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decision was urgent and could not be reasonably delayed for the following reason:

- As a result of the COVID-19 outbreak, it has been determined that a Mobile Lateral flow testing (MLTF) service is required. This provision will ensure additional capacity and accessibility to areas with limited current coverage. Due to the urgency of this requirement it has been agreed that the approval of the award cannot be delayed until the 17 March Cabinet (Resources) Panel.

In light of the above, consent had been obtained for the key decision to be made at the meeting under the Special Urgency provisions.

Councillor Louise Miles presented the report on the award of a contract for Mobile Rapid Flow Testing. The contract was part of the Council's programme to control Covid-19 and the provision would ensure additional capacity and accessibility to areas with limited current coverage.

Resolved:

1. That authority be delegated to the Cabinet Member for Public Health and Wellbeing, in consultation with the Director of Public Health, to approve the award of a contract for Mobile Lateral Flow Testing once negotiations are complete.
2. That the virement of £597,000 from the Contained Outbreak Management Fund Grant to support the mobile lateral flow testing requirement be approved.