

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

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.

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.

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 carry on 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.

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

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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: -

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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.

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 begun 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

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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;

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- 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.

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.

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- ❖ 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.

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- ❖ 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 sit 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.

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- 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. RESOLVED UNANIMOUSLY: -

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);

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- 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 to 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.

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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

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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:-

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- 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.

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

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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.

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

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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 served 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 outcomes 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

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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.

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.

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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.

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 from 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

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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.

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.

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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);

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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.

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

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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.

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 the SAP Finance and HR systems and enquired whether this was something that was

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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.

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 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.

OTHER URGENT BUSINESS

216. No item of urgent business was raised.

The meeting ended at 1146 hours.

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CHAIRPERSON