

# BIRMINGHAM CITY COUNCIL

**CABINET MEETING  
TUESDAY, 14 NOVEMBER  
2023**

**MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON  
TUESDAY 14 NOVEMBER 2023 AT 1000 HOURS IN COMMITTEE  
ROOMS 3&4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1  
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**PRESENT:** - Councillor John Cotton, Leader in the Chair

Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities  
Councillor Liz Clements, Cabinet Member for Transport  
Councillor Jayne Francis, Cabinet Member for Housing and Homelessness  
Councillor Brigid Jones, Cabinet Member for Finance and Resources  
Councillor Mariam Khan, Cabinet Member for Health and Social Care  
Councillor Majid Mahmood, Cabinet Member for Environment  
Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families  
Councillor Saima Suleman, Cabinet Member for Digital, Culture, Heritage and Tourism

**ALSO PRESENT:-**

Councillor Robert Alden, Leader of the Opposition (Conservative)  
Councillor Roger Harmer, Leader (Liberal Democrat)  
Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative)  
Stephen Arnold, Head of Clean Air Zone  
Professor Graeme Betts, Director, Adult Social Care (DASS)  
James Betjemann, Head of Enterprise Zone and Curzon Delivery  
Richard Brooks, Director, Strategy Equalities and Partnerships  
Deborah Cadman, Chief Executive  
Cheryl Doran, Assistant Director and CIO, Digital and Customer Services  
Maria Dunn, Head of Development Policy  
James Gregory, Head of Delivery, Digital & Technology Services  
Fiona Greenway, Interim Finance Director and Section 151 Officer  
Paul Kitson, Strategic Director of Place, Prosperity and Sustainability  
Paul Langford, Interim Strategic Director, City Housing  
Marie Rosenthal, Interim City Solicitor and Monitoring Officer  
Steve Sandercock, Assistant Director, Procurement  
Nikki Spencer, Lead Delivery Manager Digital & Customer Services  
Dr Justin Varney, Director of Public Health  
Lesley Williams, Senior Services Manager, Neighbourhoods  
Errol Wilson, Committee Team Leader

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**NOTICE OF RECORDING/WEBCAST**

250. The Chair welcomed attendees and advised, and the Committee noted, that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.
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**APOLOGIES**

251. An apology for absence were submitted on behalf of Councillor Sharon Thompson, Deputy Leader of the City Council. Susan Harrison also submitted an apology for absence.
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**DECLARATIONS OF INTERESTS**

252. The Chair reminded Members that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Any declarations will be recorded in the minutes of the meeting.

Councillor Saima Suleman declared her pecuniary interest in Agenda item 10 and left the meeting prior to the discussion of the item. Councillor Saima Suleman then returned to the meeting after the decision on the item had been taken.

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**MINUTES**

253. **RESOLVED:** -

The Minutes of the meeting held on 5 October 2023, having been previously circulated, were confirmed and signed by the Chair.

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**EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that the reports at Agenda items 8, 12, 14 and 15 contained an exempt appendix within the meaning of Section 100I of the Local Government Act 1972.

The Chair then enquired whether there were any matters that Members would like to raise on the exempt appendix that may affect the decision to be made or to ask for clarification on a point on the exempt appendix.

As there were no matters that Members wished to raise in relation to the exempt appendices, the Chair advised that the public meeting would carry on to consider the recommendations.

**254. RESOLVED:-**

That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.

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**SECTION 151 OFFICER UPDATE ON THE FINANCIAL POSITION OF THE COUNCIL – NOVEMBER 2023**

The Leader introduced the item and drew the attention of Cabinet to the information contained in the report.

The Cabinet Member for Finance and Resources reiterated that we were in a challenging situation as a Council and will be considering all our options to deliver on the challenge we faced. The engagement with key stakeholders and the public will be key to show that we were taking these decisions in the interest of the people of this city.

The Interim Finance Director and Section 151 officer then drew Cabinet's attention to the report from the Commissioners page 18 of the report where we were required to submit a financial update to Cabinet on a monthly basis. The first of such report will be submitted to December's Cabinet and will be focussed on the latest financial position the in-year savings and progress against that timetable.

In response to questions and comments the Interim Finance Director and Section 151 officer and the Cabinet Member for Finance and Resources made the following statements:-

- a. Regarding the savings made for the period July 2023 to present this was about £31m of the £87m we were looking for. We have spent control in place and could see that there was a reduction in spend.

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- b. In terms of the query as to whether it was more than £200m it was likely that this could be more as detailed in the report, and this was acknowledged by the Commissioners. It was needed to build a contingency fund for those savings.
- c. With regard to the negative reserves and the rebuilding of the reserves these will need to be rebuilt but we were reviewing the whole of the reserves and balancing policy which would go through the Overview and Scrutiny Committee as well as Cabinet and Audit Committee as we needed to ensure that our balances were at the right level which was 4.5% - 5% of our net budget.
- d. Regarding the Council Tax levels we have forecast various levels and scenarios and the £200m was not set in stone. This would be part of the discussions with the Government around our exceptional financial support.
- e. Work had been undertaken on the HRA Business Plan and a report will be submitted to Cabinet in January as we were working loosely with the Commissioners on that one.
- f. With regard to not salami slicing things and doing service transformation we will need to do a bit of both as service transformation takes time to kick in and for those savings to be driven out. It will be a mixture of short term and one-off savings in order to get us to the point where we could do that followed by proper service transformation.
- g. In relation to project management the transformation programme was put in place following years of failure to deliver on the project management technical side of things. The transformation programme was supposed to ensure that these things were overseen and was driven through. We had gotten to the place that these savings were not delivered.
- h. We were charged by the Commissioners to look at what arrangement was being put in place of project management and other technical expertise going forward to ensure that these changes and savings were driven out this time.
- i. In terms of prudential borrowing one of the first things that the Leader and I did when we attended our first Capital Board was to request a review of how that worked to ensure we were getting the proper information for us to take informed decisions about.

The Leader commented that we were under no illusion as to the scale of the challenge we will need to rise to and was something this Cabinet would take collective ownership of in driving forward. It was also important that we have that degree of transparency over the scale of the issues and the progress we were making. The monthly reports coming to the Cabinet meetings would provide a regular rhythm of accountability was important, but it was also about how we engaged with partners and the people of this city. Issues around council tax and other matters will be part of that consultation as this needed to be done in partnership with the people of this city.

### **255. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

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- (i) Noted the current financial position of the Council as set out in this report;
- (ii) Endorsed the total Council savings target issued for the 2024/25 and 2025/26 financial years;
- (iii) Agreed to commit the Council to the delivery of a budget for 2024/25 which provides a robust plan to deliver against the savings target for the 2024/25 financial year; and
- (iv) Agreed to commit the Council to the delivery against the annual total savings target for the City Council over the next two financial years, 2024/25 and 2025/26.

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### **LOCAL DEVELOPMENT SCHEME 2023-2026**

The Leader presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

Cllr Alden queried the risk assessment – section 9 of the report had no likelihood or impact score against it, and it would be difficult for the risk to be monitored and prioritised. How was the Cabinet planning to prioritise and monitor the risks given there was no scoring system against them. Cllr Harmer referred to paragraph 5.3 of the report and enquired whether the work had been abandoned.

The Head of Development Policy noted Councillor Robert Alden's query concerning risk assessment and advised that in terms of the risk assessment we will add in some further information in relation to the likelihood and significance of those risks. The Head of Development Policy also noted Councillor Roger Harmer's comments regarding the Neighbourhood Plans and stated that there was currently none that had reached formal stage included in the local development scheme, but we were continuing to have conversations with some community groups. Local Neighbourhood Plans did not need to be included in the Local Development Scheme to progress, but should we get any groups that wanted them to progress we could do that. There have been discussions with Small Heath and Soho, but they sat in another planning team but would check on where those were. However, we could progress Neighbourhood Plans as they were community driven even if they were not specified in the Local Development Scheme.

The Strategic Director of Place, Prosperity and Sustainability commented that the risk assessment and risk mitigation the paper could be amended to reflect the scoring but most of the risks were contained in the Directorate Risk Plan and the management process which will be considered on a monthly basis by the department's management team meetings.

#### **256. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

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- I. Approved the Local Development Scheme 2023-2026, as set out at Appendix 1 to the report to come into effect on 27 November 2023; and
  - II. Delegated authority to the Director of Planning, Transport and Sustainability in consultation with the Leader of the Council to make any minor typographical/graphical amendments to the Local Development Scheme prior to its publication.
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### **VOICE AUTOMATION**

In the absence of the Deputy Leader, the Cabinet Member for Digital, Culture, Heritage and Tourism presented the item and drew the attention of Cabinet to the information contained in the report.

The Lead Delivery Manager Digital and Customer Services noted Councillor Ewan Mackey's queries and made the following statements:-

- 1) Not everybody will want to speak to a robot, and it was not going to be built in a way for Birmingham where we were going to force that channel shift. This was about enhancement and an additional offer over and above what we currently have. Financially we could not afford to continue handle the volume of calls and the increase in volume we were going to see.
- 2) The voice automation gave us an opportunity for customers if they wanted to report something to us outside of the core working hours. They could choose to report a missed bin collection, potholes or some of those day-to-day transactional services they could choose to do that at whatever time at nights to do so through an automated solution.
- 3) Not all services would be suitable for voice automation, and we have been careful about the services that we have identified for the proof of concept for the in-scope activity.
- 4) There was a robust monitoring system and a good reporting toolkit to ensure that the system we were looking to implement to see what the success rate was in handling the calls.
- 5) It could also be configured where people who were vulnerable and could not transact in the way through using that solution we could set a default setting to the client record so that they would not be offered an automated solution.
- 6) In terms of complying with the risk policy there was a robust risk assessment. There were other local authorities that were using this technology at the moment.
- 7) In any transactions whether it was someone handling the phone calls or whether they were automated, there was a risk of data protection in every transaction we do. The technology would be built in such a way that those security measures were checked up front so that people could not by-pass the system.
- 8) Unfortunately, we will never be 100% safeguarded against fraudsters, but if somebody picked up someone's personal details and transact with it that could happen in an automated way or human transactions. We have the appropriate measures in the contact centres to be able to respond to that.

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- 9) Regarding the voice being used sessions were being held with our citizen's panel across a diverse range of different community groups. We also have had a number of councillors, staff and employee sessions to test the technology and look at the functionality and what could work, what areas could be in-scope and will do a wider communication subject to approval being granted so that people know what was happening in that space.

The Director for Strategy Equalities and Partnerships advised that at the core of the proposal was a significant potential savings and we were looking at saving £2.8m per annum if the system was tested and implemented successfully of which £1.5m was accrued to the general fund. It was a meaningful impact on our overall financial situation and a form of technology we could extend to other areas of service. The points about risk was noted and this was the reason there was a stage approach to this phase and then to return to Cabinet with the outcome of that test phase before proceeding to the full implementation. We were in a data rich environment and the customer contact centre took two million calls per year and we have metrics on all those calls. This would further enrich our data gathering.

### **257. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Noted the findings and insights of the Customer Service Programme and EAP, from the Discovery phase as detailed in the report, to inform and validate the riskiest assumptions, specifically but not limited to, realisation of the potential 30% financial efficiency, which has been capped below the EAP's average 50-60% efficiency rate in order to validate the benefit realisation opportunities demonstrated by the initial automation proof of concept pilot, before committing to full implementation of a voice automation solution;
- (ii) Noted by bringing forward voice automation implementation, whilst the discovery work confirmed the technical operability of voice automation and the existing telephony platform (contract end June 2024), any procurement activities would need to ensure a requirement for voice automation forms part of the scope;
- (iii) Approved the forecast implementation budget of £1.75m, as defined in the report, to invest to save the flexible use of capital receipts to deliver a full voice automation solution with potential to realise a saving of c.£240k (gross, full year effect) / 30% efficiency;
- (iv) Approved the drawdown of £250k through flexible use of capital receipts as approved by the Section 151 Officer of the forecast £1.75m full implementation budget to deliver an initial voice automation proof of concept pilot phase with the defined group of services to demonstrate the value and benefits of the solution; and
- (v) Delegated authority to the Director for Strategy Equality, Strategy & Partnerships, the Assistant Director Development and Commercial or

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their delegate in conjunction with the Chief Finance Officer or their delegate, and the City Solicitor or their delegate, to approve the procurement strategy and selection of successful bidder(s) following the conclusion of the tender process and to execute the necessary contractual documentation to effect this outcome.

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### **TRAILBLAZER 100% BUSINESS RATES RETENTION AGREEMENT FOR THE WEST MIDLANDS**

Councillor Brigid Jones, Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report.

**258. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- a. Noted the performance to date of the existing West Midlands 100% Business Rates Retention pilot (summarised in Section 3 of the report);
- b. Approved the Memorandum of Understanding (MoU) with Government regarding the offer of 10-year, 100% Business Rate Retention for the West Midlands, in accordance with the Trailblazing Devolution Deal (summarised in Section 4 of the report) on the basis that it offers a broad continuation of the principle of full Business Rate retention which has financially benefitted the Council to date. This approval is required by the end of November 2023 to enable this deal to proceed;
- c. Authorised the Interim Director of Finance (Section 151 Officer) to sign the MoU on behalf of the Council;
- d. Authorised the Interim Director of Finance (Section 151 Officer) to approve the local No Detriment agreement that is to be agreed with the other Constituent Local Authorities of the WMCA, as described in paragraph 4.10; and
- e. Noted that the provisional value of WMCA share, which is confirmed on an annual basis, will be agreed by the Section 151 Officers for WMCA and the West Midlands authorities to help place the Combined Authority on a sustainable financial footing, as set out in paragraph 4.4.6 of the report.

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### **PRIVATE RENTED SECTOR PATHFINDER PROGRAMME GRANT 2023-25**

The Cabinet Member for Housing and Homelessness introduced the item and drew the attention of Cabinet to the information contained in the report.

The Senior Services Manager, Neighbourhoods noted Councillor Robert Alden's comments regarding paragraph 2.1.2 and advised that in relation to the funding breakdown there was more detail in the project proposals as agreed



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with the Department for Levelling Up, Housing and Communities (DLUHC). They were happy with the level of spend and we were looking to get agency staff in to undertake the enforcement work to ensure they hit all of the performance targets we were expecting. The risk to that was every local authority was now looking at a small resource of enforcement officers to undertake this work. The Government agreed the principles and realised that we were not going to get officers in on fixed term contracts to be able to do the work. The level of funding we have been given was based on the fact that we would be using agency staff to carry out those inspections. We have got a number of performance indicators and we will be monitored monthly and quarterly by Government and would be feeding this back to the Council's leadership team.

The Senior Services Manager, Neighbourhoods also noted Councillor Roger Harmers query concerning the Energy Performance Certificate (EPC) and retrofit grants and stated that the point was well made. She added that the whole purpose of the scheme was to educate, encourage and then enforced. We were not going with a view to straightforward enforcement but would be speaking with landlords and tenants to enable them to be aware of their responsibilities. A lot of sustainability was build on the back of the project proposals.

Councillor Robert Alden requested that Members be sent a copy of the breakdown referred to in paragraph 2.1.2 following the meeting. The Cabinet Member for Housing and Homelessness undertook to arrange for this to be done.

### **259. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Authorised the acceptance of the relevant Private Rented Sector Pathfinder Project funding in the amounts for 2023-24 of £900,000 and 2024-25 of £900,000;
- (ii) Authorised the expenditure programme set out in Appendix 1 of the report; and
- (iii) Authorised the City Solicitor and Monitoring Officer (or their delegate) to negotiate and complete any agreements to give effect to the above decisions.

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### **CLEAN AIR ZONE VEHICLE SCRAPPAGE AND MOBILITY CREDIT SCHEME – RECOMMENDATION TO EXPAND SCOPE OF THE SCHEME**

The Cabinet Member for Transport presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

The Cabinet Member for Transport noted Councillor Roger Harmer's comments in relation to the Shared Car Club scheme and stated that in principle she was in agreement with his comments concerning the attractiveness of the car

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sharing scheme. This was a way that had changed people's mobility and we already had co-wheels which was popular and had received a lot of enquiries from residents who would like to see that expanded and was something we should be considering. It was also needed to reflect on the level of households within the Clean Air Zone (CAZ) who did not have access to a vehicle which was over 50%.

The Head of Clean Air Zone stated that the Shared Car Clubs were a viable alternative and the residents who had responded to the survey were provided with the option. As part of that it was explained to them what a Shared Car Club could be in terms of getting across the benefits to them. At this stage the mobility credit offer was one with specifically through the Transport for West Midlands. In the future subject to demand the scope of the mobility credit scheme could be expanded. The overall funding package we had for the original vehicle scrappage alternative credit scheme was £10m. The remainder of the under utilised budget will remain to support the low-income workers within the CAZ and they would be able to benefit from this enhanced offer.

### **260. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

1. Approved the creation of a CAZ residents vehicle scrappage and mobility credit scheme as part of CAZ Mitigation M1a;
2. Approved the allocation of up to £4.000m of CAF Grant Funding in support of the scheme;
3. Delegated approval of a Full Business Case (FBC) and related reports, including any revised financial appraisal and a detailed risk register for the named scheme to the Strategic Director of Place, Prosperity & Sustainability in conjunction with the Interim Director of Finance, and in consultation with the relevant portfolio holder; and
4. Authorised the City Solicitor and Monitoring Officer to execute, seal and complete all necessary documentation to give effect to the above recommendations.

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### **SWANSHURST SCHOOL - APPROVAL FOR THE AWARD OF A GRANT FOR CAPITAL WORKS FOR CURTAIN WALLING REPLACEMENT**

The Cabinet Member for Children, Young People and Families presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

### **261. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- a. Approved the project costs for the replacement of the Curtain Walling works at Swanshurst School at a total project cost of up to £1,400,000;

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- b. Approved the Full Business Case appended to the report;
- c. Approved the award of a grant payment for the sum of £1,400,000 for the replacement curtain walling to Swanshurst School; and
- d. Authorised the City Solicitor and Monitoring Officer to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

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### **DRAFT BIRMINGHAM PHYSICAL ACTIVITY STRATEGY - CREATING AN ACTIVE BIRMINGHAM**

The Cabinet Member for Health and Social Care presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

The Cabinet Member for Health and Social Care noted Councillor Harmer's comments on the timing of the consultation and advised that the plan was for the consultation to take place over a period of seven weeks and if the decision was approved today this would commence on the 20 November 2023 – 15 January 2024. She added that it was important to keep moving forward when it came to the usual business of things we were doing within the Council and did not want any further delays to this important piece of work that so many people were involved in.

The Cabinet Member for Health and Social Care further noted Councillor Alden's comments regarding the stakeholder lists and schools and advised that we worked with schools on our Food Strategy consultations and would do the same thing with schools concerning this strategy. This will also include the ask of engaging with parents too. The community groups were also linked in but if there were any gaps these would be picked up.

The Director for Public Health stated that it was important that as a Council we continue to sow seeds whilst we also fight fires. The reality of the impact of inactivity on our city in the burdens of health disease and preventable mortality was significant. The question was if not now when. He added that he had engaged with the Interim Finance Director and Section 151 Officer to ensure we considered the consultation timeline. Within the 7 weeks window assuming Cabinet approved this today we should be coming to the tail end of our consultation before the big consultation on the budget started.

We have already in the co-design of this strategy in the pre-consultation phase worked extensively with the voluntary and community sector and many of those sat under the Physical Activities Forum chaired by Councillor Clements. This was a broad partnership which linked to organisations like Witton Lodge who led work on social prescribing for the NHS that had a key role to physical activities.

**262. RESOLVED UNANIMOUSLY: -**

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That Cabinet gave approval to consult on The Creating an Active Birmingham Strategy 2024 – 2034, as set out in the cover report and appended documents.

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### **TECHNOLOGY ROADMAP – CRITICAL INVESTMENTS 2023-24**

The Cabinet Member for Digital, Culture, Heritage and Tourism introduced the item and drew the attention of Cabinet to the information contained in the report.

The Assistant Director and CIO, Digital and Customer Services noted Councillor Mackey's comments concerning risks and advised that where there were short term risks these were placed in the must do discoveries. This allowed us to be ahead of the curve in terms of ensuring we had procurement in place and a plan for the ones that were risky. We have not asked for the money up front, we asked for discovery so that we could plan what we were doing and then come back at a later date with a clearer plan that we could be more transparent. Given that inflation was decreasing in terms of the technology cost we were hoping to get a better deal and to take advantage of some of the innovations by deferring them.

A brief discussion then ensued and it was

#### **263. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

1. Noted the investment rationale in light of the current spend control position across the Council, provided in section 4;
2. Noted the projects and investments that have been paused and/or deferred, totalling £15.763M in Appendix D in light of current spend controls;
3. Approved the investment required to maintain our technology estate and deliver the Must Do Immediate Implementations priorities of £8.006M in section 4. Individual spend items will be required to go through spend control approval processes in place within the Council for further scrutiny and challenge before expenditure is committed;
4. Approved the investment case to develop a business case for secondary Must Do Discovery Activity of £0.789M in Section 4. The outcome of the discovery activities may provide a further report to Cabinet in early 2024 outlining any further investment driven from these activities. Individual spend items will be required to go through spend control approval processes in place within the Council for further scrutiny and challenge before expenditure is committed;
5. Approved the investment request for the items Digital and Technology Services (DTS) have identified as Should Do requirements of £1.87M in section 4. Individual spend items will be required to go through spend

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control approval processes in place within the Council for further scrutiny and challenge before expenditure is committed; and

6. Delegated authority to the CIO to raise orders to the value approved (£10.664M) to implement the required changes once individual items have been through spend control and approval processes in place within the Council for further scrutiny and challenge.

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### **KEY DECISION PLANNED PROCUREMENT ACTIVITIES (DECEMBER 2023 – FEBRUARY 2024) AND QUARTERLY CONTRACT AWARDS (JULY – SEPTEMBER 2023)**

The Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report.

Councillor Robert Alden referred to the Children and Young People’s Travel Framework Agreement for Agency Passengers Assist, the new framework went live on the 1 November but there were some crossover in companies being awarded a place and also with companies being awarded a place on the Transport Framework. He sought clarification if someone was on both frameworks how did that allowed for the direct awards in terms of competition. The Cabinet Member for Children, Young People and Families undertook to provide Councillor Alden with a response.

#### **264. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- a) Approved the planned procurement activities as set out in Appendix 1 of the report and approved Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy; and
- b) Noted the contract award decisions made under Chief Officers delegation during the period July 2023 – September 2023 as detailed in Appendix 5 of the report.

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### **APPOINTMENTS TO OUTSIDE BODIES**

The Leader presented the item and drew the attention of Cabinet to the information contained in the report.

#### **265. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Agreed the replacement of Cllr John Cotton (Lab) with Cllr Nicky Brennan (Lab) on the Regional Employers Board for the remainder of the term i.e. 14 November 2023 until 25 June 2024; and

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- (ii) Agreed the replacement of Cllr Mariam Khan (Lab) with Cllr Jayne Francis (Lab) on the Retail Birmingham Limited (Trading as Central BID) for the remainder of the term i.e. 14 November 2023 until 25 June 2024.
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**OTHER URGENT BUSINESS**

The following item of urgent business was considered:

**ADDITIONAL GRANT FUNDING FOR THE TYPHOO BUILDING REDEVELOPMENT**

The Leader presented the item and drew the attention of Cabinet to the information contained in the report.

Councillor Alden referred to paragraph 2.1 of the report and sought a breakdown (to be provided outside the meeting) of what the £11.7m was earmarked against reserved things and what were unearmarked reserves. He further referred to paragraph 3.3 of the report and enquired what the plan was for any of the cost increasing and whether they were obliged to be picked up by the developer or whether they were at risk of further calls on the public purse on a later date of the development. Whether BBC has now signed the lease; paragraph 7.3.3 where does the risk lie given the Council was now the accountable body if they could not meet their repayment.

The Head of Enterprise Zone and Curzon Delivery advised that in terms of the BBC agreement that had been signed and sealed so the last thing was to go unconditional with the funder which would take place following this. As this was coming out of reserves then the issue of the business rates and its relationship with the grant was no longer there. The risk for the Council and the Enterprise Zone as those rates were not performing as we were expecting them to did not apply anymore.

**266. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) In its role as Accountable Body for the Enterprise Zone (EZ), approved funding of £2.3m to fund the provision of grants to SDL to facilitate the delivery of the former Typhoo Building redevelopment. This will be funded from existing resources within the EZ programme, currently £11.7m in reserves as at 31 March 2023;
- (ii) Approved additional EZ grant funding of up to £0.099m to fund City Council project related costs which will also be funded from the existing resources within the EZ programme;
- (iii) Approved the additional EZ grant of up to £2.3m to be awarded to SDL to provide funding for the increased project viability gap for the redevelopment of the Typhoo Factory in line with the Full Business Case (FBC) approved by Cabinet on 2 April 2023;

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(iv) Noted that £1m of the grant funding will be repayable to the Enterprise Zone should development in future phases on the site be sold before 31 December 2029 and scheme achieves above a developer's profit return above 15%;

(v) Noted that the business rate growth associated with the development will be retained by the programme up to March 2046 and reinvested into other EZ projects;

(vi) Authorised the City Solicitor and Monitoring Officer to negotiate, execute, seal and complete all necessary documents in connection with the above recommendations.

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The meeting ended at 1137 hours.

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CHAIRPERSON