

CABINET - 12 January 2023

MINUTES

Present: Councillors: I Courts, K Grinsell, T Diccico, M Gough, A Mackiewicz, R Sleigh OBE and M McLoughlin. In attendance virtually Cllrs Hawkins, Howell and L McCarthy

Officers: Paul Johnson, Deborah Merry, Andrew Kinsey, Jenny Wood, Mary Morrissey, Ruth Tenant, Pete Campbell, Perry Wardle, Alison McGrory, Fiona Hughes, Emma Tinsley-Evans, Helen Bielby and Jane Game

1. APOLOGIES

With the Leaders consent Cllrs Hawkins, Howell and L McCarthy joined the meeting remotely.

2. DECLARATION OF INTEREST

In relation to item 9 Cllr Sleigh reminded Members that he Chaired the West Midlands Combined Authority Investment Board.

3. QUESTIONS AND DEPUTATIONS

None received.

4. MINUTES

The minutes of the meeting held on 3 November were presented for information.

RESOLVED:

That the minutes of the meeting held on 3 November be received for information.

5. MEDIUM TERM FINANCIAL STRATEGY UPDATE (CORPORATE CAPITAL PROGRAMME 2022/23)

The Cabinet was: -

- Provided with an outline of the current financial position for the 2022/23 corporate capital programme;
- Invited to approve the rephrasing of capital budgets into 2023/24 as detailed in Appendix A;
- Invited to approve the revised capital programme for 2022/23, after rephrasing, as detailed in Appendix B;
- Invited to approve the Housing Revenue Account (HRA) capital programme after revisions and virements for 2022/23, detailed in paragraphs 3.6 – 3.7 and Appendix C; and

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- Invited to approve the passporting of Government capital allocations for 2023/24 to individual cabinet portfolios for project allocation.

Members were advised that the current capital programme was one of the largest capital programmes the Council had, had totalling £111m, split between the general fund at £75m and the HRA at £36m. Within that there were three schemes over £10m and as medium term projects there was always going to be an element of rephasing. The report before Members detailed the:

- Rephasing of the 2022/23 Programme (section 3.2)
- Capital programme 2022/23 (section 3.5)
- Programme approvals in 2022/23 HRA Capital programme (section 3.6)
- Revised Capital programme 2022/34(section 3.8)
- Capital Expenditure supported by Government Grants 2023/23 (Section 3.9)

On receiving the report Members sought clarification on a number of points, which Officers responded to. Officers confirmed that in relation to the removing of £144,000 from the New Build and Acquisition Programme, the money would remain in the Housing Revenue Account, and could only be spent on capital within the HRA. With regard to an underspend on the Disabilities Facilities Grant, Officers advised money had been carried forward from previous years, so the budget had been inflated and the service was demand lead. With regard to the cost of inflation Officers confirmed that work had been undertaken to review costs.

RESOLVED:

- (i) That the rephasing of the corporate capital programme into 2023/24 as set out in the report and Appendix A be approved;
- (ii) That the revised corporate capital programme for 2022/23, after rephasing, as detailed in Appendix B be approved;
- (iii) That the HRA capital programme for 2022/23, after capital programme proposals and virements, detailed in paragraphs 3.6 – 3.7 and Appendix C be approved and;
- (iv) That the passporting of Government capital allocations for 2023/24 to individual cabinet portfolios for project allocation be approved.

6. CHELMSLEY WOOD TOWN CENTRE NORTHWEST QUARTER REDEVELOPMENT – CONCEPT MASTERPLAN AND PLANNING APPLICATION FOR PHASE 1

The Cabinet was provided with an update on the development of the Chelmsley Wood Town Centre North-West Quarter Masterplan, including:

- details of the preferred option;
- the proposed planning application for the first phase of development; and
- the proposed public pre-application consultation.

Members were advised that over the past 12 months BDP and the Council had been working on the options available to bring the site forward for development. This had been an iterative process and included public consultation on the initial options during

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February 2022. Since then, further meetings had been held with key stakeholders to refine the initial number of options to a preferred option that would be delivered in phases. The preferred option Masterplan layout was detailed in Appendix 1 to the report.

Section 4 of the report detailed the options considered and section 5 detailed the reasons for recommending the preferred option for the masterplan. Members were advised that at this stage there were no immediate financial implications arising from the approval of the masterplan, and submission of the outline planning application for Phase 1. However, further development and delivery of the scheme would require additional resourcing, which still needed to be secured.

On receiving the report Members sought clarification on a number of points, which Officers responded to. On the issue of footfall and permeability, Officers assured Members that the need for maximising footfall and permeability had been recognised within the constraints of access rights. Members confirmed that they were very supportive of the scheme as detailed in Appendix 1. Members noted that Phase 1 could be deliverable quite early, but phases 2 and 3 would take longer and Members supported the idea of maximising local independent businesses.

RESOLVED:

(i) That the Chelmsley Wood Town Centre North-West Quarter Masterplan be approved as the basis for a pre-application public engagement and subsequent further design development; and

(ii) That the preparation and submission of an outline planning application for the first phase of development based on the Chelmsley Wood Town Centre North-West Quarter Masterplan and further design work proposed in 2.1a of the report be approved.

7. FOLLOW UP REPORT – BUILDING SAFETY

The Cabinet was provided with: -

- an update on current Building Safety legislation;
- activities undertaken for the Council's Housing Stock and other Council owned buildings; and
- changes to the governance arrangements.

Members were advised that although the Building Safety Act was passed in April 2022, many of the detailed provisions would be implemented over the next two years through a programme of secondary legislation. The Fire Safety Act received Royal Assent in April 2022 and commenced in May 2022. The Council and SCH must act to ensure both organisations are compliant with the legislation and work to ensure residents continue to be safe.

The Council and SCH had taken a number of steps to work towards meeting the demands of the new Building Safety regulatory regime as detailed from section 3.3 of the report.

On receiving the report Members sought clarification on a number of points, which Officers responded to. Officers confirmed that the decision to evacuate a building

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would be a Fire Service call, and SCH advice to tenants remained to stay put, but it was acknowledged there would be more operational challenges to manage that. SCH were working with the Fire Service to create a record of any tenants who would struggle to evacuate on their own. In addition, under the Fire Safety Act premises information boxes were being prepared for each tower block. Officers also referenced the communication strategies used around fire safety to keep tenants informed.

RESOLVED:

- (i) That the new governance arrangements as set out in section 3.6. of the report be agreed; and
- (ii) That the implications arising from the Fire Safety Act, Building Safety Act and associated legislation be noted.

8. INFRASTRUCTURE FUNDING STATEMENT 2021/22

The Cabinet was provided with an update of monies received, held and spent from the Community Infrastructure Levy (CIL) and Section 106 in the financial year 2021/22. Cabinet was invited to approve the publication of the Council's Infrastructure Funding Statement (IFS) for that monitoring period.

Members were reminded that an IFS was a factual report which summarised the amount of developer contributions obtained, allocated and spent in the previous financial year (April 2021 – March 2022). In accordance with the Community Infrastructure Levy Regulations 2010 (as amended) any authority that received a contribution from development through the CIL or through section 106 planning obligations (s106) must prepare and publish an annual IFS.

On receiving the report Members sought clarification on a number of points, which Officers provided.

RESOLVED:

That the monies received, held and spent from the CIL and s106 in the financial year 2021/22 be noted and the publication of the IFS for 2021/22 as attached at Appendix 1 to the report be approved.

9. UPDATE ON APPLICATIONS TO FUNDING BODIES THAT SUPPORT THE COUNCIL'S PRIORITIES

The Cabinet was informed of the progress of external funding applications on behalf of the Council and invited to agree the acceptance of specific external funding for projects A to D below all of which supported the delivery of the Council's priorities: -

- Project A: **Balsall Common Multi-modal Transport Package** - a Strategic Outline Case application for £550,000 from the West Midlands Combined Authority (WMCA) to develop the Outline Business Case (OBC) for the scheme which included a package of infrastructure measures as identified within the Draft Local Plan;
- Project B: **Kingshurst Regeneration** - an expression of interest had been made towards a subsequent full application for £2,962,549 to support early demolitions and enabling works from the WMCA Housing Fund through its Single Commissioning Framework;

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- Project C: **Chelmsley Wood 15 Minute Neighbourhood** – an application for £58,168 has been submitted to Innovate UK through its Pioneer Places fund to develop a detailed local plan to establish a place-based approach to decarbonisation.
- Project D: **UK Central Hub Energy Network** – an application to the Heat Network Delivery Unit (HNDU) for £416,910 to complete Detailed Project Development for a potential energy network for the UK Central Hub.

RESOLVED

- (i) That the progress of new external funding applications on behalf of the Council summarised as Projects A to D in paragraphs 1.4 to 1.7. of the report be noted; and
- (ii) That should the submissions for Projects A to D in paragraphs 1.4 to 1.7 be successful, Cabinet agreed to delegate authority to the relevant Director to sign any contractual arrangements, in conjunction with the relevant Cabinet Member.

10. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED:

That, pursuant to Section 100A (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for the remainder of the business to be transacted, on the grounds that there would be disclosure to them of exempt information in terms of paragraph 3 of Part 1 of Schedule 12A to the said Act.

11. PRIVATE MINUTES

12. UPDATE ON APPLICATIONS TO FUNDING BODIES THAT SUPPORT THE COUNCIL'S PRIORITIES

The meeting ended at 7.12 pm