

**FAO:**

Councillor Philip Bateman MBE (Chair)	Labour
Councillor Ellis Turrell (Vice-Chair)	Conservative
Martin Stevens (Clerk)	
David Pattison (Chief Operating Officer)	
Councillor Valerie Evans	Labour
Councillor Rita Potter	Labour
Councillor Wendy Thompson	Conservative
Councillor Simon Bennett	Conservative
Councillor Susan Roberts MBE	Labour
Councillor Barbara McGarrity QN	Labour
Councillor Jacqueline Sweetman	Labour
Councillor Qaiser Azeem	Labour
Councillor Jacqui Coogan	Labour
Councillor Anwen Muston	Labour
Councillor John C Reynolds	Labour

WSTG has reviewed the 288-page document submitted by the council as relevant documentary evidence to the City Centre West Relaunch Grant scheme and found it quite difficult to navigate in terms of cross-referencing and finding relevant information quickly and easily. This is particularly notable with regards to the Briefing Note Section 4 responses.

- Unmarked appendices - no headers or page locations
- Incorrectly placed blank pages
- Irregular order of documents

Having reviewed the responses from the council in briefing note section 4, WSTG were disappointed to have again received responses that were incomplete, included errors, omitted information, did not include relevant references and responses that are copied and pasted from previous correspondence.

As a result of these inconsistencies, WSTG have compiled this document as a further response to the council regarding these issues and concerns.

For clarity, each response is set out to the original Briefing Note Order, shows a screenshot of the briefing note response (highlighted where necessary) followed by WSTG response and any relevant screenshots/cross-references.

**The council were asked to provide a document consisting of correspondence and evidence from their own traceability log and present it to scrutiny panel. This was clearly not done in full as pages 107-283 of the supplement is documentation compiled and provided by WSTG.**

**Appendices**

Appendix 1: Amended Appendices List

Appendix 2: Email from Marianne Page - December 2022

Appendix 3: Discretionary & Hardship Business Rates Relief

### 3. Relevant documentary evidence

3.1 The following sets out the activity and relevant documents or response related to the City West Relaunch Grant with accompanying communication to businesses and WSTG

Date	Activity	Appendix, documents or response
7 March	Council received the report from RSM on the review of the previous scheme and a recommendation to the council on how to implement a rigorous and robust framework to assess evidence of business loss.	Unable to make public as the doc contains commercially sensitive information
13 March	Council representatives met with the West Side Traders group. 6 members attended	1. Actions from the meeting 2. Email with actions To WSTG
14 March	Presentation to Scrutiny Board on a proposed way forward (City Centre West Relaunch grant) which received approval from board members	3. Presentation
16 March	Letters hand delivered or emailed. This included a copy of the presentation from Scrutiny Board and a request for businesses to give their views on two options: Option 1: adopt the extensive financial investigation approach recommended to the Council by independent experts RSM Option 2: A more inclusive, uniform and swifter Relaunch grant	4. Letter
22 March	Responses from traders to the options received	5. Outcome of Options
31 March	Cabinet Urgent decision relating to City Centre West Relaunch grant following the recommendations made by traders	6. Urgent Decision
4 April	Grant scheme go-live and letters hand delivered / emailed to all eligible businesses	7. Letter 8. Email
6 April	Letter (dated 4 April) and documents from WSTG objecting to the grant award received. Attached with an email along with documents and notes from WTSG	9. Letter 10. Email
21 April	Chief Executive response to WSTG letter of 6 April	11. letter
28 April	Follow up letter from Council to traders to extend the deadline for applications to the scheme to 31 March 2023	12. Letter
	Engagement and business visits to business in the area	No documents
2 May	Emergency Scrutiny Board	13 Paper 14 Minutes
24 May	extension of the closing date for grant applications to 30 June 2023	15 Cabinet decision
5 June	As at 9am on Monday 5 June 2023 – 37 applications have been received from eligible businesses (66% of total eligible businesses)	

#### 3.1 Briefing Note Page 4 - Appendices 1-6

The email of minutes dated 13<sup>th</sup> March was not received until late Friday 17<sup>th</sup> March. Conveniently, points raised and verbal agreements made at the 13<sup>th</sup> March meeting by WSTG were not documented:

- WSTG not happy with directed choice for Relaunch. Requested seeing RSM report - refused.
- WSTG subgroup was asked to make a choice of which option, but this was refuted as WSTG subgroup could not make a decision on option 1 or 2 for all businesses as they are independents and needed to be consulted and fully informed.
- **It was agreed** by Cllr Simkins and Isobel Woods, that concerns raised by WSTG businesses with regards to options would need to be considered. This was totally ignored by Council.
- **It was agreed** for Council to host all traders 20<sup>th</sup> March and present options as there would be concerns. Council decided to go ahead with delivering letters **WITHOUT** notifying WSTG of their decision, knowing that further concerns would be registered.
- WSTG upheld their part by speaking to traders at meeting 20<sup>th</sup> March with respect to options, hence the earliest WSTG were able to respond was Tuesday 21<sup>st</sup> with feedback from traders meeting.
- WSTG was informed of Scrutiny meeting to be held 14<sup>th</sup> March by Cllr Simkins and invited WSTG to attend. This was viewed and attended by WSTG.

The response to Council & Minutes of WSTG Meeting were emailed and concerns were raised. No response from Isobel Woods until John Roseblade sent email 24<sup>th</sup> March acknowledging he would address the questions/concerns raised week beginning 27<sup>th</sup> March. **No response received by WSTG.** (Please see pages 4-6 of WSTG-Followup-Scrutiny2May23-Detailed-Log-1)

Council went to Cabinet 31<sup>st</sup> March for Special Urgent Decision. WSTG were unaware. Reference made to Public Realm Support Packages for Businesses - Briefing note from Isobel Woods to Economy Growth Scrutiny Panel was not a true representation of facts. This gave rise to WSTG doing a formal address to Council & Scrutiny Board

(Please see pages 9-17 of WSTG-Followup-Scrutiny2May23-Detailed-Log-1)

#### **4.1.1 Point One**

*Public realm work that took place during phase 1 which was deemed to be November 2021 to February 2023, in actual fact was Nov 2021 – May 2023*

#### **Response to Point One**

The programme of works was regularly shared with the WSTG through engagement in the area. This included unforeseen changes to the programme due to either bad weather such as snow, when a broken sewer pipe was discovered, and a close down of works to open up the area as much as possible for Christmas trading (at the request of the traders). The works timetable was also moved where possible, to fit with business operating times and deliveries and the contractor would commence work before business opening times.

#### **4.1.1 Briefing Note Page 5 / Council Supplement Report Page 107, Paragraph 3**

WSTG regularly queried the program of works including delays, as since the beginning of the public realm works, regardless of the traders' liaison officer, communications have been lacking. While we acknowledge that there were issues that were out of the control of the contractors and the council (collapsed sewer, gas leak etc) the issue with barriers causing problems with access has been ongoing. In the meeting on 5<sup>th</sup> December between council and WSTG subgroup various issues were raised which were listed in the minutes and re-iterated in the response to council on 13<sup>th</sup> December.

8. **Westside have explained sheer disappointment on the failings of Eurovia/Council :**
  1. Not sorting out delivery access for businesses when it should have been done over 2 months ago.
  2. The misuse of space at Bell Square wrt parking vehicles and making the whole space look like a Construction site.
  3. Reduce unnecessary barriers and create accessible walkways with Health and Safety in mind.
  4. Slowness of actually getting work done.
  5. Improved street lighting.
  6. No Xmas lights or lamp posts.
  7. No Christmas activity to generate/drum up trade for Westside.
  8. Westside suggested activities to coincide with an event to consider business trail.

**Cllr Simkins stated he would like to meet with senior manager of Eurovia** to challenge their lack of care or concern over businesses and urgency of work/ delays/failings and conduct in which works are being carried out.

*\* Cropped from Council Supplement Report Page 259*

It was WSTG that brought these issues regarding barriers/lights/access for Christmas trading to the council - again there was no fore-thought regarding these from either the council or Eurovia.

Furthermore, it re-indicates the lack of understanding from the council as to the effect of such works on businesses, particularly with regards to access. **The implication that delays are because of traders' requests is insulting.** Especially as the street access was still restricted at both ends of Victoria Street main stretch as late as Christmas Eve 2022.

weather such as snow, when a broken sewer pipe was discovered, and a close down of works to open up the area as much as possible for Christmas trading (at the request of the traders). The works timetable was also moved where possible, to fit

*\* Cropped from Briefing Note Response 4.1.1*

Date: Wednesday, 7 December 2022 at 16:37 GMT

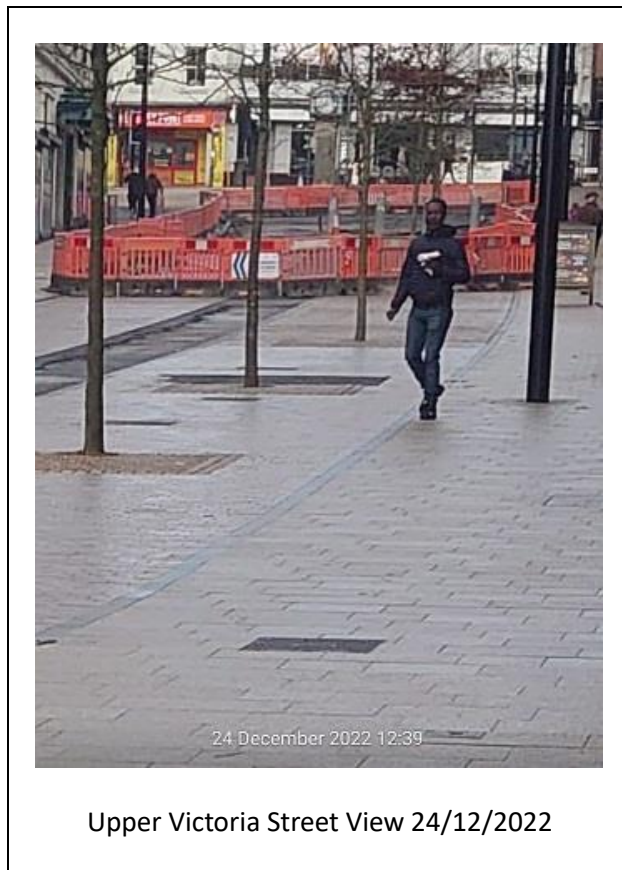
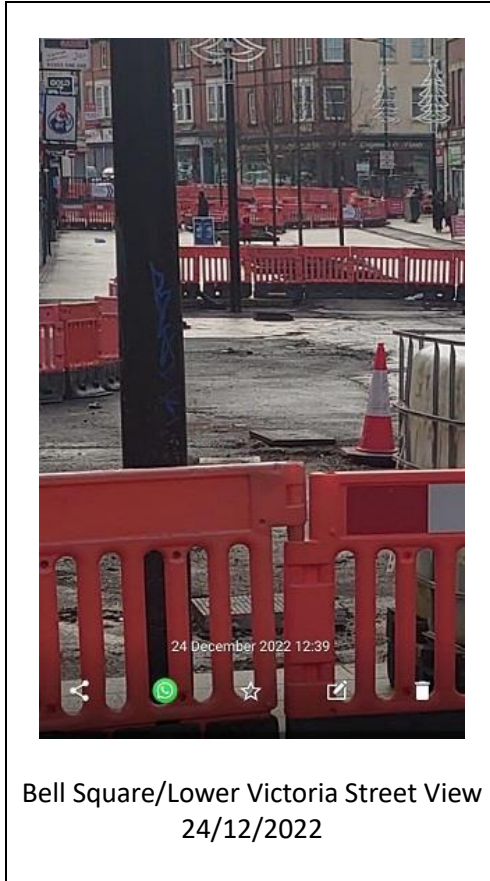
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Hi Billy and Des,

I hope you are both well. As agreed at the meeting on Monday, I said I would get an update out on what we are able to do to action the specific requests for the works area pre-Christmas:

- Street Lights and Christmas Lights: The 2 missing street lights are now in and connected, and you should hopefully see that Christmas Decorations are now up around the works area.
- Opening additional pedestrian routes / space before Christmas: We have worked with the contractors and taken on board the suggestion particularly around opening up a route through the Bell Square space. The attached plan shows the new arrangements for the next few weeks on the run up to Christmas, with as much pavement space and barrier removal as possible achieved. An update will be issued by Meg to all of the Traders in the area to let them know about the changes, and what that will mean in relation to any works planned outside of businesses.
- Bell Square area: The contractors have been asked to ensure they and sub-contractors do not leave unnecessary vehicles in any of the work areas, specifically not in locations which might detract from views through the area for the public.

*\* Cropped from email received from Marianne Page as a result of issues raised December 5<sup>th</sup>, 2022, Meeting (Appx 2)*



#### 4.1.2 Point two

*There has been a gross injustice to businesses of Victoria Street, Salop Street Skinner Street and School Street that the council did not provide WSTG business hardship relief as promised over 14 Months ago.*

#### Response to Point two

Whilst the Council acknowledges the impact the works may have had on traders, there is no legal responsibility for the council to make any payments in these circumstances. We have however said on numerous occasions that we were (and are) committed to providing support for business and would look at disturbance payment where there was clear and auditable evidence of loss.

In December 2022 business who met the requirements set out at that time received an urgent payment

The council has been working with WSTG since April 2022. We have considered a number of support options with traders which included the option for a very rigorous and robust evidence-based financial assessment as recommended by RSM. The other option proposed was a simpler grant scheme as part of a wider business support package.

In March 2023 traders unanimously voted for the latter option and a package of support totalling some £400,000 of taxpayer's money was put in place to deliver this.

The council is committed to supporting business. It has to balance this against its wider obligations and the legal duty to spend public funds responsibly and in an open, transparent and auditable way, backed by evidence to support funding support decisions.

#### **4.1.2 Briefing Note Page 5 / Council Supplement Report Page 107, Paragraph 1 & 2**

It clearly states that where clear auditable evidence of loss was shown – Why did the Council not pay the 5 businesses the **full amount** where it was accepted, auditable and clearly demonstrated - paying them only £5k?

#### **4.1.2 Briefing Note Page 5 / Council Supplement Report Page 107, Paragraph 3**

It is interesting to note that the council are now referring to payments as disturbance payment, when this has previously been referred to as hardship or disruption, and even compensation (although this is a term that WSTG had been asked to avoid using.)

WSTG have presented a solution to proving auditable evidence of losses through using data from a date timeframe that includes that collected by SCA Consultancy (to ensure that monies from public funds can be used in the ways necessary (see paragraph 5 above in response) yet shows a **more realistic view** of losses incurred by businesses during the works. This was clearly stated in the correspondence that this note is responding to yet has **again** been ignored as a viable option.

The wider business support package has been mentioned numerous times, yet WSTG have not received any detailed information about this. In fact, the only reference to wider business support was in the letter sent from the council informing traders of the opening of the grant scheme (see Page 55/Appx 7. of council supplement report)

## 2. Wider business support on offer

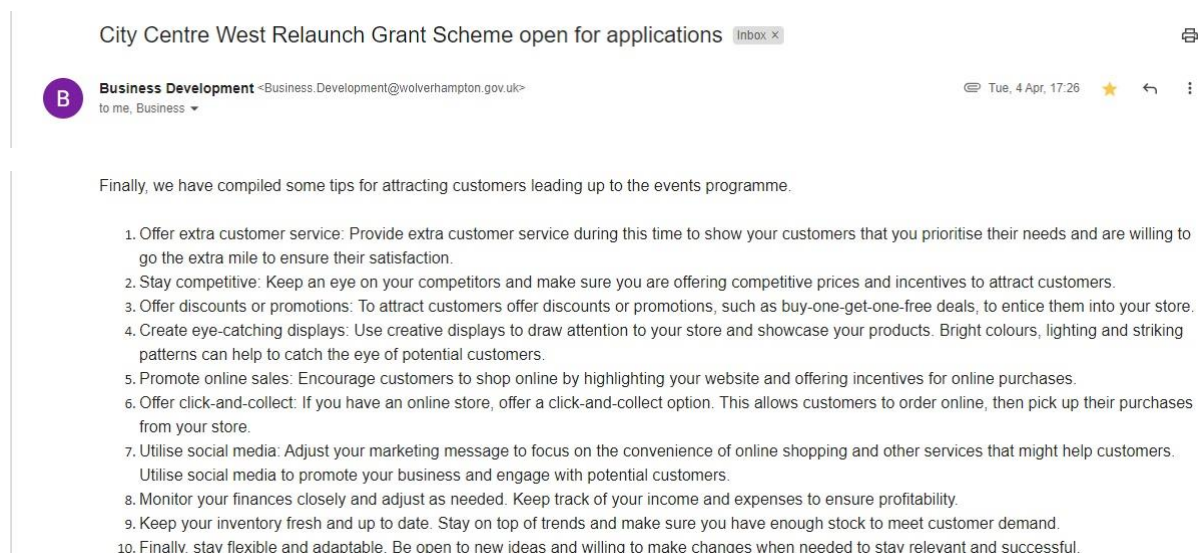
The Wolverhampton Employer Support (WES) team can provide direct and indirect help. For more information go to: <https://www.wolverhampton.gov.uk/business/wolverhampton-employer-support>.

You can also email the team at [business.development@wolverhampton.gov.uk](mailto:business.development@wolverhampton.gov.uk), call on 01902 555572 or visit iGNITE, the city business hub in i10 by the station.

We are also in active discussions with our colleagues at the Federation of Small Businesses (FSB) to see how they may also be able to offer support to traders.

*\* Cropped from Council Supplement Report Page 55*

Businesses were also offered “tips” by the council to attract customers in the lead up to events in the body of emails received by traders on 4<sup>th</sup> April, again announcing the opening of the scheme:



City Centre West Relaunch Grant Scheme open for applications Inbox x

**B** Business Development <Business.Development@wolverhampton.gov.uk>  
to me, Business

Tue, 4 Apr, 17:26

Finally, we have compiled some tips for attracting customers leading up to the events programme.

1. Offer extra customer service: Provide extra customer service during this time to show your customers that you prioritise their needs and are willing to go the extra mile to ensure their satisfaction.
2. Stay competitive: Keep an eye on your competitors and make sure you are offering competitive prices and incentives to attract customers.
3. Offer discounts or promotions: To attract customers offer discounts or promotions, such as buy-one-get-one-free deals, to entice them into your store.
4. Create eye-catching displays: Use creative displays to draw attention to your store and showcase your products. Bright colours, lighting and striking patterns can help to catch the eye of potential customers.
5. Promote online sales: Encourage customers to shop online by highlighting your website and offering incentives for online purchases.
6. Offer click-and-collect: If you have an online store, offer a click-and-collect option. This allows customers to order online, then pick up their purchases from your store.
7. Utilise social media: Adjust your marketing message to focus on the convenience of online shopping and other services that might help customers. Utilise social media to promote your business and engage with potential customers.
8. Monitor your finances closely and adjust as needed. Keep track of your income and expenses to ensure profitability.
9. Keep your inventory fresh and up to date. Stay on top of trends and make sure you have enough stock to meet customer demand.
10. Finally, stay flexible and adaptable. Be open to new ideas and willing to make changes when needed to stay relevant and successful.

The reference to the council having considered a number of support options with traders is misleading.

- SCA Consultancy work was never completed in terms of the health check and subsequent support: businesses received general advice regarding marketing that in some cases was wholly inappropriate.
- Options presented to council in November by members of the WSTG Subgroup in response to inconsistencies and errors in SCA's assessment process were not even considered as they were deemed to be a “material change” which was not and is still not the case.
- RSM were appointed to review SCA approach and provided one option that resulted in the council devising the Relaunch Grant and support package (see 4.1.4, councils response, paragraph 4)

What other support options, aside from the above have been considered and where are the details of these?

#### **4.1.3 Briefing Note Page 6 / Council Supplement Report Page 108 - Background**

##### **4.1.3 Point three**

*Businesses have been dealt with in a total demeaning, insulting and inconsiderate way*

##### **Response to Point 3**

The Council regrets that businesses feel this way, but both officers and Cabinet Members have tried their hardest to be responsive to traders concerns and have regularly organised and attended meetings with traders.

In supporting businesses, the Council has to balance this against its wider obligations and the legal duty to spend public funds responsibly and in an open, transparent and auditable way, backed by evidence to support funding support decisions.

The Council has put together a financial package of support totalling £400,000 – despite the fact that there is no legal responsibility for the council to provide any funding or make any direct support payments available in these circumstances. In other local authority areas with similar schemes, no financial support has been provided.

Meetings with traders occurred because of traders approaching the council, not because of any forethought from the council with regards to effects of the works in the area.

Paragraph 2 as shown above is a copy/paste of the last paragraph in 4.1.2

With all due respect, each authority encounters different set of circumstances and cannot be compared to Wolverhampton.

WSTG have encountered undeniable major issues with the roadworks and how they have been managed from outset, starting with no evidenced consultation that is provable with individual businesses.) Whilst generally there is no legal obligation to provide compensation. It is clear that during planning and management of the project, **no impact analysis was undertaken** to assess the potential impact of the roadworks on businesses and the area. **No contingency plans can be demonstrated** for potential funds to mitigate losses as no impact analysis undertaken. We are also aware that Councillor Simkins has raised this issue with other parties, including TownsFund.

City of Wolverhampton Council understandably want businesses to invest in the city, including independent businesses - and businesses will invest where established businesses have confidence in the council for support in situations where they require it (financial or otherwise.) The actions of Wolverhampton City Council regarding the public realm works, and subsequent responses to traders that have been affected has resulted in a feeling of general discontent and lack of confidence in the council with regards to supporting struggling businesses.



#### **4.1.4 Briefing Note Page 6 / Council Supplement Report Page 109**

##### **4.1.4 Point four**

*The least the council can do is to mitigate demonstrable businesses losses.*

##### **Councils Response**

The Council has always acknowledged the impact the works may have had on traders and has committed to providing support.

Working with the traders, we have considered a number of support options with them. This included the option for a very rigorous and robust evidence-based financial assessment as recommended by RSM. The other option proposed was a simpler grant scheme as part of a wider business support package.

In March 2023 traders unanimously voted for the latter option and a package of support totalling some £400,000 of tax-payers money was put in place to deliver this.

The very rigorous approach recommended by independent financial consultants RSM, if implemented, may have taken years for businesses to complete (as in the case of Bilston Road) and the very robust criteria recommended for applications would have effectively excluded a significant number of traders from the process. That is why the Council, recognising the urgent need of traders, devised the Relaunch Grant and support package.

The other factor to consider, which was highlighted by Scrutiny Board members in the meeting on 14 March 2023 and would have had to have been factored into any detailed review, is that it is hard to quantify the impact of the works with other external factors such as cost of living, supply chain inflation, energy price increases and also changes to consumer behaviour, particularly following the pandemic.

Government statistics are available to allow the council to identify the level of external factors to consider when quantifying the loss to businesses due to the impact of the works. The council was presented with the idea of factoring to allow for this when WSTG met with John Roseblade and Isobel Woods with reference to failings in the assessment process used by SCA Consultancy.

WSTG worked within the specification that the Council had put into place (please see page 26 WSTG-Followup-Scrutiny2May23-Detailed-Log-1) until the council decided not to honour the change of date window that was suggested by WSTG, which would have clearly demonstrated more businesses having had losses and in addition, shown those that had already been identified as having demonstrable loss to have had significantly higher losses based on realistic data.

The focus for this work is to understand the impact on businesses as a result of the improvement works on and around Victoria Street and to offer business advice. In order to understand this it will be important to have a reasonable time period prior to the works to then compare during the period of the works. It is proposed that financial information will be looked at for the 6 months period prior to the works, and then from the start of the works to the current time.

- o Financial Evaluation of the business – for the period June 2021 - 22 November 2021 , then December 2021 - up to current date
  - Profit and Loss Statement
  - Balance Sheet
  - Liquidity Ratio
  - Working capital

*\* Cropped from page 26 WSTG-Followup-Scrutiny2May23-Detailed-Log-1*

The Council ignored that it was documented in minutes that change to the date window **WOULD NOT BE A MATERIAL CHANGE** and there would be **no legal implications** if such a change was implemented.

(Please see page 195 of Council Supplement Report/ page 51 of paper trail for scrutiny concerns)

With reference to support options, please see the above response to Briefing Note 4.1.2

#### **4.1.5 Briefing Note Page 7 / Council Supplement Report Page 109**

##### **4.1.5 Point 5**

*The actual calculated loss of the health check was never paid to the business. Is this not a legal agreement as it was provable demonstration of loss that has been validated through the financial health check?*

##### **Response to Point 5**

There is no legal responsibility for the council to make any payment, but we have said we are committed to providing support to businesses.

The Council never agreed to cover losses or provide compensation for losses. It agreed to work with traders to develop a fair, transparent and evidence-based approach to calculating losses and then to develop an appropriate and proportionate financial support scheme for those that could clearly evidence loss. After only a fraction of businesses evidenced loss under the first scheme, the Council listened to trader's feedback and brought in independent consultants to advise on a much more rigorous, auditable and evidence-based approach.

The Council put this more rigorous option, along with an alternative option for a simpler, more inclusive grant scheme to businesses for feedback. In May 2023 traders unanimously voted for the latter option and a package of support totalling some £400,000 of tax-payers money was put in place to deliver this.

Please refer to Page 52 of WSTG paper trail presentation dated 9<sup>th</sup> June 2022, where council state that **financial hardship relief will be provided where loss of income is clearly demonstrated**. Why is this being retracted now? See below. It is clear Council are adjusting their position in rhetoric. This statement shows that WSTG was being misled if they had no intention of paying hardship relief.

business support programme

- Will be completed within 5 weeks.
- We will provide financial hardship relief where loss of income relative to the works is clearly demonstrated

*\* Cropped from page 52 paper trail for scrutiny*

For clarity, please also note that the correct date that traders voted was March 2023

**4.1.6 Briefing Note Page 7 / Council Supplement Report Page 110**

**4.1.6 Point 6**

*Do the council not have a fiduciary responsibility to businesses as they contribute to the public purse?*

**Response to Point 6**

There is no legal responsibility for the council to make any payment, but we have said we are committed to providing support to businesses.

In supporting businesses, the Council has to balance this against its wider obligations and the legal duty to spend public funds responsibly and in an open, transparent and auditable way, backed by evidence to support funding support decisions.

A total budget of £400,00 which included £350,000 for the Relight Grant Scheme was approved by cabinet in the urgent decision of 31 March 2023. This offered every eligible business a grant of £5,000. Cabinet agreed that this was a proportionate and appropriate amount and acknowledged it was part of a wider package of business support.

Council's Response to Point 6 is a copy/paste of briefing note 4.1.5, paragraph 1, briefing note 4.1.2, paragraph 5 and briefing note 4.1.3 paragraph 2.

Please reference WSTG response to point 4.1.2 on pages 4-5 of this document regarding the wider package of business support.

For clarity, please note that this is a Relaunch Grant Scheme, not Relight Grant Scheme.

**4.1.7 Briefing Note Page 8 / Council Supplement Report Page 111**

**4.1.7 Point Seven**

*Hence the 5k relaunch should be offered together with a financial hardship relief*

**Councils Response**

Please see response to 4.1.6 above

The council has regularly shared information to the businesses and WSTG, on business rate hardship relief. Officers visiting businesses in the area have also provided details of the relief and included it in correspondence to business (appendix 7).

The council has repeatedly told WSTG that Business Rate Relief, including hardship relief would be streamlined and more accessible for traders to access, however, this is not the case.

Please see Appendix 3 to this document for details.

#### **4.1.8 Briefing Note Page 8 / Council Supplement Report Page 111**

##### **4.1.8 Point 8**

*Please note some long-standing businesses have already gone*

##### **Councils Response**

The council is sorry to see businesses close or move out of the area. Officers have had individual meetings with some of the businesses who shared a wide range of factors that were contributing to the business either moving, changing ownership or in some cases closing. Officers are aware of 8 businesses who have either relocated or closed and 5 new businesses who opened whilst the works have taken place, and a further three who have been taken on by new owners.

Scrutiny Board members highlighted in the meeting on 14 March 2023 that it was hard to quantify the impact of the works with other external factors such as cost of living, supply chain, energy and also changes to consumer behaviour.

This is the first time the council has issued any sort of apology and the sentiment is appreciated; however, it is the case with certain businesses that the public realm works are the main reason for closure/relocation, and this could have been avoided had the council had a fair and appropriate package of financial support available for businesses to access throughout the scheme. Businesses that have opened during the scheme are most welcomed by Westside, but WSTG's issues and concerns are particularly relevant for businesses who have suffered losses through the duration of the works. For further details, please refer to Page 111 of the report submitted by the council.

Please see WSTG briefing note 4.1.4 response above regarding quantifying the impact of the works.

#### **4.1.9 Briefing Note Page 8 / Council Supplement Report Page 108 - Background**

##### **4.1.9 Point 9**

*The way WSTG was given a directed choice by the council at a meeting held on 13 March*

##### **Response to Point 9**

At the meeting 13 March 2023 where the Portfolio member was present, officers presented two options for the Traders to consider.

Option 1 which came from the recommendations to the council from RSM of an intense and rigorous financial review would have required traders to submit detailed accounts and financial information – going back over multiple years – and to have met strict eligibility criteria to have been able to apply. This would then have had to have been verified and would have only been open to those who had a business prior to the works commencing.

Option 2, a one off grant for all businesses who could verify they were operational for a min of 6 months and intended to continue to trade in the area.

WSTG were asked to consider these options and provide views from businesses on the preferred approach.

In May 2023 traders unanimously voted for the latter option and a package of support totalling some £400,000 of tax-payers money was put in place to deliver this.

Please see above briefing note 3.1 and responses from WSTG.

#### **4.1.10 Briefing Note Page 9**

##### **4.1.10 Point 10**

*At the meeting the level of grant was not shared*

##### **Response to Point 10**

It was explained to traders that the Council's Cabinet would agree and approve funding for the preferred option.

In supporting businesses, the Council has to balance this against its wider obligations and the legal duty to spend public funds responsibly and in an open, transparent and auditable way, backed by evidence to support funding support decisions.

The level of grant on offer, along with the wider package of business support available, was communicated to businesses on 4 April 2023 (appendix 7). Officers visited business premises and emailed information to business owners in the area.

As of 5 June 2023, 37 businesses have applied to receive the grant which represents 66 % of those eligible to apply.

For clarity, please note that this is not included in the referred WSTG correspondence received by council on 5<sup>th</sup> June.

Paragraph 2 of council's response above is a copy/paste of briefing note 4.1.2 paragraph 5 and briefing note 4.1.3 paragraph 2.

Please refer to WSTG briefing note 4.1.2 on page 4-5 of this document with regards to wider business support.

The council have mentioned on various occasions that the Relaunch Grant Scheme is not and was not intended to be compensation or for loss or hardship.



Sensitivity: RESTRICTED

Dear WSTG

Thank you for your message that was received at 23:41 on the 6 April.

I want to reiterate the intention behind the relaunch grant scheme is to offer eligible businesses a one-off amount to relaunch their trading activities and seize upon the opportunities presented by the multi-million-pound investment in improved public realm and public spaces. It is not intended to recompense for loss or hardship.

It has been developed following consideration at Scrutiny Board on the 14 March and unanimous support from the traders to support the delivery of a one-off amount. The Council Cabinet decided

*\* Cropped from page 18 WSTG-Followup-Scrutiny2May23-Detailed-Log-1*


- I want to be clear again, that the Council has **no legal responsibility to provide support** in these circumstances and that the support we always intended to provide and, indeed are now providing through the grant scheme, is categorically not compensation and was never intended to be compensation

*\* Cropped from page 22 WSTG-Followup-Scrutiny2May23-Detailed-Log-1*

- The relaunch grant is not a U-turn. It is a pragmatic and swift solution to the issues raised by traders. It's backed by a significant £350,000 sum of tax-payers money and aims to provide fast support to traders. Again, I want to reiterate the intention behind the relaunch grant is to offer eligible businesses a one-off amount to relaunch their trading activities and seize upon the opportunities presented by the multi-million-pound investment in improved public realm and public spaces. It is not intended to recompense for loss or hardship.

*\* Cropped from page 22 WSTG-Followup-Scrutiny2May23-Detailed-Log-1*


Finally, we want to be clear again, that the Council has **no legal responsibility to provide support** in these circumstances and that the support we always intended to provide and, indeed are now providing through the grant scheme, is categorically not compensation and was never intended to be

 [wolverhampton.gov.uk](http://wolverhampton.gov.uk)

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#### sitivity: PROTECT

compensation. The rationale behind the relaunch grant is to offer eligible businesses a one-off amount to relaunch their trading activities and seize upon the opportunities presented by the multi-million-pound investment in improved public realm and public spaces. It is not intended to recompense for loss or hardship. If you require any support with the application, you can contact one of the Employer Support team by calling 01902 555572 or emailing

*\* Cropped from page 75/76 of Council Supplement Report*

In light of this fact, the percentage of businesses that have applied for this “new grant” is irrelevant to the main issues and concerns of WSTG which are, and always have been with reference to financial support payments to mitigate losses incurred by businesses affected by the public realm works.

This has always been the basis of WSTG discussion and communication with the council and is what has constantly been ignored and subsequently ‘morphed’ into the Relaunch Grant.

Again, WSTG would like to re-iterate that the Relaunch Grant should be offered alongside financial hardship relief. Please see Page 107-Page 111 of the council report for details.

#### **4.1.11 Briefing Note Page 9**

##### **4.1.11 Point 11**

*Request to meet with businesses was ignored, (email 16 March).*

##### **Response to Point 11**

On 15 March 2023, officers from the council individually visited all the businesses in the area to hand deliver the letter setting out the options and offering one-to-one support to discuss the options.

Where a business owner wasn't present or premises not open, officers shared the information via email with contact details. Regular visits and contacts have continued since 15 March with businesses who wish to speak to officers.

This resource intensive approach is far more direct and offers the businesses face to face personal assistance. This is felt to be a far more effective method of engagement than a large-scale meeting.

For clarity, please note that this is not included in the referred WSTG correspondence received by council on 5<sup>th</sup> June.

Please refer to the Relaunch Grant Presentation with regards WSTG issues and concerns regarding the meeting agreed by council officers as per Point 4.1.9

#### **4.1.12 Briefing Note Page 10**

##### **4.1.12 Point 12**

*Copy of RSM report request has been ignored*

##### **Response to Point 12**

At the meeting on the 13 March and in Scrutiny Board on 14 March 2023 officers explained that RSM report contained sensitive commercial information from the businesses in the area that it was not possible to make the documents public.

The findings and the recommendations from RSM to the council were captured in the presentation to the Traders and also Scrutiny Board.

The Council has made representations to RSM to release a redacted version of the report, however under the terms of the contract signed with RSM this has not been possible.

Traders agreed to share financial information that was initially collected by SCA Consultancy with RSM, with a **view to receiving a report of their findings** on the processes of the previous assessment.

WSTG minutes to meeting 5<sup>th</sup> Dec 2022

Commercially Sensitive

Cllr Simkins has asked for a council finance team to address see if there is a possibility to re-use of the spreadsheet template showing the new window as it is clear that there is a lack of understanding of the spreadsheet by senior members.

6. Isobel stated that an independent specialist company has been identified and is looking to be procured by council to review the processes, where failings, mismanagement, miscommunication etc has occurred between council and Westside businesses. Council have stated that they understand the urgency and John Roseblade confirmed it would be fast-tracked. **WSTG are concerned as unnecessary additional expenditure to prove their failings and negligence and further the delays in paying hardship relief.**

*\* Cropped from page 75/76 of Council Supplement Report*

WSTG are concerned that this information has not been fully presented and shared, not only in the interests of transparency, but also in terms of accountability and responsibility of the council when using public funds.

WSTG repeatedly requested Council minutes for 5<sup>th</sup> December 2022 as WSTG feel that this meeting was the turning point where Council's demeanour had changed towards WSTG. Cllr Simkins was brought back into the meetings. It was at this meeting that Cllr Simkins stated that he was somewhat surprised that with just over 10 days left of trading why barriers were still up, and he also wanted to understand Eurovia delays. The Council have inadvertently blamed traders for delay when this categorically was not the case, the issues were with Eurovia.

It is important to understand the chain of events and the change of tack the Council were going to now employ as they had been deliberating over 5 weeks since presentation 7<sup>th</sup> Nov to Isobel Woods and John Roseblade, where failings and admissions were made by Council. (Please see Page 17/18 of WSTG Document paper trail for scrutiny-concerns – 1Jun23) **Without being disrespectful, this became a damage limitation exercise for Council!**

See below the question and response that was posed to Andy Street at the Wolverhampton Business Forum 8<sup>th</sup> Dec – it is self-explanatory – we still have had no response (Paragraphs 5-7)

Over 20 businesses have demonstrated the new window and are appealing. **You as the council have the power to endorse and look at the sales turnover which is what was originally agreed.** It was quite clear that a simple activity has been over complicated for the mere reason that council's opinion showed some flaws in how businesses functioned. E.g. lacking proper accounts, marketing strategies. Independent businesses are not limited companies, that does not mean they should be treated differently. The health check was mis-sold to the business traders another reason why all these problems occurred.

We have traceability of our records; a lot of the council traceability is verbal words.

Businesses have proved losses. The council needs to stop changing the goal post because they don't want to pay businesses.

WSTG stated - Some sort of interim gesture needs to be given this side of Christmas especially where established businesses can show losses through vat returns or other means as they all take into consideration sales turnover. It is the simplest and most efficient way of dealing with the catastrophe occurring in westside and blighting the city as a whole.

**WSTG attended the Wolverhampton Business Forum 8<sup>th</sup> December at the "Meet the Mayor Andy Street" the question asked of Andy Street was...**

***"When capital programs are instigated by Councils, what consideration and accountability is there to ensure the correct necessary steps are taken to enable existing businesses to operate with minimal disruption. What consideration, contingency plans/ financial support is there for those businesses that are severely affected by the improvements such as roadworks"***

**Andy Street stated that there is an agreed PUBLIC POLICY where compensation is available in such circumstances. WHY HAS THE COUNCIL NOT MADE THIS AVAILABLE?**

Furthermore, WSTG were unaware of the sheer support from other businesses around the city and neighbouring towns such as Wednesfield. Many issues were raised with respect to the Wolverhampton city centre works.

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