

Meeting of the City Council

3 March 2021

Report title	Decisions Made Under Urgent Action Powers	
Referring body	N/A	
Councillor to present report	Councillor Ian Brookfield	
Wards affected	All Wards	
Cabinet Member with lead responsibility	Councillor Ian Brookfield Leader of the Council	
Accountable director	David Pattison, Director of Governance	
Originating service	Governance	
Accountable employee	Jaswinder Kaur	Democratic Services Manager
	Tel	01902 550320
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Report to be/has been considered by		

Recommendation for decision:

The Council is recommended to:

1. To note all the decisions made under the Council's Urgent Action Powers.

1.0 Purpose

1.1 The purpose of this report is to inform the Council of decisions taken under the Council's Urgent Action Powers since the last Council meeting.

2.0 Background

2.1 In the light of the Covid-19 situation the Council had to, as a result of the Government's decision on restriction of movement, cancel all Council/Committee meetings until legislation was in place, which allowed remote meetings, and then once that was in place meetings were reintroduced on a phased basis with the first Council meeting since 3 March 2020 taking place on 16 September 2020. In the intervening period the Council's urgent action powers had to be used for any decisions that had to be taken and could not be deferred. These powers were used sparingly and the guiding principles for any decisions were that:

- only those decisions that have to be made (i.e. as a result of Covid-19 or related matters, including support of businesses in this difficult time or as a result of an immovable deadline) would be made.
- the decisions would be made available on a regular basis to Councillors through the update to Councillors and in any event through a weekly roundup of the decisions made through the relevant pages on the Council's website so that the Public can access them.
- the decisions made would be reported to the next available Council

2.2 The relevant powers under the Constitution are:

Council Decision

6.10 Urgent Decisions outside the Budget or Policy Framework

An urgent decision which is contrary to the Policy Framework or budget adopted by the Council may be taken by the Cabinet if the Chair of the Scrutiny Board agrees that the decision is urgent. If no such Chair is available (or willing) then the Mayor or in his/her absence the Deputy Mayor may agree that it is urgent before a decision is taken.

6.11 Cabinet Decision

Where an urgent decision on a matter delegated to the Cabinet is required but it is not feasible to arrange a meeting of the Cabinet, the appropriate Director, in conjunction with the Head of Paid Service is authorised to take the appropriate urgent action provided that the action shall have first been discussed with and approved in writing by the Leader (or in the Leader's absence, the Deputy Leader) and two other Cabinet Members and the Chair and Vice-Chair of the Scrutiny Board or their nominees.

The written authorisation must include details of the proposal and the justification for the course of action. Expenditure must be within existing budgets. Any action taken under this rule must be reported to the next available meeting of the Cabinet for information. Such decisions will not be subject to the usual Call In procedures set out in Part 4, although they may be examined after implementation to determine whether the justification for the course of action was appropriate.

- 2.3 This report sets out the decisions that have been made using the Urgent Action powers under the Constitution since last reported to Full Council on 16 September 2020.

3.0 Urgent Action Powers

- 3.1 The table below details all the decisions taken under the Council's Urgent Action Power's since last reported to Full Council on 16 September 2020:

Part 1 – Open Items

Our Council

Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts Councillor Steve Evans Councillor Stephen Simkins Councillor Paul Sweet	09 October 2020	Alison Shannon 01902 554561
Title and summary of decision		
<p>Amendments to Council Budget and decisions related to Council actions as result of Covid-19</p> <ol style="list-style-type: none"> 1. Established supplementary revenue expenditure budgets totaling £174,265 for the enforcement surge funding fully funded by Government Grant to support the financial implications of increased enforcement on Covid compliance. 2. Established supplementary revenue budgets totaling £198,000, fully funded by the Next Steps Accommodation Programme for continuing to support rough sleepers supported during the Covid response. 3. Established supplementary revenue budgets totaling £273,765.47 fully funded by Government Grant for the new test and Trace Payment scheme. 4. Agreed payments to individuals under the new Test and Trace Support Payment scheme who have tested positive for Covid-19 and their close contacts, in line with Government Guidance in line with the information in section 2 of the report. 5. Approved the Council extending the grant agreement already in place between the Ministry of Housing, Communities and Local Government (MHCLG) and CQC registered care providers in the city together with any ancillary documents necessary for the Council to receive Infection Prevention Control Grant. 6. Approved an increase of £3.0 million to the supplementary budget of £3.3m created on 16 June 2020 and expenditure in line with the grant terms and conditions. The additional monies are fully funded by the Adult Social Care 		

Infection Prevention Ring Fenced Grant Round 2, October 2020 – March 2021 provided by MHCLG. This funding will be paid as a Section 31 grant ring fenced exclusively for actions which support CQC registered care homes and community care providers mainly to tackle the risk of Covid19 infections and is in addition to funding already received. 80% of the ring-fenced grant must transfer directly to CQC registered Care Homes and Providers in the city (2403 beds in total and 2281 in receipt of community care) and 20% spent by the local authority in line with grant conditions.

7. Approved the proposed communication and process for allocation and monitoring of 80% of the grant funding to Care Homes and Providers in line with the grant conditions as set out in section 3.
8. Approved the plan for the allocation of the 20% of grant funding to the Wolverhampton System in line with the grant conditions as set out in section 3.
9. Endorsed the contract entered into for the supply of additional PPE gloves to ensure a continuous supply of gloves for health and safety purposes for the Council and partners for £330,000.

Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts Councillor Linda Leach Councillor Stephen Simkins Councillor Paul Sweet	23 October 2020	Alison Shannon 01902 554561

Title and summary of decision

Amendments to Council Budget and decisions related to Council actions as result of Covid-19

1. Established supplementary expenditure budgets totalling £6.118 million funded by the COVID 19 Emergency Funding for Local Government Grant to support additional costs and loss of income relating to COVID 19.
2. Established supplementary expenditure budgets totalling approximately £790,000 funded by the Contain Outbreak Management Fund from Government. The budget would be established when the grant total is formally confirmed by government.
3. Established supplementary expenditure budgets totalling £117,430 funded by the Department of Transport to support the additional costs of home to school transport due to Covid 19.
4. Delegated authority to the Cabinet Member for Resources, in consultation with the Director of Finance to approve all virements required to support the additional costs and loss of income relating to COVID 19.
5. Approved the free School meal scheme for children in need in the City of Wolverhampton for the October half term as set out in paragraph 2.13 – 2.19 with an approximate cost of £250,000.

Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts Councillor Steve Evans Councillor Louise Miles Councillor Paul Sweet	09 November 2020	Alison Shannon 01902 554561
Title and summary of decision		
<p>Urgent decisions relating to November lockdown and budget decisions related to Council actions as result of Covid-19</p> <ol style="list-style-type: none"> 1. Agreed to the approach detailed in paragraphs 2.1 – 2.4 regarding the use of Urgent Decisions during the period for which the restrictions in the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020 remain in force. 2. Established supplementary expenditure budgets as follows (and agreed the use of the grants where stated): <ol style="list-style-type: none"> 2.1. Approved the establishment of supplementary revenue budgets totalling £127,000 fully funded Clinically Extremely Vulnerable Individuals grant and delegated authority to the Cabinet Member for Resources in consultation with the Director of Finance to approve any virements for this use of this grant. 2.2. Approved the establishment of supplementary revenue budgets totalling £4,000,302 funded by Local Restrictions Support Grants (Sector) and (Closed) Addendum and delegated authority to the Cabinet Member for Resources in consultation with the Director of Finance to agree to the payment of eligible business grants by the Council, in line with Government guidance. 2.3. Approved the establishment of supplementary revenue budgets totalling £5,267,140 funded by the Additional Restrictions Grant and delegated authority to agree the distribution of discretionary business grants to the Cabinet Member for Resources and the Cabinet Member for City Economy in consultation with the Director of Finance and the Director of Regeneration in line with Government guidance. 2.4. Approved the establishment of supplementary revenue budgets totalling £1,044,531 funded by the Local Restriction Support Grant (Open) funding from Government to support businesses that have suffered a reduction in demand as a result of the Local Authority being placed in Tier 2 (High). Delegated authority to the Cabinet Member for Resources and the Cabinet Member for City Economy in consultation with the Director of Finance to agree the distribution of discretionary businesses grants in line with Government guidelines. 2.5. Approved the establishment of supplementary revenue budgets totalling £19,000 funded by the Department of Transport to support the additional costs of home to school transport due to Covid-19. This takes the revised approved budget to £136,430. 2.6. Accepted the funding from Government under the Contained Outbreak Management Fund under which Local authorities will receive a one-off payment of £8 per head to support the wider measures to protect public health and local economies. Delegated authority to the Cabinet Member for Resources, in consultation with the Director of Finance to build in 		

supplementary revenue budgets once the grant allocation has been confirmed and make any payments in line with government guidelines and approve any necessary virements.

2.7. Accepted the funding from Government under the new Winter Grants Scheme for children and their families once the details of the scheme are known and delegated authority to the Cabinet Member for Children and Young People and the Cabinet Member for Education and Skills Member for Children and Young People, in consultation with the Director of Children's Services to make payments to any appropriate person in line with Government guidance and approve any necessary virements, to tie in with the collective support that the Council continues to provide to its vulnerable residents.

2.8. Approved the following virements:

- Approved a virement totalling £290,000 to support Covid Support Advisors for a period of six months funded by from the Enforcement Surge funding (174,000), and Emergency Covid 19 Grant funding (£116,000).
- Approved a virement of up to £230,000 for the appointment of 15 additional contact trace officers funded from the Test and Trace (outbreak control) grant.
- Approved the virement of up to £415,000 for the appointment of additional resources to support the grants to businesses. This will be funded from the Covid 19 Emergency Funding.
- Approved the virement of £220,000 to provide welfare, debt and benefits advice and support for residents. This will be funded from the Covid-19 Emergency Funding.

Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts Councillor Steve Evans Councillor Dr Mike Hardacre Councillor Paul Sweet	20 November 2020	Claire Nye 01902 550478
Title and summary of decision		
<p>2020-2021 - Capital Programme Quarter Two Review and Treasury Management Mid Year Review and other urgent matters</p> <ol style="list-style-type: none"> 1. Approved the revised medium-term General Revenue Account capital programme of £299.9 million, an increase of £11.4 million from the previously approved programme, and the change in associated resources. 2. Noted 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 2020. 3. Noted that revenue underspends of £1.8 million for the General Revenue Account and £682,000 for the Housing Revenue Account (HRA) are forecast from treasury management activities in 2020-2021, arising as a result of re-phasing of the capital programme and lower interest rates forecast on borrowing due to the impact on the economy of Covid-19. 4. Noted that two of the three credit rating agencies have downgraded the UK's credit rating. If the remaining credit rating agency follows suit the Director of Finance will lower the minimum sovereign rating in the Annual Investment Strategy in line with the delegated authority approved by Council on 17 July 2020. 5. That the Council appointed Emma Bennett as the interim Director of Adult Social Services pending a review. 6. That the Council agreed to the extension of the Regional Mortuary Provision from March 2021 to August 2021 and delegated authority to the Director of Governance to carry out the appropriate tasks in relation to amendment of the existing contract. 		
Title and summary of decision		
WV Living – equity investment		
<ol style="list-style-type: none"> 1. Approved investment of equity in WV Living, as set out in the Cabinet report of 16 December 2020, to support the business plan and the delivery of housing in Wolverhampton and that the entering into of any ancillary agreements or documents between the Council and WV Living arising out of the funding to WV Living be delegated to the Cabinet Members for City Assets and Housing and Resources in conjunction with the Chief Executive and the Director of Finance (Section 151 Officer). 		
Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts (with reservations) Councillor Steve Evans Councillor Stephen Simkins Councillor Paul Sweet	17 December 2020	Claire Nye 01902 550478

Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts Councillor Dr Mike Hardacre Councillor Louise Miles Councillor Paul Sweet	25 January 2021	Alison Shannon 01902 554561
Title and summary of decision		
<p>Urgent decisions relating to budget decisions related to Council actions as result of Covid-19</p> <ol style="list-style-type: none"> 1. Approved the establishment of supplementary revenue budgets fully funded by Government Grants for mandatory business grant schemes and agreed to make payments to eligible business grants, in line with Government Guidance for the period up to 31 March 2021. 2. Approved the establishment of supplementary revenue budgets fully funded by Government Grant for discretionary business grant schemes and delegated authority to the Cabinet Member for Resources and the Cabinet Member for City Economy, in consultation with the Director of Finance and the Director of Regeneration to agree the distribution of discretionary business grants in line with Government guidelines. 3. Approved the establishment of supplementary revenue budgets fully funded by Government grant for the Community Testing Programme and delegated authority to the Director of Public Health to make grant payments to third party organisations facilitating tests on behalf of the Council. 4. Approved the establishment of supplementary revenue budgets totalling £282,730.14 fully funded by the Test and Trace Support Payment Grant and make payments to individuals in line with Government guidelines. 5. Approved the establishment of supplementary revenue budgets totalling £474,923 fully funded by grant to support Covid Community Champions and delegated authority to the Cabinet Member for Public Health and Wellbeing in consultation to with Director of Public Health to approve any virements to support expenditure including awarding grants to voluntary and community organisations. 6. Approved the establishment of supplementary revenue budgets totalling £78,000 fully funded by grant to support Black Country Fostering project and delegated authority to the Director of Children’s Services to approve any virements to support activity. 7. Approved the establishment of supplementary revenue budgets totalling £768,415 fully funded by grant to support Rapid Testing for staff in care settings and to support testing visiting professionals and approved that 80% of the grant funding be allocated to care settings in line with the grant conditions. Delegation authority to the Deputy Director for Adults, in consultation with the Director of Public health, to approve the plan on behalf of the council for the allocation of the 20% of grant funding in line with the funding conditions. 8. Approved the establishment of supplementary revenue budgets totalling £688,239 fully funded by grant to support work force capacity and delegated authority to the Director of Children’s and Adult Services to allocate the grant in line with the funding conditions. 		

9. Approved the establishment of further supplementary budgets where the Council receives fully funded by Government Grant to the council to support the costs of Covid until the 31 March 2021, and delegated authority to the Cabinet Member for Resources and the relevant Cabinet Member, in consultation with the Director of Finance and relevant Director, to approve all virements required to support the additional costs and loss of income relating to Covid 19.
10. Approved the Council entering into such grant agreements as are necessary for the Council to receive the funding detailed above in paragraphs 1 – 9.

Decision maker	Date Approved	Contact Officer
Leader of the Council Councillor Jonathan Crofts Councillor Steve Evans Councillor Dr Mike Hardacre Councillor Paul Sweet	03 February 2021	Claire Nye 01902 550478

Title and summary of decision

Housing Revenue Account Business Plan 2021-2022 including Rent and Service

1. Adopted the Business Plan set out at Appendix 1 to the report as the approved Housing Revenue Account Business Plan including:
 - a. The revenue budget for 2021-2022 at Appendix 1 to the report.
 - b. The Capital Programme for 2021-2022 to 2025-2026 at Appendix 2 to the report that
 - c. included the following among the proposed investment plans;
 - £134.0 million for new build development
 - £41.3 million provision for Estate Remodelling
 - £3.6 million for a new programme for low and mid-rise infrastructure replacement
 - £2.0 million budget provision for conversion of commercial property to residential to provide additional homes
 - £44.5 million to complete the refurbishment of the Heath Town estate
 - £86.5 million for programmes to high rise estates to include fire safety improvements, infrastructure replacement, retrofitting of sprinklers and external works.
2. Approved the implementation of an increase of 1.5% to social housing rents in accordance with the Welfare Reform and Work Act 2016 and to give 28 days notice to all secure and introductory tenants of the rent increase from 1 April 2021.
3. Approved the rates for garage rents and service charges set out in Appendix 3 to the report and formally notified tenants.
4. Approved Management Allowances for Managing Agents as follows;
 - Wolverhampton Homes - £39,425,000
 - Bushbury Hill Estate Management Board - £1,720,000
 - New Park Village Tenants Management Organisation - £383,000
 - Springfield Horseshoe Tenants Management Organisation - £360,000
 - Dovecotes Tenants Management Organisation - £1,113,000