

The Cabinet

**26th February 2020 at 3.30pm
at the Sandwell Council House, Oldbury**

Present: Councillor Y Davies (Leader and Chair)
Councillors Ali, Crompton, Hadley, Millard, Shaeen
and Taylor.

Apologies: Councillors Underhill and Moore.

In attendance: Councillors Chidley, E M Giles, L Giles, M Hussain,
S Jones, Rollins and Singh.

Mark Davis (Chief Executive - Sandwell Council of
Voluntary Organisations) and Alan Taylor (Chair of
Sandwell Business Ambassadors).

Officers in attendance: David Stevens (Chief Executive), Alan Caddick
(Director – Homes and Communities), Darren Carter
(Executive Director – Resources), Heather Chinner
(Neighbourhoods), Neil Cox (Director -Prevention
and Protection), Nicky Denston (Neighbourhoods),
Lesley Hagger (Executive Director of Children’s
Services), Amy Harhoff (Director – Regeneration and
Growth), Alison Knight (Executive Director –
Neighbourhoods), Sue Knowles (Resources), Stuart
Lackenby (Director – Adult Social Care), Mark Taylor
(Neighbourhoods) Surjit Tour (Director – Law and
Governance and Monitoring Officer).

44/20

Minutes

Resolved that the minutes of the meeting held on 5th
February 2020 be approved as a correct record.

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45/20 **Leader's Announcements**

The Leader reported that the Cabinet had visited Blackheath ward, taking in Britannia Park, the neighbourhood office, the adult services office, and the shopping centre. Members had also visited the library and met with residents.

46/20 **Vision 2030 Community Grants Programme**

Approval was sought to allocate funding for a two-year period, to Sandwell Council of Voluntary Organisations (SCVO). The funding would be distributed to voluntary and community groups in Sandwell through the Vision 2030 Community Grants Programme.

The grants programme would provide stability to smaller groups trying to get new activities off the ground. The proposed process enabled transparency of decision making, better visibility of grants and streamlined processes, leading to time saving. A review of the scheme would be undertaken after two years.

The report was accompanied by a presentation from the Executive Director – Neighbourhoods and the Chief Executive SCVO.

The Chair of the Economy, Skills, Transport and Environment Scrutiny Board raised questions in the absence of the Chair of Safer Neighbourhoods and Active Communities Scrutiny Board. In response, the Cabinet Member for Safer Communities clarified that the criteria to be used for the grants programme had been set jointly between the Council and SCVO. The priorities were:-

- Building social connections;
- Youth activities;
- Healthy lifestyles.

Agreed:-

- (1) to approve a grant of £155,500 per annum in 2020/21 and 2021/22 to Sandwell Council of Voluntary Organisations (SCVO) for distribution to voluntary and community groups in Sandwell through the Vision 2030 Community Grants Programme;

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- (2) to approve a grant of up to £30,000 per annum in 2020/21 and 2021/22 to Sandwell Council of Voluntary Organisations (SCVO) to enable them to administer the Vision 2030 Community Grants Programme.

47/20

ASB Community Trigger – Policy Refresh

Approval was sought to revise the Community Trigger Policy Community Trigger policy to comply with the new PLEDGE Standard; developed by national charity ASB Help.

The Trigger was a statutory power to assist in solving persistent issues of anti-social behaviour through partnership working. The PLEDGE acted as an indicator of best practice when considering an organisation's management of the statutory Community Trigger function contained within the Anti-Social Behaviour, Crime and Policing Act 2014.

Agreed:-

- (1) to revise the Community Trigger Policy in response to Sections 104 and 105 of the Anti-Social Behaviour, Crime and Policing Act 2014;
- (2) that the Director - Housing and Communities, in consultation with the Cabinet Member for Safer Communities, make minor and non-significant changes to the Community Trigger Policy (that may be required upon review) in order to maintain best practice and standards.

48/20

Sandwell's Inclusive Economy Deal

Consideration was given to Sandwell's Inclusive Economy Deal, which had been co-developed in collaboration with residents, businesses and the voluntary and community sector.

The deal was an informal agreement between the Council and everyone who lived or worked here, to work together to create a better Sandwell and deliver wealth for all. The Inclusive Economy Deal had a clear focus on the economy of Sandwell by developing joint interventions which would have a positive impact on the local economy and ensuring wealth creation was kept and shared within the borough.

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There were three distinct deals within the Sandwell Inclusive Economy Deal; Resident, Business and Voluntary and Community Sector. Each of these deals had been developed using feedback from engagement with these groups. The style of the document was to communicate what the Council would do and what the resident, business or voluntary and community sector would do. It was a deal built on collaboration and an understanding of what each group could offer to make Sandwell a better place.

The primary focus of this new approach was to make Sandwell a better place to live, work and do business – improving individual and community wellbeing, living standards and employment opportunities whilst also encouraging sustained investment to benefit residents and businesses across our six towns. These deals would aim to offer better living standards, greater employment opportunities and ensure new investments reached all residents and businesses.

The report was accompanied by a presentation from the Cabinet Member for Skills and Employment, the Director – Regeneration and Growth, the Chief Executive SCVO and the Chair of Sandwell Business Ambassadors.

Agreed to recommend the Council to:-

- (1) approve the Inclusive Economy Deal for Sandwell;
- (2) establish a Council led Inclusive Economy and Community Wealth Board.

49/20

Council Finances 2020/21 to 2020/23

The Cabinet Member for Resources and Core Services reported on the 2020/21 final Local Government Finance Settlement announced by the Secretary of State for Communities and Local Government on 6 February 2020. A range of documents were submitted, that together formed the 2020/21 budget, to be recommended to the Council for approval.

The latest budget monitoring for the Council (as at December 2019) showed a projected overspend of £0.058m against service areas and central items. The Council was also utilising £10.681m of

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reserves and one-off corporate resources that had previously been earmarked for use by those services.

When this was taken into account, the overall position for the Council was a projected overspend of £10.739m.

The main budget pressures related to transport for Special Educational Needs and Disabilities (SEND), Legal and Governance and Adult Social Care. Sandwell Children's Trust also remained a significant financial risk but was independent of the Council.

Agreed to recommend the Council to approve:-

- (1) the Medium-Term Financial Strategy;
- (2) the expenditure level for 2020/21 and the resultant Council Tax;
- (3) the provisional budgets for 2020/21 to 2022/23;
- (4) the revised financial position and the forecast reserves position for the end of 2019/20;
- (5) the supporting information on the robustness of the budget process and adequacy of the Council's reserves;
- (6) the Treasury Management Strategy Statement and Investment Strategy;
- (7) the Capital Programme 2020/21 to 2022/23 in Appendix F and the Capital Strategy.

50/20

Quarter 3 Budget Monitoring 2019/20

The Cabinet received a summary of the Council's financial position as at the end of December 2019 (Quarter 3 2019/2020).

At a directorate level, excluding Public Health and the Housing Revenue Account, the Council was forecasting a year-end overspend of £0.530m.

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The Council was utilising a sum of £10.681m of reserves and one-off corporate resources that had previously been earmarked for use by those services. When this was taken into account, the overall position for the Council was a projected overspend of £10.739m.

Sandwell Children's Trust remained the biggest financial risk currently facing the Council. A series of meetings had taken place between representatives of Sandwell Children's Trust and the Council to understand the size of the projected overspend for 2019/20 and to agree the contract sum for 2020/21. The outcome of this work had resulted in the recommendation to provide an additional £5m to the Trust in 2019/20.

Agreed:-

- (1) that the financial monitoring position of individual directorates and the Housing Revenue Account as at 31st December 2019 (quarter 3 2019/20) be received and referred to the Budget and Corporate Scrutiny Management Board for consideration and comment;
- (2) that the current financial position for the Council is noted:-

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	Projected Outturn Variance (£000)
Corporate Management	39
Resources	685
Adult Social Care	427
Regeneration & Growth	(501)
Housing & Communities	(90)
Children's Services	(30)
TOTAL DIRECTORATES	530
Central Items	(472)
TOTAL INCLUDING CENTRAL ITEMS	58
Public Health (Ringfenced Grant)	0
TOTAL INCLUDING PUBLIC HEALTH & CENTRAL ITEMS	58

- (3) that the **£0.685m** overspend against the Resources directorate is funded from corporate resources and not carried forward into 2020/21;
- (4) that the following budget virements above £0.250m are approved (these include virements to reflect the restructure of the Adult Social Care directorate): -

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Virements above £0.250m for approval by Cabinet	(£000)	(£000)
<u>ADULT SOCIAL CARE</u>		
<u>Reconfiguration of budgets to reflect directorate restructuring</u>		
Management Team	2,299	
Business Management	3,853	
Social Work & Therapy	5,738	
External Placements	62,818	
Integrated Hub	1,214	
Direct Services	5,715	
<u>Virements above £0.250m for approval by Cabinet</u>		
	(£000)	(£000)
Commissioning	4,128	
Regulated Services & Transformation	3,258	
Management Team		2,026
Business Strategy		3,356
Commissioning Support Unit		1,893
External Placements		62,818
Social Work Teams		2,950
Therapy and Sensory Services		289
Prevention		650
Direct Services and Commissioning		8,350
Integrated Care Hub		1,204
Protection		5,487
<u>REGENERATION & GROWTH</u>		
Highways removal of capital recharges budget from recharge code	450	
Highways Capital engineers recharge budget to fees and charges code		450
<u>HOUSING & COMMUNITIES</u>		
Expenditure to reflect increased spend relating to Temporary Accommodation for which Housing Benefit is received	468	
Income to reflect additional Housing Benefit received for Temporary Accommodation		468
TOTAL	89,941	89,941

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- (5) that a ring-fenced Public Health Grant Reserve of £4.550m be created, funded from historic underspends previously incorporated into the allocated budgets for Public Health in 2019/20 and 2020/21;
- (6) that £5.000m be allocated to Sandwell Children's Trust as part of the agreed Medium-Term Financial Strategy;
- (7) that an additional allocation of £0.169m capital funding for the acquisition and fit out costs of Blackheath Library is approved.

51/20

Housing Allocations Policy

Approval was sought to adopt the revised Housing Allocations Policy. Sandwell's housing market which had evolved since the approval of the previous policy, leading to increased affordability pressures for those restricted to accessing accommodation in the private rented sector. This, combined with the introduction of the Homelessness Reduction Act 2017, had triggered the need for a review which had been guided by the principal drivers centred on:-

- enhancing the Council's ability to prevent homelessness;
- aligning policy with current legislation;
- enhancing the Council's ability to support vulnerable persons;
- making the policy more efficient and fit for purpose;
- continuing to make the best use of existing stock.

In response to a question raised by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board in the absence of the Chair of Safer Neighbourhoods and Active Communities Scrutiny Board, the Cabinet Member for Homes confirmed that:-

- The introduction of the five-year residency test had reduced the number of applicants by two-thirds. It had not been possible to undertake a reliable assessment of the impact of reducing the test to two years. However, looking ahead, it was felt that the number of applicants would increase but not to the extent of pre-2013 levels when the register peaked at nine-thousand applicants.
- It was anticipated that this policy change would help to alleviate the associated demand pressures placed on our housing stock that were caused by our statutory duties to relieve homelessness.

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Agreed that the revised Housing Allocations Policy be approved.

52/20

Heat Networks – Grant Funding for Detailed Project Development

Approval was sought to accept grant funding to fund external project management in respect of detailed project development studies and project studies for heat networks in West Bromwich and Smethwick.

A Heat Network was a system of pipes that took heat from a central source and delivered it to several buildings. These systems could be a cost-effective way of reducing carbon emissions related to heating as they could be used to exploit renewable energy sources and take advantage of recovered heat from industrial processes.

At a local level, the development of Heat Networks could provide various benefits including substantial inward investment, job creation and reduced energy costs for businesses and residents.

The report was accompanied by a presentation by the Director – Regeneration and Growth.

Agreed:-

- (1) that the Government's Department for Business, Energy and Industrial Strategy (BEIS), Heat Networks Delivery Unit (HNDU) grant funding be accepted as detailed below:-
 - a) the sum of £90,000 (2 x £45,000) to fund external project management in respect of Detailed Project Development studies for Heat Networks at West Bromwich and Smethwick;
 - b) the sum of £201,000 (2 x £100,500) to partially-fund Detailed Project Development studies for Heat Networks at West Bromwich and Smethwick;
 - c) subject to (a) and (b) above, the Executive Director – Resources, allocate the sum of £99,000 (2 x £49,500) from the Housing Revenue Account (HRA), to match-fund proposed Detailed Project

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Development studies for Heat Networks at West Bromwich and Smethwick;

- d) subject to (c) above, the Director – Regeneration and Growth, in consultation with the Executive Director – Resources (Section 151 officer) and Director of Housing and Communities, prepare tendering documentation and, in accordance with the public procurement rules and the Council’s procurement and financial regulations, award a contract to deliver Project Management for both West Bromwich and Smethwick projects simultaneously;
 - e) subject to (c) and (d) above, the Director – Regeneration and Growth, in consultation with the Executive Director – Resources (Section 151 officer) and Director of Housing and Communities, prepare tendering documentation and, in accordance with the public procurement rules, the Council’s procurement and financial regulations, award a contract to deliver Detailed Project Development for both West Bromwich and Smethwick projects simultaneously;
- (2) that the following action points, identified by the Strategic Investment Unit, be implemented to reduce any risk to the Council:
- a corporate Risk Register is completed prior to the start of the project
 - a project plan is completed prior to the start of the project
 - any clawback of funding from BEIS, or overspend on project costs be funded from within the HRA’s existing revenue resources.

53/20

Options to Develop a Council Wholly Owned Housing Delivery Vehicle

Consideration was given to proposals to develop a Business Plan for the creation of a new housing delivery vehicle and to the appointment of consultants to work with the Council to externally validate the business plan.

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A housing delivery vehicle would help to capitalise on opportunities facilitating and accelerating redevelopment which would have a positive impact on the social, economic and environmental well-being in the borough. The visual transformation would also create a new sense of place thus offering a better environment for local people and remove the opportunities for the anti-social behaviour attributed to derelict, underutilised and vacant land.

In response to a question raised by the Chair of the Economy, Skills, Transport and Environment Scrutiny Board in the absence of the Chair of Safer Neighbourhoods and Active Communities Scrutiny Board, the Cabinet Member for Inclusive Economic Growth confirmed that the timescales for developing the validated business model and completing the procurement exercise were as follows:-

- a) appoint consultants beginning June 2020 with a view to completing the commission by September with presentation to Cabinet and Cabinet reporting October/November 2020;
- b) complete the procurement and selection process by end of May 2020.

Agreed:-

- (1) that the Director – Regeneration and Growth develop a validated Business Plan for the creation of a new housing delivery vehicle to build on the options appraisal, the Financial Model and initial Business Case carried out by Savills external consultants;
- (2) that the Director – Regeneration and Growth, in consultation with the Executive Director – Resources (Section 151 Officer) and Director of Housing and Communities, prepare tendering documentation and thereafter procure, in accordance with the public procurement rules, the Council's procurement and financial regulations, and award a contract to consultant/consultants to develop, on behalf of the Council, a detailed business case for the development of a new housing delivery vehicle on terms and conditions to be agreed by the Executive Director - Resources;
- (3) that the Executive Director – Resources allocate adequate budget from the Land Development Fund to fund the appointment of consultants and the preparation of the Detailed Business Case

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54/20

Revenues and Benefits Policy Framework 2020/21

Approval was sought to the Revenues and Benefits Service's policy framework for 2020/21.

The existing Revenues and Benefits Policy Framework included:

- Corporate Debt Recovery Policy
- Council Tax Award of Discount Policy
- Council Tax Discretionary Relief Policy
- Discretionary Housing Payments Policy
- Non-Domestic Rates Discretionary Rate Relief Policy
- Local Welfare Provision Policy
- Non-Domestic Rate Hardship Relief Policy
- Joint Policy for Establishing Eligible Support and Accommodation Charges
- Housing Benefit Overpayment Recovery Policy

The following changes had subsequently been proposed:-

- The Council Tax Discretionary Relief Policy 2020/21 - amended for care leavers aged 18-25 years 100% relief as opposed to the previous care leavers aged between 23-25 being entitled to 50%.
- The Non Domestic Rates Hardship Relief Policy 2020/21 - amended to ensure that the test of hardship was not based solely on financial matters but also considered the impact the business had on the local community and included checks to ensure employers were paying employees as a minimum either the National Minimum Wage or the National Living Wage as appropriate to their age.
- Non-Domestic Rates Discretionary Rate Relief Policy 2020/21 to include under Section 69 of the Localism Act that before awarding any relief the employer was required to confirm that the business claiming the Relief at the very least paid its employees the National Minimum Wage and/or the National Living Wage, as appropriate to their age and circumstances. The policy also now includes Discretionary Rate Relief awards made to part occupied/part void properties in relation to Section 44A relief where the Council had discretion to make a request to the Valuation Office Agency (VOA) for the property's rateable value to be split between its occupied and unoccupied parts, provided it will remain unoccupied for a short time only.

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- Council Tax Award of Discount Policy to clarify that the amount of Council Tax payable from the date a property became empty and unfurnished was not affected by any change in ownership. The appeals process had also been added to the policy to explain what the liable party should do if they disagreed with the granting of an empty homes premium.
- Discretionary Housing Payment Policy 2020/21 - amended to remove the use of the complaints process if they disagreed with a decision. The policy still included a review process.
- Housing Benefit Overpayment Recovery Policy 2020/21 has been amended to detail the methods of payment and further recovery actions which could be taken if a customer failed to make a payment.

The report was accompanied by a presentation by the Executive Director – Resources.

The Cabinet Member for Resources and Core Services placed on record his thanks to the Revenue and Benefits Team for all of their work in developing the policies to help the most vulnerable in Sandwell.

Agreed that the Revenues and Benefits Service's policy framework for 2020-2021 be approved.

55/20

Corporate Plan – Feedback from Member Engagement Sessions and the Budget and Corporate Scrutiny Management Board

Further to Minute No. 43/20 taken on 19th February 2020, members considered feedback received in relation to the Sandwell Plan: Big Plans for a Great Place...for the people of Sandwell from the Budget and Corporate Scrutiny Management Board at its meeting held on 19th February 2020. Feedback from all elected members from engagement sessions held on 10th and 17th February 2020 was also considered.

Agreed that the comments of the Budget and Corporate Scrutiny Management Board be incorporated into the Sandwell Plan: Big Plans for a Great Place...for the people of Sandwell as set out in Appendix 1.

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56/20

Determination of Admission Arrangements for Sandwell's Community and Voluntary Controlled Schools for 2021/22

Approval was sought to the publication of the Council's admission arrangements for places in all community and voluntary controlled schools for the 2021/22 academic year.

The School Admissions Code published in December 2014 required the local authority (as the admissions authority for community and voluntary controlled schools), to formally agree admission arrangements for those schools every year, even if the arrangements had not changed from previous years. Admission authorities were required to determine admission arrangements for entry in September 2021 by 28th February 2020.

The Admission Code also required the local authority to consult governing bodies of community and voluntary controlled schools where it proposed either to increase or keep the same Published Admission Number.

Agreed that in accordance with the School Admissions Code 2014, the local authority's admission arrangements for 2021/22 academic year for places in all community and voluntary controlled schools be approved as now submitted.

57/20

Minutes of Cabinet Petitions Committee held on 29th January 2020

The minutes of the meeting of the Cabinet Petitions Committee, held on 29th January 2020, were noted.

(The meeting ended at 4.34pm)

This meeting was webcast live and is available to view on the Council's website (<http://sandwell.public-i.tv/core/portal/home>).

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Contact Officer: Suky Suthi-Nagra
Democratic Services Unit
0121 569 3479

**Comments and Observations of
Budget and Corporate Scrutiny Management Board**

Strategic Outcome	Comments and Observations of Budget and Corporate Scrutiny Management Board	Response/Suggested edits to the Plan
All	<p>Highlighting not consistent throughout the document of ‘we will’ statements.</p> <p>There is a need to ensure tangible, measurable targets are set so that success can be measured and Cabinet Members and senior officers held to account over progress.</p> <p>The Plan is too wordy and should be made more concise and relatable for our residents.</p> <p>Language used throughout the Plan may not be easily understood by our residents.</p> <p>Consider development of different versions of the Plan for different audiences.</p> <p>The successes and achievements since Vision 2030 was launched need to be recognised and shared.</p>	
One Team One Council	<p>Councillors have an important role as part of One Team One Council and this should be acknowledged.</p>	