

Attendance

Members of the Cabinet (Resources) Panel

Cllr Obaida Ahmed
Cllr Chris Burden
Cllr Craig Collingswood
Cllr Jacqui Coogan
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles
Cllr Stephen Simkins

Employees

Tim Johnson	Chief Executive
Mark Taylor	Deputy Chief Executive
John Denley	Director of Public Health
Alison Hinds	Director of Children's Services
Charlotte Johns	Director of Strategy
Richard Lawrence	Director of Regeneration
Claire Nye	Director of Finance
David Pattison	Chief Operating Officer
John Roseblade	Director of Resident Services
Becky Wilkinson	Director of Adult Social Care
Jaswinder Kaur	Democratic Services and Systems Manager
Dereck Francis	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Election of a Chair for the meeting**
In the absence of the Chair (Councillor Steve Evans), it was moved, seconded and agreed, that Councillor Louise Miles be elected Chair for the duration of the meeting.
- 2 Apologies for absence**
Apologies for absence were submitted on behalf of Councillors Paula Brookfield and Steve Evans.
- 3 Declarations of interest**
Councillor Louise Miles declared a non-pecuniary interest in items 6 and 10 (Well Connected Communities – A454 City East Gateway Phase 1 & 2 Property Acquisitions) insofar as she is a Councillor for East Park Ward.

4 **Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 18 October 2023 be approved as a correct record and signed by the Chair.

5 **Procurement - Award of Contracts for Works, Goods and Services**

Councillor Louise Miles presented the report seeking delegated authority to Cabinet Members in consultation with Directors to approve the award of contracts once the evaluation process was complete. She drew attention to opportunities outlined in the report for local suppliers supporting the Wolverhampton Pound and also for local businesses to avail themselves and take the opportunities to obtain contracts and help the Council with its key work in the city.

Resolved:

1. That authority be delegated to the Cabinet Member for Governance and Equalities, in consultation with the Deputy Director of Assets, to approve the award of a contract for the Demolition of Lawnswood Campus when the evaluation process is complete.
2. That authority be delegated to the Cabinet Member for Governance and Equalities, in consultation with the Deputy Director of Assets, to approve the award of a contract for removal, storage and furniture supply when the evaluation process is complete.
3. That authority be delegated to the Cabinet Member for Environment and Climate Change, in consultation with the Director of Resident Services, to approve the award of a contract for the Supply of Seven Crew Cab Tippers when the evaluation process is complete.
4. That authority be delegated to the Deputy Leader: City Housing, in consultation with the Director of Resident Services, to approve the award of a contract for Single Homeless Persons Accommodation when the evaluation process is complete.
5. That authority be delegated to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Adult Social Care to approve the award of the contract(s) for advocacy services when the evaluation process is complete.
6. That authority be delegated to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health, to approve the award of a contract for Lifestyle Service Delivery when the evaluation process is complete.
7. That authority be delegated to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health, to approve the award of a contract for the supply of Nicotine Replacement Therapy when the evaluation process is complete.

8. That authority be delegated to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health, to approve the award of a contract for the Lifestyle Service Tier 2 weight management app when the evaluation process is complete.
9. That authority be delegated to the Cabinet Member for Adults and Wellbeing, in consultation with the Director of Public Health, to approve the award of two contracts for the Tier 2 weight management group support to two providers when the evaluation process is complete.
10. That authority be delegated to the Cabinet Member for Adults and Wellbeing, in consultation with the Service Director for Adult Social Care, to approve the award of the contract for Telecare Mobile Response Service for three years, with an option to extend up to two years once the evaluation process is complete.

6 **Wolverhampton Energy from Waste Contract Amendment**

Councillor Craig Collingswood presented the report on a proposal for all current council staff at the Energy from Waste (EfW) Plant to be TUPE (Transfer of Undertakings Protection of Employment) transferred from the Council to North Midlands Operations Limited (NMOL) the Council's current Management Contractors for the plant. The TUPE transfer would streamline the management to the EfW Plant and allow NMOL to discharge their responsibilities for its operation in a more controlled and efficient manner. It also removed the potential for a two tier workforce where staff are managed under different terms and conditions.

Resolved:

1. That the TUPE (Transfer of Undertakings Protection of Employment) transfer of all council staff at the Energy from Waste Plant to North Midlands Operations Limited (NMOL) be approved.
2. That authority be delegated to the Cabinet Member for Environment and Climate Change in consultation with the Director of Resident Services to agree the final variation terms to incorporate the TUPE transfer, and other minor contract variations as set out in the report.

7 **Well Connected Communities - A454 City East Gateway Phase 1 & 2 Property Acquisitions**

Further to the update at the previous meeting on 18 October 2023, Councillor Craig Collingswood presented the report outlining the need for land to be acquired in part or in their entirety and either by negotiation or use of Compulsory Purchase Order powers, to enable delivery of the A454 City East Gateway Phase 1 & 2 scheme. The scheme would contribute towards achieving the Council's strategic outcomes around climate emergency, increase active travel and public transport use and unblock sites for development. As the report contained sensitive property and financial information, the details of evaluations and financial implications were included in an exempt report on the agenda.

Resolved:

1. That the Director of Resident Services be authorised to enter into negotiations for property acquisitions, operating within the financial parameters set out in the report.
2. That authority be delegated to the Cabinet Member for Environment and Climate Change in consultation with the Director of Resident Services to negotiate final terms for the acquisition of the properties identified in Appendix 2 (of the exempt report) within the financial parameters proposed and once budgetary approval has been secured.
3. That the Chief Operating Officer be authorised to:
 - a. Engage in the Compulsory Purchase Order (CPO) process if acquisitions by negotiation are unsuccessful.
 - b. Approve the appropriation of Council assets required to deliver the scheme to the transportation portfolio subject to securing funding and budgetary approval for the scheme.
4. That it be noted that a report from 2 April 2019 approved on-going discussions with interested parties and potentially affected landowners.
5. That it be noted that in making the property acquisition offers, these would operate within the financial parameters guided by the property valuation exercise. If the financial parameters are exceeded, the matter would be brought to the Cabinet (Resources) Panel for final approval.
6. That it be noted that approval to enter into and the commencement of negotiations places liability on the Council for legal costs incurred by impacted property owners. Such costs would be covered by the major scheme funding from the Department for Transport (DfT). However, if needed, development funding for the City Region Sustainable Transport Settlement (CRSTS) could be used.
7. That it be noted that the intention is to acquire by CPO under Section 226 of the Town and Country Planning Act 1990 / Section 239 of the Highways Act 1980 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, if negotiations to acquire are unsuccessful. If the pursuit of CPO powers is followed, a further report would be brought to the Cabinet (Resources) Panel.

7a

5-11 Gough Avenue, Wednesfield - Property Condition and Future Options

Councillor Stephen Simkins presented the report on proposals to alleviate issues at two void structurally defective properties at 5 to 11 Gough Avenue, Wednesfield. The four three bedroomed terrace properties built in 1954 were of a Smith non-traditional construction design which were designated defective under the Housing Defects (Smith (BSC) Prefabricated Dwellings Destination 1986. During void property inspections it was noted the floors on both the ground and first floor of number 11 had significantly settled, pitching towards the party wall adjoining the adjacent property 9 Gough Avenue. It was also falling towards the rear elevation. A property inspection at 9 Gough Avenue discovered this also showed signs of severe

settlement towards the same party wall. The structural defects at the two properties were uneconomical to repair due to the construction of Smith properties and demolition of just two of the four terraced properties was not possible.

Resolved:

1. That the rehousing of the tenant at 7 Gough Avenue and award priority status Band One to assist with rehousing timescales be approved.
2. That statutory Home Loss compensation and Disturbance payments be awarded to the tenants of 7 and 9 Gough Avenue in line with Land Compensation Act 1973 and agree to pay 25% in advance, once alternative suitable accommodation is offered and accepted, if required.
3. That negotiations be entered into to acquire the privately owned property at 5 Gough Avenue.
4. That authority be delegated to the Deputy Leader: City Housing in consultation with the Director of Resident Services to agree the expenditure on the purchase of 5 Gough Avenue.
5. That the council owned properties at 7, 9 and 11 Gough Avenue be declared surplus to requirements.
6. That the demolition of 5, 7, 9 and 11 Gough Avenue when 5 Gough Avenue is within council ownership be approved.
7. That the findings on the structural condition and ground investigation report for 9 and 11 Gough Avenue, Wednesfield be noted.

8 **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.

9 **Procurement - Award of Contracts for Works, Goods and Services**

Councillor Louise Miles presented, for approval, the exempt report on the award of contracts for works, goods and services. The report also included exemptions to Contract Procedure Rules approved by the Head of Procurement and the Director of Finance from 1 to 30 September 2023.

Resolved:

1. That the contract for Lawnswood Campus - Remedial Works be awarded to William Gough Ltd of Tudor House, Moseley Road, Bilston, West Midlands, WV14 6JD for a duration of four months from 20 November 2023 to 19 March 2024 for a total contract value of £394,000.
2. That the contract for Emotional Mental Health and Wellbeing Service with Base 25 of 29 - 31 Temple Street, Wolverhampton, WV2 4AN be varied for the period 1 April 2024 to 31 March 2026 with a variation value of £200,000.
3. That the contract for the Supply of 10 Electric Vehicles to Wolverhampton Homes be awarded to Ford Motor Company of Arterial Road, Laindon, Essex, England, SS15 6EE for a total contract value of £550,000.
4. That the contract for Lifestyle Service Delivery be awarded to Royal Wolverhampton NHS Trust of Wolverhampton Road, Wolverhampton, West Midlands, WV10 0QP for a duration of three years from 1 April 2024 to 31 March 2027 for a total contract value of up to £300,000.
5. That the exemptions to the Contract Procedure Rules approved by the Head of Procurement and Director of Finance from 1 to 30 September 2023 be noted.

10

Wolverhampton Energy from Waste Contract Amendment

Councillor Craig Collingswood presented an exempt version of the report Wolverhampton Energy from Waste Contract Amendment as discussed at item 6 above. The report included further details on the proposed TUPE (Transfer of Undertakings Protection of Employment) transfer of all council staff at the Energy from Waste Plant to North Midlands Operations Limited (NMOL).

Resolved:

1. That the TUPE (Transfer of Undertakings Protection of Employment) transfer of all council staff at the Energy from Waste Plant to North Midlands Operations Limited (NMOL) be approved.
2. That authority be delegated to the Cabinet Member for Environment and Climate Change in consultation with the Director of Resident Services to agree the final variation terms to incorporate the TUPE transfer, and other minor contract variations as set out in the report.

11

Well Connected Communities - A454 City East Gateway Phase 1 & 2 Property Acquisitions Report

Councillor Craig Collingswood presented an exempt version of the report Well Connected Communities - A454 City East Gateway Phase 1 & 2 Property Acquisition as discussed at item 7 above. The report included the financial details on the valuations of the properties to be acquired in part or in their entirety and either by negotiation or by use of Compulsory Purchase Order powers, in order to facilitate the design of the City East Gateway scheme.

Resolved:

1. That the Director of Resident Services be authorised to enter into negotiations for property acquisitions, operating within the financial parameters set out in this report.
2. That authority be delegated to the Cabinet Member for Environment and Climate Change in consultation with the Director of Resident Services to negotiate final terms for the acquisition of the properties identified in Appendix 2 to the report within the financial parameters proposed and once budgetary approval has been secured.
3. That the Chief Operating Officer be authorised to:
 - a. Engage in the Compulsory Purchase Order (CPO) process if acquisitions by negotiation are unsuccessful.
 - b. Approve the appropriation of Council assets required to deliver the scheme to the transportation portfolio subject to securing funding and budgetary approval for the scheme.
4. That it be noted that a report from 2 April 2019 approved on-going discussions with interested parties and potentially affected landowners.
5. That it be noted that in making the property acquisition offers, these would operate within the financial parameters guided by the property valuation exercise. If the financial parameters are exceeded, the matter would be brought to the Cabinet (Resources) Panel for final approval.
6. That it be noted that approval to enter into and the commencement of negotiations places liability on the Council for legal costs incurred by impacted property owners. Such costs would be covered by the major scheme funding from the Department for Transport (DfT). However, if needed, development funding for the City Region Sustainable Transport Settlement (CRSTS) could be used.
7. That it be noted that the intention is to acquire by CPO under Section 226 of the Town and Country Planning Act 1990 / Section 239 of the Highways Act 1980 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, if negotiations to acquire are unsuccessful. If the pursuit of CPO powers is followed, a further report would be brought to the Cabinet (Resources) Panel.