

The Cabinet

18th May, 2016 at 3.00 pm
at the Sandwell Council House, Oldbury

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

Apologies: Councillor Khatun;
Councillors P Hughes and S Jones.

In attendance: Councillors Ahmed, Gavan, L Horton, Sandars
and Underhill.

64/16

Minutes

Resolved that the minutes of the meetings held on 23rd March
and 6th April, 2016 be confirmed as a correct record.

Strategic Item

65/16

Local Authority/Schools' Model Disciplinary Policy and Guidance (Key Decision Ref. No. CS071)

It was agreed to defer consideration of this item in order to take into
consideration representations recently received from trade unions in
relation to the Schools' Model Disciplinary Policy and Guidance. A
further report would be considered in due course.

66/16

Short Breaks Service Model - Children and Young People who have a Special Educational Need or Disability (Key Decision Ref. No. CS063)

The Cabinet Member for Children's Services reported that local authorities had a statutory duty to provide short breaks for children, young people with disabilities and parents and carers. Short breaks provided opportunities for disabled children and young people to take part in day, evening, overnight or weekend activities.

The current commissioned Short Breaks programme required transformation and improved joint planning with Adult Social Care and Health to deliver an improved personalisation agenda and increase choice to meet the requirements as set out in the Special Educational Needs and Disabilities Code of Practice.

The Council would be redesigning the Short Breaks offer to enable children, young people and families to have a choice how they accessed Short Breaks and developing the infrastructure to enable them to take their allocation as a cash payment through personal budget/direct payments. This would enable them to manage the money themselves to purchase a short break from a range of providers, including purchasing personal support to enable access to universal provision.

It was proposed to undertake a procurement process to award contracts for the provision of short breaks to commence from 1st October 2016 until 31st March 2018 for a period of 18 months. The total budget allocation for 18 months was £872,950.

The short breaks programme would be delivered at a universal, targeted and specialist borough wide level and would be accessible by all children and young people who had a special educational need or disability residing in Sandwell.

An equality impact assessment was not required for this proposal.

In response to a question raised by the Chair of the Children's Service and Education Scrutiny Board relating to whether the short breaks programme would include activities for the whole family, the Cabinet Member for Children's Services confirmed that a mixed package of activities would be provided to ensure that parents and carers had the option of participating in family activities.

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Resolved:-

- (1) that, in accordance with the Council's Procurement and Contract Procedure Rules, the Director of Children's Services undertake a procurement process to commission a Short Breaks programme for children and young people with disabilities and parent/carers in Sandwell, for the period 1st October 2016 until 31st March 2018, with the option to extend for an additional twelve months until 1st April 2019;
- (2) that in connection with resolution (1) above, the cost of awarding the contract for commissioning a Short Breaks programme in Sandwell should not exceed £872,950 and, in the event that the cost does exceed £872,950, the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be authorised to determine if the alternative cost is reasonable and the contract can proceed;
- (3) that following the appropriate procurement processes, the Director - Governance be authorised to agree and enter into service contracts for the provision of a Short Breaks programme (with the option to extend for one year dependent on the Children's Services budget) on terms to be agreed by the Director of Children's Services;
- (4) that the necessary funding for the Short Breaks programme be allocated from Children's Services Commissioning Budget.

67/16

Foster Care Fees and Weekly Allowances and Adoption, Residence Orders and Custodian Allowances 2016/17 (Key Decision Ref. No. CS061)

The Cabinet Member for Children's Services sought approval to the foster carers' fees and weekly allowances and adoption, residence orders and custodian allowances for 2016/17 which had been revised in order to reflect advice from the Fostering Network.

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The proposed changes included:-

- using the Consumer Prices Index rate as at each year ending 31st December to inflate allowances for the following financial year and to inflate allowances by 0.2% for the financial year 2016/17 in line with Consumer Prices Index as at year ended 31st December 2015;
- inflate the carer fee annually in line with the staff pay award, when it was agreed, to ensure fairness and consistency.

The payments for relevant Adoption, Residence Order and Special Guardianship Order assessments were subject to means testing and/or separate policy. The National Staff Pay Award was currently under consultation.

An equality impact assessment was not required for this proposal.

In response to a question raised by the Chair of the Children's Service and Education Scrutiny Board, the Cabinet Member for Children's Services confirmed that the skill level of foster carers was set to ensure that those carers who looked after children with more complex needs were rewarded in line with any Council wide salary settlement for this aspect of their role. In addition, these foster carers would have been given additional training or had additional experience which would ensure that they had the necessary capacity and skills to support these children.

Resolved that the Foster Care Fees and Weekly Allowances and Adoption, Residence Orders and Custodian Allowances for 2016/17, as set out in Appendix 1, be approved and implemented with effect from 1st April 2016.

68/16

West Midlands Collaborative Framework Contract for Works to Highways Structures (Key Decision Ref. No. HE045)

The Cabinet Member for Highways and Environment sought approval to participate in a Framework Agreement for the provision of works to highways structures with Wolverhampton City Council, Birmingham City Council, Coventry City Council and the Metropolitan Boroughs of Dudley, Walsall, and Solihull.

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The scope of the Framework Agreement was for the inspection, maintenance, repair and strengthening of highway structures to include; highway over and under bridges, footbridges, subways, retaining walls, culverts, fences and safety barriers and any other highway-associated structures advised by the Council. Projects undertaken using the new Framework Agreement would contribute to achieving the priorities and targets set out in the West Midlands Local Transport Plan 2011 – 2026.

The works did not include maintenance and repair of highways except where specifically necessitated by bridge maintenance works.

The Agreement was for an initial three year period, with an option to extend for an additional twelve months, subject to satisfactory performance and budget availability. The Framework Agreement commenced on 1st April 2016 for public sector bodies to utilise. The Council was seeking approval to use the Framework Agreement from 1st June 2016.

Resolved:-

- (1) that the Director – Regeneration and Economy enter into a Framework Agreement for the provision of a West Midlands Collaborative Framework Contract for works to highways structures with Wolverhampton City Council, Birmingham City Council, Coventry City Council and the Metropolitan Boroughs of Dudley, Walsall, and Solihull, for the period 1st June 2016 to 31st March 2019, with an option to extend for an additional twelve months until 31st March 2020, subject to satisfactory performance;
- (2) that in connection with resolution (1) above, the Director – Governance enter into an appropriate form of agreement(s) as may be necessary on terms agreed by the Director – Regeneration and Economy.

69/16

The Proposed CCTV Enforcement of Traffic Contraventions in a Bus Lane (Key Decision Ref. No. HE030)

The Cabinet Member for Highways and Environment reported that the traffic restrictions through the pedestrian town square on part of New Street, West Bromwich were currently being ignored by a large number of motorists with traffic counts showing more than 2,200 vehicles per day contravening the Traffic Regulation Order by driving through New Street. This through traffic was detrimental to the safety and amenity of the town square with eight reported injury accidents on New Street during the last five years. It was therefore proposed to use fixed CCTV as a method of enforcement as this was considered the most effective method.

The Council had in place the necessary statutory powers to enforce bus lane contraventions within the borough. Legislative and policy requirements were also in place for CCTV enforcement of traffic contraventions. The enforcement of traffic contraventions in bus lanes by CCTV was included within the Council's current Parking and Traffic Enforcement Policy and, subject to public consultation, was approved by Cabinet on 20th May 2015 (see Minute No. 80/15). There were subsequently no objections received from the public consultation and the policy was consequently adopted.

The Traffic Regulation Order for New Street had been subject to statutory public consultation and was approved by the Cabinet Member for Highways and Environment on 22nd March 2016 (see Decision No. 7/16). The Cabinet Member for Highways and Environment considered what was in the best interest of the majority of road users including pedestrians, bus passengers and also the amenity of the town square. The Cabinet Member was subsequently minded to exempt hackney carriages from the restrictions as this would not cause a significant public disadvantage. However, it would not be in the overall public interest to exempt private hire vehicles within the Traffic Regulation Order 2016.

In order to enforce the traffic contraventions in the bus lane in New Street using CCTV, the Council was required to make an application to join the Bus Lane Adjudication Service Joint Committee. The Cabinet Member and the Service Manager – Highways would be the Council's representatives on the Bus Lane Adjudication Service Joint Committee.

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CCTV enforcement would require the procurement of the necessary equipment following quotations from Government approved suppliers at an estimated cost of £34,000 and this would be funded through the Local Transport Plan.

Approval was now sought for the Director - Regeneration and Economy to apply for permission from the Secretary of State to operate a charging structure.

The Chair of the Community Safety, Highways and Environment Scrutiny Board thanked the Cabinet Member and officers for their work in bringing this proposal forward and the subsequent benefits it would bring to users of public transport. The Chair of the Scrutiny Board did however request that officers continue to monitor the traffic flowing from Carters Green to the town centre.

Resolved:-

- (1) that an application be submitted to join the Bus Lane Adjudication Service Joint Committee to enable the Council to become a member of the adjudication service for traffic contraventions for CCTV enforcement of bus lanes within the Borough of Sandwell;
- (2) that in connection with resolution (1) above, the procurement of fixed CCTV enforcement cameras for the bus only street in New Street, West Bromwich, be approved;
- (3) that subject to resolution (1) above, the CCTV enforcement of the Borough Council of Sandwell (New Street, West Bromwich) Bus Only Street) Order 2016 be approved;
- (4) that subject to resolution (1) above, the Director - Regeneration and Economy shall apply for permission from the Secretary of State to operate the following tariff structure:-
 - a) standard tariff £60
 - b) reduced tariff of £30 if paid within 14 days
 - c) increased tariff of £90 if not paid within 28 days;

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- (5) that the Cabinet Member for Highways and Environment be nominated to act as the Borough Council's representative on the Bus Lane Adjudication Service Joint Committee and the Service Manager - Highways as deputy representative;
- (6) that the Director - Regeneration and Economy, in consultation with the Cabinet Member for Highways and Environment, implement camera enforcement at further sites in the Borough of Sandwell, subject to statutory public consultation and the consideration of objections on an appropriate traffic regulation order at each location.

70/16

Procurement Card Provider contract award under Crown Commercial Services Framework (Key Decision Ref. No. FR048)

The Acting Leader and Cabinet Member for Finance and Resources reported that, in order to deliver savings as part of the Facing the Future Programme, the Council was focusing on streamlining its procurement processes to deliver efficiencies, including expanding the use of procurement cards.

The Council currently used a small number of procurement cards to make low value, one-off purchases and provide flexibility in service delivery. Current users were extremely positive about the flexibility that procurement cards offered to enable them to deliver their services, whilst ensuring that existing contracts were used and accurate records were kept.

In order to expand the use of procurement cards and take advantage of the latest national framework agreement to generate income for the authority, approval was sought to award the contract for the supply of procurement cards to the Royal Bank of Scotland.

As there were currently only a small number of procurement card users across the Council, it was intended to run a pilot roll out of the new cards in some key service areas for two to three months before making the cards more widely available.

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Following this short pilot, it was envisaged that procurement cards would be available to services across the Council from the end of 2016. It was not intended to issue all staff with procurement cards and services would need to identify a business need for their use.

The Crown Commercial Services established Framework RM1095 in August 2014 to provide a complete range of card based payment services to local authorities, including virtual solutions. The Framework was let on a four-year basis, with the opportunity for users to extend for a further two years. The Framework offered significant improvement on the previous Government Procurement Card framework, including increased security and fraud prevention, online management of accounts and 'cash back' to local authorities based on the value of spend through the Procurement cards. The Council was seeking to join the Framework for the remainder of its length to August 2018 and would look to extend for the further two years based on an evaluation at that point.

Any extension would be subject to further Cabinet approval, depending on the successful use of the cards, any significant issues arising and continuing value for money.

It was proposed that the Council make a direct award to Royal Bank of Scotland for the provision of procurement cards and that the current contract with Barclaycard be terminated with the required three months' notice.

As the Council was not seeking to conduct further competition before appointing this provider, approval was also sought for an exemption from Rule C7 of the Council's Procurement and Contract Procedure Rules.

In order to ensure the Council was getting the most value from the use of procurement cards, regular monitoring of spend and the rebate generated would take place. It was proposed that this was presented to the Cabinet Member for Finance and Resources on an annual basis.

An equality impact assessment was not required for this proposal.

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Resolved:-

- (1) that the Assistant Chief Executive award procurement cards under the Crown Commercial Services Framework to Royal Bank of Scotland for a period of two years, until August 2018, with the option to extend for a further two years, subject to satisfactory performance;
- (2) that in connection with resolution (1) above, the Director – Governance enter into an appropriate contract with Royal Bank of Scotland under the Crown Commercial Services Framework RM1095;
- (3) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the action referred to in resolution (1) and (2) above to proceed;
- (4) that a further report on take-up and usage of Council procurement cards be submitted to the Cabinet Member for Finance and Resources after three months of implementation.

71/16

Award of Contract for Mobile Working Platform (Key Decision Ref. No. FR044)

The Acting Leader and Cabinet Member for Finance and Resources sought approval to award a contract to purchase a mobile working platform that could be utilised by the different service areas across the Council.

It was proposed to move existing mobile working for Housing Repairs to a new improved platform as the current system suffered from stability and downtime issues which had impacted negatively on both productivity and customer and employee satisfaction. Not replacing the system would result in a significant risk to the continued delivery of the service.

In accordance with the Public Contracts Regulations 2015, the most economically advantageous supplier for the purchase of a mobile working solution for a two year period was Kirona, in the sum of £371,967.

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The initial phase of the project would ensure a return on the investment and deliver savings of £55,000 at the end of the two year period. In subsequent years, further savings would be delivered as other service areas implemented this mobile working platform.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Acting Leader and Cabinet Member for Finance and Resources confirmed that the £55,000 savings were guaranteed to be achieved within the next two years. It was envisaged that additional savings and efficiencies would be achieved as the project was implemented and rolled out across the Council.

Resolved:-

- (1) that the Director – Neighbourhoods award the contract for the provision of a mobile working platform to Kirona, in the sum of £371,967, for the period 1st June 2016 to 30th June 2018;
- (2) that in connection with resolution (1) above, the Director - Governance enter into an appropriate form of contract for the provision of a mobile working platform to Kirona.

72/16

Building Schools for the Future Programme – Extension of ICT Contract (Key Decision Ref. No. FR054)

The Acting Leader and Cabinet Member for Finance and Resources reported that the following schools had agreed to extend the ICT contract for the Building Schools for the Future programme, which included facilities management and ICT, for a five year period:-

- St Michael's CE High and Business Enterprise College;
- Westminster, School, Rowley Learning Campus;
- Whiteheath Education Centre - Rowley Regis;
- Holly Lodge High School College of Science;
- Ruskin House Campus.

Agilisys, the current ICT provider, would continue to provide ICT services via Sandwell Futures (the LEP).

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Whilst the Council was not directly impacted by this extension as the charges from Sandwell Futures were recovered from schools, the Governing Body Agreements would be amended to reflect the necessary contractual changes as would the contract between the Council and the Local Education Partnership.

The Council would have a continuing role in managing the contract in order to discharge its responsibilities.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the Assistant Chief Executive approve the extension of the ICT contract with Sandwell Futures (the LEP) for a further five years to provide ICT services to the Sample Scheme schools as stated below:-
 - St Michael's CE High and Business Enterprise College;
 - Westminster School, Rowley Learning Campus;
 - Whiteheath Education Centre, Rowley Regis;
 - Holly Lodge High School College of Science;
 - Ruskin House Campus which is one site of Sandwell Community Schools;
- (2) that in connection with resolution (1) above, the Assistant Chief Executive, in consultation with the Cabinet Member for Finance and Resources, make appropriate revisions to the contracts with the Sandwell Futures (the LEP) and the Governing Body Agreements with the relevant schools;
- (3) that in connection with resolution (1) and (2) above, the Director - Governance enter into appropriate legal agreements and ancillary documentation/agreements as may be necessary, on terms to be agreed by the Assistant Chief Executive, to reflect this five year extension.

Corporate Asset Management Strategy 2016 - 2020
(Key Decision Ref. No. FR026)

The Acting Leader and Cabinet Member for Finance and Resources reported that as part of the Facing the Future programme, the Council aimed to transform the way services were delivered and to look at generating funding locally by making the best use of assets.

A Corporate Landlord Model had therefore been developed for the effective management of physical assets. The current model was at Phase 1 and during the lifetime of this Strategy, it was proposed to migrate to Phase 2 which included identifying all property related budgets and transferring them in to the direct management of Corporate Landlord Services. This would have a greater impact on how the Council could effectively provide assets that were fit for purpose and sustainable long-term.

The strategy would inform specific service provision, current and planned projects and future requirements that allowed the Council to rationalise underperforming assets to help retain an efficient and well maintained physical asset portfolio. Specific programmes and initiatives as part of the programme, would be subject to further reports.

Quarterly reports would also be submitted to the Cabinet Member for Finance and Resources in order to provide updates on progress made and to demonstrate how emerging priorities and pressures would be addressed.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Acting Leader and Cabinet Member for Finance and Resources confirmed that the next phase of the Corporate Landlord Model was not intended to lead to staff transfers or redundancies. The Strategy would ensure that there was a consistent approach to the management of assets and ensuring limited resources were effectively targeted.

Resolved:-

- (1) that the Corporate Asset Management Strategy 2016-2020 be approved;

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- (2) that, in connection with resolution (1) above, the Assistant Chief Executive submit a further report to the Cabinet detailing the migration of property related budgets for assets identified as part of the Corporate Asset Management Strategy 2016-2020, to the Corporate Landlord Service, and its subsequent impact on related staff;
- (3) that the Assistant Chief Executive, the Director - Regeneration and Economy and the Director - Neighbourhoods co-ordinate a programme for effective asset management of physical assets and prepare future reports to Cabinet on details of specific programmes and projects;
- (4) that the Assistant Chief Executive submit periodic reports in line with the Corporate Asset Management Strategy 2016-2020 to the Cabinet Member for Finance and Resources.

74/16

Award of Contract for the Provision of Technical Support for the Oracle E-Business Suite (Key Decision Ref. No. FR032)

The Acting Leader and Cabinet Member for Finance and Resources sought approval to award a new contract for the provision of technical support for the Council's Oracle E-Business Suite that would meet the requirement to maintain and develop its core business system and deliver value for money for the Council.

In accordance with the Council's Procurement and Contract Procedure Rules, Methods Advisory Ltd was the most economically advantageous supplier.

The total anticipated spend under the contract would be approximately £609,840 over three years, representing an estimated overall saving of £176,000 over the life of the contract.

[ILO: UNCLASSIFIED]

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Resolved:-

- (1) that the Assistant Chief Executive award the contract for the provision of technical support for the Oracle E-Business Suite to Methods Advisory Ltd for a three year period from 1st July 2016 to 30th June 2019, for a total cost of £609,840;
- (2) that in connection with resolution (1) above, the Director - Governance enter into an appropriate contract with Methods Advisory Ltd.

75/16

Hot Food Takeaway Supplementary Planning Document (Key Decision Ref. No. REI030)

The Cabinet Member for Regeneration and Economic Investment sought approval to adopt the Hot Food Takeaway Supplementary Planning Document.

The original document, which was approved in 2012, had been developed to help reduce trends towards increasing levels of obesity and poor diet and in order to achieve an economically viable balance between A5 Hot Food Takeaway and other retail uses. The document addressed the issues of over-concentration of hot food takeaways and exposure of particularly vulnerable groups such as school children.

It was now proposed to revise the document in order to clarify, simplify and update it so that it remained robust and up to date.

The main changes included altering the percentages of A5 uses permitted within a retail centre, providing an up to date Joint Strategic Needs Assessment for Sandwell, updating the document in line with the most up to date local and national policies and review and alter wording where necessary.

Following two periods of public consultation, no comments to the revised document had been received.

An equality impact assessment was not required for this proposal.

[ILO: UNCLASSIFIED]

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In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Cabinet Member for Regeneration and Economic Investment clarified that the Supplementary Planning Document was not intended to cut the number of existing hot food takeaways but to limit the future growth in Hot Food Takeaways numbers in town centres and near schools. Statistical evidence had suggested that the previous document had been successful in limiting future growth in hot food takeaways.

Resolved that the Hot Food Takeaway Supplementary Planning Documentation be adopted.

76/16

The National Living Wage – Care Homes for Older People in Sandwell 2016-17 (Key Decision Ref. No. ASCH029)

The Cabinet Member for Adult Social Care and Health reported that the Cabinet on 2nd September 2015 gave approval for the Director - Adult Social Care to make an offer of a fee increase of 1.5% to care homes across all categories of care for 2015/16 (see Minute No. 153/15).

In response to the offer to West Midlands Care Association, the Association reported that the sector had not accepted the proposal and had asked the Council to reconsider its position.

Following a number of meetings in March 2016 between the Council and the Association and sector representatives to discuss this matter further, the Council and Association had agreed that the Council would consider a number of matters;

- a) fees for 2015/16;
- b) an interim payment for 2016/17 as a matter of urgency to cover new National Living Wage changes;
- c) consider the implementation of a costing model for 2016/17 and future year's fees.

In order to make progress on these points, further information was required from both the Council and sector. A further report would be submitted once the work in relation to fees and the costing model had been conducted.

[ILO: UNCLASSIFIED]

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In the meantime, the sector had asked the Council to consider costs relating to the introduction of the National Living Wage. It was clear both from local and national information that the care sector was facing significant financial challenges as a result of the implementation of the National Living Wage.

To enable the Council to establish a reasonable uplift to cover National Living Wage and to seek approval for the fees to be increased, the Council requested all care homes for older people within the borough to complete a pro forma identifying current pay rates for care staff to enable an interim increase to be made to cover the additional costs as these were an immediate cost pressure.

Analysis of the data submitted by those homes that had responded had identified that the average increase in fees required to implement the National Living Wage from 1st April in Sandwell equated to £14.21 per bed per week.

The National Living Wage may impact upon the cost of other commissioned care and this would be reported to Cabinet as necessary.

It was now proposed to approve fees for care homes and that these be offered to the sector via the West Midlands Care Association.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Cabinet Member for Adult Social Care and Health confirmed that the proposed increase in funding was in recognition of the increased cost to the sector as a result of the impact of the new living wage. The increase in fees only applied to Council funded residential and nursing care placements paid at the Council base price and the Cabinet Member felt that it was a fair offer.

Resolved:-

- (1) that the following fees for care homes in Sandwell be approved, effective from 1st April 2016, and the Director - Adult Social Care, Health and Wellbeing be authorised to offer the sector via the West Midlands Care Association and individually the increase in standard fees to cover the National Living Wage;

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	Older People		Older People Mental Health	
	Residential	Nursing	Residential	Nursing
	£	£	£	£
2014/15 weekly rates	378.00	491.10	428.00	498.10
National Living Wage Increase	14.21	14.21	14.21	14.21
Revised Rate	392.21	505.31	442.21	512.31
% Change	3.8%	2.9%	3.3%	2.9%

- (2) that in connection with resolution (1) above, upon confirmation of Free Nursing Care revised rates from Department of Health, the Director – Adult Social Care Health and Wellbeing be authorised to pass on additional payments to nursing homes.

77/16

Day Services for Older People (Key Decision Ref. No. ASCH022)

The Cabinet Member for Adult Social Care and Health reported that a review of Adult Social Care's Day Services for older people had recently been undertaken to consider and evaluate if services were being delivered in the most appropriate way and to improve value for money. The review had identified that the unit cost for Day Services was significantly higher than the average locally commissioned rate, the demand for the service was low and the service was not delivering value for money.

The Day Services for older people were based at the three extra care schemes at Holly Grange, Smethwick, Manifoldia Grange, West Bromwich and Walker Grange, Tipton.

Extra care schemes were a provision of specialist housing which had been designed to accommodate people with a range of lifestyle, health, care and support needs, delivering services that allowed them to take control of their lives.

[ILO: UNCLASSIFIED]

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It was now proposed that alternative options for the future delivery of Day Services for older people were considered and that the proposal formed the basis for consultation with people who used the service, their carers' and families, staff, staff representatives, local communities and other stakeholders.

The Granges also provided a day care service to people with an assessed need in accordance with the Care Act 2014. The people who attended were a combination of tenants living at the Granges and people living in the community. The service provided a planned programme of activities and social interaction designed to promote wellbeing for people aged 55 and over.

Service usage for the day care provision was operating significantly below available capacity and did not provide value for money. There had been a gradual decline in numbers for several years. In total, twelve people used the service at Manifoldia Grange and thirteen at Holly Grange.

If a decision was made to cease services, formal assessments of need would be required to be carried out with existing users in line with the Care Act 2014 and options for an alternative replacement of day opportunities would be considered, as agreed with them and their families and advocates. This approach would help to protect and support the most vulnerable residents with the most complex needs. It would also secure choice and control over alternative options for service users.

The Council would continue to engage with all those who may be affected before any decision was reached and to ensure their responses were considered in the decision making process. A twelve week consultation process was therefore planned to enable all those who may be affected by any changes to the Day Opportunities Service at Holly Grange and Manifoldia Grange to be fully engaged.

The options for the future of the Day Care services at Holly Grange and Manifoldia Grange to be presented during consultation were:-

- to remain open – stay “as is”.
- for service delivery to cease with existing users to be supported to suitable alternative placements within the independent sector.

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Following the consultation period, a further report on the responses would be presented to Cabinet to enable an informed decision regarding the future of Day Opportunities at Holly Grange and Manifoldia Grange to be made.

An initial equality impact assessment had been undertaken and the adverse or negative impacts had been identified. Mitigating actions had been specified where appropriate. The outcomes of the equality impact assessment would shape the consultation process with staff and Trade Unions.

Resolved:-

- (1) that the options for the future of the Council's Day Services form the basis of consultation with people who use the service, their carers' and families, staff, staff representatives, other stakeholders;
- (2) that the consultation referred to in resolution (1) above include the following:-
 - to remain operating as a direct service – stay “as is”;
 - for service delivery to cease and existing users to be supported to suitable alternative placements within the independent sector;
- (3) that the Director - Adult Social Care, Health and Wellbeing be authorised to commence the consultation process with all relevant stakeholders in relation to the options for the future of the Council's Day Services;
- (4) that following the consultations referred to in resolution (1), (2) and (3) above, a further report be submitted to Cabinet to allow an informed decision to be made regarding the future of Day Opportunities Services.

78/16

Options for Future Delivery of Residential Services at Fountain Court, Smethwick (Key Decision Ref. No. ASCH025)

The Cabinet Member for Adult Social Care and Health sought approval to consider options for the future of Fountain Court, Bearwood.

[ILO: UNCLASSIFIED]

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The options would form the basis for consultation with people who used the service, their carers' and families, staff, staff representatives, local communities and other stakeholders.

Fountain Court supported sixteen older people with dementia and was the only remaining Council owned residential care home in Sandwell.

Fountain Court formed part of the review of Adult Social Care to consider and evaluate if these services were being delivered in the most appropriate way and to improve value for money. The review identified that unit costs were more than twice the market rate for dementia residential care placements and the service could be provided more cost effectively.

Fountain Court was owned by the Council but was physically linked to Penmakers Court, an extra care scheme operated by Midland Heart, who owned the remainder of the site. There was no opportunity to develop or expand the service on the site to reduce unit costs.

Council staff operated the kitchen which was located within Penmakers Court and served the whole of the combined scheme. Midland Heart now wished to take over the operation of the kitchen which may result in the catering staff being transferred to their organisation and would result in the Council not having full control of the catering facility. Due to the layout of the building, it was not feasible to create a fully equipped kitchen within Fountain Court.

The Council would continue to engage with all those who may be affected before any decision was reached and to ensure their responses were considered in the decision making process. It was therefore proposed to undertake a twelve week consultation process.

The options for the future of Fountain Court that would be presented during consultation were:-

- for it to remain open – stay “as is”;
- for it to be closed with current residents supported to move to suitable alternative placements within the independent sector;
- for it to be closed and to consider the transfer of residents and staff to an alternative single venue with a new provider within the independent sector.

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Following the consultation period, a further report on the responses would be presented to the Cabinet in order to enable an informed decision regarding the future of Fountain Court to be made.

An initial equality impact assessment had been undertaken and the adverse or negative impacts had been identified. Mitigating actions had been specified where appropriate. The outcomes of the equality impact assessment would also help shape the consultation process with residents, families, staff and Trade Unions.

Resolved:-

- (1) that the options for the future of Fountain Court, Bearwood form the basis for consultation with people who use the service, their carers and families, staff, staff representatives, local communities and other stakeholders;
- (2) that the consultation referred to in resolution (1) above include the following:-
 - for Fountain Court to remain open – stay “as is”;
 - for it to be closed with current residents supported to move to suitable alternative placements within the independent sector;
 - for it to be closed and to consider the transfer of residents and staff to an alternative single venue with a new provider within the independent sector;
- (3) that the Director - Adult Social Care, Health and Wellbeing be authorised to commence the consultation process with all relevant stakeholders in relation to the options for the future of Fountain Court, Bearwood;
- (4) that following the consultations referred to in resolution (1), (2) and (3) above, a further report be submitted to Cabinet in order to make an informed decision regarding the future of Fountain Court, Bearwood;
- (5) that consultation be undertaken with Midland Heart and affected kitchen staff in relation to the proposed transfer of the catering function at Fountain Court, Bearwood to Midland Heart.

Business Items

79/16

Growing Places Fund – Revenue Funding Approval

The Acting Leader and Cabinet Member for Finance and Resources reported that as the Accountable Body, the Council, on behalf of the Black Country Local Enterprise Partnership, administered the Growing Places Fund of £14.5million. In March 2012, a sum of £13.4million of this fund was made available for capital purposes and a sum of £1.098million for revenue.

The Council had completed an expression of interest to receive Growing Places funding to aid regeneration and infrastructure development within the areas occupied by the four Black Country local authorities.

Local authority subscriptions to the Black Country Consortium had been set at £0.140m per partner for 2016/17.

Growing Places revenue funding of £0.147m would reduce the level of subscriptions required from each local authority partner in proportion to each subscription and reduce pressure on local authority revenue commitments.

Following consideration by the Black Country's Local Authority Regeneration Leads, recommendations were presented to the Black Country Local Enterprise Partnership for approval for further funding of £0.147m Growing Places revenue funds to support the Black Country Consortium costs for 2016/17.

In February 2016, the Black Country Local Enterprise Partnership also approved the reallocation of an unspent balance of £0.085m from previously approved funding for the Wolverhampton Broadband project. The underspend would be used to support the underwriting of projects funded from the Local Growth Deal Site Investigation Fund. The remaining revenue fund balance of £0.105m would be used for future programme management costs of the accountable body.

The Council was required to underwrite individual projects under the Pipeline Fund. This would be as and when applications were submitted in future.

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Approval for the revised use of Growing Places revenue funding was given by the Black Country Local Enterprise Partnership Board on 25th January 2016 and 25th February 2016.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the recommendations from the Black Country Local Enterprise Partnership in relation to the 'Growing Places initiative' and use of revenue funding of £0.147m for 2016/17 be endorsed;
- (2) that, in connection with resolution (1) above, the Assistant Chief Executive make a single payment £0.147m to the Black Country Consortium;
- (3) that, in connection with resolution (1) above, the use of revenue funding of £0.085m to support the underwriting costs of the Local Growth Deal Site Investigation Fund be endorsed;
- (4) that, in connection with resolution (1) and (3) above, the Director – Governance, in consultation with the Chief Finance Officer, agree and enter into legally binding contract(s) and any ancillary documentation or contracts, as necessary, with the Black Country Consortium and Walsall MBC.

80/16

Consideration of Objections Following the Advertising of The Borough Council of Sandwell (Off Street Parking Places Order No. 23) 2016

The Cabinet Member for Highways and Environment reported that on 11th November 2015, the Cabinet gave approval to advertise changes to the Borough Council of Sandwell (Off Street Parking Places Order) and to introduce paid for parking at Sandwell Valley Country Park, West Bromwich.

Parking charges in Sandwell Valley Country Park were required to regulate demand for parking in order to secure the expeditious, convenient and safe movement of vehicular and other traffic through the housing estates on the approaches to Sandwell Valley.

[ILO: UNCLASSIFIED]

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They would also facilitate the passage of traffic using access roads or any other approach road to Sandwell Valley Country Park.

The changes to the Order were formally advertised and a number of objections had subsequently been received during the statutory consultation period.

On 28th January 2016, the Cabinet Member for Highways and Environment considered a petition, objections and verbal representations presented by six objectors and a ward member and subsequently made the following decision:-

- (a) that in relation to The Borough Council of Sandwell (Off Street Parking Places Order No.23) 2016 the Lloyd Street car park be removed from the order;
- (b) that a further report be taken to Cabinet recommending that the Borough Council of Sandwell (Off Street Parking Places Order No.23) 2016 be amended to provide that outside British Summer Time parking charges shall be levied from 9.00hrs to 15.00hrs;
- (c) that no action be taken in response to all other objections received in relation to the introduction of parking charges in Sandwell Valley Country Park, West Bromwich.

Approval was now sought to remove Lloyd Street from the Borough Council of Sandwell (Off Street Parking Places Order No.23) 2016 and that further consultation be undertaken on the amendment to the proposed operating hours at Sandwell Valley Country Park outside of British Summer Time.

The costs to implement the parking charges were estimated to be £116,429 and would be funded by Parks and Countryside Services.

It was anticipated that income from parking charges would recover the costs associated with operating, managing and maintaining car parks within Sandwell Valley Country Park. It was not intended that there would be any surplus parking income. If this occurred, this would be used for the purposes permitted by relevant legislation.

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Resolved:-

- (1) that the Borough Council of Sandwell (Off Street Parking Places Order No.23) 2016 be amended so as to provide that between October and March (outside British Summer Time) parking charges shall be levied from 9.30hrs to 15.00hrs;
- (2) that in connection with resolution (1) above, the Director – Regeneration and Economy undertake public and statutory consultation only on the proposed change in operating hours at Sandwell Valley Country Park, West Bromwich and a further report be submitted to the Cabinet Member for Highways and Environment to consider any unresolved objections;
- (3) that in the event of no unresolved objections, the Director – Regeneration and Economy complete the necessary statutory procedures and the Director - Governance be authorised to seal the relevant Order and make the necessary regulations to bring the proposals referred to in resolution (1) above into effect;
- (4) that the Director – Regeneration and Economy informs the objectors of the decision of the Cabinet Member for Highways and Environment;
- (5) that the following charges be introduced within the footprint of Sandwell Valley Country Park, West Bromwich at a date to be determined by the Director – Regeneration and Economy and that the necessary procedures be implemented to bring the charges into effect:-

a) car parking charges from Monday to Sunday:-
During British Summer Time

7.00am to 9.00am		Free
9.00am to 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 to Close of site		Free

[ILO: UNCLASSIFIED]

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Outside British Summer Time

7.00am to 9.30am		Free
9.30am to 3.00pm	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
3.00pm to Close of site		Free

81/16

Dying to Work

The Acting Leader and Cabinet Member for Finance and Resources sought approval to sign up to the Dying to Work voluntary charter. The TUC had launched a campaign urging organisations to sign up to the charter in support of terminally ill employees.

The TUC campaign sought to change the law to secure terminally ill workers a “protected period” where they could not be dismissed as a result of their condition. Current legislation, contained within the Equality Act 2010, protected people from discrimination in the workplace and specified nine characteristics that were protected, which included age, disability, gender re-assignment, etc.

It was hoped that the campaign would add “employees with terminal illnesses” to this list.

The charter included the following commitments from employers:-

- to recognise that employees with terminal illnesses require support and understanding, not additional stress and worry;
- to support terminally-ill employees following their diagnosis and to recognise that safe and reasonable work can maintain dignity and offer a valuable distraction;
- to provide employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families without undue financial loss;
- to support the TUC *Dying to Work* campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.

[ILO: UNCLASSIFIED]

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The Council had a long history of supporting employees diagnosed with terminal illness. In addition to signing the charter, it was proposed that in order to further support the initiative, the Council, as the first local authority in the country to agree to support the campaign, would:

- amend its policy on Sickness Absence Management to include a specific statement that the Council would not dismiss any employee with a terminal diagnosis because of their condition;
- provide appropriate training to line managers and Human Resources staff on the best ways of dealing with terminal illnesses;
- notify all employees of commitments made in support of the charter.

Resolved:-

- (1) that the Dying to Work Campaign be supported and the Council sign up to the Charter;
- (2) that in connection with resolution (1) above, the Assistant Chief Executive be requested to:-
 - (a) amend the Sickness Absence Management Policy to include a specific statement that the authority will not dismiss any employee with a terminal diagnosis because of their condition and employees with a terminal illness be made a “protected characteristic” in accordance with the Equality Act 2010;
 - (b) ensure appropriate training is delivered to staff and managers;
 - (c) notify all employees that the Council has made the commitment to support the Dying to Work campaign.

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82/16

Action Taken on a Matter of Urgency – Approval for Sandwell MBC to be Accountable Body in an application to City Deal “Working Together” Pilot Project

The Acting Leader and Cabinet Member for Finance and Resources provided details of an urgent action taken by the Assistant Chief Executive in relation to the submission of an application for the Council to be accountable body for City Deal Pilot Project.

The project aimed to increase the employability and employment of long-term unemployed Black Country social housing tenants in the Princes End ward.

Sandwell and the delivery partners would be delivering 250 employability engagement outputs and 80 people into employment during 2016/17.

Due to the complexities of collating a partnership bid, the number of partners involved in the application and the shorter funding deadlines, it was not possible to submit a report to Cabinet within the application deadline.

Resolved that the action taken by the Assistant Chief Executive, in consultation with the Acting Leader and Cabinet Member for Finance and Resources, for the Council to submit an application to be accountable body for the City Deal Pilot Project, be endorsed.

83/16

Decisions Taken by the Cabinet Member for Highways and Environment on 10th and 22nd March, 2016

The decisions of the Cabinet Member for Highways and Environment on 10th and 22nd March 2016 were received.

No questions were asked of the Cabinet Member.

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84/16 **Notes of the Black Country Joint Executive Committee on 20th April, 2016**

The notes of the Black Country Executive Joint Committee meeting held on 20th April, 2016 were received.

No questions were asked of the Acting Leader.

85/16 **Exclusion of the Public**

Resolved that the public and press be excluded from the rest of the proceedings to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial or business affairs of any particular person (including the authority holding that information).

Strategic Items

86/16 **Accommodation and Support Strategy (Key Decision Ref. No. ASCH011)**

The Cabinet Member for Adult Social Care and Health reported that on 20th May, 2015, the Cabinet approved the Adult Social Care Strategic Transformation Framework for Accommodation and Support as the basis for wider consultation with stakeholders on its vision, objectives and the long term outcomes for older and vulnerable adults (see Minute No. 93/15).

The Director - Adult Social Care was also authorised to lead a cross council transformation group to develop more strategic detail and to pursue the delivery of these objectives in the long term.

The group's findings in relation to the delivery of specific strategic actions and details of the conclusions of the initial engagement and consultation undertaken were submitted, including information regarding the use of specified council owned land.

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The overwhelmingly positive findings from this consultation exercise were endorsed by national action research findings on the accommodation and support models outlined in the strategy. This had also been confirmed by a comprehensive local analysis of a Sandwell extra care model.

The Cabinet had also approved utilising specified council owned land and property, as offering potential solutions to future accommodation and support demands linked to the strategy, subject to these positive consultation findings. Consultation undertaken to date, had not identified any issues relating to these strategic proposals and a business case for the Oxford Road, West Bromwich supported housing proposal had subsequently been prepared.

Two further sites located at Moor Lane, Rowley Regis and at West Road, Durham Estate, Great Barr had favourable preliminary site reports that identified them as suitable for development. These locations were in areas where demand was currently unmet. The next stage in the evaluation of the two sites would be to undertake a detailed options appraisal which would look specifically at design, build and operating options that included:-

- Council builds schemes using Housing Revenue Account funding and also provided care;
- Council builds schemes using Housing Revenue Account funding but leased the building to a care provider;
- Council provided the land and worked with a social housing developer and care provider to deliver the service;
- Council invited partners to develop proposals which met needs identified in the strategy.

Direct engagement and consultation would take place with local ward members and residents at key stages in the appraisal process, so as to ensure that local views were used to inform the preferred delivery proposals for these sites.

A further report would be presented to the Cabinet once the options appraisal was complete. Further remodelling and re-provision of existing extra care provision was also under consideration and a report would be presented to the Cabinet once plans were complete.

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As the Accommodation and Support strategy progressed, the transformation working group delivery plan would be revised and updated. Significant future delivery actions would be presented to Cabinet as they were identified.

Resolved:-

- (1) that the Adult Social Care led partnership strategy for the long term transformation of accommodation and support for vulnerable and older people be approved;
- (2) that the sites at Durham Estate, West Road, Great Barr and Moor Lane, Rowley Regis be provisionally secured for the development of extra care schemes;
- (3) that the Director – Adult Social Care, Health and Wellbeing undertake consultation with the members representing the wards in which the sites in (2) above are located;
- (4) that the commencement of an options appraisal to consider future delivery models and associated funding requirements be endorsed.

87/16

Recommendations arising from Land and Asset Management Committee at its meeting on 10th March 2016 (Key Decision Ref. Nos. LAM012, LAM014 and LAM015)

The Chair of the Land and Asset Management Committee presented the recommendations of the Committee from its meeting held on 10th March, 2016 relating to the following matters:-

- council owned car park, Union Street, West Bromwich;
- land off Hall Green Road and Needwood Grove, West Bromwich;
- Greets Green Resource Centre, Harwood Street, West Bromwich and adjacent land.

[ILO: UNCLASSIFIED]

The Cabinet – 18th May, 2016

Resolved:-

- (1) that, in respect of the Council owned car park at Union Street, West Bromwich:-
 - (a) the land shown on Drawing No. SAM/49460/001, be declared surplus to the Council's requirements and the Director - Governance be authorised to either dispose of the freehold interest in, or grant a lease of the land on terms and conditions to be agreed by the Director - Regeneration and Economy;
 - (b) the Director - Governance be authorised to enter into, or execute under seal where necessary, any other legal documentation in connection with the disposal of the land or grant of a leasehold interest referred to in resolution (1) above on terms to be agreed by the Director – Regeneration and Economy;

- (2) that, in respect of land off Hall Green Road and Needwood Grove, West Bromwich:-
 - (a) Minute No. 28/12 (2), (3) and (4) of the Asset Management and Land Disposal Cabinet Committee held on 23rd May 2012, in relation to disposal of land at Needwood Grove, West Bromwich, be not proceeded with;
 - (b) the Director – Governance be authorised to dispose of the freehold interest in approximately 3.48 hectares of land off Hall Green Road and Needwood Grove, West Bromwich, as shown on Plan No. CPD/21900/7, to Mar City Homes Limited, on terms and conditions to be agreed by the Director – Regeneration and Economy;
 - (c) the Director – Governance be authorised to enter into or execute under seal if necessary, any other related documentation in connection with the disposal of the land referred to in resolution (2)(a) above, on terms to be agreed by the Director – Regeneration and Economy;

[ILO: UNCLASSIFIED]

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- (3) that in respect of Greets Green Resource Centre, Harwood Street, West Bromwich:-
- (a) subject to no adverse comments being received regarding the intention to dispose of the land following advertisement in accordance with Section 123 (2) of the Local Government Act 1972, an exception to the existing policy on land and premises for the voluntary and community sector be made to accommodate the grant of a 25 year lease of the Greets Green Resource Centre at the former Harwood Housing Office and adjoining land, to the Confederation of Bangladeshi Organisations Limited;
 - (b) subject to resolution (3)(a) above, the Director – Governance be authorised to proceed with the grant of a 25 year full repairing lease of the Greets Green Resource Centre and adjoining land (as shown on Plan No. SAM/22860/005) to the Confederation of Bangladeshi Organisations Limited with a full rent subsidy on terms and conditions to be agreed by the Director - Regeneration and Economy;
 - (c) the Director - Governance be authorised to enter into or execute under seal if necessary any related documentation in connection with the recommendation outlined in resolution (3)(a) above.

(Meeting ended at 3.50 pm)

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

[ILO: UNCLASSIFIED]

Fostering Allowances 2016/17

Fostering Allowance/SGO Allowance (maximum Rates)

Paid fortnightly

Age Band	Current Rates £	2016/17 Rates £
0 - 4	272.40	272.94
5 - 10	310.31	310.93
11 - 15	386.28	387.06
16+	469.82	470.76

Initial Clothing Grant

One payment if required

Age Band	Current Rates £	2016/17 Rates £
0 - 4	116.85	117.08
5 - 10	131.81	132.07
11 - 15	148.31	148.61
16+	164.51	164.84

Holiday Grant

Paid Once

Age Band	Current Rates £	2016/17 Rates £
0 - 4	212.45	212.87
5 - 10	265.56	266.09
11 - 15	265.56	266.09
16+	265.56	266.09

Foster Care Fee

Paid weekly

Out of Hours Fee

Paid fortnightly

	Skill Level (New Scheme)	Current Rates £	Skill Level (New Scheme)	2016/17 Rates £		Current Rates £	2016/17 Rates £	
	1	0.00	1.00	TBC		176.59	TBC	
	2	103.22	2.00	TBC				
	3	123.87	3.00	TBC				
	4	165.16	4.00	TBC				
	5	201.28	5.00	TBC				
	6	242.57	6.00	TBC				
	MTFC	516.11	MTFC	TBC				
*To be increased in line with staff pay award (when agreed)								

APPENDIX 1

IL0 - Unclassified

Personal Allowance

Age Band	Current Rates £	2016/17 Rates £
0 - 4	5.01	5.02
5 - 10	8.31	8.32
11 - 15	12.92	12.95
16+	21.78	21.82

Birthday/Christmas Grant

Paid Once

Age Band	Current Rates £	2016/17 Rates £
0 - 4	79.67	79.83
5 - 10	106.22	106.44
11 - 15	132.78	133.05
16+	159.34	159.66

Residence Orders/Custodian/

Adoption Allowance (maximum Rates)

Paid fortnightly				
Age Band	Current	2016/17		
	Rates	Rates		
	£	£		
0 - 4	181.60	181.96		
5 - 10	206.87	207.29		
11 - 15	257.52	258.04		
16+	313.21	313.84		