

The Cabinet

11th November, 2015 at 3.00 pm
at the Sandwell Council House, Oldbury

- Present:** Councillor Cooper (Chair);
Councillors Crompton, Eling, Hackett,
Khatun and Moore.
- Apologies:** Councillor Y Davies;
Councillors P Hughes, Sandars and
Underhill.
- Observers:** Councillors Ahmed, L Horton and S Jones.
- In attendance:** Mr John Harris (Independent Chair of
Sandwell Safeguarding Children Board).

187/15

Councillors Y Davies and P Hughes

The Leader of the Council referred to the illness of Councillor Y Davies and the injuries sustained by Councillor P Hughes in a recent accident. The Cabinet wished both Councillors a speedy recovery.

188/15

Minutes

Resolved that the minutes of the meeting held on 28th October, 2015 be confirmed as a correct record.

The Cabinet – 11th November, 2015

Strategic Item

189/15

Proposed Introduction of Paid for Parking within the Sandwell Valley Country Park, West Bromwich (Key Decision Ref. No. HE034)

The Cabinet Member for Highways and Environment sought approval to introduce parking charges within Sandwell Valley Country Park, West Bromwich, with effect from 4th January 2016.

The car parks within Sandwell Valley were currently free and used by visitors to Dartmouth Park, the farms, lakes, visitor's centres and Sandwell Valley Country Park. Traffic counts had indicated that up to 200,000 cars visited Sandwell Valley each year and approximately 12,000 visitors to Sandwell Valley had arrived by car during Bank Holiday weeks.

The proposed charges would fund the sustainable development and maintenance of Sandwell Valley attractions through the Facing the Future programme. Without introducing parking charges, the Council would need to continue to fund maintenance of the Valley facilities from within existing reduced budgets.

The introduction of parking charges would also facilitate the development of further income generation attractions within the Valley, including the building of an indoor play area, a paint ball activity centre and an outdoor cinema.

Resolved:-

- (1) that the Director – Street Scene undertake public and statutory consultation on the proposed introduction of parking charges at Sandwell Valley Country Park, West Bromwich and that a further report be submitted to the Cabinet Member for Highways and Environment in the event of any unresolved objections;

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

(2) that subject to resolution (1) above, the following paid for parking charges be introduced within the footprint of Sandwell Valley Country Park, West Bromwich with effect from 4th January 2016:-

a) car parking charges from Monday to Sunday:-

7.00am - 9.00am		Free
9.00am - 6.00pm	Up to 1 hour	40p
	Up to 2 hours	80p
	Up to 3 hours	£1.20
	Up to 4 hours	£1.60
	More than 4 hours	£2.00
6.00pm - Close of site		Free

12 months Season Ticket £40.00

b) free parking will apply to blue badge holders and powered two wheelers;

c) coaches shall be limited to a maximum of 7 hours with no return within 3 hours;

(3) that subject to resolution (2) above, the Director – Governance undertake the necessary legal procedures to bring the introduction of parking charges at Sandwell Valley Country Park, West Bromwich, into effect.

Business Item

190/15

Sandwell Safeguarding Children Board - Annual Report 2014-2015

Mr John Harris, the Independent Chair of the Sandwell Safeguarding Children Board, presented the Sandwell Safeguarding Children Board's Annual Report 2014-2015. The Working Together to Safeguard Children 2015 regulation required the Board to publish an annual report detailing the effectiveness of child safeguarding in Sandwell.

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

The report also detailed the major challenges that Sandwell had faced in the past twelve months, the challenges that still remained as well as details of the effectiveness of multi-agency safeguarding arrangements in Sandwell.

Despite making significant progress within the past twelve months, substantial challenges remained for the Council, individual partner organisations and for the overall effectiveness of safeguarding in Sandwell. In order to improve the effectiveness of local arrangements and ensure that the Board made a difference to the outcomes for children, young people and families, the following four key issues would need to be addressed, as a partnership, in the next twelve months:-

- ensuring that there was shared understanding and a consistent application of the Board's thresholds so that children's needs and risks were responded to in a timely way and at the right level;
- continuing to improve the response to child sexual exploitation;
- ensuring that all partners contributed to systematic and effective early help arrangements, with professionals from across partner agencies accepting the lead professional role and completing early help assessments;
- promoting a culture of shared learning from case reviews and multi-agency audits.

A question was raised by the Chair of the Community Safety, Highways and Environment Scrutiny Board in the absence of the Chair of the Children's Services and Education Scrutiny Board relating to how the Council would monitor compliance by schools completing an annual audit to their governing body as part of the annual safeguarding report. In response, the Chair of the Board confirmed compliance was being monitored by the Council. The Board had set up an advisory group in order to promote schools undertaking audit work.

The Cabinet – 11th November, 2015

The Group had developed an audit framework and an online tool to help schools consider what requirements were sought and to capture details enabling the Council to have an overview of which schools were completing reports, where actions had been taken and where any gaps remained.

In response to a question from the Leader of the Council, the Chair of the Board confirmed that he was confident that the Board could challenge the Council and particularly key partners and was currently doing so by:-

- considering formal performance reports from partners at every meeting;
- undertaking an independent audit programme on a thematic basis;
- commissioning external reviews and using the information to challenge independent organisations where it was found that joined-up working had not taken place;
- correctly identifying when a serious case review should be initiated;
- being clearer on the role of the Board.

Resolved that the Sandwell Safeguarding Children Board Annual Report 2014 -15 be received and submitted to the Council at its January 2016 meeting.

Strategic Items

191/15

West Midlands Transportation Professional Services Framework Agreement (Key Decision Ref. No. HE033)

The Cabinet Member for Highways and Environment sought approval for the Council to participate in a multi-supplier framework agreement for the provision of transportation professional services in the West Midlands, in conjunction with Birmingham City Council and Walsall Council.

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

The scope of the framework agreement would enable the design, supervision and inspection of highway, civil and municipal engineering works through co-location of staff and/or work package briefs during the development of major projects. The services provided through the framework suppliers would include municipal, highways and transportation engineering.

The framework agreement would come into effect from 1st December 2015. The agreement was for a four year period, subject to satisfactory performance and budget availability.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the Council participate in a joint multi supplier framework agreement with Birmingham City Council and Walsall Metropolitan Borough Council for the provision of a West Midlands Transportation Professional Services for a four year period from 1st December 2015 to 30th September 2019;
- (2) that the Director – Governance execute any documents necessary to give effect to resolution (1) above.

192/15

Buy Back of Former Right to Buy Properties (Key Decision Ref. No. RE1009)

The Cabinet Member for Regeneration and Economic Investment reported that on 7th January 2015, the Cabinet had approved changes to the Scheme of Delegations to Officers to enable the Director – Homes and Communities to enter into formal negotiations with homeowners making enquiries under the Right of First Refusal provisions of the Housing Act 2004 (see Minute No. 4/15).

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

However, this Right of First Refusal did not apply if the notice claiming to exercise the Right to Buy was served before 18th January 2005. As a result, a number of enquiries from owners whose purchase pre-dated the 2004 Act had now been received and could not be dealt with under the current delegation.

It was proposed to amend the delegation to the Director to capture all former Right to Buy properties where vacant possession was offered on completion.

In each case, value for money and demand exercises would be completed to ensure the property was a suitable new addition to the housing stock.

All purchases would be funded through the Housing Revenue Account as part of the commitment to replace the Council's housing stock lost following Right to Buy sales.

Resolved that the Scheme of Delegations to Officers, as set out in Part 3 (Responsibility of Functions) of the Council's Constitution, be amended as follows:-

- a) the deletion of the existing delegation to the Director – Homes and Communities;
- b) the addition of the following delegation to the Director – Homes and Communities:-

“Re-purchase of Former Right to Buy Properties

To enter into formal negotiations with homeowners of properties bought under the Right to Buy legislation, in accordance with the provisions within the Housing Act 2004 and the Housing Act 1985, and that subject to the satisfactory outcome of the value for money evaluation of such applications, in consultation with the Director - Governance and the Assistant Chief Executive, negotiate terms and conditions, as necessary, to complete the acquisition of homes considered suitable additions to the Council's housing stock.”

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193/15

Salix Interest Free Loan Application for replacement boiler at Highfields Primary School, Rowley Regis (Key Decision Ref. No. FR023)

The Deputy Leader and Cabinet Member for Finance and Resources sought approval to submit an application for an interest free loan to Salix Finance Ltd for £77,000 to support the boiler replacement programme at Highfields Primary School, Rowley Regis.

The loan funding would be used to support the installation of a new gas supply and replace the existing oil fired boiler with a new gas fired system at the school. The project would commence in November 2015 with a completion date of May 2016.

The total cost of the project was £143,000. Funding of £66,000 would be provided from the school's balances. The interest free loan of £77,000 would be financed from projected energy savings.

An equality impact assessment was not required for this proposal.

Following an appraisal by the Council's Strategic Finance Unit, a number of risks had been identified and action points recommended to mitigate those risks.

Resolved:-

- (1) that the application to Salix Finance Ltd for the provision of an interest free loan of £77,000 to part fund the replacement of the boiler at Highfields Primary School, Rowley Regis be supported;
- (2) that subject to resolution (1) above, the following action points identified within the appraisal report be implemented to reduce any risk to the Council:-

The Cabinet – 11th November, 2015

- that the school requests a detailed works programme from the contractor which can be used as an effective monitoring tool;
- that the Finance Team (Schools) verify that cash flow requirements for the project can be sufficiently managed by the school;
- that the Headteacher ensures that sufficient resources are available to undertake robust contract monitoring;
- that the Senior Energy Officer ensures that the Headteacher is aware of the financial implications for the school should the energy savings not be as expected and instances where the required level of savings may not be achieved;
- that the Senior Energy Officer and the Headteacher jointly undertake monitoring against the estimated energy savings to ensure that any shortfall in savings can be managed within the school's existing resources;
- that the Headteacher further develops the risk register, is fully aware of the risks to the project and is able to mitigate sufficiently;
- that the Finance Teams (Schools) ensure the correct accounting treatment of the loan within the Council's Balance Sheet.

194/15

Quarter 2 Council Wide Budget Monitoring (Key Decision Ref. No. FR013)

The Deputy Leader and Cabinet Member for Finance and Resources gave details of the Council's revenue and capital expenditure as at the end of September 2015 together with a forecast outturn for the financial year 2015/2016.

Details were also submitted on the monitoring of the Council's Housing Revenue Account.

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

At a service level, excluding Public Health, there was a forecast year end surplus of £2.692m from within the following service areas:-

- Adult Social Care - £0.548m
- Children's Services - £0.750m
- Governance - £0.205m
- Strategic Resources - £0.434m
- Regeneration and Economy - £0.385m
- Neighbourhoods - £0.100m
- Improvement and Efficiency - £0.270m

There was also a projected year end surplus of £1.560m within Public Health relating to the carry forward of funding in 2014/15. Approval was sought to reprofile this carry forward into future years.

Details of how these carry forwards would be utilised were provided within individual service statements along with explanations for variances.

When taking into account the projected surplus on central items (£2.491m), the utilisation of centrally earmarked balances (£0.981m) and the ring-fencing of unutilised Public Health Grant (£1.560m), the Council was forecasting an overall increase against general balances for the year of £4.202m.

Approval was also sought to a number of virements across Directorates and to allocate £0.250m of resources to the Grot Spots programme.

As at period six, there had been no adjustments to the Council's Revenue Support Grant, Retained Business Rates or Business Top Up allocations. The forecast position for the year was therefore to breakeven. In addition, it was noted that the Section 151 Officer had approved a number of bids for external funding.

The Cabinet – 11th November, 2015

In recommending the proposals for approval, the Deputy Leader and Cabinet Member for Finance and Resources expressed concern* ~~at the lateness of the Government announcement that local authorities would need to make a 6.2% in-year cut to Public Health funding. For Sandwell, this would result in unallocated Public Health funding in the sum of £1.5m being depleted.~~

Following a question from the Chair of the Jobs, Economy and Enterprise Scrutiny Board, the Deputy Leader and the Cabinet Member for Finance and Resources reported that the Council was working toward a 10% cut as part of the provisional settlement by Government. The actual figure would be announced in December. Once this was known, the Council would begin to prepare the pre-budget report for members to consider.

Resolved:-

- (1) that details of the Medium Term Financial Strategy and no budgetary pressures requiring action outside of normal budget management processes, be received;
- (2) that the financial monitoring position of individual directorates be received and referred to the Budget and Corporate Services Scrutiny Board for consideration and comment;
- (3) that the financial monitoring position of the Housing Revenue Account for the six month period ending 30th September 2015 be received;
- (4) that the following virements be approved:-
 - £0.150m from Corporate Management to Children's Services in relation to budget for the Director of Children's Services;
 - £0.111m from Adults to Corporate Management in relation to the Public Health contribution to Facing the Future;

****that the Council needed to realign its public health expenditure as a direct consequence of the Government cutting the Public Health funding in year, ie changing the allocation after it had announced how much funding the Council would receive and on which the Council had therefore set its budget. (amended by the Cabinet on 25 November 2015)***

The Cabinet – 11th November, 2015

- £0.277m from Corporate Management to Homes and Communities in relation to the Public Health contributions to Facing the Future;
- £0.234m from Corporate Management to Neighbourhoods in relation to the Public Health contributions to Facing the Future;
- £0.126m between Children's Directorate; Director of Children's Social Care and Care Management in relation to the set-up of Principal Social Work Team;
- £0.171m between Children's Directorate; Multi-Agency Safeguarding Hub, Multi-Agency Enquiry Team and Emergency Duty Service and Care Management in relation to the set-up of Single Assessment Team;
- £0.220m between Adults Directorate; Complex Commissioning and Direct Services in relation to Learning Disability Service;
- £0.535m between Adults Directorate; Complex Commissioning and Enablement Service in relation to redirection of resources to manage financial pressures;
- £0.892m between Adults Directorate; Complex Commissioning and Non Complex Commissioning in relation to transfer of Independent Living Fund to local authorities;
- £1.619m between Adults Directorate; Non Complex Commissioning and Social Work Teams in relation to Care Bill Implementation Grant;

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

- £0.158m between Corporate Management; Children's Services Improvement Plan, Combined Authority and Deputy Chief Executive in relation to additional resources needed for contract payments and consultancy and legal expenses;
 - £0.265m between Homes and Communities Directorate; Historic Compulsory Purchase Orders to Empty Properties;
 - £0.175m between Homes and Communities Directorate; Closing Order Compensation to Empty Properties;
- (5) that the use of the following additional Specific Grants be approved:

Strategic Resources

- £0.018m for real time information bulk data matching initiative;
 - £0.011m for Single Fraud Investigation Service 15-16;
 - £0.031m for Fraud and Error Reduction Incentive Scheme (maintenance fund);
 - £0.004m for Migrants to access Benefits;
- (6) that approval of the following external funding bids by the Section 151 Officer be noted:-
- Targeted Youth Support – £0.010m;
 - Micro Combined Heat and Power Boilers - £0.055m;
 - Intelligent Heat Controls - £0.045m;
 - Wi-Fi Provision in libraries - £0.036m;
 - Domestic Abuse - £0.033m;
- (7) that the following carry forwards be re-profiled to future years:

[ILO: UNCLASSIFIED]

The Cabinet – 11th November, 2015

- £1.560m for Public Health;
 - £0.350m for Children’s Services;
- (8) that £0.250m of resources be allocated to the Grot Spots programme.

Business Item

195/15

Minutes of the meeting of the Cabinet Petitions Committee held on 14th October, 2015

The minutes of the meeting of the Cabinet Petitions Committee held on 14th October, 2015 were received.

No questions were asked of the Cabinet Members.

(Meeting ended at 3.48 pm)

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