

BIRMINGHAM CITY COUNCIL

CABINET MEETING TUESDAY, 13 DECEMBER 2022
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**MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON
TUESDAY 13 DECEMBER 2022 AT 1000 HOURS IN COMMITTEE
ROOMS 3&4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1
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PRESENT: -

Councillor Liz Clements, Cabinet Member for Transport
Councillor Jayne Francis, Cabinet Member for Digital, Culture, Heritage and Tourism
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 Yvonne Mosquito, Cabinet Member for Finance and Resources
Councillor Sharon Thompson, Cabinet Member for Housing and Homelessness
Councillor Ian Ward, Leader of the City Council

ALSO PRESENT:-

Councillor Robert Alden, Leader of the Opposition (Conservative)
Councillor Jon Hunt, Leader of the Opposition (Liberal Democrat)
Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative)
Janie Berry, City Solicitor and Monitoring Officer
Professor Graeme Betts, Director Adult Social Care (DASS) (online)
Deborah Cadman, Chief Executive
Paul Clarke, Assistant Director (Programmes, Performance and Improvement)
Wendy Griffiths, Assistant Director, Customer Services and Business Support
Susan Harrison, Director for Children and Families, BCC
Robert James, Strategic Director, City Operations
Mel Jones, Head of Transport Planning and Network Strategy
Chris Jordan, Assistant Director, Neighbourhoods
Paul Kitson, Strategic Director, Place, Prosperity and Sustainability
Paul Langford, Interim Director, Housing Management
Naomi Morris, Housing Modernisation Partnership Manager (online)
Sara Pitt, Director of Finance (Deputy Section 151 Officer), Council Management Directorate
Steve Sandercock, Assistant Director, Procurement (online)
Lesley Steel, Property Programme Manager
Dr Justin Varney, Director of Public Health
Dave Wagg, Head of Sport and Physical Activity (online)
Paul Walls, Leisure Projects and Client Manager (online)
Mark Wiltshire, Interim Director, Digital and Customer Services
Errol Wilson, Committee Services

NOTICE OF RECORDING/WEBCAST

33. 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 meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) 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

34. Apologies for absence were submitted on behalf of Councillor John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities; Councillor Brigid Jones, Deputy Leader of the City Council; Richard Brooks, Director, Strategy Equalities and Partnerships; Rebecca Hellard, Director, Council Management and Darren Hockaday, Interim Director, People Services.
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DECLARATIONS OF INTERESTS

35. 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.

MINUTES

36. **RESOLVED: -**

The Minutes of the meeting held on 8 November 2022, having been previously circulated, were confirmed and signed by the Chair.

EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

37. The Chair advised that the report at Agenda items 9, 13, 14, 19 and 20 contained exempt appendices 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.

CORPORATE SAFEGUARDING POLICY

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 highlighting the key points.

(See document No. 1)

A brief discussion ensued, and it was

38. **RESOLVED: -**

That Cabinet:-

- (i) Approved and adopted the Corporate Safeguarding Policy 2022, which will be implemented with immediate effect;
- (ii) Approved the proposal to ensure the Corporate Safeguarding Policy is reviewed on an annual basis (or sooner in the event of changes to local or national policy) as part of the work programme of the Corporate Safeguarding Network; and
- (iii) Noted the work that has already taken place and planned to support the implementation of refreshed arrangements.

CHILDREN'S TRAVEL SERVICE CASUAL/AGENCY TRANSPORT GUIDES PROCUREMENT STRATEGY

Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families introduced the item and drew the attention of Committee to the information contained in the report highlighting the key points.

(See document No. 2)

39. **RESOLVED: -**

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That Cabinet:-

1. Approved the procurement of a Council framework for a four-year period commencing 1st June 2023 (prior to the start of the 2023/24 academic year) with expiry date of 31st May 2027;
2. Approved the use of the Crown Commercial Services RM6238 framework as an interim arrangement to award contracts to 5 of the current 8 providers for a 12- month period while a compliant Council framework is procured;
3. Approved a waiver of the procurement and governance rules (as per the attached waiver at Appendix 1 to the report) to the value £560,139.00 to enable guide contracts to be awarded to the remaining 3 current providers as an interim arrangement for a 12- month period while the Council procures a compliant framework;
4. Noted that these interim arrangements (ii and iii above) are to avoid any disruption to service provision while procurement activities are undertaken, maximising continuity for children with SEND; and
5. Authorised the Director for Children and Families (or their delegate), in conjunction with the Strategic Director of Council Management (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate) to approve:
 - the procurement strategy report prior to publication of the opportunity for a Council framework;
 - the award of contract to providers to be admitted to the Council framework; and
 - any call off contract relating to the Council framework.

CHANGE TO ORDER OF BUSINESS

40. The Chair advised that he would take Agenda items 10 and 11 ahead of the remaining items until Councillor Sharon Thompson arrives as she had a prior engagement.

CORPORATE PLAN 2022 – 2026: PERFORMANCE AND DELIVERY MONITORING REPORT

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

(See document No. 3)

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

- The recycling indicators now merges bottom ash/not bottom ash was a perennial problem which meant we were not seeing what was happening with pure recycling.
- Whether bulk collections were being recycled or whether it was incinerated.
- Social care performance was struggling, and this needed to be looked at as this was important in terms of the performance of the NHS struggles in mid-winter - social care assessment was *Red Ragged*.
- Achieving objectives pages 223 – 228 which refers to the Route to Zero Programme – an objective to develop the Green Infrastructure Strategy. Concerns were that the work in relation to this had not started and linking this to the Housing Strategy, the local plan was out for consultation at present which was a huge document on how the city developed.
- The Green Infrastructure Strategy was of importance to provide those working on those documents an underpinning sense of real progress on the green Infrastructure which was the wrong way round.
- The Council needed to be ambitious about green infrastructure going forward and the city needed to be ambitious if we were to respond to climate change.
- Kerbside recycling needed improvement, but this was not mentioned in the document and the numbers were needed.
- In terms of missed collections the information was miles away from what the number of actual missed collections were. The answers to written questions submitted at Full City Council showed that 10% of missed collections were the ones that were reported. 69,281 out of 639,711 was the numbers received at Full City Council. The question was whether this number of crew collections could be used instead. It was felt that the current figures did not help anyone.
- The number of complaints given in relation to the Service Level Agreement (SLA) the numbers given was below target as it was 82% responding within timescales.
- Two directorates were dragging down the SLA as the others had over 90% response rate. The question was which two directorates were dragging down the complaints response within the timescale and what were their percentages response rate.

The Chair then invited the appropriate Cabinet Members to respond to the points raised.

The Chair further invited Paul Kitson, Strategic Director, Place, Prosperity and Sustainability to respond to the concerns raised in relation to the Green Infrastructure Strategy that had *not yet started*. Mr Kitson stated that the wording *not yet started* did not adequately reflect the work that was ongoing. The City of Nature ... close attention was being paid to the distribution of those green spaces and whether they were in an extra distribution and a lot of work was being undertaken. The view on the 25 years agreement for an infrastructure strategy was that there were quite a few underpinning pieces of work with substance that sat underneath a 25-year strategy. The second one

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being in addition to the City of Nature was the ongoing piece of work on the City Plan which fundamentally was 25 years plus those strategy document looking at the City Centre but also further out in other centres in other areas. There were a range of different things and a range of different ideas. One of the proposal was to introduce new green ways and green spaces in the City Centre and to facilitate movement plans and to introduce some resilience around cooler streets etc. Mr Kitson apologised for the wording *not yet started* a lot of work was being done around the 25-year strategy and that he was happy to provide a note for the next Cabinet summarising that point.

The Chair advised that within the report was mention of the Commonwealth Games (CWG) in the summer. The Chair pointed out that the village in Perry Barr had won a number of awards from different events across the country. In addition to that for the Peace and Sports Award we had won the Institution of the Year, the Estate Gazette Award we won City of the Year and the New Statesman's Award that was recently instituted we won the award for Impacting Local Government. Not only had the CWG put the city on an international stage and transformed our reputation nationally and internationally, but we were also getting a lot of recognition.

The Chair informed Cabinet that Councillor Majid Mahmood, Cabinet Member for Environment had also won an award for the waste collection service in relation to green infrastructure.

Councillor Mariam Khan, Cabinet Member for Health and Social Care highlighted that the Council had also won an award for Food Strategy and was the winner of the Local Free Food Publications for 2022 and the strategy would be platformed at the UN Agricultural Headquarters and at the World Food Forum in Rome. This award will be received in 2023.

The Chair advised that the city had recognition for its growing technology sector from the Centre for Cities who stated that the Government should seize the opportunities of Birmingham's growing technology sector by investing to build a new innovative district in the city.

Wendy Griffiths, Assistant Director, Customer Services and Business Support noted Councillor Ewan Mackey's query in relation to the two directorates that was dragging down the complaints response and stated that the latest performance report showed that although City Operations had the highest volume as a result of the number of transactions they undertook was greater, they had achieved 94% SLA against complaint handling response time which had exceeded the target of 90%. The two directorates (and there were specific caveats around why they did not achieve the SLA) were City Housing and Children and Families and specifically due to a handful of complaints including the level of complexity in the response time had been delayed. We did not close this until the full response was provided. Again high volumes and the majority of those were achieved in relation to the SLA but two or three that did not get completed had brought the SLA down.

It was

41. **RESOLVED:** -

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

FINANCIAL MONITORING REPORT MONTH 7 2022/23

Councillor Yvonne Mosquito, Cabinet Member for Finance and Resources presented the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 4)

Following discussions by Cabinet, it was

42. RESOLVED: -

That Cabinet:-

- a. Noted that the Council faces a number of challenges in 2022/23. However, the Council is in a strong robust position with strong financial control processes in place. Reserves are healthy and within recommended limits; and
 - b. Noted the forecast Capital spend has not changed since Month 6, as set out in paragraphs 4.5 to 4.10 to the report.
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HOUSING STRATEGY 2023 - 2028

Councillor Sharon Thompson, Cabinet Member for Housing and Homelessness introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points

(See document No. 5)

In response to comments and questions from Members, Councillor Thompson and Paul Kitson, Strategic Director, Place, Prosperity and Sustainability made the following statements:-

- (i) The errors and typos and other issues highlighted in the Strategy by Councillor Robert Alden would be addressed.
- (ii) That the BDP targets were affordable housing targets, and it was important that that distinction was made.
- (iii) The affordable housing targets was take from advice we received from Homes England around the different affordable tenures ad it was important that we took that advice.
- (iv) It was fair to say that all of our Housing Associations fed into the Plan as it was being developed in terms of how it grows.

- (v) In terms of the exempt accommodations this could go to Scrutiny, but it was worth stating that we had brought forward a Supported Housing Accommodation Strategy in its own right.
- (vi) In terms of the linkages of green and blue spaces in the City Centre and the wider city, the City Plan was primarily focussed on the City Centre, but then broadening it out a mile or so outside the City Centre.
- (vii) As the City of Nature Plan and the work around community engagement and planning space, there was an understanding of equitable access to those spaces was citywide across the whole of the city.
- (viii) In relation to design, it was difficult to encompass absolutely every other part of the strategic landscape that the Council had bought into. There was a City Design Guide which was previously approved by Cabinet and all of these other things were happening in parallel and material consideration for affordable housing.
- (ix) It was hoped that high quality design and both place making which we know was important ... that would come through the planning system and would complement the Strategy. We acknowledged that we have not been explicit about it in the document.
- (x) We will look at the typos comments and will ensure that we reference in the document the interrelated strategies as there was so much good work that was done across the City Centre to ensure we were identifying through this piece of work. Page 4 aims to link in the Strategy with that piece of work.

It was

43. RESOLVED: -

That Cabinet:

- a. Approved the proposed Housing Strategy 2023-2028, including the delivery plan which sets out how key strategic priorities will be delivered;
 - b. Noted the nature and variation of challenges faced in Birmingham, understanding that this strategy is the start of a long-term plan to improve outcomes for citizens; and
 - c. Authorised the Strategic Director of City Housing, in consultation with the Cabinet Member for Housing and Homelessness, to make any additional minor amendments to the Housing Strategy to ensure factual accuracy and clarity prior to publication.
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DRUIDS HEATH REGENERATION UPDATE

Councillor Sharon Thompson, Cabinet Member for Housing and Homelessness introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 6)

Following discussions by Cabinet, it was

44. RESOLVED: -

That Cabinet:-

- i. Approved bringing forward phase 2 (Druids Heath South) into the masterplan area so that the whole of the Druids Heath Estate is masterplanned as one;
- ii. Approved the extension of the regeneration area boundary (as shown in Plan No.1 attached) to cover the open space of the Chinn Brook Valley and Stratford Upon Avon canal. This will bring the whole area including the opposite embankment of the canal included in the Levelling Up bid into the red line. The provision of a walking and cycling bridge over the canal will enable greater connectivity and reduce reliance on the car or public transport as well as providing opportunities linked to wellbeing such as walking, running and cycling along the canal tow path;
- iii. Approved the award of a contract for the provision of employer's agent services for the wider Druids Heath area to WSP (Real Estate & Infrastructure) Ltd by direct award using the NHS Shared Business Services (SBS) Construction Consultancy Services Framework Agreement.
- iv. Approved the amendment to the scope of services of the procurement strategy approved in the Druids Heath Regeneration report to Cabinet dated 14th December 2021 as detailed in paragraph 7.5.6, to the report;
- v. Delegated authority to develop a strategy including the procurement route in consultation with The Leader, Cabinet Member for Housing and Homelessness, Cabinet Member for Finance and Resources for the delivery of the Druids Heath regeneration scheme to the Strategic Director, Place, Prosperity and Sustainability in conjunction with the Assistant Director, Procurement, the Strategic Director of Council Management and the City Solicitor and Monitoring Officer (or their delegates);
- vi. Noted the Full Business Case and the award of contract for the delivery of the Druids Heath Regeneration Scheme will be reported to Cabinet for approval;
- vii. Approved the extension of the revised and approved Local Lettings Plan to those affected by any further demolition and re-provision;

- viii. Approved ringfencing allocations for the new BMHT homes in the wider Druids Heath area to tenants affected by clearance and entitled to return, in the first instance;
 - ix. Approved the increase of the percentage of the purchase value of homes purchased under the Property Purchase scheme, from 5% to 10% to bring the homes to fit for letting standards within the Druids Heath Estate; and
 - x. Noted the timeline of an Outline Delivery Options Appraisal and Full Business Case which will be presented to Cabinet in summer 2023 following the creation of a vision for the estate.
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CUSTOMER SERVICES PROGRAMME - NEXT PHASE

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

(See document No. 7)

Following discussions by Cabinet, it was

45. RESOLVED: -

That Cabinet:-

- a) Noted the progress made by the Customer Service Programme to date since approval of the Enhanced Business Case in December 2021 (Table 2 to the report);
 - b) Approved the Customer Service Programme Phase 2, as defined in the report to ensure a joined-up and consistent approach to best-in-class service delivery across the Council and partner organisations, putting the customer at the heart of everything we do; and
 - c) Approved the forecast resource budget profile (Appendix A to the report) to invest reserves of £4.2m to deliver the Customer Service Programme Phase 2 to start in April 2023 until March 2025 as a drawdown of the already approved investment funds for Customer Service activity.
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FULL BUSINESS CASE – BIRMINGHAM MUSEUM AND ART GALLERY WORKS FUNDED BY THE MUSEUM ESTATES AND DEVELOPMENT (MEND) FUND

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

(See document No. 8)

Following discussions by Cabinet, it was

46. RESOLVED: -

That Cabinet:-

1. Approved the FBC in Appendix 2, to the report, for the refurbishment works at Birmingham Museum and Art Gallery at a maximum capital cost of £4.998m inclusive of works, fees and contingencies;
2. Approved the award of a construction contract to ISG Construction Ltd for the repairs and renovation works to BMAG from RIBA Plan of Work Stage 5 (construction) commencing 23rd January 2023 using the Constructing West Midlands 2 (CWM) Framework Agreement. Cabinet approved the procurement route for the project and the award of a contract to RIBA Stage 4 on 22nd March 2022 to ISG Construction Ltd which has been successfully completed; and
3. Authorised the City Solicitor and Monitoring Officer (or their delegate) to take all steps necessary for the preparation of any documents, to negotiate, execute and complete all necessary documentation to give effect to the above decisions.

NEW BUILD – ATLAS WORKS DEPOT, TYSELEY

Councillor Majid Mahmood, Cabinet Member for Environment introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 9)

Following discussions by Cabinet, it was

47. RESOLVED: -

That Cabinet:-

- i. Noted the increase in the overall cost of the project from £13.99m to £16.24m;
- ii. Approved the increase of the Prudential Borrowing (PB) from £2.25m to £4.50m over an extended payback period of 40 years;
- iii. Approved the increase in cost of the current contract with Morgan Sindall Construction Ltd for the construction of the new depot in the sum as set out in the Exempt Appendix 1 to the report; and

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- iv. Authorised the City Solicitor and Monitoring Officer (or their delegate) to execute and complete all necessary legal documents to give effect to the above decisions.

COVID RECOVERY SUPPORT FOR SPORT AND LEISURE CONTRACTS (SOO34a)

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 highlighting the key points.

(See document No. 10)

Following discussions by Cabinet, it was

48. RESOLVED: -

That Cabinet:-

1. Noted that the strategy to externalise part of the service has significantly decreased the financial pressures on the Council since 2015 and addressed issues at 9 key facilities that had reached or were approaching the end of their lifespan, delivering 4 new leisure centres and 5 refurbishments;
2. Noted that the impact of Covid-19 has had a crippling impact on leisure providers across the country with financial pressures only likely to worsen again because of rising energy prices and inflation;
3. Agreed not to receive £0.515m of management fee income and approved modification of the contract to reflect support of the no better/no worse position of £1.092m from December 2021 through to September 2022 for all 9 leisure centres operated by Birmingham Community Leisure Trust;
4. Approved use of the Finance Resilience Reserve to fund the balance remaining after cost mitigations delivered by the service. This will be no greater than £1.607m; and
5. Authorised the City Solicitor and Monitoring Officer (or their delegate) to agree and complete all necessary documents to give effect to the above decisions.

REGULATED ADULT SOCIAL CARE COMMISSIONING STRATEGY – CARE HOMES, SUPPORTED LIVING AND HOME SUPPORT SENSORY LOSS 2023+

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.

(See document No. 11)

Following discussions by Cabinet, it was

49. RESOLVED: -

That Cabinet:-

- a. Approved the Regulated Adult Social Care Commissioning Strategy 2023+ in Appendix 1 to the report;
- b. Approved the Procurement Strategy for Home Support Sensory Loss in Appendix 2 to the report;
- c. Approved the Procurement Strategy for Care Homes (with and without nursing) and Supported Living services in Appendix 3 to the report;
- d. Approved commencement of procurement activity, including the use of the Adults CareMatch Portal to conduct the procurement, to establish an electronic system to give commissioners access to a pool of pre-qualified providers of home support sensory loss, supported living and residential care (with and without nursing) services;
- e. Delegated authority to the Strategic Director of Adult Social Care and Health in consultation with the Strategic Director of Council Management (or their delegate) and the City Solicitor (or their delegate) to appoint the successful providers to the CareMatch Portal;
- f. Delegated the award of call off contracts for these services to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Adult Care);
- g. Delegated any modifications, to the electronic system or contracts, to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Adult Care), including the annual setting of fees in line with the Commissioning Strategy and the Council's revenue budget and Medium-Term Financial Plan; and
- h. Delegated the recommissioning of Home Support Approved Premises to the Director of Adult Social Care and Health in consultation with the City Solicitor (or their delegate) and the Assistant Director – Procurement (or their delegate) via a contract variation to the Home Support – Prisons contract.

APPLICATION FOR MOVING TRAFFIC ENFORCEMENT POWERS

Councillor Liz Clements, Cabinet Member for Transport introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 12)

I response to a question by Councillor Hunt, the Chair advised that any surplus monies that was created by the enforcement activities has to by law be spent on specified purposes. Therefore it could not be spent on anything.

Councillor Liz Clements then invited Mel Jones, Head of Transport Planning and Network Strategy to respond to questions and comments from Members. Ms Jones made the following statements: -

- The sites were selected on the basis of those where the Traffic Regulation Orders (TRO) were already in a position to be enforced.
- There were strict rule around qualifying for enforcement – there had to be evidence which showed there was non-compliance and the reason that was a problem.
- There had to be some evidence that showed that that has led to some traffic congestion and road safety problems. Another critical factor and this was similar to where camera enforcement was used for speeding, it had to be demonstrated that we thought of everything else with physical methods or modifications.
- It had to be demonstrated that this was a point of last resort to bring camera enforcement, not just putting it up in secrecy as an easy option.
- We had evidence for all of these locations to show that it was not a physical barrier or some other type of modification that would lead to better compliance.
- In terms of evidence issues such as getting information in relation to police accident rerecords and whether the evidence was anecdotal and what could communities do and advised that some additional camera monitoring were being done on these sites to add to the evidence base.
- We also had the collision database that we use in relation to our road safety programme, but that only record injury accidents.
- We knew that for damage only collisions there were no real accurate record for that, but we have a record of all correspondences where we had petitions, where we had complaints and we were able to access that as part of making the case all of which had to be placed in a package and submitted to the Department of Transport(DfT) along with our application submission.
- There were some locations where we would like to do this, but we needed to take some 'baby steps' as this was new technology and could be subject to Traffic Penalty Tribunal Appeal in the same way as Bus Lane Appeal to ensure that we do it and to test it and ensure the system was working before we tackle some of these more challenging locations

It was

50. RESOLVED: -

That Cabinet:-

- a. Delegated authority to the Assistant Director for Highways and the Assistant Director for Transport and Connectivity in consultation with the Cabinet Member for Transport to authorise the making of an application

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to the Department for Transport (DfT) for powers to enforce moving traffic contraventions across the City Council's jurisdiction, in accordance with Part 6 of the Traffic Management Act 2004, following consideration of all objections raised through the public consultation and taking such steps that are considered reasonable to resolve any disputes;

- b. Delegated the management of operational policy regarding camera site selection and operation to the Assistant Director for Highways in consultation with the Assistant Director for Transport and Connectivity and the Cabinet Member for Transport;
 - c. Delegated the authority to approve future camera enforcement sites to the Assistant Director for Highways in consultation with the Cabinet Member for Transport and relevant divisional members;
 - d. Approved the setting of Penalty Charge Notices to be issued with MTE at the higher level of (£70) for moving traffic contraventions;
 - e. Agreed to receive annual reports on the effectiveness of MTE by the Cabinet Member for Transport;
 - f. Ensured that any surplus revenue arising from MTE is applied in line with legislative requirements and to delegate authority to make decisions about the use of any surplus revenue to the Assistant Director for Highways in consultation with the Assistant Director for Transport and Connectivity and the Cabinet Member for Transport; and
 - g. Authorised the City Solicitor to negotiate, execute and complete any necessary legal documentation to give effect to the above decisions.
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APPOINTMENTS TO OUTSIDE BODIES

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

(See document No. 13)

It was

51. RESOLVED: -

That Cabinet:-

- I. Agreed the appointment of Cllr Adam Higgs (Con) as one of the City Governor for the Birmingham and Midlands Institute for the remainder of the term i.e. 13 December 2022 until 27 June 2023;
- II. Agreed the replacement of Cllr Kirsten Kurt-Elli (Lab) with Cllr Jayne Francis (Lab) on the Ikon Gallery for the remainder of the term i.e. 13 December 2022 until 27 June 2023;

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- III. Agreed the replacement of Cllr Alex Aitken (Lab) with Cllr Sir Albert Bore (Lab) on B:Music for the remainder of the term i.e. 13 December 2022 until 27 June 2023;
- IV. Agreed the replacement of Cllr Sir Albert Bore (Lab) with Cllr Liz Clements (Lab) on the City of Birmingham Symphony Orchestra for the remainder of the term i.e. 13 December 2022 until 27 June 2023;
- V. Agreed the reduction of the City Council representation to one representative and that Cllr Robert Pocock is to stand down as one of the representatives but can be an observer whilst Cllr Barrie (Con) remains on the Board until 27 June 2023;
- VI. Agreed to discontinue appointments to Kings Heath BID subject to any challenge or future ballot before the 31 March 2023; and
- VII. Agreed the continuation of Councillors Paul Tilsley and Penny Wagg as nominative trustees for a further 3 year-term on Yardley Educational Foundation expiring on the 21 February 2025.

KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2023 – MARCH 2023) AND QUARTERLY CONTRACT AWARDS (JULY – SEPTEMBER 2022)

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

(See document No. 14)

Following discussions by Cabinet, it was

52. RESOLVED: -

That Cabinet:-

- (i) 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;
- (ii) Noted the contract award decisions made under Chief Officers delegation during the period July 2022 – September 2022 as detailed in Appendix 4 to the report.

NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2023 – MARCH 2023) AND QUARTERLY CONTRACT AWARDS (JULY 2022 - SEPTEMBER 2022)

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

(See document No. 15)

It was

53. RESOLVED: -

That Cabinet:-

1. 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; and
 2. Noted the contract award decisions made under Chief Officers delegation during the period July 2022 – September 2022 as detailed in Appendix 4 to the report.
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OTHER URGENT BUSINESS

The following items were submitted as urgent business:-

USE OF HOUSEHOLD SUPPORT FUND

Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families introduced the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 16)

It was

54. RESOLVED: -

That Cabinet:-

- a. Approved the use of the Household Support Fund as set out in paragraph 3.12 to the report;
- b. Delegated the management of the distribution to the Director Adult Social Care (or their delegate) in conjunction with the Director of Strategy, Commissioning and Transformation Children and Families (or their delegate) and Strategic Director of Council Management (or their delegate);
- c. Approved the transfer of £5.1m claimed from DWP to Birmingham Children's Trust to provide £4.8m in direct financial assistance to vulnerable families with children until 31st March 2023. This includes a

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£1m overspend allocation to flexibly respond to demand across the specified areas of spend on vulnerable children including those in low-income families, over the course of this winter in line with DWP guidance. This includes delivery costs of the BCT' overall package of HSF assistance which totals £300K. This will be set out in a conditions of grant aid agreement;

- d. Noted the requirement for waiver procedure required in order to establish a contract with the Post Office for delivery of cash pay-out voucher schemes at cost of £135,000 required for £2m to low income All Age Households and £2m to Pension Age households in receipt of Council Tax Support (CTS) voucher scheme. This will be carried out in accordance with the Public Contract Regulations (PCR) 2015;
- e. Delegated authority to grant award to a suitable third sector organisation, the delivery of two Targeted Hardship Grant Schemes for All Age Households and the distribution of payments to families with children that are referred by Birmingham Children's Trust partners. The estimated cost to run this is £300,000, until 31st March 2023. This provider will be selected through a grant application process with associated risk assessments;
- f. Approved a £500K top up to Local Welfare Provision funding and £87K additional staffing costs associated with direct delivery; and
- g. Authorised the City Solicitor (or delegates) to execute and complete all necessary legal documents to give effect to the above decisions.

FAREWELL TO ROBERT JAMES

55. The Chair informed Cabinet that this was the last Cabinet meeting for Robert James who will retire at the end of this month. As you were all probably aware, Robert joined Birmingham City Council at a very young age and had served the Council for 49 years. The Chair added that he first met Mr James about 20 years ago when he became the District Director for Hodge Hill, and he quickly formed a positive working relationship with him. The Chair highlighted that throughout that period he had always valued his advice and guidance and that he always gave an excellent advise to him throughout that period. The Chair stated that he knew that Mr James' service of dedication to the Council and the people of Birmingham had not gone unnoticed. The Chair added that further tributes will be paid to Mr James on Thursday 15th December, but that he did not want this opportunity to pass without mentioning Robert's long period of service. His dedication to the City of Birmingham was not only admired by the Council but people throughout the city as well.

Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative) stated that he echoed all of the Chair's comments and added that he was pleased that when he first came into contact with Birmingham City Council (BCC) in the early 90s when the Government had changed some of the tax laws. There was a lot of social housing being built by BCC (by Wimpey Homes) this was where his involvement came and when he spoke about things

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like that Mr James' corporate knowledge was such that he remembered that scenario when he brought that up at committee when everyone else had a blank look around the table, Mr James was nodding away, and he could expand on what he (Councillor Mackey) was saying. Mr James departure would be a great loss to the city as he had that joined up thinking taking us all the way through as he could see what worked and what could be expanded upon. Councillor Mackey then wished Mr James a good retirement and added that he will be missed and thanked him for all that he had done.

Councillor Jon Hunt, Leader of the Opposition (Liberal Democrat) echoed all the comments and wished Mr James all the best for his retirement. Councillor Hunt further expressed thanks to Robert for his 49 years of service.

Mr James expressed thanks for all the kind words from Elected Members and added that it was an absolute pleasure to work for the organisation for so long. Mr James stated that he had devoted his career to BCC and that he had worked with Members from all parties and that it was an absolute pleasure to have worked with everyone and that we should not forget that the reason we came here was for the people out there – the citizens and visitors. Mr James stated that a number of awards have been achieved this year which placed the city in a great way to take forward our services and provide even better services for the people of Birmingham.

The Chair commented that this was the last Cabinet meeting of the current year and wished everyone a Happy Christmas and that we will reconvene in the New Year. The Chair expressed thanks to all for everything we had done over the last 12 months. The City Council was moving forward with some pace in the right direction and that when we reflect upon 2022, this had been a quite significant year in the history of both the Council and the City of Birmingham, we could look forward to similar occasions coming in the future.

The meeting ended at 1156 hours.

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CHAIRPERSON