

# BIRMINGHAM CITY COUNCIL

**CABINET MEETING  
TUESDAY, 12 DECEMBER  
2023**

**MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON  
TUESDAY 12 DECEMBER 2023 AT 1000 HOURS IN COMMITTEE  
ROOMS 3&4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1  
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**PRESENT:** - Councillor John Cotton, Leader in the Chair

Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities  
Councillor Liz Clements, Cabinet Member for Transport  
Councillor Jayne Francis, Cabinet Member for Housing and Homelessness  
Councillor Majid Mahmood, Cabinet Member for Environment  
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, Leader (Liberal Democrat)  
Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative)  
Professor Graeme Betts, Director, Adult Social Care (DASS)  
Richard Brooks, Director, Strategy Equalities and Partnerships  
Deborah Cadman, Chief Executive  
Paul Clark, Assistant Director (Programmes, Performance, and Improvement)  
Robert Connelly, Assistant Director and Deputy Monitoring Officer  
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  
Ed Hammond, Deputy Chief Executive of the Centre for Governance and Scrutiny  
Paul Kitson, Strategic Director of Place, Prosperity and Sustainability  
Paul Langford, Interim Strategic Director, City Housing  
Marie Rosenthal, Interim City Solicitor and Monitoring Officer  
Steve Sandercock, Assistant Director, Procurement  
Tim Savill, Assistant Director of Revenues, Benefits and Rents  
Jo Tonkin, Assistant Director, Partnerships Insight and Prevention  
Errol Wilson, Committee Team Leader

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**NOTICE OF RECORDING/WEBCAST**

267. 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**

268. Apologies for absence were submitted on behalf of Councillors Brigid Jones, Mariam Khan and Karen McCarthy for their inability to attend the meeting.
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**DECLARATIONS OF INTERESTS**

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

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

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

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

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

Councillor Majid Mahmood declared his personal interest in Agenda item 8 as a Green Bin subscriber in the city. He advised that he has been given dispensation by the Monitoring Officer that he could speak on the matter for which the item involve. The Leader also declared his personal interest in Agenda item 8 as he was also a Green Bin subscriber.

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**MINUTES**

270. **RESOLVED:** -

The Minutes of the meeting held on 14 November 2023, having been previously circulated, were confirmed and signed by the Chair.

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

The Chair advised that the reports at Agenda item 9, contained an exempt appendix within the meaning of Section 100I of the Local Government Act 1972.

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

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

**271. 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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**GOVERNANCE REVIEW OF BIRMINGHAM CITY COUNCIL BY CENTRE FOR GOVERNANCE AND SCRUTINY**

The Leader introduced the item and drew the attention of Cabinet to the addendum – correction sheet which was circulated by late agenda dispatch and the information contained in the report.

The Deputy Chief Executive of the Centre for Governance and Scrutiny then made the following statements:-

- a. The Deputy Chief Executive of the Centre for Governance and Scrutiny noted the comments made by Members and highlighted that what was produced was deliberately titled *The Stabilisation Plan*. This was a short-term plan for action in the area we will take the Council through the next few months.
- b. It was particularly designed to put the foundations in place for a more meaningful action on governance as part of the improvement and recovery plan.
- c. This was by definition a plan which was not going to tackle some deep-rooted issues that was identified, but it would help the Council to tackle those issues over the course of the coming months.
- d. The challenge that the Council faced in developing and delivering these kinds of plans in the past was that they had been arguably developed by a small group of people and attempts have been made to deploy them by a small group of people corporately.
- e. The challenge the Council now have was engaging a far more plural activities amongst Members and officers in understanding what that improvement and recovery plan looked like and placing governance at the heart of that which we appreciate would be a challenge.

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- f. *The Stabilisation Plan* was designed as far as possible to help the Council to deliver that. Within that in terms of the comments that was made concerning collective responsibility it was important to recognised that when we were talking about improvement it was about collective responsibility.
- g. It was also about individual accountability and getting the balance between those two things would be crucial in understanding where individual accountability was needed as that was important for delivering any change, but also recognising the duties and responsibilities of all within the Council for supporting and delivering that improvement over time.
- h. On other specific points that were made on the Charing arrangement for Scrutiny, we have not commented on this directly in the report. It was quite possible that the Council could as it comes to the end of this Municipal Year think about the plurality of its leadership arrangement in Scrutiny and make a judgment about whether the current leadership arrangements needed to be amended with the opposition chairing or some other form of opposition leadership needed to be brought in would support that conversation. However, it was felt that probably lead to form a part of the discussion that will lead to the improvement and recovery plan.
- i. We have carried out research on this issue over a number of years and there was a correlation between balanced or more general opposition chairing Scrutiny and more effective Scrutiny. But the correlation was quite weak, and we could not say there was causation between the opposition chairing for a more effective Scrutiny, but we knew that there was something here about the legitimacy of the function and the capability functioning being able to work across party. We would encourage the Council to have that conversation as the Council takes this forward.
- j. In terms of the size and scale of the Council this was not something on which we could comment. We were conscious that there was a separate wider conversation to be continuing but this was a conversation that had gone on for many years.
- k. Finally, in terms of the comment that was noted on the overoptimism that the Council tended to take we were particularly confident that in the way we tried to give the Council here in this report a framework for understanding how the Council makes changes when it does make changes.
- l. We have produced something called the Theory of Actions which was designed to give the Council a clear sense about how you put in place plans and how the Council try, and effect change and that was something the Council needed to think about as it makes these changes and as it planned to go through the improvement and recovery plan.
- m. Being conscious of those weaknesses where they exists and designing ways around those weaknesses would be a critical path in making any of these. We appreciate any of these challenge of delivering something meaningful given as Council noted we have been here before.

The Deputy Chief Executive of the Centre for Governance and Scrutiny expressed thanks to those who participated in the review and officers for their

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contributions and frankness with which people kindly spoke with us and gave those information with which people had engaged with the findings.

The Deputy Leader commented that it needed to be clear that the report was not just talking about the Cabinet, one group, any specific officers, but was talking about the culture of the Council in its widest sense which included all of us and we all needed to have that commitment to ensure we had the necessary changes once and for all to bring the Council to where it needed to be. This also includes management and to ensure we eradicate any form of blame culture whether this be blaming individual Cabinet Member(s), officers etc., but getting to the root cause of the problem and dealing with them once and for all.

She further added that a number of extended conversations were being had with officers around the governance report but also how we moved forward with that. We needed to ensure that there was good Member engagement, and we were a part of that as we were in our local communities and saw what was happening on a day-to-day basis. The report needed to be seen as a working document and there will not be any quick and easy working solution and will take long-term planning in a number of areas.

The Leader expressed thanks to Ed Hammond and his team for the work that they did in bringing this report together which was frank and candid. We needed to reflect as an organisation on that. The Cabinet Member for Transport expressed thanks to Ed Hammond for making the amendments and that the general point about Cabinet Members needing to take our heads out of specific portfolio and act corporately and strategically was well made.

### **272. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- i. Accepted the findings made by the Centre for Governance and Scrutiny (CfGS) contained in the report attached at Appendix A;
- ii. Agreed the recommendations and planned actions contained in the Stabilisation Plan attached at Appendix B to the report; and
- iii. Noted that the findings and recommendations from the review will inform the Council's overall Improvement and Recovery Plan. This will include actions and measures of success and impact that respond to areas for improvement identified within the CfGS report.

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### **ORACLE PROGRAMME UPDATE**

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

The Interim Finance Director and Section 151 Officer noted Councillor Ewan Mackey's comment concerning the statutory interest payment and undertook to get a written response to Councillor Mackey. The Programme Manager,

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Finance and Governance noted Councillor Robert Alden's query concerning the £4m in relation to Bank Reconciliation System (BRS) and undertook to get a detailed response back. He added that his understanding was that this was a combination of the original cost to implement the solution for the BRS which the Council was having problems with as Members were aware plus costs subsequently for addressing those issues to date with that system and would provide a breakdown of what the £4m constituted.

The Leader advised that in terms of the point raised concerning the Risk Register, he was happy for those to be shared certainly in terms of Cabinet oversight on this as it was something that was regularly reported in the Oracle Governance Board which was chaired by himself and including other Members of the Cabinet. We were also working with the commissioner who was tasked with leading on Oracle to ensure that we had the right controls in place to address any of those issues and risks that were identified.

The Cabinet Member for Digital, Culture, Heritage and Tourism stated that the two reports were important, and that Members knew of the issues we had with Oracle. At this moment the focus was how we were going to move forward on this and how we would address a lot of the issue we now know and learn lessons from what had gone wrong.

### **273. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- a. Noted the headline findings from the initial planning of the optimisation phase which frames the rationale and approach to concluding the current phase of 'safe and compliant' activities;
- b. Agreed the plan to conclude the current phase of activity known as the 'safe and compliant' phase, based on the scope of work detailed in Appendix C of this report being delivered;
- c. Noted the cost for the conclusion of this phase, which can be funded from the FY23/24 programme budget approved by Cabinet in June 2023;
- d. Noted the planned approach to address the current Bank Reconciliation System (BRS) issues and the options to implement an Income Management system as a replacement for the current BRS system and a key component of the final, optimised solution; and
- e. Agreed that the delegated authority authorised in the June 2023 Cabinet Report to approve any new, compliant procurement arrangements required to secure resources to support the Oracle stabilisation and optimisation design work, still stands.

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

The Committee noted that this report was published by late dispatch.

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The Leader introduced the item and drew the attention of Cabinet to the information contained in the report and highlighting the key points. The Leader advised that in order to ensure we were expediting the assets sales to support our strategy for the coming year we were also seeking authority to establish a Cabinet Committee – Property, the terms of reference for which were set out in paragraphs 3.39 to 3.45 in the report.

The Leader then advised that the Members of the Cabinet Committee – Property were as follows:

The Leader – Councillor John Cotton (Chair)  
The Deputy Leader – Councillor Sharon Thompson  
The Cabinet Member for Finance and Resources - Councillor Brigid Jones  
The Cabinet Member for Housing and Homelessness - Councillor Jayne Francis.

The Leader informed the Committee that the report was amended at paragraph 2.1(d) to read from the 1 January 2024 and not the 1 April 2024.

An extensive discussion then ensued, and the following is a summary of the principal points made:-

- A huge amount of work needed to be done to identify robust savings and establish a credible savings delivery process. The lack of any early budget work.
- What further work had taken place and what additional savings had been found by Cabinet on top of the ones included in the report.
- That 82% of all savings been put forward had been written off which was a total failure to deliver the budget from last year.
- That it was hoped that Cabinet had seen a risk assessment of the savings.
- Concerns regarding the way the information in Appendix 1 to the report was presented as none of this had delivered a savings as no due diligence was completed on savings.
- It was important to focus on the urgency and there was concerns about time pressure to set the budget next year. The urgency only appeared to come in when the commissioners came in.
- Due to the nature and extent of the savings that will be made this will have a massive impact on local communities in terms of Council facilities and buildings allied with similar processes that had been undertaken by West Midlands Police currently.
- That Cabinet Members take personal responsibility for the savings in their portfolio with their names appearing against each savings and the actions to mitigate risks.

The Cabinet Member for Transport noted the comments concerning the savings of £149m that was identified and stated that these were ones that had gone through the due diligence process and that officers were confident that they could be delivered. As Cabinet Members we will hold them accountable for delivering those savings.

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In relation to the membership of the Cabinet Committee – Property the Leader advised that in relation to the attendance of opposition Members to the Cabinet Committee – Property, that will operate under the usual arrangements for Cabinet Committee. This will include opposition Members attendance and we will look to ensure that business was held in public as we normally would pending the usual caveats around that.

The Cabinet Member for Environment noted the concerns regarding the potential loss of Section 106 monies and advised that monies that were collected from Section 106 under the Town and Country Planning Act were held by the Council in a ringfenced until suitable projects have been identified. This was usually at the planning stage with agreement with officers and Elected Members.

The Leader reiterated that the Council was facing a budget gap of some £300m and we were having to seek exceptional financial support from Government in order to take this budget forward. We were in no way underplaying the seriousness of the situation that was facing the Council and that he along with Members of the Cabinet were very much aware of the challenge that sat in front of us. The Leader further stated that we were committed in meeting the deadline stipulated by the commissioners for the 7 January 2024 and that there was no scope for negotiation around that. We have a job of work to do to deliver that proposals.

The Leader continued crucial to this, the issue around accountability and ensuring we have got evidenced savings Budget Assurance Framework that he had referred to earlier which he was chairing and that all Cabinet Members were involved in together with the senior directors of the Council. We were going through line by line through proposals that have been brought forward and were testing the assumptions that sat beneath them and were seeing what could go further and the potential impact of any proposals may be and the mitigations we may need to put in place as part of that. Indeed, also part of that process we were seeking additional support for savings and looking at the 2025/26 budget year as well and will be reporting on that as and when appropriate in bringing that forward. It was crucial that what we have got evidenced savings we have seen what had happened previously when we were not being able to deliver savings and the consequences of that as was stated earlier.

The Leader highlighted that the high-level summary at Appendix 2 of the report sets out how we were trying to do that to negate the impact on some of the crucial services that mattered to people of this city. But there will be tough choices as part of that budget consultations and the details we will bring forward. Sat behind that was a robust process of challenge and a robust timeline so that we could meet the deadline placed on us by the commissioners and meet the expectations of the people of this city in terms of bringing the budget forward.

The Cabinet Member for Housing and Homelessness gave assurance that in terms of conversations, meetings both formal and informal over the past few months this have been happening in the Housing Directorate on a daily basis.



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We were working hard with officers to ensure that the savings identified were deliverable and that vulnerable and frontline services were protected.

### **274. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- I. Noted the update on the 2023/24 financial position;
- II. Noted the current status of budget setting for the 2024/25 and 2025/26 financial years;
- III. Delegated authority to the Corporate Leadership Team (CLT) to complete all preparatory work necessary to deliver the savings programme for the 2024/25 financial year. This is to include, but is not limited to, commencement of employment consultation, developing detail for the delivery of the proposed savings, and engaging with the public, stakeholders and service users; This is with the acknowledgement that the proposed savings are subject to consideration as part of the Council Tax setting process, due to be presented to Cabinet on 13th February 2024 and City Council on 27th February 2024;
- IV. Approved the increase in garden waste charges from £50 to £60, with effect from 1st April 2024;
- V. Noted that the Chief Executive, as Head of Paid Service, will be issuing necessary statutory and non-statutory employment consultation in respect to the staffing implications of savings proposals for the 2024/25 financial year. This will include the issuance of Section 188 Notices under the Trade Union and Labour Relations (Consolidation) Act 1992;
- VI. Approved the creation of a 'Cabinet Committee – Property' in order to expedite asset sales to support the delivery of the Council-wide strategy for the 2024/25 financial year, with the terms of reference set out in paragraphs 3.39 to 3.45 below; and
- VII. Delegated authority to the Leader of the Council and the Chief Executive, together with the Section 151 Officer, to submit a formal written request to the DLUHC for EFS to allow the Council to deliver a balanced budget for the 2024/25 financial year, as set out in paragraph 3.26, to include:
  - (a) Permission to increase the Council Tax level above the referendum limit, and to support this, the Council will review and revise the Council Tax Support Scheme to offset the potential impact to citizens;
  - (b) A formal application for a Capitalisation Direction (figure to be confirmed) and 'minded to' letter to cover the Equal Pay accounting liability, the costs involved in the redundancy scheme, and support to deliver a balanced budget for the 2024/25 financial year.

**EFFECTIVE COMMISSIONING OF DEBT**

In the absence of the Cabinet Member for Finance and Resources, the Leader presented the item and drew the attention of Cabinet to the information contained in the report.

The Assistant Director of Revenues, Benefits and Rents noted the comments and questions from Members and made the following statements:-

1. In relation to the issue of contracts expiring in July we have been working with the previous contractor up to now and the report have been delayed a few times before it got to Cabinet today. Hence we had a gap, but we continued to work out a contract and still referred the debt with our previous contractor.
2. Regarding the IT system which we needed to procure to manage the fee income was an industry standard and was effectively a bolt on system. We were working closely with IT, and they were aware of the specifications, and we did not anticipate any difficulties implementing it.
3. We were using the IT system as a supplier at the moment by transferring our data to the existing enforcement agent.
4. In terms of the commissioners notes, we were already developing a plan so that we monitor and implement and tracked the additional fee income closely. The other concerns and questions we will developed into an action plan so that we could monitor that closely.
5. With regard to the Penalty Charge Notices (PCN) we were starting off with the Council Tax and Business Rates and Bid debts to start with. During the first year that will be a learning opportunity for us in terms of managing that contract and work ourselves and the fee income.
6. We believe there were opportunities to involve that and clearly as part of the learning process we could discuss with colleagues in parking and the Clean Air Zone (CAZ).
7. There were additional complications to their work as a lot of it was out of the area and Council Tax and Business Rates generally was within the city.
8. The PCN debt involved impounding vehicles and other things and were a much bigger operation.
9. What we wanted to do was to learn from doing the first enforcement stage up ourselves and then look at opportunities like parking and CAZ at a later stage after the first year when we were running the enforcement stage ourselves.

Councillor Robert Alden voiced concern around the waiver form not being made available as a public document for this item but noted that the waiver form for the next item was attached as an appendix which emphasised the need for the waiver form to be made public for this item. The Deputy Monitoring Officer undertook to take the issue away and get some clarity for Councillor Alden.

**275. RESOLVED UNANIMOUSLY: -**

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That Cabinet:-

1. Approved the full business case in Appendix A to the report to establish an 'in-house' Enforcement Agent (EA) operation, initially for Council tax and business rates debts for the Compliance Stage (first stage), of the formal debt recovery process;
2. Noted that the Invest to Deliver group and associated delegated approval process agreed a sum of £247,171 to be allocated from the Delivery Plan Reserve to set up the operation;
3. Approved the phased transfer of other enforcement/debt collection activity (following an internal transformation project that commenced in 2022 on reviewing all these services) - subject to the appropriate due diligence following the initial first phase of in-house operation and a further Cabinet report;
4. Approved the consolidation of contract management of all enforcement agent activity across the Council (where possible and practical) and ensure value for money is maximised into the new enforcement operation;
5. Approved the requirement to use the Crown Commercial Services (RM6226) Debt Resolution Services framework for a period of up to 12 months commencing from the date this Cabinet report is approved, as an interim measure for Council Tax, Business Rates and Business Improvement District debt recovery, as set out in (Appendix B -Exempt Information);
6. Noted that a report updating Cabinet on the realisation of benefits associated with the setup of this new service after the first full year of operation;
7. Delegated authority to the Director of Digital and Customer Services (or their delegate), in consultation with Assistant Director Corporate Procurement (or their delegate), the City Solicitor (or their delegate), and the interim Finance Director (or their delegate) to approve any new, compliant procurement processes and arrangements required (see Appendix B – Exempt Information); and
8. Delegated authority to the Director of Digital and Customer Services (or their delegate), in conjunction with the Assistant Director Corporate Procurement or their delegate, the Chief Finance Officer or their delegate, and the City Solicitor or their delegate to approve the selection of successful bidder(s) where compliant procurements are undertaken (see Appendix B – Exempt Information) including the execution of the necessary contractual documentation to give effect to these outcomes.

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### **SECTION 75 AGREEMENT, POOLED/ALIGNED BUDGET ARRANGEMENTS 2023/25 – BETTER CARE FUND**

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In the absence of the Cabinet Member for Health and Social Care, the Cabinet Member for Housing and Homelessness presented the item and drew the attention of Cabinet to the information contained in the report.

The Director for Adult Social Care noted Councillor Ewan Mackey's comments and responded that conversations were had with the commissioners who fully supported what we were doing and was set in the wider context which we have been doing with our partners.

The Cabinet Member for Transport commented that she had worked in Adult Social Care in 2009/10 when the first Section 75 Agreement was developed for learning disabilities and mental health. She added that the experience of integrated working through these Section 75 Agreements was important coming back to the discussion earlier about how we operate corporately and strategically. We needed to take the learning from these joint arrangements and look at how we worked with partners more effectively in other areas. We needed to celebrate the success and improvements we have made.

### **276. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- a) Approved the following financial contribution for 2023/24 to the Section 75 agreements for the Better Care Fund - £115,994,636;
- b) Approved the following financial contribution for 2024/25 to the Section 75 agreement for the Better Care Fund - £116,458,409;
- c) Authorised the Strategic Director for Adult Social Care to conclude negotiations with Birmingham and Solihull Integrated Care Board in respect of the funding approved under para (i) above on the S75 agreement;
- d) Delegated authority to the Strategic Director for Adult Social Care to increase the BCC contribution to the Better Care Fund during the years 23/24 and 24/25 in the event of additional, specific funding – such as increased funding for Disabled Facilities Grant - being received by the Local Authority. This would essentially represent a variation to the BCF Plan. The s151 Panel has provided a blanket approval for spend against the approved BCF Plan. Further approval would be sought from the panel for any additional spend as a result of a variation to the plan; and
- e) 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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### **REGULATED ADULT SOCIAL CARE COMMISSIONING STRATEGY – HOME SUPPORT AND QUICK DISCHARGE SERVICES**

In the absence of the Cabinet Member for Health and Social Care, the Cabinet Member for Housing and Homelessness presented the item and drew the attention of Cabinet to the information contained in the report.

**277. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

1. Approved an extension to the current Framework Agreement for Home Support Services and the Framework Agreement for Quick Discharge Services until no later than 7 October 2024;
2. Approved the Regulated Adult Social Care Commissioning Strategy Home Support and Quick Discharge Service 2024+ in Appendix 1 to the report;
3. Approved the Procurement Strategy for Home Support and Quick Discharge Services in Appendix 2 to the report;
4. Approved the establishment of a Flexible Contracting Arrangement (a DPS-type arrangement under the Light Touch Regime) for the provision of Home Support Services for Adults' and Children and Quick Discharge Services;
5. Delegated to the Assistant Director Procurement (or their delegate) in conjunction with the Strategic Director, Adult Social Care to appoint, as and when required, new suppliers onto the Flexible Contracting Arrangements where they meet the selection criteria;
6. Delegated the award of call off contracts under the Flexible Contracting Arrangements to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Regulated Care);
7. Noted that the outcome of all call-offs from the Flexible Contracting Arrangement will be reported to the Assistant Director Procurement (or their delegate) and the Strategic Director, Adult Social Care, Interim Finance and Section 151 Officer (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate);
8. Approved for Birmingham Children's Trust to call off from the Flexible Contracting Arrangement for home support services to meet the needs of disabled children and young people as required and to make use of any associated IT systems;
9. Approved for the NHS to call off from the Flexible Contracting Arrangement for home support services and quick discharge services to meet the needs of adults as required and to make use of any associated IT systems;
10. Authorised the City Solicitor (or their delegate) to execute and complete all necessary legal documents to give effect to the above recommendations; and
11. Delegated any modifications to the electronic system or contracts, to the Directorate of Adult Social Care, the Director of Commissioning and the

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Head of Commissioning (Regulated Care), including the annual setting of fees in line with the Commissioning Strategy and the Council's revenue budget and Medium-Term Financial Plan.

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### **CORPORATE PLAN 2022-2026: PERFORMANCE AND DELIVERY MONITORING REPORT**

The Deputy Leader presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points. The Deputy Leader then expressed thanks to the commissioners for their comments that they have made regarding this item.

In response to questions and comments Members of the Cabinet gave the following responses:-

The Cabinet Member for Transport stated that the point of performance monitoring was to be self-aware about performance. She advised that the reason there was a Red Traffic Light rating against the Road Safety Strategy was that we had taken some request for some funding support and some of the consultation work through the spending Control Board which was rejected. This request was reformulated so that there was a clear explanation of the reason we needed to do some work with our focus group for hard-to-reach communities. The fact this was rated Red showed we were being realistic about some delays in the process. That strategy had been drafted and there was a complete draft which was shared with Scrutiny, and we were engaging stakeholders who have worked with us over the summer on a range of road safety issues. If we were going to reset the Performance Plan we needed to look at these indicators and how meaningful they were.

The Cabinet Member for Environment stated that in terms of recycling the figures remained stable and we finally have clarity from the Government of the range of environmental measures including food waste collection which would be changed again for the city. We were in a position to finalise that overarching waste strategy which would set the direction of travel to enable us to improve our performance significantly in years to come. The aspiration was to flip the recycling in the city, so we have a weekly recycling collection as this was taking place in a lot of councils across the country. Most of the top recycling councils have an element of food recycling, but we were lagging on that. We needed the support of the Department for Environment, Food and Rural Affairs (Defra) and will be seeking cross-party support in the letter to the Secretary of State for the Environment and Rural Affairs, Steve Barclay, MP to see if we could get into the private scheme so we could introduce food recycling sooner than the Environment Act stipulates which was 1 April 2026.

The Cabinet Member for Housing and Homelessness stated that placing children and families in temporary accommodations was not desired at all, but we have no choice. Some of that was to do with what was happening nationally be it an increase in the number of families who were homeless as a result of private rented sector, the increase in the incidence of domestic abuse and broken relationships. We were doing everything we could as in the directorate this was a huge *headache* that we have and can see an increase in

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presentation all the time. The team was working creatively to see if this could be done differently. Investments was needed in our housing and more will be stated in the proposed level of investments in the next report to Cabinet in January 2024.

The Deputy Leader reminder Cabinet that quarter two was based on the current Council's Corporate Plan, but moving forward it was recommended that some form of changes were needed which will take place. The Deputy Leader noted Councillor Roger Harmer's comments concerning context and data and stated that we sometimes took soundings from Members about the amount of data that was in the report ensuring that it was focused on the measures we were measuring against. She added that she was happy to speak with the officers and for conversations to take place with Cabinet Members and their directors in relation to the context and the level of information put into these reports.

The Deputy Leader further stated that she along with the Chief Executive was keen to look at the journey of reports and the length of time they took to get to Cabinet. She further added that they would look at Corporate Clearance and how that was functioning that would enable that process. The comments in relation to Audit Committee being able to feed in what measures they thought needed to be looked at and particular for the Chair of Audit Committee to insist that something was measured could be picked up in the general conversations. Regarding context and the depth of the reports, the Deputy Leader gave assurance that whilst this report came to Cabinet this was not the only time and way that Cabinet Members looked at risks in the report within their individual portfolio with directors and Cabinet Member briefings there was a lot more that was added to ensure we were keeping and being held to account. She expressed thanks to the performance team and directorates the feed into the report.

### **278. RESOLVED UNANIMOUSLY: -**

That Cabinet noted the performance and progress against the priorities and ambitions set out in the Council's Corporate Plan 2022-2026.

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### **KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2024 – MARCH 2024)**

In the absence of the Cabinet Member for Finance and Resources, the Leader presented the item and drew the attention of Cabinet to the information contained in the report.

Councillor Robert Alden referred to the Stock Condition and Energy Performance Surveys and commented that this was for a significant sum of money, but the procurement route chosen was a direct award rather than a competitive tender. He enquired what assessment was being done as this was the best value way of doing it. He further enquired whether we have compared what the per property rate was against the cost via Acivico or against any of the West Midlands firm that also do this work.

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The Assistant Director for Procurement undertook to get the detail for value for money assessment undertaken in regard to the stock condition survey and provide a response.

**279. 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 (JANUARY 2024 – MARCH 2024)**

In the absence of the Cabinet Member for Finance and Resources, the Leader presented the item and drew the attention of Cabinet to the information contained in the report.

**280. RESOLVED UNANIMOUSLY: -**

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**

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

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The meeting ended at 1203 hours.

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CHAIRPERSON