

## The Cabinet

**18<sup>th</sup> March 2020 at 3.30pm**  
**at the Sandwell Council House, Oldbury**

**Present:** Councillor Y Davies (Leader and Chair)  
Councillors Ali and Millard.

**In attendance:** Councillor Moore.

**Apologies: -** Councillors E M Giles, Rollins and Singh.

**Officers in attendance:** David Stevens (Chief Executive), Darren Carter (Executive Director – Resources), Stuart Lackenby (Director – Adult Social Care), Surjit Tour (Director – Law and Governance and Monitoring Officer), and Sue Stanhope (Director – Human Resources).

**Remote attendance:-** Councillors Crompton, L Giles, Hadley, Shaeen and Underhill;  
Alan Caddick (Director - Housing and Communities), Lesley Hagger (Executive Director of Children's Services), Alison Knight (Executive Director – Neighbourhoods), Tammy Stokes (Interim Director – Regeneration and Growth).

64/20

### **Leader's Announcements**

The Leader announced that, given the developing situation with the Covid-19 virus and the Government guidance that had been issued, public and press attendance at this meeting, and all other Council meetings, would not be possible until further notice. However, the meeting was being webcast for all to view.

To preserve the health of Sandwell's population and workforce, the Council was following all Government advice and taking all necessary precautions, which included cancelling non-essential meetings.

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Those Cabinet Members unable to be physically present were participating in the meeting via video call. However, due to legislative requirements around attendance at meetings, their participation would not count towards quorum requirements and they would not be entitled to vote on any matter.

### **65/20 Declaration of Interests**

Councillor Hadley declared a personal interest in the matter referred to at Minute No. 75/20 in relation to Brandhall Golf Course and would be ending her call into the meeting at that point.

### **66/20 Urgent Item of Business - Revised Executive Decision Making in response to Covid-19**

The Cabinet noted that, in accordance with the Local Government Act 2000 (as amended), the Local Government Public Involvement in Health Act 2007 (as amended) and other relevant legislation of the strong Leader model the Executive Procedure Rules had been amended to enable Cabinet Members and Officers to take key decisions in isolation (until such time as it was varied by the Leader or Deputy Leader in her absence or inability to act).

With immediate effect, under the provisions of the Local Government and Public Involvement in Health Act 2007, the Leader would be assuming responsibility for making all executive decisions and there would be no further meetings of Cabinet until it was appropriate. This would allow for social distancing as much as possible in accordance with government advice; and ensure important executive decisions could be made in a timely manner given the challenges faced. It was imperative that the Council was able to react to the changing demands and needs of the residents of the Borough.

The Leader also reported that she had appointed two additional Deputy Leaders as follows:-

Councillor Wasim Ali  
Councillor Danny Millard

Both Councillors Ali and Millard had foregone any Special Responsibility Allowances associated with the role of Deputy Leader. Councillor Crompton would continue to be Statutory Deputy Leader.

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A meeting of the Council's Emergency Committee would be taking place following the Cabinet to approve further temporary revisions to governance arrangements to ensure that the Council could still transact important business and continue to deliver services to its residents.

### 67/20 **Minutes**

**Resolved** that the minutes of the meetings held on 19<sup>th</sup> and 26<sup>th</sup> February and 4<sup>th</sup> March 2020, are approved as a correct record.

### 68/20 **Grant Funding for Sandwell Council of Voluntary Organisations 2020/21 and 2022/23**

Approval was sought to make a grant of £308,626 per year, for three years to Sandwell Council of Voluntary Organisations (SCVO), bringing together a range of funding streams into a single grant agreement.

A number of budgets would be consolidated to create one funding source into a single ring-fencing together fragmented funding into a single funding agreement would save time and money in terms of grant administration, provide greater stability for the SCVO staff team, leading to better services, and provide better awareness of the SCVO core funded offer. The grant would be split between core activities and the Early Help Partnership.

In response to a question from the Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board, the Cabinet was informed that in addition to the usual process of quarterly monitoring returns to the voluntary sector support team, there was a very close working relationship with SCVO which enabled both parties to review and modify services to respond to changing needs. There was also an annual review built into all grant agreements.

It was clarified that the grant funding under consideration was for SCVO's core services, which had never been delivered by the Council, was not part of the Vision 2030 Community Grants Programme that the Cabinet had approved at its meeting on 26<sup>th</sup> February 2020. The Council could opt to change what they had put in place to ensure value for money for residents were being obtained.

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**Agreed** that approval is given for a grant of £308,626 per annum to be made to Sandwell Council of Voluntary Organisations from April 2020 to March 2023.

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### **Corporate Parenting Strategy 2020/23**

Approval was sought to the refreshed Corporate Parenting Strategy 2020-2023, which had been developed to underpin the Council's commitment and role as Corporate Parent to the children and young people in its care and to its Care Experienced young people.

It highlighted the focus on the seven Corporate Parenting Principles introduced by the Children and Social Work Act (2017); its pledge to children in care and Care Experienced young people, and how the Corporate Parenting Board aimed to develop the role of corporate parents as well as young people in ensuring that positive outcomes were achieved.

The Strategy was accompanied by an action plan which set out the tangible outcomes that the Corporate Parenting Board hoped to deliver which would be re-visited annually for progress to be monitored and tracked.

**Agreed** that approval is given to the Corporate Parenting Strategy 2020-23 and associated Action Plan, as now submitted.

70/20

### **The Redevelopment of King Street, Wednesbury**

Further to Minute No. 93/16 (of the meeting held on 1<sup>st</sup> June 2016), approval was sought to progress with the redevelopment of land at King Street, Wednesday, as identified on the Site Plan SAM/27640/004, for a mixed-use development, comprising residential units and a health centre.

It was proposed that before the Council commenced construction, it would enter into an initial 25-year lease with the Spires GP practice and Sandwell and West Birmingham Hospitals Trust for the health centre, enabling them to relocate from their current temporary site at Albert Street. This would also support the Council's long-term aspirations for the redevelopment of the Albert Street site for residential use.

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To mitigate any risk or financial exposure on the part of the Council, an indemnity agreement was in place with the CCG which meant that, if during the term of the lease any space in at the health centre became empty and the Council was unable to find a new tenant within six months, CCG would step in and be required to pay the full rent. This was a ground-breaking agreement which had been of interest to other CCGs in the England as a route to delivery.

A further report would be submitted following the completion of the full business case and appraisal by the Strategic Investment Unit.

### **Agreed:-**

- (1) that the Interim Director – Regeneration and Growth proceed with the application for land remediation grant funding to the Black Country Local Enterprise Partnership to enable the future redevelopment of the site illustrated on Site Plan SAM/27640/004, utilising the funds released to undertake the requisite remediation and enabling works;
- (2) that the Director – Law and Governance and Monitoring Officer, in consultation with the Executive Director – Resources and subject to a full Financial Appraisal by the Strategic Investment Unit, enter into or execute under seal, if necessary, the associated Black Country LEP funding agreement on terms and conditions to be negotiated by the Interim Director – Regeneration and Growth;
- (3) that the Interim Director – Regeneration and Growth, in consultation with the Executive Director – Resources, take all necessary steps to progress the business case for the complete redevelopment of the King Street, Wednesbury site for Health Centre of some 970m<sup>2</sup> both outlined in the conditional planning approval obtained, then subject to a full Financial Appraisal by the Strategic Investment Unit and further approval of the Final Business Case for the Health Centre scheme, progress this development, this being inclusive of the proposed agreement of the final Lease terms for the Health Centre;

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- (4) that the Interim Director - Regeneration and Growth, following the Council's acceptance of the necessary Local Enterprise Partnership funding, to seek tenders for the remediation of the Local Enterprise Partnership funded sites and award contracts as necessary for the remediation of the sites referred to in (1) above;
- (5) that, subject to full planning consent and to the completion of the Black Country Local Enterprise Partnership funding agreement, the Interim Director - Regeneration and Growth, in consultation with the Executive Director- Resources, accept the winning tenders and award contracts for the development of the new build Council House scheme, at King Street Wednesbury.

71/20

### **Cultural Prospectus**

The Cabinet received Sandwell's Cultural Prospectus 2020, which set out the strategic approach to and intention for cultural activity in Sandwell from 2020.

The Prospectus had been developed by external consultants and following a lengthy consultation with a wide range of stakeholders, highlighted three overarching cultural goals:-

Cultural Goal 1 – A Great Place to Live and Visit

Cultural Goal 2 – Improved Life Chances for Young People

Cultural Goal 3 – Better Health and Wellbeing

Over the next four years, the profile of the West Midlands would be significantly raised at a local, regional, national and international level – as global communities were drawn to the region in celebration of the UK City of Culture 2021 (Coventry) and the hosting of the Birmingham 2022 Commonwealth Games (CWG); where Sandwell was set to host the swimming and diving events in a new world-class Aquatics Centre. This presented an incredible opportunity to create a 'step-change' for Sandwell that delivered inclusive social, cultural and economic benefits towards creating a lasting legacy and supported and inspired local communities and the region as a whole.

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A Cultural Leaders Working Group (internal and external) would be established to identify shared priorities between strategies and stakeholders towards pursuing cultural goals collaboratively and sourcing combined funding and investment opportunities across the Borough.

An Action Delivery Plan would be developed, which would confirm delivery mechanisms, sources of funding, resource capacity and key outcomes/ targets and a further report would be submitted to the Cabinet in relation to this.

### **Agreed:-**

- (1) that the Cultural Prospectus (2020) be approved;
- (2) that a further report is submitted to determine next steps in relation to the development of an Action Delivery Plan.

72/20

### **Standby Duty Payments**

The Cabinet was asked to consider increasing the current standby duty payment of £20.00 per session to £24.52 per session from 1<sup>st</sup> April 2020 and to apply subsequent NJC pay awards thereafter.

Standby duty payments were made to employees who were part of a rostered standby duty arrangement.

There was no provision in the Single Status agreement to link this payment to any subsequent pay awards and therefore a review of the rates had been carried out. Following negotiations with trades unions, a revised rate of £24.52 was recommended. To futureproof the value of any new standby duty payment, subsequent NJC pay awards, from 1<sup>st</sup> April 2021, would need to be applied.

### **Agreed:-**

- (1) that the Standby Duty Payments be increased from £20.00 to £24.52 per session, from 1<sup>st</sup> April 2020;
- (2) that future NJC pay increases be applied to the revised Standby Duty Payment with from 1<sup>st</sup> April 2021.

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### **Proposed New Social Care and Health Centre, Rowley Regis**

Further to Minute Nos. 168/18 (12<sup>th</sup> December 2018), 13/19 (6<sup>th</sup> February 2019) and 143/19 (20<sup>th</sup> November 2019) approval was sought to the redirection of existing financial resources to manage a projected increase in the construction costs of the Integrated Social Care and Health Centre.

Approval was also sought to award the contract for construction of the building to the preferred bidder.

Following a tendering exercise, only two tenders had been returned. Both tenders had been reviewed and checked for price accuracies and quality assessments had been undertaken. Both tenders were found to be valid submissions, however, were above the original budget for the construction works.

In light of this, the Business Case for the scheme had been reviewed through the Strategic Investment Unit and still found to provide a satisfactory level of assurance.

Any delay in the project would have a potential impact on the wider Care Home market. Currently, enhanced assessment beds were commissioned until 30<sup>th</sup> September 2020 with an option to roll over until 30<sup>th</sup> September 2021. Due to the delay in the procurement of a building contractor, this would need to be extended further to ensure continued service provision. A further report would be presented to Cabinet detailing the requirements for this.

#### **Agreed:-**

- (1) that approval is given to continue with the planned building of a specialist 80-bed integrated Social Care and Health Centre at the Knowle site, Harvest Road, Rowley Regis, with the Centre to be managed and staffed by the Council;
- (2) that approval is given to the redirection of available resources to fund the increased capital cost of the development of the Social Care and Health Centre;



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- (3) that, subject to (1) and (2) (above), and in accordance with Procurement and Contract Procedure Rules, the Director - Adult Social Care and the Executive Director - Resources award the contract for the development of the integrated Social Care and Health Centre to the preferred bidder following conclusion of the current procurement process;
- (4) that the following action points identified within the appraisal report be implemented to reduce any risk to the Council:-
- ensure long term strategic planning is undertaken to manage potential future reductions in government funding for social care and to ensure that the operational costs of the facility can be managed within available resources;
  - determine contractual arrangements for nursing staff in order to identify both short term and long term financial implications to the Council;
  - a project delivery programme is developed to ensure that detailed delivery milestones are included within the project plan and that contingency plans are in place should completion of the scheme be delayed;
  - a nominated officer is identified to ensure that the project can be effectively evaluated and reported to appropriate partners.

74/20

### **Parks and Pools Management and Maintenance**

Approval was sought to procure a contractor to carry out major works at Smethwick Hall Park, aimed at reducing wildfowl deaths, which had increased significantly at number of pools, over the past two years as a result of Avian Botulism. Build-up of silt was largely the cause of this as it allowed for the growth of Clostridium Botulinum bacteria and the large build-up of silt at Smethwick Hall Park had been identified as the energy source for the Clostridium Botulism.

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Following appraisal of two solutions, it was proposed to remove silt from the entire pool area and re use the silt within the pool to reduce the total area of open water by 50%. A reduction in pool size would also provide a reduction in flood risk to downstream residential properties and infrastructure by moving the proximity of any potential obstruction further away.

In addition, it was proposed to purchase and install aerators at Victoria Park, Smethwick, Smethwick Hall Park and West Smethwick Park, which would resolve and support a number of the preventative measures to reduce the possibility of Avian Botulism.

The Cabinet also noted that the dedicated pools maintenance team would be re-established from April 2020 to conduct regular visits to all park pools on a weekly basis removing debris, litter, keeping gully gratings clear of debris, removing animal carcasses, clearing embankments of vegetation and maintaining ROSPA safety standards. The Director – Housing and Communities had agreed to reintroduce this team from April 2020.

The Leader asked whether the matter should be deferred given the current and escalating situation with the Covid-19 pandemic, however, the Cabinet Member for Safer Communities was of the view that if the works were not carried out, it would not only affect more deaths of birds, it could also endanger young children playing by the water. The Director – Housing and Communities advised that if approval was given to the proposals, the tendering process for the works would take approximately three months, and if it was felt at that point that resources were required elsewhere to address the pandemic, a decision could be taken to defer works.

**Agreed** that subject to ongoing consultation with the Cabinet Member for Safer Communities:-

- (1) the Executive Director – Resources allocate a total of £0.300m funding from the Council's capital programme to carry out major capital works at Smethwick Hall Park including the reduction of the pool size by 50%;
- (2) the Executive Director - Resources to allocate a sum of £42,000 funding from the Council's capital programme to facilitate the purchase and installation of pool diffuser systems for West Smethwick Park, Smethwick Hall Park, Victoria Park Tipton and Victoria Park, Smethwick;

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- (3) the Director – Housing and Communities undertake a tendering exercise in relation to the major improvement works at Smethwick Hall Park pool;
- (4) that, following completion of the tendering exercise referred to in (3) (above) the Director - Housing and Communities submits a further report to the Cabinet on whether to proceed with the proposals.

75/20

### **Recommendations Arising from Scrutiny Boards – Brandhall Gold Course**

The Chair of the Safer Neighbourhoods and Active Communities Scrutiny Board presented the recommendations of the Board in relation to the proposals being considered for the future of Brandhall Golf Course.

The Board recommended that, prior to any final decision being taken on the proposed closure and alternative future uses of Brandhall Golf Course:-

- (a) further detailed assessments be carried out, modelling and technical assessments, including an assessment on social isolation and inclusion;
- (b) an assessment on the availability of affordable golf courses in the vicinity be carried out;
- (c) the feasibility of retaining an element of the Course by reducing it to a 9-hole course be explored;
- (d) the feasibility of members of the Brandhall Golf Club and the local community taking on the running and operation of Brandhall Golf Course or a community asset transfer be explored;
- (e) further consultation be undertaken with the community in the event that it was proposed to close Brandhall Golf Course.

It was noted that the Scrutiny Board had requested further information in relation to Brandhall Golf Course including:-

- (a) a full breakdown of the operating and subsidy costs of Brandhall Golf Course to be provided by Sandwell Leisure Trust to the Council as soon as possible;
- (b) a copy of all assessments that had been conducted by the Council to date on Brandhall Golf Course.

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The Chair of the Board placed on record his thanks to officers who had contributed at the meeting and feedback received from members of the public on the meeting had been very positive.

The Executive Director – Neighbourhoods reported that the Board's recommendations would be considered and taken into account before bringing a further report to the Cabinet.

**Agreed** that the comments and recommendations of the Safer Neighbourhoods and Active Communities Scrutiny Board in relation to the Brandhall Golf Course be considered by the Executive Director – Neighbourhoods and that a further report on the future of the Golf Course be submitted to Cabinet in due course.

(The meeting ended at 3.58pm)

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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