

The Cabinet

7th December, 2016 at 3.30 pm
at the Sandwell Council House, Oldbury

Present: Councillor Eling (Chair);
Councillors Carmichael, Hackett, D Hosell,
Khatun, Marshall, Moore, Shackleton and Trow.

In attendance: Councillors Ahmed, Crompton, Y Davies,
P Hughes, S Jones and Underhill.

Apology: Councillor Gill.

195/16

Minutes

Resolved that the minutes of the meeting held on 16th
November, 2016 be confirmed as a correct record.

Strategic Items

196/16

Formation of a Children's Trust to Deliver Children's Social Care Services in Sandwell – Memorandum of Understanding (Key Decision Ref. No. CS084)

The Cabinet Member for Children's Services reported that on 19th
October 2016, Cabinet was advised of the Government's Statutory
Direction to set up a Children's Trust to deliver children's social care
services for a period of time.

This required the Council to agree a Memorandum of
Understanding with the Commissioner (appointed by the Secretary
of State), to be signed in December 2016 and would include
arrangements for establishing a Trust to deliver children's social
care services.

The Cabinet – 7th December, 2016

Following agreement between the Commissioner and the Council to the content of the Memorandum of Understanding, the Commissioner would report to the Secretary of State.

Whilst all matters that formed the basis of the draft Memorandum of Understanding had been progressed and agreed with the Commissioner, the Council's preferred option for the employment model was a secondment arrangement which had been put forward to the Commissioner. However, the Commissioner had formally stated that secondment did not meet the Government's test of achieving operational independence as set out in the Statutory Direction. As a result, the only employment model that would meet the Government's requirements was TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2014).

The Council now accepted the imposition of a TUPE employment arrangement as part of agreeing the draft Memorandum of Understanding and intended to address issues of concern by seeking to put in place additional safeguards that would apply to employees who transferred under TUPE.

The Council continued to see rapid and sustained improvement in children's social care and was committed to continue to work jointly with the Department for Education to achieve the best possible outcomes for vulnerable children and young people in Sandwell.

A draft Memorandum of Understanding was circulated at the meeting to members for consideration. However, as the Memorandum of Understanding would need to be signed off by the Secretary of State, it was not currently available for public inspection at this point in time.

In response to a question raised by the Chair of the Children's Services and Education Scrutiny Board relating to what the transition costs were likely to be to set up the Trust and whether the cost would come from the Children's Services budget or from a central fund, the Leader of the Council confirmed that the Council would incur some costs as a result of setting up the Trust, however, where the Government insisted on the inclusion of particular clauses which incurred additional costs, the Government would be asked to fund this.

The Cabinet – 7th December, 2016

Whilst the Leader of the Council acknowledged that there was a need to improve Children's Services and to bring in measures to make those improvements, he expressed concerns that the authority had suggested an alternative model to a Children's Trust, and the Council was now under a directive to set up the Trust with no other option. Concerns were expressed that the Council recommended that staff should be transferred to the Trust under their current terms and conditions, however, the Government had not accepted this option and had directed that staff would have to be transferred under TUPE. Despite this, the Council sought to enhance regulations by the addition of the Local Government Pension Fund to staff and by providing ongoing continuous employment to staff through the Jobs Guarantee scheme. The Leader had also highlighted to the Minister that a ballot for industrial action had been undertaken due to the dispute on what the Government was imposing.

The Chair of the Housing Scrutiny Board placed on record how he was against the enforcement of the Trust upon the Council and the decision of the Government.

Resolved:-

- (1) that the key elements of the draft Memorandum of Understanding between the Commissioner (appointed by the Secretary of State) and the Borough Council of Sandwell, based on TUPE, be accepted as the basis for submission to the Secretary of State, which will allow the existing Statutory Direction to remain in place;
- (2) that in connection with resolution (1) above, the Chief Executive, Director of Children's Services and Interim Director - Resources (as appropriate), in consultation with the Leader of the Council and Cabinet Member for Children's Services, be authorised to negotiate and agree the content of the final Memorandum of Understanding prior to signature;
- (3) that once the Memorandum of Understanding has been signed by the Secretary of State, the Leader of the Council be authorised to commit the Council to delivering the Memorandum of Understanding including the safeguards over and above TUPE as set out in the following three pledges:-

The Cabinet – 7th December, 2016

Pledge 1 - An application will be made for the Trust to be included on the Redundancy Modification Order (The Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification Order 1999). This will have the effect of preserving continuous service benefits for employees both current and new. This will be of particular benefit to employees who subsequently move from the Trust into other local authority employment, allowing accrued continuous service to be maintained;

Pledge 2 - Admitted Body Status in the Local Government Pension Scheme will be established for the Trust. This will secure ongoing pension scheme membership and benefits for employees who transfer, allowing them to remain in or join the pension scheme;

Pledge 3 - The benefits of the Council's existing Job's Promise agreement will be applied to the Trust, including no compulsory redundancy, supported redeployment and job role flexibility;

- (4) that Cabinet commit to work with the Secretary of State's appointed Commissioner and with the Children's Trust once it has been incorporated, to deliver the additional Pledges as follows:-

Pledge 4 - Focus on improving outcomes for children, not disadvantage employees pay or pension arrangements;

Pledge 5 – Will invest in its employees by providing learning and development as part of the day job with high quality supervision and support;

Pledge 6 - Provides a working environment that employees will enjoy being in that helps them do their job;

Pledge 7 – Actively encourage employees to maintain a healthy work/life balance by providing a range of flexible working options to help with this;

The Cabinet – 7th December, 2016

Pledge 8 – Invest in the right technology and tools to do the job;

Pledge 9 – Values all employees, listen to ideas and concerns and act on them;

Pledge 10 - Will be a good employer for all employees that transfer and committed to nurturing good employee relations with employees and Trade Unions.

197/16

West Midlands Mayoral Combined Authority – Implementing the Devolution Agreement (Key Decision Ref. No. LR25)

The Leader of the Council reported that on 6th December 2016, the Council considered proposals on the next stage of implementing the devolution agreement that underpinned the establishment of a Mayoral West Midlands Combined Authority. The Draft West Midlands Combined Authority (Functions and Amendment) Order 2016 was the final stage in setting the Mayoral role.

The Draft West Midlands Combined Authority (Functions and Amendment) Order 2016 detailed the functions required by the Combined Authority in order to deliver the devolution deal. However, at the Council meeting, members raised concerns that the authority was being asked to consider a draft order.

Having considered the views of members, the Leader of the Council was minded to defer consideration of the matter pending receipt of the final order and requested that additional meetings of the Cabinet be scheduled to approve the final Order.

198/16

Council Tax Base 2017/2018 (Key Decision Ref. No. LR15)

The Leader of the Council presented the proposed Council Tax Base 2017/2018.

The tax base was calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

The regulations set out the methodology to be used by authorities when calculating their tax base for Council Tax purposes.

The Cabinet – 7th December, 2016

It also dictated that the tax base should be set between 1st December and 31st January prior to the financial year to which it referred.

The Council Tax Base represented the amount that could be raised by the Council for every £1 of Council Tax that was levied in the Borough. Decisions regarding the Local Council Tax Reduction Scheme to be adopted within Sandwell for 2017/18 may affect the level of Council Tax Base.

The proposed Council Tax Base assumed the following: -

- there would be no changes made to Sandwell's Local Council Tax Reduction scheme for 2017/18;
- that the decision to apply 0% Council Tax Discounts on empty properties and to apply an empty home premium of 150% for homes empty longer than two years, would continue throughout 2017/18.

The actual levels of Council Tax for 2017/2018 would be dependent upon final decisions yet to be taken on both Sandwell budgets and those of the precepting bodies, together with consideration of any surplus or deficit on the Collection Fund.

An equality impact assessment was not required for this proposal.

In response to a question raised by the Chair of the Housing Scrutiny Board relating to continuing to apply an empty home premium of 150% on properties empty longer than two years and whether this should be applied after the property had been empty for more than one year in order to encourage empty properties back into use, the Leader of the Council reported that the Finance Act 2012 had specified that a property had to be void for a two year period before a supplement was provided.

Resolved to recommend:-

- (1) that the Council continue to apply 0% Council Tax Discounts on empty properties and continue to apply an empty home premium of 150% on properties empty longer than two years, throughout 2017/18;
- (2) that the Council approve the Council Tax Base for 2017/2018 to be set at 71,217.34.

The Cabinet – 7th December, 2016

199/16

Business Rate Retention Estimate 2017/2018 (Key Decision Ref. No. LR22)

The Leader of the Council sought approval to business rates forecast for 2017/2018.

The Non-Domestic Rating (Rates Retention) Regulations 2013 brought about major changes to the funding of local government which included the retention by councils of 50% of locally collected business rates. There was a statutory requirement placed on all collection authorities to calculate how much income each authority was likely to receive for the coming financial year.

The National Non Domestic Rate 2016/2017 form, which represented the estimated business rates expected to be collected by the Council next year, was yet to be received from the Department for Communities and Local Government. Assumptions had therefore been made with regard to the final estimate.

A revaluation of all commercial property would come into effect from 1st April 2017. The draft rating list was received on 30th September 2016 and all calculation and assumptions had been based on the valuations contained in the draft list.

An equality impact assessment was not required for this proposal.

In response to a question raised by the Chair of the Housing Scrutiny Board relating to administration costs associated with the scheme and whether the Council needed to budget for it, the Leader of the Council confirmed that no additional administrative costs were expected as a result of the 100% retention pilot as the Council had always had to collect the full amount of business rates charged and passed 1% to the Fire Service, 50% back to the Government and retain the remaining 49%.

Resolved:-

- (1) that subject to any changes arising from the issue of the National Non Domestic Rate (NNDR1) form by the Department for Communities and Local Government and Autumn Statement announcements, the business rate retention forecast for 2017/18, be agreed as £45.6m;

The Cabinet – 7th December, 2016

- (2) that the Interim Director - Resources adjusts the estimate following required changes arising from the issue of the National Non Domestic Rate (NNDR1) form and joint Spending Review and Autumn Statement announcements.

200/16 **Review of Fees and Charges for Council Services (Key Decision Ref. No. LR16)**

The Leader of the Council requested that the report be deferred for consideration until January 2017.

201/16 **Local Council Tax Reduction Scheme 2017–2018 (Key Decision Ref. No. LR21)**

The Leader of the Council presented Sandwell's Local Council Tax Reduction Scheme for 2017-2018.

On 12th January 2016, the Council approved a revised Local Council Tax Reduction Scheme for 2016-17. The scheme had now been operational for over eight months.

Following a further four week consultation with stakeholders, it was now proposed that the Council approve the 2017-18 scheme by no later than 31st January.

<p>Resolved to recommend that the Local Council Tax Reduction Scheme 2017-2018 be approved.</p>
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202/16 **Introduction of charges for household pest control treatments (Key Decision Ref. No. PHP02)**

The Cabinet Member for Leisure, in the absence of the Cabinet Member for Public Health and Protection, sought approval to introduce a charge of £50.00 for the treatment of wasps' nests, fleas and other non-injurious insects. However, it was proposed that residents receiving passported benefits would be exempted from the charge.

The Cabinet – 7th December, 2016

Over the past three years, the number of pest control treatments for pest services for which it was proposed to charge was in the range 1,500 to 2,500. The Council's pest control service handled more than 5,000 requests for treatment annually, resulting in over 7,000 visits including follow-up calls. Sandwell was unique in the West Midlands in not charging residents for pest control services, although some fee-earning work was carried out for other council services, partner organisations and local businesses.

Whilst the sensitivity of demand to the imposition of charges could not be predicted, officers were concerned that reporting of pests such as rats, mice, cockroaches and bedbugs would decline if charges were applied to all pest treatments. This would be counterproductive if, as a result, infestations were to spread and Environmental Health Officers were required to serve statutory notices on owners or occupiers to deal with these pests. It was therefore not proposed to charge for these pest treatments.

In response to questions raised from the Chair of the Community Safety, Highways and Environment Scrutiny Board, the Chair of the Health and Adult Social Care Scrutiny Board and the Chair of the Jobs, Economy and Enterprise Scrutiny Board, the Leader of Council clarified that benchmarking information from the West Midlands had shown that other local authorities charged for some or all of their services. The proposed charge was at the lower end of the range and the exemption for households in receipt of passported benefits would mean that those residents with very low disposable income would still be able to access the service.

Passported benefits were:

- Full Council Tax Reduction;
- Full Housing Benefit;
- Job Seeker's Allowance (income based);
- Employment and Support Allowance (income related);
- Income Support;
- Universal Credit (only where there was no reduction in Universal Credit due to working);
- Pension Credit Guarantee.

Following concerns raised from the Chair of the Jobs, Economy and Enterprise Scrutiny Board requesting a concession for those on a low minimum wage, the Leader of the Council emphasised that if the Council did not introduce a charge, the service would need to be cut as it was no longer viable to run it at no cost.

The Cabinet – 7th December, 2016

Concessions were still being applied to those on passported benefits, however, it needed to be recognised that the Council was now operating on a third of the 2010 Council budget. It was also reported that it would not be viable to measure those residents on a low minimum wage as the authority had no evidence of earnings.

Resolved that with effect from 1st April 2017:-

- a) a charge of £50.00 (£41.67 plus VAT) be made to residents for all pest treatments other than rats, mice, cockroaches and bedbugs;
- b) those households receiving passported benefits be exempt from the pest treatments charge.

203/16

Commissioning of Integrated Drug and Alcohol Service Provision (Key Decision Ref. No. PHP03)

The Cabinet Member for Leisure, in the absence of the Cabinet Member for Public Health and Protection, sought approval to undertake a procurement process for the provision of an integrated drug and alcohol service.

Currently, drug and alcohol treatment provisions were commissioned separately. The new service provision was to commence from 1st February 2018.

It was anticipated that in future, the public health budget would not be ring fenced and would be funded by growth in business rates from 2019/20 and therefore the funding envelope would be considerably reduced. It was essential that a sustainable integrated drug and alcohol service model with a self-help focus was formed to ensure these cost efficiencies were met.

A new service model had been developed in order to shift focus towards prevention and early intervention that was easily accessible whilst ensuring the drug and alcohol provisions were fully integrated. This would not only help achieve significant cost efficiencies but would also ensure that common needs were addressed most effectively.

The Cabinet – 7th December, 2016

The proposed new model would have four key elements:

- Prevention and Self-Help;
- Engagement, Early Intervention and Harm Reduction;
- Structured Treatment;
- Recovery Support.

The total cost of the new integrated drug and alcohol service provision would be £3.1 million per annum subject to 10% reduction in budget each contract year.

Although this represented a reduction in the overall current budget, savings could be made by increased integration of services, particularly with regard to recovery, criminal justice and a focus on prevention.

The services would remain 'open access' and it was envisaged that the number of people accessing the services would increase, whilst also ensuring equity of access for at risk group and those with protected characteristics.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the Director – Public Health commence a procurement process and award a contract for the provision of integrated drug and alcohol treatment services and Governance Services be authorised to enter into an appropriate contract with the successful bidder on terms to be agreed by the Director - Public Health;
- (2) that the Director - Public Health undertakes an annual review of the integrated drug and alcohol treatment service against national guidance and regional benchmarking to ensure value for money is obtained.

The Cabinet – 7th December, 2016

204/16

Proposals for the review of the 2017/18 council tenant rents and housing related property charges (Key Decision Ref. No. LR24)

The Leader of the Council sought approval to the proposed council housing rent and property related charges to be implemented with effect from 3rd April 2017.

In March 2016, The Welfare Reform and Work Act introduced government policy changes affecting rents set by social housing providers and introduced annual reductions of 1% for four years with effect from April 2016. In line with this policy, rents for tenants would need to be reduced by 1% in April 2017. The average 48 week rent within Sandwell would fall £0.88 to £87.10.

The 1% annual reduction in future housing rent income to 2020 had been included in the Housing Revenue Account business plan 2016/2020. The cumulative loss of rent income over the four year period compared to original assumptions was £33 million, however, the Council had managed this cost by reviewing its future priorities, operational costs and careful use of Housing Revenue Account balances.

The Council would invest substantially in new additional council homes since the Council had borrowing room before it hit its borrowing limit known as the 'debt cap'.

It was proposed that rents of properties within the Wednesbury area managed by Riverside under the Private Finance Initiative contract and specialist supported housing across the borough would also receive the 1% rent reduction.

One of the Council's policies over the next five years was to increase the number of new council properties and let at an affordable rent. These properties were similarly linked to social housing rent legislation and it was proposed that their rents were reduced by 1% in April.

The Council had discretion on buying back ex-council homes sold under Right to Buy. Currently these were let at Sandwell's social housing rents. It was proposed that this was changed from April 2017 and further properties brought back into the council housing stock were let at an affordable rent.

The Cabinet – 7th December, 2016

For other properties managed by the housing service that were outside the Housing Revenue Account and the costs and income are held within the Council's General Fund, including any remaining parks lodges, it was proposed for these rents were increased by 2% from April 2017 and that in future, any new tenancies were let at market rents.

An equality impact assessment was carried out for this proposal.

In response to questions raised by the Chair of the Housing Scrutiny Board, the Leader of the Council confirmed that:-

- the Council had discretion to freeze or raise rents for properties within the Riverside/Private Finance Initiative managed area, however, to ensure fairness and maintaining parity of rents with properties in the borough, it was agreed that Private Finance Initiative properties were still reduced 1% from April 2017;
- the Local Housing Act and the welfare reforms for under 35s would have a major impact which may increase homelessness as there was not enough housing stock to match demand. This was a national problem;
- houses sold under the Right to Buy scheme were sold freehold and the Council had no power to charge grounds maintenance or any other charge once they were sold. If a flat was purchased under Right to Buy, they were purchased leasehold and a separate service charge for grounds maintenance was applied if there were communal grass areas around the flats.

Resolved:-

- (1) that in connection with the council tenant rents and housing related property charges for 2017/18, with effect from 3rd April 2017:-
 - a) the rent of current tenants within Housing Revenue Account dwellings be reduced by 1%;
 - b) the rent of new tenancies within current council stock be set at the Sandwell formula social rent but inclusive of a 1% reduction;
 - c) the rent of properties let under affordable rents in 2016/17 be reduced by 1%;

The Cabinet – 7th December, 2016

- d) the rent of new tenancies in additional newly built council homes and former council homes purchased back to be let under affordable rents;
 - e) the rents of new supported living properties be set at affordable rents;
 - f) the rent of properties outside of the Housing Revenue Account be increased by 2% and new tenancies to be let at market rents;
 - g) weekly garage rents be increased by 2.25%;
 - h) existing housing property related service charges be amended to the revised schedule now submitted;
- (2) that in connection with resolution (1) above, other third party charges are recovered on the basis of actual cost;
- (3) that the annual Leasehold Management Fee remain at £100;
- (4) that the Interim Director – Neighbourhood Services look at the feasibility of extending CCTV security to all blocks and submit a report on his findings to the Cabinet.

205/16

Local Authority/Schools' Model Grievance Policy and Guidance (Key Decision Ref. No CS073)

The Cabinet Member for Children's Services sought approval to the revised Schools' Model Grievance Policy and Schools' Model Grievance Policy Guidance.

The Council had now sought to simplify the Policy which set out the key principles and parameters from the Guidance which detailed the processes to be followed. This model reflected best practice and allowed for legislative updates to be more speedily and effectively implemented into Policy.

The Policy and Guidance had been rewritten and the key proposed changes were:

- incorporating and consolidating the general provisions of the existing Harassment and Bullying Policy for School Based Employees for raising grievances of that nature;
- to provide further clarity that certain exclusions would apply;

The Cabinet – 7th December, 2016

- greater clarity in terms of the process to be followed to encourage the resolution of grievances at the Informal Stage and the lowest possible level;
- that a formal grievance would be accepted only where it could be evidenced that an employee had fully engaged and co-operated in attempting to resolve their grievance informally;
- grievances should be submitted in good faith and not be malicious or vexatious and, if there were sufficient concerns, the matter would be investigated and could result in the individual submitting the grievance being subject to disciplinary action.

The revised Policy and Guidance has been updated to meet current legislative requirements and Advisory Conciliation and Arbitration Service (ACAS) recommended good practice. The approach taken in this review reflected the Council's position on employment policy; that it should be clear and aligned to current legislation and the subject of meaningful consultation.

Whilst there was no requirement for employers to consult on Guidance issued in association with any Policy, changes had been made to both documents to reflect feedback during the consultation process with trade unions.

An equality impact assessment was not required for this proposal.

Resolved that the Schools' Model Grievance Policy and Schools' Model Grievance Policy Guidance be approved and recommended to the governing bodies of schools in Sandwell.

206/16

STAR and Fast Response Service Remodel (Key Decision Ref. No. SC11)

The Cabinet Member for Social Care reported that on 19th October 2016, the Cabinet approved a review of the STAR and Fast Response service and consultation to be undertaken with associated staff. STAR and Fast Response service were regulated services, registered with Clinical Quality Commission and based at the Independent Living Centre, Smethwick. Primarily they supported older people with care and support needs (see Minute No. 170/16).

The Cabinet – 7th December, 2016

As the Council aimed to improve the speed and capacity for hospital discharge and hospital avoidance, a review and consultation with associated staff was undertaken on a number of key areas that currently impeded the services ability to manage the pressures placed upon the Council from both a capacity and efficiency perspective.

Details of the consultation responses were now submitted.

Approval was now sought to merge the STAR and Fast Response service into a single domiciliary care service that was able to respond quickly and support people for up to six weeks.

It was also proposed that:-

- the management of service would be restructured to ensure that cover was available seven days per week from 7am to 11pm in line with Clinical Quality Care requirements. The current management team (25 full time equivalent (FTE)) would be affected and the structure and working patterns will be revised. The structure identified that six Social Care Officers will be transferred from the existing structure to the community social work teams to support care management activity;
- consistent staffing levels would be put in place across seven day working which would result in the vast majority of the 137 staff being placed on a '4 on 4 off' shift pattern. This would require staff to go from currently working every other weekend to working a combination of eight Saturdays and eight Sundays across a 16 week rota period.
- staff with contracts of 37 hours per week would work a five day rota and be required to work two out of three weekends;
- staff shift patterns and contract hours will change to better fit the needs of the people who accessed the service. This would affect all 137 staff. There are currently 17 variations in contracted hours across the service ranging from seven to 37 hours per week. The new service model would be composed of only 5 standard contracts (20, 26, 28, 32.5 and 37 hours per week);
- lone working would be implemented. The staff team would no longer work in two's after 7pm (double ups) unless either the service users' needs require it, if we were responding to a crisis or where a risk to staff safety was identified. All staff would receive lone worker training;

The Cabinet – 7th December, 2016

- any new appointment to the service would be required to drive and have access to a vehicle for work purposes.

The proposals would result in the required number of home support assistants reducing from 87.9 FTE to 68.2 FTE upon successful completion of the new model. This resulting reduction of 19.7 FTE posts, alongside reductions in the service's running costs and management structure would deliver £600,000 efficiency to the Better Care Fund.

Discussions with Trade Union had commenced and would be ongoing.

An equality impact assessment had been carried out for this proposal.

Resolved:-

- (1) that the Director - Adult Social Care, Health and Wellbeing be authorised to:-
 - a) merge the STAR and Fast Response service into a single domiciliary care service that is able to respond quickly and support people for up to 6 weeks;
 - b) from the 1st April 2017, implement the remodelled service based on the revised structure chart, shift patterns and contracted hours as set out in Appendix 1;
- (2) that in connection with resolution (1) above, in order to enable the new structure to take effect:-
 - (a) the following posts within Adult Social Care, as shown in Appendix 1, be deleted with effect from 1st April 2017:

	Deleted role	FTE	Grade
D1	Social Care Co-ordinator	2	F
D2	Home Support Assistant	19.7	C

- (b) the following posts within Adult Social Care, as shown in Appendix 1 be created with effect from 1st April 2017

The Cabinet – 7th December, 2016

	New role	FTE	Grade
C1	Social Care Team Manager (STAR)	1	H
C2	Social Care Officer	1	E

- (3) that the Director - Adult Social Care, Health and Wellbeing be authorised to:-
- (a) continue to fully engage with Trade Union representatives and staff as required;
 - (b) follow the Employee Consultation Timeline as set out in Appendix 4 to implement the required changes to the service;
 - (c) commence the selection process, as soon as possible after formal consultation ends, in order to move staff in to the new structure. All new posts will be ring-fenced to existing staff to minimise costs and avoid the displacement of staff;
 - (d) in conjunction with the Job Promise process, explore redeployment opportunities for those post holders occupying the posts displaced within the structure and provide necessary support.

207/16

Direct purchase of annual ORACLE Software Licences from ORACLE Corporation Limited (Key Decision Ref. No. CCS15)

The Cabinet Member for Core Council Services sought approval to renew the software licence agreements with ORACLE Corporation Limited for licences pertaining to the Oracle E-Business Suite. Oracle Reporting Software Licences underpinned ORACLE E-Business Suite reporting and were therefore essential for continued license compliancy and ongoing reporting functionality used in the current software configuration. A number of product licences were also migrated during 2012 from the E-Business Suite contract to the Oracle Reporting contract during new software procurement and therefore this contract was closely associated with the E-Business Suite software licence contract.

The Cabinet – 7th December, 2016

An exemption to the Council's Procurement and Contract Procedure Rules was sought for the annual renewal of the Licence agreements.

Resolved:-

- (1) that the Interim Director – Resources award software licence agreements with the ORACLE Corporation Limited for the following:-
 - a) Oracle E-Business Suite Software Licences for a total sum of £327,535 from 1st April 2017 to 31st March 2018;
 - b) Oracle Reporting Software Licenses for a total sum of £83,306 from 28th April 2017 to 27th April 2018;
- (2) that in connection with resolution (1) above, any exemption is made to the Council's Procurement and Contract Procedure Rules to enable the proposed action to proceed.

208/16

Provision of Steel Security Fencing to Council Properties (Key Decision Ref. No. HG23)

The Cabinet Member for Housing sought approval to award a contract for the provision of steel security fencing for a contract period of two years, from 15th February 2017 to 14th February 2019.

In accordance with the Council's Procurement and Contract Procedure Rules, Home Farm Nurseries (Pinvin) Ltd submitted the best value tender. The anticipated value of the contract was £276,000 (£138,000 per annum) for a period of two years.

An equality impact assessment was not required for this proposal.

Resolved:-

- (1) that the Interim Director – Neighbourhood Services award the contract for the provision of steel security fencing to Home Farm Nurseries (Pinvin) Ltd for a total sum of £276,000 (£138,000 per annum) for the period 15th February 2017 to 14th February 2019;

The Cabinet – 7th December, 2016

- (2) that in connection with resolution (1) above, the Council enter into sign and seal, the necessary agreements and associated documents required in order to execute the appropriate contract with Home Farm Nurseries (Pinvin) Ltd for the provision of steel security fencing to Council properties.

The Cabinet – 7th December, 2016

209/16

Proposal to commission Sandwell Community Information and Participation Service (SCIPs) 2017-2019 (Key Decision Ref. No. HG31)

The Cabinet Member for Housing sought approval to allocate £150,000 to Sandwell Community Information Participation Service (SCIPS) who played an important role in supporting Council tenants to be involved and to influence decisions affecting their homes and neighbourhoods.

The Council's current agreement with SCIPS was due to end on March 31st 2017.

The target group for the grant agreement is a variety of voluntary and community sector bodies active within Sandwell, specifically Tenants and Residents Groups and smaller community based groups.

The core activities with the target groups would include:

- to provide training for tenant led groups and organisations;
- to provide support for existing and new tenant led groups and organisations;
- to provide development and capacity building to groups leading to local initiatives, especially provision of activities and services;
- to support the independent contribution of tenant organisations and to enable effective consultation by Council and partners with tenant led groups and organisations;
- to support tenant led groups and organisations to develop initiatives and to attract funding to deliver and sustain them.

An equality impact assessment was not required for this proposal.

In response to a query from the Chair of the Housing Scrutiny Board, the Cabinet Member for Housing confirmed that all options would be looked at as part of the partnership arrangements with SCIPS in order to continue to achieve value for money.

The Cabinet – 7th December, 2016

Resolved That the Interim Director – Neighbourhood Services to allocate £150,000 in 2017/18, 2018/19 and 2019/20 to Sandwell Community Information Participation Service (SCIPS) to support tenants of Sandwell to have a voice within their neighbourhood and to influence decisions affecting their homes and neighbourhood.

210/16

Review of Private Hire and Hackney Carriage Licensing (Key Decision Ref. No. PH05)

The Deputy Leader and Cabinet Member for Neighbourhoods and Communities, in the absence of the Cabinet Member for Public Health and Protection, reported that the Council had recently undertaken a review of its approach to the protection of public safety in connection with private hire and hackney carriage licensing (taxi licensing) in Sandwell. This followed the public release of the findings of the Casey report into the inspection of the taxi licensing regime in Rotherham.

The Taxi Licensing Office within Governance Services administered the function and matters were referred to the Council's Licensing (Miscellaneous) Committee to determine cases where drivers were either in breach of their licence conditions or had committed an offence during the lifetime of their licence.

The licensing regime's primary function was to protect the public. The review had examined what was in place to protect the public and the work which had been done and was proposed to further protect the public.

The Casey report had highlighted issues about trade influence in decision-making process and the role of members.

Sandwell had considered the issue of members who held or had previously held taxi licences, together with those who had held a personal association with the taxi trade. Whilst the view was held that there was a clear benefit where members had a good knowledge of taxi licensing as a result of previous experience and whilst there was no evidence of issues at this Council, the Casey report had changed public perceptions. It was therefore proposed to revisit the approach at Sandwell.

The Cabinet – 7th December, 2016

It was recommended that a review was conducted of the arrangements for the consideration and determination of all matters which fell within the terms of reference delegated to the Licensing (Miscellaneous) Committee.

The current Sandwell safeguards to protect the safety of the public included a rigorous assessment of the driver before a driver's licence was issued. In addition, where an applicant for a licence lived outside of the borough, checks were made with the licensing authority in which they lived to ensure there was no adverse licensing history with that authority.

Details of a number of improvements that had been implemented by the Council, to minimise the risk of the Council failing in its duty to protect the public with respect to private hire and hackney carriage licensing, were now submitted.

The Casey report highlighted a number of key issues that would inform a major update to taxi licensing policy that would be brought to Cabinet in February 2017.

An equality impact assessment was not required for this proposal.

Whilst it was acknowledged that there were no apparent safeguarding concerns as part of Sandwell's taxi network, it was agreed that robust taxi licensing measures were required to ensure that young and vulnerable people were safe. The Council would continue to look at its processes to ensure that they were adequate and sufficient.

Resolved:-

- (1) that the position in relation to private hire and hackney carriage licensing in Sandwell, as now reported, be received;
- (2) that a review is conducted of the arrangements for the consideration and determination of all matters which fall within the terms of reference which are delegated to the Licensing (Miscellaneous) Committee.

The Cabinet – 7th December, 2016

- (3) that the Monitoring Officer be requested to write to all members to notify them that where members who wish to make enquiries or representations in respect of applicants or current licence holders, do so by writing to the Deputy Monitoring Officer, who will consider the matter and respond directly to the member;
- (4) that a further report be presented to Cabinet in February 2017 proposing further changes to taxi licensing policy.

(During consideration of the item, it became apparent that Councillor Ahmed, Chair of the Leisure Scrutiny Board, had a pecuniary interest in that he was a taxi driver for a Birmingham firm. Councillor Ahmed was subsequently advised to leave the room and take no further part in the discussion.)

Business Items

211/16

Development of a new long term vision and performance management framework for the Council

The Cabinet Member for Core Council Services reported that as the Council was operating in a context of continuous change and needed to be adaptable and responsive to this environment as well as continuing to maximise income, minimise costs and transforming the way we worked internally, the Council needed to refocus and clarifying its core purpose as a Council, developing a new long term vision for Sandwell with partners and the community and designing a new performance framework that was fit for measuring progress.

Development of a vision for Sandwell would provide overall strategic direction for the Borough and to help all partners in Sandwell focus its collective efforts. An underpinning set of priorities should then be the driver for how the vision was achieved and delivered.

The vision would be outcome based and would frame business planning process and all activity and decision making would be aligned to achieving its outcomes.

Work had begun to identify the following themes:-

- i. Building resilient, aspirational communities and families that can achieve their potential;

The Cabinet – 7th December, 2016

- ii. Ensuring people have the education and skills to fulfil their potential and take advantage of opportunities;
- iii. Making the most of opportunities provided through growth in the region and beyond;
- iv. Ensuring that Sandwell is an environment where people want to live;
- v. Breaking the cycle of intergenerational poverty and inequality.

The communication and engagement framework now detailed how the Council would engage with internal and external stakeholders over the next few months to develop and define the vision.

In response to a request from the Chair of the Housing Scrutiny Board for local ward members to approach schools and colleges in order to engage them in the vision for the borough, the Cabinet Member for Core Council Services welcomed the suggestion and emphasised that the vision for Sandwell should be owned by the people of Sandwell.

Resolved:-

- (1) that the communication and engagement framework and the Performance Management Framework, as now submitted, be agreed as a basis for developing Sandwell's vision and Performance Framework;
- (2) that a further report on the proposed vision and priorities for the Council be submitted to the Cabinet on 22nd March 2017.

212/16

Action Taken on Matter of Urgency - 100% Business Rates Retention Pilot

The Leader of the Council presented details of an urgent action taken by the Interim Director – Resources, in consultation with the Leader of the Council, in relation to the Council, as one of the constituent members of the West Midlands Combined Authority, participating in a business rates retention pilot from April 2017, on a no detriment basis and in accordance with the terms outlined, subject to final confirmation of funding details.

The Cabinet – 7th December, 2016

In October 2015, the Government announced that, by the end of this Parliament, local authorities would be able to keep 100% of the business rates they raised locally. This was a fundamental change to the way local government was financed.

In the 2016 Budget, the Government committed to piloting approaches to 100% business rates retention in London, Manchester and Liverpool. This offer had now been extended to the West Midlands.

It was acknowledged that those authorities taking part in the pilot would be taking on a degree of risk in advance of a system-wide approach to risk management. As a consequence, it had been agreed that pilots would be without detriment to the resources that would have been available to individual authorities under the current local government finance regime.

The West Midlands pilot would feature the following core elements:

- retention of 100% business rates (NB – 1% would continue to fund Fire and Rescue responsibilities);
- removal of Revenue Support Grant;
- appropriate adjustments to top-up grant to reflect the net effect of the above two changes.

In order to comply with deadlines imposed by Department for Communities and Local Government and following further clarification being received, the Interim Director – Resources dealt with the matter as an urgent action

Any further proposed changes to the core elements of the pilot would be reported to Cabinet for approval.

Final details of the funding available through the pilot would be reported to Council in January 2017 for approval.

The Cabinet – 7th December, 2016

Resolved that details of the urgent action taken by the Interim Director - Resources in relation to the Council, as one of the constituent members of the West Midlands Combined Authority, participating in a business rates retention pilot from April 2017, on a no detriment basis and in accordance with the terms outlined below, subject to final confirmation of funding details, be received:-

- retention of 100% business rates (NB – 1% will continue to fund Fire and Rescue responsibilities);
- removal of Revenue Support Grant;
- appropriate adjustments to top-up grant to reflect the net effect of the above two changes.

213/16

Action Taken on a Matter of Urgency – Homeless Prevention Programme – Black Country Local Authority Bid

The Leader of the Council presented details of an urgent action taken by the Interim Director – Resources and the Interim Director – Neighbourhood Services, in consultation with the Cabinet Members for Core Council Services and Housing, in relation to participating in the Black Country sub regional bid to access funding for the Homeless Prevention Programme.

The Department of Communities and Local Government had recently announced a £40 million Homelessness Prevention Programme to develop Homeless Prevention Trailblazer Areas and to provide grant funding to enable local authorities to intervene early with rough sleepers before their problems became entrenched.

The Trailblazer Prevention Programme sought to establish network areas across England to work with all eligible households whether in priority need or not to prevent them becoming homeless as early as possible.

The Rough Sleeper Programme had been established to help new rough sleepers or people at risk of sleeping rough, to get rapid support to recover and move on from their homelessness.

The Cabinet – 7th December, 2016

The Black Country Local Authorities (Walsall, Wolverhampton, Dudley and Sandwell) met on 15th November 2016 to develop and agree the outline of the bid submission. Since that date, the local authorities had been developing the detail of the bid ready for submission.

It had been proposed to submit a bid for the Trailblazer and Rough Sleeper programmes to provide a holistic approach to homeless prevention across the Black Country sub region. The bid for the Rough Sleeper Programme would be £190,000 for 2017/18 and £190,000 for 2018/19. In addition, the bid for the Trailblazer Prevention Programme would be approximately £395,000 for 2017/18 and £395,000 for 2017/18.

Walsall MBC will be the accountable body for the purpose of both regional bid submissions and there was no match funding requirement as part of the bid application. As the deadline for submission of the bid was 28th November 2016, the matter was dealt with as a matter of urgency.

Resolved that details of the urgent action taken by the Interim Director – Neighbourhood Services and the Interim Director – Resources in relation to the Council participating in the Black Country sub regional bid to access funding for the Homeless Prevention Programme, be received.

214/16

Decisions of the Black Country Executive Joint Committee on 23rd November, 2016

The decisions of the Black Country Executive Joint Committee taken on 23rd November were received.

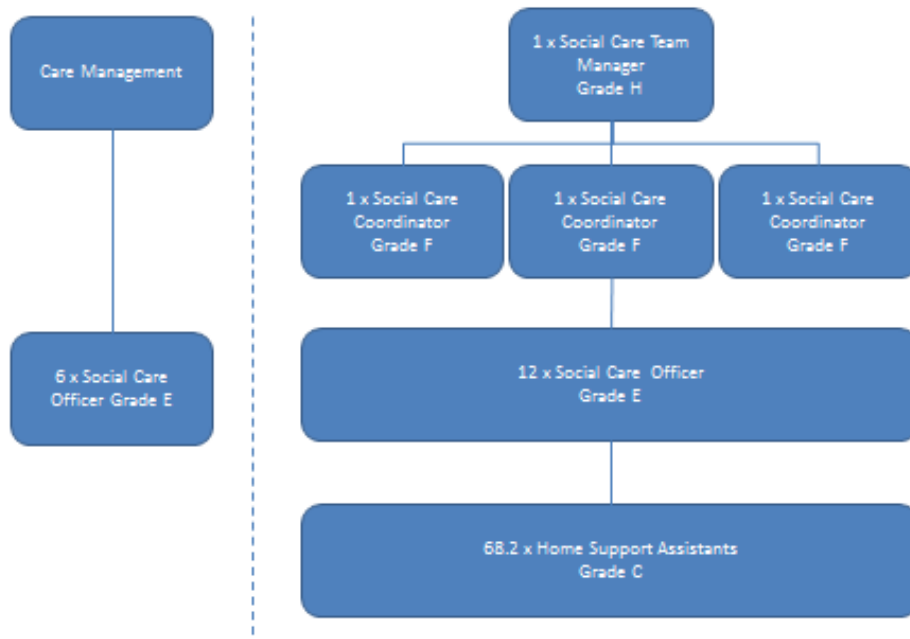
(Meeting ended at 4.50 pm)

Contact Officer: Suky Suthi-Nagra Democratic Services Unit 0121 569 3479
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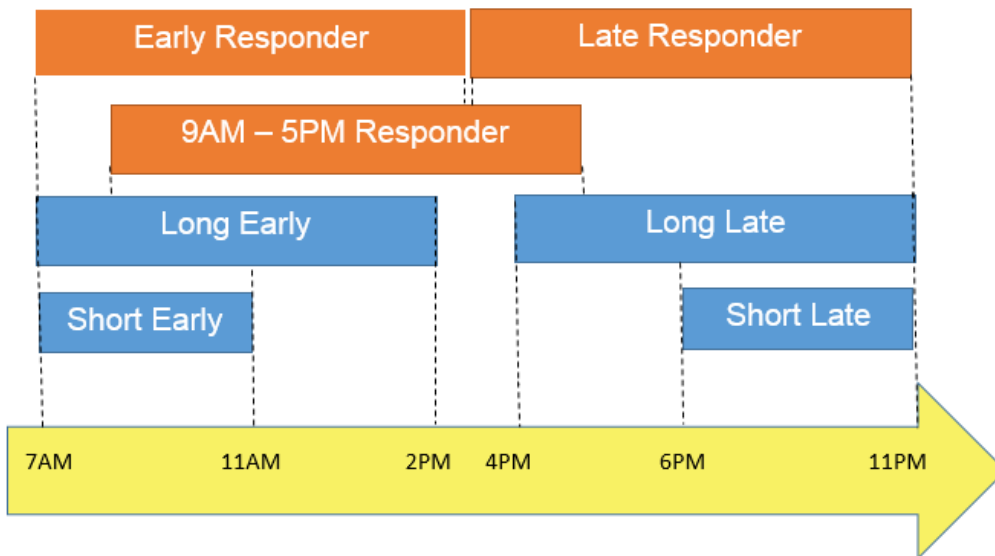
The Cabinet – 7th December, 2016

Proposed Structure – Appendix 1

Post	Grade	Current	Proposed	Required change
Social care team manager	H	1 FTE	1 FTE	Recruit to permanent post
Social Care Coordinator	F	5 FTE	3 FTE	Take out 2 posts through an agreed selection process
Social care officers	E	17 FTE	12 FTE STAR 6 FTE Care Management	Increase by 1 post
Home Support Assistants	C	87.9 FTE	68.2 FTE	Delete 19.7 FTE posts



The introduction of a standard four shift pattern as detailed below simplifies the current complex staff working arrangements and ensures that staff are available at times of peak demand throughout the day. The pie chart shows the current demand for service. Staff will be allocated to the new shift pattern to ensure the needs of service users can be met and down time of staff in periods of lower demand is minimised.



Average Times of Calls Provided by STAR (Oct' 2015 - Sep' 2016)

