

The Cabinet

13th January, 2016 at 3.00 pm
at the Sandwell Council House, Oldbury

Present: Councillor Cooper (Chair);
Councillors Crompton, Y Davies, Eling, Hackett,
Khatun and Moore.

Apologies: Councillors L Horton and Underhill.

Observers: Councillors P Hughes, S Jones and Sandars.

1/16 **Declaration of Interest**

The Leader of the Council declared a non-pecuniary interest in relation to Minute No. 9/16 (Decisions of the Black Country Executive Joint Committee) on the basis that he was a member of the Committee.

2/16 **Minutes**

Resolved that the minutes of the meeting held on 9th December, 2015 be confirmed as a correct record.

Strategic Items

3/16 **Review of Fees and Charges For the Council's Services 2016/2017 (Key Decision Ref. No. FR024)**

The Deputy Leader and Cabinet Member for Finance and Resources sought approval to the proposed fees and charges for Council services for the 2016/2017 financial year.

The Cabinet – 13th January, 2016

In accordance with the Council's Financial Regulations, which required an annual review of fees and charges to be carried out, the Council had considered its statutory obligations, the cost of service delivery, the demand for services and how proposed charges compared to neighbouring authorities when setting fees and charges for 2016/17.

The proposed fees and charges, which would take effect from 1st April 2016, included the following Council services:-

- Corporate Landlord – Facilities Management;
- ACE – Taxi Licensing;
- Adult Social Care;
- Children Service and Learning - Young People's Services;
- Homes and Communities;
- Housing Quality;
- Environmental Health;
- Trading Standard;
- Trading Standard and Licensing;
- Legal and Governance – Registration Service;
- Neighbourhoods – Community Facilities;
- Neighbourhoods – Green Services;
- Neighbourhoods – Library and Information Service;
- Neighbourhoods – Museums;
- Neighbourhoods – Waste;
- Public Health;
- Regeneration and Economy including Building Control;
- Highways;
- Planning;
- Property Searches and Land Charges;
- Market Fees.

In accordance with the Council's Constitution, the Cabinet considered the proposed fees and charges in relation to services under the Gambling Act 2005 and their impact on the Council's overall budget. The Licensing Committee was subsequently recommended to approve those fees and charges.

An equality impact assessment had been carried out for the proposal. No issues had been identified which would impact on a particular group.

The Cabinet – 13th January, 2016

The Deputy Leader and Cabinet Member for Finance and Resources made reference to a number of changes that had been made to the proposed charges for Green Services and the Museums Service. The amended charges were now circulated to members.

In response to a number of questions from the Chairs of the Health and Adult Social Care Scrutiny Board and the Housing Scrutiny Board, the Deputy Leader and Cabinet Member for Finance and Resources confirmed that:-

- whilst proposed increases in charges for registration and burials appeared to be high at 4%, Sandwell were providing a high standard of facilities. Sandwell's fees were reasonable compared to neighbouring authorities and the new fee would enable continued investment in facilities;
- the results of a benchmarking exercise had revealed that previous photography charges had been set very low. The price increase was now in line with other local authorities;
- the decrease in fees for Renewal Naming ceremonies and Citizenship ceremonies was attributed to market-led changes. The Council would continue to levy charges at a particular rate when it was appropriate to do so;
- room hire charges would vary in price and would be dependent upon the time of usage and the purpose of hire. As a number of facilities were not well used, encouraging special offer periods would help to generate new customers. A fundamental review of maximising the use of facilities was currently being undertaken in order to maximise use to benefit the community and make the facility more sustainable;
- concessions to domestic charges for bulky waste collections would continue.

Resolved:-

- (1) that the proposed fees and charges for the Council's Services, set out in the attached Appendix be approved for implementation from 1st April, 2016;

The Cabinet – 13th January, 2016

- (2) that, in accordance with the Council's Constitution, the Licensing Committee be recommended to approve the proposed fees and charges in relation to services under the Gambling Act 2005, to be implemented from 1st April 2016.

4/16

Review of the 2016/17 Council Tenant Rents and Housing related Property Charges (Key Decision Ref. No. FR036)

The Deputy Leader and Cabinet Member for Finance and Resources and the Cabinet Member for Regeneration and Economic Investment sought approval to the proposed council housing rent and property related fees and charges to be implemented with effect from 4th April 2016.

In July 2015, the Government introduced the Welfare Reform and Work Bill. It was envisaged that this would become law soon. All registered providers of social housing, including the Council, were therefore required to make arrangements to reduce rents by 1% for four years with effect from April 2016. This would have a significant detrimental impact upon the rental income of the Housing Revenue Account.

It was estimated that the revised 1% reduction in rents would mean reduced income of £33million over the next four years, compared to current approved budget plans which had been based upon Government policy in 2014.

Other housing property related charges had also been reviewed. These were outside of legislative changes and were subject to annual review.

An equality impact assessment had been carried out. No issues had been identified which would impact on a particular group.

The Deputy Leader and Cabinet Member for Finance and Resources recommended the proposals for approval.

The Cabinet – 13th January, 2016

In response to a number of questions from the Chairs of the Health and Adult Social Care Scrutiny Board and the Housing Scrutiny Board, the Deputy Leader and Cabinet Member for Finance and Resources reported that the proposed Bill and its effect on the Council and future services would entail bringing forward revised business costs as part of the budget setting process as the cumulative loss of £33m over the four years would have a significant impact upon the Housing Revenue Account. Whilst current projects within the Plan would continue to proceed, going forward, the risk to the Plan would need to be taken into account.

It was envisaged that the media would communicate to tenants that despite the 1% cut in Council rents, there would be an impact on the service delivered to Council tenants. The loss of Housing Revenue Investment was a significant issue for all local authorities nationally.

Resolved:-

- (1) that, in connection with the Council tenant rents and housing related property charges for 2016/17, with effect from 4th April 2016:-
 - (a) the rent of Housing Rent Account dwellings is reduced by 1% for current tenants;
 - (b) the rent of new tenancies continues to be set at the Sandwell formula social rent but inclusive of a 1% reduction;
 - (c) the rent of any tenancies in newly built Council properties is set at affordable rent less a 1% reduction;
 - (d) the weekly garage rents are increased by 1% to cover the effects of maintenance cost increases from £6.80 to £6.87;
 - (e) the other existing housing property related fees and charges are increased by 1%;
- (2) that, subject to resolution (1) above, third party charges are recovered on the basis of actual cost;
- (3) that the annual Leasehold Management Fee remains at £100;

The Cabinet – 13th January, 2016

- (4) that the Section 151 Officer reviews the Housing Revenue Account capital programme and its funding and affordability during 2016/17 and submits a further report to Cabinet on the findings.

5/16

Cross Border Authorisation for Animal Health Outbreak Control (Key Decision Ref. No. TNS034)

The Leader of the Council reported that the risk of animal disease outbreak had increased over recent years, whilst resources in individual authorities had declined. To ensure that authorities could respond robustly to an outbreak, members of the Central England Trading Standards Authorities partnership had proposed that an agreement should be entered into by each authority within the region, to enable additional resources to be deployed quickly in the first days of a contagious animal disease outbreak.

The agreement would be in the form of a Memorandum of Understanding specifying the terms and conditions of the arrangement between the authorities. The proposed terms of the Memorandum were submitted and considered.

It was proposed that the Council should authorise a suitably qualified named officer(s) to enforce the legislation, on behalf of the Council, in the event of the Animal and Plant Health Agency issuing a notification that a confirmed or suspected animal disease outbreak had occurred.

The Leader of the Council recommended the proposals for approval.

Resolved:-

- (1) that the Council enters into the Memorandum of Understanding now submitted, with members of the Central England Trading Standards Authorities partnership to enable individual officers to enforce the specified legislation listed below:-

Animal Health Act 1981
Animal Health Act 2002
Animal Health and Welfare Act 1984
Animal Welfare Act 2006

[ILO: UNCLASSIFIED]

The Cabinet – 13th January, 2016

Environmental Protection Act 1990
European Communities Act 1972
(including all regulations, orders and other secondary legislation made under any of the specified legislation above);

in Schedule 1 on behalf of their authority in the event of the Animal and Plant Health Agency issuing a notification that a confirmed or suspected animal disease outbreak has occurred;

- (2) that, in connection with resolution (1) above, the Director – Adult Social Care, Health and Wellbeing be authorised to sign the Memorandum of Understanding, on behalf of the Council;
- (3) that the Scheme of Delegations to Officers, as set out in Part 3 (Responsibility of Functions) of the Council’s Constitution, be amended to include the following delegation to the Director – Adult Social Care, Health and Wellbeing:-

“Animal Health Cross Border Warrant

To authorise named officers to act in accordance with a Memorandum of Understanding in relation to Animal Health Cross Border Warrants and to exercise the powers conferred in the Animal Health Act 1981, the Animal Health Act 2002, the Animal Health and Welfare Act 1984, the Animal Welfare Act 2006, the Environmental Protection Act 1990 and the European Communities Act 1972”;

- (4) that subject to resolution (2) above, the Director - Governance amend the Scheme of Delegations to Officers in accordance with article 7.06 of the Council’s Constitution.

The Cabinet – 13th January, 2016

6/16

Refurbishment of Three High Rise Dwelling Blocks at The Crofts, Smethwick (Key Decision Ref. No. REI011)

The Cabinet Member for Regeneration and Economic Investment and the Cabinet Member for Finance and Resources sought approval to complete the contract formalities and activate the indemnities and warranties associated with the refurbishment works of three high rise dwelling blocks at the Crofts, Windmill Lane, Smethwick.

On 21st November, 2013, the former Cabinet Members for Strategic Resources and Jobs and Economy had given approval to the programme of improvement works to Council homes under the Housing Revenue Account Investment Programme (see Minute No. 1/13). As part of this, programmed refurbishment works were required to the high rise dwelling blocks at the Crofts, Windmill Lane, Smethwick. An Official Journal of the European Union compliant process had been undertaken and in accordance with the Council's Procurement and Contract Procedure Rules, Keepmoat Regeneration had been successful.

The refurbishment works were now nearing completion and the project had been successfully delivered to a high standard, within allocated resources, compliant with all quality checks and in a significantly reduced timescale.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the award of the contract by the Director – Neighbourhoods for the refurbishment of three high rise dwelling blocks at the Crofts, Windmill Lane, Smethwick to Keepmoat Regeneration Ltd, in the sum of £10,921,058.00, be endorsed;
- (2) that, subject to resolution (1) above, the contract procedures are completed and associated indemnities and warranties are activated;
- (3) that, subject to resolution (1) and (2) above, the Director – Governance sign and seal the contract and all other necessary ancillary documentation.

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The Cabinet – 13th January, 2016

Business Items

7/16

Decisions Taken by the Cabinet Member for Highways and Environment on 26th November, 2015

The minutes of the meeting of the Cabinet Member for Highways and Environment on 26th November, 2015 were received.

No questions were asked of the Cabinet Member.

8/16

Minutes of the Meeting of the Cabinet Petitions Committee held on 25th November 2015

The minutes of the meeting of the Cabinet Petitions Committee on 25th November, 2015 were received.

No questions were asked of the Chair of the Cabinet Petitions Committee.

9/16

Decisions of the Black Country Executive Joint Committee held on 25th November 2015

The decisions of the Black Country Executive Joint Committee on 25th November, 2015 were received.

In response to a question from the Chair of the Housing Scrutiny Board, the Leader of the Council reported that Sandwell College had been successful in securing funding from the Black Country Local Enterprise Partnership Local Growth Fund to strengthen its engineering and manufacturing capacity. The Council would continue to work closely with Sandwell College to shape and enhance its manufacturing capabilities to better meet the needs of Sandwell and the Black Country businesses.

The Cabinet – 13th January, 2016

It was envisaged that Sandwell would benefit directly from the Elite Centre for Manufacturing establishing specialist satellite centres across the Black Country.

(Meeting ended at 3.47 pm)

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