

# Minutes of The Cabinet

**Wednesday 13 January 2021 at 15:30**

- Present:** Councillor Crompton (Chair);  
Councillors Ali, Millard, Shaeen, Singh, Taylor  
and Underhill.
- In attendance:** Councillors E M Giles and Rollins.
- Officers:** David Stevens (Chief Executive), Alan Caddick (Director - Housing and Communities), Neil Cox (Director – Prevention and Protection), Lesley Hagger (Executive Director – Children’s Services), Rebecca Maher (Acting Section 151 Officer), Elaine Newsome (Service Manager – Democracy), (Sue Stanhope (Interim Director – Human Resources), Tammy Stokes (Interim Director – Regeneration and Growth), Suky Suthi-Nagra (Democratic Services Manager), Surjit Tour (Director - Law and Governance and Monitoring Officer) and Chris Ward (Director – Education, Skills and Employment).

## 1/21 **Apologies for Absence**

Apologies were received from Councillors Allcock, L Giles, Moore and Padda.



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### 2/21 **Declarations of Interest**

There were no interests declared at the meeting.

### 3/21 **Minutes**

The minutes of the meeting held on 9 December 2020 were confirmed as a correct record.

### 4/21 **Additional Business**

There were no additional items of business to consider.

### 5/21 **Review of Council Tenant Rents and Housing Related Property Charges 2021/22-2023/24**

Approval was sought to a 1.5% increase in council tenant rents and other housing related charges, with effect from 1 April 2021 for a 3-year period to allow for improved operational planning and provide certainty for tenants on what their rent was going to be over the period.

It was also proposed that current affordable rents were increased by 1.5% in line with social housing rent. These rents would be reviewed upon changes in tenancies to ensure that they remained in line with any fluctuations in market rents. Private Finance Initiative (PFI) agreement property rents would also be increased by 1.5% from April 2021.

There would be a freeze on housing service charges for 2021/22 to mitigate the disruption to service delivery resulting from the Council's response and mitigation to COVID19 in the current financial year.



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It was proposed that fees at the permanent site for travellers at Hillside View, Tipton be increased by 1.5% per annum, subject to the negotiations with the residents of the site.

### Reason for Decision

The Ministry of Housing, Communities and Local Government had permitted an increase in line with the Consumer Price Index(CPI) +1%. The increase of 1.5% on social rent fell within this policy as current annual CPI was 0.5%. The income generated by increasing the rent charge would allow more investment into the Housing Revenue Account (HRA) funded programme to build new and affordable council homes.

### Alternative Options Considered

The council did have the discretion to set PFI rents, however, it would be seen to be very unfair for other council tenants in neighbouring areas to have council rent increased and not have the same with the PFI estate in Wednesbury.

**Agreed** that in connection with the council tenant rents and housing related property charges for 2021/22-2023/24, the Cabinet authorises the Director – Housing and Communities to:-

- (1) increase council tenant rents by 1.5% in 2021/22 with effect from 1 April 2021 as set out in Appendix 1;
- (2) increase rent at the lower level of 2% or the movement in the consumer price increase + 1% in financial years 2022/23 and 2023/24 as set out in Appendix 1;
- (3) freeze housing service charges for 2021/22;
- (4) that following negotiations with the residents of the site, rent at the travellers' pitch site in Hillside View, Tipton be increased by 1.5% per annum with effect from 1 April 2021.



6/21

## Council Tax Base 2021/2022

Approval was sought to the Council Tax Base for 2021/2022 which had been calculated at 75,905.91.

### Reason for Decision

The Council Tax Base needed to be calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012. It was used to determine the annual amount of collectable Council Tax. The regulations set out the methodology to be used by authorities when calculating their Council Tax Base. They further dictated that the Council Tax Base should be set between 1 December and 31 January prior to the financial year to which it referred.

### Alternative Options Considered

An alternative option was not applicable.

#### Agreed to recommend to Council:-

- (1) that the Council Tax Base for 2021/2022 to be set at 74,387.79;
- (2) to authorise the Acting Section 151 Officer to adjust the Council Tax Base as required following approval of the 2021-2022 Council Tax Reduction Scheme by Council on 26 January 2021.



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### Business Rates Retention Forecast 2021/22

Approval was sought to the Business Rates Retention yield forecast for 2021/22 which had been calculated as £99.6m.

#### Reason for Decision

In order for the Council to set its budget, it was necessary to forecast the income that was likely to be generated through collection of Business Rates.

#### Alternative Options Considered

An alternative option was not applicable.

#### Agreed:-

- (1) that subject to any changes arising from the issue of the National Non-Domestic Rate (NNDR1) form by the Ministry of Housing, Communities and Local Government (MHCLG) and Spending Review announcements, the business rate retention forecast for 2021/22, based on 99% Business Rates Retention be set at £99.6m;
- (2) that the Acting Section 151 Officer, in consultation with the Cabinet Member for Resources and Core Services, is authorised to adjust the estimate to take account of any required changes arising from the issue of the National Non-Domestic Rate (NNDR1) form, Spending Review, Budget Statement announcements and funding arrangements for Business Rates Retention.

8/21

### Local Council Tax Reduction Scheme 2021/22

Approval was sought to the Local Council Tax Reduction Scheme for 2021/2022. The scheme, which provided crucial support to low income families and our most vulnerable residents, was based on income bands.



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Residents on very low incomes could continue to receive 100% support and Sandwell was now the only council in West Midlands to provide up to 100% support and one of only a few nationally.

### Reason for Decision

The Local Council Tax Reduction Scheme must be approved by Council no later than 11 March each year.

### Alternative Options Considered

Nationally, 75% of local authorities had introduced a minimum Council Tax payment. This meant that everyone, including those people on a very low income, must pay something towards their Council Tax.

Sandwell did not want to introduce a minimum payment into its scheme as it wanted to protect its most vulnerable households and reduce child poverty.

### Agreed:

(1) that no changes are made to the Local Council Tax Reduction Scheme for 2021/22;

(2) that the **Council is recommended to approve** the Local Council Tax Reduction Scheme for 2021/22.

9/21

### Changes to the Appointed Chief Executive Officer of Sandwell Children's Trust and Extension of Contract for a Non-Executive Director of Sandwell Children's Trust Board

Consideration was given to details in relation to:-

- (a) the intention to appoint Emma Taylor as the new Chief Executive Officer of Sandwell Children's Trust following the resignation of the former Chief Executive;
- (b) the intention to extend the current contract of Vineeta Manchanda as a non-executive director of Sandwell Children's Trust Board.





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### Reason for Decision

The Council, as sole owner of the Company (Sandwell Children's Trust), was required to consult with the Secretary of State on certain 'Consultation Reserved Matters' prior to notifying the Company of its decisions in respect of that Consultation Reserved which included:-

- approval of the registering of any new member of the Company;
- approval of any Additional Executive Director removals or appointments (including the approval of appointment terms for Additional Executive Directors and any amendments to such terms);
- approval of any Independent Non-Executive Director removals or appointments (including the approval of the appointment terms for Independent Non-Executive Directors and any amendments to such terms).

Additionally, the matters requiring prior written consent of the Secretary of State included approval or removal or appointment of the Chief Executive or any changes to the Chief Executive's director's terms of appointment with the Company.

### Alternative Options Considered

The alternative option would be for Sandwell Children's Trust to recruit to a temporary arrangement for the Chief Executive Officer post and to begin a recruitment process for a new non-executive director.

**Agreed** that as sole owner of Sandwell Children's Trust:

- (a) the completed sequence of events that are contractually required to initiate changes to the appointment of Chief Executive Officer of Sandwell Children's Trust are noted;
- (b) the completed sequence of events that are contractually required to extend the contract of a non-



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executive director of Sandwell Children's Trust Board are noted;

- (c) the responses from the Secretary of State for Education are noted and reflected in decision-making;
- (d) the resignation of Frances Craven as Chief Executive Officer of Sandwell Children's Trust and Executive Director of Sandwell Children's Trust Board is noted;
- (e) the intention of Sandwell Children's Trust to appoint Emma Taylor as the new Chief Executive Officer is noted;
- (f) the appointment of Emma Taylor as a member of the Company (Sandwell Children's Trust) and thereby an Executive Director of Sandwell Children's Trust Board is agreed;
- (g) the extension of contract to Vineeta Manchanda as a non-executive director of Sandwell Children's Trust for the period of up to two years from 1 February 2021 is agreed.

10/21

### **School Funding Formula and De-delegated Budget Proposals 2021/22**

Consideration was given to the outcome of consultation with schools on funding for the following financial year following review by the Schools Forum.

#### **Reason for Decision**

The Education and Skills Funding Agency (ESFA) required local authorities to engage in an open and transparent consultation with all maintained schools and academies in their area, as well as with its Schools Forum about any proposed changes to the local pre-16 funding formula including the method, principles and rules adopted. The local authority was ultimately responsible for making the final decision on the formula.





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### Alternative Options Considered

The authority had put forward three options for consideration for the authority funding formula which were now considered. These included:-

- Option 1: Stepped increase to the 2021/22 local authority model - Increase of the Primary: Secondary Ratio 1:1.27 (2nd Year) of a three year increase to 1:1.29 (3rd Year).
- Option 2: Secondary Schools receive 1% more above the overall increase in funding.
- Option 3: National Funding Formula Factor Values.

The authority had taken all responses into consideration before making its recommendation on the funding option to adopt.

### Agreed:-

- (1) that in respect of the 2021/2022 schools funding formula for Sandwell schools, the outcome of the consultation proposals following review by the Schools Forum is noted, and:
  - (a) the funding formula option 1 is adopted;
  - (b) a minimum funding guarantee of between 0.5% and 2.0% is set;
  - (c) the pupil number growth fund is set at £1.091m as recommended by Schools Forum;
- (1) that approval is given to top slice the dedicated schools grant to create a growth fund for 2021/22 of £1.091m to be ring fenced for the purposes of supporting growth in pre-16 pupil numbers to meet basic need, additional classes need to meet infant class size regulation and to meet the costs necessary new schools which will include the lead-in costs, post start-up costs and any diseconomy of scale costs;



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- (2) that in respect of the de-delegated budgets for Sandwell maintained schools notes the outcome of the consultation proposals as agreed by the Schools Forum for 2021/22;
- (3) that in respect of the education functions budgets for Sandwell maintained schools notes the outcome of the consultation proposals as agreed by the Schools Forum for 2021/22;
- (4) that approval is given to the central schools services block and the line by line expenditure as now submitted;
- (5) that the provisional 2021/2022 schools funding formula values as outlined below is approved:

Item	Primary	Secondary
Primary: Secondary Ratio	1	1.27
Basic Entitlement	<b>TBC</b>	<b>TBC</b>
<b>IDACI Band E</b>	£77	£350
<b>IDACI</b> Band D	£485	£676
IDACI Band C	£551	£771
IDACI Band B	£602	£855
IDACI Band A	£630	£900
Prior Attainment	£1,225	£1,776
English as an Additional Language (EAL) (2 years)	£846	£1,227
Lump Sum	£129,057	£129,057
Split Site	£129,057	£129,057
Rates	Actual	Actual
Private Finance Initiative (PFI)	Actual	Actual
Minimum Funding Guarantee (MFG)	<b>TBC</b>	<b>TBC</b>
MFG Ceiling	<b>TBC</b>	<b>TBC</b>



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- (7) that the Executive Director of Children's Services, in consultation with the Acting Section 151 Officer, is authorised to approve the 2021/2022 schools funding formula following confirmation of the funding allocation from the Department for Education.

11/21

### The Kickstart Programme

It was reported that The Kickstart initiative was part of the Chancellor's package of support to tackle rising unemployment particularly amongst young people. The programme was for 16-24-year olds in receipt of Universal Credit who were at risk of becoming long term unemployed.

The Council had applied to the Department for Works and Pension to be an intermediary within the Kickstart initiative and to represent local employers to benefit from funding which could fully fund temporary paid placements for unemployed young people.

An initial application was submitted to the value of £171,983 and a project appraisal was approved.

#### Reason for Decision

The Kickstart programme responded to the growing need to tackle youth unemployment in Sandwell, which had been exacerbated by the impact of the covid-19 pandemic. The proposal also supported local businesses to benefit from the scheme with the aim to support sustainable employment.

#### Alternative Options Considered

The Council could choose to make no further applications to the Kickstart scheme. However, this could result in less opportunities for young people in Sandwell to gain employment and less Sandwell employers benefitting.



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It was not possible to make one large application for the funding since applications required placements to have been secured with local employers and ready to start. If applications were limited to one, further identified opportunities could not be funded. Starts could take place up until December 2021 therefore it was difficult to forecast the exact number of placements to apply for.

**Agreed** that following the approved application to the Department of Work and Pensions (DWP) for £171,983, any subsequent applications to the Kickstart scheme be approved up until December 2021.

12/21

### **Contract Extension for the Provision of Security Guarding and Key Holding Services**

Approval was sought to extend the contract for the provision of security guarding and key holding services for the principal areas of Facilities Management, One Stop Shop, markets and libraries for a one-year period with effect from 1 April 2021.

#### **Reason for Decision**

The Council's current contract was due to expire on 31 March 2021. Under normal circumstances, a re-tendering exercise would be undertaken, however, this would result in a number of operational difficulties being encountered. This included showing prospective tenderers around the required Council buildings which would be difficult due to the Covid-19 restrictions being in place.

#### **Alternative Options Considered**

A retendering exercise was considered but due to the restrictions and practical issues resulting from the Covid-19 pandemic in terms of site visits from potential tenderers, this option would have proven to be difficult.



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### Agreed:-

- (1) that an extension to the contract for the Provision of Security Guarding and Key Holding Services held by Profile Security Services Limited, is approved for a one-year period commencing 1 April 2021, in accordance with Procurement and Contract Procedure Rules;
- (2) that in connection with (1) above, any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules.
- (3) that the Director – Law and Governance and Monitoring Officer is authorised to execute any documents necessary to give effect to (1) above.

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### **Sandwell Safeguarding Adults Board Annual Report 2019-2020**

Approval was sought to the Sandwell Safeguarding Adults Board's Annual Report 2019 – 2020 which provided a summary and representation of the work of all partners within the Borough covering the period April 2018 – March 2019.

#### **Reason for Decision**

The Care Act 2014 required that Sandwell Safeguarding Adults Board produced an Annual Report.

#### **Alternative Options Considered**

There was no alternative option to produce an annual report.

**Agreed** that the Sandwell Safeguarding Adults Board Annual Report 2019-2020 and the Easy Read version as now submitted be approved.



## Flood Risk Management Plan Measures 2021 to 2027

Approval was sought to the Council's proposed Flood Risk Management Plan measures for the period 2021 to 2027 which had been developed along the following themes:-

1. Building a More Resilient Community
2. Support the Delivery of Better Flood Risk Management for New Developments
3. Delivering Measures to Protect Residents at Risk from Flooding

### Reason for Decision

The Flood Risk Regulations 2009 placed duties on the Environmental Agency and local authorities to prepare flood risk assessments, flood risk maps and Flood Risk Management Plans and set out the process for preparing, reviewing and updating those plans.

### Alternative Options Considered

Doing nothing was not an option since the Authority would fail in its statutory duty. It was unlikely that the Environment Agency would be able to delay the consultation going live if any individual local authority had not got the necessary approval by those dates.

### Agreed:-

- (1) that the Flood Risk Management Plan 2 measures for the period 2021 to 2027 as now submitted are approved and adopted;
- (2) that the Director - Regeneration and Growth, in consultation with the Cabinet Member for Sustainable Transport, is authorised to make minor amendments to the Flood Risk Management Plan 2, as necessary, following consultation.

Meeting ended at 15.59

The meeting can be viewed by clicking [here](#)  
Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

