

**Minutes of the Meeting of
Sandwell Metropolitan Borough Council**

12th January, 2016 at 6.00 pm
at the Sandwell Council House, Oldbury

Present:

The Mayor (Councillor B Price);
The Deputy Mayor (Councillor Webb);

Councillors Ahmed, Allcock, Allen, Ashman, Bawa, Carmichael, Cherrington, Cooper, Crompton, K Davies, P Davies, S Davies, Y Davies, Dhallu, Downing, Eaves, Edis, Edwards, Eling, Frazer, Frear, Garrett, Gavan, Giles, Gill, Goult, Hackett, Hadley, Haque, Hartwell, Hevican, L Horton, D Hosell, S Hosell, P Hughes, Dr Jaron, Jarvis, I Jones, S Jones, Khatun, Lewis, Lloyd, Meehan, Melia, Millard, Moore, Phillips, Piper, Preece, R Price, Rouf, Rowley, Sandars, Shackleton, Sidhu, Taylor, Tipper, Tranter, Trow, Underhill and Worsey.

Apologies:

Councillors Costigan, R Horton, P M Hughes, Hussain, Marshall and Tagger.

1/16

Honorary Alderwoman Gwendoline Wyton

The Council stood in silent tribute to mark the passing Honorary Alderwoman Gwendoline Wyton.

Mrs Wyton was an elected member of the Council from 1973 to 1996 for the Bristnall ward and served as Mayor for the 1993/94 municipal year. Mrs Wyton became an Honorary Alderwoman on 21st April 1998.

On behalf of the Council, Councillors Eling and Melia paid tribute to Mrs Wyton and the support she had given to the Council and its constituents.

Members joined the Mayor in extending their condolences to Mrs Wyton's family.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

2/16

Sandwell Safeguarding Children Board Annual Report 2014/15

The Council welcomed Mr John Harris, Independent Chair of the Sandwell Safeguarding Children Board, to the meeting. Mr Harris presented the annual report of the Board for the 2014/15 period.

Working Together to Safeguard Children 2015 (the statutory guidance to inter-agency working to safeguard and promote the welfare of Children) required chairs of Local Safeguarding Children Boards to publish an annual report on the effectiveness of child safeguarding in the geographical area served by the Local Safeguarding Children Board. The annual report outlined details of the Board's activities and provided an overview of the effectiveness of multi-agency safeguarding arrangements in Sandwell.

Significant progress had been made in the period up to March 2015, but it was acknowledged that substantial challenges remained for the local authority, individual partner organisations and for the overall effectiveness of safeguarding in Sandwell. In terms of improving the effectiveness of local arrangements, there were four key issues of substance to be tackled as a partnership in the next twelve months:-

- to ensure that there was shared understanding and consistent application of the Sandwell Safeguarding Children Board thresholds so that children's needs and risks were responded to in a timely way and at the right level;
- to continue to improve the response to Child Sexual Exploitation;
- to ensure 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;
- to promote a culture of shared learning from case reviews and multi-agency audits.

As Chair of the Board, Mr Harris felt that there was a substantial challenge for the Board to ensure that it met its statutory responsibilities and made a difference to the outcomes for children, young people and families.

**Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016**

In response to a question in relation to budget reductions, the Chair of the Board confirmed that it was essential that agencies ensured that resources were prioritised and invested well, particularly in early help services. Adequate and proper investment into early help would improve outcomes and avoid the requirement for specialist intervention.

Resolved that the Sandwell Safeguarding Children Board Annual Report 2014/15 be received.

3/16 **Minutes**

Resolved that the minutes of the meeting held on 20th October 2015, be confirmed as a correct record.

4/16 **Mayor's Announcements**

Details of Mayoral engagements since the last meeting of the Council had been circulated to members.

Many events had been attended by the Mayor and Deputy Mayor. In particular, the Mayor referred to the visit to the Christmas Fayre at Parkside Care Home, Tipton.

5/16 **Petitions Under Standing Order No. 5**

No petitions were received under Standing Order No. 5.

6/16 **Questions Under Standing Order No. 6**

No questions were received under Standing Order No. 6.

7/16 **Budget 2016/17 to 2019/20 (Key Decision Ref. No. FR038)**

It was moved, duly seconded and agreed, that Standing Order No. 11(6) be suspended to allow the Deputy Leader and Cabinet Member for Finance and Resources, in moving the motion regarding the Council's finances 2016/17 to 2019/20, to speak for up to ten minutes.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

The Deputy Leader and Cabinet Member for Finance and Resources presented details of the Local Government finance settlement for 2016/17, announced on 17th December 2015. Some details of the settlement were still to be announced and any additional information and its impact on target budgets would be incorporated into the report to Cabinet in February 2016, following the final settlement announcement.

The announcement included an offer of a four-year funding settlement to 2019/20 for those councils who chose to accept it, if they had published an efficiency plan.

The provisional settlement was in line with Sandwell's prudent planning assumptions contained in the Medium Term Financial Strategy and would not require any changes to the 2016/17 budget plan.

The Autumn Statement issued on 25th November 2015 announced a range of changes that would impact on Local Government finance, including:-

- by the end of the Parliament, Local Government would retain 100% of business rate revenues to fund local services. The system of top-ups and tariffs which redistributed revenues between local authorities would be retained and the Uniform Business Rate would be abolished;
- the Government would allow local authorities to spend up to 100% of their fixed asset receipts (excluding right to buy receipts) on the revenue costs of reform projects. The flexibility to use asset receipts for reform projects would be subject to a number of conditions, including limits on the years in which the flexibility would be offered and the qualifying criteria for reform projects.

Key headlines in the provisional Local Government finance settlement included:-

- the option of a provisional four-year funding settlement;
- the retention of a reformed New Homes Bonus;

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

- an extra £1.5bn available to councils through the Better Care Fund by 2019/20 to aid health and social care integration;
- a 2% referendum threshold for council tax increases plus an additional 2% for authorities with adult social care responsibilities.

Nationally total funding across the spending review period would reduce by 0.5%, with an assumption that all councils would agree to implement the full Council Tax increase to fund cost pressures in adult social care.

Sandwell's total funding across the spending review period would reduce by 2.2%, assuming implementation of the full Council Tax increase to fund cost pressures in adult social care. If additional funding for social care was excluded then Sandwell's funding would reduce by 11.8% (£31.2m).

The Medium Term Financial Strategy approved by Council in March 2015 contained an assumption that Council Tax would increase by 1.99% per annum, subject to there being no Council Tax freeze grant available in future. Sandwell had frozen Council Tax for the last five years in return for a freeze grant provided by Central Government and would have frozen Council Tax again in 2016/17 had the Central Government funding been available. However, the Government had announced the end of freeze grant and it was proposed that Council Tax be increased by 3.99% in 2016/17, which was within the referendum threshold and included the 2% flexibility announced for those local authorities that delivered adult social care services.

The Government had responded to rising costs in adult social care by giving local authorities the option to increase Council Tax by an additional 2% and by introducing a different version of the Better Care Fund from 2017/18. The Better Care Fund had been calculated on an assessment of need, less the amount assumed to be raised through the additional 2% Council Tax threshold. The implication was that local authorities who did not implement the additional 2% increase would have insufficient funds to deliver their adult social care responsibilities, representing a clear shift towards local Council Tax payers being responsible for funding adult social care services.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

The following conditions were attached to the 2% increase:-

- Section 151 officers would be asked to write to the Secretary of State indicating whether they intended to use the additional flexibility;
- councils would be required to provide, within seven days of the authority setting its budget and Council Tax for 2016/17, information demonstrating that an amount equivalent to the additional council tax had been allocated to adult social care. In subsequent years of Parliament, Section 151 officers would be required to confirm that this additional Council Tax continued to be allocated to adult social care;
- councils must confirm, within seven days of their Council Tax having been set, the level of their average Band D council tax increase for 2016/17 and the proportion of it attributable to funding for adult social care;
- the amounts allocated to adult social care must be reflected in statistical returns;
- the above information will be required each year that the scheme is in operation. From 2017/18 onwards, the requirement would also encompass the cumulative year-on-year revenue being allocated to adult social care.

In setting out the options, the Deputy Leader and Cabinet Member for Finance and Resources recommended that the additional increase in Council Tax of 2% for adult social care be approved.

The Autumn Statement announced that the overall schools budget would remain at the same level on a per pupil basis. Sandwell's grant allocation for 2016/17 was estimated at £289.907m before academies recoupment.

The education services grant, introduced in 2013/14 to meet the costs of a range of central education functions provided on behalf of maintained schools, was £3.944m in 2015/16 and the indicative allocation for 2016/17 was £3.699m, a reduction of £0.245m. The Spending Review and Autumn Statement published in November 2015 announced an intention to phase out the additional funding schools receive through the education services grant.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

The Government also intended to reduce the local authority role in running schools and to remove a number of statutory duties and would be consulting on policy and funding proposals in 2016.

Provisional 2016/17 allocations of New Homes Bonus of £1.485bn were announced for English local authorities, funded primarily through the top slicing of overall funding totals. Sandwell would receive £6.8m in 2016/17.

The production of multi-year business plans which described the vision and shape of services and linked to the Council scorecard priorities over the next four years had been integral to the Authority's medium term financial strategy.

The savings proposals specific to each directorate for 2016/17 were reviewed as part of the 2014/15 to 2016/17 business planning process by Cabinet Members and the Senior Management Board. Management Board and Cabinet Members now collectively developed and challenged new cross cutting projects to be delivered through the Facing the Future programme, including the development of the new Target Operating Model. The savings targets to be met by the Facing the Future programme were initially held as a central item; once projects had been sufficiently developed the associated savings were allocated out against relevant directorates.

Specific pressures identified in directorate business plans would be reflected in budgets where appropriate. As in previous years, both general and specific reserves would be prudently earmarked to fund these liabilities. Service areas would also report on gross expenditure and gross income budgets to ensure the totality of each service area was encapsulated within each individual business plan.

Throughout the development of the directorate business plans and savings proposals, an assessment had been undertaken of the equalities impact of each of the budgetary proposals and whether one particular group was disadvantaged as a result of the proposals. The equalities impact assessment would be presented to Cabinet in February 2016, together with detailed budget proposals, prior to recommendations to Council in March 2016.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

The business plan and financial envelope for the housing revenue account would be presented to Cabinet alongside the directorate business plans. A fundamental review of the housing revenue account business plan would be undertaken in the coming months to address the impact of recent national policy announcements, including the imposition of 1% annual rent reductions.

The Council's free balances at 31st March 2015, after taking account of service related carry forwards, earmarked items and contributions to capital expenditure, amounted to £12.313m. Revenue monitoring as at period 6 forecasted a surplus outturn position as at 31st March 2016, however there were a number of volatile budgets which would remain potential risk areas.

As part of the budget strategy process for determining the annual budget for the forthcoming year, a comprehensive risk assessment would be undertaken.

The Council continued to face an extremely challenging financial position with funding cuts to Local Government set to continue for the remainder of this Parliament.

In response to questions, the Deputy Leader and Cabinet Member for Finance and Resources made the following comments:-

- in relation to the consequences of loss of the freeze grant on households and the services they received, the cost to most households would be less than £1 per week, however, had the freeze grant remained in place this would have been halved. The Deputy Leader and Cabinet Member for Finance and Resources stated that the Council had been proud that it had been able to freeze Council Tax for a five year period. The public wished to see front line services preserved, however, due to changes made by the Government this would result in an increase in payments;
- with regard to the reduction of housing revenue account resources, the ability to build new homes would be impacted at a time of national housing crisis. A review of the housing revenue account business plan would be undertaken to establish a way forward. It was not the intention to stop building new properties, however, business plans would continue to be reviewed and schemes may be undertaken over a longer period of time rather than not at all. More detailed information would be available at the March meeting;

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

- the Government's suggestion that balances could be used to plug the gap in resources was not realistic and statements about balances and assets had been misleading. For example, the Council had been able to provide a new leisure centre in Wednesbury through management of funds, not through borrowing additional resources;
- schools were being encouraged to transfer to academies and the reduction in education support grant added additional pressure to councils and their ability to provide support services to schools.

Resolved:-

- (1) that the impact of the provisional Local Government settlement for 2016/17 to 2019/20 be noted;
- (2) that the preliminary budget allocations for the next three financial years are based on the following roll forward budget assumptions:-
 - provision for expenditure and fuel inflation, pay awards and fees and charges income to all services;
 - Passenger Transport Executive/environmental agency levies are based on up-to-date soundings;
 - provision for the anticipated supported borrowing requirements over the four years and resultant revenue debt charges;
 - prudent provisions for general reserves;
- (3) that the Facing the Future programme continue to develop projects to address projected shortfall across 2017/18 to 2019/20;
- (4) that the proposed directorate net revenue target budgets for 2016/17 to 2019/20, including the additional 2% precept for adult social care, as detailed in Appendix A, be approved;
- (5) that chief officers submit service business plans to Cabinet in February 2016 outlining service delivery and providing details of gross expenditure and gross income, including specific grants.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

8/16

Proposals to Depart from the Local Development Plan at M5 Motorway, Ray Hall Lane, Great Barr, Birmingham

At the meeting of Planning Committee held on 16th December 2015, consideration was given to applications DC/15/6211A and DC/15/6212A relating to proposed internally illuminated digital commercial advertising screens on land adjacent to the west and east of the M5 Motorway at Ray Hall Lane, Great Barr, Birmingham.

The Planning Committee was minded to approve the advertisement consents with conditions recommended by the Director - Regeneration and Economy.

The site was allocated as green belt land in the Site Allocations and Delivery Development Plan Document. It was, therefore, necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.

In response to a question as to whether consideration had been given to other sites, the Cabinet Member for Regeneration and Economic Investment confirmed that other sites had been considered, however, the area of green belt in question was dominated by elevated motorway sections and pylons so any harm to the integrity of the green belt would be marginal.

Councillor Preece declared an interest in the matter as he had been involved in the submission of a petition in opposition to the applications, alongside Councillors Phillips and Jarvis, on the grounds that the proposals were detrimental to the community and local area.

Resolved that an exception to the Site Allocations and Delivery Development Plan Document and Local Development Plan be allowed in respect of advertisement applications DC/15/6211A (Proposed 2 no. internally illuminated digital commercial advertising screens, land to the west adjacent M5 Motorway Ray Hall Lane, Great Barr) and DC/15/6212A (Proposed 2 no. internally illuminated digital commercial advertising screens, land to the east adjacent M5 Motorway, Ray Hall Lane, Great Barr).

**Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016**

9/16 **Minutes and Policy/Strategic Recommendations of the Cabinet**

The Council received the minutes of the meetings of the Cabinet held on 14th and 28th October, 11th and 25th November and 9th December, 2015.

The Council considered the recommendations of the Cabinet on the following matters of strategic significance:-

9/16(a) **Council Tax Base 2016/17 (Key Decision Ref. No. FR019)**

Resolved that the Council Tax Base for 2016/17 be set at 69,913.98.

9/16(b) **Local Council Tax Reduction Scheme 2016/17 (Key Decision Ref. No. FR020)**

Resolved that the Local Council Tax Reduction Scheme for 2016/17 be approved.

10/16 **Summary of Matters Considered at the Budget and Corporate Scrutiny Board**

The Chair of the Budget and Corporate Scrutiny Board, Councillor Sandars, presented the summary of matters considered at the meetings of the Board held on 12th November and 17th December, 2015.

No questions were asked of the Chair of the Board.

11/16 **Summary of Matters Considered at the Children's Services and Education Scrutiny Board**

The Vice Chair of the Children's Services and Education Scrutiny Board, Councillor Gill, presented the summary of matters considered at the meeting of the Board held on 14th December, 2015.

No questions were asked of the Vice Chair of the Board.

**Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016**

12/16 **Summary of Matters Considered at the Community Safety,
Highways and Environment Scrutiny Board**

The Chair of the Community Safety, Highways and Environment Scrutiny Board, Councillor L Horton, presented the summary of matters considered at the meetings of the Board held on 28th October and 9th December, 2015.

No questions were asked of the Chair of the Board.

13/16 **Summary of Matters Considered at the Health and Adult Social
Care Scrutiny Board**

The Chair of the Health and Adult Social Care Scrutiny Board, Councillor Sandars, presented the summary of matters considered at the meeting of the Board held on 15th October, 2015.

No questions were asked of the Chair of the Board.

14/16 **Summary of Matters Considered at the Housing Scrutiny Board**

The Chair of the Housing Scrutiny Board, Councillor P Hughes, presented the summary of matters considered at the meetings of the Board held on 3rd November and 15th December, 2015.

No questions were asked of the Chair of the Board.

15/16 **Summary of Matters Considered at the Jobs, Economy and
Enterprise Scrutiny Board**

The Chair of the Jobs, Economy and Enterprise Scrutiny Board, Councillor S Jones, presented the summary of matters considered at the meetings of the Board held on 13th October and 8th December, 2015.

No questions were asked of the Chair of the Board.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

16/16 **Summary of Matters Considered at the Leisure, Culture and the Third Sector Scrutiny Board**

The Chair of the Leisure, Culture and the Third Sector Scrutiny Board, Councillor Ahmed, presented the summary of matters considered at the meetings of the Board held on 12th October and 7th December, 2015.

No questions were asked of the Chair of the Board.

17/16 **Key Decisions of the Chief Officer Terms and Conditions Committee**

The Leader presented the key decisions of the meeting of the Chief Officer Terms and Conditions Committee held on 11th November, 2015 at which Mr David Stevens had been appointed as Director – Adult Social Care, Health and Wellbeing.

No questions were asked of the Leader.

18/16 **Appointment to Independent Remuneration Panel**

The Local Authorities (Members' Allowances) (England) Regulations 2003 required councils to have a scheme for the allowances it can choose to pay its elected members. As part of this, councils have to establish and maintain an Independent Remuneration Panel whose role it is to make recommendations to the Council about the scheme and the amount of allowances to be paid to members.

Advertisements were placed on the Council website outlining the Panel's independent role in reviewing members' allowances and expenses. Applicants were invited to apply for the role of Independent Remuneration Panel member. Shortlisted candidates were interviewed by a panel of senior officers from within Governance.

Meeting of Sandwell Metropolitan Borough Council –
12th January, 2016

The interview panel considered that the following candidates were suitable to act as the members of the Independent Remuneration Panel:-

- Mrs Sylvia Parkin MBE;
- Mr Ashley Savell-Boss;
- Dr Nand Srivistava MBE;
- Mr Stewart Towe CBE.

Good practice requires authorities to review and refresh membership of the Independent Remuneration Panel every three to four years.

Resolved that the following persons be appointed to the Independent Remuneration Panel for the period January 2016 to December 2019:-

- Mrs Sylvia Parkin MBE;
- Mr Ashley Savell-Boss;
- Dr Nand Srivistava MBE;
- Mr Stewart Towe CBE.

(The meeting ended at 7.33 pm)

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