

**CABINET MEETING TUESDAY,  
10 SEPTEMBER 2024**

**MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON  
TUESDAY 10 SEPTEMBER 2024 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 Mick Brown, Cabinet Member for Children Young People and Families  
Councillor Majid Mahmood, Cabinet Member for Environment and Transport  
Councillor Karen McCarthy, Cabinet Member for Finance  
Councillor Robert Pocock, Cabinet Member for Transformation, Governance & HR  
Councillor Saima Suleman, Cabinet Member for Digital, Culture, Heritage and Tourism  
Councillor Sharon Thompson, Deputy Leader and Economy & Skills

**ALSO PRESENT:-**

Councillor Robert Alden, Leader of the Opposition (Conservative)  
Councillor Roger Harmer, Leader (Liberal Democrat)  
Councillor Sir Albert Bore, Chair of the Corporate & Finance O&S Committee  
Graeme Betts, Acting Chief Executive  
Richard Brooks, Director of Strategy, Equalities & Partnership  
Max Caller, Lead Commissioner  
Craig Cooper, Strategic Director of City Operations  
Louise Collett, Director, Adult Social Care  
Rob Edmondson, Assistant Director, Waste, City Operations Directorate  
Katy Fox, Director for People Services  
Fiona Greenway, Interim Finance Director and Section 151 Officer  
Sue Harrison, Strategic Director of Children & Families (DCS)  
John Jamieson, Head of Service for Housing Management  
Paul Langford, Strategic Director, City Housing  
Noami Morris, Head of Strategic Enabling City Housing Directorate  
Stephen Philpott, Director of Housing Solutions & Support  
Joanne Roney, Managing Director  
Marie Rosenthal, Interim City Solicitor and Monitoring Officer  
Rishi Shori, Director of Intervention Response, Strategy Equalities & Partnerships  
Sophie Small, Commissioning Officer  
Mike Smith, Head of Category, People (online)  
Dr Justin Varney, Director of Public Health  
Mandeep Marwaha, Committee Services

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**NOTICE OF RECORDING/WEBCAST**

## **Cabinet Committee – 10 September 2024**

44. 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-1 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.

At this juncture, the Chair welcomed Joanne Roney, newly appointed Managing Director to her first meeting of Cabinet.

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### **APOLOGIES**

45. Apologies for absence was submitted on behalf of Councillors Jayne Francis, Cabinet Member for Housing and Homelessness and Ewan Mackey, Deputy Leader of the Opposition (Conservative).

An apology for absence was also submitted on behalf of Philip Nell, Strategic Director of Place, Prosperity and Sustainability (but Phil Edwards attended as substitute).

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### **DECLARATIONS OF INTERESTS**

46. 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.

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### **MINUTES**

47. **RESOLVED:** -

The Minutes of the meeting held on the 23 July 2024, 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 agenda item 15, contained an exempt appendix, under Section 100I of the Local Government Act 1972. As there was no indication from Cabinet of any issues on this report, the Chair advised that the meeting would continue in public for this item.

However, Councillor Alden indicated he wanted to raise issues under the item 9 – Temporary Accommodation Delivery Approach (exempt appendix 1). The Chair proposed for this report to be discussed at the end of the agenda in order to move into a private session to have a discussion. This was agreed by Cabinet.

**48. 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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**ENTERPRISE ZONE GRANT FUNDING TO BIRMINGHAM CITY COUNCIL FOR PARADISE WORKING CAPITAL FUND**

The following report of the Strategic Director for Place, Prosperity and Sustainability was submitted:

(See document in the agenda pack)

The Deputy Leader introduced the item and highlighted this was a flagship regeneration scheme for the city.

The following key points were made:

- This would be creating 370 new homes and over 4000 jobs for residents, businesses and stakeholders.
- It was hoped this would unlock different aspects of the city by attracting global blue-chip company occupiers.
- There would be a new leisure and hospitality offer to the city which would allow Birmingham to compete with other core cities across the country.
- It was noted the scheme was a joint venture in partnership between Birmingham City Council (BCC) and Britel Fund Trustees Limited (BFTL) to deliver the Paradise Development.
- The Deputy Leader thanked officers for their work. In addition, for the advice and discussions provided by the Commissioners to move this forward.

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The Cabinet Member for Digital, Culture, Heritage and Tourism supported comments made by the Deputy Leader and welcomed the report. As well as job creation for the city, this would increase tourism for the arts and culture sectors.

The Deputy Leader noted comments made by Councillor Alden around impact on the General Fund and mitigating risks. Furthermore, comments around Cabinet oversight and requiring the background to the funding model. It was recognised previously there was issues, and this was being looked into. A positive approach was being taken. Housing and jobs was being created for the city. Members were assured that the Commissioners, Cabinet and officers was looking at the governance around this work and to ensure risk management was considered at all stages. There was oversight on this programme and if required, the Deputy Leader would arrange for an information report to come back to Cabinet in the future. In summing up, the Deputy Leader concluded this was a positive scheme which was bringing more jobs and housing to the city which was much needed.

### **49. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Approved the Council's application for a £1.0m Funding Grant from the Enterprise Zone to contribute funding into Paradise Circus Limited Partnership (PCLP) as its share (50/50 contribution) of a total £2.0m injection for the PCLP Working Capital Fund;
- (ii) In its capacity as Accountable Body for the Enterprise Zone, approved the awarding of a £1.0m Enterprise Zone Funding Grant to the Council;
- (iii) Delegated authority to the Strategic Director of Place, Prosperity and Sustainability to take such actions as are necessary to:
  - (a) Ensure that the application, receiving and payment of the £1.0m funds by the Council to PCLP are appropriately carried out in line with Council procedures; and
  - (b) Renegotiate and agree a new financial/commercial structure of PCLP with Britel Fund Trustees Limited prior to 31 July 2025; and
- (iv) Authorised the City Solicitor to negotiate, execute, seal, and complete all necessary agreements and documentation to give effect to the above recommendations.

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### **SECTION 151 OFFICER UPDATE ON THE FINANCIAL POSITION OF THE COUNCIL – SEPTEMBER 2024 & QUARTER 1 2024/25 MONITORING**

The following report of the Interim Director for Finance, S151 Officer was submitted:

(See document in the agenda pack)

## **Cabinet Committee – 10 September 2024**

The Chair made introductory comments and highlighted a commentary had been received from the Corporate and Finance Overview and Scrutiny (O&S) Committee which was be shared by the Chair of the O&S Committee (included in the agenda pack as an additional meeting document).

The following key points were made:

- There were no proposals to sell the artworks belonging to the city as there would be major implications if BCC had to consider this;
- Any sales of collections could have implications between the Birmingham Museums Trust (BMT) accreditation status with the Arts Council for England, as well as the grants provided for future applications with other funders.
- The Council could be liable to pay back various funds.
- The Council was determined to have stability and avoid any long-term damage to the reputation of Birmingham.
- The financial situation for Birmingham City Council remained challenging, however, relevant decisions and progress was being made.
- The financial controls had been strengthened via Spend Control Boards to better monitor spending and savings.
- Both the Corporate Leadership Team and Cabinet together was ensuring better decisions were being made inline with the Recovery Plan.
- Cabinet Committee Property was in place to expedite asset sales and generate capital receipts to balance the budget. The Commissioners welcomed this budget monitoring report.
- Additional savings was required for 2025-26 and 2026-27 to ensure there was financial stability for the Council.

The Cabinet Member for Finance appreciated the work undertaken by officers at the Star Chamber, to consolidate the savings for both this and next year. The progress made to date was set out in the report. Further details on the report was shared with Cabinet.

Councillor Sir Albert Bore informed Cabinet that at the 06 September, Corporate and Finance Overview & Scrutiny meeting, the S151 Officer report received an update for September 2024 including the Quarter 1, 2024/25 Monitoring. This was discussed with the Cabinet Member for Finance and S151 Officer. The conclusions of the meeting (addendum was shared with Cabinet). This highlighted concerns raised by O&S Committee. In addition, it set out the work Corporate and Finance O&S Committee would be undertaking, in the coming months to assist the Executive in the delivery of the 2024-25 budget savings and setting the scene for the budget for 2025-26.

It was highlighted that over the next two-year financial period that the budget would not be balanced without transformation in services. O&S Committee would like to work closely with the Cabinet Member for Transformation, Governance & HR on the work across a number of Directorates and services.

The Chair valued the input from Corporate & Finance O&S Committee and proposed the feedback was reflected into the recommendations of this report.

A detailed set of comments and questions was set out by Councillor Alden.

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In response to Councillor Alden questions the following points was made by the Cabinet Member for Transformation, Governance & HR. Members were informed the Council was on the journey of recovery which was evidenced in paragraph 2.7 of the report. This had been recognised by the Commissioners. It was clear there was more work to be done in recruitment area and making cuts to services could not continue however, transforming services had to be considered. Duplications within services and efficiency savings within areas would be looked into. Birmingham would have to look at how to resolve the issues and not rely on Government support. The support and contributions suggested by Corporate and Finance Overview and Scrutiny was welcomed. It was clear limited progress had been made on the Transformation area and further work had to be undertaken.

The Deputy Leader commented on behalf of the Cabinet. Members were assured that once any issues or challenges around recruitment, employees not following the corporate line or sharing information with the S151 Officer was highlighted, discussions took place around the culture of the organisation - around what was, was not acceptable. It was not acceptable not to follow the corporate line and it was recognised more work had to be undertaken to across the organisation.

The Director for People Services notified Members the service area was in the process of setting up establishment levels across each Directorates. Once set up and working with Oracle, this would enable to control what happens against recruitment. At present, the establishment levels do not exist on Directorate basis and this was currently co-ordinated via the Spend Control Board. Control of breaches would be monitored via the establishment levels.

The Cabinet Member for Environment and Transport updated members that budget challenge sessions were taking place within his portfolio and discussions around proposed savings was taking place. Updates was provided on the legal challenge around the responsibility keeping land clear of litter and refuse. Highways had to be cleaned as much as possible. In relation to the closing of nature centre, this had legal and financial complexities. The preferred option was to support the business case to retain the nature centre.

In response to Councillor Harmer's point around the removal of the mobile house waste centre, it was highlighted this was a popular service with around 1500 visits per week however, work was taking place to revisit this area with partners.

The Cabinet Member for Finance referred to the comments made by the Commissioners and the challenges faced by the Council. Challenge would take place via the formal processes as well as peer and management challenge. It was noted these were serious issues for Birmingham and mitigations would need to be looked at. Work would be taking place on areas listed within appendix 2 of the report. It was highlighted, the Spend Control Board had sight of the Contract Register and details around this was shared with Members. In response to the question around debt write off, the timing of this was the issue and not what was being written off. It was recognised companies of all sizes had been through a difficult period and issues had arisen with business rates. This had been followed up by the Council and further reports would come back to Cabinet.

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The Interim Director of Finance, Section 151 officer responded to the question raised on point 6.9 of the report relating to the circumventing the current process for recruiting and extending members of staff. An Internal Audit report had been instigated immediately with the relevant Director, and this would be reported to Audit Committee in due course.

In response to questions made by Councillor Alden on the Highways PFI and savings, the Strategic Director of City Operations reminded Members a decision was taken by the Department of Transport (DfT) to cancel the PFI, last November. The court had directed for this to be reinstated and continue the payments in full. It was expected to match fund the payments by Government. Discussions was taking place with Government and to assist DfT as to retake the decision whether to support the city going forward. It was expected the PFI would remain until 31 March and alternative arrangements were currently being explored for the in-year savings by the S151 Officer. However, if the PFI did not proceed, then the savings would be progressed to future years.

Due to the feedback received by Corporate and Finance O&S Committee, an additional recommendation was set out by the Chair. This was agreed by Cabinet to be included in the resolution at point viii for this item.

### **50. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Noted the update on the 2024/25 savings position (Section 4, paragraphs 4.1 to 4.4 refer);
- (ii) Agreed the acceleration of work in relation to the savings attached at Appendix 2 to the report (from 2025/26 in to 2024/25), to include the development of Equality Impact Assessments and Health Impact Assessments (Section 4, paragraphs 4.5 to 4.6, and Appendix 2 refer);
- (iii) Noted the evidence required to satisfy compliance with the Medium-Term Financial Strategy Principles and the associated Action Plan (Section 5, paragraphs 5.1 to 5.6, and Appendix 3 refer);
- (iv) Noted the update on balancing the 2025/26 and 2026/27 budgets (Section 6, paragraphs 6.1 to 6.32, and Appendix 4 refer);
- (v) Noted the Quarter 1 2024/25 financial position (Section 7, paragraphs 7.1 to 7.22 refer);
- (vi) Agreed the budget virements undertaken in the 2024/25 financial year, to ensure budgets are sitting within the correct cost centres (Section 8, paragraphs 8.1 to 8.3 and Appendix 5 refer);
- (vii) Agreed that outstanding individual debts of more than £25k relating to Irrecoverable Council Tax, Business Rates, Housing Benefit, Housing Rents, and Sundry Debts are written off. These require Cabinet approval as per the Council's constitution (Section 9, paragraphs 9.1 to 9.3, and Appendix 6 refer);  
and

- (viii) That the feedback from Corporate and Finance OSC, set out via the tabled addendum, be considered and a formal response be provided in writing after the meeting.

**THIS DECISION WAS NOT SUBJECT TO CALL IN.**

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**COMMUNITY INFLUENCE & ENGAGEMENT STRATEGY 2024-2029**

The following report of the Strategic Director for City Housing was submitted:

(See document in the agenda pack)

In the absence of the Cabinet Member for Housing and Homelessness, the Deputy Leader made introductory comments.

The following key points were made:

- Reference was made to the Grenfell Tower Tragedy in 2017. Government had launched a Social Housing Regulation Act in 2023 which set out the expectations of engagement with tenants in the Housing Sector.
- A new set of consumer standards was formally adopted in April 2024.
- Birmingham City Council had worked with the Tenants Associations to look at how to respond to this and to rebuild relationships with tenants across the housing stock.
- This work was a part of the Improvement and Recovery Plan and linked to the work of the regulator.
- This was underpinned by the Corporate Framework powered by the people, and it had taken residents views on board.
- Consultation took place via avenues including; Be Heard, text messages to 16,500 tenants and letters being issued to over 36,000 tenants to partake in the consultation.
- The Housing Team were commended for the work undertaken on this area.

The Cabinet Member for Social Justice, Community Safety and Equalities supported comments made by the Deputy Leader. Praise was given to the formal and informal routes of engagement made on the consultation. This enabled trust and confidence to be built across the board. Lessons should be learnt from this and reflected across the Council.

Councillor Harmer referred to the creation of Local Housing Teams. It was important to understand local areas. It was acknowledged there was issues with the previous Housing Liaison Boards (HLB) i.e. structure and systems. Councillors' engagement was highlighted as an issue, and it was crucial for Members to be engaged and attend HLB especially if they had a number of BCC Housing within their ward.

Councillor Alden made further comments to the HLB and highlighted not all areas require the same set up. The City was diverse and the same solution may not be required for all areas. The Strategy referred to resetting the relationship



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with tenants however, the delivery of the strategy was crucial. The action plan timelines set out in the appendix could be actioned more promptly as the report indicated staff training would take 2 years. Another example referred to was the assurance processes around the R&M Contractors.

In response to Members questions, the Deputy Leader made the following points. In reference to the HLB, it was recognised one size did not fit all and engagement with all areas was important. Feedback from residents was made through other strategic projects such as Retrofit engagement, cost of living support. It was suggested officers to arrange a session for all Councillors on this report in particular around HLB's however, it was stressed that Members need to engage to sessions arranged.

With regards to contracts and deadlines, it was important to train staff however, realistic timelines had to be set out.

The Head of Strategic Enabling City Housing Directorate responded to points around Customer Service Training and timelines. There was a huge volume of housing staff to train. The R&M Contracts, interim arrangements was in place to support the interim contract however, there would be a need build into the 2026 contracts to ensure this was robust and future proof.

### **51. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Approved the contents of the Community Engagement & Influencing Strategy 2024-2029 set out in Appendix 1 of the report; and
- (ii) Approved the activities set out in the Community Engagement & Influencing Strategy 2024-2029 delivery plan in Appendix 2 of the report.

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### **52. CHANGE OF ORDER OF BUSINESS**

As agreed by Cabinet at the start of the meeting, item 9 – Temporary Accommodation Delivery Approach was discussed at the end of the agenda in order to hold an exempt session.

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### **ADDITIONAL RECYCLING CONTAINER PROCUREMENT**

The following report of the Strategic Director for City Operations was submitted:

(See document in the agenda pack)

The Cabinet Member for Environment and Transport made introductory comments.

The following key points were made:

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- Members were informed this report was a key part of the Waste Transformation and an improved recycling service for residents.
- The transformation programme would deliver an optimisation of the current recycling service, i.e. a move from weekly residual waste collection to fortnightly frequency, with the introduction of weekly food waste collections city-wide.
- The procurement of the additional recycling container was a key component of the transformation programme.
- It was proposed to procure 340,000 new, 180 litre wheeled containers for paper and card to replace the current 30 litre recycling pod insert, at an estimated capital cost of £6.630m to enhance the current recycling service by increasing the capacity and reducing contamination.
- The increased capacity created by the introduction of the new 180 litre bin would significantly reduce contamination and increase the volume of paper and cardboard recovered.
- The separate bin was expected to reduce contamination from 33% to 15%. Further details on the report was shared with Members.

Councillor Harmer welcomed the report as this should improve the recycling levels as currently they were very low. Concerns was raised around flats above shops and space for recycling bins. This should be considered on a case by case to obtained tailored solutions for each area. Comments were made on risks associated with savings funds on Enforcement Officers and huge costs with contamination and fly tipping.

Councillor Alden referred to the 16,000 outstanding requests from the pilot for additional bins. The feedback from the pilot was not shared with Members to evidence the additional requirement. Examples of contamination issues was set out for Members. It was highlighted at times, all bins were collected in the same collection therefore, contamination was not created by residents but when the collection took place. A detailed assessment of the pilot should have taken place. In addition, points were raised around the funding stream, capital money diverted to what was allocated to the depots. Questions were raised if an assessment on service risks had taken place.

In response to Members questions, the Cabinet Member for Transformation, Governance & HR highlighted the Street Scene was one of the largest issues in Birmingham. This had been highlighted the Improvement and Recovery Plan. The recycling system was being modernised however, it was recognised this was a long journey and further work had to be done. The recycling system had to be tailored across various areas of the City. Concerns were raised around the amount of evidence available on a local level and better data was required.

The Cabinet Member for Digital, Culture, Heritage and Tourism added the Waste Transformation was critical to the Council's Improvement and Recovery journey. There were challenges highlighted within the service however, progress had been recognised.

The Director of Public Health highlighted both he and the Cabinet Member for Social Justice, Community Safety and Equalities were in attendance of the end of the 4-year, Food Trails Funding Project. Work took place with 120 households in Ladywood area to look at their food waste and reduce this. It was noted

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during the first year of the project, households converted 43,000kg of food waste from bins to compost. Praise was given to the community collaboration and the distribution of the compost. Work was taking place with partnerships to change the behaviours towards waste.

In response to Councillor Harmer's questions, the Cabinet Member for Environment and Transport agreed improving the recycling rates was important and a key priority for the service area. He was confident with the new Management Team in place that this would be tackled. The recycling for flats above shops, had always been problematic however, they would, together with Tower blocks remain on a weekly service next year. Inspections around trades and businesses had to take place to ensure a waste disposal contract was in place. This had to be fit for purpose for the amount of waste they had to dispose of.

Reference was made to Councillor Alden's questions on the 16,000 second additional bins and added this was a request from last year. This was not a figure from the actual pilot. It was evident that households with the additional bin had more recycling undertaken and less contamination. The pilot took place in the Cabinet Members ward, which involved 600 bins to be delivered. Each household received a detailed breakdown letter on items they could and could not recycle. Feedback on the operation of this would be shared at a later stage. The Capital funding of £6 million pounds had been reallocated and the Lifford development was ongoing.

### **53. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Approved the Full Business Case in Appendix B and associated procurement strategy in Appendix A to purchase additional wheeled bins to replace the current inserts used for collecting paper and card, increasing recycling capacity available to households at a total cost of £6.630m;
- (ii) Delegated authority to the Strategic Director, City Operations, in consultation with the Cabinet Member for Transport and Environment and Interim Director of Finance (Section 151 Officer), the Interim City Solicitor and Monitoring Officer and Interim Director of Commercial and Procurement to approve the award of contracts following the procurement exercises;
- (iii) Approved the reallocation of £6.630m within the existing 2024/5 Capital programme from the £9.350m allocated to waste management depots to be used for the purchase of wheeled bins;
- (iv) Delegated authority to the Strategic Director, City Operations, in consultation with the Cabinet Member for Transport and Environment, and the Interim Director of Finance (Section 151 Officer) the Interim City Solicitor and Monitoring Officer and Interim Director of Commercial and Procurement to make any other decision necessary to ensure the timely delivery of the required waste receptacles to ensure delivery of Waste transformation; and

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- (v) Authorised the Interim City Solicitor & Monitoring Officer to complete all necessary documents to give effect to the above recommendations.
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### **BIRMINGHAM'S DOMESTIC ABUSE PREVENTION STRATEGY 2024+**

The following report of the Assistant Director for Early Intervention and Prevention was submitted:

(See document in the agenda pack)

The Cabinet Member for Social Justice, Community Safety and Equalities made introductory comments.

The following key points were made:

- The strategy was intended for 2024 -2029 but would be reviewed in 2027. Key stakeholders across city were involved in the creation of the Strategy as this was a collective responsibility across the city.
- The strategy also involved survivor's voices and specialist providers through workshops.
- The outline of the strategy was consulted upon in 2023 where themes of the responses informed further development of the strategy.
- 10 weeks of consultation took place on the full strategy where 91% of the Be Heard respondents agreed with the vision, values and priorities.
- It was recognised that Domestic Abuse had a significant impact on services across the council including Children's Social Care, Education, Adult Social Care, Public Health and Housing.
- Feedback across the Council including West Midlands Police had been considered.
- Close work was taking place with the Homelessness and Rough Sleepers Prevention Strategy, Violence against Women and Girls Strategy.
- Further details around the strategy was shared with members.

The Cabinet Member for Children Young People and Families supported the report. He emphasised this was an issue that required constant monitoring. Details around the impact of domestic abuse, violence was shared with Members.

Councillor Harmer welcomed the report and emphasised this was a very serious issue. It was noted further work had to take place to prosecute perpetrators. This also linked to length of time victims could stay in Temporary Accommodation and at times victims would feel pressured to go back to the perpetrators due to housing needs. There was a need for more social rented housing and to eliminate for mass temporary accommodation.

Councillor Alden acknowledged the issues around the LGBT community which had been factored within the report. Reference was made to protecting the victims from experiencing further abuse. It was highlighted prisoners were being released early from prison. A number of the perpetrators of Domestic Abuse

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were released therefore, assurances were sought on if the Council was working with partners to ensure victims were getting support.

The Deputy Leader welcomed the report and thanked officers, partners for their work on this area. Prevention of domestic abuse was important and to ensure correct strategies were in place. Financial control was another element of domestic abuse therefore, elements of skills was important to ensure this was prevented.

The Commissioning Officer added this was a Partnership Strategy and working together in partnership was important to the deliver the strategy via a whole system approach. The partnership work would continue for the next three years. Ongoing work would take place on this area by developing new strategy in 2029.

In response to Councillor Alden's questions, the Cabinet Member for Social Justice, Community Safety and Equalities assured Members discussions were taking place to ensure victims were getting support. An update would be shared in the future.

Comments made the Cabinet Member for Children Young People and Families around the impact of domestic abuse on young children was important. The work undertaken with Birmingham Children's Trust had been valued. In addition, the comments made by Councillor Harmer around victims going back to their perpetrators were noted.

### **54. RESOLVED UNANIMOUSLY: -**

That Cabinet approved and adopted the Birmingham Domestic Abuse Prevention Strategy 2024- 2029 "Working together to tackle Domestic Abuse".

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### **UPDATE ON RELOCATION FOR CONTROL CENTRE TO ENABLE THE DECOMMISSIONING OF LANCASTER CIRCUS**

The following report of the Strategic Director for Strategy, Equality and Partnership was submitted:

(See document in the agenda pack)

The Cabinet Member for Digital, Culture, Heritage and Tourism made introductory comments.

The following key points were made:

- An update to the progress to date for the relocation of the remaining Control Centre functions from Lancaster Circus to new location as approved by Cabinet on 25th July 2023.
- The current financial position was indicated within the paper and to secure the associated additional funding of £0.433m, from the Corporate Capital Contingency budget. This was required to complete the move of this service as planned.

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- Members were drawn to points raised by the Commissioners in the report. It was recognised that from the initiation of the project there should have been more stringent planning and cost assessments as the original contingency had been exhausted. There was still significant work outstanding.
- The Section 151 Officer had reported in the Medium-Term Financial Strategy that she had commissioned a full internal audit review. Lessons learnt would be reported to the Audit Committee in due course. Further details were shared with Members.

Councillor Alden highlighted this report was originally scheduled for May 2024 Cabinet meeting and was withdrawn where the costs were lower. The original budget allocated for this was £2.9 million and not £5.4 million used within the report. Comments from the Commissioner were reflected upon. It was also highlighted the original project was a delegated authority. Questions were raised around delegated decisions and where delivery was not met in time. It was suggested this should be reviewed. Complex issues and reports should come to Cabinet despite thresholds. The timeline for the delivery of the work was questioned and if certain actions had been completed by end of July 2024 as indicated in the report. Updates were required on this report and if the decommissioning had commenced as the deadline for completion of the decommissioning was fast approaching.

Councillor Harmer raised concerns on the comments made by the Commissioners with failures in the planning of this work. It was essential for officers to be transparent on the failures in projects and addressing these. He did not support this report and proposed it should not be approved.

Both the Cabinet Member for Environment and Transport and the Cabinet Member for Social Justice, Community Safety and Equalities were able to have a site visit to the Control Centre. Cabinet Members were impressed with the facilities and the joint work taking place across the city. Further work was taking place around Enforcement in areas such as Waste and Highways. A single approach would support this. Comments around costs had been noted and lessons had been learnt.

The Chair referred to the commentary from the Commissioners and the Finance section of the report which were clear. An audit and investigation on this work was underway which was initiated by the S151 Officer.

In response to Members' questions, the Cabinet Member for Digital, Culture, Heritage and Tourism highlighted the Council were on an Improvement and Recovery Journey and improvement in governance was key. Lessons had to be learnt on this project including work on the project costs.

### **55. RESOLVED UNANIMOUSLY: -**

That Cabinet:

- (i) Approved an additional £0.433m of capital needed to complete the relocation of the Control Centre functions and associated services from Lancaster Circus to its new location in the City, to be funded from the capital contingency budget - as detailed in section 9.6 of the report;

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- (ii) Noted the associated operational and reputational risks related to the relocation of the Control Centre functions as detailed in section 5 of the report; and
  - (iii) Authorised the City Solicitor & Monitoring Officer to execute and complete all necessary legal documents to give effect to the above recommendations.
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### **QUARTER 1 2024/25 CORPORATE PERFORMANCE MONITORING REPORT**

The following report of the Strategic Director for Strategy, Equality and Partnership was submitted:

(See document in the agenda pack)

The Cabinet Member for Transformation, Governance & HR made introductory comments.

The following key points were made:

- Members were informed this was a launch of a new updated improved performance monitoring approach within the Council.
- This was a key crucial component in order to drive improvement across the Council. A number of changes from previous practices was set out in the report.
- This now consisted of a small sharper set of key indicators where performance could be benchmarked against other Councils across the country.
- Focus was given to areas that required improvement.
- The task of monitoring and had been separated to the delivery of performance amongst directorates.
- In the future, the reports would include a statement from Directorates.
- The evidence provided by Directorate must be trustworthy, reliable, robust and independent view.
- The evidence had been reorganised by Cabinet Portfolio too ensure accountability was in place. Clearer accountability could be seen for Directorates and Cabinet.
- This was a working progress document and it was important to ensure members felt the data was accurate and reliable.
- Reference was made to waste contamination rates which was referred to earlier discussions in this meeting. It was questioned why the data was not in line with each other. It was important to get a better understanding.
- Cross party work had to take place to look at the indicators for the next municipal cycle 2025-26.

Councillor Harmer recognised the new set up of this report was a positive step for the Council and he welcomed the report. It was emphasised the sharper set of indicators should remain in order not to lose focus. Points were made to the colour of the indicators and examples were referred to (e.g. Temporary Accommodation). It was important for Overview and Scrutiny to continue detailed work on the indicators.

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Councillor Alden welcomed the report and the split between monitoring to the delivery of performance amongst directorates. It was essential to address how improvements would be made in addition to why areas had failed. It was hoped that not much changes would be made to future documents as it would be difficult to compare data year on year. Reference was made to missed bin collections and figures of 'actual' and 'reported' figures should match. This had to be addressed and reflected in the reports as consistent information was required.

Details around what happened in Household Waste Service area indicated there was 'Improvement' within this area since the last outturn. However, no figure was available in the report. It was questioned what happened between February to March 2024. Comparisons should be made to previous years for this quarter. Further questions were raised under Decent Homes Standard and other areas indicated within the report. Reference to the pandemic should no longer be included in such reports as this was now over 4 years ago.

In response to Members questions around data collection for Decent Homes, the Director of Intervention Response, Strategy Equalities & Partnerships informed surveys were being carried out which were accurately reporting the overall decent homes across the city. The understanding of the housing stock was improving alongside the implementation of improvements to the homes.

Further comments were made by the Strategic Director, City Housing. Members were informed 15 years of underinvestment could not be corrected in 18 months. However, the plan was to invest £1.5 billion pounds over the next 8 years in the stock. This has gone from £75 million pounds from being delivered in 2022-23 to delivering £160 million pounds in 2023-24. Currently, the Council was on target to deliver over £220 million pounds of investment. Parallel to this learning more about the Council's stock was taking place and stock condition surveys would be taking place. Weaknesses within the council was noted in this area and over 1000 survey's were taking place to improve the data collection which was around 30% live data. The regulator tested on the process every month. Members were assurance the plans that were in place and time would be required to deliver this.

In summing up the Cabinet Member for Transformation, Governance & HR noted the house condition surveys was key and this was previously raised in Housing and Neighbourhoods Overview and Scrutiny meeting. At that point there was no reliable stock details therefore, surveys was important to draw out the evidence. A narrow set of key priority performance indicators was required. In addition, the Council had to be confident to set stretched targets to ensure better performance. The performance indicators had to be reliable and measurable to track progress.

### **56. RESOLVED UNANIMOUSLY: -**

That Cabinet noted the Quarter 1 2024/25 performance against the corporate KPI set.

**THIS DECISION WAS NOT SUBJECT TO CALL IN.**

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**KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2024 – DECEMBER 2024) AND QUARTERLY CONTRACT AWARDS (APRIL - JUNE 2024)**

The following report of the Interim Director of Commercial and Procurement was submitted:

(See document in the agenda pack)

The Cabinet Member for Cabinet Member for Finance made introductory comments.

Members raised the following questions on Appendix 1 – Planned Procurement Activities (October 2024 – December 2024):

- **No.3 - Minor Repairs, Decorations, Clearance & Disposal and Connections for Wisemove** – Previous contract had been expired therefore it had been operating out of contract. New contract would not start until February, therefore there would be further operations out of contract. A robust action plan had to be in place of how we tackle where contracts were not managed properly, and delegations are not used in a timely manner.
- **No.4 - Corporate Vehicle Hire Contract and No.5 - Specialist / Plant Vehicle Hire Contract** - Both expire at the end of the month and noted a waiver had been arranged to the end of March. It was felt issues around staffing would have been known early on for a re-procurement process and should have been flagged for a corporate view. This would avoid exploring alternative views.

In response to Members questions, the Cabinet Member for Finance agreed for a plan to be in place and prioritising areas for action. The extension was allowing to reprocure with some time to undertake this.

**57. RESOLVED UNANIMOUSLY: -**

That Cabinet approved the planned procurement activities and approved Chief Officer delegations, set out in the Constitution for the subsequent decisions around the procurement strategy for the following:

- Processing of Paper and Card
  - Specialist City Housing Training and Qualifications
  - Minor Repairs, Decorations, Clearance & Disposal and Connections for Wisemove
  - Corporate Vehicle Hire Contract
  - Specialist / Plant Vehicle Hire Contract
-

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**NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2024 – DECEMBER 2024) AND QUARTERLY CONTRACT AWARDS (APRIL - JUNE 2024)**

The following report of the Interim Director of Commercial and Procurement was submitted:

(See document in the agenda pack)

The Cabinet Member for Cabinet Member for Finance made introductory comments. This was a contract in support of the Oracle restart.

Members raised the following questions on Appendix 1 – Planned Procurement Activities (October 2024 – December 2024):

- **No.1 - Provision of ConfigSnapshot Licence** - This was noted as an example of additional cost to the Council from the original roll out of the programme not working properly. Comments were noted by the Cabinet Member of Finance.

**58. RESOLVED UNANIMOUSLY: -**

That Cabinet approved the planned procurement activities and approved Chief Officer delegations, set out in the Constitution for the subsequent decisions around the procurement strategy for the following:

- Provision of ConfigSnapshot Licence

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**APPOINTMENTS TO OUTSIDE BODIES**

The following report of the Interim City Solicitor and Monitoring Officer was submitted:

(See document in the agenda pack)

The Chair highlighted the appointments of representatives to serve on outside bodies was detailed in appendix 1 of the report.

Councillor Alden referred to the appointment to the National Exhibition Centre (Development) Plc. The officer who was now appointed was an interim rather than a permanent officer. He queried if there were any legal issues on this.

The Chair was notified by the Interim City Solicitor and Monitoring Officer that there was no legal issues.

**59. RESOLVED UNANIMOUSLY: -**

That Cabinet:

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- (i) Agreed to the replacement of Alison Jarrett with Azhar Ahmed Rafiq on the National Exhibition Centre (Development) Plc for the remainder of the term, i.e. 10 September 2024 until 22 July 2025; and
- (ii) Agreed the replacement of Councillor Mary Locke with Councillor Ray Goodwin as a Trustee for the Muntz Trust.

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### **CITY CENTRE PUBLIC REALM PROJECT – OVERSPEND INCURRED BY ACCOMMODATING FESTIVAL 2022 (POLINATIONS) AND LESSONS LEARNED**

The following report of the Strategic Director for Strategy, Equality and Partnership was submitted:

(See document in the agenda pack)

The Cabinet Member for Transformation, Governance & HR made introductory comments.

The following key points were made:

- It was recognised this situation should not have occurred and the report resolved a longstanding problem.
- A catalogue of events exposed significant weaknesses in decision making, governance, transparency and accountability of the Council.
- The report acknowledged errors and missed steps.
- A clear set of commitments was indicted and improvements of the way the Council works to prevent this in the future.
- A timeline of the events was set out in the report i.e. there would be a clash therefore, there would be a delay in delivering the Public Realm Project which in turn would mean an additional cost.
- There was a failure to clearly record this liability, noted in paragraph 4.6 of the report. Further details around the timelines were shared.
- Areas of failures was shared with Members.
- Point 4.20 onwards of the report sets out a series of steps that had to take place to resolve this problem.
- Further reports would be shared with Cabinet if there was any future spends.
- Members were informed the Constitution and financial process would be reviewed to look at:
  - 1) clarifying the retrospective or otherwise intention of the wording in the financial approval process relating to overspends;
  - 2) insertion of a formal requirement to report and/or approve potential new commitments that could result in an overspend situation when they become visible, with appropriate trigger thresholds; and
  - 3) for Council projects, formally introduce a budget variance tolerance e.g. either a financial value or percentage of budget, whichever is lesser or greater as part of a wider review of project controls.

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- The Cabinet Member was keen to place the correct governance and processes in place to ensure issues do not occur again.

Councillor Alden referred to the clash of events and the Council knowing about the first event. Reference was made to point 1.3 of the report where officers were given a strict brief of the work. It was questioned who advised the officers to make this statement. The claim value was known in December 2022 and budgets had been set over the years. This claim was not brought forward at any stage. A proper assessment and evaluation should have been made in December 2022. Furthermore, it was proposed a revised answer to City Council question on costs on Victoria Square was provided to ensure records were be corrected.

Councillor Harmer highlighted the project management on this work was appalling and could have been avoided if it had been picked up at the correct time. The example of Oracle implementation was referred too, and the failures attached to this. The implementation of the strategy, action plan was important.

In response to Members questions, the Cabinet Member for Transformation, Governance & HR recognised there was weaknesses, and it was not helpful to name individuals but look at how to make improvements would be made. It was important to improve the way the Council worked.

In summing up, the Chair noted these events should have not occurred. Lessons have been learned and there was an external review investigating this. In response to the answer provided to City Council in April 2024, the Chair was content (if required) with placing the record correct. The improvement journey, strengthening governance and transforming the organisation was important for the Council.

### **60. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Approved an allocation of £0.479m from the Council's Corporate Contingency budget to fund an overspend incurred by the City Centre Public Realm (CCPR) project, arising from a contractual claim and change submitted by the contractor for accommodating the PoliNations event, which formed part of the UK-wide Festival 2022 and Birmingham 2022 Festival during September 2022;
- (ii) Instructed the Strategic Director of City Operations and Strategic Director of Place, Prosperity and Sustainability, working in conjunction with the Section 151 Officer and City Solicitor and Monitoring Officer, to prepare a full lessons learned paper including recommendations that build upon paragraphs 4.20 to 4.27 of the report for review and implementation by the Council's Executive Management Team (EMT); and
- (iii) Noted that an external review of the circumstances leading to the preparation and publication of the report is being undertaken (as part of a wider review looking at the Perry Barr and CCTV Control Room projects) and instructed any relevant findings to be incorporated in the lessons learned paper referenced above.

At this juncture, the Chair proposed the exempt discussion on item 9 – Temporary Accommodation Delivery Approach took place first. This was agreed by Cabinet.

**EXCLUSION OF THE PUBLIC**

At 1227 hours, the Chair announced the meeting would move into the private session. He requested for the press and public to leave the room.

**61. RESOLVED UNANIMOUSLY: -**

That, in view of the sensitive nature of the discussion due to take place relating to item 9 – Temporary Accommodation Delivery Approach, the public be now excluded from the meeting.

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**(Note: Minute 62 - item 9 – Temporary Accommodation Delivery Approach is in private session).**

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**RE-ADMITTANCE OF THE PUBLIC**

**63. At 1239 hours, following discussions on item 9, Temporary Accommodation Delivery Approach, Cabinet moved back into the public meeting.**

**(Cabinet moved back to Item 9 on the agenda)**

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**TEMPORARY ACCOMMODATION DELIVERY APPROACH – (CONTINUED)**

The following report of the Strategic Director for City Housing was submitted:

(See document in the agenda pack)

The Deputy Leader made introductory comments.

The following key points were made:

- Highlighted the challenges across the city, i) the need for temporary accommodation and the need to build 4 to 6, 20 storey tower blocks per calendar month to meet the demand. Since then, the need for housing had increased; ii) Prevention – Birmingham was above the national rate for prevention for people at risk of homelessness; and iii) the need for council and social housing creation across the country.
- A number of interventions had been put into place previously and adaptations are in place.
- Efforts made in leasing schemes to reduce the need for bed and breakfast across the city. This had a financial impact on the Council.
- Welcomed the honesty of the report and the interventions put in place.

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The Cabinet Member for Finance supported points made by the Deputy Leader and commended the work undertaken. This would make an interesting case study going forward and would need to be monitored.

Councillor Alden referred to point 1.6, background to the report and the targets achieved. It was noted there was a lack of affordable homes being built in the City. Section 4 of the report lists the options including the '10 years plus 1 Day Leasing Scheme' which was funded by the Housing Revenue Account (HRA) rather than the General Fund. This was a risk for both the HRA and General Fund and it was questioned if any provision had been made in the HRA account and any risks related to this.

Further comments were made on Family Support Exempt Accommodation around assurances and safeguards to ensure the properties the Council use were exempt accommodation and not family dwelling converted for this purpose. Concerns were raised around governance and risks as there was not a public link on who owns the properties rented to the provider and utilised by the Council. It was crucial for no one involved in the decision-making process to rent properties to providers who supply to the Council and similarly, governance process for the hotels to safeguard the Council from risk.

Councillor Harmer welcomed the report and referred to the lack of housing provision for those in need for socially rented houses and affordable housing. This had a huge impact on the City. Reference was made to children obtaining access to WIFI. One way would be via local libraries therefore, emphasised the importance of maintaining libraries.

The Cabinet Member for Children Young People and Families supported the report and had concerns around the lack of affordable housing and rapid growth of temporary accommodation since 2009. Temporary Accommodation affected children in various ways including health, physical, emotional and educational development therefore, supported recommendation 2.2, to increase the housing supply.

In response to Members questions, the Deputy Leader noted the extensive work undertaken with the Housing Team. Some of the Centres (Temporary Accommodation) run by the Council, there was a huge amount of support provided including IT facilities, WIFI. There was the need for more affordable housing in the City. Assurances were provided that the Housing Team in partnership with PPS had been working with other housing providers, housing associations to look at as a City challenge rather than in isolation. Further work was taking place to explore on affordable housing. This was a journey and would require time to rectify. The Deputy Leader thanked all involved in supporting the vulnerable across the city.

Further responses to questions were made by the Head of Strategic Enabling City Housing Directorate and the Director of Housing Solutions & Support. These were summarised as:

- 10 years plus 1 Day Leasing Scheme – Risks associated with this had been highlighted in the report. In theory there was no upfront cost to the HRA however, a contingency had been made in both the HRA and General

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Fund in case the was any legislative change. Not many local authorities were doing this. Further details were shared with members.

- Family Support Exempt Accommodation – the history and claims can be seen and the Supported Exempt Team work closely with the landlords.
- Due diligence and governance will be in place as more private sector landlords are used by the Council.
- More Social Housing building was required however, investment in prevention was key and discharge of duty in Private Rented Sector.
- Utilisation of the Section 106 would also be beneficial. Regulation 10 allowed more leverage with providers for facilities such as WIFI.

### **64. RESOLVED UNANIMOUSLY: -**

That Cabinet:-

- (i) Approved the recommendation to account for existing Private Sector Leased (PSL) properties through the Block Contract within the Housing Revenue Account (HRA) and to extend the current block contract by 1 day;
- (ii) Delegated authority to the Strategic Director of City Housing in consultation with the Interim Director Commercial & Procurement (or their delegate), the Interim Director of Finance and Section 151 Officer (or their delegate) and the Interim City Solicitor & Monitoring Officer (or their delegate) to:
  - (a) Approve the procurement strategy and to approve the establishment of the new TA Dynamic Purchasing System (DPS) with the intention that all PSL properties secured through the DPS being accounted for in the HRA via a 10yr plus 1 day Leasing Scheme
  - (b) Approve the procurement of a managing agent to provide continued support to the Directorate's acquisitions programme
  - (c) Approve the procurement of external legal resource to support the registration of leases, if required;
- (iii) Delegated the award of contracts following the completion of further competition exercises under the DPS, to be authorised in accordance with the Procurement and Contract Governance Rules;
- (iv) Delegated authority to the Strategic Director for City Housing to extend the DPS for a further period of up to 2 years in yearly increments;
- (v) Noted the use of the exemption to the procurement legislation under regulations under Regulation 10(1)(a) in the Public Contract Regulations 2015 (PCR2015) approved by Cabinet on the 5 September 2023 will be replaced by paragraph 8(1) of Part 2 of Schedule 2 of the Procurement Act 2023 (PA2023) which comes into effect on the 28 October 2024;

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- (vi) Approved the use of Reg 10(1)(a) (PCR2015) or paragraph 8 of Schedule 2 (PA2023) subject to the approval of Revenue & Benefits, through the Section 151 officer to secure the use of additional premises to use as homeless centre accommodation;
  - (vii) Approved the spend of the £8m currently available s.106 monies on HRA acquisitions and delegated authority to the Strategic Director of City Housing in accordance with the Council’s Section 114 spend protocols for the ongoing minimum of 50% spend of the available Section 106 fund each financial year on HRA acquisitions;
  - (viii) Authorised the Interim City Solicitor & Monitoring Officer to complete all necessary documents to give effect to the above recommendations.
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**OTHER URGENT BUSINESS**

**65.** The Deputy Leader acknowledged that the Director of Public Health was at his last Cabinet Meeting. On behalf of Cabinet, the organisation and the City, the Deputy Leader thanked the Director of Public Health for all his contributions to Birmingham City Council and Public Health.

It was noted the work undertaken had been relentless and getting Birmingham through the Covid-19 pandemic was valued, the wellbeing support for colleagues and Members of the Council.

Cabinet wished the Director of Public Health the best for his new endeavours.

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The meeting ended at 1258 hours.

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CHAIRPERSON