

BIRMINGHAM CITY COUNCIL

CABINET MEETING TUESDAY, 27 JUNE 2023
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MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON
TUESDAY 27 JUNE 2023 AT 1000 HOURS IN COMMITTEE ROOMS 3&4,
COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1 1BB

PRESENT: - Councillor John Cotton, Leader in the Chair

Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities
Councillor Liz Clements, Cabinet Member for Transport
Councillor Jayne Francis, Cabinet Member for Housing and Homelessness
Councillor Brigid Jones, Cabinet Member for Finance and Resources
Councillor Majid Mahmood, Cabinet Member for Environment
Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families
Councillor Saima Suleman, Cabinet Member for Digital, Culture, Heritage and Tourism
Councillor Sharon Thompson, Deputy Leader of the City Council

ALSO PRESENT:-

Councillor Robert Alden, Leader of the Opposition (Conservative)
Councillor Roger Harmer (Liberal Democrat)
Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative)
Councillor Lee Marsham, Chair of the Sustainability and Transport Overview and Scrutiny Committee
Carl Bennett, Commercial Lead (online)
Janie Berry, City Solicitor and Monitoring Officer
Professor Graeme Betts, Director, Adult Social Care (DASS)
Richard Brooks, Director, Strategy Equalities and Partnerships
Deborah Cadman, Chief Executive
Meena Chuhan, Interim Procurement Manager
Craig Cooper, Strategic Director of City Operations
Wayne Davies, Housing Director, Asset Management City Housing
Cheryl Doran, Assistant Director & CIO, Digital & Customer Services
Gary Farquhar, Revenues and Operations Manager
Nic Fell, Programme Manager, Finance and Governance
Fiona Greenway, Interim Finance Director and Section 151 Officer
Susan Harrison, Director for Children and Families
Chris Jordan, Assistant Director, Neighbourhoods
Paul Kitson, Strategic Director of Place, Prosperity and Sustainability
Raj Mack, Head of Digital City and Innovation, Digital & Customer Services
Ian Macleod, Director of Planning, Transport & Sustainability
Meena Kishinani, Programme Director, Finance and Governance
Stephen Philpott, Director, Housing Solutions & Support Service
Steve Sandercock, Assistant Director, Procurement

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Darren Share, Assistant Director, Street Scene
Errol Wilson, Committee Services

NOTICE OF RECORDING/WEBCAST

170. The Chair welcomed attendees and advised, and the Committee noted, that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.
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APOLOGIES

171. Apologies for absence were submitted on behalf of Councillor Mariam Khan, Dr Justin Varney, Paul Langford, and Dr Peter Bishop.
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DECLARATIONS OF INTERESTS

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

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

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

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

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

EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that the reports at Agenda items 8, 19, 26 and 27 contained an exempt appendix within the meaning of Section 100I of the Local Government Act 1972.

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

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

173. 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.

PROVISION OF ACCOMMODATION AND HOSPITALITY FOR THE DELEGATES OF THE GOALBALL COMPETITION AS PART OF THE INTERNATIONAL BLIND SPORT FEDERATION (IBSF) WORLD GAMES 2023

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

Councillor Robert Alden commented that Council was awarded this in January 2020 and here we were one month before the Games trying to sort out the accommodation. He enquired why the Council took so long to sort this out.

Chris Jordan, Assistant Director Neighbourhoods advised that on this particular contract it was down to the fact that the location of the Goalball tournament moved from what was originally planned to be at the Priory to the CBS Arena in Coventry at a relatively short notice. It was down to one of our partners involved in the event no longer being able to offer that venue for the Goalball, so we had to move it and procure it again through that process.

It was

174. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) Approved the Procurement Strategy in Appendix 1, to the report, for commencement of the negotiated procedure for the conclusion of a contract with University of Warwick (UoW) for the provision of accommodation and hospitality for Goalball athletes and delegates for the IBSA World Games 2023 at an estimated cost of £310K;
- (ii) Delegated the award of the contract to the Strategic Director, City Operations (or their delegate) in conjunction with the Assistant Director, Procurement (or their delegate), the interim Director of Finance, Council Management (or their delegate) and the City Solicitor and Monitoring Officer (or their delegate); and

- (iii) Authorised the City Solicitor and Monitoring Officer to execute the necessary documents to implement the above decisions.

PO974: PROVISION OF A GAMES VILLAGE ACCOMMODATION AND HOSPITALITY FOR THE INTERNATIONAL BLIND SPORT FEDERATION (IBSF) WORLD GAMES 2023

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




Councillor Robert enquired whether the whole tournament moved where it was located and what was the delay here.

Chris Jordan, Assistant Director Neighbourhoods advised that this was not down to any relocation and was largely just being the slowness of the process. There was no direct reason in terms of any relocation. The University of Birmingham have always been a partner that was a signatory of the original event and that aspect had meant that it had not been prioritised with the speed that you might expected we have always known through the partnership agreement. At the start of this event the venue and main accommodation would be through the University of Birmingham as part of the original agreement that was signed up from the beginning of the contractual process.

It was

175. RESOLVED UNANIMOUSLY: -

That Cabinet:-

-  Approved the Procurement Strategy in Appendix 1, to the report, for commencement of the negotiated procedure for the conclusion of a contract with University of Birmingham (UoB) for the provision of a Games village, accommodation and hospitality for athletes and delegates for the IBSA World Games 2023 at an estimated cost of up to £1.6M noting paragraph item 7.3.1 to the report;
-  Delegated the award of the aforementioned contract to the Strategic Director, City Operations (or their delegate) in conjunction with the Assistant Director, Procurement (or their delegate), the Strategic Director, Council Management (or their delegate) and the City Solicitor and Monitoring Officer (or their delegate); and
-  Authorised the City Solicitor and Monitoring Officer to execute the necessary documents to implement the above decisions.

LADYWOOD ESTATE REGENERATION – FULL BUSINESS CASE AND CONTRACT AWARD

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

Councillor Ewan Mackey stated that it was expected that some well-designed homes with the use of modern building practices and materials from Berkley Homes Plc. and that we would be getting some quality homes that would still be delivering and functioning well into the future. The density of the homes compared to what they were previously. The percentage of green space in the area now and how much would be left at the end.

Councillor Roger Harmer stated that the project involved the demolition of a lot of the 1960's and 70s housing. It was hoped that what was being built to replace the 60s and 70s housing that would be demolished was of a higher standard and was built to last for the long term. The quality and specification was important. The mix between affordable housing and the rest – 16.1% was affordable which was below the Council's target. Looking at the Birmingham Housing Strategy 2023 – 2028 and the Central District which it was presumed that this sat within it talks about the need for 1178 affordable homes of which 79% needed to be socially rented and 21 low cost. Almost 4:1 needed to be socially rented. Of the 16.1% the proportion that would be socially rented and whether it matched the target in the Birmingham Housing strategy. Whether Ward Members had anything to say when they were consulted.

Councillor Robert Alden commented that the site was near to an international sporting venue could be considered comparable to Wembley and the huge rescale that happened around that they managed 29% affordable housing and Birmingham was coming in at barely half of what was managed at Wembley a figure which was still below the Council's target. The two largest schemes between Perry Barr and here was so miserably unable to meet that target whether or not the Council was serious. Paragraph 3.3.5 of the report talked about the local lettings plan with the option to a term policy. It was known from some of the issues that was raised with the redevelopment in Druids Heath that the Council's policy did not go to what tenants were wanting – what details were there around making sure that this properly allows that those people who wished to remain on the estate when it was redeveloped to be able to return. Given the scale of this and the way it had been staggered over time, were we putting in place a policy to ensure that people who could actually go onto the bits that were built first allowing then the rest of it for people to remain if they wanted to. What percentage of the trees would remain on site.

The Chair commented that the points around the need to not repeat the mistakes of the past in this city around the quality of the homes was well made. We cannot afford that to be the situation as we have learned a lot since the days of the 60s and 70s and you only had to look at some of the developments that took place in this city that this Council had led on in terms of its own Council housing to see that we were not repeating those mistakes of the past and that he was confident that this was the case with the proposal that was taken forward here.

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The Chair continued that we do take affordable housing targets seriously and that he was keen to ensure that every opportunity we had to maximise the provision of affordable housing was taken. This was a 20-year project and there were opportunities further down the line for the expansion of further provision of affordable housing. In terms of the Ward Members issue, there had been an initial engagement with Ward Members as they were fully supporting the process. However, there was now a full consultation process on the details of the scheme which takes place following the approval of this report today and the Ladywood Councillors were closely involved in that with Ward Forums and other forums that supplied commentaries on that scheme.

Ian McLeod, Director, Planning, Transport and Sustainability made the following statements:-

- + Funding for the schools would be sought from other developments, and it would be ensured that a full funding package would be put together. There was contribution there towards the cost that Berkeley Homes were due to provide which was included.
- + There was over 75,000 square metres of repurposed green space which was a significant investment into the green infrastructure within the site.
- + The current open space was poorly used and underutilised and there was a commitment from Berkeley to retain the tree infrastructure as far as possible within the site, so a large proportion of the trees would be retained within the Master Plan.
- + In terms of the affordable housing the 638 re-provided Council homes would be social housing on a like for like basis as the commitment to re-provide those like for like.
- + There was a commitment within Phase 4 for another 400 homes to be re-provided and a large proportion of the 400 homes was targeted for social housing and we were meeting as much as possible for that need.
- + The viability – we need to work through planning and looking at the planning balance and the commitments that Berkeley had made particularly in terms of social infrastructure with the overall social infrastructure package was over 300m.
- + It was how that balanced against the affordable housing provision that we will look to see how that mixed come through as part of the planning assessment which comes forward.
- + There was also the opportunity for the Combined Authority and Homes England to support through grant funding and to achieve more affordable housing on the site overall.
- + The Ward Members as the Chair clarified has been supportive of the consultation process and there will be significant public engagement going forward in terms of how that process was managed and how the Master Plan developed.
- + Importantly and in terms of existing community Berkeley was fully committed to retain the existing community on site.
- + They had signed up to a one move principle so people would not be decanted from the site, and they re-provided the affordable housing, Council housing the majority of which comes forward in early phases and they were fully committed to giving them a one move principle so they would not have to move in return. This was a key element of the

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scheme that they had put forward and the big estate regeneration project that they had delivered.

Councillor Mackey enquired once the schools were built who takes responsibility – whether this would be the Council, or would it be an academy or whether this had not yet been decided. It was mentioned that there would be more social housing accommodation further down the track. At the moment we were getting as well as the one stage move we were getting one to ne as we had at the minute. He enquired if we wanted more social housing on this site whether we had to buy these from Berkeley Homes at market rate or whether Berkeley would turn over some of these plots free of charge to put more social homes on.

Ian MacLeod responded that the specific answer to that question was a phase to the development, Berkeley's did not build homes they were effectively acting as master developer which creates 400 units plus that could be acquired by registered providers or the Council directly. It would not be market value in that case. They enabled the site to be serviced and then it come to the market for the Council to be delivered directly and there was opportunity for us to do that. In terms of who would operates the schools, particularly in terms of the secondary school, this would need to be discussed further down the line particularly in terms of the public engagement. The EPC ratings for the buildings Berkeley had committed through the Master Plan to achieve EPCA by the 2030s for all of the new housing would be of the highest environmental standard in terms of meeting future needs.

Councillor Harmer referred to the comment about getting more socially rented housing as the project developed and commented that there was the danger that this could go the other way. If cost overrun there might be pressure to reduce the amount of socially rented housing. He enquired how it could be ensured that this did not happen and what commitment could we have that that did not happen. In terms of the schools there was history in Ladywood of basically the secondary schools in that part of Birmingham during the 60s 70s and 80s gradually closed down to the point that as each one closed the next one became unviable to the point were kids from Ladywood were bussed out to Four Dwellings School in Quinton. He enquired how we could ensured that we learned the lesson from that, and we did not end up with a school that people in that area did not want to go to and that school was viable and a success from day one.

Councillor Brigid Jones commented that Councillors Mackey and Harmer was aware of the 2010 Education Act passed by the Liberal Democratic/Conservative Government that all new schools had to be free schools. Councillor Karen McCarthy stated that our work on schools sufficiency carries on in line with our aim that children could go to a local school and thrive in their local area.

Ian MacLeod stated that in terms of the two specific points on contractual commitment from Berkeley in terms of the re-provision and to enable Phase 4 targeted affordable housing both of these were written into their contract so they would not be able to not re-provide the Council housing as that was a firm commitment within the contract. Similarly their enabling role in Phase 4 was a

contractual commitment so there was assurance around that. In terms of the school provision this was part of a wider growth corridor delivering up to 10,000 homes in the corridor out towards Greater Icknield and Sandwell. There were significant proposals along Ladywood and with City Hospital been delivered by Homes England so the demand for new schools were significant and was a key requirement of the tendering process that will need that school growth going forward.

Councillor Jayne Francis stated that one of the things we have learnt in recent years was that we were not as good with consultation as we needed to so there was a sophisticated programme of consultation for this project which she had an additional briefing of and that she would be happy to report on progress for that.

It was

176. RESOLVED UNANIMOUSLY: -

That Cabinet:-

1. Approved the Ladywood Estate Regeneration Scheme Full Business Case (FBC) in Appendix 2, to the report;
2. Approved the award of a contract to St Joseph Homes Limited as development partner (with Berkeley Homes Plc standing as the guarantor for the development partner) for Ladywood Estate, Central, in accordance with the principal terms of the proposed contractual obligations under the Development Agreement;
3. Noted that the Council and St Joseph Homes Limited (Berkeley Homes Plc) have set out a Stakeholder Engagement Strategy for engaging with all stakeholders on the regeneration of Ladywood Estate which will be adhered to during the lifetime of the project starting from the award of contract stage through to the completion of the construction of the last phase;
4. Authorised the Assistant Director Investment and Valuation to negotiate the voluntary acquisition of all land and interests edged red on the plan at Appendix 3, to the report, (which, save for the 7 tower blocks which are proposed to be retained, shows the maximum anticipated extent of acquisitions necessary to enable the delivery of the regeneration scheme), in advance of and alongside the use of Compulsory Purchase powers as necessary, as set out at (v) below and, where appropriate, pay statutory home loss, basic loss, and negotiate disturbance compensation to all qualifying owners and tenants, with all costs met by St Joseph Homes Limited (Berkeley Homes Plc) in line with the Development Agreement;
5. Noted that the Council has a conditional obligation under the Development Agreement to utilise its Compulsory Purchase powers (or to obtain vacant possession of those units occupied by secure tenants under the Housing Act 1985) to facilitate the delivery of the scheme,

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should the use of such be necessary. This will require the Council to enter into a site assembly agreement on a phased basis across the estate. The authority to utilise such powers will be sought from Cabinet, where necessary and justified, when the scheme has been further developed through public consultation and engagement. To support the development of the scheme to this point, and to enable a robust land assembly approach to be delivered, it is necessary that Cabinet also:

6. Approved in principle, and subject to the completion of the phased site assembly agreements at (v) above, the making of Compulsory Purchase Orders (CPO) in respect of the land edged red at Appendix 3, to the report, (save for the 7 tower blocks which are proposed to be retained, shows the maximum anticipated extent of acquisitions necessary to enable the delivery of the regeneration scheme), such powers to be exercised under section 226 of the Town and Country Planning Act 1990, section 530 of the Education Act 1996, and section 17 of the Housing Act 1985 as appropriate, as well as the acquisition of new rights under section 13 of the Local Government (Miscellaneous Provisions) Act 1976.
7. Authorised the City Solicitor & Monitoring Officer to complete any indemnity agreements (including surety/guarantee if required) under which all costs, expenses and compensation arising from the Land Assembly and CPO and the pursuance thereof are met by St Joseph Homes Limited (Berkley Homes Plc) to ensure that the City Council is indemnified for all costs and acquisition costs arising from Land Assembly and CPO in accordance with the Development Agreement;
8. Delegated Strategic Director of City Housing the authority to cease lettings, commence the priority rehousing, serve Initial Demolition Notices on the Council tenants based on the intention to demolish, and to serve Final Demolition Notices and comply with all associated statutory requirements in respect of tenants residing in the properties identified at Appendix 3 (to the report) to enable the delivery of the regeneration programme in line with the Development Agreement and the phased approach;
9. Approved the governance and the decision-making arrangements for the Ladywood Estate Regeneration Scheme including the Scheme of Delegations, comprising Project Board (management of the programme) and an Implementation Group (day-to-day running of the Development), as set out and detailed in Appendix 4 to the report, and delegates authority to the Strategic Director, Place, Prosperity and Sustainability and Strategic Director City Housing, to review the governance as required;
10. Approved the commitment of staff resources to manage the delivery of the Ladywood Estate Regeneration Scheme, as shown at Appendix 5, to the report. The staff costs associated with the progressing of land assembly (including CPO), all the costs of site acquisition, and all compensation will be funded by St Joseph Homes Limited (Berkley Homes Plc), in line with the Site Assembly Agreement and Development

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Agreement. Any additional staff costs to support the delivery of the scheme are to be funded from the Delivery Plan Capacity Build Transformation Budget up to a sum of £750,000 covering estimated spend for 2023/24 and 2024/25;

11. Delegated authority to the Strategic Director, Place, Prosperity and Sustainability in conjunction with the Assistant Director, Procurement, the Acting Director for People and Corporate Services, the Interim Director of Finance (Section 151) and the City Solicitor & Monitoring Officer (or their delegates) in consultation with the Cabinet Member for Finance and Resources to develop a strategy including the procurement route(s) and then to award contracts for the procurement of any professional services over the procurement threshold as required during the project to assist in the delivery of the scheme in accordance with the Procurement and Contract Governance Rules. This includes but is not limited to:
 - a. Stakeholder Engagement
 - b. Land Referencing
 - c. Professional advice to support Land Assembly and Compulsory Purchase
 - d. Cost Management
 - e. Financial Viability and Economic Assessment
 - f. Legal Advice
12. Authorised the Director, Planning, Transport & Sustainability and the Acting Director for People and Corporate Services, the Interim Director of Finance (Section 151) and the City Solicitor & Monitoring Officer (or their delegates) to apply for and accept any external funding associated with the Ladywood Estate Regeneration Scheme to help support the delivery of this programme subject to the funding conditions being acceptable;
13. Authorised the City Solicitor & Monitoring Officer to take any steps and enter into any legal agreements needed to bring the above into effect, including but not limited to: negotiate, finalise, execute, and complete all necessary legal documentation to give effect to the above recommendations, and in relation to the CPO to carry out preparatory work including land referencing required prior to the making of such orders;
14. Approved the appropriation of 40 hectares (98 acres) of General Fund land, held within the Housing, Education, Economic Development, Leisure, Social Services and Transportation service areas shown on the plan at Appendix 6, to the report, to the Housing Revenue Account; and
15. Noted that a developer could not be found to take the Ladywood Estate, Broad Street scheme forward at this time, a further report will be submitted to Cabinet on the future proposals for the area.

**INTEGRATION OF GREATER BIRMINGHAM AND SOLIHULL LOCAL
ENTERPRISE PARTNERSHIP SERVICES TO BIRMINGHAM CITY COUNCIL**

The Chair, Councillor John Cotton and the Deputy Leader, Councillor Sharon Thompson declared their interest in the item as they are both directors on the LEP Board.

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

Councillor Robert Alden commented that there needed to be strong governance around this, and that Members may be aware of the issues there were a few years ago around the Paradise development and the overrun of almost £100m and the fact that the LEP had to be brought in to take over the governance of that scheme. If the Council was now taking over these projects it needed to be ensured that the Council had the proper governance in place to manage those schemes.

Paul Kitson, Strategic Director of Place, Prosperity and Sustainability stated that in terms of the governance question posed by Councillor Alden that it was proposed as part of this transitional arrangement to maintain the wider LEP Partnership Board which includes people from outside the local authority and the private sector to provide that extra governance and assurance.

It was

177. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a) Approved the Council taking on responsibility for the management and delivery of the Enterprise Zone (EZ) and Legacy programmes (Appendix 4, to the report) from 1st July 2023, including any archiving requirements;
- b) Approved the Enterprise Zone EZ Assurance Framework (Appendix 1, to the report), which sets out the detailed governance arrangements for the EZ;
- c) Delegated authority to the Strategic Director of Place, Prosperity, and Sustainability to negotiate, agree and accept an appropriate level of funding from the EZ and other Legacy programmes to reflect the Council's costs of management and administration. An estimate of these costs are included in paragraph 7.3.2, to the report, and will need to be refined ahead of a formal request for EZ funds;
- d) Approved the Council's continuing role as Accountable Body in respect of Capital and Revenue funds provided by Government for the EZ and Legacy programmes, to include the provision of Section 151 Officer Role and to do so until such funding and associated programme delivery is concluded; and

- e) Authorised the City Solicitor and Monitoring Officer (or their delegate) to negotiate, execute and seal and complete all necessary agreements and documentation to give effect to the above decisions.
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STRATEGY/AWARD – CONTRACT FOR SUPPLY OF TEMPORARY WORKERS AND ADDITIONAL HR SERVICES (PO188 – 2023)

Councillor Brigid Jones, Cabinet Member for Finance and Resources introduced the item and advised that there was a slight amendment to the report under recommendation 2.3 as HR now sits within the Leader's portfolio and that Recommendation 2.3 should read:

*Delegates authority on whether or not to apply the contractual break option to Assistant Director – Procurement (Interim), Acting Director for People and Corporate Services, Interim Director of Finance, Section 151 Officer and City Solicitor (or their delegates) in consultation with the Leader.
drew the attention of Cabinet to the information contained in the report.*

Councillor Brigid Jones then drew the attention of Cabinet to the information contained in the report.

Steve Sandercock, Assistant Director, Procurement noted Councillor Ewan Mackey's comment concerning the contract that was worth £82m and explained that in terms of the overall value of the contract it was important to stress that the value includes the interim cost itself. The value to Hays or to any provider that would be appointed on this would not be £82m per annum as they got a margin of that. The majority of these cost on these commercial arrangements was the margin cost on top of the interim cost of pay. It was possibly slightly misleading around the overall value in that sense as it picked up the marginal aspect.

Steve Sandercock noted Councillor Robert Alden's comment in relation to paragraph 3.5 of the report and the point around the hyperinflation and apologised if that was inaccurate and would look to pick up this point separately as he was unable to provide a comment on that point at the moment. Regarding the direct award in process it was an option and was the compliant framework we were seeking to use. Many organisations used this as a mechanism for awards. Going out on an open market we would probably get the two or three same players looking to bid so the value of running our own competition on this was marginal.

Councillor Brigid Jones stated that as explained by Steve Sandercock, the risk of procuring would have resulted in a significantly higher contract plus mobilisation cost of £0.5m which was not insubstantial.

Janie Berry, City Solicitor and Monitoring Officer advised that there was always a risk of legal challenge following the procurement regulations and the Council was aware of that and has a mechanism in place should such challenges come forward.

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Steve Sandercock noted Councillor Mackey's comment in relation to due process and advised that due process was followed in terms of awards and compliant mechanisms for Councils to utilised in value for money had been tested in regard to this particular tender.

It was

178. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- i. Approved the award of a contract for the provision of temporary workers and additional HR services, to Hays Specialist Recruitment Ltd (Hays) commencing 4th September 2023 for a period of four years, with the option to terminate the contract at year two at the Council's sole discretion for the estimated annual value of up to £82m with a total aggregate value over the four years of up to £328m;
- ii. Noted the benefits, risks and mitigations set out in Appendix 1, to the report;
- iii. Delegates authority on whether or not to apply the contractual break option to Assistant Director – Procurement (Interim), Acting Director for People and Corporate Services, Interim Director of Finance, Section 151 Officer and City Solicitor (or their delegates) in consultation with the Leader; and
- iv. Authorises the City Solicitor (or their delegate) to execute and complete all necessary legal documents to give effect to the above decisions.

ORACLE IMPLEMENTATION

Councillor Brigid Jones, Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

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

- The amount of money being requested and to be spent – paragraph 8.5 of the report a significant amount of that money was already been spent.
- It appeared that retrospective approval was being sought rather than approval in advance.
- The question was whether the money was spent within the Council's constitutional procurement regulations.
- Whether all the rules were followed in how the money was spent. DBS progress and right to work check.

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- Whether Cabinet had looked at the risk register all the way through and whether Cabinet was happy with the risk register in Appendix E to the report.
- Paragraph 3.3 of the report – from adoption to adaptation – why was there a staggering lack of oversight. How could we ensure that in the future similar issues with other projects did not go wrong in this way.
- Whether Wednesday's Audit Committee meeting will not be going into private session.

Councillor Jones responded that there was a programme in place with regard to the DBS issues that targeted the areas that were of highest risk first and ensuring that staff do have the appropriate DBS checks in place. That data got reported to Cabinet Members on a weekly basis. In terms of the adopt not adapt question in relation to paragraph 3.3 this was there for a reason. Cabinet gave approval for one course of action, that course of action changed, and a Management Review will investigate why that change had happened as what Cabinet had approved did not happen.

In terms of the figures we had referenced the £100m figure in the report as we were still working through what the exact cost would be. Regarding the Audit Committee meeting there were specific legal reasons why a committee would move into private session such as commercial issues etc. In relation to schools we had brought a dedicated person in to manage the issues with schools and that person was working to ensure we were delivering what we needed to in that respect.

Professor Graeme Betts, Director, Adult Social Care (DASS) stated that the issues of what had gone wrong would be understood better once we have completed the Management Review which was key in the process. What we were trying to set out in the report was a true picture of where we think we were at and an indication of the cost that would be required.

Deborah Cadman, Chief Executive stated that in relation to the Management Review the Leader and Councillor Brigid Jones had instructed her to undertake a detailed management review of how we got to where we got to, but to also assess the governance arrangement we have in place and the effectiveness of that. She added that she was happy to share the terms of reference with Cabinet if they would find that helpful and to ensure they were sighted on the briefing when the review was completed.

Susan Harrison, Director for Children and Families, stated that in relation to schools we had the relationship managers (primary and secondary) working with schools to recognise the pressures and try to assist headteachers, bursars and business managers with the operational load and to take some of that off their shoulders. There was a two-way process so they were bringing back valuable information from that front line so we could help to reshape Oracle as we move forward to make it as efficient as possible for schools. The City Council recognised the stress that this was causing schools and were working to making sure schools were able to close their accounts as quickly as possible.

It was

179. RESOLVED UNANIMOUSLY: -

That Cabinet:-

1. Approved a spend of up to £46.53m to fix urgent issues, and to develop a plan that will deliver the Council's vision for an optimised Oracle system;
2. Approved funding of the £46.53m (as per (i) above) to be utilised from reserves and flexible use of capital receipts. Funding from reserves will be drawn from the delivery plan reserve and through the established governance process be approved by the Invest to Deliver board;
3. Delegated authority to the Director of Adult Social Care (as Oracle SRO (Senior Responsible Officer)) or their delegate, in consultation with the Cabinet Member for Finance and Resources, the City Solicitor or their delegate, and the Chief Finance Officer or their delegate, to spend the £46.53m (as per (i) above) to fix urgent issues, and to develop a plan that will deliver the Council's vision for an optimised Oracle system;
4. Delegated authority to the Director of Adult Social Care (as Oracle SRO), in consultation with the Cabinet Member for Finance and Resources, the Assistant Director Procurement, the City Solicitor, and the Chief Finance Officer to approve any new, compliant procurement arrangements required to secure resources to support the Oracle stabilisation and optimisation design work;
5. Delegated authority to the Director of Social Care (as Oracle SRO), in conjunction with the Cabinet Member for Finance and Resources, the Assistant Director Procurement or their delegate, the Chief Finance Officer or their delegate, and the City Solicitor or their delegate, to approve the selection of successful bidder(s) where a compliant procurement is undertaken, and also delegates approval of any subsequent call offs or work packages including the execution of the necessary contractual documentation to give effect to this outcome;
6. Authorised the City Solicitor to negotiate, execute, complete, and seal all relevant documents necessary to give effect to the above decisions; and
7. Agreed the Oracle programme will report regularly to the Finance and Resources O&S Committee and to Cabinet, providing an update on progress and the latest financial position. Frequency of reporting to the Finance and Resources O&S Committee to be agreed with the Chair of the Finance and Resources O&S Committee and the Leader of the Council. Frequency of reporting to Cabinet to be agreed by the Leader of the Council.

**CATERING AND FOOD PROCUREMENT STRATEGY FOR
CITYSERVE/CIVIC CATERING**

Councillor Brigid Jones, Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

Councillor Robert Alden referred to March 2022 Cabinet meeting that clearly states that procurement open and invitation to tender would go out on the 2 April 2022 and the mobilisation period would be July 2022 and the contract commencing would be in August. This did not happen, and this report made no reference to that. He questioned why the procurement process that was agreed by Cabinet did not happen.

Councillor Harmer stated that in terms of what people individually could do about tackling climate change one of the most practical things was to reduce the amount of meat that they eat. It was important that the contract supports that process and deliver significant contribution to tackling climate change. He added that he was disappointed that there were no figures or targets mentioned in the report about what we were trying to achieve.

Councillor Brigid Jones stated that the menus were up to schools and event organisers to choose on an individual basis.

Carl Bennett, Commercial Lead stated that in terms of timing for the procurement exercise he was not in post this time last year taking on the responsibility for the transformation for the procurement and multi-temperature tender until February 2023. We hit the ground running and that it was hoped that after today we could proceed with the tender as the tender documents were already good to go on the back of this. He gave assurance that the team was ready to work quickly, and that the solution would be in place with mobilisation completed by the 1 January 2024 once the decision has been agreed at this Cabinet meeting. In terms of the sustainability side this was huge within Cityserve and was happening prior to this tender.

Gary Farquhar, Revenues and Operations Manager stated that within Cityserve we were working with the incumbent contractor at present. Strategically we were looking into the reduction of meat within every menu within every school. We were already offering vegetarian and vegan meals on a daily basis. One of the strategic project we have at the moment was a School Food Champion where we visited the schools and speak with the children on a group basis or one-to-one basis and enquired what types of food they would like to see on the menu, how they would like that food cooked and served. Gary Farquhar gave assurance that with our chef that they had working alongside procurement the strategy was to reduce the meat content. This also involved the children that we wanted to give a voice to as it was important that they had a voice in how we sustained this and moved it forward within Cityserve projects.

It was

180. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- i. Noted the extension of the existing supplier contracts as set out in (Appendix 1, to the report) by up to 1-year in line with paragraph 2.2 of the Cabinet report of 6th June 2022 which gave delegated authority to the Assistant Director – Procurement (or their delegate), in conjunction with the relevant Finance Business Partner to approve any contract extensions or modifications to the contract that are within what is permitted by Council governance & public procurement legislation;
- ii. Approved the procurement strategy and the commencement of procurement activity for Fresh Meat/Frozen, Meat/Cooked Meat, Milk/Dairy & Morning Goods, Grocery & Frozen in accordance with the approach set out in (Appendix 2, to the report);
- iii. Delegated authority to proceed with the strategy and award of new non multi temperature contracts and award of the multi temperature contracts set out in (Appendix 2, to the report) following the conclusion of the procurement process to the Director of Group & Capital Finance in conjunction with Assistant Director, Procurement, Strategic Director of Council Management (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate).

THREE CITIES WHOLE HOUSE RETROFIT PILOT – INTERIM PROGRESS

Councillor Majid Mahmood declared an interest in the item and advised that most of the properties were in his Ward.

Councillor Jayne Francis, 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.

Councillor Harmer referred to the high level of cost and commented that in terms of Capital this was £86k on average per property plus the additional project management cost. Some of the properties were costing £150k and that it was worth reflecting on that as that was going to be a major challenge to retrofit as we work round the rest of the city in the coming years. He added that it would be absolutely critical that we develop as a country a consensus that this needed to be done on an on-going basis without the stop start history we had. This has effectively destroyed a significant amount of the wall insulation industry. We needed to work out ways where we can deliver the social housing and to encourage the private owners to do theirs at the same time.

Councillor Mackey commented that the detail in the finance section of the report he was expecting more of the financial breakdown of spend to date and the forecast.

Councillor Mahmood stated that there were some typographical errors in the report i.e. paragraph 1.5, 5.1 and 8.1 and that there was a reference to the MP for Bromford and Hodge Hill which should be the MP for Hodge Hill and the

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Housing Liaison Board for Bromford should be Housing Liaison Board for Hodge Hill.

Councillor Francis stated that she accepted the comments concerning the cost and the need for transparency. She added that this was a pilot programme and that when the scheme expands there would undoubtedly be comms of scale.

Wayne Davies, Housing Director, Asset Management City Housing advised that we were undertaking the SHDF programme, and this was the initial start of that. We were looking at the detailed cost and we were clear about the process that we need to follow in terms of applying for the grant funding that relates to it. This was a measured programme over a period of time with the long stop milestone of 2050 where our housing stock will be carbon neutral. We expect the costings to come down but also to value engineer the approach so as we do more of this we will have a better approach both market material purchasing and the delivery from contracting perspective.

We were empathetic towards leaseholders and the actual cost so part of the proposals that were accepted within our bid for the SHDF was that any works that was related to improve insulation standards would be funded as part of the bid by the Council and the only recharges to leaseholders would be only those elements that would ordinarily be replaced as a normal renewal as part of the external of the homes. We were acutely aware that affordability was an issue generally, particularly for leaseholders so what we did was to enable the solution for them where they could pay either over a period of time for the property. Through consultation this had gone well.

It was

181. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- Noted the interim progress report; and
- Delegated authority to:
 - The Interim Strategic Director, City Housing to vary the composition of the retrofit solutions and implementation plans within the approved cost envelope to manage delivery within any arising supply side and manufacturing constraints.
 - The Interim Strategic Director, City Housing (or their delegate) following consultation with the Interim Director of Finance (S151 Officer) (or their delegate) to submit bids for and accept available grant funding opportunities to support delivery of the pilot.

CITY HOUSING INVESTMENT PROPOSAL TO SUPPLY ACCOMMODATION FOR HOMELESS FAMILIES

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness presented the item and drew the attention of Cabinet to the information contained in the report.

Councillor Harmer voiced concerns regarding the logic of what was being proposed and that his concern was that the problem we have in the city was that we did not have enough housing. What we were talking about here in terms of space spending hundreds of millions of pounds buying private housing did not actually change the fundamental problem.

Councillor Alden stated that the report spoke of a significant sum of money going to private sector landlords and sought assurance as to what will be done to ensure that none of that money ended up going to either councillors or officers or even people related to them who were private landlords in the city without there being proper due process around any declarations etc. on that. In terms of the purchasing of properties – the purchasing of half a per cent of all properties in the city. Apart from this was a significant chunk but there was no new properties in the city. He urged that any properties that were bought from this were bought from the exempt accommodations and be turned back into family housing for the use of temporary accommodation as that was the sector where the Council spoke regularly – 50% oversupply in that sector – so we know that was not going to push other people from Birmingham into homelessness instead of buying up family housing and taking them out of the market altogether.

Stephen Philpott, Director, Housing Solutions and Support Service made the following statements: -

- ❖ In terms of the different questions was it a net gain in terms of the number of homes in Birmingham - in essence no.
- ❖ One of the things in terms of supporting a five-year programme rather than what we have at the moment which was a one-year pilot was the fact that there may be developments that were not getting off ground because they needed somebody to commit to it in terms of purchasing.
- ❖ There may be homes that were developed and built in Birmingham because we were able to work with people on a five-year programme rather than short term, but this meant that there was a net gain. We had to do this as an interim as we did not have enough affordable supply particularly for large families.
- ❖ We were working with colleague in PPNS in terms of the longer-term supply of affordable homes. This had to be a commitment to ensure that we got to the place where we have got that affordable supply being built in the city which overall was a net gain.
- ❖ We have a crisis where we have not got the family homes and people in B&B. This was dealing with the five-year window that we were looking at

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while we up our game in terms of development and affordable supply. We needed to look at what the properties were that we were purchasing and purchase the right properties.

- ❖ Stephen Philpott highlighted that we had a fund which includes capital that we could work with landlords and exempt providers were one of those. The Temporary Accommodation Strategy talked largely about prevention and so whilst this work was going on about supply we were also investing in preventing homelessness in the first place.
- ❖ We were investing largely in the private rented sector to improve what was becoming a restricted market in terms of people who were on poor income to get into the private rented sector.

It was

182. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a. Approved the Temporary Accommodation Strategy 2023-2028 in Appendix 1, to the report, which sets out the strategic approach to improving such provision as part of the Councils wider Housing Strategy;
- b. Approved the funding for Property Acquisition to acquire up to 300 properties per year over the next 5 financial years to 2028 for temporary accommodation and long-term homes;
 - Approved £400m capital funding for purchases and costs of purchase.
 - Approved £5.4m revenue funding to fund the temporary staffing resource over 5 financial years required to administer the acquisitions process, voids management, family accommodation allocation, lettings and move on process for the increasing volume of properties.
 - Approved £3.7m revenue funding over 5 financial years to provide the Housing Solution Service AFT, Complex Case staffing levels and programme support, to deliver on the execution of The Strategy.
 - Approved £2.4m revenue funding over 5 financial years for additional staffing resource to deliver The Strategy PRS access programmes and to support the creation of an income collection and TA arrears management team.
- c. Approved the provision of up to £5m capital grants² (£1m pa) over 5 financial years to incentivise and support private sector landlords to bring their properties up to regulatory standards, or to convert supported exempt accommodation to family use, in return for a commitment to house homeless families for a minimum agreed period;
- d. Approved the provision of up to £7.5m revenue funding from General Fund for landlord incentives and programmes for 5 financial years to

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support the AFT's work to end homelessness duties in the Private Rented Sector;

- e. Delegated authority to the Interim Strategic Director of City Housing (or their delegate) in consultation with the Strategic Director of Place, Prosperity and Sustainability, Director of Property and Investment (or their delegate), Assistant Director Valuation and Investment, and the Interim Director of Finance (S151 Officer) (or their delegate) to:
- Negotiate the acquisition of up to 1,500 properties in accordance with The Strategy and Investment Case (Appendix 3, to the report) for TA and other social housing use;
 - Consider the case for the acquisition of the properties through the medium of a wholly owned Council subsidiary and whether this would provide best value for the Council;
 - Annually review the acquisitions programme through Capital Board and based on fit with wider capital borrowing strategy, managed by the Capital Officers Group, and value for money assessment direct activities for the next 12 months or escalate to Cabinet if proposal is to substantially change focus from this investment proposal;
 - Commission up to £5m in capital grants to private landlords to secure accommodation for homeless families where it achieves value for money; and 2.5.5 to release the revenue funding on an annual basis for landlord incentives.
- f. Authorised the Interim Strategic Director of City Housing (or their delegate) in consultation with the Assistant Director Corporate Procurement (or their delegate) to:
- Continue pursuant to the Cabinet approved report of 8th February 2022 the property acquisition programme to source and procure family sized streetside properties subject to statutory rights of first refusal in favour of the City Council. This will be additional to the current £60m programme and the additional Department for Levelling Up, Housing and Communities (DLUHC) LAHF grant of £5.3m to support Ukrainian and Afghan refugees (approved 14th February 2023).
 - Proactively engage with developers and Housing Associations to source and procure multiple units of available stock, where this represents value for money for the Council.
 - Work with developers and Housing Associations to develop a pipeline of possible future target stock acquisitions, securing first right of refusal where this represents value for money for the council.
 - Explore the suitability and value to the Council of investing in the region of £30m, of the £400m capital, in the Resonance social impact investment National Homelessness Property Fund 2 (NHPF2), and if the case is proven authorise the investment to secure a portfolio of street properties which can be used to end a homelessness duty.

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- Extend the existing Residential Property Acquisition contract with Lambert Smith Hampton by 6 months in order to support the delivery of The Strategy in line with PCR2015 guidelines whereby an extension is allowable up to 50% of the contracts original value.
 - Approve the procurement strategy for the procurement of a provider to support the ongoing delivery of the Residential Property Acquisition Programme component of The Strategy.
 - Award the contract to the successful provider to support the ongoing delivery of the Residential Property Acquisition Programme.
 - Explore and implement any other options acceptable to the council to meet the capacity objectives which remain within the agreed budget provisions contained within this report. This will be done in consultation with the Cabinet Member for Housing and Homelessness and Cabinet Member for Finance and Resources.
- g. Authorised the City Solicitor (or their delegate) to negotiate, execute and complete all necessary documentation to give effect to the above decisions.

DEVELOPMENT OF HOUSING AT YARDLEY BROOK – SCHEME UPDATE AND REVISED FULL BUSINESS CASE (FBC)

The Chair, Councillor John Cotton presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

It was

183. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) Approved the revised FBC attached to this report as Exempt Appendix A, to the report, for the Scheme and delegates any changes to the FBC for the Scheme financial expenditure of up to 20% to the Strategic Director, Place, Prosperity & Sustainability;
- (ii) Noted that the financial details of the scheme are contained within the Exempt Appendix A, to the report;
- (iii) Approved the modification to the contract by increasing the financial value of the contract with Jessup Brothers Ltd for the construction of 298 new homes at Yardley Brook; and
- (iv) 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.

DECISION CALLED IN - CONTRACT AWARD FOR THE OPERATION AND MAINTENANCE OF TYSELEY ERF, WASTE TRANSFER STATIONS AND HOUSEHOLD WASTE RECYCLING CENTRES

Councillor Lee Marsham, Chair of the Sustainability and Transport Overview and Scrutiny Committee attended the meeting and gave a brief outline of the reasons for the decision being called in.

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

Following discussion by Cabinet it was

184. RESOLVED UNANIMOUSLY: -

That Cabinet:-

1. Noted, and considered, the reasons outlined by the Sustainability and Transport Overview and Scrutiny Committee to 'call in' and refer this decision back to Cabinet, as outlined in section 3, to the report;
2. Noted, and considered, the Executive response to the 'call in' as set out in Appendix 1, to the report; and
3. Considers the recommendations outlined in the updated Cabinet Report (Appendix 2, to the report).

PUTTING PREVENTION FIRST: CONSULTATION AND RECOMMISSIONING OF HEALTH AND WELLBEING SUPPORT FOR VULNERABLE ADULTS

As Councillor Mariam Khan, Cabinet Member for Health and Social Care was unable to attend the meeting the Chair, Councillor John Cotton presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

It was

185. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- (i) Approved the commencement of consultation and co-design for the recommissioning of Health and Wellbeing Support for Vulnerable Adults; and
- (ii) Approved the proposed timescale for consultation, co-design and recommissioning of Health and Wellbeing Support for Vulnerable Adults.

HOUSEHOLD SUPPORT FUND: ROUND 3 PROGRESS AND ROUND 4 OUTLINE PROGRAMME

The Deputy Leader, Councillor Sharon Thompson introduced the item and drew the attention of Cabinet to the information contained in the report.

It was

186. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a) Noted the contents of the summary of support delivered to households during Round 3 of the fund (Appendix 1, to the report: Summary of Round 3 HSF Delivery);
- b) Approved delegated authority to the Director Adult Social Care (or their delegate) to the grant award up to £3.35M of the overall £25.6M HSF allocation to third sector partnership (Early Help and BVSC) to enable the continued availability of hardship grants across all Birmingham localities;
- c) Approved the overall HSF Round 4 priorities (Appendix 2, to the report) which are being aligned with the city's Cost-of-Living programme. In consultation with the Cabinet Member for Social Justice, Community Safety and Equalities this overall HSF4 package will be subject to additional oversight from Birmingham Cost-of-Living Strategic Response Group. In material changes will be reported to Cabinet;
- d) Transfers overall responsibility for the delivery oversight of HSF to Birmingham's Cost-of-Living (Strategic Group Response) programme board recognising the clear links to aims of the DWP's HSF. A report from officers leading on the Cost-of-Living initiative is being prepared for July Cabinet which will include related HSF spends and detail how the two programmes have been aligned; and
- e) Authorised the City Solicitor (or delegates) to execute and complete all necessary legal documents to give effect to the above decisions.

DIGITAL INCLUSION – YEAR ONE

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

Councillor Harmer sought assurance that anyone who was in temporary accommodation will have good reliable access to Wi-Fi during their time in temporary accommodation.

Raj Mack, Head of Digital City and Innovation, Digital and Customer Services stated that we were already working in that area and have supported 250

families in Oscott Garden for example. We were working with them to improve the Wi-Fi in that area so there was connectivity that would support the community. We were also working with a number of other organisations across the city to ensure that the infrastructure was there whether it was provided by the Council or other partners to ensure they could support the capability of the demand. We were supporting hostels and hotels and we continue to develop our programme to ensure we were targeting the most vulnerable. We were also ensuring that our partners were contributing towards this, and it did not all fall on the Council.

It was

187. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- I. Noted the progress and achievements of the Digital Inclusion Programme to date;
- II. Supported the approach to prioritise the Action Plan and agrees with the planned priorities set out in section 1.6, to the report; and
- III. Supported the continuation of the current Programme and agrees to receive a further report that sets out the final outcomes and makes recommendations for how digital inclusion activities could be funded beyond 31 December 2023.

DIGITALLY ENABLED COUNCIL: ROBOTIC PROCESS AUTOMATION

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

It was

188. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- I. Noted the approach to the programme set out in section 3.3 of the report, that expands on the update in the Digital Strategy Year 1 Update and Review previously provided to Cabinet in May 2023;
- II. Noted that £1.476m has been allocated from Flexible Use of Capital Receipts in the 2023/24 budget, authorises the procurement and investment request from this to fund for the delivery of the programme and provides delegated authority to the Director of Digital and Customer Services for the spend;
- III. Noted an approval of 20% contingency on the £1.476m in line with industry best practice. If and once contingency requirement is known

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approval to be sought from Flexible Use of Capital Receipts that will be managed by the programme board to deliver best value. As the programme will be managed in an Agile manner work will be prioritised based on return on investment to mitigate the use of contingency funding;

- IV. Noted that there is a possible redundancy cost of up to £1.996m that will need to be funded from Corporate Reserves; and
- V. Delegated authority to the Director Digital & Customer Services, with agreement with the Strategic Director Council Management (or delegate) and The Monitoring Officer (or delegate) to agree any contracts to give effect to the above decisions.

RETROSPECTIVE CABINET APPROVAL TO APPLY FOR EUROPEAN SOCIAL FUND CALL – FLEXIBLE ASSISTANCE FOR TERRITORIES COHESION'S ACTION FOR REFUGEES IN EUROPE (FAST-CARE) OC50S23X1846

Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

It was

189. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- a) Noted and approved the bid to the European Social Fund submitted on 15th May 2023;
- b) If the bid is successful, delegated the Director of Adult Social Care, in consultation with the Interim Director of Finance and the City Solicitor and Monitoring Officer (or their nominees) to accept the funding;
- c) Noted and approved that the Council is to be the accountable body for the bid;
- d) Authorised the Director for Adult Social Care, in consultation with the Interim Director of Finance and the City Solicitor and Monitoring Officer (or their nominees) to enter into a partnership agreement with DWP; and
- e) Authorised the City Solicitor and Monitoring Officer (or their nominees) to negotiate and execute any documents to give effect to the above decisions.

DOMESTIC ABUSE – PART 4 DOMESTIC ABUSE ACT 2021 – DUTY ON LOCAL AUTHORITY – YEARS 3-4 FUNDING

Councillor Nicky Brennan, Cabinet Member for Social Justice, Community Safety and Equalities introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

It was

190. RESOLVED UNANIMOUSLY: -

That Cabinet:-

- Provided retrospective approval for the grant received from DLUHC of £3,337,493 to enable the Local Authority to continue to discharge its duty under Part 4 Domestic Abuse Act 2021 for year 2023 - 2024. Approval was given to accept £3,400,462 in April 2024 to continue to discharge the duty for the year 2024 – 2025;
- Continued to delegate to Strategic Director of Adult Social Care to approve the contract modifications and grants; and
- Approved the delivery of this duty using the funding.

DATES OF MEETINGS, APPOINTMENTS OF OTHER BODIES AND APPOINTMENTS TO OUTSIDE BODIES ETC 2023/2024

The Chair, Councillor John Cotton introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

Councillor Karen McCarthy informed Cabinet that Councillor Paul Tilsley had resigned as a director and trustee from the Millennium Point Trust after the schedule was prepared.

It was

191. RESOLVED UNANIMOUSLY: -

That Cabinet:-

1. That meetings of the Cabinet be held on the dates and time set out in Appendix A, to the report;
2. That the bodies detailed in Appendix B, to the report, be appointed until the appropriate meeting of the Cabinet in the next Municipal Year which considers appointments, with the functions and delegations detailed in Appendix B, to the report and that Members be appointed to serve thereon;
3. That representatives be appointed/re-appointed to serve on the Outside Bodies until the appropriate meeting of the Cabinet in the next Municipal

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Year which considers appointments (See Appendix C, to the report) and that those appointments which are continuing be noted;

4. That those appointments which are no longer needed, detailed in Appendix D to the report, be noted; and
5. That it be noted that any updates to Appendices B and C, to the report, reflecting the final appointments made at today's meeting will be posted on the CMIS database.

CORPORATE PLAN 2022-2026: PERFORMANC AND DELIVERY MONITORING REPORT

The Deputy Leader, Councillor Sharon Thompson introduced the item and drew the attention of Cabinet to the information contained in the report.

Councillor Harmer referred to the Birmingham Pakistani report and that the performance indicator for sport participation was given as GREEN. However when we read the report one of the striking things was how that community felt that it did not have proper access to the sport participation for a number of reasons in terms of cost and accessibility. It was needed to look again at that indicator to see how we could work to ensure that that community could access sports at a level that gives the GREEN indicator. We have hit the number of new houses to be built and yet we were only around 50% of the amount affordable housing which speaks to all the issues and problems that we referred to earlier.

Anti-Social Behaviour (ASB) which when you look at the report it looked reasonably positive, but he did agreed from the case work he was getting and that he was concerned that what was happening was that people were giving up reporting as they did not believed that anything was being done particularly in terms of City Housing ASB. People did not felt that anything would change when they reported it. There were particular issue around level one sheltered accommodations and the Cabinet Member will be attending a meeting in his ward with the sheltered scheme. There was also the on-going issues with missed collections as it did not seem to be on a downward trend.

Councillor Ewan Mackey referred to the CFCEP 2023/2024 primary and secondary school exclusion rates and absence rates which have exceeded the target levels and had also exceeded the national norms. The report stated that it was needed to review the target levels, but he was looking to see those levels coming down. CHCP 25 was similar as the percentage of Not in Education Employment or Training (NEETS) the numbers did not include the not knowns which we were supposed to do to comply with national comparisons. He added that he would like the figures to be added in to see what we were doing to improve that situation.

CHCP07 total families in B&B for more than six weeks. The figure was increasing despite the ombudsman findings against the Council and telling us that the figures must be reduced. The question was what we were doing to improve this. CMOH08 65% of the complaints were responded to within the

service agreement, but this measure was responded to but not resolved. The question was what percentage the resolutions were if we were only getting back to 65% of the people. He wondered if it would be more helpful if we were to change this metric to resolved rather than responded to and that would meant focusing on it a lot more.

Councillor Karen McCarthy commented that as Members would be aware we had a robust improvement plan not just for SEND services but all of the children services directorates. It was important as part of that we were seeking to make steady progress, but it was also important that our targets were appropriate. We will be doing some work with Members to build on the standing of where the targets come from. Those that were nationally set and those that were locally set etc. so that everybody knows how we were making progress. These figures were important to us, and we insist on one set of data so that there was not a different set of data going to the Improvement Board. Our data was the same wherever you came across it and she was proud of the progress they were making.

Councillor Majid Mahmood commented that we have 106k collection on a daily basis and to just missed some of them we missed the target. It was hoped that the target will be GREEN when this was next reported to Cabinet, and we should be getting to that target now as there was a significant amount of work that had been carried out with the crews across the board in refuse collection. One was the collection of data on a daily basis and the data on the kit device that reports back to the depot if a road was being missed. Where we do needed to do some work was around the communal bins and would have that data back.

The Deputy Leader commented that performance was important to the City Council. She added that the framework was just one of the mechanisms on recording performance and making sure we were keeping on top of that. The desire was to put a lot of focus into getting the basics where they needed to be. In terms of the particular point around report of the needs of the Pakistani community the Deputy Leader expressed thanks to the author and was looking forward to working with them around that. With the performance indicators somethings that were in the communities were fluid and we needed to address those, and *Everyone's Battle and Everyone's Business* was always something that was a key priority alongside that. The measurements on the KPIs we needed to ensure that we were keeping on top of those and Cabinet Members were questioning and being curious about the narratives that were attached to them. The points around the report would be picked up.

Richard Brooks, Director, Strategy Equalities and Partnerships stated that the key thing was to recognised that this performance reporting process was always work in progress and it was always evolving. A lot of the points being made were helpful in terms of us thinking about the format of the report and the level of detail on which we report and trying to draw out the issues where we could focus on our improvement activity.

It was

192. **RESOLVED UNANIMOUSLY: -**

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

CORPORATE PLAN 2022-2026: PERFORMANCE AND DELIVERY MONITORING REPORT

The Deputy Leader, Councillor Sharon Thompson introduced the item and drew the attention of Cabinet to the information contained in the report.

It was

193. RESOLVED UNANIMOUSLY: -

That Cabinet agreed the refreshed Corporate Performance and Delivery Plan as the basis for performance and delivery reporting to Cabinet in 2023/24.

KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JULY 2023 – SEPTEMBER 2023)

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

Councillor Ewan Mackey referred to the City Housing Consultancy Support item and commented that it did not appear that the framework that was agreed were being used. The mortality services item had a high value procurement against it, and he requested that a full report be submitted to Cabinet concerning the item. He further requested a briefing note on how many contracts were also in this position and what had been done to rectify that .

Councillor Jones responded that she was happy to provide the briefing note and that she did not have an objection to the mortality services item returning to Cabinet. Paul Kitson undertook to take the action away relating to the City Housing Consultancy Support item.

Councillor Majid Khan welcomed the upgrade of the basketball courts a majority of which were in park land across the city.

It was

194. RESOLVED UNANIMOUSLY: -

That Cabinet approved the planned procurement activities as set out in Appendix 1, to the report **(except for the Mortality Services item. A separate report to Cabinet for this item was needed)** and approved Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JULY 2023 – SEPTEMBER 2023)

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

Councillor Ewan Mackey commented that the title of procurement provision of outdoor furniture, but the description was talking about fleet and vehicle inspections. He enquired what the procurement was for.

Councillor Majid Mahmood responded that this was for more bins. Steve Sandercock stated that the description was incorrect and that it was for more outdoor bins and apologised for the error in the description.

It was

195. RESOLVED UNANIMOUSLY: -

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

OTHER URGENT BUSINESS

196. No item of urgent business was raised.

The meeting ended at 1238 hours.

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CHAIRPERSON