# BIRMINGHAM CITY COUNCIL

# CABINET

**TUESDAY, 05 SEPTEMBER 2023 AT 10:00 HOURS**
**IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1 1BB**

# A G E N D A

1 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note 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.

2 **APOLOGIES**

To receive any apologies.

3 **DECLARATIONS OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this 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.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via http://bit.ly/3WtGQnN. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

**5 - 30**

4 **MINUTES**

To confirm and sign the Minutes of the meeting held on the 25 July 2023.

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

a) To highlight reports or appendices which officers have identified as containing exempt information within the meaning of Section 100I of the Local Government Act 1972, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.
b) To formally pass the following resolution:-
**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.

**31 - 108**

6 **NEC MASTERPLAN AND PROPERTY STRATEGY**

Strategic Director of Place, Prosperity and Sustainability

**109 - 134**

7 **ESTABLISHMENT OF A SPECIAL PURPOSE VEHICLE TO DELIVER THE EUROPEAN ATHLETICS CHAMPIONSHIPS BIRMINGHAM 2026.**

Report of Strategic Director - City Operations

**135 - 180**

8 **ACIVICO FURTHER CONTRACT EXTENSION**

Report of Strategic Director Council Management

**181 - 222**

9 **COST OF LIVING EMERGENCY PROGRAMME - PHASE 2**

Director of Strategy, Equality and Partnerships

**223 - 254**

10 **WEST MIDLANDS DEEPER DEVOLUTION DEAL**

Report of the Director of Strategy, Equality and Partnerships.

**255 - 274** 11 **SECURING EMERGENCY TEMPORARY ACCOMMODATION**

Report of Interim Strategic Director - City Housing

**275 - 290** 12 **STAYING INDEPENDENT AT HOME: ADAPTATION AND IMPROVEMENT SERVICE CONTRACT AWARD**

Report of Director for Adult Social Care

**291 - 308** 13 **P0403 PACKAGE 4: PROCESSING OF DRY MIXED RECYCLING (DMR)**

Report of Strategic Director City Operations

**309 - 334** 14 **HIGHWAY MAINTENANCE AND MANAGEMENT PFI CONTRACT – COMMERCIAL ARRANGEMENTS**

Report of the Interim Strategic Director of City Operations.

**335 - 440** 15 **CORPORATE PLAN 2022-2026: PERFORMANCE AND DELIVERY MONITORING REPORT**

Report of the Strategy, Equality & Partnerships Directorate

**441 - 456** 16 **ACCEPTANCE OF RECOMMENDATIONS FROM SEND COMMISSIONER'S SECOND REPORT**

Report of Director for Children & Families

**457 - 476** 17 **KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023) AND QUARTERLY CONTRACT AWARD SCHEDULE (APRIL 2023 – JUNE 2023)**

Report of Assistant Director - Procurement

**477 - 484** 18 **NON KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER – DECEMBER 2023) AND QUARTERLY AWARD SCHEDULE (APRIL - JUNE 2023)**

Report of Assistant Director - Procurement

19 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

# BIRMINGHAM CITY COUNCIL

**CABINET MEETING**
**TUESDAY, 25 JULY 2023**

**MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON TUESDAY 25 JULY 2023 AT 1000 HOURS IN COMMITTEE ROOMS 3&4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1 1BB**

**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
Councillor Sharon Thompson, Deputy Leader of the City Council

**ALSO PRESENT**:-

Councillor Robert Alden, Leader of the Opposition (Conservative)
Councillor Roger Harmer (Liberal Democrat)
Janie Berry, City Solicitor and Monitoring Officer
Professor Graeme Betts, Director, Adult Social Care (DASS)
Richard Brooks, Director, Strategy Equalities and Partnerships
Deborah Cadman, Chief Executive
Juliana Clark, Programme Manager, New Ways of Working
Craig Cooper, Strategic Director of City Operations
Cheryl Doran, Assistant Director and CIO, Digital and Customer Services
Nic Fell, Programme Manager, Finance and Governance
Fiona Greenway, Interim Finance Director and Section 151 Officer
Susan Harrison, Director for Children and Families
Chris Jordan, Assistant Director, Neighbourhoods
Paul Kitson, Strategic Director of Place, Prosperity and Sustainability
Helen Price, Assistant Director - Strategy, Commissioning and Transformation
Lesley Poulton, Integrated Service Head, Neighbourhoods
Jo Tonkin, Assistant Director, Partnerships Insight and Prevention
Dave Wagg, Head of Sport and Physical Activity
Adrian Weissenbruch, Assistant Director to Home to School Transport
Errol Wilson, Committee Services

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## NOTICE OF RECORDING/WEBCAST

**197.** 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

**198.** Apologies for absence were submitted on behalf of, Councillor Ewan Mackey, Dr Justin Varney, Paul Langford, and Dr Peter Bishop. An apology for lateness was submitted on behalf of Councillor Mariam Khan.

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## DECLARATIONS OF INTERESTS

**199.** 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.

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

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

The Chair advised that the reports at Agenda items 9, 11, 12, 19 and 20 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 carryon to consider the recommendations.

**200. 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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**SPORT ACCORD WORLD BUSINESS AND SPORT SUMMIT**

The Chair introduced the item and drew the attention of the Committee to the information contained in the report highlighting the key points.

It was

**201. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

a) Agreed retrospectively for the City Council to be the named grant recipient for the £3m bid by the WMGC to the WMCA's Commonwealth Games Legacy Fund to host Sport Accord and should the bid be successful to accept the grant;

b) Agreed that should the City Council be awarded the rights to host Sport Accord, it delegates the approval to spend the grant to the Strategic Director City Operations and authorises the completion of all legal and procurement matters, associated with the summit, including payment of the rights fee, to the Strategic Director – City Operations (or their delegate), in conjunction with the Assistant Director, Procurement (or their delegate), the Interim Director of Finance (or their delegate) and the City Solicitor and Monitoring Officer (or their delegate); and

c) Delegated authority to the Strategic Director - City Operations in conjunction with the Assistant Director, Procurement, the Interim Director of Finance (Section 151) and the City Solicitor & Monitoring Officer (or their delegates) in consultation with the Cabinet Member for Finance and Resources to approve a procurement strategy/strategies and then to award contracts for the procurement over the procurement threshold as required to deliver the event.

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**OPERATION OF THE FRANKFURT CHRISTMAS MARKET**

The Chair introduced the item and drew the attention of the Committee to the information contained in the report highlighting the key points.

Chris Jordan, Assistant Director, Neighbourhoods noted Councillor Robert Alden's query in relation to paragraph 3.7 of the report which outlined the cost

incurred and advised that in the original agreement those cost would fall upon the Council. However, over a period of time we have modified the original agreement whereby we had looked to transfer some of those obligations to the Frankfurt Christmas Market to fund. But we had delivered them and originally paid for them at the start of the contract, but over time Frankfurt Christmas Market had picked up majority of those costs. What we were trying to do in this final new agreement was to lose all of those costs falling upon the Council and generate a rental income that comes through Frankfurt Christmas Market. The costs have transitioned over time as at one point all of those costs fell upon the Council.

Councillor Alden requested that there was a need to look at the answers Council was given as in previous written questions both in the Conservative and the Liberal Democrat Groups the Councillor stated that the Council bore no cost which was not true until this contract. Councillor Alden continued that in answer to a Freedom of Information (FOI) from a resident in November 2022 the Council stated that they did not hold the data for what these costs were which was not true as they were in the Cabinet report and that FOI was incorrectly answered.

Councillor Roger Harmer requested that we start to examine the potential opportunities for such types of relationships with our twin city in Ukraine, Zaporizhia and that once Ukraine expels its illegal invaders from its land, there will be a huge amount of rebuilding to do and one small part we could play was to develop that sort of relationship with our twin city.

The Chair commented that he welcomed that observation and that we had a productive meeting with some representatives of the City Governance of Zaporizhia just a few weeks ago and would explore that as we continue that dialogue with our twin city and support them in expelling that illegal invasion from their place.

Councillor Majid Mahmood referred to Appendix 6 to the report and commented that the Green measures have been implemented by the Frankfurt Christmas Market. From the outset they have always used mugs and glasses, biofuels, LED lighting and banned the use of plastic bags and use paper bags and they were phasing out the use of single use plastic and a reduction in food waste as all the food waste has been recycled and donated to charities. The Christmas trees have been donated to families across the city etc.

Chris Jordan undertook to pick up on the links with Ukraine and may be in negotiations with the Frankfurt Christmas Market we could look at whether there was a joint offering could be delivered. Chris Jordan further undertook to investigate the issue raise by Councillor Alden and added that one thing he did not reflect in his answer was around the costs that was picked up by the Council was that equally Frankfurt Christmas Market has paid the Council a fee historically that had netted off some of those costs as well and that he would look at the FOI issues.

It was

**202.** **RESOLVED UNANIMOUSLY: -**

That Cabinet:-

(i) Approved the strategy and the commencement of activity for the provision of the Birmingham Frankfurt Christmas Market in accordance with the requirements and approach outlined in the Procurement Strategy (Appendix 1);

(ii) Delegated the award of a contract to the Strategic Director – City Operations (or their delegate), in conjunction with the Assistant Director, Procurement (or their delegate), the Interim Director of Finance (or their delegate) and the City Solicitor and Monitoring Officer (or their delegate);

(iii) Approved the granting of consent for the placing of market stalls and any associated structures on the public highway; and

(iv) Authorised the City Solicitor and Monitoring Officer to prepare, execute and complete the necessary documents to implement the above recommendations.

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**FORMER ERDINGTON BATHS – COMMUNITY AND ENTERPRISE HUB: ADDITIONAL CAPITAL GRANT**

The Chair introduced the item and drew the attention of the Committee to the information contained in the report highlighting the key points.

Councillor Robert Alden declared his non-pecuniary interest in the item as a Council appointed Director on the Erdington Business Improvement District and also having been involved with Witton Lodge and Partners in terms of them bringing all these proposals together. Councillor Alden continued that he wished to place on record his and Councillor Moore's thanks to Doug and his team, Ian Macleod for their support in helping Witton Lodge pulling this plan together and to Witton Lodge and the community for ensuring we had a scheme here and the support of the local community in Erdington.

It was

**203. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- Approved the award of a further capital grant of up to £1.205m (including irrecoverable VAT) of Community Infrastructure Levy (CIL) funds to Witton Lodge Community Association for works at the former Erdington Baths building, subject to the completion of the City Council's Conditions of Grant agreement (COGA) and confirmation of the proposed funding from the West Midlands Combined Authority; and

- Authorised the City Solicitor and Monitoring Officer to negotiate, execute, seal and complete all necessary documents in connection with the above recommendation including placing a legal charge.

**NEW LOCATION FOR CCTV AND TRAFFIC CONTROL CENTRE**

The Deputy Leader, Councillor Sharon Thompson presented the item and drew the attention of the Committee to the information contained in the report highlighting the key points.

Councillor Robert Alden commented that it could be seen from the report that this has come forward because the cost has changed from the approval that was given earlier in the year on the planned procurement document. He voiced concern that the delays that had been in the Council getting on with this. In July 2021 Cabinet agreed to move the CCTV centre in December 2021, the Council agreed to sell the building which made for it an absolute must to then move the centre going forward. There was an agreement put in place to delay that until after the Commonwealth Games because of the need not to move that centre during that period. Clearly, that was a year ago now since the Games. In February 2023 the agreed procurement by Cabinet was to conclude by the end of March. Six months construction was to begin which would have been completed by the end of September 2023. What we were now seeing from the report was that the outline business case that those figures were based on was from April 2021. At the time approval was given we were already almost two years out of date.

Councillor Alden continued it was hardly surprising we were now seeing this issue that the cost had changed when the business case was pulled together. There were a couple of issues here – there was an issue around the time it had taken for the business case to be produced and then for it to come to Cabinet for it to be approved for that gap between April 2021 and February 2023. There was also the issue of how we were now at the end of July when construction was meant to have been in place three months. Presumably given that this was now asking for more money due to the change in cost, construction had not even begun.

Councillor Alden referred to paragraph 3.18 of the report that suggested that the work would be completed by the end of September 2023 which was based on starting in April 2021. He sought clarification on when the actual proposed end date for this work was and whether it was a case that the work had begun without having approval to fund it, or the work had not yet began and therefore it will be a later finished date.

Paul Kitson, Strategic Director of Place, Prosperity and Sustainability stated that the delay in the business case coming forward we decided that we would retest the options analysis to ensure the optimal location that been taken with a combination of City Operations as the operator, the corporate landlord Property Services and Council Management coming together. We were sure that the timetable allows us to open the CCTV centre regardless of the ongoing sale of Lancaster Circus.

Juliana Clark, Programme Manager, New Ways of Working stated that we were on a pathway now, we already had a capital budget in order to begin construction, but we had a gap in the capital budget and therefore we had started all the preliminary element of the construction and we were on plan to start on site at the end of August. This puts us into a good position to be able

to deliver probably by the end of November and would coordinate with the sale of Lancaster Circus. We were confident that we could actually deliver this piece of work. It was complex and had highly technical key elements and infrastructure and connectivity that needed to be delivered. We were also in connectivity with BT which was who was providing us with connectivity to the building given that the network was giving us that kind of connectivity for the complexity of the new CCTV systems, and we had a parallel running as well. Therefore if we had the positive decision today, we were confident we could deliver within the timescales.

The Deputy Leader stated that this was a hugely complex operation and a lot of infrastructure that needed to come into this was technical because the type of equipment that needed to be moved. There was a lot of moving part to this which meant that it includes external people such as BT. Sometimes things do not always move in the way we would like them to move in terms of the speed, but she had assurances from the officers that they would do all that they could to ensure that this takes place in a timely manner as set out in the report.

It was

**204. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

a. Noted the selection of Priestley Wharf as the new location for the Control Centre as detailed in section 3.5;

b. Approved the allocation of an additional £2.510m capital to deliver the relocation of the Control Centre from Lancaster Circus, to be funded by corporate capital resources from capital contingency budget - as detailed in section 7.3.2 of the report;

c. Approved the amended estimated value for procurement of the works [detailed in the Exempt Appendix 3] using the Agri-Epi Centre (AEC): Neutral Vendor Framework for Multi-Specialism Services as detailed in the Planned Procurement Activities Report (PPAR) to Cabinet dated 14 February 2023 and delegated the award of the contract to the Interim Strategic Director, Council Management in conjunction with the Assistant Director, Procurement (or their delegate) the Director of Finance and Section 151 Officer (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate) subject to the value being within the approved budget;

d. Approved the allocation of £0.153m from the Policy Contingency Reserve to fund the part-year running costs of the new premises in 2023/24 as detailed in section 7.3.1 of the report;

e. Approved that an additional revenue budget of £0.486m from 2024/25 onwards will be reflected in the 2024/25 Medium Term Financial Plan as detailed in section 7.3.1 of the report;

f. Noted the associated operational and reputational risks related to the relocation of the Control Centre as detailed in section 6 of the report; and

g. Authorised the City Solicitor & Monitoring Officer to execute and complete all necessary legal documents to give effect to the above recommendations.

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## MID-TERM FINANCIAL PLAN (MTFP) UPDATE

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.

Councillor Roger Harmer made the following statements:-

- The paper was further horrific news for residents of this city who depended on the Council's services. This was part of a continual picture in recent years where we set a budget with detailed significant savings target for the following year but had completely failed to hit that savings target and the during the year did things like introducing freezes etc. to bring us back.
- In discussions in relation to this year's budget the question was asked whether we were going through that cycle again, whether the savings target within this budget was realistic or whether we were going to do the same thing. This was pre-equal pay but would be bad enough without equal pay.
- Customer service savings was a slippage of £1m and that reported to Full Council at the beginning of the year, and it was raised that cultural changes were needed for customer service, and it was not a quick fix but a multi-year approach.
- The idea that the savings would appear this year was clearly not tenable. On top of everything such as equal pay, Oracle it painted this thing that the Council was not in control of its finances to any degree.
- In terms of business rates paragraph 5:13a a question was how much was caused by that particular factor out of the £27.8m as there appeared to be a number of different explanation for that which was a significant shortfall.
- Regarding the Children's and Families pressures it stated that an additional liability relating to Birmingham Children's Trust pension liabilities it was not known whether this applied to other parts of the Council (it was believed that the Children's Trust was part of the same pension fund of the Council).
- One of the impact in the rise of the interest rates was to bring pension funds back into surplus.

Councillor Robert Alden commented as follows:-

- This was an astonishing MTFP update not least because the elephant in the room was around the fact that in paragraph 4.4 of the report it acknowledges that there were three years' worth of accounts that were still being monitored and not signed off which makes a lot of the numbers in the report at this point unconfirmed.

- When we include into this situation that was clearly still significant problems with Oracle, the report lacks a significant amount of details that previous MTFP had contained given the financial situation - the Council would bring a more detailed plan not a less detailed one.
- There was no service level data in the report, and it posed a question because of things we were hearing on the ground in the organisation. The question was how many budget holders in the organisation were able to work out what their current budget position was because of the lack of detail within Oracle itself.
- The report stated that there will be three reports in a year, but this was changed last year because of a smaller financial blackhole in the budget it was changed to having a monthly update in terms of the MTFP. The question was what the reason was for monthly plans not being brought going forward given this was a quantum of scales larger than last year's blackhole in the budget.
- Noted also was the fact that the report did not include equal pay, the Oracle potential cost and when all of those were added together along with the £85m gap this year rising to £165m we were looking at a blackhole in the Council's finance of around a £1b which was totally unprecedented and totally out of scale of any other local authority because other local authority do not have that huge equal pay cost having made the action to fixed that in the future.
- There were a number of home goals in the report when the pressures were looked at. Paragraph 5.3a referred to staffing and highlighted that the increase of 1.25% was removed from based budget leaving a shortfall.
- This was something that was pointed out at the time the budget was being put together. Paragraph 5.5 referred to inflation and it was known that inflation had been significant but the thing that was highlighted at the time the budget was being put together was that many of the assumptions used in the MTFP was on the basis of zero inflation allowance. This was gross negligence, and this could be seen by the huge pressure that had been accounted for here.
- It was interesting to note that inflation at the time of the budget being put together the CPI was 9.7%. Looking at the figures in the report that were now being used the first quarter was 8.2% going down to 4.4% by the end of the year going down to 1.5% by the end of next year. Had the budget used the 9.7% figure that was known at the time we would now be having a surplus on those contracts not a pressure. Had prudent financial planning being used then the Council would be in a better financial position now.
- In terms of the savings 97% were at significant risks which was an astonishing number made only worse when we looked at paragraph 5.11a to see there was at least £9.5m of undelivered savings from last year that had to be rolled forward, but because of Oracle that number was not finalised at the moment and could be worse placing even greater pressures on the Council.
- Paragraphs 5.11b and 5.12 picked up some issues that was raised again at the budget setting process about double counting savings. We were told at the time that they were not double counting but were told that the warnings at the time were correct and they were double counting.

- The question around the savings plan was those where there were some double counting of the workforce vacancy changes – the issue was whether there were any other savings that were now at risk because of double counting.
- Paragraph 5.13a highlighted the risk that had been around business rates as a result of the impact of Oracle preventing enforcement activity. There was similar commentary on the Council Tax and whether there had been any issues in the Council Tax collections given that it had fallen a similar percentage to the Business Rates around lack of enforcement activity due to those Oracle issues. Confirmation was needed to ascertain whether there were issues there.
- Paragraph 5.13e – it was astonishing that the Council had stated that there was a pressure on parking income. When the changes were brought in by the administration to restrict traffic into the City Centre, everyone admitted that it would result in a financial impact the Cabinet Member stated that the number of traffic coming into the City Centre needed to be restricted.
- When these proposals were brought forward there needed to be a proper thought-out process that impacted decisions taken by the Cabinet on the budget. Therefore if the budget needed realigning at that point rather than waiting a year to then acknowledged where those impacts had fallen.
- Paragraph 5.16 spoke about the fact that the Cabinet was to reprioritise the capital programme in light of the financial situation but there was no further detail in the report. The question was what capital work would stopped or be changed going forward.
- Throughout the report it spoke about work plans that sat underneath the robust budget savings and recovery plan, but there was little detail about what any of those measures were going to be taken in the organisation to deliver savings.
- Residents deserved that information. The question was when the Council will be publishing all of those work plans that will sat underneath that alleged robust budget recovery plan so that the public could see what measures would be taken within the organisation.

Councillor Karen McCarthy stated that her understanding of the pension scheme calculations around the issues identified by Councillor Harmer about interest rates and the consequential impact on pension schemes were correctly calculated for the wider scheme but were overcalculated for the Children's Trust element.

Fiona Greenway, Interim Finance Director and Section 151 Officer gave the following response:-

- It was difficult in relation to paragraph 5.13a to give a split on how a debt was not collected and why someone had decided not to pay. Ms Greenway undertook to investigate the issue further and report back to Councillors.
- The Children's Trust pension was a simple revised number compared to the estimates that were in there as we had more accurately split that out and it impacted more negatively on the Children's Trust figures than the full Council figures after the correction.

- In terms of the rest of the questions Ms Greenway highlighted that since becoming a Section 151 Officer, we had taken everything openly and transparently here and that this was not an MTFP refresh nor was it a reset of the budget.
- The bottom-line of the budget did not change and what we had to do was to manage within that envelop that was set in February and put plans in place to deliver on that budget.
- What we were flagging here was the fact that if we do not manage this position that those red risks would become unachievable savings. We were flagging that very early in the year as this was done in October of last year.
- In terms of double counting savings and the workforce savings we were working diligently through all of that, and we believe we have flagged everything we were aware of in this refresh in terms of inflation the rates were a lot lower at the beginning of the year than were now forecast as we looked at that every day through our treasury team to keep that up to date. It was suspected that will be refreshed again in October when we reported again.
- Regarding the detailed plans in place Ms Greenway suggested to the Leader that those detailed plans come back to Cabinet in September when they would be fully worked up and in place so there will be a detail behind every line of those plans as there were over 70 lines of information of the projects being delivered behind those nine pillars.
- The Council has put in place a robust budget recovery and savings plan and that will be brought back in September.

Councillor Brigid Jones reiterated that we have a budget recovery plan in place and the transformation plan was put in place last year to monitor and we were implementing our savings plans and we would be monitoring that closely going forward. We will be bringing back proposals to Cabinet in due course.

The Chair expressed thanks to Fiona Greenway and her team for the work that they have been doing over the last few weeks to bring this forward.
It was

**205. <u>RESOLVED UNANIMOUSLY</u>: -**

That Cabinet:-

1) Noted the MTFP budget pressures (inflation, savings, directorate pressures, Collection Fund update), as well as the Quarter One 2023/24 position (which provides a high-level assessment of a budget gap for this financial year) (Section 5 of the report);

2) Noted the wider financial position of the Council, in terms of capital expenditure and available corporate resources, which demonstrate that the additional Equal Pay liability, alongside MTFP budget pressures, cannot be found within existing BCC resources (Section 5 of the report);

3) Noted the work carried out to date to assess the potential scale of additional Equal Pay liabilities (Section 4 of the report);

4) Endorsed the mandatory spending controls which came into effect from 5 July 2023 (Section 6 of the report);

5) Endorsed the robust Budget Savings & Recovery Plan – to close the forecast budget gaps in the current financial year and future financial years– as per the timetable included in the report (Section 6); and

6) Agreed the 2024/25 budget-setting timetable, including the dates for the implementation of the recommendations in the report (Section 7).

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## JOB EVALUATION

The Leader introduced the item and highlighted that he was pleased to report that following a series of constructive negotiations with our Trade Union partners we now have a Cabinet paper that sets out our planned route to delivering a new job evaluation scheme that will bring about an end to the Council's historic pay issues.

All of us in the room knows that this was an issue that had plagued successive administrations – both the Conservative/Liberal Democrat coalition and this administration. It was clear that given our growing and potential equal pay liabilities we needed to undertake a comprehensive job evaluation scheme that had the support of the Trade Unions and stopped this issue once and for all.

When Councillor Sharon Thompson, Deputy Leader and I came into office we were clear that we would be expecting officers to do everything possible to move this situation forward and we now believed that we have found a way forward. For too long our relationships with some of our Trade Union colleagues had not been good enough but we were optimistic that we could bring about a new era of cooperative partnership working between the leadership of the Council and our Trade Unions. Ultimately, what we all wanted was fair pay for our employees and for the Council to be able to move on from these historical issues of equal pay so that we could direct our focus on delivering for the people of this city.

The Leader then drew the attention of Cabinet to the information contained in the report highlighting the key points. The Leader formally expressed thanks to our Trade Union partners for working with us to get to this point. He further expressed thanks to the Chief Executive and officers of this Council for their hard work and diligence in bringing forward these proposals to Cabinet today.

Councillor Robert Alden commented that Cabinet will be aware that there was a Cabinet report taken in early 2012 before the change of administration that set out a solution that would have brought this o an end. The Cabinet will also be aware that the equal pay payments could only be claimed back six years and 2023 was further than six years away from 2012. Councillor Alden referred to appendix 1 to the report and remarked that this was not marked as confidential but that it was confidential and that it would be beneficial for these reports when there was an exempt coversheet that that suffice what the exemption actually was rather than saying there was something that was exempt in the report.

Councillor Alden continued that page 3 of the report highlighted in a red box that it was the 1 April 2025 that this had to be sorted by to fit within the envelope we had financially. It also highlighted that funding was approved for this work in the Cabinet of April 2022 some way before the announcement publicly was made about there being an issue.

Looking at the Forward Plan for this report (and this report relied upon the Forward Plan because it was late and could only be late because it was on the Forward Plan) that was put on the Forward Plan in December 2022 with a due date to come to Cabinet of the 14 February 2023. All those dates were before there was a change in Leader or any public announcements about the current figures. Paragraph 3.3 of the report also highlighted the discussions that had taken place with the Unions in January 2023 and appendix 2 of the report was an addendum to the job evaluation and joint principles document dated 2023. Councillor Alden then read the first line of this document so it could be seen that this work dates back to December 2020 three years of knowledge of an issue that needed sorted at least.

Councillor Alden voiced concerns that we all knew, and it was also stated in the report that of the absolute hard fast need to resolve this by the 1 April 2025. But we also knew that any agreement around changes in job description in the job evaluation was going to require a lead in period, consultation which could be up to 90 days and the end date was not in fact the 1 April 2025 as that will be the date the contracts will come into place. We will need to have this work completed some 45 to 90 days earlier than that and there was no reference in the report that could be seen of any attempt to get this work finished at an earlier date to allow that consultation to allow an implementation. Even if we ignore those amount of days needed for consultation, this report working from September 2023 to March 2025 was approximately 19 months that was allowed to do this over the largest local authority in the country and in Europe.

Glasgow had to do a similar job evaluation and they took a report back in March 2019 and allowed 23 months to do their work. Smaller council four months longer being allowed than Birmingham was being allowed. 52 months later they had still not finished according to the latest update that could be seen on their website and they were using the Gauge based system. Councillor Alden expressed surprised that within section 5 of the report there was no mention about how long each of these systems took which was a fundamental piece of information that was required for Cabinet to be able to take a responsible decision. We cannot make a decision which has a hard end date of 1 April 2025 if we did not know when these would be delivered by. There were examples from other Councils that must be included in this report for proper decisions and recommendations to be taken going forward. Councillor Alden enquired whether this would be updated to include actual real-life examples of how those systems had operated in the workplace and how long it took to deliver those schemes.

Councillor Roger Harmer commented that he echoed Councillor Alden's comments and enquired why this had not started earlier. The Leader had fairly referred to the fact that a lot of Councils did have equal pay claims and payments including Birmingham in the immediate year after the 2010 Equal Pay Equality Act. Councillor Harmer further enquired why it was that we did not

get these fundamental processes under way in the years following that. There was an Equal Pay Committee he had sat on and that he could remember that in the period when the 2017 2019 bin strikes were being settled and new grades were put in place as part of that process to settle that dispute there was a lot of detailed questioning and discussions about whether those roles were being correctly graded.

We were told they were all being properly evaluated and that we were confident that this would not cause any equal pay liability. He questioned how we could have said that then when we did not have a comprehensive system in place. He added that that was staggering and now we were paying hundreds of millions pounds that will come out of services that people of this city depended on. To put that right time and again we were told things that this was fine and had been sorted and would not cause any equal pay liability. Councillor Alden referred in Full City Council that this year's budget had a 0% risk of equal pay liability. The question was how we could say it was 0% liability when we knew then that we did not have a robust job evaluation scheme in place.

Councillor Brigid Jones stated that whilst she supported the report there was a need to flagged to officers again that Human Resources was not within her portfolio and that there was a typo on the first page where her name was still on the report when she was not involved to be able to sign the report. Councillor Jones requested that her name be removed from the report and that it be minuted that she was not involved with the report. However, she was in support of the report.

The Chair commented that reflecting back on some of the comments that had been made the history of this had been made clear that it would be subject to an independent review. Going into the detailed arguments around that today was probably not appropriate and that people deserve answers as to why this had not been resolved over many years. He added that he did not share the rosy view that the former administration solution as he seemed to recall that we had ended up fire and rehire which he did not think was an acceptable place to be. There were over 4,500 appeals the majority of which were upheld, and claims continued to stack up over that period.

The Chair reiterated that he would not share that rosy interpretation that the previous administration solution. The point was we have now got to deliver a solution around equal pay and we have to end the injustice that the current situation created for people and we have to deliver within the timescale of 1 April 2025. A report will be submitted to the Council Business Management Committee that sets out the scope for that decision and how we take that forward. We could only do this in partnership, and it had to be an agreed process that we take forward together that is the way we finally resolved these serious issues so that we could focus on pay justice for the workforce and deliver for the people of this city.

It was

**206.** **RESOLVED UNANIMOUSLY: -**

That Cabinet:-

a. Approved a budget of up to £20m to take account of any risks for an expedited programme to be funded from the Policy Contingency Fund, including the establishment of a Permanent Pay Equity team and adjacent Pay Compliance unit to ensure that the equitable pay position achieved through the permanent pay equity programme is maintained in the future (see appendix 4 of the report);

b. Noted that any scheme that is chosen must be implemented by April 2025, to avoid the potential liability increasing beyond the estimated range;

c. Noted that the decision-making body for the methodology will be the Council Business Management Committee, with monitoring and oversight to be provided by the Finance and Resources Overview and Scrutiny Committee and the Audit Committee, as a regular item on their respective work programmes;

d. Following the decision by Council Business Management Committee, authorised the running of compliant procurement processes (via either a direct award or a mini competition) under a framework agreement or other compliant route (as more fully described in appendix 1) to appoint a supplier or suppliers that prove(s) to be the most economically advantageous to deliver an expedited programme. This is based on a combination of one or more different methodologies for NJC and JNC. The supplier(s) would be providing a programme of job evaluation, pay equity analysis, and the creation of a new pay model in consultation with the Council and the trade unions;

e. Delegated the award of the contract(s), following the outcome of the compliant procurement process or processes, to the Interim Director of People and Corporate Services in conjunction with the Interim Director of Finance and Section 151 Officer and the City Solicitor and Monitoring Officer; and

f. Noted when delivered, these elements will, on the introduction of new terms and conditions of employment, stop the current accrual of potential equal pay liabilities; provide the Council with a statutory defence to any future equal value claims; and maintain a pay equity system within the Council.

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## CONTRACT STRATEGY/AWARD – CLEARING BANK SERVICES (P1133)

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 highlighting the key points.

Councillor Alden commented that what we were seeing here was another report that impacted by the failures in the Oracle system and that the original decision to delay any potential changeover was to allow Oracle to bed in. Now we were in a situation that that still had not happened and whilst it might well be that this provider would have come out the most cost effective one going forward the

failure in Oracle was preventing the ability to have a wider review to see whether or not it was the cheapest one going forward.

It was

**207. RESOLVED UNANIMOUSLY:** -

That Cabinet:-

i. Approved the direct award of a contract to Barclays Bank Plc for the provision of bank clearing services for a period of 5 years commencing 1 April 2024 with an option to extend for a further period of 2 years subject to satisfactory performance, for the estimated annual contract value of £130,541;

ii. Delegated taking up the option to extend for the further period of 2 years subject to performance to the Interim Finance Director & Section 151 Officer (or their delegate) in conjunction with the Assistant Director, Procurement (or their delegate), and the City Solicitor & Monitoring Officer (or their delegate); and

iii. Authorised the City Solicitor & Monitoring Officer to execute and complete all necessary documentation to give effect to the above recommendations.

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**INDEPENDENT TRAVEL TRAINING – PERMANENT POSITIONS**

Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families presented that report and offered an apology and stated that because of the format of the Cabinet she was not able to share a video of our independent travel training. She advised that the link was in the paperwork and there were testimonials and case studies and the pilot programme had been a great success and we had a waiting list of young people who wanted to go through this and be able to travel independently not just for school and college but for their social lives, to access advice, medical services and this was life changing.

Councillor McCarthy then expressed special thanks to the young people from Wilson Stuart School who came in to tell us about their experiences of the programme. They were able to demonstrate the difference it had made.

Councillor Brigid Jones stated that as a former portfolio holder for this area she wanted to acknowledge the effort that had gone into this position and officers to get us to this point as the scheme had received huge opposition in the pass.

Councillor Roger Harmer commented that he welcomed the move towards independent travel as it was what we should be looking to achieve. He voiced concern as to whether the report accurately reflected all the views of the people quoted in it. Perhaps there were some issues and concerns remaining in the scheme. Councillor Harmer referred to the testimonials part two in appendix 3 to the report from Angela Burkett and stated that if you look on twitter yesterday

Angela Burkett made a number of quotes which was extremely critical of this policy and finishes with the following in response to the Leader's tweet:

*These are just a few examples of just how out of touch you really are if you'd like anymore facts just let me know but I won't hold my Breath as it's all about cost cutting.*

Councillor Harmer enquired whether we were fully confident that this really was an accurate reflection of the views of members of the public, Birmingham Parent Carer Forum and it was all as great as it sets out to be.

Councillor Robert Alden commented that the Council had previously operated some transport policies that had ended up not being the best for children and ultimately then had to force changes. He voiced concern that whilst a correct decision for an individual to have independent travel this was great, but the risk was when it was imposed on people for whom it was not the best decision. Many people would look at this and have a real concern that this would become financially driven not what is best for the child driven. He sought assurance around what was going to be done to ensure that where a child was best serve by not having this form we will do what was best for the child.

Councillor Karen McCarthy responded that it was unfortunate if somebody had changed their view on this and that she was sure the testimonials were correct at the time. We were always keen to explore issues as we have done with young people. The group from Wilson Stuart School were quick to point out that they had to come in on two separate buses because you could only take one wheelchair on a bus at a time which had an impact on schools and travel in groups on limited numbers of bus routes. There was no intention to impose this on any child and there was a waiting list to sign up for the service and we do have other services wanting to engage for their young people and indeed some older adults as well.

Adrian Weissenbruch, Assistant Director to Home to School Transport stated that our request to make this project a permanent feature of our service was to address that growing waiting list. It was so that no student that wanted to achieve these greater outcome was denied this opportunity which also allows them to access the wider services as well. With regards to changing comments we cannot comment at this stage, but we will be speaking with the Birmingham Parent Carer Forum in more detail about any concerns they might have. But the process of becoming trained in the independent travel training did not force it and we will not sign off anybody that was not capable to do this and in all those cases until that student was signed off they will be given a level of support that fits their needs. It was not a case of shutting off these other levels of support and waiting to see if they pass or fail, that support continues. The offer of support travel training continues and if they do not necessarily achieve it initially then we could come back at a later stage to review that. We believe that a lot of students have this great opportunity to achieve independence and we wanted to be able to support them.

Councillor Liz Clements commented that she was in support of the report and that she had the opportunity to meet the travel training team a few weeks ago and the young people from Wilson Stuart School. They were full of joy as they had a great experience on the busses. It may not be for everybody but if the

child needed to travel independently then public transport network we have in the city was important. If there were issues like lack of space for the wheelchair that was the challenge we needed to take back to the bus operators. Councillor Clements undertook to take this issue to the Bus Alliance and request officers to raise this in the enhance partnership arrangements. We want all our citizens to be able to use public transport network and have the freedom to do so.

Councillor Sharon Thompson, Deputy Leader stated that she was in support of the report and congratulated Councillor McCarthy, Sue Harrison and the team for this as it was a difficult area to try and get people to look at and move forward with. Everybody in the room had different options of how we could get into the City Centre and around the city by different modes of transport and it was so important that we provide options for our young people particularly those with SEND and other types of needs. This fits in with Everyone's Battle Everyone's Business that was put forward on the equality issues and we should always applaud trying to make people more independent in their living.

Councillor McCarthy expressed thanks to Members who had offered their support and was always happy to receive further feedback.

It was

**208. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

(i) Approved the development of the ITT programme from a pilot programme to a permanent programme;

(ii) Agreed to the permanent structure of the programme to sit within the CYPTS directive but to work across Council directives. To be funded from savings the programme delivers, there is no request for additional budget; and

(iii) Approved the provision of Independent Travel Training across Children's Services and the provision of travel support to programmes promoting travel independence to clients of Adult Social Care Services:

• Children and young people in education and with learning difficulties

• Young people from 18–25 with learning difficulties, mobility challenges

• Adults with learning difficulties and mobility challenges and who require additional skills to achieve travel independence.

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**ENTERPRISE ZONE CULTURAL ACTION AREA PROGRAMME (EZCAA)**

Councillor Saima Suleman, Cabinet Member for Digital, Culture, Heritage and Tourism presented the item and drew the attention of Cabinet to the information contained in the report.

Councillor Robert Alden declared his nonpecuniary interest in the item as his wife worked for the Birmingham Museum Trust. He added that there was some real potential in this and that they had talked for a long time on their side of the Chamber about the need to try and get cultural assets into local centres and try and drive regeneration and footfall into local centres.

Councillor Roger Harmer echoed Councillor Alden's statement and requested that we avoid three letter acronyms which were already heavily in use as there were now two different CAZ's and were a potential for confusion.

It was

**209. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

a. Approved the Full Business Case evidencing and in support of the £1.635m Cultural Action Area programme funded from Enterprise Zone funding;

b. Authorised the bid for £1.635m Enterprise Zone funding which will cost an average of £308,000 in each of its first three years and an average of £237,000 in each of its three remaining years;

c. Authorised the approval of Cultural Action Area grant awards through the Councils Delegated Authority reporting to the Assistant Director, Neighbourhoods, subject to funding conditions being deliverable;

d. Authorised the City Solicitor and Monitoring Officer to negotiate, execute, complete and seal all necessary documents to give effect to the above recommendations; and

e. Noted that this is a fully tested programme as a result of the two-year pilot delivered by GBSLEP. This programme has been developed by the lead officer from the pilot at GBSLEP who has been on secondment to BCC.

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**SMALL HEATH SWIMMING POOL REFURBISHMENT OUTLINE BUSINESS CASE (OBC)**

Councillor Mariam Khan, 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.

Following comments from Members, Councillor Khan welcomed all the positive comments form Members. She added that there had genuinely been a lot of hard work being put in in getting us to this stage. Councillor Khan expressed thanks to the officers who had worked hard and had had to put up with her every two weeks asking for an update on Small Heath just to ensure we could get to this stage. Councillor Khan further expressed thanks to the former

Leader, Councillor Ian Ward who had made that commitment to ensure we got that water facility back in Small Heath as quickly as possible.

Lesley Poulton, Integrated Service Head, Neighbourhoods noted Councillor Roberts Alden's comments in relation to funding from Sports England and advised that she understood that a bid was made to Sports England and the Council was awarded £100k but at the time the service suggested that the cost would be significantly more than that and until we had the rest of the money identified we could not draw it down. The £100k was therefore lost.

**210. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

a. Approved the OBC (Appendix 1 to the report) to repair and refurbish the Small Heath Wellbeing Centre swimming pool to enable it to reopen to the public at an estimated capital cost of £3.900m subject to a Full Business Case (FBC);

b. Approved the allocation and spend of a capital sum of £0.450m funded from the corporate capital contingency budget (prudential borrowing) for the design and enabling works to develop the project to RIBA Stage 4 Technical Design and development of the Full Business Case.

c. Authorised the Strategic Director, City Operations to instruct Acivico Ltd to progress the project proposal to RIBA Plan of Work to Stage 4 (Technical Design) at a cost not to exceed £0.178m.

d. Approved the strategy and commencement of the procurement activity for the works to undertake a further competition exercise using Acivico Ltd's Constructing West Midlands 2 (CWM2) Framework Agreement;

e. Delegated authority to the Strategic Director of City Operations in conjunction with the Assistant Director, Procurement, the Interim Director Finance and the City Solicitor & Monitoring Officer (or their delegates) to award the contract for a Pre-Construction Services Agreement (PCSA) and noted the approval for the award of the main works contract will be in the FBC to Cabinet in June/July 2024;

f. Authorised the City Solicitor and Monitoring Officer (or their delegate) to negotiate, execute and complete all necessary documents to give effect to the above recommendations; and

g. Noted the future intention to develop a business case for a new leisure facility in the locality and transfer public swimming provision and dry site activities from Small Heath WBC to that new facility and agree with the Star Academy Trust the structure of an arrangement to allow the School (Small Heath Leadership Academy) on-going use of the existing facility to deliver the curriculum to their students.

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**MOSELEY ROAD BATHS FULL BUSINESS CASE**

Councillor Mariam Khan, Cabinet Member for Health and Social Care then presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

Councillor Robert Alden stated that he was supportive of the restoration of Moseley Road Baths as it was one of the most beautiful buildings in the city that was a key part of our heritage and must be saved. He added that he welcomed the comprehensive risk register. Under the capital section this was marked as last updated in February 2021, but we were all aware of the build cost and inflation and suggested that that be looked at again in light of how much time had elapsed since February 2021. Other sections of the report did not have a review date and he suggested that these be refreshed. In terms of the delivery phase 1.5 was the procurement process returned higher than the anticipated cost, it had the starting score of 20 and there were some there was some mitigations included but there was no residual score listed.

Councillor Alden sought clarification on what the position score was now following those measures i.e. whether the risk was the same or have there been some reduction in that risk. With regards to potential discrepancy under what the published contract towards this compared to what the approvals were being asked for in this report. The approvals under paragraph 2.4 of the report but if you go on the Government Tender website for the 27 March that showed that the contract was awarded for the value of £3m for all of the design work. He further sought clarification on all of the design work i.e. had it all been awarded for £3m etc.

Dave Wagg, Head of Sport and Physical Activity advised that the construction award will be determined by the approval of this Cabinet report, but we had already gone through the process and the cost with inflation built in had been secured. The cost for construction was set within the project cost. Mr Wagg apologised for the lack of update for the risk register and that we had a fully formed project team that was dealing with this for a number of years. As Members will be aware the Cabinet process took some months and he again apologised if this was not the latest version of the risk register. He gave assurance that the risk register was fully formed and was dealt with on a weekly basis by the project and had all of the risks up to date cost against them and its delivery and mitigation elements included. Mr Wagg stated that he was happy to provide that information outside of the meeting.

In terms of the waiver procedure to deliver the design element of this in order to wait for Cabinet that we could award the contract to the construction company we wanted to hit the ground running in terms of design, so we had approval through the procurement services to deliver a waiver procedure for the cost of £50k. This had allowed us to do some work over the weeks that delivered build ability and was able to look at when closure of the pool would occur because we were dealing with people at this pool as it was being run by a charitable organisation and closure would be involved. We needed to do that in advance of this meeting. On the approval of this report we will then award full contract which would include the rest of the design and the full construction of the Phase 1 build.

It was

**211. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

1. Approved the Full Business Case included at Appendix 1 to the report, containing the following:

   - Approval to allocate and spend £7m of Council corporate Capital Resources to support the development.

   - Delegated to the Strategic Director of City Operations, in conjunction with the Strategic Director of Council Management, authority to make bids for and accept subsequent offers of funding from any other organisations or funders that may be identified as appropriate contributors to the costs of the proposed works, subject to any funding conditions attached to the funding offers being acceptable;

2. Approved the submission of any planning applications necessary to facilitate the delivery of the proposals set out in this FBC;

3. Noted that the procurement strategy for the Works (comprising Phase 1 and 2) commenced using Constructing West Midlands 2 (CWM2) Framework Agreement due to the urgency to meet the external funding deadlines for Phase 1;

4. Noted that a Pre-Construction Services Agreement (PCSA) was entered into for the initial design stage to be completed for the estimated value of up to £50,000 and approved under Chief Officer delegated authority to enable the works to meet the fixed deadline of 31 March 2025 for the funding conditions to be met;

5. Delegated authority to the Strategic Director of City Operations in conjunction with the Assistant Director, Procurement, the Strategic Director of Council Management and the City Solicitor & Monitoring Officer (or their delegates) in consultation with the Cabinet Member for Finance and Resources to award a contract for the Works after completion of the PCSA stage, subject to the value being within the approved budget; and

6. Authorised the City Solicitor & Monitoring Officer (or delegate) to execute and complete all legal documentation necessary to implement the above recommendations.

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**SUBSTANCE MISUSE COMMISSIONING PROPOSALS**

Councillor Mariam Khan, 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.

Councillor Karen McCarthy stated that it was important that we get this right as there were new threats emerging in this area all the time and the contract extension will give us a further opportunity to ensure that the services we commissioned were meeting the real needs of Birmingham citizens.

Councillor Roger Harmer commented that he welcomed the report and enquired about the growth and abuse of Nitrous Oxide (laughing gas) which we have seen the evidence around and the discarded cannisters. What had been particularly alarming in recent months was the switch from the small metallic cannisters to the industrial size blue cannisters which contained so much material that could do serious damage to the people who used them. He further enquired whether the work being done by this contract was picking up the growth of that threat.

Councillor Alden stated that the logic given in the report was clear around bringing it into line with government grant. It was also worth adding that on our side we were quick to highlight when something was brought late but this had been brought in good time for the end of the current contract and officers should be congratulated for bringing this in a timely manner.

Councillor Khan referred to Councillor Harmer's comment concerning Nitrous Oxide and stated that this was an area that the current providers were working closely on. In addition to that Public Health was also working to develop a local campaign to raise awareness of the risks associated with Nitrous Oxide although that had been delayed because of issues around clarity and avoiding confusing messaging and duplication when it comes to the national position. We have recently published through the Cabinet the Triple Zero strategy which sets out the new ambition to tackle drugs misuse in Birmingham in partnership with the other agencies including the provider with whom we were looking to extend the contract with today which includes the non-opioid drugs and other club drugs.

Jo Tonkin, Assistant Director, Partnerships Insight and Prevention stated that she would be happy to have a conversation about our response in relation to Nitrous Oxide. She added that it was worth noting that these services although they will focus particularly the young people's services on preventing and building awareness and preventing the use of substances what these services do particularly those focussing on adults deliver an evidence-based interventions for people with problematic substance health and social needs. These were effective with interventions and incredibly important to the most vulnerable population in our city.

It was

**212. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

1. Approved the extension to the Substance Misuse contract with Change, Grow, Live for Adult Substance Misuse Treatment Service for a maximum period of 12 months (1 April 2024 to 31 March 2025);

2. Approved the extension to the Substance Misuse contract with Aquarius Action Projects (part of Richmond Fellowship Group) for the Young People's Substance Misuse Treatment Service for a maximum period of 12 months (1 April 2024 to 31 March 2025);

3. Delegated the approval of the Commissioning/ Procurement Strategy and Contract Award for the future service provision for both Adult and Young People's Misuse Treatment Services post 31 March 2025 to the Cabinet Member for Health and Social Care;

4. Delegated authority to allocate the additional funding received as part of the Supplemental Substance Misuse Treatment and Recovery (SSMTR) Grant from the Office for Health Improvement and Disparities (OHID) to existing providers from 1 April 2023 to 31 March 2025 and any new yet to be announced OHID Grant Funding to the Cabinet Member for Health and Social Care. For information, the fully signed Memorandum of Understanding (MOU) confirming the funding allocation for 2023/24 and acceptance of Birmingham's Delivery Plan was received on 5 May 2023; and

5. Authorised the City Solicitor (or their delegate) to conclude and enter into all legal documents to give effect to the above.

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## 0 – 19 HEALTHY CHILD PROGRAMME CONTRACTS

Councillor Mariam Khan, Cabinet Member for Health and Social Care introduced the item and drew the attention of Cabinet to the information contained in the report.

Councillor Robert Alden commented that the Cabinet Member made a similar report to Cabinet on the 21 March 2023. That report had a different conclusion and was to agreed a full procurement of these contracts not some extension. That report also discounted the option of a direct award with the current supplier due to significant legal risks. Looking at he report of the 21 March 2023 it proved under recommendations 2.2 commissioning plan timeline that was ready to have started before now prior to any change to approval have been given this commissioning procurement process. He added that this should have already started or was it going to happen or already happening and under what authority was that stopped if there had not been a new report to this point.

Councillor Alden referred to paragraph 11.4 of that report and enquired what that information was in the report in March but was not in the report today and what additional risks does the fact that there was a public report existing saying there was a risk placed the Council in now that we were doing a different decision and what had changed between march and now to alleviate that legal risks if anything.

Councillor Roger Harmer stated that these were vital services, but it was also important that General Practitioner (GP) services recover from their current difficult state in terms of young people. He then gave a personal example of

this point. It was important to have these services working well but we also needed to address the fundamental problems in this country of poor GP services not just for young people but for everyone else.

Helen Price, Assistant Director - Strategy, Commissioning and Transformation stated that in relation to the previous report that was brought to Cabinet in March 2023 the rationale for why we were extending the contract was clear in the Cabinet report in terms of recent CQC inspections. We cannot go public with the actual result of that, but the feedback informally was positive. The improvement journey these services had been on was quite substantial so from inadequate to what we hoped will be a more positive result in a few months' time.

We needed to understand the impact of things like the family hubs programme which was government mandated programme that we were piloting in Birmingham around the ability of that programme to transform and change the services we were talking about and that were being extended. It was also important to understand that the last time these services were tendered there were no bids for some elements, and this was not a tender process that had been successful in the past easily. We had backed this up with a prior information notice that went out at the time of the first Cabinet report and the feedback from that prior information notice was that there was no one organisation who could deliver all of these services and one that could deliver some. So again the market was not particularly vibrant or live.

It was

**213. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

a. Approved the extension of the Early Years Health & Wellbeing, the 5-19 contract and the identified vision screening contracts to no later than the 28 February 2027 as detailed in the table in paragraph 9.3 of the report and to delegate responsibility to the Director of Public Health, the Director of Children and Families and Cabinet Members to take forward the contractual processes for the extension, due to satisfactory performance and availability of funding; and

b. Authorised the City Solicitor (or their delegate) to execute any documents to give effect to the above recommendations.

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**KEY DECISION PLANNED PROCUREMENT ACTIVITIES (AUGUST 2023 – OCTOBER 2023)**

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.

Councillor Alden referred to the second item on the list for an archive of he SAP Finance and HR systems and enquired whether this was something that was

anticipated and costed for within the original Oracle budget or was it now a new cost in terms of what was agreed when Oracle was agreed.

Cheryl Doran, Assistant Director and CIO, Digital and Customer Services responded that it was included in original planned cost for the Oracle budget.

It was

**214.** **RESOLVED UNANIMOUSLY: -**

That Cabinet approved the planned procurement activities as set out in Appendix 1 to the report and approved Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

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**NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (AUGUST 2023 – OCTOBER 2023**

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.

It was

**215.** **RESOLVED UNANUMOUSLY: -**

That Cabinet noted the planned procurement activities as set out in Appendix 1 to the report and Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

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**OTHER URGENT BUSINESS**

**216.** No item of urgent business was raised.

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The meeting ended at 1146 hours.

……..……
CHAIRPERSON

# Birmingham City Council
# Report to Cabinet

5th September 2023

| | |
|---|---|
| **Subject:** | **NEC MASTERPLAN AND PROPERTY STRATEGY** |
| **Report of:** | Strategic Director – Place, Prosperity & Sustainability |
| **Relevant Cabinet Member:** | Councillor John Cotton – Leader of the Council |
| **Relevant O &S Chair(s):** | Councillor Akhlaq Ahmed - Economy and Skills<br>Councillor Jack Deakin – Finance and Resources |
| **Report author:** | Doug Lee: Planning, Transport & Sustainability<br>Email: doug.lee@birmingham.gov.uk Tel: 07818 510813 |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): Solihull MBC administrative area | ☒ Yes | ☐ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 010416/2022 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information? | ☐ Yes | ☒ No |

## 1 Executive Summary

**1.1** The NEC occupies 155 hectares of land on the eastern edge of Birmingham, within the administrative area of Solihull MBC. The City Council retains the freehold of the land occupied by the NEC on a 125 year lease. This lease is split into the core land area, over which the NEC Group have development rights, and the non-core land area where the City Council retains development rights under a claw back condition subject to the re-provision of car parking (see plan at Appendix 1).

**1.2** The NEC, with engagement from the City Council, has prepared a revised Masterplan for the NEC site which sets out a vision for the NEC to create a unique environment for work, rest, live and play, further enhancing the vibrancy and attractiveness of the NEC site and driving existing operations. The Masterplan focusses upon the northern (and less used) car parking areas at the NEC (within the non-core land) with opportunities in the areas to the south to be considered at a future date.

**1.3** It is proposed that Phase 1 (Urban Village) of the Masterplan will deliver 2,240 homes on approximately 18 hectares of land along with supporting facilities and amenities. To bring this opportunity to the market it is proposed that the Council enter a surrender of the existing lease and a freehold disposal agreement with the NEC which will see the development profit for Phase 1 shared between the two parties (see section 3.14 below). Following the completion of the agreement, the NEC proposes to go to the market to select a development partner for Phase 1. The preferred developer and the associated financial arrangements will then be the subject of a further report to Cabinet.

**1.4** Bickenhill Plantation is a large block of woodland to the north of the NEC, within the Council's ownership, which has biodiversity and amenity value. The Masterplan envisages improvements and increased access to the Plantation. Its current state and future value as a potential part of the scheme is to be considered as proposals for Phase 1 progress.

## 2 Recommendations

**2.1** Notes the new Masterplan for the NEC site and approves the proposed terms and conditions of the surrender of the existing lease and a freehold disposal agreement with the NEC Limited as detailed in Appendix 3.

**2.2** In principle approves a freehold disposal agreement for Phase 1 (as identified on the plan within Appendix 5) to the NEC Limited subject to the completion of the agreement and the selection and appointment of an appropriate development partner.

**2.3** Authorises further consideration of options for Bickenhill Plantation including enhanced connectivity and integration with the proposed Urban Village.

**2.4** Authorises the Strategic Director of Place, Prosperity and Sustainability in consultation with the Leader of the Council and in conjunction with the Interim Director of Finance and S151 Officer and the City Solicitor and Monitoring Officer to agree the final terms of the agreement.

**2.5** Authorises the process to initiate a procurement process to select a development partner(s) to undertake development and negotiate the terms of a development agreement to be reported to Cabinet at a future date.

**2.6** Delegates approval to the Assistant Director of Investment and Valuation or nominated appointee to extend the existing commissions for financial and legal advice during the developer selection process to an agreed budget of £180,000.

**2.7** Authorises the further extension of the lockout agreement with Blackstone to the 14th February 2024.

**2.8** Authorises the Assistant Director of Investment and Valuation or nominated appointee to carry out preparatory work and enter into any relevant negotiations involving the Council.

**2.9** Authorises the City Solicitor (or their delegate) to negotiate, execute and complete all relevant documentation required to give effect to the above recommendations.

## 3 Background

**3.1** The NEC is the UK's number one venue of choice for organisers, exhibitors and visitors and is the home of a unique collection of leisure and business tourism that attracts over 2.3 million visitors a year and has a wider economic impact of £3bn a year. The NEC is located within the Solihull MBC administrative area and as such Solihull is the local planning authority, with the Council's interest one of landowner.

**3.2** Birmingham City Council sold The NEC Ltd to Lloyds Development Capital (LDC) (the private equity arm of Lloyds Banking Group) in 2015; LDC subsequently agreed the onward sale to private equity group Blackstone. The Council retains the freehold of the sites occupied by The NEC Ltd with a number of leases granted. The National Exhibition Centre (NEC) site is occupied on a 125 year lease This lease is split into the core land area, over which the NEC Group have development rights, and the non-core land area where the City Council retain development rights under a claw back condition subject to the re-provision of car parking (see plan at Appendix 1).

**3.3** The Non-Core Land lease provides that replacement parking must be provided within the lease area before any land within that area can be taken back by the Council under its claw back condition. The NEC currently has around 16,500 car parking spaces. The non-core land therefore is a significant brownfield development opportunity close to the Airport, NEC, International Rail Station and the future HS2 Interchange Station and Arden Cross development.

**3.4** In November 2018, Cabinet approved an initial Masterplan for the NEC which set out a vision for the future of the NEC site as "nec•city" – an internationally unique destination with global appeal that fuses entertainment, leisure, exhibition space, commercial and residential offers with the existing NEC at its heart. Overall, the Masterplan identified the potential to redevelop 75 hectares of brownfield land creating, at that time, 315,000 sq m of new floorspace, 10,000 new jobs, and up to 2,000 new apartments. The scale of the opportunity meant that development would be phased over several years.

**3.5** In November 2018, Cabinet also considered a report on the private agenda regarding entering negotiations with Blackstone over potential participation in the development of the Non-Core Land lease area. It was agreed that the Council would enter into a formal arrangement with Blackstone for a period of two years, and that if terms acceptable to the Council could be agreed for the release of the claw-back condition in the Non-Core Lease, then the Council would release the condition.

**3.6** Due to the impact of Covid on the NEC's business, in February 2021 it was agreed that the period for negotiation with Blackstone be extended for a further two years with the proposed terms of any future release of the claw-back condition (if appropriate) to be considered by Cabinet at a future date. As part of this process, it was agreed that the Masterplan and supporting evidence would be revisited and revised – in part to support the case for growth at the NEC at the Solihull Local Plan Examination.

**3.7** The draft revised masterplan was subsequently published in November 2021 and focusses upon the northern (and less used) car parking areas at the NEC as well as the infill areas around Pendigo Lake, with opportunities in the areas to the south to be considered at a future date. It is anticipated that the land values will increase over time as the scheme progresses and the HS2 Interchange Station to the east of the M42 is delivered. The Masterplan vision for the NEC is to create a unique environment for work, rest, live and play, further enhancing the vibrancy and attractiveness of the NEC site and driving existing operations. The masterplan has been informed by a detailed desktop assessment and study of the environmental and physical character, condition and context of the site; a detailed assessment of the demand and supply dynamics for the residential, commercial and leisure / retail / hospitality sectors across the local and regional geography; a financial model assessing viability; and a framework for the social, environmental and physical infrastructure to support development and secure positive sustainable outcomes for the future.

**3.8** The Masterplan incorporates the following initial phases (shown on Appendix 4):

- Phases 1 of the Urban Village would deliver 2,240 homes.
- Phase 2 of the Urban Village would deliver 2,800 homes.
- Phase 3 would deliver commercial and retail space as part of a new Grand Plaza (creating new development and a flexible outdoor events space adjacent to the existing NEC atrium halls) and Urban Boulevard (a new east west link which will connect the NEC site to the Arden Cross development and HS2 Interchange Station, with ground floor retail, food and beverage and small-scale leisure uses located along the route). Phase 3 would be largely on land within the NEC's core lease.

**3.9** Bickenhill Plantation (28 ha) is located to the north of the NEC, adjacent to the proposed Urban Village, and is within the Council's ownership. The Plantation is a substantial mature woodland which is a local wildlife area. The Masterplan

proposes greater integration and connectivity with the Urban Village through improved community access and environmental and ecological enhancements. Options will be explored with the preferred development partner(s) once selected and will be reported to Cabinet at a future date. This will include consideration of any impact on the ecology and biodiversity of the Plantation (further information is included within the ESA at Appendix 8).

**3.10** The NEC and the Council as the landowners are intending to commence a procurement process in 2023 to seek a development partner for the delivery of Phase 1 (circa 2,240 homes). The development partner will then be responsible for securing planning consents and delivering enabling and infrastructure works. It is forecast that Phase 1 will be completed by 2036/37.

**3.11** To progress the proposals at the NEC the Council will need to reach agreement with the NEC / Blackstone on the opportunity and the commercial structuring of any potential deal. As such the Council and NEC have negotiated the key commercial and legal principles to bring forward Phase 1. To date, these have included:

**3.12** **Surrender and Freehold Disposal of the Non-Core Lease Area** – It is proposed that the NEC surrender plots of the Non-Core Lease with the Council simultaneously for sale and development purposes. Plots will be surrendered, and a freehold disposal to the NEC agreed, upon the satisfaction of certain conditions which would broadly centre on meeting pre-development requirements which will enable Phase 1 to be brought forward (planning consent, identification of funding requirements, agreement of relevant construction packages etc together with valuation.). This would provide the Council with a degree of control in relation to what is being delivered across the Phase 1 plots. For example, conditions around compliance with the master plan would be implemented, however, the Council would not benefit from direct review nor have approval rights.

**3.13** **Structure & Roles of the Parties** – The NEC and its advisors will lead the procurement process to identify a (master) developer, with the Council taking an oversight role with select agreed controls. This will enable the NEC to progress the procurement at pace, whilst enabling the Council to have an appropriate level of involvement in the process to both support discussions and manage the Council's risk. The legal structure of this arrangement is subject to legal review; however, it is likely to be a hybrid conditional land deal and joint venture between the parties. It is expected to be via contract as opposed to an incorporated joint venture.

**3.14** **Commercial Principles** - a waterfall mechanism has been agreed for the parties to recover costs and share in profit (attached in Appendix 3). Key elements of the waterfall have been negotiated including:

- Existing Use Value (EUV) for the Land - at the top of the waterfall mechanism, is a payment for each party's EUV for the land. NEC's valuation takes into

consideration their lost income as a result of not using the land for car parking and additional costs of operating the remaining site, whilst the Council's valuation reflects the reversionary value of the land at the end of the current lease and the current development hope value. Following negotiation, the EUV has been agreed at £400k per acre for the NEC and £50k per acre for the Council.

- Cost recovery – the principle has been agreed that both parties should be in a position to recover agreed costs that have been incurred during the process of bringing the scheme forward and taking it to market. This includes full transparency of budgets and processes to ensure that the Council is in a position to review and validate the costs incurred by the NEC, and vice versa, before they are incurred or reimbursed. To date the NEC has funded the majority of the work to unlock the opportunity, including the preparation of the Masterplan and its supporting evidence. The Council will also be able to recover its costs to date including the cost of the financial and legal advice that has supported its negotiating position (including the costs for ongoing advice set out at paragraph 2.6).
- It should be noted that the development partner(s) once selected will also receive their costs and margin.
- Net Land Value Uplift – Once agreed costs have been recovered, remaining cash within the waterfall will be shared between the parties as profit, or Net Land Value Uplift. NEC initially proposed a 60:40 split of the Net Land Value Uplift in NEC's favour. It has since been agreed that the Net Land Value Uplift should be reduced to a 55:45 split, which more accurately reflects the disruption that construction of the project would cause to the NEC core operating business, and the investment of time and resource required in order to deliver this project and drive the commercially beneficial outcome for both parties. Ultimately, the NEC will take the majority of the financial risk during the procurement of the master developer, only recovering costs when plots are sold.

**3.15** There is also on-going work to process the surrender of the existing lease and the freehold disposal agreement with the NEC. This includes:

- Engaging legal counsel to consider the procurement implications arising from the provisionally agreed commercial and legal principles.
- Engaging a tax and accounting advisor to confirm the relevant implications for both parties in bringing forward Phase 1 in accordance with the provisionally agreed commercial structure and to ensure that there are no adverse outcomes to the Council.
- Engaging with the NEC to develop and agree the procurement strategy, principles and timing.

- Engaging with the NEC to agree the detail of remaining elements of the cashflow waterfall, including costs to be included within the sunk / opex (operating expenses or expenditure) mechanisms.

**3.16** At the end of the procurement process authority for the selection of the preferred development partner(s) will be reported to Cabinet. The delivery of Phase 1 and the financial outcomes will be monitored and evaluated prior to progressing the future phases of the Masterplan (which again will be the subject of future reports to Cabinet).

**3.17** Solihull MBC are the local planning authority for the site and their local planning policies regarding matters such as sustainability and affordable housing will apply. Nevertheless, Council officers will engage with officers at Solihull MBC to explore how their sustainability and zero carbon objectives can mutually enhance the proposal for all parties and to investigate other potential benefits for the citizens of Birmingham.

## 4 Options considered and Recommended Proposal

A range of options have been considered in terms of the proposed way forward with the five options below shortlisted.

**4.1** **Do Nothing Option** – this option is to not develop the land and continue with business as usual, as such the car parks would not be developed. The original strategy at lease grant was to undertake a redevelopment at a much later time. No land value is lost by not progressing the scheme but the opportunity to enhance the area via the Masterplan is moved further out.

**4.2** **Do Minimum Option** – this option would be a sale of the freehold interest in the land to the NEC or the purchase of the long leasehold from the NEC. It was considered more practical to work with the NEC to reach an agreed way forward where both parties share the potential risk and profit.

**4.3** **Option 1 (MSCP) -** build new MSCP car parks and exercise the Council's rights to develop out the land on the car parking spaces which are released (the claw back). As the existing car parks do not run at capacity this would effectively involve building new surplus car parks. The current financials of this option are not viable with the car park construction cost exceeding the value of the released land.

**4.4** **Option 2 (Phase 1 Only)** – this option focuses on the development of the Phase 1 land only with an option to progress with Phase 2, if agreed, at a later date. It allows progression of the Masterplan on the Phase 1 site whilst retaining options for the later phases in a timeframe where it is expected land values will increase generally and as a result of the development of the scheme itself.

**4.5** **Option 3 (Phases 1, 2 & 3)** – this option is for the development of all three phases – the original deal presented by the NEC. There is a loss of control for the Council on future phases, which could still be developed out on the same terms as Phase 1 under this option.

**4.6** Option 2 is recommended as the preferred option.

## 5 Consultation

**5.1** The draft Masterplan https://www.necgroup.co.uk/media/3234/nec-masterplan-consultation-draft.pdf was published in November 2021 and has been the subject of public consultation. The Masterplan establishes the vision and framework for future development of land at the NEC.

**5.2** As the proposals for development of the site are progressed further public consultation will take place including all future planning applications relating to the site.

**5.3** The NEC site is located outside of the City boundary and consequently Ward member consultation has not been undertaken.

**5.4** No external consultation has taken place regarding the detailed contents of this report, beyond the negotiations with the NEC.

## 6 Risk Management

**6.1** Risks will be identified, evaluated and managed in line with the City Council's Risk Management Methodology 2017. The initial risks and opportunities are shown in the Risk Register at Appendix 6.

**6.2** The report seeks authority to the proposed terms and conditions for the surrender of the existing lease and a freehold disposal agreement with the NEC; in particular the proposed waterfall agreement to share costs and profits. Following procurement, the appointment of the preferred developer and associated financial and legal agreements will be the subject of further reports to Cabinet.

**6.3** Consultants are also appointed on behalf of finance, legal and property to provide advice on the negotiation process going forward, including the minimisation and mitigation of risk.

## 7 Compliance Issues:

**7.1** How are the recommended decisions consistent with the Council's priorities, plans and strategies?

The decisions recommended in this report will facilitate the development at the NEC which will contribute to:

7.1.1 **The Corporate Plan 2022 – 2026 (To Support, To Serve, To Level Up)** has tackling inequalities at its heart and is underpinned by the vision to make Birmingham a city where all citizens share in the creation and benefits of sustainable economic growth and live longer, healthier and happier lives. The future development of the NEC and the economic benefits that will accrue from this (including additional visitors to the city and region) will accord with the priorities for a Prosperous Birmingham (through a focus on inclusive economic growth,

tackling unemployment and attracting inward investment) and an Inclusive Birmingham (tackling poverty and inequality).

7.1.2 **The Birmingham Property Strategy.** As the largest local authority in the country with the biggest property portfolio, the Council has the opportunity to utilise its property and land assets in a strategic way to deliver its priorities. The Property Strategy takes a medium to long term strategic approach to how the City Council utilises its commercial property assets and will ensure a balanced delivery of maximised commercial and social returns. Re-aligning the Council's land and property will provide a catalyst for development and underpin the social fabric of communities across the city region.

7.1.3 **The Birmingham Development Plan (2017)** Policy TP25 Tourism and Cultural Facilities states that Birmingham is a top visitor destination and that tourism is an important contributor to the City's economy. It is recognised that the city has a wide range of assets including the NEC, Genting Arena, Alexander Stadium, Balti Triangle, Aston Hall, Barclaycard Arena and ICC and Symphony Hall which are key venues for business visitors and leisure tourism. Proposals which reinforce and promote Birmingham's role as a key destination for business tourism will be supported.

7.1.4 **Solihull Draft Local Plan** The Solihull Local Plan recognises the importance of the NEC as a longstanding economic asset. In order for it to remain competitive within the international market the Local Plan establishes the opportunity for future sustainable economic growth. This growth includes support for residential, commercial and other uses at the NEC site. The draft Local Plan includes an allocation and policy to deliver up to 2,240 residential units alongside 50,000 sq. m of commercial office, retail, leisure and community space within the Plan period. The draft Plan is currently paused at the Public Examination stage pending the publication of the National Planning Policy Framework (NPPF).

7.1.5 **East Birmingham Inclusive Growth Strategy** East Birmingham is home to more than 230,000 people and forms a crucial part of the city and region's economy. This area sits between Birmingham City Centre and the UK Central Hub Area. The East Birmingham Inclusive Growth Strategy (2021) sets out the strategy for a comprehensive multi-agency approach to ensure that the growth in the surrounding areas benefits the communities in East Birmingham. This includes providing new opportunities for education and skills, and access to jobs, and improving living standards including health, the environment and transport. The growth planned at the NEC will provide new jobs and investment into the area which aligns with the overall aims and objectives for East Birmingham. Improved public transport and connections to the NEC will help facilitate this further.

7.1.6 **Prosperity and Opportunity for All: Birmingham City Council's Levelling Up Strategy** sets out the vision of levelling up for the city rooted in the belief that we must encourage growth and stimulate investment in the city, whilst at the same time making Birmingham a fairer and more equal place. Levelling up must mean

that our citizens share in the economic benefits of Birmingham's development and live longer, healthier, and happier lives.

7.1.7 **Everyone's Battle, Everyone's Business: Birmingham's Equality Action Plan 2022/2023.** The proposal accords with the objectives of Everyone's Battle, Everyone's Business to make long term council-wide improvement to embed equity in a wide range of policy and practice. This includes Place Matters, one of five key principles, which focuses on place approaches that improve access to opportunities for local communities.

7.1.8 **Route to Zero.** The Masterplan is accompanied by a sustainability strategy which sets out a framework for the social, environmental and transport infrastructure to support development and secure positive sustainable outcomes for the future. Active and sustainable travel will be promoted through the creation of a network of pedestrian and cycle routes and the location of a Mobility Hub within the new local centre. Sustainable urban drainage solutions will be created across the public realm including swales, ponds, permeable paving, planning and green / brown roofs. Going forward the Council will engage with Solihull MBC to explore shared objectives regarding sustainable development and carbon net zero development.

**7.2 Legal Implications**

7.2.1 Section 120 of the Local Government Act 1972 contains the Council's powers to acquire by agreement any land whether situated inside or outside their area for the purposes of any of their functions or for the benefit, improvement or development of their area.

7.2.2 The power to dispose of land is contained in Section 123 of the Local Government Act 1972. The disposal power in Section 123 of the Local Government Act 1972 is subject to the best consideration test. The Assistant Director Investment and Valuation (or nominated appointee) has confirmed that the proposed approach set out in the collaboration agreement represents best consideration and satisfies the Council's obligations under Section 123 of the Local Government Act 1972.

7.2.3 Section 1 of the Localism Act 2011 contains the Council's general power of competence, which is circumscribed only to the extent of any applicable pre-commencement restrictions and any specific post-commencement statutory restriction of the power, and Section 4 of that Act contains the Council's power to exercise this general power of competence for commercial purposes through a company. Section 111 of the Local Government Act 1972 contains the Council's ancillary powers to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions, including the expenditure, borrowing or lending of money and including the disposal and acquisition of property or rights.

7.2.4 Under Section 13 of the Planning and Compulsory Purchase Act 2004 the Council must keep under review the matters which may be expected to affect the development of their area or the planning of its development including such

matters in relation to any neighbouring area to the extent that they may be expected to affect their area.

**7.3 Financial Implications**

7.3.1 The proposed surrender of the existing lease and a freehold disposal agreement with the NEC will generate a capital receipt for the City Council. The Waterfall Agreement sets out how the financial agreement between the Council and the NEC will operate. The Council and the NEC will both be able to recover their costs on the project to date. Net Value Uplift (profit) will then be split 55 / 45 in the NEC's favour. The scheme will not progress unless there is enough surplus to cover the costs, provide an uplift and pass a best value test.

7.3.2 The Council has sought tax and accounting advice to confirm the relevant implications for both parties in bringing forward Phase 1 in accordance with the provisionally agreed commercial structure and to ensure that there are no adverse outcomes to the Council. The Council will treat the transaction as capital in nature, recognising additional capital receipts and adjusting the existing financial asset disclosed in the balance sheet. Any income from ground rents will be disclosed in the comprehensive income and expenditure account to the extent that they are not fixed lease payments. The intention is that any City Council tax liability related to the transaction will form part of the waterfall arrangement, which will ensure that the City Council is not directly exposed to any tax payment. In addition, it is not expected that there will be any adverse cashflow implications for the City Council related to any tax liability.

7.3.3 It is proposed to extend the existing commissions providing legal and financial advice for these complex commercial negotiations on a time and materials basis subject to the delegated approval of the Assistant Director of Investment and Valuation and regular monitoring of a budget of up to £180,000. These costs will be recoverable through the terms of the waterfall mechanism.

7.3.4 The appointment of a development partner (following procurement) and the associated financial outcomes will be the subject of a further report to Cabinet.

**7.4 Procurement Implications**

7.4.1 The NEC will lead on the competitive procurement of a development partner. The requirement is that the NEC progress a robust and transparent process for the selection of a development partner following the principles of delivering best value to the stakeholders. For the avoidance of doubt the NEC will not follow the Council's standing orders.

7.4.2 In terms of the procurement process the Council will have an oversight role with select controls which are to be agreed. The decision on the selection of the development partner will be the subject of a further report to Cabinet.

### 7.5 Human Resources Implications

7.5.1 The Council is largely using existing staff from the Property Services and Planning and Development service of the Place, Prosperity and Sustainability Directorate to progress this project.

7.5.2 Specialist financial and legal advice has been commissioned to support and inform the Council's position in these complex commercial negotiations and to ensure that best value is obtained. To ensure that the Council's position is represented and properly considered throughout the identification of a development partner(s) it is proposed that these commissions are extended.

### 7.6 Public Sector Equality Duty

7.6.1 The programme has been undertaken in accordance with the Property Strategy. The Property Strategy is a policy document setting out the strategy principles associated with property assets and at this stage there are no specific implications.

7.6.2 The Equality Analysis is attached at Appendix 7, which concluded that the proposals will contribute to equality of opportunity for all through creating the conditions for growth and job creation. In addition, it is considered that the proposals do not have the potential to have a differential impact on any group or protected characteristic.

## 8 Appendices

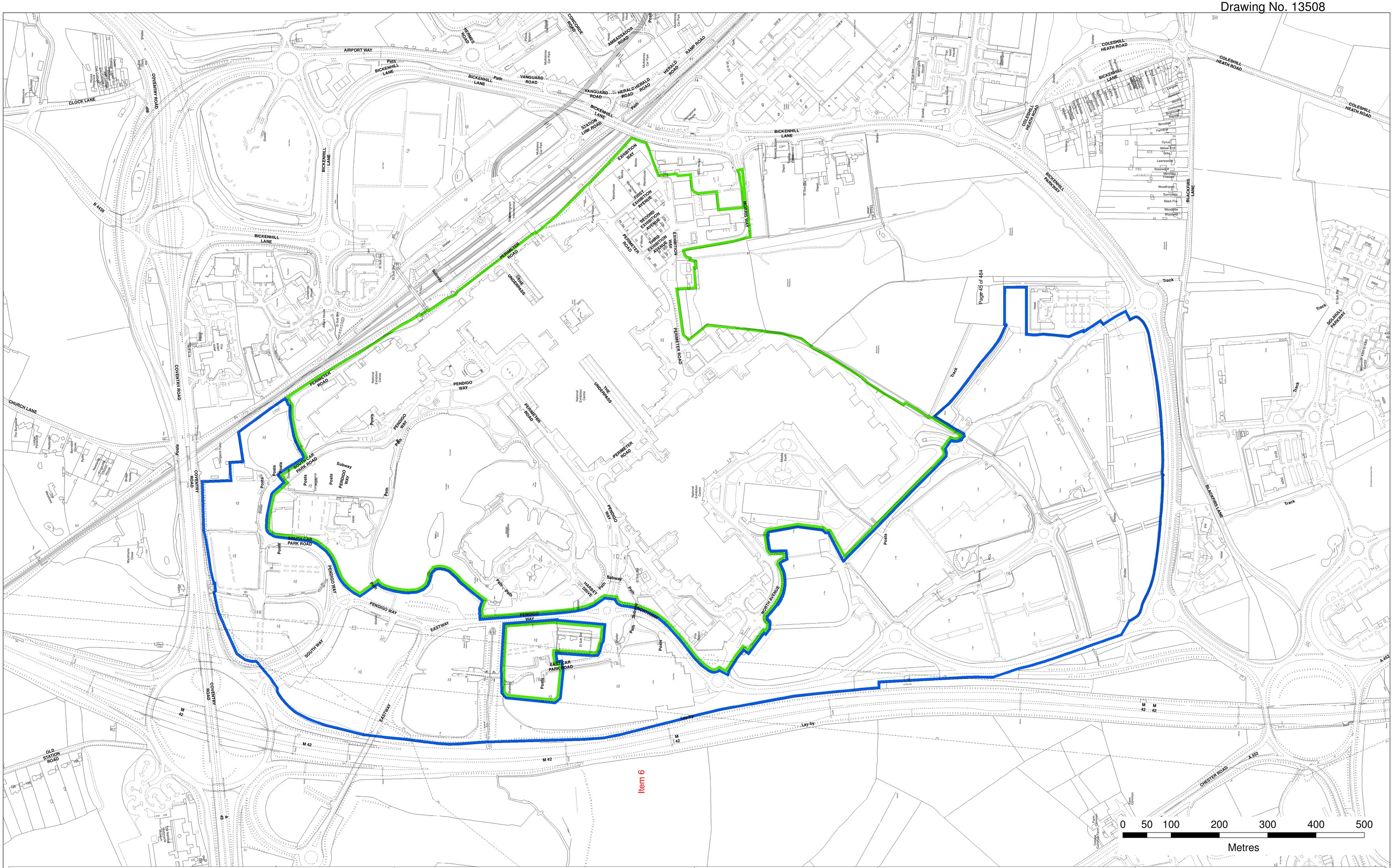
**8.1** List of appendices accompanying this report:

- Appendix 1 - Site Plan (Core and Non-Core Land)
- Appendix 2 – The NEC Masterplan, November 2021 Consultation Draft
- Appendix 3 - Collaboration Agreement (Waterfall Agreement)
- Appendix 4 – Non-Core Land Initial Phases
- Appendix 5 - Phase 1 New Lease Area
- Appendix 6 – Risk Register
- Appendix 7 - Equality Assessment
- Appendix 8 – Environment and Sustainability Assessment

## 9 Background Documents

- The Corporate Plan 2022-2028 (To Support, To Serve, To Level Up
- The Birmingham Property Strategy
- The Birmingham Development Plan 2017
- Solihull Draft Local Plan 2021
- East Birmingham Inclusive Growth Strategy 2021
- Prosperity and Opportunity for All: Birmingham City Council's Levelling Up Strategy 2021
- Everyone's Battle, Everyone's Business: Birmingham's Equality Action Plan 2022/2023

Drawing No. 13508




# THE NEC BIRMINGHAM

**KEY:**

Non-Core Land Lease

Operational Lease

Waheed Nazir
Corporate Director, Economy
1 Lancaster Circus
Birmingham, B2 2GL.

Birmingham City Council

| | |
|---|---|
| Scale | 1:2,500 @ A0 |
| Drawn | MI |
| Date | 12/09/2018 |

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Produced by the Survey & Mapping Team, Economy Directorate, 1 Lancaster Circus, Birmingham, B4 7DJ Tel 303 3867.

010416/2022

nec group

# The NEC Masterplan

November 2021
Consultation Draft

The NEC PR & Communications Department
The NEC, Birmingham B40 1NT

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W: www.necgroup.co.uk/masterplan

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# Contents

| | | |
|---|---|---|
| | Foreword | 04 |
| 1 | Introduction | 06 |
| 2 | Context | 10 |
| 3 | The Opportunity | 18 |
| 4 | Vision & Strategy | 24 |
| 5 | Development Principles | 34 |
| 6 | Delivery | 76 |

# Foreword

Now is the time to be bold and ambitious about the future to drive investment and prosperity in the region.

For the West Midlands this revival can harness the benefits of our young, diverse, and entrepreneurial population.

The arrival of the national High Speed 2 rail network will be a major catalyst for growth. Immediately adjacent and directly connected to the NEC site will be the first station outside of London, providing 38 minute journey times to the capital. This connectivity will radically enhance access and further stimulate development investment in the area.

As an established destination for events, exhibitions and leisure the NEC is positioned as part of the UK Central Solihull Hub Area. The Hub is recognised as a major engine of economic growth in the UK and one of the best connected development zones in Europe.

The NEC site will play a significant role in future economic growth in the region.

Our vision is to realise the development potential at the NEC site. The launch of the nec.city Masterplan in 2018 set out the scale of the opportunity. Over the past 12 months we have been evolving these plans in response to changing market demands.

The new Masterplan sets out a bold plan for future development to create a truly unique environment to work, rest, live and play. It defines the scale of the opportunity and demonstrates how new residential, commercial, leisure and community space alongside the supporting amenities and public realm can be delivered. This scale of development will meet the needs of the region's growing population and enterprising businesses.

With the site's unique landscape of mature trees, hedgerows, ponds and the Bickenhill Plantation new development can form a distinctive, green and nature rich environment.

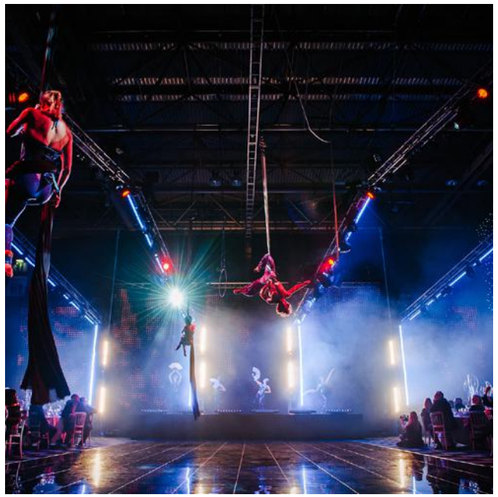
It will promote health and wellbeing and contribute positively to sustainability objectives including enhancing the natural environment and meeting the climate change challenge.

The NEC Group is committed to realising the exciting develpment potential of the NEC site.

I am delighted to be able to launch this new Masterplan as the next chapter for the NEC site and wider region.

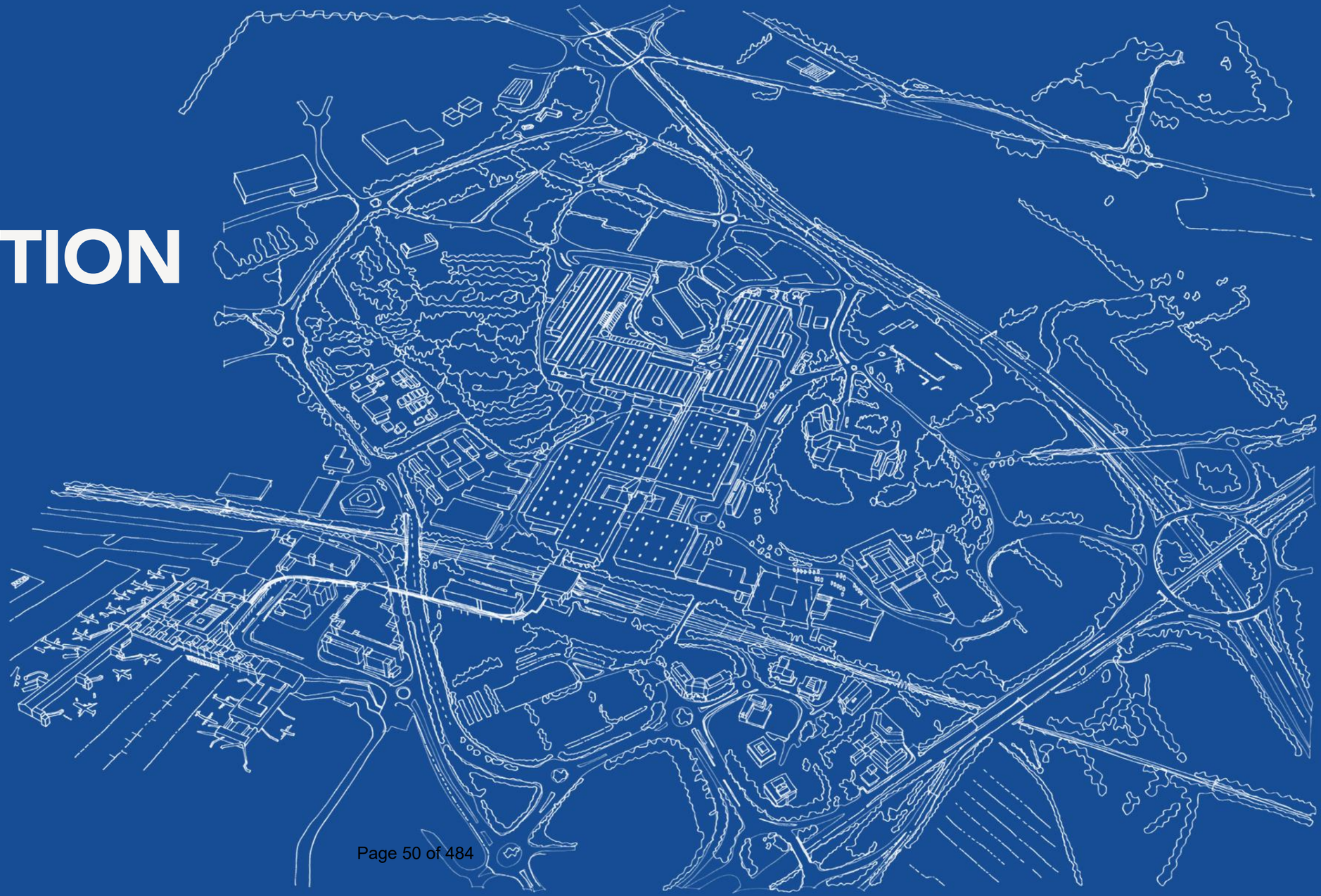
**Paul Thandi, CBE DL**

Chief Executive
NEC Group



↑
The NEC

# 1
# INTRODUCTION



# Introduction

## In 1976, The National Exhibition Centre (the NEC) opened marking the beginning of a new economic era and international outlook.

Originally built with seven exhibition halls – the NEC now has 18 halls, 32 conference suites and a host of outdoor spaces. With 500 events every year, the NEC attracts over 2.3 million guests. As the UK's number one venue of choice for organisers, exhibitors and visitors, the NEC helps enable a wider economic impact of £3bn.

The home of a **unique collection of leisure and business tourism attractions**, the NEC has grown in scale and reputation over the course of the past 40 years. This has included the addition of the Resorts World Birmingham retail and leisure complex, the Resorts World Arena, three hotels, and The Bear Grylls Adventure.

As one of the main investors in establishing the NEC operating company, Birmingham City Council, as the freehold owner, remains central to future development plans at the NEC site.

The NEC Group will continue to invest in the facilities at the NEC to ensure they remain at the leading edge of event venues. This will also help facilitate future growth.

Following the transformational impact on Halls 1–5 project in 2018, the ambition is to invest in enhancements to Halls 6–20. The opportunity to expand and cover the North Garden area will create an improved indoor space focused on offering additional food and drink outlets for visitors.

Further planned investment includes the multi-million pound roof extension to increase the capacity of the Resorts World Arena to over 21,000 people. Planning permission has been granted and work is set to commence in due course.

Building upon the successes this Masterplan sets out the **vision for future development** at the NEC site. It defines a framework for investment, establishing the scale of the opportunity and the principles upon which future development should be designed.

The Masterplan has been informed by a detailed assessment of the NEC site's physical and environmental characteristics. The scale of development is underpinned by a market analysis of the demand and supply dynamics across key sectors.

The Masterplan is accompanied by a **sustainability strategy** which sets out a framework for the social, environmental and transport infrastructure to support development and secure positive sustainable outcomes for the future.

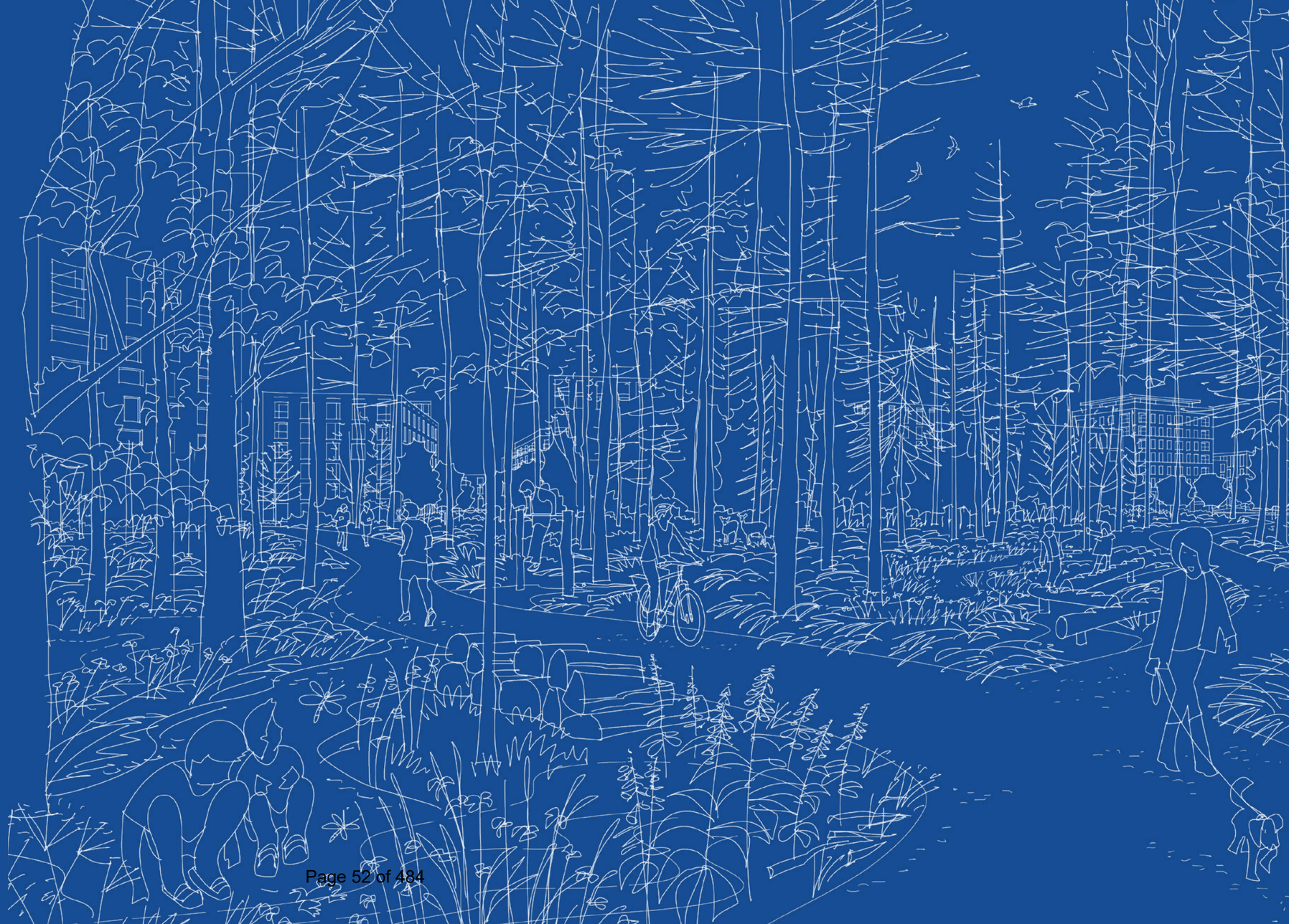
The opportunity at the NEC site arises from repurposing of surface level car parks and realising the development potential of underutilised plots.

Development in this Masterplan is focused on the northern areas of the NEC site and infill around Pendigo Lake. The retention of the southern and eastern car parks reflects the existence of significant infrastructure constraints in this locality and the need to retain a level of operational car parking for events and exhibitions.

In the longer term the benefits of High Speed 2 and local public transport infrastructure improvements may enable the release of those southern and eastern car parks for further development.

↑
Piazza entrance, NEC

# 2
# CONTEXT



# Context

## Located within the UK Central Solihull Hub Area, the NEC site is part of a collection of key economic assets including Birmingham Business Park, Birmingham Airport, the Jaguar Land Rover facility, Birmingham International train station, and Arden Cross.

UK Central has one of the most dynamic and fastest growing labour markets in the UK with notable sectors including automotive manufacturing, business and professional services, and leisure and entertainment.

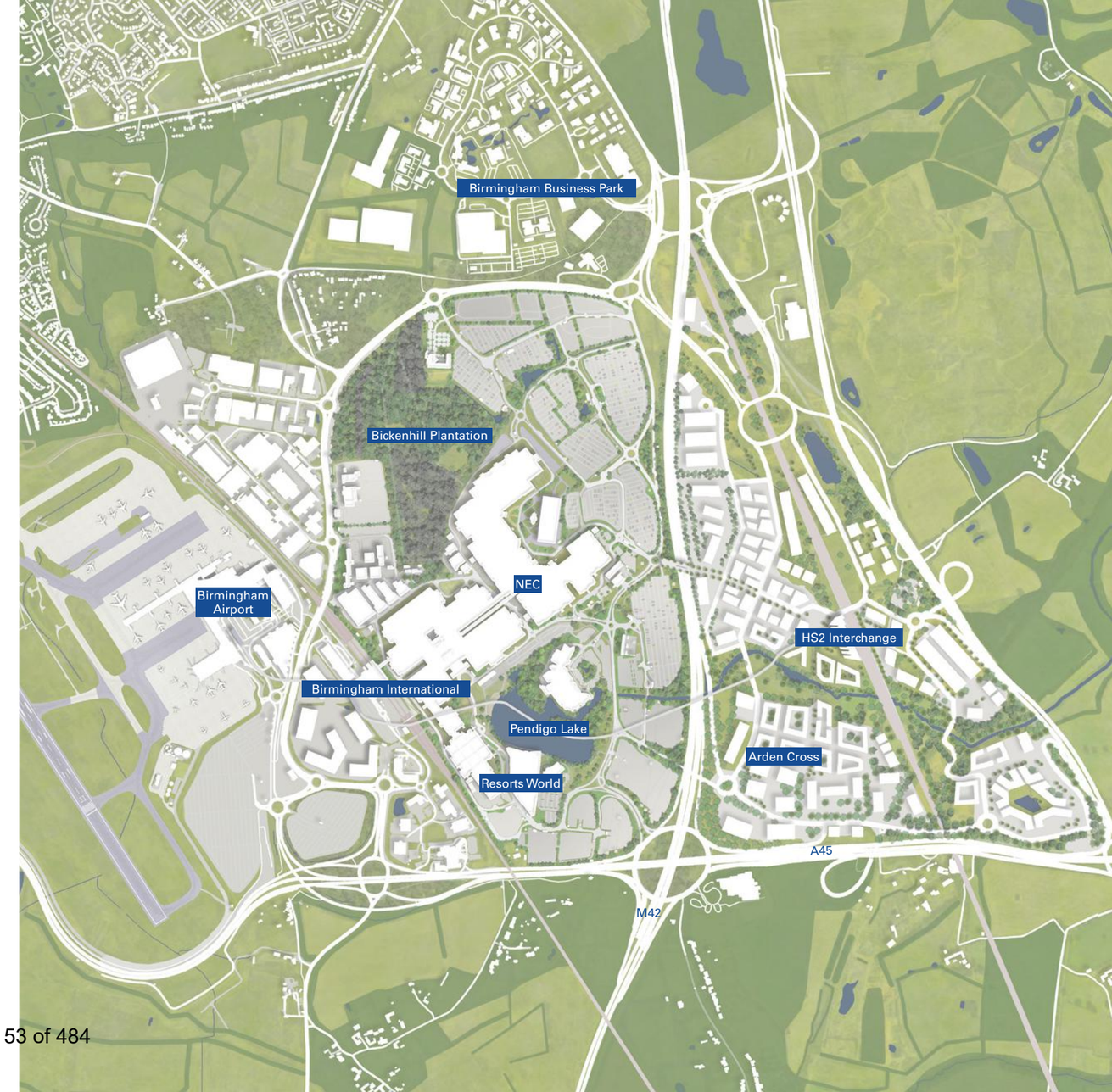
With access to **road, rail and air travel** the area benefits from exceptional local, national and international connectivity. Birmingham Airport, accessed directly from the NEC by an air-rail link system, offers flights to over 150 international destinations and a further 490 global connections.

Opened in the same year as the NEC, Birmingham International rail station provides services to all areas of the UK including direct to London. The station is set to undergo a major investment programme to improve facilities and services.

Located adjacent to the M42 and A45, and close to the M6, M40 and M5, UK wide road connectivity is provided to the NEC site.

↑ NEC connectivity

→ UK Central Hub Area



The arrival of **High Speed 2**, with a new Interchange Station at Arden Cross, will further enhance what is an already well connected area. The new rail link will provide 38 minute journey times to London and new connections to the city centres of Birmingham, Manchester, Leeds and Liverpool. An automated people mover (APM) will enable passengers to travel seamlessly between the new HS2 Interchange Station, the NEC site, Birmingham International Station and Birmingham Airport.

Associated local infrastructure investment, totalling £1.6bn, is expected to result in the extension of the Midland Metro tram, rapid Sprint bus network, new walking and cycle routes and major road junction improvements.

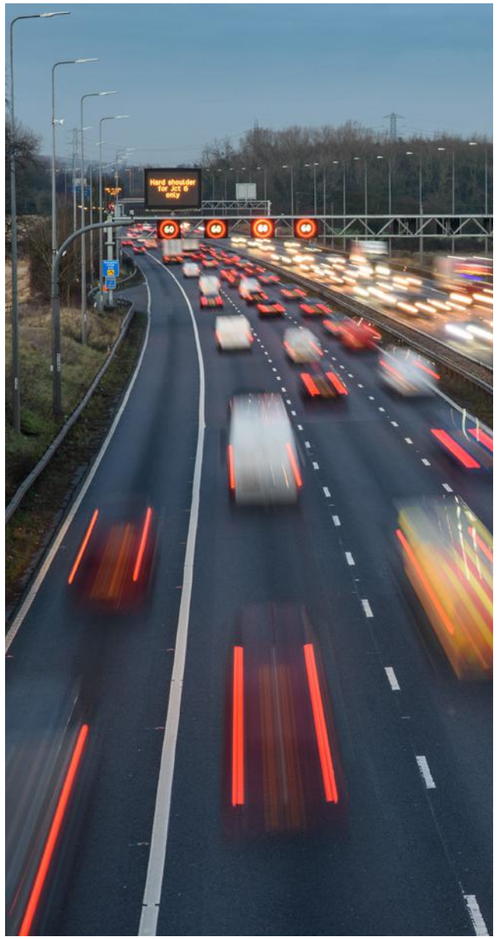
**Arden Cross**, located around the new Interchange Station, is a 140 hectare development site with a vision for a sustainable, smart and connected new destination with opportunities for employment, skills, learning and living.

↑
Arden Cross and HS2 Interchange



The Jaguar Land Rover Solihull Manufacturing Plant is a vital part of the British automotive supply chain. It has a 70 year history of car manufacturing. The recent expansion with a new state of the art facility represented the largest single investment in the Solihull plant. Birmingham Business Park is the most established out of town business park in the Midlands with over 150 companies.

Across the whole region significant development plans are underway to deliver tens of thousands of new homes, hundreds of thousands of sq. metres of commercial space and billions of pounds of investment in infrastructure.



↑
M42

## Planning Policy

Set in the context of national and local policy frameworks, future development at the NEC site will promote sustainable development and secure the delivery of much needed homes and jobs.

The Government's **National Planning Policy Framework (NPPF)** sets out the importance of building a strong, responsive and competitive economy; supporting vibrant and healthy communities; and ensuring the protection and enhancement of the natural, built and historic environment.

Central to this national framework is a focus on meeting the climate change challenge, supporting the transition to a low carbon future, and shaping places that contribute to reductions in greenhouse gas emissions.

Improving resilience, and supporting renewable and low carbon energy and associated infrastructure are key.

Recognising the **need for new homes** the government is prioritising the supply of more land for housing. This focus on housing delivery is underpinned by the NPPF's framework for the delivery of a variety of land opportunities for new homes to meet the diverse needs of the country.

Creating the conditions in which businesses can invest, expand and adapt is a further priority for the Government. Supporting **economic growth**, productivity and meeting the business needs of both local and international enterprises is vital to the future prosperity of the country.

↑
NEC, Resorts World and Pendigo Lake

The NEC site has an important economic role and future growth can contribute to supporting both national and local priorities.

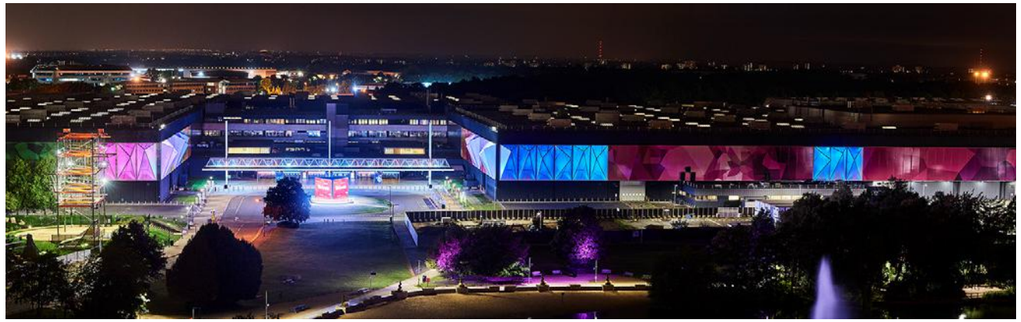
The **Solihull Draft Local Plan** emphasises the need to continue to support the success of the NEC along with attracting new uses and activities to the site.

Along with it's economic role, the NEC site has the potential to deliver significant residential and commercial development meeting the housing and employment needs of the Borough and wider region. This will further support the objectives for sustainable growth and focusing development on brownfield land in well connected locations.

The scale of this opportunity was originally recognised and demonstrated by the nec.city Masterplan (2018), which included at least 2,500 new homes. The NEC site has been recognised in the Local Plan as the single largest housing development site in the Borough, contributing significantly to the housing land supply with 2,240 homes within the period to 2036.

Fundamental to future development and creating sustainable places is good design. At both local and national level clear policy and guidance on the design of development has been established.

This includes having regard to local character and conserving and enhancing natural and historic assets. Opportunities for innovation and making efficient use of land through increased density will inform the approach the development at the NEC.



↑
Piazza Entrance, NEC

# 3
# THE OPPORTUNITY

# The Opportunity

## Across the West Midlands region population growth will increase the need for more homes and jobs.

For the Borough of Solihull, the population is projected to increase by over 10% by 2036, with an additional 12,000 households forming in this period. The arrival of High Speed 2 will bring further households relocating to the area, taking advantage of the improved connectivity and links to London.

This growth in demand is also being fuelled by people seeking to work closer to where they live, with the UK Central Solihull Hub Area being an ideal location due to the large concentration of major employers and exceptional connectivity.

The **population growth** in the Solihull area will be experienced across the demographic spectrum driving demand for a range of home types and employment opportunities. Making up the largest cohort of housing demand is 1 and 2 person households.

The over 65 population is expected to grow by 5–6% in the next 5 years, with the longer term trajectory indicating continuation of this trend. The aging population will lead to greater demand for smaller properties as people downsize. It will also put greater emphasis on creating places that support community and provision of local amenities as people look to remain active and connected.

The region is home to **one of the youngest populations** in Europe, with 32% under the age of 25, and diverse communities comprising 190 nationalities. Benefiting from 12 universities, the region has over 70,000 graduates per year with the UK's second highest graduate retention rate.

↑ Solihull town centre

↑ Birmingham airport





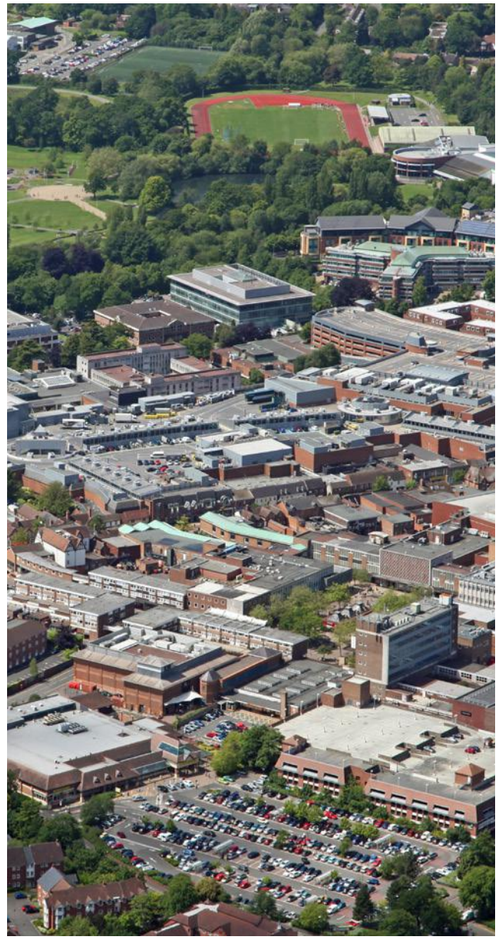


The trend for people moving out of London to the West Midlands is to set to continue over the coming years, boosted by the arrival of High Speed 2. This will lead to increased demand for apartment living and smaller family housing located close to the stations.

Aligned with this population growth is a continued **demand for employment space** from a range of sectors including business, professional and financial services, advanced manufacturing and life sciences. The M42 corridor is recognised as a key out-of-town office location that is attractive for businesses with access and population benefits.

Low supply rates coupled with increasing obsolete stock and market demand emphasis the need for a future supply of **good quality office accommodation**. There are opportunities to deliver small clusters of office buildings within the M42 corridor.

As an established events and leisure destination the NEC site has a strong hotel offering with international brands. To complement this existing provision and that found in the wider UK Central Hub Area there are opportunities for **lifestyle brands that offer a boutique feel and style appealing** to guests wanting a more design-led, authentic and social experience.



↑ Solihull town centre

Future development at the NEC will benefit from the existing landscape with over 300 established trees, many of which are mature, and **extensive hedgerows** and a series of **watercourses and ponds.** The adjacent **Bickenhill Plantation**, a site of importance for local nature, provides a diversity of fauna and flora, and is a unique asset for the area.

The existing watercourses on the site, draining into **Pendigo Lake and Hollywell Brook**, can be utilised for sustainable urban drainage and creating habitats for wildlife.

With Marston Green in close proximity, facilities and amenities including schools, healthcare, convenience shopping and other services can be easily accessed by bus routes and active travel modes.

Arising from the repurposing of existing surface level car parking and individual infill plots, the NEC has a net developable area of 27ha that can capitalise on the market opportunities and growth.

↑
Pendigo Lake

↑
Bickenhill Plantation

↑
Resorts World looking out onto Pendigo Lake

# 4
# VISION & STRATEGY

# Vision

Our vision is to create a unique environment for living, supported by new space for working and leisure, further enhancing the vibrancy and attractiveness of the NEC site and driving existing operations.

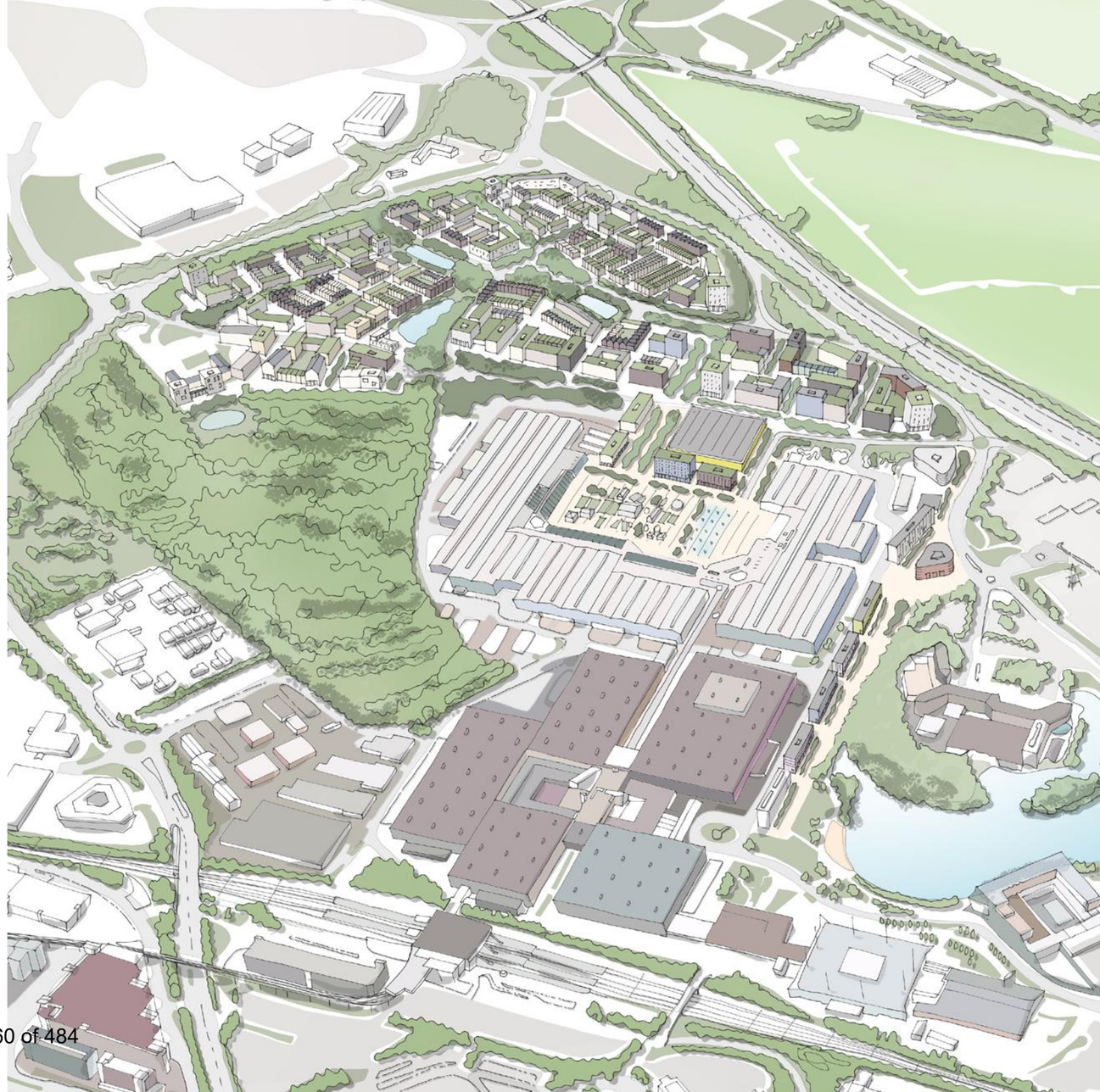
An Urban Village will create a new community of over 11,000 people living in a mature and green landscape. With 5,000 homes this highly sustainable community will include all the amenities and facilities for everyday life.

At the heart of the site a Grand Plaza will redefine the area surrounding the NEC Atrium Halls creating a destination with a dynamic outdoor event space enlivened by leisure, retail and a hotel.

An Urban Boulevard with an inspirational public realm, new commercial buildings and ground floor leisure and retail, will provide new pedestrian connections and link to Arden Cross and the HS2 Interchange Station.

New uses will bring a greater intensity of activity, further animating Pendigo Lake and complementing and strengthening the NEC site's existing reputation as a destination for events and leisure.

→
Vision for the NEC



# Strategy

## The transformation at the NEC site will deliver new homes, offices, leisure and community space, supported by investment in the public realm, environment, and sustainable and active travel.

The **Urban Village** of 5,000 homes, located in the north of the site, will be formed around extensive blue and green infrastructure. The new community of over 11,000 people will be **living in the landscape** as part of a high density residential development. Harnessing the existing mature landscape, the network of green routes and spaces will place nature on the doorstep of every home. A **new public park** at the heart of the community will provide space for leisure, recreation, community growing and local events.

With a **mix of homes**, including apartments, town houses, villas, and independent living, the urban village will become a place for everyone. Meeting the everyday needs of the new community will be a range of services and amenities including a **primary school, mobility hub**, and a **local centre** with shops, cafés and community space.

Bickenhill Plantation will be integrated with the urban village to become an **ecological haven** with nature trails and walks accessible to the local community and visitors. Preserving and enhancing the biodiversity value of the plantation will reinforce the uniqueness of this asset and support a thriving habitat for wildlife and bring wider sustainability benefits.

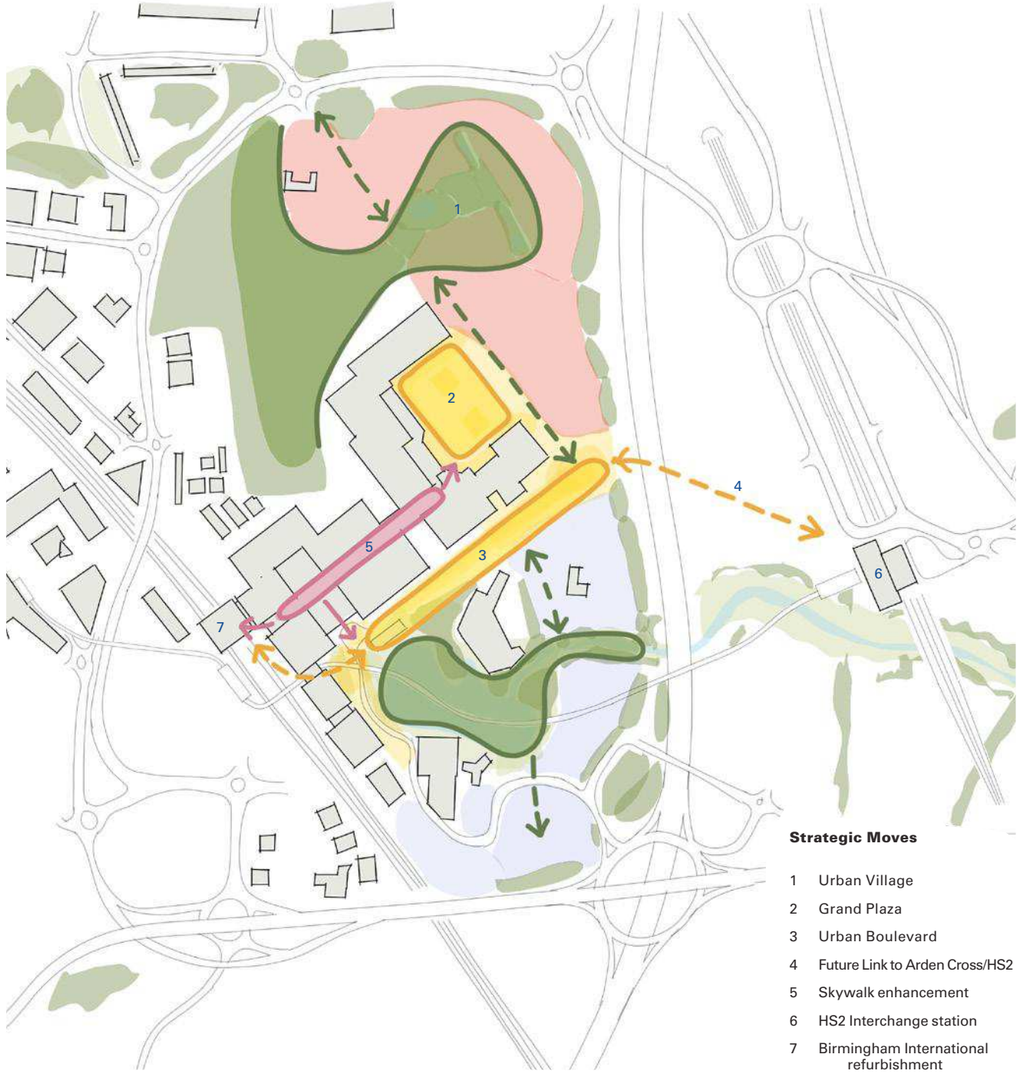
**Active and sustainable travel** will be embedded within a network of pedestrian and cycle routes enabling access to employment opportunities and linking to the exceptional public transport services for onward travel. The onsite mobility hub, located within the local centre, will be central to promoting the use of sustainable and active travel.

The **Grand Plaza** will include a 14,000 sq. metre flexible events space and mix of commercial and leisure uses.

It will become a focal point throughout the day and evening enhancing the visitor experience and serving the wider community.

The **Urban Boulevard** will establish improved connectivity to the new High Speed 2 Interchange Station at Arden Cross and Birmingham International. With a pedestrian and cycle focus the route will include green and blue infrastructure as part of a high quality public realm.

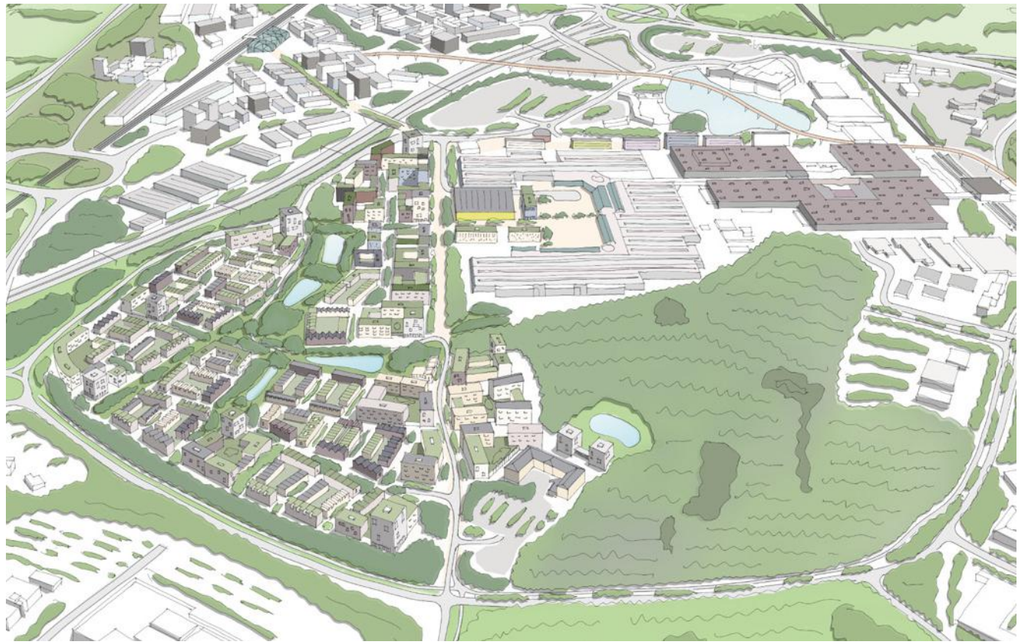




Maximising the outlook onto Pendigo Lake and increasing the **intensity of activity** will be a mix of new uses to complement and further enhance the NEC's existing destination offer. Along the Urban Boulevard a cluster of modern office buildings, with ground floor active uses, will create space for businesses to flourish and generate new employment opportunities.

**Illustrative Masterplan**

1 Local Centre
2 School
3 Townhouses example block
4 Apartments example block
5 Green Heart: Urban Park
6 Grand Plaza
7 Urban Boulevard
8 Route through the plantation



↑
Illustrative sketch of the urban village

# 5
# DEVELOPMENT PRINCIPLES

# The Urban Village

## As a place for everyone the 5,000 home urban village will create an inclusive and sustainable community with a mix of homes, amenities, and access to nature and public spaces.

### Homes

Responding to the way people want to live now and into the future the tenures and typologies of housing will meet a range of housing needs.

Apartments, duplexes, townhouses and larger villas will meet the needs of the growing population and contribute to creating a vibrant community that appeals to a mix of households. The types of homes will include 1, 2 and 3 bedroom apartments, 2 and 3 bedroom houses and larger properties of 4 plus bedrooms.

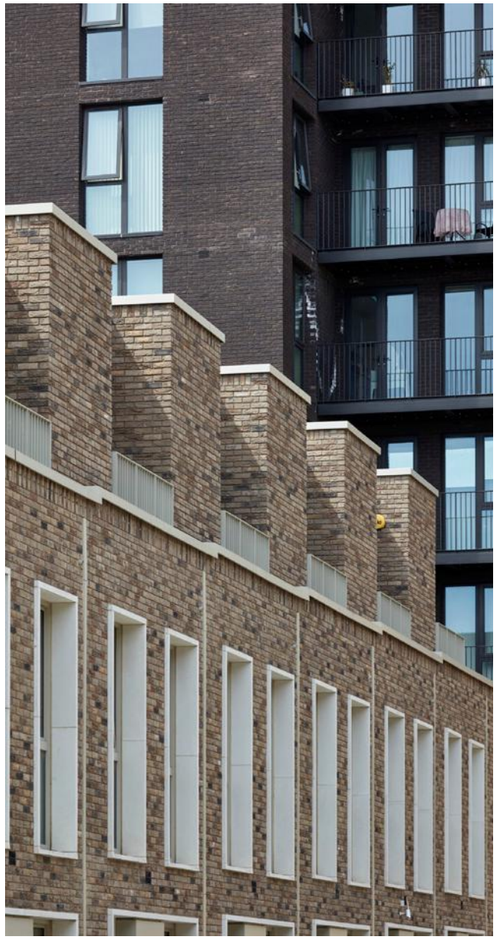
The Masterplan envisages an approximate 70/30 split between the apartments and houses. These proportions are in response to the locational context of the site including the level of connectivity to public transport, the nature of adjacent uses, the ambition to achieve a highly sustainable development, and the local housing needs.

A first phase of 2,240 homes will establish the urban village and the quality of place with local amenities.

**Build to rent (BTR)** accommodation will offer a genuine choice for households seeking a high quality rental experience with access to longer term tenancies. The integration of BTR will enable homes to be delivered on site from an early stage of the development to establish the sense of place and create a pioneering community. This product will be accompanied by 'on-site' facilities and amenities that the modern renter expects, including gym, bar, cinema, lounge, workspace and 24/7 concierge.

Designed around the needs of older people will be an **independent living offer** that will provide adaptable living environments and supporting amenities. Integrated within the urban village and close to the local centre, this specialist accommodation will provide shared facilities and private outdoor space to support the health and wellbeing of residents. An independent living development of circa 200 units is an optimum size for an attractive contemporary retirement apartment scheme.

Defining a place that is inclusive for all will be **affordable homes**, including starter homes. The homes will be designed to the same high standards so there is no visible difference between the affordable and other properties.



↑
Townhouses and Apartments at Royal Wharf, London

## Community uses

Across the urban village a range of local services, amenities and community spaces will be integrated.

Designed for the whole community **the local centre** will become a place where people can meet, access daily services and enjoy social life. The mix of uses will include a community space for a nursery and local clubs, a convenience store, café, food outlets, health facility, a primary school, and a mobility hub. The local centre will be focused around a public square that can play host to local events such as fêtes, markets and cultural performances.

Located in proximity to Bickenhill Plantation and the Parkway, the local centre will be accessible to the whole community.

The existing mature landscape and public park will provide a green setting for the local centre and all the amenities it has to offer.

The **new primary school** will ensure that the urban village is an attractive place for families. Located by the local centre the school will have a frontage onto the public square and be easily accessible by foot or bicycle.

↑
New primary school

↑
Vision for the local centre

The incorporation of outdoor play space, utilisation of roof areas for gardens and the proximity to Bickenhill Plantation will enable the school to provide an enriching environment benefiting the learning experience.

The **mobility hub** will be a highly visible, safe and accessible space where public, shared and active travel modes are co-located. The hub will have a cycle and scooter hire facility, rapid EV charging, Taxi and DRT pick up/drop off, amazon lockers, bike shop repair, space for a car hire/share scheme to operate and an information centre.

As technology develops the local centre can provide opportunities for zero emission shared transport and other alternatives to single occupancy car journeys including autonomous vehicles.

Should **public transport services** be brought through the site then interchange facilities can be provided as part of the mobility hub. The hub's location within the local centre will help to raise the profile of shared mobility services to boost utilisation and viability. The early provision of the hub will support modal shift and promote low car lifestyles. This approach aligns with car parking provision and approach to the public realm.

↑
Cycle infrastructure in London

↑
Public space for community events at Royal Wharf, London

Bickenhill Primary

## Landscape

Rooted within a **green and natural landscape,** every home will have access to green space.

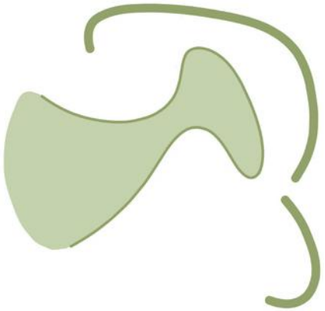
The streets, spaces and buildings of the urban village will form a unique townscape. Defined by the existing mature landscape with its trees, hedgerows, watercourses and ponds the urban village will be a place where people and nature can flourish side by side.

Weaving **ecological enhancements** and new green and blue infrastructure features into the existing landscape will create new opportunities for habitat creation and sustainability benefits. This will support a place that will stand the test of time and remain an attractive environment long into the future. The landscape of the urban village will establish stepping stones for nature across the site and onto the wider area.

The careful management and intervention will enable mature trees to become veteran trees, the replanting of existing hedgerows will improve structure for improved flowering and foraging for wildlife, and the enhancement of the mixed plantation woodland that exists around the boundaries of the site as habitat corridors.

Included within the natural landscape and open spaces of the urban village will be **areas for play, community gardening, water features and space for relaxation**. Along with the biodiverse rich environment these spaces will support the health and wellbeing of the local community.

↑
Landscape Analysis



↑
Landscape Strategy

↑
Vision for living in the landscape

Running through the centre of the urban village will be **a public park**. Defined by the existing mature landscape the public park will provide multi-functional and flexible space with opportunities for recreation, play and engagement with nature.

In the west the park will connect with the local centre and include **a new public square** and a water feature, formed by the existing pond, creating a tranquil setting. The mature trees will bring wildlife into the heart of this space. Blending into the Bickenhill Plantation the new park will create a continuous open space.

As the park extends eastward and south through the urban village it will evolve to include **natural play elements** and more formal space for recreation with children's play and multi-games areas. **Space for community growing** and productive landscapes will bring many benefits for the whole community.

The carefully managed opening up of **Bickenhill Plantation** will provide further opportunities for open space and habitat creation. Nature trails, walks and recreation space will provide opportunities for outdoor play, and support a more attractive environment for residents.

↑
Pendigo Lake

→
Vision for a green heart and a new public park

The plantation's **ecological value** will be enhanced through careful clearance of low value trees and the restoration of wetland areas that have been lost over time. The opportunity to restore a wetland area would bring significant biodiversity, carbon and community benefits for the area.

The type of environments will be carefully designed and managed to ensure species are appropriate for the area including recognising the proximity to the airport.

Across the landscape a **holistic approach to water** will bring multiple benefits through the management of flood risk, improvement in water quality, enhancement of public spaces and support for biodiversity.

A variety of **sustainable urban drainage** solutions will be utilised across the public realm including swales, ponds, permeable paving, planting and green/brown roofs. Contributing to both water management and providing further habitats for local wildlife, sustainable urban drainage will become a vital part of the green and blue infrastructure.

These measures will mitigate any impact to Holywell Brook from any increased surface water runoff and help maintain its importance as an ecological feature, alongside Pendigo Lake.

↑
Vision for Bickenhill plantation: biodiversity and recreation

## Character, height & density

The design of the buildings including their height, scale and massing will be defined by the ambition for a **high density development** that is an attractive place to live now and into the future. With densities at 150–200 dwellings per hectare, the urban village will support a viable mix of uses and allow for the efficient use of available land.

The urban village will incorporate a range of building heights. Forming the frontage and main interface with the surrounding road network will be 6 to 8 storey apartment blocks defining the perimeter of the Urban Village. Set back from the road by a landscape buffer the apartments will provide a mix of 1, 2 and 3 bedroom accommodation with potential for duplexes at ground level.

**Character and Density**

1 Green Heart: Urban Park
2 Local Centre
3 Green Avenue
4 Higher density around Local Centre and Plaza
5 Lower density family living around Green Heart
6 Urban Fringe: transition from lower to higher density at edges.

**Masterplan Framework**

●Opportunity for marker building

**Taller marker buildings** at circa 15 storey should be located at key gateways and junctions within the urban village. **Mid-rise buildings** at 10–12 storey will define important spaces and placed along key routes. These taller elements will support orientation and wayfinding within the development.

**Lower rise buildings** will form the central typology of the urban village, principally located along pedestrian-focused streets and intimate spaces. Ranging from 2 to 6 storey, the low rise buildings will include apartment mansion blocks, townhouses and urban villas.

The **orientation and form** of the urban blocks will create a sense of enclosure, supporting passive surveillance of the streets and spaces, and promote privacy and outlook.

Homes adjacent to the M42 and Bickenhill Parkway should seek to place rooms that are less sensitive to noise including kitchens, lounge and dining space, bathrooms, storage and utility areas, stairwells, and workspaces facing outward. These facades should be provided with sealed glazing to the noisy side of the buildings whilst ventilating from the quieter side.

The apartment buildings will be designed as a podium, incorporating duplexes and larger family townhouses that will have a front garden onto the residential streets and green lanes.

↑
Density and landscape:
Royal Wharf, London

The inclusion of duplex and townhouse typologies will allow passive surveillance, **activating the street frontages** and enhancing life at street level. The orientation and design of the buildings with lower and medium rise elements will allow natural sunlight to reach the rooftop amenity areas of the podiums and enhance their setting.

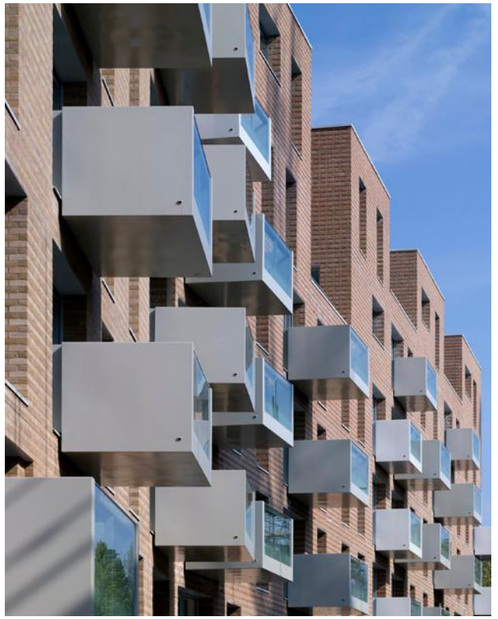
**Access for servicing** and parking will be appropriately accommodated within the blocks, placing parking, refuse and storage away from the streets as much as possible.

The **materiality** of the urban village will contribute to the creation of an inspiring townscape incorporating natural materials with stone and brick finishes.

**High quality architecture** will reflect the modern outlook of the development. Technology will be integrated into the buildings where it improves sustainability and residents' quality of life.

↑
Green podiums:
Royal Wharf, London

↑
Apartment living: Kidbrooke



↑
Apartment living:
St. Andrews, Bow

↑
Family housing:
Port Loop, Birmingham

↑
Family Townhouses:
Royal Wharf, London

## The streets & spaces

The streets and spaces of the urban village will be designed to promote walking and cycling. This will allow residents to access all the amenities, facilities and wider public transport network.

The streets and spaces will be **legible and permeable** supporting people to walk and cycle to their destinations promoting active lifestyles.

The **street hierarchy** of the urban village will be formed around a network that will include a central avenue, residential streets and green lanes. The design and use of the space will reflect the purpose and role within the movement hierarchy of the site.

**Spaces Hierarchy**

1 Grand Plaza
2 Urban Boulevard
3 Landscape Boulevard
4 The Park
5 Green Square
6 Village Square

↑
Parkland: Kidbrooke Village

The NEC Masterplan

↑
Shared amenity space:
Port Loop, Birmingham

↑
Pedestrian streets and spaces:
Royal Wharf, London

**The Avenue** – forming a central spine through the site the avenue, will be the principal street and connection.

Integrated with the public park the avenue will connect from the entrance at Bickenhill Parkway, through the local centre and link to the route to the Grand Plaza and urban boulevard.

As the primary focus for vehicular movement it will be tree lined, incorporating soft landscape and formal lighting. Dedicated space for cyclists and pedestrians will support active travel modes across the site.

The avenue will be future proofed to accommodate a public transport route connecting through the site and onward to Arden Cross and the HS2 Interchange Station.

Access points to the residential streets will span from this primary street with transitions defined by a change in surface materials and the greater emphasis on natural landscaping.

A bus gate will enable emergency vehicles and the potential for public transport access from the avenue onto Northway and through to Arden Cross.

**Street Hierarchy**

1 The Avenue

2 Residential Streets

3 Green Lanes

↑
Vision for multifunctional landscape: green heart and the avenue

**Residential streets** – will bring the landscape to the front door of the homes. The streets will incorporate shared surfaces lined with low level planting and trees. Car parking will be carefully designed to minimise its appearance in the streetscape.

The inclusion of soft landscaping and natural finishes will establish a high quality public realm. Planting, culverts connected to rain gardens and permeable paving will provide both ecological value and local capacity for managing surface water.

↑ Kidbrooke village

↑ St. Andrews, Bow

↑ Vision for the residential streets

**Green lanes** – these intimate spaces will provide the main access to the homes incorporating informal play, hard and soft landscaping and attenuation swales.

Defensive planting will define the public and private elements of the space. Ecological features and tree planting will enhance opportunities for wildlife to flourish.

Limited and/or restricted vehicle access will be adopted across the lanes to support pedestrian friendly environments and take on the role as havens for wildlife as part of the wider network of habitats.

↑ Pedestrian route: Catford Green, London

↑ Section through street hierarchy

↑ Catford green

↑ People focused spaces: Port Loop, Birmingham

## Movement

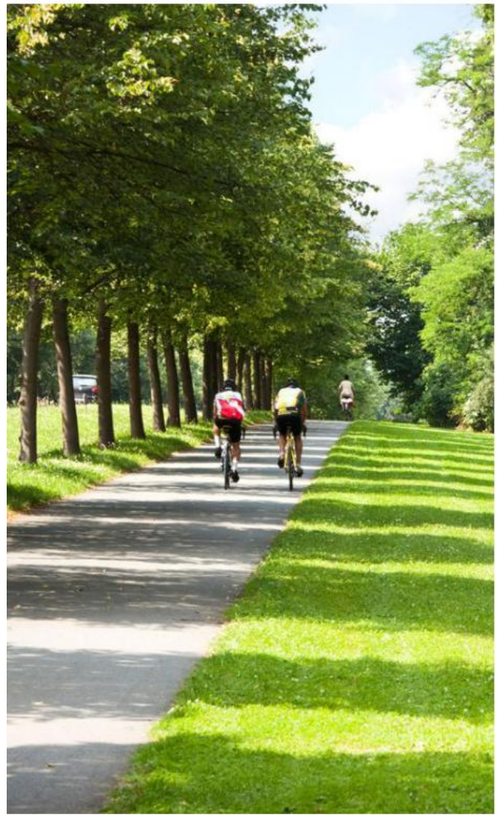
The movement hierarchy will prioritise sustainable and active modes.

The introduction of a **new route through the Plantation** will support pedestrian and cycle connections to Birmingham International and access to the services for onward public transport.

The proximity to **Bickenhill Parkway** will provide convenient access to local bus routes. Planned infrastructure to be delivered in the area, including the Sprint route between Birmingham and the NEC, cycle corridor route enhancements, and walking corridor improvements will further enable sustainable access to the site.

The redesign of the main roundabout at Bickenhill Parkway with new pedestrian crossings and introduction of traffic signalisation will better manage vehicle movements and enable those walking and cycling to better access the wider network.

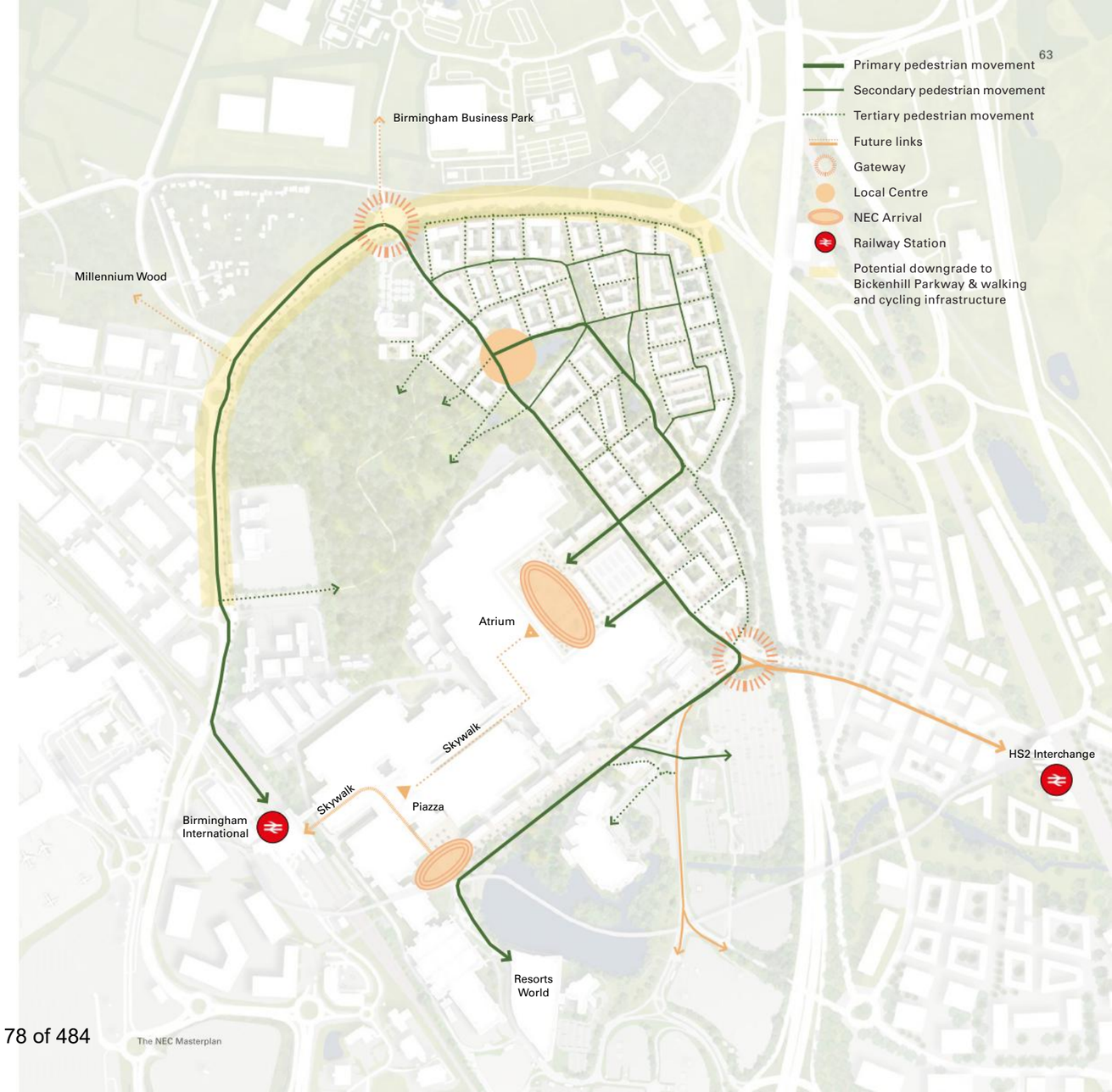
In the longer term Bickenhill Parkeway could be redesigned to reduce the dominance of the road and create an environment more akin to an urban boulevard including more space for cycleways and pedestrian routes.



↑ Cycle routes and landscaped environment

→ Concept plan for pedestrian movement





## Sustainable resources

The adoption of **sustainable approaches to energy, waste and ongoing management and maintenance** of the public realm will create a resilient urban environment and support sustainable living.

The **energy strategy** will apply a hierarchy to reduce and manage energy use and promote renewable generation. The hierarchy will be formed around four key elements:

- Use Less Energy – reducing energy use and improved building efficiency.
- Supply Energy Efficiently – utilising low-carbon solutions.
- Use Renewable Energy – adopt on site generation.
- Network supply – connecting to the traditional network for electricity supply to bridge the gap.

The future energy strategy will set targets for the operational energy performance to reduce the 'performance gap' between design and actual energy use.

**Water** will be an asset for the development with the focus on management through replicating natural systems as much as possible and attenuation and treating water as close to source as practicable. In localised areas the treatment of foul water could be achieved through natural solutions such as reed beds.

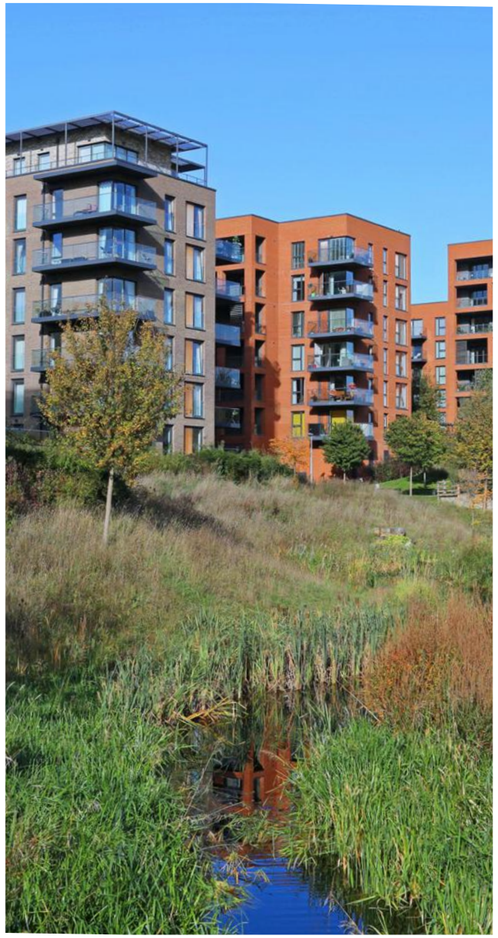
Reusing surface water for irrigation and grey water reuse will reduce pressure on the wider system and build long-term resilience to climate change across the development.

Integrating sustainable urban drainage systems as part of the wider natural landscape will deliver a range of environmental benefits such as air quality, water purification, climate mitigation, enhanced biodiversity and amenity value within the public realm.

The approach to the **management of waste** will align with current policy and best practice with opportunities for more sustainable and localised solutions integrated as a critical mass of homes are delivered.

Central to the long-term sustainability of the development will be an emphasis on **placekeeping**, ensuring that every aspect of the urban village takes account of how the place will look and feel once it is lived in and used. The management and maintenance of development will need to be structured to achieve this focus on placekeeping.

↑ Incorporating renewables into building design



↑ Water management: Kidbrooke Village

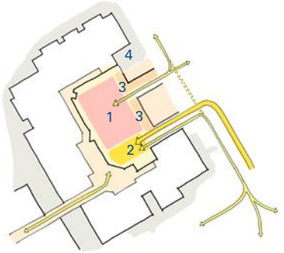
# The Grand Plaza

## The new Grand Plaza will become a focal point for the whole site, creating a vibrant destination with space for events and exhibitions.

The Grand Plaza will transform the existing area surrounding the NEC Atrium Halls with a new outdoor event space of circa 14,000 sq. metres. Complementing the existing halls, the outdoor exhibition zone will utilise pavilions and performance stages to create an environment for performances, exhibitions and shows.

This new space will be connected to the urban village through pedestrain routes and the Avenue. It will provide amenities and facilities for the residential community along with a location for community events.

The Plaza will have an **active streetscene** with a mix of local leisure, retail, and food & beverage uses.




**Plaza Framework**

1 Events space
2 NEC arrival
3 Cafe spill out
4 Service yard

↑
Mercedes Benz Platz, Berlin





Set within a high quality public realm the Plaza will be a place that people will want to visit during the day and into the evening. The ground floor outlets will spill out onto the streets and opportunities for workspace will add further activity.

A new **hotel** fronting onto the events space, will add to the NEC's existing accommodation offer. It will provide a new lifestyle oriented, upscale product capitalising on changes in consumer needs and filling an existing market gap.

The buildings of the Plaza will be circa 5–7 storey height, reflecting the grain of the surrounding development.

With an **accessible and connected** environment the design of the public realm will mean people can easily navigate the area and access the Plaza from across the whole site.

Formal landscaping will link into the wider site with pedestrian and cycle movement prioritised.

↑
Vision for spectacular events space: the Grand Plaza

An enhanced **drop off and welcome zone** will enable convenient access for those requiring more direct access to the Grand Plaza and neighbouring halls.

The provision of a new multi-story car park can provide better accessibility for those visiting the NEC and free up surface level car parking for development.

↑
Outdoor events

↑
Granary Square, King's Cross

→
Vision for The Plaza:
evening events and activity

# The Urban Boulevard

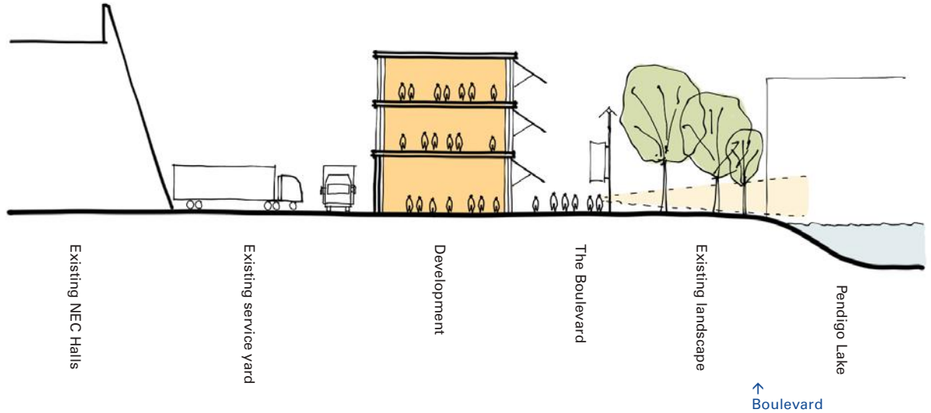
## Establishing a new east-west link, the urban boulevard will connect the NEC site, Arden Cross and High Speed 2 Interchange, and Birmingham International.

The boulevard will be a pedestrian and cycle focused space forming part of the wider network of pedestrian and cycle routes extending from the urban village to areas beyond the site. The boulevard will link across a planned multi-modal bridge over the M42 providing a further direct connection to Arden Cross and HS2.

**Increasing the intensity** at the NEC site, the boulevard will become enlivened with exciting public realm and mix of buildings and active frontages.

Linking to Pendigo Lake the Boulevard will create an extended leisure and recreation attraction at the NEC site. With opportunities for up to 6 new buildings along the Boulevard, a range of flexible spaces will complement the existing offer and provide space for new uses.

Attractive to both new and growing businesses the new buildings can provide high quality office space in a location that has access to all the amenities and facilities that modern enterprises and their employees seek.



Pancras Square, King's Cross

Wembley Way

The ground floors of the office buildings can be occupied by food & beverage, retail and small leisure facilities spilling out onto the public realm.

The new Moxy Hotel has established the approach to the Boulevard with the linear form of development in this location being extended.

The public realm will include hard and soft landscape features. Space for pop-up markets and food stalls will further activate the space and extend the vibrancy from the Grand Plaza to the Piazza Entrance.

↑ Granary Square, Kings Cross

↑ Kings Boulevard, Kings Cross

→ Vision for the Urban Boulevard

# Access & Car Parking

## Maintaining operational access and car parking for events and exhibitions at the NEC will be an essential part of the overall development plan for the site.

In order to minimise the impact of the development on the external highway network as well as the NEC's day-to-day operation, the different traffic types will be kept separate. The residential traffic to the urban village will access from the Progress Way roundabout and logistics and visitor traffic can access the site via Northway, Eastway or Southway.

To provide **operational resilience** and future capacity, better utilisation of existing access points and surface level areas will be made. This could include reopening Morris Way to provide new logistics access to the site.

**Multi-storey car parks** can be constructed to retain a level of car parking in line with the NEC's longer term car parking strategy. The amount of car parking will respond to the investment in local public transport and the scale of modal shift. EV charging points can be integrated in both the retained car parking and as part of any future multi-storey car parks to support the overall ambition for zero carbon.

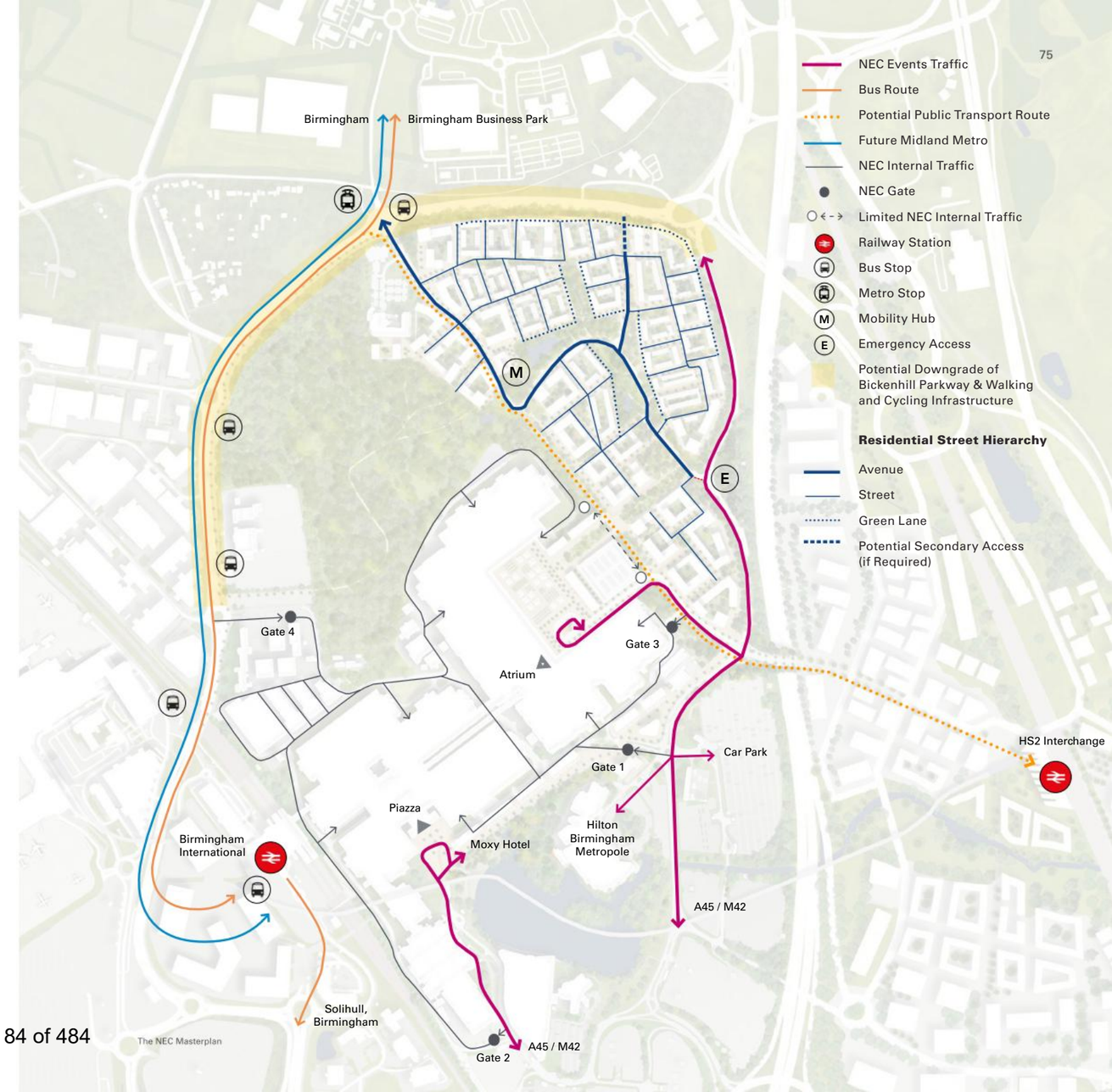
Opportunities for zero emission shared transport and other alternatives to single occupancy car journeys including autonomous vehicles could be utilised across the site.

Where viable and aligned with NEC operations PV could be incorporated within structures.

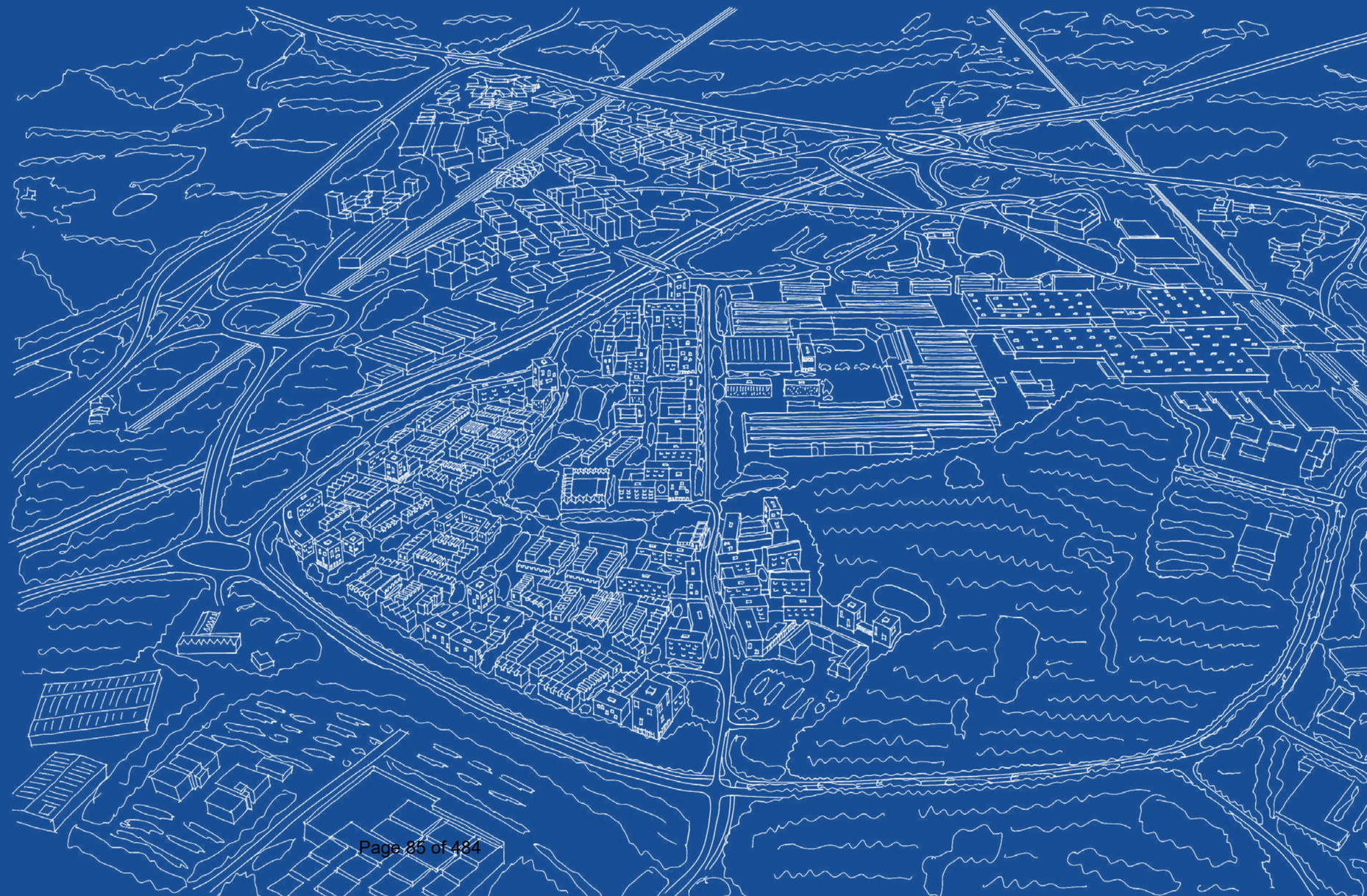
Across the NEC site opportunities for investment in the public realm can be taken along main pedestrian routes from the car parks to the halls to enhance the visitor experience.

↑ St Andrews, Bow: Parking and Landscape

→ Concept plan for site wide movement



# 6
# DELIVERY



# Delivery

## The NEC Group and Birmingham City Council (BCC), as the landowners, are committed to working in partnership to unlock development at the NEC site. The recent renewal of exclusivity rights to work together to progress development and the launch of this Masterplan are key milestones on this journey.

The **delivery of the first phase** of the urban village is a key priority for Solihull Metropolitan Borough Council (SMBC), with the site being the largest residential development opportunity in the Local Plan.

Our ambition is to deliver at pace, capitalising on the site's location and the maturity of the infrastructure and landscape. The first phase of 2,240 homes will be completed by 2036.

Our confidence to achieve this timescale stems from requiring limited new infrastructure to enable this first phase of development. The supporting amenities and services for the new community including a primary school, convenience store, healthcare and community use, a mobility hub and open space are clearly set out in this Masterplan.

Access to the site is already in place from the road network via the Progress Way / Bickenhill Parkway roundabout. Developable plots are defined by the existing internal road layout, and minimal alterations and additions are required to service the plots. An existing extensive drainage network with balancing ponds and watercourses sets the framework for a sustainable urban drainage system.

The site's mature landscape with trees and hedgerows, and the neighbouring Bickenhill Plantation provide the sense of place from the outset.

**Detailed site assessments** have been completed giving a clear understanding of the site's physical characteristics including above and below ground conditions and the mitigation measures necessary to enable development.

The land to accommodate the first phase will utilise available space that is either not currently used for parking for NEC events or the loss as event parking can be managed across the wider estate.

→
Vision for transformation with Grand Plaza and Urban Village

The location of the NEC also means **future development is well served** by existing retail and leisure facilities, job opportunities, high frequency bus routes running along Bickenhill Parkway, and a mainline train station within walking/cycling distance. This accessibility will be further enhanced by the new High Speed 2 Interchange Station, which will be located adjacent to the site.

The number of homes not only creates a critical mass to support placemaking it also presents a scale that is attractive to experienced developers who have a track record in delivering development at pace. The different housing types, modern methods of construction, and market sentiment buoyed by demand will all underpin the pace of delivery.

The delivery of the first phase of the urban village, by 2036, will pave the way for a second phase to be brought forward. Building on the sense of place already established and the arrival of High Speed 2, phase two of the urban village can deliver circa 2,800 homes. The release of the land to accommodate this next phase will require multi-storey car parking. The delivery of the Grand Plaza can be aligned with the second phase of the urban village and infill development at the Boulevard has the potential to be brought forward as demand arises in the market.

**Public sector funding** partners will play a central role in unlocking the full development potential of the Masterplan. This commitment is already being demonstrated by the work of the Urban Growth Company and the Combined Authority who are securing funding for infrastructure across the Hub Area. The Urban Growth Company will continue to have a central role in coordinating this wider infrastructure investment and maximising the positive impacts from the arrival of High Speed 2.

The development at the NEC has the potential to deliver skills and job opportunities for the local population. This will be achieved through construction phases and occupation. Working with local partners can maximise these opportunities.

↑
Site as existing

↑
First phase of
the urban village

↑
Second phase of
the urban village

↑
The completed Masterplan

**Imprint**

Masterplan produced by NCL Development and Glenn Howells Architects.

With assistance from Mott McDonald, James Holyoak Sketch, CBRE, Gardiner and Theobald, Tetra Tech.

Copyrights: p.14 Arden Cross Masterplan aerial overview © Arden Cross Ltd; p.73 Creative Commons 4.0 Share Alike Licence, author Mpoggi0fa.

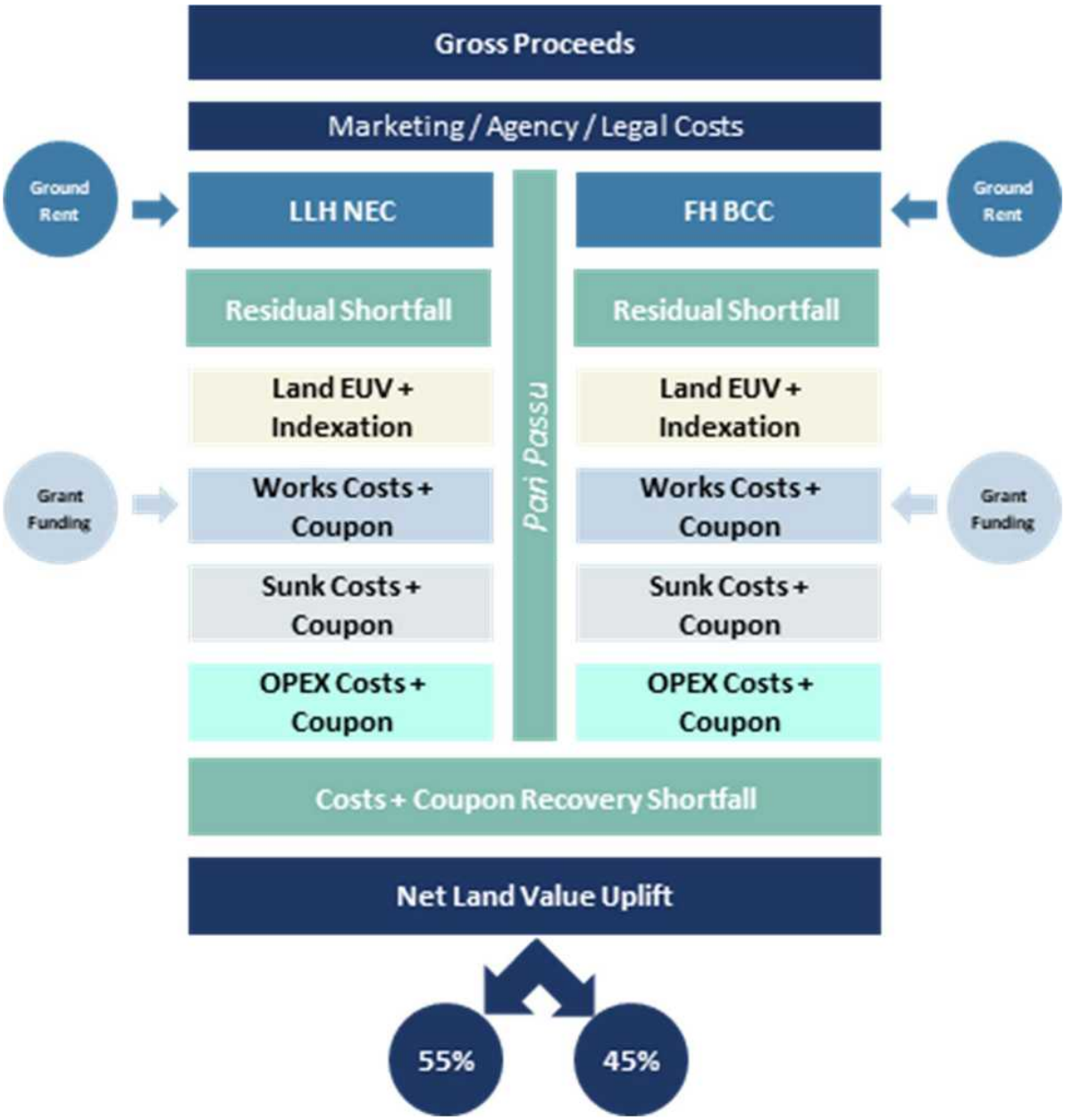
nec group

NCL DEVELOPMENT

Glenn Howells Architects

Produced by NCL Development Ltd. with Glenn Howells Architects.

**Appendix 3: Proposed NEC Waterfall Agreement**



## Appendix 4: NEC Non-Core Land Initial Phases

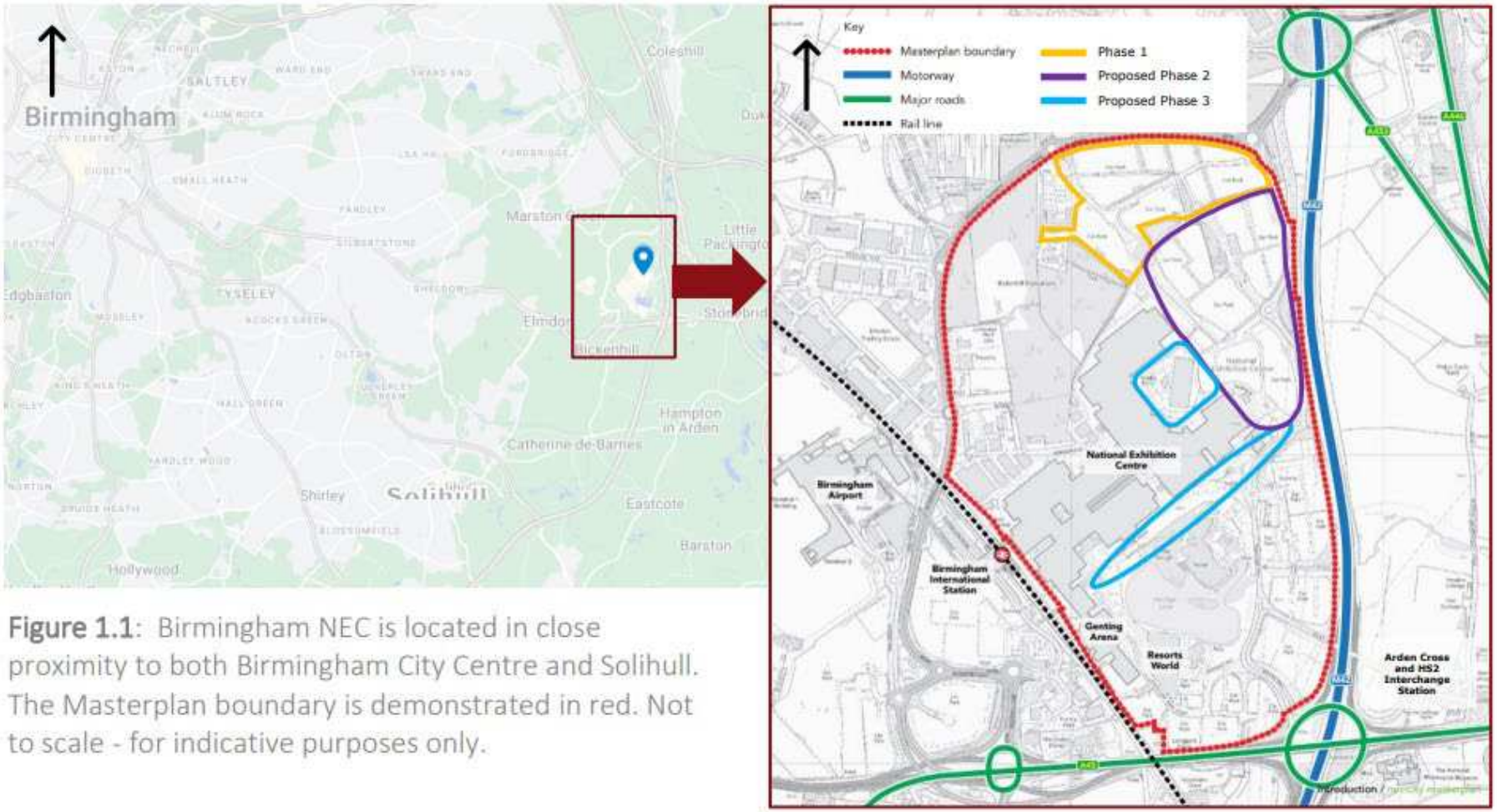
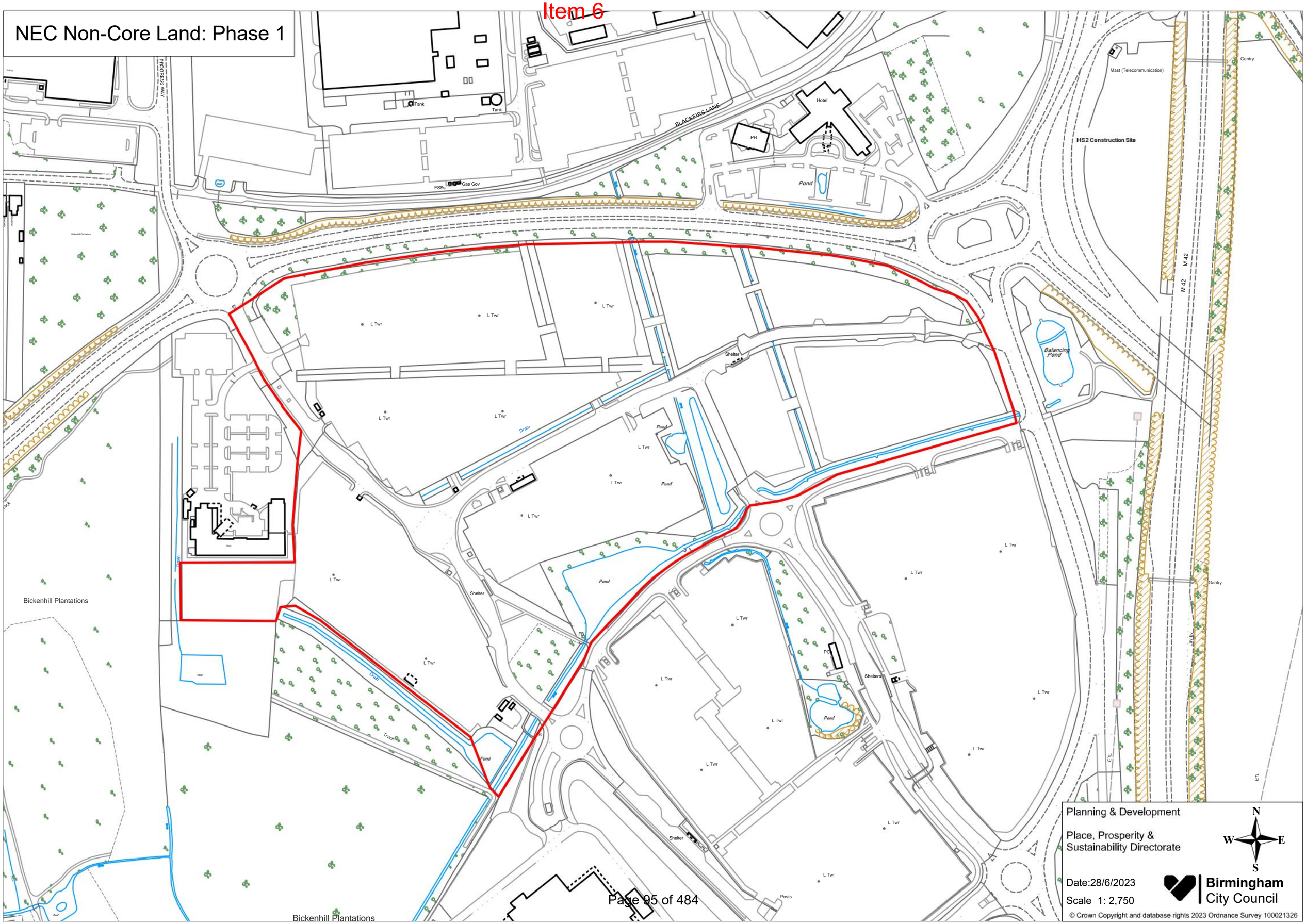



**Figure 1.1**: Birmingham NEC is located in close proximity to both Birmingham City Centre and Solihull. The Masterplan boundary is demonstrated in red. Not to scale - for indicative purposes only.

# NEC Non-Core Land: Phase 1






010416/2022

**Appendix 6 – Risk Register**

**Key Risks**

| Risk Type | Description | Inherent Likelihood | Inherent Impact | Initial Risk Level | Mitigations / Controls in Place | Residual Likelihood | Residual Impact | Residual Risk Register |
|---|---|---|---|---|---|---|---|---|
| Revenue | The high rate of inflation continues, with high interest rates introduced to combat this. As a result, the cost of debt increases resulting in lower demand. Higher costs also risk viability of the scheme | High | Medium | Medium / High | Phasing of the development and sales of units limits the exposure of the parties to demand / cost risks | Medium | Low | Low / Medium |
| Cost | High inflation increases the cost to borrow as well as construction costs, impacting total returns | High | Medium | Medium / High | As above, phasing will mitigate the exposure to cost risks with the parties only developing out areas where the plots are feasible based on the then current costs. | Medium | Low | Low / Medium |
| Operating | Solihull is the planning authority for the NEC (including the Phase 1 development). Development should accord with planning policy and must meet the planning conditions applied to it. As the Council is not the local planning authority this is beyond the direct control of the Council | Medium | Medium | Medium | The Phase 1 development accords with an allocation within the draft Solihull Local Plan. The Council and NEC will engage early with Solihull to determine the likely planning conditions for Phase 1. Indicative planning conditions will feed into revised viability modelling to ensure Phase 1 and plots within Phase 1 remain viable. | Low | Low | Low |
| Operating | The NEC is ultimately owned by an institutional investor, Blackstone Group. Blackstone may have a different investment timeframe, risking early disposal of the NEC asset with the Council required to engage with an unknown party. | Medium | Medium | Medium | The Council has sought a restriction on the sale of the NEC asset without their prior approval. The protection is designed to ensure the Council is not required to operate with a third party that introduces additional risk. | Low | Low | Low |
| Reputational | The project will contribute to the WMCA's housing targets. Only taking on Phase 1 introduces political risk as the current draft masterplan contemplates c.5,000 homes, with Phase 1 delivering 2,240. There is a risk that the Council will be seen to not be supporting the full development and the delivery of c.5,000 homes | Medium | Medium | Medium | The project agreements shall provide an option, but not an obligation to continue with Phase 2 should it be feasible for the Council. Accordingly, it will be able to contribute further to the housing targets if viable. | Low | Low | Low |
| Reputational | The NEC has approached the Council directly to undertake this project. There is a reputational / procurement risk that this can be seen as the Council favouring a current partner instead of competing the project in the market | Medium | Medium | Medium | The Council has sought legal advice on the procurement route. The proposal accords with the Cabinet decision to enter into a formal agreement with Blackstone regarding the potential release of the claw-back condition in the non-core lease (subsequently extended due to covid) | Medium | Low | Low / Medium |
| Availability | Covid-19 still presents a risk to the construction phases, with potential impacts on direct resourcing capabilities, as well as the global supply chain. | Low | Medium | Low / Medium | National and local covid rates have declined with established protocols put in place to reduce and mitigate the risk of infection. The NEC is to lead the development procurement. As part of their analysis, they will consider the potential supply chain risks and residual impact of covid. | Low | Low | Low |
| Reputational | The NEC will lead the procurement of a master developer for Phase 1. There is a potential reputational risk where the Council does not lead the procurement | Medium | Medium | Medium | The Council will set up and preapprove the procurement parameters and criteria. The Council will seek final approval from Cabinet for the selection of the master developer(s). | Low | Low | Low |
| Operating | The NEC will lead the day-to-day engagement with the master developer, taking control and oversight with decision making abilities | Medium | Low | Low / Medium | A governance structure outlining the key decision making powers and parameters for NEC to operate will be established before commissioning NEC or the master developer, with the Council's approval clearly defined | Low | Low | Low |
| Financing | High inflation and costs of borrowing will restrict the funding options available to the master developer, creating a financing risk. | Medium | High | Medium / High | As part of the procurement process, the master developer will be required to demonstrate it has the ability to fund its obligations. | Low | Medium | Low / Medium |
| Reputational | Section 123 of the Local Government Act 1972 prohibits the Council from disposing of land for less than can reasonably be obtained. With the NEC | Low | Medium | Low / Medium | Viability protections will be included within the transaction documents, with a minimum sale price above the fair market value required. | Low | Low | Low |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | leading the engagement with a master developer, the Council must mitigate the risk of disposals that breach s123 | | | | | | | |
| Operating | Although the Council will not lead the day-to-day management of Phase 1, it will require resources to manage the interface with NEC and provide input at key decision points. | Low | Low | Low | The agreed governance structure will ensure the resources required to manage the interface with the NEC are within the Council's capacity and resourcing constraints. To date the project has been resourced in-house with specialist financial and legal advice sought as appropriate (which will continue). | Low | Low | Low |
| Operating | The terms of the non-core lease require the Council to replace car parking where it seeks to claw-back land for development. The viability of the project is dependent on the NEC agreeing to waive this right. | Medium | Medium | Medium | Early negotiations and engagement with the NEC suggest they are willing to waive the requirement to replace lost car parking. This is reflected in the Waterfall agreement for Phase 1. This agreement and waiver will be captured within the final transaction documents. Future phases will need to be reviewed going forward. | Low | Low | Low |
| Financing | The Council and the NEC are dependent on market interest from developers as part of the procurement exercise. | Low | Medium | Low / Medium | A soft-market-testing exercise will be conducted to determine market interest and refine the procurement scope and terms to attract competition. | Low | Low | Low |

| | |
|---|---|
| Title of proposed EIA | NEC Masterplan |
| Reference No | EQUA1188 |
| EA is in support of | New Function |
| Review Frequency | Annually |
| Date of first review | 22/08/2024 |
| Directorate | Inclusive Growth |
| Division | Investment and Valuation |
| Service Area | |
| Responsible Officer(s) | ☐ Carwyn Beswick |
| Quality Control Officer(s) | ☐ Jaswinder Gandham |
| Accountable Officer(s) | ☐ Eden Ottley |
| Purpose of proposal | Facilitation of property transaction |
| Data sources | Other (please specify) |
| Please include any other sources of data | |

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

| | |
|---|---|
| Protected characteristic: Age | Not Applicable |
| Age details: | As a property transaction that does not include an individual there will be no impact on age related characteristics. |
| Protected characteristic: Disability | Not Applicable |
| Disability details: | The property transaction which does not include an individual is currently a surface car park with accessable spaces provided. However the Council has no control on these spaces or the car park operation.<br><br>The proposed new development will be Disability Discrimation Act and Equality Act compliant but the Council has no control on these elements. |
| Protected characteristic: Sex | Not Applicable |
| Gender details: | The property transaction does not include an individual that has a gender. There is no gender impact. |
| Protected characteristics: Gender Reassignment | Not Applicable |
| Gender reassignment details: | The property transaction does not include an individual with a gender. |

| | |
|---|---|
| | There are no impacts for gender reassignment involved in the transaction. |
| Protected characteristics: Marriage and Civil Partnership | Not Applicable |
| Marriage and civil partnership details: | The property transaction does not include an individual that can get married or enter into a civil partnership. There are no impacts for marrage and civil partnerships. |
| Protected characteristics: Pregnancy and Maternity | Not Applicable |
| Pregnancy and maternity details: | The property transaction does not include an individual which is, or could get pregnant, or has any interest in, or impact on, motherhood. There are no impacts for pregnancy or maternity involved in the transaction. |
| Protected characteristics: Race | Not Applicable |
| Race details: | The property transaction does not include an individual with a race. Nothing in the transaction is conducted on the basis of a race. |
| Protected characteristics: Religion or Beliefs | Not Applicable |
| Religion or beliefs details: | The property transaction does not include an individual with a religion or a belief. No part of the transaction is involves religion or any other beliefs. |
| Protected characteristics: Sexual Orientation | Not Applicable |
| Sexual orientation details: | The property transaction does not include an individual with a sexual orientation. No part of the transaction involves sexual orientation. |
| Socio-economic impacts | |
| Please indicate any actions arising from completing this screening exercise. | Continue to monitor. |
| Please indicate whether a full impact assessment is recommended | NO |
| What data has been collected to facilitate the assessment of this policy/proposal? | None. |
| Consultation analysis | Not consulted. |
| Adverse impact on any people with protected characteristics. | No adverse affect or discrimination against any protected characteristic. |

| | |
|---|---|
| Could the policy/proposal be modified to reduce or eliminate any adverse impact? | No. |
| How will the effect(s) of this policy/proposal on equality be monitored? | Informal monitoring plus formal review. |
| What data is required in the future? | None. |
| Are there any adverse impacts on any particular group(s) | No |
| If yes, please explain your reasons for going ahead. | |
| Initial equality impact assessment of your proposal | The process has demonstrated that there are no negative or unlawful impacts or discrimnation based on any protected characteristic.<br><br>This assessment considers the potential equalities impacts of the decisions to endorse and implement the NEC Masterplan, and to amend leases between BCC and NEC Ltd such as to support the continued success of the NEC Group's operations.<br><br>The NEC Masterplan has been produced to establish both the scale of the opportunity, and the principles to guide development and connectivity, in order to fully realise the potential of the site including the development potential of the existing surface car parking areas.<br><br>The Masterplan document sets out a vision for the future of the NEC site as "nec•city" – an internationally unique destination with global appeal that fuses entertainment, leisure, exhibition space, commercial and residential offers across a 175ha campus with the existing NEC at its heart.<br><br>The purpose of the Masterplan is to deliver sustainable growth. The NEC Group is a significant local employer and a significant contributor to the local economy; as such the sustainable growth of the business is beneficial to all groups. The location of the NEC at UK Central makes it one of the most accessible locations in the country and therefore a location able to support |

the level of growth proposed. The proposals in the Masterplan will deliver opportunities for new employment, education and training, new housing, sustainable travel, and enhanced public spaces. The economic benefits of the growth will be felt across the region.

In implementing the proposals in the plan due regard will be had to opportunities for local employment, and where appropriate to realising benefits through public sector procurement or charters to deliver social value outcomes. Schemes will be designed with accessibility for all groups in mind.

The endorsement and delivery of the Masterplan will, therefore have the potential to benefit all groups across the city and region, and will not have a negative differential impact on any group or protected characteristic. There will be opportunities to test these assumptions as part of the development and approval of individual schemes.

The NEC Masterplan is in line with the aims of Solihull MBC (the Local Planning Authority for the site), the Greater Birmingham and Solihull LEP, and the West Midlands Combined Authority. On a macro scale the impact of growth here will be addressed and monitored through the Sustainability Appraisal for the Solihull Local Plan – this will include impacts on the community.

These decisions follow on from and enable the implementation of decisions previously made by Cabinet, for which assessments of the potential equalities impacts were also provided:

- An initial screening was carried out in July 2013 on the decision to sell NEC Ltd and enter into leases on the operational sites. This found that the approach

had potential equalities benefits, and that the needs of different groups would be considered during the implementation of the project.

- An initial screening was carried out in April 2016 on the decision to prepare a Masterplan for the NEC site. This focused on the potential impacts of preparation rather than implementation, and found that, as this would be delivered as 'business as usual' for the Council, there was limited opportunity for negative differential impacts.
- A further review was undertaken in summer 2023 which concurred with the April 2016 and earlier work.
- Further review is planned as the project progresses.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

It is considered that the proposals will contribute to equality of opportunity for all through creating the conditions for growth and job creation. In addition it is considered that the proposals do not have the potential to have a differential impact on any group or protected characteristic. The overall conclusion is that at this stage a full assessment is not required and that the assumptions and conclusions of this assessment will be robustly tested during the development and approval of individual schemes. The appropriate monitoring will be carried out in the implementation of the decisions – through planning applications, procurement approach, the gateway/assurance frameworks of the City and its partners, and through the NEC Group's management of the business – that should any potential negative differential impact arise these will be appropriately addressed.

QUALITY CONTORL SECTION

| | |
|---|---|
| Submit to the Quality Control Officer for reviewing? | No |
| Quality Control Officer comments | |
| Decision by Quality Control Officer | Proceed for final approval |
| Submit draft to Accountable Officer? | Yes |
| Decision by Accountable Officer | Approve |
| Date approved / rejected by the Accountable Officer | 22/08/2023 |
| Reasons for approval or rejection | |
| Please print and save a PDF copy for your records | Yes |

Content Type: Item
Version: 27.0
Created at 22/08/2023 10:28 AM by Carwyn Beswick
Last modified at 22/08/2023 01:21 PM by Workflow on behalf of Eden Ottley

Close

| Project Title: NEC Masterplan and Property Strategy | | |
|---|---|---|
| **Department: PPS** | **Team: Planning – East & South Birmingham** | **Person Responsible for assessment: Doug Lee, Development Planning Manager – East & South Birmingham** |
| **Date of assessment: 21/06/2023** | **Is it a new or existing proposal?: New** | |
| **Brief description of the proposal: Authorises agreement for joint venture agreement for the redevelopment of a portion of BCC owed land at the NEC. 2.3 Authorises further consideration of options for Bickenhill Plantation including enhanced connectivity and integration with the proposed Urban Village. 2.5 Authorises the process to initiate a procurement process to select a development partner(s) to undertake development and negotiate the terms of a development agreement to be reported to Cabinet at a future date.** | | |

| **Potential impacts of the policy/development decision/procedure/ on:** | **Positive Impact** | **Negative Impact** | **No Specific Impact** | **What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?** |
|---|---|---|---|---|
| Natural Resources- Impact on natural resources including water, soil, air | | | x | |
| Energy use and $CO_2$ emissions | | x | | Through their nature, the construction of the new homes will use energy (through construction and operation once occupied) and subsequently emit carbon. However, these detailed matters will be part of the planning process which will be submitted to Solihull MBC. A BCC R20 officer has spoken with SMBC who have confirmed their ambitious stance around their local plan, which aligns with BCC's own aspirations. So whilst negative, this impact can be adequately mitigated against. |
| Impact on local green and open spaces and biodiversity | | x | | There is the high potential for a negative impact on the Bickenhill plantation and its ecosystem/biodiversity. The Plantation is a substantial mature woodland which is a local |

| | | | | |
|---|---|---|---|---|
| | | | | wildlife area. At present, the 28ha site is closed to the public and is home to a herd of deer dating back to before the NEC's initial construction. The NEC currently manage the Plantation (and by extension the deer). The NEC masterplan proposes "The Masterplan proposes greater integration and connectivity with the Urban Village". A BCC ecologist has been consulted and has expressed concerns around this, especially if this access is intended to meet the open space requirements associated with the homes. High footfall could damage the delicate ecosystem that supports the deer. There is also risk of escape and/or deer casualties if the plantation is opened up. The cabinet report requests authorisation for further consideration of options for Bickenhill Plantation. To mitigate this risk, the R20 team and ecologists should be consulted on this matter as this project progresses. This may also involve collaboration with counterparts at SMBC. |
| Use of sustainable products and equipment | | | x | These matters will be covered once a development partner(s) has been appointed to undertake development and negotiate the terms of a development agreement. This will be reported to Cabinet at a future date, at which point a further ESA will be undertaken. |
| Minimising waste | | | x | These matters will be covered once a development partner(s) has been appointed to undertake development and negotiate the terms of a development agreement. This will be reported to Cabinet at a future date, at which point a further ESA will be undertaken. |
| Council plan priority: a city that takes a leading role in tackling climate change | x | | | The proposals involve redeveloping land that is currently occupied by a car park and developing a walkable, sustainable neighbourhood. Moving away from car travel (and by extension car parking) supports the council's active travel and modal shift goals. |
| Overall conclusion on the environmental and | An outstanding issue remains around the future of the Bickenhill plantation in terms of biodiversity loss and the negative impact upon green space. BCC's R20 team and ecologists will need to be consulted as part of the | | | |

| | |
|---|---|
| sustainability impacts of the proposal | decisions around access to the plantation to mitigate this risk. The other themes either have no specific impact, or appropriate mitigation measures are in place. |

If you require assistance in completing this assessment, then please contact: ESAGuidance@birmingham.gov.uk

# Birmingham City Council
# Report to Cabinet

5th September 2023

| | |
|---|---|
| **Subject:** | **Establishment of Special Purpose Vehicle for the delivery of the European Athletics Championships 2026** |
| **Report of:** | Craig Cooper – Strategic Director City Operations |
| **Relevant Cabinet Members:** | Lead - Councillor Sharon Thompson, Deputy Leader of the Council |
| **Relevant O&S Chair:** | Councillor Albert Bore, Co-ordinating<br>Councillor Shabrana Hussain, Neighbourhoods |
| **Report author:** | Katie Brazier, Head of Major Events Delivery<br>Tel: 07770 965122<br>E-mail: katie.brazier@birmingham.gov.uk |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br><br>If relevant, add Forward Plan Reference: 011433/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, provide exempt information paragraph number or reason if confidential: | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 Birmingham City Council in conjunction with UK Athletics (UKA) has been awarded the right to host the European Athletics Championship 2026 (the Championships). Together with UK Sport (UKS), they are the principal funding partners.

1.2 To effectively deliver the Championships, in accordance with the Organiser Agreement signed with the European Athletics Association, the principal funding partners propose to establish a Special Purpose delivery company. This is deemed the most appropriate

and effective route to deliver the Championships due to the scale and complexity of the event. Such arrangements are customary practice for the delivery of mega events and Cabinet will be familiar with this approach which is the same as that adopted for the Commonwealth Games 2022 (CWG).

1.3 This paper sets out the rationale and recommendations regarding the establishment of the Special Purpose Vehicle that will be the Local Organising Committee (LOC).

## 2 Recommendations

The Cabinet is invited:

2.1 To approve the establishment of the Special Purpose delivery company, to be named European Athletics Championship 2026 Limited (the Company), as set out in paragraphs 6, 7 and 9.

2.2 To delegate authority to the Strategic Director - City Operations (or their delegate), in consultation with the City Solicitor and Monitoring Officer (or their delegate) to negotiate, complete and execute any legal documentation associated with the Council's obligations, including the Contract between the Council and the company.

2.3 Notes the increased estimated gross costs for the Championships of £30.8m, at a reduced net cost to the Council of £6.0m (to be met from the CWG Legacy Portfolio), as set out in paragraph 16 of this report.

2.4 To delegate authority to the Strategic Director - City Operations in conjunction with the Assistant Director, Procurement, the Interim Director of Finance (Section 151) and the City Solicitor & Monitoring Officer (or their delegates) in consultation with the Cabinet Member for Finance and Resources to approve a procurement strategy/ strategies and then to award contracts for procurements over the procurement threshold as required to support the Council's responsibilities for the Championships.

2.5 Authorise the City Solicitor and Monitoring Officer (or their delegate) to, negotiate, complete, and execute any legal documentation required to implement the above recommendations.

## 3 Background to European Athletics Championships

3.1 Birmingham has a well-established relationship with athletics with years of experience hosting national and international indoor and outdoor events. We can also now boldly state that the stadium itself is now recognised as the best Athletics Stadium in the country. This context played an important part in EAA to approaching UKA regarding a potential UK bid with UKA subsequently approaching the Council to be the host city partner.

3.2 Following approval by Cabinet on 28th June 2022 a final bid was submitted in September 2022 and following successful bid presentation the Championships were awarded in October.

3.3 The Championships are held every two years. Birmingham in 2026 will be the 27th edition and the first time the Championships will be held in the UK.

3.4 This is the second largest sporting event to be hosted in the city following the Commonwealth Games. CWG statistics are provided in brackets to help put the scale in context.

- Duration & dates: 7 days of competition, 10th – 16th August
- Venues: 3- Alexander Stadium for track and field, City Centre of road event; marathon, and race walking (16)
- Training Venues: University of Birmingham, University of Warwick, Coventry
- Spectators: 300,000
- Competing Nations: 51 (72)
- Athletes: 1,500 (4.822)
- Team Support Staff & Technical Officials 1,050
- Volunteers: 1,600 (14,000)

## 4 Purpose the Company

4.1 The Company will deliver the Championships in accordance with the Organiser Agreement signed by the European Athletics Association (EAA), UKA and Birmingham City Council in October 2022.

## 5 Why a Special Purpose Vehicle

5.1 Following discussion with UKA, supported by the knowledge and expertise of UK Sport (UKS), a special purpose vehicle is proposed as it has several key advantages and benefits as outlined below:

- Reflects the partnership approach to the delivery of the championship.
- Enables the partners to deliver against the objectives and requirements of the host rights agreement
- Reduces the negative financial impact on the Council
- Defines the requirements for staff and resource support placed on the Council services and other key delivery partners helping to avoid organisational creep
- Complies with the UK Sport Sports Governance code criteria a funding requirement
- Meets industry best practice for delivering mega sporting events

5.2 The many positives of establishing the Company it is also not without its challenges for example the costs associated with running a separate legal entity, governance etc. however on balance as outlined in paragraph 11 it is considered the most appropriate route.

5.3 UKA and the Council are jointly and severally responsible to EAA for the obligations, commitments, representations, warranties, and indemnities within the Organiser Agreement. The Agreement provides prior approval from EAA for the appointment of the newly created legal entity as the LOC.

5.4 The scale and complexity of the event means that neither UKA or the Council have the resource capacity, or full skill set, to deliver the championship individually through their internal events teams. It is also recognised that the establishment of the Company will not directly resolve this, as the Company will also need to procure the appropriate level

of additional resources, but doing so via the Company will allow more agility in governance and recruitment processes. It is also likely to create a more attractive employment proposition, than the Council or UKA, helping to attract a wider applicant pool in order to recruit the most suitable candidates.

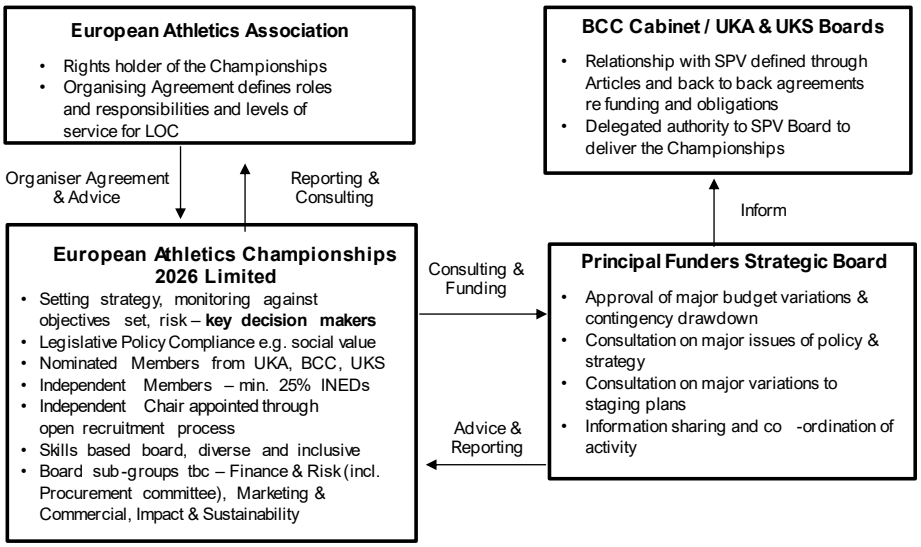
5.5 The Company would be entirely focused on the delivery of the Championships and obligations within the Organiser Agreement. Back-to-back agreements with the Council, UKA and UKS will clearly set out each partner's roles, responsibilities, and obligations to the company. These agreements will also detail processes around change control, the funding arrangement and the requirements related to drawdown of any contingency. See paragraph 16.15.

5.6 The Council in turn can ensure its focus is on maximising the impact of hosting the championships through the visitor experience, business and tourism programme, festival and celebratory activity and local, regional, and international relations.

## 6 Type of Company Vehicle Proposed and Rationale

6.1 The principal funding partners have agreed, subject to approval through their individual governance processes, that the Company should be a joint venture between UKA and the Council, limited by shares.

6.2 The below diagram outlines the relationship between the Company, principal funding partners and events rights holder EAA.




## 7 Company Equity

7.1 The proposed shareholding of the company is as follows.

- BCC 50%
- UKA 50%

7.2 The company will require equity on establishment of 100 shares at £1 each, with operational funding from the main funding partners being provided as a series of grant payments either directly or indirectly to the Company.

## 8 Company Objectives

8.1 The purpose, vision, and goals of the Championships, and therefore the Company, have been shaped between the principal funding partners, ready for presentation and agreement by the board of the Company when incorporated and operational.

- Purpose – "Together, we will be bold to move communities to be active"
- Vision - "Delivering the best European Athletics Championships that inspires a positive change"

8.2 The bid also committed to achieving this through the following goals

- By delivering packed-out stadiums and reach new audiences
- By delivering a commercially successful Championships
- By delivering a profound social impact on local communities
- By being the most welcoming European Athletics Championships
- To handing over the Championships responsibly

8.3 As fellow principal funding partners, UKA and UKS are committed to supporting the Council in aligning the Championships to the city's wider legacy strategy and stakeholder policy at local, regional, and national level including

- Locally - Birmingham City Council Corporate Plan and Major Sporting Events Strategy, social value and living wage policies
- Regionally - WMCA Aims & Objectives e.g., West Midlands Plan for Growth
- Nationally - Sport England – Uniting the Movement, UK Sport Strategic Plan and UK Athletics Strategic plan

8.4 This coordinated approach to the delivery of legacy initiatives, will be manifested through the bid commitment to deliver a 'Streets to Stadium' programme which will also assure direct alignment to Games legacy objectives which are to:

- Bring people together
- Improve health and wellbeing
- Put us on the global stage
- Help the region to grow and succeed
- Be a catalyst for change

## 9 Governance Arrangement

9.1 The proposed board structure is shown in the diagram below at paragraph 9.7. The Council will have two nominated directors on the board of the company, whilst other principal funding partners will have one, this being to reflect the Councils position as the main funder and underwriter. It is proposed that the two Council nominated Directors are Craig Copper, Strategic Director – City Operations and Cllr Sharon Thompson, major events portfolio holder. This will be supported by one executive representative acting in the capacity of an observer proposed as Katie Brazier, Head of Major Events Delivery. The same observer opportunity would also apply to UKA and UKS.

9.2 As per the Organiser Agreement EAA would have a nominated Board Director, who will be appointed in November 2023 and the International Signal Broadcast Provider would have an observer.

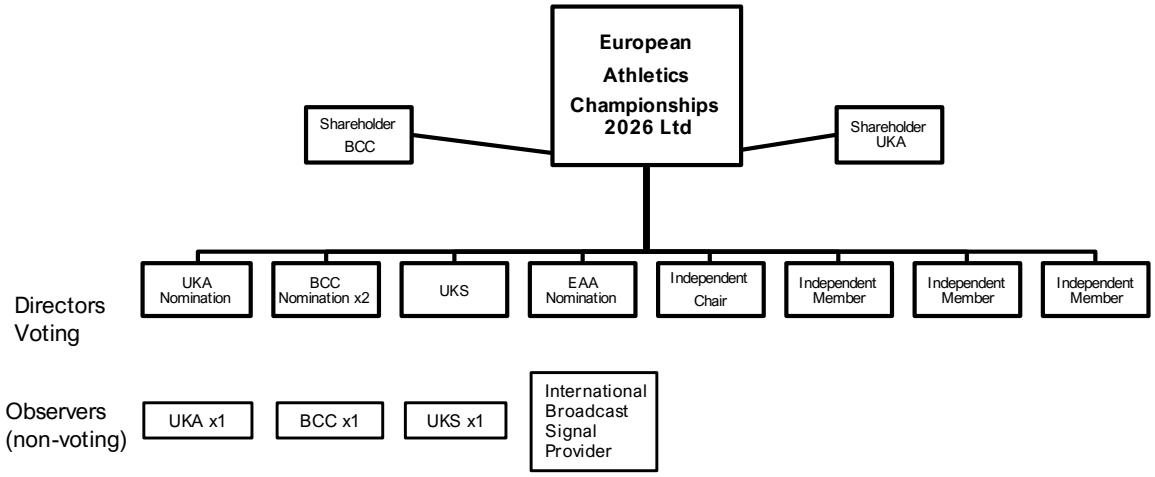
9.3 To meet the Code of Sports Governance requirements, and UKS funding terms, the Chair should be independent, and appointed through an open recruitment process with clear criteria to ensure that the individual appointed has an authentic understanding, affinity, and connection to Birmingham primarily and within the regional context. The Council will have representation on the selection panel.

9.4 When nominating their board representatives, the partners will be careful to ensure the diversity and demographic profile of Birmingham is reflected. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success.

9.5 It is important to highlight that all Directors of the Company will have full fiducial duties (as per the Companies Act 2006, 172) which means they are to act in the best interest of the Company and therefore delivery of the Championships. They are nominated by, not representatives of, their parent organisations.

9.6 The leadership team and associated staff of the company will be appointed through an open recruitment process, the detailed recruitment plan is currently being developed from the high-level bid submission, by the Interim Chief Operating Officer brought on board to help drive initial planning and the establishment of the SPV.

9.7




## 10 Intelligent Client Function

10.1 There is a funding commitment from the CWG underspend and underwrite commitment for the Council to support the delivery of the championships as outlined in paragraphs 7.1 and 7.2.

10.2 The company will be required to produce various reports to meet the requirements of funding from UKS. Alongside this board papers, meeting minutes and key documentation will be provided to the Council as required. As appropriate this information will also be made available publicly on the Championship website.

10.3 It will be the responsibility of the nominated directors and executive observer to duly report within the governance requirements of the Council. It is not envisaged that this will require any additional resource.

## 11 Options considered and Recommended Proposal

11.1 Option 1 – to deliver the Championships through the Council Events Team, part of the Neighbourhoods Division within the City Operations Directorate.

11.2 Option 2 – to deliver the Championship through UKA.

11.3 Option 3 – to create a new company for the special purpose of delivering the Championships as approved in the Organiser Agreement signed by the Council and UKA.

11.4 Recommended Option - to proceed with Option 3 as detailed within paragraphs 6,7 and 9 and as per the recommendations outlines at paragraph 2. Options 1 and 2 are not recommended due to the scale and complexity of the event, as highlighted in paragraph 5.4. It is considered that the advantages as outlined in paragraph 5.1 to 5.6 outweigh any disadvantage that the Company will itself need to procure appropriate levels on resource. Establishing a Special Purpose Vehicle is a well-established, industry best practice model for the delivery of mega events such as the Championships.

## 12 Consultation

12.1 Officers have engaged with colleagues across directorates through an internal working group that has been meeting monthly, including an SPV sub-group with events, finance and legal representation specifically looking at the matter.

12.2 Cabinet Committee Group Company Governance has been consulted at their July 2023 meeting and are supportive of the recommendations.

12.3 Consultation has taken place with relevant portfolio holders, and they are supportive of the recommendations. (TBC)

12.4 UKS and UKA have been consulted and are supportive of the recommendations.

## 13 Risk Management

13.1 A risk register has already been established relating to the delivery of the Championships. This is currently being managed by the Interim Chief Operating Officer, with oversight from the funding partner project group, involving representatives from the Council, UKA, and UKS. It is envisaged that the risk register will be passed to the new company once established.

13.2 The Council Events Team will also maintain a risk register specific to the Council's own obligations to the company and its wider contribution to the success and impact of the Championships.

13.3 The Council will actively mitigate risk in connection to the overall delivery of the Championships in relation to the success of the Company and its associated financial obligation by

- retaining and controlling the budget related to the Councils delivery obligations
- ensuring that any contingency drawdown is only agreed following completion of a clearly defined need being demonstrated by the Company Executive and approved provided by the Principal Funders Strategic Board, UK Sport and the Company Board
- ensuring robust budget and programme management reporting at the company Board

## 14 Compliance Issues

14.1 The European Athletics Championships supports the five Be Bold outcomes, which will be enabled through the establishment of the Company, and associated contracts and activity delivered by the Company and the principal finding partners and wider stakeholders as following

14.2 **A Bold Prosperous Birmingham:** In hosting the Championships in Birmingham, a sustainable and inclusive growth in the economy is supported. With hundreds of visitors likely to attend the Championships, the "global stage" and ability to promote Birmingham and its assets will be seen by a wide audience. It will boost the accommodation and hospitality sector in the city. Building from the positivity and legacy of the Commonwealth Games, hosting will further enhance Birmingham as global city with the capacity to host mega events and prove prosperous in the exciting years ahead.

14.3 **A Bold Inclusive Birmingham:** Collaborating closely with partners, the Championships will deliver an exemplary level of services to visiting athletes from across Europe. With attentiveness to spectator requirements and desires, the diversity and cultural heritage of the city will be highlighted, creating a vibrant, attractive, accessible, and inclusive spectacle for citizens and visitors to enjoy.

14.4 **A Bold Safe Birmingham**: Through engagement with local businesses and establishments, the Championships will allow visiting nations to experience the very best of Birmingham and by proxy, delivery a great amount of civic pride for residents. Cultural depth and range will be improved for all whom have positive interactions with visiting athletes and a lasting positive feeling will be taken across the world that Birmingham is a young, vibrant, historic, and fantastic global city. The Championships will be delivered with a focus on a safe environment for all involved.

14.5 **A Bold Healthy Birmingham**: The Championships will provide a catalyst to develop and deliver engagement and participations activity under the Street to Stadium programme delivering positively social impact, physical activity, and sports development.

14.6 **A Bold Green Birmingham**: In alignment with the Council's commitment to carbon reduction and net zero future commitment, the SPV will take this commitment seriously and build, wherever possible, sustainable practices into the delivery of the Championships, for example to ensuring accommodation and transportation planning is as sustainable as possible and that consideration is given to meals and catering to reduce waste and source produce both locally and ethically.

14.7 The new company shall be compliant with the legislative policy requirements such as Social Value as well as to adopt Council policies like the Living Wage in its procurement.

## 15 Legal Implications

15.1 Under Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report, which are within the remit and limits of the general power of competence in Sections 2 and 4 of the Localism Act 2011.

15.2 The legal powers to stage activities and events of this nature are contained with Section 145 of the Local Government Act 1972.

15.3 All matters related to data including data sharing and ownership provisions around ticketing and volunteers will be addressed between the principal funding partners and the Company to ensure appropriate legacy benefits are realised alongside compliance with legislation.

15.4 The Host Agreement was signed last year and does not provide any general or indeed specific termination right(s) to the Council to terminate the Agreement early. The Agreement also states that for the avoidance of doubt, a lack of funds, whatever the cause, is not a Force Majeure in relation to any Host Party.

15.5 The potential cost of withdrawing from the agreement is both reputational and financial. From a financial perspective it is difficult to quantify as the approach from European Athletics is unknown in relation to damages. It is noted that the International Tennis Federation was recently awarded $20M for the cancellation of an agreement to stage the Billie Jean King Cup finals in Budapest.

## 16 Financial Implications

16.1 On 28th June 2022, Cabinet agreed to underwrite a one-off contribution up to £13.7m, from the Financial Resilience Reserve for the hosting of the Championships. This was at the time the identified funding gap for the direct cost of the championships, based on a delivery cost of £20.8m.

16.2 Since successfully being awarded the Championships, further work has been undertaken on the wider costs of hosting the Championships. Not only has the budget been further scrutinised in reference to delivery against the obligations in the Organiser Agreement but also in the broader context of ensuring that as stated in the Major Sporting Events Strategy, the Championship are recognised for being an event hosted in Birmingham, that had purpose and delivered positive impact for the city and its citizens. The budget therefore now reflects costs of ensuring a welcoming, safe, and engaging Championships for citizens and visitors alike, not least by applying learnings

from the CWG. Together with the impact of inflation and a prudent level of contingency of £3.3m (including inflation allowances) the estimated delivery cost is now £30.8m.

16.3 Whilst the costs have increased, sources of income have now also been secured which reduces the Councils potential funding contribution from £13.7m down to £6m. See table in paragraph 16.4. This £6m will be funded from the Council's CWG underspend meaning that money is no longer needed from reserves or business as usual budgets.

16.4

| **Income Source** | **£m** |
|---|---|
| WMCA (secured) | 13.7 |
| UKS (secured) | 3.0 |
| UKA (secured) | 0.2 |
| Spectators: Ticketing /Hospitality | 4.9 |
| Sponsorship | 1.4 |
| Various Others including Value in Kind | 1.6 |
| BCC (secured) | 6.0 |
| **Total** | **30.8** |

16.5 Including the Council's contribution of £6m the secured income is £22.9m or 74% of the requirement, leaving £7.9m or 26% unsecured income (including all ticketing income). As the underwriter the Council is therefore liable for this unsecured amount or potential overspend, should commercial targets not be met, or operational costs be exceeded. Any request for use of contingency and additional fund would require consideration and approval from the Principal Funders Strategic Board.

16.6 Responsibility for delivery of the Championships will be split between the Company, the Council and other key partners (potentially including TFWM and WM Police), with the key focus for the Company being the direct delivery of the event in line with the underlying Organiser Agreement. The diagram in paragraph 16.15 sets out the areas of responsibility.

16.7 The Company will be responsible for its own financial management, reporting and control procedures, appointing a financial manager to oversee the delivery of this. The Company will operate separate financial procedures and will produce its own accounts and annual audit, though will comply with any necessary arrangements, as set out in grant funding contracts. The company will produce financial reports to its Board. The nominated directors for the Council will be able to access these and share as required.

16.8 The Company will establish a scheme of delegated financial authority setting out who can spend how much and on what, and what expenditure needs special permission, and with who's authority. As outlined in the diagram in paragraph 6.2 the Company Board will have a Finance & Risk Subgroup which will include procurement approvals via a procurement committee. The Council will have representation on this committee.

16.9 Budget variations & contingency drawdown will be agreed at the Principal Funders Strategic Board. Access to contingency will be actively managed and will include robust challenge (including a requirement for the demonstration of value for money of any requests), to ensure that delivery of the Championships is achieved within the overall budget.

16.10 The Company will hold its own bank account and manage all transactions. Consideration will need to be made regarding payments required in foreign currency.

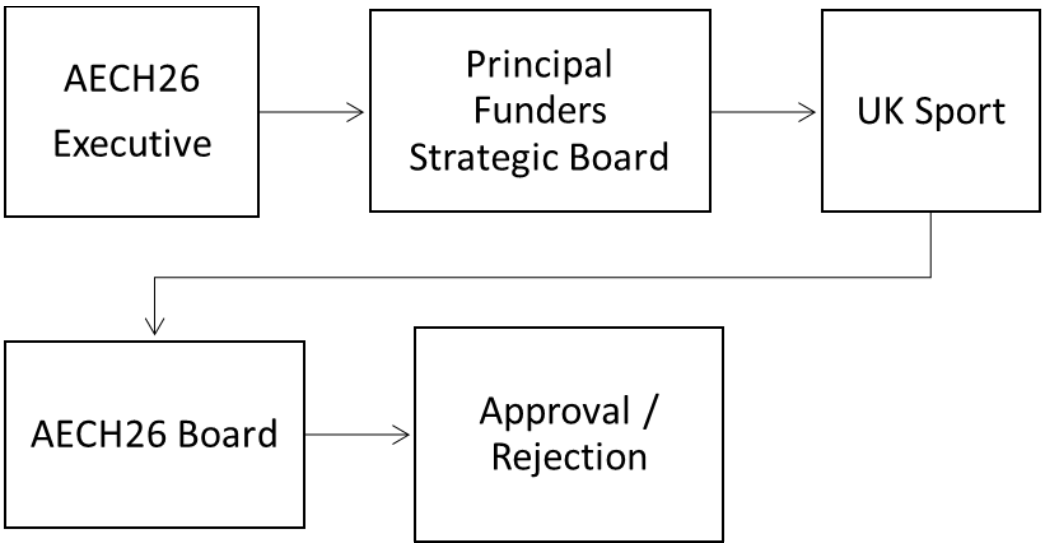
16.11 It is not anticipated that the Company will borrow or invest.

16.12 In the event of an underspend or surplus this will be distributed based on the provisions within the Organiser Agreement, the corresponding level of contribution made by each principal funding partners, and in line with the conditions set out in the UKS funding award. However, the intention of all principal funding partners is that the championships will operate at a break-even budget.

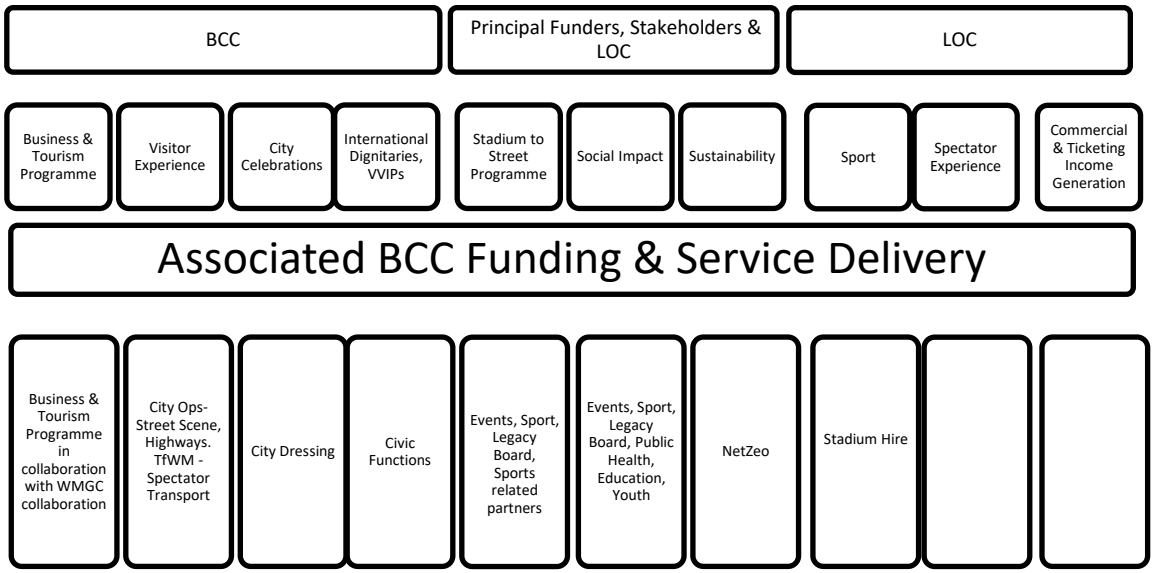
16.13 A tax specialist at Hayes Macintyre has provided advice to the principal funding partners with respect to VAT and this is reflected in the recommend on the structure of the Company.

16.14 The overall Championship budget of £30.8m includes £3.8m of Council activity to support the successful delivery of the Championship ensuring a positive visitor experience and economic and social benefits are realised, see diagram below in paragraph 16.16. Approximately £21.5m will be provided to the Company, in agreed stages payments, to deliver the requirements of the Host Agreement. The remaining £5.5m will be held by the Council in contingency.

16.15 The request contingency the Company executive will need to demonstrate need including detailing changes to scope, timelines for individual element, value for money and the impacts of non-approval. Submission of a change request will not guarantee that it will be agreed. The process and required approval process will be as follows.



16.16




## 17 Procurement Implications

17.1 As a Contracting Authority and "body governed by public law" as defined by regulation 2 of the Public Contracts Regulations 2015, the new company will be required to ensure compliance with these regulations (and any subsequent legislation resulting from the Procurement Bill).

17.2 Similarly, to the Commonwealth Games it is envisaged that a procurement committee is established under the direction of the SPV Board to provide oversight and authorise all procurement strategy and award decisions managed by the Company.

17.3 All procurements required to support the Council's responsibilities for the Championships will be managed in accordance with the Council's Procurement and Contract Governance Rules.

## 18 Human Resources Implications

18.1 It is anticipated that the company will employ its own staff and be responsible for any subsequent associated on-costs including pensions. It is still to be determined if the company will take advantage of any partners existing service.

18.2 TUPE, Pension Implications - at the time of writing, it is not envisaged that Council staff will be TUPE to the company. Should the need arise that Council staff are required to support the company, then it is envisaged that the terms of such resource supply to the company and the financial implications of this will be considered and agreed.

18.3 Payroll - this service will be procured by the company,

## 19 Public Sector Equality Duty

19.1 The Council is required to pay due regard to its public sector equalities duties, and this is reflected by the completion of an equalities impact assessment. It is noted that there are no immediate issues arising directly from this report.

## 20 Background Documents

20.1 List of appendices accompanying this report:

Appendix 1 Environment and Sustainability Assessment

Appendix 2 Equalities Impact Assessment Ref EQUAL1167

**APPENDIX 1**

**Environment and Sustainability Assessment**

| | | | | |
|---|---|---|---|---|
| **Project Title:** Establishment of SVP for the delivery of the European Athletics Championships 2026 | | | | |
| **Department:** | **Team:** City Operations/Neighbourhoods/Events | | **Person Responsible for assessment:** Katie Brazier | |
| **Date of assessment:** 22/06/23 | | **Is it a new or existing proposal?:** New | | |
| **Brief description of the proposal:** Creation of a joint venture company with UK Athletics called, European Athletics Championship 2026 Limited which will act as the Local Organising Committee responsible for delivering the Championships in accordance with the Organiser Agreement signed by the European Athletics Association (EAA), UK Athletics and Birmingham City Council in October 2022. | | | | |
| **Potential impacts of the policy/development decision/procedure/ on:** | **Positive Impact** | **Negative Impact** | **No Specific Impact** | **What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?** |
| Natural Resources- Impact on natural resources including water, soil, air | | | √ | Setting up the Company itself will not have an impact per say on natural resources however delivery of the event will.<br><br>The Company acting as the Local Organising Committee, will create and deliver a Sustainability Strategy to minimise impact in this area.<br><br>Relevant BCC officers and event partners such as UK Sport will contribute to the development of the strategy and associated action plan, taking learnings from the CWG and other events hosted in the city and across the UK.<br><br>The Company Board will monitor delivery of the strategy with BCC nominated Directors maintaining oversight on behalf of the Council. |

| | | | | |
|---|---|---|---|---|
| Energy use and $CO_2$ emissions | | | √ | Setting up the Company itself will not have an impact per say on energy use and emissions however delivery of the event will.<br><br>The Company acting as the Local Organising Committee, will create and deliver a Sustainability Strategy which will include reference to minimise impact in this area.<br><br>Relevant BCC officers and event partners such as UK Sport will contribute to the development of the strategy and associated action plan, taking learnings from the CWG and other events hosted in the city and across the UK.<br><br>The Company Board will monitor delivery of the strategy with BCC nominated Directors maintaining oversight on behalf of the Council. |
| Impact on local green and open spaces and biodiversity | | | √ | Setting up the Company itself will not have an impact per say on local green and open spaces however delivery of the event will.<br><br>The Company acting as the Local Organising Committee, will create and deliver a Sustainability Strategy to minimise this impact particularly in relation to Perry Park, adjacent to the Alexander Stadium.<br><br>Relevant BCC officers and event partners such as UK Sport will contribute to the development of the strategy and associated action plan, taking learnings from the CWG and other events hosted in the city and across the UK.<br><br>The Company Board will monitor delivery of the strategy with BCC nominated Directors maintaining oversight on |

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| | | | | behalf of the Council. |
| Use of sustainable products and equipment | | | √ | Setting up the Company itself will not have an impact per say however delivery of the event will.<br><br>The Company acting as the Local Organising Committee, will create and deliver a Sustainability Strategy to minimise impact and will make particular reference in relation to appropriate procurement to maximise use of sustainable products and equipment.<br><br>Relevant BCC officers and event partners such as UK Sport will contribute to the development of the strategy and associated action plan, taking learnings from the CWG and other events hosted in the city and across the UK.<br><br>The Company Board will monitor delivery of the strategy with BCC nominated Directors maintaining oversight on behalf of the Council. |
| Minimising waste | | | √ | Setting up the Company itself will not have an impact per say however delivery of the event will.<br><br>The Company acting as the Local Organising Committee, will create and deliver a Sustainability Strategy which will reference the need to minimise waste.<br><br>Relevant BCC officers and event partners such as UK Sport will contribute to the development of the strategy and associated action plan, taking learnings from the CWG and other events hosted in the city and across the UK.<br><br>The Company Board will monitor delivery of the strategy with BCC nominated Directors maintaining oversight on behalf of the Council. |
| Council plan priority: a city | | | √ | Setting up the Company itself will not have an impact per |

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| that takes a leading role in tackling climate change | | | | say however delivery of the event will.<br><br>The Company acting as the Local Organising Committee, will create and deliver a Sustainability Strategy and BCC officers will work closely to ensure the Council's priorities in this area taken into account and incorporated when feasible and mitigation put in place to minimise impact. |
| Overall conclusion on the environmental and sustainability impacts of the proposal | Setting up the Company will have little direct impact however the Company will need to carefully consider the impact that the event delivery will have. The event will have the opportunity to make a positive contribution towards the Council's sustainability agenda and to bring positive social and economic benefits to the city whilst actively employing best practice in sustainable event delivery through a robust development of a sustainability strategy and associated action plan. | | | |

If you require assistance in completing this assessment, then please contact: ESAGuidance@birmingham.gov.uk

appendix 2

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| Title of proposed EIA | Special Purpose Vehicle for the delivery of the European Athletics Championships 2026 |
| Reference No | EQUA1167 |
| EA is in support of | New Function |
| Review Frequency | No preference |
| Date of first review | 26/06/2024 |
| Directorate | Neighbourhoods |
| Division | Sport and Events |
| Service Area | Events |
| Responsible Officer(s) | ☐ Laura Denham |
| Quality Control Officer(s) | ☐ Katie Brazier |
| Accountable Officer(s) | ☐ Chris Jordan |
| Purpose of proposal | Impact -Special Purpose Vehicle for the delivery of the European Athletics Championships 2026 |
| Data sources | relevant reports/strategies; Other (please specify) |
| Please include any other sources of data | Support from UK Sport and National Governing Body |

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

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| Protected characteristic: Age | Not Applicable |
| Age details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their |

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| | nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristic: Disability | Not Applicable |
| Disability details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristic: Sex | Not Applicable |
| Gender details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will |

be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success.

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| Protected characteristics: Gender Reassignment | Not Applicable |
| Gender reassignment details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristics: Marriage and Civil Partnership | Not Applicable |
| Marriage and civil partnership details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open |

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| | recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristics: Pregnancy and Maternity | Not Applicable |
| Pregnancy and maternity details: | It is anticipated there will be positive impact on this protected characteristic. Ther SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristics: Race | Not Applicable |
| Race details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of |

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| | skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristics: Religion or Beliefs | Not Applicable |
| Religion or beliefs details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of skills, knowledge, and experience, which will set the Company up for success. |
| Protected characteristics: Sexual Orientation | Not Applicable |
| Sexual orientation details: | It is anticipated there will be positive impact on this protected characteristic. The SPV will offer employment opportunities and the event will have a positive impact on the residents of Birmingham.<br><br>Principal Funding Partners BCC, UK Athletics and UK Sport will be careful to ensure the diversity and demographic profile of Birmingham is reflected when appointing their nominated Board representatives. Such consideration will be equally, if not more important, during the open recruitment and appointment of independent Board members, alongside ensuring a wide range and mix of |

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| | skills, knowledge, and experience, which will set the Company up for success. |
| Socio-economic impacts | The SPV will create employment and volunteering opportunities and the Championships will have a positive social impact on the residents of Birmingham |
| Please indicate any actions arising from completing this screening exercise. | n/A |
| Please indicate whether a full impact assessment is recommended | NO |
| What data has been collected to facilitate the assessment of this policy/proposal? | Stakeholders such as UK Sport and UK Athletics have supported and advised this proposal |
| Consultation analysis | Learnings taken from Commonwealth Games - recruitment of board members and staffing. Learning ahve also been taken from other previous mega and major event delivery |
| Adverse impact on any people with protected characteristics. | No precieved negative impact |
| Could the policy/proposal be modified to reduce or eliminate any adverse impact? | n/a |
| How will the effect(s) of this policy/proposal on equality be monitored? | Post Event analysis with stakeholders |
| What data is required in the future? | Post event evaluation and audit |
| Are there any adverse impacts on any particular group(s) | No |
| If yes, please explain your reasons for going ahead. | |
| Initial equality impact assessment of your proposal | No negative impacts- proceed with SPV |
| Consulted People or Groups | |
| Informed People or Groups | |

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| Summary and evidence of findings from your EIA | There is no preceived negative impact on any protected characteristic.<br><br>The SPV establishment is key for the following reasons:<br><br>• Reflects the partnership approach to the delivery of the championship.<br>• Enables the partners to deliver against the objectives and requirements of the organiser agreement signed by BCC and UK Athletics with Euripean Athletics Association.<br>• Defines the requirements for staff and resource support placed on the Council services and other key delivery partners helping to avoid organisational creep<br>• Complies with the UK Sport Sports Governance code criteria needed to ensure funding award contribution<br>• Meets industry best practice for delivering mega sporting events |

QUALITY CONTORL SECTION

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| Submit to the Quality Control Officer for reviewing? | Yes |
| Quality Control Officer comments | Reviewed and additional points included as appropriate |
| Decision by Quality Control Officer | Proceed for final approval |
| Submit draft to Accountable Officer? | Yes |
| Decision by Accountable Officer | Approve |
| Date approved / rejected by the Accountable Officer | 28/06/2023 |
| Reasons for approval or rejection | The assessment identifies potential positive impacts |

Please print and save a PDF copy for your records Yes

Content Type: Item
Version: 36.0
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Last modified at 28/06/2023 08:01 PM by Workflow on behalf of Chris Jordan

Close

# Birmingham City Council

# Report to Cabinet

**5 September 2023**

| | |
|---|---|
| **Subject:** | ACIVICO FURTHER CONTRACT EXTENSION – UPDATED DEFERRED REPORT |
| **Report of:** | Paul Kitson - Strategic Director of Place, Prosperity and Inclusive Growth |
| **Relevant Cabinet Member:** | Deputy Leader, Cllr Thompson |
| **Relevant O&S Chair(s):** | Cllr Deakin |
| **Report author:** | Steve Sandercock – Assistant Director (Procurement)<br>Philip Nell – Director (Property, Investment and Inclusive Growth) |

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|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011347/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 This report seeks to further extend the contractual relationship between the Council and Acivico (DCFM) Ltd/Acivico Ltd regarding the delivery of design, construction, and facilities management services and Acivico Ltd regarding the delivery of building consultancy services for a further period of two more years to 31 March 2025. Both contracting parties with the Council are referred to as Acivico.

1.2 During the extension period the Council will work with Acivico to review future delivery options and, subject to the outcomes, review and amend the contract terms to ensure the contract delivers value for money.

## 2 Recommendations

That Cabinet:

2.1 Approves a further extension, from 1 April 2023 to 31 March 2025, to the contracts between the Council and Acivico (DCFM) Ltd/Acivico Ltd regarding the design, construction and facilities management services and Acivico Ltd regarding the building consultancy services.

2.2 Authorises the City Solicitor and Monitoring Officer (or their delegate) to negotiate, execute and complete all necessary legal documents to give effect to the above recommendation.

2.3 Notes that a full review / restructure of the relationship with Acivico needs to take place well before the expiry of this proposed contract extension in March 2025 and an update to Cabinet be provided by January 2024 providing a comprehensive plan (including milestones) on when and how this will be progressed.

## 3 Background

3.1 Members will be aware that in May 2023 a report was tabled titled “Acivico Further Contract Extension”, with the subsequent report being deferred from that meeting to enable the Deputy Leader to understand and identify reasons as to the circumstances surrounding why the previous actions had not been implemented.

3.2 This report sets out an update on that position and picks up direct discussions with a number of relevant officers involved and includes a follow up with relevant Cabinet members.

3.3 In addition, a whole Member briefing was offered to elected Members in advance of this paper returning to Cabinet. This was carried out on 22 August 2023

3.4 As noted in the original report Acivico was set up in 2012 to provide the following services to the Council: Professional Services for design and construction services and hard facilities management (mechanical, electrical engineering and building maintenance) relating to the Council’s corporate estate along with the separate arrangement for Building Consultancy Services.

3.5 As a Teckel company, i.e., a wholly owned company by the Council to provide services back to the Council via a service contract, the Council is within its rights to award work direct to Acivico without the need to tender those defined activities for which Acivico was established to provide.

3.6 It is recognised that at various times and for a variety reasons the relationship between the Council and Acivico has been challenging around how the contract has performed.

3.7 In December 2018 Cabinet approved a number of recommendations, including:

i. the Council remain a shareholder of the Acivico Ltd company for the foreseeable future

ii. support the establishment of a new brand entity and company structure, that will take the place of the current Acivico company, enabling a fresh

infrastructure upon which a new Business Plan, within new governance arrangements and contractual frameworks;

iii. the Council provides a new three-year contract, (under the Teckal rules), for the core services outlined in the business plan, with the intention that the Teckal rules will no longer apply at the end of the three-year term, as the company will be sufficiently established to compete for business in the open market;

iv. the service areas not included within the core services outlined in the business plan (cleaning and Birmingham City Laboratories) are returned to the Council as soon is practicably possible, where further commissioning work will need to be undertaken to determine the future for these services,

v. the Council establishes evidence-based commissioning strategies for the services delivered by the company.

vi. the Council enhances effective governance controls for the oversight of the company and the services in the future (Shareholder/Contract/Commissioner) that have clear roles and responsibilities defined and processes in place for day to day operation of the various roles the Council holds. This includes aligning the Company's Board to the Council's Group Company Governance Committee (the Shareholder governing body) and clearly distinguishing the contract management and commissioning functions within the Council;

vii. Cabinet reverses its decision taken in June 2017 to outsource DCFM work for the reasons given above and;

viii. delegated authority is provided to the Deputy Leader and Corporate Director for Finance and Governance, in consultation with the Cabinet Member for Finance and Governance, to agree any relevant procurement strategies and contract variations and new terms, associated with the implementation of the recommended approach in this report.

3.8 With the original contract due to expire in October 2019 a Delegated Award Report was approved to extend the DCFM Agreement existing agreement up 31 March 2020 in order to enable the contractual matters for the new Contract to be resolved and formalise the new contractual arrangements (see Appendix B).

3.9 The new contract therefore was to run from 1 April 2020 to 31 March 2023.

3.10 From the additional discussions held specific outcomes from the original recommendations are as follows:

i. *Council remains a shareholder of the Acivico Ltd company for the foreseeable future* - This is still the position.

ii. *Support the establishment of a new brand entity and company structure, that will take the place of the current Acivico company, enabling a fresh infrastructure upon which a new Business Plan, within new governance arrangements and contractual frameworks;*

Acivico have established a new contract which forms part of the trading arm for external parties to contract with and bid for work with other organisations.

iii. *The Council provides a new three-year contract, (under the Teckal rules), for the core services outlined in the business plan, with the intention that the Teckal rules will no longer apply at the end of the three-year term, as the company will be sufficiently established to compete for business in the open market;*

Matters related to the contractual position are further noted in this report

iv. *the service areas not included within the core services outlined in the business plan (cleaning and Birmingham City Laboratories) are returned to the Council as soon is practicably possible, where further commissioning work will need to be undertaken to determine the future for these services,*

In a Deed of Variation dated 6 June 2019 the following services were returned to the Council - Civic Catering Service, the Birmingham City Laboratory Service and the Building Cleaning Service.

v. *The Council establishes evidence-based commissioning strategies for the services delivered by the company.*

Done by way of benchmarking and/or soft market testing and to be established once a complete needs assessment has been undertaken. This will be based on gap analysis between the Council's required services and the final agreed Acivico Arrangement and the final Corporate Landlord Model to be established to fully consider/determine levels of future resourcing capacity and capabilities.

vi. *The Council enhances effective governance controls for the oversight of the company and the services in the future Shareholder / Contract / Commissioner) that have clear roles and responsibilities defined and processes in place for the day –to-day operation of the various roles the Council holds. This includes aligning the Company's Board to the Council's Group Company Governance Committee (the Shareholder governing body) and clearly distinguishing the contract management and commissioning functions within the Council;*

Current arrangements with Acivico see both monthly operation meetings and strategic client management for the DCFM contract. In addition, regular and structured shareholder meetings are also carried out. Acivico also present to the Group Company Governance Committee bi-annually. The last update in July 2023 is included as Appendix C to this report.

vii. *Cabinet reverses its decision taken in June 2017 to outsource DCFM work for the reasons given above;*

DCFM work still remains with Acivico.

3.11 The key challenges that remain present around the fact that both the formal contract has never been executed and prolonged delays in providing assurance and confidence that the arrangement for Acivico is the right thing for the Council, both now and ongoing.

3.12 As noted in the previous report and demonstrated above there has been work in place prior to and post March 2020 to formalise the contract but was impacted by delays regarding ongoing contractual discussions on design of the new contract coupled with organisational changes both within Acivico and the Council.

3.13 A key factor is that the then new 3-year contract was due to commence on 1 April 2020, but was never finally agreed and executed.

3.14 In the circumstances the DCFM Agreement dated 2 May 2017, as amended, between the Council and Acivico, forms the basis of the ongoing contractual relationship between the parties who have accepted that there is a contract by conduct by virtue of Acivico continuing to provide the services and the Council continuing to make payment for such services.

3.15 From the further engagement with Officers there are a number of reasons as to why a formal contract has not been signed but a key feature of this has been changes in key personnel both within Acivico and the Council and vacancies have been one of the contributory factors in delays in both formalising the contract by signature and work on the strategic direction.

3.16 These changes have led to a breakdown in the strategic client-side management of the contract, and it is also clear that there have been gaps in how this has then been reported through correct governance arrangements.

3.17 Whilst it is acknowledged and recognized that this position is unsatisfactory, there has been through actions and payments a contract by conduct in existence. There is active cross Directorate work and strategic engagement with Acivico to correct the current failure to have an up-to-date signed contract in place.

3.18 The above reasons have also impacted on not yet establishing a clear strategic outcome for future needs been established.

3.19 There have also been other interdependences which have further restricted the ability to advance some of the more strategic elements around what the Council needs in operational practice for future needs, including the Corporate Landlord programme to move towards corporate model for its built assets.

3.20 The Council's Corporate Landlord Programme remains a key interdependence around the ongoing services delivered under the contract.

3.21 As highlighted in the original report both the Council and its company are committed to working through a programme of improvements aiming to optimise the relationship and maximise the benefits to the Council as a shareholder as well as the positive impact of the arrangement to the communities of Birmingham and note that there is further work to do, which includes:

i. Reviewing future delivery options for current services provided by Acivico through the contract.

ii. Reviewing and any necessary update of the governing documents (including the Articles of Association).

iii. Reviewing and update of contract and associated performance metrics.

iv. Conducting an up-to-date Value for Money test on current arrangements and any necessary performance action plan. This would likely include looking to benchmark and review Acivico fee structure to ensure it is updated, it includes an agreed methodology for an annualised increase, and works well for both.

v. Setting out any necessary growth / business plans and ensure that these are in line with the governing documents.

vi. Providing a further update report to Cabinet on above and any longer-term considerations.

3.22 Since the start of 2022 focus has been on re-establishing the strategic relationship between Acivico and the Council, and activity has included:

i. Benchmarking prices around rates

ii. Engagement review of working practices with Acivico and works contractors appointed on the supporting framework

iii. Performance review meetings being carried out

iv. Monthly Strategic Client meeting with senior stakeholders from both the Council and Acivico and improved relationships in how the arrangement is working

v. Ongoing work to gain a clearer understanding on specific performance matters with an aim to improve operational efficiency across the arrangement

vi. Acivico have set up a separate trading arm for securing additional external income

3.23 It is however noted that with the existing arrangement now expired on the 31 March 2023 there is a need to seek authority from Cabinet to further extend the formal relationship and to afford sufficient time to achieve the outcomes listed, this report seeks to do that with an additional contract extension to 31 March 2025.

3.24 As with the earlier Delegated Award Report there are no additional cost implications in respect of this report as spend would be in line with budget to allocate the necessary activities direct to Acivico.

3.25 Following deferral of the original report and as part of assurance discussions with the Deputy Leader specific actions have included:

a. Raising with Acivico for discussion at Shareholder Board around inclusion of a client Advisory group to include representatives of schools forum.
b. Reaching out to all elected Members to seek any specific areas of concern around the Acivico contract and investigating and providing response to points raised.
c. Inviting and facilitating informal briefing with elected Members to discuss in more detail the Acivico contract and express any views and / or concerns.
d. Presentation by Acivico to the Group Company Governance Committee providing an introductory meeting of the senior management team within Acivico and high-level outline of the business.
e. Further monthly Strategic Client meetings with Acivico.

f. Subject to approval of the recommendations in this report ongoing preparatory work around the contract(s) and schedules has continued in order to position them ready for signing.
g. Scheduling of Strategic workshop with Acivico in October 2023 to assist around the wider future direction.
h. Redefining the Governance for the Contract including membership and responsibility (see Appendix D).

3.26 In addition the Deputy Leader is also seeking quarterly updates on progress is provided in order to strengthen the overall governance on this contract and will be seeking assurance on a number of key features, including but not limited to:

i. Assurance of value for money
ii. Ensuring future delivery of the arrangement is fit for purpose for the wider needs of the Council
iii. Maintaining ongoing strategic focus around management of the contract
iv. Ensuring that the numerous directorates who use / benefit from the contact are actively engaged in the overall governance, both from an operational sign off perspective to the strategic oversight
v. The overall scale and complexity of the arrangement are appropriately managed
vi. Competing priorities meaning overall resources to manage the arrangement from a client-side perspective are not reduced.
vii. The risk that Acivico's objective of returning a profit to the Council are not negatively impacts the price paid by the Council for works required or undertaken.

## 4 Options considered and Recommended Proposal

4.1 Further to the additional insight it remains the case that there are no practical alternative short-term options given that the services performed by Acivico are required and that it is a Teckal company.

4.2 In line with original report of December 2018 longer term strategic options could include

a. Insource and return all service to the Council.
b. Continue to reshape the existing arrangements to meet new and emerging needs
c. Outsource the services either through competitive tender or sale of Acivico as a company

4.3 Each option will have different risk considerations which will need to be taken into account including the need to understand the cost implications, timescales, people and legal implications. One common theme is that any change will have a significant resource impact to transition from current status quo.

4.4 It should be noted that the Council have a statutory duty to ensure that its operational buildings are managed and maintained in a compliant fashion. At present Acivico deliver the majority of statutory and cyclical maintenance activities to the operational estate, but with the exception of many schools who have opted out of the Council's main contract. Certain weekly tasks and testing are carried out locally by Responsible Officers within each service directorate.

4.5 The performance of the Acivico Contract is reported at a monthly Performance Monitoring and Management Board (PMMB) using a series of Key Performance Indicators (KPI's). These currently show that Acivico's performance is circa 96% A recommendation is to review the KPI's as part of the contract extension to make more reflective of the performance and availability of the Council's assets.

4.6 Should the Council wish to seek an alternate procurement, this can only be achieved following the benchmarking and soft market testing, preparing a scope for any alternate service delivery model and eventual procurement following government approved procurement mechanisms or framework. As a result, any alternate provider could not be commissioned until early 2025, which would need to coincide with the end of this proposed contract extension.

4.7 In the interim, the Council need to continue with the current contract arrangement and service provider, Acivico to provide and improve the ongoing level of statutory compliance.

## 5 Consultation

5.1 Officers from Corporate Procurement Service, Legal Services, Capital Finance / Finance Service and Place, Prosperity and Inclusive Growth Directorate have been engaged in development of this report along with consultation with Acivico and the Cabinet Member for Finance and Resources.

5.2 The Group Managing Director of Acivico Ltd, has been engaged in the development of this proposal, along with members of the Senior Leadership Team of the company.

## 6 Risk Management

6.1 At this stage the main risks associated is the administrative aspects of resolving the formal contract, which this report seeks to do.

6.2 Changes to personnel, demands and capacity will remain a risk but will look to be mitigated as part of formalising the programme to manage this change.

6.3 Until a signed contract in place, there remains a contract by conduct, but the company will require a letter of comfort (or going concern) from the Council within the next 2 months.

6.4 Further risks beyond this will be the necessary strategic review work to ensure that the continued operation of Acivico as a Teckal company is the correct value for money outcome for the future.

## 7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The recommended decision is consistent with the Council's policies, plans and strategies. This delegated award report seeks to build on the earlier Cabinet approvals of the recommendations contained within the December 2018 report.

### 7.2 Legal Implications

7.2.1 There are no legal implications arising from this decision. As a wholly owned company, the Council is permitted, under the Public Contracts Regulations 2015, to directly place work with Acivico. The current Acivico contract does not restrict the number or term of the extensions that may be applied to it.

### 7.3 Financial Implications

7.3.1 Acivico is a Council owned company and as such BCC shares any risk and rewards resulting from it's financial performance.

7.3.2 The Council's expenditure through Acivico varies from year to year depending on the Council's need and demand for services provided by Acivico. In 2022/23, BCC spend through Acivico was approximately £21.5m. It is likely that this number would reduce in future years due to a reduction in the number of assets held and maintained by the Council as well financial constraints within the Council.

7.3.3 The contract extension requested is required to ensure the Council can continue to use the services of Acivico under an approved legal framework. It does not commit the Council to any additional or specific amounts of expenditure.

7.3.4 Any expenditure via this contract with Acivico will be funded through existing budgets within relevant directorate budgets.

7.3.5 The report identifies the need for a wider review of Acivico through an independent review. It is anticipated that costs for the independent review would be in the region of £120k. Discussions are in place with Acivico to see how this could be funded and where possible seeking funding direct through Acivico in order to offset this sum direct from the Council's general fund. Where funding element is from Council sources, either HRA or general fund, it would be sought from within existing budgets.

### 7.4 Procurement Implications (if required)

7.4.1 There are no procurement implications arising from this decision for the reasons stated under paragraph 7.2.1 above.

### 7.5 Human Resources Implications (if required)

7.5.1 None

### 7.6 Public Sector Equality Duty

7.6.1 There are no PSED considerations to undertake at this time

## 8 Appendices

APPENDIX A - Public Cabinet report Dec 18

APPENDIX B - Delegated Award Report Oct 19

APPENDIX C – Acivico Presentation – Group Company Governance Committee (July 2023)

APPENDIX D – Redefined Governance for the Contract

## 9 Background Documents

None

**Public Report**

# Birmingham City Council

# Report to Cabinet

**December 2018**

| | |
|---|---|
| **Subject:** | Acivico – Options for the Future |
| **Report of:** | Clive Heaphy, Corporate Director for Finance & Governance |
| **Relevant Cabinet Member:** | Councillor Brett O'Reilly |
| **Relevant O &S Chair(s):** | Councillor Albert Bore |
| **Report author:** | Clive Heaphy |

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|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: | ☐ Yes | ☒ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information? | ☒ Yes | ☐ No |
| If relevant, provide exempt information paragraph number or reason if confidential :<br>Commercially sensitive information contained within the Private Report and supporting documentation. | | |

## 1 Executive Summary

1.1 The Private Agenda report deals with the confidential and / or exempt information not covered in this Public report. The two reports, private and public, must be read together as this Public report does not repeat information contained in the Private report.

1.2 Acivico was set up in 2012 as a wholly owned company in order to provide mainly building related services in a more commercial manner, but the company has suffered from a lack of clear strategic vision, poor operational and financial performance, confused shareholder support and disproportionate costs and overheads (some imposed, some internal). These combined to result in a challenging relationship between Acivico and the Council as its shareholder. Both

the Council and Acivico have not fully considered all aspects of the relationship, such as the Council's various roles as sole shareholder of the company, customer of the services supplied by the company, or supplier of services back to the company.

1.3 A decision was sought from Cabinet in July 2017, to outsource specific (design, construction & facilities management "DCFM") services currently delivered by Acivico. Since then, it has been recognised that the underlying supporting information for this decision lacked accuracy and robustness and did not consider adequately the consequences to the Company and the Shareholder as a result of this outsourcing approach.

1.4 The July 2017 decision was a change in the direction of travel previously agreed (by Cabinet) at the end of 2016/17, that a Joint Venture approach would be implemented with Acivico, in order to address the issues that the Council perceived were present at the time. Again, it has been identified that the underlying supporting information for this decision was not robust or reliable.

1.5 In summary, work undertaken by the Corporate Director for Finance and Governance has identified that:

1.5.1 With few examples of best practice available at the time, the original model in 2012 limited the ability for the company to operate effectively, de-risk the Council or develop sufficiently to operate independently;

1.5.2 insufficient consideration was given to the development of the company's Board and Senior Leadership Team and meant that the capability and capacity to recognise and address the flaws within the company itself, was not present;

1.5.3 various decisions taken since 2012 to place more services within Acivico, which were not aligned to their business model in a desire to de-risk the Council further, have exacerbated the issues with the operating model;

1.5.4 a mixed undertaking of the shareholder responsibilities has meant that the challenges arising from the issues within the arrangements had not been identified and addressed effectively and led to proposals being prepared that may have resulted in shifting the problems from one organisation to another; and

1.5.5 the ongoing lack of effective leadership within the company itself, has resulted in significant poor practices being applied, with substantial reputational and employment risks to the Council arising.

1.6 As a result, as the sole shareholder, the Council has been required to underwrite the costs associated with the Acivico arrangements (£9.5m to 17/18), in order to maintain business continuity of the services it delivers. Further, it has gained a mixed reputation within the Council (in part from the limited understanding by the Council's client departments, of the causes of the challenges the company was

suffering from), and the true value that could be gained from effective operation of the model, has not been fully recognised.

1.7 As at this moment in time, following agreement from the Corporate Management Team, all previously agreed procurement activity has been paused, in order for the company to be stabilised and a range of strategic options considered (this report) and a decision on the future delivery approach to be taken by Cabinet. It is important that this decision is based upon Acivico as an entity and not individual income streams.

## 2 Recommendations

2.1 Following consideration of the options available to the Council, considering their impact and the current corporate priorities, it is recommended that the Council's Cabinet agree that:

2.1.1 the Council remain a shareholder of the Acivico company for the foreseeable future and looks to explore options for further development of this relationship with other models and potential public sector linked partners;

2.1.2 the Council supports the establishment of a new brand entity and company structure, that will take the place of the current Acivico company, enabling a fresh infrastructure upon which a new Business Plan (Appendix 1 – Private Report) can be delivered, within new governance arrangements and contractual frameworks;

2.1.3 the Council provides a new three year contract, (under the Teckal rules), for the core services outlined in the business plan, with the intention that the Teckal rules will no longer apply at the end of the three year term, as the company will be sufficiently established to compete for business in the open market;

2.1.4 the service areas not included within the core services outlined in the business plan (cleaning and Birmingham City Laboratories) are returned to the Council as soon is practicably possible, where further commissioning work will need to be undertaken to determine the future for these services, which would be covered by further approvals by Cabinet at a later date. The return of the services to the Council, will need to be considered in line with the financial implications outlined in Section 7 of the Private Report;

2.1.5 the Council establishes evidence based commissioning strategies for the services delivered by the company. These will stipulate what the Council's strategic intentions are for the services, the outcomes that it expects to receive from the company providing the services, and the manner in which it expects the services to develop over time. The Company will be expected to deliver the services in line with these strategies and work closely with the Council's client departments to assure them of the quality and value for money they are receiving;

2.1.6 the Council enhances effective governance controls for the oversight of the company and the services in the future (Shareholder/ Contract/Commissioner) that have clear roles and responsibilities defined and processes in place for day to day operation of the various roles the Council holds. This includes aligning the Company's Board to the Council's Group Company Governance Committee (the Shareholder governing body) and clearly distinguishing the contract management and commissioning functions within the Council;

2.1.7 Cabinet reverses its decision taken in June 2017 to outsource DCFM work for the reasons given above and

2.1.8 delegated authority is provided to the Deputy Leader and Corporate Director for Finance and Governance, in consultation with the Cabinet Member for Finance and Governance, to agree any relevant procurement strategies and contract variations and new terms, associated with the implementation of the recommended approach in this report.

## 3 Background

### Strategic Context

3.1 Local authorities have the ability to utilise a number of different delivery vehicles to delivery services to the public, or functions required for the operation of the Council.

3.2 For the purposes of this report and in relation to Acivico, the delivery vehicle relevant to these arrangements is an LATC (referred to previously in reports on Acivico as a WOC).

3.3 A Local Authority Trading Company ("LATC") – sometimes referred to as a Wholly Owned Company or "WOC", this is 100% owned by the local authority (or a group of authorities) and can be designed to operate as an independent entity in its own right, subject to specific controls being in place that enable the Council/s to maintain oversight of the company's operation. The majority of the services the company provides, must be on behalf of the local authority, but there is the ability for the company to provide a small proportion of services to an external market

3.4 In a typical commissioning process, the determination of the delivery model to use would not normally arise until after a clear Strategic Commissioning Strategy had been produced, outlining the strategic outcomes and objectives that the local authority wished to achieve, along with a clear specification of the services required.

3.5 Up until this point, the focus has been on asking what delivery vehicle should be used for the future delivery of Design, Construction and Facilities Management Services ("DCFM" – the main component of the Acivico business, albeit not the totality of the business), whilst clear strategic commissioning strategies for DCFM and other services currently provided by Acivico has been absent.

3.6 Also overlooked, was the consideration that the Council had already established a delivery vehicle for these services (Acivico), which means that special attention is required when considering any potential change to this delivery model, such as a joint venture or outsourced approach.

3.7 Although it is not usual to consider the delivery vehicle required, ahead of determining the outcomes to be achieved from the commissioned services, in this instance it is necessary to understand if it is possible and beneficial to continue with the already existing LATC model, given that significant investment has been associated with it to date (£9.5m up until end of 17/18) and the consequences that would arise from having to 'close' this existing delivery vehicle (estimated in excess of £3m costs and significant reputational impact).

**Further Background**

3.8 There are numerous reports available which detail the background and chronology of Acivico's establishment. A summary of this information can be found in Appendix 2 of the Private Report.

3.9 Whilst there are a number of good examples of successful LATC's operating across the country, this Council is not unlike many other local authorities who have experienced a number of similar challenges, that have meant the Acivico arrangement was not established appropriately, nor sufficiently developed since its inception, to enable it to be successful in achieving the original outcomes for which it was intended.

3.10 The concept was to create an entity that could deliver capital related services on behalf of the Council, with the addition of a small element of externally traded services (which would not have been possible from an in-house solution), that could operate relatively independently from the local authority constraints that make these services less efficient than those provided by the open market, resulting in a surplus (profit) being generated, that could be returned to the sole Shareholder as a dividend (revenue), for reinvestment in other services.

3.11 A summary of the key issues with the Acivico arrangements is outlined in section 3 of the cover report above, however in more detail, the work undertaken over the past several months has identified that:

3.11.1 the initial operating model implemented in 2012 was limited in its deliverability. With few examples of best practice available at the time, the original model limited the ability for the company to operate effectively, de-risk the Council or develop sufficiently to operate independently. Specifically:

a) where there should have been individual legal agreements covering the company's structure and governance, the services commissioned from and supplied by the company and the services supplied back to the company by the Council, the contractual framework that was put in

place effectively ‘rolled-up’ the relationships of shareholder, customer, commissioner and supplier which disabled appropriate governance arrangements and confused the roles and responsibilities of officers within both the Council and the company;

b) the contractual terms used went beyond what was required for the Council to fulfil its duties (under the Teckal ‘control test’). They required the company to maintain the same terms and conditions for all staff employed by the company, (not just those which transferred under TUPE), they were bound to adopt and maintain all Council policies and procedures, Council systems and IT arrangements, service levels, etc. In other words, a full ‘lift and shift’ of all arrangements, including overheads and costs, as existed when the services operated in-house to the Council; and

c) limited strategic planning was undertaken with the company, with limited strategic direction provided by the primary client departments, meaning that transformation of the services was not undertaken and improvements in delivery to meet the Council’s objectives was not possible. Specifically challenging to Acivico was the limited development of the client’s capital expenditure planning processes, resulting in Acivico being unable to effectively plan against long term projected income, or support the clients in developing thier capital pipeline in the most efficient and appropriate way.

3.11.2 insufficient consideration for development of the company’s Board and Senior Leadership Team, meant that the capability and capacity to recognise and address the flaws within the company itself, was not present Specifically:

a) similar to many local authorities that established LATC’s at this time, significant focus was given to ensuring that the Council had control of the Board of Directors for the company. In a desire to fulfil the requirements of the Teckal control test, and to provide assurance to Elected Members, councillors were placed upon the Board of the company, but limited officer support was provided to assist the Board in fulfilling its duties (namely, acting in the best interests of the company first and foremost). Where the Council secured other independent Board members, limited work was undertaken to ensure that the right competencies and capacity were secured, to ensure that the Board could operate effectively. More details on the issues with the Acivico Board are to be considered by the Group Company Governance Committee in due course; and

b) again, not unlike many LATC’s established at the time, insufficient consideration was given to ensuring the most appropriate skills and competencies were present within the new senior management positions within the Company structure. Where there were skills and

competencies that met the needs at a service level previously, it was not recognised that these were unlikely to translate to suitably fulfil the senior management roles that a new company of this nature would need.

3.11.3 various decisions taken since 2012, to place more services within the Acivico model, in a desire to de-risk the Council further, have exacerbated the issues with the operating model. Specifically:

a) with the limited consideration of an appropriate senior leadership team for the company, alongside the terms and conditions upon which the company was expected to operate, there appeared to be no capability within the company to robustly challenge and scrutinise the decisions to place further services within the company structure; and

b) there was also limited consideration by the Shareholder, of the impact of undertaking a further 'lift and shift' of services from the Council into the company. On review of the materials that supported the decisions to undertake these moves, the information presented places focus on the 'trading potential' of these services, as the rationale for the shift to be undertaken. They failed to consider that the services were not optimised prior to transfer and that significant transformation would be required in order for them to become attractive trading opportunities. Without any investment in transformation within the company, these transfers simply shifted issues from one organisation to another, further compounding the issues already present within the company and exacerbating the challenges that needed to be overcome across operating model of the company itself.

3.11.4 a mixed undertaking of the shareholder responsibilities has meant that the challenges arising from the issues within the arrangements had not been identified and addressed effectively and led to proposals being prepared that may have resulted in shifting the problems from one organisation to another. Specifically:

a) as identified within a recent Internal Audit report, commissioned by the Corporate Director for Finance and Governance, the Council's management arrangements for Acivico were weak. Structured around an inappropriate contractual framework, the Council sought to have a corporate approach to intelligent client functions ("ICF"), but was limited in its application of the appropriate skills and competencies to deliver the required ICF approach. Successful ICF's are not led by contract management and are unlike traditional, siloed vendor, distributor, or customer relationship management functions but instead seek to incorporate the functions of contract management, performance, quality, finance, legal, HR and other wider requirements, and are built around the core function of Strategic Relationship Management ("SRM"). SRM ensures that the governance required for oversight of

arrangements such as Acivico, distinguishes between the roles of Shareholder, customer, commissioner and supplier, but also looks at these roles holistically and allows the parties in the arrangement to improve the model being applied and radically transform the approach to delivery. Without this in mind, the approach taken simply moved problems from one place to another, and then added layers of cost and bureaucracy on top;

b) as a result of the mixed effectiveness of the management of the arrangements and the resulting deterioration in the service levels, the company's financial position and the relationships with officers responsible for management of the arrangements, proposals had been prepared that moved away from the LATC model, towards a more traditional outsource model. These proposals however, which were approved in July 2017 (the DCFM procurement), overlooked the consequences that outsourcing would have on the LATC (i.e. it would cease to be able to continue), nor did they consider what would happen to the other services outside of the scope of the outsource approach, or identify the transformational activities that were required across all of the services, in order not to repeat moving the issues from one organisation to another again.

3.11.5 the ongoing lack of effective leadership within the company itself, has resulted in significant poor practice being applied, with substantial reputational and employment risks to the Council arising. Specifically:

a) in additional to the challenges outlined above, the ineffective operation of the Company has led to a number of situations being identified where practice appears to have fallen short of the standards required for the appropriate operation of a limited company. An independent investigation is being undertaken by the Company into these matters, and the Shareholder will be made aware of any potential issues that it needs to address, in due course.

**Recent Events**

3.12 Since the start of 2018, oversight of the Shareholder responsibilities for the Company have been taken up by the new Corporate Director for Finance and Governance, and following receipt of the financial position statement from the Company itself (in March 2018), the Chair of the Board of Directors has been working to an expectation set by the Shareholder, that he and his Board take whatever action they deem is necessary to stabilise the company, move toward a trading position of at least break-even, and produce proposals for the Shareholder to consider about any future potential for ongoing operation of the company.

3.13 In response to the expectations set by the Shareholder, some senior management personnel are no longer with the company, and specialist external support has been secured to assist the Board to stabilise the company.

3.14 In June 2018, following identification of the concerns with process and lack of available information (identified through an internal audit process commissioned by the Corporate Director for Finance and Governance), CMT were asked to agree that time was provided for the Shareholder to gain sufficient information, both from the company itself and via additional interim support for the Council, in order to understand what strategic options were available for the Council to consider.

3.15 At this time, it was not possible to know if there was the potential for an effective version of the current delivery vehicle to be preserved, nor was it possible to know if the outsourcing approach previously agreed, was indeed the best value and most appropriate option for those services that it encompassed (the Net Benefit Analysis used to inform the July 2017 decision needed revisiting given that, in part, it was unable to appropriately assess an outsourced solution, against the existing solution, given the lack of robust information on the existing solution and the fact that the existing solution wasn't operating effectively from the outset).

3.16 In response to this, and in addition to the Shareholder's expectation of the Board, that it took whatever action it deemed necessary to stabilise the company, the Shareholder also expected the Board to utilise the externally commissioned support it secured, to support the existing team to produce proposals for a potential future operating model for the Company, along with supporting information to provide confidence in the ability for such a model to be delivered, in order to ascertain if the Council could consider the opportunity to preserve the existing delivery vehicle or not.

3.17 Further, the externally commissioned support was asked to provide an independent view on governance and leadership of the arrangements, and provide recommendations on potential improvements that could be considered by the Council's Group Company Governance Committee.

3.18 Internally to the Council, a Programme Management approach led by the Chief Operating Officer, on the back of the July 2017 decision to outsource the DCFM services provided by the Company, was suspended, following identification of concerns with the process and information used to reach the decision in July 2017, and the newly identified consequences to the Council of the outsourcing approach (i.e. the inevitable closure of the company, redundancies, stranded costs, etc), which had not be considered previously.

**Current Position**

3.19 Positively, with significant efforts from both Acivico and support from the Shareholder, the company has taken actions to stabilise its financial position, by the end of quarter 2 of 2018/19. Excluding exceptional cost items relating to redundancies and legacy issues, the forecast outturn for 2018/19 is much closer to break even and the Company has been able to prepare a detailed strategic business plan for the medium to long term future (subject to the Council's ongoing

commitment as Shareholder). This has been considered by the Council's Group Company Governance Committee.

3.20 Acivico and the Council jointly established a Joint Stabilisation Task Force to address those issues which required both the Council and the Company to work together to resolve, whilst Acivico themselves operated an internal stabilisation programme, led by the external professional support secured by the company's Chairman, in order to bring swift action to resolve some of the basic issues that existed within the company's operations.

3.21 Since the beginning of 2018/19, the internal Acivico stabilisation programme has been focusing on four key themes:

- Improve Business Efficiency
- Commercial Growth
- Stopping Non Profitable Activities
- Contract Review and Rationalisation

3.22 Their efforts have seen the application of a workforce strategy that has rationalised the resources required around the core business offer, ensuring that the most appropriate scope and quantum of resources are allocated in the most efficient manner for the long term sustainability of the business. This work has resulted in circa £4.5m costs (£4.0m workforce including agency and consultancy and £0.5m non-workforce) being removed from the business, when considered across a full year's period.

3.23 Further savings have been identified and work is underway to secure the efficiencies that the company needs for long term sustainability to be achieved. Details of how the company intends to move forward can be found in the draft Business Plan in Appendix 1 (Private Report).

3.24 The joint work, undertaken by the Council and Acivico together, has also managed to resolve a number of legacy issues, that have hindered the company's ability to develop itself further thus far. These include (but are not limited to) resolution of outstanding debts for the Council supplied services to Acivico, accounting and reporting processes and matters relating to contracts and operational management issues.

3.25 Both the Council and Acivico recognise that turnaround will not happen overnight but that the steps taken to date represent a very positive movement towards stabilisation and longer term profitability.

## 4 Options considered and Recommended Proposal

4.1 Whereas up until this point, the Shareholder had insufficient information to determine if there was any potential to sustain the current delivery vehicle (leaving only the options to outsource or bring back 'in-house' the services, and deal with

the resulting consequences of closure of a Council LATC), the work undertaken by Acivico and the Shareholder, demonstrate that there *is* potential to continue with a delivery vehicle similar to that of the current Acivico model, that can provide benefits to the Council in the long term, and avoid the afore mentioned consequences of closure.

4.2 Ultimately the Council has four options available for consideration. A summary of these can be found below:

| **Option** | **Considerations** | **Financial Implications** |
|---|---|---|
| A – continue 'as is' | The current contractual framework is not fit for purpose.<br>The company operating model would not be reshaped to make the business sufficiently viable in the long term.<br>Failure to diversify the customer base would mean the company remains reliant on Council contracts and restricts the Council's ability to assure itself of VfM. | Council would need to continue to underwrite operating costs.<br>Surplus/returns to the Council unlikely to be delivered.<br>Stabilisation costs remain for 2018/19. |
| B – Return all service to the Council | All operational risks returned to the Council.<br>Management infrastructure not in place to oversee the services.<br>Second TUPE transfer of relevant staff.<br>Further possible redundancies. | In excess of £3.0m stranded costs arising from closure of the company based on the work at the time of drafting this report.<br>All financial risks returning to the Council.<br>Additional costs and income loss from the restrictions placed on services through operating from within a local authority.<br>Stabilisation costs remain for 2018/19. |
| C – Reshape the existing arrangements to meet new and emerging needs<br>(Recommended in this report) | Minimal amount of disruption to the company and the Council.<br>Opportunity to recommission delivery against defined framework and assure the Council of VfM.<br>Broadly supports intentions not to outsource services as | Reduced income for Council back office services (mainly ICT), as the company moves towards securing independent support.<br>Stabilisation costs remain for 2018/19.<br>Further underwriting of financial risks mitigated |

| | | |
|---|---|---|
| | standard (albeit the company is a separate legal entity). | through effective Risk/Gain Share agreement.<br>Surplus/returns to the Shareholder by the end of the 3 year business period (subject to clearing net liabilities). |
| D – Outsource everything to a range of external partners | Outsourcing is not the preferred approach of the Council.<br>Council loses the ability to effectively reshape the services as business needs change/emerge<br>Further possible redundancies as independent provide seeks to reshape operating models to suit their own priorities.<br>Potential for services to be supplied by workforce external to the City. | Stabilisation costs remain for 2018/19.<br>Surplus/returns go to the private sector.<br>In excess of £3.0m stranded costs arising from closure of the company based on the work at the time of drafting this report. |
| E – Outsource everything to a single external partner | This is a potential and very practical option for the longer term but this only makes sense with a company that is stable and profitable | Longer term, the economies of scale associated with being part of a group structure could improve profitability and thus the flow of dividend income back to the Council. With the right partner, this is a credible option for the future |

4.3 The draft Business Plan accompanying the Private Report (Appendix 1) details the new operating model that the company is seeking to adopt. Further information is contained within the Private Report.

4.4 Further, Acivico's financial projection for the next three years are detailed in the draft Business Plan. For 2018/19, based on the budget position, the company is close to breakeven before exceptional items and the additional cost of pensions arising from the technical adjustments from the application of accounting standards, without the services that are transferring back to the Council. The new model for future years demonstrates sustainability taking into account the assumptions below including the pension cost of service enabling the potential for a dividend payment in the future to the Shareholder (subject to clearing net liabilities).

4.5 There are a number of risks associated with the assumptions above, which must be considered alongside the projections and can be found on page 22 of the draft Business Plan.

4.6 Also, a detailed breakdown on the assumptions above can be found in Appendix A of the draft Business Plan, which importantly shows the planning that the company is expecting a reducing income stream from the Council over the plan term, and is working towards a growth in external income, in order to respond to this.

4.7 This is an important factor for the Shareholder's consideration, which will enable the company to become sustainable in the long term, through reducing the risk associated with an over-reliance on income from the public purse and a diversification of its customer base.

4.8 From the work that has been undertaken and the information presented, we have concluded that the Council should consider a number of recommendations;

4.8.1 the Council remain a shareholder of the Acivico company for the foreseeable future and looks to explore options for further development of this relationship with other models and potential public sector linked partners;

4.8.2 the Council supports the establishment of a new legal entity, brand and company structure, that will take the place of the current Acivico company, enabling a fresh infrastructure upon which a new Business Plan (Appendix 1 – Private Report) can be delivered, within new governance arrangements and contractual frameworks;

4.8.3 the Council provides a new three year contract, (under the Teckal rules), for the core services outlined in the business plan, with the intention that the Teckal rules will no longer apply at the end of the three year term, as the company will be sufficiently established to compete for business in the open market;

4.8.4 the service areas not included within the core services outlined in the business plan (cleaning and Birmingham City Laboratories) are returned to the Council as soon is practicably possible, where further commissioning work will need to be undertaken to determine the future for these services, which would be covered by further approvals by Cabinet at a later date. The return of the services to the Council, will need to be considered in line with the financial implications outlined in Section 7 of the Private Report;

4.8.5 the Council establishes evidence based commissioning strategies for the services delivered by the company. These will stipulate what the Council's strategic intentions are for the services, the outcomes that it expects to receive from the company providing the services, and the manner in which it expects the services to develop over time. The Company will be expected to deliver the services in line with these strategies and work closely with the Council's client departments to assure them of the quality and value for money they are receiving;

4.8.6 the Council enhances effective governance controls for the oversight of the company and the services in the future (Shareholder/ Contract/Commissioner) that have clear roles and responsibilities defined and processes in place for day to day operation of the various roles the Council holds. This includes aligning the Company's Board to the Council's Group Company Governance Committee (the Shareholder governing body) and clearly distinguishing the contract management and commissioning functions within the Council; and

4.8.7 delegated authority is provided to the Corporate Director for Finance and Governance, to agree any relevant procurement strategies and contract variations and new terms, associated with the implementation of the recommended approach in this report.

4.9 In considering the recommendations above, it is advised that the Council should ensure that the future arrangements provide assurance that:

4.9.1 an effective balance is struck by the company, between the value reductions likely as a result of loss of the benefits of economies of scale, (as the quantum of these types of services purchased by Council reduces over the coming years, i.e. reductions in capital expenditure), with offering an effective element of control by the Council over how the company responds to these reductions, so as the Council can continue to achieve best value;

4.9.2 the services offered are able to deliver an effective level of quality and can respond appropriately to areas of improvement as required; and

4.9.3 the right leadership and governance is in place, to provide the Council with confidence on delivery of existing and emerging objectives and priorities, and services that are provided by the company.

4.10 As a result, it is further recommended that a number of pre-conditions would need to be satisfied, in order to proceed with implementation of the proposed approach:

4.10.1 Plans are prepared to create a new legal entity to host the future company, enabling a fresh accounting framework to be put in place, new brand and operating model to be employed;

4.10.2 A review undertaken of the adequacy of leadership arrangements at executive/senior management level, with the required experience and expertise to drive the objectives of the new operating model forward;

4.10.3 A review undertaken of arrangements at company Board level, including aligning membership arrangements to those expected within a company arrangement of this nature, to ensure the relevant experience and expertise exist to support the governance of the company;

4.10.4 Support is provided for the finalisation of a robust 3 year Business Plan that aligns to the Council's objectives and sees the company move to a position that is not reliant on core council business to survive;

4.10.5 Commitments gained to produce clear 3 year Commissioning Strategies, produced by client departments of the Council, that demonstrate the council's strategic commissioning intentions over the medium term, and allow the company to plan accordingly;

4.10.6 Proposals produced for new contractual frameworks that clearly distinguish the conditions upon which the Council acts as Shareholder of the company, the Council as a customer of the company and the governance arrangements (including those matters of the company reserved for specific approval of the Shareholder);

4.10.7 An approach agreed by the Council that covers the transactional contract management arrangements required for the oversight of the services contracts, and separate strategic relationship management arrangements (part of the wider Intelligent Client Function ("IFC") considerations) for the oversight of the Council's Shareholder role in the company;

4.10.8 Plans agreed to cease all Council supplied back office services to the company, including ICT services, so as the company can operate overheads at a suitable market average; and

4.10.9 Agreement reached on an approach to enable new Terms and Conditions to be applied to new employees starting with the company, including removing the need for employees to be enrolled into the local government pension scheme.

## 5 Consultation

5.1 The Council's Corporate Management Team have been engaged in the development of the recommendations contained herein.

5.2 Trade Union representatives are to be engaged to support the implementation of the recommendations.

## 6 Risk Management

6.1 A number of risks have been identified within the Business Plan appended to the Private Report.

6.2 The Shareholder and the Company will work in partnership to effectively manage the risks arising through the implementation of the recommendations.

6.3 The Shareholder Representative will engage with the Council's Group Company Governance Committee, to oversee the effective management of delivery and associated risks.

## 7 Compliance Issues:

**7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

7.1.1 The approach recommended supports the Birmingham City Council Plan 2018-2022, Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in, through:

a) Priority 1, creating opportunities for local people by keeping the business operating within the City, delivering it growth plans for local services that meet local needs;

b) Priority 2, maximising the investment in the city, keeping the investment in services within the local economy and supporting the provision of quality jobs and opportunities for citizens; and

c) Priority 3, supporting the company to deliver upon its plans for growth and diversification of its customer base, improving its competitive strength and contribute to the council's financial position in the long term.

**7.2 Legal Implications**

7.2.1 A number of new legal agreements will be required during the implementation of the recommendations, including the potential need to novate certain contracts from the current company to the new company proposed in the recommendations.

7.2.2 A new contract for services will be prepared, in to cover the scope of services the company will provide to the Council.

7.2.3 An 'Individual Shareholder Agreement' will be prepared, to agree the decision making and governance processes the Council will deploy in exercising its rights and responsibilities as sole owner of the company.

7.2.4 The Articles of Association of the company will also be reviewed, to ensure that sufficient provisions are made to enable the council to effectively undertake its shareholder responsibilities, but also to ensure the company's own governance is sufficiently robust to effectively oversee and understand delivery of the business plan and operation of the company on a day to day basis.

**7.3 Financial Implications**

7.3.1 Details are included in the Private Report.

**7.4 Procurement Implications (if required)**

7.4.1 A Cabinet decision was taken in July 2017, to undertake a procurement exercise for Design, Construction and facilities management services (DCFM). (further details contained within the supporting documents).

7.4.2 The approval of the recommendations in this report, would see the reversal of the July 2017 decision to outsource DCFM services.

7.4.3 Further, procurement activity may be required for the future delivery models applied for cleaning and BCL services, however they will be subject to further reports and decisions.

7.4.4 A number of existing frameworks, that are interdependent on the current Acivico arrangements, will also require extensions to allow the implementation of the recommendations in this report.

### 7.5 Human Resources Implications (if required)

7.5.1 There may be HR and TUPE implications for the company to consider, resulting from the implementation of the recommendations in this report, and the Council will ensure that the company secures suitable advice and support in these matters.

### 7.6 Public Sector Equality Duty

7.6.1 There are no PSED considerations to undertake at this time.

## 8 Background Documents

8.1 Appendix 1 (Private Report) – Acivico 3 Year Business Plan

8.2 Appendix 2 (Private Report) – Background & Chronology of Acivico's Establishment

**Delegated Award Report**

# Birmingham City Council
# Report to: Chief Executive (Acting) & Deputy Leader

Date 13th October 2019

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**Subject:** **ACIVICO DCFM CONTRACT EXTENSION**
**Report of:** Head of Contract Management, Corporate Procurement

**Report author:** Head of Contract Management, Corporate Procurement.

Telephone No: 07827 367245
Email Address: Richard.tibbatts@birmingham.gov.uk

## 1 Executive Summary

1.1 For mutually beneficial purposes, secure agreement for a further 6 month extension to the current DCFM contract held between the City Council and Acivico (DCFM) Ltd, subsidiary of the Council's wholly owned company Acivico Ltd.

1.2 Varying the current contract term to 31 March 2020 will enable both the Council and Acivico to complete the range of ongoing development activity underway between the parties and align all of the relevant contract and governance mechanisms with the start of the new financial year 2020/21.

1.3 There are no cost implications with regards to this extension and Acivico maintains the guarantee that there will be no operational underwriting required by the Council, for 2019/20. Further, the new pricing mechanism for the DCFM contract is completed and will be brought in with immediate effect (rather than wait for the new contract), which will bring greater transparency and simplification for the charges applied under the DCFM contract.

## 2 Recommendations

2.1 Chief Executive Officer (Acting) and Deputy Leader of the Council, approve a 6 month extension, from 1 October 2019 to 31 March 2020, to the current Acivico DCFM contract.

## 3 Background

Following the Cabinet approval of Shareholder recommendations in December 2018, a 6-month extension to the current DCFM contract was granted, from 1 April 2019 to 30 September 2019, to provide time to develop and implement the necessary transformation of the company and the Council's contract and governance arrangements.

Specifically, the activity included within the Chief Officers report produced to agree the extension included:

- Restructuring of the companies within the Group
- Securing a new governance agreement between the Group and the Shareholder
- Agreeing a commercial loan facility to support implementation of a new target operating model for the businesses
- Commencing recruitment of a new senior leadership team
- Securing new Non-Executive Directors to replenish the Board makeup for the Group
- Agree new contract terms for the new DCFM contract

Officers from the Council and the company have been working together in partnership to progress a number of these activities. Over the summer we have together developed our understanding of what is required, and a number of achievements have been secured.

The restructuring of the companies within the Group is complete, along with the necessary bank accounts and background facilities. The commercial loan facility is now in place, however both the Council and Acivico required extended time to put this in place, so as to ensure that the terms were appropriate for a proper commercial arrangement.

The recruitment for new Non-Executive Directors is underway, scheduled to follow approval of the new Remuneration Policy in the summer, and we expect the new fully attended Board to be in place from November 2019.

Recruitment of a new senior leadership team has been suspended, following the Board's decision to secure the interim leadership team for an extended period, until March 2021. This was to provide stability and consistency in the leadership arrangements, for the immediate-medium term, but also necessary as the ability to recruit to sector relevant terms and conditions is not yet in place (further detail below).

However, there are a number of outstanding items which require further development and finalisation, for both the Council and Acivico. To enable these outstanding matters to be concluded it is therefore recommended that the further extension to 31st March 2020 is approved. These are summarised below.

Firstly, the new Governance & Management Agreement (formally referred to as the Shareholder Agreement) will now capture not only the governance arrangements for the shareholder relationship, but will also include matters relating to the retained Teckal controls for the two subsidiary companies that will remain under this regime, controls in relation to finance and Acivico's assurances to the Council in its commercial role as a finance facility provider, arrangements for the application of new employee terms and conditions within the parent company any commercial subsidiary companies (still yet subject to legal advice - further detail below) and terms that were originally part of the DCFM contract framework, will need to be transferred over to the Governance & Management Agreement.

Secondly, the new Articles of Association need to be revised to reflect the new Group company structure and account for the new Governance & Management Agreement and the operating model that will see both Teckal and non-Teckal subsidiary companies operating alongside each other for the term of the new DCFM contract.

Thirdly, there are a number of schedules within the DCFM Services Agreement that require further finalisation.

Finally, officers from both the Council and Acivico have been working with senior legal advisors commissioned by the Council, to develop and understand the implications arising from the implementation of sector relevant terms and conditions for any new employees within the Group and commercial subsidiaries. The key concerns being explored relate to equal pay and the Council's exposure to potential claims arising from Acivico recruiting on alternative conditions. The initial advice has been positive in this regard, however further exploratory work is required to ensure that the correct mechanisms and governance arrangements are in place, before the Council can agree with Acivico that they may proceed along this route.

Therefore, the Governance & Management Agreement, new DCFM contract, Articles of Association and agreements on new T's & C's, are all intrinsically linked and the extension proposed in this report will enable the Council and Acivico to ensure that these matters are all brought together appropriately and completed with full consideration of all the dependencies and impacts.

## 4 Alternative Options considered and Recommended Proposal

4.1 There are no practical alternative options given that Acivico is a wholly owned company of Birmingham Council.

## 5 Consultation

### 5.1 Internal

Officers from Corporate Procurement, Legal Services and finance have been engaged in development of this report.

### 5.2 External

The Group Chief Executive of Acivico Ltd, has been engaged in the development of this proposal, along with members of the Senior Leadership Team of the company.

## 6 Compliance Issues:

### 6.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

The recommended decision is consistent with the Council's policies, plans and strategies, as confirmed by the Council's Cabinet through the approval of the recommendations contained within the December 2018 report.

6.1.1 **Birmingham Business Charter for Social Responsibility (BBC4SR)**

6.1.2 Acivico is an approved signatory to the Birmingham Business Charter for Social Responsibility.

**6.2 Legal Implications**

There are no legal implications arising from this decision. The current DCFM contract does not restrict the number or term of the extensions that may be applied to it.

**6.3 Financial Implications**

There are no additional financial implications for the Council, arising from the provision of this extension.

For 2018/19 Acivico have halved the balance sheet losses for the company, and once exceptional items are excluded, have actually returned the company to a small profit.

For 2019/20, Acivico is on target to meet its business plan projections and maintains its guarantee that there will be no further operational underwriting of the business required from the Council.

**6.4 Procurement Implications (if required)**

There are no procurement implications arising from this decision.

**6.5 Public Sector Equality Duty**

There are no PSED considerations to undertake at this time.

**7 Background Documents**

7.1 Chief Officer Award Report entitled Acivico – DCFM Contract Extension dated 25th March 2019.

**Recommendations Approved by:**

Clive Heaphy…….. Date……...
Chief Executive Officer (Acting)

Councillor Brigid Jones…… Date…….....
Deputy Leader Birmingham Council

Acivico GROUP

# Group Company Governance Committee

Date: 12 July 2023

Marina Robertson

Group MD

# Acivico Overview

## Content

- Vision and objectives
- The Acivico Plan
- Making it happen
- Areas of growth / areas of challenge
- Contract review



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# Refreshing existing vision and objectives:

Acivico GROUP

Acivico GROUP LIMITED

## Group Corporate Plan 2022-25

SUMMARY

### Our Vision:

Be the strategic ***#partnerofchoice*** for the Built Environment, designing, managing, and maintaining, buildings and infrastructure. Ensuring compliance, safety and quality, that transform the communities in which we live and work.

### Outcomes

We will **achieve** our vision by achieving our group-wide key Outcomes:

Utilise our civic values to strengthen our relationships with partners and stakeholders placing quality in customer experience at the heart of everything that we do.

Be a well-run, financially stable business, that works in partnership with our clients, contractors and delivery partners to provide customer focused solutions.

Provide our people with the opportunity to grow and develop their careers to ensure our business delivers quality, regulatory and environmental compliance across the Built Environment sector.

### Priorities

We will **deliver** our key Outcomes by shaping the Group's activity around our strategic priorities:

- Focusing on our systems, process, and procedures to provide health, safety and wellbeing for all our people
- Delivering our services with quality and consistency, enabling growth and business resilience
- Develop a culture where our people feel valued and connected to our business
- Embed a technical excellence model that meets the demands of our clients and the changes across the built environment
- Diversify our client base and maximise our potential through partnership or joint venture arrangements

### Outputs

We will measure how we **meet** these priorities through a set of Key Performance Indicators, adjusted year-on-year to reflect the progress achieved within the Priorities:

- Zero RIDDOR reportable accidents
- Systems, process and procedures audit
- Health & Wellbeing of our people

- Turnover against business plan
- EBITDA performance
- Debt Ratios

- Net Promoter
- Contract and customer retention
- Pipeline growth and conversion

- Training and development plans for every person
- Clear and consistent goal setting

### Our Values:

Achievement; Customer; Integrity; Valued; Inspired; Commitment; Ownership

✓Test

✓Simplify

✓Focus



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# Back to basics: The Acivico economic equation

Income / Sales ↑ – Cost ↓ = Profit ✓

**New draft Acivico objectives:**

- To be relentless in the pursuit of quality
- To employ and nurture experts that are proud to work for Acivico
- To grow through customer advocacy
- To grow margin and revenue through ethical commercialism



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# Back to basics: The Acivico Plan 2024/25 -2029/30

- ✓ **A new 5-year plan**
- ✓ **Renewed on an annual basis**

**Contents:**

- Finance projections for Y1
- Reprofile of 5-year projections
- Assumptions
- People Plan
- Growth Plan
- Performance improvement plan
- Transformation programme

***Indicative 5 year plan***

Redacted



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# Back to basics: The Acivico Plan *critical path*

**2023**

May-August – Evidence gathering

September – Processing and write up

October-December: financial projections and investment business cases, Acivico Board Engagement

**2024**

25 January: GCG presentation of draft plan

February: Sign off at Acivico Board

March: Appraisals objective setting

April: Commencing delivery

June: Lessons learnt, and annual review re-commences

ACIVICO PLAN HIGH LEVEL CONTENT AND DELIVERY PROGRAMME

Redacted



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## Areas of growth

- Project Management
- Low Carbon Advisory
- Facilities Management
- Clerk of Works

## Areas of Challenge

- Changes in regulatory framework for Building Control
- Ways of working
- Access to skills
- Systems integration / Automation



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# Contract review

## 2023

Contract extension
Operational governance review

## 2023 - 2024

Contract reset
- Introduce value for money test
- Review of legals (service agreement, articles of association, reserved matters, etc.)
- Review of scope of services
- Review of success measures / KPIs

## 2024

Recommendation for a 10-year new contract extension with a 12-month notice break clause



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# Acivico Overview

## Content

- Vision and objectives
- The Acivico Plan
- Making it happen
- Areas of growth / areas of challenge
- Contract review



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Acivico GROUP

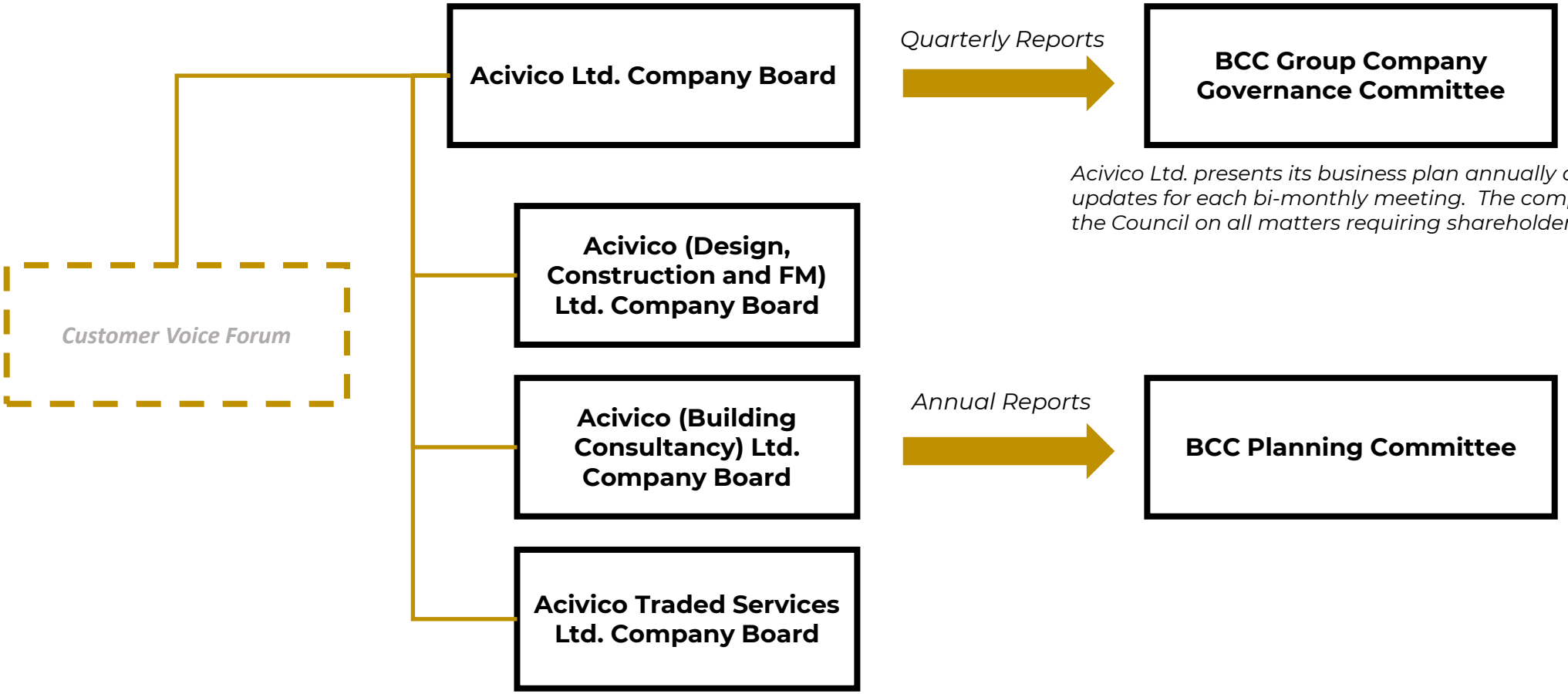
# Group Company Governance Committee

Date: 12 July 2023

Marina Robertson

Group MD

# Acivico Ltd. Board / BCC shareholder governance structure



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011347/2023

# Acivico / BCC new contract operational governance structure

Birmingham City Council

Acivico GROUP

**BCC** Directors / ADs
**Acivico** Group Leadership

**STRATEGIC PARTNERSHIP BOARD**
(Quarterly)

*Strategic change*

**BCC** Assistant Directors / Heads of Service
**Acivico** Directors / Assistant Directors

**PERFORMACE MANAGEMENT AND MONITORING BOARD**
(Bi-monthly)

*Overall contract delivery*

**BCC** Heads of Service / Building Managers
**Acivico** Directors / Assistant Directors

**Housing** Programme Delivery Board (Monthly)

**Corporate** Programme Delivery Board (Monthly)

**Education** Programme Delivery Board (Monthly)

**Building Control** Delivery Board (tbc)

*Spec. Delivery & KPIs*

**BCC** Building Managers / Responsible Persons
**Acivico** Service leads

**OPERATIONAL SERVICE MEETINGS**
(Weekly / Fortnightly / As required)

*Day to day operations*



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# Terms of Reference Summary

Birmingham City Council

Acivico GROUP

| | Strategic Partnership Board | Performance Management & Monitoring Board | Programme Delivery Boards |
|---|---|---|---|
| **Purpose (why)** | The Strategic Partnership Board aims to provide a strategic overview of both organisations and identify opportunities for collaboration and social value integration. This forum will also manage sign off for new contract specifications (legals, scope of services, KPIs) and review contract terms .<br><br>SPB will review effectiveness of governance structure. | The Performance Management & Monitoring Board aims to monitor strategic and delivery KPIs and resolve contractual issues and escalations. This meeting will also capture any operational challenges and review any areas of improvement which will in turn be reported to SPB. The PMMB is created to provide an avenue for greater efficiency in the delivery of this contract and to identify trends which can be used to inform more efficient working practices. | The Programme Delivery Board aims to oversee timely delivery of programmes of work across different sectors (Housing, Education, Corporate). This forum will be used for programme monitoring and progress against time cost<br>quality of outputs. Any programme risk review and management meetings will support the identification of any escalation and recommendations to PMMB via a highlight report. |
| **Function (what)** | The function of the Strategic Partnership Board is to discuss, review and align the overall strategic direction of the contract delivery between Acivico Group and Birmingham City Council. This forum will also be used to discuss any strategic risk and contract performance escalation and act as a conduit with other governance structures in both organisations. | The function of the Performance Management & Monitoring Board is to manage the overall contract delivery and to ensure that contract performance is being delivered efficiently in adherence with contractual KPIs. This forum will also focus upon improvement plans which will be reported to the SPB. | The function of the Programme Delivery Boards is to act as a steering group for contract review and to ensure specific delivery and KPI's targets achieved. This forum will focus upon programme deliverables, highlight reports and programme risk registers. |
| **Governance / Reporting routes** | The SPB members will be decided by the Chairperson and Acivico Group MD. It is intended that this group includes Birmingham City Council Directors from the appropriate directorates aligned to the contract. The Chair will in turn report to this group on progress with specified outputs. | The PMMB members will be decided by the Chairperson and Acivico Group MD. It is intended that this group includes Birmingham City Council Assistant Directors from the appropriate directorates aligned to the contract. The Programme Delivery Board Chairs will in turn report to this group on progress with specified outputs. | The PDB members will be decided by the Chairperson. It is intended that this group includes Birmingham City Council Heads of Service from the appropriate directorates aligned to the contract.<br>. |
| **Frequency** | Quarterly | Bi-monthly | Monthly |
| **Chairperson** | BCC Director | BCC Director | BCC Director |
| **Members / Attendees** | BCC Directors / ADs<br>Acivico Group Leadership | BCC Assistant Directors<br>Heads of Service Acivico Directors<br>Assistant Directors | BCC Heads of Service<br>Building Managers<br>Acivico Directors<br>Assistant Directors |
| **Actions / Outputs** | As recommended by the Chair and as agreed with the members in attendance. | As recommended by the Chair and as agreed with the members in attendance. | As recommended by the Chair and as agreed with the members in attendance. |
| **Review** | On an annual basis | On an annual basis | On an annual basis |

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# Birmingham City Council
# Report to Cabinet
**5th September 2023**

| | |
|---|---|
| **Subject:** | **COST- OF- LIVING EMERGENCY PROGRAMME (CoL) - PHASE 2** |
| **Report of:** | **Richard Brooks**<br>**Director for Strategy, Equality & Partnerships** |
| **Relevant Cabinet Member:** | **Cllr Sharon Thompson - Deputy Leader** |
| **Relevant O &S Chair(s):** | **Cllr Sir Albert Bore - Coordinating** |
| **Report author:** | **Greg Ward**<br>**Programme Manager, Cost-of-Living Programme**<br>**Telephone: 07500 809620**<br>**Email: greg.ward@birmingham.gov.uk** |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011633/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 The purpose of this paper is to seek approval for proposals for Phase 2 of the Cost-of-Living programme. The programme was initiated on 11th October 2022, following the Council's declaration of a Cost-of-Living Emergency.

## 2 Recommendations

2.1 Cabinet is requested to approve; -

- The continuation of the Cost-of-Living programme until the end of 2023/24.

- The allocation of the remaining Financial Reserve budget, of which the balance is £1,300,000 to the Cost-of-Living Programme Phase 2.
- The Strategic Response Group (SRG) to take on the governance oversight for the allocation of the Household Support Fund for this financial year. The total UK government grant is £25m of which £5m is allocated to core Council Cost-of-Living activity.
- The expansion of the Cost-of-Living programme in Phase Two to include elements of employment and skills support for the most vulnerable communities, and activity to support inclusive growth.
- The continuation of the Cost-of-Living governance arrangements as set out in the Cabinet Report of October 2022. Some adjustments to the governance structure and membership are also recommended in the paper below at **Section 5** and in the diagram at **Appendix 2.**
- The delegation of procurement decisions to the Director of Strategy, Equality and Partnerships and the Section 151 officer, in consultation with the Assistant Director of Corporate Procurement and the appropriate Cabinet Members.

## 3 Background

Progress of the Cost-Of Living Programme to date

3.1 Since the commencement of the Cost-of-Living Emergency, as reported in the 25th April Cabinet Progress Report, the following has been achieved:

- 264 Warm Spaces have been created across the city.
- 140 foodbanks have been provided cash contributions to allow continuation of their work over the winter months. On a weekly basis, this has provided at least 13,000 people with food.
- A total of £1,934,639 in benefits maximisation through improved accessibility of in-person and telephone support.
- 3,400 homes have received additional energy bill top ups.
- Twenty percent of our staff have accessed support to help with the cost-of-living.

3.2 Further information is available in the Cabinet Report of 25th April 2023.

3.3 So far, the Cost-of-Living programme has concentrated on actions to alleviate hardship and meet pressing needs for warmth, food, and cash benefits. However, in many ways, this is tackling the symptoms rather than the cause. The reason there is an emergency is incomes for the most at risk households are too low. This makes for widespread food, fuel, and economic poverty.

3.4 Even before the emergency, our big challenges in the city were linked to poverty and economic inequality. This is caused in great part by relatively low rates of

employment (particularly among the young), a big earnings gap between workers (often commuters) and residents, and wider social exclusion.

3.5 Charts 1 and 2 below from the Birmingham City Observatory illustrate the structural challenge within the labour market. There is high unemployment among the working age population of Birmingham and a low employment rate among our population. Charts 3 & 4 show that earnings for those who work in Birmingham are relatively good, whilst the earnings of those who live here lag behind. What this means is that many of our residents are not currently benefiting from the employment opportunities of the city.

*Chart 1: Employment rate (% of working age population)*

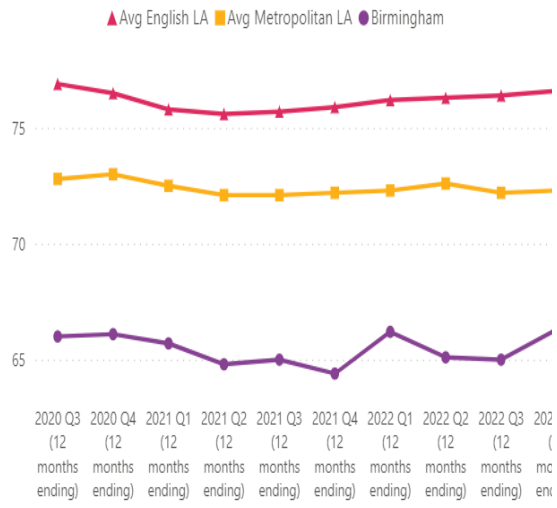
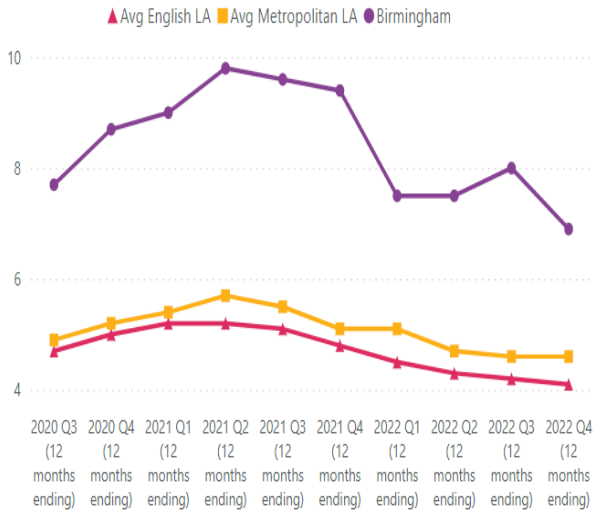



*Chart 2: Unemployment Rate (% of those economically active)*




*Charts 3 Median Gross annual pay of employees based on **workplace***

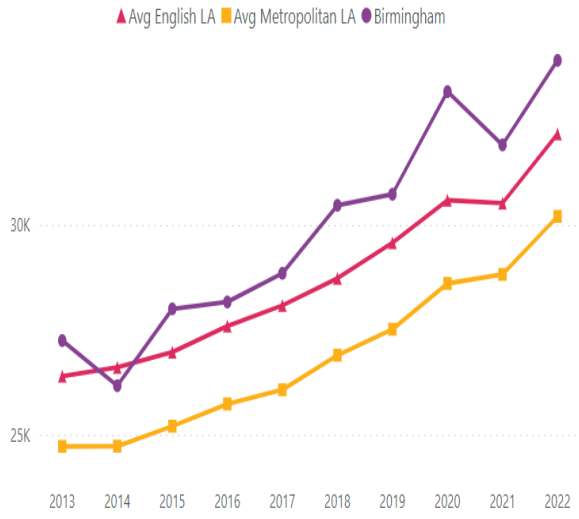
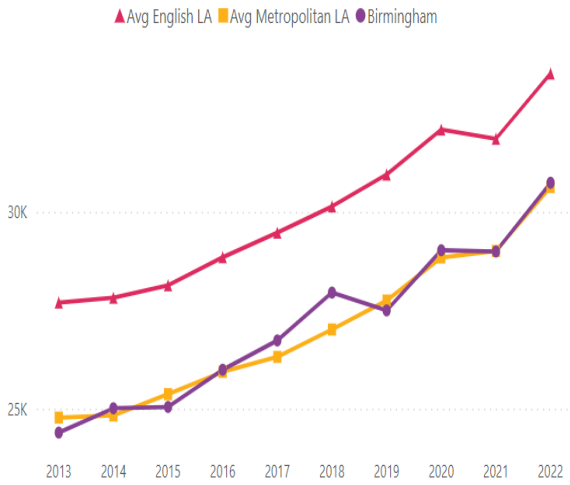



Chart 4 Median gross annual pay of employees based on **residence**



## 4 Response – The Need to Raise Household Income

4.1 Delivery Direct and Resource

4.1.1 This paper therefore recommends continuing to support our Cost-of-Living priorities, i.e., fighting fuel and food poverty. However, in order to manage future crises more sustainably, we must also seek to put the poorest households on a higher, lifetime income trajectory. This is partly through benefit maximisation for those receiving benefits. Then, as the charts above illustrate, the goal is to help more of the city's most economically deprived people whether they are on benefits, out of the labour market or in low paid work, with enhanced opportunities for sustainable, quality jobs and careers. This will be through co-ordinated cross Council and city working and a new focus on active labour market approaches.

The Household Support Fund

4.1.2 In June, the Cabinet approved a proposal that would see the Strategic Response Group take a central role in the review and oversight for the allocation of the Household Support Fund. To make the best possible use of resources we can align this cost-of-living government grant with our own programme. There are considerable synergies in areas such as energy resilience, food provision, and support for young people. The Cabinet's decision to allocate £5m of the HSF to the Council's own cost-of-living programme, within the government imposed parameters of the fund, will allow a scaling up of activity.

4.2 Lessons learned from CoL Phase 1

As set out in the April Cabinet Report, there is much we have learned as a Council on how to maximise city leverage to alleviate poverty. Lessons learnt include:

4.2.1 Cost-of-Living Ecosystem:

The Cost-of-Living programme has a focus on a city-wide, anti-poverty ecosystem. Birmingham's extensive network of partners and community organisations serve as a vital catalyst in delivering services.

4.2.2 Inter-department Collaboration:

The delivery of this programme is a "Whole Council" project, requiring close collaboration and cross working between multiple Council departments. Intelligence, expertise, and learning were shared; resources were pooled.

4.2.3 Finances:

The allocation of £5m by Cabinet allowed carefully targeted investment in CoL initiatives and led to significant leverage from across the city.

4.2.4 Community Assets as Warm Spaces:

There has been a genuine effort to avoid stigmatising people. The social aspect of these 264 spaces was designed in from the start. Many users visit the spaces for the social aspects rather than just the warmth. "Friendly" and

"welcoming" are words often used. This network provides a platform for the development of other services such as health or employment advice. Warm Welcome is also a network of open innovation and creativity.

4.2.5 Early Intervention and Prevention:

The Cost-of-Living programme was established as an emergency response. As the programme transitions from immediate actions to longer term capacity building, it will become mainstreamed within Early Intervention and Prevention (EI&P).

4.2.6 Communications:

As with the first phase of the Cost-of-Living work, this programme will be underpinned by a robust curriculum of communications, including messaging in several Birmingham languages, braille, and sign language. The 'Help in Brum' brand has brought together a wide range of partners and increased awareness of the help that is available.

4.2.7 City Observatory:

As with the first phase of CoL, this second phase will be strongly data led. The City Observatory will continue to provide evidence of need and progress. The Observatory leads on the completion of the CoL Evaluation Framework. Working with the Neighbourhood Advice and Information Centres and Contact Centre, the Observatory has access to anonymised data trends. The Observatory will also continue to publish information that is used by our partners including the NHS and DWP. Data and insight from COL are also helping to shape and inform future approaches for EI&P

4.3 <u>Proposals for Phase Two of the Cost-of-Living Programme</u>

4.3.1 Warm Spaces:

Phase 1 focused on developing the Warm Welcome network of over 200 spaces. In Phase 2, other Council priorities such as Financial Inclusion will be integrated into this project. Working with partners, a training offer for the Warm Welcome network will include volunteer management, bid writing (to secure additional income to support the network), and mental health awareness. A new "Warm Welcome @ Home" initiative will provide direct support to residents who are isolated or vulnerable. This will be through befriending and outreach. We will explore the possibility of upgrading the digital connectivity of the Warm Welcome Spaces to allow a greater level of digital communication, data sharing, and other applications.

4.3.2 Energy Resilience:

The Warm Welcome workstream has become closely aligned with energy resilience. Residents currently collect warm packs from Warm Welcome spaces. As part of Warm Welcome@ home, we want to send warm packs to those vulnerable residents who cannot themselves physically access Warm Welcome spaces (see 4.4.1). As part of the approach, we will provide

emergency gas and electricity funding to residents. If approved by Cabinet, we will also lend out slow cookers and other energy saving devices.

Part of any successful energy resilience workstream will be to increase education and awareness particularly with regard to dealing with damp and mould. There will be a focus on both the municipal and private rental sector. We want to create a “route to resolution” so social housing and private renting residents can learn how to remediate problems and engage with landlords and enforcement teams. We will identify 20,000 dwellings where support will be provided to alleviate this burden.

4.3.3 Food Provision:

There are three main priorities for Food Provision in Phase 2.

Building on the success of the Emergency Food Aid Fund and other related funds in Phase 1, we propose to run a similar Winter Food Aid application process in 2023/2024. We will again invite the 140 organisations supported through the Emergency Food Aid funds last winter, to apply again. We will also open up applications to new organisations. We expect the new Winter Food Aid Fund will be taken up by up to 170 organisations.

We will provide grants to allow local organisations to set up affordable food models (such as a food pantry or food club). An objective is to ensure that more than half of these are positioned in East Birmingham.

We will provide supermarket vouchers for families during February half term. These vouchers will be for food, to be distributed to families of children who qualify for Free School Meals during term time. This will be during February half term and is intended to fill the gap of the school holidays where there is no Holidays, Activities and Food provision.

In addition, we will use valuable experience gained in Phase 1 to help address shame and stigma in food aid use, and support people to access help with dignity. In Phase 1, we supported the setting up of the Balsall Heath Surplus Food Hub. Using this learning, we will continue to explore approaches to identifying and redirecting surplus food, so food goes onto people’s plates rather than to landfill. Finally, we will continue to work with the Food Justice Network on attracting corporate sponsorship.

4.3.4 Benefits Maximisation:

In Phase 1, a small grant to the Neighbourhood Advice and Information Service (NAIS) allowed overtime on one weekday and on Saturdays. As a result, nearly £2m in new benefits were identified for Birmingham citizens. We anticipate the Cost-of-Living programme will eventually generate £6m in previously unclaimed benefits.

It is proposed therefore that to further boost benefits, in Phase 2, a financial allocation is made to create a temporary expansion of the team. This larger

team would work as frontline, proactive, outreach advisors in a variety of community venues, particularly in East Birmingham. Foodbanks will also be targeted, and users of Warm Spaces will be another area that the team will support. This will be complemented by additional capacity for the Contact Centre, and these activities will be further supported by a community based outreach service.

A new element of Energy Resilience advice will be introduced, to assist citizens to apply for social tariffs and other assistance from utility companies. There will also be a dedicated post to support clients to better access the broadband social tariff, saving vulnerable households an average of £200 per year. Nationally, this tariff is undersubscribed with less than 5% take-up.

It is estimated that Free School Meals can save eligible families £400 per year. We propose this team also supports the uptake of this benefit, consulting with schools around eligibility and, in an effort to boost school attainment rates, facilitates the delivery of free beds to those families who struggle to afford them (see 4.4.8).

4.3.5 Staff Support

The extensive programme of staff support will continue. In May, Financial Wellbeing advice was launched for all staff. In addition, we continue to provide regular information through other bodies which offer financial advice, for instance CitySave & HSBC. There is also a structured schedule of events focusing on physical health: Cycle 2 Work, affordable gym membership and leisure days out. Similarly, health insurance is available. Elements of this Employee Assistance Programme are to be extended to include staff families. Anticipating the winter months, free flu vaccinations will be offered to the workforce. We will continue to run general awareness sessions, both virtually and face to face. These will cover Occupational Health; Wellbeing and our Total Rewards offer.

4.3.6 Employment, Skills, and Apprenticeships:

To further boost household income for the most vulnerable, Phase 2 will include the recruitment of two additional posts to support employment and skills:

A Principal Employment and Skills Officer: This post will encourage employers to sign up to a “Good Employment” Charter. A business kitemark scheme, the Charter is aimed at improving the quality, availability, and access to jobs; supporting higher employment standards and pay; diverse and youth recruitment; and the employee voice at work. The Charter is based on best practice in other cities. A delivery plan will be developed for the establishment of the Charter, in consultation and co-creation with local business organisations.

Twenty percent of Birmingham’s workers still do not receive the Living Wage, exacerbating the Cost-of-Living burden. Therefore, a second post, Principal Project Officer: will increase employer commitment to the Real Living Wage.

Birmingham became a Living Wage City in November 2021. The new post underpins the Council's commitment to promote and embed the Living Wage.

A first job is all important. Entry-level employment accompanied by continuous upskilling, can open the door to a fulfilling, long term career. These posts include Care Workers, Grounds Maintenance Operatives, Security Guards, Teaching Assistants, Customer Advisors, Catering Assistants and Administrators. These roles can be a "foot in the door" which then, through training and experience, can lead to new opportunity. However, residents spend considerable time applying for each separate role. Confidence can also be eroded by poor recruitment systems.

Collaborating with strategic partners and the Children and Families Directorate, we will also use these new posts to make additional efforts to support whole family employment where there is no one working in a household.

The Council works with the Birmingham Anchor Partnership in an innovative project called 'I CAN.' This initiative supports residents who experience profound disadvantage in the labour market. NHS Trusts collaborate to pool their entry level jobs, and have created a co-ordinated, navigable, and streamlined recruitment process which prioritises not only qualifications and direct experience but also transferable skills and personal commitment.

The 'I CAN' results are impressive. Of over 250 jobs filled so far, 69% were taken up by citizens of Black or Asian Minority Ethnicity, with age ranges spanning fairly evenly from 18 to 55+ years old; 37% had a declared disability. Encouragingly, evidence also shows people who are employed through this project do not tend to drop out and are therefore more able to progress into longer term careers.

Through CoL Phase 2, we will scale up capacity to bring more entry level roles into this streamlined recruitment pathway. We will also set up a new fund to help people obtain essential training, childcare, travel, and digital access. We will integrate this with the digital training in our libraries, the new digital champions and the distribution of sim cards and computing devices (see section 4.4.7) Finally we will use the apprenticeship levy to support training and pathways into jobs.

Apprenticeships, particularly for young people, are an increasingly vital route to long term, sustainable careers. There are two main ways in which we can use CoL resources to build capacity: (a) through increasing demand; promoting increased apprenticeship take-up amongst groups who suffer high unemployment or low wages, supporting them to access these opportunities. Then (b), through increasing supply; driving an increase in apprenticeships places including through the Anchor Network and Employment Charter.

Within ten years, 50% of the Council's own workforce will be near retirement age. There is considerable opportunity to harness our own future recruitment needs to promote both apprenticeships and equalities.

Over the next three years, the Council will generate approximately £9m in apprenticeship levies. If the levy is not invested in citywide apprentices, it will be clawed back by the government. Therefore, to stimulate investment, the Council has set up an Apprenticeship Levy Transfer Fund to use the levy outside the City Council and primarily to support other partners and SMEs in offering apprenticeships. Childcare employers are among the most likely to seek this funding. Using the fund in this way can create a win-win through the recruitment of new apprentices to the childcare sector and expanding the sector to help people return to work.

The two post-holders will enhance the focus on these dual objectives: enabling more entry level jobs, upskilling and apprenticeship opportunities.

The Council will also reach out to the city's Higher and Further Education establishments to achieve a strategic, scaled up approach to skills development and work based education. The focus will be on equipping the most economically deprived people, particularly the young, into fulfilling lifetime careers.

4.3.7 Digital Exclusion and the Cost-of-Living:

Digital exclusion is a major contributor to the cost-of-living crisis. YouGov estimates benefit claimants are six times more likely to cancel their internet access entirely when prioritising household spend. It is further estimated that those who are digitally excluded lose £286 income per month on average. Furthermore, the best tariffs on energy and broadband are hard to access without good digital skills and connectivity.

The libraries, as funded Warm Spaces, provide a safe, welcoming environment in which to learn. There is a convincing case to support people seeking self-employment or employment through the delivery of basic digital literacy skills. This will be achieved through interactive workshops and 1:1 advice sessions, both centrally at the Library of Birmingham, and locally at Community Libraries and other warm spaces. Tailored IT courses will be aimed at those aged 55 plus, and a weekly Coding Club will cater for those who are 17 or under. The latter will provide promising new career opportunities for young people.

In an important contribution to confronting the cost-of-living challenge, the Council's digital inclusion team aims to build a network of community-based, front-line digital champions. Recruited from appropriate corporations and educational institutions, and from our own supply chain, these champions will help citizens to acquire digital skills and to access affordable connectivity and devices. Further CoL resource is needed to develop this network which will complement existing EI&P initiatives such as the free distribution of sim cards and the Barclays Digital Eagle training programme.

4.3.8 Supporting Young People:

At the beginning of 2023, almost 900 young people took part in a Council survey. The respondents told us reducing poverty is crucial as is connecting young people to meaningful opportunities that build confidence and skills.

In the first phase of the Cost-of-Living programme, support was intended for a broad demographic. However, in Phase 2, there is considerable opportunity to develop cost-of-living initiatives specifically aimed at young people. We have mentioned some of these in this paper: Free School Meals, apprenticeships, and digital inclusion and upskilling.

There is a clear case for co-designing future plans with young people themselves. Plans that tackle the causes of poverty. We particularly need to reach out to young people who have a lived experience of deprivation, school exclusion or the youth justice system. As recommended by the City Partnership, further work also needs to be carried out to explore the link between employment and housing for young people.

More CoL resource for this co-design will improve life chances in areas such as future employment, upskilling and career paths. Through this exercise, a further set of proposals will be worked up and then tabled at the Strategic Response Group. These proposals will also be reported back to relevant Cabinet Members for review.

Career Development is a particular priority. Birmingham Careers Service report that there are young people who have never accessed careers advice; mainly those not in school, home educated, teenage parents or where there is no school place. These are children between 16 and 17 years old. We will work up proposals for engaging with these cohorts on a targeted basis to ensure they have access to meaningful work prospects.

Following a pilot called Partnerships for People and Place funded by the Department for Levelling Up, which saw local coach-mentors work with six schools in East Birmingham, we want to expand this collaboration. This will include mentoring, inspirational employer collaboration, and connecting students and parents to further skills development. To drive interest in entrepreneurism, the Cost-of-Living programme will also sponsor a roundtable of young people and youth entrepreneurship providers.

There are very practical areas where the CoL programme can help. The Children and Families Service aims to ensure all children and young people have a bed to sleep in, and no one is sleeping on the sofa, or sharing beds. Currently, in an innovative pilot, the Birmingham Playcare Network provides beds to vulnerable families in Perry Barr. The Network has persuaded Ikea to support this initiative. Volunteers deliver these beds to the families. Using additional HSF funding, or private sector sponsorship, and linking to the Benefits Maximisation teams (see 4.4.4), we could expand this pilot.

4.3.9 Volunteering:

To scale up the above programme, new capacity and expertise are required in the form of volunteers. Building on the civic pride generated by the Commonwealth Games, we propose to set up a Cost-of-Living volunteering pilot in collaboration with the Birmingham Voluntary Services Council. The pilot would recruit volunteers and broker volunteering opportunities to those third sector organisations most in need of new skills and human resource to fight

poverty. As stated above, the volunteers will support work experience, career development and digital learning.

4.3.10 Social Value:

Throughout the delivery of Phase 1, there have been substantial new offers of support from the private sector. In Phase 2, we will seek to formally capture this private sector contribution and focus it on the many CoL challenges the city faces. We propose therefore to establish a new, specialist Corporate Contribution resource. This would be a small team to engage with the private sector to efficiently enable and direct corporate social responsibility. Social value is generated through the requirements of the Birmingham Charter for Social Responsibility covering the City Council's procurement supply chain. The Corporate Contribution resource will link to this existing social value creation, and also engage with businesses that are not necessarily involved in supplying the Council.

Collaborating with the Council's own procurement service, we will also build on the work of the Employment Access team which generates already impressive local employment and upskilling opportunities and signs up employers to the City's Employment Charter (see section 4.4.6).

Match my project is an award winning Council initiative. On this online brokering portal, community organisations can post the support they need. This can be in the form of volunteer time, resources (old IT equipment or construction material), and funding. Businesses then offer support. This initiative requires new staff resource to engage businesses, both contracted and non-contracted, to deliver more social value through the portal. This will scale up engagement between businesses and community organisations, particularly those dedicated to alleviating poverty.

## 5. Refreshed Governance Arrangements:

5.1 Many of the proposals above, including Warm Welcome and Food Provision are well advanced. Other newer areas are at concept stage and will be developed in the same way as the initiatives delivered in Phase 1. This can be achieved through the next step which are the development of detailed proposals scrutinised by the Strategic Response Group (SRG).

5.2 In October last year, the Cabinet authorised the convening of the Strategic Response Group. The SRG sets strategic direction and agrees key priorities. The Group includes relevant service leads, finance, and legal representation. The NHS and BVSC provide an expert, external perspective. In the same vein, the Birmingham Children's Trust is also represented.

5.3 It is proposed that the Cabinet now authorise this governance structure to oversee both the second phase of this programme and the Household Support Fund (see 4.2). To reflect the broadening of this programme, membership would be reviewed. It is anticipated the refreshed forum would include relevant internal directorates, private sector employers through the Chamber of Commerce, external representation from the Education and Skills Sector, the Department of Work and

Pensions in the city, the Anchor Network, and potentially other partners. In recognition of the close links between the Cost-of-Living programme and Early Intervention and Prevention, the Assistant Director of EI&P will become the vice chair of the SRG.

5.4 The Deputy Leader will maintain political oversight and control and will be consulted on all material decisions. The Deputy Leader will also chair a wider City Task Force which the SRG will report to. The task force will co-ordinate activity across the city.

5.5 A Task and Finish Group has been set up to review Phase 1 of the Cost of Living programme. Chaired by Councillor Sir Albert Bore, this cross party group will report back to the Council on lessons learnt. The Task and Finish Group will hear first-hand from partners and clients across the city. Recommendations for improvements will be incorporated into the programme. Already the group has provided guidance in terms of transitioning to affordable food models such as food pantries, and the importance of attracting in new corporate sponsorship (see 4.4.3). The Task and Finish Group will report back to O&S Committee in October.

## 6 Options considered and Recommended Proposal

6.1 The main alternative option would be to wind down the Cost-of-Living Programme and revert to business as usual. If we had not established Phase 1 of the programme, the City Council would have failed to provide the extensive additional support that has already been delivered (see 3.1). In Phase 2, the main risk of doing nothing or winding down the programme is to create an unsustainable annual cycle of emergency support to citizens, and to miss the opportunity of leading and strengthening the city's response to its key challenges of poverty and exclusion. Instead, this paper seeks to improve sustainability and create new income opportunities for the city's most vulnerable citizens and households.

## 7 Consultation

7.1 The CLT has reviewed these recommendations and there has been wide consultation with key Cabinet Members and Officers who have contributed to and endorsed this progress report, as well as extensive input from external partners including the CoL City Partnership Group, BVSC, the NHS and Thrive.

## 8 Risk Management

8.1 The main risks considered were:

- Since the original drafting of this paper, new spending rigour has been introduced into the Council. This is in the form of a Spend Review process. As with all proposals of over £200,000, this Cabinet Paper, and particularly the Financial Reserve, will be subject to this review.

  **Mitigation:** If it is decided, as a consequence, that the Financial Reserve Fund is to be withdrawn from this proposal, the Cabinet Paper will focus only on: Warm Welcome, Food Provision, Energy Resilience, Information Advice and Guidance, and Staff Support. The other proposals above: employment and apprenticeship

support, new procurement capacity, youth engagement and digital access will not go ahead until new resources are found.

- An inability to respond at the required scale and pace.

  **Mitigation:** This risk was mitigated by the Cabinet decision to set up the Cost-of-Living Emergency Programme. Bringing the administration of the Household Support Fund within scope also helps to increase our capacity to respond.

- A lack of a coordinated response across the city. Given the urgency, partners as well as the Council may start putting into place actions that duplicate or do not align thus reducing the impact and causing confusion.

  **Mitigation:** A high level City Task Force, chaired by the Deputy Leader, will avoid the lack of a co-ordinated response; a broadened Strategic Response Group as the main day to day governance mechanism, and a Warm Welcome network of warm spaces will share resources, best practice, and generate innovation.

- The inability to deliver at pace.

  **Mitigation:** The programme is nimble and catalytic. It works under the auspices of a city wide governance structure, has a fast track decision making process, and it is proposed that there is financial delegation to officers under £250,000.

- Lack of sustainability.

  **Mitigation**: The programme is increasingly focused on inclusive growth and is closely aligned with the Early Intervention and Prevention programme. The wider City Help and Support Directorate will be the home for much of the substantial activity developed and accelerated through the CoL programme. Phase 2 also seeks to establish new sources of funding, including from private sector organisations to increase long-term resources.

## 9. Compliance Issues:

### 9.1 How are the recommended decisions consistent with the Council's priorities, plans and strategies?

9.1.1 The actions described above are consistent with a number of Council priorities, particularly Early Intervention and Prevention, Inclusive Growth and Net Zero strategies, as well as the Council's broader aims of reducing poverty.

### 9.2 Legal Implications

9.2.1 Whilst there are no legal implications directly arising from this report, legal advice is provided as and when necessary, in respect of each of the various and wide-ranging initiatives considered by the Cost-of-Living project.

## 9.3 Financial Implications

9.3.1 By bringing the residue Financial Reserve Funding from Phase 1 together with the Household Support fund (HSF), a budget of circa £6.3m has been created for the rest of the financial year (to April 2024). The budget will be supplemented by a further £20m of the HSF which is more proscribed but still impactful. The Cabinet approved the financial allocations for the HSF in June 2023. Bids will be made for this funding through the SRG group. Allocation of funds will be in consultation with the Deputy Leader.

9.3.2 Since the original drafting of this paper, new spending rigour has been introduced into the Council. This is in the form of a Spend Review process. As with all proposals of over £200,000, this Cabinet Paper, and particularly the Financial Reserve Fund, will be subject to this review and approval of spend (see 8.1 on risk management).

## 9.4 Procurement Implications (if required)

9.4.1 There are no procurement implications arising from the recommendations in this report. Any procurement implications will be covered in separate reports and follow the Council's Procurement and Contract Governance Rules, and the Public Contract Regulations where applicable. It is proposed that decisions are delegated as set out in 2.1 above with the appropriate engagement of Corporate Procurement Services.

## 9.5 Human Resources Implications

9.5.1 The People Partner will continue to support the directorate to deliver this programme from a people services perspective.

## 9.6 Public Sector Equality Duty

9.6.1 An Equality Impact Assessment has been undertaken. The overall impact is positive (see **Appendix 3**).

## 9.7 Environmental and Sustainability Implications

9.7.1 An Environmental and Sustainability assessment has been submitted to the Carbon Policy Officer. The overall impact for the programme is positive and the assessment is available as **Appendix 4**.

## 9 Appendices

10.1 **Appendix 1** – Monitoring and Evaluation

10.2 **Appendix 2** – Governance Diagram.

10.3 **Appendix 3** – Equality Impact Assessment

10.4 **Appendix 4** – Environmental and Sustainability Assessment.

## 11 Background Documents

11.1 Cabinet Report 11th October 2022: Cost-of-Living Emergency Programme.

11.2 Cabinet Report 25th April 2023: CoL Progress Report

## Appendix 1 – Monitoring and Evaluation

1 Monitoring the COL programme will allow an understanding of whether activities are proceeding as planned. The data will be reported to SRG to enable decisions that allow effective delivery. Monitoring data for each action will be held by the Program Manager and published on the City Observatory website. The data will also be distributed to the CPMO and the HSF Team at the DWP. It will be reported to Cabinet. Each bid to the SRG will require a clear logic framework.

2 Monitoring information will include inputs and expenditure against budget; staffing levels; activities and outputs; profile data on beneficiaries – such as protected characteristics; feedback data on the quality of activities and outputs; and outcomes. All such information will be useful for evaluation purposes.

3 Following the approach taken for CoL Phase 1, the new programme will also be subject to a thorough evaluation. The exercise will comply with the key principles identified in the UK Government guidance (The Magenta Book). These guidelines state that evaluation should be useful to key stakeholders and tailored to meet key decision points, mobilise robust methods and evidence, be credible and objective, and be proportionate to the activity delivered and funding provided.

4 Three forms of evaluation are important to consider for the programme – each has the potential to provide insight for both follow-on activities and also other future BCC and partner assistance programmes:

I. Process: what can we learn from how the specific workstreams, and overall programme were delivered?
II. Impact: what difference have the workstreams and overall programme made?
III. Value-for-money: were the interventions and overall programme an effective use of resource?

5 In undertaking the process and impact evaluation, key issues will be established: 'what works, for whom, in what respects, to what extent, in what contexts, and how?' Key evidence will be used in the evaluation, including: those responsible for appraisal and approval of interventions; those responsible for design and delivery; the general public; those receiving assistance; beneficiary individuals and organisations; and independent experts – example: academics and researchers.

6 Table 1 below provides an initial set of proposed evaluation questions, presented at workstream and programme level. The questions below cover the evaluation themes identified above, the evaluation questions will be further refined through discussion with delivery leads and the SRG. Individual CoL project managers may also wish to add additional questions or sub-sets of these questions. This depends on what is most useful to understand and inform potential future related activity.

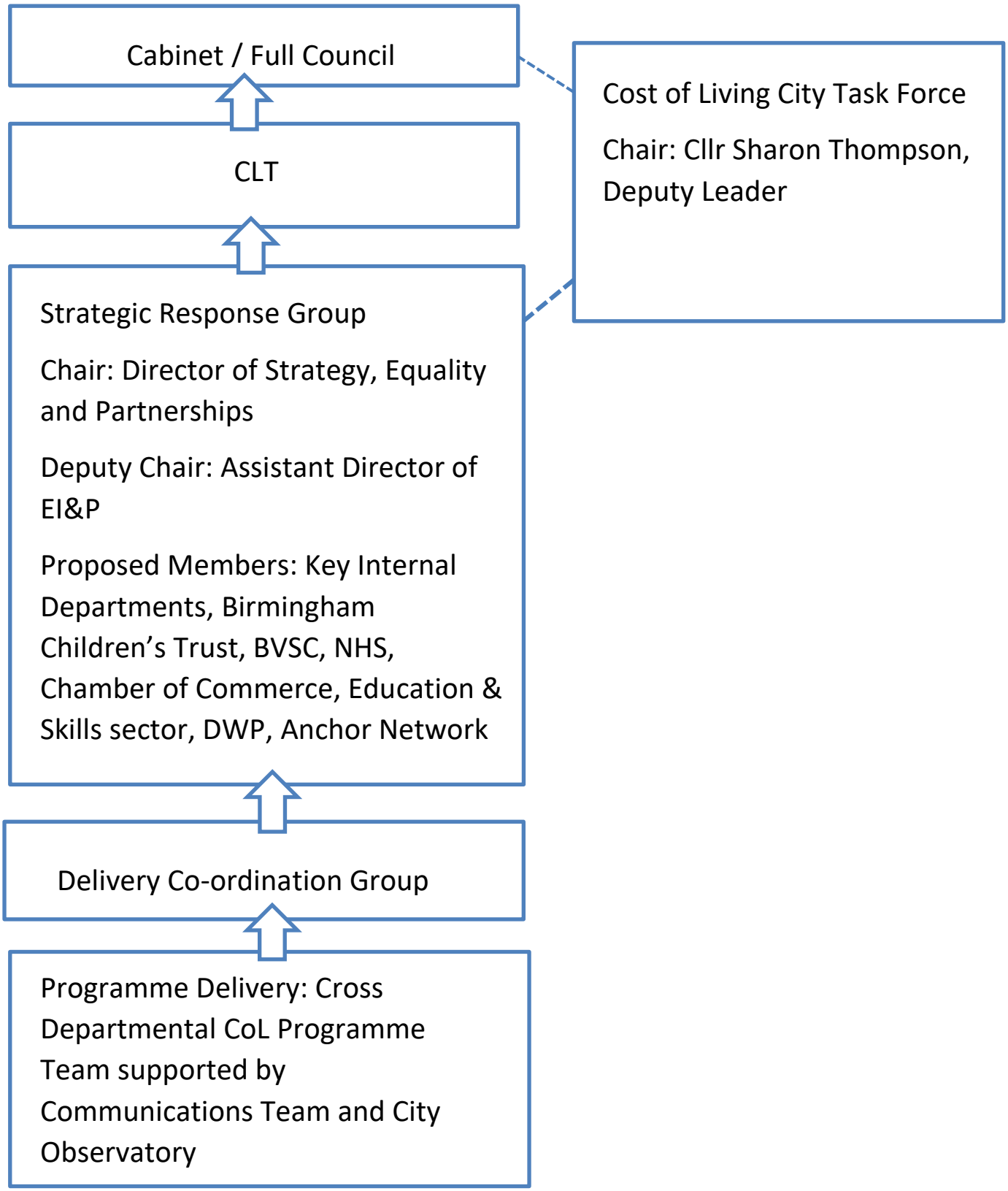
Table 1: Specific Evaluation Questions

| Issue | Action level questions | Programme level questions |
|---|---|---|
| Effectiveness of the actions and programme | • Did actions reach the target beneficiaries or organisations?<br>• What outputs were achieved?<br>• How did this compare to targets?<br>• Can observable impacts be attributed to the intervention (short-term)?<br>• What other impacts are expected to be achieved and by when? (longer-term)<br>• Could actions have been delivered in a more effective way? (i.e.: achieved more outputs, reached greater numbers or a wider profile of beneficiaries?)<br>• Was support targeted to those most in need? - Could it have been targeted more effectively? | • Did the way the interventions were identified, set-up, and operationalised, facilitate effective delivery?<br>• Were communications and promotion activities effective?<br>• What are the lessons for effective design of future interventions?<br>• What are the lessons for monitoring and course correction of similar interventions in future? |
| Efficiency of the actions or wider programme | • Were the expected outputs obtained at a reasonable cost?<br>• To what extent did the actions make best use of existing capacity to deliver such activity?<br>• Have adequate resources been allocated to each intervention and to the promotion of their outputs in particular? | • Overall, has adequate resource been allocated to the programme and promotion of activities?<br>• To what extent did the interventions make best use of existing citywide capacity to deliver such activity?<br>• Was there any overlap in activity funded by BCC and those provided by national / WMCA?<br>• How successfully was the design of each of the interventions translated into procurement and implementation? |

| Issue | Action Level Questions | Programme Level Questions |
|---|---|---|
| Relevance of the actions or programme | • To what extent are the activities relevant to the specific issues in Birmingham?<br>• Are there gaps in need not addressed by specific actions? Gaps that could have been addressed.<br>• Did the actions target the most relevant beneficiaries?<br>• Have interventions worked with the most relevant stakeholders and community groups to design and deliver activity | • Are the objectives of the programme appropriate given the nature of need in Birmingham?<br>• Are there issues that the programme does not address?<br>• Are some interventions more relevant to the needs of residents than others?<br>• Did the CoL programme collaborate with relevant stakeholders and community groups to design and deliver the programme? |
| **Coherence** of the actions and the programme | • How well integrated are actions with other support provided to residents in the city? | • Does the CoL programme integrate with other forms of support that BCC provides? |
| **Added Value** of BCC involvement | • Do the actions or programme add volume and or increase scope of what would have otherwise happened?<br>• Do the actions or programme strengthen delivery capacity of other organisations operating in the city?<br>• Are there any aspects which can be mainstreamed by organisations operating across the city? | |

**Appendix 2**

**Proposed Cost of Living Governance Structure**



| | |
|---|---|
| Title of proposed EIA | Cost of Living Programme Phase 2 |
| Reference No | EQUA1138 |
| EA is in support of | Amended Service |
| Review Frequency | Six Months |
| Date of first review | 31/01/2024 |
| Directorate | Strategy Equality and Partnerships |
| Division | Cost of Living |
| Service Area | |
| Responsible Officer(s) | ☐ Alison Muckersie |
| Quality Control Officer(s) | ☐ Nikki Murfitt |
| Accountable Officer(s) | ☐ Greg Ward |
| Purpose of proposal | To enable the continuation and development of a range of interventions aimed at supporting those residents most adversely affected by the Cost of Living crisis |
| Data sources | Consultation Results; Interviews; relevant reports/strategies; Statistical Database (please specify); relevant research |
| Please include any other sources of data | Population-linked data mapping using the City Observatory<br>Evaluaiton framework for the CoL Phase 2 activities<br>Programme level dashboard<br><br>The City Observatory leads on the completion of the Evaluation Framework for the Cost-of-Living programme. Working with the Neighbourhood Advice Centres and Contact Centre, the Observatory will have access to anonymised data trends. Explorations are underway to establish how other external partners and bodies might join in this data collection and analysis. |

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

| | |
|---|---|
| Protected characteristic: Age | Service Users / Stakeholders; Employees; Wider Community |
| Age details: | Charity group St Basils facilitated a report for Loughborough University which reported that young people living |

independently face the same costs regardless of age, yet the social security system provides a lower under 25 Universal Credit rate, with young people under 25 receiving £70 a month less Universal Credit than those who are 25 and over. The research reiterated that young people living outside the family home have to cover the same essential living costs, such as bills, food and transport regardless of age. Participants did not understand why the under 25 rate was lower - they felt it was unjustified and penalised them simply because of their age. The report also highlighted that the Universal Credit under 25 rate was inadequate at £265 a month - and could be even less after deductions, such as for repaying an advance to cover the initial 5 week wait. This level of income left young people with little choice in spending, having to prioritise and make sacrifices – 'surviving' rather than 'living'. Even where highly organised and disciplined with their budgets, their money could only stretch so far. The constant worry and stress of trying to manage on such a low income could be emotionally draining, alongside a feeling of missing out and being unable to do things that other young people their age could. Managing on Universal Credit alone meant focussing on getting by on a day to day basis and limited the possibility of trying to save for the future.

As workforces across the city age, new prospects for younger workers will rise significantly. The Cost of Living Phase 2 programme includes targeted actions to support vulnerable young people across Birmingham. These interventions, which go beyond the assistance available to all residents regardless of age, include:

- an Employment Charter which aims to diversity recruitment and increase youth recruitment across the city;

a recalibration of BCC's social value procurement to prioritise local employment and recruitment among target cohorts, including increasing apprenticeships; promoting apprenticeships more effectively to the directorates across the council - (within ten years, 50% of the Council staff will be at retirement age), assisting with skills gap analysis, career mapping and providing current employees with the skills needed to advance in their careers. The additional Cost of Living resource would also support liaison with over 400 schools to drive the apprenticeship programmes. The emphasis would be particularly on preventing and reducing the city's high youth unemployment rate.

Following a successful pilot funded by Department for Levelling Up, which saw local coach-mentors work with six schools in East Birmingham, the aim is to expand local collaboration with schools. This will include mentoring, inspirational employer collaboration, and connecting students and parents with further skills development;

a proposal to improve careers advice and a delivery plan to establish an employment support service for young people ending full time education, building on the pilot in East Birmingham and the new powers in the devolution deal;

a weekly Coding Club that will cater for those who are 17 or under; and to drive long-term investment in entrepreneurism for young people in Birmingham, the programme will also sponsor a Prince's Trust roundtable of young people and youth entrepreneurship providers.

Free School Meals for children and young people is a key benefit in supporting access to food for eligible

citizens. For example, is estimated that taking Free School Meals can save eligible families around £400 per year. The CoI Phase 2 programme will explore ways to increase the uptake of Free School Meals, liaising with schools around individual's Free School Meal eligibility.
The Cabinet's decision to allocate £5m of the Household Support Fund (HSF) to the Council's cost of living activity provides opportunity to enhance other areas of support to vulnerable young people. For example, the Birmingham Playcare Network provides beds and cots to vulnerable families. Using new HSF funding to schools and linking to the cost-of-living benefits maximisation activity, if any school or nursery identifies a need, these beds will be provided, and then the team will monitor subsequent school attainment through the Observatory's evaluation framework. Additional funding for a complete set of bedding from mattresses to pyjamas will also be provided if needed.

There is a clear case for codesigning further plans for tackling the causes of poverty amongst our young people, particularly those young people who have a lived experience of deprivation, school exclusion or the youth justice system. CoL resources will be targeted at this codesign process, and a further set of proposals will be worked up before being reported back to relevant Cabinet Members for review.

Support for older residents of the city, beyond the wider cost-of-living interventions, will include a new "Warm Welcome @ Home" initiative which will provide direct support to residents who are isolated or vulnerable, including the provision of warm packs for those who cannot access warm spaces themselves. Tailored IT courses will also be aimed at those aged 55 plus and delivered across city libraries.

Protected characteristic: Disability

Disability details:

Service Users / Stakeholders; Employees; Wider Community

Disabled individuals and their households have, on average, lower incomes than their non-disabled counterparts. They often incur additional costs related to the treatment and mitigation of their disability. Disabled people are less likely to be employed than the wider population. As reported by the Office for National Statistics (ONS), the employment rate for disabled people is 54%, compared to 82% for non-disabled people. Furthermore, disabled people that are employed are typically paid less. The 'disability pay gap'—the gap between median pay for disabled employees and their non-disabled counterparts—was 13.8% in 2021, meaning that disabled people earn almost £2 per hour less on average. Disabled people and their households also tend to spend more on essential goods and services, such as heating, food and travel. These extra costs associated with disability vary depending on the type of impairment. However, analysis by the disability equality charity Scope estimated that the extra costs faced by disabled people average £583 a month, with one in five disabled people facing extra costs of more than £1,000 a month. The IFS said that, in 2019/20, 29% of people on disability benefits suffered from relative income poverty, relative to 20% for working-age adults in general. Moreover, the IFS suggests that these figures understate the rate of poverty among disabled people, given that the extra income received through disability benefits—which nominally boosts the income of disabled people—is in practice absorbed by 'extra costs', rather than acting as a material boost to disposable income.

The Cost of Living Phase 2 programme, which includes funding to the Heart of England Foundation, will provide

additional infrastructure across the adult social care and NNS commissioned pathways. Heart of England will set up and manage a grant programme where they will broker and manage the activity provided by community-based organisations, with an aim of working with organisations linked to currently under-represented communities, and with communities facing the greatest need across Birmingham. Small, medium, and larger organisations will be able to apply for this funding. Where appropriate, these agencies may refer on into other specialist advice support agencies e.g., Tribunals service. Commissioned services and community-based organisations will be aware of intersectionality, providing support where a mixture of discrimination (racism, gender, transphobia, homophobia, etc) is present. They will work with other services, through partnership boards and steering groups; joining pathways to help contest the many forms of discrimination which are preventing vulnerable adults from thriving. The funding is being used to provide income maximisation related Information Advice and Guidance.
A proactive approach is being taken, to help avoid a reliance on client walk-ins, and to extend reach to those who find engagement out of the home difficult, due to disabilities and other issues.
Cost of Living supported employability interventions will also include the targeting of disabled adults to help diversify the city's workforce and provide improved employment opportunities for this cohort of the city's residents.
As with the first phase of the Cost-of-Living work, this programme will be underpinned by diverse communication activity, which will include messaging in ten Birmingham languages, braille and deaf speak.

Protected characteristic: Sex

Service Users / Stakeholders; Employees; Wider Community

Gender details:

Services providing support will be non-gender specific and there will be a positive impact as services recognise the wider range of gender identity that is emerging, whilst ensuring that everyone has the same opportunity to access appropriate support. The Cost of Living Phase 2 interventions are accessible to all genders with a commitment to addressing their personalised support needs and applying a holistic approach to their wellbeing.

A proactive approach to the provision of benefits maximisation is being taken, to help avoid a reliance on client walk-ins, and to extend reach to those who find engagement out of the home difficult, due to caring responsibilities and other issues.

The focus on employment activity within Phase 2 of the programme is likely to impact on female workers, who make up the majority of employees in low paid roles across the health and care and catering sectors in particular.

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| Protected characteristics: Gender Reassignment | Service Users / Stakeholders; Employees; Wider Community |
| Gender reassignment details: | Gender reassignment is not a barrier to accessing support. The Services commissioned will ensure all people using services who identify as transgender, non-binary or intersex are treated with respect and dignity throughout their support and will be able to access the same support, and be offered the same opportunities whilst ensuring they have a personalised approach as any other gender. |
| Protected characteristics: Marriage and Civil Partnership | Service Users/ Stakeholders; Employees; Wider Community |
| Marriage and civil partnership details: | Marital Status will not act as a barrier when accessing the services. Both single |

and couples can access the assessment for support as those who are married or have a civil partnership

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Employees; Wider Community

Pregnancy and maternity details:

More than one in five women develop a mental illness during pregnancy or after giving birth, and this level is likely to increase with additional stresses linked to cost of living pressures.
Cost of Living funding is being used to provide income maximisation related Information Advice and Guidance, enabling advice to be provided to those communities in greatest need across Birmingham. A proactive approach is being taken, to help avoid a reliance on client walk-ins, and to extend reach to those who find engagement out of the home difficult, due to caring responsibilities and other issues.

The CoL Phase 2 programme will look to increase uptake of the Healthy Start initiative across the city What is Healthy Start | Healthy Start | Birmingham City Council. This programme supports pregnant women and their families to eat well and get the vitamins they need for healthy development.

Protected characteristics: Race

Service Users / Stakeholders; Employees; Wider Community

Race details:

The cost-of-living crisis has significantly impacted those already living in poverty. Within Birmingham there is a concentration of poverty amongst certain ethnic groups, including the Bangladeshi and Pakistani communities, and those impacted by multiple disadvantage,
Minority ethnic workers are disproportionately paid the lowest wages in the UK, Data in the Office for National Statistics (ONS) Labor Force Survey, and re-weighted to the ONS Annual Survey of Hours and Earnings,

reported that 33% of Bangladeshi workers, 29% of Pakistani and 25% of Black workers are paid below the real Living Wage, compared to 20% of White British workers. Further data from the ONS reveals that: 4 in 10 (44%) White adults reported finding it difficult to afford their energy bills. This proportion appeared to be higher among Black or Black British adults (69%) and Asian or Asian British adults (59%). A quarter (28%) of White adults reported finding it difficult to afford their rent or mortgage payments. This proportion also appeared higher among Black or Black British adults (52%) 1 in 25 (4%) White adults reported being behind on their energy bills. This proportion appeared higher among Black or Black British adults (21%). 1 in 50 (2%) White adults reported being behind on their rent or mortgage payments. This proportion appeared greater among Black or Black British (9%), Mixed or Multiple ethnic group (9%) and Asian or Asian British (8%) adults.

The Cost of Living Phase 2 programme is targeted at helping the most vulnerable communities across Birmingham. The programme, which includes funding to the Heart of England Foundation, will provide additional infrastructure across the adult social care and NNS commissioned pathways. Heart of England Community Foundation will set up and manage a grant programme where they will broker and manage the activity provided by community-based organisations, with an aim of working with organisations linked to currently under-represented communities. Small, medium, and larger organisations will be able to apply for this funding. The funding would be to provide Cost of Living income maximisation related Information Advice and Guidance, enabling advice to be provided to communities of greatest need across Birmingham. Where appropriate, these agencies may refer on into other specialist advice support agencies e.g., Tribunals service. The inclusive strategy

of NNS and commissioned support providers ensures that all funded assets are designed to be inclusive and welcoming to all people regardless of ethnicity, and other protected characteristics (Ethnic Minority Groups Supported by NNS and P&C, BVSC April 2021). Commissioned services and community-based organisations will be aware of intersectionality, providing support where a mixture of discrimination (racism, gender, transphobia, homophobia, etc) is present. They will work with other services, through partnership boards and steering groups; joining pathways to help contest the many forms of discrimination which are preventing vulnerable adults from thriving.
Cost of Living supported employability interventions will also help diversify the city's workforce and provide improved employment opportunities and fairer pay for a wider cohort of the city's residents.
This programme will be underpinned by diverse communication activity, which will include messaging in ten Birmingham languages.

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| Protected characteristics: Religion or Beliefs | Service Users / Stakeholders; Employees; Wider Community |
| Religion or beliefs details: | Data provided by the Council's Data Observatory will be used to highlight areas of the city where there are so-called "deserts of service provision". These include parts of East Birmingham where there is a high percentage of people from the city's Muslim community. Work is underway to consider alternative routes to engaging with this community, in recognition of the limited effectiveness of the current somewhat transactional approach.<br><br>Religion or beliefs will not be seen as a barrier when accessing Cost of Living funded services. Faith-based organisations are key partners in the NNS. NNS has raised awareness of their contribution. They bring organisations representing different faiths and beliefs |

into local partnership arrangements. NNS capacity-building, equality and diversity training ensure that partnerships and organisations work in a way, which is inclusive and respectful of different faiths and beliefs, and that local activities are inclusive of the needs of faith-based communities.

The grant schemes for food bank provision in Phase 1 of the Cost of Living programme highlighted a lack of provision in East Birmingham so in Phase 2 there will be targeted work to increase sustainable capacity for food provision in this part of the city. This will include support for mosques and other community assets to purchase equipment to increase their capacity to provide nutritious, and culturally appropriate food.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders; Employees; Wider Community

Sexual orientation details:

Sexual orientation will not be a barrier when accessing the services. With the strong link required to community assets by Cost of Living supported services local groups for LGBTQ+ citizens can be identified and accessed. In addition, providers will be expected to deliver equality and diversity training where appropriate, ensuring that local assets and support will be accessible to LGBTQ+ citizens and inclusive of their needs.

Socio-economic impacts

The Cost of Living programme initially concentrated on immediate actions to alleviate hardship. However, in many ways, this has been tackling the symptoms rather than the causes. The reason there is a cost of living emergency is that too many people in Birmingham do not share fully in Birmingham's dynamic economy and, consequently, household incomes for the most vulnerable households are too low.

Even before the emergency the big challenges in the city were all linked to poverty and economic inequality:

- Low rates of employment (especially amongst the young);
- Low productivity;
- Big earnings gap between Birmingham's workers (often commuters) and residents; and
- Social exclusion.

In turn, these challenges drive poor health outcomes and housing conditions, demand for statutory services and they also have the potential to exacerbate community tensions.

In the second phase of the Cost of Living programme, the overall challenge is to move from the immediate actions already taken, to creating the conditions for more inclusive economic growth. Continued support to help alleviate fuel and food poverty, through proactive engagement on preferential energy and broadband tariffs, will be enhanced with interventions to help manage the Cost of Living crisis more sustainably in the future. The ambition is to seek to put the poorest households on a higher, lifetime income trajectory. This is through a combination of benefit maximisation and by helping more of the city's poorest people into sustainable jobs and careers – sometimes through developing their own entrepreneurial skills.

The expansion of the Cost of Living programme in Phase Two will include elements of the enhancement of employment and enterprise opportunities for the most vulnerable communities in Birmingham. Included in the programme will be support for existing employer partnerships to develop a "Good Employment" Charter. The charter will secure commitment to the best employment practices from Birmingham's key employers, sectors, and businesses. Aimed at improving the quality, availability, and access to jobs for underrepresented residents in the labour market, the charter will seek to

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| | address inequalities and improve equity amongst the city's wide workforce. There will also be a drive to increase employer commitment to the number of accredited Living Wage employers headquartered in Birmingham. Currently, twenty percent of Birmingham's workers still do not receive the Living Wage. |
| Please indicate any actions arising from completing this screening exercise. | Any impacts have been mitigated by actions in the Report to Cabinet on 25 July 2023. |
| Please indicate whether a full impact assessment is recommended | NO |
| What data has been collected to facilitate the assessment of this policy/proposal? | Consultation Results, interviews, Meetings with stakeholders and providers, performance data, contractual data, Census data, health data, POPPI and PANSI data and market intelligence from existing providers and service users. |
| Consultation analysis | See Report to Cabinet on 25 July 2023. |
| Adverse impact on any people with protected characteristics. | Actions as outlined above and as described in report to Cabinet on 25 July 2023 |
| Could the policy/proposal be modified to reduce or eliminate any adverse impact? | Ongoing impact of interventions will ensure the reduction or elimination of any adverse impacts |
| How will the effect(s) of this policy/proposal on equality be monitored? | |
| | The Cost of Living programme evaluation framework was approved by Cabinet on 25 April 2023. Work is ongoing to enhance this framework to reflect additional activities being undertaken in Phase 2, working closely with the City Observatory who are developing a Cost of Living dashboard to highlight impact to date.<br>In addition, Heart of England will monitor the activity of the providers and the Adult Social Care, Prevention and Communities Team will monitor the reporting of Heart of England Community Foundation and quarterly |

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| | reports will be shared with the Cost-of-Living Strategic Response Group. Regular reporting on activity and impact will be built into the forward programme of the CoL Strategic Response Group, which has delegated responsibility for governance and oversight of the programme. In addition, further updates will be reported to Cabinet. |
| What data is required in the future? | |
| | The Cost of Living programme evaluation framework was approved by Cabinet on 25 April 2023 Work is ongoing to enhance this framework to reflect additional activities being undertaken in Phase 2.<br>In addition, Heart of England will monitor the activity of the providers and the Adult Social Care, Prevention and Communities Team contract manager will monitor the reporting of Heart of England Community Foundation and quarterly reports will be shared with the Cost-of-Living Strategic Response Group. Heart of England Community Foundation will be required to produce an evaluation report at the end of the funding period that will form part of the evaluation of the wider impact made in Birmingham relating to the Cost-of-Living Crisis and proposed recommendations for future advice services in the city. |
| Are there any adverse impacts on any particular group(s) | No |
| If yes, please explain your reasons for going ahead. | |
| Initial equality impact assessment of your proposal | The Cost-of-Living programme aims to reduce the impact of food, fuel and economic poverty on the most vulnerable households and on those with protected characteristics. |
| Consulted People or Groups | Details covered in Report to Cabinet on 25 July 2023 |
| Informed People or Groups | Details covered in Report to Cabinet on 25 July 2023 |

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| Summary and evidence of findings from your EIA | Details covered in Report to Cabinet on 25 July 2023 |

QUALITY CONTORL SECTION

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| Submit to the Quality Control Officer for reviewing? | Yes |
| Quality Control Officer comments | Reviewed on 28th of June 2023. No changes needed. |
| Decision by Quality Control Officer | Proceed for final approval |
| Submit draft to Accountable Officer? | Yes |
| Decision by Accountable Officer | Approve |
| Date approved / rejected by the Accountable Officer | 28/06/2023 |
| Reasons for approval or rejection | This is a comprehensive and positive assessment of this programe |
| Please print and save a PDF copy for your records | Yes |

Content Type: Item
Version: 124.0
Created at 17/05/2023 10:36 AM by Alison Muckersie
Last modified at 28/06/2023 05:07 PM by Workflow on behalf of Alison Muckersie

Close

**Appendix 4 - Environment and Sustainability Assessment**

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| **Project Title:** Cost of Living programme Phase 2 | | | | |
| **Department:** SEP | **Team:** Cost of Living | | | **Person Responsible for assessment:** Alison Muckersie |
| **Date of assessment:** May 2023 | | **Is it a new or existing proposal?** Existing | | |
| **Brief description of the proposal:** The expansion of the Cost-of-Living programme in Phase Two will include elements of enhancement to employment and enterprise opportunities for the most vulnerable communities in Birmingham, whilst retaining interventions to mitigate challenges of fuel and food poverty across the city. | | | | |
| **Potential impacts of the policy/development decision/procedure/ on:** | **Positive Impact** | **Negative Impact** | **No Specific Impact** | **What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?** |
| Natural Resources- Impact on natural resources including water, soil, air | | | x | The programme does not have an effect on air, water, or soil quality. |
| Energy use and $CO_2$ emissions | x | | | Whilst the 243 warm spaces established in Phase 1 of the programme did generate additional energy costs, these were marginal, given that these buildings were in use before they became warm spaces. This impact has been further mitigated by the hundreds of users who were not using fuel at home but in a collective space. Warm spaces have been operating in a range of venues including Museums and Mosques, in Libraries, and Leisure Centres.<br><br>In Phase 1 of the Cost of Living programme we provided energy cost top ups for 3,400 of the households experiencing the most fuel poverty in the city. A new element of Energy Resilience advice will be introduced in Phase 2, to assist citizens to apply for social tariffs and other |

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| | | | | assistance from utility companies.<br><br>In Phase 2, there will also be additional support to a network to develop specialised or localised clusters of Warm Welcome spaces. The Warm Welcome workstream has become ever more closely aligned with energy resilience. Residents currently collect warm packs from Warm Welcome spaces when they visit. In Phase 2 of the programme the aim is to extend this programme to identify and send warm packs to those vulnerable residents that cannot access Warm Welcome spaces as part of Warm Welcome@ home. As part of the Warm Welcome approach, we will also provide emergency gas and electric funds to residents. We also hope to be able to pilot 'lendable' slow cookers and other energy saving devices to residents to help cut down on household energy bills.<br><br>Part of any successful energy resilience workstream will be to increase education and awareness. This is about accelerating damp and mould education, including expanding signposting and information within the Warm Welcome spaces. There will be a particular focus on the private rental sector where capacity to do this is low. We also want to create a route to resolution so social housing and private renting residents can learn how to remediate problems and engage with landlords and, if necessary, enforcement teams. As part of this we will identify 20,000 dwellings where direct support will be provided to alleviate this burden.<br><br>Through our energy saving work, our energy avoidance, by the use of warm spaces, and our use of food surplus and veggie and vegan offerings, we are reducing the carbon |

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| | | | | footprint of a sizeable proportion of citizens. |
| Impact on local green and open spaces and biodiversity | | | x | None of the work impacts positively or negatively on green spaces or biodiversity |
| Use of sustainable products and equipment | x | | | The foodbanks we support have often used disposable packaging, and the warm spaces may use paper cups for warm drinks. However, we have restricted the purchase the foodbanks make of disposables, with our grants, to 5% of the total cost of their purchases. This was during a crisis but, as we move forward, we will continually make the case to our partners for more use of sustainable products.<br>There is some waste created in the making of tea and coffee and the batching of food at our partner's Warm Spaces and Foodbanks, respectively. However, this is offset by the fact that the foodbanks and surplus food hubs use a great deal of surplus food that would otherwise go to waste. The foodbanks often offer predominantly vegetarian and vegan meals, and they play an educating role in the preparation of such food. |
| Minimising waste | x | | | There is significant food insecurity in Birmingham, whilst we also have enormous amounts of food waste in the city. Innovative approaches are needed to redirect surplus food so that it goes on people's plates rather than into landfill. A first surplus food hub was funded in Balsall Heath in Phase 1. It is likely a second hub, where surplus food is cooked into meals for Birmingham communities, will be developed in Phase 2. We are also looking at ways to promote more affordable food models, with a particular focus on provision in East Birmingham. |
| Council plan priority: a city that takes a leading role in tackling climate change | x | | | By promoting energy efficiency and reduction in food waste the programme aims to promote sustainable lifestyles amongst vulnerable residents |

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| Overall conclusion on the environmental and sustainability impacts of the proposal | There is some waste and potentially additional energy use because of the Cost of Living Programme. However, it is more than offset by offering communal warm spaces to prevent vulnerable citizens from needing to use their own fuel and incur expense and energy in cooking their own food from scratch. Furthermore, our work to increase education and awareness in relation to damp and mould in the private rental sector, where capacity to do this is low, has the potential to improve living environments for some of our poorest citizens.<br>Our energy saving advice, our warm packs and our rudimentary insulation saves additional domestic energy.<br>With a focus on reducing food waste in Phase 2 we aim to redirect surplus food so that it goes on people's plates rather than into landfill. By working with some of the most vulnerable citizens in the city we aim to improve social, economic and environmental outcomes city-wide. |

If you require assistance in completing this assessment, then please contact: ESAGuidance@birmingham.gov.uk

# Birmingham City Council
# Cabinet Report
**5 September 2023**

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| **Subject:** | **West Midlands Deeper Devolution Deal** |
| **Report of:** | **Richard Brooks, Director Strategy, Equality and Partnerships** |
| **Relevant Cabinet Member:** | **Cllr Sharon Thompson - Deputy Leader** |
| **Relevant O &S Chair(s):** | **Cllr Sir Albert Bore - Coordinating** |
| **Report author:** | **Jake Sumner, Policy Adviser to the Chief Executive**<br>**Email:** jake.sumner@birmigham.gov.uk |

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| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: TBC | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: | ☐ Yes | ☒ No |

## 1 Executive summary

1.1 The West Midlands Trailblazer Deeper Devolution Deal (DDD) was published by government on 15 March 2023 alongside the Budget. Prior to the publication on 10 March there had been an in-principle agreement by the West Midlands Combined Authority (WMCA) to the deal. There is now a need to formalise the agreement by each constituent authority and by the WMCA. This paper is the formal agreement to be undertaken by Birmingham's Cabinet. The WMCA

expected to take the decision at its Board Meeting on 13 October 2023. The other constituent authorities will also be agreeing the DDD ahead of the 13 October WMCA Board meeting.

1.2 This report provides an overview of the background to deal, main elements, implementation, and next steps.

1.3 The implementation of the DDD is a process led by the WMCA, which will take place over the next 12-18 months. The different elements of the deal will pass through the various structures at the WMCA. There may be occasions ahead, after the overall agreement to the DDD, where constituent authorities may need to make decisions related to deal elements or draw up propositions on specific elements. Where this is the case, these would likely come through City Council decision-making in the normal way.

## 2 Recommendations

2.1 The recommendation is for the Cabinet to agree the DDD and the in-principle award of Bus Service Operator's Grant as a Mayoral function. This is in line with the city council leadership's expressed support for the DDD at the time of its publication in March 2023.

## 3 Overview of the devolution deal

3.1 The process to commence a 'Trailblazer Devolution Deal' for the West Midlands and for Greater Manchester was announced as part of the Levelling Up White Paper on 2 February 2022.

3.2 Following this, the WMCA, working with constituent authorities, instituted a complex programme with multiple workstreams to develop proposals for the deal, which were taken through various working groups and engagement with the constituent authorities and other partners such as the Office for the Police & Crime Commissioner. Alongside were ongoing negotiations with government. The constituent authorities were involved at various levels including Chief Executives, Finance Directors, the Senior Local Authority Officers Group, forums with subject leads (for example transport or public health), and the political leadership including the Met Leaders and Portfolios holders and WMCA Board.

3.3 The devolution deal process had some challenges as government priorities and positions shifted during the year of negotiations, and there were two changes of national government with different Ministers.

3.4 At the start of the process there was an agreement with the constituent authorities and Mayor that there should be double devolution with powers going to local authorities and powers should not go from local authorities to the WMCA.

3.5 Birmingham City Council's Deputy Leader took on the WMCA portfolio for devolution as the process got underway.

3.6 In June 2022, during the early stages of the development of the deal, Birmingham City Council wrote to the West Midlands Mayor seeking a whole place approach in East Birmingham as a centrepiece of the deal. This reflected the significant levels of deprivation and the scale of the challenges such as poor connectivity within the area, and which a deal should help to address. Following this, Birmingham agreed to come together with Solihull Metropolitan Borough Council and the WMCA to work up a programme for East Birmingham and North Solihull (EBNS). The two areas have a functional economic geography and similar challenges such as poor connectivity. Levelling Up Zones with business rate growth retention, were developed as a core part of the EBNS approach and were secured through the deal.

3.7 The devolution deal was agreed in principle by the Mayor and Portfolio Leaders on 10 March 2023 and announced in the Chancellor's Budget on 15 March (with the Trailblazer Devolution Deal rebadged as the Deeper Devolution Deal). The health duty provisions in the deal were not agreed in-principle on 10 March and it was determined that these would be subject to further assessment and discussion between the constituent authorities and WMCA and come back to a future meeting.

3.8 *Implementation:* Following the publication of the deal, the in-principle agreement (bar the health duty) was reaffirmed by the Mayor and Portfolio Leaders alongside the need for a more detailed implementation plan. This has been developed over the past months and is an ongoing live process.

3.9 The deal has around 190 paragraphs with different elements and activity mostly enhancing the existing functions of the WMCA, setting up new partnerships and unlocking around £1.5bn of new funds for the region. Almost all elements require further work to determine how they will be implemented (hence the implementation plan), including double devolution and local delivery arrangements. Some elements require further negotiation with government, with the deal setting a headline aim and the detailed policy requiring further in-depth discussion and agreement.

3.10 The implementation is guided by a set of principles:

- The most should be made of every commitment in the deal, to derive as much value from the deal commitments ahead of the next general election and spending review.
- Local and regional engagement and collaboration is maximised through the implementation process, ensuring that delivery is driven at the most effective level with reporting on progress.
- Activity in different workstreams is integrated within mainstream work programmes so that devolved powers become business-as-usual for regional partners.
- A clear focus is retained on the need for more inclusive growth in the region in all aspects of deal implementation.

3.11 The deal elements are being monitored and progressed by the WMCA through a detailed 'tracker system'. In more general terms, the implementation plan is being structured around more than 20 different workstreams and looking at:

- How is implementation or further negotiations being conducted for the workstream i.e. which WMCA structure / group / local authority leads are determining this.
- How it is envisaged that the deal provisions will be administered, delivered and decided upon (where this is needed).
- Key milestones and deliverables.
- Outstanding issues and questions.
- The implementation plan will also look at what the key outputs and outcomes that the deal elements should secure.

3.12 Commitments in the deal are varied in scope and size. For some there are deliverables or activities with set deadlines, which means the implementation plan can be relatively definitive. For others, particularly those that commit to further development of policy, the outputs and deadlines are less tightly defined. Some aspects of the deal also require a more cross-cutting approach.

3.13 The City Council is playing a full role in the development of the implementation plan. Richard Brooks, Director of Strategy, Equality and Partnerships, is the Corporate Leadership Team lead on the DDD and co-ordination. However, multiple directors and officers have a role in working through and delivering the deal elements.

3.14 *Deal elements:* More significant areas of the deal include:

- Levelling Up Zones (aka Growth Zones) provision to establish up to six Levelling Up Zones with business rate growth retention for 25 years to fund infrastructure and other priorities.
- Up to £400m affordable homes funding to 2026 and £100m brownfield regeneration funding.
- Investment Zones - these were not technically part of the deal but were announced at the same time and are applicable to other Mayoral Combined Authority areas. The LUZ/IZ process is being developed in an interconnected way as they both cover growth and tax incentives for specific sites in the West Midlands.
- Business rate retention for 10 years.
- Measures to tackle digital exclusion including greater influence over high-speed broadband investment across the region and a £4 million fund for devices and data to get more people online.
- Greater local responsibility for developing and delivering careers advice and a partnership with the Department for Work and Pensions to target employment support.
- Devolution of the bus service operators grant and a new partnership with Great British Railways to offer greater local oversight and control of public transport services.

- The UK's first formally designated transport sandbox to deliver cleaner and safer vehicles and innovative transport services and supporting new jobs and investment.
- Single departmental-style settlement for the WMCA from 2025 at the next spending providing multi-year period covering five pillars: local growth & place; local transport; housing and regeneration; adult skills; and retrofit. The single settlement corresponds with new accountability arrangements and a single outcomes framework.
- Within the single settlement is a commitment to devolve retrofit funding from 2025, to allow the WMCA, and partners, to set priorities for investment in insulation and green energy for homes.

3.15 There are some policy areas which we not able to be secured as part of the deal. However, the deal opens room for discussion with government. This includes flexibilities on right-to-buy and a greater range of environmental place powers, two areas which the City Council pressed for within the deal. The City Council will play a full role in following these up and part of the implementation plan.

3.16 *Single settlement and place plans:* The single settlement is the most significant reform with wide implications including how the WMCA may operate ahead. There are currently multiple sources of funding for the WMCA (and for local authorities) that are secured via competitive bids and with a range of requirements and criteria to follow. The idea of the single settlement is that instead of these arrangements there would be pillars or functions, with funding provided by government within these through a departmental-style, multi-year settlement. This should afford greater flexibility and therefore benefit and give certainty of funding. In turn, an outcomes framework would be agreed as in #3.24.

3.17 The single settlement is part of a wider set of funding arrangements through the DDD. The emerging idea is for 'place plans' - plans draw up by local authorities including for growth corridors and key regeneration areas where funding can be applied in a more co-ordinated way including the single settlement. Both the form and operation of the single settlement and the place plans will require detailed work ahead and co-creation between the WMCA and constituent authorities. A Memorandum of Understanding on the single settlement is set to be agreed with government in January 2024.

3.18 *Affordable Homes Funding and Brownfield Regeneration Funding:* £100m Single Regeneration Fund will be deployed flexibly across the region, and for the first time, brownfield land funding will support commercial, employment land and mixed-use development, as well as delivering 4,000 homes in the region.

3.19 The commitment of up to £400m Affordable Housing Programme (AHP) funding to the region, and greater influence for the WMCA over affordable housing delivery and strategy acts a precursor to full devolution of the AHP, and additional extra funding to the region from 2026. This is the first time this has happened outside Greater London.

3.20 The delivery of the AHP will be dependent on the appetite from providers and the development of joint pipeline and delivery plan, developed as part of the new Strategic Place Partnership as part of the deal. The Strategic Place Partnership will be established between Homes England and WMCA to support the WMCA on housing supply, investment, and urban regeneration and to bring new housing supply and regeneration sites forward. The WMCA will work collaboratively with Homes England, constituent local authorities and local delivery partners to develop a joint pipeline and delivery plan.

3.21 Should the concept of 'place plans' be agreed as in #3.17 the AHP and brownfield funding would likely form part of the suite of funding to underpin the plans.

3.22 *Levelling Up Zones/Investment zones:* LUZs and the IZs have been following an accelerated timetable given the government desire to move forward with IZs as quickly as possible. They are technically outside of the DDD and are being taken forward in other Mayoral Combined Authority Areas across the country too. However, as the LUZ and IZ approach are interconnected – a series of incentives around key sites – these are being worked on as a package. The City Council is developing the LUZ proposal with Solihull, which builds on the work on the East Birmingham North Solihull approach that was begun in summer 2022. The City Council is also working up a proposal for the IZ for the Birmingham Innovation Quarter. The IZ covers the whole WMCA geography, but specific sites can be given tax incentives, access to government cash funding and business rate retention.

3.23 The plans for the LUZ and IZ are expected to be finalised with government in the coming months, confirmed in the Autumn fiscal event and with the Spring fiscal event confirming the funding arrangements.

3.24 *Accountability:* A streamlined, overarching single accountability framework coordinated by DLHUC rather than multiple frameworks administered by different government departments is being developed. This will include the data sets used to monitor and chart outcomes. The WMCA will be held to account for delivering outcomes using the settlement funding and areas associated with devolved functions set out in the DDD and previous devolution deals.

3.25 The deal made provision for enhanced accountability arrangements. The WMCA governance team is looking at these and engaging with the WMCA Overview & Scrutiny Committee members with any changes brought to the WMCA Board for approval.

3.26 Additional scrutiny involves the Mayor and portfolio leads attending a full council meeting each year for each constituent council, if requested by the council, or if a Parliamentary select committee invites attendance. There will also be 'Mayor's question time', where the Mayor visits all parts of the region to take questions from the public, with an independent chair. The portfolio holders will present reports to the WMCA Overview and Scrutiny Committees and the

WMCA will arrange public, broadcasted sessions where Members of Parliament representing West Midlands parliamentary constituencies will be able to scrutinise the Mayor and other portfolio leads.

3.27 The government is set to publish a scrutiny protocol and the WMCA has committed to reviewing the scrutiny arrangements and reporting on them as part of the implementation plan. This will work through the details of the arrangements and implications such as Parliamentary scrutiny of the WMCA's work and in turn the relationship with the constituent local authorities and their scrutiny arrangements and constitutional requirements.

3.28 The ability for Mayoral Combined Authorities to financially remunerate their Overview and Scrutiny Committee and Audit Committee members is being taken through the Levelling Up and Regeneration Bill. A WMCA Board paper on 21 July 2023 outlines the payments that would be available should the legislation be passed.

3.29 *Health duty removal from the deal:* Following the publication of the DDD, and as agreed by the Met Leaders and Mayor, further discussions took place on the potential adoption of the WMCA public health duties within the deal. The decision was that these duties were not to be pursued and these are now no longer part of the deal.

3.30 *Bus service operators grant (BSOG) devolution and scheme and governance review:* The devolution of the BSOG to the WMCA is considered by the WMCA to be a public authority function, which can be dealt with under section 105B of the Local Democracy, Economic and Construction Act 2009 but requires a scheme, governance review and the consent of the constituent authorities to the laying of the order by government. The scheme and governance review are attached to this paper. An in-principle agreement of the devolution of the BSOG is part of this paper and further formal agreement will be needed after the WMCA Board in October, which will be considering this.

3.31 *Warwickshire:* There has been a proposal for Warwickshire to potentially join the WMCA as a constituent member. If Warwickshire had become a constituent member it would have led to implications for the DDD in relation to the new funding and powers. However, given the proposal is not moving forward the implications are no longer live considerations.

3.32 *Timetable:* The WMCA is developing a detailed timetable on the deal elements. The latest draft is included as appendix.

## 4 Consultation

4.1 The CLT has reviewed these recommendations and there has been consultation with key Cabinet Members and officers. The DDD text and accompanying report went to Co-ordinating Overview and Scrutiny Committee on 14 July 2023. The OSC agreed all the recommendations, and specifically

endorsed the importance of the Levelling Up Zones and Investment Zones elements of the deal.

4.2 The committee also wanted the report to include:

- Consideration of Warwickshire joining the WMCA as a constituent member in relation to the DDD.
- Governance and accountability proposals in the DDD, specifically arrangements for the Mayor to be subject to scrutiny at BCC, the arrangements for the CA Scrutiny Board, for example payments to members and appointments for two years and any implications for Parliamentary scrutiny of the WMCA's work and how this relates to the Birmingham City Council constitution.
- How the Affordable Homes and Brownfield Land allocations will work.
- Timeline for implementation, including the relevant legislation and enactment of new powers.

4.3 The report includes reference to all these areas. Most however, are subject to further detailed co-creation activity with the WMCA and negotiation with government as part of the implementation plan.

## 5 Compliance Issues:

5.1 How are the recommended decisions consistent with the council's priorities, plans and strategies? The DDD enables the delivery of the council's strategies, plans and goals including and not exhaustively, the Corporate Plan, Route to Zero, Housing Strategy and the East Birmingham Inclusive Growth Strategy. This is through the new funding, funding potential and powers through the DDD. The council will work with the WMCA and other constituent authorities to seek to ensure the DDD achieves as much benefit and value to advance these strategies.

## 6 Any Finance Implications

6.1 There are no direct financial implications that arise through this report. Any financial implications flowing from elements of the DDD will be reported to and approved through the governance structures of the WMCA and where necessary via the Cabinets of constituent authorities. This will form part of the implementation plan.

## 7 Any Legal Implications

7.1 Birmingham City Council is one of seven constituent metropolitan local authority members of the West Midlands Combined Authority. Each local authority member (including Birmingham) has two votes, and the Metro Mayor has one, for a total of 15 votes on the Board.

7.2 The WMCA advice is that the new powers in relation to the Bus Service Operators Grant are considered to be public authority functions, which can be dealt with under section 105B of the Local Democracy, Economic and Construction Act 2009 but require a scheme, governance review and the

consent of the Constituent Authorities to the laying of the order by the government. An in-principle agreement of the devolution of the BSOG is part of this paper and further formal agreement will be needed after the WMCA Board in October, which will be considering this.

## 8 Any Equalities Implications

8.1 The WMCA advice is that the development of the DDD has been undertaken with reference to an equalities lens and reflects a range of WMCA goals and commitments including to inclusive growth. WMCA officers have reviewed provisions and recommended alternative approaches to, or reinforcement of key aspects, which were incorporated. Ahead, through the implementation of the deal, there will an opportunity to further assess deal elements and their delivery in relation to equalities.

## 9 Environmental and Sustainability Implications

9.1 Many of the measures in the DDD will have a positive impact on environmental and sustainability areas. For example, one of the pillars of the single settlement is retrofit. This could enable more certainty and flexibility on retrofit funding which in turn could enable more effective delivery of housing retrofit measures in the region. The WMCA will be looking at DDD measures through an environmental and sustainability lens and environment and net zero measures will be passing through the WMCA Environment and Energy Board. Where measures are further developed ahead and come through the local authority processes, consideration will be given to undertaking an environmental and sustainability assessment.

## 10 Procurement Implications (if required)

10.1 There are no direct procurement implications from this report. Any procurement implications will be covered in separate reports as and when DDD elements are developed and come forward.

## 11 Human Resources Implications (if required)

11.1 There are no direct human resources implications in this report. However, DDD elements will have a range of implications on people such as how LUZs are implemented and delivered or the implementation of programmes such as Affordable Housing. These people implications will be assessed as these DDD elements are developed.

## 12 Attached papers

12.1 Full Deeper Devolution Deal text published 15 March 2023 on this link

## 13 Appendices

13.1 DDD timetable below

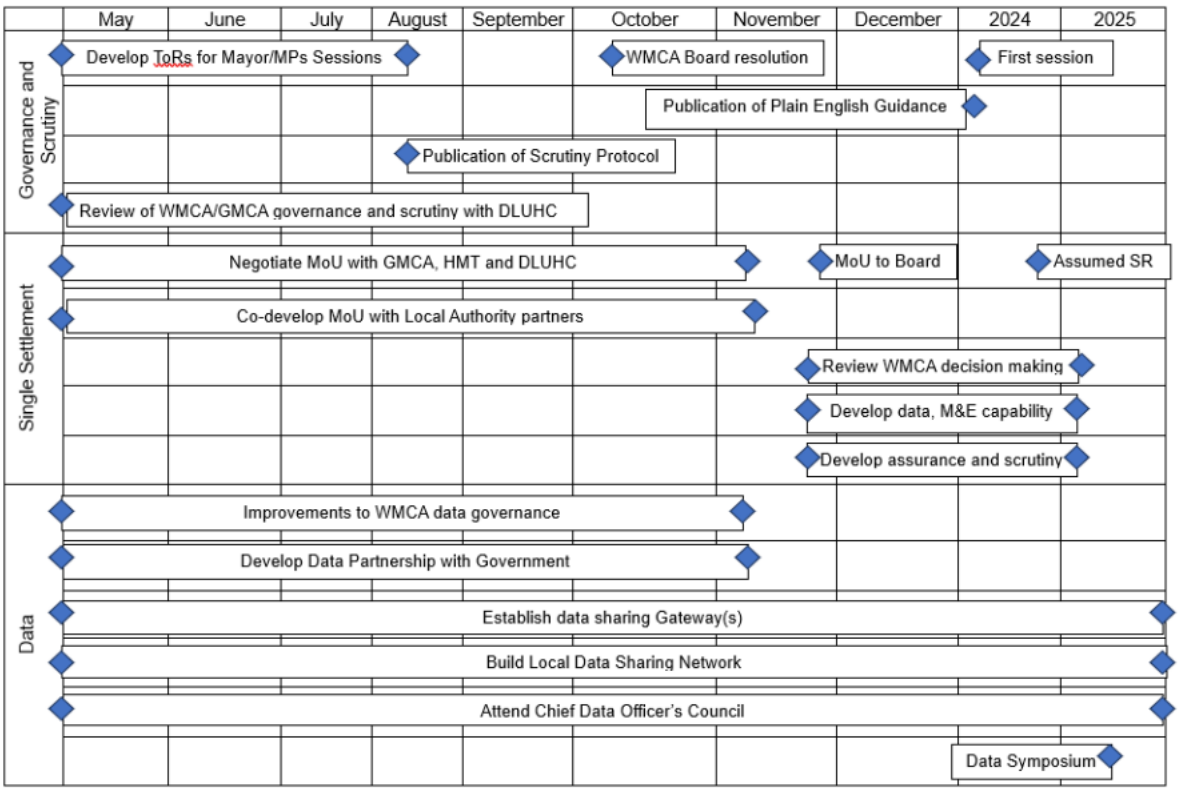
13.2 Bus Service Operators Grant devolution - scheme and governance review below.

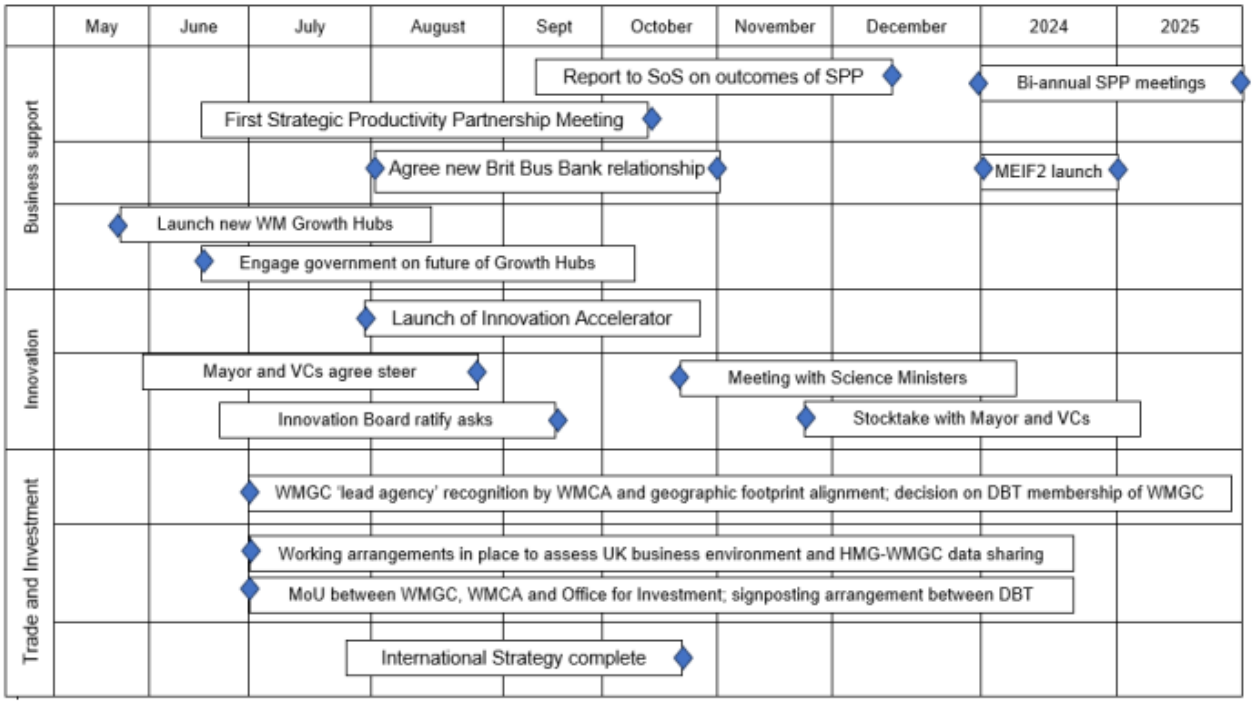
## Timetable DDD implementation timetable

Each theme in the deal has indicative timescales for implementation activities

A bar like the below with a single diamond is used to indicate a deadline:

A bar like the one below with a diamond at either end is used to indicate the duration of an activity:

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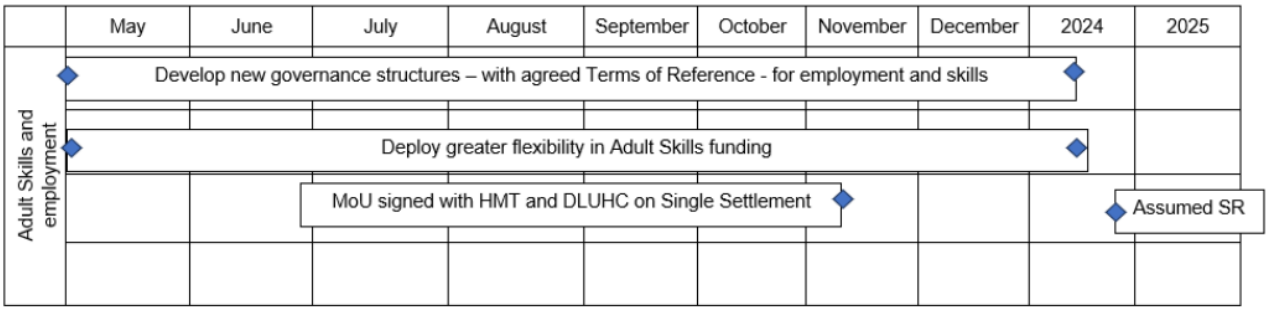
Business support
Report to SoS on outcomes of SPP
Bi-annual SPP meetings
First Strategic Productivity Partnership Meeting
Agree new Brit Bus Bank relationship
MEIF2 launch
Launch new WM Growth Hubs
Engage government on future of Growth Hubs
Innovation
Launch of Innovation Accelerator
Mayor and VCs agree steer
Meeting with Science Ministers
Innovation Board ratify asks
Stocktake with Mayor and VCs
Trade and Investment
WMGC 'lead agency' recognition by WMCA and geographic footprint alignment; decision on DBT membership of WMGC
Working arrangements in place to assess UK business environment and HMG-WMGC data sharing
MoU between WMGC, WMCA and Office for Investment; signposting arrangement between DBT
International Strategy complete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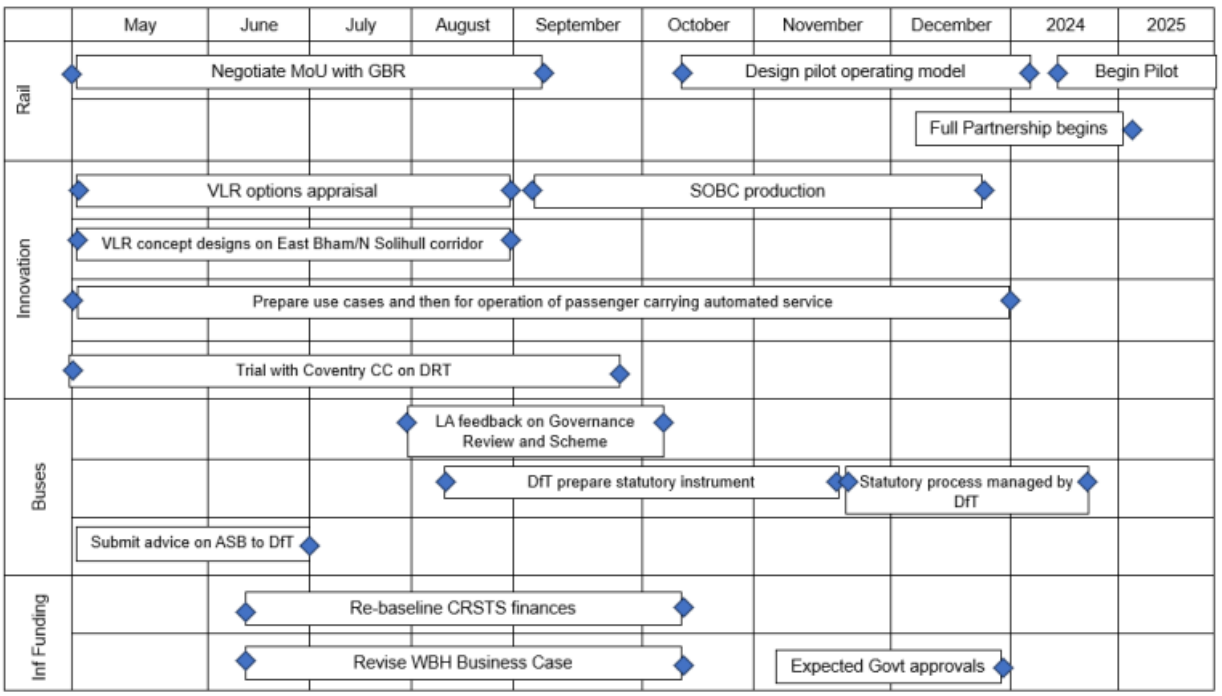
Adult Skills and employment
Develop new governance structures – with agreed Terms of Reference - for employment and skills
Deploy greater flexibility in Adult Skills funding
MoU signed with HMT and DLUHC on Single Settlement
Assumed SR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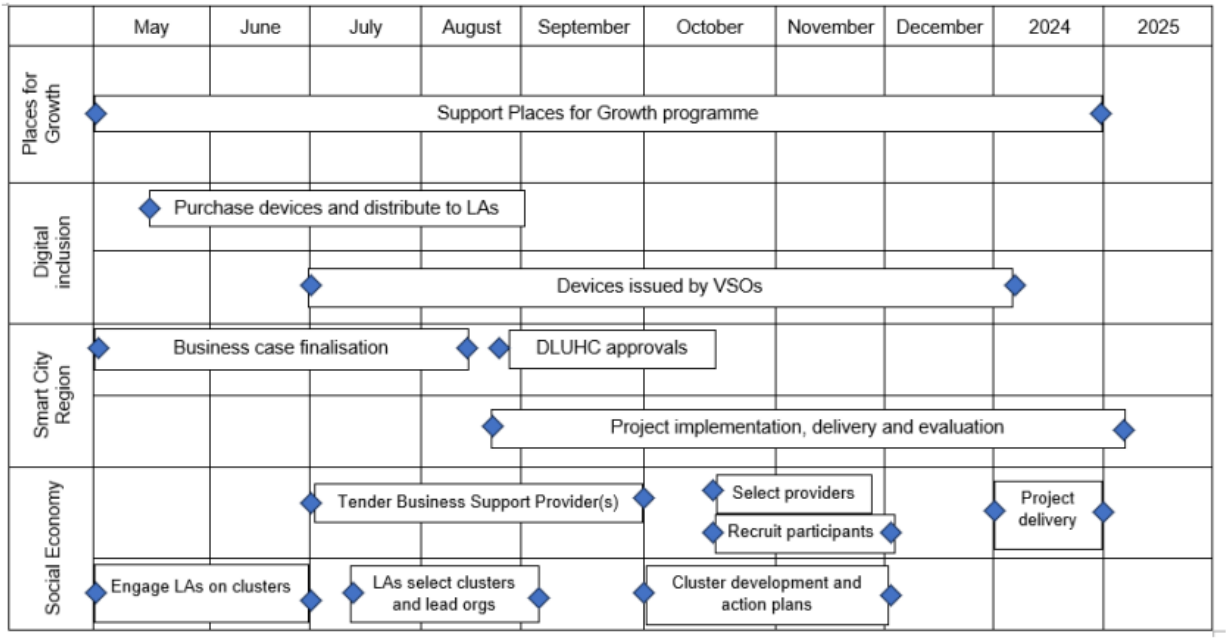
Rail
Negotiate MoU with GBR
Design pilot operating model
Begin Pilot
Full Partnership begins
Innovation
VLR options appraisal
SOBC production
VLR concept designs on East Bham/N Solihull corridor
Prepare use cases and then for operation of passenger carrying automated service
Trial with Coventry CC on DRT
Buses
LA feedback on Governance Review and Scheme
DfT prepare statutory instrument
Statutory process managed by DfT
Submit advice on ASB to DfT
Inf Funding
Re-baseline CRSTS finances
Revise WBH Business Case
Expected Govt approvals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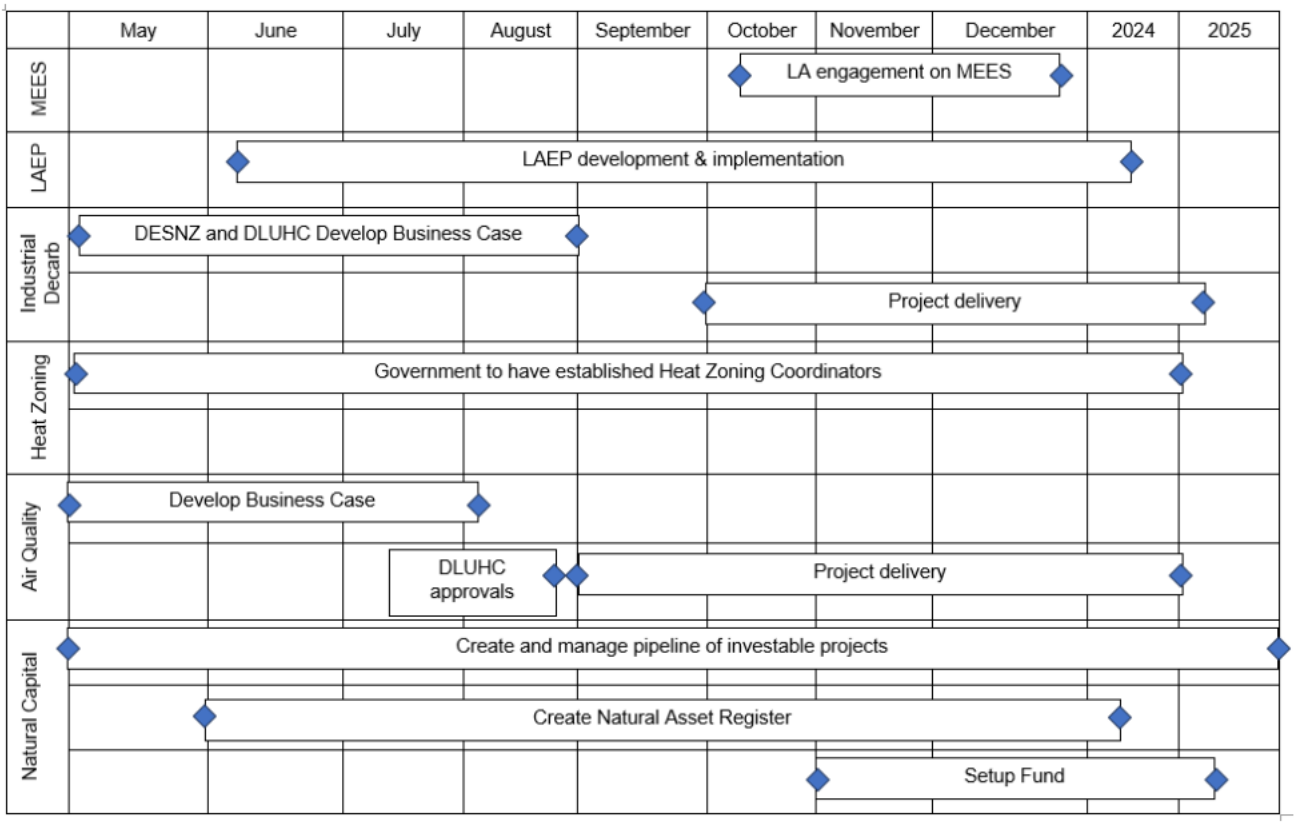
Places for Growth
Support Places for Growth programme
Digital inclusion
Purchase devices and distribute to LAs
Devices issued by VSOs
Smart City Region
Business case finalisation
DLUHC approvals
Project implementation, delivery and evaluation
Social Economy
Tender Business Support Provider(s)
Select providers
Recruit participants
Project delivery
Engage LAs on clusters
LAs select clusters and lead orgs
Cluster development and action plans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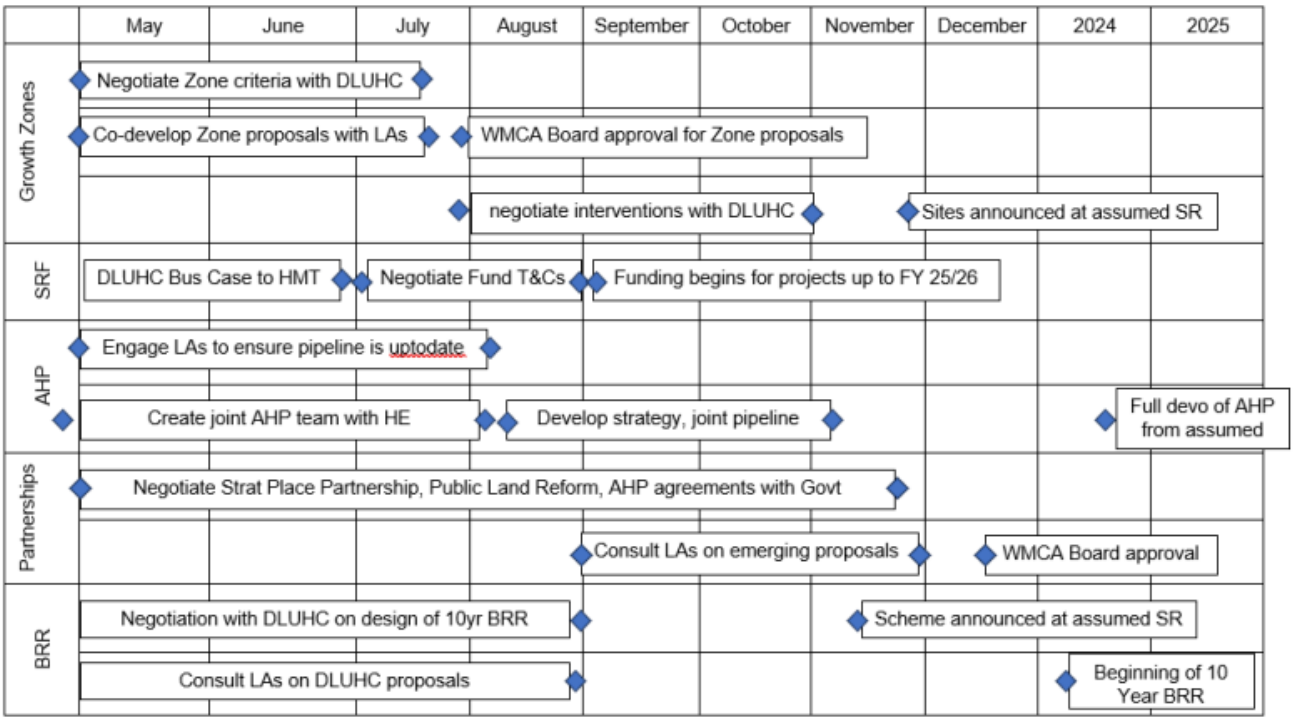
MEES
LA engagement on MEES
LAEP
LAEP development & implementation
Industrial Decarb
DESNZ and DLUHC Develop Business Case
Project delivery
Heat Zoning
Government to have established Heat Zoning Coordinators
Air Quality
Develop Business Case
DLUHC approvals
Project delivery
Natural Capital
Create and manage pipeline of investable projects
Create Natural Asset Register
Setup Fund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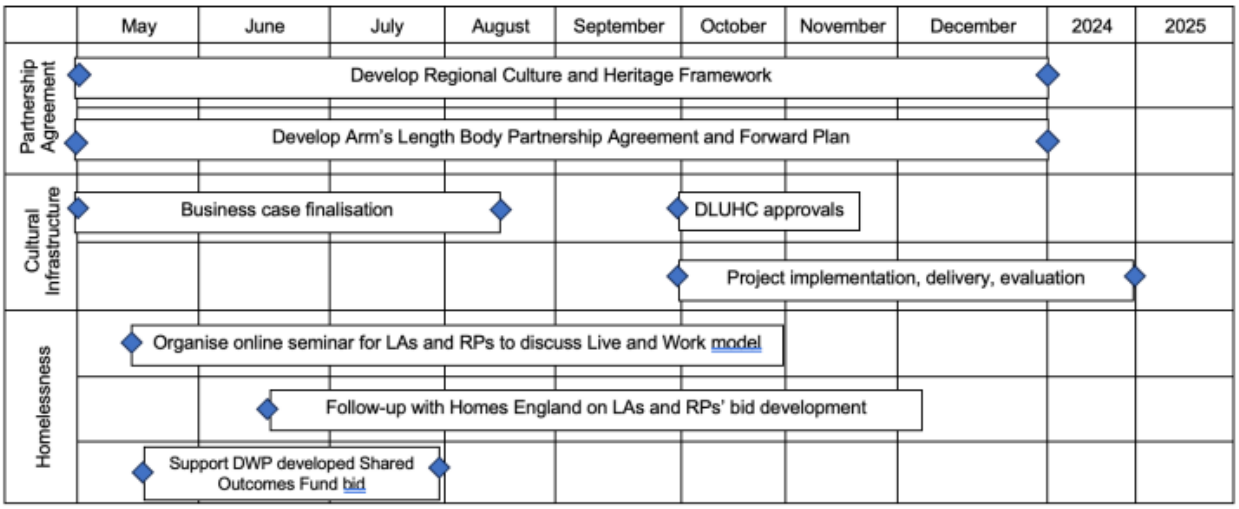
Growth Zones
Negotiate Zone criteria with DLUHC
Co-develop Zone proposals with LAs
WMCA Board approval for Zone proposals
negotiate interventions with DLUHC
Sites announced at assumed SR
SRF
DLUHC Bus Case to HMT
Negotiate Fund T&Cs
Funding begins for projects up to FY 25/26
AHP
Engage LAs to ensure pipeline is uptodate
Create joint AHP team with HE
Develop strategy, joint pipeline
Full devo of AHP from assumed
Partnerships
Negotiate Strat Place Partnership, Public Land Reform, AHP agreements with Govt
Consult LAs on emerging proposals
WMCA Board approval
BRR
Negotiation with DLUHC on design of 10yr BRR
Scheme announced at assumed SR
Consult LAs on DLUHC proposals
Beginning of 10 Year BRR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Partnership Agreement
Develop Regional Culture and Heritage Framework
Develop Arm's Length Body Partnership Agreement and Forward Plan
Cultural Infrastructure
Business case finalisation
DLUHC approvals
Project implementation, delivery, evaluation
Homelessness
Organise online seminar for LAs and RPs to discuss Live and Work model
Follow-up with Homes England on LAs and RPs' bid development
Support DWP developed Shared Outcomes Fund bid

**Appendix: paper provided by the WMCA**

**West Midlands Combined Authority Draft Governance Review**

**The Transfer of functions in relation to Bus Service Operator's Grant under section 154 (1) of the Transport Act 2000 to WMCA as a Mayoral function**

**The Transfer of functions in relation to Bus Service Operator's Grant under section 154 (3) of the Transport Act 2000 to WMCA**

**Proposal for the Making of an Order under sections 105A of the Local Democracy, Economic Development and Construction Act 2009 as amended by the Cities and Local Government Devolution Act 2016**

## Introduction

This report has been prepared by the West Midlands Combined Authority in consultation with the Leaders of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton Local Authorities. The report sets out the findings of the governance review undertaken across the whole geography of the WMCA area in accordance with section 111 of the Local Democracy, Economic Development and Construction Act 2009 as amended by the Cities and Local Government Devolution Act 2016 (the 2009 Act) to consider how the transfer of the delivery of Bus Service Operators Grants (BSOG) from the Secretary of State to WMCA as a Mayoral function would impact on the effectiveness of service delivery. As outlined in the deal, this is an administrative function to be exercised by the Mayor, with decisions from WMCA Board inputting into the policy of allocation taken by a two-thirds majority subject to consultation on National reforms.

The Governance Review has been undertaken as part of the overall review of functions which was carried out by WMCA to support the Trailblazer Devolution Deal negotiated between the WMCA ad the Government.

## Executive Summary

The West Midlands has been at the forefront of devolution in England. In November 2015, the government and WMCA agreed an ambitious devolution deal, including a directly elected mayor and powers to improve transport, skills, housing and to drive growth in the region. In 2017, devolution was deepened, and new funding agreed, including significant further investment in transport. The West Midlands has seized these opportunities, demonstrating what local leaders can achieve when empowered with the tools they need. Local leaders have increased investment in transport from £38 million in 2016/17 to £363 million in 2021/22, pioneered new approaches to brownfield development and net zero homes and delivered the c. £130 million Adult Education Budget, securing an over 10% increase in 2020 alone in the portion of the population with Level 3 skills.

The West Midlands is now embarking on a new phase by bringing greater investment, control over investment and powers to the region.

The new deal is estimated to be worth in the region of £1.5bn and it is hoped that this will reboot the economy, provide vital housing, jobs and skills, bolster our existing

strengths in transport and Smart City Region innovation, and drive our net zero ambitions. The deal looks to create a more prosperous and better-connected West Midlands which is fairer, greener and healthier.

In February 2022, Government announced, in its Levelling Up White Paper, new devolution deals for the West Midlands, along with Greater Manchester. Since then, the region and its partners have been working closely with Government to secure the best deal for the region, its economy and its communities.

The Deal recognises that the WMCA currently lacks the key levers and flexibility to 'unleash the potential of devolution' and goes on to address this through a range of new powers, responsibilities and resources.

WMCA Leaders agree that in order to fulfil local economic priorities and provide the best services for the citizens of the West Midlands, there is a need to draw down significant additional powers and funding from the Government through a deeper devolution deal. There is consensus that powers and funding should sit at the lowest feasible level of governance and that they should be drawn down from government and not drawn up from local authorities.

The WMCA has therefore commissioned this Governance Review to look at whether transferring responsibility for the proposed new functions - the distribution of Bus Service Operator's Grant (BSOG) to WMCA and subject to national reform, policy making powers in relation to BSOG allocation - is likely to improve the delivery of the service in the WMCA area.

This Review seeks to evidence how the deal will deliver significant new responsibilities and investment that will benefit our communities and businesses across the region.

When referring to WMCA as the decision-making body in this document, it means the WMCA Board made up of those members appointed by the seven constituent councils, the ten Non- Constituent Councils and the Mayor, taking decisions in accordance with statutory voting rights.

## Section 1: Summary of the Wider Deal

**This section sets out the wider deal including those non-statutory powers that do not require formal consultation, but which provide the wider context for the deeper devolution deal.**

### Governance and Accountability

The WMCA will be held accountable through the mechanisms set out in the Local Government Accountability Framework, English Devolution Accountability Framework and enhanced scrutiny measures. The Mayor and WMCA will be expected to present to Parliamentary Select Committees as requested, in conjunction with Mayor's Question Time and quarterly engagement with West Midlands MPs.

Administration of the Bus Service Operators Grant would be treated as a part of the normal business operations of the Combined Authority and would be subject to the

same accounting, auditing and transparency requirements as other income and expenditure.

**Fiscal Devolution, Funding and the Single Settlement**

The commitment to 10-year Business Rates Retention across the region is estimated to be worth £450m over the period and will drive confidence in public sector borrowing, de-risk investment modelling and accelerate delivery. It will also remove the uncertainty of the current pilot scheme, boosting public financial sustainability and local authority spending power.

Through its 'Single Settlement', the Government commits to giving WMCA single capital and revenue funding certainty, equivalent to government departments – increasing regional autonomy and the ability to prioritise decisions locally in the areas of:

• local growth and place

• local transport

• housing and regeneration

• adult skills

• housing retrofit

These settlements will cover an entire spending review period.

In addition, Government has committed to a £25m capital fund to support business decarbonisation, culture, environmental programmes and the West Midlands' Smart City Region initiative.

**Transport**

Building on the West Midlands' strengths in transport innovation, as the country's first future transport zone, and its close partnership working with Government, the Deeper Devolution Deal provides:

• Devolution of the Bus Service Operators Grant to improve services and incentivise net zero transition;

• A pioneering Local Transport Plan approach which embeds 'quantifying carbon reductions' (QCR);

• Leading a collaborative research and learning programme through an 'influencing transport lab' (ITL);

• Establish the UK's first transport sandbox to test new innovations and inform national policy, while boosting global investment and cluster growth;

• Closer partnership with Great British Railways to deliver a rail service closer to the standards of London;

• Additional £60m to Wednesbury-Brierley Hill Metro extension

• Supporting development of the region's ambitious Very Light Railway scheme in Coventry.

**Housing, Land and Regeneration**

A £100m Single Regeneration Fund will be deployed flexibly across the region, and for the first time, brownfield land funding will support commercial, employment land and mixed-use development, as well as delivering 4,000 homes.

The commitment of up to £400m Affordable Housing Programme ('AHP') funding to the region, and greater influence over affordable housing delivery and strategy acts a precursor to full devolution of the AHP, worth billions of pounds in funding, to the region from 2026, this is the first time this has happened outside Greater London.

The WMCA will be involved in decisions on major UK government land disposals and reconfiguration, this will help in driving regeneration and unlocking private investment through repurposing and redeveloping publicly owned land.

The region will also be able to designate 'Levelling Up Zones': priority areas that would benefit from enhanced and targeted fiscal measures. These 'growth zones' will attract 25 year Business Rates Retention (with no reset).

**Skills and Employment Support**

Further areas of post-19 education and skills will be devolved to WMCA along with greater oversight of post-16 technical education and skills, and careers, including a crucial role to ensure the local skills system responds to the Local Skills Improvement Plan ('LSIP'). This will include, from the next Spending Review, greater devolution of non-apprenticeship adult skills functions and funding, and greater freedoms around Free Courses for Jobs and Bootcamps. WMCA will also become the 'central convenor' for careers advice in the region, working closely with Government to ensure provision meets the economic needs of the West Midlands.

Alongside establishing a Regional Labour Market Partnership Board, WMCA will be able to co-design contracted employment support programmes with DWP to ensure they are the aspirations of the region, supported by enhanced data-sharing agreements and in the longer term may commission such services on behalf of the DWP.

**Business Productivity and Innovation**

WMCA will adopt a new role in integrating and promoting business support services across the region, this will be powered by a new Strategic Productivity Partnership with departments across Government, greater involvement in the governance of the British Business Bank's UK funds, and collaboration with the UK Investment Bank on commercial arrangements for infrastructure finance.

Building on the West Midlands' participation in the £100m Accelerator funding, through a Strategic Innovation Partnership WMCA will be able to present regional innovation opportunities to inform UKRI's future funding strategies. This will include working collaboratively to bolster regional R&D growth and pilot new initiatives, such as the UK

Further Education Innovation Fund, place-based knowledge transfer programmes, and public procurement flexibilities.

**Trade and Investment**

The Department for Business and Trade ('DBT') will recognise the West Midlands Growth Company as the lead agency for investment in the region and work with them to develop a WM International Strategy, enhance data sharing routes and undertake a review of key account management with the region's major employers.

DBT will also support WMCA to boost West Midlands' presence in trade missions and dedicate support from the UK Export Academy to increase trade opportunities.

**Net Zero and Environment**

From 2025, Government will pilot with the West Midlands the devolution of housing retrofit funding. This will remove uncertainty and inefficiencies in the existing funding system and inform future models for Government net zero funding.

There is recognition of the region's involvement in wider energy system management and planning, and responsibility for heat zone designation, energy efficiency advice and attracting private sector finance. In addition, funding from the £25m capital pot is anticipated for industrial decarbonisation programmes for regional businesses, natural environment finance models and air quality monitors to support the region's wider environment and net zero ambitions.

**Digital and Data**

The Department of Science and Technology ('DSIT') will work proactively with WMCA through a Digital Infrastructure Leadership Group to accelerate broadband roll-out and connectivity, and through a £4m fund, provide 20,000 devices to boost digital inclusion.

Government will agree a new Data Partnership with WMCA, which will streamline WMCA's negotiations with individual government departments over access to specific datasets and support timely access to data particularly around: skills, careers and labour markets; business support, trade and investment; and energy and climate resilience.

Alongside this, Government will work with WMCA and its public body partners across the region to improve routes for data-sharing to enable WMCA to undertake regional analysis of data to better inform strategic decision-making locally.

**Culture, Social Economy and Tourism**

To maximise the Commonwealth Games Legacy Fund, a new Regional Culture and Heritage Framework will seek to align and maximise funding from arm's length bodies, including opportunities for co-investment and greater collaboration. Local authorities will

be closely involved in the development of the Framework and continue to engage directly with funding bodies.

Recognising WMCA's commitment to double the size of the social economy, Government will work with the Combined Authority to develop a pioneering Social Economy Accelerator Programme and Growth Fund.

DCMS and Visit England will work with WMCA and WMGC to create England's second Destination Development Partnership pilot and the associated merits of establishing WMGC as a Local Visitor Economy Partnership ('LVEP').

**Section 2: Purpose of the review**

The purpose of this governance review, undertaken in accordance with Section 111 of the 2009 Act is to look at the exercise of statutory functions in the West Midlands with a view to deciding whether the new function contained in the deal would be likely to

- Improve the exercise of statutory functions in the area of the WMCA;
- Secure more effective and convenient local government for the area; and
- Reflect the identities and interests of our local communities

If the Review demonstrates that transfer of the new function to WMCA would improve service delivery, the WMCA will prepare and publish a scheme with the new function and changed constitutional arrangements. Under section 105B of the 2009 Act, the review needs to demonstrate that the exercise of the power to make an Order under section 105A in the West Midlands area would be likely to improve the exercise of statutory functions in relation to the West Midlands area.

Given that the implementation for the new function will be under Section 105A of the 2009 Act, a public consultation will not be required. The Secretary of State will be provided with a copy of the agreed scheme and governance review and will need to consider whether a new order should be made under the 2009 Act to provide the WMCA with the new function suggested by the deal.

Only the new powers and duties contained within the deal require consideration as part of the statutory process. However, in order to provide the context within which these powers and duties will be exercised, a summary of all the proposals, has been included. The full Deal text can be accessed here West Midlands Combined Authority: "Trailblazer" deeper devolution deal - GOV.UK (www.gov.uk)

The new function requiring agreement under the requirements of the 2009 Act relates to the paying of the **Bus Service Operators Grant.** Under sections 154 (1) and 154 (3) of the Transport Act 2000

**Background**

Commercial Bus Service Operator's Grant (BSOG) is existing funding which Government currently pays directly to operators. BSOG is directly linked to bus fuel consumption, and this can undermine environmental objectives, with a reduced incentive on operators to

invest in more zero emission buses. Circa £26m per annum was paid to bus operators across the WMCA area (pre-pandemic).

With a unique bus market, with one commercial operator operating over 95% of the West Midlands bus network, ensuring that value for money is achieved locally from public subsidy and planning an effective recovery for bus services post pandemic is difficult. This has been further exacerbated by a reduction in local bus market competition, with five local bus operators ceasing operations since March 2020, and ongoing bus industry pressures such as driver shortages, wage, and fuel cost inflation. The WMCA needs new levers to incentivise and influence the direction and navigation of a modern and responsive bus network but importantly to stimulate private sector competition back into our bus market.

**Proposal**

Subject to national reform, and through greater local control and design of policy, the WMCA would look to incentivise bus operators to use the grant to ensure investment in bus services aligns with WMCA policy outcomes. WMCA priorities for BSOG would seek to target: -

- Incentivising greener vehicle fleet investment and maximising our position as the UK investment leader in decarbonising bus fleets. Further boosting over £150m of fleet investment between public and private partners.

- Incentivising and working with private bus operators to expand bus services into areas of poor accessibility. This would place greater focus on where bus route mileage is delivered, compared to the current approach focused on total quantum. This would help to tackle the issue of 'overbussing' on certain routes to maintain a dominate commercial position at the expensive of more marginal, socially beneficial services, thus helping to deliver greater benefits with the same level of public funding.

The WMCA is directly managing two additional bus support funding grants, which are Network Stability Fund and Network Planning Fund (Bus Recovery Grant extension). The local management of this grant (on behalf of DfT) has delivered a stable bus network throughout 2022, supporting the most successful Commonwealth Games ever, and allowed for close working with bus operators to plan and improves services from January 2023.

Administering the Bus Service Operators Grant will support WMCA early engagement with bus operators in the West Midlands, ahead of the further devolution of powers in relation to policy and BSOG. This may mitigate against unpredictable and potentially disruptive market behaviour and may act to encourage high levels of professional conduct in the market being maintained during this period. These powers would assist being able to gain valuable insight and the additional scrutiny provided by WMCA may be able to encourage more efficient practices by the operators.

**Section 3: New Statutory Responsibilities**

This section sets out the formal statutory process of the governance review in relation to the new statutory function that will be taken on by the WMCA.

**Legal context**

The Government and the WMCA have reached agreement in relation to the devolution to the WMCA of a further range of powers.

To give effect to certain elements of the Deal, it is necessary for the WMCA to comply with the requirements of sections 105B and has chosen to carry out this Governance Review under sections 111 and 112 of the 2009 Act which set out the procedure to be followed in order to make changes to existing combined authority arrangements.

However, it should be noted that many aspects of the Deal do not require legislative change to implement. The power outlined below is the only one that is expected to require legislative or regulatory change before it can be exercised by Mayor and therefore follow the process outlined:

1. **Bus Service Operators Grant** - The government will devolve powers for the payment of the bus service operators grant to WMCA as a general function of the MayorThis is in line with the commitment in the National Bus Strategy and the government is currently working on the reform of the grant. WMCA will provide support to identify the funding for bus services entirely within the WMCA boundary that is paid to commercial operators and would be suitable to be devolved to WMCA, both currently and subject to national reform.

The reform of the grant, and subsequent devolution to the WMCA Board of policy making powers, will enable the grant to support the government's and WMCA's shared priorities to support important local bus services and reduce environmental impacts through facilitating the transition to zero emission buses. This devolution will also be supported by the WMCA delivering commitments set out on in its adopted Enhanced Bus Partnership (EP) Plan and Bus Service Improvement Plan (BSIP).

It is proposed that there be a three-stage process to achieve these ambitions:

1. Immediate devolution of powers under Section 154 (1) of the Transport Act 2000 to the WMCA to administer BSOG
2. WMCA to then administer its share of the BSOG funding according to current Department for Transport (DfT) policy.
3. That the proposed Statutory Instrument include a commitment to further devolve policy powers to the WMCA Board under Section 154 (3) of the Transport Act 2000 subject to the conclusion of national consultation and guidance being issued by the Secretary of State.

WMCA will work with DfT once the consultation period has concluded to finalise the design of a national BSOG reform package using the evidence generated through the consultation to present options to ministers that set out the impacts on and acceptability to key stakeholders, including WMCA.

If national reforms are delayed significantly, the exploration of alternatives including full BSOG policy devolution for the WMCA, may be brought forward.

**Process to be followed**

**105B - Section 105A orders: procedure**

Section 105A(1)(a), (1) (b), (2) and (3)(b) of the 2009 Act (other public

authority functions): provides for the Secretary of State to make provision by order for a function of a public authority that is exercisable in relation to a combined authority's area to be a function of the combined authority and to make provision by order conferring on a combined authority in relation to its area a function corresponding to a function that a public authority has in relation to another area.

The Secretary of State may make an order under section 105A only if a proposal for the making of the order in relation to the combined authority has been made to the Secretary of State by the appropriate authorities, or the appropriate consent is given and the Secretary of State considers that the making of the order is likely to improve the exercise of statutory functions in the area or areas to which the order relates.

For the purposes of subsection (1)(b), the appropriate consent is given to the making of an order under section 105A only if:

- in the case of an order in relation to an existing combined authority, each appropriate authority consents;
- in any other case, each constituent council consents.

**Section 111 of the 2009 Act**

Section 111 of the 2009 Act allows combined authorities to undertake, in relation to an existing combined authority (such as the WMCA), a review of one or more “combined matters”. For the purposes of section 111 of the 2009 Act a “combined matter” is defined at subsection 111(3) as being:

a. a matter in relation to which an order may be made under any of sections 104 to 107;

b. in relation to the combined authority or any executive body of the combined authority, where that body exists at the time of the review, a matter concerning the combined authority or the executive body that the combined authority has power to determine.

Insofar as sub-section 111(3)(a) of the 2009 Act is concerned, sections 104 to 107 of the 2009 Act set out the range of matters that the Secretary of State may include within an order concerning a combined authority. These include power for the Secretary of State to:

- make in relation to a combined authority any provision that may be made in relation to an Integrated Transport Authority under certain provisions of the Local Transport Act 2008;
- make in relation to a combined authority any provision that may be made in relation to an Economic Prosperity Board (EPB) in relation to the exercise of local authority functions;
- make provision for a function of a public authority that is exercisable in relation to a combined authority’s area to be a function of a combined authority;
- make provision for conferring on a combined authority in relation to its area a function corresponding to a function that a public authority has in relation to another area;

- make provision for any function of a combined authority which has an elected mayor (a “mayoral combined authority”) to be a function only exercisable by the elected mayor;
- make provision for the costs of an elected mayor for the area of a combined authority that are incurred in, or in connection with, the exercise of “mayoral functions” to be met from precepts issued by the authority under section 40 of the Local Government Act 1992.

**Section 112 of the 2009 Act**

Where a combined authority that has undertaken a review under section 111 of the 2009 Act concludes that the exercise of the power by the Secretary of State to make an order under any one or more of sections 104, 105, 105A, 106 and 107 would be likely to improve the exercise of statutory functions in relation to an area of a combined authority, it may prepare and publish a ‘scheme’ relating to the exercise of the power or powers in question.

In addition to the above requirements, the Secretary of State cannot make an order under sections 104, 105 or 105A of the 2009 Act without the consent of the constituent councils or the WMCA.

**Section 4: Governance options, Conclusions and Recommendation**

- Option 1 – To endorse the findings of the governance review and proceed with the scheme.
- Option 2 – Not to endorse the findings of the governance review and only implement those parts of the deal that do not constitute new powers or duties.

As previously stated, any new powers or functions would need to be devolved to the Combined Authority via secondary legislation, and therefore would require Government (and local) approvals to make the relevant order.

**Conclusion**

The review has found that the evidence shows that the Deeper Devolution Deal will maximise the WMCA’s current role and responsibilities and revolutionise how Government funding is implemented leading to more effective delivery of statutory functions. The deal represents a significant step forward in delivering more and better jobs to the area. It delivers significant new responsibilities and investment that will benefit our communities and businesses across the region. It means that decisions previously taken centrally can now be taken closer to the people affected and gives the area greater financial freedom and flexibility to manage our investment choices according to local priorities.

Administering the Bus Service Operators Grant will support WMCA early engagement with bus operators in the West Midlands, ahead of the further devolution of powers in relation to policy and BSOG. This may mitigate against unpredictable and potentially disruptive market behaviour and may act to encourage high levels of professional conduct in the market being maintained during this period. These powers would assist

being able to gain valuable insight and the additional scrutiny provided by WMCA may be able to encourage more efficient practices by the operators.

The further devolution to WMCA of the policy element of Bus Service Operators Grant, would provide WMCA with flexibility as to its application and would allow WMCA to deploy the grant to incentivise operators to move to zero emission vehicles thus providing environmental benefits to air quality locally and also incentivise operators to expand services to areas of under-provision providing economic and social benefits to those who live and work in the area.

**Recommendations:**

1. To improve the effective exercise of statutory functions across the area of the WMCA, adopting the new power under Section 154 (1) and duty contained within the deal (Option 1) is considered optimal for the reasons detailed below.

2. To improve the effective exercise of statutory functions across the area of the WMCA, adopting the new power under Section 154 (3) subject to national consultation and guidance from the Secretary of State is considered optimal for the reasons detailed below.

3. That a governance scheme is published (a draft scheme is included at Appendix A) that confirms the adoption of the new powers and duties detailed in this report.

The reasons are summarised below:

**a.** The deal delivers significant new responsibilities and investment that will benefit our communities and businesses across the region.

**b. Bus Service Operators Grant**

**Section 154 (1) of the Transport Act 2000:**

Administering the Bus Service Operators Grant will support WMCA early engagement with bus operators in the West Midlands, ahead of the further devolution of powers in relation to policy and BSOG. This may mitigate against unpredictable and potentially disruptive market behaviour and may act to encourage high levels of professional conduct in the market being maintained during this period. These powers would assist being able to gain valuable insight and the additional scrutiny provided by WMCA may be able to encourage more efficient practices by the operators.

**Section 154 (3) of the Transport Act 2000:**

Devolving section 154 (3) of Bus Service Operators Grant to WMWMCA will improve the exercise of this statutory function in the West Midlands by enabling WMCA to deploy the grant to incentivise a move to zero emission vehicles and also an expansion of services to areas which are underprovided for. This new function will support the government's and West Midlands' shared priorities to support important local bus services and reduce environmental impacts through assisting the change to zero emission buses.

**c.** The proposals will build on established regional governance arrangements which represent the views of local communities

**d.** The proposals will secure more effective and convenient local government by reducing complexity and streamlining the delivery of public services within the area.

**e.** The statutory criteria for preparing and publishing a scheme are met, i.e., the making of an order under S104 and S105A to enable the adoption of the new powers and duties for the area of the WMCA is the best option and will be likely to improve the exercise of statutory functions in that area.

**f.** In addition, adoption of the new powers and duty will:

- **have a positive impact on the interests and identities of local communities** by securing environmental benefits through low emission vehicles and by expanding bus services to areas with low accessibility.
- **secure more effective and convenient local government** by reducing complexity and streamlining the delivery of public services within the area.

**Appendix: paper provided by the WMCA**

**West Midlands Combined Authority**

**Draft Scheme for the transfer of functions in relation to Bus Service Operator's Grant under section 154 (1) of the Transport Act 2000 to WMCA as a Mayoral function**

**Draft Scheme for the future transfer of functions in relation to Bus Service Operator's Grant under section 154 (3) of the Transport Act 2000 to WMCA**

**Proposal for the Making of an Order under sections 105A of the Local Democracy, Economic Development and Construction Act 2009 as amended by the Cities and Local Government Devolution Act 2016 (the 2009 Act)**

This scheme has been prepared by the West Midlands Combined Authority in consultation with the Leaders of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton Local Authorities.

The scheme sets out proposals for conferring on WMCA of the function of the Secretary of State of administering Bus Service Operator's Grant under sections 154 (1) of the Transport Act 2000 as a Mayoral function.

The scheme also sets out proposals for the future conferring on WMCA of the function of the Secretary of State in relation to the making of policy for the administration of Bus Service Operator's Grant under section 154 (3) of the Transport Act 2000. It is proposed that this function be conferred to be exercisable subject to the the conclusion of consultation on national BSOG reform and the publication of guidance by the Secretary of State.

If national reforms are delayed significantly, the exploration of alternatives including full BSOG policy devolution, may be brought forward.

**Introduction**

The West Midlands has been at the forefront of devolution in England. In November 2015, the government and WMCA agreed an ambitious devolution deal, including a directly elected mayor and powers to improve transport, skills, housing and to drive growth in the region. In 2017, devolution was deepened, and new funding agreed, including significant further investment in transport. The West Midlands has seized these opportunities, demonstrating what local leaders can achieve when empowered with the tools they need. Local leaders have increased investment in transport from £38 million in 2016/17 to £363 million in 2021/22, pioneered new approaches to brownfield development and net zero homes and delivered the c. £130 million Adult Education Budget, securing an over 10% increase in 2020 alone in the portion of the population with Level 3 skills.

The West Midlands is now embarking on a new phase by bringing greater investment, control over investment and powers to the region.

The new deal is estimated to be worth in the region of £1.5bn and it is hoped that this will reboot the economy, provide vital housing, jobs and skills, bolster our existing strengths in transport and Smart City Region innovation, and drive our net zero ambitions. The deal looks to create a more prosperous and better-connected West Midlands which is fairer, greener and healthier.

The WMCA have conducted a Governance Review under Section 111 of the 2009 Act (the Review) in relation to the delegation to the Combined Authority of additional functions and duties relating to:

- Bus Service Operators Grants (under section 154 (1) of the Transport Act 2000)
- Bus Service Operators Grants (under section 154 (3) of the Transport Act 2000)

**Governance Review and Proposal**

## Background

Commercial Bus Service Operator's Grant (BSOG) is existing funding which Government currently pays directly to operators. BSOG is directly linked to bus fuel consumption, and this can undermine environmental objectives, with a reduced incentive on operators to invest in more zero emission buses. Circa £26m per annum was paid to bus operators across the WMCA area (pre-pandemic).

With a unique bus market, with one commercial operator operating over 95% of the West Midlands bus network, ensuring that value for money is achieved locally from public subsidy and planning an effective recovery for bus services post pandemic is difficult. This has been further exacerbated by a reduction in local bus market competition, with five local bus operators ceasing operations since March 2020, and ongoing bus industry pressures such as driver shortages, wage, and fuel cost inflation.

The WMCA needs new levers to incentivise and influence the direction and navigation of a modern and responsive bus network and to stimulate private sector competition back into our bus market.

## Proposal

Administering BSOG will support WMCA early engagement with bus operators in the West Midlands, ahead of the anticipated further devolution of powers in relation to policy and BSOG. This may mitigate against unpredictable and potentially disruptive market behaviour and may act to encourage high levels of professional conduct in the market being maintained during this period. These powers would assist WMCA in being able to gain valuable insight and the additional scrutiny provided by WMCA may be able to encourage more efficient practices by the operators.

Subject to national reform, and through greater local control and design of policy, the WMCA would look to incentivise bus operators to use the grant to ensure investment in bus services aligns with WMCA policy outcomes. WMCA priorities for BSOG would seek to target: -

- **Incentivising greener vehicle fleet investment and maximising our position as the UK investment leader in decarbonising bus fleets.** Further boosting over £150m of fleet investment between public and private partners.

- **Incentivising and working with private bus operators to expand bus services into areas of poor accessibility.** This would place a greater focus on where bus route mileage is delivered, compared to the current approach focused on total quantum. This would help to tackle the issue of 'overbussing' on certain routes to maintain a dominate commercial position at the expensive or more marginal, socially beneficial services, thus helping to deliver greater benefits with the same level of public funding.

The WMCA has direct experience in managing bus funding support grants, such as Local Transport Fund (up to July 2023), BSOG+ (up to 2025) and local raised funding through the WMCA's Transport Levy (for subsidies services).

With significant investment made to support bus services across the West Midlands, the devolution of BSOG funding to the WMCA would support this continued improved local planning of bus services. As stated above and subject to national reforms, WMCA

requires flexibility in the way in which the grant is distributed to support its aim of incentivising a move to zero emission buses and an expansion of services into areas with poor accessibility. WMCA can also act as a trailblazer area for the early delivery of national BSOG reforms, working in partnership with DfT.

Overall, these reforms would help to achieve our wider network expansion plans that match the Government's Levelling Up mission and the aim to increase bus use outside of London, bringing us much closer to London standards. This aligns with the WMCA's Local Transport Plan outcomes to improve accessibility, electrify the transport system and reduce traffic to drive behaviour change.

Bus services are important for those who lack access to a private vehicle, those on the lowest incomes, and for those living in the most deprived communities. The WMCA area has some of the most deprived wards in England and circa 25% of households do not have access to a car, with this increasing to 40% in some of our most deprived communities.

The devolution of BSOG administration and anticipated policy making powers to WMCA would enable WMCA to deliver economic, social and environmental benefits through the distribution of the grant and to improve the effectiveness of service delivery.

**Conclusion**

Having considered the findings of the Review, the WMCA concluded that an Order by the Secretary of State to make the changes considered in the Review, including delegating additional functions to the Combined Authority, would be likely to improve the exercise of statutory functions in relation to the Combined Area. The WMCA have therefore resolved to prepare and publish this Scheme under section 112 of the 2009 Act.

**Functions exercised by the Mayor**

**Bus Service Operators Grant** (Public Authority Function) (Section 105A of the Local Democracy, Economic Development and Construction Act 2009)

**It is proposed that the Government will devolve powers for the payment of the bus service operators grant to WMCA to be a general function of the Mayor under section 154 (1) of the Transport Act 2000.**

**It is further proposed that the Government will devolve powers, at a future date to be agreed with WMCA, following the conclusion of nation consultation and guidance being issued by the Secretary of State in relation to bus service operators grant to WMCA under section 154 (3) of the Transport Act 2000.**

Since the award of Bus Service Operators Grant is a public function of the Secretary of State the Order will be made under section 105A of the 2009 Act. The procedural requirements under Section 105B do not include a requirement for public consultation before the making of an Order and in this case it is not thought necessary for a public consultation exercise to be carried out.

WMCA will provide support to identify the funding for bus services entirely within the WMCA boundary that is paid to commercial operators and would be suitable to be devolved to WMCA, both currently and following national reform.

**Governance and constitutional matters**

**Governance Arrangements**

A decision in relation to the conferring of a new function on WMCA would require a unanimous vote of the members representing the Constituent Authorities at the WMCA Board.

The Award of Bus Service Operator's Grant will need to be included as a Mayoral function in the definition of Mayoral general functions set out in Article 22(5) of the West Midlands Combined Authority Functions and Amendment) Order 2017

**Review and Scrutiny**

The operation of the function of the award of Bus Service Operators Grant will be subject to review and Scrutiny in accordance with the Constitution and the Scrutiny Protocol.

# Birmingham City Council
# Report to Cabinet
**5 September 2023**

| | |
|---|---|
| **Subject:** | Securing Emergency Temporary Accommodation |
| **Report of:** | Paul Langford, Interim Strategic Director of City Housing |
| **Relevant Cabinet Member:** | Councillor Jayne Francis – Cabinet Member for Housing & Homelessness<br>Councillor Brigid Jones – Cabinet Member for Finance & Resources |
| **Relevant O&S Chair(s):** | Councillor Mohammed Idrees, Homes<br>Councillor Jack Deakin, Finance and Resources |
| **Report author:** | Marcia Bell, Strategic Lead Temporary Accommodation<br>Email: marcia.bell@birmingham.gov.uk<br>Dean Billingham, Purchasing Manager – CPS<br>Email: dean.billingham@birmingham.gov.uk<br>Lewis Rees, Housing Solutions & Support Programme Manager<br>Email: lewis.rees@birmingham.gov.uk |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011498/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, provide exempt information paragraph number or reason if confidential. | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 This report provides details of the sourcing strategy and process for securing the provision of emergency accommodation (EA) in compliance with the Public Contract Regulations 2015 (PCR15), to support the Council's statutory duty to provide interim/emergency accommodation to vulnerable households pursuant to the Housing Act 1996, the Homelessness Act 2002 and the Homelessness Reduction Act 2017.

## 2 Recommendations

That Cabinet:

2.1 approves the use of Regulation 10.1 (a) of the Public Contract Regulations 2015 (PCR15) to put in place direct rental contracts for land or existing buildings or interests or rights in them with providers supplying Emergency Accommodation (EA).

2.2 approves the strategy for the procurement activity in 7.4 and delegates authority to the Interim Strategic Director of City Housing in conjunction with the Assistant Director Corporate Procurement, the Interim Director of Finance (Section 151) and the City Solicitor & Monitoring Officer (or their delegates) to approve the award of negotiated direct rental contracts with selected providers to supply the Council with EA capacity to meet the Council's statutory obligations.

2.3 authorises the City Solicitor (or their delegate) to negotiate, execute and complete all necessary documentation to give effect to the above recommendations.

## 3 Background

3.1 The demand for the Council to supply EA for our homeless citizens and families has grown significantly over recent years, as of May 2023 there are over 830 families in Bed & Breakfast (B&B) accommodation.

3.2 B&B provides the flexibility needed to address immediate EA presentation needs, however the aim is to reduce and minimise B&B as the last resort for temporary accommodation (TA). In June 2023 Cabinet approved the TA Strategy this describes the work currently under way and additional work planed, with the objective to reduce and then end the use of B&B, beyond the six-week statutory limit, for families as TA. These interventions include:

3.2.1 Increasing the supply of TA through extending the existing residential property acquisition programme and adding 300 properties to dispersed TA.

3.2.2 Improving access to Private Rental Sector (PRS) through investment in Accommodation Finding Team (AFT) resource and the landlord incentive programme.

3.2.3 Sourcing Private Sector Leased (PSL) property via the Dynamic Purchasing System (DPS), approved by Cabinet in September 2022.

3.2.4 Investing in early intervention and prevention and engendering a focus on prevention and move-on across the end-to-end customer journey.

3.3 The shortage of social housing stock and consequent lack of temporary accommodation means that increasing numbers of citizens and families presenting as homeless are spending extended placements in B&B EA.

3.4 The current compliant route to placement is through the Council's travel and accommodation contract which has recently been re-tendered and awarded to Travelperk UK IRL Ltd (Click Travel) a 3rd party travel booking service provider. As this route cannot meet the current demand for EA, colleagues' also book directly through individual providers web portals at the published non-negotiable day rate and this process requires bookings to be settled at the point of booking.

3.5 Using Travelperk to source EA forces inefficient operational practices on the EA team, and with no means to engage directly with providers of EA there has been no mechanism for the Council to leverage its position to negotiate preferential rates or ensure compliance with statutory accommodation standards – this also impacts the scope of available providers.

3.6 As part of the ongoing focus on improving the operational and commercial benefits relating to EA, colleagues in Corporate Procurement Services (CPS) have engaged in discussions with other Local Authorities (LA's) in relation to the approach they are adopting to support their own EA requirements.

3.7 Regulation 10.1 (a) of the Public Contract Regulations 2015 (PCR15) which is a specific exclusion from applying the regulations to service contracts *"for the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property"* has been identified as current good practice to enable LA's to adopt an efficient and compliant direct contracting route with providers of EA.

## 4 Options considered and Recommendation

4.1 <u>Option 1 – Current services continue</u>

4.1.1 The Council extends its current arrangements utilising the travel and accommodation contract with TravelPerk UK & IRL Ltd (Click Travel) to secure all EA requirements through the existing procurement routes. This option is not recommended given its limitations and in-flexibility within the EA marketplace and is only recommended as a partial solution as it is unable to fully support current levels of demand in this service area.

4.2 <u>Option 2 – Direct Contracting Routes via 3rd Party Frameworks</u>

4.2.1 The use of 3rd party PCR15 compliant frameworks restricts the Council to using only those service providers appointed to the framework. This approach, therefore, prevents the Council from engaging directly with any new and or alternative/innovative EA service providers who are not appointed to those frameworks resulting in lost opportunities and reduced accommodation options.

Currently, there are no suitable 3rd party frameworks which meet the Council's EA requirements and therefore, this approach is not recommended.

4.3 Option 3 – Alternative direct contracting routes – Regulation 10.1(a)

4.3.1 PCR15 Regulation 10.1(a) is an efficient, effective and compliant route to enable direct contracting with providers of EA. The advantages of direct contracting with providers of EA to the Council include:

4.3.1.1. Securing accommodation which meets the Council's Housing Health and Safety Rating System standards for EA and is compliant with Council mandated accommodation standards.

4.3.1.2. Implementation of standard operational processes and procedure between the Council and EA providers.

4.3.1.3. Adoption and implementation of robust internal bespoke procedures which ensures compliance and adherence by the EA team to operate in accordance with PCR15 and 10.1(a) guidelines and mitigate any potential commercial and/or operational risks.

4.3.1.4. Prioritising directly contracted EA Providers as a preference over the Council's existing travel and accommodation contract with Travelperk UK & IRL Ltd (Click Travel) will minimise the associated booking administration and management fees where applicable.

4.3.1.5. Direct negotiation with EA Providers will enable the Council to realise better value for money through negotiated discounts for EA provision through block booking opportunities and the leverage of Council demand.

4.3.1.6. Uniform implementation of the Council's standard purchasing terms and conditions and robust bespoke Council facing contract management processes with all directly contracted EA Providers.

4.3.1.7. Widen the scope and reach within the local marketplace with suitable EA Providers, improving the Council's ability to react quickly to support critical service needs as required.

4.4 The **RECOMMENDATION** is to approve the use and implementation of Regulation 10.1 (a) of the Public Contract Regulations 2015 (PCR15) as set out in this report to put in place direct rental contracts for land or existing buildings or interests or rights in them with providers of EA solutions and the continued use of the Council's travel and accommodation contract with TravelPerk UK & IRL Ltd (Click Travel) as a supplementary means to support and secure additional EA requirements where appropriate.

## 5 Consultation

5.1 External

5.1.1 The development of this approach has included research and discussion with other LA's who are facing similar significant homelessness pressures.

5.1.2 Legal advice has been sought regarding the suitability of Regulation 10.1 (a) to support direct contracting for this service area as detailed in paragraph 7.2 of this report.

5.2 Internal

5.2.1 Senior Council officers from City Housing, Corporate Procurement Services (CPS), Legal Services, Finance, HR and Audit have all been consulted and/or involved in the development of this report as detailed in sections 7.2 – 7.5.

## 6 Risk Management

6.1 The main risks associated with implementing the recommendations of this report are:

| Risk | Impact | Likelihood | Mitigation |
|---|---|---|---|
| 6.1.1. Providers do not commit to the levels of placements required – impacting the ability to realise the efficiencies sought through scale | High | Medium | • Approach to negotiations with providers takes account of potential sensitivities, assumed risks and medium-term impact on established businesses<br>• Relationship account management approach is adopted with providers |
| 6.1.2. Providers are not willing to sign up to the Council's standard contracting terms - limiting increasing the scope of providers | High | Medium | • Communicate to providers the business benefits and opportunity created through using the Council's standard terms |
| 6.1.3. Providers charge rates are not attractive – leading to this route not being used as intended as less affordable for the Council | High | Medium | • Present the commercial case to providers as part of the individual negotiations, leveraging occupancy rates to secure VfM and affordable rates |
| 6.1.4. Negotiations with providers are protracted - delays in onboarding providers restricts placement options | Medium | Low | • Provide early sight of contractual documents and clear engagement and negotiation timetable to providers. |
| 6.1.5. Placement teams do not prioritise directly contracted providers – Council fails to realise the | High | Medium | • Ensure placement teams are trained on new direct contracting process, their responsibilities, and procedures |

| Risk | Impact | Likelihood | Mitigation |
|---|---|---|---|
| benefits of directly negotiated contracts | | | • Monitor placements through direct contracting versus use of Travel Perk |
| 6.1.6. Case law arises which challenges the use of Reg 10.1 (a) for sourcing EA – resulting in the Council not being able to contract directly with providers | Low | Low | • Keep abreast of the relevant and emerging legislation and guidance and legal commentaries relating to PCR 15. There are several London Borough Councils already using this route and as such the precedent has been set which mitigates any such risk |

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

The recommendation within this report will make a direct contribution to both Corporate and Directorate outcomes:

7.1.1 **A Bold Inclusive Birmingham:** Tackle poverty and inequality - through providing Council assured EA increasing the scope of availability and meeting the emergency needs of vulnerable families presenting as homeless.

7.1.2 **A Bold Safe Birmingham:** Protect and safeguard vulnerable citizens - through providing families experiencing homelessness with EA which meets the Councils statutory accommodation and Health & Safety standards.

7.1.3 **A Bold Healthy Birmingham:** Advancing equality, health and wellbeing - through providing EA which meets the Council's statutory obligations for the most vulnerable families and their dependents.

### 7.2 Legal Implications

7.2.1 Legal Services has reviewed the relevant legislation and researched PCR 15 Guidance and various legal commentaries relating to PCR15 and could find nothing in the PCR15 Guidance restricting the use by Local Authorities (LA) of Reg 10.1 (a) specifically to source EA.

7.2.2 A reliable, independent, legal commentator is of the view that Regulation 10.1(a) of the Public Contracts Regulations 2015 (PCR 2015) can be used for the type of services as set out above and depending upon the terms of the rental and all the other circumstances, it appears that such a contract could, in principle, come within Regulation 10.1(a) if it is simply a contract for the rental of land or existing buildings or an interest or rights in them without any other element of public contracting (for example, procuring providers to provide specific services to the homeless families simultaneously) as defined within the PCR 2015.

7.2.3 Based on the above, Legal Services have now confirmed that they are of the view that the renting of property or land or existing buildings or interests or rights in them to support the Council's EA requirements could be an exclusion under Sub-Section 3, Regulation 10 of PCR 15 and would be in their view low risk regarding any successful challenge to this proposed approach.

**7.3 Financial Implications**

7.3.1 The recommendations of this report are to ensure that the spend on EA secures the best value for money for the Council. Volume negotiation will support meeting demand for EA, lead to improved direct control of, and lower, the EA placement costs. There are more indirect financial implications, and these are mentioned below.

7.3.2 Approval to negotiate with selected providers of EA is felt likely to result in lower costs than the present back up process of booking through individual providers web portals and associated transactions. The costs will be monitored as part of the new process, drawing on cost comparative benchmark information prior to negotiation, to ensure value for money is achieved. This is incorporated at step 6 in the process flow in Appendix 1. Where lower costs are achieved this will reduce the potential budget overspend for EA.

7.3.3 The recommended process in this report will provide a standard approach to use alongside the existing contract with TravelPerk UK & IRL Ltd (Click Travel). Standardisation will improve financial controls and ensure the process is compliant with procurement regulations.

**7.4 Procurement Implications**

7.4.1 Other Local Authorities (LAs) have been consulted to understand how they are procuring emergency accommodation. One effective PCR15 compliant approach identified is the application of Regulation 10.1 (a) which states: "*10.— (1) This Part does not apply to public service contracts — (a) for the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property, or which concern interests in or rights over any of them".*

7.4.2 In effect, Regulation 10.1 (a) would allow the Council to set aside the PCR15 regulations and compliantly negotiate with 3rd party service providers directly without needing to tender the requirements.

7.4.3 The Council's Procurement and Contract Governance Rules effectively mirror the PCR 15 exemption and state under item 1.8(ii) that *"Transactions regarding the purchase or lease of property"* are out of scope and therefore, subject to approval of these recommendation the process which will be adopted is detailed in Appendix 1 of this report.

## 7.5 Human Resources Implications

7.5.1 The adoption of Regulation 10.1(a), while resulting in a new way of working, will not require any additional resource over and above that already budgeted and approved.

7.5.2 The new activities identified in Appendix 1 process flow, will require specific skills, knowledge and experience which can be met through drawing down on existing programme management and support capabilities.

## 7.6 Public Sector Equality Duty

7.6.1 An EIA has been undertaken (Ref EQUA1162) to support this report and associated appendix. The screening has highlighted that the impact of this proposal is envisaged to be positive in terms of providing more appropriate EA to meet a range of needs. Policies and procedures are already in place to mitigate any potential negative impacts.

## 8 Environment Sustainability Assessment

8.1 The approved environmental sustainability assessment is documented in Appendix 2.

## 9 Background Documents

- Not applicable.

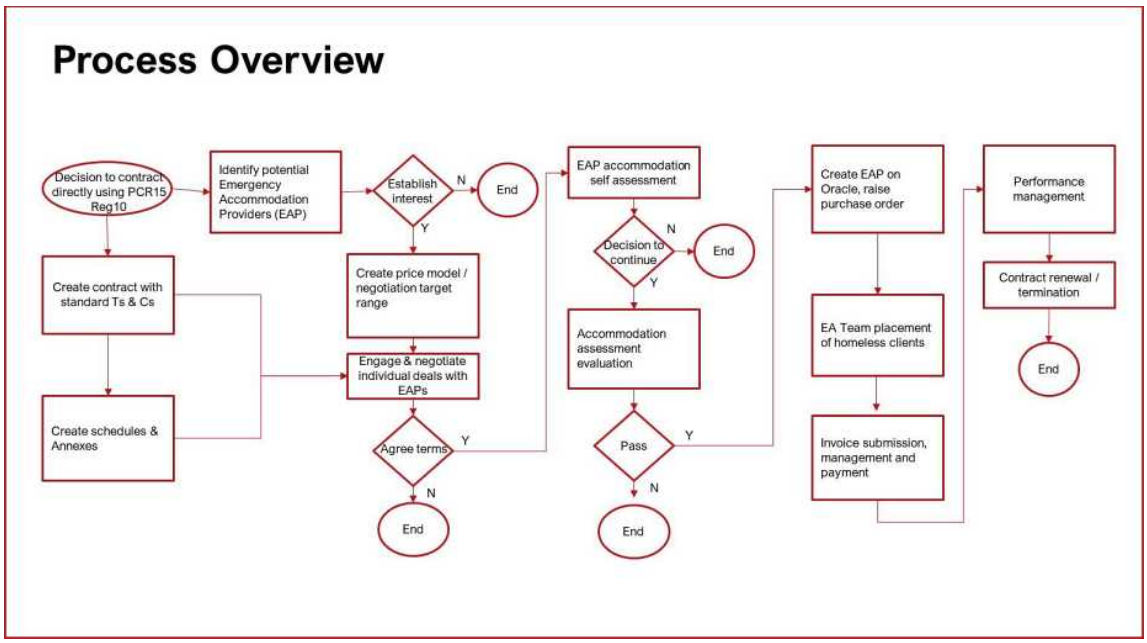
**List of appendices accompanying this report:**

- Appendix 1: Process Documentation - Direct Contracting for Emergency Accommodation
- Appendix 2: Environment Sustainability Assessment
- Appendix 3: Equality Impact Assessment (EQUA1162)

## Appendix 1: Securing Emergency Temporary Accommodation

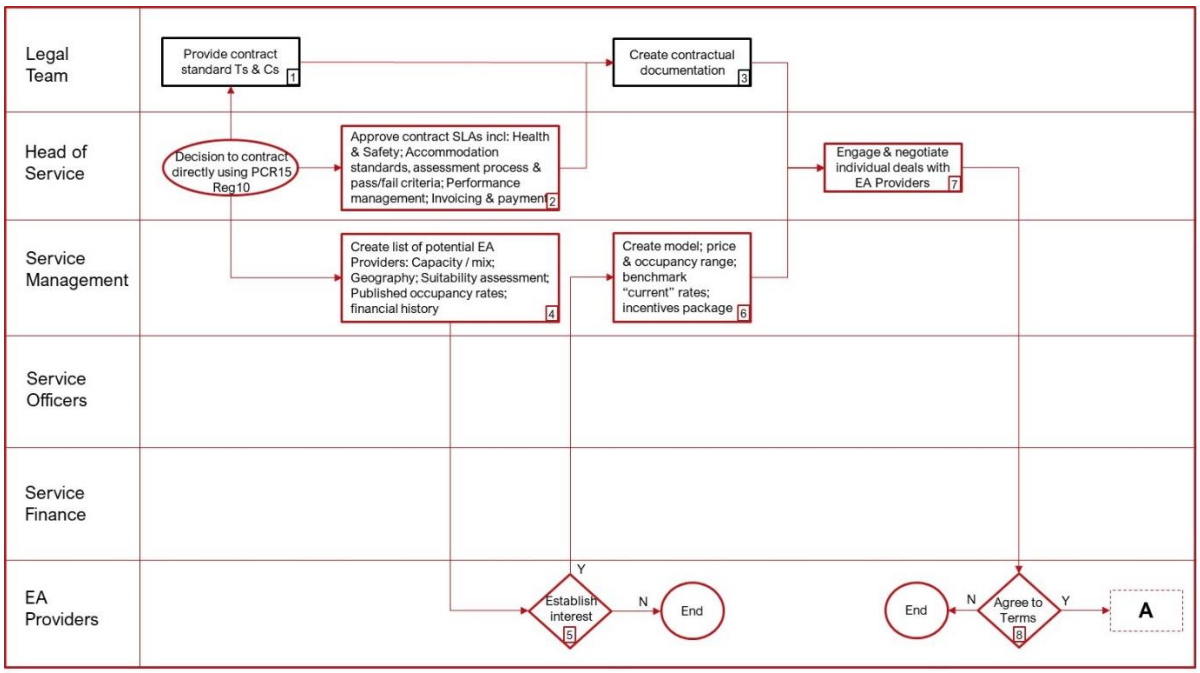
### 1 Process flow

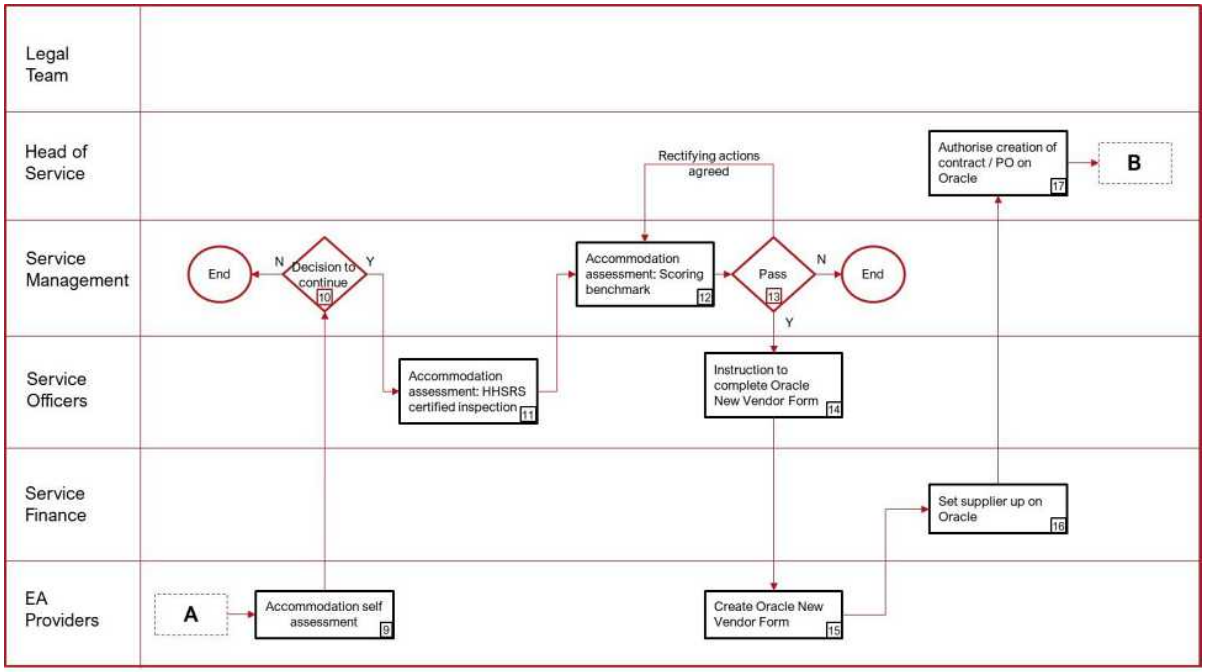
1.1 The process diagram below is a high-level overview of the process which will be implemented in support of adopting Regulation 10.1 (a) of the Public Contract Regulations 2015 (PCR15).

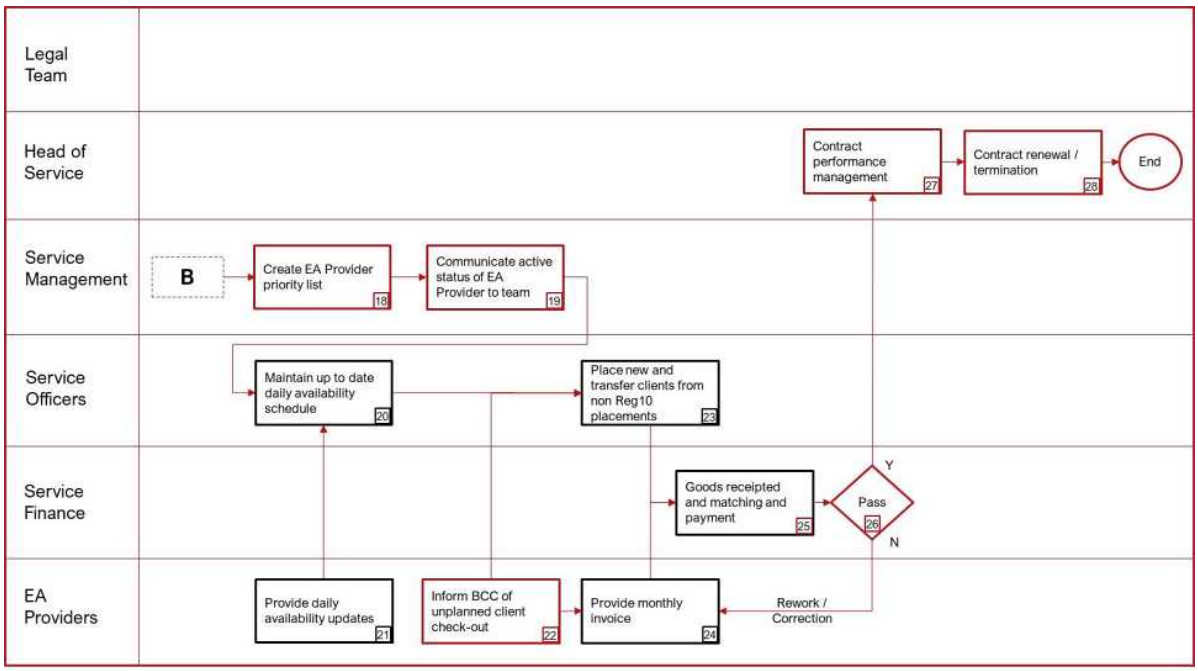



1.2 The process detail shown in the following 3 diagrams has been developed in consultation with colleagues from EA operations, internal audit, and procurement. Note that new activities, or activities which contain new tasks, are highlighted with a red boundary.

1.3 The “swim lane” presentation format supports presenting the responsibilities of different stakeholders along the process and importantly evidences the segregation of duties, ensuring the appropriate implementation of risk management and internal controls.


Legal Team
Head of Service
Service Management
Service Officers
Service Finance
EA Providers
Provide contract standard Ts & Cs 1
Create contractual documentation 3
Decision to contract directly using PCR15 Reg10
Approve contract SLAs incl: Health & Safety; Accommodation standards, assessment process & pass/fail criteria; Performance management; Invoicing & payment 2
Engage & negotiate individual deals with EA Providers 7
Create list of potential EA Providers: Capacity / mix; Geography; Suitability assessment; Published occupancy rates; financial history 4
Create model; price & occupancy range; benchmark "current" rates; incentives package 6
Establish interest 5
Y
N
End
End
N
Agree to Terms 8
Y
A


Legal Team
Head of Service
Service Management
Service Officers
Service Finance
EA Providers
Rectifying actions agreed
Authorise creation of contract / PO on Oracle 17
B
End
N
Decision to continue 10
Y
Accommodation assessment: Scoring benchmark 12
Pass 13
N
End
Y
Accommodation assessment: HHSRS certified inspection 11
Instruction to complete Oracle New Vendor Form 14
Set supplier up on Oracle 16
A
Accommodation self assessment 9
Create Oracle New Vendor Form 15




## 2 Process description

2.1 The process starts with a decision by the Head of Service to contract directly with an individual EA Provider. This contract will be between the Council and Provider and only for the purposes of renting rooms in a building or leasing of a building and any “inseparable” ancillary services. An overview of each of the steps in the process, following this decision, is provided in the table below:

| Step | Description |
|---|---|
| 1 | The contract will use the Councils standard terms and conditions. These will be updated to reflect the use of PCR15 Regulation 10.1(a) for the sole purpose of renting rooms in a building or leasing of a building. The latest version will be provided by legal support services. |
| 2 | The operational obligations for the Council and EA Provider will be set out through a variety of Service Level Agreements (SLAs) which will be annexed and form part of the contract. The SLAs will include:<br>• Health & Safety standards and requirements<br>• Accommodation standards to be provided<br>• The process to be followed for assessing accommodation and pass-fail criteria to be applied<br>• Operational KPIs and requirements e.g. 56 day placement option, weekly reporting format<br>• Performance management process, and review frequency (monthly, quarterly and half year)<br>• Invoicing, receipting and payments process |

| Step | Description |
|---|---|
| 3 | Legal services will create the contract through combining the standard terms and conditions and annex SLAs |
| 4 | A target list of EA Providers will be created drawing on local knowledge of providers operating within the Councils boundaries. Selection of these providers will be based on:<br>• Occupancy options, capacity and mix of rooms<br>• Geography and ward<br>• An initial suitability assessment<br>• Financial position and history (companies house annual returns) |
| 5 | EA Providers will be contacted individually to establish interest in directly contracting with the Council. If no interest, they will be removed from the active target list. |
| 6 | For EA Providers on the active target list, financial modelling will be undertaken to:<br>• Understand occupancy levels, accommodation rates and earnings range, for each target, cross referencing with annual returns<br>• Benchmark accommodation rates for each EA against current average rates, (minimum and maximum range), paid by the Council for EA<br>• Price an incentives package<br>• Create a financial model illustrating EA Provider position and Council's position at a range of price points to support individual EA Provider negotiations |
| 7 | Individual negotiations will be held with each EA Provider to agree:<br>• The use of the Councils standard contract terms and conditions<br>• To use the appended SLAs<br>• The scale booking occupation / placement target<br>• The rate to be applied for a placement<br>• The contract duration which recognises the period over which the Council will in principle be looking to place homeless citizens and families with dependents<br>This will be undertaken by the Head of Service to ensure a segregation of duties and mitigate any conflicts of interest. |
| 8 | The outcome of the negotiations with each of the EA Providers will be agreement to move forward or to exit and end the exploratory discussions with the Council. |
| 9 | If agreement is agreed in principle to contract for services with the Council the next step is to start the quality assessment and suitability of the accommodation. The starts with the EA Provider completing the accommodation self-assessment documentation. |

| Step | Description |
|---|---|
| 10 | A desk-top review of the accommodation self-assessment submitted by the EA Provider will determine if the EA Provider qualifies for inclusion or is rejected at this stage. |
| 11 | The Council will arrange for a certified environmental health officer to visit the premises of EA Providers, who pass the initial assessment, to undertake a Housing Health and Safety Rating System inspection.<br><br>The inspection will assess 29 housing hazards and the effect that each may have of the health and safety of future occupants of the property. |
| 12 | Each EA Provider will be independently assessed and scored on the submitted self-assessment documentation and HHSRS report.<br><br>This will be undertaken by the EA service management to ensure a segregation of duties and mitigate any conflicts of interest. |
| 13 | Where the EA Provider fails to achieve the benchmark score, they will be offered the option to put in place a rectification plan or end their participation in the process. |
| 14 | On successfully passing the accommodation assessment the Council will instruct the EA Provider to complete the on-line Oracle New Vendor Form. |
| 15 | The EA Provider will complete the on-line Oracle New Vendor Form. |
| 16 | The Council will set EA Provider up as a supplier on Oracle. |
| 17 | Completion of the supplier set up will trigger the authorisation to create the contract and purchase order on Oracle. |
| 18 | Based on the capacity offered and accommodation quality scoring, as more directly contracted EA Providers are established the Council will create a prioritised list which reflects the order in which they should be used to deliver best value to the Council. |
| 19 | The EA Service team will be provided with updates each time a new EA Provider goes live along with an updated priority list. |
| 20 | The EA team will maintain a an up to date schedule of availability for each of the directly contracted EA providers. |
| 21 | The EA providers will, as part of the agreed contractual terms, provide daily updates of availability before 08:00am each day. |
| 22 | Each EA provider will notify the EA team of unplanned check-outs by clients within 2 hours of this being brought to their attention. |
| 23 | The EA Service Officers will prioritise placing newly presenting homeless citizens and families with dependents with directly contracted EA Providers; and transfer clients from non-directly contracted placements to directly contracted EA Providers. |
| 24 | The directly contracted EA Providers will provide the Council's service finance team with a monthly invoice using the Councils pre-defined standard format |

| Step | Description |
|---|---|
| 25 | Monthly invoices will be reconciled for placements and occupancy and accepted for payment or rejected requiring correction. |
| 26 | EA Providers will be required to correct invoices, any discrepancy will lead to a rejection. |
| 27 | The Council will implement contract performance management. This will include for example regular review of: the operational practices; arising issues relating to placement; occupancy levels; ideas for improvement.<br>This will be undertaken by the Head of Service to ensure an independent assessment of each EA Providers service. |
| 28 | Based on the levels of presenting homelessness demand and move-on performance and results of formal reviews the Council will either renew or terminate the direct contract with the EA Provider. |

## Appendix 2

**Environment and Sustainability Assessment**

| **Project Title:** Securing Emergency Temporary Accommodation | | | | |
|---|---|---|---|---|
| **Department:** City Housing | **Team:** Housing Solutions | | | **Person Responsible for assessment:** Lewis Rees |
| **Date of assessment:** 24/5/2023 | | **Is it a new or existing proposal?** New, but relates to existing Emergency Accommodation service | | |
| **Brief description of the proposal:** The report sets out the case for developing a Cabinet Report in support of the provision of emergency accommodation utilising Regulation 10.1 (a) of the Public Contract Regulations 2015 (PCR15) to contract directly with providers for emergency accommodation (EA). | | | | |
| **Potential impacts of the policy/development decision/procedure/ on:** | **Positive Impact** | **Negative Impact** | **No Specific Impact** | **What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?** |
| Natural Resources- Impact on natural resources including water, soil, air | | | X | This initiative is to place homeless families in Bed & Breakfast (B&B) Emergency Accommodation (EA). Through compliance with legislation no specific impact. |
| Energy use and $CO_2$ emissions | | X | | Transition to B&B accommodation whereby the inclusive cost cover energy could through higher occupancy levels lead to higher energy consumption. |
| Impact on local green and open spaces and biodiversity | | | X | No specific impact |
| Use of sustainable products and equipment | X | | | The expectation is that chosen providers will ensure compliance with regulations such as using LED lighting and adopt good practices such as timer switches on lighting and individual room thermostat controls and other interventions. A Positive impact is expected. |
| Minimising waste | X | | | By law B&B providers are required to advise the Local Authority that they are a commercial waste producer. They |

| | | | | |
|---|---|---|---|---|
| | | | | will comply with good practice on waste disposal. Potentially having a positive impact on waste management through recycling etc. |
| Council plan priority: a city that takes a leading role in tackling climate change | | | X | No specific impact |
| Overall conclusion on the environmental and sustainability impacts of the proposal | Expectation that providers will be working within current legislation and proactively planning to adhere to governmental targets of net zero by 2050 or before. Overall this should be more favourable from an environmental and sustainability perspective. | | | |

If you require assistance in completing this assessment, then please contact: ESAGuidance@birmingham.gov.uk

**Appendix 3**

| | |
|---|---|
| Title of proposed EIA | Securing emergency accommodation |
| Reference No | EQUA1162 |
| EA is in support of | New Function |
| Review Frequency | Annually |
| Date of first review | 14/06/2024 |
| Directorate | City Housing |
| Division | Housing Support and Solution Services |
| Service Area | Temporary Accommodaiton |
| Responsible Officer(s) | ☐ Marcia Bell |
| Quality Control Officer(s) | ☐ Sonia Sheward |
| Accountable Officer(s) | ☐ Stephen Philpott |
| Purpose of proposal | to ensure temporary accommodation is sources within procurement regulation |
| Data sources | relevant research |
| Please include any other sources of data | |
| ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS | |
| Protected characteristic: Age | Not Applicable |
| Age details: | |
| Protected characteristic: Disability | Service Users / Stakeholders |
| Disability details: | No negative impact of this proposal has been identified. Using regulation 10.1 of procurement regulation 2015 will enable the council to meet its statutory duty to provide suitable interim/ emergency accommodation to homeless households.<br><br>The use of the regulation will allow a more targeted approach to sourcing accommodation which will ensure that indiviual needs can be addressed as required by housing legislation. |

| | |
|---|---|
| Protected characteristic: Sex | Not Applicable |
| Gender details: | |
| Protected characteristics: Gender Reassignment | Not Applicable |
| Gender reassignment details: | |
| Protected characteristics: Marriage and Civil Partnership | Not Applicable |
| Marriage and civil partnership details: | |
| Protected characteristics: Pregnancy and Maternity | Not Applicable |
| Pregnancy and maternity details: | |
| Protected characteristics: Race | Not Applicable |
| Race details: | |
| Protected characteristics: Religion or Beliefs | Not Applicable |
| Religion or beliefs details: | |
| Protected characteristics: Sexual Orientation | Not Applicable |
| Sexual orientation details: | |
| Socio-economic impacts | |
| Please indicate any actions arising from completing this screening exercise. | |
| Please indicate whether a full impact assessment is recommended | NO |
| What data has been collected to facilitate the assessment of this policy/proposal? | PCR15 regulation 10.1 |
| Consultation analysis | N/A |
| Adverse impact on any people with protected characteristics. | none |
| Could the policy/proposal be modified to reduce or eliminate any adverse impact? | N/A |
| How will the effect(s) of this policy/proposal on equality be monitored? | N/A |
| What data is required in the future? | N/A |
| Are there any adverse impacts on any particular group(s) | No |
| If yes, please explain your reasons for going ahead. | no |
| Initial equality impact assessment of your proposal | This proposal will allow the Council the flexibility to procure emergency accommodation to meet the dermand and the needs of the houseohlds that approach the council as homeless. The nature of the proposal has a positive impact in that it creates the |

| | |
|---|---|
| | ability to source specific accommodation types. |
| Consulted People or Groups | |
| Informed People or Groups | |
| Summary and evidence of findings from your EIA | This proposal will allow the Council the flexibility to procure emergency accommodation to meet the dermand and the needs of the houseohlds that approach the council as homeless. The nature of the proposal has a positive impact in that it creates the ability to source specific accommodation types. |

QUALITY CONTORL SECTION

| | |
|---|---|
| Submit to the Quality Control Officer for reviewing? | No |
| Quality Control Officer comments | checked and amended for spelling errors |
| Decision by Quality Control Officer | Proceed for final approval |
| Submit draft to Accountable Officer? | Yes |
| Decision by Accountable Officer | Approve |
| Date approved / rejected by the Accountable Officer | 20/07/2023 |
| Reasons for approval or rejection | The charateristics have been considered in relation to the new task/function and there are no negative impacts |
| Please print and save a PDF copy for your records | Yes |

Content Type: Item
Version: 76.0
Created at 16/06/2023 03:13 PM by Marcia Bell
Last modified at 20/07/2023 03:33 PM by Workflow on behalf of Stephen Philpott

Close

# Birmingham City Council

# Report to Cabinet

**5th September 2023**

| | |
|---|---|
| **Subject:** | **STAYING INDEPENDENT AT HOME: ADAPTATION AND IMPROVEMENT SERVICE CONTRACT AWARD** |
| **Report of:** | **Professor Graeme Betts - CBE, Strategic Director Adult Social Care** |
| **Relevant Cabinet Member:** | **Cllr Mariam Khan - Health and Social Care** |
| **Relevant O &S Chair(s):** | **Cllr Mick Brown - Health & Adult Social Care** |
| **Report author:** | **Sarah Feeley, Commissioning Manager**<br>**Email: Sarah.Feeley@birmingham.gov.uk**<br>**Timsey Deb, Head of Service**<br>**Email: Timsey.Deb@birmingham.gov.uk** |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011796/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, provide exempt information paragraph number or reason if confidential:<br>**Exempt Appendix 1** – Paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information). | ☒ Yes | ☐ No |

## 1 Executive Summary

1.1 To provide the details of the outcome of the procurement process undertaken for the provision of Staying Independent at Home: Adaptation and Improvement Service and to seek approval for the acceptance of the preferred tender as detailed in **Exempt Appendix 1**.

1.2 The contract award is for a period of 5 years commencing 1st January 2024, with an option to extend for a further period of up to 2 years, subject to satisfactory performance and budget availability, for the estimated annual value of up to £12m (£60m in total excluding extension period) and one-off costs for mobilisation of the new service.

## 2 Recommendations

That Cabinet:

2.1 Approves the award of a 5-year contract for the provision of the Staying Independent at Home: Adaptation and Improvement Service to the provider as detailed within **Exempt Appendix 1**, commencing on 1st January 2024 for a period of 5 years, with an option to extend for a further 2 years subject to budget availability and satisfactory performance for the annual value of up to £12m per year, including the payment of any one off-payments up to the maximum value of £1m.

2.2 Approves delegated authority for the Strategic Director Adult Social Care in conjunction with the Assistant Director – Procurement (or their delegate), Strategic Director of Council Management (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate) to approve any option to extend beyond the initial 5-year period up to a maximum of 2 additional years, subject to satisfactory performance and continued budget availability.

2.3 Approves delegated authority for the Strategic Director Adult Social Care to approve that additional funding received into the Council through the Disabled Facilities Grant be varied into the Contract with the successful tenderer subject to satisfactory performance up to the maximum value of £2m per year.

2.4 Authorises the City Solicitor to execute and complete all necessary legal documents to give effect to the recommendations above.

## 3 Background

3.1 <u>Background</u>

3.1.1 The relevant background and chronology of key events are contained in the Tender Strategy for the provision of Staying Independent at Home: Adaptation and Improvement Service approved by the Cabinet Member(s) for Health & Social Care and Finance & Resources on 16th March 2023.

3.2 Invitation to Tender (ITT) Stage

3.2.1 The contract was publicly advertised on 29th March 2023 in the Find a Tender service (FTS), Contracts Finder and on www.finditinbirmingham.com seeking expressions of interest from organisations who wished to tender. In response to the advertisement, 40 firms expressed an interest. All were requested to complete and return the tender; 4 firms responded by submitting a tender.

3.3 Evaluation and Selection Summary

3.3.1 Details of the evaluation process, including the criteria for selection was set out in the Tender Strategy and the published Invitation to tender (ITT) for the provision of Staying Independent at Home: Adaptation and Improvement Service. This outlined that tenders received would be evaluated using a split of 50% quality, 20% social value and 30% price.

3.3.2 The evaluation was undertaken by officers from the Adult Social Care Directorate, supported by Corporate Procurement Services.

3.3.3 All tenderers passed the Stage 1 assessment, which is the standard SQ/ Compliance stage and proceeded to the next stage, the ITT and pricing schedule.

3.3.4 Quality Evaluation (50% Weighting)

The results of the quality evaluation including the Presentation are shown in the **Exempt Appendix 1.**

There were no specific issues that arose with the quality evaluation and all tenderers proceeded to the social value evaluation stage.

3.3.5 Social Value Evaluation (20% Weighting)

The results of the social value evaluation are shown in the **Exempt Appendix 1.**

There were clarifications required on some areas of the tenderers' Social Value Action Plans, all tenderers responded to the clarifications. All tenderers proceeded to the financial evaluation stage.

3.3.6 Price Evaluation (30% Weighting)

The result of the price evaluation is shown in the table in the **Exempt Appendix 1.**

There were clarifications required on some areas of the tenderers' financial submissions, all tenderers responded to the clarifications.

3.3.7 Overall Evaluation

The overall results of the evaluation are summarised in the **Exempt Appendix 1.**

3.4 Recommendations

3.4.1 It is recommended that the contract for the provision of Staying Independent at Home: Adaptation and Improvement Service be awarded to one provider as detailed within the **Exempt Appendix 1** for a period of 5 years with option to extend for an additional 2 years subject to budget availability and satisfactory performance. The contract is estimated to start on 1st January 2024 with an indicative total contract value of £60m excluding extensions, and one-off costs.

3.5 Service Delivery Management

3.5.1 Allocation of Work

Direct award to the successful tenderer, who will manage the supply chain and sub-contractors.

3.5.2 Contract Management

The contract will be managed operationally by the Multi-Disciplinary Team Manager, supported by the Commissioning Manager, Adult Social Care Directorate.

3.5.3 Performance Management

The contract will include a range of performance measures which will be monitored on a quarterly basis through the Contract Management process. This will include a range of outcome and quality measures. The main outcomes expected to be achieved are:

Mandatory Provision

- Contact to be made with citizens within **48hours** of receipt of referral.
- Scoping of works - this process should be completed within **15 working days** of an initial visit, with the exception of larger works which include an extension when a period of **30 working days** is allowed.
- From the Council approving a scheme, this should be shared with the citizen and homeowner for agreement within **5 working days** and subsequent approvals need to be shared with the Council.
- From the point of a purchase order being raised the provider is required to complete internal works within **12 weeks** and external works within **24 weeks**.
- Completed works should be invoiced with supporting documents no later than **10 working days** from the works being completed.

Discretionary Provision

**Works under £1,000**

- Hospital Discharge - hospital discharge referrals have to be prioritised and completed within **24 hours** after receiving the order (Exceptions would be for privately rented accommodation when permission is needed from landlords prior to starting the job)

- Urgent - urgent priority referrals should be completed within **48 hours** from receiving the order. Exceptions would be for privately rented accommodation when permission is needed from landlords prior to starting the job.

- Non-priority – non-priority orders should be completed within **7 days**. Exceptions would be for privately rented accommodation when permission is needed from landlords prior to starting the job.

**Works between £1,001 - £10,000***

- All requests for works are booked for scoping within **24 hours**.

- Hospital Discharge/Urgent - hospital discharge and urgent referrals have to be prioritised and completed within **7 days** after receiving the order (Exceptions would be for privately rented accommodation when permission is needed from landlords prior to starting the job)

- Non-priority – non-priority orders should be completed within **28 days**. Exceptions would be for privately rented accommodation when permission is needed from landlords prior to starting the job.

## 4 Options considered and Recommended Proposal

4.1 Not to award the contract – this is not an option as aspects of this service model are a mandatory requirement and would mean citizens would not be supported to remain living independently in the community.

## 5 Consultation

5.1 Internal

5.1.1 The Director Commissioning, Adult Social Care has been consulted on the proposed award and is supportive of the decision.

## 6 Risk Management

6.1 The CPS approach is to follow the Council Risk Management Methodology and the Procurement Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service has been jointly produced and owned

by the Adult Social Care Directorate and CPS with arrangements being put in place to ensure operational risks are appropriately mitigated.

6.2 There is also a comprehensive risk register that will be developed in conjunction with the successful tenderer that will monitor contract mobilisation and Implementation.

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The details were included in the Staying Independent at Home: Adaptation and Improvement Service Procurement Strategy Report dated 16th March 2023 and the same continues to apply.

### 7.2 Legal Implications

7.2.1 Section 14 of The Care Act 2014 states that the Council must provide minor works or equipment of a value of less than £1,000 free of charge to the citizen as detailed in The Act where these are necessary to meet a Care Act outcome.

7.2.2 The Housing Grants, Construction and Regeneration Act 1996 (HGCRA 1996) places a mandatory duty on the Local Authority to provide grants towards the costs of works required for the provision of facilities for people living with disabilities as defined in the Equality Act 2010. These are known as Disabled Facilities Grants (DFG).

7.2.3 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO 2002) enables the Local Authority to use discretionary powers to provide other forms of housing assistance in addition to the mandatory duties to provide DFG. In order to exercise discretion and flexibility in the form of assistance offered and crucially to enable flexibility in the use of the annual DFG funding allocation, the Local Authority must publish a policy setting out the assistance available.

7.2.4 Under Section 111 of the Local Government Act 1972, a local authority has the power to take action, which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of its functions. Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determined by the Secretary of State.

7.2.5 Pre-Procurement Duty under the Public Service (Social Value) Act 2012

The Social Value outcomes to be supported by this contract have been determined and are included in the specification, as well as incorporation of the associated Themes from the BBC4SR that were included in the tender evaluation.

## 7.3 Financial Implications

7.3.1 The funding of £12m per year (£60m across the initial 5-year period) will be funded from the Disabled Facilities Grant, which is a grant received yearly by the Council.

7.3.2 The payments made to the service will be made on actual works completed basis on agreed unit rates that were submitted as part of the tender process. The unit rates will be part of the contract and set for the initial period of 5 years with only CPI inflation as detailed within the contract.

7.3.3 The Government announced as part of the Social Care White Paper additional funding would be made available to Local Authorities to increase the support available through the Disabled Facilities Grant. Based on the population size and current formula, this is expected to be an approximate £1.5m - £2m per year increase. When this additional funding is received it will be utilised to fund the increase in the volume of works being completed through this service to support citizens to remain living independently at home.

## 7.4 Procurement Implications

7.4.1 This report concerns the contract award for the Staying Independent at Home: Adaptation and Improvement Service and the implications are detailed throughout the report.

## 7.5 Human Resources Implications

Not applicable.

## 7.6 Public Sector Equality Duty

7.6.1 The requirements of Standing Order No. 9 in respect of the Council's Equal Opportunities Policy will be incorporated into the Contract.

7.6.2 The requirements of the Equality Act 2010 will be specifically included in the Contract to comply with, the Act.

7.6.3 An Equalities Impact Assessment (EQUA1174) is included at **Appendix 2**.

## 8 Environment Sustainability Assessment

8.1 An Environmental Sustainability Assessment is included at **Appendix 3**.

## 9 Appendices:

**Appendix 1.** Exempt Report

**Appendix 2.** Equalities Impact Assessment (EQUA1174)

**Appendix 3**. Environmental Sustainability Assessment

## 10. Background Documents

10.1 Staying Independent at Home: Adaptation and Improvement Service Procurement Strategy Report dated 16th March 2023

| | |
|---|---|
| Title of proposed EIA | Staying Independent at Home: Adaptation and Improvement Service Contract Award |
| Reference No | EQUA1174 |
| EA is in support of | New Service |
| Review Frequency | Annually |
| Date of first review | 31/03/2024 |
| Directorate | Adults Social Care |
| Division | Commissioning |
| Service Area | Commissioning |
| Responsible Officer(s) | ☐ Sarah Feeley |
| Quality Control Officer(s) | ☐ Michael Walsh |
| Accountable Officer(s) | ☐ Louise Collett |
| Purpose of proposal | To award the contract for the Staying Independent at Home: Adaptation Service, which will allow the delivery of support to citizens. This includes mandatory and discretionary assistance to support citizens to remain living within the community |
| Data sources | relevant reports/strategies; Other (please specify) |
| Please include any other sources of data | Tender process, citizen engagement and involvement, The Care Act 2014 |

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

| | |
|---|---|
| Protected characteristic: Age | Service Users / Stakeholders |
| Age details: | It is acknowledged that a majority of citizens expected to access assistance and support are from the older age group (55+). Whilst they will continue to benefit from this service, the assistance being provided will be available to all age groups where they meet the criteria for the service based on their individual needs. |
| Protected characteristic: Disability | Service Users / Stakeholders |
| Disability details: | The implementation of the new service will enhance the offer of assistance to citizens providing support and adaptations to enable citizens to |

| | |
|---|---|
| | remain living independently within the community. |
| Protected characteristic: Sex | Not Applicable |
| Gender details: | |
| Protected characteristics: Gender Reassignment | Not Applicable |
| Gender reassignment details: | |
| Protected characteristics: Marriage and Civil Partnership | Not Applicable |
| Marriage and civil partnership details: | |
| Protected characteristics: Pregnancy and Maternity | Not Applicable |
| Pregnancy and maternity details: | |
| Protected characteristics: Race | Not Applicable |
| Race details: | |
| Protected characteristics: Religion or Beliefs | Not Applicable |
| Religion or beliefs details: | |
| Protected characteristics: Sexual Orientation | Not Applicable |
| Sexual orientation details: | |
| Socio-economic impacts | The delivery model requres at least 10 local sub-contractors in order to ensure that the economic benefits of spend through the contract is felt locally. Tenderers are required to demonstrate social value - including use of local supply chains and labour. |
| Please indicate any actions arising from completing this screening exercise. | The implementation of the service will enable a greater support offer to citizens who are eligible for the service. |
| Please indicate whether a full impact assessment is recommended | NO |
| What data has been collected to facilitate the assessment of this policy/proposal? | |
| Consultation analysis | The outcome of the tender process has been discussed within the council and the sucessful bidder meets all the relevant criteria as specified. |
| Adverse impact on any people with protected characteristics. | The contract award will increase the support and assistance available to citizens who meet the criteria. There are no adverse impact on the protected characteristics of a citizen as these are not part of the decision making process for the contract award or service delivery. |

| | |
|---|---|
| Could the policy/proposal be modified to reduce or eliminate any adverse impact? | Not applicable as there are no identified adverse impacts. |
| How will the effect(s) of this policy/proposal on equality be monitored? | |
| What data is required in the future? | |
| Are there any adverse impacts on any particular group(s) | No |
| If yes, please explain your reasons for going ahead. | |
| Initial equality impact assessment of your proposal | |
| Consulted People or Groups | |
| Informed People or Groups | |
| Summary and evidence of findings from your EIA | The contract award of the Staying Independent at Home: Adaptation and Improvement Service will widen the assistance available to citizens regardless of their protected characteristics.<br><br>This service will ensure that the mandatory and discretionary assistance detailed within the Staying Independent at Home Policy can be provided in a consistent, city-wide approach.<br><br>The proposal therefore has no adverse impact, but would improve the assistance available for citizens where they are eligble for the support. |

QUALITY CONTORL SECTION

| | |
|---|---|
| Submit to the Quality Control Officer for reviewing? | No |
| Quality Control Officer comments | Approved - the nature of the contract and the new delivery model is intended to improve access to home adaptions in order to improve outcomes for vulnerable citizens - especially those living with disability or who require physical changes to their home to enable them to remain living independnently. |
| Decision by Quality Control Officer | Proceed for final approval |
| Submit draft to Accountable Officer? | Yes |
| Decision by Accountable Officer | Approve |
| Date approved / rejected by the Accountable Officer | 21/07/2023 |

Reasons for approval or rejection

Please print and save a PDF copy for your records Yes

Content Type: Item
Version: 27.0
Created at 20/07/2023 07:57 PM by Sarah Feeley
Last modified at 21/07/2023 04:59 PM by Workflow on behalf of Louise Collett

Close

**Environment and Sustainability Assessment**

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. This assessment must be completed for CLT and Cabinet reports where appropriate. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete.

To complete the assessment, you should consider whether the proposal will have a positive or a negative impact on each of the key themes by placing a (√) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. Further guidance on the completion of the template is available on page 3 below.

| | | | | |
|---|---|---|---|---|
| **Project Title:** | **Staying Independent at Home: Adaptation and Improvement Service** | | | |
| **Directorate:** | **Team: Adult Social Care** | | | **Person Responsible for assessment: Sarah Feeley and Timsey Deb** |
| **Date of assessment:** | **Is it a new or existing proposal? New** | | | |
| **Brief description of the proposal: The approval of a new contract to deliver the Staying Independent at Home: Adaptation and Improvement Service across Birmingham.** | | | | |
| **Potential impacts of the policy/development/ decision on:** | **Positive Impact** | **Negative Impact** | **No Specific Impact** | **What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?** |
| Natural Resources - including water, soil, air | | | X | |
| Energy use and $CO_2$ emissions | X | | | The successful provider has committed to reduce their CO2 use through the delivery of this service, this will be monitored as part of the social value action plan throughout the length of the contract. This also includes the use of local suppliers to reduce the miles travelled for materials. |
| Quality of environment | | | X | |
| Impact on local green and open | X | | | The successful provider has made a commitment to |

| | | | | |
|---|---|---|---|---|
| spaces and biodiversity | | | | support the local community to clean and maintain green spaces through volunteer hours, supporting community groups in need, by sharing their time and expertise. |
| Use of sustainable products and equipment | | X | | As part of the service specification there is an emphasis on supporting the use of sustainable materials but in some aspects this may not be possible as the market for certain supplies and equipment is not fully developed yet. |
| Minimising waste | X | | | The successful provider has made a commitment to monitor and support waste reduction. |
| Council plan priority: a city that takes a leading role in tackling climate change | | | X | |
| Overall conclusion on the environmental and sustainability impacts of the proposal | Overall, the impact of the contract award is positive with clear measurable targets documents throughout the tender and also the social value action plan. These will be monitored and reviewed throughout the length of the contract for compliance.<br><br>Wherever possible improvements on the use of materials will be reviewed to ensure we maximise the opportunity for utilising sustainable materials while balancing the best value for money. | | | |

## Guidance for completing the template

| Theme | Example |
|---|---|
| Natural Resources - Impact on natural resources including water, soil, air. | Does the decision increase water use?<br>Does the decision have an impact on air quality?<br>Does the decision discourage the use of the most polluting vehicles (private and public) and promote sustainable modes of transport or working from home to reduce air pollution?<br>Does the decision impact on soil?<br>For example, development will typically use water for carrying out various operations and, once complete, water will be needed to service the development. Providing water to development and treating affluent water requires energy and contributes to climate change. Some of the activities including construction or disposal of waste may lead to soil pollution. The decisions may lead to more journeys thereby deteriorating air quality and thus contribution to climate change and greenhouse gases. |
| Energy use and $CO_2$ emissions. | Will the decision have an impact on energy use?<br>Will the decision impact on carbon emissions?<br>Most day-to-day activities use energy. The main environmental impact of producing and using energy such as electricity, gas, and fuel (unless it is from a renewable source) is the emission of carbon dioxide. |
| Quality of environment. | Does the decision impact on the overall quality of the built environment?<br>Decisions may have an impact on the overall setting, character and distinctiveness in the area. For example, if development involves ground digging and excavations etc. it may have an impact on the local archaeology. |
| Impact on local green and open spaces and biodiversity | The proposal may lead to localised impacts on the local green and open spaces which may have an impact on local biodiversity, trees and other vegetation in the area.<br>Will the proposal lead to loss (or creation) of green and blue infrastructure?<br>For example, selling an open space may reduce access to open space within an area and lead to a loss of biodiversity. However, creating a new open space would have positive effects. |
| Use of environmentally sustainable products, equipment and packaging' | Will the decision present opportunities to incorporate the use of environmentally sustainable products (such as compostable bags, paper straws etc.), recycled materials (i.e. Forest Stewardship Council (FSC) Timber/wood), non-polluting vehicles, avoid the use of single use plastics and packaging. |
| Minimising waste | Will the decision minimise waste creation and the maximise recycling during the construction and operation |

| | |
|---|---|
| | of the development/programme/project?<br>Will the decision provide opportunities to improve recycling?<br>For example, if the proposal involves the demolition of a building or a structure, could some of the construction materials be reused in the new development or recycled back into the construction industry for use on another project? |
| Council plan priority: a city that takes a leading role in tackling climate change and deliver Route to Zero. | How does the proposal or decision contribute to tackling and showing leadership in tackling climate change and deliver Route to Zero aspirations? |

If you require further assistance with completing this template, please contact: ESAGuidance@birmingham.gov.uk

# Birmingham City Council

# Report to Cabinet

**05 September 2023**

| | |
|---|---|
| **Subject:** | P0403 Package 4: Processing of Dry Mixed Recycling (DMR) |
| **Report of:** | Craig Cooper, Strategic Director, City Operations |
| **Relevant Cabinet Member:** | Councillor Majid Mahmood, Cabinet Member for Environment |
| **Relevant O &S Chair(s):** | Councillor Lee Marsham, Chair of Sustainability and Transport |
| **Report author:** | Meena Chuhan, Interim Procurement Manager, meena.chuhan@birmingham.gov.uk |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011525/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential : Exempt Appendix 1. Constitution Part C2: Paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information). | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 This report provides details of the outcome of the procurement process for the procurement process for the Processing of Dry Mixed Recycling (DMR).

The contract award is for a period of three (3) years commencing 17 January 2024, (with an option to extend for a further period of up to two (2) years subject to satisfactory performance and budgetary availability).

1.2 As contract value is higher than the estimate stated in the Cabinet report titled "Procurement Strategy in Support of the Waste Strategy Framework 2017 – 2040", dated 13 February 2018, this updated report is being presented for decision.

## 2 Recommendations

That Cabinet is invited to:

2.1 Authorise the Strategic Director of City Operations to enter into a three-year (3) Agreement with Veolia Environmental Services (UK) PLC (Veolia) for the Processing of Dry Mixed Recycling (DMR) commencing 17 January 2024.

2.2 Authorises that the Strategic Director, City Operations in conjunction with the Director, Street Scene will agree any option to extend for up to two (2) years subject to satisfactory performance and budget availability.

2.3 Authorises the City Solicitor and Monitoring Officer (or their delegate) to execute, seal and complete all necessary documentation to give effect to the above recommendations.

## 3 Background

3.1 On 13 February 2018, Cabinet approved the procurement strategy in the report: Procurement Strategy in Support of the Waste Strategy Framework 2017 – 2040 to commence the tender process for an open procurement process and detailed the evaluation criteria.

3.2 The service required by the Council is for the provision of DMR waste treatment capacity for wastes arising in the City and to provide a smooth Waste Acceptance process and ensure the closed environmental journey for DMR Material streams so that there is a transparent audit trail for the movement of DMR materials across the Contract and the supply chain.

3.3 The Service Provider's facilities will process the following material streams:

- **Plastics**
  - Plastic household and toiletry bottles
  - Plastic drinks bottles
  - Plastic pots, tubs, and trays (including yoghurt pots and meat trays)
  - Plastic lids
  - Plastic film
- **Metals**
  - Metal lids
  - Steel and Aluminium Aerosols
  - Foil
  - Foil trays
  - Aluminium tubes
  - Steel and aluminium food and drink cans
- **Glass**
  - Clear and different coloured glass bottles and jars;
- **Other**
  - Tetra Pak (food and drinks cartons)

3.4 The Environment Act 2021 came into force on 9 November 2021, however, guidance on what the Deposit Recycling scheme will look like in England and Wales is still outstanding from the Department for Environment and Rural Affairs.

3.5 In an attempt to ensure that the Council was able to take on board as many of the requirements of the legislation as possible, the procurement process timetable has been delayed for as long as possible.

3.6 The DMR market has been very turbulent following shocks within the industry including COVID, Brexit and the current economic climate, which was also a consideration for delay.

3.7 The Council required a service to receive and sort DMR (collected and delivered by the authority), transportation and delivery of the Sorted Output Materials (SOM) to processors and merchants, and the further sorting or final disposal of any unacceptable waste arising from the sorting process, such that the contractor's process maximises the recovery of DMR.

3.8 The contract was publicly advertised on 20 February 2023 in Find a Tender, Contracts Finder and on www.finditinbirmingham.com seeking expressions of interest from organisations who wished to tender. In response to the advertisement, fourteen (14) firms expressed an interest, and all were requested to complete and return the tender. Two (2) firms responded by submitting a tender by the deadline, 11 April 2023, and twelve (12) effectively withdrew themselves at this stage by not returning the tender.

3.9 Questions were raised by tenderers during the tender period, and these were addressed by issuing clarifications to all tenderers and requesting these were incorporated into their submissions.

3.10 Consultation with the organisations who did not return a tender was undertaken to understand why they did not submit a tender. Details of the reasons given for non-submission are included in exempt Appendix 1.

3.11 The relevant background and chronology of key events was explained in the Cabinet Report titled "Procurement Strategy in Support of the Waste Strategy Framework 2017 – 2040" on 13 February 2018.

3.12 The details of the evaluation process and the recommendations for the award of contract are detailed in Appendix 1 – Exempt Information.

3.13 The overall responsibility for the contract and its management will be with the Council's Street Scene Contract Management section.

3.14 Veolia will comply with the reasonable requests of the Authorised Officer to facilitate, organise, lead and/or participate in visits and open days at the facilities. The Council will also have the flexibility to organise and/or lead visits.

3.15 Veolia will meet all reasonable requests for information from, authorised users, teachers, students, etc., and other interested groups unless disclosure of such information compromises the commercial activities of Veolia or the Council.

3.16 The contract allows for growth within the DMR waste stream with additional capacity at the Material Recycling Facility (MRF).

3.17 The Climate Emergency is integral to the wider waste strategy which prioritises reuse and recycling in line with the waste hierarchy. This three-year (3) contract will enable a circular economy to reduce carbon emissions and support increased reuse and recycling. The contract will support and encourage local processing infrastructure for recycled material to support growth in the UK market.

3.18 The wider waste strategy will look at education and behaviour change to increase recycling rates and work is underway with Keep Britain Tidy and ReLondon as part of an additional campaign for recycling behaviour change.

## 4 Options considered and Recommended Proposal

4.1 To award the contract – this is the recommended option as the contract is required to support the Council's legal obligations to act as both a Waste Collection Authority and Waste Disposal Authority under the Environmental Protection Act 1990.

4.2 Not to award the contract – this would not provide the contract necessary to support the waste disposal strategy. The Council would not meet its legal obligations with regards to diversion from landfill nor support its statutory duty as stated under 4.1.

## 5 Consultation

5.1 This contract has been included in the Cabinet Report approved by Cabinet as part of the sounding out process on 13 February 2018 for the duration of three years with the option to extend for up to a further two years.

5.2 Officers from City Finance, Corporate Procurement and Legal and Governance have been involved in the preparation of this report.

5.3 Officers from the Route to Zero team have been consulted on the report and have raised no concerns about the award of this contract and are satisfied with the ongoing commitment to carbon monitoring.

## 6 Risk Management

6.1 The details were included in the "Procurement Strategy for the Waste Strategy Framework 2017 – 2040", approved 13 February 2018 and the same continues to apply.

6.2 There are severe risks to the cost of DMR over the next five years due to the growing number of households, volatile recyclate prices, increasing regulation of the constituent elements of DMR, uncertainty over the Deposit Return Scheme (DRS) implementation, and the increasing difficulty of expanding the range of recycled materials (as illustrated in the Risk Assessment under appendix 3). However the proposed contract allows flexibility within the contract period of three years and renewal in Jan 2027 to accommodate the introduction of the Government's proposed Deposit Return Scheme (DRS), scheduled to be rolled out at the end of 2025.

## 7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The details were included in the Tender Strategy for the Procurement Strategy in Support of the Waste Strategy Framework 2017 – 2040 dated 13 February 2018, the same continues to apply.

7.1.2 The recommended decisions contribute to the Council Plan objectives / outcomes:

- Create opportunities for local people to develop skills and make the best of economic growth;

- Strive to maximise the investment in the city and engage local employers to create quality jobs and opportunities for citizens, especially for those in the most deprived circumstances;

- To work with our residents and businesses to improve the cleanliness of our city; and

- To improve the environment and tackle air pollution.

7.2 Legal Implications

7.2.1 The Council has a duty to act as both a Waste Collection Authority and Waste Disposal Authority under the Environmental Protection Act 1990. Under S111 of the Local Government Act 1972, the Council is entitled to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

7.2.2 The Council has a best value duty under S.3 Local Government Act 1999 to improve the efficiency, economy and effectiveness of the service it delivers.

7.3 Financial Implications

7.3.1 This report seeks approval to enter into a three-year agreement for the Processing of Dry Mixed Recycling (DMR) with Veolia at a nominal contract cost of £6.598m for the first three years with an option to extend for a further two years, subject to satisfactory performance and budget availability, at a total cost of £4.650m. This equates to an annual nominal cost of £2.2m in the first 3 years and £2.3m in the 2 year extension, reflecting inflationary uplifts. This is affordable within the current Financial Plan 2023-2027 and funded within the existing Waste Disposal budget including additional allocations as per the Medium Term Financial Plan (MTFP) from 2024/25, which was approved by City Council in February 2023.

7.3.2 The annual contract cost is net of £0.8m income representing the City Councils 75% share of recycling sales income from Dry Mixed Recycling in 2023/24 prices. This is based on a prudent flat five year view of recycling income which will vary depending on market conditions. Costings are based on a level of 20% contamination, and deviation from this may impact the financial position, however, this risk is being closely managed.

7.4 Procurement Implications

7.4.1 This report concerns the contract award for the processing of DMR and the implications are detailed throughout the report.

7.5 Human Resources Implications

7.5.1 The contract management will be undertaken by Council staff.

7.6 Public Sector Equality Duty

7.6.1 The requirements of Standing Order No.9 in respect of the Council's Equal Opportunities Policy will be incorporated into the Contract.

7.6.2 The requirements of the Equality Act 2010 will be specifically included in the Contract to comply with the Act.

## 8 Appendices

8.1 Include:

- Appendix 1 - Exempt Appendix (separate document)
- Appendix 2 - Background and Outcome of the Procurement Process
- Appendix 3 - Risk Assessment
- Appendix 4 - Equality & Sustainability Assessment

## 9 Background Documents

- Social Value Weighting - Briefing Note 20220425
- 13 February 2018 Cabinet Report “Procurement Strategy in Support of the Waste Strategy Framework 2017 – 2040”

**Appendix 2**

**Background and Outcome of the Procurement Process**

**1. Background**

1.1. The opportunity was advertised in Find it in Birmingham and Contracts Finder seeking expressions of interest from organisations who wished to tender. In response to the advertisement, fourteen (14) organisations expressed an interest and downloaded the documentation. Two (2) tender submissions were returned by the deadline 11 April 2023.

1.2. The Cabinet report titled "Procurement Strategy in Support of the Waste Strategy Framework 2017 – 2040" approved the open procurement process and detailed the evaluation criteria split of 30% quality, 10% social value and 60% price.

1.3. The award criteria for the Dry Mixed Recycling (DMR) package was revised from the approved strategy which resulted from a social value and Birmingham Business Charter for Social Responsibility update, the change is illustrated in the tables below and detailed in the briefing note presented to the *Waste Disposal Sponsorship Board*[1] dated 13 October 2021.

*Award Criteria – 13 February 2018 Cabinet Report*

| Criteria | Weighting |
|---|---|
| Quality | 30% |
| Social Value | 10% |
| Price | 60% |
| Total | 100% |

*Updated Award Criteria – Social Value Contract Term Briefing Report*

| Criteria | Weighting |
|---|---|
| Quality | 40% |
| Social Value | 20% |
| Price | 40% |
| Total | 100% |

1.4. Tenders were evaluated using a split of 40% quality, 20% social value and 40% price in accordance with the award criteria briefing report dated 13 October 2021.

**2. Evaluation Summary**

2.1. The evaluation was undertaken by officers from City Operations, Street Scene, Finance, supported by Corporate Procurement Services. The results of the evaluation process are detailed below.

2.2. Stage 2 Potential Supplier Information
Both bidders passed stage 2 and proceeded to the next stage.

2.3. Stage 3 Pass / Fail Questions
Both bidders passed stage 3 and proceeded to the next stage.

[1]The Waste Disposal Sponsorship Board consists of Cabinet Member for Environment, Cabinet member for Finance and Resources, Senior Responsible Officer (City Operations), Strategic Director of City Operations, Director of Street Scene, Chief Finance officer, City Solicitor and Monitoring Officer, Head of Category (Place).

2.4. Quality Evaluation (40% Weighting)
The results of the quality evaluation are set out below:

| Company | Supplier 1 | Supplier 2 |
|---|---|---|
| **Technical Quality** | | |
| Score (out of 100) | 14.06 | 57.19 |
| Adjusted Score | 24.59 | 100.00 |
| Adjusted Score (Max 40) | 9.84 | 40.00 |
| **Rank** | 2 | 1 |

Tenderers were required to achieve a minimum score of 60% per question (minimum score of 3 out of 5) to proceed to the next stage of the evaluation. Bidder 2 scored above this threshold and proceeded to the next stage. Bidder 1 failed to achieve the minimum threshold and did not proceed to the next stage.

2.5. Social Value (20% Weighting – 15% qualitive and 5% quantitative)
The results of the social value evaluation are set out below:

| Company | Supplier 2 |
|---|---|
| **Social Value Qualititive** | |
| Score (out of 100) | 86.00 |
| Adjusted Score | 100.00 |
| Adjusted Score (Max 15) | 15.00 |
| **Rank** | 1 |
| **Social Value Quantitative** | |
| Financial Proxy | [redacted] |
| Adjusted Score | 100.00 |
| Adjusted Score (Max 5) | 5.00 |
| **Rank** | 1 |

| | |
|---|---|
| **Overall SV score** | 20.00 |
| **Overall SV rank** | 1 |

There were no issues arising from the evaluation of Bidder 2's social value submission.

2.6. Price Evaluation (40% Weighting)
The results of the social value evaluation are set out below:

| Company | Supplier 2 |
|---|---|
| **Price** | |
| Price | [redacted] |
| Adjusted Score | 100.00 |
| Adjusted Score (Max 40) | 40.00 |
| **Rank** | 1 |

2.7. Overall Evaluation
The results of the overall evaluation are set out below:

| Company | Supplier 2 |
|---|---|
| **OVERALL SUMMARY** | |
| Quality | 40.00 |
| Social Value Qualititive | 15.00 |
| Social Value Quantitative | 5.00 |
| Price | 40.00 |
| **TOTAL** | 100.00 |
| **RANK** | **1** |
| | *Recommended for Award* |

**3. Recommendations**

3.1. It is recommended that the contract for the processing of Dry Mixed Recycling should be awarded to Bidder 2 on the basis of providing the most economically advantageous tender in terms of a quality, social value, and value for money price submission.

**Appendix 3**

## Risk Assessment

| Risk No | Risk description | Risk mitigation | Likelihood | Impact | Prioritisation | Additional steps to be taken |
|---|---|---|---|---|---|---|
| **1.** | **The net cost to BCC increases** due to lower income generated from Recycled DMR sales to Offtakers including;<br>• The impact of the Deposit Return Scheme (DRS) will reduce volumes of high value items by up to 90% (cans and plastic bottles responsible for most of the income);<br>• Impact of market prices; and<br>• Impact of volume decreases. | Forecasting prudent value of recycling income over the longer term.<br>Searching for local circular offtakers (closer or accepting a wider range of materials). | Low | Significant | Material | Monitor the sales of all materials, as they are subject to market prices and demand. This market has a volatile history |
| **2.** | **Higher costs** and technical issues from an increased contamination percentage above the forecast 20%.<br>• Ongoing increased contamination within the material stream; and<br>• Impact of consistency from collection guidance (pending). | Increased education and impact of having consistency of collections.<br>Ongoing improvement in DMR quality to reduce contamination through education and service changes. | High | Significant | Severe | Working with the contractor to understand any changes to the incoming Environment Act and the consistency of collections |
| **3.** | **Higher volumes** of DMR than the forecast in the Financial Model as households are expected to grow and more recycling services will be rolled out. | Partially offset by lower volumes of DRS cans and bottles after implementation in October 2025. | Significant | Medium | Tolerable | Monthly review of actual DMR tonnages against forecast. Monitor the timetable for the introduction of DRS as this will have the impact of reducing the amount of cans and plastic bottles that could potentially be in the DMR material stream. |

**Measures of likelihood/ Impact:**

| Description | Likelihood Description | Impact Description |
|---|---|---|



011525/2023

| | | |
|---|---|---|
| High | Almost certain, is expected to occur in most circumstances. Greater than 80% chance. | Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period. |
| Significant | Likely, will probably occur in most circumstances. 50% - 80% chance. | Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from. |
| Medium | Possible, might occur at some time. 20% - 50% chance. | Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from. |
| Low | Unlikely, but could occur at some time. Less than 20% chance. | Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect. |

**Prioritisation:**

| Level | Description |
|---|---|
| **Severe** | Immediate control improvement to be made to enable business goals to be met and service delivery maintained / improved |
| **Material** | Close monitoring to be carried out and cost effective control improvements sought to ensure service delivery is maintained |
| **Tolerable** | Regular review, low cost control improvements sought if possible |

**Appendix 4**

**Equality & Sustainability Assessment**

| **Project Title:** | P0403 Package 4: Processing of Dry Mixed Recycling (DMR) | | | |
|---|---|---|---|---|
| **Department:**<br>City Operations | **Team:**<br>Street Scene | | **Person Responsible for assessment:**<br>Darren Share | |
| **Date of assessment:**<br>16/06/2023 | | **Is it a new or existing proposal?**<br>New Contract Award | | |
| **Brief description of the proposal:**<br>To approve the award of a contract following a procurement process for the Processing of Dry Mixed Recycling (DMR) in accordance with the delegations approved by Cabinet in the strategy report in support of the Waste Strategy Framework 2017 – 2040 (Forward plan Number: 004374/2017) dated 13 February 2018. | | | | |
| **Potential impacts of the policy/development/ decision on:** | **Positive Impact** | **Negative Impact** | **No Specific Impact** | **What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?** |
| Natural Resources – including water, soil, air | ✓ | | | The Materials Recovery Facility (MRF) being used as part of the award of this contract, as with any waste treatment plant, will be required to meet the regulatory responsibilities as defined in Section 34 of the Environmental Protection Act (EPA) 1990. Procedures are in place to ensure that all third party facilities and off-takers used in related activities are compliant with applicable legislation.<br><br>The contract has a strong emphasis on ensuring that extremely minimal levels of waste is sent to landfill, which has impacts on water, soil and air quality. |
| Energy use and $CO_2$ emissions | ✓ | | | Waste processing emissions arising relate to the energy and fuels used to handle, sort and process the materials for recycling and treatment purposes i.e. post collection treatments such as MRFs, RDF plants, EfW plants and landfill sites. For this contract the emissions primarily originate from fuels such as diesel and burning oil used by |

| | | | | |
|---|---|---|---|---|
| | | | | plant and equipment on site at the MRF and through fuels consumed in transportation to and from the facility.<br><br>The contract will also be responsible for the management of quantities of rejects from MRF (= impurities contained in MRF inputs) which are not suitable for processing and will need to be transported and treated at an alternative facility, with the suggested treatment being at a Refuse Derived Fuel (RDF) plant.<br><br>On balance, despite the impact the haulage and processing of waste materials has, it is felt that the contribution recycling makes in moving waste up the waste hierarchy and reducing the need for raw materials and energy to manufacture products from scratch and avoiding the use of landfill and thus supporting the Council's carbon ambitions, this contract award will have a positive impact. |
| Quality of environment | ✓ | | | The impact of operations on the environment will be measured and monitored by the contractor through their Environmental Management System (EMS). They operate an established and accredited EMS in compliance with ISO 14001 at their MRF. The EMS is key to managing the environmental performance of their contracts as it provides the procedures for identifying, managing and, wherever possible, reducing the impact of the services on the environment. The EMS is designed to support the achievement of their environmental targets with the progress managed through a series of monitoring, recording and reporting activities.<br><br>An Environmental Impact and Control Plan is in place for the MRF and sets out all measures and actions required by the contractor to: |

| | | | | |
|---|---|---|---|---|
| | | | | • Minimise the environmental impacts of operating the services, including receiving, bulking, handling, transporting and treating contract waste. Impacts include, but are not limited to:<br>  ○ Emissions (liquid, solid and gaseous)<br>  ○ Odour<br>  ○ Bio-aerosols<br>  ○ Dust<br>  ○ Noise<br>  ○ Litter<br>  ○ Spillages<br>  ○ Traffic<br>  ○ Light<br>  ○ Vibration<br>  ○ Invasive/injurious weeds<br>  ○ Vermin and flies<br>• Meet the environmental conditions contained or referred to within the Environmental Permit and other consents and meet all relevant legal requirements.<br>• Minimise amenity impacts on the local population.<br><br>To meet regulatory responsibilities as defined in Section 34 of the Environmental Protection Act (EPA) 1990, the contractor has procedures in place to ensure that all third party facilities and off-takers used in their activities are compliant with applicable legislation.<br><br>The MRF has Environmental Impact Assessments and procedures in place to minimise nuisance related to the following:<br>• Odour mitigation and control<br>• Dust management |

| | | | | |
|---|---|---|---|---|
| | | | | • Noise management<br>• Litter control, and<br>• Runoff and effluent |
| Impact on local green and open spaces and biodiversity | ✓ | | | As part of the contract award the preferred contractor is required to sign up to the Birmingham Business Charter for Social Responsibility and has produced an action plan as part of their submission. One of the activities identified is for the MRF and their local staff to litter pick the local canal. |
| Use of sustainable products and equipment | ✓ | | | The award of this contract is for the provision of a Dry Mixed Recyclate (DMR) waste treatment capacity for wastes arising as part of the Council's mixed recycling collections and through the Household Waste Recycling Centres (HWRC), ensuring the closed environmental journey for DMR material streams so that there is a transparent audit trail for the movement of DMR materials across the contract and the supply chain.<br><br>The preferred contractor will also monitor and review carbon footprints of suppliers within their supply chain to look at improvement initiatives and have a sustainability and low carbon focus embedded into their procurement system. |
| Minimising Waste | ✓ | | | This contract will benefit from resources available as part of the contractor's wider portfolio and will include the use of an educational visitors' centre in Birmingham which will house displays, graphics, interactive kiosks and exhibits such as a "mini MRF" for use by schools and community groups visiting, with the aim of increasing education about waste and the benefits of minimising waste through the movement of waste up the waste hierarchy. |

| | | | | |
|---|---|---|---|---|
| | | | | The contract will explore the potential for modifications to the MRF which would expand the range of materials currently accepted and reduce the numbers of types of materials classed as contamination/non-acceptable wastes, which then go through an alternative processing facility – prioritising landfill avoidance. |
| Council plan priority: a city that takes a leading role in tackling climate change | ✓ | | | As part of their submissions, bidders were required to submit a Carbon Reduction Plan. This plan detailed the preferred bidder's corporate plan to drive a 2050 net zero carbon goal.<br><br>The carbon measurement and targets used are defined in line with the Greenhouse Gas (GHG) Protocol Corporate Accounting and Reporting Standard and is aligned with the DEFRA guidance on how to measure and report GHG emissions. This includes a commitment to reducing electricity and fuel usage at their MRF's by 2% per year from 2022 onwards. |
| Overall conclusion on the environmental and sustainability impacts of the proposal | The contract will ensure a closed environmental journey for DMR material streams so that there is a transparent audit trail for the movement of DMR materials across the contract and the supply chain. The contract focusses, where possible, on supporting and helping develop the local supply chain market so that more materials are able to be processed closer to the point of origin, rather than processing outside of the UK.<br><br>Despite the impact that haulage and processing of waste materials has, it is felt that the contribution recycling makes in moving waste up the waste hierarchy (which reduces the need for raw materials), and the strong emphasis on ensuring that minimal levels of contaminated material end up in landfill all outweigh any negatives from the award of this contract. | | | |

Birmingham City Council

**Reports not on the Forward Plan / Late Report / Confidential or Exempt Information not Notified**

# Birmingham City Council

**Cabinet – 05 September 2023**

**Subject: Highways Maintenance and Management PFI Contract**

**Report of: Strategic Director City Operations, Craig Cooper,**

**Report author: Mark Shelswell, Assistant Director, Highways and Infrastructure**

## 1) Key Decisions not on the Forward Plan / Urgent Decisions

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

| | |
|---|---|
| *Reasons for Urgency / why not included on the notification* | Not applicable. |
| *Reasons for Immediate Implementation (if applicable)* | |
| *Date Chief Executive Agreement obtained* | |
| *Date of Leader's Agreement* | |
| *Name, Date and any comments of O&S Chair agreement obtained:* | |

## 2) Key Decisions not notified on the Notification of Intention to Consider Matters in Private

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

| | |
|---|---|
| *Reasons for Urgency / why not included on the notification* | Not applicable. |
| *Date of Leader's Agreement* | |
| *Name, Date and any comments of O&S Chair agreement obtained:* | |

### 3) Late Reports

To be completed for all late reports, i.e. which cannot be despatched with the agenda papers i.e. 5 clear working days' notice before meeting.

| | |
|---|---|
| *Reasons for Urgency / why late* | The report to Cabinet on the Highway Maintenance and Management PFI has been produced to reflect the outcome of the procurement process, but is still undergoing its final due diligence and legal reviews.<br><br>Given the history and complexity of the project it is essential these activities are completed to ensure the council is protected from the risk of legal and commercial challenges and claims.<br><br>The Cabinet Decision cannot be reasonably deferred past the 5th of September as this would have a detrimental impact on the award of the contract by BHL to the preferred bidder, and mobilisation of the contract in readiness for commencement of services on the 1st of February 2024. |
| *Date Chief Executive Agreement obtained* | |
| *Date of Leader's Agreement* | |

# Birmingham City Council
# Report to Cabinet
**5 September 2023**

| | |
|---|---|
| **Subject:** | Highway Maintenance and Management PFI Contract |
| **Report of:** | Craig Cooper, Strategic Director, City Operations |
| **Relevant Cabinet Member:** | Cllr Liz Clements, Transport |
| **Relevant O&S Chair:** | Cllr Lee Marsham, Sustainability and Transport |
| **Report author:** | Mark Shelswell, Assistant Director, Highways and Infrastructure (mark.shelswell@birmingham.gov.uk)<br>Domenic de Bechi, PFI Contract Manager (domenic.de.bechi@birmingham.gov.uk)<br>Steve Walton, Head of Highways PFI Procurement (stephen.walton@birmingham.gov.uk) |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011139/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>Exempt Appendix (Appendix A)<br>Exempt information paragraph 3. Information relating to the financial or business affairs of any particular person (including the Council) | ☒ Yes | ☐ No |

## 1 Executive Summary

1.1 In June 2019 the Council entered into a commercial settlement regarding its Highway Maintenance and Management PFI contract with Birmingham Highways Limited (BHL). That settlement included:

1.1.1 Requirements and arrangements for replacing BHL's sub-contractor that delivers highway maintenance and management services on behalf of the Council;

1.1.2 Restructuring of the contract to facilitate the replacement of the sub-contractor; and

1.1.3 Ensuring that highway maintenance and management services were delivered while this was undertaken.

1.2 The 2019 settlement was entered into with full support of Department for Transport (DfT) subject to the Council submitting a revised business case for continuing to receive £50.311m per annum PFI grant funding.

1.3 Cabinet has received regular updates on progress since 2019 and has approved decisions to enable officers to develop the way forward within specified financial and operational parameters.

1.4 Cabinet is now asked to approve the Council's revised Full Business Case (FBC) for the continuing operation of the PFI including revisions to the contract with BHL, and the submission of the FBC to Government

## 2 Recommendations

That Cabinet:

2.1 Approves:

2.1.1 The Full Business Case (FBC) attached at Appendix A1 (Full Business Case);

2.1.2 Subject to receiving approval from Government:

i. The appointment of a preferred bidder by Birmingham Highways Limited (BHL) following the agreed procurement process; and

ii. That the Council enters into revisions to the PFI contract with BHL implementing the commercial arrangements set out in in Appendix A;

2.1.3 The sources of assurance proposed in Appendix A and approves the resources to put these in place assumed in Appendix A5.

2.2 Delegates authority to:

2.2.1 The Strategic Director of City Operations and Director of Finance (s151 Officer) or their Delegates to finalise outstanding commercial matters within the parameters set out in Appendix A;

2.2.2 The Strategic Director of City Operations and Director of Finance (s151 Officer) or their Delegates to enter into a joint agreement with BHL for the provision of an Independent Certifier to meet the revised terms of the PFI contract variation approved under 2.1.2ii above;

2.2.3 The Assistant Director, Highways and Infrastructure to implement the necessary changes to the structure of the Highways and Infrastructure service to provide the assurance set out in Appendix A, given the proposed changes to the contract, within the identified and approved cash limits; and

2.2.4 The City Solicitor (or their Delegate) to negotiate and complete all necessary documentation to give effect to the above recommendations.

## 3 Background

3.1 The PFI contract commenced on 6 June 2010 with a term of 25 years. Following poor performance and disputes with the previous Highway Maintenance and Management PFI sub-contractor Amey LG, a commercial settlement was agreed in June 2019. This settlement resulted in the replacement of Amey LG with Kier Transportation from April 2020 as an interim provider of highway services.

3.2 Since June 2019 the Council has worked with its PFI contractor (Birmingham Highways Limited - BHL) to develop a long-term approach to its highway maintenance and management services. This has included:

3.2.1 Appointing an interim sub-contractor from April 2020 (Kier Transportation Limited) to deliver operational services to keep the highway safe and to stabilise delivery of those services;

3.2.2 Delivering a £148m programme of capital investment, predominantly in roads and pavements but also in street lighting, traffic signals and structures, bridges and tunnels; and

3.2.3 Restructuring the Highway Maintenance and Management PFI contract and procuring a long-term replacement sub-contractor to the terms of the restructured contract.

3.3 In line with Government requirements, throughout this process the Council has received external legal advice, including expert financial and commercial advice. This has been provided by DLA Piper, assisted by Arup.

3.4 The Council has continued to receive its £50.311m per annum PFI grant from Government during this period. Future grant is subject to Department for

Transport (DfT) approving a revised Full Business Case for the restructured project.

3.5 Following the 2019 Settlement Agreement, changes to the scope and terms of the PFI contract were always envisaged by the Council. The standards in the original contract were largely to invest to improve the condition of highway infrastructure to a good quality 'steady state' and then maintain that condition.

3.6 The Council has invested £148m in improving highway infrastructure (and particularly road condition) from 2020 to 2023. This has begun to address the legacy of issues from the previous sub-contractor. A PFI model provides a better level of investment to 2035 in comparison to a non-PFI alternative. As demonstrated in the FBC, the PFI approach is therefore considered the best approach for the Council.

3.7 Restructuring the contract will affect the underlying basis of the business case for the PFI funding, requiring Government consent. In its decision of 14 December 2021, Cabinet approved the parameters within which commercial agreement of revised terms could be reached. Cabinet delegated authority to the Strategic Directors of City Operations and Council Management (now Director of Finance – s151 Officer), in consultation with the Cabinet Members for Transport and Finance, to agree those terms.

3.8 BHL commenced procurement of its long-term replacement sub-contractor in February 2022 through a competitive dialogue process. The Council has been closely involved in the procurement process activities including dialogue and evaluation because the procurement is integral to the restructuring of the Council's contract with BHL. The Council's involvement has been to ensure that BHL is procuring a subcontract to deliver the services that the Council requires.

3.9 Two bidders participated in dialogue and final tenders were submitted in July 2023. Following evaluation of the bids a preferred bidder has been selected and is proposed for appointment by BHL.

3.10 The revised Full Business Case (FBC) has been prepared on the basis of the preferred bid and was submitted to DfT on 11 August 2023 in order to meet their submission deadlines, with an agreement that it would be subject to subsequent approval by Cabinet. The FBC has been prepared in line with government requirements for business cases (as set out in The Green Book) and has been developed through the Strategic Outline and Outline Business Case stages to meet government's requirements.

3.11 The next stages are:

3.11.1 If Cabinet approves the FBC, DfT is requested to provide a decision by 30 October 2023

3.11.2 If the FBC is approved, the Council proposes to enter into a revised contract with BHL (and BHL a sub-contract with the preferred bidder) no later than November 2023 with the revised services to commence on 1 February 2024.

3.11.3 The revised contracts will then run until 6 June 2035.

3.12 If the FBC is rejected by Government, the Council will implement its contingency arrangements to ensure continuity of statutory services. These arrangements are described in Appendix A (Exempt Information).

## 4 Options considered and Recommended Proposal

4.1 If the Council does not pursue a PFI delivery model the alternative is to deliver highway maintenance and management services through a combination of directly managed resources and contracted services. This option is not recommended as would not retain the Council's £50.311m per annum PFI grant and therefore would represent a substantial reduction in financial resources available for investment in highway assets.

4.2 The recommended option is that Cabinet approves the FBC and accepts the related commercial arrangements in Appendix A. Together, these represent:

4.2.1 The best commercial terms and service standards that could be negotiated with BHL and a competitively procured preferred bidder; and

4.2.2 The optimum means of remaining within the commercial parameters that Cabinet established in December 2021.

4.3 The proposed terms and service standards have been developed in line with previous Cabinet approvals, in negotiation with BHL and through the Competitive Dialogue procurement process. As BHL's procurement of the sub-contract is now complete, to seek to negotiate further will change the commercial basis, lead to delay and risk Government not approving the FBC.

4.4 If the Council decides not to approve the FBC to DfT and / or does not accept the related commercial details in Appendix A, this will mean:

4.4.1 The PFI contract cannot be restructured;

4.4.2 The Council's PFI grant will cease and the Council will be forced to terminate the PFI contract and implement the contingency arrangements described in Appendix A; and.

4.4.3 As in 4.1this is not recommended as would represent a substantial reduction in financial resources available for investment in highway assets.

## 5 Consultation

5.1 Since 2021 the project has had a revised governance structure, strengthening internal consultation and engagement on the delivery of the PFI contract restructuring. This includes:

5.1.1 A Sponsoring Board, chaired by the Cabinet Member for Transport and including the Cabinet Member for Finance, Strategic Director of City Operations and Director of Finance together with the City Solicitor; and

5.1.2 A Programme Board, chaired by the Assistant Director for Highways and Infrastructure as Senior Responsible Officer, and including senior officers from Highways, Finance and Legal Services.

5.2 The Programme Board recommends operational decisions regarding the development of the future services and the Sponsoring Board provides strategic decision-making and oversight. The Sponsoring Board recommends this decision to Cabinet.

5.3 In 2019 the then Cabinet Member for Transport and Environment formed an all-party member working group. This group was to act as a 'sounding board' and provide member feedback to the Cabinet Member on the acceptability of potential proposals. The feedback from the group enabled officers to develop appropriate commercial proposals in the procurement and validate priorities for service delivery.

5.4 The FBC proposals have been discussed with the Sustainability and Transport Overview and Scrutiny Committee on 2 August 2023. The committee provided its comments to the Sponsoring Board, and these have been considered in recommending the FBC to Cabinet.

5.5 DfT, as the Council's sponsoring Government department for the project, has been consulted directly throughout discussions and have supported the development of the business case. Officers have also worked with government officials at DfT, HM Treasury and HM Treasury's Infrastructure Procurement Authority in developing the business case proposals.

## 6 Risk Management

6.1 The risk management approach is detailed in the FBC attached in Appendix A.

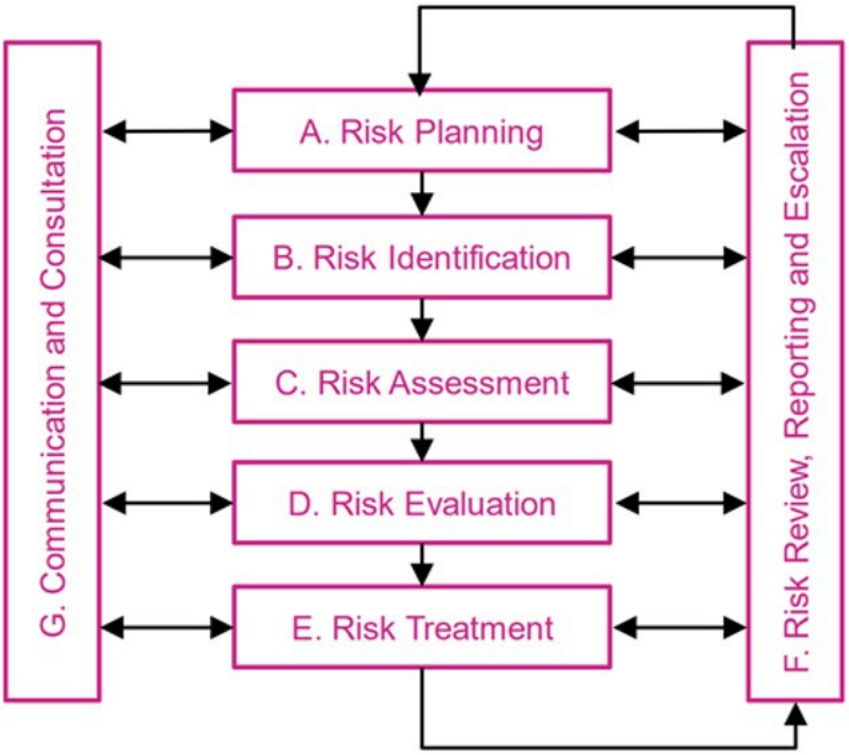
6.2 The risk management process aims to identify and manage all foreseeable risks and opportunities in a manner which is proactive, effective and appropriate, in order to maximise the likelihood of the project achieving its objectives, while maintaining risk exposure at an acceptable level. The risk management process aims to engage all project participants appropriately, creating ownership and buy-in to the project and to risk management actions.

6.3 The risk management process enables project participants to focus attention on those areas of the project most at risk, by identifying the major risks and opportunities and strategies for managing them. The process covers all activities undertaken by the project team during the lifetime of the project.

6.4 Risk-based information is communicated to project stakeholders in a timely manner at an appropriate level of detail, to enable the project strategy to be modified in the light of current risk exposure.

6.5 The project has applied a structured, systematic and ongoing process, in accordance with the best practice, for identifying, assessing and managing risk at project level to reduce the likelihood that risks will occur, and where risk is unavoidable, to reduce or mitigate its impact.

6.6 The risk management process adopted for the project will be set out in the Project Risk Management Plan and is summarised in the diagram below. The Risk Management Plan is a live document and will be updated throughout the lifecycle of the project.




6.7 In revising a long-term arrangement such as this it is appropriate that Cabinet has assurance regarding the changes proposed. (Assurance Measures) lists areas of assurance where measures have been put in place to address previous issues and provide appropriate assurance.

6.8 The contract and assurance measures which are provided in Appendix B:

6.8.1 Are considered appropriate to mitigate risks in the future contract to within acceptable levels;

6.8.2 Are affordable within the project's assumed affordability; and

6.8.3 May be revised in the future, but to do so will require full consideration of the risk to the Council, including the commitments that it has made to government in its FBC.

6.9 A risk register is also contained in Appendix A.

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The Council has adopted the Corporate Plan 2022 to 2026 on 11 October 2022. This identifies five strategic outcomes for the city, as follows:

i. A Bold Prosperous Birmingham;

ii. A Bold Inclusive Birmingham;

iii. A Bold Safe Birmingham;

iv. A Bold Healthy Birmingham; and

v. A Bold Green Birmingham.

7.1.2 This decision directly affects the priorities that relate to the strategic outcomes as follows:

i. **A Bold Prosperous Birmingham, Priority 3: Attract inward investment in infrastructure:** This decision directly affects investment in and maintenance of the Council's 2,500km highway network and Council-owned infrastructure on it. Such investment will directly reduce the percentage of carriageways that should be considered for structural maintenance.

ii. **A Bold Safe Birmingham, Priority 9: Make the city safer:** The future investment in street lighting that this decision supports contributes to citizens feeling safer.

iii. **A Bold Healthy Birmingham, Priority:** Encourage and enable physical activity and healthy living: The future investment in maintenance of footways and cycleways supports Active Travel choices which contributes to the health and wellbeing of citizens.

iv. **A Bold Green Birmingham, Priority 19: Continue on the Route to Zero:** Investment in street lighting technologies and future

investment in street lighting enables the city to manage and reduce its highway infrastructure energy use.

7.1.3 Citizens' priorities also reflect that road and pavement repairs are the fourth highest priority in the city for citizens.

**7.2 Legal Implications**

7.2.1 The Council has a statutory duty to maintain highway infrastructure, primarily under the Highways Act 1980 and the New Roads and Street Works Act 1991.

7.2.2 Under Section 111 of the Local Government Act 1972 the Council has power to do anything that is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

7.2.3 Approval of the FBC by Government means that the Council will enter into a revised contract with BHL, similar to the original contract and based on standard PFI contract drafting (complying with SOPC4). This will include amendments and derogations made to reflect lessons learnt and market requirements (i.e. those based on "flow-up" of sub-contractor changes) and restructure.

7.2.4 The information contained within Appendix A (Exempt Information) is considered exempt under Schedule 12A of the Local Government Act 1972, as it relates to the financial / business affairs of parties to the Highway Maintenance and Management PFI contract, including the Council.

7.2.5 As the results of the procurement process have yet to be announced and are legally and commercially sensitive, information relating to the procurement has been included in Appendix A (Exempt Information). The FBC also contains legally and commercially sensitive information (including third parties' commercially sensitive information), which, if disclosed, would present a material risk to the Council, including information that relates to a live procurement that has not yet concluded. For example, the FBC includes:

i. Details of the successful tenderer, which has not yet been announced;

ii. Extensive details of the bidders' proposals, including financial and commercial positions, which are commercially sensitive to those parties; and

iii. Information in relation to the 2019 settlement and discussions with central Government and BHL at that time and thereafter, details of which are confidential and which the council does not have permission to disclose.

7.2.6 Disclosure of this information would also adversely affect the Council's ability to negotiate the best value outcome in relation to the contract by disclosing its strategy to those with whom it is negotiating. It is therefore not in the public interest to make this information available publicly at this time.

**7.3 Financial Implications**

7.3.1 The Council's resources for this project are as follows:

i. A PFI grant of £50.311m per annum until June 2035.

ii. The Council's annual ring-fenced revenue budget for services in scope of £ 55.847m, indexed at 3.1% for the contract term.

iii. Revenue reserves of £132m assumed at 1 February 2024.

7.3.2 The sources and uses of funds from 1 July 2023 to 6 June 2035 in nominal terms (i.e. including inflation) are as follows:

| Source | Amount (£m) | Use | Amount (£m) |
|---|---|---|---|
| PFI grant | 600 | Residual interim contract costs | 80 |
| Revenue budget | 777 | Unitary Charge payments | 1,281 |
| Ring-fenced project reserves and interest on cash balances | 156 | Retained risk provision (footway and structures) | 130 |
| Cash in BHL | 7 | Inflation reserve | 16 |
| | | Council retained costs | 33 |
| **Total** | **1,540** | | **1,540** |

7.3.3 The Council has a gross annual revenue expenditure budget for highways maintenance of £106.158m in 2023-24. The annual PFI Grant of £50.311m forms a funding source of the overall annual budget. Continued provision of this grant is subject Government determination of the FBC.

7.3.4 Under the terms of the PFI agreement, the Council is required to provide a minimum level of match funding to the PFI Grant (subject to annual indexation), and that any revenue reserves built up over time from underspends against this overall funding envelope are required to be ringfenced for the project. This requirement will remain under the revised PFI arrangements.

7.3.5 It is estimated that the ringfenced PFI revenue reserve at 1 February 2024 (the service commencement date for the proposed replacement subcontractor) will amount to approximately £132m. These reserves will, over the course of the revised contract, reduce to nil by the end of the contract period. Reserves have been used exclusively for the project, including the capital investment referred to in paragraph 3.2.2 above.

7.3.6 Under the proposals set out in this Cabinet Report and associated FBC, costs of service delivery will comprise:

i. A revised Unitary Charge payment for services to BHL from February 2024 to June 2035 of £98m per annum, of which 90% is indexed according to the Building Construction information Service (BCIS) index. Indexation is applied twice annually (in April and October) throughout the life of the contract.

ii. A provision for retained resources and risks managed by the Council, as set out in Appendix A5 Retained Cost Assumptions and included within the overall cost envelope above.

7.3.7 Subject to the commercial terms set out in Appendix A, the proposed contract is affordable with the financial provisions made. Appendix A contains further detail on those provisions.

**7.4 Procurement Implications**

7.4.1 There are no direct procurement implications for the Council as a result of the recommendations.

7.4.2 However, to deliver the FBC it will require the appointment of a preferred bidder by BHL as outlined in Appendix A, which is the result of a formal competitive tender carried out in line with the Public Contract Regulations 2015.

7.4.3 In addition, subject to approval of the Full Business Case the Council will be required to enter into revised commercial terms to the PFI contract which have been negotiated with BHL as set out in Appendix A.

7.4.4 Subject to approval of the recommendations by Cabinet and the FBC by DfT the Council will enter into a joint agreement with BHL for the provision of an Independent Certifier to meet the revised terms of the PFI contract variation.

**7.5 Human Resources Implications**

7.5.1 There are no direct human resource implications related to the progress of the long-term replacement subcontractor procurement.

7.5.2 Depending on the preferred bidder appointed, the Transfer of Undertaking Protection of Employment (TUPE) Regulations may apply to the existing workforce at Kier Transportation Limited.

### 7.6 Public Sector Equality Duty

7.6.1 An Equality Impact Assessment (EQUA1052) has been undertaken and is shown in Appendix C. There are no issues arising as a result of this assessment.

## 8 Appendices

8.1 Appendix A: Exempt Information

8.2 Appendix B: Assurance Measures

8.3 Appendix C: Equality Impact Assessment

8.4 Appendix D: Environment and Sustainability Assessment

## 9 Background Documents

9.1 Report of the Director, Inclusive Growth and Chief Finance Officer to Cabinet, 25 June 2019 ("Highway Maintenance and Management PFI Contract").

9.2 Report of the Acting Director, Inclusive Growth and Interim Chief Finance Officer to Cabinet, 16 March 2021 ("Highway Maintenance and Management PFI Contract").

9.3 Report of the Acting Director, Inclusive Growth and Interim Director of Council Management to Cabinet, 8 June 2021 ("Highway Maintenance and Management PFI Contract").

9.4 Report of the Managing Director, City Operations to Cabinet, 14 December 2021 ("Highway Maintenance and Management PFI Contract").

9.5 Report of the Strategic Director, City Operations to Cabinet, 8 November 2022 ("Highway Maintenance and Management PFI Contract").

9.6 Decision taken by an officer under delegated authority, 27 January 2023 ("Highway Maintenance and Management PFI Contract – Commercial Matters").

## APPENDIX B ASSURANCE MEASURES

The following sections summarise areas where changes have been made to the future contract to address specific issues and concerns for the Council's assurance of its performance. The measures contained in the following tables provide the basis upon which the Council can take assurance that entering into the revised contract will not present the same risks that arose previously.

### *Technical assurance*

| Area | Issue | Assurance and mitigating measures |
|---|---|---|
| Affordability of investment requirements | Amey LG either under-estimated or under-priced (or both) the investment to which it committed, particularly on surfacing. | • There is now complete condition survey information for the network and this was updated in 2020.<br>• The model that calculates the condition indices for the network has been revised with BHL and calculates condition accurately to within an acceptable margin.<br>• This means that bidders have been able to price their investment on accurate information and therefore should be expected to be able to deliver the requirements.<br>• Risk of Footway and Structures, Bridges and Tunnels investment has been accepted by the Council and resources to manage this have been allocated within the Council's retained costs. |

| Area | Issue | Assurance and mitigating measures |
|---|---|---|
| Accuracy of the Pavement Management Model | The Pavement Management Model calculates the condition of surfaces on the network. Fundamental errors in Amey LG's model led to inappropriate selection of roads and pavements for treatment. | • The model has been revised with BHL and calculates condition accurately to within an acceptable margin.<br>• The model has been used to prioritise roads and pavements for treatment in the investment carried out from 2020 to 2023 and is considered acceptably accurate.<br>• It is therefore considered that using the model under the contract to measure carriageway and footway condition and determine capital investment requirements is acceptable. |
| Extent of the project network | The extent of the network (and the assets that were to be maintained) was not accurately defined. | • The Council has undertaken an exercise to identify and correct its records of the extent of the network in 2020-21. The outcome of this exercise was reported to Cabinet on 14 December 2021 and resources provided for this to be maintained.<br>• Bidders have priced their bids based on the revised network extent.<br>• The Council accepts the risk of the network extent being inaccurate. Any resources required to fund changes to the network will be prioritised from the Highway Maintenance Corporate Policy Contingency. |
| Independent Certifier | The requirements for independent certification of capital investment works provided insufficient verification of the quality and performance by the sub-contractor. | • The role of the independent certifier has been revised to provide more robust assurance of performance, particularly on quality.<br>• The Council also retains the scope to potentially request (and pay for) additional services by the Independent Certifier to gain additional assurance. |

***Contract management assurance***

| Area | Issue | Assurance and mitigating measures |
|---|---|---|
| Relationships and culture | A protracted period of dispute and insoluble commercial position led to a breakdown of relationships. | • The 2019 Settlement Agreement drew a line under previous disputes and removed Amey LG as the sub-contractor.<br>• The interim services period has provided opportunity to reset relationships with BHL and its sub-contractor.<br>• While relationships cannot be guaranteed in any contract, addressing other mechanisms (for example, the ability to frustrate the dispute process) provides an environment in which the sub-contractor's performance is better linked to its commercial position. |
| Project data | The project management information system was procured by the sub-contractor. When disputes arose, the sub-contractor was in a position to withhold information on provision of the services. | • The Council took direct responsibility for the contracts to provide principal project systems following the 2019 Settlement Agreement.<br>• This allows the Council to control access to the management information system and to put in place controls to reduce the likelihood of potentially fraudulent activity.<br>• To mitigate this risk, the Council's planned resources for its client function include sufficient resource to manage and pay for the contracts for systems. |
| Client resourcing | Staffing reductions to the client in 2010-12 led to the Council's client resource being insufficient to provide acceptable assurance on the contract. | • Client resources have been reviewed by the Assistant Director, Highways and Infrastructure in line with Cabinet's decision of 25 June 2019 to enter into the 2019 Settlement Agreement.<br>• Resources have been allocated in the assumed affordability for the contract to provide sufficient staff within the client function to provide this assurance. |

# APPENDIX C: EQUALITY IMPACT ASSESSMENT

| | |
|---|---|
| Title of proposed EIA | Highway Maintenance and Management PFI Contract |
| Reference No | EQUA1052 |
| EA is in support of | Amended Function |
| Review Frequency | Annually |
| Date of first review | 01/05/2024 |
| Directorate | City Operations |
| Division | Highways and Infrastructure |
| Service Area | PFI Contract Management |
| Responsible Officer(s) | ☐ Jenny Bent |
| Quality Control Officer(s) | ☐ Leroy Pearce |
| Accountable Officer(s) | ☐ Ravinder Sahota |
| Purpose of proposal | The Highway Maintenance and Management PFI contract delivers investment, maintenance and management services for the council's highway infrastructure to June 2035. This is a decision regarding revisions to the business case for the contract. |
| Data sources | relevant reports/strategies; relevant research |
| Please include any other sources of data | relevat reports / strategies / relevant research |

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

| | |
|---|---|
| Protected characteristic: Age | Not Applicable |
| Age details: | There is no specific adverse impact on any of the protected groups and therefore this will not be applicable. |
| Protected characteristic: Disability | Not Applicable |
| Disability details: | There is no specific adverse impact on any of the protected groups and therefore this will not be applicable. |
| Protected characteristic: Sex | Not Applicable |

Gender details:

There is no specific adverse impact on any of the protected groups and therefore this will not be applicable.

Protected characteristics: Gender Reassignment

Not Applicable

Gender reassignment details:

There is no specific adverse impact on any of the protected groups and therefore this will not be applicable.

Protected characteristics: Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

There is no specific adverse impact on any of the protected groups and therefore this will not be applicable.

Protected characteristics: Pregnancy and Maternity

Not Applicable

Pregnancy and maternity details:

There is no specific adverse impact on any of the protected groups and therefore this will not be applicable.

Protected characteristics: Race

Not Applicable

Race details:

There is no specific adverse impact on any of the protected groups and therefore this will not be applicable.

Protected characteristics: Religion or Beliefs

Not Applicable

Religion or beliefs details:

There is no specific adverse impact on any of the protected groups and therefore this will not be applicable.

Protected characteristics: Sexual Orientation

Not Applicable

Sexual orientation details:

| | |
|---|---|
| | There is no specific adverse impact on any of the protected groups and therefore this will not be applicable. |
| Socio-economic impacts | Not applicable |
| Please indicate any actions arising from completing this screening exercise. | Not applicable |
| Please indicate whether a full impact assessment is recommended | NO |
| What data has been collected to facilitate the assessment of this policy/proposal? | This is a proposed change to the arrangements under which highway maintenance and management services will be delivered and the business case outputs.<br><br>The means by which those services are delivered in so far as they might impact upon protected characteristics is unchanged.<br><br>The relevant data for this assessment is the commercial and financial information as identified within the report. |
| Consultation analysis | Feedback from consultation has been included within the report as appropriate. |
| Adverse impact on any people with protected characteristics. | Not applicable |
| Could the policy/proposal be modified to reduce or eliminate any adverse impact? | Not applicable |
| How will the effect(s) of this policy/proposal on equality be monitored? | Not applicable |
| What data is required in the future? | Not applicable |
| Are there any adverse impacts on any particular group(s) | No |
| If yes, please explain your reasons for going ahead. | Not applicable |
| Initial equality impact assessment of your proposal | |
| | This is a proposed change to the arrangements under which highway maintenance and management |

services will be delivered and the business case outputs.

The means by which those services are delivered in so far as they might impact upon protected characteristics is unchanged.

| | |
|---|---|
| Consulted People or Groups | |
| Informed People or Groups | |
| Summary and evidence of findings from your EIA | The Highway Maintenance and Management PFI contract delivers investment, maintenance and management services for the council's highway infrastructure to discharge the council's statutory duties to maintain and manage the public highway and ensure that it remains available. While this decision changes the delivery mechanism and outputs, it does not change the potential impact on anyone with a protected characteristic. |

QUALITY CONTORL SECTION

| | |
|---|---|
| Submit to the Quality Control Officer for reviewing? | No |
| Quality Control Officer comments | No adverse impact to those with protected characteristics identified. |
| Decision by Quality Control Officer | Proceed for final approval |
| Submit draft to Accountable Officer? | Yes |
| Decision by Accountable Officer | Approve |
| Date approved / rejected by the Accountable Officer | 20/01/2023 |
| Reasons for approval or rejection | |
| Please print and save a PDF copy for your records | Yes |

Content Type: Item
Version: 33.0
Created at 19/01/2023 05:02 PM by Jenny Bent
Last modified at 20/01/2023 05:33 PM by Workflow on behalf of Ravinder Sahota

Close

## APPENDIX D ENVIRONMENT AND SUSTAINABILITY ASSESSMENT

### Environment and Sustainability Assessment

| | | |
|---|---|---|
| **Project Title:** | Highway Maintenance and Management PFI Contract | |
| **Directorate:**<br>City Operations | **Service:**<br>Highways and Infrastructure | **Person Responsible for assessment:**<br>Domenic de Bechi |
| **Date of assessment:** 31 January 2023 | **Is it a new or existing proposal?:** Existing | |
| **Brief description of the proposal:**<br>For Cabinet to approve the Full Business Case for the appointment of a long-term replacement subcontractor for the Highway Maintenance and Management PFI contract. | | |

| Potential impacts of the decision on: | Positive Impact | Negative Impact | No Specific Impact | What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken? |
|---|---|---|---|---|
| Natural Resources - Impact on natural resources including water, soil, air | | | ✘ | This decision will not have a direct impact on the use of natural resources beyond those already committed to by the Council in carrying out its statutory obligations to maintain its existing highway infrastructure.<br>Investment will require the use of natural resources to maintain highway infrastructure. The impact of this use is mitigated by using reused or recycled materials where appropriate (see below under Sustainable Products). |

| Potential impacts of the decision on: | Positive Impact | Negative Impact | No Specific Impact | What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken? |
|---|---|---|---|---|
| Energy use and $CO_2$ emissions | | | ✘ | This decision itself will not have a direct impact on the use of energy and $CO_2$ emissions.<br>Consequential investment in street lighting and other powered apparatus will result in more energy-efficient equipment being used, thereby reducing energy use and $CO_2$ emissions. |
| Quality of environment | ✘ | | | This decision itself will not have a direct impact on the quality of the environment.<br>Investment in surfacing of Carriageway and Footway will result in renewal and repair of surfaces, which will improve the quality of the environment. |
| Impact on local green and open spaces and biodiversity | | | ✘ | This decision will not directly affect green / open spaces or biodiversity. Management of the Council's 76,000 highway trees is part of the services within the contract, ensuring that these trees are maintained and healthy.<br>Maintenance of effective highway drainage contributes to management of water and flood risk. |

| Potential impacts of the decision on: | Positive Impact | Negative Impact | No Specific Impact | What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken? |
|---|---|---|---|---|
| Use of sustainable products and equipment | ✘ | | | This decision itself will not have a direct impact on the use of sustainable products and equipment.<br>Where surfacing works are undertaken, materials are reused wherever possible, typically either relaying existing materials (such as paving) if not damaged or using recycled materials (such as materials made from recycling previous surfacing materials).<br>For street lighting or powered apparatus works see Energy Use above. |
| Minimising waste | ✘ | | | This decision itself will not have a direct impact on minimising waste.<br>Where materials can be re-used (as described under Sustainable Products above) this minimises waste. |
| Council plan priority: a city that takes a leading role in tackling climate change | ✘ | | | Use of sustainable materials and improved energy efficiency are key outcomes within the delivery of the statutory duties that this decision enables. This is part of the Council taking a leading role in tackling climate change. |

| Potential impacts of the decision on: | Positive Impact | Negative Impact | No Specific Impact | What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken? |
|---|---|---|---|---|
| Overall conclusion on the environmental and sustainability impacts of the proposal | The investment that results from this decision is necessary to meet the Council's statutory duties to maintain the Highway. The above mitigations reduce the impact of this where appropriate and most investment in powered apparatus will additionally improve energy efficiency as part of the benefits.<br><br>The long-term replacement sub-contractor will set out its targets and approach to sustainability in its final tender (submitted in July 2023). It is a requirement for a successful tender that this is aligned with the Council's objectives. | | | |

# Birmingham City Council Report to Cabinet

**5th September 2023**

| | |
|---|---|
| **Subject:** | CORPORATE PLAN 2022-2026: PERFORMANCE AND DELIVERY MONITORING REPORT |
| **Report of:** | Richard Brooks, Director of Strategy, Equalities and Partnerships |
| **Relevant Cabinet Member:** | Councillor Sharon Thompson, Deputy Leader |
| **Relevant O&S Chair(s):** | Councillor Albert Bore – Co-ordinating O&S Committee |
| **Report author:** | Paul Clarke, Assistant Director (Programmes, Performance, and Improvement) |

| | | |
|---|---|---|
| Are specific wards affected? | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision? | ☐ Yes | ☒ No |
| Is the decision eligible for call-in? | ☐ Yes | ☒ No |
| Does the report contain confidential or exempt information? | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 This report provides Cabinet with a summary of performance progress for Q1 2023/24 against the 'Be Bold' ambitions and priorities set out in the Council's Corporate Plan 2022-2026.

1.2 Performance is reported using a set of Key Performance Indicators (KPIs) and commentary on key delivery activity and milestones in relation to each of the key strategic ambitions and outcomes in the Corporate Plan 2022-2026:

A Bold **Prosperous** Birmingham
A Bold **Safe** Birmingham
A Bold **Green** Birmingham
A Bold **Inclusive** Birmingham
A Bold **Healthy** Birmingham
A Bold **Best-in-Class** Council

## 2 Recommendations

2.1 That Cabinet notes the performance and progress against the priorities and ambitions set out in the Council's Corporate Plan 2022-2026.

## 3 Background

3.1 The City Council approved the Corporate Plan 2022-2026 on 11th October 2022, following recommendation for approval by Cabinet on 26th July 2022. The Plan updates the priorities in the Council Plan 2018-2022 and brings together elements from other documents to provide a framework for the council's business planning, and context for service priorities, programme development and transformation activity.

3.2 A refreshed Corporate Performance and Delivery Plan was considered by Cabinet on 27th June 2023, and summarises key activity (including milestones) from directorate business plans, current delivery plans/strategies, and transformation activity that make a direct contribution to the delivery of Corporate Plan priorities. The plan also included a set of key performance measures and indicators (KPIs). The Plan was agreed as the basis for performance reporting against the Corporate Plan, and this report provides an update of performance, progress, and delivery against those activities and KPIs.

3.3 The report forms part of the Council's Corporate Performance Framework and reporting arrangements. The framework includes other forums that ensure a regular oversight and consideration of service performance and delivery of the Council's overall priorities. These include:

- A Corporate Leadership Team (CLT) Performance and Assurance Board that considers a range of performance and assurance reports, which together provide updates and highlighted issues regarding organisational health, delivery of key services, customer experience, and transformation.
- A Quarterly Performance Meeting (QPM) with each Directorate: a corporately led process that facilitates discussion and a deeper understanding of the issues impacting on service performance. Where appropriate, this includes an exploration of the actions required to ensure improvement is realised.
- Performance reporting to Overview and Scrutiny Committees: regular reporting and scrutiny of service performance data and other performance information aligned to committee work programmes.

3.4 The performance framework also includes a set of 'State of the City' outcome indicators. These provide the context for our priorities and delivery and help measure the overall city and citizen outcomes we are trying to impact and influence through our delivery, enabling and influencing roles and activity. They are published separately as part of the City Observatory. [1]

## 4 Structure of the report

4.1 Section 5 provides a high-level summary of performance against KPIs and progress against delivery milestones for each of the key strategic ambitions in the Corporate Plan 2022-2026, as set out at paragraph 1.2.

[1] https://app.powerbi.com/view?r=eyJrIjoiYWQ0MzYxZDQtMjU1Ni00YzNjLWEwZGYtYjQxN2U1MjMxYmNiIiwidCI6IjY5OWFjZTY3LWQyZTQtNGJjZC1iMzAzLWQyYmJlMmI5YmJmMSJ9

4.2 This includes the percentage of KPIs, and delivery milestones being reported as blue, red, amber and green for the current reporting period. Definitions of these ratings are provided in table 1 below.

**Table 1** – Definitions for RAG and BRAG ratings

| RAG ratings for KPIs | | BRAG ratings for delivery milestones |
|---|---|---|
| Blue | n/a | Activity has been achieved/delivered. |
| Green | Performance is equal to or better than target | Activity is on course to be delivered as agreed by Cabinet in the published Council Performance and Delivery Plan. We expect to rate this blue at year end or before. |
| Amber | Performance is lower than target but better or equal to tolerance | Risk of activity not being delivered as planned. However, mitigating actions are in place to resolve and **delivery against original milestone is expected to be recoverable**. |
| Red | Performance is below tolerance | Risk of activity not being delivered as planned. Whilst mitigating actions may already be in place **delivery against original milestone is unlikely to be recoverable.** |

4.3 Section 6 provides an overview of performance against both KPIs and delivery milestones, including a summary of notable achievements and performance, and areas of non-delivery or underperformance.

4.4 Appendix A provides a high-level overview of retrospective changes to what is being reported for quarter 1 and beyond. Appendix B provides more detailed summaries for each KPI, including direction of travel, benchmarked performance (where available) and commentary about the performance and where appropriate, summarises any remedial actions that have been taken or are planned to enable achievement of target. Appendix C provides an overview of BRAG ratings for activity delivery milestones and appendix C.2 risk escalation with corrective actions.

4.5 This style of reporting enables services to better manage measures at lower risk and Members to focus on those areas that require particular attention.

## 5 Overview of Performance – Summary

5.1 <u>Summary of performance against delivery activity and milestones</u>

5.2 Of the 124 activities reported, 75.8% (94) are reported as being on track or already fully delivered (Green and Blue rated), 23.4% (29) are currently rated Amber and 1activity (0.8%) reported as Red this quarter. The charts below provide a summary of performance against all Performance and Delivery Plan activities, and then by the corporate ambitions. Appendices provide a breakdown of each activity, ownership, status, and a narrative position.

The majority of activities are on track or better across each of the Be Bold ambitions (green and blue rag rated), with strongest performance demonstrated for Be Safe (21 out of 26 on track or better), and lowest performance is Best in Class (5 out of 12 on track or better). There are Amber rag ratings reported across all six Be Bold

themes, highlighting where there may be potential risks to future planned delivery. Further detail on these activities and mitigating actions can be found in Appendix C.2.

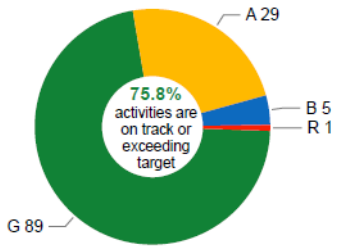
**Activity : Overall RAG Status for Activities**

A total of 124 activities are available to report against the Corporate Plan.

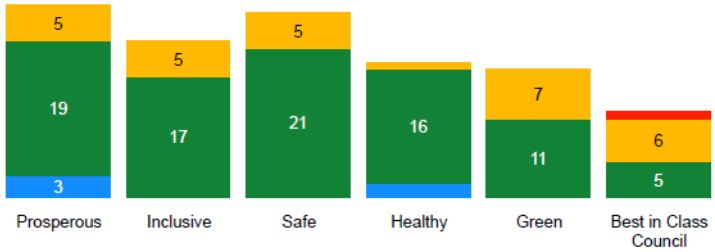
94 (75.8%) are on track or exceeding Target.

1 (0.8%) are reported off track.

**Overall Activity RAG status Overview**




**Breakdown by Ambition - Overall Performance against ACTIVITIES available to report on**




5.3 Summary of Overall performance against all KPIs

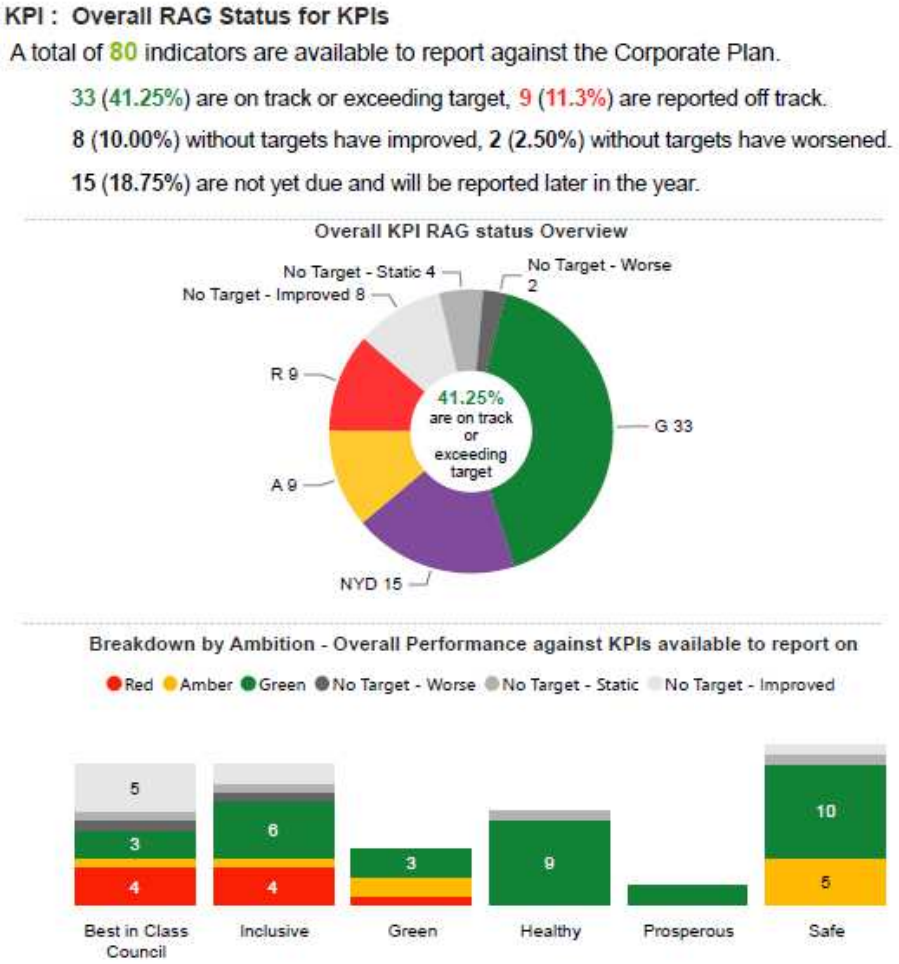
5.4 The Corporate Delivery and Performance Plan lists 80 KPIs to be monitored during 2023/24. This quarter, data is presented for 65 of these, the remaining 15 are 'not yet due' (NYD) and results will be reported later in the year. 51 of the 65 KPIs due this quarter have targets, the remaining 14 are assessed by considering direction of travel against the preferred trend.

5.5 Overall, RAG ratings for KPI's are as follows:

- Green- 33 with target are on track or exceeding target and 8 without target have improved performance (41in total; 51.25%);
- Amber- 9 with target are performing within tolerance and 4 without target are showing static performance (13 in total; 16.2%);
- Red- 9 are performing outside of tolerance and 2 without target are showing worse performance (11 in total; 13.8%); and
- 15 KPIs are not yet due to be reported (18.75%).

5.6 Appendix B2 provides full details of current performance against KPIs, and highlights all red and amber rated indicators, including those without targets where performance has worsened.

5.7 The charts below visualise these KPI status figures and show KPI status for each *Be Bold* Theme. Appendix B contains detailed data for each KPI, and narrative explaining the current performance position.




5.8 Certain KPIs are reported in arrears, so some of the data presented represents a Quarter 4 2022/23 position rather than Quarter 1 2023/24 performance.

5.9 The following section summarises key successes and areas where performance or delivery is off target.

## 6 Corporate Plan key successes, achievements and areas where performance or delivery is not on track.

6.1 The tables below provide a summary for each Be Bold ambitions. Appendix B provides narrative against each KPI measure and appendix C.2 provides full commentary against all red/ amber rated activities.

| A Bold PROSPEROUS Birmingham<br>**Activities progress: Blue/Green: 22, rated Amber: 5, rated Red: 0**<br>**KPI's progress: Green: 2, Amber: 0, Red: 0, Improved: 0; Static: 0; Worse: 0** | |
|---|---|
| **Key successes and achievements** | **Areas where performance or delivery is off target** |
| • Our Future City Central Birmingham Framework was launched in May and the consultation activities are progressing well. (*3.1*) [2]<br>• Good progress made on the Octagon and work has begun on Three Centenary Way. (*3.3*)<br>• Work on site has started for Phase 1 of the Bordesley Park Area Action Plan. (*1.2*)<br>• Birmingham Festival 27 July to 6 August. (*4.1*)<br>• Successful British Open Squash Championships delivered in April and European Athletic Championships have been secured. (*4.2)*<br>• PURE Digital Inclusion lending library established, and six Community Hubs created to support digitally excluded citizens. Funding secured to continue PURE project during 2024/25. (*2.1)*<br>• 93% of 16- and 17-year-olds are in employment, education or training. (CF_CP_30) | • Slight time slippage on completing the outline business case for Martineau Galleries due on-going negotiations for large scale programme. (*3.11)*<br>• Some delays to Birmingham Smithfield regeneration programme: anticipated start on site now August 2024. (*3.2)*<br>• Living Wage Action Plan currently has no internal lead which is affecting progress. (*1.5)* |

[2] Numbers in brackets are ID reference to activities and KPIs noted on Corporate Performance Development Plan 2023-24.

| A Bold INCLUSIVE Birmingham<br>**Activities progress: Blue/Green: 17, rated Amber: 5, rated Red: 0**<br>**KPI's progress: Green: 6, Amber: 1, Red: 4, Improved: 2; Static: 1; Worse: 1** | |
|---|---|
| **Key successes and achievements** | **Areas where performance or delivery is off target** |
| • Cultural Events including Windrush 75 to mark the 75th Anniversary of Windrush and Remember Sebrenica Memorial event. (*7.2)*<br>• £4m Grassroots Cultural Engagement Programme approved. (*6.2)*<br>• Start for Life offer now available online, to give families access to information about what locally available to them. (*8.4)*<br>• 100 Brilliant Days Campaign ran from April to July. Children and Young People plan launched in July, alongside strategies for SEND and Inclusion. (*8.7)*<br>• Private Rented Sector Selective Licensing Scheme launched in June. (*5.4)*<br>• Two citizen insight surveys have been launched. Results will be available in September/October. (*6.1)*<br>• Increasing level of engagement with residents through social media and the Birmingham ebulletin. (SEP_CP_05) | • Work on anti-poverty agenda has not progressed as quickly as planned. (*5.1)*<br>• Progress report on cost of living phase 1 work produced, but recommendations still being developed. (*5.2)*<br>• Delivery of the Digital Inclusion Strategy delayed (*5.3*)<br>• Take up of Early Years Education Entitlement for 2 (CF_CP_11) and 3-4 year olds (CF_CP_12) is below target.<br>• The percentage of 19-21 year old care leavers who are in suitable accommodation is within tolerance, but slightly lower than we aimed for. (CF_CP_02) |

| A Bold SAFE Birmingham<br>Activities progress: Blue/Green: 21, rated Amber: 5, rated Red: 0<br>KPI's progress: Green: 10, Amber 5, Red 0, Improved: 1; Static: 1; Worse: 0 | |
|---|---|
| **Key successes and achievements** | **Areas where performance or delivery is off target** |
| • Temporary Accommodation Strategy approved in June. Quarter 1 targets for reducing the number of families in B&B over 6 months have been met (*12.1)*<br>• Good progress with the housing development and regeneration projects at Druids Heath, Ladywood Estate and the Langley Sustainable Urban Development (11.2,4 & 5)<br>• Sustained improvement has been achieved in the percentage of Adult Social Care clients reviewed within 12 months. This KPI (ASC_CP_04) is now meeting its target.<br>• 122 private rented sector properties were improved as a result of BCC intervention during quarter 1 (CO_CP_17) and 99 empty properties were brought back into use (CO_CP_18). | • There are a number of key compliance issues to improve in relation to City Housing. (*11.9)*<br>• The average Children's Social Worker caseload has risen to 19 (CF_VS_20) and the rate of re-referral to Children's Social Care has risen to 25% (CF_VS_19). These figures are within tolerance but are slightly higher than aimed for. |

## A Bold HEALTHY Birmingham

**Activities progress: Blue/Green: 18, rated Amber: 1 rated Red: 0**

**KPI's progress: Green: 9, Amber 0, Red 0; Improved: 0; Static: 1; Worse: 0**

| Key successes and achievements | Areas where performance or delivery is off target |
|---|---|
| • Birmingham and Solihull's Dementia Strategy 2023-2028 launched in May. (*16.5)*<br>• Working together in the community pilot now covers all 10 constituencies, providing hubs that link Adult Social Care staff with NHS partners and the third sector. (*16.1)*<br>• 16,090 children accessed the Spring Holiday Activities and Food Programme, which is over 500 more than we aimed for (CF_CP_17).<br>• In 2022/23 the Be Active free leisure offer was used 303,891 times (CO_CP_20) and 1,746 activity interventions were delivered by the Active Wellbeing Society (CO_CP_19). | |

## A Bold GREEN Birmingham

**Activities progress: Blue/Green: 11, rated Amber: 7, rated Red: 0**

**KPI's progress: Green: 3, Amber 2, Red: 1, Improved: 0; Static: 0; Worse: 0**

| Key successes and achievements | Areas where performance or delivery is off target |
|---|---|
| • Stage 1 of the Birmingham District Energy Company decarbonisation road map complete. (1*9.4)*<br>• Fourth 'grimewatch' video launched and fly tipping statistics showing improvement. *(17.4)*<br>• Improved recycling rate: Across April and May 2023, 44.8% of waste was recycled, reused or composted (CO_CP_23). Just 2.2% of waste was presented to landfill (CO_CP_24). | • Publication of Birmingham Transport Plan Delivery Plan delayed until September. (*19.5)*<br>• Limited progress on the environmental education programme being developed to present to schools. *(17.2)*<br>• Production of Air Quality Annual Status Report behind schedule. (*18.2)*<br>• Only 14.3% of offensive/racist graffiti is being cleared within the one day service level agreement (CO_CP_25).<br>• Reported missed bin collections are still higher than target but there has been significant improvement in this KPI compared to last year (CO_CP_21a). |

| | |
|---|---|
| **A BEST IN CLASS Council**<br><br>**Activities progress: Blue/Green: 5, rated Amber: 6, rated Red: 1**<br>**KPI's progress: Green: 3, Amber: 1, Red: 4, Improved: 5; Static: 1; Worse: 1** | |
| **Key successes and achievements** | **Areas where performance or delivery is off target** |
| • We achieved Disability Confident Employer Level 2 status and is now working toward Level 3. (*21.6)*<br>• A management programme to specifically support Black, Asian and Minority Ethnic staff is being promoted; privilege and power workshops have been delivered to more than 1,300 staff and the Senior Management Team have been trained on unconscious bias. (*21.6)*<br>• Category Management training rolled out to all Corporate Procurement Service staff. (*21.10)* | • Medium term financial strategy activity requires ongoing risk assessment and remediation. The next steps will be outlined in the workstreams of the robust budget savings and recovery plan (23_21.11).<br>• Council tax collection rate is lower than we expect to see at this point in the year (CM_OH_03).<br>• Customer satisfaction, as measured by the contact centre survey, remains at 55%, which is lower than what we're aiming for (CM_OH_07).<br>• The percentage of complaints responded to with SLA has improved this quarter but remains below target (CM_OH_08).<br>• 4 HSE notifiable incidents were recorded during the quarter, above our tolerance of 3 (CM_OH_13). |

## 7 Options considered and Recommended Proposal

7.1 This report is a performance update. The recommended action is provided in paragraph 2.1.

## 8 Consultation

8.1 Cabinet Members, Corporate Leadership Team and directorate staff have been involved in discussions around performance against the performance and delivery plan actions and key performance indicators contained within this report and appendices.

## 9 Risk Management

9.1 This report provides progress against the council's strategic ambitions, and the measures in place to achieve them, and allows for CLT and Cabinet to consider progress against the Council's Corporate Plan priorities.

## 10 Compliance Issues:

10.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

10.2 The Corporate Plan 2022-2026 provides a refreshed statement of Be Bold ambitions and key priorities to be used to develop the Council's policies, plans and strategies.

## 11 Legal Implications

11.1 There are no direct legal implications arising from this report.

## 12 Financial Implications

12.1 There are no direct Financial implications arising from this report. The activity listed is planned activity and delivery commitments from current plans and strategies.

## 13 Procurement Implications (if required)

13.1 There are no direct Procurement implications arising from this report.

## 14 Human Resources Implications (if required)

14.1 There are no direct Human Resources implications arising from this report.

## 15 Public Sector Equality Duty

15.1 The Corporate Plan 2022-26 sets out the Council's intent to act to address the many challenges the city of Birmingham faces, such as higher than average levels of employment, homelessness, and child poverty.

## 16 Background Documents

16.1 Corporate Plan 2022-2026 (Full City Council 11th October 2022)

16.2 Performance and Delivery report to cabinet-Q1 and Q2 2022/23 (13th December 2022)

16.3 Performance and Delivery report to cabinet-Q3 2022/23 (21st March 2023)

16.4 Corporate Performance and Delivery Plan 2023/24 (Cabinet 27th June 2023)

16.5 Performance and Delivery report to cabinet-Q4 2022/23 (27th June 2023)

## Appendix A: Changes and Variations

Some minor changes and variations have been made to the delivery activities within the Corporate Performance and Delivery Plan agreed by Cabinet on 27th June 2023 and approved by Directorate leads including Portfolio Holders:

### A1. Activities

| Ref. No. | Activity milestone description | Reason for change | Lead Directorate | Lead Portfolio | Date of change |
|---|---|---|---|---|---|
| 23_8.5 | Increase breast-feeding through the Family Hub model | Reframed for clarity to: *'Through the Healthy Child Programme ensure together with the developing Family Hubs Model we increase breastfeeding rates across the City.'* | SEP | H&SC | 20/06/2023 |
| 23_10.2 | Domestic Abuse Prevention Strategy | Reprofiled delivery date | ASC | SJCS&E | 05/07/2023 |
| 23_21.3 | Delivery of the Bold People Service Plan including: a) Strategic priorities including Technology, Permanent Pay Equity (EBEB) and Organisation Change | Reframed for clarity to include reference to job evaluation: '*a) strategic priorities including Technology, Organisational Change, Permanent Pay Equity (JE and equal pay) and EBEB'* | CM | Leader | 25/07/2023 |
| 23_21.4 | a) implement best in class | From Q2 onwards, this activity will be tracked | CM | Leader | 25/07/2023 |

| | | | | | |
|---|---|---|---|---|---|
| | resourcing and recruitment services | as part of reference 23_21.3- Bold People Service Plan (as above) | | | |
| 23_21.5 | b) initiate job evaluation project | From Q2 onwards, this activity will be tracked as part of 23_21.3- Bold People Service Plan (as above) | CM | Leader | 25/07/2023 |

**A2. KPI's**

| Reference No. | KPI description | Reason for change | Lead Directorate | Lead Portfolio | Date of change |
|---|---|---|---|---|---|
| CF_VS_03 | Percentage of new Education Health Care Plans (EHCPs) issued within 20 weeks, excluding exceptions | Target adjusted - confirmed target is 65.0% | C&F | CYP&F | 19/07/2023 |
| CF_VS_19 | BCT Measure: Re-referral Rate | Target adjusted - confirmed target is 22% | C&F | CYP&F | 19/07/2023 |

# Appendices B-C

**B.1** Ambition Summaries
**B.2** Performance against Key Performance Indicators
**C.1** Performance against Delivery Milestones
**C.2** Delivery Milestones Rated Amber and Red



Birmingham City Council

# Appendix B.1:
## Ambition Summaries



Birmingham City Council

# A Bold Prosperous Birmingham

## 1. Supporting inclusive economic growth

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| The number of jobs created through the Business Growth Programme | 0 | NYD | NYD | N/A |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Progress Bordesley Park Area Action Plan | December 2024 | G |
| Further harness and develop Birmingham's Council's Charter for Social Responsibility to leverage BCC procurement | March 2024 | B |
| Extend the Cost of Living Programme to include elements of inclusive growth and innovate, incubate, accelerate and mainstream activity across the council | March 2024 | G |
| Embed the Birmingham Anchor Network Memorandum of Understanding building on the shared commitment of members to work together to create a more inclusive economy in Birmingham | March 2024 | G |
| East Birmingham Inclusive Growth Programme - continue to implement phase 1 | May 2024 | G |
| Deliver the Living Wage Action Plan | March 2024 | A |

## 2. Tackle unemployment

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training | 7.00% | 5.90% | N/A | G |
| Percentage of 16- and 17- year olds that are participating in Education, Employment or Training | 93.00% | 93.10% | N/A | G |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Continue to develop and deliver PURE employment activities to inactive vulnerable adults who have complex and multifaceted needs to enable them to get closer and into the labour market | March 2024 | B |
| Implement the Breaking Down Barriers Report (employment support) | March 2024 | G |

## 3. Attract inward investment and infrastructure

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Private sector investment in the Enterprise Zone | £47m | NYD | NYD | N/A |
| Public sector investment in the Enterprise Zone | £1m | NYD | NYD | N/A |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Adopt Our Future City Central Birmingham Framework and progress delivery of key actions for delivering the city's growth needs | November 2023 | G |
| Continued implementation of the City Centre Enterprise Zone a) HS2 Curzon station - appoint stage 2 contractor for enhanced public realm | August 2023 | G |
| Continued implementation of the City Centre Enterprise Zone b) Digbeth High Street - complete public realm section 5 handover | December 2023 | G |
| Continued implementation of the City Centre Enterprise Zone c) Moor Street Queensway - Outline business case submitted | February 2024 | G |
| Continued implementation of the City Centre Enterprise Zone d) Southside Public Realm - Full Business Case approved | October 2023 | G |
| Continued implementation of the City Centre Enterprise Zone f) Digbeth High Street - metro works complete | January 2024 | G |
| Continued implementation of the City Centre Enterprise Zone g) Curzon Metro Stop - Stage 2 contract awarded | May 2023 | A |
| Continued implementation of the City Centre Enterprise Zone h) Snow Hill - Public Realm project phase 3a works commence | February 2024 | G |
| Continued implementation of the City Centre Enterprise Zone e) Martineau Galleries - Outline Business Case approved | November 2023 | A |
| Progress Birmingham Development Plan Review | October 2024 | A |
| Progress City Region Sustainable Transport Settlement (CRSTS) projects | March 2024 | G |
| Progress investment programme linked to HS2 | August 2024 | G |
| Progress regeneration programmes: c) Peddimore | March 2024 | G |
| Progress regeneration programmes: a) Birmingham Smithfield | March 2024 | A |
| Progress regeneration programmes: b) Paradise | March 2024 | G |
| Progress regeneration programmes: d) Rea Valley Urban Quarter | March 2024 | G |

## 4. Maximise the benefits of the Commonwealth Games

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| An annual Birmingham Festival that will be a meaningful legacy from the Commonwealth Games | March 2024 | B |
| Position Birmingham as a world renowned major event hosting city | March 2024 | G |
| Progress regeneration of Perry Barr to delivery homes, jobs and Social Value opportunities to benefit local people | March 2024 | G |

# 5. Tackle poverty and inequalities

## Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service | 12000000 | 24816298 | Improved | G |
| Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council | 5000000 | 5339791 | Improved | G |
| Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council" | N/A | 6275 | Improved | N/A |
| Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service" | N/A | 39223 | Improved | N/A |

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Evaluate delivery of the Cost-of-Living Emergency Response Programme | March 2024 | A |
| Integrate the current Financial Inclusion Partnership and strategy into the Cost of Living Programme and deliver objectives set out in the Housing Strategy relating to financial Inclusion | March 2024 | A |
| Introduction of private rented sector licensing schemes that seek to tackle deprivation and crime in 25 wards | March 2024 | G |
| Progress delivery of the Digital Inclusion Strategy | March 2024 | A |

## 6. Empower citizens and enable the citizen voice

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Average opens of Birmingham eBulletin | 23194 | 29049 | Improved | G |
| Number of community organisations developing and submitting crowdfunding and CIL (local element) small grants projects | 80 | NYD | NYD | N/A |
| Number of ward forum meetings held by Elected Members annually | 276 | 174 | Improved | R |
| Number of ward plans updated or completed by Elected Members in the year | 69 | 29 | Static | R |
| Total number of followers of the corporate social media accounts | 297144 | 297471 | Improved | G |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Improve capacity in neighbourhoods | March 2024 | G |
| Enable more people with a learning disability and/or autistic people to ... get the support they need to live healthy, safe and ordinary lives | March 2024 | G |
| Design and develop an approach to a 'Big Conversation' for Birmingham, including qualitative and quantitative surveys and engagement activities | March 2024 | G |
| Re-engineer our approach to tenant engagement | March 2024 | G |
| Progressing and developing the Council's cross-directorate "Working Together in Birmingham's Neighbourhoods" policy | March 2024 | G |

## 7. Promote and champion diversity, civic pride and culture

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Commission a range of cultural engagement projects | March 2024 | A |
| Complete refresh of the Heritage Strategy | December 2023 | G |
| Everyone's Battle, Everyone's Business: plan and deliver programme of cultural, faith and other key significant events to build community cohesion | March 2024 | G |
| Everyone's Battle, Everyone's Business: refresh the action plan of activity for 2023/24 onwards | March 2024 | G |
| Raise the cultural profile and ambition of the City | March 2024 | A |

# 8. Support and enable all children and young people to thrive

## Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Percentage of care leavers in employment, education or training (EET) on their 19th to 21st birthday | 62.00% | 63.00% | N/A | G |
| Absence Rate: Primary | N/A | NYD | NYD | N/A |
| Absence Rate: Secondary | N/A | NYD | NYD | N/A |
| Primary school exclusion rate | N/A | NYD | NYD | N/A |
| Secondary school exclusions rate | N/A | NYD | NYD | N/A |
| Special School Exclusion rate | N/A | NYD | NYD | N/A |
| Care leavers in suitable accommodation aged 19, 20 or 21 | 95.00% | 92.00% | Static | A |
| Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE) | 76.00% | 67.00% | Static | R |
| Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE) | 96.00% | 89.00% | Static | R |
| Number of children and young people (aged 5-16) with an EHCP awaiting specialist placements for more than 12 weeks | N/A | 322 | Static | N/A |
| Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions | 65.00% | 68.00% | Static | G |
| Number of students we provide transport for | N/A | 5377 | Worse | N/A |

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Commission the Healthy Child Programme (HCP), taking into account the developing Family Hubs Model, in order to achieve the best outcomes for children and young people 0-19 | March 2024 | G |
| Further develop the Children and Young Persons' Travel Service | March 2024 | G |
| Further develop the school place sufficiency strategy | March 2024 | G |
| Further improve school attendance, attainment and achievement | March 2024 | G |
| Increase breast-feeding through the Family Hub model | March 2024 | G |
| Take forward the Change for Children and Young People Plan | March 2024 | G |
| Transform and improve services for children with Special Educational Needs and Disabilities (SEND) | March 2024 | G |
| Widen access to Early Education Entitlement (EEE) and improve Early Years multiagency arrangements with health colleagues | March 2024 | G |

## 9. Make the city safer

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Number of Anti Social Behaviour Case Reviews received | 16 | 15 | Improved | G |
| Number of Anti-Social Behaviour incidents reported to the Council | N/A | 1417 | Static | N/A |
| Number of hate crimes reported to the Council | N/A | 39 | Improved | N/A |
| Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours | 99.00% | 98.30% | Static | A |
| Percentage of Community Safety 'front door' enquiries closed within 28 days | 75.00% | NYD | N/A | N/A |
| Percentage of Streetlight In-Light repairs carried out within service standard (time) | 95.00% | 99.10% | Static | G |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Update Road Safety Strategy | March 2024 | A |
| Expand delivery of Knife Crime Reduction Programme | March 2024 | G |
| Implement the requirements of the Serious Violence Duty | March 2024 | G |
| Work with neighbourhoods, communities and partners to improve community safety by refreshing Council's Anti Social Behaviour Policy | December 2023 | A |
| Work in partnership with schools and DfE to deliver and evaluate a 3-year SAFE (Support, Attend, Fulfil, Achieve) project | March 2024 | G |

## 10. Protect and safeguard vulnerable citizens

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| BCT Measure: Average social worker caseload | 17 | 19 | Worse | A |
| BCT Measure: Re-referral Rate | 22.00% | 25.00% | Worse | A |
| Total no. of domestic abuse victims supported through the Part 4 new statutory duty | 2040 | 2008 | Improved | A |
| BCT Measure: Percentage of children in care experiencing three or more moves within a year | 9.00% | 8.00% | Improved | G |
| BCT Measure: Percentage of children who become the subject of a Child Protection plan for a second or subsequent time within the last 2 years | 14.00% | 12.00% | Static | G |
| Percentage of concluded Adult Social Care Safeguarding enquiries where the desired outcomes were met | 85.00% | 95.00% | Static | G |
| Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months | 85.00% | 85.00% | Static | G |

# A Bold Safe Birmingham

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Develop a Violence Against Women and Girls Strategy and strengthen the link to existing Domestic Abuse Prevention Strategy | March 2024 | G |
| Ensure the effective implementation of the Hate Crime Strategy | December 2023 | A |
| Review and develop a new Domestic Abuse Prevention Strategy | March 2024 | G |
| Strengthen approaches to identify, recognise and respond to the vulnerability of specific groups of children and young people | December 2023 | G |

## 11. Increase affordable, safe, green housing

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Number of affordable homes reaching Practical Completion through the Birmingham Municipal Housing Trust's direct delivery programme | 96 | NYD | NYD | N/A |
| Number of homes built that are affordable | 10773 | NYD | NYD | N/A |
| Number of new homes completed in the city across all tenures | 28350 | NYD | NYD | N/A |
| Number of properties improved in the Private Rented Sector as a result of Local Authority intervention | 87 | 122 | Improved | G |
| Percentage of Council housing routine repairs completed within 30 days | 92.60% | 94.22% | Static | G |
| Private sector empty properties brought back into use | 87 | 99 | Improved | G |

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Accelerate the delivery of affordable housing | August 2023 | G |
| Complete the 300 home retrofit pilot in East Birmingham | March 2024 | G |
| Continue to progress key housing development and regeneration projects:<br>a) Ladywood Estate | March 2024 | G |
| Continue to progress key housing development and regeneration projects:<br>b) Yardley Brook | March 2024 | G |
| Continue to progress key housing development and regeneration projects:<br>c) Langley Sustainable Urban Extension (SUE) | March 2024 | G |
| Continue to progress key housing development and regeneration projects:<br>d) Druids Heath | March 2024 | G |
| Continue to progress key housing development and regeneration projects:<br>e) Pool Farm Place | March 2024 | A |
| Delivery of Housing Strategy Delivery Plan priorities | March 2024 | G |
| Embed compliance board to oversee delivery of a robust action plan that ensures the service is compliant against statutory requirements | March 2024 | A |
| Implement an Asset Management approach to guide how we invest in and look after our housing stock | March 2024 | G |
| Work with partner agencies and utilise appropriate powers as necessary to ensure the risk from unsafe cladding on private high rise residential buildings is removed | March 2024 | G |

# 12. Tackle homelessness

## Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Households where homelessness is prevented | 46.30% | 44.52% | Improved | A |
| Total numbers of families in Bed and Breakfast over 6 weeks | 567 | 533 | Static | G |

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| A continued focus on supported Exempt Accommodation (unregulated supported provision managed by private landlords) | March 2024 | G |
| Addressing rough sleeping including through the pilot work with the Centre for Homelessness Impact so that rough sleeping is prevented, rare, brief and non-recurring | March 2024 | G |
| Ensuring our services are prevention focused, investing in keeping people in their homes, and moving away from reactive, crisis driven service delivery | March 2024 | G |
| Implementing a comprehensive Temporary Accommodation Strategy to ensure families do not remain in B&B longer than 6 weeks | March 2024 | G |
| Review and update the Homelessness Prevention Strategy and Rough Sleeping Addendum | March 2024 | G |
| Utilise appropriate powers to ensure that tenants are protected from illegal eviction and harassment | March 2024 | G |

## 13. Tackle health inequalities

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Number of individual children attending the Holiday Activities and Food programme | 15524 | 16090 | Improved | G |
| Proportion of children aged 2-2½yrs receiving ASQ-3 as part of the Healthy Child Programme or integrated review | 85.00% | 97.2% | Improved | G |
| The percentage of NHS Health Checks offered by the total eligible population in the quarter | 5.00% | 7.50% | Worse | G |
| The number of NHS Health Checks offered by the total eligible population in the quarter | 14283 | 21570 | Worse | G |
| The number of NHS Health Checks received by the total eligible population in the quarter | 7141.5 | 8487 | Worse | G |
| The percentage of NHS Health Checks received by the total eligible population in the quarter | 2.50% | 2.90% | Worse | G |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Production of public health reports:<br>a) Joint Strategic Needs Assessment | December 2023 | G |
| Implement learning from the Birmingham and Lewisham African Health Inequalities Review (BLACHIR) | March 2024 | G |
| Recommission the uptake of Tier 2 Adult Weight Management Services in targeted disability groups | December 2023 | G |
| Production of public health reports:<br>d) Health needs assessments | March 2024 | G |
| Production of public health reports:<br>c) Community Health profiles | March 2024 | G |
| Production of public health reports:<br>b) The Annual Director of Public Health report | March 2024 | G |

## 14. Encourage and enable physical activity and healthy living

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Number of children and adult visits utilising the Be Active free leisure offer across all Birmingham Wellbeing and Leisure Centres | 300000 | 303891 | Improved | G |
| Number of physical activity interventions delivered by The Active Wellbeing Society (TAWS) across various programmes including Active Parks, Active Streets, the Run Project and Virtual Activities | 900 | 1746 | Improved | G |

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Deliver a city-wide healthy eating campaign targeting food businesses, schools and families | June 2023 | G |
| Deliver a Sport Strategy that recognises diversity and provides inclusive opportunities for all residents to become more active | March 2024 | G |
| Establish and deliver an updated service specification for Be Active and Be Active + | September 2023 | B |
| Production and agreement of a multi agency Physical Activity (PA) Strategy | December 2023 | G |

# 15. Champion mental health

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Implement legislative changes arising from the reform of the Mental Health Act | March 2024 | G |
| Review and update the suicide prevention action plan | September 2023 | A |
| Support schools to address concerns around pupils' emotional wellbeing and mental health | March 2024 | B |

# 16. Improve outcomes for adults with disabilities and older people

## Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Percentage/Proportion of clients discharged into Pathway 0 & Pathway 1 | 95.00% | 96.00% | Static | G |
| The percentage of people who receive Adult Social Care in their own home | N/A | 71.00% | Static | N/A |

## Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Continue to prepare for Adult Social Care Reform | March 2024 | G |
| Implement activity identified from the co-produced review of Day Opportunity Services | March 2024 | G |
| Implement shared lives improvement programme | March 2024 | G |
| Intervene earlier and differently by supporting young people entering adulthood to be physically and emotionally resilient | December 2023 | G |
| Work together in the community to better manage ongoing and long-term conditions and to reduce the risk of citizens experiencing health and care crises | June 2024 | G |
| Work with partners to implement the joint Dementia Strategy 2022-2027 | March 2024 | G |

## 17. Improve street cleanliness

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Reported missed collections per 100k collections scheduled | 126 | 142 | Improved | A |
| Recycling, Reuse, and Green Waste (both with and without bottom ash) | 41.00% | 44.81% | Improved | G |
| Percentage of waste presented to landfill | 8.00% | 2.16% | Improved | G |
| Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing | 100% | 14.30% | Static | R |
| Level of street cleanliness as assessed by the Land Audit Management System (LAMS) | 85.00% | 86.03% | Static | G |
| Actual missed collections | N/A | NYD | N/A | N/A |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Progress initiatives to improve the cleanliness of the city including fly tipping and graffiti crews, Grime Watch and targeted waste enforcement | March 2024 | G |
| Develop an environmental education programme for the City that can be presented to all schools in the City | March 2024 | A |
| Continue to promote and support Love Your Environment events to deliver cleaner streets | March 2024 | G |
| Continue to improve the perception and performance of waste collections | March 2024 | A |

## 18. Improve air quality

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| Percentage increase in the number of trips taken by bicycle per annum | 2.00% | NYD | NYD | N/A |
| Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone | 94.50% | 93.84% | Static | A |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Support the strategic air quality objectives through the utilisation of environmental protection powers to improve air quality | March 2024 | A |
| Progress master-planning study at Perry Park and preparing a business case to support its enhancement into a sustainable destination park | March 2024 | G |
| Deliver the Council's Clean Air Strategy | March 2024 | G |

# A Bold Green Birmingham

## 19. Continue on the Route to Net Zero

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Birmingham Transport Plan delivery | March 2024 | A |
| Continue to deliver the Route to Zero Programme comprising a portfolio of short-, medium- and long-term projects designed to reduce carbon emissions | March 2024 | G |
| Develop future waste strategy to develop a shared vision for the City's waste post 2034 | March 2024 | G |
| Finalise scope and commence delivery of a climate change strategy | March 2024 | A |
| Further develop Birmingham District Energy Company decarbonisation road map | March 2024 | A |
| Launch an engagement and behaviour change strategy | March 2024 | G |
| Work with City Housing and Housing Development on a city-wide delivery and funding plan to improve the energy performance and decarbonisation of existing and new housing | March 2024 | G |

## 20. Be a city of nature

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Review the current provision in our Parks and Open spaces by supporting Partners to submit bid applications to achieve local improvements | March 2024 | G |
| Progress Urban Forest Accelerator pilot | October 2024 | G |
| Progress the Urban Nature Development Programme | December 2023 | A |
| Progress the City of Nature Plan | March 2024 | G |

## 21. Delivering a bold Best in Class Council

### Key Performance Indicators

| Measure | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| % of customer / citizen complaints responded to within SLA | 90.00% | 77.00% | Improved | R |
| % of housing rents collected | 82.70% | 91.11% | Improved | G |
| % of ombudsmen complaints upheld | N/A | 59.09% | Worse | N/A |
| Business rates collection rate (as % of due in entire year) | 28.34% | 30.62% | Improved | G |
| Complaints received per 1,000 residents | N/A | 1.7 | Improved | N/A |
| Council tax collection rate | 28.72% | 27.22% | Improved | R |
| Health and Safety - HSE notifiable instances | 0 | 4 | Improved | R |
| Level of borrowing (this is the amount of the Council's budget that funds debt per annum, the aim is to reduce this percentage) | 30.00% | 30.00% | Static | G |
| Level of general fund reserves (unearmarked reserves) - % | 4.50% | 4.15% | Worse | A |
| Number of customers registering satisfaction with the Council (Contact Centre Survey) | 64.00% | 55.00% | Static | R |
| Proportion of top 5% per cent earners who are from an ethnic minority | N/A | 20.56% | Improved | N/A |
| Proportion of top 5% per cent earners who are women | N/A | 49.40% | Static | N/A |
| Proportion of top 5% per cent earners who have a disability | N/A | 8.70% | Improved | N/A |
| Staff Absence: (b) Long-term absence rate | N/A | 0.73 | Improved | N/A |
| Staff Absence: (a) Short-term absence rate | N/A | 0.21 | Improved | N/A |

### Activities

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Lead development of strategy to achieve Medium-term financial stability | March 2024 | R |
| Ensure best in class services across the Council introducing a corporate approach for assessing and improving services to become best in class | March 2024 | A |
| Drive the Council's Digital Strategy | March 2024 | G |
| Development of a high performing workforce including action to: b) initiate job evaluation project | March 2024 | A |
| Development of a high performing workforce including action to: a) implement best in class resourcing and recruitment services | March 2024 | A |
| Develop and deliver a communications strategy aligned to the Corporate Plan priorities | September 2023 | G |
| Delivery of the Bold People Service Plan | March 2024 | A |
| Deliver year 2 of the Customer Service programme | March 2024 | G |
| Deliver commercial excellence through robust, efficient, and effective commercial governance | March 2024 | A |
| Build and embed a culture of data driven decision making | March 2024 | G |

# A Bold **Best in Class Council**

| Activity | Delivery Date | BRAG Status |
|---|---|---|
| Continued delivery of Workforce Race Equality actions as part of 'Everyone's Battle, Everyone's Business' | March 2024 | G |
| Continue the implementation of our Strategy 'Everyone's Battle, Everyone's Business' | March 2024 | A |
| Build and embed a culture of data driven decision making | March 2024 | G |

# Appendix B.2:
## Performance against Key Performance Indicators



Birmingham City Council

# KPIs which are rated as Amber, Red, or Worse in this reporting cycle



| Year and Cycle | 2022-23 Report_Cycle3 | | | 2022-23 Report_Cycle4 | | | 2023-24 Report_Cycle1 | | |
|---|---|---|---|---|---|---|---|---|---|
| Measure | Result | Target | RAG | Result | Target | RAG | Result | Target | RAG |
| ASC_CP_02 - Total no. of domestic abuse victims supported through the Part 4 new statutory duty | 2613 | 1270 | G | 1062 | 1270 | R | 2008 | 2040 | A |
| CF_CP_02 - Care leavers in suitable accommodation aged 19, 20 or 21 | 91.00% | 93.00% | A | 93.00% | 93.00% | G | 92.00% | 95.00% | A |
| CF_CP_11 - Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE) | 69.00% | 72.00% | A | 67.00% | 72.00% | R | 67.00% | 76.00% | R |
| CF_CP_12 - Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE) | 91.00% | 92.00% | A | 90.00% | 92.00% | A | 89.00% | 96.00% | R |
| CF_VS_19 - BCT Measure: Re-referral Rate | 100% | 22.00% | G | 21.00% | 22.00% | G | 25.00% | 22.00% | A |
| CF_VS_20 - BCT Measure: Average social worker caseload | 18 | 15 | A | 18 | 15 | A | 19 | 17 | A |
| CH_CP_03 - Households where homelessness is prevented | 45.20% | 40.00% | G | 37.61% | 40.00% | R | 44.52% | 46.30% | A |
| CM_OH_03 - Council tax collection rate | 73.76% | 78.90% | R | 90.16% | 92.75% | A | 27.22% | 28.72% | R |
| CM_OH_07 - Number of customers registering satisfaction with the Council (Contact Centre Survey) | 53.00% | 64.00% | R | 54.00% | 64.00% | R | 55.00% | 64.00% | R |
| CM_OH_08 - % of customer / citizen complaints responded to within SLA | 75.00% | 90.00% | R | 65.00% | 90.00% | R | 77.00% | 90.00% | R |
| CM_OH_13 - Health and Safety - HSE notifiable instances | 3 | 0 | A | 5 | 0 | R | 4 | 0 | R |
| CM_OH_16a - Level of general fund reserves (unearmarked reserves) - % | 5.00% | 4.50% | G | 5.00% | 4.50% | G | 4.15% | 4.50% | A |
| CO_CP_05 - Number of ward forum meetings held by Elected Members annually | 46 | 138 | R | 111 | 207 | R | 174 | 276 | R |
| CO_CP_06 - Number of ward plans updated or completed by Elected Members in the year | NYD | 69 | N/A | 29 | 69 | R | 29 | 69 | R |
| CO_CP_16 - Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours | 97.50% | 99.00% | R | 98.22% | 99.00% | R | 98.30% | 99.00% | A |
| CO_CP_21a - Reported missed collections per 100k collections scheduled | 170 | 126 | R | 219 | 126 | R | 142 | 126 | A |
| CO_CP_25 - Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing | 42.90% | N/A | N/A | 14.30% | N/A | N/A | 14.30% | 100% | R |
| PPS_CP_08 - Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone | | | | | | | 93.84% | 94.50% | A |

| Year and Cycle | 2022-23 Report_Cycle3 | | 2022-23 Report_Cycle4 | | 2023-24 Report_Cycle1 | |
|---|---|---|---|---|---|---|
| Measure | Result | RAG | Result | RAG | Result | RAG |
| CF_CP_29 - Number of students we provide transport for | | | 5220 | No Target - New | 5377 | No Target - Worse |
| CM_OH_11 - % of ombudsmen complaints upheld | 34.67% | No Target - Worse | 40.66% | No Target - Worse | 59.09% | No Target - Worse |

# A Bold **Prosperous** Birmingham

**Measure:** PPS_CP_01 - The number of jobs created through the Business Growth Programme

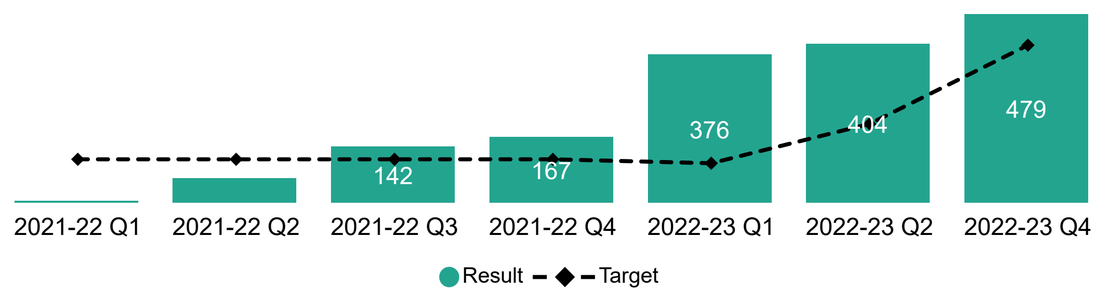
**Portfolio:** Leader

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | RAG Status |
|---|---|---|---|
| ▲ | 0 | NYD | NYD |

**The number of jobs created through the Business Growth Programme**




**Latest Comments**

No target set for Q1, but will be reported from Q2 onwards.

# A Bold **Prosperous** Birmingham

**Measure:** CF_CP_30 - Percentage of 16- and 17- year olds that are participating in Education, Employment or Training

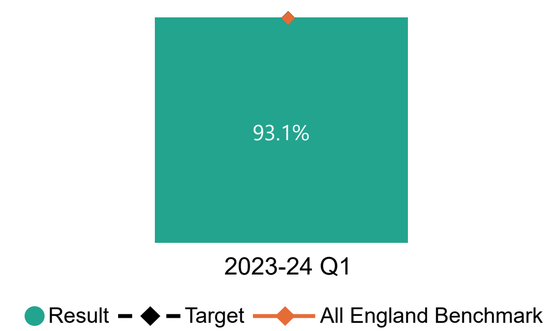
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 92.90% | 93.00% | 93.10% | N/A | G |

**Percentage of 16- and 17- year olds that are participating in Education, Employment or Training**




**Latest Comments**

Data correct as of May 2023. You will start to see changes in the participation figures gven the academic cycle on reporting activity. Year 11 & 12 figures will need to be reconfirmed with providers. This is a critical period for the annual tracking activities.

# A Bold **Prosperous** Birmingham

**Measure:** CF_CP_28 - Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training

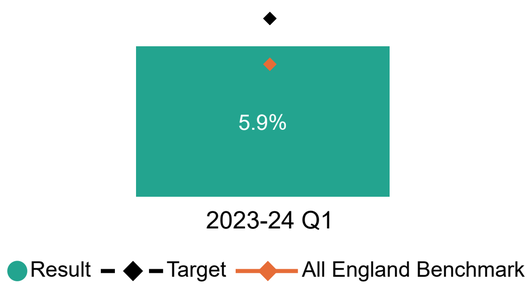
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▼ | 5.20% | 7.00% | 5.90% | N/A | G |

**Percentage of 16- and 17- year olds that are Not in or Not Known status, in terms of Education, Employment or Training**




**Latest Comments**

Data is correct as of May 2023. Given the time in the academic calendar you will begin to see an increase in the NEET & Not Known figures whilst we are capturing data at key transition points. Currently with the DfE on 31 May 2023 we have confirmed the cohort to report against for this annual tracking cycle activity. Stage two of the process is to confirm the September Guarantee figures - offers of young people's participation.

# A Bold **Prosperous** Birmingham

**Measure:** PPS_CP_02 - Public sector investment in the Enterprise Zone

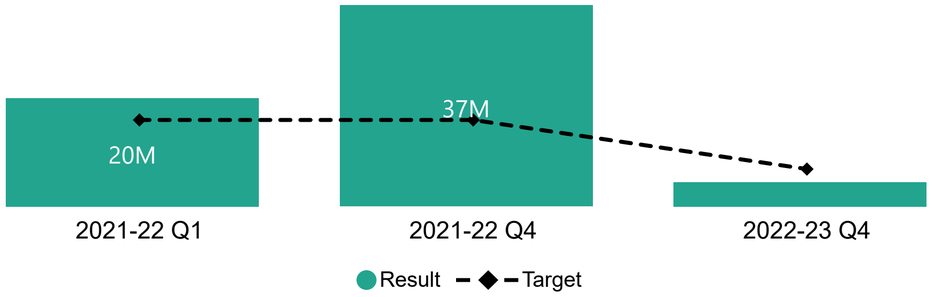
**Portfolio:** Leader

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | £1m | NYD | NYD | NYD |

**Public sector investment in the Enterprise Zone**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Prosperous** Birmingham

**Measure:** PPS_CP_06 - Private sector investment in the Enterprise Zone

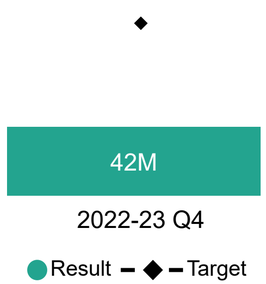
**Portfolio:** Leader

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | RAG Status |
|---|---|---|---|
| ▲ | £47m | NYD | N/A |

**Private sector investment in the Enterprise Zone**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_01 - Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service

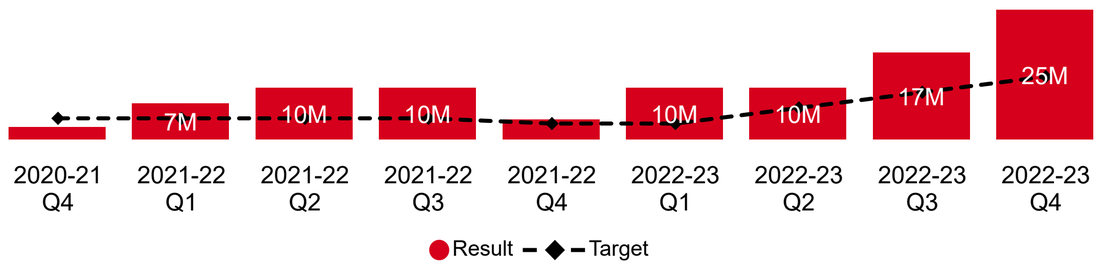
**Portfolio:** Finance & Resources

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 12M | 25M | Improved | G | Quarter |

**Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service**




**Latest Comments**

Quarter 4 commentary: KPI reported a quarter in arrears: The year-end (01/04/2022 – 31/03/2023) result of £24,816,298 has significantly exceeded the £12,000,000 target for the year.
With the availability of some substantial additional targeted funding opportunities for citizens such as Household Support Fund, Vulnerable Renters Grant, Energy Rebate Schemes and top up to Local Welfare Provision the NAIS performance has continued to increase accordingly.
'To achieve this level of income maximisation in 2022/23 the service has supported 39,223 persons, mostly within the two publicly accessible offices in Erdington & Northfield but also with some citizens supported by NAIS staff who working alongside the Housing Lettings Team & the Home Options Team and those handling telephone referrals received from the Contact Centre.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_02 - Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service"

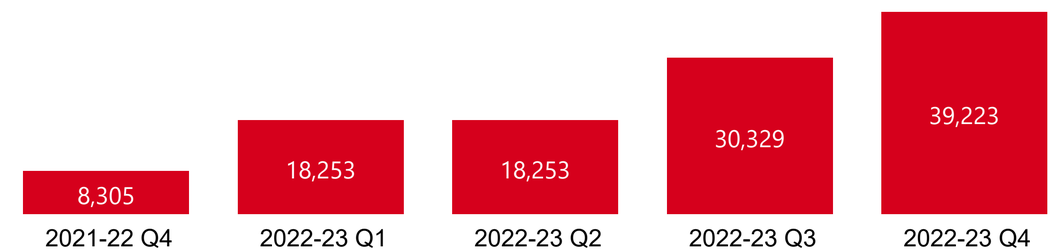
**Portfolio:** Finance & Resources

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|
| ▲ | N/A | 39223 | Improved | Quarter |

**Total no. of people supported to achieve the KPI "Maximising income for citizens: a) total additional income achieved for citizens from benefits / charitable sources by the Neighbourhood Advice and Information Service"**




**Latest Comments**

Quarter 4 commentary: KPI reported a quarter in arrears: The year-end (01/04/2022 – 31/03/2023) result of £24,816,298 has significantly exceeded the £12,000,000 target for the year.
With the availability of some substantial additional targeted funding opportunities for citizens such as Household Support Fund, Vulnerable Renters Grant, Energy Rebate Schemes and top up to Local Welfare Provision the NAIS performance has continued to increase accordingly.
'To achieve this level of income maximisation in 2022/23 the service has supported 39,223 persons, mostly within the two publicly accessible offices in Erdington & Northfield but also with some citizens supported by NAIS staff who working alongside the Housing Lettings Team & the Home Options Team and those handling telephone referrals received from the Contact Centre.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_03 - Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council

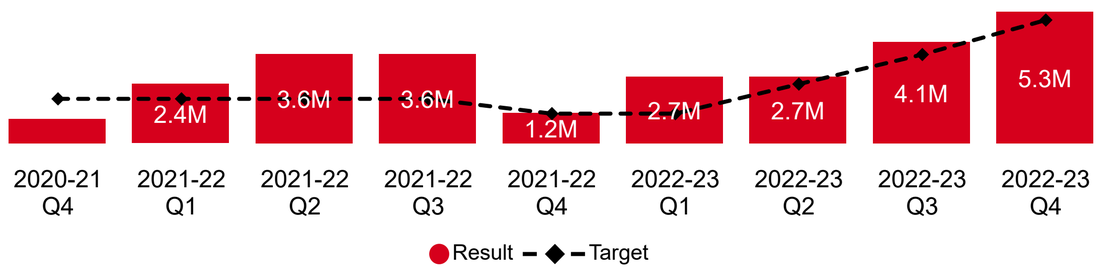
**Portfolio:** Finance & Resources

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 5M | 5.34M | Improved | G | Quarter |

**Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council**




**Latest Comments**

Quarter 4 commentary: KPI reported a quarter in arrears: The year end (01/04/2022 – 31/03/2023) result of £5,339,791 has surpassed the £5,000,000 target for this period.

To achieve this level of income maximisation for the year 2022/23, the service's third sector advice partners has supported 6,275 persons, with 3,177 of these supported via the telephone contract and the remainder via face-to-face services.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_04 - Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council"

**Portfolio:** Finance & Resources

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|
| ▲ | N/A | 6275 | Improved | Quarter |

**Total no. of people supported to achieve KPI "Maximising income for citizens: b) total additional income achieved for citizens from benefits / charitable sources by third sector advice providers contracted by the Council"**

**Latest Comments**

Quarter 4 commentary: KPI reported a quarter in arrears: The year end (01/04/2022 – 31/03/2023) result of £5,339,791 has surpassed the £5,000,000 target for this period.

To achieve this level of income maximisation for the year 2022/23, the service's third sector advice partners has supported 6,275 persons, with 3,177 of these supported via the telephone contract and the remainder via face-to-face services.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_05 - Number of ward forum meetings held by Elected Members annually

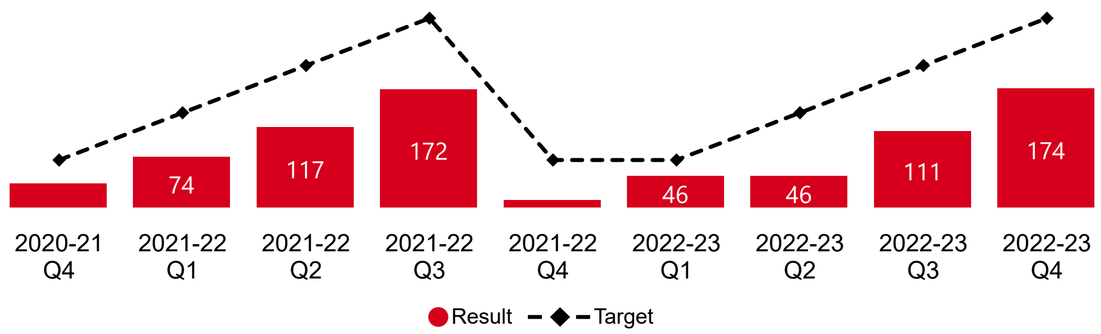
**Portfolio:** Leader

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 276 | 174 | Improved | R | Quarter |

**Number of ward forum meetings held by Elected Members annually**




**Latest Comments**

KPI reported in arrears: The year-end (April 2022 – March 2023) result of 174 meetings held has not achieved the year-end target of 276 (one meeting per ward in each quarter).
Of the 69 wards, 59 undertook meetings this year and of those, only 19 wards met the target of one meeting per quarter, as per the constitution.
Elections took place in Quarter 1 and so April saw members focussed on campaigning. May and June was also quieter, as new and re-elected members got inducted and settled in to the new electoral term. Quarter 2 saw the summer break and also the national period of mourning where all public meetings were cancelled, which had an impact on numbers.
Community Governance Managers continue encourage all Councillors to advise of availability and book Ward Forum Meetings for the year ahead. There are currently 31 meetings booked for 23/2024.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_06 - Number of ward plans updated or completed by Elected Members in the year

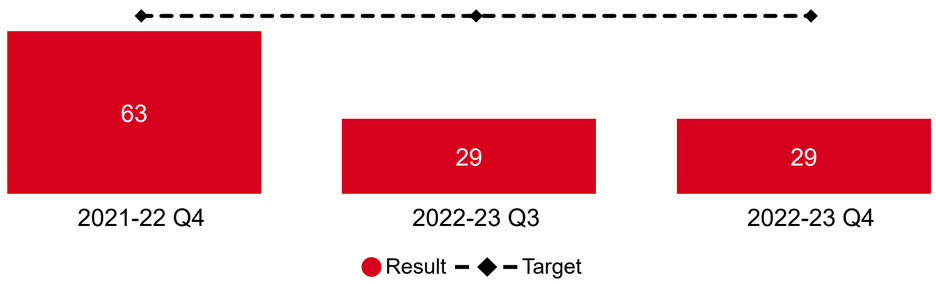
**Portfolio:** Leader

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 69 | 29 | Static | R | Quarter |

**Number of ward plans updated or completed by Elected Members in the year**




**Latest Comments**

The year-end (01/04/2022 - 31/03/2023) result is 29 ward action plans have been completed towards the overall year-end target of 69 (one per ward).
Of the remaining wards, 30 plans are in progress and 10 are rated red, as no information or correspondence relating to progress has been received.
Members are responsible for ensuring a ward action plan is developed, written, and submitted for their ward, with support from officers where needed.
Support and guidance from Neighbourhoods Development and Support Unit (NDSU) is ongoing for members, officers and residents engaging in the process. Quarterly drop-in sessions will continue, allowing members to share progress and/or troubleshoot issues. These sessions will also help understand where the blockages are with some of the outstanding ward action plans.

# A Bold **Inclusive** Birmingham

**Measure:** CO_CP_07 - Number of community organisations developing and submitting crowdfunding and CIL (local element) small grants projects

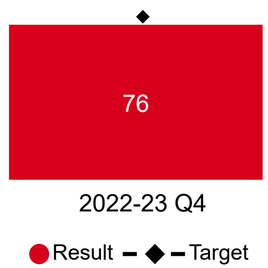
**Portfolio:** Leader

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 80 | NYD | NYD | NYD |

**Number of community organisations developing and submitting crowdfunding and CIL (local element) small grants projects**




**Latest Comments**

This is an annual measure and will be reported in quarter 4.

# A Bold **Inclusive** Birmingham

**Measure:** SEP_CP_04 - Average opens of Birmingham eBulletin

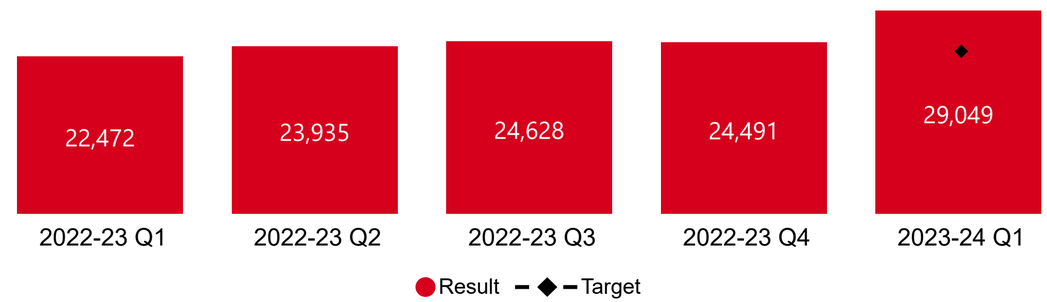
**Portfolio:** Leader

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 23,194 | 29,049 | Improved | G |

**Average opens of Birmingham eBulletin**




**Latest Comments**

The number of subscribers of the Birmingham eBulletin increased to 77k, up from 76.8k at the end of the previous quarter and will have contributed to the increase in average opens in Q1.

# A Bold **Inclusive** Birmingham

**Measure:** SEP_CP_05 - Total number of followers of the corporate social media accounts

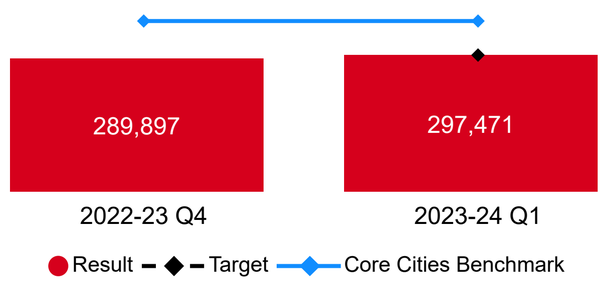
**Portfolio:** Leader

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 371190 | 297,144 | 297,471 | Improved | G |

**Total number of followers of the corporate social media accounts**




**Latest Comments**

Followers of the corporate accounts of Twitter, Facebook, Instagram, LinkedIn, You Tube and Tik Tok have increased by 2.6% from the end of the previous quarter.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_11 - Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE)

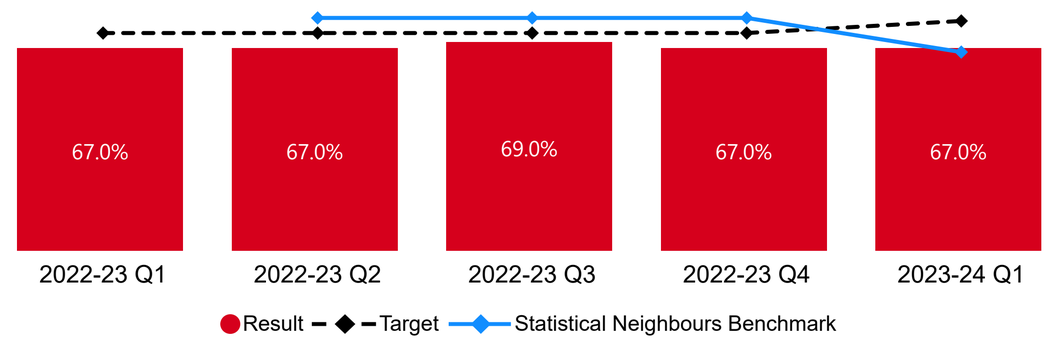
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 65.70% | 76.0% | 67.0% | Static | R |

**Early Years Entitlement: Percentage of 2-year-olds accessing Early Education Entitlement (EEE)**




**Latest Comments**

Despite previous improvements in take up rates, this has now plateaued during Q1 which is now showing as below target. New strategies are being identified to increase take up within hard to reach communities (due to cultural barriers) eg: families in temporary accomodation.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_12 - Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE)

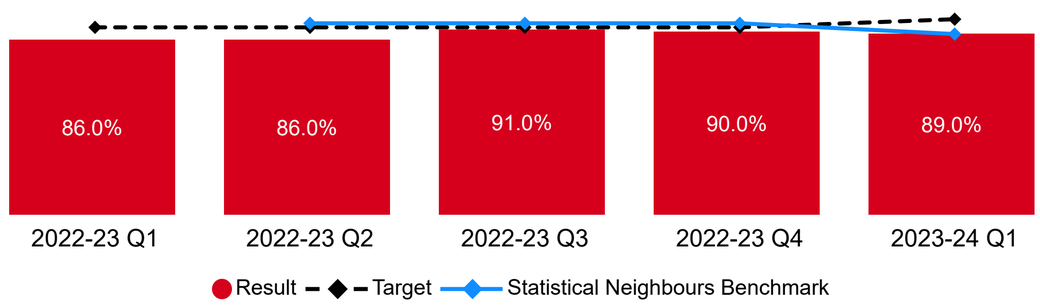
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 88.70% | 96.0% | 89.0% | Static | R |

**Early Years Entitlement: Percentage of 3 and 4-year-olds accessing 15 hours Early Education Entitlement (EEE)**




**Latest Comments**

Performance for 3 and 4 year olds is mirroring that of 2 year olds, this has also plateaued during Q1 which is now showing as below target. New strategies are being identified to increase take up within hard to reach communities (due to cultural barriers) eg: families in temporary accomodation.

# A Bold **Inclusive** Birmingham

**Measure:** CF_VS_03 - Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions

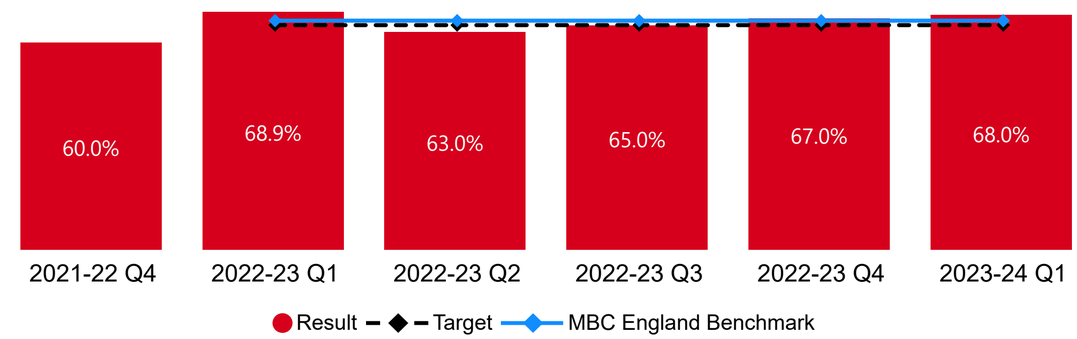
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 66.30% | 65.0% | 68.0% | Static | G |

**Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions**




**Latest Comments**

The latest data is for June 2022 to May 2023 it shows the newly embeded processes continue to work well and we continue to be above our target and the National Average of 65%.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_14 - Number of children and young people (aged 5-16) with an EHCP awaiting specialist placements for more than 12 weeks

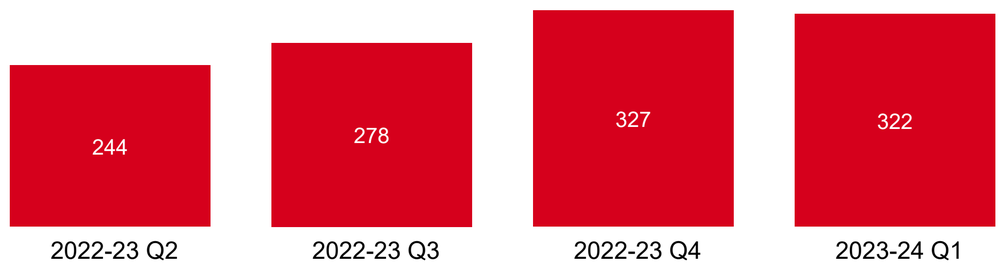
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▼ | N/A | 322 | Static |

**Number of children and young people (aged 5-16) with an EHCP awaiting specialist placements for more than 12 weeks**




**Latest Comments**

While numbers have remained relatively constant, this is a slight increase on the May result. However, we have continued to work with schools to increase capacity and 136 of these Children/Young People have places secured for September 2023.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_15 - Absence Rate: Primary

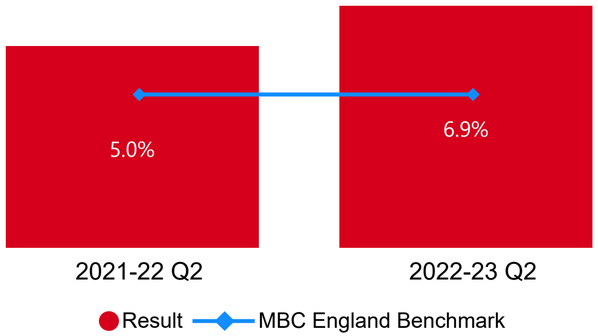
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|---|
| ▼ | 6.30% | N/A | NYD | NYD | Previous school year |

**Absence Rate: Primary**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_16 - Absence Rate: Secondary

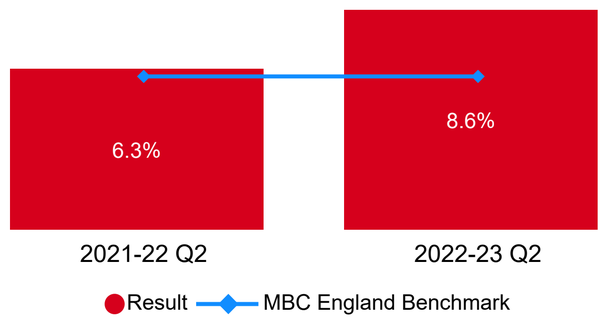
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|---|
| ▼ | 9.50% | N/A | NYD | NYD | Previous school year |

**Absence Rate: Secondary**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_23 - Primary school exclusion rate

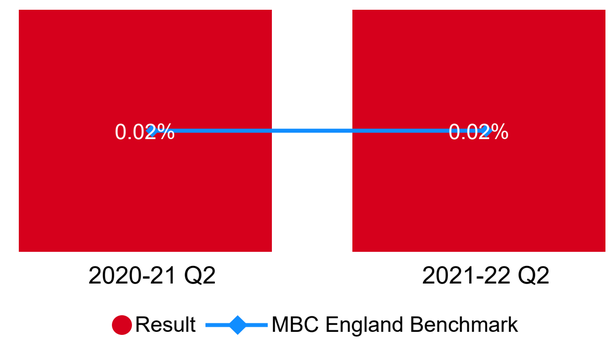
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|---|
| ▼ | 0.01% | N/A | NYD | NYD | Previous school year |

**Primary school exclusion rate**




**Latest Comments**

This is annual measure and will be reported at Quarter 2 2023/24.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_24 - Secondary school exclusions rate

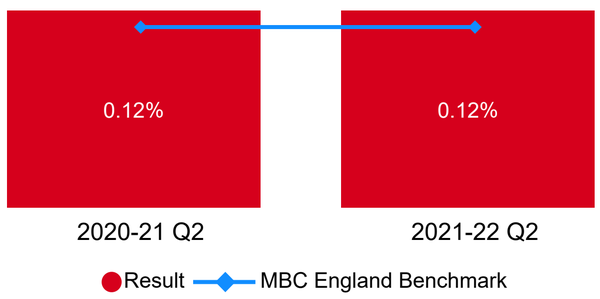
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|---|
| ▼ | 0.15% | N/A | NYD | NYD | Previous school year |

**Secondary school exclusions rate**




**Latest Comments**

This is annual measure and will be reported at Quarter 2 2023/24.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_27 - Special School Exclusion rate

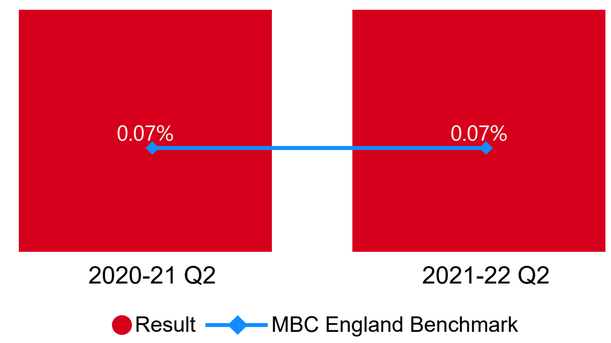
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|---|
| ▼ | 0.02% | N/A | NYD | NYD | Previous school year |

**Special School Exclusion rate**




**Latest Comments**

This is annual measure and will be reported at Quarter 2 2023/24.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_29 - Number of students we provide transport for

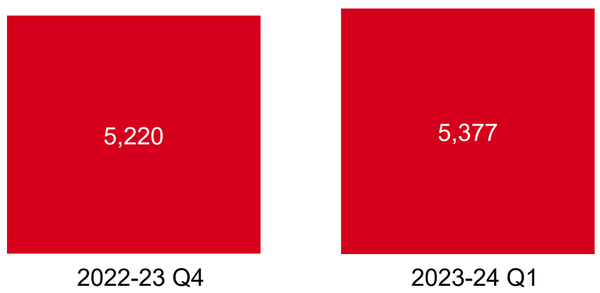
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|
| ▼ | N/A | 5377 | Worse | Month |

**Number of students we provide transport for**




**Latest Comments**

The number of students we support with transport in Q1 is 5377 of which 200 are personal transport budgets. A data dashboard is currently being developed to assist the service further. The data dashboard will be available for Q2 and will capture the overall number of applications against agreed and declined.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_02 - Care leavers in suitable accommodation aged 19, 20 or 21

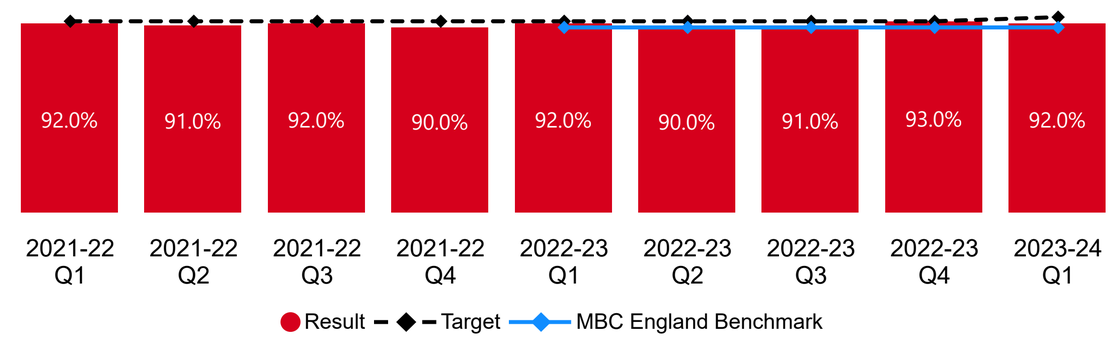
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 90.00% | 95.0% | 92.0% | Static | A |

**Care leavers in suitable accommodation aged 19, 20 or 21**




**Latest Comments**

Performance has increased towards the end of Q1 to 92%, generally this has remained consistent for some months now. The KPI is above the national and statistical neighbour averages. This is supported by the availability of accommodation through the City Council and third sector housing providers, care leavers being a priority for City Council housing. Although there is an established Care Leavers Housing Pathway, the 'choice' as to the location and type of the accommodation remains limited and there is more to do in this area.

# A Bold **Inclusive** Birmingham

**Measure:** CF_CP_01a - Percentage of care leavers in employment, education or training (EET) on their 19th to 21st birthday

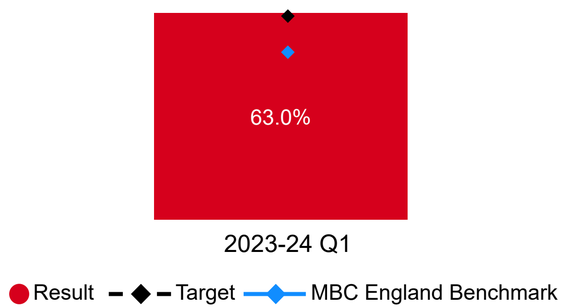
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 51.00% | 62.0% | 63.0% | N/A | G |

**Percentage of care leavers in employment, education or training (EET) on their 19th to 21st birthday**




**Latest Comments**

Performance has fluctuated for EET on 17th and 18th birthday during Q1 from 61% below target in Apr and June to 68% above target in May, this is consistently within tolerance.

However, performance for EET on 19th to 21st birthday is strong at 63%, above target and above National and Statistical Neighbour averages.

# A Bold Safe Birmingham

**Measure:** CO_CP_12 - Number of Anti-Social Behaviour incidents reported to the Council

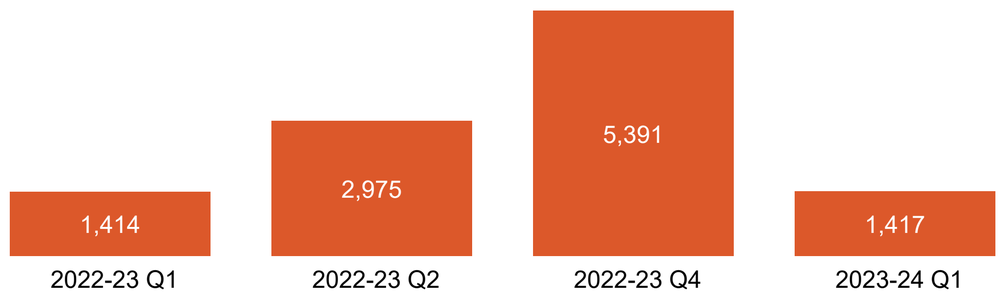
**Portfolio:** Social Justice, Community Safety and Equalities

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▼ | N/A | 1417 | Static |

**Number of Anti-Social Behaviour incidents reported to the Council**




**Latest Comments**

The year-to-date (01/4/2023-30/6/2023) result is 1,417, which is slightly higher (three cases) than the same period (01/04/2022 - 30/06/2022) last year.

Reports of ASB to the Council are wide ranging for the purpose of this KPI. The figures shown are from the Community Safety Team and from the City Housing Directorate. The reports received mostly relate to neighbour nuisance, ASB from groups/gangs, damage to property, ASB begging, illegal use of a property, noise (not all statutory), vehicle nuisance, prostitution, ASB youth related and substance misuse.

NB: This KPI has no set targets. Direction of travel (DofT) status compares against same quarter last year.

# A Bold Safe Birmingham

**Measure:** CO_CP_28 - Number of Anti Social Behaviour Case Reviews received

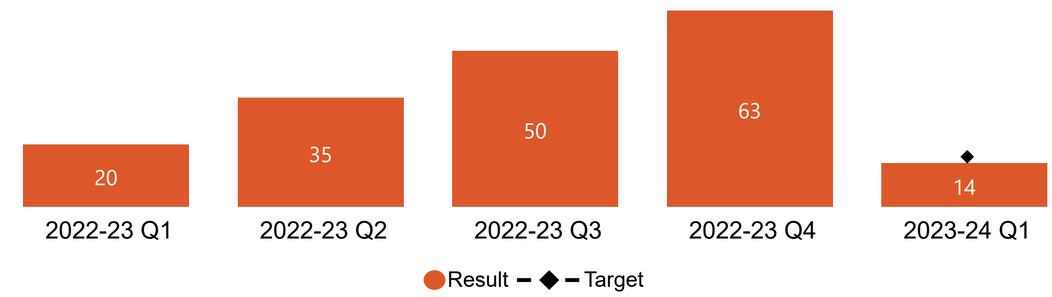
**Portfolio:** Social Justice, Community Safety and Equalities

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▼ | 16 | 14 | Improved | G |

**Number of Anti Social Behaviour Case Reviews received**




**Latest Comments**

The Quarter 1 (01/04/2023 to 30/06/2023) result is 14 which has achieved the target of 16. This result is 30% lower, then the same period (Quarter 1) last year.

Of the 14 ASB case review requests, 1 is waiting assessment, 2 met the threshold, 6 withdrew during the process and 5 didn't meet the threshold.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold **Safe** Birmingham

**Measure:** CO_CP_27 - Percentage of Community Safety 'front door' enquiries closed within 28 days

**Portfolio:** Social Justice, Community Safety and Equalities

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 75.0% | NYD | N/A | NYD | Month |

**Percentage of Community Safety 'front door' enquiries closed within 28 days**

*New measure: data will be available in Qtr 2.*

**Latest Comments**

This is a new measure for 2023/24. It will be reported in arrears so the Quarter 1 (01/04/2023 - 30/06/2023) result will be available for the next reporting cycle.

# A Bold **Safe** Birmingham

**Measure:** CO_CP_14 - Number of hate crimes reported to the Council

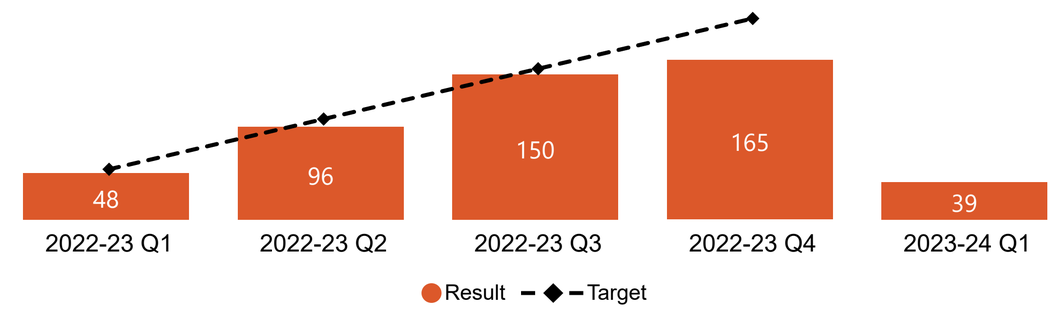
**Portfolio:** Social Justice, Community Safety and Equalities

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▼ | N/A | 39 | Improved |

**Number of hate crimes reported to the Council**




**Latest Comments**

The year-to-date (01/04/2023 to 30/06/2023) result is 39, which is 18% lower that the same period (01/04/2022 - 30/06/2022) last year.

NB: This KPI has no set targets. Direction of travel (DofT) status compares against same quarter last year.

# A Bold **Safe** Birmingham

**Measure:** CO_CP_16 - Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours

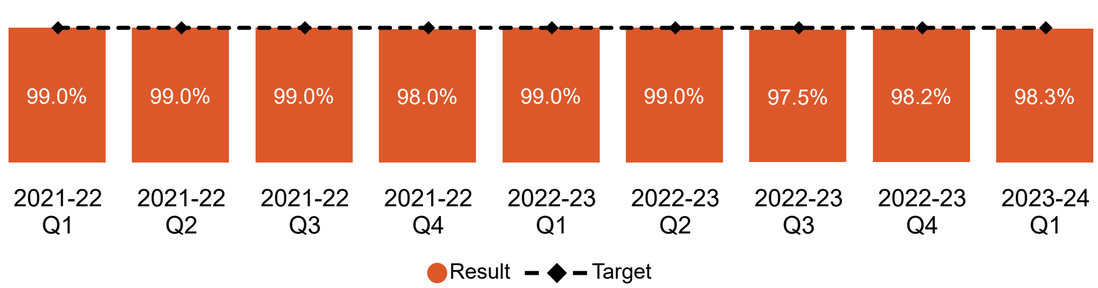
**Portfolio:** Transport

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 99.0% | 98.3% | Static | A | Month |

**Percentage of Category 1 road defects and urgent faults that are attended to and made safe within 2 hours**




**Latest Comments**

KPI reported one month in arrears: The quarter 1 (01/03/2023 - 31/05/2023) result is 98.3% which is just under the target of 99.00% for this period.

This is being addressed with the Service Provider to help improve services.

The current contractual target of responding to any serious defect on the road network is set at 2 hrs. As part of the monthly audit and assurance processes, checks are conducted against the services delivered. With a monthly target performance level of 99.00% for this key performance indicator, where performance falls below the target, this results in the sub-contractor losing performance related monies. In instances where the contractual requirement is not met, it is important to highlight that the defects in question have still been attended and made safe, ensuring statutory requirements are met.

# A Bold **Safe** Birmingham

**Measure:** CO_CP_15 - Percentage of Streetlight In-Light repairs carried out within service standard (time)

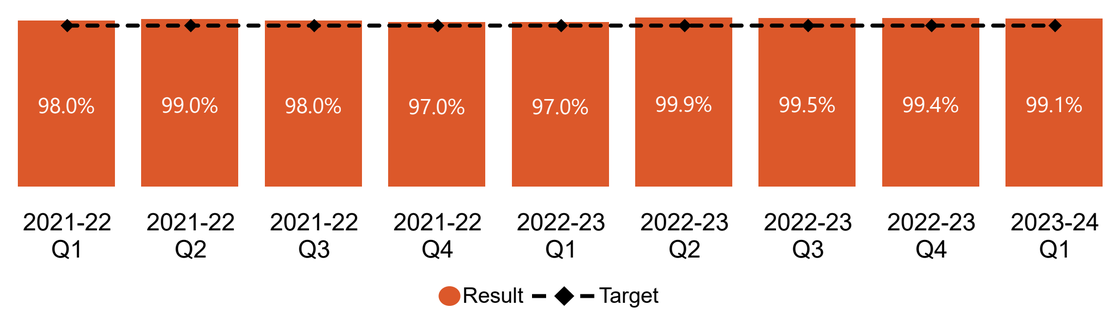
**Portfolio:** Transport

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 95.0% | 99.1% | Static | G | Month |

**Percentage of Streetlight In-Light repairs carried out within service standard (time)**




**Latest Comments**

KPI reported one month in arrears: The quarter 1 (01/03/2023 - 31/05/2023) result is 99.1% which has achieved the contractual target of 95.00% for this period.

The service provider has performed above the expected contractual target for this period.

# A Bold **Safe** Birmingham

**Measure:** ASC_CP_04 - Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months

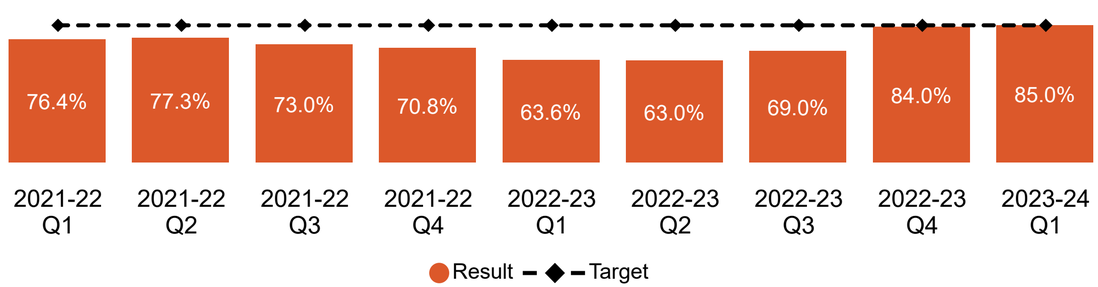
**Portfolio:** Health & Social Care

**Directorate:** Adult Social Care

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 85.0% | 85.0% | Static | G |

**Proportion of Adult Social Care clients reviewed, reassessed or assessed within 12 months**




**Latest Comments**

This quarter the result is at 85% which is an improvement over last quarter and now meets the target. We have achieved this result by focusing on carrying out reviews by their due dates, and prioritising when changes in citizens' circumstances or risks are identified through our duty and safeguarding teams. We also monitor our performance with regular reports and address issues in monthly performance meetings.
Our improved performance means that citizens who receive services from us have the chance to discuss whether their needs are met, and how they want their services to support them more frequently. We will continue to follow the approach above to maintain this improvement.

# A Bold **Safe** Birmingham

**Measure:** ASC_CP_05 - Percentage of concluded Adult Social Care Safeguarding enquiries where the desired outcomes were met

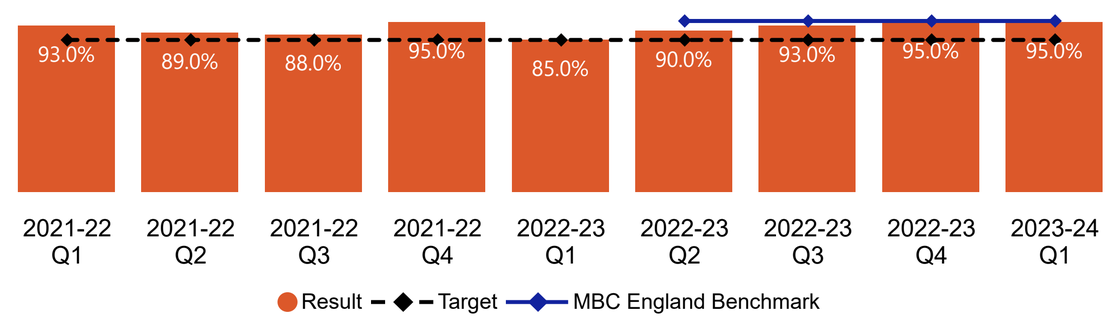
**Portfolio:** Health & Social Care

**Directorate:** Adult Social Care

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 95.60% | 85.0% | 95.0% | Static | G |

**Percentage of concluded Adult Social Care Safeguarding enquiries where the desired outcomes were met**




**Latest Comments**

This quarter we have continued to exceed the target of 85% with a result of 95%.
We are still receiving a larger number of safeguarding concerns than we have in previous years, with around 275 coming in each week on average. Not every concern leads to an enquiry, and we are using triage to manage this so that we can prioritise cases with higher risk. This means that as well as helping keep vulnerable citizens safer, we are more able to meet their desired outcomes before the opportunity has passed.
We will continue to monitor our workload and performance, and to set clear targets for allocating and completing safeguarding enquiries within our team.

# A Bold **Safe** Birmingham

**Measure:** ASC_CP_02 - Total no. of domestic abuse victims supported through the Part 4 new statutory duty

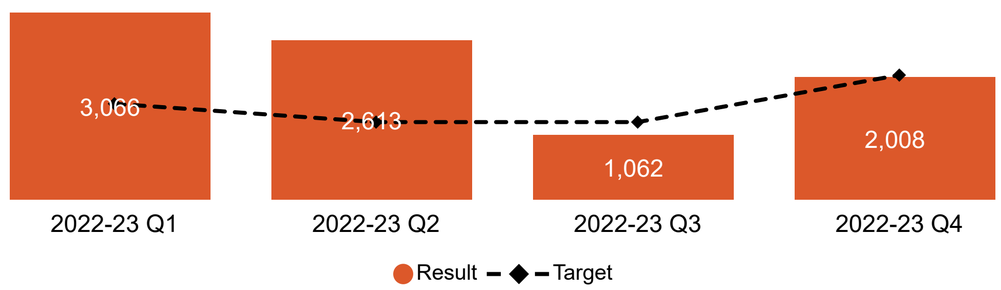
**Portfolio:** Social Justice, Community Safety and Equalities

**Directorate:** Adult Social Care

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 2,040 | 2,008 | Improved | A | Quarter |

**Total no. of domestic abuse victims supported through the Part 4 new statutory duty**




**Latest Comments**

To meet our statutory duty, Birmingham City Council continues to provide support within commissioned safe accommodation. This includes helpline and webchat, counselling, and wellbeing activities. In this quarter the number fell short by 32.
Services delivered in refuge reach small numbers; there is a lack of move-on from refuge due to the limited amount of resettlement accommodation options available in the city e.g. social housing. However, intensive support sessions are delivered to women and children to recover following abuse. Two of the services supported no victims due to recruitment issues which have affected the sector nationally for over a year. We are now intervening, considering the evaluation of this support, and how to better utilise the funding. Over half of the support has been delivered over the webchat and helpline services. These continue to be essential to ensuring that victims can receive advice, options, and support from specialists at the pace that suits them.

# A Bold **Safe** Birmingham

**Measure:** CF_CP_07 - BCT Measure: Percentage of children who become the subject of a Child Protection plan for a second or subsequent time within the last 2 years

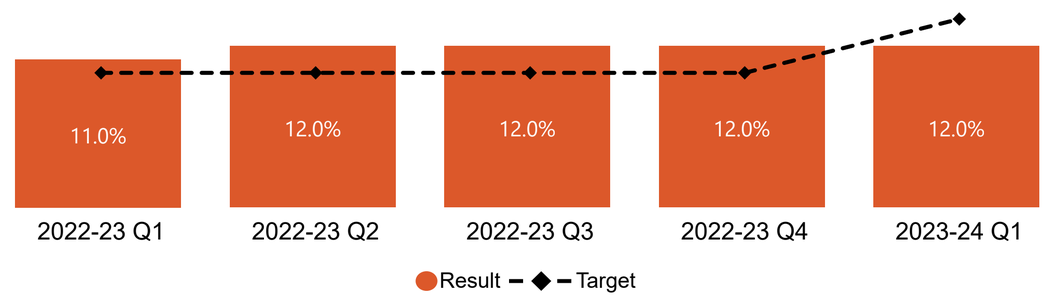
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▼ | 14.0% | 12.0% | Static | G |

**BCT Measure: Percentage of children who become the subject of a Child Protection plan for a second or subsequent time within the last 2 years**




**Latest Comments**

We are performing well, and this gives assurance that children are not being de-listed from Child Protection (CP) prematurely or re-listed inappropriately. Review of the children who have been re-listed this year having had a previous CP plan in the last 2 years identified that appropriate plans are in place for these children, with a number having been escalated into pre-proceedings.

# A Bold Safe Birmingham

**Measure:** CF_CP_26 - BCT Measure: Percentage of children in care experiencing three or more moves within a year

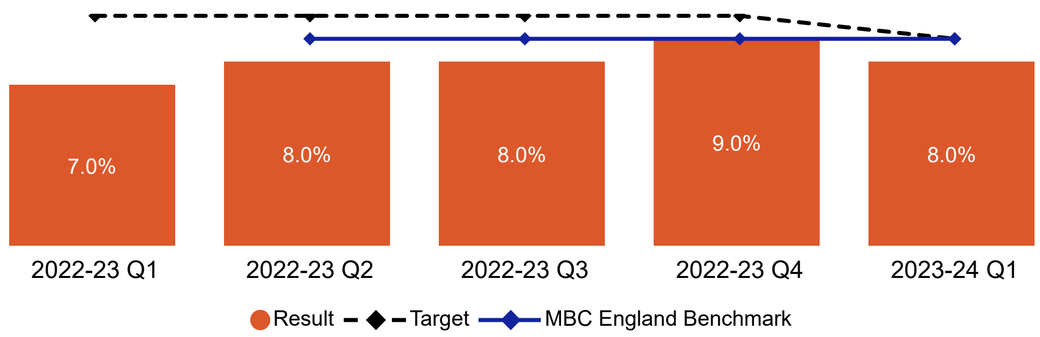
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▼ | 9.00% | 9.0% | 8.0% | Improved | G |

**BCT Measure: Percentage of children in care experiencing three or more moves within a year**




**Latest Comments**

For Q1 we have been consistent at 8% of children with three or more placement moves in the last 12 months. This is broadly the same as for the previous quarter. We are performing well and better than national and statistical neighbours.

# A Bold Safe Birmingham

**Measure:** CF_VS_19 - BCT Measure: Re-referral Rate

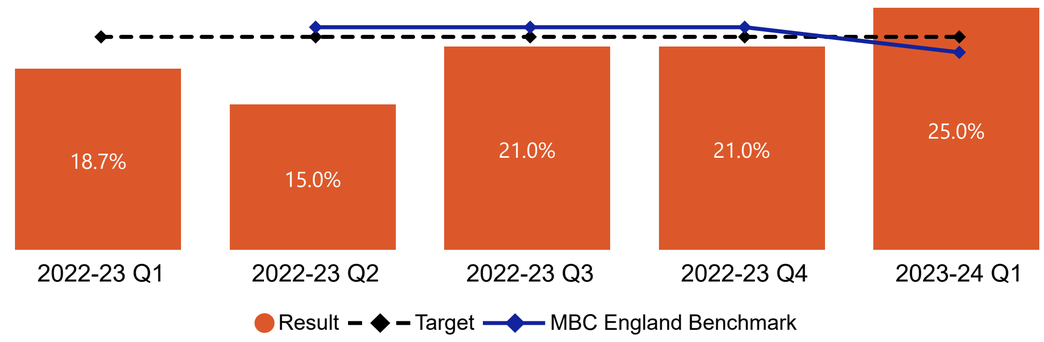
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▼ | 20.40% | 22.0% | 25.0% | Worse | A |

**BCT Measure: Re-referral Rate**




**Latest Comments**

The rate of re-referrals increased to 25% at the end of Q1. This is now above our target but is still within our tolerance.

# A Bold Safe Birmingham

**Measure:** CF_VS_20 - BCT Measure: Average social worker caseload

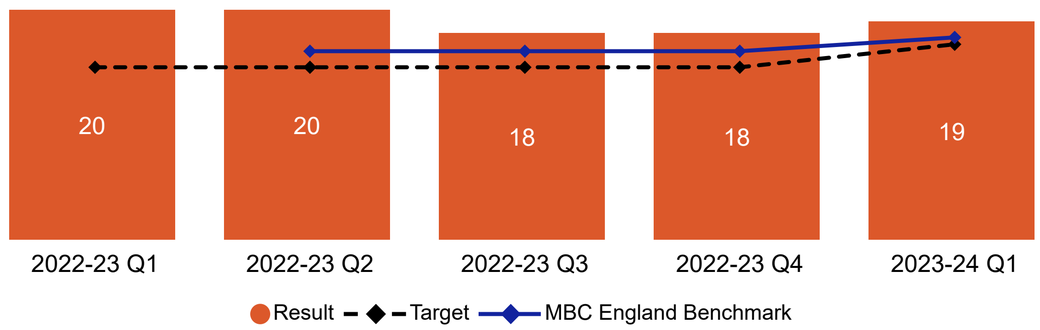
**Portfolio:** Children, Young People & Families

**Directorate:** Children and Families

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▼ | 17.6 | 17 | 19 | Worse | A |

**BCT Measure: Average social worker caseload**




**Latest Comments**

The caseload average for June is 19. This figure remains within tolerance but above our target figure for 2023/24. We know that caseloads across the Trust vary and are reviewing the operating model through our child's journey work to ensure smoother transitions for children across the social care/social work system and manageable caseloads across the Trust.

# A Bold Safe Birmingham

**Measure:** CO_CP_17 - Number of properties improved in the Private Rented Sector as a result of Local Authority intervention

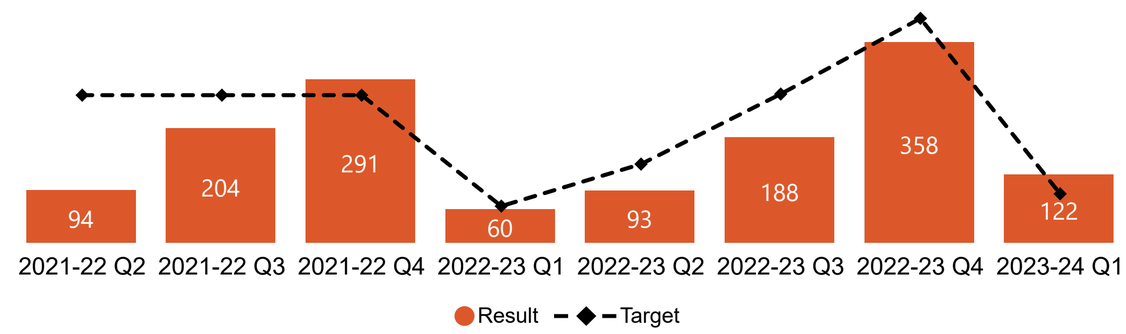
**Portfolio:** Housing and Homelessness

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 87 | 122 | Improved | G |

**Number of properties improved in the Private Rented Sector as a result of Local Authority intervention**




**Latest Comments**

The year-to-date (01/04/2023 - 30/06/2023) result is 122 which has achieved the year-to-date target of 87.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold **Safe** Birmingham

**Measure:** CO_CP_18 - Private sector empty properties brought back into use

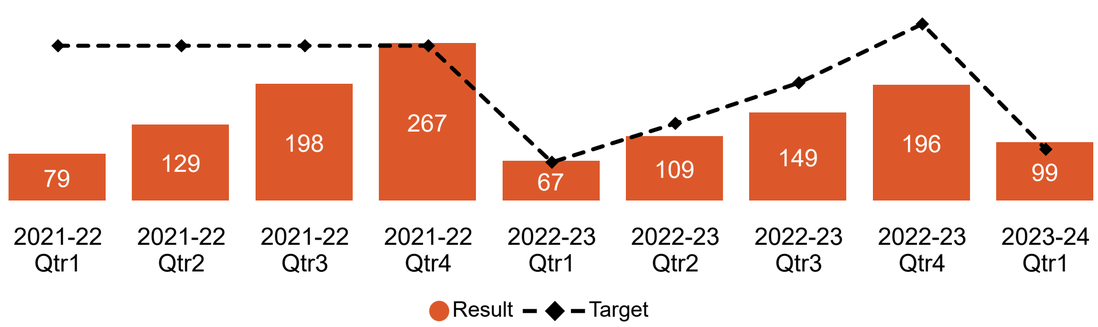
**Portfolio:** Housing and Homelessness

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 87 | 99 | Improved | G |

**Private sector empty properties brought back into use**




**Latest Comments**

The year-to-date (01/04/2023 - 30/06/2023) result is 99 which has achieved the year-to-date target of 89 for this period.

During this period the team engaged with the owners of 129 properties from which a total of 99 properties were bought back into use.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold **Safe** Birmingham

**Measure:** PPS_CP_10 - Number of new homes completed in the city across all tenures

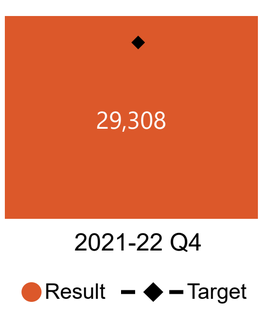
**Portfolio:** Leader

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 28,350 | NYD | NYD | NYD | Year |

**Number of new homes completed in the city across all tenures**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Safe** Birmingham

**Measure:** PPS_CP_07 - Number of homes built that are affordable

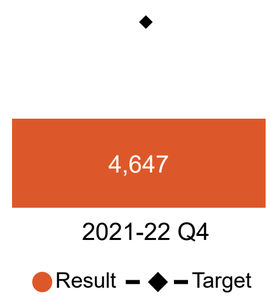
**Portfolio:** Leader

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 10,773 | NYD | NYD | NYD | Year |

**Number of homes built that are affordable**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Safe** Birmingham

**Measure:** PPS_CP_11 - Number of new homes completed in the City across a range of tenures through the Birmingham Municipal Housing Trust (BMHT) and InReach development programmes

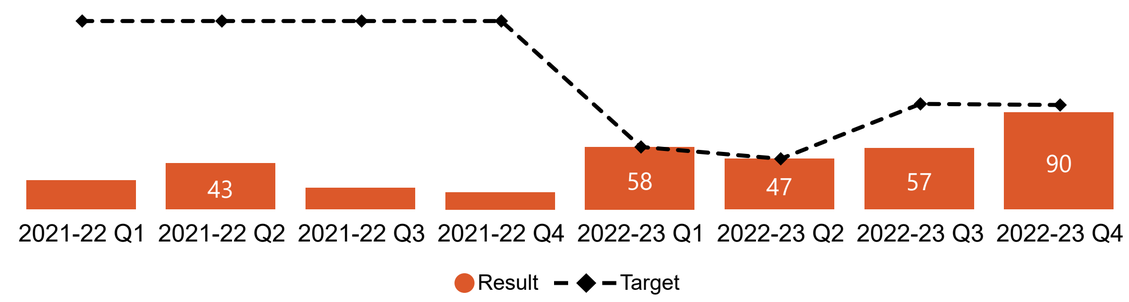
**Portfolio:** Leader

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 96 | NYD | NYD | NYD |

**Number of new homes completed in the City across a range of tenures through the Birmingham Municipal Housing Trust (BMHT) and InReach development programmes**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Safe** Birmingham

**Measure:** CH_CP_02 - Percentage of Council housing routine repairs completed within 30 days

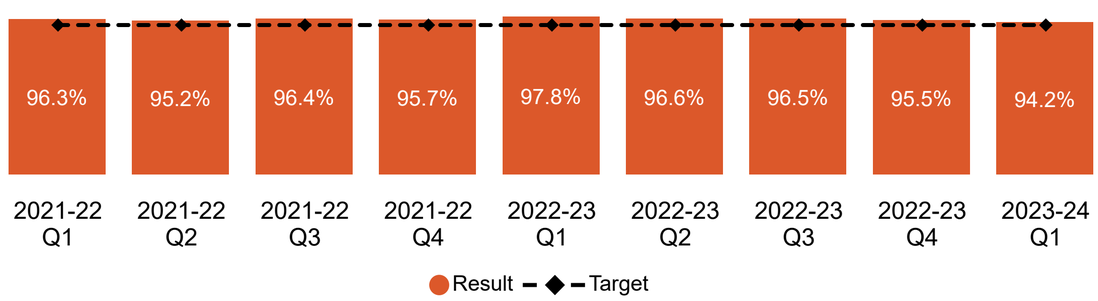
**Portfolio:** Housing and Homelessness

**Directorate:** City Housing

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 92.6% | 94.2% | Static | G |

**Percentage of Council housing routine repairs completed within 30 days**




**Latest Comments**

The cumulative quarter one result is 94.22% which is above the contractual target of 92.6% (45,752 repairs out of 48,561). The result for April was 96.5% and for May 94.8%. June's result is slightly below target at 92% due to the backlog of work in progress following the increase in repair volumes over the last six months. Whilst the majority of repairs orders are completed within the timescale and ensure a satisfactory KPI result, some repairs are of a more complex nature and /or related to damp and mould and take longer to close down thus affecting the overall result due to the age of the repair. We expect the next quarter to be below target and have already implemented plans with the contractors to clear aged work in progress by the end of September 2023. Contractor performance is monitored by our KPI results, daily work in progress alerts and monthly performance meetings which enable us to drill into areas which need targeted attention.

# A Bold **Safe** Birmingham

**Measure:** CH_CP_03 - Households where homelessness is prevented

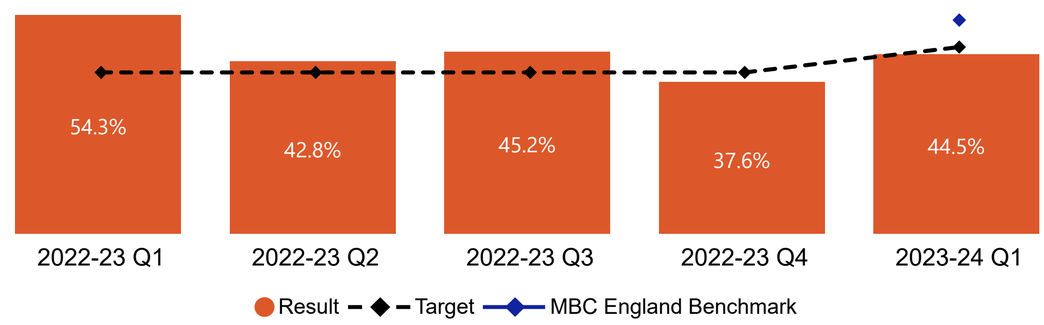
**Portfolio:** Housing and Homelessness

**Directorate:** City Housing

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 53.00% | 46.3% | 44.5% | Improved | A |

**Households where homelessness is prevented**




**Latest Comments**

This target has been refreshed and is a stretch target for 2023/24 which seeks to achieve the England average of 53% by March 2024. At the end of quarter 1, the service achieved 44.52%, which is 1.78% below the target of 46.30%. However, for the single month of June 2023 the sevice achieved 50.28% against a target of 46.3%, which is 4% above the target and indicates an improving trend in performance. In 2022-23 the service achieved an overall prevention rate of 46.36%, with some months stronger than others, but an overall improvement of 99% compared to 2021-22. Ongoing implementation of the Target Operating Model, investment in Housing Solutions Hubs and promotion of the Duty to Refer early, all seek to strengthen performance in this area.

# A Bold Safe Birmingham

**Measure:** CH_CP_07 - Total numbers of families in Bed and Breakfast over 6 weeks

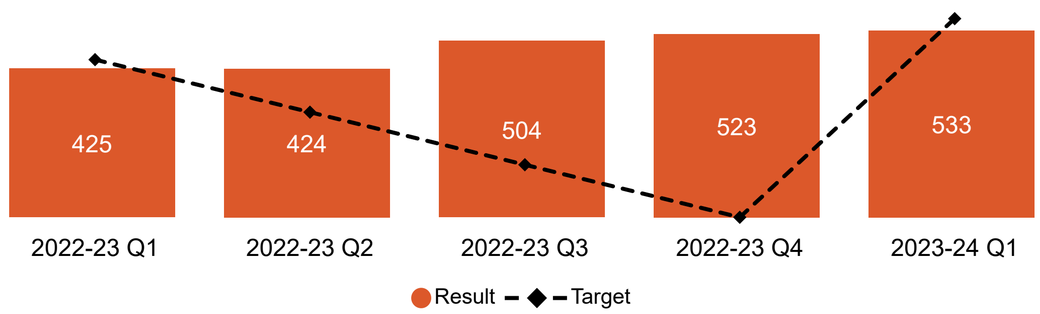
**Portfolio:** Housing and Homelessness

**Directorate:** City Housing

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▼ | 567 | 533 | Static | G |

**Total numbers of families in Bed and Breakfast over 6 weeks**




**Latest Comments**

The Bed & Breakfast (B&B) reduction target has been reprofiled at the invitation of DLUHC to recgonise the demand pressures and the extensive range of interventions that are in place. The revised stretched target seeks to achieve zero families in B&B over 6 weeks at July 2024. As of June 2023 (end of quarter 1), 533 households with dependents had been in B&B accommodation for more than 6 weeks against a target of 567. This is better than April's result of 553 against a target of 575, and a decrease of 35 families from May's result of 568 against a target of 571, remaining consistent in achieving the monthly profiled reductions. To meet the June 2023 target, 142 moves out of B&B in the month were required, assisted by a bulge in lettings and the use of annexes in place of B&B. A minimum of 123 moves out of B&B are required in July 2023 to achieve the end of month target.

# A Bold **Healthy** Birmingham

**Measure:** SEP_CP_02b - The percentage of NHS Health Checks offered by the total eligible population in the quarter

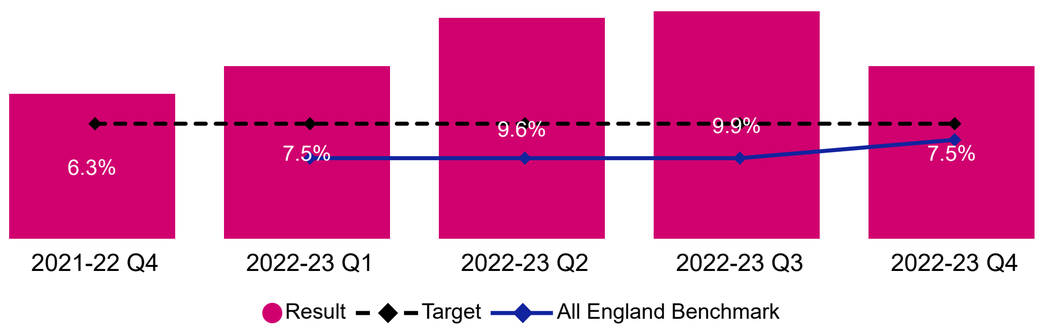
**Portfolio:** Health & Social Care

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|---|
| ▲ | 4.30% | 5.0% | 7.5% | Worse | G | Quarter |

**The percentage of NHS Health Checks offered by the total eligible population in the quarter**




**Latest Comments**

Performance remains above target. The tender to deliver the new service contract 2023 -2027 has closed. Once the tender award is complete a behaviour change pilot is planned and some test sites will be identified for point of care testing equipment to be deployed. This will focus on increasing uptake and quality of the check respectively.

# A Bold **Healthy** Birmingham

**Measure:** SEP_CP_02a - The number of NHS Health Checks offered by the total eligible population in the quarter

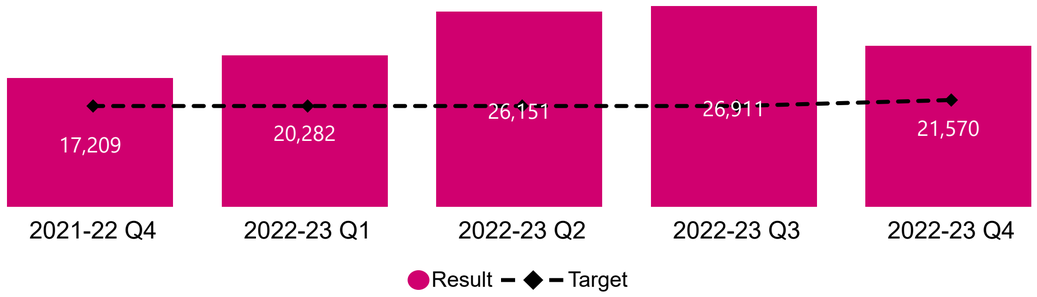
**Portfolio:** Health & Social Care

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 14,283 | 21,570 | Worse | G | Quarter |

**The number of NHS Health Checks offered by the total eligible population in the quarter**




**Latest Comments**

Performance remains above target. The tender to deliver the new service contract 2023 -2027 has closed. Once the tender award is complete a behaviour change pilot is planned and some test sites will be identified for point of care testing equipment to be deployed. This will focus on increasing uptake and quality of the check respectively.

# A Bold **Healthy** Birmingham

**Measure:** SEP_CP_02d - The percentage of NHS Health Checks received by the total eligible population in the quarter

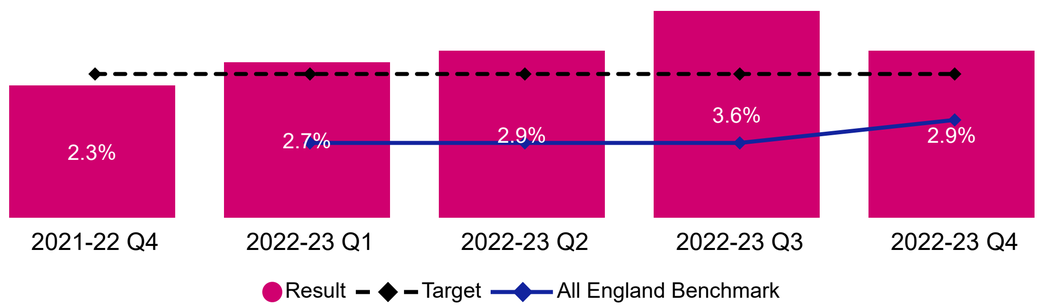
**Portfolio:** Health & Social Care

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|---|
| ▲ | 1.70% | 2.5% | 2.90% | Worse | G | Quarter |

**The percentage of NHS Health Checks received by the total eligible population in the quarter**




**Latest Comments**

Performance remains above target. The tender to deliver the new service contract 2023 -2027 has closed. Once the tender award is complete a behaviour change pilot is planned and some test sites will be identified for point of care testing equipment to be deployed. This will focus on increasing uptake and quality of the check respectively.

# A Bold **Healthy** Birmingham

**Measure:** SEP_CP_02c - The number of NHS Health Checks received by the total eligible population in the quarter

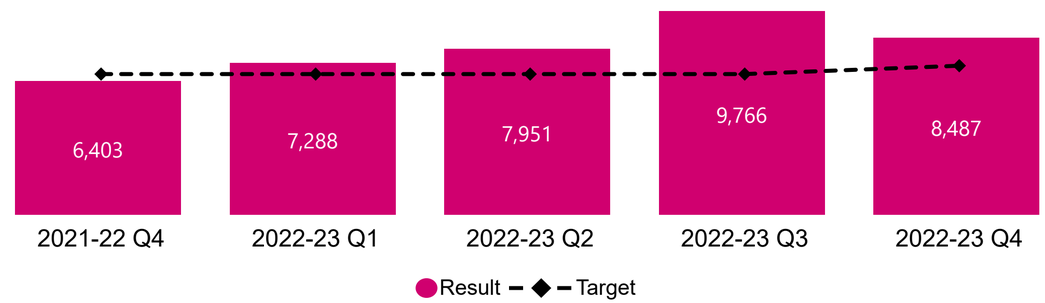
**Portfolio:** Health & Social Care

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 7,142 | 8,487 | Worse | G | Quarter |

**The number of NHS Health Checks received by the total eligible population in the quarter**




**Latest Comments**

Performance remains above target. The tender to deliver the new service contract 2023 -2027 has closed. Once the tender award is complete a behaviour change pilot is planned and some test sites will be identified for point of care testing equipment to be deployed. This will focus on increasing uptake and quality of the check respectively.

# A Bold **Healthy** Birmingham

**Measure:** SEP_CP_01 - Proportion of children aged 2-2½yrs receiving ASQ-3 as part of the Healthy Child Programme or integrated review

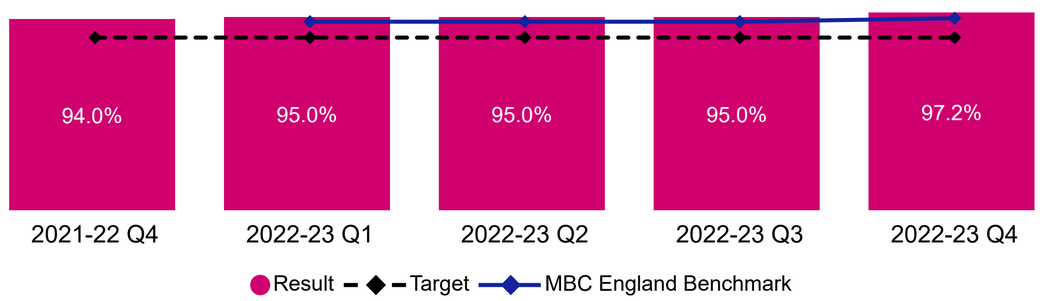
**Portfolio:** Children, Young People & Families

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|---|
| ▲ | 94.50% | 85.0% | 97.2% | Improved | G | Quarter |

**Proportion of children aged 2-2½yrs receiving ASQ-3 as part of the Healthy Child Programme or integrated review**




**Latest Comments**

Q4 01 January 2023 – 31 March 2023 (reported at the end of 2023/24 Q1 July 2023)
This data relates to 1st January 2023 to 31st March 2023 Q4 2022/23 as it is reported with a quarter lag.
The uptake of the ASQ as part of the delivery of the 2-2.5 year reviews continues to maintain its positive trend. There has not been a drop off in delivery since the return to face to face ASQs across the City in July 2022. This measure, alongside other KPIs, continues to be monitored on a quarterly basis through regular contract monitoring meetings. A deep dive looking at how a random selection of children have progressed to school readiness following their 2 year review and any interventions put in place, is in discussion.

# A Bold **Healthy** Birmingham

**Measure:** CF_CP_17 - Number of individual children attending the Holiday Activities and Food programme

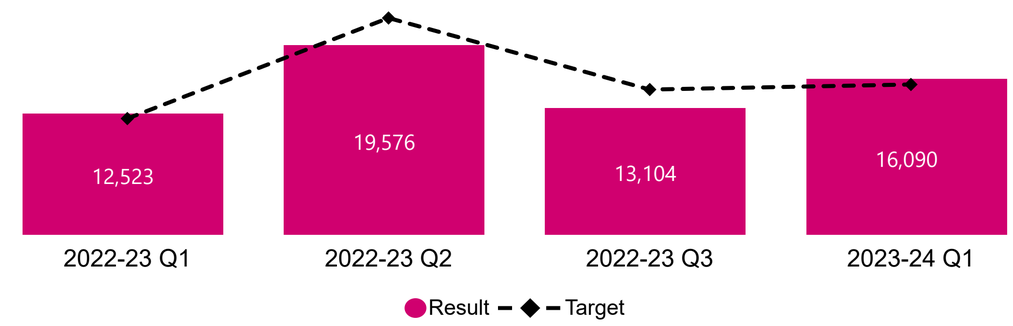
**Portfolio:** Health & Social Care

**Directorate:** Strategy, Equality and Partnerships (SEP)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 15,524 | 16,090 | Improved | G |

**Number of individual children attending the Holiday Activities and Food programme**




**Latest Comments**

We overachieved the target for Spring 2023 by +566 unique children and our uptake of 86% Free School Meal (FSM) children. The holiday activity clubs have been successfully targeting schools and parents who maybe eligible.

# A Bold **Healthy** Birmingham

**Measure:** CO_CP_19 - Number of physical activity interventions delivered by The Active Wellbeing Society (TAWS) across various programmes including Active Parks, Active Streets, the Run Project and Virtual Activities

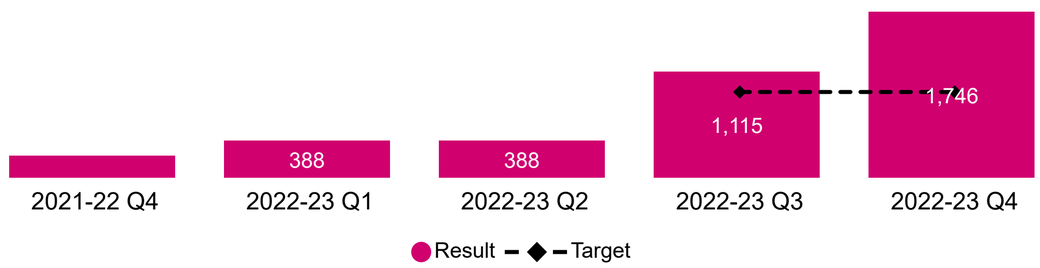
**Portfolio:** Health & Social Care

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 900 | 1,746 | Improved | G | Quarter |

**Number of physical activity interventions delivered by The Active Wellbeing Society (TAWS) across various programmes including Active Parks, Active Streets, the Run Project and Virtual Activities**




**Latest Comments**

KPI reported in arrears. The year-end (01/04/2022 - 31/03/2023) cumulative result of 1,746 is 193% of the annual year-end target of 900.

In Quarter 4, The Active Wellbeing Society (TAWS) continued to support communities with increased face-to-face delivery through parks, run, walk and streets sessions.

NB: No quarterly targets have been set for this KPI, only an annual year-end target as there are fluctuations in delivery throughout the year based on seasonal and sector trends. Therefore, performance is focused on achieving the year-end target rather than quarterly milestones.

# A Bold **Healthy** Birmingham

**Measure:** CO_CP_20 - Number of children and adult visits utilising the Be Active free leisure offer across all Birmingham Wellbeing and Leisure Centres

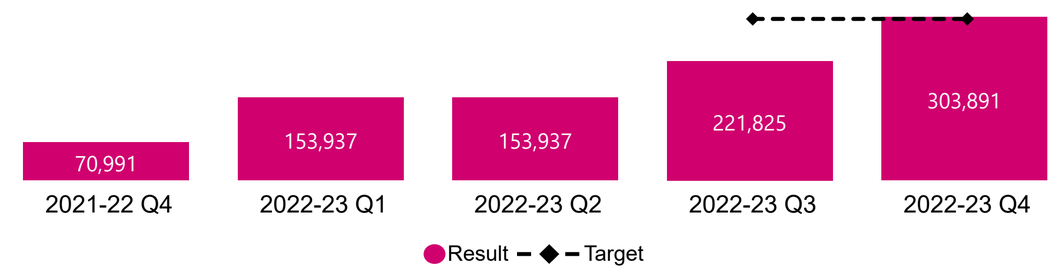
**Portfolio:** Health & Social Care

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 300,000 | 303,891 | Improved | G | Quarter |

**Number of children and adult visits utilising the Be Active free leisure offer across all Birmingham Wellbeing and Leisure Centres**




**Latest Comments**

KPI reported in arrears. The year-end (01/04/2022 - 31/03/2023) cumulative result of 303,891 is 101% of the annual year-end target of 300,000.
In Quarter 4, Be Active visits continue to be impacted as a result of the temporary main pool closure at Handsworth Wellbeing Centre for safety reasons due to roof damage. However, work to repair the roof is well underway and the pool remains on track to reopen early in the new financial year.
NB: No quarterly targets have been set for this KPI, only an annual year-end target as there are fluctuations in delivery throughout the year based on seasonal and sector trends. Therefore, performance is focused on achieving the year-end target rather than quarterly milestones.

# A Bold **Healthy** Birmingham

**Measure:** ASC_CP_06 - The percentage of people who receive Adult Social Care in their own home

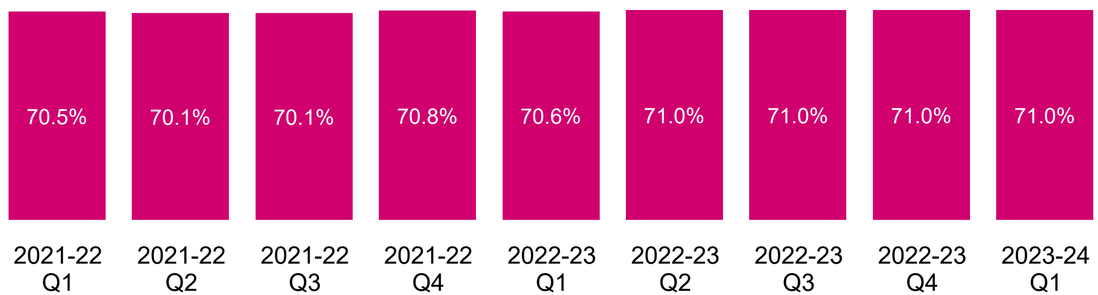
**Portfolio:** Health & Social Care

**Directorate:** Adult Social Care

**Summary:**

| Pref. DofT | Target | Result | DofT | Reporting in arrears? |
|---|---|---|---|---|
| ▲ | N/A | 71.00% | Static | Month |

**The percentage of people who receive Adult Social Care in their own home**




**Latest Comments**

This quarter the result is the same as last quarter at 71%.
Our ambition is to support as many people as we can to receive care at home, but we can only do this when it is safe and will meet people's needs within the framework set by the Care Act 2014. This means that some people's care needs will be greater than can be met at home, so we have to arrange care in a suitable setting such as a care home.
Our social work teams in the Hospital and Discharge to Assess services follow a "home first" policy where they support citizens to return home after stays in hospital wherever possible. Our teams working in the community have adopted a prevention-based approach which is aimed at reducing people's care needs, helping them to remain more independent at home for longer.

# A Bold **Healthy** Birmingham

**Measure:** ASC_CP_07 - Percentage/Proportion of clients discharged into Pathway 0 & Pathway 1

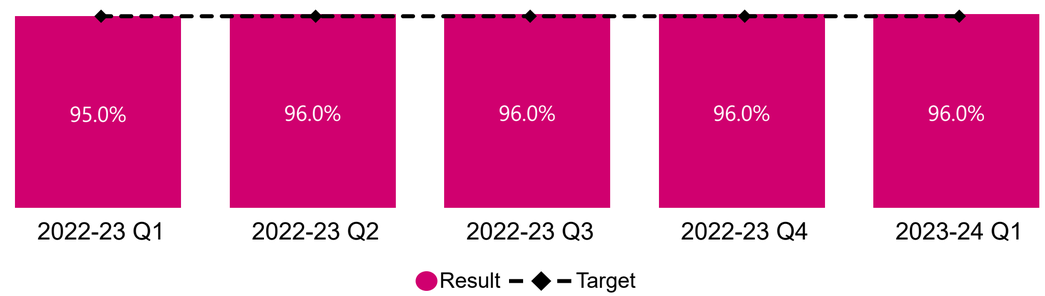
**Portfolio:** Health & Social Care

**Directorate:** Adult Social Care

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 95.0% | 96.0% | Static | G |

**Percentage/Proportion of clients discharged into Pathway 0 & Pathway 1**




**Latest Comments**

This quarter we have exceeded the target of 95% with a result of 96%.
Our social work teams in the Hospital and Discharge to Assess service, working with our partners in the NHS, are continuing to perform above the target despite significant pressures on the hospital system at the moment. We have managed this by following a "home first" approach, where we support citizens to return home after stays in hospital wherever it's safe to do so.
We will continue to follow our home first principle in future. We are actively monitoring the situation in hospitals, as there is a suggestion that people are more severely ill when they are being admitted which is beyond our control, but could impact on our ability to discharge people home safely.

# A Bold **Green** Birmingham

**Measure:** CO_CP_22 - Level of street cleanliness as assessed by the Land Audit Management System (LAMS)

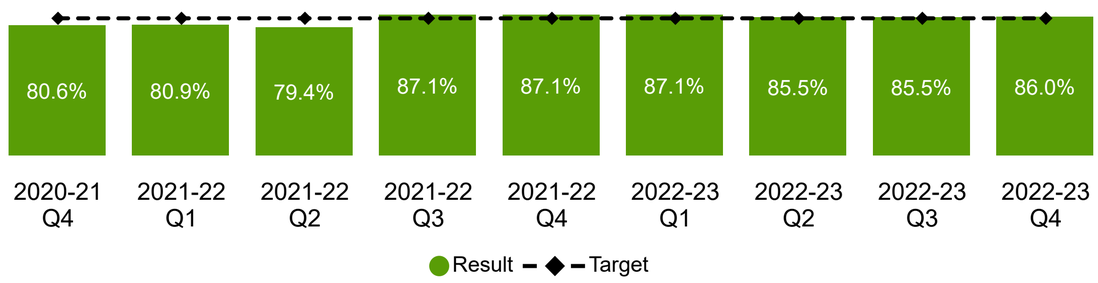
**Portfolio:** Environment

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 85.0% | 86.0% | Static | G | Quarter |

**Level of street cleanliness as assessed by the Land Audit Management System (LAMS)**




**Latest Comments**

Quarter 4 commentary: KPI reported in arrears: The year-to-date (01/04/2022 – 31/03/2023) result is 86.03% which has exceeded the target of 85.00%.
Street Cleansing have introduced some new initiatives that target areas of the ward that need deep cleansing, this work compliments the scheduled street cleansing programme. The Love Your Streets campaign and work with community groups is having a positive effect on the City streets. The teams are working in a structured approach to tackle the worst affected areas of the City that have high instances of fly tipping, graffiti, dumped Waste Electrical and Electronic Equipment (WEEE) items, litter and detritus, these schedules have been shared with councillors to ensure they meet local need. The schedules are regularly reviewed against the LAMS scores.
The early results are encouraging, the department is seeing a reduction in complaints.

# A Bold **Green** Birmingham

**Measure:** CO_CP_23 - Recycling, Reuse, and Green Waste (both with and without bottom ash)

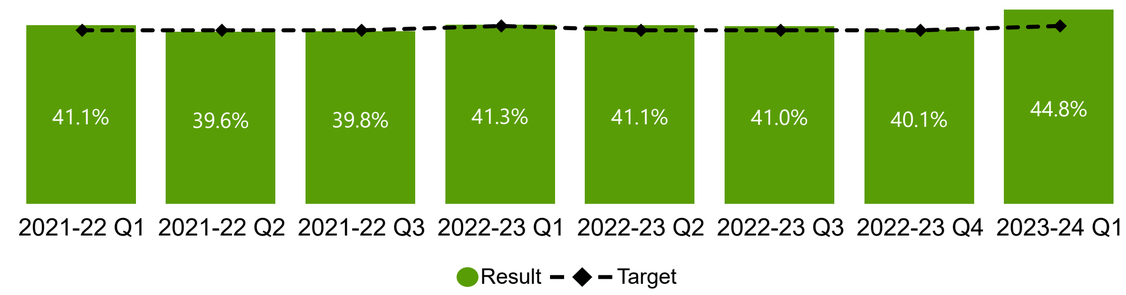
**Portfolio:** Environment

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|
| ▲ | 41.0% | 44.8% | Improved | G | Month |

**Recycling, Reuse, and Green Waste (both with and without bottom ash)**




**Latest Comments**

KPI reported one month in arrears:'The year-to-date (April 2023 to May 2023) estimated result is 44.81% which has achieved the year-to-date target of 41.00%. This is an improvement on the year-to-date (April 2022 to May 2022) result of 41.73%. The estimated amount of waste disposed year-to-date (April 2023 to May 2023) is 80,780 tonnes, of which 36,200 tonnes were reused, recycled, or composted. Recycling levels at the Household Waste Recycling Centres (Tips) continue to be strong, year-to-date estimate of 66% materials reused, recycled, or composted. In 2023-24 the service will continue to make best use of available Energy Recovery Facilities that endeavour to recycle their post-incineration ash output. The estimated amount of waste disposed of in May 2023 is 43,040 tonnes, of which 19,485 tonnes were reused, recycled, or composted, giving an in-month figure of 45.27%. The year-to-date (April 2023 to May 2023) estimated result (excluding bottom ash) is 28.77%.

# A Bold **Green** Birmingham

**Measure:** CO_CP_24 - Percentage of waste presented to landfill

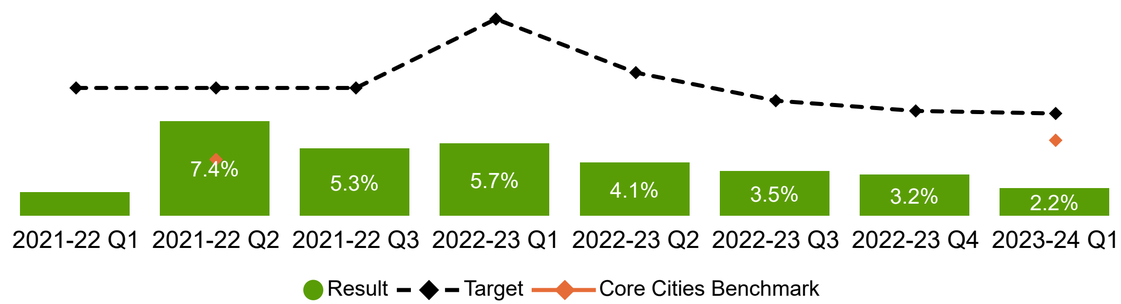
**Portfolio:** Environment

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status | Reporting in arrears? |
|---|---|---|---|---|---|---|
| ▼ | 5.90% | 8.0% | 2.2% | Improved | G | Month |

**Percentage of waste presented to landfill**




**Latest Comments**

KPI reported one month in arrears:'The year-to-date (April to May 2023) estimated result is 2.16% which has surpassed the year-to-date target. This is an improvement on last year's year-to-date (April 2022 to May 2022) result of 5.65%. The estimated amount of waste disposed year-to-date (April 2023 to May 2023) is 80,780 tonnes, of which 1,746 tonnes were landfilled.

In 2023-24 the service will continue to make best use of available alternate Energy Recovery Facilities that endeavour to recycle their post-incineration ash output, reducing as far as possible the need for landfill.

# A Bold **Green** Birmingham

**Measure:** CO_CP_25 - Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing

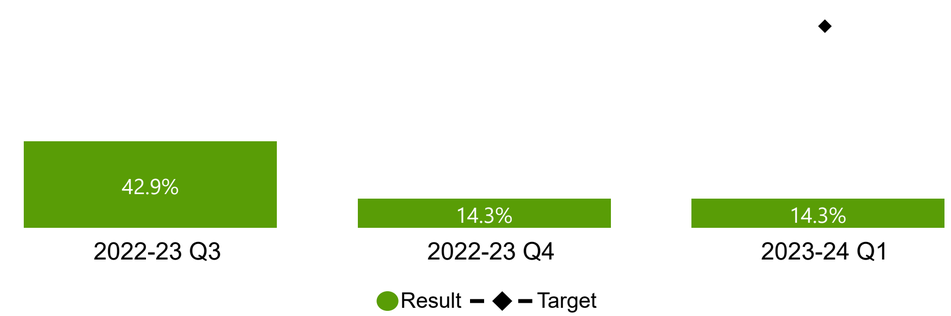
**Portfolio:** Environment

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 100.0% | 14.3% | Static | R |

**Percentage of offensive/racist graffiti incidents cleared within SLA by Street Cleansing**




**Latest Comments**

A contract is being developed to provide additional graffiti crews to cope with the increase in tagging across the City.

Priority will be given to offensive graffiti incidents and a single manager has been tasked to coordinate crews and ensure offensive graffiti is removed within the SLA.

# A Bold **Green** Birmingham

**Measure:** CO_CP_26 - Actual missed collections

**Portfolio:** Environment

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | RAG Status |
|---|---|---|---|
| ▼ | N/A | NYD | NYD |

**Actual missed collections**

*New measure: data will be available in Qtr 3.*

**Latest Comments**

This measure will be reported from quarter 3.

# A Bold **Green** Birmingham

**Measure:** CO_CP_21a - Reported missed collections per 100k collections scheduled

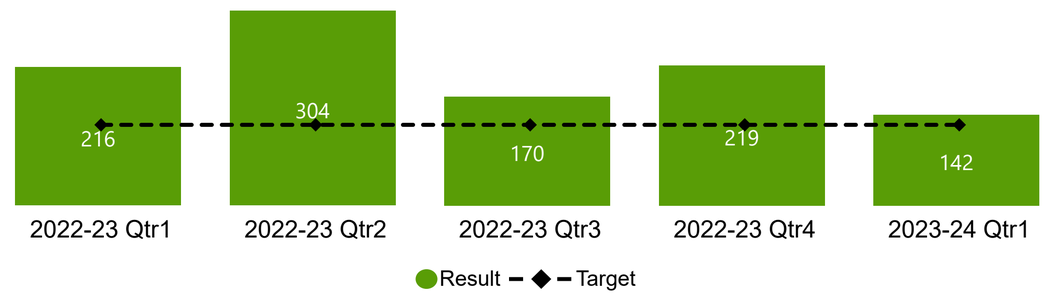
**Portfolio:** Environment

**Directorate:** City Operations

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▼ | 126 | 142 | Improved | A |

**Reported missed collections per 100k collections scheduled**




**Latest Comments**

The quarter 1 (01/04/2023 - 30/06/2023) result is 142 which has not achieved the target but is still within the tolerance of 163 for this period.
A vehicle replacement programme will continue this year where a budget of £12M has been allocated and also £12M the following year. The new more reliable vehicles will reduce missed collections which were the result of vehicle breakdowns.
The service is currently identifying repeat missed collections to improve service delivery.

NB: The specifcation of this KPI has changed for 2023/24 and shows reported missed collections per 100,000 scheduled collections, rather than per 100,000 properties, to give a more robust indication of performance. The data for 2022/23 above has been recalculated based on the new specification, resulting in higher figures than those reported in the last quarter's performance report.

# A Bold **Green** Birmingham

**Measure:** PPS_CP_05 - Percentage increase in the number of trips taken by bicycle per annum

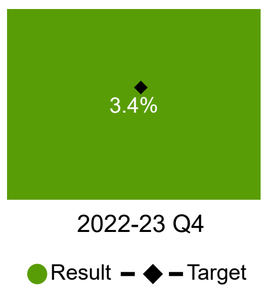
**Portfolio:** Transport

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 2.0% | NYD | NYD | NYD |

**Percentage increase in the number of trips taken by bicycle per annum**




**Latest Comments**

This is annual measure and will be reported at Quarter 4 2023/24.

# A Bold **Green** Birmingham

**Measure:** PPS_CP_08 - Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone

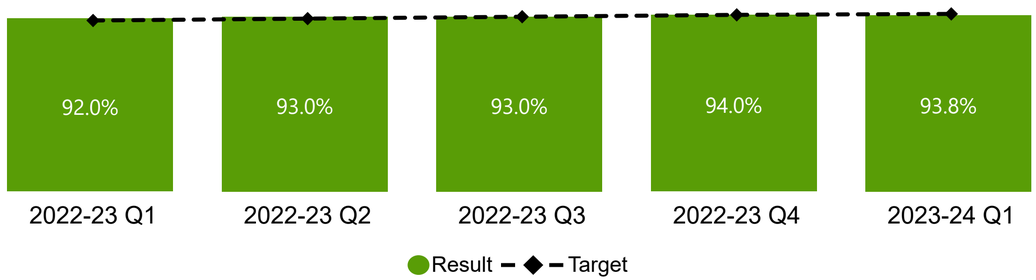
**Portfolio:** Transport

**Directorate:** Places, Prosperity and Sustainability (PPS)

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 94.5% | 93.8% | Static | A |

**Percentage of vehicles (passenger car - M1) entering Clean Air Zone that meet the emissions standards of the zone**




**Latest Comments**

Over the quarter there has been small but ongoing improvements to the rate of compliance for passenger vehicles. In April the rate of compliance was 93.55% in June that percentage had improved to 94.17%. So while the percentage for the quarter is 0.66% of a percentage point behind the target there is ongoing improvement. And this improvement is likely to be reflected in a futher reduction in the levels of nitrogen dioxide within the CAZ.

It should also be noted that the rate of compliance may reduce in the short term due to the end of the temporary exemptions for residents of the CAZ. There were just over 2,300 vehicles covered by this exemption at the end of May.

# A Bold Best in Class Council

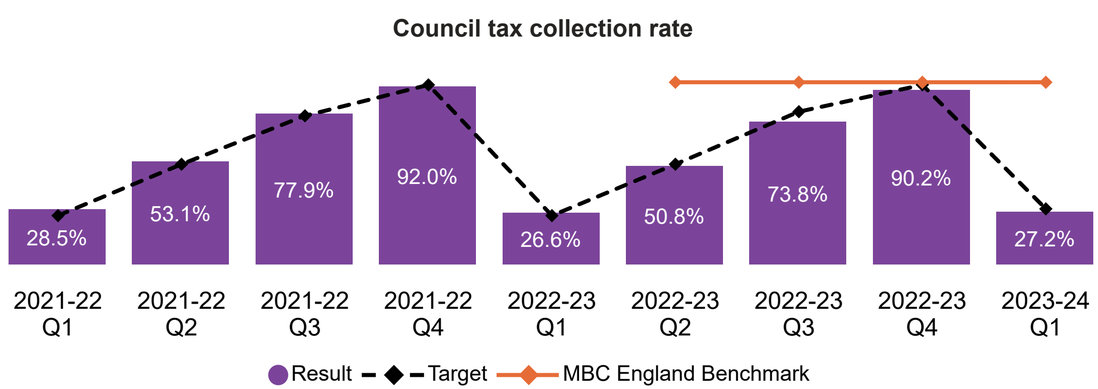
**Measure:** CM_OH_03 - Council tax collection rate

**Portfolio:** Finance & Resources

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 94.09% | 28.7% | 27.2% | Improved | R |




**Latest Comments**

The Council tax collection rate is down against target. There are still issues involving the allocation of certain payment types and the accuracy of the tax year those payments are allocated against. The service is working hard with the Oracle activities programme to ensure these issues are addressed as soon as possible.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold Best in Class Council

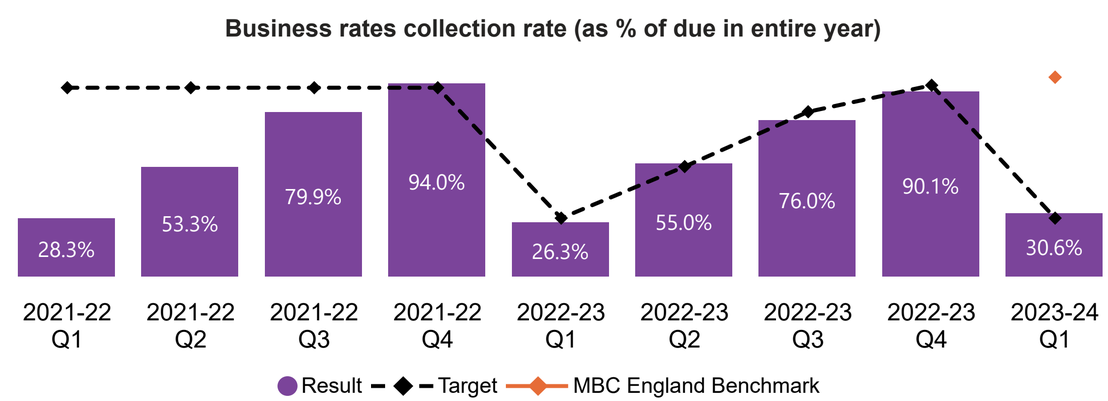
**Measure:** CM_OH_04 - Business rates collection rate (as % of due in entire year)

**Portfolio:** Finance & Resources

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 96.92% | 28.3% | 30.6% | Improved | G |




**Latest Comments**

The service has recommenced recovery activity and the allocation of payments has improved resulting in an initial improvement of the business rates collection rate.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold Best in Class Council

**Measure:** CM_OH_05 - % of housing rents collected

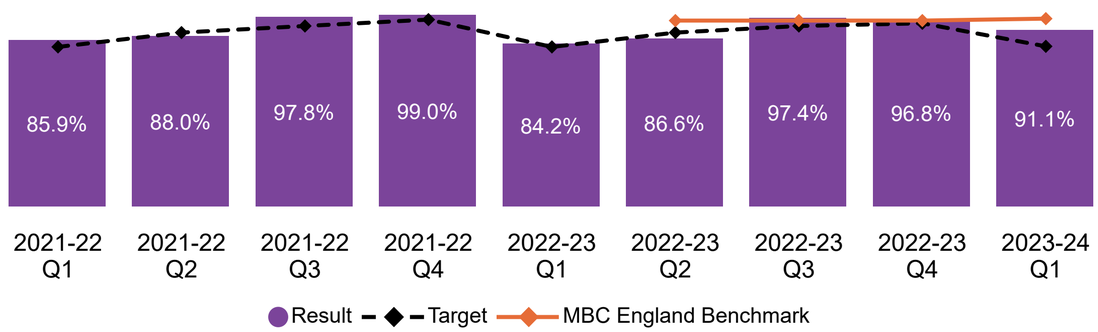
**Portfolio:** Finance & Resources

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT | RAG Status |
|---|---|---|---|---|---|
| ▲ | 97.00% | 82.7% | 91.1% | Improved | G |

**% of housing rents collected**




**Latest Comments**

Rent collection is meeting the expected collection profile and arrears are being minimised. The Service continues to explore innovative ways to collect and access external funds where it can assist tenants in the cost of living crisis.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold Best in Class Council

**Measure:** CM_OH_07 - Number of customers registering satisfaction with the Council (Contact Centre Survey)

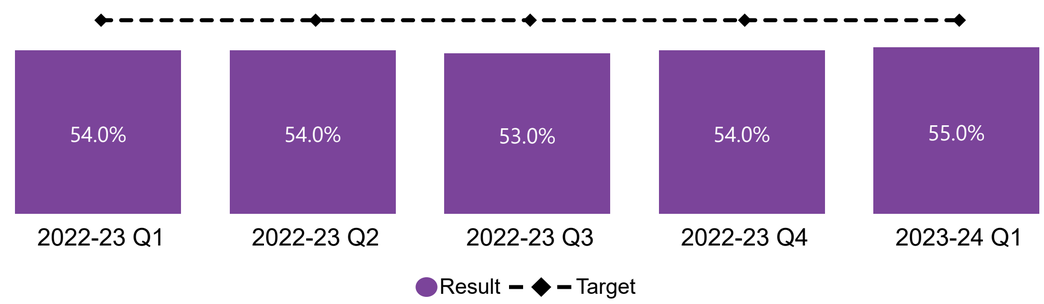
**Portfolio:** Deputy Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 64.0% | 55.0% | Static | R |

**Number of customers registering satisfaction with the Council (Contact Centre Survey)**




**Latest Comments**

Overall CSAT 55% vs target of 64% in Q1 based on 6,704 responses, the agent willingness (AW) was 80% vs 83% target. This demonstrates that whilst overall CSAT is low that the Contact Centre generally does everything they can to resolve the issue for the citizen. The verbatim we receive for example is frustrations with incomplete repairs, Penalty Charge Notices (PCN), lack of housing and ongoing missed collections.
Breakdown of top 10 services (These make up 87% of response volumes): Housing Repairs (1,835) 57% CSAT 83% AW, Council Tax (678) 64% CSAT 84% AW,
Tenancy Estate Management (672) 63% CSAT 72% AW, Clean Air Zone (617) 22% CSAT 58% AW, Brum Account (481) 76% CSAT (Chat only), Housing Solutions (468) 51% CSAT 76% AW, Benefits (270) 54% CSAT 80% AW, School Admissions (267) 63% CSAT 82% AW
Waste Management (265) 44% CSAT 88% AW, Contact Us (248) 65% CSAT (Chat only)

# A Bold Best in Class Council

**Measure:** CM_OH_09 - Complaints received per 1,000 residents

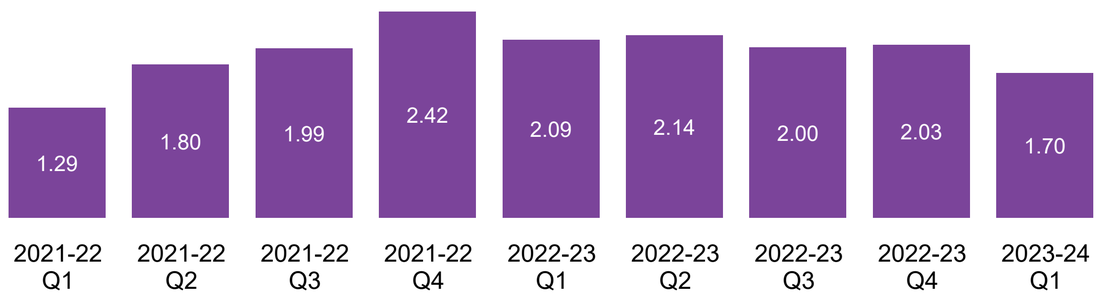
**Portfolio:** Deputy Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▼ | N/A | 1.7 | Improved |

**Complaints received per 1,000 residents**




**Latest Comments**

The Q1 complaints per 1000 is at 1.7/1000 which is lower than Q4 which closed at 2.03. The benchmark for this measure is 2.0.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold Best in Class Council

**Measure:** CM_OH_08 - % of customer / citizen complaints responded to within SLA

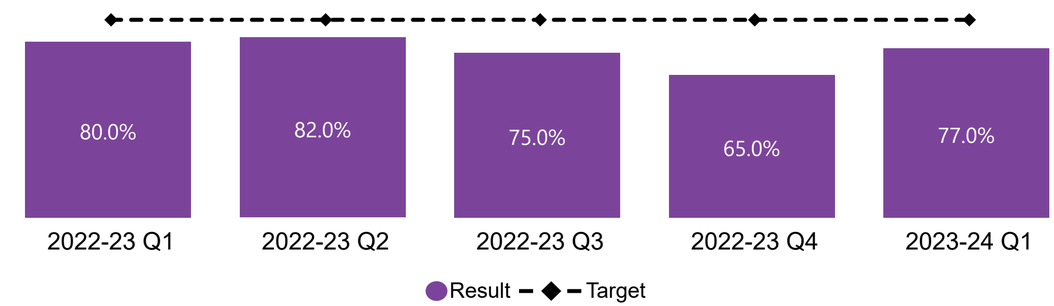
**Portfolio:** Deputy Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 90.00% | 77.0% | Improved | R |

**% of customer / citizen complaints responded to within SLA**




**Latest Comments**

The average service level agreement (SLA) for Q1 rose to 76% of Stage 1 complaints being responded to within 15 working days. This was an increase on the 65% reported at the end of Q4. There were 3 Directorates achieving an average 90% SLA over Q1 (Adult Social Care (Corporate), Council Management and Place, Prosperity and Sustainability) and 1 further Directorate (City Operations) within the 5% tolerance. 5760 complaints were received across the Q1 (which is 20% lower than the number of complaints received in Q1 of 22/23 which was 7,168).
Q1 has seen City Housing related complaints decrease by 588 complaints to 2173 (from 2761 in Q4). The recovery plan has also prompted an improved SLA to 59% (against 40% for Q4). There has also been a focus on addressing overdue and outstanding complaints resulting in the reduction of the age and volume of the backlog of complaints and enquiries within City Housing.

# A Bold Best in Class Council

**Measure:** CM_OH_11 - % of ombudsmen complaints upheld

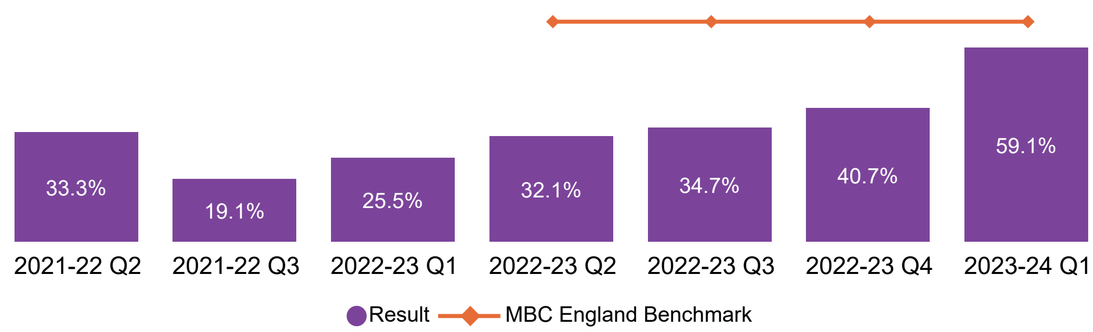
**Portfolio:** Deputy Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Benchmark | Target | Result | DofT |
|---|---|---|---|---|
| ▼ | 67.00% | N/A | 59.09% | Worse |

**% of ombudsmen complaints upheld**




**Latest Comments**

During Q1 we closed 88 cases, 52 of which resulted in a finding against the Council. City Housing continue to receive the highest number of Ombudsmen referrals - a new team has been created to deal with Housing Ombudsman matters and we expect this to have a positive impact in managing these matters going forwards.

# A Bold Best in Class Council

**Measure:** CM_OH_12 - Level of borrowing (this is the amount of the Council's budget that funds debt per annum, the aim is to reduce this percentage)

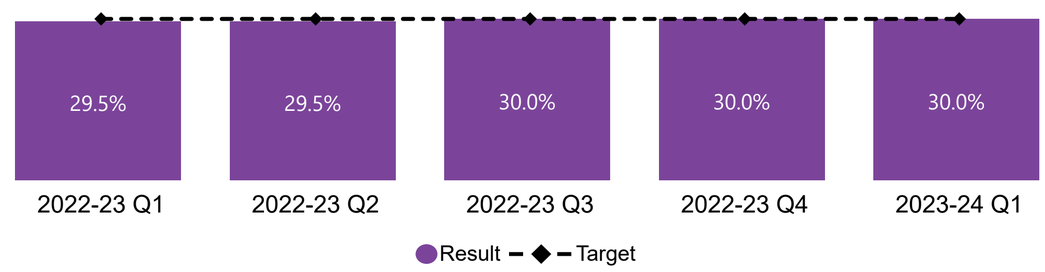
**Portfolio:** Finance & Resources

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▼ | 30.00% | 30.00% | Static | G |

**Level of borrowing (this is the amount of the Council's budget that funds debt per annum, the aim is to reduce this percentage)**




**Latest Comments**

At end of Q1 borrowing and costs are still forecast to be within budget. Interest costs have risen sharply in Q1 and there is a risk that financial pressures in the economy may force up borrowing costs further or remain longer at the higher level which will put pressure on this indicator. A review of the Council's borrowing requirements is planned in the next two quarters.

# A Bold Best in Class Council

**Measure:** CM_OH_16a - Level of general fund reserves (unearmarked reserves) - %

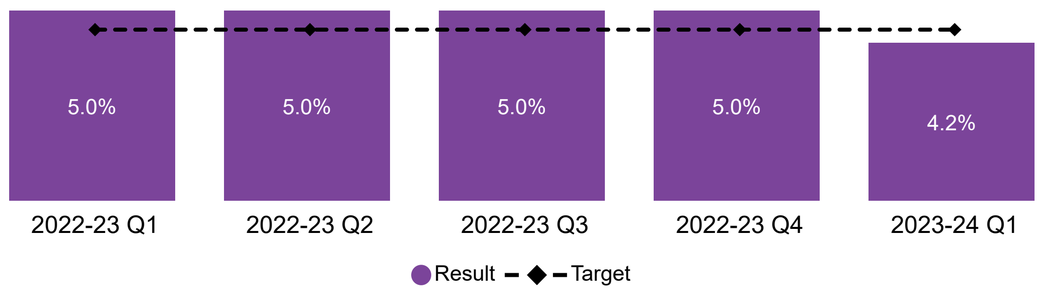
**Portfolio:** Finance & Resources

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▲ | 4.50% | 4.15% | Worse | A |

**Level of general fund reserves (unearmarked reserves) - %**




**Latest Comments**

Whilst 2022/23 Outturn has not been completed yet, the value of the General Fund Balance is expected to remain at £38.382m. As the net budget for 2023/24 is £925.078m, this gives a percentage of 4.15%, which is expected to stay the same throughout 2023/24. The Council will look to bring the value of the General Fund Balance back up to 4.5% of net budget as part of setting the budget for 2024/25.

NB: Direction of travel (DofT) status compares against same quarter last year.

# A Bold Best in Class Council

**Measure:** CM_OH_13 - Health and Safety - HSE notifiable instances

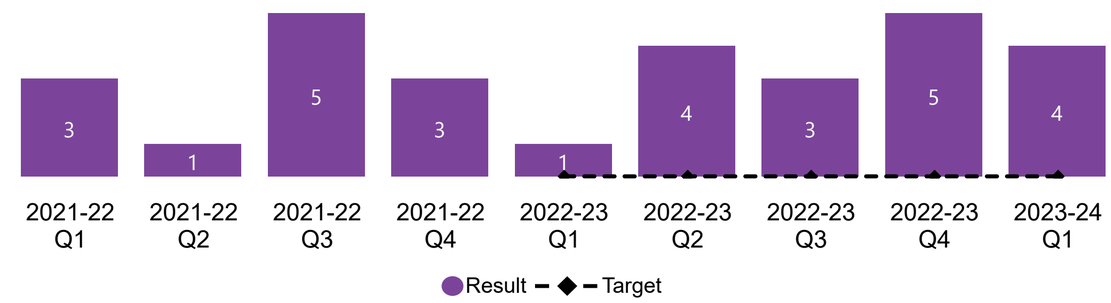
**Portfolio:** Finance & Resources

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT | RAG Status |
|---|---|---|---|---|
| ▼ | 0 | 4 | Improved | R |

**Health and Safety - HSE notifiable instances**




**Latest Comments**

The numbers of RIDDOR incidents reportable for the organisation are at consistently low levels and within historic ranges. Whilst above the 3 a quarter tolerance this shows a reduction from 5 incidents last quarter. For quarter 1 these were attributable to 2 moving and handling incidences; 1 fall and 1 other. None of these related in any specified injuries (e.g. a break or fracture) but did lead to an employee absence of over 7 days requiring the incident to be reported. There are many variables associated to this figure, a number of which are out of BCC's control and so not readily preventable, though associated risk assessments are reviewed in response to receiving a report and any further mitigations considered as necessary. Health and Safety are working with managers to ensure awareness of reporting requirements and we would expect this quarterly figure to rise in the future with better reporting.

# A Bold Best in Class Council

**Measure:** CM_OH_14a - Staff Absence: (a) Short-term absence rate

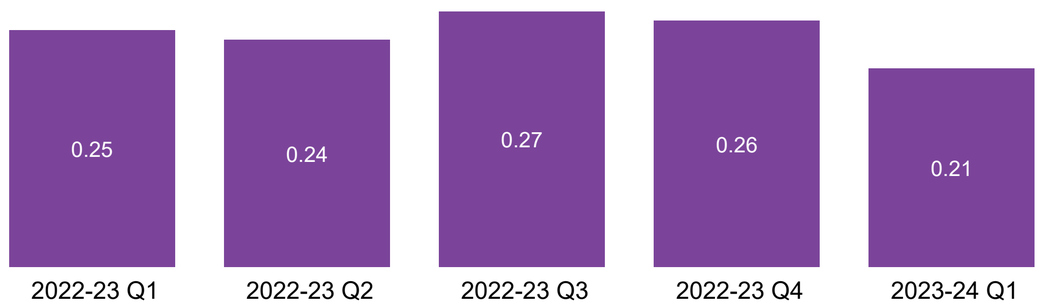
**Portfolio:** Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▼ | N/A | 0.21 | Improved |

**Staff Absence: (a) Short-term absence rate**




**Latest Comments**

0.21 is the recorded rate of short term absence for Q1 (Apr-23 0.19/May-23 0.22/Jun-23 0.21). Short term absence is measured as less than 28 days and is calculated as: 'Total FTE Sickness Days in Period / FTE count'.

Data relies on line managers recording sickness absence accurately. Work to assure the quality of this data is ongoing.

# A Bold Best in Class Council

**Measure:** CM_OH_14b - Staff Absence: (b) Long-term absence rate

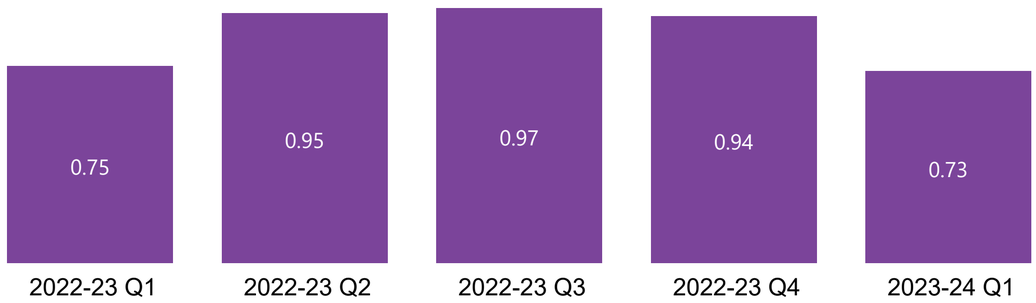
**Portfolio:** Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▼ | N/A | 0.73 | Improved |

**Staff Absence: (b) Long-term absence rate**




**Latest Comments**

0.73 is the recorded rate of long term absence for Q1. (Apr-23 0.84/May-23 0.68/Jun-23 0.67). Long term absence is measured as more than 28 days and is calculated as: 'Total FTE Sickness Days in Period / FTE count'.

Data relies on line managers recording sickness absence accurately. Work to assure the quality of this data is ongoing.

# A Bold Best in Class Council

**Measure:** CM_OH_15a - Proportion of top 5% per cent earners who are women

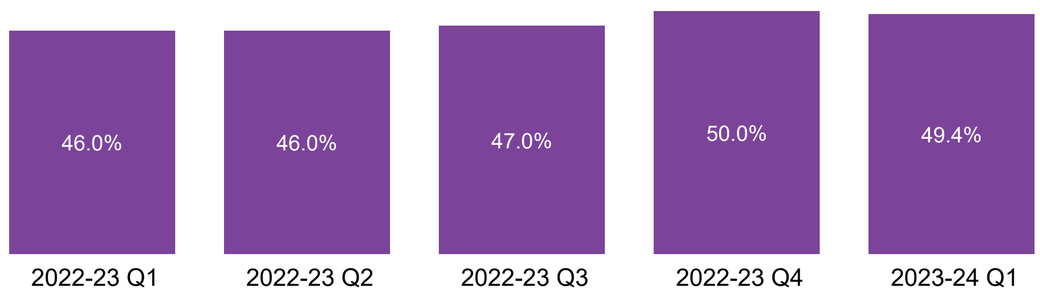
**Portfolio:** Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▲ | N/A | 49.40% | Static |

**Proportion of top 5% per cent earners who are women**




**Latest Comments**

49.4% of the top 5% of earners (495 people) are women. This compares to 58.14% of the council's total workforce and 51.1% of Birmingham's population.

Headcount of top 5% earners = 495. Overall BCC headcount = 9895 .Overall BCC FTE = 8572.19.

# A Bold Best in Class Council

**Measure:** CM_OH_15b - Proportion of top 5% per cent earners who are from an ethnic minority

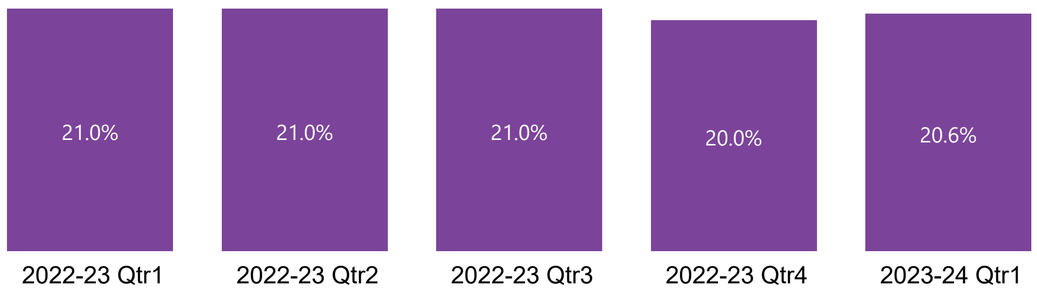
**Portfolio:** Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▲ | N/A | 20.56% | Improved |

**Proportion of top 5% per cent earners who are from an ethnic minority**




**Latest Comments**

20.56% of the top 5% of earners (495 people) are from an ethnic minority.

People from ethnic minority backgrounds are underrepresented at higher grades in the council. This is being addressed as part of the Everyone's Battle, Everyone's Business strategy with initiatives such as the emerging leaders career acceleration programme.

Headcount of top 5% earners = 495. Overall BCC headcount = 9895 .Overall BCC FTE = 8572.19

# A Bold Best in Class Council

**Measure:** CM_OH_15c - Proportion of top 5% per cent earners who have a disability

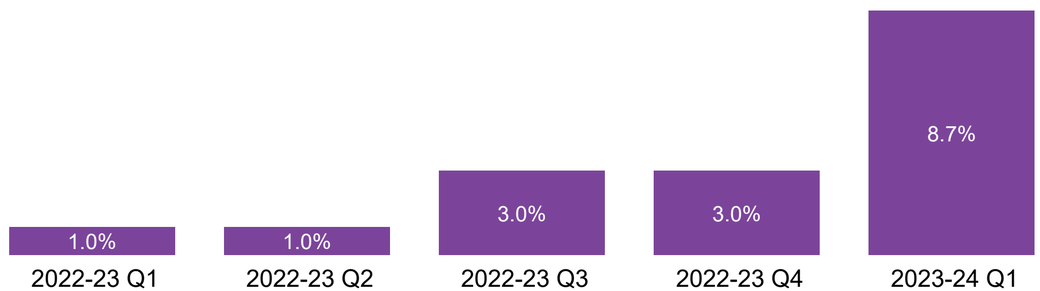
**Portfolio:** Leader

**Directorate:** Council Management

**Summary:**

| Pref. DofT | Target | Result | DofT |
|---|---|---|---|
| ▲ | N/A | 8.70% | Improved |

**Proportion of top 5% per cent earners who have a disability**




**Latest Comments**

8.7% of the top 5% of earners (495 people) have a disability.

The Council is now a Disability Confident Employer Level 2, and colleagues in People Services and Strategy, Equality and Partnerships are now exploring and working towards level 3 status.

Disability count/Headcount of top 5% earners = 44/495. Overall BCC headcount = 9895 . Overall BCC FTE = 8572.19.

NB An Oracle migration issue was identified around disability data in Q4 2022-23 which led to a lower level of reporting. A temporary solution is now in place to ensure the number of disability count is reflected.

# Appendix C.1:
## Performance against Delivery Milestones



Birmingham City Council

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Prosperous Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.1 | Adopt Our Future City Central Birmingham Framework and progress delivery of key actions for delivering the city's growth needs in the context of decarbonising development, greening and adding biodiversity; clean air; minimising waste; and embracing technology and innovation.<br>a) Consultation draft published - May 2023<br>b) Consultation review and framework revisions - Sep 2023<br>c) Adopt Framework - Nov 2023 | November 2023 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.10 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>d) Southside Public Realm - Full Business Case approved | October 2023 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.11 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>e) Martineau Galleries - Outline Business Case approved | November 2023 | A |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.12 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>f) Digbeth High Street - metro works complete | January 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.13 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>g) Curzon Metro Stop - Stage 2 contract awarded | May 2023 | A |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.14 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>h) Snow Hill - Public Realm project phase 3a works commence | February 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.7 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>a) HS2 Curzon station - appoint stage 2 contractor for enhanced public realm | August 2023 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.8 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>b) Digbeth High Street - complete public realm section 5 handover | December 2023 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.9 | Continued implementation of the City Centre Enterprise Zone to support accelerated delivery of office and residential development, job creation and new homes:<br>c) Moor Street Queensway - Outline business case submitted | February 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Prosperous Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_1.1 | East Birmingham Inclusive Growth Programme - continue to implement phase 1 including:<br>a) Agreement of National Trust Strategic Partnership community asset - Jul 23<br>b) Establishment of Employment & Skills collaboration body for East Birmingham - Jul 23<br>c) Strategic Outline Cases for Meadway Local Centre and Ward End Park House - Aug 23<br>d) Completion of East Birmingham Impact and Monitoring Framework in line with the developing corporate Levelling Up Measures framework - Nov 23<br>e) East Birmingham and North Solihull Levelling Up Zone (EBNS LUZ) to Cabinet (via devolution deal report) - Nov 23<br>f) Establishment of EBNS LUZ - May 24 | May 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_1.2 | Progress Bordesley Park Area Action Plan<br>a) Phase 1 (Bordesley Green Road & Venetia Road) to commence on site in July 2023<br>b) Planning application for phase 2 (former Wheels site) to be submitted in Summer 2023 with works being undertaken throughout 2024 | December 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.15 | Progress Birmingham Development Plan Review:<br>a) Complete preferred options consultation Nov 23<br>b) Prepare for publication in October 24 and adoption in Spring 26 | October 2024 | A |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.2 | Progress regeneration programmes:<br>a) Birmingham Smithfield<br>- Outline planning and detailed Phase 1 Planning Consent - Oct 23<br>- Outline business case funding approval secured - Nov 23<br>- Start on site - Feb 24 | March 2024 | A |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.3 | Progress regeneration programmes:<br>b) Paradise<br>- progress phase 2: confirming tenancies for One Centenary Way, continuing work on The Octagon and commencing work on the second commercial building (Three Centenary Way). | March 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.4 | Progress regeneration programmes:<br>c) Peddimore<br>- Infrastructure works completed and Phase 2 prepared for development - Jul 23<br>- Completion of initial phase 1 building - Nov 23 | March 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.5 | Progress regeneration programmes:<br>d) Rea Valley Urban Quarter<br>Finalise SPD Delivery Documents in July 2023 and publish on website. This will support the Our Future City 'Central Birmingham Framework 2040' evidence base and inform BLP Preferred Options Report Consultation Stage. | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Prosperous Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_4.3 | Progress regeneration of Perry Barr to deliver homes, jobs and Social Value opportunities to benefit local people. Activity this year will focus on the Final Development Strategy/ Business Case for Phase 2 and wider. | March 2024 | G |
| Deputy Leader | Strategy, Equality and Partnerships (SEP) | Prosperous | 23_1.6 | Extend the Cost of Living Programme to include elements of inclusive growth and innovate, incubate, accelerate and mainstream activity across the council which involves:<br>a) Drawing up an inclusive growth plan with goals, data and analysis of the city economy<br>b) Economic analysis including an Economy Dashboard<br>c) Developing a selection of priority actions focused on employment and income agreed through the extended Cost of Living Programme | March 2024 | G |
| Children, Young People & Families | Children and Families | Prosperous | 23_2.2 | Implement the Breaking Down Barriers Report including:<br>a) Establish a city-wide, locally developed employment support scheme for young people and businesses<br>b) Enhance and expand the careers service to ensure all young people are equipped with the skills and knowledge to succeed in the modern world<br>c) A one stop hub for youth work placements<br>d) Develop a Good Employment Charter - a business kitemark scheme to support higher employment standards, diverse recruitment, higher pay rates, employee voice at work and youth recruitment | March 2024 | G |
| Digital, Culture, Heritage and Tourism | City Operations | Prosperous | 23_4.1 | An annual Birmingham Festival that will be a meaningful legacy from the Commonwealth Games – showcasing the city's cultural offer, increasing engagement in culture and raising the profile and economy of the city through increased tourism | March 2024 | B |
| Digital, Culture, Heritage and Tourism; Leader; Deputy Leader | City Operations | Prosperous | 23_4.2 | Position Birmingham as a world renowned major event hosting city, to include:<br>a) Hosting British Open Squash Championships, World Blind Games & World Trampoline Championships<br>b) Bidding to host high profile events that contribute to our key criteria set out in the Major Sporting Events Strategy | March 2024 | G |
| Finance & Resources | Council Management | Prosperous | 23_1.4 | Further harness and develop Birmingham's Council's Charter for Social Responsibility to use BCC procurement to:<br>a) Further retain wealth by supporting local businesses including social enterprises, boost employment of local people, enhance diversity within BCC's supply chain, support employee voice including freedom of association and treat the supply chain fairly including prompt payment | March 2024 | B |
| Social Justice, Community Safety and Equalities | Strategy, Equality and Partnerships (SEP) | Prosperous | 23_1.5 | Deliver the Living Wage Action Plan including:<br>a) Working with employers to increase the pay of Birmingham workers who still don't receive the Living Wage<br>b) Increasing in the number of accredited Living Wage employers headquartered in Birmingham | March 2024 | A |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Prosperous Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Health & Social Care | Adult Social Care | Prosperous | 23_2.1 | Continue to develop and deliver PURE employment activities to inactive vulnerable adults who have complex and multifaceted needs to enable them to get closer and into the labour market, including:<br>a) implementing a PURE Digital inclusion Lending Library by Sept 23 and<br>b) seeking additional funding post Dec 23 | March 2024 | B |
| Social Justice, Community Safety and Equalities | Strategy, Equality and Partnerships (SEP) | Prosperous | 23_1.3 | Embed the Birmingham Anchor Network Memorandum of Understanding building on the shared commitment of members to work together to create a more inclusive economy in Birmingham, through building wealth for local communities including activity to expand the network and set up an employment programme to help local recruitment into the waste service. | March 2024 | G |
| Transport | Places, Prosperity and Sustainability (PPS) | Prosperous | 23_3.16 | Progress City Region Sustainable Transport Settlement (CRSTS) projects:<br>a) Cabinet Report setting out approach to programme governance - Mar 24<br>b) Re-base CRSTS programme with TfWM/WMCA - May 23<br>c) Development of projects and advancement through the West Midlands Combined Authority Single Assurance Framework Process. (NB: as projects progress beyond SOC they will be reported individually rather than as a CRSTS programme) - Jul 23 | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Inclusive Delivery Milestones – position at end of Quarter 1 - 2023/23

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | Strategy, Equality and Partnerships (SEP) | Inclusive | 23_6.1 | Design and develop an approach to a 'Big Conversation' for Birmingham, including qualitative and quantitative surveys and engagement activities | March 2024 | G |
| Leader | City Operations | Inclusive | 23_6.2 | Improve capacity in neighbourhoods by:<br>a) Working with communities and partners to deliver the year 2 programme of work and associated outputs for the Community & Place aspect of the Shared Prosperity Fund; and<br>b) Implement Schemes that maximise resources available with wards and local communities, including Shared Prosperity Fund, Community Chest, Be Bold Crowdfunder, Enterprise Zone Funding (Cultural Action Zones), CWG's Legacy Funding for Cultural Engagement, & Celebrating Communities programmes | March 2024 | G |
| Leader | City Operations | Inclusive | 23_6.5 | Progressing and developing the Council's cross-directorate "Working Together in Birmingham's Neighbourhoods" policy | March 2024 | G |
| Deputy Leader | City Housing | Inclusive | 23_5.1 | Contribute to the Council's overarching anti-poverty agenda and response to the Cost of Living response programme: integrate the current Financial Inclusion Partnership and strategy into the Cost of Living Programme and deliver objectives set out in the Housing Strategy relating to financial Inclusion. | March 2024 | A |
| Deputy Leader | Strategy, Equality and Partnerships (SEP) | Inclusive | 23_5.2 | Evaluate delivery of the Cost-of-Living Emergency Response Programme, to emerge lessons learnt and to develop options for longer term actions.<br>Evaluation to be completed by June 23, with implementation of recommendations to follow. | March 2024 | A |
| Digital, Culture, Heritage and Tourism | City Operations | Inclusive | 23_7.3 | Commission a range of cultural engagement projects for residents across the city including; through three commissioning themes – 'Culture on our Doorstep', 'Next Generation' and 'Cultural Leadership', the annual Birmingham Heritage Week in September, the annual black History Month in October, Young People Arts Training Programme and, supporting other 'one-off' cultural projects during the year such as refugee week, anniversary events such as Windrush, and national tours of community education projects. | March 2024 | A |
| Digital, Culture, Heritage and Tourism | City Operations | Inclusive | 23_7.5 | Complete refresh of the Heritage Strategy, including undertaking consultation to ensure we reflect on the contribution from the city's different communities in telling the Birmingham story | December 2023 | G |
| Digital, Culture, Heritage and Tourism | Council Management | Inclusive | 23_5.3 | Progress delivery of the Digital Inclusion Strategy, including:<br>a) Distributing new devices to support inclusive growth and increase employment opportunities<br>b) Identifying and allocating connectivity/data packages to vulnerable citizens<br>c) Establishing Digital Champions network for the Primary Care Networks<br>d) Raising awareness of social tariffs for all relevant citizens | March 2024 | A |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Inclusive Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Digital, Culture, Heritage and Tourism | City Operations | Inclusive | 23_7.1 | Raise the cultural profile and ambition of the City including developing a new cultural strategy and culture compact (partnerships to support the local cultural sector) | March 2024 | A |
| Children, Young People & Families | Children and Families | Inclusive | 23_8.4 | Commission the Healthy Child Programme (HCP), taking into account the developing Family Hubs Model, in order to achieve the best outcomes for children and young people 0-19. Including:<br>a) 0-19 Healthy Child Programme contract goes out to tender (MG-PH)<br>b) Publish the Start for Life offer so that families have ready access to information about what is locally available to them<br>c) We will be mobilising a range of pilots that include infant feeding, peri-natal mental health and parent/infant relationships, parenting support and home learning environments<br>d) Go live with our first Family Hub Network in Birmingham | March 2024 | G |
| Children, Young People & Families | Children and Families | Inclusive | 23_8.1 | Ensure services are sustainable, compliant and designed to deliver best outcomes for children, young people, families and communities through:<br>Continuing to work with key partners to widen access to Early Education Entitlement (EEE) and improve Early Years multiagency arrangements with health colleagues | March 2024 | G |
| Children, Young People & Families | Children and Families | Inclusive | 23_8.3 | Further develop the Children and Young Persons' Travel Service with a robust eligibility process that identifies the needs of the young people we support, ensuring that Transport is suitable for their needs and encourages their development and develop a travel menu that will include promotion of personal transport budgets and a Travel Training service to support development towards independent travel. | March 2024 | G |
| Children, Young People & Families | Children and Families | Inclusive | 23_8.8 | Further develop the school place sufficiency strategy to enable the provision of mainstream specialist and special school places for children and young people with additional educational needs | March 2024 | G |
| Children, Young People & Families | Children and Families | Inclusive | 23_8.6 | Further improve school attendance, attainment and achievement, targeting the worst-performing schools, with a strategy working with schools, to improve the educational attainment of poor-performing cohorts including KS1 and KS2 for expected levels of reading writing and maths, increasing attainment of level 2 and 3 qualifications by the age of 10 and targeting poor attendance at primary and secondary | March 2024 | G |
| Children, Young People & Families | Children and Families | Inclusive | 23_8.2 | Transform and improve services for children with Special Educational Needs and Disabilities (SEND) in line with statutory requirements and to deliver sustainable, well performing services with inclusion of children and young people at the heart through delivering the Accelerated Progress Plan (as part of the DfE Statutory direction) and the action plans of the SEND and Inclusion strategies. | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Inclusive Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Children, Young People & Families | Children and Families | Inclusive | 23_8.7 | Take forward the Change for Children and Young People Plan and support and empower children and young people to develop strong voices, get involved, influence decision-making including through the Birmingham Youth City Board | March 2024 | G |
| Health & Social Care | Adult Social Care | Inclusive | 23_6.4 | Drive system wide change and enable more people with a learning disability and/or autistic people to have a home within their community, be able to develop and maintain relationships and get the support they need to live healthy, safe and ordinary lives. Including:<br>a) review to inform person-centred support - Jul 2023<br>b) invite people with lived experience of a learning disability/ autism to supportively challenge quality and accessibility of services - Sept 2024<br>c) System approval for ten-year Learning Disability and Autism Framework for Change - Dec 2023<br>d) Establish Respite Innovation Partnership to shape person-centred support options - Apr 2024 | March 2024 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Inclusive | 23_8.5 | Increase breast-feeding through the Family Hub model | March 2024 | G |
| Housing and Homelessness | City Operations | Inclusive | 23_5.4 | Introduction of private rented sector licensing schemes that seek to tackle deprivation and crime in 25 wards to commence in Jun 23 | March 2024 | G |
| Housing and Homelessness | City Housing | Inclusive | 23_6.3 | Re-engineer our approach to tenant engagement in line with action proposed by the Tenant Participatory Advisory Service, including activity to:<br>a) Create a Resident Influence and Assurance Board - Mar 24<br>b) Create a Resident and Community Influencing Strategy - Mar 24<br>c) Create Community Influence Boards - Mar 24 | March 2024 | G |
| Social Justice, Community Safety and Equalities | Strategy, Equality and Partnerships (SEP) | Inclusive | 23_7.2 | Everyone's Battle, Everyone's Business: plan and deliver programme of cultural, faith and other key significant events to build community cohesion | March 2024 | G |
| Social Justice, Community Safety and Equalities | Strategy, Equality and Partnerships (SEP) | Inclusive | 23_7.4 | Everyone's Battle, Everyone's Business: refresh the action plan of activity for 2023/24 onwards | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Safe Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | Places, Prosperity and Sustainability (PPS) | Safe | 23_11.1 | Accelerate the delivery of affordable housing in Birmingham, including working with partners and Homes England to shape the new West Midlands Strategic Place Partnership and the new additional affordable housing funding opportunity via the devolution deal, through the development of a robust 5-year affordable homes delivery programme/pipeline | August 2023 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Safe | 23_11.2 | Continue to progress key housing development and regeneration projects including:<br>a) Ladywood Estate - report to go to Cabinet in Jun 23, contract to be entered with delivery partner, planning application process and stakeholder engagement with local community to commence | March 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Safe | 23_11.3 | Continue to progress key housing development and regeneration projects including:<br>b) Yardley Brook - work on site to commence July 23 | March 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Safe | 23_11.4 | Continue to progress key housing development and regeneration projects including:<br>c) Langley Sustainable Urban Extension (SUE) - Conclude discussions on the Section 106 Agreement and issue the outline planning permission for the site. Process the full infrastructure planning application and initial reserved matters submissions with the aim of starting construction on site in 2024. | March 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Safe | 23_11.5 | Continue to progress key housing development and regeneration projects including:<br>d) Druids Heath - including completing master planning and viability testing for Sep 23 and approving a development partner by Jan 24 | March 2024 | G |
| Leader | Places, Prosperity and Sustainability (PPS) | Safe | 23_11.6 | Continue to progress key housing development and regeneration projects including:<br>e) Pool Farm Place - delivery of 315 affordable homes<br>- Full scheme review/design and feasibility - Jun 23<br>- Agree a procurement route to engage with a developer partner - Aug 23<br>- Submit planning application - Dec 23 | March 2024 | A |
| Children, Young People & Families | Children and Families | Safe | 23_10.1 | Strengthen approaches to identify, recognise and respond to the vulnerability of specific groups of children and young people including additional action to ensure:<br>a) Children missing out on education are identified and supported to quickly return to school/education<br>b) Robust arrangements are in place for children and young people who are Electively Home Educated<br>c) Children supported by the Virtual School receive a stable education and are enabled to achieve their academic potential<br>d) License functions for Child Employment and Chaperones are improved to ensure a timely and appropriate response | December 2023 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Safe Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Children, Young People & Families | Children and Families | Safe | 23_9.5 | Expand delivery of Knife Crime Reduction Programme | March 2024 | G |
| Children, Young People & Families | Children and Families | Safe | 23_9.4 | Work in partnership with schools and DfE to deliver and evaluate a 3-year SAFE (Support, Attend, Fulfil, Achieve) project | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_11.7 | Complete the 300 home retrofit pilot in East Birmingham, take forward the SHDF round 2 programme to retrofit 2,000 homes and the Sustainable Warmth and Home Grants funding programmes | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_12.1 | Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including:<br>a) Implementing a comprehensive Temporary Accommodation Strategy to ensure families do not remain in B&B longer than 6 weeks, achieving reductions in line with monthly targets | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_12.2 | Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including:<br>b) Ensuring our services are prevention focused, investing in keeping people in their homes, and moving away from reactive, crisis driven service delivery. Evidenced through prevention target, that by year end achieving 53% prevention rate. | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_12.3 | Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including:<br>c) Addressing rough sleeping including through the pilot work with the Centre for Homelessness Impact so that rough sleeping is prevented, rare, brief and non-recurring. Evidenced through annual count (Nov 23) and monthly snapshots. | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_12.4 | Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including:<br>d) Review and update the Homelessness Prevention Strategy and Rough Sleeping Addendum. To be completed by March 2024. | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_12.5 | Continue to work with our partners to prevent and tackle homelessness and provide housing solutions to meet the needs of our vulnerable citizens, including:<br>e) A continued focus on supported Exempt Accommodation (unregulated supported provision managed by private landlords) and specifically delivering the recommendations and actions from the Overview & Scrutiny report over the next 12 months. | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Safe Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Housing and Homelessness | City Housing | Safe | 23_11.8 | Delivery of Housing Strategy Delivery Plan priorities including embedding governance and delivery of structures for each of the strategy priorities. Delivery plan and governance structures are in place with finalised targets for delivery plan to be completed by March 24 | March 2024 | G |
| Housing and Homelessness | City Housing | Safe | 23_11.9 | Embed compliance board to oversee delivery of a robust action plan that ensures the service is compliant against statutory requirements including regulatory health and Safety requirements and the introduction of Tenant Satisfaction Measures | March 2024 | A |
| Housing and Homelessness | City Housing | Safe | 23_11.10 | Implement an Asset Management approach to guide how we invest in and look after our housing stock, including implementing an Asset Management Strategy. Report will go to Cabinet in October 2023 with subsequent mobilisation together with staff engagement workshops by March 2024 | March 2024 | G |
| Housing and Homelessness | City Operations | Safe | 23_12.6 | Utilise appropriate powers to ensure that tenants are protected from illegal eviction and harassment | March 2024 | G |
| Housing and Homelessness | City Operations | Safe | 23_11.11 | Work with partner agencies and utilise appropriate powers as necessary to ensure the risk from unsafe cladding on private high rise residential buildings is removed | March 2024 | G |
| Social Justice, Community Safety and Equalities | City Operations | Safe | 23_10.3 | Develop a Violence Against Women and Girls Strategy and strengthen the link to existing Domestic Abuse Prevention Strategy | March 2024 | G |
| Social Justice, Community Safety and Equalities | City Operations | Safe | 23_10.4 | Ensure the effective implementation of the Hate Crime Strategy through continued partnership working, engagement with communities and the establishment of the hate crime tasking group | December 2023 | A |
| Social Justice, Community Safety and Equalities | City Operations | Safe | 23_9.2 | Implement the requirements of the Serious Violence Duty providing:<br>a) A serious violence profile for Birmingham by Jun 23<br>b) A service needs assessment by Sep 23<br>c) A Serious Violence Strategy by Dec 23 and<br>d) Training and awareness activities across Birmingham by Mar 24 | March 2024 | G |
| Social Justice, Community Safety and Equalities | Adult Social Care | Safe | 23_10.2 | Review and develop a new Domestic Abuse Prevention Strategy: completing consultation by July 2023 gaining approval by Dec 2023 ready to implement for 2024 | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Safe Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Social Justice, Community Safety and Equalities | City Operations | Safe | 23_9.1 | Work with neighbourhoods, communities and partners to improve community safety by refreshing Council's Anti Social Behaviour Policy | December 2023 | A |
| Transport | Places, Prosperity and Sustainability (PPS) | Safe | 23_9.3 | Update Road Safety Strategy:<br>a) Publish revised Strategy that considers how to redesign streetscape to prioritise quality of place, accessibility, safety and functionality for all users for consultation - Sep 23<br>b) Adopt as Policy - Mar 24 | March 2024 | A |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Healthy Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | City Operations | Healthy | 23_14.1 | Deliver a Sport Strategy that recognises diversity and provides inclusive opportunities for all residents to become more active including activity to:<br>a) support grass roots sport particularly those with potential to increase activity in most inactive or disadvantages areas<br>b) Seek investment and maximise opportunities to improve the quality and range of sporting and leisure facilities across the city<br>c) Progress the capital works at the Alexander Stadium and secure partnerships that will deliver a sustainable stadium supporting both community activity and elite sport. | March 2024 | G |
| Children, Young People & Families | Children and Families | Healthy | 23_15.3 | Work across the range of safeguarding partners to support schools to address concerns around pupils' emotional wellbeing and mental health | March 2024 | B |
| Health & Social Care | Adult Social Care | Healthy | 23_16.6 | Continue to prepare for Adult Social Care Reform including the development of an implementation plan for the Market Sustainability Plan by June 23 | March 2024 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_14.4 | Deliver a city-wide healthy eating campaign targeting food businesses, schools and families | June 2023 | G |
| Health & Social Care | Adult Social Care | Healthy | 23_16.3 | Implement activity identified from the co-produced review of Day Opportunity Services | March 2024 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_13.5 | Implement learning from the Birmingham and Lewisham African Health Inequalities Review (BLACHIR):<br>a) produce forward plan of activity - Jun 23<br>b) hold three task and finish groups focused on cultural competency and better data - Sep 23<br>c) share learning and build on success through annual conference - Dec 23 | March 2024 | G |
| Health & Social Care | Adult Social Care | Healthy | 23_15.1 | Implement legislative changes arising from the reform of the Mental Health Act:<br>a) Review the current implementation of the Mental Health Team; feedback from staff, citizens. Comparison of response times/waiting lists - Apr 23<br>b) Review the current allocation of statutory work Apr -23<br>c) Pursue the current recruitment drive - Mar 23<br>d) National Workforce plan for AMHPs – Sep 23 | March 2024 | G |
| Health & Social Care | Adult Social Care | Healthy | 23_16.4 | Implement shared lives improvement programme, including:<br>a) implementing a directorate -wide project board - May 2023<br>b) undertaking an in-depth review to inform and develop proposals for future delivery across the work streams - Jun 2023<br>c) develop an action plan for the identified workshops from Jun 2023 | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Healthy Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Health & Social Care | Adult Social Care | Healthy | 23_16.2 | Intervene earlier and differently by supporting young people entering adulthood to be physically and emotionally resilient, so once they become an adult, they will have a connective, fulfilling productive life:<br>a) Complete full financial review of expenditure - Jul 23<br>b) Work with BCT to improve data sharing and build forecasting dashboard - Oct 23<br>c) Scoping of existing provision and development of commissioning options – Dec 23 | December 2023 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_14.3 | Production and agreement of a multi agency Physical Activity (PA) Strategy aimed at increasing PA and reducing inactivity of the population in Birmingham | December 2023 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_13.1 | Production of public health reports to inform the Council and its strategic partners commissioning intentions - including:<br>a) Joint Strategic Needs Assessment - Dec 23 | December 2023 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_13.2 | Production of public health reports to inform the Council and its strategic partners commissioning intentions - including:<br>b) The Annual Director of Public Health report - Mar 24 | March 2024 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_13.3 | Production of public health reports to inform the Council and its strategic partners commissioning intentions - including:<br>c) Community Health profiles - Mar 24 | March 2024 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_13.4 | Production of public health reports to inform the Council and its strategic partners commissioning intentions - including:<br>d) Health needs assessments linked to priorities of Health and Wellbeing Board - Mar 24 | March 2024 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_13.6 | Recommission the uptake of Tier 2 Adult Weight Management Services in targeted disability groups | December 2023 | G |
| Health & Social Care | Strategy, Equality and Partnerships (SEP) | Healthy | 23_15.2 | Review and update the suicide prevention action plan by incorporating the BSol 5 year coronial audit and other relevant local intelligence gathered through collaboration with partners | September 2023 | A |
| Health & Social Care | Adult Social Care | Healthy | 23_16.5 | Work with partners to implement the joint Dementia Strategy 2022-2027 | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Healthy Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Health & Social Care | Adult Social Care | Healthy | 23_16.1 | Work together in the community across social care, community nursing, therapy services, GP practices and mental health services to better manage ongoing and long-term conditions and to reduce the risk of citizens experiencing health and care crises:<br>a) Build on work being completed in proof-of-concept trials for wider roll out in 2023<br>b) Embed organisational development programme - Jun 23<br>c) Review impact of new model including staff surveys and progress tracking of individuals receiving support - Jun 24 | June 2024 | G |
| Health & Social Care | City Operations | Healthy | 23_14.2 | Work with Public Health to establish and deliver an updated service specification for Be Active and Be Active + to support the social, physical, emotional, and mental wellbeing of citizens and wider communities through our Wellbeing and Community Centres | September 2023 | B |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Green Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_19.1 | Continue to deliver the Route to Zero Programme comprising a portfolio of short-, medium- and long-term projects designed to reduce carbon emissions, including activity to:<br>a) Update BCC Greenhouse Gas emissions baseline and use to inform engagement and priority activity – Sept 23<br>b) Review and refine the Environmental Sustainability Assessment process to ensure climate change, nature and net zero is embedded into decision making – Sept 23<br>c) Review BCC use of its powers and levers in net zero delivery; flag areas for greater use of powers – Oct 23 | March 2024 | G |
| Environment | City Operations | Green | 23_17.3 | Continue to improve the perception and performance of waste collections through service enhancements and better communication with citizens, including optimising collections, implementing a citizen communication plan, Residents' Charter, and Waste Management Charter | March 2024 | A |
| Environment | City Operations | Green | 23_17.1 | Continue to promote and support Love Your Environment events to deliver cleaner streets targeting the worse performing 15 Wards providing at least 1 event per ward | March 2024 | G |
| Environment | City Operations | Green | 23_17.2 | Develop an environmental education programme for the City that can be presented to all schools in the City | March 2024 | A |
| Environment | City Operations | Green | 23_19.3 | Develop future waste strategy to develop a shared vision for the City's waste post 2034, including energy generation, resource efficiency and circular economy considerations this will take a number of years to complete working with partners and the market | March 2024 | G |
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_19.2 | Finalise scope and commence delivery of a climate change strategy specifying the interventions required across programme themes, and ensure clear objectives, priorities and scale of activity required to deliver the city's Route to Net Zero ambition.<br>a) Commission strategy work – Jun 23<br>b) Draft strategy and key interventions – Oct 23 | March 2024 | A |
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_19.4 | Further develop Birmingham District Energy Company decarbonisation road map:<br>a) Draft decarbonisation roadmap - Jun 23<br>b) Detailed modelling and final roadmap - Sep 23<br>c) Delivery and funding plan - Mar 24 | March 2024 | A |
| Environment | City Operations | Green | 23_18.3 | Progress master-planning study at Perry Park and preparing a business case to support its enhancement into a sustainable destination park | March 2024 | G |
| Transport | Places, Prosperity and Sustainability (PPS) | Green | 23_19.5 | Birmingham Transport Plan delivery, including:<br>a) Publish the Birmingham Transport Plan Delivery Plan and associated documents - May 23<br>b) Identify a series of Major Projects, Sub Programmes and Policies as the basis for future reporting - Sep 23 | March 2024 | A |

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Birmingham City Council

# Be Green Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Transport | Places, Prosperity and Sustainability (PPS) | Green | 23_18.1 | Deliver the Council's Clean Air Strategy, including:<br>a) Expansion of air quality monitoring at schools (linking to initiatives such as Safe School Streets and Mode SHIFT Stars)<br>b) Determine the future role of the Clean Air Zone<br>c) Awareness building around the sources of Particulate Matter and impacts on health ('Time to Act') campaign | March 2024 | G |
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_19.7 | Launch an engagement and behaviour change strategy plan with clear set of mechanisms to support engagement of city stakeholders including launching a staff engagement network, including:<br>a) Public engagement event – May 23<br>b) Draft engagement and behaviour change strategy and plan – Jul 23<br>c) Strategy and plan approved – Jan 24 | March 2024 | G |
| Environment | City Operations | Green | 23_17.4 | Progress initiatives to improve the cleanliness of the city including fly tipping and graffiti crews, Grime Watch and targeted waste enforcement | March 2024 | G |
| Environment | City Operations | Green | 23_20.2 | Progress the City of Nature Plan to include: identifying 28 Green Champions across the 14 'red wards' the areas of the city where environmental focus is most needed and commencing improvement activities in the 6 priority wards (Balsall Heath West, Nechells, Gravelly Hill, Pype Hayes and Castle Vale) | March 2024 | G |
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_20.4 | Progress the Urban Nature Development Programme including:<br>a) Developing and adopting a Local Nature Recovery Strategy and biodiversity policy by Nov 23<br>b) Creating a biodiversity habitat bank,<br>c) Produce a Green Infrastructure Master Plan for East Birmingham by Dec 23,<br>d) Finalise the Future Parks Standard, a process to assess and manage parks by Dec 23 | December 2023 | A |
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_20.3 | Progress Urban Forest Accelerator pilot, a two year, externally funded project, including working with the Woodland Trust and Birmingham Tree People; and commencing work on devising a 5 year tree planting programme targeting lowest canopy cover wards - Oct 24 | October 2024 | G |
| Environment | City Operations | Green | 23_20.1 | Review the current provision in our Parks and Open spaces by supporting Partners to submit bid applications to achieve local improvements | March 2024 | G |
| Environment | City Operations | Green | 23_18.2 | Support the strategic air quality objectives through the utilisation of environmental protection powers to improve air quality, including to:<br>a) Submit Air Quality annual status report within agree timeframes<br>b) Deliver the Environmental permitting programme inspection regime | March 2024 | A |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Green Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Environment | Places, Prosperity and Sustainability (PPS) | Green | 23_19.6 | Work with City Housing and Housing Development on a city-wide delivery and funding plan to improve the energy performance and decarbonisation of existing and new housing<br>a) Launch procurement for housing decarbonisation delivery plan – Jul 23<br>b) Draft delivery plan – Dec 23<br>c) Final delivery plan – Mar 24 | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Best in Class Council Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Leader | Council Management | Best in Class Council | 23_21.6 | Continue the implementation of our Strategy 'Everyone's Battle, Everyone's Business' to include:<br>a) Achieve Disability Confident Level 2 Status - May 23<br>b) Positive Action Statement implemented, including positive action shortlisting and diverse panels - Jul 23<br>c) 2023 Gender and Ethnicity joint reports produced with actions to narrow gaps/ promote equity - Aug 23<br>d) Launch Emerging Leaders Programme career acceleration programme for internal staff to address under-representation (Level 5) - Sep 23<br>e) Inclusive leaders support package defined and implemented - ongoing | March 2024 | A |
| Leader | Council Management | Best in Class Council | 23_21.3 | Delivery of the Bold People Service Plan including:<br>a) Strategic priorities including Technology, Permanent Pay Equity (EBEB) and Organisation Change<br>b) Fit for purpose / Short Term priorities including; Health Safety and Wellbeing, Employee Relations, Employee Engagement, Talent Management, Performance management, Recruitment, MARS, Trade Union relations, Data Insight and analytics and Total Reward. | March 2024 | A |
| Leader | Strategy, Equality and Partnerships (SEP) | Best in Class Council | 23_21.12 | Develop and deliver a communications strategy aligned to the Corporate Plan priorities, supporting the delivery of Be Bold Be Birmingham with specific campaigns aligned to the five priorities. | September 2023 | G |
| Leader | Council Management | Best in Class Council | 23_21.4 | Development of a high performing workforce including action to:<br>a) implement best in class resourcing and recruitment services | March 2024 | A |
| Leader | Council Management | Best in Class Council | 23_21.5 | Development of a high performing workforce including action to:<br>b) initiate job evaluation project | March 2024 | A |
| Deputy Leader | Strategy, Equality and Partnerships (SEP) | Best in Class Council | 23_21.9 | Build and embed a culture of data driven decision making, including:<br>a) establish a Birmingham Data Charter that ensures ethical and safe publication by Sep 23<br>b) Deliver a pipeline of data and insight publications as Birmingham City Council's contribution to the City Observatory | March 2024 | G |
| Deputy Leader | Council Management | Best in Class Council | 23_21.1 | Deliver year 2 of the Customer Service programme continuing to embed the adoption of user centred design principles across our customer service offerings to improve customer satisfaction and reduce complaints | March 2024 | G |
| Deputy Leader | Strategy, Equality and Partnerships (SEP) | Best in Class Council | 23_21.2 | Ensure best in class services across the Council introducing a corporate approach for assessing and improving services to become best in class | March 2024 | A |
| Social Justice, Community Safety and Equalities | Strategy, Equality and Partnerships (SEP) | Best in Class Council | 23_21.7 | Continued delivery of Workforce Race Equality actions as part of 'Everyone's Battle, Everyone's Business' | March 2024 | G |

**BRAG Summary:** Number of BLUE rated Activities = **5** Number of GREEN Rated Activities = **89** Number of AMBER Rated Activities = **29** Number of RED Rated Activities = **1**

Birmingham City Council

# Be Best in Class Council Delivery Milestones – position at end of Quarter 1 - 2023/24

| Portfolio | Directorate | CP Ambition | Ref No | Activity | Delivery Date | BRAG Status |
|---|---|---|---|---|---|---|
| Finance & Resources | Council Management | Best in Class Council | 23_21.10 | Deliver commercial excellence through robust, efficient, and effective commercial governance, including action to:<br>a) Embed a Category Management approach looking to maximise value from similar spend across the Council<br>b) Further embed the Contract Management Framework to drive effective management of commercial arrangements<br>c) Review tender documents to promote supply chain diversity<br>d) Proactively tackle Modern Slavery in the supply chain<br>e) create a Commercial and Investment Centre of Excellence | March 2024 | A |
| Digital, Culture, Heritage and Tourism | Council Management | Best in Class Council | 23_21.8 | Drive the Council's Digital Strategy including:<br>a) Communication and engagement with senior leaders and staff more generally to build awareness and confidence in the development of digital solutions<br>b) Developing a framework service teams can use to help them develop digital solutions and automate processes<br>c) Progressing the data programme to support quality assured data analysis and provide the skills and toolsets to support data driven decision making<br>d) Refreshing the delivery plan by Apr 23 and delivering the agreed actions | March 2024 | G |
| Finance & Resources | Council Management | Best in Class Council | 23_21.11 | Lead development of strategy to achieve Medium-term financial stability through:<br>(a) Further promoting the financial accountability framework through mandatory training in financial awareness and increased roll out of accountability letters.<br>(b) Further developing accountability framework through financial controls review, linking operational financial control to strategic organisational assurance framework | March 2024 | R |

# Appendix C.2:
## Delivery Milestones Rated Amber and Red



Birmingham City Council

# No Red-rated activities in 2023-24 Quarter 1

## Activity

## Commentary

1. **Continued implementation of the City Centre Enterprise Zone e) Martineau Galleries - Outline Business Case approved**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_3.11 | Places, Prosperity and Sustainability (PPS) | Leader | November 2023 | |

Negotiations are on-going. This is typical of such complex large scale schemes and therefore the performance is recoverable and it is envisaged that the annual target will be achieved.

2. **Continued implementation of the City Centre Enterprise Zone g) Curzon Metro Stop - Stage 2 contract awarded**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_3.13 | Places, Prosperity and Sustainability (PPS) | Leader | May 2023 | |

HS2 have reported a delay to the appointment of the main works contractor, with a revised delivery date - Quarter 3 2023/24. This is outside the Council's control. However, HS2 are reporting that this will be completed in September 2023 and therefore the performance is recoverable and it envisaged that the annual target will be achieved.

3. **Deliver the Living Wage Action Plan**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_1.5 | Strategy, Equality and Partnerships (SEP) | Social Justice, Community Safety and Equalities | March 2024 | |

LW was on-target to meet KPIs, engagement across partnership currently low. LW regional manager has stepped in to support project management of the work due to no internal lead at time of writing. A impact report was signed off in feb 2023, key detail: we have
1) increased the number of accredited living wage employers from 100 to 133,
2) increased the living wage uplift from 7,000 to 8,170
3) increased the number of employees covered by the living wage from 40,000 to 60,000. At time of writing no meeting took place between April-June 2023.

## Activity

## Commentary

4. **Progress Birmingham Development Plan Review**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_3.15 | Places, Prosperity and Sustainability (PPS) | Leader | October 2024 | |

Although, currently the deadline is not missed at this point of reporting (i.e. July 2023). There is a risk anticipated that there may be delays in the Preferred Options consultation for a revised Local Development Scheme which will reported to Cabinet in October 2023 to seek approval. This may result in delay to achieving the November 23 deadline. However longer term performance targerts seem recoverable and we remain on track to submit the plan in June 2025.

5. **Progress regeneration programmes: a) Birmingham Smithfield**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_3.2 | Places, Prosperity and Sustainability (PPS) | Leader | March 2024 | |

The masterplan is been refined in consultation with Historic England and a planning addendum will be submitted in November 2023 .It is now anticipated that planning consent will be achieved by Feb 24, OBC Funding Approval May 24 and Start on Site Aug 24.

# No Red-rated activities in 2023-24 Quarter 1

## Activity

## Commentary

1. **Commission a range of cultural engagement projects**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_7.3 | City Operations | Digital, Culture, Heritage and Tourism | March 2024 | |

Windrush 2023 supported. Young People on Arts Boards programme supported. Heritage Week contracted for September but, Culture Commissioing Theme grants and projects such as Black History Month is being reviewed to ensure compliance with current spend controls.

2. **Integrate the current Financial Inclusion Partnership and strategy into the Cost of Living Programme and deliver objectives set out in the Housing Strategy relating to financial Inclusion**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_5.1 | City Housing | Deputy Leader | March 2024 | |

There has been a slight delay in delivery due to new governance arrangements, however, mitigations are in place to rectify before March 2024. A briefing note is due to be submitted to the Cost of Living (CoL) Strategic Group in July 2023 before moving through Council Leadership Team (CLT) proposing that this work sits within the new Early Intervention Directorate. City Housing will contribute to the corporate CoL programme within their remit of representing both tenants and citizens experiencing homelessness or requiring housing advice and support.

It is proposed that City Housing will devise an overarching delivery plan to support tenants and citizens and this will feed into the corporate approach. This is subject to agreement at the CoL Strategic Group on 19, July 2023 and subsequent CLT agreement.

3. **Evaluate delivery of the Cost-of-Living Emergency Response Programme**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_5.2 | Strategy, Equality and Partnerships (SEP) | Deputy Leader | March 2024 | |

In April, a progress report was produced on Cost of Living Phase 1. This outlined lessons learned, reported on the impact of the five work strands and set out an evaluation framework. A framework which articulated inputs, activities and outputs. Further work is being done to flesh out the medium term outcomes and this will be reported in October.

## Activity

## Commentary

4. **Progress delivery of the Digital Inclusion Strategy**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_5.3 | Council Management | Digital, Culture, Heritage and Tourism | March 2024 | |

The programme is currently showing as Amber due to staffing pressures which is impacting on delivery - these are being addressed.
a. We have allocated almost 1400 recycled devices from the Birmingham Device Bank to registered charities. The level of demand is still high and we are developing an offer to other organisations for the Council to recycle devices at cost. We are also distributing over 3,775 new devices to vulnerable citizens via community and charitable organisations in a phased approach.
b. We are working with GoodThingsFoundation to secure data packages for citizens. We have also received 1,500 MiFi devices to support with connectivity to go out to charities.
c. We are negotiating an informal partnership with Barclays Digital Eagles to create a Digital champions network with a timeline to be developed.
d. We are working with the WM5G to develop a campaign to raise the awareness of social tariffs.

5. **Raise the cultural profile and ambition of the City**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_7.1 | City Operations | Digital, Culture, Heritage and Tourism | March 2024 | |

New Culture Strategy Commission is being reviewed to ensure compliance with current budget spend controls. Recruitment of Compact Chair underway utilising ACE funding. Attracting Major Cultural Events - MOBO Awards 2024 bid submitted and major pop music concerts in city centre secured for 2024.

# No Red-rated activities in 2023-24 Quarter 1

## Activity

## Commentary

1. **Update Road Safety Strategy**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_9.3 | Places, Prosperity and Sustainability (PPS) | Transport | March 2024 | |

Publication for consultation of the revised strategy is delayed until October 2023 due to needing to align with the work programme for Sustainability and Transport Overview and Scrutiny Committee who are supporting the development of the revised strategy, and other road safety priorities arising from fatal incidents on our network.

2. **Work with neighbourhoods, communities and partners to improve community safety by refreshing Council's Anti Social Behaviour Policy**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_9.1 | City Operations | Social Justice, Community Safety and Equalities | December 2023 | |

The Anti-Social Behaviour (ASB) Policy is in the final stages of development and should soon be ready to go to City Operations Directorate Management Team (DMT) for approval. The original timeline for DMT approval was June. Once sign off has been received, work can continue to get the activity back on track. There are no implications for the ASB Pilot due to commence in August as that is overseen by the Office of the Police and Crime Commissioner and delivery for which is not dependent on the Council's ASB Policy.

Consultation and engagement sessions with residents have taken place across Birmingham during ASB awareness week and the development of a consultation group has commenced. Work is also being undertaken with the Office of the Police and Crime Commissioner to identify hotspot areas ready for the start of the pilot and the use of the integrated approach.

3. **Continue to progress key housing development and regeneration projects: e) Pool Farm Place**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_11.6 | Places, Prosperity and Sustainability (PPS) | Leader | March 2024 | |

Full scheme review design and feasbility is currently ongoing. Whilst this has taken longer than we envisaged, the performance is recoverable and it envisaged that the annual target will be achieved.
In doing so, the teams are working collaboratively to effectively complete the full scheme design and feasibility.

## Activity

4. **Embed compliance board to oversee delivery of a robust action plan that ensures the service is compliant against statutory requirements**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_11.9 | City Housing | Housing and Homelessness | March 2024 | |

5. **Ensure the effective implementation of the Hate Crime Strategy**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_10.4 | City Operations | Social Justice, Community Safety and Equalities | December 2023 | |

## Commentary

There are a number of key compliance issues, however, mitigations are in place to resolve ahead of the planned inspection in 2024.
1) The Regulator of Social Housing (RSH) published their judgement on 24, May 2023. The RSH found that BCC has breached the Home Standard and the Tenant Involvement & Empowerment Standard.
2) RSH identified 3 areas of concern:
- BCC had not completed fire, electrical & asbestos checks and inspections for every property that needed one.
- A significant proportion of BCC properties do not meet the Decent Homes Standard (DHS).
- BCC has failed to handle complaints effectively and failed to treat tenants with fairness and respect.
3) Action teams have been mobilised and are already focused on the priorities identified both within the Housing Ombudsman's report, which resulted in the referral to the RSH, and the RSH judgement issued in May 2023.

The Hate Crime Partnership tasking group has been repurposed and is due to meet for the first time in July to set out the new objectives of the group. This is slightly later than originally hoped and the delay has largely been due to the need to update and bring up to speed the new cabinet member who will be chairing these meetings moving forward. We are confident that despite the delay activities will be brought back on track in due course.

# No Red-rated activities in 2023-24 Quarter 1

## Activity

1. **Review and update the suicide prevention action plan**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_15.2 | Strategy, Equality and Partnerships (SEP) | Health & Social Care | September 2023 | |

## Commentary

Suicide prevention action plan has been updated and shared with the Suicide Prevention Action Group. The coronal audit is not yet available and once the data is shared it will be reviewed together with the plan and any further amendments made.

# No Red-rated activities in 2023-24 Quarter 1

## Activity

1. **Birmingham Transport Plan delivery**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_19.5 | Places, Prosperity and Sustainability (PPS) | Transport | March 2024 | |

## Commentary

Publication of Birmingham Transport Plan Delivery Plan and associated documents delayed until September 2023 due to a need to revise the modelling methodology.
This does not impact on the overall programme and identification of projects, sub programmes and policies for annual delivery timescales.

2. **Continue to improve the perception and performance of waste collections**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_17.3 | City Operations | Environment | March 2024 | |

The Environment Bill mentions bringing in schemes which will directly affect waste collections. However, so far there hasn't been any clarity on collections, food, and dry mixed recycling so it is proving difficult to develop plans until more detail is provided and we can be clearer on what we should be communicating to residents.
Keep Britain Tidy are engaged to help provide challenge and examples of best practice. A long-term waste strategy has started and this activity will be progressed in more detail as the strategy is embedded.

3. **Develop an environmental education programme for the City that can be presented to all schools in the City**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_17.2 | City Operations | Environment | March 2024 | |

We have limited resources to deliver this programme so identified the need for support from an intern programme to provide some additional capacity, particularly to look at investigating and suggesting improvements to the programme. Applications for the internship have been received and are due to be reviewed. If the internship isn't possible then this activity may need to be picked up by the programme lead when they are appointed.

## Activity

## Commentary

4. **Finalise scope and commence delivery of a climate change strategy**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_19.2 | Places, Prosperity and Sustainability (PPS) | Environment | March 2024 | |

Evaluation underway to establish plan of work to produce evidence base for strategy work in house. All council activities being categorised into scope 1/2/3 (direct and indirect). Paper to be written outlining how this varies depending on whether the council decided to adopt financial, equity or operational control. Paper to be submitted to programme board. Gantt chart produced to outline and breakdown a plan for work and engagement. Strategy not due to be commissioned at this time as work is being done internally instead.

5. **Further develop Birmingham District Energy Company decarbonisation road map**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_19.4 | Places, Prosperity and Sustainability (PPS) | Environment | March 2024 | |

Work package 1 complete. Work package 2 has begun delivering an in-depth techno-economic analysis of shortlisted options against the agreed growth scenarios to share the identified and seek agreement of preferred roadmap route with key stakeholders – to be completed by September 2023. Final draft of decarbonisation roadmap business case by March 2024. Strategic vision for heat networks across the city also in development - the BDEC network roadmap will be informed / feed into this.

6. **Support the strategic air quality objectives through the utilisation of environmental protection powers to improve air quality**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_18.2 | City Operations | Environment | March 2024 | |

Annual Status Report slightly delayed to incorporate comments from Senior Officers. Defra notified and extension requested. Anticipate completion by 31/07/2023. EPR inspections have commenced - Amber flag on completion by year end as requires progression of ongoing recruitment / agency support to account for officer shortages (dependent upon budgetary constraints)

7. **Progress the Urban Nature Development Programme**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_20.4 | Places, Prosperity and Sustainability (PPS) | Environment | December 2023 | |

Currently progress is on track.
On Track in parts. A) + B) Local Nature Recovery Network identified, work underway to survey selected sites for baseline value (and to determine potential for use as off site BNG delivery locations.
C) Green Infrastructure Master Plan prospectus underway for the East Birmingham geography- currently using data to identify gaps in provision.
D) Future Parks Standard drafted and in testing. Considered as amber at this point, as there is a likely risk that the November target may be delayed due to internal capacity constraints. However, performance is recoverable subject to wider council priorities and it is envisaged that the annual target will be achieved.

## Activity

## Commentary

1. **Lead development of strategy to achieve Medium-term financial stability**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.11 | Council Management | Finance & Resources | March 2024 | |

A refreshed medium-term financial strategy (MTFS) was presented to Cabinet in July. This paper also introduced the Robust Budget Savings & Recovery Plan to seek to mitigate future financial pressures. This plan is owned by the Cabinet and the Corporate Leadership Team (CLT). We expect the RAG rating to reduce for future quarters as CLT and Cabinet take action to address the forecast budget gaps. This would include identification of existing savings proposals in sufficient time to enable the Council to set a balanced budget for the 24/25 year (which will need to be agreed by Cabinet and Full Council in February 2024).

2. **Continue the implementation of our Strategy 'Everyone's Battle, Everyone's Business'**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.6 | Council Management | Leader | March 2024 | |

a. The Council is now a Disability Confident Employer Level 2, and colleagues in People Services and Strategy, Equality and Partnerships are now exploring and working towards level 3 status.
b. Positive Action shortlisting isn't progressing as planned due to a combination of issues (i.e. legal advice, limited internal expertise, Oracle). Mitigation plans to address these issues are in place.
c. Oracle data access is impacting on reporting.
d. Management programme designed to specifically support Black, Asian and Minority Ethnic staff to progress into leadership roles is currently being promoted.
e. Privilege and power workshops delivered to more than 1,300 staff. Senior Managment Team have been trained on unconscious bias.

3. **Deliver commercial excellence through robust, efficient, and effective commercial governance**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.10 | Council Management | Finance & Resources | March 2024 | |

Training rolled out to all Corporate Procurement Services staff on Category Management with increased engagement / business partnering with Directorates being advanced but focus on relationship as opposed to advancement on true Category Management. Final stages of eLearning package being completed around the draft contract management handbook. In regard to Modern Slavery a list of top suppliers according to size of contract and relative risk has been drafted. Next step is to request their policies and practices to review and signpost to support if required. Overall the programme is seen as Amber, concerns on overall organisational capacity / bandwidth to finalise and embed as "Business As Usual"some elements (such as Contract Management) plus competing resource demands and resource capacity are impacting progress.

4. **Delivery of the Bold People Service Plan**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.3 | Council Management | Leader | March 2024 | |

There are 130 actions currently identified in the People Services Bold Plan (42 aligned against the strategic priorities and 88 against the fit for purpose priorities). Across the plan, 12% of the actions have been completed and 57% marked as either amber or green in relation to progress against plan. 6% of actions are marked as red and, where this is the case, progress is being carefully managed. The remaining actions are yet to be rated - a number are not due to start until later in the year.
People Services Leadership Team have set up a regular monitoring rhythm to track progress and ensure appropriate prioritisation, focus, and impact. The current focus relates to People Service's response to the present fiscal situation, identifying critical actions in support of the corporate response.

## Activity

## Commentary

5. **Development of a high performing workforce including action to: a) implement best in class resourcing and recruitment services**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.4 | Council Management | Leader | March 2024 | |

A new proposed recruitment model has been drafted and is pending formal implementation in Q2. In the meantime, resourcing consultants are being allocated to support directorates and the People Operations Team are being re-organised to better support the Council. Plans are well underway to consider how best to tackle organisational resourcing-related decisions as they come into sharper focus as a result of the need to review our budgets.

From Q2 onwards, this activity will be reported under activity reference 23_21.3- Bold People Service Plan.

6. **Development of a high performing workforce including action to: b) initiate job evaluation project**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.5 | Council Management | Leader | March 2024 | |

The programme has been under review since January as to the process and method with Trade Unions included in discussions. The result of this review was a paper that was presented to the July 2023 Cabinet. Council Business Management Committee will make the final decision relating to the job evaluation process. Further project management resource has been recruited into the team to manage critical tasks. The programme is in its first phase - the updating of job information for the circa 3,200 roles in scope. A plan and personnel are in place to deliver this phase by end September 2023. RoleMapper software has been acquired and is being used to catalogue Job Information and will greatly assist the efficient delivery of the programme. In addition, RoleMapper will facilitate the Everyone's Battle Everyone's Business (EBEB) objective 5.14 for inclusive Job Descriptions and Person Specifications. The programme is rated amber with an improving direction and the future status of the programme is dependent up on a Cabinet decision. For Q2, this will report under ref 23_21.3-Bold People Service Plan.

7. **Ensure best in class services across the Council introducing a corporate approach for assessing and improving services to become best in class**

| Ref. No. | Directorate | Portfolio | Delivery Date | BRAG Status |
|---|---|---|---|---|
| 23_21.2 | Strategy, Equality and Partnerships (SEP) | Deputy Leader | March 2024 | |

Methodology and approach has been developed and agreed, including a self-reflection tool and a pool of officers who will provide challenge and support as ‘peers’. Progress against some of the key programme activities, such as peer training, has stalled a bit during the first quarter of 2023/24, due to other organisational improvement priorities. The appointment of a dedicated programme manager will help bring the programme back on track.

# Birmingham City Council

# Report to Cabinet

**5 September 2023**

| | |
|---|---|
| **Subject:** | **ACCEPTANCE OF RECOMMENDATIONS FROM SEND COMMISSIONER'S SECOND REPORT** |
| **Report of:** | **Sue Harrison, Director Children and Families** |
| **Relevant Cabinet Member:** | **Cllr Karen McCarthy - Children, Young People & Families** |
| **Relevant O&S Chair(s):** | **Cllr Kerry Jenkins - Education, Children & Young People** |
| **Report author:** | **Helen Ellis, Director SEND and Inclusion**<br>**helen.ellis@birmingham.gov.uk** |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: N/A | ☐ Yes | ☒ No |
| Is the decision eligible for call-in? | ☐ Yes | ☒ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, provide exempt information paragraph number or reason if confidential: | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 In May 2023 John Coughlan CBE, the DfE appointed Commissioner for Special Educational Needs and Disability (SEND) Services in Birmingham, published his second report to the Secretary of State for Education. This report was dated February 2023. His first report was published in May 2022, the recommendations of which were accepted in full by Cabinet in November 2022.

1.2 In his second report, the SEND Commissioner notes that '*there have been a number of significant and welcome areas of progress and development in Birmingham SEND'* and sets out areas where measurable progress has been made.

1.3 The Commissioner also notes that '*there is substantial work to do*' and makes 10 recommendations.

1.4 This report sets out the progress that has been made in SEND since the Commissioner drafted his second report. Cabinet is asked to accept the recommendations in the Commissioner's second report, note the Council's commitment to delivering the action plan that seeks to address them as well as note the progress made against the Commissioner's first set of recommendations.

## 2 Recommendations

2.1 That Cabinet:

2.1.1 Accepts the recommendations made by the Commissioner in his second report (published May 2023, dated February 2023).

2.1.2 Notes the updated action plan appended with this report that sets out progress against the recommendations set out in the Commissioner's first report (published May 2022).

2.1.3 Notes the action plan appended with this report that sets out how the recommendations from the Commissioner's second report will be addressed and the progress made since the Commissioner drafted his report.

## 3 Background

3.1 In June 2018 Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of Birmingham to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.

3.2 As a result of the findings of that inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) determined that a Written Statement of Action (WSOA) was required because of 13 significant areas of weakness in practice. The WSOA was issued in September 2018.

3.3 In May 2021, Ofsted and the CQC revisited Birmingham to assess whether sufficient progress had been made in addressing the areas of significant weakness detailed in the WSOA.

3.4 That inspection found that Birmingham had not made sufficient progress in addressing 12 of the 13 areas of significant weakness.

3.5 In October 2021 the Secretary of State for Education issued a statutory direction to Birmingham City Council requiring the Council to take steps to improve its SEND services, including co-operating with the DfE appointed SEND Commissioner, John Coughlan.

3.6 The Council was also directed to submit its Accelerated Progress Plan (APP) to the DfE and NHS England (NHSE) setting out:

3.6.1 the governance and accountability structures and processes that will support the next phase of improvement.

3.6.2 the actions the Council is now taking (and has taken since inspectors left) to respond to their outstanding concerns; the impact measures and milestones to which the Council is working on, being clear on the improvements that will be delivered in the next 3, 6 and 12 months.

3.7 The APP was subsequently published and approved by the DfE. The APP is reviewed and updated after each 6 monthly DfE/NHSE review, after the formal feedback from each review is received.

3.8 In February 2022, the SEND Commissioner published his first report to the Secretary of State for Education. The report looked in detail at a range of structural options and made the key recommendation not to recommend structural reform. This recommendation was made on the basis that the Council would unequivocally commit to the range of related recommendations in the report as a statement of the local authority's determination to return vulnerable children to the heart of the city's ambitions.

3.9 The Council unequivocally accepted the recommendations that were made in the Commissioner's first report. The Council also provided the SEND Commissioner with an action plan which set out how each of the recommendations would be addressed.

3.10 The action plan appended with this report (**Appendix 1**) shows the progress made against the recommendations in the Commissioner's first report.

3.11 In May 2023 the Commissioner's second report (dated February 2023) was published.

3.12 In this report, the Commissioner stated that *'there have been a number of significant and welcome areas of progress and development in Birmingham SEND. Most notably these include: very substantial corporate progress; similar progress in the rebuilding of children services generally; gradual progress in the services themselves, though this is less evident to parental and child experience.'*

3.13 The Commissioner highlighted areas of measurable progress made since his first report was drafted including the percentage of Education, Health and Care Plans (EHCPs) issued within 20 weeks, increasing traffic to the Local Offer website, a reduction in the percentage of children and young people with EHCPs who are not in employment, education or training (NEET) and over 95% of phase transfers being completed on time.

3.14 There is an established, positive working relationship with the SEND Commissioner across the partnership of SEND services. Partnership meetings are embedded to drive the improvement required, with commitment from the highest level of leadership, including the political leadership of the council.

3.15 The Commissioner's second report made ten recommendations. **Appendix 2** sets out the progress made so far against these recommendations.

3.16 The Commissioner's recommendations have been accepted by the SEND Improvement Board (SIB) which oversees progress made via regular stocktakes.

3.17 **Appendix 2** sets out progress made against the ten recommendations since the Commissioner wrote his second report.

## 4 Consultation

4.1 The work of the SEND Improvement Board is based on co-production and consultation with a variety of stakeholders.

4.2 Co-production and consultation help to crystalise the deliverables of the programme and how we improve outcomes for children and young people in Birmingham.

## 5 Risk Management

5.1 Risks in delivering against the recommendations made by the SEND Commissioner are identified, evaluated and controlled through the SEND Improvement Board.

5.2 The Accelerated Progress Plan has a risk register through which risks are logged and managed.

## 6 Compliance Issues:

### 6.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

6.1.1 The recommendation supports the delivery of one or more of the Council's priorities as set out in the Birmingham City Council Plan 2022:

- Birmingham is an aspirational city to grow up in - we will improve protection of vulnerable children and young people (including those with Special Educational Needs and Disability).
- Birmingham is an aspirational city to grow up in - we will inspire our children and young people to be ambitious and achieve their full potential.

### 6.2 Legal Implications

6.2.1 On 15 October 2021 the Secretary of State for Education issued a statutory direction under section 497A(4B) of the Education Act 1996, directing the Council to take a number of steps including complying '*with any instructions of the Secretary of State or the SEND Commissioner in relation to the improvement of the Council's exercise of its SEND functions and provide such assistance as either the Secretary of State or the SEND Commissioner may require*'. The Council is therefore required to act upon the recommendations set out in the SEND Commissioner's Report dated February 2023.

### 6.3 Financial Implications

6.3.1 A report was approved at Full Council on 28th February 2023 for the additional resources required by the Children and Families Directorate.

### 6.4 Procurement Implications (if required)

6.4.1 None.

### 6.5 Human Resources Implications (if required)

6.5.1 None related to this report. A report was approved at Full Council on 28th February 2023 seeking approval for the additional resources required by the Children and Families Directorate. This resource has recently been identified and there is much to do. In the meantime, progress is being made both in terms of the recruitment to leadership positions in Children and Families Directorate and the redesign/restructure of the service.

### 6.6 Public Sector Equality Duty

6.6.1 The inspections of Birmingham's services for children and young people with SEND identified areas of weakness that needed to be addressed.

6.6.2 In considering and fully accepting the Commissioner's recommendations the Council has had regard to the PSED and in particular notes that the functions carried out by the Council's SEND services are designed to support the aims set out in section 149 of the Equality Act 2010, particularly for those with the protected characteristic of disability.

### 6.7 Environmental and Sustainability Implications

6.7.1 N/A

## 7. Appendices

7.1 **Appendix 1** - Updated Action Plan showing progress against the recommendations from the Commissioner's first report.

7.2 **Appendix 2** - Action Plan setting out how the recommendations from the Commissioner's second report will be addressed.

## 8. Background documents

- Statutory direction issued to Birmingham City Council due to its special educational needs and disability (SEND) service provision. https://www.gov.uk/government/publications/direction-issued-to-birmingham-city-council-october-2021
- Independent reports and recommendations from the commissioner for SEND services in Birmingham. https://www.gov.uk/government/publications/birmingham-city-councils-send-service-commissioners-report

**Recommendations from SEND Commissioner's first report to the Secretary of State**

| | Recommendation |
|---|---|
| 1 | There should be no structural reform to introduce an alternative delivery model for SEND in Birmingham which should instead remain under the direct leadership and management of Birmingham City Council ((BCC) supporting the wider SEND partnerships including with NHS and schools). |
| 2 | Recommendation 1 is strictly conditional on the unequivocal support of BCC and on the local authority's absolute commitment to the remainder of these recommendations including the continuing roles of the Improvement Board, the retained Statutory Direction, and the Commissioner. |
| 3 | In the absence of the necessary commitment from BCC described in 2, work should start immediately to transfer all of the remaining children's services for which BCC is directly responsible into the Birmingham Children's Trust (BCT), thus establishing through that vehicle, a full-scope children's trust including SEND and education services. |
| 4 | The roles of the independently chaired Improvement Board and the Commissioner should be consolidated accordingly with a retained Statutory Direction to oversee and drive the continued improvement work. |
| 5 | The Accelerated Progress Plan should be retained but the Improvement Board will assimilate oversight of that plan with oversight of the programme to implement these recommendations to ensure a coherent approach to all aspects of SEND improvement. |
| 6 | An early exercise should take place to review the APP and particularly its timescales now that this point in the process has been reached. In view of the scale of the improvement challenge that review should consider all ways to bring forward all possible deadlines with the full cooperation of all parties. |
| 7 | That will include taking all possible steps to ensure that the introduction of new SEND data systems are prioritised by all parties and thereby developing a clearer analysis of the financial requirements of future improvement. |
| 8 | The SENDIASS service in Birmingham should be externally reviewed with recommendations brought back to the IB in due course. |
| 9 | The Improvement Board and BCC should establish a resourced Communications Strategy as a matter of priority to establish more fluent, frequent and effective communications with parents and carers focussing on both the communications of the improvement work but also ensuring effective case work communication. |

| | |
|---|---|
| **10** | BCC will bring to the IB an update on the progress of the Home to School Transport reforms which are relevant to but not strictly part of the SEND process. |
| **11** | The DCS should plan and lead a collaborative process with schools to re-set the wider relationship between schools and the LA, including but not only with regard to SEND, taking the opportunity of her appointment and this report to trigger that work. |
| **12** | In the next stage of this process the Commissioner should work with NHS colleagues to offer a closer focus on the health dimensions to this work. |
| **13** | The City Council will commit to taking all legitimate steps to regularise the roles of all relevant staff and managers, moving from interim to permanent appointments wherever and as quickly as possible in the interest of stable SEND and children's services. |
| **14** | The City Council should consider an exercise to incentivise retention of key staff whose roles are business critical to the successful delivery of SEND improvement. |

| Owner | Update July 2023 |
|---|---|
| N/A | We agree with and welcome this recommendation. |
| BCC | The Commissioner's first set of recommendations were formally accepted by the Cabinet in November 2022. The recommendations from the Commissioner's second report to the Secretary of State will be taken to Cabinet in September 2023.<br>The role of the Improvement Board is now embedded.<br>The Director Children and Families maintains regular communication with the Commissioner. |
| N/A | |
| Director Children and Families | We continue to work with the Commissioner and use the Improvement Board to help drive improvement. |
| Director Children and Families | Delivery of the APP continues to be overseen through the SIB. The overarching recommendations of the commissioner's report are integrated in the work of the SIB and monitored in the same way as the APP. |
| Director SEND and Inclusion | Reviews of the APP were undertaken throughout 2022 and 2023 resulting in a revised version of the APP now signed off by the DfE and published. Progress of the APP is regularly reviewed at the SEND Improvement Board. Six monthly stocktake reviews was carried out by the DfE in June 2022, December 2022 and June 2023. |
| Director Children and Families | This is covered through Objective 2 of the APP and is currently in progress. Resources have been identified to ensure a sustained data team are in place to support analysis that will inform future forecasts and resource planning according to need. |
| Director Children and Families | An external review was undertaken. Recommendations of the review were brought back to the Improvement Board and reported to Cabinet. Service is making progress on deliverig its statutory responsibilities, as per the recommendations of the external review. This progress is being closely monitored. |
| Director Children and Families | This is part of the APP Objective 3. The SEND Communications Strategy was signed off at the SIB in July 2022. |

| | |
|---|---|
| Director Children and Families | Home to School Travel Service has reported progress at SIB. The leadership of both SEND and Home to School Travel Service areas are working closely together to ensure services are joined-up as they are redesigned. |
| Director Children and Families | Successful Headteacher Inclusion mini conferences took place in June 2022 The establishment of a Head Teacher Reference Group has enhanced the way the local partnership interacts with schools and Headteachers have been in attendance at workshops to co-produce the SEND strategy. A Headteachers' inclusion conference took place in July 2023 and further engagement is planned for the remainder of the year. |
| SEND Commissioner | A Health summit was held in early 2023. |
| Director SEND and Inclusion | This work is underway and the redesign of the SENAR service commenced formal consultation in July 2023. |
| Director SEND and Inclusion | We are working with HR to pursue individual conversations to seek to retain business critical staff. |

| Status |
| --- |
| N/A |
| Complete |
| N/A |
| Complete |
| Complete |
| Complete |
| In progress |
| Complete |
| Complete |

Complete

In progress

Complete

In progress

In progress

**Recommendations from SEND Commissioner's second report to the Secretary of State**

| | Recommendation |
|---|---|
| 1 | The intervention should be retained in its current form including: the Statutory Direction; the Commissioner role; the Improvement Board; and the APP |
| 2 | The work being done within BCC to establish a stronger corporate infrastructure under the leadership of the Chief Executive and her team should be welcomed and endorsed |
| 3 | The work of the Lead Member and the Deputy Leader should be noted in their core roles of political leadership for children and SEND which are successfully helping to drive this improvement notwithstanding other political concerns. |
| 4 | However, the additional and continuing political concerns outlined above should be kept under close scrutiny. The planned work led by the Monitoring Officer is of particular importance and should be strongly supported. |
| 5 | The progress in the establishment of the local authority children's leadership and the strengthening children's partnerships should be supported and sustained, including towards the ambition of a child friendly city. |
| 6 | The formal establishment of a clear health and care joint commissioning framework and approach should be driven forward by key leaders, including through the ICS, but remain under the auspices and monitoring of the Board for the immediate future. |
| 7 | The intention to give stronger focus through this intervention on the role of schools and the development of a new SEND strategy between the LA and schools should be agreed. |
| 8 | In parallel the Department for Education should commit to the implementation of the recent Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan and any related initiatives which strengthen school inclusion and without which the work with schools is all the more difficult. |
| 9 | The City Council should agree the reforms to SENDIASS in accordance with the Commissioner's direction. |
| 10 | The intervention and the Board should continue to promote the principles of co-production and communication by all agencies and that should include continued recognition and support for the BPCF in its complex role as described in this report. |

| Owner | Update July 2023 |
| --- | --- |
| N/A | |
| N/A | |
| N/A | |
| City Solicitor | Work underway. |
| Director Children and Families | Birmingham was accepted onto UNICEF's Child Friendly City programme in June 2023 and the Children and Young People's Plan has been launched. |
| Director Children and Families | Work is currently underway to establish a Joint Commissioning Framework between BCC and the ICB. Initial proposals were presented at the SEND Improvement Board in July 2023. |
| Director Children and Families | There is a stronger focus on the role of schools. SEND and Inclusion strategies, co-produced with schools, were launched in July 2023 and have specific priorities to work towards. |
| Department for Education | |
| Director Children and Families | In April 2023 Cabinet noted the improvements that had taken place in SENDIASS since January 2023 and that the service should remain in-house to continue to address the issues identified by the independent review that took place in spring 2022. |
| Director Children and Families | The Board continues to recognise and support Birmingham Parent Carer Forum. |

| Status |
| --- |
| N/A |
| N/A |
| N/A |
| In progress |
| In progress |
| In progress |
| In progress |
| N/A |
| In progress |
| In progress |

# Birmingham City Council

# Report to Cabinet

Date: 5th September 2023

| | |
|---|---|
| **Subject:** | **KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023) AND QUARTERLY CONTRACT AWARDS (APRIL – JUNE 2023)** |
| **Report of:** | **ASSISTANT DIRECTOR – PROCUREMENT** |
| **Relevant Cabinet Member:** | **Councillor Brigid Jones, Cabinet Member for Finance and Resources** |
| **Relevant O &S Chair(s):** | **Councillor Jack Deakin, Chair of Finance and Resources OSC** |
| **Report author:** | Steve Sandercock, Assistant Director, Procurement<br>Email Address: steve.sandercock@birmingham.gov.uk |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: 011450/2023 | ☒ Yes | ☐ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information? | ☒ Yes | ☐ No |
| If relevant, provide exempt information paragraph number or reason if confidential :<br>3. Information relating to the financial or business affairs of any particular person (including the council) | | |

## 1 Executive Summary

1.1 This report provides details of the planned procurement activity for the period October 2023 – December 2023 which are key decisions and all contract award decisions made under Chief Officer's delegation during the previous quarter. Planned procurement activities reported previously are not repeated in this report.

1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

1.3 Appendix 5 informs Cabinet of the contract award decisions made under Chief Officers delegation during the period April 2023 – June 2023.

## 2 Recommendations

2.1 To approve the planned procurement activities as set out in Appendix 1 and approve Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy.

2.2 Notes the contract award decisions made under Chief Officers delegation during the period April 2023 – June 2023 as detailed in Appendix 5.

## 3 Background

3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.

3.2 At the 12th July 2022 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m for key decisions over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.

3.3 In line with the Procurement and Contract Governance Rules that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.

3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £177,897.50 (excluding VAT) and £10m (excluding VAT) for key decisions. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.

3.5 It should be noted that the procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 for a period of 2 years.

3.6 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.

3.7 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require

an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.

3.8 A briefing note with details for each item to be procured is listed in Appendix 2. The financial information for each item is detailed in Appendix 3 – Exempt Information.

## 4 Options considered and Recommended Proposal

4.1 The options considered are:

- To identify specific individual procurements as listed in appendix 1 for further consideration, along with clear reason(s) for such additional consideration, to Cabinet around the procurement strategy and contract award .

- To approve the planned procurement activities for all the projects listed in appendix 1 and approve Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

## 5 Consultation / Engagement

5.1 This report to Cabinet is copied to Cabinet Members, Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

5.2 Approval has been sought from the relevant Spend Control Board prior to inclusion on the PPAR.

## 6 Risk Management

6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.

6.2 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 Details of how the contracts listed in Appendix 1 and Appendix 2 support relevant Council policies, plans or strategies, will be set out in the individual reports.

### 7.2 Legal Implications

7.2.1 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.

7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

**7.3 Financial Implications**

7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium-Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

**7.4 Procurement Implications (if required)**

7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.

7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and detailed in the appendices.

**7.5 Human Resources Implications (if required)**

7.5.1 None.

**7.6 Public Sector Equality Duty**

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports which should also give consideration to application of Equality Impact Assessments in line with Council Policy.

**8 Background Documents**

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity October 2023 – December 2023
- 2. Appendix 2 – Background Briefing Paper
- 3. Appendix 3 – Exempt Information
- 4. Appendix 4 – Notification of Minor Amendments
- 5. Appendix 5 – Quarterly Awards Schedule (April 2023 – June 2023)
- 6. Appendix 6 - Awarded providers (Care Homes with and without nursing over 65yrs) – Lot 1

- 7. Appendix 7 - Awarded providers (Care Homes with and without nursing under 65yrs) – Lot 2
- 8. Appendix 8 - Awarded providers Supported Living – Lot 3

## APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023)

| No. | Type of Report | Title of Procurement | Ref | Brief Description | Contract Duration | Directorate | Portfolio Finance and Resources Plus | Finance Officer | Contact Name | Planned CO Decision Date |
|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Strategy / Award | Integrated Neighbourhood Teams (INT) – Programme Support | TBC | The Integrated Neighbourhood Teams programme is led by Birmingham Community Healthcare (BCHC) NHS Trust on behalf of the Integrated Care System (of which BCC is a partner). Delivery of the INT programme is a priority for the ICS Place Committee - chaired by the Strategic Director for Adult Social Care.<br><br>The purpose of the programme is to design, test and then roll-out a new model for multi-disciplinary team working at a neighbourhood level in order to better manage demand for health and social care through improving connections between agencies, focusing on earlier intervention and prevention and targeting proactive work on high-frequency service users. The scope of the programme is the totality of citizen interactions with health and social care services in community settings. | 1 year, 6 months | Adults Social Care | Health and Social Care | Samantha Bloomfield | Michael Walsh / Mike Smith | 13/10/2023 |
| 2 | Strategy / Award - no change | Electronic Bill Payment and Prepaid Cards | TBC | The following payment methods for Council Customers: -<br>•Electronic bill payment allows citizens and businesses to make payments to the Council for Housing Rent, Council Tax and Sundry Debts at either the Post Office or retail outlets who offer the PayPoint network.<br>•Direct Payment (DP) Prepaid Cards to enable citizens who receive care packages to pay providers for the services they choose. (This is for the Council and also Birmingham Children's Trust)<br>•A pre-paid non-personalised card used for one-off payments including discretionary payments, emergency payments, crisis loans and social fund payments. | 4 years | Council Management | Finance and Resources | Lee Bickerton | Fitzroy Pencil / Stuart Follows | 18/09/2023 |

**APPENDIX 2**

## BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES
## CABINET – 5th September 2023

| | |
|---|---|
| **Title of Contract** | **Integrated Neighbourhood Teams (INT) – Programme Support** |
| **Contact Officers** | **Director / Assistant Director:** Professor Graeme Betts, Strategic Director Adult Social Care<br>**Client Officer:** Mike Walsh, Head of Service - Commissioning<br>**Procurement Officer:** Mike Smith, Head of Category - People |
| **Relevant Portfolio** | **Councillor Mariam Khan - Cabinet Member for Health and Social Care** |
| Briefly describe the service required | The Integrated Neighbourhood Teams programme is led by Birmingham Community Healthcare (BCHC) NHS Trust on behalf of the Integrated Care System (of which BCC is a partner). Delivery of the INT programme is a priority for the ICS Place Committee - chaired by the Strategic Director for Adult Social Care.<br><br>The purpose of the programme is to design, test and then roll-out a new model for multi-disciplinary team working at a neighbourhood level in order to better manage demand for health and social care through improving connections between agencies, focusing on earlier intervention and prevention and targeting proactive work on high-frequency service users. The scope of the programme is the totality of citizen interactions with health and social care services in community settings.<br><br>An initial contract was let in February 2023 following a direct award through the Crown Procurement Service Management Consultancy Framework 3, lot 7. This contract was let in response to a need to put immediate capacity in place to support the work of 5 pilot integrated neighbourhood teams that had been set up.<br><br>Good progress has been made during the existing contract period. It is apparent that additional support will be needed to build upon the work done in the initial phase to design and test an operating model for Integrated Neighbourhood Teams. BCC/NHS partners have committed resource to this priority within the 23/25 Better Care Fund (BCF) Plan. From this resource the BCF Commissioning Executive have approved, in principle, a proposal to secure additional external capacity for the programme via a competitive procurement process. Other priorities for the use of the allocated funding include back-fill funding for staffing capacity in partner organisations and funding for a shared digital solution for case management. The Executive also approved funding to extend the existing contract in order to complete initial design work on the future operating model.<br><br>It is therefore proposed to procure more extensive programme support for 23/25. This will build upon the work done to date. In particular it will be used for:<br>• Project management for the INT programme<br>• Roll-out the operating model across all neighbourhoods<br>• Managing the change process across multi-agency teams<br>• Managing stakeholder relationships<br>• Ensuring reporting and accountability through to Integrated Care System Place governance arrangements<br>• Measuring impact and tracking benefit realisation. |
| What is the proposed procurement route? | A procurement process will be undertaken by way of a National Framework in accordance with its protocol. |
| What are the existing arrangements? Is there an existing contract? If so when does that expire? | The existing contract is due to expire on 31 December 2023. |

| | |
|---|---|
| Will any savings be generated? | No direct savings will be generated from this procurement process. In the longer term it is anticipated that the benefits delivered through better integrated health and social care at a neighbourhood level will return system savings and cost avoidance as a result of better prevention activity, earlier intervention and "getting it right" first time. Modelling from the initial phases suggests a potential to reduce total system activity for the services in scope by 12%. |
| Has the In-House Preferred Test been carried out? | Yes, and the test demonstrated this is not suitable to be carried out in-house for a multi-partner transformation programme. |
| How will this service assist with the Council's commitments to Route to Zero? | Any commissioning specification will require the Council's commitments to Route to Zero to be considered. |
| How do these activities assist the Council with Everybody's Battle; Everybody's Business? | Any commissioning specification will require the Council's commitments to Everybody's Battle; Everybody's Business to be considered. In particular the objectives of integrated working across health and social care are to address inequalities in health and well-being through improved access to support for marginalised places and communities. |
| Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it? | The service is required in order to develop more effective integrated approaches to delivery of statutory health and social care services. An opportunity to deliver efficiencies has been evidenced through the initial phases of work. |
| Approval via Spend Control Board | Approval Reference ASCSCB005 – Funding from within a ring-fenced grant (Better Care Fund). This expenditure is part of the BCF 2023-2025 plan and has been agreed by the BCF Commissioning Executive. |
| What budget is the funding from for this service? | The scheme is funded from the joint BCC/Integrated Care Board (NHS) Transformation Fund held in the Better Care Fund. This is a shared LA/NHS budget for improving integration between health and social care. |
| Proposed start date and duration of the new contract | The proposed start date is 1st November 2023 for a period of 1 year, 6 months. |

## APPENDIX 4 - Notification of Minor Amendments

This appendix provides the rationale for minor amendments to PPAR previously agreed by Cabinet on 27th June 2023 which highlights the changes made to the original and revised PPAR items below for reference.

| **Title of Contract** | **Electronic Bill Payment and Prepaid Cards** |
|---|---|
| **Contact Officers** | **Director / Assistant Director:** Fiona Greenway, Interim Finance Director & Deputy Section 151 Officer.<br>**Client Officer(s):**<br>Chris MacAdams, Commissioning Manager,<br>Adult Social Care.<br>Fitzroy Pencil, Accounts Receivable Manager, Council Management<br>Ian Baker, Benefit Service Team Manager, Council Management.<br>**Procurement Officer:** Stuart Follows, Assistant Category Manager |
| **Relevant Portfolio** | **Councillor Brigid Jones - Cabinet Member for Finance** |
| Briefly describe the service required | The following payment methods for Council Customers: -<br>•Electronic bill payment allows citizens and businesses to make payments to the Council for Housing Rent, Council Tax and Sundry Debts at either the Post Office or retail outlets who offer the PayPoint network.<br>•Direct Payment (DP) Prepaid Cards to enable citizens who receive care packages to pay providers for the services they choose. (This is for the Council and also Birmingham Children's Trust)<br>•A pre-paid non-personalised card used for one-off payments including discretionary payments, emergency payments, crisis loans and social fund payments. |
| What is the proposed procurement route? | A procurement process will be undertaken by way of the Crown Commercial Services G-Cloud 13, Lot 2-Cloud Software framework in accordance with its protocol. |
| What are the existing arrangements? Is there an existing contract? If so when does that expire? | The current contract is with Allpay Limited and expires on 23rd September 2023. |
| Will any savings be generated? | No cashable savings will be generated by this project. |
| Has the In-House Preferred Test been carried out? | Yes, and the test demonstrated this is not suitable to be carried out in-house for the period of this contract |
| How will this service assist with the Council's commitments to Route to Zero? | Any specification will require the Council's commitments to Route to Zero to be considered, in particular to a reduction in zero emission for transport. |
| How do these activities assist the Council with Everybody's Battle; Everybody's Business? | The cards enable citizens to exercise choice and control over how their services are delivered and paid and being able to do this is integral to enabling the people of Birmingham to challenge inequalities in society. It also assists vulnerable people who are in crisis and do not have the resources to buy food, fuel or essential items and payment of bills. |
| Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it? | The Council does not have a statutory duty to provide this service. However, in order to maximise income to the Council, it must give citizens access to make easily accessible payments using a variety of methods. |
| What budget is the funding from for this service? | This is funded from the below budgets:<br>DP cards are funded by the adult's social care packages. BCT pay the supplier directly for their costs.<br>Non-personalised card and electronic bill payments are funded by shared services and recharged to directorates. |
| Proposed start date and duration of the new contract | The proposed start is 24th September 2023 for a duration of 4 years. |

| | |
|---|---|
| **Title of Contract** | **Electronic Bill Payment and Prepaid Cards** |
| **Contact Officers** | **Director / Assistant Director:** Fiona Greenway, Interim Finance Director & Deputy Section 151 Officer.<br>**Client Officer(s):**<br>Chris MacAdams, Commissioning Manager, Adult Social Care.<br>Fitzroy Pencil, Accounts Receivable Manager, Council Management<br>Ian Baker, Benefit Service Team Manager, Council Management.<br>**Procurement Officer:** Stuart Follows, Assistant Category Manager |
| **Relevant Portfolio** | **Councillor Brigid Jones - Cabinet Member for Finance** |
| Briefly describe the service required | The following payment methods for Council Customers: -<br>•Electronic bill payment allows citizens and businesses to make payments to the Council for Housing Rent, Council Tax and Sundry Debts at either the Post Office or retail outlets who offer the PayPoint network.<br>•Direct Payment (DP) Prepaid Cards to enable citizens who receive care packages to pay providers for the services they choose. (This is for the Council and also Birmingham Children's Trust)<br>•A pre-paid non-personalised card used for one-off payments including discretionary payments, emergency payments, crisis loans and social fund payments. |
| What is the proposed procurement route? | A procurement process will be undertaken by way of a National Framework in accordance with its protocol. |
| What are the existing arrangements? Is there an existing contract? If so when does that expire? | The current contract is with Allpay Limited and expires on 23rd September 2023. |
| Will any savings be generated? | No cashable savings will be generated by this project. |
| Has the In-House Preferred Test been carried out? | Yes, and the test demonstrated this is not suitable to be carried out in-house for the period of this contract |
| How will this service assist with the Council's commitments to Route to Zero? | Any specification will require the Council's commitments to Route to Zero to be considered, in particular to a reduction in zero emission for transport. |
| How do these activities assist the Council with Everybody's Battle; Everybody's Business? | The cards enable citizens to exercise choice and control over how their services are delivered and paid and being able to do this is integral to enabling the people of Birmingham to challenge inequalities in society. It also assists vulnerable people who are in crisis and do not have the resources to buy food, fuel or essential items and payment of bills. |
| Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it? | The Council does not have a statutory duty to provide this service. However, in order to maximise income to the Council, it must give citizens access to make easily accessible payments using a variety of methods. |
| Approval via Spend Control Board | The project falls under both the below allowable expenditure category criteria within the mandatory spend controls:<br><br>• Urgent expenditure required to safeguard vulnerable citizens.<br>• Expenditure necessary to achieve value for money and / or mitigate additional in year costs |
| What budget is the funding from for this service? | This is funded from the below budgets:<br>DP cards are funded by the adult's social care packages. BCT pay the supplier directly for their costs.<br>Non-personalised card and electronic bill payments are funded by shared services and recharged to directorates. |
| Proposed start date and duration of the new contract | The proposed start is 24th September 2023 for a duration of 4 years. |

# APPENDIX 5 - QUARTERLY CONTRACT AWARD SCHEDULE (APRIL 2023 – JUNE 2023)

| Type of Rep | Title of Procurement | Ref | Brief Description | Contract Durati | Directorate | Portfolio Finance and Resources | Finance Officer | Contact Name | Comments - including any request from Cabinet Members for more details | Contractor(s) Awarded to | Value of Contracts - Excluding Extensions | Value of Opti to Extend | Chief Office | Actual Go Live date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Strategy / Award | Estate Agency Services for the Perry Barr Regeneration Scheme (PBRS) | P0877 | To support the marketing and disposal of up to 381 apartments (excluding the 49 apartments identified for first time buyers) within Plots 8 & 9 to the open market on a phased basis, there is a requirement for estate agency services. | Up to 2 years | Place, Prosperity and Sustainability | Leader | Guy Olivant | Andrew Cox / Charlie Short | The Birmingham 2022 – Update on the Perry Barr Regeneration Scheme FBC report approved via Cabinet dated 27/07/2021 and delegated the award to CO. Strategy / Award Report signed 13/04/2023. | Pinnacle FM Ltd | £1,817,115 | | Paul Kitson | 17/04/2023 |
| Delegated Award Report | Care Homes with and without Nursing Services and Care and Support (Supported Living) | P0996 | The services are delivered in 3 distinct services based on the service users' requirements:<br>• Lot 1 - Care Homes With and Without Nursing Over 65yrs<br>• Lot 2 - Care Homes With and Without Nursing Under 65yrs<br>• Lot 3 - Supported Living 18 years and over<br>The Council has a range of statutory duties and powers under the Care Act 2014 to assess the needs of citizens for care and support and commission a range of services that meet these needs. | 5 years with an option to extend for a further period 2 years | Adult Social Care | Health and Social Care | Samantha Bloomfield | Alison Malik / Marie Kennedy / Manjit Samra | Tender strategy for the provision of Regulated Adult Social Care Commissioning Strategy approved via Cabinet on 13/12/2022 and delegated the award to CO. Delegated Award Report signed 13/04/2023. | Please refer to Appendix 6, 7 and 8. | As a Flexible Contracting Arrangement there is no commitment to spend. The spend commitment will be made via individual packages of care. | | Graeme Betts | 24/04/2023 |
| Strategy / Award | Washroom Services | P0386_2022 | The Council requires the provision of the following services:<br>•Waste collection and disposal services – sanitary, nappy, sharps, clinical waste<br>•Roller towels<br>•Hand dryers<br>•Various Washroom equipment e.g., air fresheners, Dust/logo mats | 2 years with option to extend for a further 2 years | Council Management | Finance and Resources | Lee Bickerton | Jose Vitoria | Presented to Cabinet for info 08/11/2022. Strategy / Award Report signed 17/04/2023. | Initial Washroom Hygiene | £1,100,000 | £1,100,000 | Steve Sandercock | 01/05/2023 |
| Strategy Award Report | Supply of Netmotion Licenses and the Associated Support and Maintenance Services | | There is a requirement for Netmotion Licenses and the associated Support and Maintenance Services. The Netmotion Complete license includes high performance VPN, network performance optimisation, encryption and authentication, policy engine, content filtering, AI powered website classification, diagnostics and troubleshooting, real time dashboards, advanced system alerting, 24x7 telephone and email support, per device. | 1 year | Digital and Technology Services | Digital, Culture, Heritage and Tourism | Lee Bickerton | Jake Smith | Presented to Cabinet for info 17/01/2023. Strategy / Award Report signed 17/04/2023. | Insight Direct (UK) Limited | £169,368 | £338,736 | Cheryl Doran | 20/05/2023 |
| Strategy Award Report | Provision of Microsoft Unified Support Contract | P1222 | The provision of the Microsoft Unified Comprehensive Support Contract following a search exercise called off from the Crown Commercial Services (CCS) - G-Cloud 13 framework agreement | 3 years | Digital and Customer Services | Digital, Culture, Heritage and Tourism | Lee Bickerton | Shazad Shafiq | Cabinet approved for Digital Strategy 2022-25 – Technology Roadmap on 08/11/2022 and delegated the award to CO. Strategy / Award Report signed 20/04/2023. | Microsoft Limited | £547,380 | | Cheryl Doran | 21/04/2023 |
| Strategy / Award | Provision of Rateable Value identification data to maximise Business Rate Retention and forecast business rates income | P0558_2023 | For the provision of Rateable Value identification data to maximise Business Rate Retention and forecast business rates income. | 3 years | Digital and Customer Services | Digital, Culture, Heritage and Tourism | Lee Bickerton | Jonathan Woodward / Stewart Loundes / Andrea Webster | Presented to Cabinet for info 14/02/2023. Strategy / Award Report signed 25/04/2023. | Inform CPI Limited | £1,080,000 | £360,000 | Cheryl Doran | 01/05/2023 |
| Strategy / Award | Home Support Sensory Loss Framework Agreement | P0995 | Home Support is provided for those citizens who are over 18 years with sensory loss to provide support needed for people to live in their own home. | 4 years | Adults Social Care | Health and Social Care | Samantha Bloomfield | Alison Malik / Marie Kennedy / Manjit Samra | Tender strategy for the provision of Regulated Adult Social Care Commissioning Strategy approved via Cabinet on 13/12/2022 and delegated the award to CO. Delegated Award Report signed 05/05/2023. | 1) 2M Health & Home Care Services Ltd CSK Support 24 Limited<br>2) iCare Living Limited<br>3) New Outlook Housing Association | As a Framework Agreement there is no commitment to spend. The spend commitment will be made via individual packages of care. | | Graeme Betts | 01/06/2023 |
| Strategy / Award | Professional Services to Support The HS2 Readiness Programme Outline Business Case (OBC) and Full Business Case (FBC) | P1209 | Professional services to support the production of the HS2 Readiness Programme Outline Business Case (OBC) and Full Business Case (FBC) and to seek approval for the award of a contract following a further competition exercise using the Council's Transportation and Development Professional Services Framework Agreement - Lot 2A – (Multidisciplinary). | 27 months | Place, Prosperity and Sustainability | Leader | Azhar Rafiq | Michael Watson / Charlie Short | Presented to Cabinet for info 14/02/2023. Strategy / Award Report signed 12/05/2023. | Jacobs UK Limited | £1,500,000 | | Paul Kitson | 15/05/2023 |
| Strategy / Award | Travel Management Services to include the continued provision of Temporary and Emergency Accommodation | P0461_2023 | The provision of an online booking tool for all business travel requirements (rail, hotels, air travel etc) in line with the Councils travel policy. To include the continued provision of temporary & emergency accommodation when required for City Housing Services which is provided via the existing arrangement also. The advantage of combining both corporate travel & temporary & emergency accommodation is the single online booking tool, access to multiple travel products, consolidated invoicing, reporting functionality & the ability to see booking patterns etc. On the accommodation side the supplier will ensure that any minimum standards are met so properties not meeting these standards, as set by the Council these will be blocked & not visible to Council bookers. | 4 years | Council Management / City Housing | Finance and Resources | Lee Bickerton / Carl Tomlinson | Andrea Webster | Presented to Cabinet for info 21/03/2023. Strategy / Award Report signed 26/05/2023. | TravelPerk UK IRL Ltd (formerly Click Travel) | Up to £10,000,000 | | Steve Sandercock | 01/06/2023 |
| Strategy / Award | Birmingham Municipal Housing Trust Development of Housing at Highfield Lane, Birmingham | P0897 | The construction and development of 9 new homes at Highfield Lane, Quinton, Birmingham. | 9 months | Place, Prosperity and Sustainability | Leader | Guy Olivant | Michael Watson / Katharyn Jones | Cabinet Report "Birmingham Municipal Housing Trust (BMHT) Delivery Plan 2019-2029" which was approved on the 14/05/2019. Strategy / Award Report signed 23/05/2023. | Harper & Sons (Leominster) Limited | £2,071,011 | | Paul Kitson | 01/06/2023 |

| Type of Report | Title of Procurement | Ref | Brief Description | Contract Duratic | Directorate | Portfolio Finance and Resources | Finance Officer | Contact Name | Comments - including any request from Cabinet Members for more details | Contractor(s) Awarded to | Value of Contracts - Excluding Extensions | Value of Option to Extend | Chief Officer | Actual Go Live date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Strategy / Award | Remediation of Bordesley Park | P0531 | The clearance, demolition and remediation at Bordesley Park. | 1 year | Place, Prosperity and Sustainability | Leader | Afzar Rafiq | Nick Matthews / Charlie Short | Presented to Cabinet for info 08/11/2022. Strategy / Award Report signed 26/05/2023. | VHE Construction Plc | £801,409 | | Paul Kitson | 01/06/2023 |
| Strategy / Award | Supply, Delivery, Installation and Removal of Furniture | P1199 | Supply, Delivery, Installation and Removal of Furniture and to seek approval for the award of a contract following a further competition exercise using the Eastern Shires Purchasing Organisation (ESPO) 282_22 Office Furniture framework. | 1 year | Digital and Customer Services | Deputy Leader | Lee Bickerton | Jose Vitoria | Presented to Cabinet for info 14/02/2023. Strategy / Award Report signed 26/05/2023. | Gresham Office Furniture Ltd | £600,000 | | Cheryl Doran | 01/06/2023 |
| Strategy / Award | Modular Units and Associated Works at Hamilton School | P1121 | Hire of modular units and associated works at Hamilton School using the Crown Commercial Service Off Site Construction Solutions Framework Agreement and to seek approval to the award of the contract. | 2 years | Children and Families | Children, Young People and Families | Clare Sandland | Zahid Mahmood / Charlie Short | Presented to Cabinet for info 21/03/2023. Strategy / Award Report signed 09/06/2023. | Portakabin Limited | £2,704,224 | | Sue Harrison | 12/06/2023 |
| Strategy / Award | Provision of Apprenticeship Training Services | P1001 | The service is the provision of vocational training for apprentices employed by the Council and schools under the jurisdiction of the Council. | 3 years | Council Management | Finance and Resources | Lee Bickerton | Louise Ward / Snehal Patel | Presented to Cabinet for info 08/11/2022. Strategy / Award Report signed 14/04/2023 and 19/06/2023. | Lot 1 –BAME Management , Operational Departmental Manager<br>Happy Computers Ltd<br><br>Lot 2 - General Team Leading and Management<br>MBKB<br><br>Lot 3 – HR Support and HR Consultant Partner<br>Riverside Training | £3,500,000 | | Rebecca Hemsley | 17/04/2023<br><br>17/04/2023<br><br>26/06/2023 |
| Delegated Award Report | Integration support services for sanctuary seekers | P0915 | There is a requirement for refugee integration services for refugees and sanctuary seekers who arrive and are living in Birmingham via Government initiatives and policies and who are entitled to local authority support. | 4 years | Adults Social Care | Health and Social Care | Samantha Bloomfield | Bethany Finch / Marie Kennedy / Manjit Samrai | Tender Strategy for the provision Integration Support Services for Sanctuary Seekers approved via the Cabinet Members for Social Justice, Community, Safety and Equalities and Cabinet Member for Finance and Resources on 12/12/2022 and delegated the award to CO. Delegated Award Report signed 20/06/2023. | Lot 5 - Support, orientation and accommodation<br>1) Ashley Community & Housing Ltd (t/a ACH)<br>2) Central England Law Centre Ltd<br>3) Father Hudsons Society<br>4) Migrant Helpline (t/a Migrant Help)<br>5) Refugee Action<br>6) The British Red Cross<br>7) The Refugee Migrant Centre Ltd | As a Flexible Contracting Agreement there is no commitment to spend. The spend commitment is when a contract is called off the framework; these are funded externally via specific grant funding. | | Graeme Betts | 01/08/2023 |
| Strategy / Award | Cashless Parking Payments | (P0170_2022) | A mobile phone service that allows customers to purchase parking time via their mobile phone device. The system offers customers the convenience of being able to purchase parking time via their mobile phone without the need to carry change or to physically go to a pay and display machine to purchase a parking ticket. Customers are also able to renew their parking session remotely, without the need to return to their vehicle (where there is no restriction of parking duration). | 3 years | City Operations | Transport | Carl Tomlinson | Dave Wenman / Harpal Gill | Presented to Cabinet for info 17/01/2023. Strategy / Award report signed 21/06/2023. | RingGo Limited | £2,300,000 | | Craig Cooper | 01/08/2023 |
| Strategy / Award | Strategic Partner Programme Support, Early Intervention and Prevention Programme | P0916 | To support delivery of the Early Intervention and Prevention programme. | 1 year | Adult Social Care | Health and Social Care | Andrew Healey / Harinder Dool | Kalvinder Kohli / Andrea Webster | Cabinet approved the Early Intervention and Prevention – A High Level Target Operating Model (TOM) on 22 March 2022 and delegated the approval of any procurement strategies and subsequent contract award decisions.<br>The Delegated Award Report to Strategic Director Adult Social Care - Procurement Strategy & Contract Award for Strategic Partner Programme Support, Early Intervention and Prevention Programme (P0916) dated 20th May 2022 signed 20/05/2022 which include two extension options, subject to further approval.<br>Delegated Extension Report 1 Report to Strategic Director Adult Social Care - Contract Extension for Strategic Partner Programme Support, Early Intervention and Prevention Programme (P0916) dated 28th February 2023.<br>Waiver/breach report Strategic Partner Programme Support, Early Intervention and Prevention Programme dated 15 May 2023 approving the overspend<br>Cabinet approved the Early Intervention and Prevention - Programme Business Case dated 25/04/2023 and delegated the approval of any procurement strategies and subsequent contract award decisions.<br>Delegated Extension Report 2 to Report to: Strategic Director Adult Social Care dated 12th June and signed 22/06/2023. | Ernst & Young LLP | £3,200,000 | | Graeme Betts | 01/07/2023 |
| Strategy / Award | Blue Badge Managed Service | P0642 | There is a requirement for the administration for the issuing of blue badges to enable disabled people to retain their independence so they are able to park close to where they need to go by displaying a valid permit. | 2 years | Adult Social Care | Health and Social Care | Samantha Bloomfield | Ianto Jones | Presented to Cabinet for info 17/01/2023. Strategy / Award report signed 28/06/2023. | NEC Software Solutions UK Ltd | £624,837.40 | | Graeme Betts | 01/07/2023 |
| Delegated Extension Award | NEC Housing, Revenues & Benefits | | To streamline and automate the processing of council tax, business rates, housing benefits, and council tax discounts. Through the browser-based and cloud-ready software, the council can integrate it seamlessly with other systems, enhancing the customer experience for citizens. | 2 years | Digital and Customer Services | Digital, Culture, Heritage and Tourism | Lee Bickerton | Chris Holt / Shazad Shafiq | Presented to Cabinet for info 13/10/2020. Strategy / Award Report signed 03/11/2020 and delegated the extension of CO. Delegated Extension Report signed 29/06/2023. | NEC | £3,477,048 | | Cheryl Doran | 01/07/2023 |

## APPENDIX 6 - LOT 1 AWARDED PROVIDERS (CARE HOMES WITH AND WITHOUT NURSING OVER 65YRS)

| No | Reference | Provider Name | Location Name |
|---|---|---|---|
| 1 | REG-104652 | New Outlook Housing Association Limited | Tulip Gardens |
| 2 | REG-105726 | New Outlook Housing Association Limited | Boldmere Drive |
| 3 | REG-105739 | New Outlook Housing Association Limited | Silver Birch |
| 4 | REG-105743 | New Outlook Housing Association Limited | Beech House |
| 5 | REG-106042 | Pharos Care Limited | Sutton House |
| 6 | REG-106050 | Pharos Care Limited | Highfield House |
| 7 | REG-106116 | Pharos Care Limited | The Lodge |
| 8 | REG-104817 | Birmingham Institute for the Deaf | Chesterberry |
| 9 | REG-105769 | HC-One Limited | The Orchards |
| 10 | REG-105335 | Lifeways Community Care Limited | The Royd |
| 11 | REG-101706 | MACC Care Limited | Meadow Rose Nursing Home |
| 12 | REG-102190 | Care First (Smethwick) Ltd | Ash Lodge Care Home with Nursing |
| 13 | REG-104535 | Broadening Choices For Older People | Robert Harvey House |
| 14 | REG-104690 | Royal Mencap Society | Arbor Way |
| 15 | REG-104831 | Birmingham Jewish Community Care | Andrew Cohen House |
| 16 | REG-104841 | Inspiring Care Ltd | Petersfield Care Home |
| 17 | REG-104974 | Broadening Choices For Older People | Anita Stone Court |
| 18 | REG-105009 | Servol Community Services | Janet Fay House |
| 19 | REG-105022 | Hasbury Care Homes Ltd | Hasbury Care Home |
| 20 | REG-105037 | Anchor Hanover Group | Holmpark |
| 21 | REG-105038 | Anchor Hanover Group | Maple Dene |
| 22 | REG-105043 | Anchor Hanover Group | Harden Hall |
| 23 | REG-105048 | Anchor Hanover Group | Kerria Court |
| 24 | REG-105059 | Trident Reach The People Charity | St Alban's |
| 25 | REG-105068 | Mrs Karen Godwin | The Willows |
| 26 | REG-105076 | Ms Itrat Batool & Mr Fiaz Ahmed | Strensham Hill Care Home |
| 27 | REG-105101 | Careplex Limited | Tudor Rose Rest Home |
| 28 | REG-105132 | Walmley Care Home Ltd | Marian House Nursing Home |
| 29 | REG-105138 | Uplands Care Home Limited | Uplands Nursing Home |
| 30 | REG-105786 | MACC Care Limited | Priestley Rose Nursing Home |
| 31 | REG-105207 | Trident Reach The People Charity | Dimmingsdale Bank |
| 32 | REG-105210 | Trident Reach The People Charity | Trescott Road |
| 33 | REG-105212 | Trident Reach The People Charity | Vicarage Road (A) |
| 34 | REG-105218 | Trident Reach The People Charity | Vicarage Road (B) |
| 35 | REG-105262 | Birmingham Association For Mental Health(The) | Ludford Road Residential Care |
| 36 | REG-105269 | Turning Point | Turning Point - Avondale |
| 37 | REG-105283 | Karamaa Limited | The Gables |
| 38 | REG-105501 | Hafod Care Organisation Limited | Hafod Nursing Home |
| 39 | REG-105292 | D & L Care Homes Limited | Digby Manor Residential Care Home |
| 40 | REG-105319 | Selly Park Healthcare Limited | Selly Park |
| 41 | REG-105362 | Christadelphian Care Homes | Olivet |
| 42 | REG-105374 | Royal Mencap Society | Westley Brook Close |
| 43 | REG-105377 | Genesis Homes (Essex) Limited | Lindale Residential Care Home |
| 44 | REG-105383 | Interhaze Limited | Cedarwood Care Centre |
| 45 | REG-105422 | Edge View Homes Limited | Knoll House |
| 46 | REG-105449 | Lindale Homes Limited | Elliott House |
| 47 | REG-105470 | Bearwood Nursing Home Limited | Bearwood Nursing Home |
| 48 | REG-105471 | Richmond Court Nursing Home Limited | Richmond Court Nursing Home |
| 49 | REG-105496 | First Care Services Limited | The Limes Care Home |
| 50 | REG-105508 | Bartholamew Lodge Nursing Home Limited | Bartholamew Lodge Nursing Home Limited |
| 51 | REG-105525 | Richmond Court Nursing Home Limited | Caldene Rest Home |
| 52 | REG-105527 | Alphonsus Services Limited | Charles House |
| 53 | REG-105629 | Three Roses Homes Limited | Three Roses Home |
| 54 | REG-105649 | Christadelphian Care Homes | Kingsleigh House |

| | | | |
|---|---|---|---|
| 55 | REG-105651 | Apna House Limited | Apna House |
| 56 | REG-105684 | P Parmar | Dudley Court Care Limited |
| 57 | REG-105685 | Real Life Options | Real Life Options - Lawrence House |
| 58 | REG-105694 | Valorum Care Limited | St Anthony's - Care Home with Nursing Physical Disabilities |
| 59 | REG-105704 | Real Life Options | Real Life Options - Bevis |
| 60 | REG-105768 | Harborne Lane Specialist Care Centre Ltd | Harborne Lane Nursing Home |
| 61 | REG-105851 | Alphonsus Services Limited | Florrie Robbins House |
| 62 | REG-105913 | HC-One No.1 Limited | Himley Mill Care Home |
| 63 | REG-105929 | Cygnet (OE) Limited | Hope House |
| 64 | REG-105963 | Cygnet (OE) Limited | Thornfield Grange |
| 65 | REG-105979 | Moundsley Hall Limited | Buckingham House |
| 66 | REG-105981 | Huskards Care Limited | Newday Nursing Home |
| 67 | REG-106002 | Cygnet (OE) Limited | Willow House |
| 68 | REG-106019 | Moundsley Hall Limited | Kensington House |
| 69 | REG-106062 | Moundsley Hall Limited | Blenheim House |
| 70 | REG-106072 | Ignite Health And Home Care Services Ltd | Step-forward support services |
| 71 | REG-106089 | Ignite Health And Home Care Services Ltd | Step Forward Support |
| 72 | REG-106109 | Extel Limited | Primrose Hill Farm |
| 73 | REG-106111 | Extel Limited | The Pines |
| 74 | REG-106122 | Midland Care Homes Ltd | Grassmere Residential Care Home |
| 75 | REG-106124 | Midland Care Homes Ltd | The Field View Residential Home |
| 76 | REG-106126 | Woodcross Limited | Woodcross Healthcare Services |
| 77 | REG-106130 | Nuvo Healthcare Limited | Primrose Place |
| 78 | REG-106147 | Extel Limited | Haddon House |
| 79 | REG-105700 | Hickam Healthcare Ltd | Messenger House |
| 80 | REG-105707 | St. George's Care Ltd | St George's Home |
| 81 | REG-103135 | The Sisters Hospitallers Of The Sacred Heart Of Jesus | Footherley Hall |
| 82 | REG-103950 | Trust Quality Care Ltd | Rosemary Lodge Rest Home |
| 83 | REG-104464 | Fountain Nursing and Care Home Limited | Fountain Nursing and Care Home Limited |
| 84 | REG-104802 | Country Court Care Homes 2 Limited | Heartlands |
| 85 | REG-104950 | Crystal Nursing Services Limited | The Leys Residential Home |
| 86 | REG-104955 | Little Sisters of the Poor | St Joseph's Home - Birmingham |
| 87 | REG-104995 | Anchor Hanover Group | Madeleine House |
| 88 | REG-105019 | Anchor Hanover Group | Tandy Court |
| 89 | REG-105023 | The Yardley Great Trust Group | Grey Gables Residential Home |
| 90 | REG-105028 | Anchor Hanover Group | Warren Farm Lodge |
| 91 | REG-105041 | Anchor Hanover Group | Bloomfield Court |
| 92 | REG-105046 | The Yardley Great Trust Group | Greswold House |
| 93 | REG-105198 | Stennards Leisure Retirement Home | Stennards Leisure Retirement Home (Mos) |
| 94 | REG-105235 | Bupa Care Homes (CFHCare) Limited | Chilton Meadows Care Home |
| 95 | REG-105298 | The Yardley Great Trust Group | Yardley Grange Nursing Home |
| 96 | REG-105367 | Stennards Leisure Retirement Home | Stennards Leisure Retirement Home (Frankly Beeches) |
| 97 | REG-105490 | Silver Birch Care Home Ltd | Silver Birch Care Home |
| 98 | REG-105505 | Stennards Leisure Retirement Home | Stennards Leisure Retirement Home (KN) |
| 99 | REG-105754 | Miss S G Howard | Victoria Lodge Care Home |
| 100 | REG-105757 | HC-One Limited | Hodge Hill Grange |
| 101 | REG-105782 | HC-One No.1 Limited | Perry Locks Care Home |
| 102 | REG-105837 | MACC Care Limited | Church Rose Nursing Home |
| 103 | REG-105870 | Liberty Healthcare Solutions Limited | Park Farm Lodge |
| 104 | REG-105903 | HC-One Limited | Dovedale Court |
| 105 | REG-105905 | HC-One Limited | Lyndon Hall Nursing Home |
| 106 | REG-105909 | HC-One Limited | Roxburgh House (West Midlands) |
| 107 | REG-105910 | HC-One Limited | Alexander Court (Sheffield) |
| 108 | REG-105911 | HC-One Limited | Dingle Meadow |

| | | | |
|---|---|---|---|
| 109 | REG-105923 | Sanctuary Care Limited | Bartley Green Lodge Residential Care Home |
| 110 | REG-105932 | Sanctuary Care Limited | Briarscroft Residential Care Home |
| 111 | REG-105934 | Sanctuary Care Limited | Castlecroft Residential Care Home |
| 112 | REG-105937 | Sanctuary Care Limited | Redhill Court Residential Care Home |
| 113 | REG-105999 | Sanctuary Care Property (1) Limited | Brambles Residential Care Home |
| 114 | REG-106021 | Sanctuary Care Property (1) Limited | Heathlands Residential Care Home |
| 115 | REG-106160 | Homecroft (Four Oaks) Limited | Wyndley Grange Nursing Home |
| 116 | REG-105526 | Orchard House (Midlands) Limited | Orchard House Nursing Home |

## APPENDIX 7 - LOT 2 AWARDED PROVIDERS (CARE HOMES WITH AND WITHOUT NURSING UNDER 65YRS)

| No | Reference | Provider Name | Location Name |
|---|---|---|---|
| 1 | REG-104652 | New Outlook Housing Association Limited | Tulip Gardens |
| 2 | REG-105726 | New Outlook Housing Association Limited | Boldmere Drive |
| 3 | REG-105739 | New Outlook Housing Association Limited | Silver Birch |
| 4 | REG-105743 | New Outlook Housing Association Limited | Beech House |
| 5 | REG-106042 | Pharos Care Limited | Sutton House |
| 6 | REG-106050 | Pharos Care Limited | Highfield House |
| 7 | REG-106116 | Pharos Care Limited | The Lodge |
| 8 | REG-104817 | Birmingham Institute for the Deaf | Chesterberry |
| 9 | REG-105769 | HC-One Limited | The Orchards |
| 10 | REG-105335 | Lifeways Community Care Limited | The Royd |
| 11 | REG-101706 | MACC Care Limited | Meadow Rose Nursing Home |
| 12 | REG-102190 | Care First (Smethwick) Ltd | Ash Lodge Care Home with Nursing |
| 13 | REG-104535 | Broadening Choices For Older People | Robert Harvey House |
| 14 | REG-104690 | Royal Mencap Society | Arbor Way |
| 15 | REG-104831 | Birmingham Jewish Community Care | Andrew Cohen House |
| 16 | REG-104841 | Inspiring Care Ltd | Petersfield Care Home |
| 17 | REG-104974 | Broadening Choices For Older People | Anita Stone Court |
| 18 | REG-105009 | Servol Community Services | Janet Fay House |
| 19 | REG-105022 | Hasbury Care Homes Ltd | Hasbury Care Home |
| 20 | REG-105037 | Anchor Hanover Group | Holmpark |
| 21 | REG-105038 | Anchor Hanover Group | Maple Dene |
| 22 | REG-105043 | Anchor Hanover Group | Harden Hall |
| 23 | REG-105048 | Anchor Hanover Group | Kerria Court |
| 24 | REG-105059 | Trident Reach The People Charity | St Alban's |
| 25 | REG-105068 | Mrs Karen Godwin | The Willows |
| 26 | REG-105076 | Ms Itrat Batool & Mr Fiaz Ahmed | Strensham Hill Care Home |
| 27 | REG-105101 | Careplex Limited | Tudor Rose Rest Home |
| 28 | REG-105132 | Walmley Care Home Ltd | Marian House Nursing Home |
| 29 | REG-105138 | Uplands Care Home Limited | Uplands Nursing Home |
| 30 | REG-105786 | MACC Care Limited | Priestley Rose Nursing Home |
| 31 | REG-105207 | Trident Reach The People Charity | Dimmingsdale Bank |
| 32 | REG-105210 | Trident Reach The People Charity | Trescott Road |
| 33 | REG-105212 | Trident Reach The People Charity | Vicarage Road (A) |
| 34 | REG-105218 | Trident Reach The People Charity | Vicarage Road (B) |
| 35 | REG-105262 | Birmingham Association For Mental Health(The) | Ludford Road Residential Care |
| 36 | REG-105269 | Turning Point | Turning Point - Avondale |
| 37 | REG-105283 | Karamaa Limited | The Gables |
| 38 | REG-105501 | Hafod Care Organisation Limited | Hafod Nursing Home |
| 39 | REG-105292 | D & L Care Homes Limited | Digby Manor Residential Care Home |
| 40 | REG-105319 | Selly Park Healthcare Limited | Selly Park |
| 41 | REG-105362 | Christadelphian Care Homes | Olivet |
| 42 | REG-105374 | Royal Mencap Society | Westley Brook Close |
| 43 | REG-105377 | Genesis Homes (Essex) Limited | Lindale Residential Care Home |
| 44 | REG-105383 | Interhaze Limited | Cedarwood Care Centre |
| 45 | REG-105422 | Edge View Homes Limited | Knoll House |
| 46 | REG-105449 | Lindale Homes Limited | Elliott House |
| 47 | REG-105470 | Bearwood Nursing Home Limited | Bearwood Nursing Home |
| 48 | REG-105471 | Richmond Court Nursing Home Limited | Richmond Court Nursing Home |
| 49 | REG-105496 | First Care Services Limited | The Limes Care Home |
| 50 | REG-105508 | Bartholamew Lodge Nursing Home Limited | Bartholamew Lodge Nursing Home Limited |
| 51 | REG-105525 | Richmond Court Nursing Home Limited | Caldene Rest Home |
| 52 | REG-105527 | Alphonsus Services Limited | Charles House |
| 53 | REG-105629 | Three Roses Homes Limited | Three Roses Home |
| 54 | REG-105649 | Christadelphian Care Homes | Kingsleigh House |

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|---|---|---|---|
| 55 | REG-105651 | Apna House Limited | Apna House |
| 56 | REG-105684 | P Parmar | Dudley Court Care Limited |
| 57 | REG-105685 | Real Life Options | Real Life Options - Lawrence House |
| 58 | REG-105694 | Valorum Care Limited | St Anthony's - Care Home with Nursing Physical Disabilities |
| 59 | REG-105704 | Real Life Options | Real Life Options - Bevis |
| 60 | REG-105768 | Harborne Lane Specialist Care Centre Ltd | Harborne Lane Nursing Home |
| 61 | REG-105851 | Alphonsus Services Limited | Florrie Robbins House |
| 62 | REG-105913 | HC-One No.1 Limited | Himley Mill Care Home |
| 63 | REG-105929 | Cygnet (OE) Limited | Hope House |
| 64 | REG-105963 | Cygnet (OE) Limited | Thornfield Grange |
| 65 | REG-105979 | Moundsley Hall Limited | Buckingham House |
| 66 | REG-105981 | Huskards Care Limited | Newday Nursing Home |
| 67 | REG-106002 | Cygnet (OE) Limited | Willow House |
| 68 | REG-106019 | Moundsley Hall Limited | Kensington House |
| 69 | REG-106062 | Moundsley Hall Limited | Blenheim House |
| 70 | REG-106072 | Ignite Health And Home Care Services Ltd | Step-forward support services |
| 71 | REG-106089 | Ignite Health And Home Care Services Ltd | Step Forward Support |
| 72 | REG-106109 | Extel Limited | Primrose Hill Farm |
| 73 | REG-106111 | Extel Limited | The Pines |
| 74 | REG-106122 | Midland Care Homes Ltd | Grassmere Residential Care Home |
| 75 | REG-106124 | Midland Care Homes Ltd | The Field View Residential Home |
| 76 | REG-106126 | Woodcross Limited | Woodcross Healthcare Services |
| 77 | REG-106130 | Nuvo Healthcare Limited | Primrose Place |
| 78 | REG-106147 | Extel Limited | Haddon House |
| 79 | REG-105700 | Hickam Healthcare Ltd | Messenger House |
| 80 | REG-106038 | Pharos Care Limited | Katherine House |
| 81 | REG-104741 | CareTech Community Services Limited | CareTech Community Services Limited - 19 Wheelwright Road |
| 82 | REG-104823 | CareTech Community Services Limited | Faycroft |
| 83 | REG-104837 | CareTech Community Services Limited | CareTech Community Services Limited - 68 West Park Road |
| 84 | REG-104845 | CareTech Community Services Limited | The Crescent |
| 85 | REG-104850 | CareTech Community Services Limited | Caretech Community Services Ltd - Danzey Green |
| 86 | REG-105189 | Bupa Care Homes (BNH) Limited | Amberley Court Care Home |
| 87 | REG-105366 | CareTech Community Services Limited | Caretech Community Services Ltd - Yorkminster Drive |
| 88 | REG-105652 | Lifeways Community Care Limited | Beeton Grange |
| 89 | REG-103005 | Longmoor Care Limited | Walmley House |
| 90 | REG-104645 | Mrs Rachel Claire Innes Fairbairn | Woodmancote Manor |
| 91 | REG-104647 | Precious Homes Limited | Swan Court |
| 92 | REG-104686 | Precious Homes Limited | Vermont House |
| 93 | REG-104700 | Precious Homes Limited | Ulysses House |
| 94 | REG-104721 | Lisieux Trust Limited | Francis House |
| 95 | REG-104794 | Lisieux Trust Limited | Lisieux House |
| 96 | REG-104879 | Delam Care Limited | The Hollies |
| 97 | REG-104880 | Lonsdale Midlands Limited | Lonsdale Midlands Ltd - Bushwood Road |
| 98 | REG-104881 | Lonsdale Midlands Limited | Lonsdale Midlands Ltd - Walmley Road |
| 99 | REG-104883 | Lonsdale Midlands Limited | Lonsdale Midlands Ltd - Yardley Fields |
| 100 | REG-104885 | Lonsdale Midlands Limited | Lonsdale Midlands Ltd - New Street North |
| 101 | REG-104886 | Lonsdale Midlands Limited | Lonsdale Midlands Limited - 290 Newton Road |
| 102 | REG-104889 | Lonsdale Midlands Limited | Lonsdale Midlands Limited - 164 Walker Road |
| 103 | REG-104890 | Lonsdale Midlands Limited | Lonsdale Midlands Limited - 118-120 Dudley Street |

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|---|---|---|---|
| 104 | REG-104904 | Lonsdale Midlands Limited | Lonsdale Midlands Ltd - Windward Way |
| 105 | REG-104999 | Mrs Marcella Marie Higgins | Care Home for Special Needs |
| 106 | REG-105002 | Jaffray Care Society | Rivendell and Lorien (Marsh Lane) |
| 107 | REG-105165 | Miss Itrat Batool | Forest Grange Care Home |
| 108 | REG-105244 | Delam Care Limited | Mimosa |
| 109 | REG-105247 | Delam Care Limited | Shamu |
| 110 | REG-105258 | Delam Care Limited | Poplars |
| 111 | REG-105276 | St Peter's Hall Limited | St Peters Hall |
| 112 | REG-105297 | Delam Care Limited | The Cedars |
| 113 | REG-105302 | Delam Care Limited | New Lodge |
| 114 | REG-105331 | Galaxy Management Solutions Limited | Morning Stars |
| 115 | REG-105369 | Cygnet Care Services Limited | Broughton House and College |
| 116 | REG-106142 | Parkcare Homes (No.2) Limited | Autumn Leaf House |
| 117 | REG-105520 | Marblefield Limited | Sycamore House |
| 118 | REG-105569 | Newland Hurst Limited | Newland Hurst |
| 119 | REG-105689 | Home from Home Care Limited | Kirk House |
| 120 | REG-105143 | Longmoor Care Limited | Abbeyfield House |
| 121 | REG-105794 | Cygnet Learning Disabilities Midlands Limited | Conifers |
| 122 | REG-105849 | Community Living and Support Services Limited | Community Living & Support Services Limited |
| 123 | REG-105863 | Cygnet (OE) Limited | Toller Road |
| 124 | REG-106023 | Midway Care Ltd | Elmdon House |
| 125 | REG-106030 | Midway Care Ltd | Merecroft |
| 126 | REG-106031 | Midway Care Ltd | Cole Bank Road |
| 127 | REG-106034 | Midway Care Ltd | Bell Lane |

# APPENDIX 8 – LOT 3 AWARDED PROVIDERS (SUPPORTED LIVING 18 YEARS AND OVER)

| No | Reference | Provider Name | Location Name |
|---|---|---|---|
| 1 | REG-102909 | All For You Home Care Limited | All For You Home Care Limited |
| 2 | REG-104517 | Choice Health Care Limited | Choice Health Care - Birmingham |
| 3 | REG-104585 | Freedom and Lifestyle Limited | Freedom and Lifestyle Limited (t/a Midlands Community Homecare) |
| 4 | REG-104668 | Precious Homes Limited | Elderberry Mews and Mulberry Court |
| 5 | REG-104687 | Hebe Healthcare Limited | Hebe Healthcare Limited |
| 6 | REG-104693 | New Outlook Housing Association Limited | Home Heroes |
| 7 | REG-104695 | Divine Intervention Home Care Limited | Divine Intervention Home Care Limited |
| 8 | REG-104698 | Precious Homes Limited | Precious Homes Birmingham |
| 9 | REG-104725 | Dimensions (UK) Limited | Dimensions Midlands Domiciliary Care Office |
| 10 | REG-104728 | Comfort Homes and Care Limited | Comfort Homes and Care Ltd |
| 11 | REG-104749 | Next Step Support Limited | Next Step Support Limited |
| 12 | REG-105770 | Brightside Carers Limited | Brightside Carers Ltd |
| 13 | REG-104769 | Rehability UK Community Ltd | The Firs |
| 14 | REG-104799 | G P Homecare Limited | Radis Community Care (Droitwich Supported Living) |
| 15 | REG-104808 | Lisieux Trust Limited | Supported Living |
| 16 | REG-104853 | CareTech Community Services Limited | St Michaels Support & Care |
| 17 | REG-104896 | River of Care Ltd | River Of Care Ltd |
| 18 | REG-104898 | iCare Living Limited | iCare Living Limited |
| 19 | REG-104905 | Lonsdale Midlands Limited | Lonsdale Midlands DCA |
| 20 | REG-104906 | Kay Healthcare Limited | Kay Healthcare Limited |
| 21 | REG-104907 | PBL Care Limited | PBL Care Limited |
| 22 | REG-104943 | Consummate Care (UK) Ltd | Consummate Care (UK) Ltd |
| 23 | REG-104981 | Care & Grace Ltd | Care & Grace |
| 24 | REG-104996 | Coveberry Limited | Oakwood House |
| 25 | REG-104997 | Essential Futures Limited | Essential Futures Limited |
| 26 | REG-105008 | Jaffray Care Society | Jaffray Domicillary Care Services |
| 27 | REG-105087 | Lifeways Community Care Limited | Lifeways Community Care Limited (Walsall) |
| 28 | REG-105102 | Birmingham Rathbone Society | Birmingham Rathbone |
| 29 | REG-105106 | JLKare and Support Limited | JLKare and Support Limited |
| 30 | REG-105115 | Your Care Services Brain Injury Specialists Limited | Your Care Services Brain Injury Specialists Limited |
| 31 | REG-105151 | SoLO Life Opportunities | Social Life Opportunities (SoLo) |
| 32 | REG-105163 | Epic Care Services Limited | Epic Care Services Limited |
| 33 | REG-105177 | Angel's & Saint's Homecare Services Limited | Head Office |
| 34 | REG-105195 | Select Lifestyles Limited | Select Lifestyles Limited |
| 35 | REG-105204 | Sandant Care Limited | Sandant Care |
| 36 | REG-105214 | Actual Care Services Ltd | Actual Care Services Ltd |
| 37 | REG-105230 | Queensway Homes Ltd | Queensway Homes Ltd |
| 38 | REG-105231 | Priority Plus Limited | Priority Plus Ltd |
| 39 | REG-105241 | Esmero Care Services Limited | Esmero Care Services Limited |
| 40 | REG-105255 | Acorns to Mighty Oaks Ltd | AMO Care |
| 41 | REG-105268 | Turning Point | Turning Point - Staffordshire Learning Disabilities Supported Living |
| 42 | REG-105311 | Hadet Solutions Limited | Watling Court Orbital Plaza |
| 43 | REG-105325 | Desired Care 4 U Limited | Desired Care 4 U Limited |
| 44 | REG-105376 | Creative Support Limited | Creative Support - Stockport Supported Living Service |
| 45 | REG-105387 | Delight Essential Services UK Limited | Dolphin Healthcare Services |
| 46 | REG-105406 | Hasbury Home Care Services Ltd | Hasbury Home Care Services Limited |
| 47 | REG-105407 | Royal Mencap Society | Warwickshire Supported Living |
| 48 | REG-105417 | Care Avenues Limited | Care Avenues Limited |
| 49 | REG-105128 | Otang Care Limited | Otang Care Limited |
| 50 | REG-105437 | NDH Care Ltd | NDH Care Ltd |

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|---|---|---|---|
| 51 | REG-105439 | Your Support Services Limited | Your Support |
| 52 | REG-105445 | Royal Mencap Society | Mencap Central Notts Services |
| 53 | REG-105610 | Future Home Care Ltd | Future Home Care Ltd Birmingham |
| 54 | REG-105643 | Exclusive Allied Services Limited | Exclusive Care Services |
| 55 | REG-105648 | Activo Care Limited | Activo Care |
| 56 | REG-105667 | Obatos Care Services Limited | Obatos Care Services Limited |
| 57 | REG-105668 | St@y Home Limited | Supreme Home Care Redditch and Bromsgrove |
| 58 | REG-105675 | Longhurst Group Limited | Domiciliary Care Service - Birmingham |
| 59 | REG-105691 | Real Life Options | Real Life Options - West Midlands Supported Living and Outreach Services |
| 60 | REG-104757 | Iconic Care Limited | Iconic Care Limited |
| 61 | REG-105710 | Willow Tree Support Limited | Willow Tree Support |
| 62 | REG-105711 | The Flame Lily Healthcare Ltd | House of the Flame Lily |
| 63 | REG-105755 | 2M Health & Home Care Services Ltd | 2M Health & Home Care Services Ltd - Birmingham |
| 64 | REG-105795 | FitzRoy Support | FitzRoy Supported Living - Hodge Hill |
| 65 | REG-105822 | Calvic Enterprises Limited | Calvic Enterprises Ltd |
| 66 | REG-105823 | CareTech Community Services Limited | One Step South Domiciliary Care Agency |
| 67 | REG-105842 | Orion Care Services | Orion Care Services |
| 68 | REG-105846 | Starlight Support Services | Starlight Support Services Ltd |
| 69 | REG-105850 | Winusman Care Ltd | Enabling Lives - Birmingham |
| 70 | REG-105873 | Elite Care Homes Ltd | Elite Care and Support Services |
| 71 | REG-105890 | Delivering Care Direct Ltd | Delivering Care Direct |
| 72 | REG-105921 | Karva Care Services Limited | Karva Care Services Limited |
| 73 | REG-105922 | Cygnet (OE) Limited | Supported Living Staffordshire |
| 74 | REG-105930 | Creative Support Limited | Creative Support - Birmingham & Bromsgrove Personalised Services |
| 75 | REG-105995 | Upward Care Limited | The Bromford |
| 76 | REG-106018 | Midian Solutions Limited | Midian Care |
| 77 | REG-106020 | Archangel Enterprises Limited | Archangel Home Care - Staffordshire Branch |
| 78 | REG-106057 | Midway Care Ltd | Midway Care Midway Support Services |
| 79 | REG-106079 | Community Living and Support Services Limited | Community Living and Support Services Ltd |
| 80 | REG-106127 | Luma Homecare Ltd | Luma Homecare |
| 81 | REG-106136 | Arthur Morrison Ltd | AM Care Services |

# Birmingham City Council

# Report to Cabinet

Date: 5th September 2023

| | |
|---|---|
| **Subject:** | **NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023) AND QUARTERLY CONTRACT AWARDS (APRIL 2023 – JUNE 2023)** |
| **Report of:** | **ASSISTANT DIRECTOR – PROCUREMENT** |
| **Relevant Cabinet Member:** | **Councillor Brigid Jones, Cabinet Member for Finance and Resources** |
| **Relevant O &S Chair(s):** | **Councillor Jack Deakin, Chair of Finance and Resources OSC** |
| **Report author:** | Steve Sandercock, Assistant Director, Procurement<br>Email Address: steve.sandercock@birmingham.gov.uk |

| | | |
|---|---|---|
| Are specific wards affected?<br><br>If yes, name(s) of ward(s): | ☐ Yes | ☒ No – All wards affected |
| Is this a key decision?<br>If relevant, add Forward Plan Reference: | ☐ Yes | ☒ No |
| Is the decision eligible for call-in? | ☒ Yes | ☐ No |
| Does the report contain confidential or exempt information?<br><br>If relevant, provide exempt information paragraph number or reason if confidential : | ☐ Yes | ☒ No |

## 1 Executive Summary

1.1 This report provides details of the planned procurement activity for the period October 2023 – December 2023 which are not key decisions and all contract award decisions made under Chief Officer's delegation during the previous quarter. Planned procurement activities reported previously are not repeated in this report.

1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be dealt with under Chief Officer delegations up to the value of £500,000, unless TUPE applies to current Council staff.

1.3 Appendix 3 informs Cabinet of the contract award decisions made under Chief Officers delegation during the period April 2023 – June 2023.

## 2 Recommendations

2.1 To approve the planned procurement activities as set out in Appendix 1 and 2 and approve Chief Officer delegations, set out in the Constitution for the subsequent decisions around procurement strategy.

2.2 Notes the contract award decisions made under Chief Officers delegation during the period April 2023 – June 2023 as detailed in Appendix 3.

## 3 Background

3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.

3.2 At the 12th July 2022 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £500,000 for non-key decisions over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.

3.3 In line with the Procurement and Contract Governance Rules that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.

3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £177,897.50 (excluding VAT) and £500,000 (excluding VAT) for non-key decisions. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.

3.5 It should be noted that the procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 for a period of 2 years.

3.6 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.

3.7 Procurements below £500,000 contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.

## 4 Options considered and Recommended Proposal

4.1 The options considered are:

- To note the planned procurement activities for all the projects listed in Appendix 1 and the Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

## 5 Consultation / Engagement

5.1 This report to Cabinet is copied to Cabinet Members, Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

5.2 Approval has been sought from the relevant Spend Control Board prior to inclusion on the PPAR.

## 6 Risk Management

6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.

6.2 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 Details of how the contracts support relevant Council policies, plans or strategies, will be set out in the individual reports.

### 7.2 Legal Implications

7.2.1 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.

7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

**7.3 Financial Implications**

7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium-Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

**7.4 Procurement Implications (if required)**

7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.

7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and detailed in the appendices.

**7.5 Human Resources Implications (if required)**

7.5.1 None.

**7.6 Public Sector Equality Duty**

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports which should also give consideration to application of Equality Impact Assessments in line with Council Policy

**8 Background Documents**

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity (October 2023 – December 2023)
- 2. Appendix 2 – Background Briefing Paper
- 3. Appendix 3 – Quarterly Awards Schedule (April 2023 – June 2023)

**APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023)**

There are no items for this month.

**APPENDIX 2**

**BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES**
**CABINET – 5th September 2023**

**There are no non-key decision items for this month**

# APPENDIX 3 - QUARTERLY CONTRACT AWARD SCHEDULE (APRIL 2023 – JUNE 2023)

| Type of Rep | Title of Procurement | Ref | Brief Description | Contract Duratic | Directorate | Portfolio Finance and Resources | Finance Officer | Contact Name | Comments - including any request from Cabinet Members for more details | Contractor(s) Awarded to | Value of Contracts - Excluding Extensions | Value of Opti to Extend | Chief Office | Actual Go Live date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Delegated Extension Award | Putting prevention first: Commissioning and Procurement Strategies for Information Advice and Guidance (IAG) Contracts | | These services support:<br>• Improved health and prevention outcomes for citizens.<br>• Improved experience of support for vulnerable and older adults including family members/carers through active engagement in their own care support needs.<br>• Better and earlier identification of care needs via engagement with non- statutory organisations.<br>• Cost avoidance due to reduction in the need for high end cost provision by ASC. | 9 months | Adult Social Care | Health and Social Care | Samantha Bloomfield | Emil Prysak | Cabinet approved the report for Putting Prevention First: Investing in Communities in May 2019 and delegated the extension to CO. Delegated Extension Award Report approved 13/04/2023. | 1) Focus Birmingham<br>2) BID Services<br>3) Disability Resource Centre | £112,367<br>£111,662<br>£106,496<br><br>Total contract value<br>£330,525 | | Graeme Betts | 17/04/2023 |
| Delegated Award Report | Smoking Cessation Digital App | P1120 | The requirement:<br>•a peer support network for smokers wanting to quit<br>•pharmacological & behavioural support<br>•face-to-face consultations through Video Calling<br>•24/7 remote brief intervention resource that Pharmacies, GP Practices, Maternity Services can use alongside the core smoking cessation service | 2 years with an option to extend for a further 2 years. | Public Health | Health and Social Care | Lee Bickerton | Juliet Grainger/ Sandra Asiedu | Presented to Cabinet for info 27/07/2022. Approval to tender strategy signed 05/12/2022 and delegated the award to CO. Delegated Award Report signed 13/04/2023. | Solutions 4 Health UK | £115,000 | £115,000 | Justin Varney | 01/06/2023 |
| Strategy Award Report | Provision of Centrex and Traditional Telephony Line services | | Provision of Centrex and Traditional telephony line services under the Crown Commercial Services Framework Agreement for Network Services (RM3808) Lot 3 Traditional Telephony Services. | 1 year | Digital and Customer Services | Digital, Culture, Heritage and Tourism | Lee Bickerton | Jamie Parris | Presented to Cabinet for info 17/01/2023. Strategy / Award Report signed 25/04/2023. | Virgin Media Business Limited | £235,000 | | Cheryl Doran | 01/05/2023 |
| Strategy / Award | UI Path Delivery Partner | | Robotic Process Automation (RPA) enables a business process to be configured and scripted to emulate human actions (such as keystrokes/ extraction of data etc) to drive efficiency in the business and allow staff to focus on more value-adding activities. | 4 years | Digital and Customer Services | Digital, Culture, Heritage and Tourism | Lee Bickerton | Gary Hurdman / Jamie Parris | Presented to Cabinet for info 14/02/2023. Strategy / Award Report signed 25/04/2023. | Virgin Media Business Limited | £235,000 | | Cheryl Doran | 01/05/2023 |
| Strategy / Award | Consultancy to support the implementation & programme management of new corporate landlord service model | | Following discussions with CLT in January 2023, a review of the existing Corporate Landlord approach was competed in March 2023. From this a revised approach and Delivery Plan was developed. External expertise and capacity are now required to lead on the initial implementation of the new model to provide overall programme management services and implementation / subject matter expertise support for the Corporate Landlord programme which will create a single corporate custodian of all Birmingham City Council's operational property assets, transitioning the portfolio into a shared strategic resource which is fully aligned to, and supportive of, the Council's overarching objectives.<br><br>The Corporate Landlord model will play a key role as an enabler to the wider place-based approach and will support other key priority programmes such as Early Intervention and Prevention. | 6 months with option to extend for up to 6 months | Place, Prosperity and Sustainability | Leader | Azhar Rafiq | David Coulson / Andrea Webster | Presented to Cabinet for info 16/05/2023. Strategy / Award Report signed 28/06/2023. | Ernst & Young LLP | £487,500 | | Paul Kitson | 30/06/2023 |
| Strategy / Award | Infrastructure Works - Lozells Places for People | | Infrastructure Works for Active Travel Fund Tranche 2 (ATF2) Package 2 – Lozells Places for People following a further competition exercise using the Black Country Framework Contract for Minor Works 2021 – 2024 to Parade Civil Engineering Ltd in accordance with its protocol. | 4 months | Place, Prosperity and Sustainability | Leader | Azhar Rafiq | Alex Curnyn / Charlie Short | Active Travel Fund Tranche 2 named project within the Transportation and Highways Capital Programme 2023/24 to 2028/29 – Annual Programme Update report approved at Cabinet on 21/03/2023. Strategy / Award Report signed 09/06/2023. | Parade Civil Engineering Limited | £257,648 | | Paul Kitson | 12/06/2023 |